

LOK SABHA DEBATES **(English Version)**

Second Session
(Eighth Lok Sabha)



(Vol. VI contains Nos. 41 to 48)

LOK SABHA SECRETARIAT
NEW DELHI

Price : Rs. 4.00

[Original English proceedings included in English Version and original Hindi proceedings included in Hindi Version will be treated as authoritative and not the translation thereof.]

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LOK SABHA DEBATES

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LOK SABHA

*Tuesday, May 14, 1985, Vaisakha 24,
1907 (SAKA)*

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

[*Translation*]

MR. SPEAKER : You are sitting alone today Professor Sahib ! Where are your colleagues ? Shri Narain Chand Parashar.

[*English*]

PROF. NARAIN CHAND PARASHAR : Question No. 833.

Introduction of Photophones

*833. PROF. NARAIN CHAND PARASHAR : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether Government have decided to introduce photophones in the country so as to keep pace with the advanced countries in the field of tele-communication;

(b) if so, the likely date by which the photophones are proposed to be introduced; and

(c) if not, the reasons therefor ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a), (b) and (c). Introduction of video phone or

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picture-phone service will necessitate special tele-communication network...(*Interruptions*).

[*Translation*]

AN HON. MEMBER : Shri Parashar wants to see the picture also.

MR. SPEAKER : What we speak is more important than the form (*Interruptions*)

[*English*]

AN HON. MEMBER : It is required by young men.

PRO. MADHU DANDAVATE : This will be disadvantageous to ugly persons, Sir.

[*Translation*]

MR. SPEAKER : You just say so to somebody and see the result.

[*English*]

SHRI RAM NIWAS MIRDHA : (a) to (c). Introduction of video phone or picture-phone service will necessitate special tele-communication network covering very wide band of frequencies. This will involve relatively large investments with little added commercial value. Hence there is no proposal at present to introduce such a service in the country.

PROF. NARAIN CHAND PARASHAR : Sir, even in foreign countries where this photo phone is available, it is only on a selected basis. Therefore, when India is trying to match with other countries in the advancement of science and technology, would it not be possible to have it at least on an experimental basis in a select group of cities or at least one city in the country ?

AN HON. MEMBER : Select persons also.

SHRI RAM NIWAS MIRDHA : We donot want to copy all that is happening abroad but we want to take in and adopt things which would really be relevant to our own needs and requirements. But so far as picture phone is concerned, even in USA there has been no significant development and even the British telecom do not intend introducing it till 21st century. So, it is not correct to say that even in other countries they have introduced it on an experimental basis on commercial lines. It has not yet been introduced and I do not think we should like to go into this.

PROF. NARAIN CHAND PARASHAR : It is very much relevant now. We are taking India into 21st Century and I do not know why the Minister is fighting shy of it.

SHRI RAM NIWAS MIRDHA : Well, Sir, it is true, but as I said, we do not want to copy everything that is happening in the West or abroad. We want to go into the 21st century but in a way that suits our local requirements. So far as other aspects of tele-communications development is concerned, we are very much ahead of many other countries and we will continue to do so. But in the frill areas like this, which we do not think is really very necessary and important for the development of tele-communications, we would go very slowly.

MR. SPEAKER : The Hon. Minister does not want to have a long jump, he wants to go slow and steady.

Setting up of Indo-French Joint Commission for Oil and Gas Development

*835. **SHRI YASHWANTRAO GADAKH PATIL :** Will the Minister of PETROLEUM be pleased to state :

(a) whether Government propose to set up an Indo-French Joint Commission for oil and gas development in the country;

(b) if so, whether any decision has been taken in this regard; and

(c) if so, the details thereof ?

THE MINISTER OF STATE IN

THE MINISTRY OF PETROLEUM (**SHRI NAWAL KISHORE SHARMA**) : (a) No, Sir.

(b) and (c). Do not arise.

[*Translation*]

SHRI YASHWANTRAO GADAKH PATIL : Mr. Speaker, Sir, through you, I want to know from the Hon. Minister whether any talks were held in this regard between India and France, and if so, when ?

SHRI NAWAL KISHORE SHARMA : Mr. Speaker, there is collaboration between India and France in the field of Petroleum and this collaboration is in progress at various levels. But so far as the question of the Hon. Member regarding Indo-French Joint Commission is concerned, there is no proposal to set up such a commission. So far as collaboration is concerned, it covers a wide area and we have collaboration with many companies in this field. Besides, during the visit of our late Prime Minister to France in November, 1981, Memorandum of Undertaking, embodying promotion of cooperation in different fields, was signed in four cases. These included the field of energy and the field of hydro-carbons. Therefore, our efforts to increase collaboration with France continue.

[*English*]

Public Call Offices in Calcutta

*836. **SHRI BIMAL KANTI GHOSH :** Will the Minister of COMMUNICATIONS be pleased to state :

(a) the present number of Public Call Offices (PCOs) in Calcutta as compared to the number of PCOs in Bombay, Madras and New Delhi;

(b) the reasons why Calcutta is lagging behind other cities in the matter; and

(c) the steps, if any, taken/proposed to increase the number of Public Call Offices in Calcutta ?

THE MINISTER OF STATE OF THE
MINISTRY OF COMMUNICATIONS

(SHRI RAM NIWAS MIRDHA) : (a) The number of Public Telephones (PCOs) in Calcutta Telephone system are 960 as compared to 5695, 876 and 4088 in Bombay, Madras and Delhi respectively as on 31.3.1985.

(b) While a large number of Departmental Public telephones have been opened at places which are frequently visited by general public and the telephone instrument is secure, there is inadequate demand from public for private guaranteed public telephones in Calcutta.

(c) Attempts are being made by Calcutta telephone authorities to popularise the private guaranteed public telephones.

SHRI BIMAL KANTI GHOSH : According to the statement of the Hon. Minister the number of PCOs in Calcutta is only 960 whereas in Bombay it is 5,695, in Madras it is 876 and in Delhi it is 4,088. As far as I remember according to the reports regarding the State capitals in 1981-82 the number of PCOs is as follows : Calcutta—892, Madras 2,450, Bombay 3,197. From the statement of the Minister it is clear that the number of new PCOs set up during the last four years is as follows : Calcutta 68 and Bombay 1,498. The population of Bombay and Calcutta is almost equal. For Bombay population is 82,27,332 and that of Calcutta is 82,91,000. This shows the number of PCOs has no relation with the size of the population of the cities. It is a clear case of discrimination and injustice against Calcutta in the matter of providing telephone facilities. The information supplied by the Minister that in Calcutta the demand is inadequate is not a correct information. This is inaccurate and wrong information supplied to the Hon. Minister by the Officers there. So, will the Hon. Minister be pleased to inform as to when proper justice will be done to Calcutta in the matter of PCO facilities ?

I would also like to know what percentage of PCOs are in working order in Calcutta and in other cities. And thirdly,...

MR. SPEAKER : I have said time and again not to do this thing. Again and again, the Hon. Members do the same thing.

SHRI BIMAL KANTI GHOSH : This is one supplementary.

MR. SPEAKER : It should not be a catalogue. He will reply only one supplementary. There should not be (a), (b), (c), (d), and so on.

SHRI BIMAL KANTI GHOSH : It is a question regarding justice to Calcutta.

MR. SPEAKER : It is all right. You can ask something like that, but this is not the way to put a supplementary.

SHRI BIMAL KANTI GHOSH : All right. I am asking one supplementary.

Will the Hon. Minister be pleased to inform as to when proper justice will be done regarding Calcutta in the matter of PCO facilities ?

SHRI RAM NIWAS MIRDHA : Sir, I had occasion to mention in this House that we are paying special attention to Calcutta so far as development of tele-communication facilities are concerned. But as regards the PCOs., the numbers that I have given are really not as much as we wish it. In my answer itself I have given the reasons that there is inadequate demand from public for telephones in Calcutta. I have enquired from them if there are any pending requests or further applications. There are none. I have also enquired whether public places like railway stations or airports are properly served. They are very properly served. Sealdah has a number of them, Howrah station has a number of them, the airport has a number of public call offices, and if the Hon. Member can suggest some persons who fall within our category, who want PCOs, we will consider them.

AN HON. MEMBER : The Minister of Justice !

(Interruptions)

SHRI PRIYA RANJAN DAS MUNSI : I would like to know from the Hon. Minister whether it is a fact that most of the PCOs in Calcutta, at least half of them in Howrah, I know, remain always out of order because of faulty machines and whenever we put coins, the coins will not come

out and the call also will not be maturing. (*Interruptions*). Will the Minister examine the functioning of this? And since the Minister has stated that public demands are met, is the Minister aware of the fact that the Calcutta Stadium is the biggest in Asia and the Calcutta Football ground will remain busy in the entire period, there are no PCOs there and whoever goes there comes out disappointed? Will he enquire about it and instal PCOs there.

SHRI RAM NIWAS MIRDHA : Any time the Stadium authorities or any responsible authorities who can take care of our instrument and want it, we will give it to them.

(*Interruptions*)

SHRI NARAYAN CHOUBEY : Even the coin which is put in the PCO machine is not coming out.

MR. SPEAKER : If it does not come out, you will have less burden!

(*Interruptions*)

SHRI RAM NIWAS MIRDHA : The Hon. Member wanted to know in Howrah which happens to be constantly using PCOs how many of them are out of order. He knows well that they are out of order sometimes. There are a variety of reasons for that. (*Interruptions*). Sometimes only. They are tampered. We admit they are tampered by people and if you happen to see a news item today in the *Times of India* which reproduces from the *London Times*, it says, the same problem obtains in London. Thousands of them... (*Interruptions*). The level of mischief-makers in Howrah is not much higher than in London. But the point is that because we have not come to a system where we can have fool-proof, tamper-proof Public Call Offices which are attended, we put our research people on this and they are attending.

PROF. MADHU DANDAVATE : It is a global phenomenon.

SHRI BHAGAWAT JHA AZAD : It is a Commonwealth phenomenon.

SHRI RAM NIWAS MIRDHA : It is a global phenomenon.

Production of Maruti Cars

*837. **SHRI DINESH SINGH :** Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) the percentage of Maruti Deluxe Cars and Maruti Ordinary Cars in the total production of Maruti Cars;

(b) whether there is an over production of Maruti Deluxe Cars which are not being lifted by purchasers; and

(c) what is the break up of the cost of extra fittings in Maruti Deluxe Car over that of Maruti Ordinary Car?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) Percentage of Deluxe and Standard Maruti Cars in the total car production upto 30-4-1985 was approximately 22 and 78 respectively.

(b) No, Sir.

(c) It will not be in the commercial interest of the company to disclose this information.

SHRI DINESH SINGH : Mr. Speaker, Sir, it is not my custom to try to disprove Ministers in the House, but for the Minister's benefit I think it would be useful for him to enquire from the factory as to how many offers of Deluxe Cars were made to people and how many have been turned down. If he wishes, I will send him some letters myself.

MR. SPEAKER : Wouldn't they automatically cease production of the thing which is redundant?

SHRI DINESH SINGH : No, Sir, it is not that. They don't do this because there is a demand and it is taken up by those who may not have registered and this is where the unfortunate practice of blackmarketing comes in.

Secondly, Sir, it is said that it is not in the commercial interest of the company to disclose the break-up. There is the cost of the ordinary car. And one knows the cost of

extras that are put in the Deluxe Car. If you add all these things, you get the cost of the Deluxe Car. There is no commercial interest or secret involved in this matter. I have taken the trouble to add them up. The cost of accessories that are extras from the ordinary to the Deluxe Car was calculated and it would come to only Rs. 15,000. That means, on each car, the company is making over Rs. 17,000 as profit. Is it justifiable for a public sector enterprise to make this kind of profit when there is a demand for that car on a large scale? Would it not be possible for the Minister to direct the company that they should make only one category of cars and those who wish to have the extra accessories could indicate so and these could be added on?

SHRI ARIF MOHAMMAD KHAN : Sir, the production of standard Maruti Cars has not been affected on account of production of Maruti Deluxe Cars. The rationale behind the production of Deluxe Car was to generate surplus so as to meet the overall objective of the company, breaking even in 1984-85. The production of Deluxe Car was necessary because of the comparatively low price of the Ordinary Car and the relatively higher cost of production in the first year.

PROF. MADHU DANDAVATE : That is not the question. You are replying independent of the question.

SHRI ARIF MOHAMMAD KHAN : I am not replying independent of the question. The very reason for producing Deluxe Cars was that we can meet the expenditure. The Standard Maruti Car is being provided at low cost. *(Interruptions)*. I think, that was the question asked and I am replying to that.

SHRI DINESH SINGH : I would like to ask second supplementary.

SHRI ARIF MOHAMMAD KHAN : Let me complete the reply. The purpose of producing Deluxe Car was to make the company break even in 1984-85 itself. The cost of the Standard Maruti Car is much lower than the Deluxe Maruti Car. We do not deny that. We are getting more profit on Deluxe Maruti Car so that we can maintain the prices which were announced earlier and that was the reason. That till the end of

the last financial year, no increase in the cost of Maruti Car was announced. That is the reason why we went for the production of Maruti Deluxe Cars. Offers might have been declined by certain customers to whom the offers were made by the Maruti Udyog Limited. But at the same time, Deluxe Maruti Cars are not lying either with the Maruti Udyog Limited or with the stockists... Whatever production has been made, that has already been taken away.

SHRI DINESH SINGH : ...in the blackmarket.

SHRI ARIF MOHAMMAD KHAN : Not in the blackmarket.

PROF. N. G. RANGA : Let the rich people pay more.

SHRI DINESH SINGH : Would the Minister kindly state what was the target for production in the year 1984-85 and how much of it was fulfilled and what would be the target for this year?

SHRI ARIF MOHAMMAD KHAN : Sir, one more point was made by the Hon. Member—it was about the cost structure—that the cost and profit structure of even Ordinary Standard Maruti Car has not been disclosed. We do not consider it proper to disclose the cost structure in the commercial interest of the company.

PROF. MADHU DANDAVATE : Sir, the Hon. Member has mentioned about the cost structure. That should be expunged.

MR. SPEAKER : What is that?

SHRI ARIF MOHAMMAD KHAN : It is not with the Maruti Car alone. This is the standard practice with all the commercial companies. They do not disclose either the cost structure or the profit structure. That is why, we do not think that it is in the commercial interest of the company to disclose it. *(Interruptions)*. I am combining both.

For 1984-85, the total production of Maruti Cars was 14,924, and Maruti Deluxe was 5,429.

The production has exceeded the target which was fixed by the Maruti Udyog Ltd.

SHRI S. JAIPAL REDDY : What are the criteria for the Government....

(Interruptions)

I have always been very straight in putting my question.

What are the criteria for the Government to assert that Maruti Udyog Ltd. has started production; when almost all the major parts happen to be the imported ones? They are merely assembled here.

Will the Government tell us as to what is the production of indigenisation achieved so far and when will the company be able to indigenise the production completely?

MR. SPEAKER : We have already got an answer to that effect last time.

SHRI ARIF MOHAMMAD KHAN : I think that the query made by the Hon. Member does not relate to this question. I have already replied in this House that in-house indigenisation of the Maruti Udyog Ltd. has been achieved as per the revised target. But, the ancillary development has not taken place as we had envisaged and planned. The exact figures are not available with me at the moment.

(Interruptions)

SHRI S. JAIPAL REDDY : What are the targets that have been achieved? What are the targets fixed?

SHRI ARIF MOHAMMAD KHAN : I need a separate notice for this.

SHRI S. JAIPAL REDDY : He said he answered earlier...

MR. SPEAKER : When I allow a supplementary, you make it a debate. Please don't.

SHRI S. JAIPAL REDDY : I have framed the question ..

MR. SPEAKER : You stick to that only.

SHRI CHIRANJI LAL SHARMA : Will the Hon. Minister inform the House whether the target for the year, 1984-85 has been achieved or not?

Will the Hon. Minister kindly assure the House that he would institute an inquiry into the allegation made that persons who booked their Maruti Standard Cars have not been given cars in their turn? I quote my own case. I was informed that my number was about 16,000 and odd. I fail to understand as to why I have not got my turn.

Will the Hon. Minister institute an inquiry as to why the persons who booked the Cars are not given the Maruti Standard Cars in their turn when the claim is made by the Hon. Minister that the target has been achieved?

SHRI ARIF MOHAMMAD KHAN : The target has been achieved but the booking was much more than the production which has been achieved. The target for 1984-85 was only 20,000 and I have already got the figures that the production has been more than the target.

As regards the indigenisation programme which the Hon. Member was asking, we have already

(Interruptions)

I will give the information.

(Interruptions)

MR. SPEAKER : Why are you objecting when the Minister is giving the information?

SHRI ARIF MOHAMMAD KHAN : We have already achieved the figure of 27 per cent indigenisation at present and, as I have already stated, the in-house indigenisation programme is as per the revised target and, as regards the ancillary development, there has been shortcoming on that account.

SHRI G. G. SWELL : Maruti Car production is in collaboration with the Japanese firm and the crux of the question is more production; to solve the problems of the consuming public as well as of the factory, industry. In Japan, one worker produces 100 cars a year. I am not suggesting that we are going to reach that level at this stage. But has the Government or the industry made a study, even at this stage, how many cars one worker in the Maruti will produce in one year?

MR. SPEAKER : I do not think he has got the statistics now.

Transfer of Land Lease to Cooperative Societies

*838. SHRI G. S. GHOLAP : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) the policy of Government regarding land belonging to Union Government given for manufacture of salt to the labour cooperative societies in different States ;

(b) whether it was given on scheduled rate or on tender basis;

(c) the normal practice in Maharashtra for leasing of Union Government land to the cooperative societies; and

(d) the action taken to remove the disparity, if any ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) and (b). Government is assigning land for manufacture of salt by renewal of leases on scheduled rates. However, in case of virgin land, land resumed by the Government and land on which salt works have been constructed by the Government, land is assigned by inviting tenders. Certain concessions have, however, been extended to the Cooperative Societies of weaker sections viz. SC/ST/Adivasis etc., in cases where land is assigned by inviting tenders.

(c) Land under Government Salt works is assigned by inviting tenders. In the case of Cooperative Societies of weaker sections, concessions mentioned above are applicable.

(d) Does not arise.

SHRI G. S. GHOLAP : It has been replied that the same procedure is followed throughout India. But in Maharashtra, specially in the Bombay region, there are four salt works where this procedure is not followed, where tenders are called. Especially

in the Janata regime, two Societies were fighting and, therefore, it was decided that tenders should be called. But previously no tenders were called and only scheduled rates were followed. Why is the same system not followed ? The Sub-Committee of the Consultative Committee has also decided that the scheduled rates should be followed. The Advisory Board also has decided that the same procedure should be followed. So, what is the Government's decision ?

SHRI ARIF MOHAMMAD KHAN : The leases in respect of these salt works are granted to cooperative sector for a period of three years on the basis of tenders. On the request of M/s. Sarvodaya Adivasi M.U.S.S. Ltd., the Government gave these four salt works to them on lease from 1-10-1957 to 30-9-1969 in different spells and on different lease amounts. Meanwhile, another Cooperative Society named Mithagar Kamgar Sahkari Sangh Ltd. requested the grant of lease of these salt works to them. The Government then decided to invite tenders for leasing these four salt works in two blocks of two salt works each. Because another Society came in, we had to invite tenders, but it was done much before.

Another point I would like to make is that the Maharashtra State Electricity Board has requisitioned these lands for installation of a thermal power station and as such, these salt works have been leased only upto 30-6-1985.

It is true that the Consultative Committee had made a recommendation that lease of land to labour cooperative societies should be for a period of 20 years on a ground rent at Rs. 2/- per acre per annum and assignment fee at Re. 1/- per tonne of salt produced and issued. But this recommendation was not accepted by the Government, and in the light of the requisition which has been made by the Maharashtra State Government for this land, I do not think any action is needed at this stage.

SHRI G. S. GHOLAP : Just now the Minister has stated that the land is under requisition or acquisition. We have received a letter in writing that this land was to be acquired, but the proposal has now been dropped. May I know whether the Govern-

ment will now consider extending the period of lease ?

SHRI ARIF MOHAMMAD KHAN : If the Maharashtra Government intimates that they no longer need this land, then any suggestion which is made by the Hon. Member we shall certainly take note of.

Ramagundam Fertilizer Plant

***840. SHRI MOOL CHAND DAGA :** Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) whether the Ramagundam fertilizer plant ended up with an investment of Rs. 220 crores against the initial estimate of Rs. 2 crores only;

(b) if so, the reasons thereof;

(c) whether the capacity utilisation is far from optimal;

(d) if so, the reasons thereof and since when;

(e) the steps taken to improve the production and the results thereof;

(f) whether guarantee tests were done on any of the individual plants or the plant as a whole as there had arisen a dispute between the foreign contractors; and

(g) for frequent technical trouble in the plant, what action has been taken by Government and whether responsibility has been fixed on the delinquent officers ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) to (g). A statement is laid on the Table of the House.

Statement

(a) An investment of Rs. 217.90 crores has been made in the Ramagundam fertilizer plant against the initial estimate of Rs. 93.85 crores.

(b) The major reasons for cost escalation are—appreciation in the values of foreign

currencies; inflation; increase in interest rate; addition of Argon Gas recovery and pollution control systems and increase in financing charges due to extension in completion schedule.

(c) The Urea production and capacity utilisation figures based on 'achievable' capacity for the last three years are as under :

Year	Urea Production	Capacity utilisation
1982-83	1,62,664	49.29%
1983-84	1,75,068	53.05%
1984-85	2,03,090	61.54%

(d) The capacity utilisation was affected due to power cuts/voltage dips, equipment problems, extremely tight steam balance and non-availability of stand-by equipment in gasification and steam generation plant.

(e) Some short-term remedial measures like replacements of Raw Gas Pre-coolers with SS Coolers, NS Removal System, Epoxy lining of the Raw Gas line, etc., have been taken. For long-term remedial measures, an end-to-end survey is being undertaken by foreign consultants. Based on the recommendations of the foreign consultants, remedial measures shall be initiated.

(f) The guarantee tests were carried out on some the plants/equipments individually and not on the plant as a whole. There was no dispute with the foreign contractors.

(g) Frequent mechanical problems were due to design imbalances. The question of fixing responsibility on officers does not therefore, arise.

[Translation]

SHRI MOOL CHAND DAGA : Mr. Speaker, Sir, through you, I want to know from the Hon. Minister when work on Ramagundam Fertilizer Plant was started, what its estimated cost was, what the actual cost on its completion was, when it was commissioned, what its production capacity was and what the quantum of production at present is.

[English]

SHRI VEERENDRA PATIL : The project estimate was prepared in April 1971 and at that time the cost of the project was expected to be Rs. 93.85 crores with a time limit of 42 months. According to the project report the capacity is 900 tonnes of Ammonia and 1500 tonnes of Urea per day. The production as I have already given in the statement is : in the year 1982-83 it is 1,62,664 tonnes, capacity utilisation—49.29%. 1983-84—it is 1,75,068 tonnes and capacity utilisation is 53.05 per cent and 1984-85—it is 2,03,090 tonnes and capacity utilisation is 61.54 per cent.

[Translation]

SHRI MOOL CHAND DAGA : It has been stated that its estimated cost was Rs. 93.85 crores initially which rose to Rs. 270 crores at the time of completion. Will the Hon. Minister state the period over which this cost increased approximately triple? Besides, what was its capacity in 1982-83, 1983-84 and 1984-85 and the total quantum and percentage of production as against it as also the loss thus suffered each year and its percentage?

SHRI VEERENDRA PATIL : I have already said about the capacity utilisation. Regarding capacity utilisation, the latest figure we have is for 1984-85 and it is 61.54 per cent. The Hon. Member wanted to know about the losses. I am sorry I do not have the information. I will collect and furnish it to the Hon. Member.

[Translation]

SHRI MOOL CHAND DAGA : On the one hand you say that the production was about 50 per cent of the total capacity and on the other hand you are not telling us the losses... (Interruptions) What have we to construe therefrom?

[English]

SHRI C. MADHAV REDDI : The figures supplied by the Minister about capacity utilisation of the Ramagundam plant are very misleading. Now he has given only the figures of urea production and he has indica-

ted that in 1984-85 the production was to the extent of 61 per cent. Our reports show that the entire production was only 40 per cent so far. But if we include ammonia also, certainly this figure will go down. May I know from the Minister as to what is the reason for this type of presentation of figures?

Secondly, the main defect we were told with this plant is the design imbalance and foreign consultants have been appointed to go into it. We would like to know what is the progress in this direction.

SHRI VEERENDRA PATIL : So far as the technology is concerned, I have already replied this question on several occasions.

For the first time a coal-based fertiliser plant was experimented in our country and even in foreign countries also I think there are only 2 or 3 fertiliser plants based on coal in South Africa and there is one or two in East Germany and in no other part of the world there are any fertiliser plants based on coal. This was first started in 1971 because at that time our oil position was very bad. We did not have sufficient oil. We did not have sufficient naphtha. We did not have sufficient gas. Therefore, at that time the decision was taken

MR. SPEAKER : We discussed this very question earlier also.

SHRI VEERENDRA PATIL : Earlier also we discussed it. This is the technology we have taken from one Krupps Co. It is a German technology.

Hon. Member, Mr. Daga wanted to know about profit and loss. I can only say that the net profit for the year 1984-85 is Rs. 88 lakhs. It is only this year that Ramagundam plant has made a net profit of Rs. 88 lakhs. But the accumulated losses upto 31.3.85 is about Rs. 55 crores because the plant could not function to its full capacity because of power constraints and other equipment and imbalance of design, etc.

Production of Portland Cement

*841. **SHRI BHOLA NATH SEN :** Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) whether Government have received complaints of scarce availability of ordinary Portland Cement in the market because of deliberate diversion by the Cement factories of their production capacity to production of Portland Pozzolana Cement, Portland Slag Cement and other varieties in which cheaper ingredients are used;

(b) if so, the details thereof;

(c) to what extent the production of different varieties of cement has increased in the country during the past three years; and

(d) the steps taken/proposed by Government to increase availability of ordinary Portland Cement in the market for consumption by the general public ?

THE MINISTER OF STATE IN THE

MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) to (d). A statement is laid on the Table of the House.

Statement

(a) and (b). Some complaints have been received about inadequate availability of ordinary portland cement from consumers such as Irrigation and Power sectors, Railways, Oil India etc. despite the fact that production of ordinary portland cement has shown increase since the introduction of the policy of partial de-control of cement industry.

(c) Production of different varieties of cement in the country during the past three years is as follows :

(in lakh tonnes)

Year	Variety-wise production of Cement				Total
	OPC	PPC	PSC	Other Varieties	
1982	49.7	134.9	39.3	1.5	225.5
1983	64.3	144.6	44.0	1.3	254.2
1984	81.9	166.9	40.7	2.2	291.7
(prov.)					

(d) Cement producers have been requested to manufacture Ordinary Portland Cement in sufficient quantity to make available 30 per cent of the levy quota to various consumers as per directions given by the Government. Cement producers are also exhorted time and again in this regard.

SHRI BHOLA NATH SEN : Sir, at the outset I would like to point out that part (d) of my question has not been replied to. The answer does not give any indication whether general public will get more ordinary portland cement as is given to the Government departments ?

SHRI ARIF MOHAMMAD KHAN : The cement producers have been requested to

manufacture ordinary portland cement in sufficient quantity to make available 30 per cent of the levy quota to various consumers as per directions given by the Government.

SHRI BHOLA NATH SEN : What about the general public ?

SHRI ARIF MOHAMMAD KHAN : For the general distribution the State Governments are responsible. Through the office of Controller of Cement we remain in touch with the State Governments and try to see that there is enough availability of ordinary portland cement in the market for the general public.

SHRI BHOLA NATH SEN : Sir, in

answer to parts (a) and (b) of my question it has been stated :

“Some complaints have been received about inadequate availability of ordinary portland cement from consumers such as Irrigation and Power sectors, Railways, Oil India etc. despite the fact that production of ordinary portland cement has shown increase since the introduction of the policy of partial de-control of cement industry.”

So, Sir, when the Government departments are complaining about the non-availability of portland cement I would like to know what steps have been taken for supply of ordinary portland cement to the members of the public ?

SHRI ARIF MOHAMMAD KHAN :

The only step we can take is to persuade the producers to ensure availability of ordinary portland cement in the market and that is what we are doing.

SHRI BHOLA NATH SEN : Sir, my question is that Pozzolana and Slag cements are made of fly ash and slag. The mill owners are diverting their capacity to manufacture more Pozzolana or Slag cement although you have asked them to increase the capacity of ordinary portland cement by 30 per cent. By diverting their capacity to Pozzolana and Slag cements they are making huge profits because the cost of ingredients of Pozzolana and Slag cement is much less and the price of all these varieties is almost the same. Since in spite of your requests they have not increased the production of ordinary portland cement will you consider to bring a change in the law ?

THE MINISTER OF CHEMICALS AND FERTILISERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : I want to make it clear that so far as the quality of cement is concerned whether it is ordinary portland or pozzolana cement the quality is almost the same. The only difference is...

SOME HON. MEMBERS : No.

SHRI VEERENDRA PATIL : I have not

completed. The only difference is this : in the case of OPC it sets very quickly. In the case of pozzolana it takes a little time. Therefore in all Government departments—wherever irrigation works are there, construction of bridges are there, railway works are there—they naturally prefer ordinary portland cement. Therefore they prefer ordinary portland cement to be supplied to them. If there are any complaints those complaints are mostly from those Public Works Departments. Therefore the policy of the Government is to encourage this because in Pozzolana cement fly ash and other such materials are being used. We have got limited quantity of limestone and we want to conserve it. Therefore the Government policy is to encourage more and more production of pozzolana cement; therefore pozzolana cement production is going up. At the same time in order to meet the requirements of the ordinary portland cement also we have been telling time and again the manufacturers to increase availability. They have increased it. Production also has gone up. If there is any shortage we will persuade the manufacturers to supply it to the departments which require ordinary portland cement and we are following it up. We are having detailed discussions with manufacturers. I think to a great extent we have been able to satisfy the Public Works Department so far as supply of OPC is concerned.

SHRI LALITHESWAR SHAHI : Sir, I want to know whether the Minister has considered the pricing system of different qualities of cement the pricing was last revised only in 1978. Which system encourages production of more slag cement in comparison to portland and pozzolana cement ? In prestressed concrete bridges the cement has to set within a particular time limit. Unless there are different prices for different grades of cement in order to induce them to produce the required production cannot be increased by mere request.

SHRI VEERENDRA PATIL : There is price difference between Pozzolana cement and ordinary portland cement. The price difference is Rs. 15 per tonne between ordinary portland cement and POC cement. In the case of ordinary portland cement it is Rs. 532. In the case of POC it is Rs. 517,

[Translation]

SHRI BANWARI LAL PUROHIT : I want to know from the Hon. Minister whether Government are considering any proposal to increase the price of cement and that is why the factories are not releasing the stocks of cement but are instead holding it. I would like to know how far it is true.

SHRI VEERENDRA PATIL : The price of levy cement was increased a bit last year. There is no question of increasing the price of non-levy cement, because its price depends on the principle of demand and supply in the market. Ever since we increased the price of cement last year, the cement manufacturers are saying that they are incurring losses and that its price should be increased further. But, Government have not taken any decision in this regard.

SHRI BHAGWAT JHA AZAD : Do not increase it, it is already very high.

**Setting up of new Fertilizer Plants
in Orissa**

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*842. **SHRI SOMNATH RATH :**
SHRI K. PRADHANI :

Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) the number of fertilizer plants set up in Orissa so far;

(b) the location of those fertilizer plants;

(c) the quantum of fertilizers produced from each of those plants in the last three years;

(d) whether Government have a proposal to set up new fertilizer plants in Orissa during the Seventh Five Year Plan period; and

(e) if so the sites selected therefor ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) to (e). A Statement is laid on the Table of the House.

Statement

(a) and (b). There are two fertilizer plants in operation in Orissa one at Talcher and the other at Rourkela.

(c) The requisite details are given below :

Production (In thousand tonnes of Nitrogen)

	1982-83	1983-84	1984-85
Talcher	20.6	37.3	55.1
Rourkela	11.0	22.5	49.8

(d) and (e). A large Phosphatic fertilizer plant is under construction at Paradeep in Orissa; it would be completed during the Seventh Plan period. Besides, an industrial licence has been granted for setting up of a small Single Superphosphate unit in Mayurbhanj District of Orissa.

There is no decision, at present, to set up more fertilizer plants in Orissa.

SHRI SOMNATH RATH : I am glad to know from the Hon. Minister that the phosphatic fertilizer plant under construction at Paradeep is going to be completed by the end of the 7th Plan. I would like to know from the Hon. Minister when the fertilizer plant is likely to start commercial production as also the total quantity of fertilizer likely to be produced from that plant annually.

SHRI VEERENDRA PATIL : Sir, so far as this phosphatic fertilizer plant which is being set up at Paradeep is concerned, it would have annual installed capacity of 117,000 tonnes of nitrogen and 300,000 tonnes of phosphatic fertilizer with P_2O_5 in the form of Di-ammonia phosphate. Construction of the plant is proceeding according to the schedule and the Di-ammonia phosphate plant is scheduled to be commissioned by March 1986.

SHRI SOMNATH RATH : I have come to know from the answer given by the Hon. Minister that a small single super-phosphatic unit is going to be set up at Mayurbhanj district of Orissa. I would like to know whether the Government will explore possibilities of setting up more and more such small projects in Ganjam district of Orissa.

SHRI VEERENDRA PATIL : Sir, as I have already said that one industrial licence has been given to East Coast Fertilizer and Chemicals Limited for setting up a single super-phosphate plant with annual capacity of 7,000 tonnes of phosphatic fertilizer in Mayurbhanj district of Orissa. So far, decision on no other application has been taken. But I must say that so far as production of fertilizer is concerned, in Orissa, I think the production is going to be much more than the demnad in that State.

SHRI K. PRADHANI : Mr. Speaker, the Minister in his reply has stated that a large fertiliser plant is going to come up at Paradeep. Generally, the State Governments impose power cuts and the production in these industries is very much affected. To avoid this kind of difficulty, may I know from the Hon. Minister whether the Government proposes to have a captive power plant for electricity production in these industries ?

SHRI VEERENDRA PATIL : In Talcher, we have already got a captive plant generating 30 megawatt and I have said on other occasions also that the policy of the Government is that hereafter instead of entirely depending upon the State Electricity grid for the fertiliser plant, we prefer to have our own captive plants.

SHRIMATI GEETA MUKHERJEE : Considering that West Bengal and Orissa States together facing the same problem, will the Hon. Minister kindly let us know whether he is aware of the fact that the Haldia Fertiliser Plant at Haldia is shut down in the last week rendering about 2500 workers out of job. I want to know whether the Hon. Minister is going to take some steps so that the workers are given the work.

SHRI VEERENDRA PATIL : So far as the Haldia fertiliser project is concerned, the commissioning work is still going on. Therefore, it is very difficult for me to say by what time this project is proposed to be commissioned.

SHRIMATI GEETA MUKHERJEE : What will happen to those 2500 workers ?

MR. SPEAKER : You have said that this plant is shut down. But the Minister says that the project is not yet commissioned.

SHRI VEERENDRA PATIL : That is why I wanted to clarify the position. The question of shutting down does not arise because the project has not yet been commissioned. Commissioning work is still going on. How could it be shut down when it is not yet started commissioning ?

SHRI NARAYAN CHOUBEY : More than 3000 workers are working there and they are getting their wages for more than 10 years.

[Translation]

DR. CHANDRA SHEKHAR TRIPATHY : I want to know from the Hon. Minister the time by which the factories set up at Sultanpur, Budaun and Shahjahanpur in Uttar Pradesh will start production and what their capacity would be.

SHRI VEERENDRA PATIL : Sir, the required information will be furnished after making necessary enquiries on the subject if the Hon. Member asks a separate question on it.

Check on Adulteration in Petrol

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*843. **SHRI SARFARAZ AHMAD :**
DR. G. S. RAJHANS :

Will the Minister of PETROLEUM be pleased to state :

(a) whether attention of Government has been drawn to the news item captioned 'Petrol mein milawat karane walon ke khilaph karrwahi nahin hui' (No action taken against the petrol adulterators) appeared in 'Jansatta' of 9 April, 1985;

(b) if so, the names of the places where such cases of adulteration were detected during the past one year;

(c) the action taken against persons engaged in adulteration in petrol; and

(d) the steps being taken by Government to check adulteration in petrol ?

[English]

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM : (SHRI NAWAL KISHORE SHARMA) : (a) Yes, Sir.

(b) and (c). Information has been called for from the Government of Haryana, and will be laid on the Table of the Sabha.

(d) A statement is laid on the Table of the Sabha.

Statement

Various measures have been taken to check adulteration. These include :

- (i) Instructions to all State Governments/Union Territory Administrations to intensify checks on adulteration of petroleum products.
- (ii) Observance by the Oil Industry of the guidelines on marketing discipline at retail outlets which, inter-alia deal with the matters concerning quality control of products, steps to be taken to prevent adulteration and action to be taken against erring retail outlets/distributors.
- (iii) The vigilance set up in the oil Companies has been strengthened. Regular inspections of retail outlets are conducted by the joint industry team with a view to curbing mal-practices in distribution of petroleum products.

SHRI SARFARAZ AHMAD : With reference to answers to parts (b) and (c) of the question, I would like to know whether adulteration is taking place only in Haryana or in other parts of the country also.

SHRI NAWAL KISHORE SHARMA : These adulteration cases reported in the 'Janasatta' were detected by the Haryana police and it is the Haryana police and the Haryana State Government which have to supply information and in spite of our asking, it has not been supplied to us. Therefore, as soon as we receive it, we would lay it on the Table of the House and also furnish to the

Hon. Member.

With regard to adulteration, it is not only in Haryana, there are many places where adulteration may take place and it cannot be denied that adulteration is not taking place. It is because of many factors.

[Translation]

SHRI SARFARAZ AHMAD : Have you fixed any limit for the reply to come ?

[English]

SHRI NAWAL KISHORE SHARMA : We will try to do it at the earliest.

DR. G. S. RAJHANS : Have you given instructions to the State Governments to intensify checks ? Have the State Governments followed the instructions ? If so, in how many cases ?

SHRI NAWAL KISHORE SHARMA : We have no specific information with regard to this question, but we are pursuing with the State Governments; we hope they are alive to their duties.

[Translation]

SHRI VISHNU MODI : Mr. Speaker, Sir, I want to know whether Government propose to amend the Petroleum Act, as this measure was enacted during the British time. A lot of adulteration is being done in Petroleum at present. I would like to know whether Government propose to enact a legislation to check adulteration in petroleum.

SHRI NAWAL KISHORE SHARMA : There is no question of amending the Petroleum Act. Diesel is being adulterated with kerosene and it is mainly due to the difference in the prices of kerosene and diesel.

So far as the powers of the State Governments are concerned, they are empowered to take action in this regard under the Essential Commodities Act, against the petrol pump owners. Oil Companies also take steps in this matter. In the cases where such complaints are received by us we cancel the dealership even.

[English]

PROF. MADHU DANDAVATE : The rates of kerosene and diesel and petrol on the other side have a lot of difference between them. In the Second World War to avoid adulteration it was insisted that some colour should be added to kerosene so that whenever kerosene is added to either diesel or petrol, it can be detected. In many countries that experiment has succeeded and prevented adulteration. Will the Minister try that experiment in our country so as to produce similar results ?

SHRI NAWAL KISHORE SHARMA : The issue of developing suitable additive that can be added in kerosene to enable easy detection of admixture of kerosene in MS/HSD has been under consideration of Government. For the past several years, we have tried it, but it has not succeeded. It has not yielded results and we are now going in for dopping furfural in kerosene. This experiment is going on and there are problems with regard to this also. If and when we are certain that this furfural doping in kerosene would be an effective check, we would certainly try it.

Digital Electronic Telephone Exchange

*844. **SHRIMATI KISHORI SINHA :** Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether the first digital electronic telephone exchange has been installed in the country;

(b) if so, where and when;

(c) the name of the company from whom it was obtained and the quality of the equipment; and

(d) whether it has been working satisfactorily since installation ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) Yes, Sir.

(b) At Bombay-Worli, on 10th April, 1985,

(c) and (d). The equipment was obtained from M/s. CIT-Alcatel, France. The quality and working of the equipment is generally satisfactory.

SHRIMATI KISHORI SINHA : The answer given by the Minister does not seem to be quite satisfactory. So, I would like to know from the Hon. Minister whether it is a fact that the exchange was to commence working in 1984 August, but this has been done so in 1985 April. If so, I would like to know the reasons for the delay.

SHRI RAM NIWAS MIRDHA : This was the first exchange to be introduced in our system and being of the latest digital type, we wanted that very stringent acceptance test should be adopted before it is really accepted. Then there were problems regarding air-conditioning, etc., which again set back the programme by some months. So, the time taken in completing the acceptance test has been a little high. It is because we were introducing it for the first time and we were not taking any chance with regard to the acceptance test and the stringent measures that we wanted to adopt.

SHRIMATI KISHORI SINHA : Sir, is it a fact that under the agreement with the French firm, 22 more sets have been imported ? And is Government going to import ten more, in view of its experience with regard to the working of the equipment being generally satisfactory ?

SHRI RAM NIWAS MIRDHA : One of the agreements that was entered while accepting this technology was that we would import 200 thousand lines of this system to be used in our country, and these 200 thousand lines are being installed right now. I will list out the places where the work is being done, in Delhi, in Calcutta and other places. I think this agreement was part of the original agreement and we are implementing it, in this manner.

Marine Effective Economic Zone

*845 **SHRI DIGVIJAY SINH :** Will the Minister of DEFENCE be pleased to state :

(a) the surface area of the Marine Effective Economic Zone;

(b) the estimated strength at the fleet of patrol boats to patrol this area; and

(c) the existing strength out of this estimated strength and what it will be within the next two years ?

THE MINISTER OF DEFENCE (SHRI P.V. NARASIMHA RAO): (a) The Exclusive Economic Zone of India has been approximately estimated at 2.8 million square kilometers.

(b) and (c). The precise strength of the fleet of patrol vessels would depend on the type of the vessels and the desired intensity of patrolling. Information about the existing strength and the strength after 2 years is contained in the statement laid on the table of the House.

Statement

	Existing strength	Expected strength after 2 years
Inshore Patrol Vessels Seaward Defence Boats	9	14
Offshore Patrol Vessels	2	6
Deep Sea Patrol Vessels	—	—
Rescue-cum-Pollution control vessels.	—	—

Note : At present the Coast Guard is also operating 2 frigates and 3 'P' Boats transferred to it from the Navy in 1978.

SHRI DIGVIJAYA SINH : From the question you will decipher that the main focus of the information required is what is the desired intensity of patrolling in relation to the 2.8 million square kilometers of area. Therefore, I would like to ask, as to what

the difference is between the desired strength and the existing and expected strength.

SHRI P. V. NARASIMHA RAO : Sir, this question cannot be answered with any accuracy over a long period. Evidently, the idea is to find out how many patrol vessels would be needed, say by the turn of the century. There are so many variable and unpredictable factors that the number given today may not remain tomorrow. It may change to such an extent that it may become an inaccurate answer. That is why I have been careful in answering the question. But I can give certain information. Over a period of 15 to 20 years, no one can say what the intensity of the patrolling is going to be. Can anyone say that? It is just not possible. That is why I can give you the information in regard to what we have today, what we are going to have in the next five years. If that information is needed, I am prepared to give it; but over a period of 15 years if I am to say how much patrolling will be done and what will be the intensity of patrolling, then it is not possible.

SHRI DIGVIJAY SINH : The question is not only about the future requirement. The present requirement is something that we would like to know, i.e. what should be the desired strength, as compared to the total area of 2.8 million sq. kilometres.

SHRI P. V. NARASIMHA RAO : Again, we are coming back to the same question. I am sorry my point is not being appreciated. I can give you the number of patrol vessels we have to-day. I can give you the number of patrol vessels and other vessels which are proposed to be acquired in the next five-year Plan. But I cannot give you what will be the total requirement in a period of 15 to 20 years, because these are so many imponderable factors, and it is not possible to make an accurate estimate. (*Interruptions*) If the Hon. Member wants, I will give the information which I have.

MR. SPEAKER . The Question Hour is over now.

MR. SPEAKER : Now Papers Laid.
Mr. P. V. Narasimha Rao.

WRITTEN ANSWERS TO QUESTIONS

[English]

**Setting up of Industry in Birbhum
(West Bengal)**

*834. SHRI GADADHAR SAHA :
Will the Minister of INDUSTRY AND
COMPANY AFFAIRS be pleased to state :

(a) whether it is a fact that Birbhum is
a 'No industry' District in West Bengal;

(b) whether Government propose to set
up industry there, based on local materials
available;

(c) if so, the fund allotment for the
purpose; and

(d) whether proposals for industrial pro-
jects have been submitted to Union
Government by the West Bengal Government
for clearance ?

THE MINISTER OF STATE IN THE
MINISTRY OF INDUSTRY AND COM-
PANY AFFAIRS AND IN THE MINISTRY
OF HOME AFFAIRS (SHRI ARIF
MOHAMMAD KHAN) : (a) No, Sir.

(b) and (c). The detailed industrial plan-
ning of a specified district is primarily the
responsibility of the State Government con-
cerned. Central Government supplements
their efforts by providing various incentives
like Central Investment Subsidy, Concessio-
nal Finance etc.

(d) No, Sir.

**Setting up of Plants for Filling Cook-
ing Gas Cylinders**

*839. PROF. RAMKRISHNA MORE :
Will the Minister of PETROLEUM be plea-
sed to state :

(a) whether Government propose to set
up new plants for filling cooking gas cylin-
ders; and

(b) if so, the details thereof, stating
their locations and production capacity ?

THE MINISTER OF STATE OF THE

MINISTRY OF PETROLEUM (SHRI
NAWAL KISHORE SHARMA) : (a) Yes,
Sir.

(b) A statement giving the details is
attached.

Statement

The location and capacity of the new
LPG bottling plants proposed to be set up
in the period 1985-88.

Location	Capacity (MTPA)
1	2

Indian Oil Corporation Ltd.

1. Rajkot	12500
2. Hazira	25000
3. Sawai Madhopur	25000
4. Jamshedpur	25000
5. Bhopal	25000
6. Durgapur	25000
7. Tikrikalan (Delhi)	50000
8. Balasore	25000
9. Madanpur (Delhi)	25000
10. Karnal	25000
11. Varanasi	25000
12. Calcutta	25000

Bharat Petroleum Corporation Ltd.

1. Uran	75000
2. Delhi	75000
3. Ambala	25000
4. Jabalpur	25000
5. Tuticorin	25000
6. Sholapur	12500
7. Jalgaon	12500
8. Mangalore	12500
9. Trivandrum	12500

1	2
Hindustan Petroleum Corporation Ltd.	
1. Visakh	12500
2. Jammu	7000
3. Mysore	12500
4. Hubli	12500
5. Srinagar	7000
6. Chandrapur	12500
7. Aurangabad	12500
8. Calcutta	25000
9. Cuttack	25000
10. Vijaywada	25000
11. Goa	12500
12. Raipur	25000
13. Miraj	12500

Tenders for on-Shore Drilling

*846. SHRI GURUDAS KAMAT : Will the Minister of PETROLEUM be pleased to state :

(a) whether the oil and Natural Gas Commission have invited quotations for on-shore drilling from Indian as well as foreign firms;

(b) if so, the number of Indian firms who have responded to the tender;

(c) whether complaints of alleged discrimination against Indian firms have been received by Government; and

(d) if so, the details thereof ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) and (b). Yes, Sir. The Oil and Natural Gas Commission invited two tenders—one for charter hire of four deep drilling rigs and the second for charter hire of two shallow drilling rigs from Indian entrepreneurs. Quotations were received from 15 Indian firms for the first tender and from 13 Indian firms for the second. In another tender, which was however, invited on a global basis for charter

hire of four deep drilling rigs quotations were received from three Indian parties.

(c) No, Sir.

(d) Does not arise.

Captive Power Plant for HFC Unit at Haldia

*847. SHRI SATYAGOPAL MISRA : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) whether the Government have taken any decision to set up a 30 MW captive power plant at the Hindustan Fertilizer Corporation Unit at Haldia;

(b) if so, the details thereof;

(c) when the construction work is proposed to be taken up and when it will be completed; and

(d) the details thereof ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) and (b). Yes, Sir. In 1981 Government had approved the setting up of such a plant which was to cost Rs. 29.04 crores.

(c) and (d). The present power requirement of the Ammonia/Urea and NPK plants at Haldia can be met from the gas turbine, steam plant and the State grid. The schedule of construction of the captive power plant will depend upon the technical stabilization of the Ammonia plant which is expected to be determined shortly.

Production in Indian Drugs and Pharmaceuticals Limited Factory at Madras

*848. SHRI K. RAMAMURTHY : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) whether it is a fact that during April—December 1984, the production in the Indian Drugs and Pharmaceuticals Limited factory at Madras fell by 50 per cent

as compared to the production during the corresponding period in 1983-84;

(b) if so, the reasons therefor; and

(c) the remedial steps being taken to rectify the deficiencies in production in this factory ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) to (c). Compared to the corresponding period of 1983-84, during April-December, 1984, the value of production in the Madras Plant of IDPL was less by 43%. This shortfall was mainly due to the discontinuance of production on loan licensing basis. In fact, the production, by the Madras Plant, *per se*, increased by 12.7% during this period. Steps are being taken by IDPL, Madras to increase utilisation of the formulation capacities.

Expansion of Barauni Oil Refinery

*849. SHRI SATYENDRA NARAYAN SINHA : Will the Minister of PETROLEUM be pleased to state :

(a) whether there is any plan for expansion of the Barauni oil refinery;

(b) if so, the details thereof; and

(c) if not, whether increasing needs of eastern region for oil products will be met through long distance transportation of oil products from western and northern regions ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) and (b). Indian Oil Corporation is undertaking studies for de-bottlenecking their refineries including the one at Barauni to increase the capacity.

(c) It is expected that the demand for products in the Eastern Region will be substantially met from the production in the refineries in that region.

Re-opening of closed Old Paper Mills

*850. SHRI C. MADHAV REDDI :
SHRI M. RAGHUMA REDDY :

Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) whether a number of very old paper mills which were established during pre-Independence period are lying closed or are not properly functioning;

(b) if so, the number and names of such paper mills in each State;

(c) whether Government propose to take over and modernise those old paper mills and make them able to work in full capacity so as to produce paper in sufficient quantity and to give jobs to a large number of workers who have been thrown out of jobs due to the closure of such mills;

(d) if so, the details thereof; and

(e) the funds, if any, allocated for the purpose ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) and (b). Two such large integrated pulp and paper mills, viz. Bengal Paper Mills in West Bengal and Rohtas Industries Ltd. in Bihar, are lying closed at present.

(c) There is no proposal under consideration of Government to take over the management of these two paper mills under the Industries (Development and Regulation) Act, 1951.

(d) and (e). Do not arise.

Public Telephones in Villages

*851. SHRI AMAR ROY PRADHAN : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether Government propose to instal atleast one public telephone in every village in the country to avoid the inconvenience to

the villagers, during the Seventh Five Year Plan;

(b) if so, the details thereof; and

(c) if not, the reasons therefor ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) No, Sir.

(b) Does not arise.

(c) The Long Distance Public Telephones are likely to become accessible to most habitations in the country in a radial distance of 5 Km. progressively by 1990, subject to the availability of financial resources and material.

Oil Exploration by Foreign Companies

*852. SHRI B. V. DESAI : Will the Minister of PETROLEUM be pleased to state :

(a) whether Government have offered foreign oil companies larger blocks for oil exploration on more favourable terms to attract them to participate in its quest for hydro-carbons;

(b) if so, the time by which final decision in regard to this will be taken;

(c) how many foreign companies have been offered oil exploration; and

(d) how many of them have agreed ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) to (d). Government are considering the question of offering offshore blocks for oil exploration by foreign oil companies. Details are expected to be worked out in the next few months.

Utilisation of INSAT-IB

*853. SHRI MAHENDRA SINGH : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether INSAT-IB has been grossly underutilised so far;

(b) if so, the reasons therefor; and

(c) the steps proposed to be taken to improve its utilisation ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) No, Sir. INSAT-IB became operational in October 1983. It was planned to be utilised in a phased manner. More than 2000 circuits were utilised till end of 1984. The balance will be utilised by end of December 1985.

(b) Does not arise.

(c) Does not arise.

[Translation]

Sale of Medicines

6366. SHRI CHHITTUBHAI GAMIT : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) whether more than seventy percent of Vitamins' market is under the control of multinationals and they are selling medicines at high rates;

(b) if so, the number of such cases which came to Government's knowledge and the action taken, if any, against them;

(c) the procedure followed by Government in approving price structure etc. in this regard; and

(d) the measures being taken by Government to make available antibiotic medicines and Vitamins at cheap rates by bringing these items under official control in order to check contagious diseases and widespread malnutrition ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEE-RENDRA PATIL) : (a) to (d). The prices of multivitamin formulations formulated in accordance with Schedule V of the Drugs and Cosmetics Act and the rules made thereunder were fixed under the provisions of the Drugs (Prices Control) Order, 1979 in August, 1983.

Five companies viz M/s. Pfizer, M/s. Abbott M/s. Parke Davis, M/s. Warner Hindustan and M/s. Sandoz filed writ petitions in the Bombay High Court and M/s. Parke Davis and M/s. Warner Hindustan got stay of the implementation of the Government order whereas in the case of remaining three companies, Government orders were quashed. These companies are, therefore, charging the prices which they were charging prior to the passing of the Government orders in respect of their multi-vitamin formulations. Other companies including M/s. Glaxo and M/s. Boehringer Knoll are, however, complying with the prices fixed for the multi-vitamin formulations.

The prices of antibiotic formulations as well as multi-vitamin formulations are regulated under the provisions of Drugs (Prices Control) Order, 1979 and this ensures their availability at fair and reasonable prices.

[English]

Setting up of more Caustic Soda Plants

6367. SHRI AMARSINH RATHAWA ❁ Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

- (a) the number of caustic soda plants working in the country;
- (b) the location and annual production thereof;

(c) whether there is any proposal to set up more caustic soda plants in the country;

(d) if so, the details thereof;

(e) whether any foreign firm has offered to set up caustic soda plant in India;

(f) if so, the particulars of such firms and their terms and conditions; and

(g) the action taken by Government in this regard ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEE-RENDRA PATIL) : (a) and (b). There are 38 plants in operation for the manufacture of Caustic Soda in the country. Their total production during 1984-85 was of the order of 6.80 lakh tonnes (Provisional). A Statement-I indicating the location of each plant is annexed.

(c) Yes, Sir.

(d) A Statement-II indicating the details of additional Industrial Licences/Letters of Intent granted for the manufacture of Caustic Soda is annexed.

(e) to (g). No, Sir. However, some proposals for Foreign Collaboration for import of technology for the manufacture of Caustic Soda have been received from Indian companies.

Statement-I

Sl. No.	Name of Unit	Location
1	2	3
1.	M/s. Andhra Sugars Ltd.	Venkatrayapuram, Tanuku, Kovvur, West Godavari, Andhra Pradesh.
2.	M/s. Sirpur Paper Mills	Sirpur, Andhra Pradesh.
3.	M/s. Ashok Paper Mills,	Jogighopa, Goalpara, Assam.
4.	M/s. Bihar Caustic and Chemicals Ltd.	Rehala (Palamau), Bihar.
5.	M/s. Rohtas Industries Ltd.	Dalmia Nagar, Dehrion Sone, Bihar.

1	2	3
6. M/s. D. C. M. Chemical Works Ltd.		Delhi
7. M/s. The Ahmedabad Mfg. & Calico Ptg. Co. Ltd.		Bhavnagar, Gujarat.
8. M/s. The Atul Products Ltd.		Atul, Distt. Bulsar, Gujarat.
9. M/s. Gujarat Alkalies & Chemicals Ltd.		Baroda, Gujarat.
10. M/s. Saurashtra Chemicals		Porbandar, Gujarat.
11. M/s. Tata Chemicals Ltd.		Mithapur Gujarat.
12. M/s. Ballarpur Inds. Ltd.		Yamunanagar, Jagadhri, Haryana.
13. M/s. Ballarpur Inds. Ltd.		Karwar, Karnataka.
14. M/s. Travancore Cochin Chemicals Co.		Udyogmandal, Kerala.
15. M/s. Gwalior Rayon Silk Mfg. (Wvg.) Co. Limited.		Nagda, Madhya Pradesh.
16. M/s. Hukamchand Jute Mills		Sehabad, Amlai, Madhya Pradesh.
17. M/s. Nepa Mills Ltd.		Nepanagar, Madhya Pradesh.
18. M/s. Ahmedabad Mfg. & Calico Ptg. Co. Ltd.		Anik, Chambur, Maharashtra.
19. M/s. Ballarpur Inds. Ltd.		Ballarshah, Maharashtra.
20. M/s. Century Spg. & Wvg. Mills Ltd.		Thane, Maharashtra.
21. M/s. J. K. Chemicals Ltd.		Thane, Maharashtra.
22. M/s. The National Rayon Corpn. Ltd.		Mohans, Thane, Maharashtra.
23. M/s. Standard Mills Co., Limited		(Standard Alkali), Thane, Maharashtra.
24. M/s. Jayshree Chemicals Ltd.		Chhatrapur, Ganjam, Orissa.
25. M/s. Oriental Paper Mills		Brajraj Nagar, Sambalpur, Orissa.
26. M/s. Titagarh Paper Mills Ltd.		Charway, Orissa.
27. M/s. Punjab Alkalies & Chemicals Ltd.		Nangal, Punjab.
28. M/s. Modi Alkalies & Chemicals Ltd.		Matsya Indl. Estate, Alwar, Rajasthan.
29. M/s. Shriram Fertilizers & Chemicals Ltd.		Ladpura. Kota, Rajasthan.

1	2	3
30.	M/s. Dharangadhra Chemical Works Limited	Sahupuram, Tamil Nadu.
31.	M/s. Kathari (Madras) Limited	Manali, Tamil Nadu.
*32.	M/s. Mottur Chemicals & Indl. Corpn. Limited	Mettur Dam, Salam (Two units), Tamil Nadu.
33.	M/s. Konoria Chemicals & Industries Limited	Renukoot, Mirzapur. Uttar Pradesh.
34.	M/s. Durgapur Chemicals Limited	Durgapur, Burdwan, West Bengal.
35.	M/s. Hindustan Heavy Chemicals	Khardha, 24 Parganas, West Bengal.
*36.	M/s. Titagarh Paper Mills Co. Ltd.	Titagarh, and Kakinara, 24 Parganas, West Bengal.

*Both these company have two Plants.

Statement-II

Sl. No.	Name of the Unit	Proposed Location	No. & date of IL/LOI	Annual Capacity
1	2	3	4	5
A. Licensed				
1.	M/s. Rohtas Industries	Dalmia Nagar, Bihar	CIL : 225 (77) dt. 11.7.77	2,400
2.	M/s. Jayshree Chemicals	Kalahandi District Orissa.	IL : 347 (76) dt. 18.9.76	25,500
3.	M/s. Ballarpur Industries	Yamuna Nagar, Haryana.	CIL : 206 (83) dt. 30.5.83	4,950
4.	M/s. Hukamchand Jute Mills	Amlai, Distt. Shadol, Madhya Pradesh	CIL : 292 (82) dt. 8.10.82	14,000
5.	M/s. Chemfab Alkalies Ltd.	Pondicherry	CIL : 394 (83) dt. 26.11.83	8,250
6.	M/s. Shriram Fertilizers & Chemicals	Ladpura, Kota Rajasthan	CIL : 480 (80) dt. 5.2.80	33,000
7.	M/s. Mettur Chemicals & Indl. Corpn.	Mettur Dam, Salem Tamil Nadu	CIL : 52 (83) dt. 9.2.83	13,200
B. Letters of Intent				
1.	M/s. A.P.I.D.C.	Srikakkulam, Andhra Pradesh	LI : 195 (75) dt. 31.3.75	33,000

1	2	3	4	5
2.	M/s. Shirayalaseema Alkalies	Kurnool, Andhra Pradesh	LI : 429 (80) dt. 29.8.80	33,000
3.	M/s. Hindustan Paper Corpn.	Cachhar, Assam	LI : 229 (76) dt. 9.7.76	20,000
4.	M/s. Hindustan Paper Corpn.	Nowgong, Assam.	LI : 228 (76) dt. 9.7.76	20,000
5.	M/s. D. C. M. CHEM. Works Ltd.	Delhi.	LI : 98 (73) dt. 20.12.73	19,800
6.	M/s. G. K. Lamba C/o Gujarat Chlor Alkali Industries Limited	Bharuch Distt. Gujarat	LI : 227 (83) dt. 6.4.83	33,000
7.	M/s. Narindra I Bhuva	Zaffardabad Gujarat.	LI : 244 (76) dt. 15.7.76	33,000
8.	M/s. Premier Alkalies Ltd.	Mahindergarh, Haryana.	LI : 162 (81) dt. 31.3.81	8,250
9.	M/s. Ballarpur Inds. Ltd.	Karwar, Karnataka.	LI : 461 (80) dt. 11.9.80	49,500
10.	M/s. Karnataka SIDC	Karnataka.	LI : 914 (82) dt. 21.12.82	33,000
11.	M/s. Ballarpur Inds. Ltd.	Ballarsha, Maharashtra.	LI : 788 (80) dt. 22.12.80	4,950
12.	M/s. H. O. C.	Rasayani Maharashtra	LI : 78 (81) dt. 6.3. 81	33,000
13.	M/s. IPICOL	Gopalpur, Ganjam, Orissa	LI : 660 (82) dt. 31.8.82	33,000
14.	M/s. Sambhar Salts Ltd.	Sambhar, Abu, Rajasthan.	LI : 154 (81) dt. 31.3.81	33,000
15.	M/s. Kothari (Madras) Ltd.	Manali, Tamil Nadu	LI : 836 (80) dt. 31.12.80	33,000
16.	M/s. Durgapur Chemicals Limited	Durgapur, West Bengal	LI : 4 (12)/66- Ch. dt. 29.7.67	5,097

Use of Imported Paper by Affluent

6368. SHRI P. APPALANARASIMHAM : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) whether there is a serious shortage of paper for children's books etc. and it is being imported to meet the shortage;

(b) whether some of the fancy packing projects have come up in the country for the affluent which use a lot of imported paper for items of daily need;

(c) whether his Ministry had twice turned down Tetrapak and Toilet Paper Projects as these catered solely to the affluent; and

(d) if so, how these projects started and the annual consumption of paper by these projects during the last two years and projected needs thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) Although representations have been received from the printing industry regarding high prices of printing paper, there is no shortage of paper in the country.

(b) Since imported paper attracts high customs duty, the possibility of substantial use of this paper for daily needs is very limited.

(c) Although initially Government did not favour Tetrapak scheme for various reasons, the scheme was reconsidered on the basis of the Report of the National Commission on Agriculture (Act, 1976), and the Report of the Committee on Public Undertakings (April, 1976) and approved in July, 1979, as part of the Operation Flood II after obtaining necessary clearances from the concerned Ministries/Departments.

(d) The project for manufacture of laminated paper for packing of sterilised milk in the Tetrapack dairies set up near Baroda by the Indian Dairy Corporation with an annual capacity of 7650 tonnes went into production

on 1983. The full utilisation of the plant is expected to be achieved in the 4th year of production, when the consumption of paper is expected to reach about 6,100 tonnes.

Manufacturing Arrangement of Piping System of Air Brakes

6369. SHRI ANANDA PATHAK : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) whether his Ministry are aware that Bharat Brakes and Valves Ltd., has a licence manufacturing arrangement of piping system of Air Brakes of Westinghouse type with S.D. Technical Services Private Ltd., New Delhi; and

(b) if so, the reasons for which his Ministry have approved this licence arrangement when the Bharat Brakes has technical collaboration arrangement for complete Air-brake system with Orlinkon Bohr, Switzerland ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) Messrs Bharat Brakes & Valves Ltd, have signed a memorandum of understanding for manufacture of air braking system of Westinghouse type with Messrs S.D. Technical Services Pvt. Ltd., New Delhi.

(b) Messrs Bharat Brakes & Valves entered into an understanding with M/s. S.D. Technical Services as the Westinghouse type air brakes were accepted by the Railways and it would have taken some time for Orlinkon brakes to prove successful for regular use. The Company is yet to seek approval of the Government of India for any licensing arrangement with S.D. Technical Services.

News Item Captioned 'Near Fatal Phone Call'

6370. SHRI RAM SAMUJHAWAN : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether his attention has been drawn to the news item captioned 'Near fatal phone

call' appeared in the 'Indian Express', New Delhi of 14th April, 1985;

(b) if so, whether the incident has been got investigated by some experts to find out how the fatal electric shock waves in the form of a flame were emitted from the receiver of the phone and its outcome; and

(c) the measures taken or being taken to prevent such incidents in future and warning the Telephone Engineers and users against the occurrence of such incidents ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) Yes, Sir.

(b) Yes Sir. Immediately on receipt of information of the incident, local telecommunication officer alongwith Electrical Inspector of State Government investigated into the mishap making enquiries from local people available at the site of the incident. Some boys had thrown a piece of wire which caused a contact between the High Tension 66 KV wire and telephone wires of the affected subscriber. This resulted in sparks, charring of drop wire at subscriber end, damage to telephone set, burn injuries to the subscriber and also damage to the underground cable.

(c) A case has been registered with the Police authorities regarding tampering of telephone wires. This mishap was not due to negligence of telecom staff. However, warning boards/indications are always displayed on all high tension towers.

Vitamin 'A' Imported and Produced by M/s. Roche

6371. SHRI JAGANNATH PATTHAIK: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) the different varieties of Vitamin A imported and produced by M/s. Roche and Glaxo and the indigenous production imports and procurement of each of the varie-

ties of Vitamin A during the past three years;

(b) how production and procurement of each of the varieties of Vitamin A have been utilised by each of the companies with names of the specific formulations along with composition based on each variety of Vitamin A and their production during the past three years, year-wise, and

(c) whether any irregularities have come to the notice of his Ministry concerning imports of Vitamin A by the two multinational companies ?

THE MINISTER OF CHEMICALS AND FERTILISERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) and (c). Vitamin A is a conalised item and normally it is marketed as Vitamin A Palmitate (oily) and Vitamin A Acetate (dry powder). M/s. Roche and Glaxo are the major producers of Vitamin A and the entire production of Vitamin A in the country during 1982-83 and 1983-84 was from these two companies. Their production during the last three years has reportedly been as under :

	(in MMU)		
	1982-83	1983-84	1984-85
Roche	38.24	40.72	37.60
Glaxo	14.25	19.51	16.56

This Ministry is not aware of any import of Vitamin A by these two companies.

The total quantity of Vitamin A imported in the last three years is as follows :

1982-83	12.425 MMU
1983-84	20.346 ..
1984-85	12.685 ..

(b) The information to the extent available with this Ministry is given in the statement attached.

Statement

Sl. No.	Name of the Company	Name of the formulation	Composition	Pack size	Nos. of units produced during the year ended December		
					1982	1983	1984
1.	M/s. Roche Products	Arovit Tabs.	Vit. A 50,000 I.U. per tablet	8's	22,37,336	21,77,927	21,25,428
2.	-do-	Arovit Drops	1,50,000 I.U. per amp.	7.5 amp.	20,233	11,195	6,688
3.	-do-	Arovit Inj.	1 lakh I.U. per amp.	3 amp.	2,67,250	2,35,308	1,79,199
4.	-do-	Arovit Forte	3 lakh I.U. per amp.	3 amp.	1,93,164	1,46,686	1,42,119
5.	-do-	Rovigon Tabs.	Each tablet contains Vit. A-10,000 I.U. Vit. E 25 mg.	8's	17,68,533	14,52,019	13,34,547
6.	M/s. Glaxo Labs.	Prepaline Caps.	24,000 I.U.	100's	64,148	42,525	42,965
7.	-do-	Prepaline Inj.		1 ml.	23,790	19,364	4,014
8.	-do-	Prepaline Inj. (Forte)		1 ml.	4,34,651	3,80,806	28,956

Amendment to Cantonment Electoral Rules

6372. SHRI MANIK REDDY : Will the Minister of DEFENCE be pleased to state :

(a) whether the Electoral Rules applicable in Cantonment Board areas in the country are outdated and outmoded since they were framed during the British rule in India;

(b) if so, whether Government propose to bring these rules at par with the latest Election Rules as applicable to Municipal Corporations, State Assemblies/Lok Sabha; and

(c) when the Cantonment Electoral Rules are proposed to be amended accordingly ?

THE MINISTER OF DEFENCE (SHRI P.V. NARASIMHA RAO) : (a) to (c). No, Sir. Cantonment Electoral Rules have been periodically amended to the changing requirements and the democratic aspirations of the Electorate. Consequently, there is no need at present to substantially alter or modify the existing Cantonment Electoral Rules.

Pollution Control for the Fertilizer Industry

6373. SHRI SANAT KUMAR MANDAL : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) whether any study had been conducted on pollution control (both air and water) for the Fertilizer Industry;

(b) if so, the outcome thereof;

(c) the detailed requirements laid down for compliance with MINAS (Minimum National Standards) by the following Fertilizers Plants; (i) Zuari Agro Chemicals; (ii) National Fertilizer; (iii) Hindustan Fertilizer and (iv) Rashtriya Chemicals and Fertilizers; and

(d) the element of foreign technology and import, if any, involved in the fulfilment of the prescribed norms ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) Yes, Sir.

(b) Detailed information on the various process technologies, nature and extent of polluting emissions and effluent, and also the status of pollution control measures in the fertilizer industry of different types (in nitrogenous, phosphatic and complex) has been collected through this study.

(c) For compliance of MINAS, the fertilizer plants are required to instal in-plant control measures and waste treatment facilities to ensure that the effluents and emissions are within the prescribed limits.

(d) Foreign technology and import are involved in adoption of advanced process technologies and techniques for treatment of noxious wastes.

Definition of Drug Intermediate

6374. SHRI S.L. MURMU : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) whether National Drugs and Pharmaceuticals Development Council had recommended for evolving a definition of 'Drug Intermediate';

(b) if so, the effect on the Drug industry in the absence of such a definition; and

(c) the extent to which prices of medicines are costlier to the masses as a result of the same ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) No, Sir.

(b) and (c). Do not arise.

Construction of Head Post Office building at Balurghat in West Bengal

6375. SHRI PALAS BARMAN : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether there is any proposal to construct the building of Head Post Office at Balurghat in West Bengal;

(b) if so, when it will be completed; and

(c) for how long the present system of work scattering of the same post office in different corners of the town, will continue by paying house rent ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) Yes, Sir.

(b) It is expected to be completed by the end of 1987.

(c) Till the completion of construction of this departmental building.

**Marketing of Drugs by Generic name
in preference to Brand Names**

6376. DR. PHULRENU GUHA : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) whether Government have taken steps to promote marketing of drugs by generic names in preference to brand names and to ensure transfer of advantage of exemption from customs/excise duty on drugs to the consumers;

(b) if so, the details thereof;

(c) the success achieved in the matter so far; and

(d) the steps proposed to be taken ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) to (d). Based on 1978 Drug Policy, Ministry of Health and Family Welfare issued a notification under the the Drugs and Cosmetics Act so as to prohibit the use of brand names in the first instance of formulations based on :

(i) Analgin, Aspirin, Chlorpromazine, Ferrous Sulphate and Piperazine and its salts.

(ii) New Single ingredient drugs.

One manufacturer producing formulations under the brand names filed writ petition in the Delhi High Court. The Delhi High Court set aside the notifications. Government have filed a Special Leave Petition in the Supreme Court against this judgement in the Delhi High Court and the same has been admitted.

In the meanwhile formulations sold under generic names continued to enjoy exemption from excise duty. Formulations sold under generic names become available to the consumers at cheap prices.

E.P.I. Projects in foreign countries

6377. SHRI ANADI CHARAN DAS : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) the projects undertaken by Engineering Projects (India) Ltd., in foreign countries;

(b) Indian manpower engaged in each project;

(c) whether reservation policy for appointment of SC and ST is implemented by the Corporation or not; and

(d) the number of SC and ST labourers sent abroad ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) Statement containing a list of Projects undertaken by Engineering Projects (India) Ltd. in foreign countries is annexed.

(b) India manpower stationed abroad as on 1.1.85 is as under :

	<i>Kuwait</i>	<i>Iraq</i>
Workers	55	657
Staff	10	53

(c) Yes, Sir.

(d) 93.

Statement

Sl. No. Name of the Project

1. International Airport Project, Kuwait
2. Coke Oven Project, Sisak, Yugoslavia
3. Pusher Type Reheating Furnace, Iraq
4. Tunna Canning Plant, Maldives
5. Increase of Water Supply to Um-Qasr, Basrah, Iraq
6. Supply of Steel Structures, Kuwait Airport
7. Supply of Lighting Towers to Amiry, Kuwait
8. Water Treatment Plant, Bangkok
9. Consultancy for Mechanical Training Centre, Iraq
10. Supply of Surveying Instrument to Iraq
11. Feasibility Report for Mini Steel Plant, Guyana
12. Al-Firdous Housing Project, Kuwait
13. Mechanical Training Centre, Iraq
14. Civil Works for Electrification Project, Wadi Gizan, Saudi Arabia
15. 35th Brigade Camp Project, Kuwait
16. Self Palace Area Building Project, Kuwait
17. Northern Grain Silos Project, Iraq
18. Water Research Centre, Iraq
19. Radio & Coloured TV Project, Iraq
20. Central Grain Silos Project, Iraq
21. SAAD-3 Project, Iraq
22. Civil Works for Ruwais Refinery, Abu Dhabi
23. Oil Storage Tanks, Jeddah, Saudi Arabia
24. Council of Ministers Building Project, Baghdad, Iraq
25. Feasibility Report SAAD-16, Iraq

26. (A) Expansion of Silos Project, Lot-3A, Iraq
(B) Expansion of Silos Project, Lot-4, Iraq
27. Site Works (External Services of Council of Ministers Building Project, Iraq
28. Council of Ministers Building Project (Modification Works), Iraq.

New Telephone Connections in Calcutta

6378. SHRI PRIYA RANJAN DAS MUNSI : Will the Minister of COMMUNICATIONS be pleased to state :

(a) the number of persons who applied for telephone connection in Calcutta Telephones from 1982 to 31 March, 1985;

(b) the number out of them who got the connection; and

(c) the number of existing lines totally discontinued or surrendered by the subscribers during these years ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) 21652 persons applied for telephone connections in Calcutta Telephones from 1st April 1982 to 31st March, 1985.

(b) 47357 new telephone connections have been provided from 1st April, 1982 to 31st March, 1985.

(c) 31772 existing lines have been discontinued or surrendered by the subscribers during these years.

Assessment Regarding Percentage of Formulations of Drugs

6379. SHRI LAKSHMAN MALLICK : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) whether Government have made any assessment regarding the percentage of formulations of drugs in the market that are in the hands of giant multinationals and others;

(b) whether the Government are considering any steps to ease the drug industry; and

(c) if so, the details regarding the policy of Government in this regard ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) No, Sir.

(b) and (c). The Government have taken up review of the 1978 Drug Policy.

New Device for Fuel Efficiency

6380. SHRI MURLIDHAR MANE : Will the Minister of PETROLEUM be pleased to state :

(a) whether a new device to achieve fuel efficiency has been successfully worked out by an oil company of Government;

(b) if so, the details thereof;

(c) whether the device is also likely to be extended to other oil companies; and

(d) if not, the reasons thereof ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) to (c). In order to achieve fuel efficiency, the Indian Oil Corporation and other oil companies have taken up energy conservation projects in their refineries which include replacement of low efficiency furnaces by high efficiency furnaces, revamping of furnaces through installation of air preheaters and providing additional heat exchangers.

(d) Does not arise.

Provision for Water Borne Sanitary System around Shantinagar, Kanpur

6381. SHRI V. SREENIVASA PRASAD : Will the Minister of DEFENCE be pleased to refer to the reply given to Unstarred Question No. 3127 on 16th April, 1985 regarding provision for water borne

sanitary system around Shantinagar, Kanpur and state :

(a) whether the area was developed and sold by the Cantonment Board, Kanpur as early as in 1950 and since then the rate-payers have contributed substantial amount towards taxes and rates to the Board;

(b) whether the Board has neglected all these years to provide water borne sanitary system and sufficient water supply to the residents of the area;

(c) the reasons for such neglect; and

(d) the immediate steps being taken to provide to the residents sufficient water-supply and water-borne sanitary system and thereby to dispense with the services of scavengers for carrying night-soil and to develop healthy conditions in the area ?

THE MINISTER OF DEFENCE (SHRI P. V. NARSIMHA RAO) :

(a) Shantinagar area was developed, but not sold by the Cantonment Board in 1950. The taxes recovered from the residents of Shantinagar, are at par with other taxpayers in the Cantonment.

(b) to (d). The Cantonment Board has not been able to provide water-borne sanitary system in Shantinagar primarily because of the scarcity of water and paucity of funds. A sum of Rs. 44,82,000 approx. has been paid to the Kanpur Cantonment towards the end of March, 1985 as "service charges" and this can be utilised for the improvement of civic amenities and sanitation within the Cantonment.

[Translation]

Post Offices in Gaya District

6382. SHRI RAMASHRAY PRASAD SINGH : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether a post office is functioning in every Panchayat of Gaya district in Bihar;

(b) if so, the total number of post offices functioning in Gaya district; and

(c) if not, the reasons for which a post office could not be opened in every Panchayat so far ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) No, Sir.

(b) Five hundred and ninety four post offices are in Gaya District.

(c) Post Offices are being opened in rural areas in a phased manner according to certain norms based on distance, population and minimum income and availability of funds under the Five Year Plans.

[English]

Expansion of Refineries with World Bank Assistance

6383. SHRI R. M. BHOYE : Will the Minister of PETROLEUM be pleased to state :

(a) the number and names of the refineries in the country which have expanded their capacity and also installed secondary processing facilities during the last three years with the assistance of loan from the World Bank; and

(b) the details regarding sharing of this loan facility by these refineries ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) The refineries who have expanded their capacity and who installed secondary processing facilities during the last three years with the assistance of loan from the World Bank are :

- | |
|---------------------------------------------------------------|
| (i) Bharat Petroleum Corporation Limited |
| (ii) Cochin Refineries Limited |
| (iii) Hindustan Petroleum Corporation Limited, Vishakhapatnam |
| (iv) Madras Refineries Limited |
| (b) The total amount of World Bank |

Loan is \$ 200,000,000. Out of this loan, the amount is shared as below by the refineries :

(i) BPCL	: \$45,000,000
(ii) CRL	: \$35,000,000
(iii) HPCL	: \$45,000,000
(iv) MRL	: \$45,000,000

	\$1,70,000,000

An amount equivalent to \$30,000,000 out of \$ 200,000,000 dollars is also allocated to the above companies for Additional Energy Saving and Pollution Control investments.

Agreement for Supply of Crude Oil to India

6384. SHRI N. DENNIS : Will the Minister of PETROLEUM be pleased to state :

(a) the names of the countries with which fresh agreements have recently been signed for additional supplies of crude oil to India;

(b) the details of the agreement along with their terms and conditions; and

(c) the total quantity of crude oil expected to be received during the current year from these countries ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) to (c). Contracts have been concluded / are being negotiated for supply of crude oil for meeting the requirements of 1985 from the following countries :

	<i>Million Tonnes</i>
Iraq	2.5
Iran	2.0
Saudi Arabia	2.0
USSR	3.5
UAE	0.5
Nigeria	0.125
Oman	0.5

All the above quantities are expected to be received during 1985.

It is not in the country's commercial interest to give further details regarding the terms and conditions of the contracts.

Opening of Depots for Distribution of Imported Bulk Drugs in Orissa

6385. SHRI ANANTA PRASAD SETHI : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) whether there is any proposal under the consideration of Government to open some depots in all the districts headquarters of Orissa for distribution of imported bulk drugs;

(b) whether Government of Orissa have approached Union Government in this regard; and

(c) if so, the reaction of Government thereto ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) My Ministry has no such proposal.

(b) My Ministry has not received any such request.

(c) Does not arise.

Export of Industrial Alcohol

6386. SHRI MOHANBHAI PATEL : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) whether industrial alcohol is being exported;

(b) if so, the quantity of industrial alcohol exported during the last three years, year-wise and the amount of foreign exchange earned;

(c) the names of the countries to which industrial alcohol is being exported and the

price per litre at which it is being exported; and

(d) the purpose for which industrial alcohol is being imported by foreign countries/companies ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) to (d). There is no proposal for export of alcohol during the current alcohol year 1984-85 (December, 1984—November, 1985).

The State Trading Corporation have reported that there was no export of alcohol during 1982-83 and 1984-85 financial years. However, the details of the export made by them during 1983-84 are as follows :

Quantity (in Metric Tonnes	Value (in lakh rupees)	Countries to which exported
7,000	182.61	U.S.A. & France

Orders for Air Brakes placed by Railways on Bharat Brakes and Valves Company Ltd.

6387. SHRI SAIFUDDIN CHOWDHURY : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) whether his Ministry are aware that a good number of orders for Air Brakes have been received by the Bharat Brakes & Valves Co. Ltd., from Railways; and

(b) if so, the action Government propose to take to prevail upon the management to manufacture and supply the orders in time and economically ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) Yes, Sir. Bharat Brakes and Valves Ltd., have received an order for 725 sets of Air Brakes from Railways.

(b) The Company has reported that the air brakes will be manufactured and delivered as per schedule given in the order.

Assigning Chemical Catalyst Manufacturing Plant to a Multinational Company

6388. SHRI GURUDAS KAMAT : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) whether an offer by a multinational company for chemical catalyst manufacturing plant is under consideration of Government;

(b) whether it is also a fact that a Union Government Undertaking is considered to be a pioneer organisation in the field of catalyst technology having own production plants; and

(c) if so, the reasons for assigning the job to a multinational company ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a), (b) and (c). It is presumed that the Hon'ble Member desires information in respect of the recent proposal for the issuance of industrial licence submitted by M/s. Haldor Topsoe A/S, Denmark for setting up of a plant for the manufacture of Co-conversion catalysts, 2000 Tonnes per annum, Nickel catalysts for methanation, 1000 tonnes per annum and Ammonia Synthesis catalysts, 600 tonnes per annum. No final view has been taken on the proposal so far.

M/s. Projects & Development India Limited (PDIL), a public sector company, has been playing a pioneering role in the field of catalyst technology. However, the possibilities of technical collaboration in the field of chemical catalyst manufacture cannot be ruled out at this stage. Any proposal could be considered on its individual merits.

[Translation]

Modernisation of Sindri Plant

6389. SHRI SHANKAR DAYAL

SINGH : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) the total expenditure incurred on the setting up of the Modernisation Plant (Ammonia and Urea Plant) at Sindri;

(b) the daily production capacity of the said plant;

(c) whether the said plant is working to its full capacity;

(d) if so, the details in this regard; and

(e) if not, the reasons therefor and the steps being taken by Government therefor?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) The total expenditure incurred on Sindri Modernisation Plant upto March, 1985 was Rs. 180.14 crores.

(b) The daily production capacity of Ammonia and Urea Plants is 900 tonnes and 1000 tonnes respectively.

(c) and (d). The capacity utilisation of the plant during the last three years was :

Year	%age capacity utilisation (N ₂)
1982-83	59.9
1983-84	59.2
1984-85	62.2

(e) Higher capacity utilisation could not be achieved due to problems in the Air-Separation Plant, Syn. Gas Compressor and Co-Conversion Sections of the Plant.

These jobs would be attended to during annual turn-around period in August, 1985.

[English]

Setting up of Ancillary Units Around Krishna-Godavari Basin

6390. SHRI VIJAYA KUMAR RAJU : Will the Minister of PETROLEUM be pleased to state :

(a) whether there is any proposal before Government to start ancillary units around the Krishna-Godavari Basin area; and

(b) if so, the time by which these units will be set up ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) and (b). The setting up of hydrocarbon based units around the Krishna-Godavari basins would be considered at an appropriate time when commercial reserves of hydrocarbon are established in this basin.

Commencement of Commercial Production at Krishna-Godavari Basin

6391. SHRI VIJAYA KUMAR RAJU : Will the Minister of PETROLEUM be pleased to state :

(a) whether more funds have been allocated for the Bombay High and Assam for further exploration during this year's Budget;

(b) the reasons why the same amount has not been granted for the Krishna-Godavari Basin for further exploration work;

(c) whether the ONGC spokesmen has indicated in the newspapers that the commercial production at Krishna-Godavari Basin would start soon; and

(d) if so, the date by which the commercial production would start ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) Yes, Sir.

(b) The annual budget allocation for a basin is related to the physical programme of work such as exploratory surveys, exploratory drilling etc. to be undertaken during a year.

(c) and (d). The exact date of commencement of production of crude oil and gas from

the Krishna-Godavari Basin cannot be indicated at this stage.

Upgradation of Post Offices

6392. SHRI HARIHAR SOREN : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether Government have taken steps for the upgradation of some Post Offices in the country;

(b) if so, the number of such Post Offices upgraded in the Sixth Five Year Plan period, year-wise in different States and Union Territories;

(c) the number of Post Offices upgraded in Keonjhar district of Orissa in the above Plan period; and

(d) the details thereof ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) Yes, Sir.

(b) The required information is being collected and will be laid at the table of the House in due course.

(c) and (d). Five Branch Post Offices named below were upgraded in Keonjhar district of Orissa during the 6th Five Year Plan.

- (1) Kuntipal
- (2) Kesudurapal
- (3) Dhanurjaypur
- (4) Dhananjaypur
- (5) Machhagarh.

Decline in the Production of Essential Drugs in the Units of M/s. E. Merck (I) Ltd.

6393. SHRI DEBI GHOSAL : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) whether production of some essen-

tial drugs in the various units of M/s. E. Merck (I) Limited has declined during the past two years;

(b) if so, the details thereof;

(c) the reasons for decline in the production of essential drugs of this company;

(d) whether reduction in production has any nexus with the fixation of the price for such drugs under the Drugs (Price Control) Order, 1979; and

(e) the steps, if any, taken/proposed by Government ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) As reported by M/s. E Merck, there is no decline in production of essential bulk drugs, as can be seen from the following production data :

Year	Production
1982	20.3 Tons
1983	38.0 Tons
1984	55.1 Tons

(b) to (e). Do not arise.

**Central Investment in Industries
through State Agencies**

6394. SHRI BALASAHEB VIKHE PATIL : Will the Minister of INDUSTRY

AND COMPANY AFFAIRS be pleased to state :

(a) whether Government have made any assessment of the Central Investment made through the State Agencies for spread of Small Scale/big industries in the backward areas of the country;

(b) if so, the State-wise details of the number of industries, those gone into production and the employment potential generated; and

(c) the board approaches of Government during the Seventh Plan period ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) and (b). During the year 1984-85, an amount of Rs. 85.00 crores was reimbursed to the various State Governments under the Central Incentive Scheme to 19,133 industrial units. Details are given in the attached statement. Details about the employment generated are not maintained.

(c) An Inter-Ministerial Committee comprising representatives of the Ministry of Finance, the Planning Commission and the Ministry of Industry & Company Affairs (Department of Industrial Development) is being constituted to review the Central Incentive Scheme in its entirety.

Statement

From April 1984
to March 1985

Name of the State	Amount Reimbursed	Reimbursement Range						Total
		Less than Rs. 1,000 (No. of Units)	Rs. 1,001 to Rs. 10,000 (No. of Units)	Rs. 10,001 to Rs. 1,00,000 (No. of Units)	Rs. 1,00,001 to Rs. 10,00,000 (No. of Units)	Rs. 10,00,001 to Rs. 25,00,000 (No. of Units)	Total	
		3	4	5	6	7		
1. Andhra Pradesh	7,14,31,288	5	380	667	160	—	1212	
2. Assam	4,38,63,538	3	148	252	91	1	495	
3. Bihar	80,81,338	2	38	8	4	4	56	
4. Gujarat	3,37,68,111	3	128	249	101	—	481	
5. Haryana	2,04,78,013	—	25	98	64	1	188	
6. Himachal Pradesh	7,64,77,128	151	704	404	185	8	1452	
7. Jammu & Kashmir	4,22,72,827	9	231	479	80	3	802	

1	2	3	4	5	6	7	8
8. Karnataka	3,87,45,438	4	133	268	65	7	477
9. Maharashtra	3,64,62,747	7	163	258	82	5	515
10. Kerala	4,33,55,724	136	1449	672	63	1	2321
11. Madhya Pradesh	5,26,58,186	77	395	322	109	4	907
12. Manipur	39,25,851	13	215	74	2	—	304
13. Meghalaya	41,85,079	—	8	6	5	1	20
14. Nagaland	1,65,05,924	52	2252	142	9	—	2455
15. Orissa	2,58,35,540	2	127	80	1	3	213
16. Punjab	3,48,65,543	2	189	406	62	4	663
17. Rajasthan	7,97,99,174	253	1649	882	117	5	2906
18. Sikkim	42,33,815	—	11	24	10	—	45
19. Tamilnadu	9,26,21,376	24	516	797	206	4	1547
20. Tripura	15,29,298	11	36	15	3	—	65
21. Uttar Pradesh	3,19,89,006	19	261	194	37	2	513

22. West Bengal	1,21,81,673	—	4	9	9	26	4	9	26
23. Andaman & Nicobar	40,68,032	1	4	5	8	18	—	8	18
24. Dadra & Nagar Haveli	33,04,515	—	6	9	7	22	—	7	22
25. Arunachal Pradesh	62,60,792	2	14	12	16	44	—	16	44
26. Goa, Daman & Diu	4,06,07,725	18	185	312	62	579	2	62	579
27. Mizoram	67,42,193	40	453	155	8	656	—	8	656
28. Pondicherry	1,37,50,126	9	47	67	27	151	1	27	151
29. Lakshdweep	—	—	—	—	—	—	—	—	—
Grand Total	85,00,00,000	843	9771	6866	1593	19133	60	1593	19133

**Setting up of Gas Based Petro
Chemical Industrial Complex**

6395. SHRI ANAND SINGH : Will the Minister of PETROLEUM be pleased to state :

(a) the quantity of gas flared up every day in (i) Assam oil fields and installations (ii) Gujarat oil fields and installations (iii) Bombay High and (iv) other oil fields/ installations in the country; and

(b) the details of the schemes and projects, e.g. setting up of gas-based petro-chemical industrial complexes, for optimising the use of such gas under the Sixth and the Seventh Five Year Plans ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) The estimated daily average flaring of natural gas in different regions in 1984-85 was as under :

(Million cubic metres)

Eastern Region including Assam oil field	0.2
Western Region including Gujarat oil field	2.9
Bombay High offshore	4.9

(b) Several proposal for using natural gas have been approved by Government, such as gas-based fertilizer units at Hazira, Guna, Aonla, Jagdishpur etc., petro-chemicals complexes such as Maharashtra Gas Cracker complex at Nagothane, gas-based power generation units at Kawas, Sawai Madhopur and Auraiya, and also L.P.G. extraction units at different places.

**Employees Working in Engineers
India Ltd.**

6396. SHRI GANGA RAM : Will the Minister of PETROLEUM be pleased to state :

(a) the total number of employees, category-wise and post-wise working separately in Engineers India Limited, New

Delhi and the number of those belonging to Scheduled Caste/Scheduled Tribe communities among them;

(b) the eligibility criteria and zone of consideration for promotions for selection and non-selection posts followed for SC/ST personnel and whether a copy of the Promotion Policy and Recruitment Rules will be placed on the Table of the House:

(c) whether provisions of 40 point roster and carry forward principle for unfilled reserved posts for SC/ST personnel in promotions are being maintained; and

(d) if so, the number of SC/ST officials promoted in each category of posts and the number of reserved posts carried forward separately during the last three years ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) The requisite information as maintained in the records of Engineers India Limited is given in the statement I and II attached.

(b) Engineers India's promotion policy for SC/ST is based on inter-se-merit-cum-seniority within the company's overall system of promotion by selection. In this regard, the company is following the Government directives/instructions issued from time to time as applicable to EIL's system of working. The broad features of the policy followed by the company are :—

1. A Select List for SC/ST employees who fall in the zone of consideration based on inter-se-merit-cum-seniority is drawn for each position, for purpose of promotion.
2. If sufficient number of SC/ST employees are not available to fill the reserved points based on merit, the employees who fall in the zone of consideration based on seniority are considered for promotion by relaxing the merit requirement, provided they are not unfit for promotion.
3. A 40 point roster as required for reservations for SC/ST employees

upto the lowest rung of Class-I is being maintained in the company.

Copies of recruitment rules of EIL which also include promotion rules have already been laid on the Table of the Lok Sabha on 22nd January, 1985 in fulfilment of the assurance given to Lok Sabha Question No. 6265 answered on 3rd April, 1984.

(c) While the 40 point roster is maintained, EIL has so far not been following the system of carry forward principle.

(d) While EIL have not followed the carry forward principle in so far as it applies to promotion policy, a statement III indicating the number of SC/ST officials promoted in the various groups of posts during the last three years is attached.

Statement-I

Total Number of Employees level-wise (as per scale of pay) and representation of SC/ST among them as on 31.3.1985

Level	Scale of pay	Total No. of employees	SC & ST out of Col. 3	
			SC	ST
1	2	3	4	5
1.	390-10-450-12-510-15-585-20-625.	36	32	1
2.	420-10-450-12-510-15-585-20-685	53	6	1
3.	474-12-510-15-585-20-685-25-810.	49	11	2
4.	540-15-585-20-685-25-810-30-960.	150	41	—
5.	585-20-685-25-810-30-960-40-1080.	60	9	2
6.	685-25-810-30-960-40-1160-50-1310.	428	54	2
7.	840-30-960-40-1160-50-1410-55-1575.	258	38	—
8.	1040-40-1160-50-1410-55-1685.	179	10	—
9.	650-45-920.	199	24	1
10.	800-50-1350.	688	29	3
11.	1100-50-1600.	569	40	4
12.	1300-50-1500-60-1800.	558	25	2
13.	1500-60-1800-100-2000.	251	3	1
14.	1800-100-2500.	136	—	—
15.	2000-100-2800.	74	—	—
16.	2500-100-3000.	22	—	—
		3710	322	19

Statement-II

Total number of employees as per category of posts (Group A, B, C and D) and the representation of SC/ST among them as on 31.3.1985.

Group of Posts	Total No. of employees	SC	ST
Group 'A' (Level 12 and above)	2298	97	10
Group 'B' (Level 7, 8 and 10)	636	72	1
Group 'C' (Level 3, 4, 5 and 6)	687	115	6
Group 'D' (Level 1 and 2) (Excluding Sweepers)	71	20	2
	3692	304	19
Group 'D' (Level 1 and 2) Sweepers	18	18	—
Total Strength	3710	322	19

Statement-III

Referred to in reply to part (d) of the Lok Sabha Unstarred Question No. 6396 due for answer on 14.5.1985.

Group of Posts	No. of SC/ST Promoted		
	1984	1983	1982
Group A, above Lowest rung	17	16	8
Lowest rung of Group A	—	—	2
Group B	15	7	6
Group C	5	10	4
Group C (Excluding Sweepers)	3	2	1
Sweepers	2	1	3

**Production and Consumption of
Petrol, Diesel and Crude Oil**

6397. SHRI M. MAHALINGAM : Will the Minister of PETROLEUM be pleased to state :

(a) the total quantity of petrol, diesel and crude oil produced in India during the calendar years 1982 to 1984 and at which places year-wise and State-wise details thereof;

(b) the quantity imported from abroad during the above period, year-wise, details and distributed to States, State-wise details during the above period;

(c) yearly consumption in India;

(d) the quantity required to achieve the target of self reliance; and

(e) the action taken to achieve the target of self reliance ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) and (b). A statement is enclosed. There is no separate state-wise distribution of imported products as they will go into the general pool of products to be distributed optimally.

(c) Consumption figures are also given in the statement enclosed.

(d) The difference between the consumption and the production is the quantity required to achieve self reliance.

(e) Steps taken to achieve self reliance are to increase production of crude oil and creation of adequate refining capacity.

Statement
State-wise Production of Petrol, Diesel and Crude Oil during 1982 to 1984
(Qty. '000 tonnes)

(a) State and (b) Production	1982			1983			1984		
	Petrol	Diesel	Crude oil	Petrol	Diesel	Crude oil	Petrol	Diesel	Crude oil
Arunachal Pradesh	—	—	1	—	—	25	—	—	42
Andhra Pradesh	111	454	—	182	471	—	220	498	—
Assam	159	549	5124	142	578	4901	128	617	4939
Bihar	186	1243	—	137	1062	—	155	1096	—
Gujarat	346	1546	3142	370	1819	3469	441	1998	3802
Kerala	154	960	—	141	957	—	61	308	—
Maharashtra	397	2268	—	431	2921	—	516	3090	—
Bombay High	—	—	11467	—	—	16753	—	—	19150
Tamil Nadu	130	700	—	93	596	—	102	698	—
Uttar Pradesh	135	885	—	256	1410	—	325	1977	—
West Bengal	136	760	—	128	777	—	114	676	—
Total Production	1750	9365	19734	1880	10591	25148	2062	10958	27933
Gross Imports	—	2.40	17.33	—	1.91	15.55	—	2.52	14.56
Qty. (Mn. tonnes)	—	—	—	—	—	—	—	—	—
Value (Rs. crores)	—	722	4167	—	518	3472	—	728	3495
(c) Yearly consumption :	1.69	11.64	32.11 @	1.83	12.46	34.53 @	2.04	13.31	35.23 @

* Provisional

@ Indicates actual refinery crude throughput.

Letters of Intent for Synthetic Units

6398. SHRIMATI INDUMATI BHATTACHARYYA : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) the number of applications for industrial licence/letters of intent for synthetic units received during the period between 1982-83 to 1984-85;

(b) the number of such industrial licences/letters of intent issued during the period mentioned above;

(c) the variations in the licensed capacity and actual production of jute goods and synthetics during the above period; and

(d) the year-wise break up of (a) and (c) above ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) to (d). The information will be laid on the Table of the House.

Demands of Women Short Duty Telephone Operators

6399. SHRI H. G. RAMULU : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether the Union of women Short Duty Telephone Operators have given notice of dharna to the General Manager in case their demand for regularising them was not accepted;

(b) the action being taken for an amicable settlement; and

(c) the reasons why the short duty telephone operators are not regularised ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) No notice was received for Dharna. However, P&T Short Duty Staff Telephone Operator

Welfare Association (not recognised) gave notice on 15.4.85 for indefinite strike but majority remained absent only on 15.4.85.

(b) Question does not arise.

(c) Due to operation of ban on creation on new posts, the short duty telephone operators could not be regularised as Telephone Operators.

Microwave Facility to Telephone Exchanges of Orissa

6400. SHRI CHINTAMANI JENA : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether there are proposals to have more microwave system telephone exchanges in the country in the Seventh Five Year Plan;

(b) if so, their number, Statewise and circle-wise;

(c) whether the present microwave system from Calcutta to Madras and Calcutta to Bombay covers many portions of Orissa; and

(d) if so, whether the microwave facility will be extended to exchanges of Orissa coming under the range of Calcutta-Bombay and Calcutta-Madras microwave system and the names of such exchanges ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) and (b). The proposals to expand the Microwave network for long distance communication are under discussion with the Planning Commission.

(c) Microwave system from Calcutta to Madras passes through Cuttack and Calcutta-Bombay Microwave system passes through Sambalpur in Orissa.

(d) Microwave facility has already been extended to Sambalpur on Calcutta-Bombay Route and will be extended to Cuttack on Madras-Calcutta route.

**Setting up of Electronic Telephone
Exchange at Vijaywada**

6401. SHRI V. SOBHANADREESWARA
RAO : Will the Minister of COMMUNI-
CATIONS be pleased to state :

(a) whether there is any proposal to set
up an Electronic Telephone Exchange at
Vijaywada; and

(b) if so, the details thereof and the
probable date by which it will be commis-
sioned ?

THE MINISTER OF STATE OF THE
MINISTRY OF COMMUNICATIONS
(SHRI RAM NIWAS MIRDHA) : (a) No,
Sir. There is no proposal at present.

(b) Not applicable.

[Translation]

**Regularisation of Unauthorised Gas
Connections**

6402. SHRI JAGDISH AWASTHI : Will
the Minister of PETROLEUM be pleased to
state :

(a) whether it is a fact that there are
several unauthorised gas connections in Delhi
and in other cities of the Country;

(b) if so, whether Government propose
to regularise these connections; and

(c) if so, when ?

THE MINISTER OF STATE OF THE
MINISTRY OF PETROLEUM (SHRI
NAWAL KISHORE SHARMA) : (a) Yes,
Sir. It has been reported that there are several
unauthorised gas connections in Delhi and
other cities of the country.

(b) and (c). Only such connections as
were issued by an oil company and have
been unauthorisedly transferred by the original
allottees are being regularised in the
names of transferees.

[English]

**News Item Captioned "Concern over
F-16 Know-How for China"**

6403. SHRI HAFIZ MOHD. SIDDIQ :
Will the Minister of DEFENCE be pleased
to state :

(a) whether his attention has been drawn
to the news item captioned "Concern over
F-16 know-how for China" appeared in
'Hindustan Times' dated 25 April, 1985; and

(b) if so, the steps Government propose
to take to meet the eventualities, if any ?

THE MINISTER OF DEFENCE : (SHRI
P. V. NARASIMHA RAO) : (a) Yes, Sir.

(b) Government carefully monitor all
developments having a bearing on our security
environment and take appropriate steps to
maintain full defence preparedness at all
times. It will not be in public interest to
disclose details.

**Setting up of Ultra High Frequency
System at Balurghat of West
Dinajpur (West Bengal)**

6404. DR. GOLAM YAZDANI :
SHRI PALAS BARMAN :

Will the Minister of COMMUNICA-
TIONS be pleased to state :

(a) whether there was any sanctioned
project of the P&T Board for installation of
stable media systems at all District Head-
quarters in the country;

(b) if so, when such project was appro-
ved;

(c) the reasons for 8-9 years' delay in
putting up the sanctioned Ultra High Fre-
quency system at Balurghat in West Dinaj-
pur District;

(d) whether there is likelihood of more
delay;

(e) if so, the reasons therefor; and

(f) the likely date by which the project will be commissioned ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) and (b). No, Sir. There is no single sanctioned project, covering all District Headquarters. However, we have sanctioned a number of projects for different district headquarters during 6th Plan period.

(c) Project Estimate of Balurghat-Gobindapur-Malda UHF system was sanctioned in December, 1982. Orders for tower, Mux and other associated materials were placed. Order for Radio equipment has not been placed due to revision of project from Analogue to Digital version. Lands at Balurghat and Gobindapur have not yet been acquired by the State Government and handed over to Telecommunication Department.

(d) and (e). Yes, Sir. Apart from the delay and acquisition of land, the project is required to be converted from Analogue version to Digital version and the appropriate equipment is to be identified for procurement.

(f) The Project is likely to be completed during 7th Plan period subject to availability of land and equipment.

**Providing Safety Measures by cement
Factories at Satna etc. in
Madhya Pradesh**

6405. SHRI AZIZ QURESHI : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) whether the management of cement factories in Satna, Maihar and Kymore in Satna Parliamentary Constituency area have not provided minimum basic health facilities and safety measures to their labourers and staff; and

(b) whether any such conditions are not imposed when the licence of a Cement Factory is granted ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY

OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) The Managements of the cement factories at Satna and Maihar have reported that their factories are not causing any pollution. Both these factories and the factory at Kymore are reported to have installed pollution control equipments to arrest emission of dust coming out of these factories. It has also been reported by these factories that adequate basic health facilities and safety measures are being provided to the Staff and labourers in their respective factories.

(b) In the Industrial Licences being issued, a condition is imposed to the effect that the licensee will take adequate steps to the satisfaction of Government to prevent air, water and soil pollution and that such anti pollution equipment to be installed should conform to the effluent and efficient standards prescribed by the State in which the factory is located.

**Conversion of Manual Exchanges in
Rajasthan into Auto Exchanges**

6406. SHRI VIRDHI CHANDER JAIN : Will the Minister of COMMUNICATIONS be pleased to state :

(a) the number of manual exchanges functioning in Rajasthan and the names of cities which are having such exchanges;

(b) the number and names of telephone exchanges in Rajasthan converted into auto exchanges during the Sixth Five Year Plan, district-wise; and

(c) the names of manual telephone exchanges likely to be converted into auto exchanges during the Seventh Five Year Plan period ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) The information is given at statement I attached.

(b) Three exchanges viz Mandore in Jodhpur district, Nagaur in Nagaur district and Churu in Churu district were converted into Auto exchanges during the Sixth Five Year Plan.

(c) The information is given at statement-II attached.

the 7th Five Year Plan subject to availability of equipment and stores :

Statement-I

There are 134 manual exchanges functioning in Rajasthan. The names of the Districts having manual exchanges are :

1. Ajmer
2. Alwar
3. Banswara
4. Barmer
5. Bharatpur
6. Bhilwara
7. Bikaner
8. Bundi
9. Chittorgarh
10. Churu
11. Dholpur
12. Dungarpur
13. Jaipur
14. Jaisalmer
15. Jalore
16. Jhalawar
17. Jhunjhun
18. Jodhpur
19. Kota
20. Nagaur
21. Pali
22. S. Madhopur
23. Sikar
24. Sirohi
25. Sriganganagar
26. Tonk
27. Udaipur

Statement-II

The names of telephone exchanges likely to be converted into auto exchanges during

1. Madan Ganj
2. MIA Alwar
3. Bhiwadi
4. Banswara
5. Barmer
6. Balotra
7. Bundi
8. Chittorgarh
9. Dungarpur
10. Jaisalmer
11. Jalore
12. Jhalwar
13. Jhunjhun
14. Baran
15. Makrana
16. Sojat City
17. Sumerpur
18. Swai Madhopur Rly. Station
19. Swai Madhopur City
20. Gangapur
21. Hindaun
22. Fatehpur
23. Sikar
24. Sirohi
25. Mt. Abu
26. Hanuman Garh Jn.
27. Surat Garh
28. Tonk
29. Kankroli
30. Kekri
31. Nimbahera
32. Sardar Sahar
33. Sujangarh
34. Dausa

35. Bhinmal
36. Chirwa
37. Pilani
38. Phalodi
39. Ramganj Mandi
40. Merta City
41. Falna
42. Rani Khurd
43. Srimadhopur
44. Abu Road
45. Nohar
46. Sangaria
47. Rai Singh Nagar
48. Sriganga Nagar
49. Nagdwara

Poor Telephone Service in the Telephone Exchanges of Sihore District

6407. SHRI PRATAP BHANU SHARMA : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether it is a fact that the trunk calls booked by the subscribers of Diwanganj, Udaipura and Deori of Raisen district Budhni, Nasrullahganj and Rehti Telephone Exchanges of Sihore district never mature due to line defects and poor maintenance;

(b) if so, the reasons for poor services to the subscribers; and

(c) the affective measures proposed to be taken to improve the working of above telephone exchanges ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) No, Sir.

(b) Does not arise in view of reply at (a) above.

(c) However, to further improve the trunk services from these exchanges remedial

measures like maintenance of trunk lines and overhauling of the exchanges is being taken up.

Import of Equipments and Fire Doors by Gardan Reach Ship Builders and Engineers Ltd., Calcutta

6408. DR. C. S. VERMA : Will the Minister of DEFENCE be pleased to state :

(a) whether the Garden Reach Ship Builders and Engineers Ltd., Calcutta have been importing various equipments and Fire Doors for various types of vessels under construction and repairs;

(b) if so, the total value of Fire Doors and other equipments imported during the last three calendar years;

(c) whether some industrial units in West Germany have developed technological advancement in the manufacturing of Fire Doors for ships and have thus informed the Company; and

(d) if so, the details thereof and the action being taken to import only world's best for use in such vessels under construction ?

THE MINISTER OF DEFENCE (SHRI P. V. NARASIMHA RAO) : (a) Yes, Sir.

(b) The value of Fire Doors and other equipments imported during the last three calendar years is as follows :

(Rupees in lakhs)

Year	Fire Doors	Other Equipt.	Total
1982	2.12	440.00	442.12
1983	3.20	640.00	643.20
1984	Nil	85.00	85.00

(c) and (d). M/s. ELUMMEN VOSS is the only West Garman Company known to have developed and manufactured fire doors. Fire Doors and related equipments are procured only after floating international tenders and obtaining competitive quotations. Moreover, owners' approval is taken in all cases. The Doors and equipments have to conform to

highly stringent Regulations of Ship Classification Societies. There are, thus, in-built safeguards to ensure that the best available equipment is utilised for ship-construction.

Changes in Drug Policy

6409. SHRI TARIQ ANWAR : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) whether the members of Expert Group have disagreed with the approach of the National Drugs and Pharmaceuticals Council and pointed out that the findings are not based on factual studies;

(b) whether changes in 1978 Drug Policy have been suggested without any study of mark up, Trade Commission, norms for conversion cost etc. and if so, what purpose such a review will serve in the matter of laying down just and fair Drug Policy;

(c) whether his Ministry propose to study these aspects before convening another meeting of the Expert Group; and

(d) whether some of the experts have asked for certain date and basic details to enable them to assist his Ministry to take correct decision if so, the details thereof ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) to (d). The Report of the National Drug and Pharmaceutical Development Council (NDPDC) was discussed by a Group of Experts on 29th November, 1984 with a view to elicit their professional reaction. Except for one Member, the other experts were totally in agreement with the approach of the NDPDC. The NDPDC which is a representative body considered all aspects of the 1978 Drug Policy. All points of view would be taken into account by the Government while reviewing the existing Drug Policy.

M/s. Glaxo Laboratories Limited

6410. SHRI RAM BHAGAT PASWAN : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) whether Government have allowed during the last two years higher mark-up to M/s. Glaxo Laboratories Ltd. for Multi-Vitamin products; and

(b) if so, the details thereof ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) All the manufacturers of Multi-Vitamin formulations including M/s. Glaxo Labs. have been allowed a mark-up of only 60 per cent on the ex-factory cost in accordance with the provisions under Drugs (Prices Control) Order, 1979.

(b) Does not arise.

Recruitment in Oil and Natural Gas Commission

6411. SHRI VIJAY N. PATIL : Will the Minister of PETROLEUM be pleased to state :

(a) whether there is any standard method for recruitment in the Oil and Natural Gas Commission;

(b) the number of General Managers working in the Oil and Natural Gas Commission at present; and

(c) when major working system is electronically and computer controlled the efforts being made to see that the total number of employees remains less as compared to other departments under similar circumstances ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) Yes, Sir.

(b) The number of Group General Managers/General Managers working at present is 40.

(c) The commission has a laid down procedure for manpower resources budgeting and manpower planning, which ensures that the manpower of the Commission is commensurate with its requirements.

Excess Capacity Utilisation

6412. SHRI D. P. JADEJA : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) the capacity sanction, excess regularisation of capacities or Industrial Licence issued by Government during the last three years for Ampicillin, Trimethoprim and Ethambutol Hcl to the organized sector;

(b) whether Government, while sanctioning excess capacity regularisation, were aware that their monitoring system had failed to truly reflect the production of the small scale sector for these items;

(c) whether Government's action of the excess capacity regularisation of organised sector has affected a number of small scale units; and

(d) if so, the details of the same ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) Details of Industrial Licences issued to companies are published in the Monthly News Letter of Indian Investment Centre which is available in the Parliament Library. Capacity for Ampicillin, Trimethoprim and Ethambutol were re-endorsed under the policies announced by the Government in April, 1982 and April, 1983, the details of which are given in the statement attached.

(b) to (d). Re-endorsement was granted according to the parameters of the Scheme of Re-endorsement announced by the Government. The scheme specifically excludes items reserved for the Small Scale Sectors. Ampicillin, Trimethoprim and Ethambutol Hcl are not reserved for the Small Scale Sector.

Statement

Sl. No.	Name of the Company	Name of the item	Capacity endorsed
Under REC (1982) Policy			
1.	M/s. Themis Chemicals	Ethambutol Hcl.	46 tonnes
2.	M/s. CIPLA	Thrimethoprim B. P.	4820 Kgs.
Under RFC (1983) Policy			
1.	M/s, Ranbaxy Laboratories Limited.	Ampicillin Trihydrate.	55.5 tonnes

Closure of Indo-German Fertilizer Educational Project of Hindustan Fertilizer Corporation in West Bengal

6413. PROF. M. R. HALDER : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) whether there is any proposal for closure of the Indo-German Fertilizer Educational Project of Hindustan Fertilizer Corporation Limited in West Bengal;

(b) if so, the reasons why closure of this project is contemplated by Government;

(c) the purpose for which this project was launched in 1974 and how it has been fulfilled;

(d) the reasons why the project be continued for any longer period beyond September, 1985; and

(e) the number of employees likely to be affected by the closure of this project and the

contemplation of Government about these employees ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) and (b). The project will come to end when the funds available from the grant-in-aid from West Germany for implementation of the Education Project would be exhausted in 1985-86.

(c) The Project was started with West German Government. Assistance in the State of West Bengal during 1974 with the following objectives :

1. To educate the farmers about the correct package of practices;
2. To acquaint them about the right use of inputs particularly the balanced use of fertilizers;
3. To bring about the higher productivity of the cultivable land;
4. To achieve increased agricultural production.

The National Council of Applied Economic Research (NCAER) had conducted a detailed survey to evaluate the impact of the project and their findings are;

“The favourable impact of the educational programme under the Indo-German Fertilizer Education Project on the cultivators in the Project area was evident in the moment towards :

1. Greater cropping intensity;
2. Increased area under irrigation and fertilization;
3. Extensive use of high yielding varieties of seeds;
4. Increased levels of fertilizer consumption;
5. Better nutrient balance;
6. Improved yields.”

(d) The funds presently available for the project are expected to allow the project to continue till September, 1985.

(e) About 201 employees are likely to be affected by the closure of this project. The future of these employees will depend upon the staff requirements of Hindustan Fertilizer Corporation Ltd., at the appropriate time.

Different Rates Charged by ONGC for Supply of Gas

6414. **SHRI D. B. PATIL :** Will the Minister of PETROLEUM be pleased to state :

(a) whether the Oil and Natural Gas Commission charge different rates for gas supplied to Government of Maharashtra and Government of Gujarat;

(b) if so, the reasons therefor; and

(c) the selling price of gas all over the country ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) Yes, Sir.

(b) The price of gas is fixed based on the price of the alternate fuel/feedstock it replaces.

(c) This is under Government's consideration.

Pension of Retired Employees of Hindustan Petroleum Corporation

6415. **SHRI SURESH KURUP :** Will the Minister of PETROLEUM be pleased to state :

(a) whether there is any proposal before Government to raise the amount of pension of the retired employees of the Hindustan Petroleum Corporation; and

(b) if so, the details thereof ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) and (b). Yes, Sir. A proposal for pensionary relief to the retired employees has been received from Hindustan Petroleum Corporation

Limited. The proposal is at present under consideration of the Government. The salient details of the proposal are briefly as follows :

- (i) Pensionary relief based on the formula applicable to retired Government Servants.
- (ii) Relief to be effective from April 1, 1983.

[Translation]

Industrialists Delegation to China

6416. DR. CHANDRA SHEKHAR TRIPATHI : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) whether a delegation of Indian Industrialists has gone to China;

(b) if so, the number of members of this delegation and the purpose of sending this delegation there; and

(c) the duration of their stay in China and the matters to be studied by it ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) to (c). A 10-member non-official delegation led by the President, Federation of Indian Chambers of Commerce and Industry visited China from 1st to 12th May 1984 at the invitation of the China Council for promotion of International Trade.

The main objective of the delegation, it is understood, was to explore possibilities of increasing trade with China as also setting up joint ventures and participating in technology transfer and also to get acquainted with the many changes that have been brought about in different sectors of China's economy.

[English]

Letter of Intent for Manufacture of Pottassium Ferro to Andhra Pradesh Industrial Development Corporation

6417. SHRI N. V. RATNAM : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) whether the Andhra Pradesh Industrial Development Corporation applied for letter of intent for manufacture of Pottassium Ferro Cyanide, Sodium Ferro Cyanide and Calcium Ferro Cyanide in any backward area of Andhra Pradesh;

(b) whether it was returned by the Union Government back for certain clarifications;

(c) whether the Andhra Pradesh Industrial Development Corporation resubmitted it to the Union Government explaining in details the economics and advantages of the project; and

(d) whether Union Government propose to reconsider their stand to grant letter of intent soon ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) to (d). M/s. Andhra Pradesh Industrial Development Corporation Limited, a State Government Undertaking, had submitted an application for grant of an industrial licence for setting up a new undertaking in Distt. Khammam in the State of Andhra Pradesh for the manufacture of Potassium Ferro-Cyanide, Sodium Ferro-Cyanide and Calcium Cyanide. The proposal has been, prima-facie, rejected on the ground that the same is based on continuous import of raw materials and further the proccss of manufacture contemplated is an obsolete one and, therefore, in the long run the project will not be economically viable. The Company has represented against the, prima-facie, rejection furnishing certain supporting data to enable the Government to process their case further.

[Translation]

Increase in Industrial Capital in Rajasthan

6418. SHRI VISHNU MODI : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) whether Government have received any proposal from the Rajasthan Government stressing the need for increasing the percentage of industrial capital investment in that State;

(b) if so, whether Government have considered this proposal; and

(c) if so, the outlines thereof and if not, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) to (c). On the basis of a request received from the Government of Rajasthan, the districts of Barmer and Churu earlier included in Category 'C' and 'B' districts eligible to 10 per cent and 15 per cent central subsidy (subject to a maximum of Rs. 10.0 lakhs and Rs. 15.0 lakhs) respectively have been declared as 'No-Industry' districts w.e.f. 1.4.1985 and included in Category 'A' eligible to 25 per cent central subsidy subject to a maximum of Rs. 25.0 lakhs.

[English]

Losses in Hindustan Antibiotics Limited

6419. SHRI ASLAM SHER KHAN : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) whether the Hindustan Antibiotics Limited, a public sector undertaking, is expected to suffer a loss of over Rupees ten crores during the current year inspite of interest subsidy of Rupees five crores allowed by his Ministry;

(b) the names and designation of Government Directors;

(c) what is the role of Government Directors vis-a-vis mismanagement in this public sector undertaking;

(d) whether import of several intermediates and penultimates have been cleared by his Ministry for the production of certain drugs formerly produced from basic stages;

(e) if so, the names of Penultimates/intermediates cleared for import, quantity allowed during the last two years alongwith the source and CIF Price per kg; and

(f) whether such imports were made at very high prices from abroad ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS. (SHRI VEERENDRA PATIL) : (a) The estimated loss suffered by the Hindustan Antibiotics Limited (HAL) during the year 1984-85 is Rs. 1.44 crores.

(b) The names and the designations of Government Directors as on 1.5.1985 are as below :

(i) Dr. R. V. Vaidyanatha Ayyar, Joint Secretary and Development Commissioner (Drugs), Ministry of Chemicals and Fertilizers, New Delhi.

(ii) Shri K. P. Geethakrishnan, Additional Secretary, Ministry of Finance, New Delhi.

(iii) Shri A. K. Mandal, Industrial Adviser, Directorate General of Technical Development, New Delhi.

(iv) Dr. S. S. Gothoskar, Drugs Controller (India), Directorate General of Health Services, New Delhi.

(c) The functions of Board of Directors (which also includes Government Directors) include formulation of corporate policies, exercise of managerial control, commensurate with delegation of authority down the line, coordination of various activities of the enterprise, etc.

(d) to (f). In 1984-85, production of bulk drugs was from the basic stage only, excepting for a part of the Streptomycin production. Because of production problems, 15 tonnes and 34.3 tonnes of Streptomycin CCC were imported during 1983-84 and 1984-85 respectively. The CIF price which varied from consignment to consignment was in the range of Rs. 262 and Rs. 303. The import was within the provisions of the then existing Import Trade Control Policy. It was ensured that the price offered was reasonable and compatible with its manufacturing cost.

**Financial Assistance to National
Cadet Corps Groups**

6420. DR. K. G. ADIYODI : Will the Minister of DEFENCE be pleased to state :

(a) whether any financial or other assistance is given by his Ministry to National Cadet Corps Groups who take keen interest in National Health Programme in Universities, Colleges and Schools; and

(b) if so, the criteria adopted therefor and details thereof ?

THE MINISTER OF DEFENCE (SHRI P. V. NARASIMHA RAO) : (a) and (b). The NCC is not connected with any programme of the Ministry of Health and Family Welfare.

**Border Clashes Between India and
Pakistan.**

6421. SHRI AJOY BISWAS : Will the Minister of DEFENCE be pleased to state :

(a) the number of cases of border clashes between India and Pakistan during the last one year; and

(b) whether Pakistan has any motive to make the border area sensitive ?

THE MINISTER OF DEFENCE (SHRI P. V. NARASIMHA RAO) : (a) and (b). There has been no clash as such on the border between our troops and Pakistani troops during the last one year. However, there have been incidents of exchange of fire across the Line of Control in the J & K.

These incidents have been of a routine nature.

Elections in Assam

6422. SHRI C. P. THAKUR : Will the Minister of LAW AND JUSTICE be pleased to state whether any tentative date has been suggested by the Election Commission for holding the elections in Assam ?

THE MINISTER OF STATE IN THE

MINISTRY OF LAW AND JUSTICE (SHRI H. R. BHARADWAJ) : The Election Commission has informed that the holding of elections in the State of Assam would be considered only after the completion of intensive revision of electoral rolls with reference to 1.1.1985 as the qualifying date. Work relating to the revision of rolls is still in progress.

[Translation]

**Regularising of Daily Wage Workers
in Danapur Cantonment Board**

6423. SHRI ABDUL HANNAN ANSARI : Will the Minister of DEFENCE be pleased to state :

(a) whether the services of none of those daily wage workers who have been working in Danapur Cantonment Board from 1978 to 1985 have been regularised while the workers working for one and a half year have been regularised;

(b) whether the daily wage workers have put in 4 to 8 years service in Water and Electricity Departments and if so, the reasons for not regularising them;

(c) the number and particulars of the new daily wage workers who were employed from 1980 to March, 1985;

(d) whether some outsiders were employed for consideration and whether any complain has been received by the Ministry in this regard; and

(e) whether Government propose to order Central Bureau of Investigation inquiry into all these matters ?

THE MINISTER OF DEFENCE (SHRI P. V. NARASIMHA RAO) : (a) to (c). Information is being collected.

(d) and (e). The DG DL & C has been directed to enquire into the matter.

[English]

Assets of ten Big Houses

6424. SHRI SATYAGOPAL MISRA : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) the total assets of the ten Big Houses in the country as on 31 March, 1985; and

(b) the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) and (b). The information regarding the names of the Large Industrial Houses in the country as on 31.3.1985 is not available since the balance sheets as at 31.3.1985 are not yet due for filing. For this reason the names of the 10 Big Houses in the country in terms of assets as on 31 March, 1985 are also not available.

Foreign Investment in Indian Business

6425. SHRI E. S. M. PAKEER MOHAMED : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) the total amount in foreign exchange invested by other countries in the Indian business;

(b) whether Government propose to liberalise the participation of foreign firms in India; and

(c) the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) A statement showing year-wise break-up of foreign investment approved by Government during 1980-84 is enclosed.

(b) and (c). Foreign capital participation is considered as a vehicle for transfer of technology needed by the country. The present policy of foreign equity participation of 40 per cent is flexible and can be raised in the case of high technology and high export-oriented areas.

Statement

Statement showing year-wise break-up of Foreign Investment approved by Government during 1980-84

Year	Rupees in Lakhs
1980	892.36
1981	1087.10
1982	6280.57
1983	6187.30
1984	11300.22

Payment of Bonus to the Employees of Cantonment Boards

6426. DR. G. VIJAYA RAMA RAO : Will the Minister of DEFENCE be pleased to state :

(a) whether the employees of the Cantonment Boards in India are covered under the Industrial Disputes Act and the Workmen Compensation Act in so far as the payment of bonus to the employees is concerned;

(b) if so, whether there is any proposal under the consideration of Government to pay bonus to these employees;

(c) whether the employees of the Cantonment Boards in India have made representations for payment of bonus on the analogy of Central, State and Local Self Government employees; and

(d) if so, the reaction of Government thereto ?

THE MINISTER OF DEFENCE : (SHRI P. V. NARASIMHA RAO) : (a) No, Sir.

(b) to (d). On 15.2.1985, the Government have sanctioned payment of 18 days ad-hoc bonus for the year 1983-84 to Cantonment Board Employees of the 62 Cantonment Boards in the country.

**House Building Advance to Defence
Service Personnel at Enhanced Rates**

6427. SHRI BANWARI LAL BAIRWA :
Will the Minister of DEFENCE be pleased to state :

(a) the maximum limits for house building advances to officers of the Indian Air Force/Army/Navy;

(b) the reasons why the recent increase in such advances for Central Government employees, has not been made applicable to Armed Forces; and

(c) the time by which such limits will be increased for Armed Forces ?

THE MINISTER OF DEFENCE :
(SHRI P. V. NARASIMHA RAO) : (a) Service Officers are entitled to House Building Advance upto a maximum of Rs. 70,000/- or 75 months pay, whichever is less.

(b) and (c). The maximum amount of house building advance for the Central Government civilian employees was raised from Rs. 70,000/- to Rs. 1.25 lakhs with effects from 1.4.1984. The additional amount is, however, to be met from Central Government Employees Insurance Scheme. The Defence Service personnel are having their own Insurance Schemes. The Service Headquarters have, therefore, been asked to examine the possibility of diverting the funds from their Insurance Schemes.

[Translation]

**Central Subsidy Scheme in Tehsil
Tanda of District Faizabad (U.P.)**

6428. SHRI R. P. SUMAN :
SHRI NIRMAL KHATRI :

Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) whether Faizabad district of Uttar Pradesh is covered under the 'Central Subsidy Scheme';

(b) whether any orders have been issued to exclude the Tanda Tehsil of this district from the said scheme;

(c) if so, the reasons therefor; and

(d) whether Government propose to consider inclusion of this Tehsil in the Central Subsidy Scheme again to enable it to take benefit of this scheme ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) Yes, Sir.

(b) Yes, Sir.

(c) Tanda block has been excluded from the ambit of the Central Investment Subsidy Scheme and Concessional Finance Scheme as the level of investments in this block exceeded Rs. 30.00 crores as on 31.3.1983. Small scale industrial units in this block, however, continue to be eligible for concessional finance. Further projects where approvals in terms of letter of intent/CG clearance/foreign collaboration/DGTD registration, etc. have been accorded on or before 1.4.1983 shall continue to be eligible to Central Investment Subsidy.

(d) No, Sir.

[English]

**Registration and Allotment of Maruti
Cars in Bangalore**

6429. SHRI V. S. KRISHNA IYER :
Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) the number of applicants registered in Bangalore city for allotment of Maruti Cars manufactured by Maruti Udyog Limited;

(b) how many of them have already been allotted cars ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) The number of applicants registered in Bangalore for the Maruti—800 and Maruti Deluxe Cars were 4834 and 292 respectively.

(b) 738 standard and 214 Deluxe Cars were delivered till 3.5.1985.

[Translation]

**Linking of Faizabad District Head
Quarters by S.T.D.**

6430. SHRI NIRMAL KHATRI : Will the Minister of COMMUNICATIONS be pleased to state :

(a) the names of cities proposed to be linked with Faizabad district headquarters in U.P. by S.T.D. during the Seventh Five Year Plan; and

(b) whether Government propose to cover the subscribers of Ayodhya also by Faizabad Exchange ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) Faizabad is already connected to Kanpur TAX for STD service and has access to 45 stations. In the 7th Five Year Plan, TAX network is proposed to be expanded and about 1200 stations are proposed to be covered for nation-wide STD subject to availability of resources. The number and names of stations to be linked with Faizabad for STD during 7th Five Year Plan period can be worked out after the finalisation of the 7th Five Year Plan.

(b) No, Sir. There is no proposal for including Ayodhya in local area of Faizabad telephone system.

[English]

**Direct Dialling System from Vasai
Telephone Exchange**

6431. SHRI ANOOPCHAND SHAH : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether Vasai Telephone Exchange is proposed to be converted into direct dialling system;

(b) if so, the steps being contemplated in this regard; and

(c) the time by which this facility will be provided there ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) Yes, Sir, there is a proposal to automatise Vasai telephone exchange.

(b) Necessary Equipment has been allotted and the work of installation of a 900 line MAX-II will be commenced in 1985-86.

(c) The facility is expected in 1986-87.

**Industrial Tie-ups with Foreign
Companies**

6432. SHRI SRIBALLAV PANIGRAHI : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) the number of industrial tie-ups with foreign companies during 1981-82, 1982-83, 1984-85 and what are the origins of foreign collaborators and financial outlay therein;

(b) the amount of foreign exchange involved in importing collaboration technology and the quantum of foreign exchange expatriated as a result of such collaborations; and

(c) the number of monopoly houses in India involved in these collaborations and what is the capital outlay of the concerned industrial houses ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) Statistical information about foreign collaboration approvals is maintained calendar year-wise. A statement-I showing the year-wise break-up of foreign collaboration proposals approved during the period 1981-84 alongwith foreign investment approved is attached. The details viz. the names of Indian and foreign firms, item of manufacture, nature of collaboration of the foreign collaboration proposals approved are published on a quarterly basis by the Indian Investment Centre as a supplement to its Monthly News Letter. Copies of this publication are sent regularly to the Parliament Library.

(b) A statement-II showing remittance made by foreign companies during 1981-82 and 1982-83 is attached as Annexure-B. The same information pertaining to the year 1984-85 is not available.

(c) No centralised information is available in Secretariat for Industrial Approvals about the number of Monopoly Houses in India involved in these collaborations vis-a-vis their capital outlay involved.

Statement-I

Statement showing year-wise break-up of foreign collaborations approved during 1981 to 1984 viz-a-viz Foreign investment involved

(Rs. in Lakhs)

Year	Total Collaborations Approved	Financial Collaborations	Investment Involved
1981	389	57	1087.10
1982	590	113	6280.57
1983	673	129	6187.30
1984	752	151	11300.22

Statement-II

Statement showing remittance made by Foreign Companies during 1981-82 and 1982-1983

(in Rupees Crores)

Year	Profits	Dividends	Royalty	Technical Know-how	Interest	Total
1981-82	12.16	58.92	15.99	270.70	41.08	398.85
1982-83	19.12	70.31	39.72	258.58	80.23	467.96

Commissioning of Telephone Exchange in Nandikotkur Kurnool District

6433. SHRI M. SUBBA REDDY : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether a Telephone Exchange building was built in Nandikotkur Kurnool District two years back;

(b) if so, whether it has been commissioned;

(c) if not, the reasons for delay; and

(d) the time by which this Telephone Exchange and office are expected to be

commissioned ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) The construction of the telephone exchange building at Nandikotkur Kurnool district was completed in December, 1983.

(b) and (c). No, Sir. The reasons for delay in shifting the telephone exchange in departmental building was due to non-availability of underground cable and stand by transmission equipment.

(d) The telephone exchange is likely to be shifted in the departmental building by the end of June 1985.

**Irregular Supply of Cooking Gas
in Orissa**

6434. DR. KRUPASINDHU BHOI : Will the Minister of PETROLEUM be pleased to state :

(a) whether it is a fact that the present supply of cooking gas from Duliajan by Hindustan Petroleum to Orissa is not regular and the allocation lapses most of the times;

(b) if so, the reasons therefor; and

(c) the steps proposed to be taken to ensure timely supply of cooking gas in Orissa ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) to (c). The supply of LPG in bulk to Hindustan Petroleum Corporation Limited's bottling plant at Cuttack in Orissa is mainly from their Refinery at Visakh. In the past there have been occasional shipments of bulk LPG from Duliajan to meet shortfall in product availability at Vizag. There is no regular allocation of bulk LPG to Cuttack from Duliajan. Supplies to the Cuttack bottling plant are currently regular and the consumer demand is being met.

**Postal and Telephone Facilities in
Tribal Areas**

6435. SHRI GIRIDHAR GOMANGO : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether his Ministry has identified the tribal areas which are backward in Postal and Telecommunications;

(b) if so, the names of such districts and areas, Circle-wise;

(c) the progress made during the Sixth Plan by the Circles to provide Postal and

Telephone facilities in tribal areas, Circle-wise;

(d) whether funds had been earmarked by his Ministry for tribal areas for Postal and Telecommunications and released to the Circles to spend the same in these areas only during the Sixth Plan;

(e) if so, whether the same procedure is going to be adopted during the Seventh Plan also; and

(f) if not, the reasons thereof ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) Yes, Sir. The tribal areas are identified by the Ministry of Home Affairs.

(b) Schedule of tribal areas in the country are given in Statement-I attached.

(c) Post Offices opened in the tribal areas Circle-wise during the Sixth Five Year Plan are shown in Statement-II attached. Achievements likely to be made in 6th Plan for telecom services are as under :

1. Switching Equipment Capacity	32,000
2. Telephone Exchange	381
3. STD Routs (Pt. to Pt.)	12
4. UHF Schemes	1,017
5. Long Distance PCOs	1,677
6. Telex Capacity	220

(d) Yes, Sir. Separate targets are fixed and achieved subject to availability of adequate funds.

(e) Yes, Sir.

(f) Does not arise.

Statement-I

Tribal Areas in India

Name of State/ Union Territory	Whole of the State/U.T.
Arunachal Pradesh Dadra and Nagar Haveli Lakshadweep Nagaland Meghalaya Mizoram	}
Andhra Pradesh	Villages/blocks notified as tribal in the districts of Adilabad, Warangal, Khammam, West Godavari, East Godawari, Vishakhapatnam, Vizianagaram and Srikakulam.
Assam	Gram Panchayats notified as tribal in the districts of Goalpara, Kamrup, Nowgong, Darrang, Tezpur, Sibsagar, Dibrugarh, Lakhimpur and Cachar.
Bihar	Ranchi and Singhbhum districts and sub-divisions notified as tribal in Palamau and Santhal Pargana.
Gujarat	Talukas, district and talukas notified as tribal in the districts of Surat, Bharuch, Valsad, Panchmahals, Vadodara and Sabarkant.
Himachal Pradesh	Kinnaur and Lahaul & Spiti districts and tehsils/sub-tehsils notified as tribal in Chamba District.
Karnataka	Parts of talukas notified as tribal in the districts South Kanara, Coorg, Mysore, Chickamangalur and Belgaum.
Kerala	Forest ranges notified as tribal in the districts of Cannanore, Kozhikode, Malapuram Palghat, Idikki, Quilon and Trivandram.
Madhya Pradesh	Jhabua, Mandla, Surguja and Bastar districts and Tehsils/blocks/villages notified as tribal in the districts of Dhar, Kargoon, Khandwa, Ratlam Betul, Seoni, Balaghat, Hoshangabad Shahdol, Siddi, Raigarh Bilaspur, Durg, Rajnandgaon, Raipur Morena and Chhindwara.
Maharashtra	Tehsils/blocks notified as tribal in the districts of Thana, Nasik, Dhule, Jalgaon, Ahmednagar, Pune, Nanded, Amravati, Yavatmal and Chandrapur.
Manipur	North Manipur, West Manipur, South Manipur, East Manipur and Tengnongpal districts.

Orissa	Mayurbhanj, Sundergarh, Koraput districts and blocks/tehsils notified as tribal in the districts of Sambalpur, Keonjhar, Boudhkhondwals, Ganjam, Kalahandi and Balasore.
Rajasthan	Banswara and Dungarpur districts and tehsils notified as tribal in the districts of Udaipur Chittorgarh and Sirohi.
Tamil Nadu	Tribal development blocks/tribal pockets in the districts of Salem, South Arcot, North Arcot, Tiruchirapalli and Dharamapuri.
Tripura	Parts of sub-divisions notified as tribal in North Tripura, West Tripura and South Tripura.
Uttar Pradesh	Villages/blocks notified as tribal in the districts of Lakhimpur Kheri and Gonda.
West Bengal	Blocks/parts of blocks notified as tribal in the districts of Purulia, Bankura, Jalpaiguri, Birbhum, Malda, Darjeeling, West Dinajpur, Midnapore, Murushidabad, Burdwan, 24 Parganas and Hoogly.
Andaman and Nicobar Islands	Nicobar districts.
Goa, Daman and Diu	Daman.

Statement-II

Selection Grade for Delhi Cantonment Board Employees

No. of Post Offices opened in Tribal areas during the VI Five Year Plan.

1. Andhara Pradesh	135
2. Bihar	170
3. Delhi	—
4. Gujarat	97
5. J & K	—
6. Karnataka	32
7. Kerala	15
8. Madhaya Pradesh	254
9. Maharashtra	97
10. North East	299
11. North West	31
12. Orissa	220
13. Rajasthan	91
14. Tamil Nadu	26
15. Uttar Pradesh	21
16. West Bengal	82

1570

6436. SHRIMATI N. P. JHANSI LAKSHMI : Will the Minister of DEFENCE be pleased to state :

(a) whether the Delhi Cantonment Board employees have been representing for the sanction of selection grade at par with those of Delhi Administration;

(b) whether Government have recommended their case to the Delhi Administration for its approval;

(c) if so, the reaction of Delhi Administration in this behalf; and

(d) whether Government propose to ask the Delhi Administration to expedite the disposal of the case ?

THE MINISTER OF DEFENCE (SHRI P.V. NARASIMHA RAO) : (a) Yes, Sir.

(b) to (d). Orders pertaining to service conditions of the Cantonment Board em-

ployees issue with the approval of the GOC-in-C of the Command, and hence reference of the proposal to the Delhi Administration is not required.

**Scope for Agro-based Industries
in Kerala**

6437. SHRI K. MOHANDAS : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) whether there is a tremendous scope for agro-based industries in Kerala;

(b) if so, whether Government would provide financial assistance to the State to set up a network of agro-based industries; and

(c) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) to (c). Several studies and surveys including techno-economic survey of Kerala by the National Council of Applied Economic Research, Lead Bank Surveys, Action plans of District Industries Centres have identified scope for setting up of various industries including agro-based industries in Kerala in view of the existence of a variety of rich cash crops and plantations like coconut, rubber, tea, spices, etc. Apart from the traditional industries like coir, rubber, etc. some of the possible new industries include desiccated coconuts, activated charcoal from coconut shell, cow roper, needlefelt, rubberised fibre, straw boards, dried bananas, tropical flour starch and agro related industries like agricultural implements.

Several incentives and concessions including fiscal and financial are extended to entrepreneurs for setting up industries in the identified industrially backward districts/ areas including Kerala, under the special Central schemes. These include Central investment subsidy, concessional finance from term-lending institutions, infrastructural development, etc.

**Down Gradation of Post Offices in Idukki
District of Kerala**

6438. PROF. P. J. KURIEN : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether the Posts and Telegraphs Department has taken a decision to downgrade thirteen post offices in the Idukki district of Kerala;

(b) if so, the reasons thereof;

(c) whether representations from the public have been received requesting the department not to downgrade the said post offices; and

(d) if so, the reaction of Government thereto ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) Yes, Sir. Only 11 EDSOs were actually downgraded.

(b) EDBOs with PCO facility were en-block upgraded to EDSOs earlier. As per revised policy only those BOs with 4 hours of work are to be upgraded to EDSOs. The work of these post offices was reviewed twice and only those offices with less than 4 hours of work were downgraded.

(c) Yes, Sir, received in some cases.

(d) Those offices with justified work-load are being allowed to continue as EDSOs.

Issue of Licences for Cement Industry

6439. SHRIMATI JAYANTI PATNAIK : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) the total capacity of the cement industry for which licences have been issued during 1984-85;

(b) whether the Department of Coal has requested his Ministry to stop further licensing in the cement industry;

(c) if so, the reasons advanced by the Department of Coal to stop further licensing in the cement industry; and

(d) the reaction of his Ministry thereto ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF

MOHAMMAD KHAN) : (a) 69.60 lakh tonnes.

(b) No, Sir.

(c) and (d). Do not arise.

**Proposals of Hindustan Photo Films
Manufacturing Company**

6440. SHRIMATI MONORAMA SINGH : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) whether the Hindustan Photo Films Manufacturing Company has put forward proposals for setting up plants for manufacture of cine colour positive film and integrated manufacture of graphic arts and industrial X-ray Films and manufacture of professional grades of magnetic tapes;

(b) if so, how much additional investment will be required for these projects and how these projects will be financed, whether economic viability of these projects has been examined and if so, with what results; and

(c) whether any foreign collaboration will be necessary; if so, whether the Government/Company has examined the available technologies and which technology has been selected and on what considerations ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) to (c). Hindustan Photo Films Manufacturing Company Limited a public sector undertaking, have submitted proposals for setting up units for integrated production of Cine colour positive films and colour paper, X-ray and graphic arts films, and Magnetic tapes at an estimated cost of Rs. 190 crores, 164 crores and 10 crores respectively.

No final decision has been taken by Government in regard to the setting up of these projects.

**Employment of Women as Officers in
Remount and Veterinary Corps.**

6441. SHRI AJAY MUSHRAN : Will the Minister of DEFENCE be pleased to state :

(a) whether there are provisions to employ women in some departments of Defence Services;

(b) if so, the steps taken to employ women in Remount and Veterinary Corps as Officers; and

(c) if not, whether there is any proposal or plan of Government to do so in future ?

THE MINISTER OF DEFENCE (SHRI P. V. NARASIMHA RAO) : (a) Yes, Sir. Women are employed in Armed Forces Medical Corps, Army Dental Corps and Military Nursing Service.

(b) In accordance with the provisions of the Army Act and the Rules made thereunder, females are not eligible for enrolment or employment in the Remount and Veterinary Corps.

(c) No, Sir.

**Implementation of Report of Anomaly
Committee on Civilian Defence
Employees**

6442. DR. V. VENKATESH : Will the Minister of DEFENCE be pleased to state :

(a) whether the Anomaly Committee Report in respect of civilian defence employees was accepted by his Ministry in toto on 14th October, 1984;

(b) whether the All India Defence Employees Federation had withdrawn their proposed general strike as a result of the above acceptance;

(c) if so, the reason for not implementing this Report from 15th October, 1981, as contained in the Anomaly Committee Report;

(d) whether both the recognised Federations had raised the issue in the departmental council meeting in February, 1985; and

(e) if so, reaction of Government there-to and action being further proposed to be taken for total implementation of the accepted Report ?

THE MINISTER OF DEFENCE (SHRI P. V. NARASIMHA RAO) : (a) to (c).

The Anomalies Committee Report in respect of Industrial Defence Employees was accepted by the Government on 14th October, 1984 with the modification that its Report would be given prospective effect with effect from 15th October, 1984 in accordance with the established policy of the Government. Consequently, the All India Defence Employees Federation withdrew their strike notice.

(d) and (e). The matter is under examination.

[Translation]

Import of Oil

6443. SHRI SHANTI DHARIWAL : Will the Minister of PETROLEUM be pleased to state;

(a) the country-wise quantity of oil proposed to be imported by India during 1985-86;

(b) whether Union Government have ascertained that there are many countries in addition to these countries which are willing to supply oil to India at cheaper rates;

(c) whether Government propose to negotiate with such countries for the purchase of oil from them; and

(d) if so, the details thereof ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) Contracts for 1985 have been concluded/are being negotiated for import of crude oil as indicated below :

Countries	Million Tonnes
Iraq	2.5
Iran	2.0
Saudi Arabia	2.0
USSR	3.5
UAE	0.5
Nigeria	0.125
Oman	0.5

(b) Government is not aware of any country willing to supply oil below the offi-

cial selling prices.

(c) and (d). Such offers will be considered if the crude oil is suitable to our requirements and other terms are to our advantage.

[English]

Pensionary Benefits to Staff of the Schools Run by F. A. C. T. Udyogmandal, Kerala

6444. SHRI V.S. VIJAYARAGHAVAN : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) whether it is a fact that the staff of the Schools run by F.A.C.T. Udyogamandal, Kerala are not given the same facilities with regard to pensionary benefits, etc. as are being presently enjoyed by the F.A.C.T. employees and the staff hospitals run by F.A.C.T.;

(b) if so, the reasons thereof;

(c) whether any representation has been received from the staff of the schools in this respect; and

(d) if so; the steps being taken to redress their grievances ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) and (b). The Fertilizers And Chemicals Travancore Limited. (FACT) has reported that except for the staff in the aided schools for whom the company has to follow Kerala Education Service Rules, there is no difference in the retirement benefits between school staff and other company employees. While the employees of the hospital are governed by wage settlement entered into by the company with their Association, the staff in the schools are governed by administrative instructions. Following the Kerala Education Rules, the FACT has provided that the retirement age of teaching staff will be 55 years (extendable upto 58 years on yearly basis) and for non teaching staff 58 years whereas in the case of hospital employees, the superannuation age who were on the rolls of the company on 23.1.1978 is 60

years, while for others, who entered service thereafter, is 58 years.

(c) A representation has been received from the FACT School Employees Association requesting for the enhancement of the age of superannuation from 58 to 60 years.

(d) As the general policy of the company is to keep the age of superannuation at 58 years, the aforesaid demand is not acceptable.

**Fire in Ordnance Factory, Kalpi Road,
Kanpur (Uttar Pradesh)**

6445. SHRI DHARAM PAL SINGH MALIK : Will the Minister of DEFENCE be pleased to state :

(a) whether attention of Government has been drawn to the news item appeared in the "Times of India" dated the 19th April, 1985 captioned "Major fire in Ordnance Factory" on Kalpi Road in Kanpur (Uttar Pradesh) gutting large scale stocks of magnesium and damaging some important machinery;

(b) whether it is the second major fire in the factory within a year;

(c) whether any inquiry has since been conducted; and

(d) if so, the outcome thereof ?

THE MINISTER OF DEFENCE (SHRI P.V. NARASIMHA RAO) : (a) A minor fire occurred at the Ordnance Factory Kanpur on 15th April, 1985 and was immediately brought under control. There was no casualty or injury to any person. 8 kilograms of magnesium swarf was affected. Two machines were partially damaged. The total loss is estimated at Rs. 30,000.

(b) This was the second incident of fire in the factory in the last one year.

(c) and (d). A Board of Enquiry instituted by the factory management for this incident of fire was of the view that the fire was accidental and that no person could be held guilty or responsible.

[Translation]

**Drinking Water Facility to Allottees
of P&T Quarters at Kali Bari Marg,
New Delhi**

6446. SHRI RAJ KUMAR RAI : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether type I (P and T) quarters constructed at Kali Bari Marg had been allotted to the allottees of G. Point Quarters despite non-availability of drinking water facility in these quarters;

(b) if so, the reasons therefor and also the reasons for not providing drinking water facility to them so far; and

(c) the time by which regular water supply will be provided there ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) No Sir. Drinking water was available at the time of allotment of quarters.

(b) Not applicable.

(c) Not applicable.

**Upgradation of Bageshwar Post Office
in Almora (Uttar Pradesh)**

6447. SHRI HARISH RAWAT : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether a proposal to upgrade Bageshwar Post Office (Almora Uttar Pradesh) this year is under the consideration of the Government;

(b) if so, the time by which this Post Office is likely to be upgraded as G.P.O.; and

(c) if not, the reasons therefor ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) No, Sir.

(b) Question does not arise.

(c) New Head Post Offices are created by bifurcation of the existing Head Post Offices under certain departmental norms. Bageshwar Sub Office is under Almora Head Post Office and bifurcation of Almora H.P.O. is not justified as per departmental norms.

[English]

Persons sent abroad by National Small Industries Corporation, Calcutta

6448. SHRI ATISH CHANRA SINGH : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) whether some persons were sent on foreign tours during 1982-83, 1983-84 and 1984-85 by the National Small Industries Corporation Limited, Calcutta;

(b) if so, the details of persons sent by National Small Industries Corporation, Calcutta on foreign tours during the period mentioned above; and

(c) the total amount spent by National Small Industries Corporation on such tours ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) No officer was sent on foreign tour during 1982-83, 1983-84 and 1984-85 by National Small Industries Corporation's Regional Office at Calcutta.

(b) and (c). In view of reply to (a) above, the question does not arise.

Setting up of more Newsprint Plants in M.P.

6449. KUMARI PUSHPA DEVI : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) the number of news print mills set up in Madhya Pradesh;

(b) the location of those mills;

(c) whether Government propose to set up additional units during 1985-86;

(d) if so, the number of additional newsprint mills proposed to be set up both in private and public sector in Madhya Pradesh in the current financial year; and

(e) the steps taken to expedite the installation thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) and (b). One newsprint plant in the Public Sector, viz. National Newsprint and Paper Mills Ltd. is in production at Neapanagar in the State of Madhya Pradesh.

(c) to (e). Letters of Intent have been granted for setting up of 3 new newsprint units in the private sector in the State of Madhya Pradesh for a total capacity of 1.99 lakh tonnes. These are under various stages of implementation.

Progress of Investigation by Kudal Commission

6450. SHRI HUSSAIN DALWAI : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) the progress of Kudal Inquiry Commission in the matter of inquiry about the working of Khadi and Village Industries Commission;

(b) the time by which it is likely to submit its report to Government;

(c) whether Government have appointed any other committee to inquire into the working of Khadi & Village Industries Commission; and

(d) if so, the progress that inquiry committee has so far made in the matter of inquiry ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) Kudal Commission of Inquiry is not making any inquiry about the working of Khadi and Village Industries Commission.

(b) Does not arise.

(c) and (d). Government of India has appointed a Committee under the Chairmanship of Shri M. Ramakrishnayya to review the policies and programmes of Khadi and Village Industries Commission and its systems and procedures. The Committee has met twice so far and finalised the questionnaire to be issued to all concerned.

**Magneto Hydro-Dynamic Plant
Commissioned by Bharat Heavy
Electricals Limited**

6451. DR. B. L. SHAIKESH : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) whether it is a fact that the Bharat Heavy Electricals Limited plant at Tiruchirappalli has successfully commissioned the Magneto Hydro-Dynamic Plant recently; and

(b) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) Yes, Sir.

(b) Magneto Hydro Dynamic (MHD) Research Project is being jointly executed at Bharat Heavy Electricals Ltd., Tiruchi premises by Bharat Heavy Electricals Ltd. and Bhaba Atomic Research Centre. This programme aims at studying various aspects of MHD power generation with a plasma. The first stage of this programme envisaged commissioning of a pilot plant to achieve plasma generation. This has been completed on 27th March, 1985.

Expansion of Cochin Refineries

6452. SHRI RADHAKANTA DIGAL : Will the Minister of PETROLEUM be pleased to state :

(a) whether there is any plan to expand the capacity of L.P.G. output in Cochin Refinery;

(b) if so, the amount allocated for the purpose and the time by which the expansion work is likely to be completed; and

(c) the estimated output after the expansion of the capacity ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) Yes, Sir.

(b) and (c). The increase in production of L.P.G. from existing 18,000 tonnes per annum to 1,67,000 tonnes per annum is a part of the refinery expansion and Secondary Processing facilities being installed at a total cost of Rs. 132.59 crores. With the commissioning of Secondary Processing facilities in May, 1985, the full potential will be achieved.

**Allotment of Scooters to Shareholders
of Maharashtra Scooters Limited**

6453. DR. G. S. RAJHANS : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) whether the shareholders of M/s. Maharashtra Scooters Limited were allotted scooters on priority basis by draw of lots;

(b) if so, the category-wise number of unsuccessful share holders who got 35, 50, 75, 100 and above shares and have not been allotted scooters so far;

(c) the number of shareholders who have not taken the delivery till date;

(d) the number of unsuccessful shareholders who have sold their shares upto March 1985; and

(e) the number of priority letters issued to unsuccessful shareholders/employees/general category-wise upto 31 March, 1985 ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) The initial shareholders of Maharashtra Scooters Ltd, were allotted scooters on priority basis by draw of lots.

(b) The total number of unsuccessful eligible shareholders was as follows :

No. of shares	No. of unsuccessful shareholders
35	284
50	34
75 and above	Nil
	Total
	318

(c) 38 shareholders did not take delivery of scooters.

(d) 97 unsuccessful shareholders have sold their shares upto March, 1985.

(e) Details of priority letters issued since incorporation i.e. August, 1976 upto 31st March, 1985 are as follows :

(i) Unsuccessful shareholders	Nil
(ii) Employees	63
(iii) General Category	146
	Total :
	209

**Exhaustion of Oil Reserves at
Bombay High and Ankleshwar
Oil Fields**

6454. SHRI R. P. GAEKWAD : Will the Minister of PETROLEUM be pleased to state :

(a) whether pressures have started depleting from the off-shore Bombay High oil fields as well as in the Ankleshwar oil fields on-shore;

(b) whether it is an adequate indication that the oil reserve is about to be exhausted there;

(c) whether it is not due to defective technique adopted by ONGC for the purpose;

(d) if so, for how long the oil reserves in both the above oil fields are likely to last; and

(e) the measures taken or proposed to be taken to correct the defective technique ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) Decline in reservoir pressures is a normal phenomenon of oil/gas fields after commencement of production. Reservoir pressure is, however, being maintained in these fields upto technical requirement by suitably designed pressure maintenance techniques.

(b) No, Sir.

(c) No, Sir, The recovery of hydrocarbons is governed by established reservoir practices.

(d) This depends on the rate of drawal from the reservoir which is governed by the reservoir performance from time to time and also on the enhanced oil recovery techniques adopted during the life of the field.

(e) Does not arise.

[Translation]

**Upgradation of Branch Post Office
at Ganj in Vaishali District of
Bihar**

6455. SHRI RAM BAHADUR SINGH : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether it is a fact that the branch Post Office at Ganj in Vaishali district of Bihar, which has telegraph-cum-telephone facility fulfills the norms laid down for upgrading a branch Post Office to a sub-Post Office; and

(b) if so, the time by which the above branch Post Office will be upgraded as sub-Post Office ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) and (b). No Post Office named Ganj exists in

Vaishali district. Post Office named Naya-ganj under Mahanar SO in Vaishali district exists with PCO facility and its upgradation is under examination.

[English]

**Places to be linked with Kerala by
S. T. D.**

6456. SHRI P. A. ANTONY : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether his Ministry has proposed to link any place in Kerala by S. T. D. during the current financial year; and

(b) if so, the details thereof ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) and (b). 39 places in Kerala as given below are already provided with STD facilities :

Alleppey, Alwaye, Angamaly, Attingal, Adoor, Badagara, Cannanore, Chengannur, Chalakudy, Chowghat, Chingavanam, Ernakulam, Guruvayur, Irinjalakuda, Idukki, Kalpetta, Kottayam, Kozhikode, Kunnankulam, Kottarakkara, Kundara, Kothamangalam, Mavelikkara, Malappuram, Manjeri, Muvathupuzha, Narakkal, Neyyattinkara, Palghat, Palai, Punalur, Perumbavoor, Quilon, Shertallai, Tiruvalla, Trichur, Trivandrum, Taliparamba, Vaikom.

No new place is proposed to be linked by S. T. D. during the current financial year.

**Wrong Classification of Vicks Group
of Products by M/s Richardson
Hindustan Limited**

6457. SHRI K. PRADHANI : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) whether the well known 'Vicks' group of products of Richardson Hindustan Limited has now been classified as Ayurvedic

medicines by the company;

(b) whether Government consider this action of the company actuated to avail of the benefit of total exemption from central excise; and

(c) if so, whether Government propose to plug the loopholes in the relevant law ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) to (c). Approvals for marketing of drugs and pharmaceuticals are granted in accordance with the provisions of Drugs and Cosmetics Act and Rules, which are administered by the State Governments and Ministry of Health. According to the information made available by Government of Maharashtra the classification of Vicks as an Ayurvedic product is in conformity with the provisions of Drugs and Cosmetics Act.

[Translation]

Production of Polyester Filament Yarn

6458. SHRI MAHENDRA SINGH : Will the Minister of PETROLEUM be pleased to state :

(a) the State-wise licensed capacity and production of polyester filament yarn in the country and other details in this regard;

(b) the State-wise production and demand of this yarn in the country;

(c) if the demand of this yarn is more than its production, the steps being taken by Government to increase its production; and

(d) the names of the companies and mills engaged in the production of this yarn alongwith the quantity of yarn produced by each of them ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) to (d). The names of the various units, their approved capacity for manufacture of polyester filament yarn, location and approximate production during 1984-85 are given below :

Sl. No.	Name of the unit	Approved capacity (tonnes/annum)	Location	Approximate production during 1984-85 (tonnes)
1.	M/s Baroda Rayon Corpn. Limited, Bombay.	1777	Gujarat	1440
2.	M/s Petrofils Cooperative Limited, Baroda.	9000	Gujarat	8150
3.	M/s Century Enka Ltd., Poona.	6540	Maharashtra	5790
4.	M/s Garware Nylons Limited, Bombay.	1710	Maharashtra	2060
5.	M/s Nirlon Synthetic Fibres and Chemicals Ltd., Bombay.	2655	Maharashtra	2780
6.	M/s Orkay Silk Mills Ltd., Bombay.	6000	Maharashtra	6120
7.	M/s Reliance Textile Industries Limited, Bombay.	25125	Maharashtra	20430
8.	M/s Stretch Fibres Limited, Nagpur.	135	Maharashtra	—
9.	M/s Shree Synthetics Limited, Ujjain.	576	Madhya Pradesh	2020
10.	M/s J. K. Synthetics Ltd., New Delhi.	6960	Rajasthan	3180
11.	M/s Modipon Limited Modinagar.	1723	Uttar Pradesh	3720
12.	M/s Indian Organic Chemicals Limited, Bombay.	3500	Tamil Nadu	—
	Total	65701		55690

The demand for polyester filament yarn by 1989-90 has been estimated as 90,000 tonnes/annum. State-wise demand for this item has not been assessed.

The creation of additional capacity for manufacture of polyester filament yarn will be considered on merits having regard to all factors.

[English]

COMMUNICATIONS be pleased to state :

Deterioration in Telephone Service

6459. PROF. NARAIN CHAND PARASHAR : Will the Minister of

(a) whether attention of Government has been drawn to the news item captioned "Dead phones in industrial hub" appeared in the Tribune of 6 February, 1985;

(b) if so, the details thereof;

(c) the reasons for deterioration in the telephone services; and

(d) the action taken by Government to improve the situation ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) Yes, Sir.

(b) The news item relates to telephone services provided to the Faridabad and Balabgarh complexes being unsatisfactory and non-availability of calls to Delhi. It also mentions about the Delhi-Faridabad coaxial telecommunication system and other related matters.

(c) There is generally no deterioration in telephone services during the last six months. However, the Department is siezed of the difficulties being faced by the subscribers and is making consistent efforts to improve the service.

(d) The following steps have been taken to further improve the situation :

1. "Demand Trunk Exchange" has been opened in Faridabad in January, 1985.
2. Special maintenance efforts are being made to upgrade the system.
3. A coaxial cable between Janpath-New Delhi to Faridabad has been commissioned and hot lines have been provided to about forty subscribers.
4. A new Tandem exchange is proposed to be commissioned in Janpath in replacement of old Connaught Place Tandem in June, 1985.

Uniformity in Granting Stipends to Wards of Sainik School

6460. **PROF. NARAIN CHAND PARASHAR :** Will the Minister of DEFENCE be pleased to state :

(a) whether Government propose to persuade the State Government regarding a

uniform level of income limit to the parents for the award of stipends to their wards admitted in the respective Sainik Schools;

(b) if so, the likely date by which it would be done;

(c) if not, the reasons therefor; and

(d) the steps envisaged by Government for ensuring uniformity in the conditions of study, rate of stipends, income limits of the parents etc. so as to facilitate migration, in exceptional cases ?

THE MINISTER OF DEFENCE (SHRI P. V. NARASIMHA RAO) : (a) to (d). Government of India, State Governments and Union Territory Administrations have instituted scholarship schemes to enable children from weaker sections of society to study in Sainik Schools and avail of public school education facilities. The State Government scholarships are admissible only to those domiciled in the concerned State. As these are State Government scholarships, the discretion regarding laying down of income limit of parents, or other conditions for award of scholarships, rests with the individual State Governments.

2. All Sainik Schools are governed by a uniform set of rules called the Sainik Schools Society Rules and Regulations. The rate of fees payable in respect of each student studying in a Sainik School is also fixed by the Society. Migration/transfer from one Sainik School to another is permitted only on well established compassionate grounds. These cases are very rare and income of parents do not come in the way of migration.

Delay in Printing upto-date Cantonments Act, 1924

6461. **SHRI MANIK REDDY :** Will the Minister of DEFENCE be pleased to state :

(a) whether exhaustive amendments have been made in the Cantonment Act, 1924;

(b) whether the latest amended Act inclusive of all upto-date amendments has not yet been published by Government due to which great hardship is being faced by the people concerned throughout the country;

(c) the reasons for delay in printing the upto date Cantonment Act; and

(d) when the said upto date Act is likely to be available to the public at the Government of India Publications Sales counters ?

THE MINISTER OF DEFENCE (SHRI P. V. NARASIMHA RAO) : (a) Yes, Sir.

(b) to (d). The printing of the revised edition of the Act is in its final stages, and will be made available within the next few months.

Memorandum from Telephone consumers' Guidance Society of India, Calcutta

6462. SHRI ANANDA PATHAK : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether he has received a memorandum dated 5 March, 1985 from the Telephone Consumers' Guidance Society of India, Calcutta relating to telephone charges;

(b) what are the suggestions made in the memorandum; and

(c) the reaction of Government to those suggestions ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) Yes, Sir.

(b) The main suggestions made in the memorandum are given below in brief :

- (i) Request for not enhancing the tariff in the budget for 1985-86.
- (ii) OYT Deposits be reduced from Rs. 8000/- to Rs. 5000/-.
- (iii) Reduction of installation charges for permanent connections from Rs. 300/- to Rs. 150/- and for casual connections from Rs. 150/- to Rs. 75/-.
- (iv) The telephones subscribers be divided as Domestic and Commercial and rentals be fixed at Rs. 150/- and Rs. 200/- quarterly, respectively.

(v) Reducing the shifting charge from Rs. 150/- to Rs. 100/-.

(vi) Local Call Rate @ Rs. 0.40 upto 5000 calls and Rs. 0.50 beyond 5000 for commercial subscribers and local call rate @ Rs. 0.30 upto 3000 and thereafter Rs. 0.40 beyond 3000 for domestic subscribers, be charged.

(vii) Free Call facility be withdrawn.

(viii) Minimum Call guarantee to be provided by the subscribers of both the categories.

(c) Item No. (i) No enhancement of tariff has been made in the budget for 1985-86.

Items (ii) to (viii) None of the suggestions is found acceptable to the Department.

Different Rates for Medicines Required for Same Disease

6463. SHRI S. L. MURMU : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) whether it is policy of Government to provide different rates of profitability for medicines required for the same disease;

(b) if so, reasons thereof; and

(c) if not, how Government propose to ensure that the poor consumer is not exploited by the medical profession who have a tendency to prescribe decontrolled item only ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) to (c). Bulk drugs required for the production of Category-I and II formulations are allowed a post tax return of 14 per cent on net worth whereas bulk drugs required for the production of Category-III formulations are allowed a post tax return of 12 per cent on net worth. Higher rate of return on bulk drugs required for Category-I and II formulations is allowed in order to encourage the production of such drugs and to ensure their availability in abundance.

In order that the consumer gets essential medicines at cheap prices, a mark up of 40 per cent on the ex-factory cost and 55 per cent on the ex-factory cost is allowed in respect of Category-I and II formulations respectively. Category III formulations are allowed a mark up of upto 100 per cent on the ex-factory cost whereas there is no price control on the remaining formulations. Over 70 per cent of the medicines, are price controlled.

**Loan Licences for Formulations
Manufactured by IDPL**

6464. SHRI S. L. MURMU : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) the details of loan licences obtained for formulations got manufactured by the Indian Drugs and Pharmaceuticals Ltd., (IDPL) last three years;

(b) the items got manufactured, the rate paid per packet;

(c) the saving IDPL has made in relation to their costing norms year-wise during the last three years on this account; and

(d) the reaction of Government thereto ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) to (d). The information is being collected and will be laid on the Table of the House.

**Availability of Drugs for Treatment
of T. B., Asthma, Etc.**

6465. SHRI JAGANNATH PATNAIK :
SHRI DEBI GHOSAL :

Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) whether some cases have come to the notice of Government that the output of vital drugs is being cut by companies and that a number of drug formulations used for the treatment of major diseases like TB, Asthma, Epilepsy, etc. are thus out of the market or beyond the reach of common people;

(b) if so, the details in this regard; and

(c) the efforts made by Government to make these vital drugs available in the market at reasonable rates ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) to (c). My Ministry monitors the availability of essential and life saving medicines based on the reports received from the State Drug Controllers, the Central Drug Standard Organisations and public complaints. No shortage in respect of anti-TB and anti-Asthma formulations have been reported to this Ministry. However, reports of shortage of Dilantin, an anti-Epilepsy formulation have been received. Such shortages are of localised nature and the manufacturer has been rushing stocks to the reported areas of shortages immediately, on the advice of this Ministry.

Production of Fertilizers

6466. SHRI JAGANNATH PATNAIK : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) the various kinds of chemical fertilizers produced in the country and the existing capacity for each type;

(b) whether it is a fact that Government have encouraged production of only two fertilizers; and

(c) if so, the details regarding the policy of Government in this regard ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) Two main chemical fertilizers, namely, Nitrogenous and Phosphatic, are produced in the country. Their capacity as on 1.4.1984 was :

	<i>Capacity (In terms of nutrients)</i>
1. Nitrogenous Fertilizers	51.95 lakh tonnes of Nitrogen
2. Phosphatic Fertilizers	13.38 lakh tonnes of P ₂ O ₅

(b) and (c). Urea among the Nitrogenous fertilizers and Di-ammonium Phosphate among the Phosphatic fertilizers, are the most preferred fertilizers, largely because of their high nutrient contents. However, due consideration is also given to other products, like Ammonium Chloride, Nitro-Phosphates, Calcium Ammonium Nitrate etc. and Single Super Phosphate and complex fertilizers, which are blends of N, P & K, depending on such factors as the specific soil and crop requirements, availability of raw materials, the preference of the farmers, cost of transportation, etc.

Production of Fertilizers during 1985-86

6468. SHRI AMARSINH RATHAWA : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) whether it is a fact that a number of fertilizer units have been closed down in the country;

(b) if so, the details thereof and the reasons therefor;

(c) the steps Government are proposing to take to revive these units; and

(d) the Government policy in regard to the manufacture of fertilizers in the country ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) to (c). No, Sir. However, production of phosphate fertilizers in the Sindri Rationalisation units has been discontinued because of very low capacity utilisation.

(d) The Government policy is to increase production of fertilizers in the country through efficient production and at economic cost.

Annual Production, Requirement and Import of Paper

6469. SHRI AMARSINH RATHAWA : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) the approximate annual requirement of paper in the country;

(b) the annual production of paper in the country;

(c) the annual import of paper to meet the demand;

(d) whether there is sufficient stock of raw material for production of paper in the country, if so, whether Government propose to issue licences for installing mini paper mills in the country; and

(e) whether Government have received any applications in this respect, if so, the details thereof and the action taken by Government thereon ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) The demand for paper and paper board by the end of 1984-85, as estimated by the Planning Commission was 15.40 lakh tonnes.

(b) The production of paper during 1984 is estimated at 14 lakh tonnes.

(c) Import of paper and paper board is negligible and only certain special varieties of paper are being imported.

(d) and (e). Although the existing installed capacity for manufacture of paper and paper board is considered adequate to meet the estimated demand by 1989-90 there are no restrictions on setting up of paper mills based on unconventional raw materials, such as bagasse, rice/wheat straw, etc. Several fiscal concessions have also been extended for use of unconventional raw materials for manufacture of paper and paper board. Setting up of capacity for manufacture of writing, printing and wrapping paper from agricultural residue, waste and bagasse has also been delicensed recently.

Decline in Production in Private Sector Drug units and FERA Companies

6470. SHRI BHOLA NATH SEN : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) whether during the last three years there has been any decline in production in

large Indian private sector drug units and FERA companies producing bulk drugs and leader packs for which prices have been fixed by Government under the Drugs (Price Control) Order, 1979;

(b) if so, the details thereof;

(c) whether Government have received reports of such bulk drugs and leader packs being marketed by small units having links with these large Indian firms and FERA companies to evade the Drugs (Price Control) Order 1979; and

(d) the steps taken/proposed by Government in the matter ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) No, Sir.

(b) Does not arise.

(c) and (d). Instances of some small scale sector units marketing the products of other small scale sector units and organised sector units marketing the products of small scale sector units have come to the notice of the Government. Instances of certain manufacturers continuing to market their products without price approval even after crossing the limit of Rs. 50 lakhs in sales turnover have also come to the notice of the Government. Such manufacturers took the stand that the provisions of Drugs (Price Control) Order, 1979 are not applicable to the prices of the products which they started marketing during the exemption period. This contention has not been found tenable in law and Industry's Associations and the units concerned have been advised to immediately seek price approval.

Replacement of Irreparable Telephones Exchanges in Calcutta Telephones

6471. SHRI BHOLA NATH SEN : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether some telephone exchanges of the Calcutta Telephones have outlived their normal life and aged beyond the limits of economical repairs;

(b) if so, the details of such telephone exchanges;

(c) the steps taken/proposed to replace them with new ones; and

(d) the progress made in the matter ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) Yes, Sir.

(b) Substantial part of the equipment in the following exchanges needs replacement :

1. Jorasanko
2. Avenue
3. Bank
4. City
5. Alipore
6. Circus
7. Baghbazar
8. Kalighat
9. Dum Dum
10. Shibpur
11. Russa
12. East
13. Salkia

(c) Plans for the replacement of worn out equipment have been prepared.

(d) Installation of replacement equipment for four exchanges, viz., Bank, Jorasanko, Avenue and City is in progress.

Progress of PEXSEM

6472. PROF. NARAIN CHAND PARASHAR : Will the Minister of DEFENCE be pleased to state :

(a) whether PEXSEM (Preparing Ex-Servicemen for Self Employment) has made any significant progress since its inception;

(b) if so, the progress made;

(c) whether any request has been received for the extension of this scheme to other districts of the States concerned; and

(d) if so, the decision of Government on this request ?

THE MINISTER OF DEFENCE (SHRI P. V. NARASIMHA RAO) : (a) and (b). PEXSEM has made some progress since its introduction as a pilot project in 1983. As per available information 889 ex-servicemen/serving personnel against a target of 1500, have been trained in different trades. Out of these 880 trainees, 122 have set themselves up in self-employment, 22 have secured salaried employment, and 312 trainees are awaiting loans from various banks to implement their projects.

(c) and (d). The only requests which have been received are from the Governments of Haryana and Himachal Pradesh for extension of this Scheme to Bhiwani and Hamirpur districts respectively. These requests are under consideration.

Cantonments in Hamirpur and Una in Himachal Pradesh and Hoshiarpur in Punjab

6473. PROF. NARAIN CHAND PARASHAR : Will the Minister of DEFENCE be pleased to state :

(a) whether Government have finalised the proposal for setting up cantonments in Hamirpur and Una Districts of Himachal Pradesh and Hoshiarpur District of Punjab;

(b) if so, the exact sites and a brief outline of the cantonments projects, the approximate area to be acquired and number of villages to be uprooted for this purpose in each case;

(c) the likely dates by which the work on cantonments would be commenced and completed;

(d) if not, whether any early decision would be taken in this regard so as to remove uncertainty in the minds of people; and

(e) whether the outcasts would be given adequate compensation and ensured of proper resettlement ?

THE MINISTER OF DEFENCE (SHRI P. V. NARASIMHA RAO) : (a) Hoshiarpur in Punjab has been approved for setting up a Military Station. In respect of Hamirpur

and Una, the proposal is under consideration.

(b) to (e). The Punjab Government was consulted and several sites have been suggested for locating a Military Station at Hoshiarpur. All relevant aspects, including the suitability of the site and the population affected, will be taken into consideration while making the final selection. As regards Hamirpur and Una, a decision is yet to be taken.

Details of Multinational Companies Operating in Tea Plantations

6474. SHRI ANAND PATHAK : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) the number of multi-national corporations and MRTP companies operating in Tea Plantations, State-wise and the names thereof;

(b) the total acreage under tea plantations held by the individual companies referred to above;

(c) the up-to-date paid up capital and reserve fund of the individual companies referred to above; and

(d) the remittance abroad by these companies during the last three years ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) to (d). None of the companies which are outside India but are registered under Sec. 592 of the Companies Act, 1956, for having established a place of business in India, operate any tea plantations.

31 companies shown in the Tea Directory for 1982 published by the Tea Board as owing tea estates are registered under the Monopolies and Restrictive Trade Practices Act, 1969. A statement showing the names of these companies, States in which they are registered, their paid up capital and reserves as per the last available balance sheets and dividend remittances made by these companies during the last three years are in the annexed statement. Information regarding acreage under plantations is not required to be shown in the balance sheets and hence the information in this regard is not available.

Sl. No.	Name of the Company	State in which registered	Data for the year ending	Paid-up Capital	Reserves and Surplus	Dividend Remittances (Rs. in lakhs)			
						1981-82	1982-83	1983-84	
						7	8	9	
1		3	4	5	6	7	8	9	
1.	Assam Co. (India) Ltd.	Assam	30.6.84	350.00	680.66	38.85	Nil	62.16	
2.	Doom Dooma India Ltd.	Assam	31.12.83	175.00	535.22	18.45	19.43	38.85	
3.	Goodricke Group Ltd.	West Bengal	30.6.84	360.00	784.34	33.30	Nil	33.30	
4.	George Williamson (Assam) Ltd.	Assam	30.6.84	350.00	793.71	41.34	Nil	73.50	
5.	Majuli Tea Co. (India) Ltd.	Assam	30.6.84	45.00	112.05	4.37	Nil	8.74	
6.	Makum Tea Co. (India) Ltd.	Assam	30.6.84	106.06	155.64	10.10	11.50	11.29£	
7.	Moran Tea Co. (India) Ltd.	West Bengal	31.12.83	70.00	38.43	—	—	—	
8.	Namdang Tea Co. (India) Ltd.	Assam	30.6.84	119.56	224.86	16.56	22.08	15.06£	
9.	Warran Tea Ltd.	Assam	31.3.84	325.00	204.00	Nil	26.93	26.93@	
10.	Mc Leod Russel (India) Ltd.	West Bengal	30.6.84	544.82	227.45	22.20	47.18	27.75£	
11.	Malayalam Plantations (India) Ltd.	Kerala	31.3.83	300.00	416.43	Nil	102.60*	18.00	
12.	Tea Estates (India) Ltd.	Tamil Nadu	30.6.84	220.00	1095.96	112.56	18.32	18.32	
13.	Assambrook Ltd.	West Bengal	31.12.83	105.00	177.98	0.02	Nil	Nil	
14.	Duncan Agro Industries Ltd.	West Bengal	31.12.84	251.81	3062.70	—	—	—	
15.	Bishnauth Tea Co. Ltd.	West Bengal	30.6.84	82.48	1080.23	0.06	0.01	0.17£	
16.	Dimakushi Tea Co. Ltd.	West Bengal	30.6.84	58.26	714.52	0.12	0.11	0.10£	

1	2	3	4	5	6	7	8	9
17.	Ghillidary Tea Co. Ltd.	West Bengal	31.12.83	8.00	14.85	—	—	—
18.	Gillanders Arbuthnot & Co. Limited	West Bengal	31.3.84	151.84	322.04	2.87	2.87	3.44
19.	Jardine Henderson Ltd.	West Bengal	31.3.84	250.00	312.96	Nil	0.01	0.01
20.	Jayshree Tea and Industries Limited	West Bengal	31.3.84	410.00	4010.67	0.07	0.06	0.06
21.	Joonktolee Tea and Industries Ltd.	West Bengal	31.12.84	30.36	24.13	—	—	—
22.	Jutlibani Tea Co. Ltd.	West Bengal	31.3.84	40.50	43.23	—	—	—
23.	Macneill and Magor Ltd.	West Bengal	30.6.84	398.91	2961.60	2.45	3.14	Nil
24.	Rydak Syndicate Limited	West Bengal	31.3.84	215.65	150.30	—	—	—
25.	Tata Tea Limited	West Bengal	31.12.83	800.00	1652.48	—	—	—
26.	Tengpani Tea Co. Ltd.	West Bengal	31.3.84	30.00	28.05	—	—	—
27.	Tezapore Tea Co. Ltd.	West Bengal	31.12.82	97.23	406.26	—	—	—
28.	Bombay Burmah Trading Corporation Limited	Maharashtra	30.9.84	946.95	766.71	9.04	5.04	7.05
29.	Kothari (Madras) Limited	Tamil Nadu	30.6.83	554.50	2510.53	—	—	—
30.	Stanes Amalgamated Estates Limited	Tamil Nadu	30.6.84	50.68	2100.38	—	—	—
31.	United Nilgiri Tea Estates Co. Ltd.	Tamil Nadu	31.3.84	74.02	149.79	—	—	—

* For the period 1.4.1979 to 31.3.1982

£ Account for the period 1.1.1983 to 30.6.1984

@ Account for 15 months.

Guidelines for Quality Control of Liquor

6475. SHRI LAKSHMAN MALLICK : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) whether Government are having any quality control on Indian made foreign liquor and country made liquor;

(b) if so, the details thereof;

(c) whether there are some guidelines for prescribing the quality control; and

(d) if so, the names of the manufacturers who manufacture Indian made foreign liquor and country made liquor with ISI specifications ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) to (d). Quality control of Indian Made Foreign Liquor and Country Liquor is exercised by State Governments. In respect of units licensed with the Indian Standards Institution (ISI), quality control is also exercised by ISI. ISI have published specifications for Rum, Whiskies, Table Wines, Brandies, Vodka, Gin, Today, Country Spirit and Beer. Statement containing a list of units licensed with ISI is attached.

Statement

List of manufacturers having ISI certification mark

IS : 3811—1976, Rum (First Revision)

1. Amrut Distilleries Pvt. Ltd., Bangalore.
2. Khoday Distilleries Pvt. Ltd., Bangalore.
3. Khoday RCA Industries, Bangalore.
4. The Mysore Sugar Co. Ltd., Bangalore.
5. Pampar Distilleries Ltd., Bellary.
6. The Simehaoli Industries Pvt. Ltd., Ghaziabad.
7. Tilaknagar Distilleries and Industries Ltd., Bombay.
8. Yezdi Distilleries, Mysore.

IS : 3865—1978, Beer (First Revision)

1. Arlem Breweries Ltd., Goa.

2. Khoday Brewing and Distilling, Bangalore.

3. Skol Breweries Ltd., Bombay.

IS : 4100-1967, Gin

1. Khoday RCA Industries, Bangalore.
2. The Mysore Sugar Co. Ltd., Bangalore.
3. Tilaknagar Distilleries and Industries Ltd., Bombay.
4. Yezdi Distilleries, Mysore.

IS : 4449—1980, Whiskies (Second Revision)

1. Khoday Distilleries Pvt. Ltd., Bangalore.
2. Khoday RCA Industries, Bangalore.
3. The Mysore Sugar Co. Ltd., Bangalore.
4. Pampar Distilleries Ltd., Bellary.
5. The Simbhaoli Industries Pvt. Limited Ghaziabad.
6. Tilaknagar Distilleries and Industries Ltd., Bombay.
7. Yezdi Distilleries, Mysore.

IS : 4450—1978, Brandies (First Revision)

1. Khoday Distilleries Pvt. Ltd., Bangalore.
2. Khoday RCA Industries, Bangalore.
3. The Mysore Sugar Co. Ltd., Bangalore.
4. Pampar Distilleries Ltd., Bellary.
5. Tilaknagar Distilleries and Industries Ltd., Bombay.
6. Yezdi Distilleries, Mysore.

IS : 5287—1978, Country Spirit (Distilled) (First Revision)

1. Pampar Distilleries Ltd., Bellary.

Expenditure on air and Water Pollution Control Equipment by Maharashtra Gas Cracker Complex

6476. SHRI SANAT KUMAR MANDAL : Will the Minister of PETROLEUM be pleased to state the anticipated expenditure on air and water pollution control equipment by the Maharashtra Gas Cracker Complex during the Seventh Plan period ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : The

anticipated expenditure to be incurred on air and water pollution control equipment by the Maharashtra Gas Cracker Complex during the 7th Plan period would be around Rs. 18.79 crores.

Review of Industrial Situation

6477. SHRI MURLIDHAR MANE : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) whether a review of the industrial situation has been made recently; and

(b) if not, the steps proposed by Government ensure higher production ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) and (b). Industrial situation in the country is under constant review by the Government. The Government have been taking several steps to stimulate industrial production through appropriate changes in Industrial, Licensing and Import Policies, as well as through Monetary and Fiscal measures and improvement in infrastructure.

Import of Technology for two Wheelers

6478. SHRI RAM SAMUJHAWAN : SHRI MANVENDRA SINGH :

Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) whether Government have decided to raise the ceiling for import of technology for manufacture of motorised 2-wheelers from 100 cc to 150 cc;

(b) if so, the names of foreign collaborations for manufacture of 2-wheeler vehicles upto 100 cc engine capacity since approved and their Indian collaborators; and

(c) the particulars of new models being introduced in the Indian market in the 50 cc moped range or 100 cc motor-cycles and scooter range ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) Yes, Sir.

(b) and (c). The required information is given in the attached statement.

Statement

Sl. No.	Name of the Indian company	Name of the foreign collaborator	Item of manufacture
1	2	3	4
1.	Andhra Pradesh Scooters Limited, Hyderabad.	M/s Piaggio of Italy.	Scooters 100 cc range.
2.	Bajaj Auto Limited, Pune.	M/s Kawasaki Heavy Industries Limited, Japan.	Motorcycles 100 cc range.
3.	Enfield India Limited, Madras.	M/s Zundapp Werke, West Germany.	Motorcycles in 50 cc and 100 cc range.
4.	Escorts Limited, Faridabad.	M/s Yamaha Motor Co., Japan.	Motorcycles 100 cc range.
5.	Kinetic Honda Motors Ltd., Indore.	M/s Honda Motor Co., Japan.	Scooters 100 cc range.
6.	Hero Honda Motors Ltd., New Delhi.	M/s Honda Motor Co., Japan.	Motorcycles 100 cc range.
7.	Lohia Machines Limited, Kanpur.	M/s Piaggio of Italy.	Scooters 100 cc range.
8.	Chamundi Mopeds, Bangalore.	M/s Cycles Peugeot, France.	Mopeds 50 cc range.
9.	Ind-Suzuki Motorcycles Ltd., Madras.	M/s Suzuki Motor Co., Japan.	Motorcycles 100 cc range.
10.	Kelvinator of India, Faridabad.	M/s Agrati Garelli, Italy.	Mopeds 50 range.
11.	Balraj Aggarwal, Karnal.	M/s Transport Maschinen Export-Import, G.D.R.	Mopeds 100 cc range.

**Demand and Production of Cement
in Seventh Plan**

6479. SHRI RAM SAMUJHAWAN : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) the projected demand and production of cement during the Seventh Five Year Plan period;

(b) whether Government have decided to stop issuing further licences for setting up cement factories in the country; and

(c) if so, whether the country will achieve self-sufficiency in cement during the above Plan period ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) The Working Group on Cement Industry (1985-90) has projected a demand of 49 million tonnes and a production target of 50.77 million tonnes of cement by the end of the Seventh Five Year Plan period.

(b) No, Sir.

(c) According to the Working Group on Cement Industry, the country is likely to achieve self-sufficiency by the middle of the Seventh Five Year Plan period.

**Increase in Indigenous Production of
Life Saving Drugs**

6480. SHRIMATI PHULRENU GUHA : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) the steps taken by Government during the Sixth Plan period for balancing the demand and supply of essential and life saving drugs and to increase indigenous production of such drugs;

(b) the success achieved in the matter; and

(c) the extent to which production of such essential and life saving drugs has increased in the public sector drug units, private sector wholly Indian firms and units

owned by FERA companies operating in drug field ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) During the 6th plan period, following steps have been taken by the Government for balancing demand and supply of essential and life saving drugs and to increase indigenous production of such drugs :

- (i) A large number of Industrial Approvals including DGTD Registration have been granted.
- (ii) Expansion in the capacity of bulk drugs and formulations in the Public Sector has been taken up.
- (iii) Assistance is given for removing bottlenecks in production by the introduction of improved technology, in the procurement of raw materials and supply of utilities in respect of existing drug units.
- (iv) Implementation of Industrial Licences and Letters of Intent is monitored and the difficulties in implementation, if any, in respect of such units is gone into.
- (v) The Scheme for automatic growth has been extended to the drug industry.
- (vi) The Schemes for recognition of installed capacities and the Scheme for re-endorsement of higher capacity have been extended to the drug industry subject to certain conditions.
- (vii) For fuller utilisation of capacities (a) loopholes in the import policy were plugged; (b) to the extent possible action to streamline the pricing system of bulk drugs and formulations have been taken; (c) approvals for introduction of improved technology have been granted; and (d) changes in custom duties on intermediates in selected cases have been carried out.

(b) and (c). The production of bulk drug have increased from Rs. 226 crores in

1979-80 to Rs. 355 crores in 1983-84. Similarly, production of formulations has gone up from Rs. 1150 crores in 1979-80 to Rs. 1700 crores in 1983-84. Besides gap between imports and exports has considerably narrowed down over the years.

Reduction in Import of Drugs and Pharmaceuticals

6481. SHRIMATI PHULRENU GUHA : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) whether Government have taken steps to ensure that increased import of drugs and pharmaceuticals do not inhibit production and capacity utilisation of the drug units in India;

(b) if so, the details thereof;

(c) the value of drugs and pharmaceuticals imported during the last three years and the main items of import during the period; and

(d) the steps taken/proposed to reduce import of such items and to improve indigenous production of these drugs and pharmaceuticals ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) to (d). Only such drugs and pharmaceuticals as are not manufactured indigenously or where the indigenous production is not sufficient to meet the requirements of the country, are normally allowed to be imported.

Government generally encourages indigenous production particularly if it leads to import substitution by providing additional capacities and foreign collaborations, based on the merits of each case.

The value of the bulk drugs and finished formulations, including intermediates, chemicals and solvents as also mechanical contraceptives, imported during the years 1981-82 to 1983-84 is as follows :

Year	Value
1981-82	136.77 crores
1982-83	148.48 crores
1983-84	163.34 crores

The main drug items where the value of imports exceeded Rs. 1 crore during each of the last 3 years are Rifampicin, L-Base, Vitamin B-6, Ampicillin Sodium and Pyrazinamide.

Effective Rate of Trunk Calls in Calcutta Telephones

6482. SHRIMATI PHULRENU GUHA : Will the Minister of COMMUNICATIONS be pleased to state :

(a) the effective rate of trunk calls in Calcutta Telephone as compared to the effective rates in the telephone system of other State capitals;

(b) the reasons for poor effective rate of trunk calls in Calcutta; and

(c) the steps taken proposed to improve the effective rate of Calcutta Telephones ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) The average effective percentage of trunk calls for the last 6 months in Calcutta Telephones is 52.9 per cent. It is low as compared to most of the other State Capitals in the country.

(b) The reasons for poor effective rate of trunk calls in Calcutta are as under :

1. Difficulty in getting calling numbers due to old exchange equipment and frequent underground cable faults.
2. Unsatisfactory performance of the trunk circuits working on open wire physical line having only single outlet.
3. Difficulty in getting called subscriber telephone number in Metropolitan cities and some other major cities.
4. 25 per cent absenteeism of the operative staff.
5. Cancellation of the booked trunk calls by the subscriber on getting their calls through STD.

(c) The following steps have been taken/proposed to improve the effective rate of trunk calls in Calcutta Telephones.

1. Intensive testing of the trunk chain in the exchanges and more frequent testing of the junctions.
2. Provision of additional operator dialling trunk circuits and opening new direct route. Installation of 15 additional trunk boards is under process. Additional function for the trunk boards would also be provided.

**Import of Technology in the Field of
Drugs and Pharmaceuticals**

6483. SHRIMATI PHULRENU GUHA :
Will the Minister of CHEMICALS AND

FERTILIZERS be pleased to state :

(a) whether Government have during the last two years approved proposals for import of technology in the fields of drugs and pharmaceuticals;

(b) if so, the details thereof; and

(c) the names of the collaborators involved in such proposals ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) Yes, Sir.

(b) and (c). The relevant details are given in the attached Statement.

Statement

Sl. No.	Name of the drugs etc. for which import of technology was approved during 1983 & 1984	Name of foreign collaborator
1	2	3
1.	Salicylic Acid, Salicylates including aspirin etc.	Industrial Exportimport, Romania.
2.	Sweet 'N' Low (Sweetner)	Cumberland Packing Corpn., USA.
3.	6-APA	(1) Astra Pharmaceuticals, Sweden. (2) Toyo Jozo Co. Ltd., Japan. (3) DOBFAR S.P.A., Italy.
4.	Econazole Nitrate and its formulations.	Cilag Chemie Ltd., Switzerland.
5.	Ibuprofen.	ACIC Ltd., Canada.
6.	DL-2 Aminobutanol.	International Mineral and Chemicals Corpn., USA.
7.	Salicylic Acid, Sodium Salicylate and aspirin.	International Business/Sterling Drug USA Associates Inc., USA.
8.	Nalidixic Acid Pentazocine, Phenylpherine Hcl, Benorylate.	Sterling Drug Inc., USA.
9.	Empty hard gelatine capsules (100% export).	Capsule Technology International Ltd., Canada.
10.	Cimetidine, Econazole Nitrate, Indapamide.	Baxanes Investment Sa Avenida Justo Arosemena Ycalle. (Panama)

11.	D-Phenylglycine/para-hydroxy-phenylglycine.	Medimpex Hungarain Trading Co. of Pharmaceuticals Products, Hungary.
12.	Ethoxy Methylene Malonic Ester (EMME).	Dynamit Nobel, West Germany.
13.	Rifampicin.	(1) Techno Export (Pharmachim) Bulgaria. (2) Chong Kum Corpn., South Korea.
14.	L-Cystine. (100% export)	World Chemicals Ltd., Japan.
15.	Timed Release Pharmaceutical formulations.	Sidmak Laboratories Inc., USA.
16.	Adhesive Tapes and Surgical dressings.	S.A. Isoplast, Switzerland.
17.	Salicylic Acid, aspirin (Acetyl Salicylic Acid) Sodium Salicylate.	A.B. Bofors Nobel Chematur Sweden.
18.	Vitamin C.	Foster Wheeler Italy.
19.	D-Naproxen.	Secifarma SPA, Italy.
20.	Desings and Drawings for Amoxicillin.	Daewoon Pharmaceuticals Co. Ltd., South Korea.
21.	D-Norgestral and its tablets, etc.	Gedeon Richter Limited, Hungary.
22.	Plaster of Paris Bandages.	IVF Maschinefabrik Schaffhausen, Switzerland.
23.	Pentazocine.	Fabbric Italian Sinetici., Italy.

Oil Exploration Programmes

6484. SHRI R. M. BHOYE : Will the Minister of PETROLEUM be pleased to state :

(a) the areas with locations where the oil exploration programme are going on at present;

(b) the new areas in the country where exploration programme will be taken up in the near future and during the current financial year; and

(c) the names of the countries which are collaborating with India in exploration of oil and the conditions on which they are engaged for exploration of oil ?

NAWAL KISHORE SHARMA) : (a) Oil exploration is being carried out at present in the following areas/basins :

<i>Area/Basin</i>	<i>Location</i>
Cambay	Onland
Upper Assam	„
Assam-Arakan fold belt	„
West Bengal	„
Krishna-Godavari	„
Cauvery	„
Rajasthan	„
Himachal Pradesh	„
Uttar Pradesh	„
Bihar	„
Madhya Pradesh	„
Kutch & Saurashtra basin (only survey)	„

THE MINISTER OF STATE OF THE
MINISTRY OF PETROLEUM (SHRI

Arunachal Pradesh	Onland
R-7, C-2, HE-E, R-9, WI-10, B-174	West Coast offshore
AN-32	
Mahanadi basin	East Coast
North East Coast.	offshore

(b) Oil exploration is proposed in the following new areas in 1985-86 :

<i>Onshore</i>	<i>Offshore</i>
Gujarat	East Coast
Rajasthan	West Coast
Himachal Pradesh	Andaman.
J & K	
West Bengal	
Assam	
Nagaland	
Tripura	
Andhra Pradesh	
Tamil Nadu	
Orissa	

(c) USSR is collaborating with India in oil exploration in Ranaghat-Jaguli-Krishna-nagar area and in drilling well Bodra-2 in West Bengal on the basis of payments for services rendered.

Revival of Sick Wells

6485. SHRI N. DENNIS : Will the Minister of PETROLEUM be pleased to state :

(a) whether study has been made regarding the petroleum wells in the country having become sick;

(c) whether it is a fact that India has not taken technical knowledge and machinery to revive many of the sick petroleum wells in the country; and

(c) if so, the number of sick wells and whether Government have entered into an agreement with any foreign country with a view to revive these sick wells ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) and (b). Yes, Sir. The ONGC and OIL constantly monitor sick wells for remedial measures. They possess considerable technical knowledge and equipment for the purpose. Occasionally they also avail of the services of foreign experts to supplement their efforts.

(c) There were 395 sick oil wells as on 1.4.1985.

A contract for revival of sick wells has been concluded which envisages import of equipment and services of Soviet experts. Currently, two Soviet teams are working in Gujarat on sick wells.

Assistance by USSR for Oil and Gas Explorations and Drilling

6486. SHRI N. DENNIS : Will the Minister of PETROLEUM be pleased to state :

(a) the ratio of help rendered by the USSR in the field of oil and gas explorations and drilling; and

(b) the basic difference of terms and conditions of the contracts for the same between the USSR and other multinational companies ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) Help in the form of Soviet expertise, material, equipment and personnel is extended by the USSR, all of which is not amenable to quantification. As such, no ratio can be worked out.

(b) The terms vary from contract to contract, as such there is no fixed difference between the two. The contracts with USSR are under Indo-Soviet bilateral agreements and payments are mostly made in Indian rupees.

Experiment on Working of Mini Cement Plants

6487. SHRI GURUDAS KAMAT : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) whether an experiment on the working of mini cement plants has been made by Government; and

(b) if so, whether the experiment has proved to be successful ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) and (b). With a view to exploit smaller limestone deposits, dispersal of cement production capacity all over the country, reduction of burden on railway transportation, lower capital costs and quicker installation and higher employment, especially in rural, hilly and other inaccessible areas, the Government announced in January, 1979 the policy for establishment of mini cement plants (capacity limited to 200 tonnes per day or 66,000 tonnes per annum). Pursuant to this policy, a number of approvals for setting up of mini cement plants have been accorded. As on 31st March, 1985, installed capacity in the mini cement sector is estimated at 1.18 million tonnes. The production from these plants has been progressively increasing. Since majority of the mini cement plants have just commenced production and have not been in production for a sufficiently long period, it is premature at this stage to say whether or not the programme of setting up mini cement plants has been successful.

[Translation]

Production of Goods of Small Scale Sector by Large Scale Industries

6489. SHRI MOOL CHAND DAGA : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) whether the goods which can be produced by small scale industries to meet the demand in the country are being produced by the large scale industries also and if so, the names of such goods and since when they are being produced;

(b) whether there is any effective Central law which prohibits large scale industries from doing so; and

(c) if so, which large scale industries were prevented from doing so and when and

what penalties have been imposed on them on being found guilty ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) to (c). One of the measures adopted to protect interests of small scale sector is to reserve certain items for exclusive manufacture in the small scale sector. At present, 873 items have been reserved for small scale sector. According to the present licensing policy, no industrial licence, either for setting up of a new industrial undertaking or for substantial expansion of an existing industrial undertaking other than a small scale unit, is granted for the manufacture of items reserved for small scale sector except on the basis of export obligation of at least 75 per cent of production.

There are, however, a number of industrial undertakings which were producing reserved items before the date of reservation. The capacity of such units has been pagged on the basis of their best production immediately prior to the date of reservation. It is, however, not possible to indicate the last of items already been produced by such industrial undertakings which are not a small scale unit, as no such statistics is centrally maintained in the Department of Industrial Development.

Polling Booths where Candidates Polled 90 per cent or more Votes

6490. SHRI RAMASHRAY PRASAD SINGH : Will the Minister of LAW AND JUSTICE be pleased to state :

(a) whether the Election Commission during the last State Assembly elections has given written instructions to each District Election Officer that the result of elections after counting should not be recorded in the result sheet in case a particular candidate secures 90 per cent or more of total votes polled at any polling booth without consulting the Election Commissioner; and

(b) whether any candidate secured 90 per cent or more votes at any polling booth in the Assembly Elections held for 246 seats on 5 March, 1985 and if so, the names of such polling booths ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI H. R. BHARADWAJ) : (a) The Election Commission had issued instructions regarding special measures to be taken by Returning Officers to prevent booth capturing and the relevant extract from the Commission's instructions dated the 6th November, 1984 is given in the statement attached.

(b) Information regarding candidates who secured 90 per cent or more votes at any polling booth and the names of such polling booths in the Assembly elections held on 5th March, 1985 is being collected and will be laid on the Table of the House.

Statement

21. At the time of counting the Returning Officer should also check up the ballot papers account of each polling booth as prepared at the close of the poll in the polling booths and the votes secured by each candidate as recorded at the Counting Table. If he finds that there is an abnormal percentage of voting or unbelievable number of votes cast in a polling booth as compared to different other polling booths, in the same constituency and finds that the votes cast in favour of one candidate is abnormal from normal standard and the votes cast in favour of other candidates especially those of recognised political parties are very negligible, minimal or microscopic in number (for example say total votes assigned to a polling booth is 900 and out of this number, the ballot paper account shows 850 or more as votes cast in that polling booth and out of this 850 votes, 840 or 845 are in favour of one candidate) such phenomenon is noticed in quite a number of polling booths in the constituency, then the Returning Officer should keep aside the ballot papers and ballot paper account of particular polling booth or polling booths in a sealed cover in the presence of counting agents or candidates, without taking them into account in the Result Sheet.

22. If the result of election is not affected by ignoring these votes, the Returning Officer may declare the result. If on the other hand, the difference of margin between first two candidates is less than the total votes, set aside, the Returning Officer should not declare the result but seek the orders of the Commission and only after obtaining orders of the Commission should proceed further.

[English]

Supply of Divers to ONGC

6491. SHRI BHOLA NATH SEN : Will the Minister of PETROLEUM be pleased to state :

(a) whether the Oil and Natural Gas Commission (ONGC) has approached some international companies to provide the services of divers for inspection and repairs of undersea equipments and hardwares used by ONGC;

(b) if so, the details thereof;

(c) the reasons why ONGC could not depend on the Indian Navy for supply of divers;

(d) the terms and conditions on which the international companies have agreed to supply divers to ONGC; and

(e) the steps taken/proposed to remove dependence of ONGC on international companies for supply of divers required in connection with the commissions' exploration works ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) and (b). Yes, Sir, Provision of diving services is a part of the contract awarded to parties from whom MSV/NDT vessels are charter hired. In addition services of foreign diving firms are used for different drilling rigs. The names of the foreign companies providing diving services to the ONGC are :

1. Swire Pacific Offshore, Hong Kong.
2. Taylor Diving (Sea) Pvt. Ltd., Singapore.
3. Diving Equipment (Sea) Pvt. Ltd., Singapore.

(c) Divers of the Indian Navy do not have the type of experience required by the ONGC.

(d) Divers are normally available on day rate basis.

(e) Indian companies both in the public and private sectors are being encouraged to provide these services to the ONGC. A

number of Indian companies are already providing these services to the ONGC at present. Formation of Joint ventures companies in this field is also being encouraged.

**Increasing Export of Basic Chemicals
and Pharmaceuticals**

6492. SHRI SOMNATH RATH : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) whether Government proposed to increase the export of basic chemicals and pharmaceuticals during the Seventh Five Year Plan period;

(b) whether any long-term export plan has been drawn up for purpose;

(c) if so, the target fixed for export of the above items by 1989-90; and

(d) the details thereof ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) Yes, Sir.

(b) to (d). The Working Group on Drugs and Pharmaceuticals for the Seventh Five Year Plan had projected for the year 1989-90, an estimate of Rs. 150 crores for export of finished formulations and bulk drugs including phytochemicals.

**Industrial Ties Between India and
South Korea**

6493. SHRI B. V. DESAI : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) whether India and South Korea have agreed to boost the industrial ties;

(b) if so, whether any delegation from both the countries visited the countries and reached at final agreements;

(c) if so, the details of the agreements reached;

(d) the steps likely to be taken to implement them; and

(e) to what extent South Korea has agreed to help India in industrial sector ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) to (e). The Association of Indian Engineering Industry (AIEI) and the Federation of Korean Industries (FKI) of South Korea have signed an eight-point agreement in October-84 for boosting industrial cooperation between the two countries in several key areas of interests. A memorandum has also been signed between the AIEI and FKI setting out specific targets for increasing bilateral trade and cooperation, particularly in the engineering industry sector. The two sides have also agreed to recommend to their respective Government to accord each other status of most favoured nations for trade.

For implementing the specific issues included in the agreement an action plan has been drawn up which is under consideration of AIEI and FKI.

So far two Indian delegations had visited South Korea and in return three delegations from that country had visited us.

In addition, an Indo-Korean Joint Business Council has been functioning from 1976. So far the Council had met six times. A Korean delegation had come to India for the fifth meeting in May 1983 and they are expected again sometime in June 1985.

**Proposals of Working Group on Planning
Development of the Indian Drug Industry**

6494. SHRI MOOL CHAND DAGA : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) whether the proposals submitted by working group on planning and development of the Indian Drug Industry have been accepted by Government;

(b) if so, the broad outlines thereof. and

(c) whether Government propose to contemplate to formulate perspective plans for drug development to reduce country's dependence on multi-national companies ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) to (c). The National Drugs and Pharmaceutical Development Council accepted all the recommendations of the Working Group on Planning and Development. The Council submitted its report to the Government in September, 1984. Government have not yet taken any decision on the recommendations of the Council including the recommendations on Planning and Development.

Constitutional Cases Pending in Supreme Court

6495. SHRI DIGVIJAY SINH : Will the Minister of LAW AND JUSTICE be pleased to lay a statement showing a list of the full bench of 5 Judges constitutional cases pending in the Supreme Court which have not been heard for 12 years ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI H. R. BHARADWAJ) : As per information furnished by the Registrar of the Supreme Court, 110 Constitutional matters are pending for more than 12 years.

Policy to Decentralise Industries

6496. SHRI D. B. PATIL : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) whether it is a fact that it is the policy of Government to decentralise industries;

(b) if so, whether it is a fact, that in 1984-85 upto October, 1984, 546 industrial units were registered on permanent basis and 1991 units on provisional basis in the Union Territory of Delhi;

(c) if so, the reasons thereof; and

(d) the expected potential likely to be created by these 2537 units and by what time ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) It is the policy

of Government of India to discourage setting up of any new industrial undertaking or expansion of existing undertakings within the standard urban area limit of a large metropolitan city with a population of 10 lakhs or more or within the Municipal limits of a city with a population of 5 lakhs or more, as per 1981 census.

(b) and (c). Yes, Sir. According to Delhi Administration, the socio-economic objectives of the industrial policy for Delhi aim at giving a boost to the type of industries which require less land, consume minimum electricity, rely on high technology, are sophisticated, are high value added, are non-pollutant and non-hazardous, employ skilled or semi-skilled labour and have a quick gestation period.

(d) According to Delhi Administration, the 2537 registered units may generate the following potential in course of time :

Permanent	546 units
Employment	3812 persons
Production	Rs. 30.03 crores p.a.
Provisional	1991 units
Employment	13937 persons
Production	Rs. 109.50 crores p.a.

Licences for Manufacture of Mechanical and Electrical Typewriters

6497. SHRIMATI KISHORI SINHA : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) whether he has decided not to give licences any more for manufacture of mechanical and electrical typewriters in view of these technologies becoming obsolete;

(b) whether preference would be given for electronic typewriters;

(c) if not, whether Government propose to consider the relative advantages and cost benefits of the three types of typewriters and come to any decision regarding the future pattern of manufacture of typewriters; and

(d) what are the relative prices of these three varieties of typewriters ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) to (c). Presently there is a trend towards Electronic Typewriters which is a technological improvement over the manual/electric typewriters. There is therefore a shift in the demand pattern from manual/electric type-writers to electronic type-writers. On request from existing manufac-

turers of typewriters, Government have allowed them to manufacture electronic typewriters within their existing licenced capacity of manual typewriters. Besides, new schemes have also been approved for the manufacture of electronic typewriters. For the present, as sufficient capacity exists/has been approved for the manufacture of all types of typewriters in the country, fresh cases of additional capacity are not being considered favourably.

(d) The relative prices are as under :

(i) Manual typewriters	Rs. 5,000/- (approx.)
(ii) Electric typewriters	Rs. 20,000/- (approx.)
(iii) Electronic typewriters	Prices vary from model to model depending on extent of memory, additional characteristics, sophistication, etc. of each model. The price of basic model is, however, Rs. 20,000/- to Rs. 25,000/-.

Lohia Cashing on Foreign Trade Mark

6498. SHRI ANANDA PATHAK : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) whether Lohia Machines Ltd. is charging Rs. 3,000/- more for its 100 cc Scooters than Bajaj Scooter of 150 cc;

(b) if so, whether it is trying to cash in one of the foreign trade mark;

(c) whether the price should not be lower because of the latest technology being used and the smaller engine being supplied; and

(d) how has this collaboration helped the consumer and/or the country ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) Yes, Sir.

(b) No, Sir.

(c) The company has advised that price of its scooter is higher on account of provision of some extra features such as direc-

tional indicators, electronic ignition etc. and use of certain imported components whose cost has gone up due to fluctuation in currency rates.

(d) Besides augmenting availability of fuel efficient two-wheelers in the market, the collaboration has stimulated upgradation of designs by the existing manufacturers of two-wheelers.

Procurement of Uniform Materials by Oil and Natural Gas Commission Dehradun

6499. DR. C.S. VERMA :

SHRI M. V. CHANDRA-SHEKHARA MURTHY :

SHRI V. SRINIVASA PRASAD :

Will the Minister of PETROLEUM be pleased to state :

(a) whether the Oil and Natural Gas Commission, Dehradun has finally decided to procure certain uniform materials for its unionised workers/staff;

(b) whether tenders have since been invited for procurement of the same;

(c) if so, the details thereof;

(d) whether the Oil and Natural Gas Commission before inviting tenders for supply of same, was reluctant to procure the materials from Public Sector Undertakings which are manufacturing same materials when Government organisations are buying from those units/undertakings on 'single tender basis'; and

(e) the details thereof and reasons therefor ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) Yes, Sir.

(b) Yes, Sir.

(c) The tenders have been invited on all India basis through press advertisements to give opportunity to all eligible parties to quote the rates for various items of uniform.

(d) and (e). As per the Commission's stores procedure, procurement of commonly available items of high value on single tender basis, even from Public Sector Undertakings, is not made. Hence, it was decided to issue open tenders to procure these items on most competitive rates giving opportunity to all.

In response to the tender, the offers if any, received from Public Sector Undertakings will be considered on preferential basis as per existing orders.

Losses in IDPL for Inventory of a Veterinary Products

6500. SHRI ASLAM SHER KHAN : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) whether the Indian Drugs and Pharmaceuticals Ltd. (IDPL) has an accumulative inventory of a veterinary product worth Rupees three crores and that this product was got manufactured on loan licence from outside parties;

(b) if so, the name of the product and the name of the unit from where it was got manufactured;

(c) the loss suffered by IDPL on this product;

(d) whether the orders for getting manufactured such products were given by IDPL with the knowledge of Government Directors;

(e) the total quantity got manufactured alongwith its cost and how much has been sold alongwith its value realisation and the present stock position and its value and since when the stocks are lying unsold;

(f) whether any steps have been taken to investigate the matter and fix responsibility; and

(g) if so, the details thereof ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) and (b). The Indian Drugs and Pharmaceuticals Limited (IDPL) have an inventory of a veterinary formulation, Tribexin worth Rs. 1.35 crores. The bulk drug was procured from M/s. Gharda Chemicals Limited. The formulation was got manufactured by IDPL on loan licence from M/s. Intrac Pharmaceuticals Limited, Madras.

(c) and (e). A total quantity of 11.57 lakh vials of Tribexin was got manufactured by the company at a cost of Rs. 11.17 per vial. The stocks of these vials were made available to IDPL from May to August, 1983.

The scales so far were as under :

Year	Quantity Vials/Lakhs	Value (Rs. in Lakhs)
1983-84	1.96	34.94
1984-85	2.05	34.23

The present stock of these vials with IDPL is 7.5 lakhs valued at Rs. 1.35 crores at selling price and Rs. 81 lakhs at cost price. The product has no shelf life and till the stocks are disposed of it is difficult to say that there is a loss.

(d) The decision to manufacture the product on loan licence was taken by the

management and the company did not consider it necessary to obtain the approval of the Board of Directors in this regard.

(f) and (g). No, Sir.

**Vienna Conference of United Nations
Industrial Development Organisation**

6501. SHRI N. VENKATARATNAM : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) whether a Conference of United Nations Industrial Development Organisation (UNIDO-IV) was held in Vienna from 2 August, 1984 to 20 August, 1984 and the purpose thereof;

(b) the proposals submitted to it by India, as Chairman of the Group of 77; and

(c) the results of the Conference ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) Yes, Sir. The main purpose of the Conference was to review the progress and constraints in relation to industrialisation of developing countries; explore ways and means to promote international industrial cooperation including UNIDO's contribution in critical areas; and review UNIDO's coordinating role, in the UN System on industrial development.

(b) and (c). At the Conference (UNIDO-IV), the G-77 moved resolutions on important subjects which included mobilisation of financial resources for industrial development, world industrial restructuring and redeployment strengthening economic cooperation among developing countries and strengthening of scientific and technological capacities for industrial development in developing countries. The Conference adopted negotiated consensus resolutions on subjects which cover accelerated development of human resources for industrial development, strengthening of scientific and technological capacities for industrial development in developing countries, energy and industrialisation, policies and measures for domestic industrial

process and raw materials and strengthening of economic and technical cooperation among developing countries. Regarding mobilisation of financial resources for industrial development and world industrial restructuring and redeployment, no consensus agreement could be reached at UNIDO-IV.

**Guest House of Indian Drugs and
Pharmaceuticals Limited, Rishikesh**

6502. SHRI N. VENKATARATNAM : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) whether it is a fact that the Indian Drugs and Pharmaceuticals Limited, Rishikesh constructed a guest house recently; and

(b) if so, at what cost and the purpose for its construction ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) No, Sir.

(b) Does not arise.

**Letter of Intent for Polyester Filament
Yarn Requested by Andhra Pradesh
Government**

6503. SHRI N. VENKATARATNAM : Will the Minister of PETROLEUM be pleased to state :

(a) whether Government of Andhra Pradesh had applied for letter of intent for manufacture of polyester filament yarn, used for blends in Handloom Industry; and

(b) the reasons for not granting the letter of intent to Andhra Pradesh Government ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) and (b). In November, 1984 M/s. Andhra Pradesh Industrial Development Corporation Limited submitted an application under Industries (Development and Regulation) Act, 1951 for establishment of a new undertaking for manufacture of polyester filament yarn for a capacity of 6,000 tonnes.

The proposal was rejected after due consideration of capacity licenced in relation to demand, dates of pending applications and other relevant factors.

**Polishing Unit for Marble in Jalore
(Rajasthan)**

6504. SHRI N. VENKATARATNAM : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) whether high quality marble is available in abundance in District Jalore in Rajasthan;

(b) whether all the marble is taken to Jodhpur and other places for polishing and other manufacturing and export processes;

(c) whether export of polished marble is getting huge amounts of Indian money as well as foreign currency; and

(d) whether Government have any proposal to start a unit of its own in Jalore District for purposes of polishing ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) No, Sir.

(b) to (d). Do not arise.

**Scrapping of Tender System for
Procurement of Gas Cylinders**

6505. SHRI YASHWANTRAO
GADAKH PATIL :
PROF. RAMKRISHNA MORE :

Will the Minister of PETROLEUM be pleased to state :

(a) whether tender system for procurement of gas cylinders by oil companies has been scrapped; and

(b) if so, the reasons therefor ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) and (b). In the light of substantial excess capacity for manufacture of LPG cylindered

having got established in the country, Government have formulated a policy for purchase of this item by the oil companies. This envisages purchase on the basis of approved lists of manufacturers, assessed capacity, supply capability and past performance of the units, apart from fixation of price by an expert committee.

**Recovery of Outstanding Telephone
Dues**

6506. SHRI ANANTA PRASAD SETHI : Will the Minister of COMMUNICATIONS be pleased to state :

(a) the total amount of telephone dues outstanding against the telephone users as on March, 1975, State-wise and particularly in Delhi;

(b) the total amount of telephone dues outstanding against the former Members of Parliament;

(c) the amount due against Government offices, Government officers, individuals and firms in Delhi; and

(d) the steps Government have taken to realise the arrear amounts ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) The accounts of telephone subscribers are granted by the Department Telecom Circles and Telephone District wise and not State-wise. However, the information available has been grouped as far as possible State-wise and is indicated below. The outstandings represent the cumulative arrears in respect of bills issued over several years and upto the period ending 28.2.85 outstanding as on 1.3.85 :—

Sl.No.	State	Amount (in lakhs of Rupees)
1	2	3
1.	Andhara	200.83
2.	Bihar	332.19
3.	Gujarat	318.43
4.	J & K	128.80
5.	Kerala	192.53
6.	Karnataka	253.24
7.	Madhya Pradesh	216.92

1	2	3
8.	Maharashtra (including Goa)	1495.63
9.	North Eastern (including Arunachal Pradesh, Tripura, Mizoram)	315.43
10.	North Western (Himachal, Haryana, Punjab and Chandigarh)	216.63
11.	Orissa	94.86
12.	Rajasthan	143.05
13.	Tamil Nadu (including Pondichery)	374.34
14.	Uttar Pradesh	545.10
15.	West Bengal (including Sikkim and Andaman & Nicobar)	1240.07
16.	Delhi	1242.53
	Total	7310.58

(b) The information is being collected from the Units and will be placed on the Table of the House as early as possible.

(c) The accounts of telephone subscribers are not maintained separately for individuals and firms. However, the outstanding in Delhi Telephones as on 1.3.85 under the existing categories is furnished below :

Figures in Lakhs of Rupees.		
1. Central Govt.	Subscribers	48.51
2. State Govt.	Subscribers	92.28
3. Defence	Subscribers	37.57
4. Private	Subscribers	1064.17
	Total	1242.53

(d) The usual procedure for recovery of outstanding telephone dues as prescribed in the departmental rules viz. reminding the subscribers on phone for payment, resorting to disconnections if payments are not received, persuading the subscribers to settle dues through personal contacts and litigation wherever possible and necessary are resorted to. In case of Government dues, various departments of Central Government and

State Governments have been approached at appropriate levels for clearance of dues.

**Test Checks in Delivery of Mail,
Transmission of Telegrams and
Booking of Telephone Calls**

6507 SHRI MOOL CHAND DAGA :
SHRI MOHAN BHAI PATEL :

Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether the mails are late, telegrams are delayed and telephone calls mature very late;

(b) if so, the steps taken by Government to improve the services;

(c) whether Government have taken any steps to know the exact position in the working by having sample test checks by posting letters and booking telegrams and trunk call of and on;

(d) whether these test checks are provided in the rules of the Department;

(e) if so, the number of such checks conducted during 1984 and the results thereof; and

(f) if not, whether Government propose to introduce the same in the interest of the efficient working ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) Under normal circumstances mails are not delayed. On certain occasions, a few telegrams are delayed. The trunk calls do not mature very late.

(b) In view of the above position regarding mails the question does not arise. However, regular monitoring is done constantly to improve the services by locating weak spots and taking remedial action.

The Government has taken steps to improve the transmission and delivery of telegrams by :

(i) Introduction of Store and Forward Telegraph System based on micro-

processor technology to avoid transit delays.

- (ii) Provision of stand-by power supply in Departmental Telegraph Offices in a phased manner where power failures are frequent.
- (iii) Deployment of short-duty personnel from among the Reserve Trained pool to meet exigencies of staff absenteeism and sudden influx of Traffic.

Regarding telephones, a constant watch is kept over the performance of trunk services. Augmentation of operative staff, trunk boards and trunk circuits on various routes, wherever justified, is undertaken from time to time. Stable and reliable media have also been provided on various important routes.

(c) Test letters for mails monitoring are posted regularly all over the country to know the position regarding the transmission of mails and to locate delays. In addition to this regular sample surveys are being conducted by the department.

Provision exists for sample test checks for telegrams.

A constant monitoring is done over the maturity of trunk calls in all the Metro and Major telephone Districts. However, test checks by booking of trunk calls are not made.

(d) Rules provide for posting of test cards and trial cards to test check mail routes and delivery timings.

Rules provide the test checks of telegrams.

For trunk calls, there are no rules for test checks.

(e) During 1984, 1,44,880 test letters were posted all over the country and the percentage of delay was 7.4%. Test checks on speed of transmission and delivery of telegrams have been conducted in 1984 on prescribed percentage/daily basis and the results evaluated were satisfactory.

Does not arise in view of reply at (d) above with regard to trunk calls.

(f) Not relevant for mails and telegrams in view of (d) above. As regards trunk calls, close watch being kept on the performance of the trunk services, test checks are not necessary.

Oil Exploration by Foreign Companies

6508. SHRI MOOL CHAND DAGA : Will the Minister of PETROLEUM be pleased to state :

(a) whether it is a fact that Government are going to throw open some of the more prospective areas for oil exploration to the foreign companies;

(b) if so, the details and objects of the same;

(c) whether the above decision is not against the earlier scheme of the Government when the foreign companies were nationalised; and

(d) the number of officers who have gone abroad in this case and the future plans of visits showing amount spent and being spent on the tours; etc. ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) to (c). The policy for making a fresh offer of areas to foreign companies for oil exploration in India is at present under review. The details would be available only after a decision is taken in this regard.

(d) A four member official delegation which has gone to the USA for participating in the Offshore Technology Conference, will take the opportunity to have discussions with foreign companies in the UK, France and USA regarding leasing arrangements. It may not be possible to indicate the amount to be spent on tours etc. at this stage.

[Translation]

Direct Dialling System from Giridih
(Bihar)

6509. SHRI SARFARAZ AHMED :

Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether there is manual system of telephones in Giridih (Bihar) which is the main producing centre of mica;

(b) whether construction work of building etc. to provide direct dialling system has been completed;

(c) if so, when;

(d) the reasons for delay in introducing direct dialling system; and

(e) the time by which it is likely to be introduced ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) Yes, Sir. A 600 line manual exchange with 551 working connections is working at Giridih (Bihar).

(b) Yes, Sir.

(c) The Building was completed in 1975.

(d) The delay is due to non receipt of stores. The equipments are being productionised recently.

(e) By the middle of 7th Plan.

[English]

LPG Stoves on Sale in Market

6510. SHRIMATI KISHORI SINHA : Will the Minister of PETROLEUM be pleased to state :

(a) whether a large number of LPG stoves of different design are in the market;

(b) whether Indian Oil and other companies supplying LPG, have approved these designs;

(c) if so, the list of approved designs; and

(d) if not, whether consumers are facing any risk in using any of these designs ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) Yes Sir.

(b) and (c). Under the current policy, only such stoves as have an ISI certification are marketed through the LPG distributors of the oil companies. An LPG connection is released by the distributor only after ensuring that the consumer has a stove with ISI certification.

(d) Does not arise.

Video Text Transmission Facilities

Using Telephone Wire

6511. SHRIMATI KISHORI SINHA : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether Government propose to provide video text transmission facilities using telephone wire;

(b) if so, the details thereof;

(c) whether specialised equipment for this is needed; and

(d) if so, from where this will be obtained ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) There are plans for making a beginning for establishing videotex (not videotext) service during the later years of the Seventh Plan or in the Eighth Plan, depending on the availability of resources.

(b) The service is for retrieval of information from computers set up for this purpose for giving information service of general interest to the public by getting access to the computers through the normal telephone lines and getting the information display in home TV sets. The information in the computer is updated by the information providers directly.

(c) and (d). For provision of such a service, standardisation in respect of home TV sets for taking videotex service, numerical, key board etc., will be involved in addition to setting up of videotex computers accessible through the public telephone network and a dedicated data network which is to be set up. The required equipment will be obtained partly from indigenous and partly from imported sources.

Requirement of Transformer oil

6512. SHRI K. RAMAMURTHY : Will the Minister of PETROLEUM be pleased to state :

(a) how the transformer oil requirement throughout the country is being met now;

(b) whether the extra high voltage transformer oil as being produced by Madras Petro Chemicals Ltd., Manali, Madras which is in the private sector and the management of which has changed hands several times during the past three decades; and

(c) if so, the hitch that stands in the way of Government to nationalise this unit, particularly when the Managing Director of the Company is appointed by the Indian Oil Corporation ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) There are several transformer oil manufacturers in the country, producing transformer oil out of the base stock supplied by Indian Oil Corporation and Hindustan Petroleum Corporation Ltd.

(b) Yes, Sir.

(c) The Managing Director of the company is not appointed by the Indian Oil Corporation. It is not contemplated to nationalise downstream units manufacturing transformer oil, speciality oil etc.

Interest on security for D.B.C.

6514. SHRI D. B. PATIL : Will the Minister of PETROLEUM be pleased to state :

(a) whether for fitting a second gas cylinder, a small attachment is given to every consumer against a charge of Rs. 130/-;

(b) whether this type of attachment is removed and taken back with the supply of new click-on type cylinder which does not require it;

(c) whether the amount of Rs. 130 is not returned to the consumer and also interest is not paid to the consumer on this amount; and

(d) if so, the reasons thereof ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) In 'F' type of equipment, for reasons of safety, a tee connector is required for connecting a second cylinder so that the second cylinder is not kept unconnected in the consumers premises. The price of the tee connector generally varies between Rs. 80/- to Rs. 110/-.

(b) to (d). Since the tee-connector is the consumer's property, the price once paid is not refunded at the time of converting the equipment from 'F' type to 'SC' valve type of cylinder.

[Translation]

Petrol Pumps in Barmer, Jaisalmer and Jodhpur Districts of Rajasthan

6515. SHRI VIRDHJI CHANDER JAIN : Will the Minister of PETROLEUM be pleased to state :

(a) whether due to acute shortage of petrol pumps in the Barmer, Jaisalmer and Jodhpur districts of Rajasthan, the people and particularly the farmers are facing a lot of inconvenience and they have to get petrol and diesel from very distant places; and

(b) the names of the places where Government propose to set up petrol pumps in 1985-86 and 1986-87 in the above districts with a view to remove the inconvenience being faced by the people ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) and (b). The Oil Industry prepares its Marketing Plans on a year-to-year basis and based on the demand survey conducted by it. The Oil Industry has now submitted its Marketing Plans for 1985-86 wherein the following locations for opening economically viable retail outlets in the districts of Barmér, Jaisalmer and Jodhpur have been included, though the time by which each will be commissioned can not be indicated at this stage :

Sl. No.	District	Location
1.	Jaisalmer	Ramgarh, Mohan- garh, Nachana
2.	Jodhpur	Manklan, Chenmu, New Krishy Mandi

The opening of these retail outlets will ensure better availability in these districts.

[English]

Absorption of Imported Technology

6516. SHRI SATYENDRA NARAYAN SINHA : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) whether Government have decided to enforce time span within which Indian companies are expected to absorb imported technologies;

(b) if so, whether repetitive import of technology will be banned; and

(c) whether Government are aware that several drug companies continue to import technologies over several years and if so, the steps taken to prevent this ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) Foreign collaboration agreements are approved for a specific duration within which the Indian companies are expected to absorb imported technologies.

(b) While allowing import of technology for production of a particular item adequate precaution is taken to ensure that exactly similar technology has not been imported earlier.

(c) Import of technologies in all fields, including drugs is allowed in cases where indigenous commercially viable technologies are not available.

Replacement of Plants by Rashtriya Chemicals and Fertilizers

6517. SHRI SATYENDRA NARAYAN SINHA : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) whether the Rashtriya Chemicals and Fertilizers has decided to scrap its old urea and ammonia plants and replace them with modern units, as reported in the Economic Times of 22 April, 1985;

(b) if so, whether other fertilizer plants will also follow the same course; and

(c) if so, the details thereof ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) RCF have proposed to either rehabilitate or replace their old ammonia and urea plants.

(b) and (c). The management of each plant will take its own decision depending upon the specific circumstances.

Cement Production in Seventh Five Year Plan

6518. SHRI SATYENDRA NARAYAN SINHA : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) whether cement production is to be raised substantially during the Seventh Five Year Plan;

(b) if so, the details thereof; and

(c) the role being assigned to mini-cement plants in their expansion ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) Yes, Sir.

(b) Production of cement during the year 1984-85 as of the order of 30.10 million tonnes. The Working Group on Cement Industry (1985-90) appointed by the Planning Commission has projected a production tar-

get of 50.77 million tonnes by the end of the Seventh Plan period.

(c) Mini Cement plants have a specific role to play in the developmental programme of the country in as much as smaller deposits are exploited, dispersal of cement production capacity all over the country is achieved, burden on railway transportation is reduced and higher employment generation especially in rural, hilly and other inaccessible areas is achieved.

Sivaraman Committee on Disposal of Industries to Backward Regions

6519. SHRI C. MADHAV REDDI :
SHRI M. RAGHUMA REDDY :

Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) whether Government have since taken any decision on the recommendations of the Sivaraman Committee on Dispersal of Industries to the Backward Regions in the country;

(b) if so, the names and numbers of industries proposed to be set up in the No-Industry Districts of Andhra Pradesh during 1985-86 and 1986-87 under the Central Investment Subsidy Scheme both in public and private sectors; and

(c) the financial implications thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) An inter-Ministerial Committee is being constituted to review the Central Incentive Scheme and prepare a revised Scheme. The recommendations of Sivaraman Committee would also be duly considered by this Committee.

(b) Andhra Pradesh does not have any No Industry District.

(c) Does not arise.

Creation of Postal and Telecommunication Sub-Divisions and Divisions in Orissa

6520. SHRI GIRIDHAR GOMANGO :

Will the Minister of COMMUNICATIONS be pleased to state :

(a) the total postal and Telecommunication sub-Divisions and Divisions so far created in Orissa, District-wise.

(b) the proposals in hand to create new postal and telecommunication sub-Divisions and Divisions and the names thereof;

(c) if the aims and objectives of sub-Divisions and Divisions are to develop the postal and telecommunication facilities and better administration and coordination, the reasons why the undeveloped and tribal districts have been deprived of these facilities such as Sub-divisions and Divisions as the area of operation is larger than the plain areas; and

(d) the measures proposed to be taken by his ministry to evolve the new norms and criteria for tribal areas ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) The information is furnished in the attached statement.

(b) Proposals are on hand for creation of postal divisions at Kalahandi, postal sub-division at Basudebpur and Sonpur Raj, one Phones division and one Phones sub-division at Bhubaneswar in Puri District.

(c) The Postal as well as Telecommunication sub-divisions and Divisions are created under certain Departmental norms prescribed in consultation with the Staff Inspection Unit of the Ministry of Finance. These norms include due weightage for Hilly Terrain and Backward areas in Telecommunication Circles. New Divisions/Sub-Divisions involving additional posts are not sanctioned at present on account of the extent ban on creation of new posts.

(d) No further proposals are under consideration.

Statement

The total number of Postal Divisions and Sub-Divisions, district-wise in Orissa

Name of the District	Divisions	Number of Postal Sub-Divisions
1. Balasore	2	8
2. Balangir	1	4
3. Cuttack	3	12
4. Dhenkanal	1	5
5. Kalahandi	—	4
6. Koraput	1	7
7. Keonjhar	1	5
8. Mayurbhanj	1	8
9. Phulbani	1	4
10. Puri	2	9
11. Sambalpur	1	6
12. Sundergarh	1	5
13. Ganjam	2	9

The total number of Telecom Divisions and Sub-Divisions in Orissa

1. Balasore	1	1
2. Balangir	—	2
3. Cuttack	2	3
4. Dhenkanal	—	1
5. Ganjam	1	2
6. Kalahandi	—	—
7. Keonjhar	—	1
8. Koraput	—	1
9. Mayurbhanj	—	1
10. Phulbani	—	1
11. Puri	1	3
12. Sambalpur	1	3
13. Sundergarh	1	1

Construction of Buildings for Sub Post Offices and Head Post Offices in Orissa

6521. SHRI GIRIDHAR GOMANGO :

Will the Minister of COMMUNICATIONS be pleased to state :

(a) the details of the office buildings for sub-post offices and head post offices along-with staff quarters so far provided in Orissa Circle, Districtwise;

(b) the telephone exchange buildings and the staff quarters provided so far, sub-Division-wise in Telecommunication Circle, Orissa;

(c) whether the postal buildings and Telephone Exchange buildings and also the staff quarters facilities in tribal areas are less than in other areas;

(d) if so, the reasons thereof; and

(e) the steps taken by the Circles and his Ministry to reduce the development gap between the tribal and other areas during the coming years ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) *Postal*—Total number of Sub Post Offices and Head Post Offices in Orissa Postal Circle are 1174, out of which 98 are in Departmental buildings and 1076 in rented buildings. Total number of staff quarters provided in the Orissa Postal Circle District wise is given in the attached statement-I.

Telecom.—Nil

(b) *Telecom*—The number of telephone exchange buildings and staff quarters/Sub-Division wise in Orissa Telecommunication Circle is given in statement-II attached.

Postal—Nil

(c) *Postal*—Yes, Sir, facilities of Postal buildings and Staff Quarters in Tribal areas are comparatively less than in other areas.

Telecom.—Yes, Sir.

(d) *Postal*—The projects are being released in phased manner subject to availability of fund and sites.

Telecom.—There is no appreciable demand of Telephones in the tribal areas and consequently the number of staff is also less.

(e) *Postal*—It is proposed to construct 8 staff quarters in tribal areas during 1985-86.

Telecom.—While norms have been prescribed for opening long distances public telephones in tribal areas even on loss basis, no priority is given for telephone exchanges and staff quarters. The telephone exchanges are planned according to the demand of telephones and the staff quarters are constructed subject to availability of land and funds.

Statement—I

District	No. of Postal staff quarters
Puri	227
Cuttack	55
Dhenkanal	11
Bolangir	2
Sambalpur	72
Balasore	28
Ganjam	3
Phulbani	5
Koraput	4
Sundargarh	95
Kalahandi	2
Keonjhar	Nil
Mayurbhanj	Nil

	504

Statement—II

The position regarding number of T.E. and staff quarters sub-division-wise in Telecom Circle Orissa

Sl. No.	Subdivision	No. of Telephone Exchanges	No. of staff quarters
1.	Baripada	1	Nil
2.	Balasore	2	21
3.	Dhenkanal	2	2

4. Cuttack	1	49
5. Paradeep	2	2
6. Keonjargarh	1	Nil
7. Bhubaneswar	1	193
8. Jatni	1	5
9. Puri	2	18
10. Phulbani	1	Nil
11. Berhampur	2	9
12. Jeypore	1	Nil
13. Titlgarh	1	Nil
14. Bolangir	1	Nil
15. Sambalpur	2	88
16. Jharsuguda	1	24
17. Rourkela	2	107

Policy and Norms to open Branch Post Offices and Telephone Facilities in Orissa

6522. SHRI GIRIDHAR GOMANGO : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether it is a fact that though there is a liberal policy and norms to open branch post offices and extend telephone facilities in tribal areas of Orissa, the progress made so far to provide these facilities is less and not up to the standard of the other areas;

(b) if so, the reasons for the non-implementation of the policy by the Orissa Circle;

(c) if implemented, the developments made during the Sixth Plan in tribal areas and other areas, district-wise;

(d) whether the funds and the equipments have been earmarked for tribal areas to avoid delay and diversions; and

(e) if not, the reasons thereof ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) The progress made in Tribal areas is comparable to other areas.

(b) Does not arise.

(c) Postal development made is given in statement I attached and that of Telephone facilities is given in statement II attached.

(d) Yes, Sir. Separate targets are fixed and achieved subject to availability of adequate funds. But there is no separate

allocation of telephone equipment for tribal areas.

(e) Allocation of telephone equipment depends upon required demand and financial viability etc.

Statement-I

The Postal development made during Sixth Plan in tribal areas and other areas, district wise is as under

Name of District	No. of Post Office opened in normal areas	No. of Post Offices in backward areas	No. of Post Offices opened in tribal areas
Balangir	4	4	—
Balasore	22	2	6
Cuttack	41	—	—
Dhenkanal	6	15	—
Ganjan	22	3	8
Keonjhar	—	4	26
Koraput	—	—	53
Kalahavdi	—	18	5
Mayurbhanj	—	—	36
Phulbani	—	8	26
Puri	17	5	—
Sambhalpur	7	—	5
Sundargarh	—	—	34
Total	119	59	199

Statement-II

Comparable statement of achievements in Tribal and other areas in Orissa, District-wise

Name of Distt.	P. C. Os.		Exchanges	
	Tribal	Other areas	Tribal	Other areas
1	2	3	4	5
1. Balasore	4	39	1	4
2. Bolangir	—	16	—	4
3. Dhenkanal	—	35	—	7
4. Ganjam	10	17	2	11

1	2	3	4	5
5. Kalahandi	5	14	1	3
6. Keonjhar	35	1	7	3
7. Koraput	37	—	9	—
8. Mayurbhanj	40	—	13	—
9. Phulbani	17	1	5	—
10. Puri	—	12	—	13
11. Cuttack	—	35	—	18
12. Sambalpur	6	19	—	4
13. Sundargarh	34	—	5	—
Total	188	189	43	67
Ratio :	1 : 1	Ratio	1 : 1.5	

**Scheme to Market 2T Oil Meant for
Two Wheelers**

6523. SHRI B. V. DESAI : Will the Minister of PETROLEUM be pleased to state :

(a) whether the Indian Oil Corporation is launching an ambitious scheme to market 2T Oil specially meant for two wheelers in filter proof polythene pouches:

(b) if so, whether this new packing will meet a long-standing need of the oil industry which has been trying for years to overcome the problem of adulteration in lubricants;

(c) whether the new packing will result in considerable foreign exchange savings; and

(d) if so, to what extent and the time by which the Union Government are implementing the proposed scheme ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) Pilfer-proof pouches for 2T oil are being introduced by IOC on a trial basis in Delhi and Pune.

(b) Yes, Sir. The main purpose of this scheme is to ensure supply of quality products for two/three wheelers.

(c) and (d). The pilfer-proof pouches will replace containers made of tin plates and steel sheets. Whenever indigenous availability of plates and sheets fall short of the total requirement, the balance quantity has to be imported. As these pouches are made of materials indigenously available foreign exchange occasionally required for import of tin plates and steel sheets will be saved.

Extension of the scheme to other areas will be considered after assessing the market acceptability of the products in pouches at the above two places.

Bids for Contract of On-Shore Drilling

6524. SHRI B. V. DESAI : Will the Minister of PETROLEUM be pleased to state :

(a) whether the response of the Indian companies to the Oil and Natural Gas Commission's recent bids for contract of on-shore drilling has been far below the anticipated level;

(b) if so, whether only 15 of over 30 Indian parties that had purchased the tender papers have submitted their bids;

(c) if so, the main causes of the poor response by the Indian companies;

(d) whether structural short-comings in the tender conditions and applications were

the main causes of the poor interest shown by the Indian firms; and

(e) the steps being taken by Government to accommodate the Indian Companies rather than opting for foreign firms ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) and (b). No, Sir. This is a specialised job and is being undertaken by Indian entrepreneurs for the first time. As such the response is considered adequate.

(c) Does not arise.

(d) No, Sir.

(e) The tenders were limited only for Indian entrepreneurs and thus the question of opting for foreign firms does not arise.

Foreign Collaboration Agreements for Production of Oil-Field Equipment

6525. SHRI B. V. DESAI : Will the Minister of PETROLEUM be pleased to state :

(a) whether oil industry has proposed that foreign collaboration agreements for production of oilfield equipment should be finalised only after consulting the user companies;

(b) if so, whether the Oil and Natural Gas Commission and Oil India Ltd. which are the main buyers of such equipment, should compulsorily participate in the finalisation of these agreements; and

(c) if so, whether this decision would ensure that the equipment manufactured by Indian companies meet the oil companies' specifications ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) This suggestion has been made by Oil India Limited.

(b) No such decision has been taken by the Government.

(c) Does not arise.

Cooking Gas Connections in Kerala

6526. SHRI K. MOHANDAS : Will the Minister of PETROLEUM be pleased to state :

(a) whether any step is being taken to give large number of cooking gas connections in all the districts of Kerala;

(b) whether the demand is being fully met; and

(c) if not, the steps being taken to meet the demands fully ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) Release of new LPG connections will be continued in Kerala during 1985-86 within the target of 17.50 lakhs for the country.

(b) and (c). Cochin Refinery being the primary LPG source for Kerala Markets, supplies were adversely affected following the fire in the Refinery in March, 1984. Rescue supplies were arranged from alternate sources and 70% demand of the customers could be met. These arrangements are being continued and customers' requirement is expected to be met in full as soon as production at the Cochin Refinery stabilises.

Upgradation of Post Offices in Pathanathitta District of Kerala

6527. PROF. P. J. KURIEN : Will the Minister of COMMUNICATIONS be pleased to state :

(a) the number of Post Offices upgraded in the Pathanathitta district of Kerala after the formation of this district and the places where they are located;

(b) whether telegraphic and other facilities are still not available in many of these upgraded Post Offices including the Post Office of Kadammnitha; and

(c) if so, the steps being taken to provide these facilities in these Post Offices ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) 30.

The places where they are located are given in the statement attached.

manitta. Telephone facility is available at Kadammanitta.

(b) Telegraphic facility is not provided in some upgraded offices including Kadam-

(c) None of the offices are justified for telecom. facilities.

Statement

Post Offices Upgraded into DSO's.

(i) Chengaroor	}	
(ii) Thirumulapurm		
(iii) Pudusseri South		
(iv) Thuruthivaud	}	Tiruvall Division
(v) Chathankara		
(vi) Azhiyidathuchira		
(vii) Perumpatti	}	

Post Offices Upgraded into EDSO's

(i) Noormommavu	}	
(ii) Anikad-Alleppay		
(iii) Thelliyor		
(iv) Karakkal		
(v) Nalkalikkal	}	Tiruvalla Division
(vi) Anjilithanam		
(vii) Arattupuzha-Chengannur		
(viii) Kurungazhabhagom		
(ix) Kadpra-Kumbanad	}	
(x) Punthala	}	
(xi) Keerukuzhay	}	Mavelikara Division
(xii) Ullanoor	}	
(xiii) Angadical South	}	
(xiv) Anandapally		
(xv) Chandanapally		
(xvi) Keekozhur		
(xviii) Nellikala	}	Pathanamthitta Division
(xix) Prakonam		
(xx) Vettur Kumbazha		
(xxi) Uttimodu		
(xxi) Venchembu		
(xxiii) Vayala Parakode	}	

**Development of Tele-Communications
in Orissa**

6528. SHRIMATI JAYANTI PATNAIK:
Will the Minister of COMMUNICATIONS
be pleased to state :

(a) the suggestions made by Government
of Orissa for the development of tele-com-
munication in the State in 1984-85;

(b) the specific tele-communication deve-
lopment measures taken by Government in
the above year; and

(c) the details thereof ?

THE MINISTER OF STATE OF THE
MINISTRY OF COMMUNICATIONS
(SHRI RAM NIWAS MIRDHA) : (a) No
suggestion from Government of Orissa
has been received to our knowledge for the
development of tele-communications in the
the State during the year 1984-85.

(b) Action has been taken to expand
the telecommunication services by way of;

- (i) providing more telephone connec-
tions by opening new telephone
exchanges and expanding certain
existing telephone exchanges;
- (ii) expanding the telex network and
providing more telex connections;
- (iii) expanding the telecommunication
facilities in rural sector by opening
more long distance public telephones
and combined offices.

(c) The following important tele-com-
munication facilities have been provided in
Orissa Tele-communication Circle during
1984-85;

- (i) opening of 26 new small MAX-III
type automatic exchanges;
- (ii) increase in equipped capacity by
3285 lines;
- (iii) provision of 3918 direct exchange
lines (DELs);

(iv) expansion of telex network by 50
lines ;

(v) provision of 55 telex connections;

(vi) opening of 139 long distance public
telephones and 40 local public
telephones;

(vii) opening of 135 combined offices.

**Big Business Houses Permitted to set up
Industry**

6529. SHRI ANANTA PRASAD
SETHI : Will the Minister of INDUSTRY
AND COMPANY AFFAIRS be pleased to
state :

(a) the names of big business houses
which have been permitted to set up indus-
trial units in the districts, State-wise, spread
all over the country during the last three
years; and

(b) the names of those districts ?

THE MINISTER OF STATE IN THE
MINISTRY OF INDUSTRY AND COM-
PANY AFFAIRS AND IN THE MINIS-
TRY OF HOME AFFAIRS (SHRI ARIF
MOHAMMAD KHAN) : (a) and (b). Under
the provisions of Industries (Development &
Regulation) Act, the following number of
letters of intent and industrial licences were
granted to various undertakings registered
under the MRTP Act during the last three
years :

Year	No. of letters of intent granted	No. of industrial licences granted
1982	163	113
1983	124	114
1984	135	112

Details, such as, name and address of
the undertaking, item of manufacture, capa-
city and location (indicating the name of the
district/State) in respect of each letter of
intent and industrial licence issued are being
published regularly by the Indian Investment
Centre in their 'Monthly Newsletter'. Copies
of this publication are being sent to the
Parliament Library regularly.

Increase in Price of Petrol

6530. SHRI SATYAGOPAL MISRA : Will the Minister of PETROLEUM be pleased to state :

(a) the per litre price of petrol as on 1 January, 1980;

(b) the present price of one litre of petrol;

(c) the number of times Government have increased the price of petrol since 1 January, 1980; and

(d) the reasons of such increase in the price of petrol ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) and (b) The retail selling prices of petrol on 1.1.1980 and on 1.4.1985 in the principal cities were :

(In Rs. per litre)

As on 1.1.1980 As on 1.4.1985

Bombay	4.42	7.34
Delhi	4.41	7.01
Calcutta	4.42	7.16
Madras	4.25	7.39

(c) Basic prices of petrol have been increased five times since 1st January, 1980.

(d) Increases in the price of petrol have been on account of several reasons viz. increases in the price of crude oil-indigenous and imported, increase in the value of the dollar, improvement in the quality of petrol, higher costs of exploration, refining and marketing of petroleum products, the need to keep the prices of other petroleum products at a lower level etc.

Import of High Technology by Rajasthan State Industrial Development and Investment Corporation Ltd.

6531. SHRIMATI MANORAMA SINGH : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) whether Government are aware of the negotiations the officials of Rajasthan

State Industrial Development and Investment Corporation Ltd. (RIICO) recently had with the US Embassy official regarding import of high technology for some of the new industrial projects to be established in Rajasthan;

(b) whether the State Government had asked the Union Government about the availability of this technology within the country; and

(c) whether State Governments or State Government enterprises can negotiate with the representatives of foreign governments, foreign companies for the import of technology without involving the concerned department of Union Government ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) and (b). This Ministry is not aware of any such negotiations.

(c) Technology selection is primarily left to the Indian Entrepreneurs/Parties, Private as well as Public Sector, who after exploring the alternative sources of technology and techno-economic analysis select the one that suits them the best. Thereafter, they apply for Governments approval and such an application, when received, is examined in consultation with the authorities concerned.

Proposal for Glass Technology Institute at Firozabad

6532. SHRI GANGA RAM : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) whether Government have any proposal to set up a Glass Technology Institute at Firozabad a city of glass industry in district Agra;

(b) whether Government propose to conduct any survey at Firozabad for this purpose; and

(c) if so, how long will it take to give practical shape to the above proposal; and

(d) the salient features thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) to (d). The Central Government have no proposal at present to set up a Glass Technology Institute at Firozabad. However, there is already a Small Industries Service Institute Extension Centre at Firozabad rendering necessary technical assistance to the Small Scale glass and glassware manufacturing units located in and around Firozabad as well as affording training facilities to the local artisans in the manufacture of glass toys, decoration on glassware by screen printing etc.

Bajaj Scooters Factory at Agra

6533. SHRI GANGA RAM : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) whether it is proposed to set up Bajaj Scooters factory in Agra;

(b) if so, the exact place where it is going to be established, be indicated keeping in view the apprehension of environmental pollution to the Taj Mahal; and

(c) if not, whether Agra district is being deprived of the opportunity of its industrial development mainly on the ground of environmental pollution ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) to (c). The proposal of Bajaj Auto Ltd. to set up a factory at Agra for assembly of scooters could not be cleared from the environmental angle, as it was felt that the proposed factory would add to the environmental pollution and would be detrimental to the preservation of Taj Mahal.

Since the restriction is only for such factories which cause environmental pollution, industrialisation can be done through establishment of non-polluting industries.

Conversion of Manual Telephone Exchanges into Auto Telephone Exchange

6534. SHRI CHINTAMANI JENA : Will the Minister of COMMUNICATIONS be pleased to state :

(a) the number of new auto telephone exchanges opened in the country, State-wise during the years 1983-84 and 1984-85;

(b) the details of the proposals sent by the State Governments for opening of auto telephone exchanges in their States, particularly from Orissa;

(c) the action taken by Government thereon;

(d) the number of manual telephone exchanges likely to be converted into auto telephone exchanges during the year 1985-86 and the names of these places; and

(e) the policy of Government for converting a manual telephone exchange ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) The information is given at statement I attached.

(b) The State Government had sent proposals to open Auto Telephone Exchanges at 24 places. The details are given in statement II attached.

(c) Exchanges MAX-III type at 4 out of 24 places are already working while the exchanges at rest of the places could not be opened for want of requisite demand.

(d) The information is given at statement III attached.

(e) The policy envisages priority to exchanges at District headquarters and exchanges of higher capacities with large waiting lists.

Statement - I

Number of new Auto Telephone Exchanges opened during 1983-84 and 1984-85—
State-wise.

	1983-84	1984-85	
	1	2	3
1. Andhra	82	107	
2. Bihar	21	20	
3. Gujarat	33	31	

1	2	3
4. Jammu and Kashmir	6	4
5. Karnataka	117	90
6. Kerala	32	13
7. Madhya Pradesh	57	79
8. Maharashtra	77	86
9. North East	10	4
10. North West	59	61
11. Orissa	26	26
12. Rajasthan	35	58
13. Tamil Nadu	56	61
14. Uttar Pradesh	50	74
15. West Bengal	24	16
16. Union Territories	5	—
	690	730

Statement-II

The names of the places in Orissa for which proposals have been sent by the State Government to open auto telephone exchange.

1. Badapokhari
2. Fatepur
3. Santargadia
4. Kansa
5. Chhatrapur
6. Balandapuda
7. Gochhapada
8. Nuapadar
9. Smalbarrage
10. Kaniha
11. Athamallik—already existing.
12. Samakoi Dam
13. Sansada
14. Khamar College
15. Bhuban—already existing.
16. Chandipada—already existing.
17. Garposh
18. Kareibahal
19. Bamra—already existing.
20. Rasgovindpur
21. Bai Singa

22. Tarakuthi
23. Santara
24. Gaddulia

Statement-III

The names of the manual exchanges likely to be converted into auto during 1985-86, subject to receipt of all stores.

1. Sambalpur
2. Balasore
3. Jeypore
4. Kendrapara.

Delay in Clearing Pension Cases of Civilian Employees in G.E. (R and D) Balasore, Orissa

6535. SHRI CHINTAMANI JENA : Will the Minister of DEFENCE be pleased to state :

(a) whether Class III and IV civilian employees in G.E. (R&D) Balasore in Orissa do not get their pension, gratuity for long period after their retirement;

(b) if so, the number of such persons and the reasons therefore;

(c) for how long their cases are pending for clearance and the steps taken by Government to clear their cases;

(d) whether Government are aware that a number of persons even expired before their pension cases were finalised; and

(e) if so, their number and the steps being taken to pay the pension and gratuity to the next of the kin ?

THE MINISTER OF DEFENCE (SHRI P.V. NARASIMHA RAO) : (a) to (c). No, Sir. There have generally been no such delays in payment of pension and gratuity to Group 'C' and Group 'D' employees after their retirement. However, in three cases of Group 'C' and Group 'D' who retired during 1984, there have been delays ranging between 6 to 10 months. Out of these 2 cases have been outstanding for want of

services books, while difficulties were encountered in the third case on account of incomplete particulars in the service books.

In all the 3 cases, provisional pension and an amount of provisional gratuity in accordance with the extent rules are being sanctioned.

(d) and (e). No such cases have come to notice of the Government.

Production of Petroleum Products

6536. SHRI CHINTAMANI JENA :
SHRI MOHANBHAI PATEL :

Will the Minister of PETROLEUM be pleased to state :

(a) the quantity of petroleum products produced in the country during the last three years, year-wise;

(b) the total quantity of petroleum products imported during the above period to meet the demand of the country;

(c) the foreign exchange involved;

(d) whether petroleum products are being exported by India;

(e) if so, the names of the items and names of the countries to whom the export

is being made and the foreign exchange earned during the last three years, year-wise; and

(f) the steps being taken to increase the production of petroleum products in the country to meet the demand ?

THE MINISTER OF STATE OF THE
MINISTRY OF PETROLEUM (SHRI
NAWAL KISHORE SHARMA) : (a) to (c).
As per attached statement.

(d) and (e). The petroleum products exported are mainly naphtha, and occasionally FO/LSHS and other minor products. The foreign exchange earned by way of export is as given below :

1982-83	—	134 crores	
1983-84	—	310 crores	
1984-85*	—	201 crores	*Provisional

It is not in the country's commercial interest to disclose further details.

(f) The steps being taken to increase the production of petroleum products in the country to meet the demand are :

(i) Expansion of existing refineries.

(ii) Setting up of new grass root refineries.

Statement

(a) to (c). The quantity of petroleum products produced/imported in the country during the last three years and foreign exchange involved are as below :

Year	(million tonnes)		(Rs. in Crores)
	Production of petroleum products	Petroleum products imported	Foreign Exchange involved
(1)	(2)	(3)	(4)
1982-83	31.07	5.03	1554
1983-84	32.93	4.33	1271
1984-85*	33.23	5.96	1865

*Provisional.

Liberalisation of Divorce Laws

6537. SHRI N. DENNIS : Will the Minister of LAW AND JUSTICE be pleased to state :

(a) whether Government have any plan to further liberalise the divorce law so that if wife and husband are living separately for more than ten years or so without having any relation or correspondence, they should be treated as automatically divorced; and

(b) if so, what are the new provisions Government propose to further liberalise divorce law ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI H. R. BHARADWAJ) : (a) No, Sir.

(b) Does not arise.

[Translation]

Direct Dialling Telephone Service in Rajasthan

6538. SHRI SHANTI DHARIWAL : Will the Minister of COMMUNICATIONS be pleased to state :

(a) the names of cities in Rajasthan proposed to be provided with direct dialling service by Government during this year; and

(b) the pre-requisites that a city should have for being eligible for direct dialling service ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) In Rajasthan the following cities are already provided with S.T.D. facilities :

Alwar, Ajmer, Beawar, Bharatpur, Dholpur, Jodhpur, Jaipur, Kota, Udaipur.

No new city in Rajasthan is likely to be provided with S.T.D. facilities during 1985-86.

(b) The pre-requisite for provision of direct dialling facilities from a city are :—

- (i) Installation of automatic exchange of appropriate type at that station.
- (ii) Installation of reliable transmission medium including multiplexing equipment required for linking that station to national network.
- (iii) Installation of appropriate terminations in the Trunk Automatic Exchange to which the station is to be connected.
- (iv) Installation of required terminating equipment in the local exchange at that station.

In view of the large number of stations demanding STD facilities, the following priorities are in operation :

- (a) Connection of State Capitals to Delhi.
- (b) Connection of District Headquarters to respective State Capitals. In case of district headquarters not having an automatic exchange, a no delay service is to be provided to the State Headquarters.
- (c) Connection of District Headquarters within 300 kms. of Delhi and 200 kms. of Bombay, Calcutta and Madras, to the respective metropolitan centres.
- (d) Other routes justified by traffic (one hundred manual calls each way per day is taken as the minimum) subject to an automatic local exchange and reliable transmission medium.

Pending Applications for Setting up of Fertilizers Factories

6539. SHRI SHANTI DHARIWAL : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) the number of applications regarding setting up of fertilizer factories pending consideration with Government; and

(b) the break-up of the applications for coal based, gas-based, naphtha based etc. industries ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) and (b). Seven applications are pending consideration with Government for the setting up of nitrogenous fertilizer factories. Feedstock-wise break-up of these applications is as follows :—

Coal based—Nil

Gas based—3

Naphtha based—4

Committee on Development of Small Scale Industries

6540. SHRI SHANTI DHARIWAL : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) whether Government had appointed a committee under the Chairmanship of Shri A. R. Bhatt to prepare a report on the development of small scale industries;

(b) if so, the action being taken by Government to implement the recommendations of this Committee; and

(c) whether Government had a proposal to enact a law to protect small scale industries and if so, the progress made in this regard ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) Yes, Sir.

(b) and (c). The proposal to provide some legal protection to small scale industries has not been finalised.

[English]

Expansion of Palghat Telephone Exchange, Kerala

6541. SHRI V. S. VIJAYARAGHAVAN : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether there is any proposal to expand the telephone exchange at Palghat, Kerala;

(b) the present capacity and the backlog of telephone connections in this district; and

(c) the steps being taken to clear the backlog ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) Yes, Sir.

(b) The total capacity of exchanges in Palghat District is 7220 lines as on 31.3.85 and the back-log of telephone connections as on 31.3.85 in this District is 2184.

(c) Additional 3900 lines of equipment for the expansion of various exchanges in this District have been allotted. The equipments will be progressively installed and commissioned to clear the back-log during 7th Plan period.

Introduction of STD Facility at Alathur and Chittoor Talukas of Palghat District, Kerala

6542. SHRI V.S. VIJAYARAGHAVAN : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether STD facilities are not available at Alathur and Chittoor Talukas of Palghat District;

(b) if so, whether there is any proposal at present to introduce the same; and

(c) the time by which it is likely to be introduced there ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) No, Sir. STD facilities are not available at Alathur and Chittoor of Palghat District in Kerala.

(b) Yes, Sir.

(c) STD facility is planned to be provided to these stations during 7th Five Year Plan (1985-90).

Proposal to Extend L.T.C. Facilities to the Employees of Cantonment Boards

6543. SHRI M. RAGHUMA REDDY : Will the Minister of DEFENCE be pleased to state :

(a) whether the proposal to allow L.T.C. facilities to the employees of the Cantonment Boards in India has been under active consideration of Government for some time past ;

(b) whether Government have been ascertaining the financial implications for extending this facility to the Cantonment Board employees; and

(c) if the reply to parts (a) and (b) above be in the affirmative, the time by which a final decision in this matter is likely to be taken ?

THE MINISTER OF DEFENCE (SHRI P. V. NARASIMHA RAO) : (a) to (c). Yes, Sir. The Cantonment Board Employees have already been sanctioned the facility of Leave Travel Concession for Home Towns in July, 1983 and the proposal for Leave Travel Concession for any station in India is under consideration of the Government.

Group Insurance Scheme for Employees of Cantonment Boards

6544. SHRI M. RAGHUMA REDDY : Will the Minister of DEFENCE be pleased to state :

(a) whether the proposal for providing group insurance scheme to the employees of the Cantonment Boards in India has been under active consideration of the Government;

(b) whether necessary statistical information, that were being collected has been received;

(c) if so, the stage at which the matter stands at present; and

(d) the time by which the scheme is likely to be implemented ?

THE MINISTER OF DEFENCE (SHRI P. V. NARASIMHA RAO) : (a) Yes, Sir.

(b) to (c). The matter is under consideration of the Government.

District Headquarters without Telephone Facilities

6545. SHRI LAKSHMAN MALLICK : Will the Minister of COMMUNICATIONS be pleased to state :

(a) the names of telephone exchanges in the country which have been put up on the electronic system; and

(b) the names of District head-quarters without telephone facilities in the country ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) Names of Electronic telephone exchanges in the country which have been commissioned so far are as follows :

1	2	3	4	5
1. Cooperage-IV	in	Bombay	10,000	lines
2. Mazgaon-III	in	Bombay	10,000	lines
3. Bandra-I	in	Bombay	10,000	lines
4. Worli-III	in	Bombay	10,000	lines
5. Idgah-IV	in	Delhi	10,000	lines
6. Tis Hazari-IV	in	Delhi	10,000	lines
7. Sere Bhavan	in	Deihi	10,000	lines
8. Kidwai Bhavan	in	Delhi	10,000	lines

1	2	3	4	5
9. Salt Lake	in	Calcutta	5,000	lines
10. Nungabakkam	in	Madras	10,000	lines
11. Sirsa	in	N. W. Circle	2,000	lines
12. Verawal	in	Gujarat	2,000	lines
13. Gandhidham	in	Gujarat	2,000	lines
14. Dibrugarh	in	Assam	2,000	lines
15. Kurnool	in	Andhara Pradesh	2,000	lines
16. Imphal	in	Manipur	2,000	lines

(b) Following District Headquarters are not having Telephone facilities, (i) Keylong in Himachal Pradesh, (2) Annini in Arunachal Pradesh; and (3) Chandrapur in Assam.

[Translation]

**Accommodation to Employees Working
in Delhi Circle of Telephone
Department**

6546. SHRI RAJ KUMAR RAI : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether the employees working in New Delhi circle of Telegraph Department for more than last 20 years have not been given Government accommodation even though they have to perform their duties round the clock;

(b) the reasons for not providing accommodation to such employees earlier; and

(c) the steps being taken by Government to provide accommodation to such employees in future ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) Yes, Sir. The quarters of various types are allotted to the eligible employees according to their seniority and there is no separate entitlement of quarters for the employees coming on rotational duties round the clock.

(b) The number of quarters available at present, is 2152 which is not sufficient for 26,737 employees.

(c) To the extent funds are made available quarters will be constructed. At present 564 quarters are under construction.

[English]

**Foreign Firms Engaged in Exploring
of Oil in Off-shore and On-shore
Units**

6547. SHRI MOHAN-BHAI PATEL : Will the Minister of PETROLEUM be pleased to state :

(a) the number and names of the foreign drilling firms engaged by Government in exploring oil in off-shore and on-shore units as on 31 March, 1985; and

(b) the details of the terms and conditions ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) None, Sir.

(b) Question does not arise.

[Translation]

**Post and Telegraph Facilities in
Villages of Almora and Pithoragarh
in Uttar Pradesh**

6548. SHRI HARISH RAWAT : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether he is aware that there are still some villages in Almora and Pithoragarh

Districts in Utter Pradesh Circle where Branch Post Office and sub-Post Offices are located 10-15 Kilometers away and dak is delivered there very late;

(b) if so, whether his Ministry has worked out any scheme to provide Post and telegraph facilities to these villages within a distance of 5 Kilometers; and

(c) if so, the details thereof ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA): (a) In Almora and Pithoragarh districts, no village is situated at a distance of 10-15 Kms. from an existing Post Office. Daily delivery in all the villages is in force.

(b) and (c). The Telecommunications facility is likely to become available in most villages in radial distance of 5 Kms. Progressively by 1990. The number of such villages in Almora and Pithoragarh districts are 110 and 81 respectively. As far as opening of Post Offices is concerned there is no such scheme. There are separate norms for opening of Post Offices in the rural areas.

Facilities by National Small Scale Industries Corporation to Unemployed Youth in U. P.

6549. SHRI HARISH RAWAT : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) the facilities being provided by the National Small Scale Industries Corporation to encourage the unemployed youths of hill areas in Uttar Pradesh to start industries; and

(b) the details in this regard ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) and (b). The National Small Industries Corporation provides hire-purchase, marketing and other facilities for development of Small Scale industries in

the country. Under its hire-purchase scheme, the Corporation provides concessional terms of financial assistance to Scheduled Caste/Scheduled Tribes and other weaker-sections of the society. A sub-centre of PDTC, Okhla, has been set up at Kashipur, Dist. Nainital, for providing training to persons in the area.

[English]

Public Call Offices on Multi Access Rural Radio System

6550. SHRI HARISH RAWAT : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether there is a proposal to start Public Call Offices on Multi Access Rural Radio System in Almora, Pithoragarh, Chamoli, Uttar Kashi, Tehri and Pauri districts of Uttar Pradesh; and

(b) if so, the number of Public Call Offices based on the above system which will be opened during 1985-86 in these districts ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) Yes, Sir.

(b) No Long Distance Public Telephone has been opened so far, or is likely to be opened under MARR scheme in any of these districts in the year 1985-86.

[Translation]

Raw Material for Plastic Industry

6551. DR. CHANDRA SHEKHAR TRIPATHI : Will the Minister of PETROLEUM be pleased to state :

(a) whether the Indian Petrochemicals Corporation Limited (I.P.C.L.) was able to meet the requirement of raw material being used in plastic industry during 1984-85;

(b) if not, whether this raw material was imported; and

(c) if so, the quantity thereof and the names of the countries from which it was imported ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) to (c). IPCL manufactures some of the plastic resins viz. LDPE, Polypropylene and PVC only; LDPE and PVC are manufactured by some other units also; IPCL does not manufacture High Density Polyethylene and Polystyrene. As the present domestic production of plastic resins is not adequate to meet the total requirement of the downstream processing industry, the deficit is met through imports. Under the current import policy, the actual users are permitted to import plastic resins under OGL.

During 1984-85 IPCL imported following plastic resins for supply to actual users :

Product	Quantity	Source
Low Density Polyethylene	20,000 MT	Qatar, Spain
Polypropylene (Homo Polymer)	1,000 MT	Yugoslavia
Polypropylene (Copolymer)	135 MT	Australia
Poly Vinyl Chloride	3,350 MT	Yugoslavia

The rest of the requirements were met through imports by the actual users.

Supply of Raw Material to Plastic Units in Basti

6552. DR. CHANDRA SHEKHAR TRIPATHI : Will the Minister of PETROLEUM be pleased to state :

(a) whether it is a fact that U.P.S.I.C. (Uttar Pradesh Small Scale Industries Corporation) Basti has not been able to supply the imported raw material to the Basti based plastic units as per their requirements;

(b) if so, whether any steps have been taken to supply raw material to those units;

(c) whether it is also a fact that this raw material was supplied to other places in Uttar Pradesh at higher prices than the fixed prices while many units in Basti had been passing through difficult times due to the shortage of raw material;

(d) if so, whether Government have taken any action against U.P.S.I.C. and I.P.C.L.; and

(e) if so, the details thereof and if not, the reasons therefor ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) to (c). U.P.S.I.C. who is IPCL's distributor at Basti has been supplying LDPE to Basti based plastic units, in accordance with IPCL's policy guidelines, namely, :

- (i) Restricting the supply of indigenous product mainly to its past customers, the basis of allocation being the best off take of the unit concerned in 1982-83 or 1983-84.

Under this arrangement material was supplied to six past customers. In addition, nine more units located at or nearby Basti who had no past off take from IPCL were also supplied with one tonne per month of LDPE each as a special case.

- (ii) Restricting the supply of imported LDPE for specific applications.

Under this arrangement material was supplied to one eligible unit at Basti who was the only applicant for such an allocation. The balance quantity of imported LDPE left with U.P.S.I.C. was supplied to the eligible customers in Eastern Uttar Pradesh.

U.P.S.I.C. sells polymer products, both indigenous and imported, at IPCL's list price which is uniform through out the country.

(d) and (e). Do not arise.

[English]

New Telephone Connections

6553. KUMARI PUSHPA DEVI : Will the Minister of COMMUNICATIONS be pleased to state :

(a) the waiting line for telephones in the country at the end of December, 1983;

(b) the number of new telephone connections provided by the end of 1984; and

(c) the number of new telephones expected to be connected by the end of 1985 ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) 7.49 lakh applicants were on the waiting list in the country at the end of December, 1983.

(b) 2.15 lakh new telephone connections have been provided during the year 1984.

(c) 2.25 lakh new telephone connections are likely to be provided during 1985.

Oil Exploration with the Help of Rigs

6554. SHRI HUSSAIN DALWAI : Will the Minister of PETROLEUM be pleased to state :

(a) the areas in India where at present oil exploration is in progress with the help of the rigs;

(b) the particulars of the agencies which are engaged in this task of oil exploration;

(c) whether this work is done by our local agencies or some foreign agencies are put on the job on contract basis;

(d) the quantum of foreign exchange involved in this oil exploration programme;

(e) whether some positive efforts are being made by our technocrats to develop indigenous machinery to take up such products on their own; and

(f) if so, the progress so far made in this regard ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) Exploratory drilling for oil is in progress in the following areas :

Onland

Cambay

Upper Assam

Assam-Araken

Bengal

Krishna Godavari

Cauvery

Rajasthan

Kutch & Saurashtra

Ganga Valley

Arunachal Pradesh

Orissa.

Offshore

West Coast

East Coast.

(b) and (c). The bulk of the explorations is done by ONGC and OIL. Some foreign agencies are also engaged on contract basis,

(d) Approximately Rs. 1100 crores.

(e) and (f). Yes, Sir. As a result of these efforts a number of items have been developed indigenously. Some of the major items are drilling rigs developed by the BHEL, Jack up rigs and drillships being developed by the MDL and HSL. Offshore supply vessels, platforms etc.

Rigs Working at Off-shore of Bombay High

6555. SHRI HUSSAIN DALWAI : Will the Minister of PETROLEUM be pleased to state :

(a) number of rigs working at present at offshore of the Bombay High;

(b) the total production of oil as result of working of these rigs;

(c) the cost-benefit ratio of this oil exploration;

(d) the total expenditure so far made in oil exploration at Bombay High; and

(e) the net income derived by the Oil and Natural Gas Commission from the oil produced from these explorations ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) 11.

(b) A total of about 73.58 million tonnes of crude oil has been produced from this area. The production from wells under drilling can be known only after the completion of drilling.

(c) and (d). The total revenue from sales of crude oil, gas and products since production started in the areas upto 31.3.84 was Rs. 6008 crores. Expenses during the period were Rs. 3455 crores.

(e) Approximately Rs. 2553 crores upto 31.3.84.

Preventive Steps to Check Gas Leakage

6556. SHRI HUSSAIN DALWAI : Will the Minister of PETROLEUM be pleased to state :

(a) whether it is a fact that a giant project of laying gas pipelines from Bombay High to northern India has been proposed to be implemented by Government;

(b) the preventive steps proposed to be taken to avoid disastrous tragedies of gas leakage as has been recently experienced at Bhopal;

(c) whether this gas is poisonous; and

(d) if so, whether Government are reconsidering the implementation of the entire project till fool-proof protective

methods are found out to avert such disastrous tragedies like Bhopal ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) Yes, Sir.

(b) Internationally accepted standards for design, construction, inspection and testing are being proposed for this pipeline. Latest technology in tele-communication and tele-supervision control and data acquisition system is being adopted for enabling quick detection of leaks and isolation of the defective section by remote control in the shortest possible time.

(c) No, Sir.

(d) Does not arise.

Production of Gas Turbines by Bharat Heavy Electricals Limited

6557. DR. B. L. SHAILESH : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) whether it is a fact that the Bharat Heavy Electricals Limited has decided to produce entire range of gas turbines; and

(b) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) and (b). Bharat Heavy Electricals Ltd. has planned to produce heavy duty industrial type gas turbines to meet the needs of power generation and mechanical drives.

Target of Oil and LPG Production

6558. DR. B. L. SHAILESH : Will the Minister of PETROLEUM be pleased to state :

(a) whether the Oil India Limited has embarked exploration and production programmes for the next few years; and

(b) if so, the target of Oil and LPG production planned ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) Yes, Sir.

(b) The targets for 1985-86 are as follows :

Crude oil : 3.03 million tonnes
LPG : 55,000 tonnes

The targets for the remaining years of the VII Plan would be available only after the Plan is finalised.

Setting up of Petro-Chemical Plants in Algeria as Joint Ventures

6559. DR. B.L. SHAIKESH : Will the Minister of PETROLEUM be pleased to state :

(a) whether India propose to set up several petro-chemical plants in Algeria as joint venture; and

(b) if so, the details thereof ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) There is no concrete proposal under consideration at present.

(b) Does not arise.

Activities of Foreign Charter Fishing Trawlers

6560. SHRI D. P. JADEJA : Will the Minister of DEFENCE be pleased to state :

(a) the various measures being taken to watch the activities of foreign charter fishing trawlers in our waters;

(b) whether any consultations are held with Ministry of Agriculture before companies are cleared for bringing foreign charter fishing boats to use our coastal waters;

(c) the risks inherent in permitting such foreign boats to fish in sensitive areas close to naval basis and offshore oil installations; and

(d) the measures being taken to thwart such risks ?

THE MINISTER OF DEFENCE (SHRI P. V. NARASIMHA RAO) : (a) Prior to commencement of fishing operations, all foreign fishing trawlers are cleared from security angle by the Coast Guard. Subsequently, their activities and movements are monitored by Coast Guard ships and aircraft on patrol.

(b) Applications for chartering foreign fishing vessels are cleared by a Screening Committee comprising of the Secretary, Ministry of Agriculture as Chairman, and the representatives of the Ministries of Agriculture, Home Affairs, External Affairs, Shipping and Transport, Defence, Commerce and the Department of Economic Affairs as Members.

(c) and (d). The Chartered foreign fishing vessels are not permitted to operate in sensitive areas. Their activities and movements are closely watched by the Coast Guard ships and surveillance aircraft on regular patrol.

Foreign Charter Fishing Trawlers/Boats

6561. SHRI D. P. JADEJA : Will the Minister of DEFENCE be pleased to state :

(a) whether the Coast Guard has been taking an active part to ensure that foreign charter fishing trawlers boats did not fish within the 40 fathom limit in our waters;

(b) whether the Coast Guard expressed any difficulty to the Ministry of Agriculture that it was unable to enforce the 40 fathom limit because of lack of measuring equipment, etc.;

(c) the exact nature of the problem experienced by Coast Guard in enforcing the 40 fathom limit for foreign chartered fishing trawlers;

(d) whether the only difficulty was in the process of converting depth from metres to fathoms by Coast Guard men; and

(e) if not, the exact problem ?

THE MINISTER OF DEFENCE (SHRI P. V. NARASIMHA RAO) : (a) Yes, Sir.

(b) The Coast Guard did not encounter any difficulty in determining the 40 fathoms limit and in enforcing it. In fact it apprehended ten chartered fishing vessels for violation of this restriction.

(c) Does not arise.

(d) and (e). Chartered fishing boat operators did raise with Government their difficulty that while 40 fathoms were equal to 70 metres, the latest hydrographic charts generally indicated 50 metres and 100 metre depths. Further, depth measuring equipment was generally calibrated in metres. Finally, meticulous observance of the 40 fathom limit involved frequent corrections in course. The Ministry of Agriculture has since resolved this problem by prescribing the restrictions on fishing with reference to a specified distance from the coast, and/or with reference to latitude and longitude, rather than the depth of water.

**M/s. Swadeshi Cotton Mills and
M/s. Swadeshi Mining and
Manufacturing Co.**

6562. **SHRI CHITAMANI JENA :** Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to refer to the replies given to Starred Question No. 352 on 3 August, 1982, Unstarred Question No. 3490 on the 2nd November 1982 and Unstarred Question No. 2767 on the 15th March, 1983 regarding Swadeshi Cotton Mills Co. Ltd., Kanpur and state :

(a) the findings of the Company Law Board and follow up action taken on complaints and inspection on Swadeshi Mining and Manufacturing Company Limited and Swadeshi Cotton Mills Company Limited, Kanpur; and

(b) the progress of action taken or contemplated in this regard ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) and (b). Arising out of the findings on the inspection of these two companies, prosecutions were launched in respect of both the companies for contravention of the provisions of Section 295, and in respect of Swadeshi Cotton Mills Co. Limited for contravention of Section 58-A of the Companies Act, 1956. The prosecution for contravention of Section 58-A of the Act is pending and the prosecution cases for contravention of Section 295 of the Act have since been decided by the court in favour of the companies. All other deficiencies brought out in the Inspection Report either did not involve contravention of any specific provisions of the Companies Act, 1956 or were of technical and/or minor nature, not warranting any action.

In so far as the findings of the Company Law Board are concerned, it is presumed that Hon. Member desires to know the present position in regard to invoking Section 408 of the Companies Act, 1956 for appointment of Government Directors on the Board of M/s. Swadeshi Cotton Mills Company Ltd., referred to in the answer given to part (iii) of Question No. 2767 (answered on 15.3.1983). No final decision in this regard has been taken by the Company Law Board, as the Industrial Undertakings of M/s. Swadeshi Cotton Mills Co. Ltd. continue to be managed under Section 18-A of the Industrial (Development and Regulation) Act, 1951.

Loss of Revenue to Telephone Department due to Shortage of 50 Paise Coins

6563. **SHRI SOMNATH RATH :** Will the Minister of COMMUNICATIONS be pleased to state whether it is fact that there is a loss of revenue to the Telephone Department on account of shortage of coins as instead of putting 50 paise coins telephone calls are being made by devising ingenious ways ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS

(SHRI RAM NIWAS MIRDHA) : No, Sir. No loss in revenue from public call offices attributable to shortage of 50 paise coins has been noticed.

**Production by Newly Sanctioned
Cement Factories in Maharashtra**

6564. SHRI HUSSAIN DALWAI : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) how many cement factories have so far been sanctioned by Government in Maharashtra during the last three years;

(b) the progress thereof;

(c) how many factories have gone in production so far; and

(d) the total production of cement from these new factories ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) to (c). In addition to four cement factories already set up in Maharashtra, approvals by way of Industrial Licences/Letters of Intent/Registration with Directorate General of Technical Development have been accorded to seven parties for expansion/setting up new units in that State during the last three years, which are in various stages of implementation.

(d) Total production of cement from the four factories in 1984 was of the order of 1.5 million tonnes.

Oil Stealing Racket

6565. SHRI R. P. GAEKWAD : Will the Minister of PETROLEUM be pleased to state :

(a) whether there is an oil stealing racket from the pipelines passing from different on-shore oil fields in Gujarat before the oil reaches the Gujarat Refinery;

(b) the number of tankers seized with stolen oil, quantity of oil and the number of

persons involved in the racket during the last three years;

(c) which is the agency entrusted to safeguard oil fields and oil installations in Gujarat;

(d) whether Government propose to entrust it to C.R.P. instead of ONGC security staff;

(e) whether CBI enquiry was made some four years ago into the oil stealing racket; and

(f) if so, the results thereof ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) and (b). 12 cases of oil thefts by puncturing crude pipelines in Gujarat State have been reported in the last 3 years; one tanker containing 15000 litres of crude oil and an empty truck were seized in 1983 near Broach involving 8 persons.

(c) ONGC security staff assisted by local Police, State Reserve Police and Gram Rakshak Dal are deployed for safeguarding oil fields and installations in Gujarat.

(d) No, Sir. It is proposed to deploy CISF for the purpose.

(e) and (f). CBI was entrusted with investigation of theft and fire incident in an oil well at Dabka in 1982. The case is sub judice.

**Installation of Multi Access Rural
Radio System in Palghat District,
Kerala**

6566. SHRI V. S. VIJAYARAGHAVAN : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether there was a proposal to install Multi Access Rural Radio Transmission System in all the villages in Palghat District of Kerala;

(b) whether this proposal is being implemented; and

(c) if so, the progress made so far in this direction ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) Proposal of MARR system for rural communication in Palghat District was studied and not pursued in view of the Telecom. facilities available in almost all the inhabited hexagonal clusters of villages.

(b) No, Sir.

(c) Does not arise.

Decontrol on Sale/Purchase of Two Wheeler Scooters

6567. **DR. G. S. RAJHANS :** Will the Minister of **INDUSTRY AND COMPANY AFFAIRS** be pleased to state :

(a) whether Government propose to decontrol the sale/purchase of two-wheeler scooters in view of large scale production of the various types and brand names of scooters at present; and

(b) if not, reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) and (b). No, Sir. The time is not yet opportune as demand is still in excess of production and availability.

Change in Law to Increase Jurisdiction of Civil Courts

6568. **DR. G. S. RAJHANS :** Will the Minister of **LAW AND JUSTICE** be pleased to state :

(a) whether the jurisdiction of Civil Courts are the same as it was 25-30 years back;

(b) whether Government are considering any change in the law to increase the jurisdiction of the Civil Courts to ease the problems of the people; and

(c) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI H. R. BHARADWAJ) : (a) to (c). The Civil Courts Act which are in force in different States provide for pecuniary jurisdiction of different classes of Civil Courts. Exact information will have to be collected from the States and laid before the House immediate thereafter.

L. P. G. Agencies in Kerala

6569. **SHRI P. A. ANTONY :** Will the Minister of **PETROLEUM** be pleased to state :

(a) whether it is proposed to start any new L. P. G. agencies in Kerala during the current financial year; and

(b) if so, locations thereof ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) Yes, Sir.

(b) The names of the locations in Kerala which have been tentatively included in the Oil Industry's Marketing Plan for 1985-86 for opening new L. P. G. distributorships are given in the attached statement. The time by which these distributorships will be commissioned cannot be indicated at this stage.

Statement

Sl. No. Name of the location

1 2

1. Porambra
2. Thamarassery
3. Payyeli
4. Mannarghat
5. Parappanangadi
6. Pampady
7. Aranmula
8. Erumeli
9. Mattanur
10. Kattakada

1	2
11.	Trichur
12.	Foroke
13.	Kilikolloor
14.	Thirurangadi
15.	Kunnamangalam
16.	Palghat/Pudusseri
17.	Kollengode
18.	Nilambur
19.	Aroor
20.	Chathannoor
21.	Puthupally
22.	Trivandrum (two locations)
23.	Wadakkancherry
24.	Nemon
25.	Konni
26.	Karakulam
27.	Mallapally
28.	Soorned North
29.	Cochin (3 locations)
30.	Parassala
31.	Anchal
32.	Mananthavady
33.	Manalur
34.	Mannar
35.	Chirayinkil
36.	Quilon
37.	Thiruvella
38.	Balrampapuram
39.	Perinthalmanna
40.	Peermade
41.	Kalpetta
42.	Alleppy (2 locations)
43.	Thedupuzha
44.	Idukki
45.	Munnar
46.	Ponnani
47.	Calicut
48.	Taliparamba
49.	Kodiyori

Opening of Regional Oil and Natural Gas Commission Office at Narsapur

6570. SHRI VIJAYA KUMAR RAJU : Will the Minister of PETROLEUM be pleased to state :

(a) whether it is a fact that Government have decided to open a Regional Office of Oil and Natural Gas Commission at Rajahmundry in Andhra Pradesh;

(b) whether before deciding Rajahmundry, Government had considered opening of regional Oil and Natural Gas Commission Office at Narsapur or Bhimavaram;

(c) the reasons for the final decision; and

(d) whether Government are considering to revert to the earlier proposal to open Regional Office of Oil and Natural Gas Commission at Narsapur or Bhimavaram (Andhra Pradesh) ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) The ONGC proposes to upgrade their Project Office at Rajahmundry as a forward base which will have control over both onshore and offshore operations in Krishna-Godavari Basin.

(b) The ONGC are free to decide upon feasible locations for setting up offices for their operations. The Commission had considered Narsapur/Bhimavaram as possible alternatives.

(c) Rajahmundry has better infrastructure, is easily accessible by Rail and Road, and is also connected directly with Visakhapatnam; it is also connected by air.

(d) Does not arise in view of (b) above.

Exports of Defence Products

6571. SHRI DIGVIJAY SINH : Will the Minister of DEFENCE be pleased to state :

(a) whether there is any scope of increasing the exports of defence products;

(b) if so, the action being taken in that direction; and

(c) the items which are proposed to be exported on a large scale ?

THE MINISTER OF DEFENCE (SHRI P.V. NARASIMHA RAO) : (a) to (c). India is not an arms exporting country. The defence production units are primarily engaged in the production of stores/equipment to meet the requirements of our Armed Forces. A few items are, however, exported because certain spare manufacturing capacity is available in some units.

Licensing Policy for Sugar Factories in Cooperative Sector

6572. PROF. RAMKRISHNA MORE : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) the existing licensing policy of Government with regard to the cooperative sugar factories in the country;

(b) whether any licence (s) for the State of Maharashtra are pending issuance for setting up cooperative sugar factories; and

(c) if so, the details thereof and the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) According to the existing policy regarding licensing in the sugar industry, licences are to be given on a preferential basis to cooperative sector.

(b) and (c). Only one proposal for the establishment of a new sugar factory, namely, Parshuram Sahakari Sakhar Karkhana Ltd., Taluka-Chiplun District Ratnagiri is pending for the reason that a final view is yet to be taken on the cane availability and the techno-economic feasibility of the project.

Licensed Capacity of Polyester Filament Yarn

6573. SHRI DEBI GHOSAL : Will the Minister of PETROLEUM be pleased to state :

(a) the present licensed capacity of polyester filament yarn in the country;

(b) whether it is Government's Policy to give additional capacities only to the companies like Reliance Textiles, who have a virtual monopoly of this product, or whether Government propose to give licences to other companies with proven tract records in products other than polyester filament yarn; and

(c) whether Government propose to give licences for large capacities or permit small capacities to new entrants ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : (a) The present total approved capacity for manufacture of polyester filament yarn is about 65,700 tonnes per annum.

(b) and (c). The creation of additional capacity for polyester filament yarn is considered on merits at the appropriate time having regard to all factors including viable size of unit.

Sick Units for Private Entrepreneurs

6574. SHRI DEBI GHOSAL : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) whether Government are willing to handover sick and closed industrial units to private entrepreneurs;

(b) if so, what incentives and or concession are likely to be offered by Government to induce private entrepreneurs to take over sick and closed units; and

(c) the policy of Government in the matter ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) to (c). Private entrepreneurs can take over a sick or closed undertaking through amalgamation with healthy units, or by purchase of assets either from the existing owners, or, if a winding up

proceeding has been instituted, from the official Liquidator appointed by the Court. In cases where sick units are taken over as a part of rehabilitation schemes prepared by banks and financial institutions, various reliefs and forms of assistance such as reconstruction of capital, funding of interest liabilities, capital and working capital loans on softer terms, relief or rescheduling of debt service liabilities, etc. are provided for in such rehabilitation schemes. In addition, healthy units are encouraged through Income-Tax relief to take over sick units by way of amalgamation.

[Translation]

Sick Industrial Units in Uttar Pradesh

6575. SHRI HARISH RAWAT : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) the number of major, medium and small scale industrial units in Uttar Pradesh which have become sick during the last three years;

(b) the total number of industrial units in eight hill districts of Uttar Pradesh and the number of industrial units out of them which come under the category of sick units, district-wise;

(c) whether his Ministry in cooperation with Uttar Pradesh Government, are formulating any programme for nursing these sick units; and

(d) if so, the details thereof and the annual estimated expenditure to be incurred on this programme ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) and (b). Data on sick industrial units assisted by banks are collected by the Reserve Bank of India as per the definition of sickness adopted by it. According to the latest available data from RBI, there were 54 large sick units in Uttar Pradesh as at the end of December, 1983. State-wise data in respect of medium and small scale units for the same period is not

available. District-wise data on sick units is not furnished by the RBI.

(c) and (d). According to the policy guidelines on sick industries issued in October 1981, banks and financial institutions formulate rehabilitation schemes on the basis of diagnostic studies in respect of units which are considered by them as potentially viable. Government also provide such concessions and reliefs as may be feasible and necessary as part of the rehabilitation package prepared by the banks and financial institutions. Nature and extent of assistance required for rehabilitation of viable sick unit varies from unit to unit depending on the nature and extent of sickness in each case.

[English]

Functions and Responsibilities of Development Commissioner (Drugs)

6576. SHRIMATI INDUMATI BHATTACHARYYA : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) whether Government have created an office of the Development Commissioner (Drugs) in the Ministry;

(b) if so, the functions and responsibilities of this office;

(c) the recommendations of the Development Commissioner about steps to be taken to boost up production of import substitute bulk drugs in the small scale sector;

(d) the steps taken/proposed to implement these recommendations;

(e) the present progress in the matter and the progress anticipated during the next two years; and

(f) the steps taken/proposed to ensure that small scale units successfully compete with units in the organised sector in production and marketing of bulk drugs ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY

AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) Yes, Sir.

(b) The functions of the Development Commissioner (Drugs) include operation of the scheme of pricing, monitoring shortages recommending release and import of bulk drugs and counselling/assistance to the drug industry.

(c) There were no such recommendations.

(d) and (e). Do not arise.

(f) Small Scale Industries are offered a number of incentives by the State and Central Governments. They are not required to obtain any industrial approval from the Central Government. They are also exempted from the parameters of the 1978 Drug Policy. In recent years, small scale units had made rapid strides in the production of bulk drugs.

Regularisation of Short Duty Telephone Operators

6577. SHRI RAMASHRAY PRASAD SINGH : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether a deputation of women short duty telephone operators met him in New Delhi on 15 April, 1985;

(b) whether the deputation has requested him to regularise short duty telephone operators who have finished their training;

(c) whether he has given them some assurance, if so, the nature thereof; and

(d) the steps taken to meet their demands ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NAWAS MIRDHA) : (a) Yes, Sir.

(b) Yes, Sir.

(c) and (d). Short Duty Telephone Operators will be considered for regularisa-

tion against the future vacancies as and when they arise.

Automatic Telephone Exchange at Raiganj

6578. DR. GOLAM YAZDANI : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether there is any sanctioned project for installing 600 lines Automatic Telephone Exchange at Raiganj;

(b) whether the building works for the said work has started on the acquired plot;

(c) in case of delay in availability of the new building, the reasons why the Department is not considering to put containerised electronic equipment for which import action is in progress; and

(d) the final programme of action for putting the Auto System at the place for betterment of the service ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) Yes, Sir. A project estimate for the installation of 600 lines MAX-II exchange at Raiganj was sanctioned in August 1983.

(b) No, Sir.

(c) Building is likely to be available in 7th Plan. There is no proposal to install containerised Exchange at Raiganj, since there is no allotment for this station.

(d) The Auto exchange is likely to be commissioned at the end of 7th Plan.

Sick Industries and their Financial Tie-up

6579. SHRIMATI INDUMATI BHATTACHARYYA : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) the number of Large Medium and Small sick units as on the last days of December, 1981 and 1984; and

(b) the position of finances tied-up in such units as on the dates mentioned above ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) and (b).

According to available data collected by the Reserve Bank of India, the number of sick industrial units assisted by the banks and outstanding credits to them from December 1981 to December 1983 are as under :

<i>At the end of</i>	<i>No. of sick Industrial units</i>	<i>Outstanding amounts (Rs. crores)</i>
December, 1981	26,758	2,026
December, 1982	60,173	2,585
December, 1983	80,110	3,101

Selling of Bulk Drugs by Officials of IDPL at Low Prices

6580. SHRI Y. S. MAHAJAN : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) whether it is a fact that there have been cases of selling bulk drugs by the persons heading sales division of the IDPL to private parties at abnormally low prices than those fixed under the Drugs (Prices Control) Order 1970;

(b) whether it is also a fact that though the cases were detected, no action was taken against some of the erring executives of the company;

(c) if so, the reasons therefor; and

(d) the steps Government have taken or propose to take to ensure that suitable timely action is taken against officials found to be involved in such malpractices ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) to (d). The information is being collected and will be laid on the Table of the House.

[Translation]

Solvent Plant in Dobhi Village in Mandla District (Madhya Pradesh)

6581. SHRI M. L. JHIKRAM : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) the reasons for which the Solvent Plant in Dobhi village in Mandla district of Madhya Pradesh has remained incomplete for the last 8-10 years;

(b) whether Government propose to commission it and if so, by what time it would be commissioned; and

(c) the amount spent on this plant and by whom and also the expenditure to be incurred there on and the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) to (c). The information is being collected and will be laid on the Table of the House.

[English]

Electoral Rolls in Assam

6582. SHRI S. M. BHATTAM : Will the Minister of LAW AND JUSTICE be pleased to state :

(a) whether the electoral rolls in Assam are being prepared as per the directions of the Supreme Court; and

(b) what exactly are the directions or observations of the Supreme Court in this regard and the commitments of the Union Government before the Supreme Court ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI H. R. BHARADWAJ) : (a) Under

law, it is for the Election Commission to issue directions, if any, for revision of electoral rolls. The Election Commission has informed that the observations of the Supreme Court are kept in view while undertaking the revision of rolls.

(b) The Election Commission on its own, volunteered before the Supreme Court, to carry out intensive revision of electoral rolls for all constituencies in Assam in accordance with the law and the Rules. In case it is not practicable in any constituency, the revision may be summary or special. The Commission also stated that in the electoral card used for house to house enumeration, the word 'elector' will be substituted by the word 'citizen'. An extract from the Supreme Court's order in the case of Inderjit Baru and Others, is laid on the Table of the House. [Placed in Library. See No. LT-1115/85.]

**Extension of Telecommunication
Facilities in Hill and Remote
Areas**

6583. SHRI BALASAHEB VIKHE PATIL : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether Government have considered the desirability of extending the telecom facilities in a big way in hill and remote areas of the country;

(b) whether it is a fact that a change of existing rule of ten subscribers needs to be made to achieve this objective;

(c) whether for these areas telecom facilities will be treated as welfare service;

(d) whether through the use of wireless and other modern media which is not very expensive, Government propose to achieve this objective; and

(e) if so, what is Government's plan in this regard ?

**THE MINISTER OF STATE OF THE
MINISTRY OF COMMUNICATIONS
(SHRI RAM NIWAS MIRDHA):**(a) Yes, Sir.

(b) No, Sir. The existing rule of ten subscribers to open small telephone exchange is already substantially subsidised by the Government.

(c) No, Sir.

(d) Yes, Sir. The use of Radio media and other modern media will be resorted to, to the remote and inaccessible areas.

(e) The Government plans in this regard during 7th plan are :

(1) To open 9000 LDPTs under MARR Scheme, subject to availability of equipment.

(2) To add 30,000 lines approximately in hill and remote areas of the country.

**Action against Police Officers Elec-
tion Duty**

6584. SHRI PRIYA RANJAN DAS MUNSI : Will the Minister of LAW AND JUSTICE be pleased to state :

(a) whether during elections and on the day of election the police officers conduct their activities under the supervision of Election Commission or State Government where elections are held;

(b) if so, what action is contemplated against any officer, who according to Election Commission observer's report, did not work impartially;

(c) whether any such reports have been received from the observer of any District of West Bengal; and

(d) if so, what steps have been taken ?

**THE MINISTER OF STATE IN THE
MINISTRY OF LAW AND JUSTICE
(SHRI H. R. BHARADWAJ) :** (a) Police officers have to conduct their activities in accordance with the provisions of law and under the supervision of their official superiors to whom they are directly accountable.

(b) when it comes to the notice of the Election Commission that an officer has acted

in a manner which is prejudicial to the holding of free and fair elections, the Commission would take action against the officer by referring the matter to the State Government concerned.

(c) The Election Commission has informed that no such report has been received from any of the Observers appointed by the Commission in West Bengal.

(d) Does not arise.

Guidelines for foreign Collaboration and collaborators of Reliance Textiles Industries

6585. SHRI PRIYA RANJAN DAS MUNSI : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) what are the basis guide lines to approve any project on foreign collaboration in industry in private sector;

(b) whether these guidelines were observed during the clearance of foreign collaborator of the Reliance Textile Industries of Bombay during 1984; and

(c) who were the collaborators and their details?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) and (b). All Foreign Collaboration proposals are examined and cleared by Government, keeping in view the technical competence of the parties, magnitude of operations, economic viability of the projects and availability of indigenous resources.

(c) The particulars of foreign collaboration proposals approved, viz. name of the Indian Co., foreign collaborator, item of manufacture, nature of collaboration are published on a quarterly basis by the Indian Investment Centre, as a supplement to its Monthly News Letter. Copies of the publication are sent regularly to the Parliament Library.

Sample Survey and Performance of Large and Medium-sized Public Limited Companies

6586. SHRIMATI JAYANTI PATNAIK : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) whether Government have conducted a sample survey of the large and medium-sized public limited companies;

(b) if so, the details of the performances of those companies in 1984-85 (name-wise);

(c) whether Government have studied the various problems of different public limited companies surveyed so far; and

(d) if so, the main factors which led to the losses of some public limited companies ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) The Reserve Bank of India has recently published in November, 1984 issue of the R.B.I. Bulletin the results of a survey of 500 large public limited companies for the year 1983-84. Earlier, a study containing the results of a survey of 1720 medium and large public limited companies for 1980-81 was published in July, 1983 Issue of the R.B.I. Bulletin.

(b) The Reserve Bank Survey results for 1984-85 are not available. A statement showing the profitability ratios of 500 selected large public limited companies for 1983-84 is enclosed.

(c) and (d). As the findings of the study relate to macro aggregates, the unit-wise problems of different public limited companies have not been brought out. As regards the factors responsible for a fall in quantum of gross profits by 0.4 per cent in 1983-84 over 1982-83, the survey reveals that though the manufacturing expenses grew proportionately less at 5.7 per cent over the year, other components like remuneration to employees, repairs to buildings and machinery, other expenditure, depreciation provision, etc.

showed substantial rises. The proportionately larger increase in the components other than manufacturing expenses, more than off-set the lower growth in manufacturing expenses and depressed the gross profits.

Statement

Profitability ratios of 500 selected large Public Limited Companies for 1983-84

Profitability Ratio	1983-84
1. Gross profits as percentage of total net assets.	8.9
2. Gross profits as percentage of sales.	8.7
3. Profits after tax as percentage of net worth.	8.6
4. Profits retained as percentage of profits after tax.	49.7
5. Current dividends to total paid up capital.	12.6

Data Bank for imported and indigenous Technology

6587. SHRI RADHAKANTA DIGAL : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) whether Government are contemplating to set up a data bank for imported and indigenous technology;

(b) whether a working group has been set up to study and submit a Report for this purpose; and

(c) if so, the particulars thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) to (c). An Inter-departmental Working Group has been set up to prepare a detailed project Report to establish a Technology Data Bank. The Working Group will identify the nature of technological data to be acquired, compiled, disseminated, sources of data

acquisition, categories of end-users etc. and would suggest methodology for processing, storage, retrieval etc. of the data.

Enhancing Deposit for Nomination for Elections

6588. SHRI DIGVIJAY SINH : Will the Minister of LAW AND JUSTICE be pleased to state :

(a) whether Government propose to enhance the deposit money for nomination of candidates standing for Legislative Assembly and Lok Sabha elections; and

(b) if so, the extent of such enhancement ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI H. R. BHARADWAJ) : (a) and (b). In the set of proposals forwarded by the Election Commission on 20.4.1985, the Commission has proposed that security deposit may be raised ten times, i.e., Rs. 5,000/- (Rupees Five thousand) in the case of an election from a Parliamentary constituency and Rs. 2,500 (Rupees Two thousand five hundred) in the case of an election from an Assembly or Council constituency. The proposal is under consideration.

Funds for Construction of Civil Court Buildings in Various States

6589. SHRI SOMNATH RATH : Will the Minister of LAW AND JUSTICE be pleased to state :

(a) whether Government had sanctioned funds for the construction of civil court buildings in different States in the Sixth Plan;

(b) if so, the amount sanctioned to different States for this purpose in that Plan period;

(c) the amount allocated to different States in 1985-86 for the construction of civil court buildings; and

(d) the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE

(SHRI H. R. BHARADWAJ) : (a) and (b). During the Sixth Five Year Plan period the Ministry of Law and Justice was concerned with the recommendations of the Seventh Finance Commission relating to the upgradation of standards of Judicial administration. The amounts released to various States upto 31.3.85 under revenue and capital for setting up additional courts (civil/criminal), construction of court/village court buildings and construction of residential quarters to presiding officers of these courts is given in the attached Statement-I.

(c) and (d). The details of the grants to be given to different States during 1985-86 under the recommendations of the 8th Finance Commission are given in the attached Statement-II.

Statement-I

Upgradation of Standards of Judicial Administration on the basis of Recommendations of Seventh Finance Commission — Release of Grants

(Rs. in lakhs)

Name of the State	Amount released upto 31-3-1985
1. Andhra Pradesh	83.97
2. Assam	165.23
3. Bihar	487.88
4. Himachal Pradesh	6.02
5. Jammu & Kashmir	2.50
6. Kerala	1.95
7. Madhya Pradesh	27.53
8. Manipur	27.37
9. Nagaland	70.0)
10. Orissa	92.88
11. Rajasthan	209.46
12. Tamil Nadu	15.64
13. Tripura	30.68
14. Uttar Pradesh	470.43
15. West Bengal	123.87
Total	1815.41

Statement-II

Upgradation of Standards of Judicial Administration— Grants payable to State Governments during 1985-86 under the recommendations of Eighth Finance Commission

(Rs. in lakhs)

Name of the State	No. of Court buildings	Rephased outlay for 1985-86
1. Andhra Pradesh	10	98.00
2. Assam	7	71.40
3. Bihar	2	20.40
4. Himachal Pradesh	1	10.66
5. Jammu & Kashmir	2	25.22
6. Kerala	4	39.80
7. Madhya Pradesh	1	12.20
8. Manipur	—	1.30
9. Orissa	1	11.20
10. Rajasthan	4	40.80
11. West Bengal	4	35.80
Total	36	366.78

Collaboration of Kothari's with General Foods

6590. SHRI ANANDA PATHAK : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) whether Kothari's have collaborated with General Foods;

(b) if so, what vegetable proteins are proposed to be manufactured by them;

(c) whether powdered soft drink and instant coffee are considered as high technology; and

(d) if not, so the reasons for allowing the collaboration ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) to (d). M/s. Kothari General Foods Corporation Limited, Madras were granted a licence for manufacture of the following items :

- (a) Soluble Coffee (freeze dried),
- (b) Vegetable based protein products and powdered food beverages.

They were also allowed foreign collaboration with M/s. General Foods Corporation of USA for manufacture of the above products. The vegetable based protein products proposed to be manufactured are classified as under :

- (i) Vegetable based soya/ground-nut analogues of various meat products, dry, shelf stable chunks which can be re-hydrated to resemble chicken, ham, pork, etc. for use in vegetarian curries and stews, vegetarian sausages canned meat-like vegetarian products in loaf or chunk forms.
- (ii) Protein-fortified version of various cereal based products like pasta fortified with soya or groundnut protein, high protein flours, rice like or wheat like pellets with high protein content, which could be used in traditional dishes.
- (iii) Powdered beverages enriched with Vitamin A, Vitamin C, iron and calcium.

The technology involved in the production of the above items is of a sophisticated nature. A substantial inflow of foreign exchange is also envisaged.

Setting up of Soda Ash Factory in Phulpur (Uttar Pradesh)

6591. SHRI RAM PUJAN PATEL : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) whether a soda ash factory was to be set up by IFFCO in Phulpur (Uttar Pradesh);

(b) if so, whether any proposal for setting up a soda ash factory has also been received; and

(c) when this factory is likely to be set up ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) and (b). Yes, Sir. M/s. Indian Farmers Fertilizer Co-operative Limited (IFFCO) have been granted a Letter of Intent for setting up a Soda Ash Factory in Tehsil Phulpur in the State of Uttar Pradesh.

(c) According to the information made available by the company, the scheme is being reviewed by them and the time schedule will be decided only after the review is completed.

[Translation]

Review of Multi-National Companies after Bhopal Tragedy

6592. SHRI KRISHAN PRATAP SINGH : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) whether the cases of all the multi-national Companies would be reviewed keeping in view the recent tragedy which occurred in the Union Carbide Factory at Bhopal;

(b) whether new safety conditions would be imposed while giving permission to the multi-national companies for opening factories in India; and

(c) if so, the details in this regard ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) to (c). Government is not considering any general review of the Foreign Collaboration approvals given to multi-national companies. However, whenever a new proposal is considered, locational angle, pollution control etc. are always kept in view before approval is granted.

[English]

**Selling of Haldia Unit of Hindustan
Fertilizers Corporations**

6593. SHRI S. M. BHATTAM :
SHRI INDRAJIT GUPTA :

Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state :

(a) whether Government have decided to sell away the Haldia unit of the Hindustan Fertilizers Corporation a public sector undertaking, to private sector;

(b) whether the above unit is incurring losses;

(c) if so, to what extent in the last three years; and

(d) the reasons for the proposals to sell the same ?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND INDUSTRY AND COMPANY AFFAIRS (SHRI VEERENDRA PATIL) : (a) No, Sir.

(b) and (c). The Plant has not gone into commercial operation and is still under commissioning stage. Therefore, the question of profit and loss does not arise.

(d) The question does not arise.

**Letters of Intent and Industrial Licences
Granted to M/s. Reliance
Textile Industries**

6594. SHRI PRIYA RANJAN DAS MUNSI : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) the number of industrial licences and letters of intent granted to the Reliance Textile Industries, Bombay in the years 1983-84 and 1984-85;

(b) whether any foreign collaborators are there in their new projects;

(c) whether Government examined that those foreign collaborators were actually genuine; and

(d) if not, the reaction of Government thereto ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : (a) Under the provisions of Industries (Development and Regulation) Act, three Letters of intent were granted to M/s. Reliance Textile Industries Ltd., during the year 1983-84 and 1984-85.

(b) to (d). Five Foreign Collaboration proposals were approved by Government in favour of M/s. Reliance Textile Industries during the period 1983-84. Foreign collaboration proposals are examined keeping in view broadly the technical competence of the parties, magnitude of operations, economic viability of the projects, standing of the foreign collaborator and availability of indigenous resources.

Marriage Laws

6595. SHRI DIGVIJAY SINGH : Will the Minister of LAW AND JUSTICE be pleased to state :

(a) whether Government considered the recommendations of the Parliamentary Joint Committee on the Marriage Laws (Amendment) Bill, 1981 presented to the House on the 18th November, 1983;

(b) whether Government have initiated or propose to initiate any action on the recommendations contained in the said report; and

(c) if so, the details thereof; and

(d) whether Government now propose to bring forward suitable legislation as contemplated in the aforesaid report ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI H.R. BHARADWAJ) : (a) to (d). The Joint Committee has observed in its report that "unless the system of family courts is introduced all over the country and a suitable procedure (including the provision for marriage counselling services, consideration of matters by experts in the field of psychiatry, social behaviour, etc.) is devised, it

would not be advisable to make the proposed new ground of divorce (i.e. irretrievable break down of marriage) a part of the law". Legislation providing for the establishment of family courts, namely, the Family Courts Act, 1984 has been enacted by Parliament. This Act envisages a procedure involving the use of marriage counsellors and experts in the field *inter-alia* of psychiatry, social behaviour. Government is of the opinion that the time is not yet ripe to consider the question of bringing forward any legislation for making irretrievable break down of marriage a ground of divorce.

New Insurance Scheme for NCC Cadets

6596. SHRI S.M. BHATTAM : Will the Minister of DEFENCE be pleased to state :

(a) whether new insurance scheme for NCC cadets has become operative from April 1985; and

(b) if so, the salient features thereof ?

THE MINISTER OF DEFENCE (SHRI P.V. NARASIMHA RAO) : (a) and (b). There is no insurance scheme for NCC cadets. However, a proposal to provide financial assistance to cadets who die or are permanently disabled while taking part in NCC activities is under consideration.

Legislation for testing the quantities of Consumer goods

6597. PROF. K.V. THOMAS : Will the Minister of LAW AND JUSTICE be pleased to state :

(a) whether the Law Commission has recommended enactment by Parliament a law for testing the quality of consumer goods; and

(b) if so, the steps taken in this regard ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI H.R. BHARADWAJ) : (a) Yes, Sir. In the Law Commission's 105th Report (One Hundred and Fifth Report) on "quality control and inspection of consumer goods", the Commission has recommended enactment of

a law providing for certain minimum quality of goods and also machinery to ensure such standards.

(b) Copies of the Report have been sent to various Ministries/Departments concerned for their views, including the question of enactment of a suitable legislation.

National Policy for Communications

6597-A. PROF. NARAIN CHAND PARASHAR : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether Government have evolved any National Policy for Communications consequent upon the recommendations of the various seminars, sponsored by the Ministry of Information and Broadcasting and the Ministry of Communications during the International Communication Year;

(b) if so, the outline of this policy; and

(c) if not, the likely date by which such a policy would be evolved and the reasons for delay ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) No, Sir. The Policy Paper is however, in the process of being drafted.

(b) Does not arise.

(c) It is expected that the Policy would have been evolved by the end of the year. One of the main reasons for delay is the uncertainty regarding Seventh Plan allocations.

Resolutions adopted at the Conference of U.N. Industrial Development Organisation

6597-B. SHRI SAIFUDDIN CHOWDHURY : Will the Minister of INDUSTRY AND COMPANY AFFAIRS be pleased to state :

(a) the details of deliberations and resolutions adopted at the last conference; of United Nations Industrial Development Organisation;

(b) whether Government of India are in agreement with them; and

(c) if so, the steps proposed to be taken to achieve the objectives of the said resolutions ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS AND IN THE MINISTRY OF HOME AFFAIRS: (SHRI ARIF MOHAMMAD KHAN) : (a) to (c). The Fourth General Conference of the United Nations Industrial Development Organisation (UNIDO) held at Vienna from 2-20 August, 1984 adopted 15 Resolutions on the following subjects :—

1. Accelerated development of human resources for industrial development.
2. Strengthening of scientific and technological capacities for industrial development in developing countries.
3. Energy and industrialization, with special emphasis on development and application of energy resources and manufacture of equipment.
4. Policies and measures for domestic industrial processing of raw materials in developing countries.
5. Industrial policies and measures to achieve rural development and self-sufficiency in food supplies of developing countries.
6. Least developed countries; implementation of the Substantial New Programme of Action.
7. Strengthening economic co-operation among developing countries.
8. Industrial Development Decade for Africa : Review of progress and proposals on ways and means to attain its objectives.
9. Integration of women in industrial development.
10. United Nations Industrial Development Fund.

11. UNIDO's co-ordinating role in the United Nations system on industrial development.
12. Immediate assistance to Lebanon for the reconstruction of its industrial sector.
13. Cessation of the war in the Gulf.
14. Technical assistance to the Palestinian people.
15. Technical assistance to the southern African national liberation movements recognized by the Organization of African Unity.

2. The Conference was unable to take a decision on two draft resolutions : one on world industrial restructuring and redeployment and the other on the mobilization of financial resources for industrial development. It was decided by the Conference that both these draft resolutions should be forwarded to the Secretary-General of the United Nations with the request that the resolutions be considered by the UNCA at its 39th Session.

3. The Government of India is in general agreement with the consensus resolutions adopted at UNIDO-IV.

4. The recommendations of the Conference were addressed to the Member-States and the United Nations System of Organisations; several recommendations were addressed directly to UNIDO. Proposals were made for action at the local and regional levels as well as at international levels. Our current economic, industrial and Science and Technology policies take care of the consensus resolutions adopted by the Fourth General Conference of UNIDO.

STATEMENT CORRECTING REPLY
TO US Q NO. 4854 DATED APRIL 30,
1985. RE : INDUSTRIES SET UP IN
BACKWARD AREAS

[English]

THE MINISTER OF STATE IN THE
MINISTRY OF INDUSTRY AND COM-
PANY AFFAIRS AND IN THE MINISTRY

OF HOME AFFAIRS (SHRI ARIF MOHAMMAD KHAN) : In answer to parts (b) to (d) of the Lok Sabha Unstarred Question No. 4854 on the 30th April, 1985 the number of Letters of Intent (LI) and Industrial Licences (IL) issued to backward areas during the years 1983 and 1984 was shown as under :—

Year	L.I.	I.L.
1983	1055	1075
1984	1064	905

The correct number should be as follows :

Year	L.I.	I.L.
1983	664	317
1984	627	323

The error is regretted.

12.00 hrs.

PAPERS LAID ON THE TABLE

[English]

Annual Administrative Reports, Annual Accounts and Audit Report of Cantonment Boards in Central command 1983-84
Review on the working of Cantonment Boards in Central command for 1983-84 and Statement for delay.

THE MINISTER OF DEFENCE (SHRI P. V. NARASIMHA RAO) : I beg to lay on the Table—

- (1) (i) A copy of the Annual Administration Reports (Hindi and English versions) of the Cantonment Boards in Central Command for the year 1983-84.
- (ii) A copy of the Annual Accounts (Hindi and English versions) of the Cantonment Boards in Central Command for the year 1983-84.
- (iii) A copy of the Audit Report (Hindi and English versions) on the accounts of the Cantonment Boards in Central Command for the year 1983-84.

the accounts of the Cantonment Boards in Central Command for the year 1983-84.

- (iv) A statement (Hindi and English versions) regarding (a) Review by the Government on the working of the Cantonment Boards in Central Command for the year 1983-84 (b) reasons for delay in laying the papers mentioned at (i) to (iii) above.

[Placed in Library. See No. LT-905/85]

- (2) (i) A copy of the Annual Administration Report (Hindi and English versions) of the Cantonment Boards in Southern Command, for the year 1983-84.
- (ii) A copy of the Annual Accounts (Hindi and English versions) of the Cantonment Boards in Southern Command for the year 1983-84.
- (iii) A copy of the Audit Report (Hindi and English versions) on the accounts of the Cantonment Boards in Southern Command for the year 1983-84.
- (iv) A statement (Hindi and English versions) regarding (a) Review by the Government on the working of the Cantonment Boards in Southern Command for the year 1983-84 (b) reasons for delay in laying the papers mentioned at (i) to (iii) above.

[Placed in Library. See No. LT-906/85]

- (3) (i) A copy of the Annual Administration Report (Hindi and English versions) of the Cantonment Boards in Eastern Command for the year 1983-84 along with Audited Accounts.
- (ii) A statement (Hindi and English versions) regarding (a) Review by the Government on the working of the Cantonment Boards in Eastern Command for the year 1983-84 (b) reasons for delay in laying the papers mentioned at (i) above.

[Placed in Library. See No. LT-907/85]

[Shri P.V. Narsimha Rao]

- (4) (i) A copy of the Annual Administration Report (Hindi and English versions) of the Cantonment Boards in Northern Command for the year 1983-84 along with Audited Accounts.
- (ii) A statement (Hindi and English versions) regarding (a) Review by the Government on the working of the Cantonment Boards in Northern Command for the year 1983-84 (b) reasons for delay in laying the papers mentioned at (i) above.

[Placed in Library. See No. LT-908/85]

- (5) (i) A copy of the Annual Administration Report (Hindi and English versions) of the Cantonment Boards in Western Command for the year 1983-84 along with Audited Accounts.
- (ii) A statement (Hindi and English versions) regarding (a) Review by the Government on the working of the Cantonment Boards in Western Command for the year 1983-84 (b) reasons for delay in laying the papers mentioned at (i) above.

[Placed in Library. See No. LT-909/85]

(Interruptions)

SHRI BASUDEB ACHARIA (Bankura):
rose... (Interruptions)

MR. SPEAKER : I started from your side yesterday. You were not here.

{Translation}

SHRI NARAYAN CHOUBEY (Midnapur) : Please listen to us also.

MR. SPEAKER : I shall listen to you also.

{English}

PROF. K. K. TEWARY (Buxar) : We have come across... (Interruptions)

MR. SPEAKER : I am listening to all, if they are relevant. Other-wise over-ruled. I am coming to everybody.

PROF. K. K. TEWARY : We have come across a very disquieting report to day in all the newspapers, about the Federal Bureau of Investigation discovering a plot in America to cause harm to the Prime Minister on his forthcoming visit to the United States ... (Interruptions)

MR. SPEAKER : That is what I am going to ask him.

PROF. K. K. TEWARY : It is a very disquieting report that a plot has been discovered by FBI in America. The country would like to be assured about the protection to the Prime Minister when he is in the United States... (Interruptions)

MR. SPEAKER : If Mr. Madhav Reddy had come and stood earlier, I would have asked him.

(Interruptions)

MR. SPEAKER : I do not get anything from others I only got one from Mr. Madhav Reddy. I want notice. That is what I want to say. Why are you all speaking? One by one please... I do not know why people are butting in. (Interruptions) Mr. Tewary, you please listen to me also—to what I say. When I ask you, Mr. Tewary, you should also give some attention to me.

PROF. K. K. TEWARY : You did not allow me to speak. You gave... (Interruptions)

MR. SPEAKER : I allowed you to speak, but I am asking you certain questions which you have to answer first. I ask you : what are you going to say, and under what rule?

PROF. K. K. TEWARY : We have given notices under rule 184, Calling Attention ... (Interruptions)

MR. SPEAKER : That is all right. I will consider it. I know you have given notices under rule 184.

PROF. P. J. KURIEN : rose.

MR. SPEAKER : You have also given it. But let me explain.

PROF. K. K. TEWARY : The Minister should make a statement.

MR. SPEAKER : Mr. Tewary, you are again speaking. You have to listen to me. I have got your motion. I quite understand its importance. But this has to be decided by me after getting the full information. I will just put it for discussion. That is what it is.

PROF. P. J. KURIEN (Idukki) : I have also given notice on the same subject...

MR. SPEAKER : It is all right. Not allowed.

*(Interruptions)***

MR. SPEAKER : I have to decide it. I have given my ruling. It is not to be done on the floor of the House like this. I know the implications of certain Motions. That is what I will consider.

PROF. P. J. KURIEN : Government should come with a statement,

MR. SPEAKER : I am asking for information. This has come today; and I have to ask for information also. I cannot do it at breakneck speed.

SHRI NARESH CHANDRA CHATURVEDI (Kanpur) : I just wanted to know...

MR. SPEAKER : I am coming to it, Mr. Chaturvedi.

[Translation]

I am coming to you also. Please do not be in post haste.

(Interruptions)

[English]

SHRI G. G. SWELL (Shillong) : Sir, I know that these things are before you...

MR. SPEAKER : What do you want to say, Sir ? I have done it.

SHRI G. G. SWELL : I want two minutes.

MR. SPEAKER : I have given this ruling that I will have it under consideration and I will give full consideration. Don't worry about it ? Leave it to me.

SHRI G. G. SWELL : I have given a notice under Rule 184.

MR. SPEAKER : I have seen it.

PROF. MADHU DANDAVATE (Rajapur) : I support Mr. Swell.

MR. SPEAKER : Your support will also be taken into consideration and given more weight.

[Translation]

SHRI RAM PYARE PANIKA (Robertsganj) : The situation in Ahmedabad is becoming serious day by day...*(Interruptions)*.

MR. SPEAKER : Not allowed.

SHRI RAM PYARE PANIKA : A decision has been taken there to launch a country-wide agitation.

MR. SPEAKER : Not allowed.

[English]

We have already discussed it. It is all right. Not allowed. I have not given you permission now Mr. Panika.

*(Interruptions)***

PROF. SAIFUDDIN SOZ (Baramulla) : The Government of India made laudable effort to get the writ petition before the High Court of Calcutta dismissed.

MR. SPEAKER : Why do you want to raise it now ?

*(Interruptions)***

MR. SPEAKER : Under what rule ? Not allowed.

*(Interruptions)***

MR. SPEAKER : Under what rule ? Not allowed. Why are you trying to do funny things ?

(Interruptions)**

MR. SPEAKER : I have already taken note of it. Not allowed.

(Interruptions)**

MR. SPEAKER : Mr. Soz, you must learn some ethics, you must learn some rules. Otherwise, why are you trying to be unnecessarily funny about it ? Not allowed. I have already given my ruling.

(Interruptions)**

MR. SPEAKER : I will name you if you persist like this. You are unnecessarily haranguing me. I am going to name you now. Please sit down. I have already listened to you.

(Interruptions)**

MR. SPEAKER : Mr. Minister, I am going to name him.

(Interruptions)**

MR. SPEAKER : Mr. Soz, you do not realize that you were not here yesterday when I gave my ruling. I have already given my opinions, my observations on this very subject.

(Interruptions)**

MR. SPEAKER : Nothing should go on record whatever he has said.

(Interruptions)**

[Translation]

SHRI JAI PARKASH AGARWAL (Chandni Chowk) : Mr. Speaker, Sir, the entire country is likely to suffer a loss of foreign exchange worth Rs 10 crores... A very big handloom industry is on the verge of closure... (Interruptions)

**Not recorded.

[English]

MR. SPEAKER : I have done more than what you have done. You can give me something in writing, not like this.

SHRI SURESH KURUP (Kottayam) : I have given a notice for calling attention.

MR. SPEAKER : I shall see to it.

[Translation]

SHRI NARESH CHANDRA CHATURVEDI (Kanpur) : Mr. Speaker, Sir, a very alarming news has been received regarding our Prime Minister, Shri Rajiv Gandhi...

MR. SPEAKER : I have taken the necessary action.

SHRI NARESH CHANDRA CHATURVEDI : In this connection, I had submitted to you a Call Attention notice also yesterday.

MR. SPEAKER : I may tell you that I have taken ample care to explain everything to you in detail... I have told you that you should have no worry in this connection.

[English]

SHRI KOLANDAIVELU (Goluchetti-palayam) : I have already given notice under 193 with regard to TV programme.

MR. SPEAKER : We shall see if there is any time. We shall discuss it. You were in the Business Advisory Committee.

SHRI KOLANDAIVELU : Even in the Business Advisory Committee you assured me. The Minister has not replied.

MR. SPEAKER : I have already admitted it under 377.

SHRI BASUDEB ACHARIA : 32 villages in Asansol-Raniganj belt are affected due to...

MR. SPEAKER : Give me in writing. I shall see to it.

(Interruptions)

SHRI BASUDEB ACHARIA : I have given a calling attention

(Interruptions)

MR. SPEAKER : You are unnecessarily trying to do something which cannot be done. I say if there is time I shall consider it.

SHRI BASUDEB ACHARIA : You have to find out the time.

MR. SPEAKER : I cannot create time; that is not in my power.

SHRI BASUDEB ACHARIA : You have to extend the session.

MR. SPEAKER : That is not in my power.

Now, Papers to be laid.

12.09 hrs.

PAPERS LAID ON THE TABLE
—Contd.

[English]

Report of the Comptroller and Auditor
General of India for 1983—Union
Government (Commercial) Part
VII—Hindustan Petroleum
Corporation Ltd.

THE MINISTER OF STATE OF THE
MINISTRY OF PETROLEUM (SHRI
NAWAL KISHORE SHARMA) : I beg to
lay on the Table a copy of the Report (Hindi
and English versions) of the 1983—Union
Government (Commercial) Part VII—Hindustan
Petroleum Corporation Limited, under
article 151 (1) of the Constitution.

[Placed in Library. See No. LT-910/85]

PROF. K. K. TEWARY (Buxar) : You
have received my privilege notice.

MR. SPEAKER : I have to go into it.

PROF. K. K. TEWARY : I have received
this letter from the United States of America.

MR. SPEAKER : It is not important.
The latter which you received is a private
correspondence.

PROF. K. K. TEWARY : It is impor-
tant.

MR. SPEAKER : You listen to me. This
is the worst thing with you. You do not listen
properly. You listen to me. Nothing goes into
the record.

PROF. K. K. TEWARY : Why ?

MR. SPEAKER : Because I have not
allowed you.

PROF. K. K. TEWARY : I will read out
the letter.

MR. SPEAKER : I have told you. If you
once listen to me I will set the matters right.
I have got every sympathy and everthing for
you. I have got your privilege motion with
me. I will have to find out the facts and then
come to you and explain to you. I will accept
it or reject it and inform you accordingly.

PROF. K. K. TEWARY : You have not
rejected it ?

MR. SPEAKER : I have to consider it,
and get the information. If you do not listen
to me and you go at a breakneck speed, I
just do not stand any chance.

(Interruptions)

MR. SPEAKER : Shri Arif Mohammad
Khan. Papers to be laid.

PAPERS LAID ON THE TABLE
—Contd.

[English]

Notifications under industries (Develop-
ment and Regulation) Act, 1951,
Report of Monopolies and Restrictive
Trade Practices Act, 1969 in
the case of M/s Kirloskar Oil
Engines Ltd., Pune, etc. etc.

THE MINISTER OF STATE IN THE
MINISTRY OF INDUSTRY AND COM-
PANY AFFAIRS AND IN THE MINISTRY
OF HOME AFFAIRS (SHRI ARIF
MOHAMMAD KHAN) : I beg to lay on the
Table—

[Shri Arif Mohammad Khan]

1. A copy each of the following Notifications (Hindi and English versions) under sub-section (2) of section 18AA of the Industries (Development and Regulation) Act, 1951 :

- (i) S.O. 257 (E) published in Gazette of India dated the 28th March, 1985 regarding extension of period of take over of management of Messrs India Belting and Cotton Mills Limited, Serampore, West Bengal, beyond five years.
- (ii) S.O. 272 (E) published in Gazette of India dated the 29th March, 1985 regarding extension of period of take over of management of Messrs Somasundaram Super Spinning Mills, Muthanandal, beyond five years.
- (iii) S.O. 273 (E) published in Gazette of India dated the 29th March, 1985 regarding extension of period of take over of management of Messrs Cauvery Spinning and Weaving Mills Limited, Pudukkottai, beyond five years.
- (iv) S.O. 276 (E) published in Gazette of India dated the 29th March, 1985 regarding extension of period of take over of management of Messrs Plyboard Industries Limited, Pampore, beyond five years.
- (v) S.O. 277 (E) published in Gazette of India dated the 29th March, 1985 regarding extension of period of take over of management of Messrs Bengal Potteries Limited, Calcutta, beyond five years.
- (vi) S.O. 326 (E) published in Gazette of India dated the 12th April, 1985 regarding extension of period of take over of management of Messrs Sri Durga Cotton Spinning and Weaving Mills Limited, Konnagar, beyond five years.

[Placed in Library. See No. LT-911/85]

2. A copy of the Report (Hindi and English versions) under section 22

of the Monopolies and Restrictive Trade Practices Act, 1969 in the case of Messrs Kirloskar Oil Engines Ltd., Pune for setting up of a new undertaking for the manufacture of fuel injection equipment and its spares and timing devices at Mulshi in Pune District and the Order dated the 16th March, 1985 of the Central Government together with an explanatory note, under section 62 of the Monopolies and Restrictive Trade Practices Act, 1969.

[Placed in Library. See No. LT-912/85]

3. A copy of the Annual Report (Hindi and English versions) pertaining to the execution of the provisions of the Monopolies and Restrictive Trade Practices Act, 1969 for the period from last January, 1983 to 31st December, 1983, under section 62 of the Monopolies and Restrictive Trade Practices Act, 1969.

[Placed in Library. See No. LT-913/85]

4. (i) A copy of the Annual Accounts (Hindi and English versions) of the National Federation of Industrial Cooperatives Limited, New Delhi, for the year 1979-80 together with Audit Report thereon.

(ii) A statement (Hindi and English versions) regarding Review by the Government on the Audited Accounts of the National Federation of Industrial Cooperatives Limited for the year 1979-80.

5. A statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (4) above.

[Placed in Library. See No. LT-914/85]

6. A copy of the Report (Hindi and English versions) under section 22 of the Monopolies and Restrictive Trade Practices Act, 1969 in the case of Messrs Hoechst Pharmaceuticals Limited, Bombay, for setting up of a new undertaking for the manufacture of Decamethrin-A synthetic Pyrethroid and isopro-

turon-A wheat weedicide and the Order dated the 30th March, 1985 of the Central Government together with an explanatory note, under section 62 of the Monopolies and Restrictive Trade Practices Act, 1969.

[Placed in Library. See No. LT-915/85]

7. A copy of the Report (Hindi and English versions) under section 22 of the Monopolies and Restrictive Trade Practices Act, 1969 in case of Messrs Orient General Industries Limited, Calcutta for (i) Automotive Batteries (Near Maintenance Free), Light Weight, High Cranking Powered Batteries (ii) Traction Batteries (Railways Forklifts or similar applications) (iii) Stationary Cells (Post and Telegraphs, Radar Installations, Hospital Standby, Defence, Railways, Microwave stations, Computer Centers and Airport Standby applications) and (iv) Smaller Batteries (No maintenance) for Mining Cap Lamps, High altitude (Defence) and Similar Applications and the Order dated the 10th April, 1985, of the Central Government together with an explanatory note, under section 62 of the Monopolies and Restrictive Trade Practices Act, 1969.

[Placed in Library. See No. LT-916/85]

8. A copy of the Report (Hindi and English versions) under section 22 of the Monopolies and Restrictive Trade Practices Act, 1969 in the case of Messrs Chloride India Limited, Calcutta, for (i) Automotive Batteries (ii) Motor Cycle Batteries and (iii) Miner's Cap Lamp Batteries and the Order dated the 23rd April, 1985 of the Central Government together with an explanatory note, under section 62 of the Monopolies and Restrictive Trade Practices Act, 1969.

[Placed in Library. See No. LT-917/85]

**Second Annual Report of Election
Commission of India for 1984**

THE MINISTER OF PARLIAMENTARY
AFFAIRS (SHRI H. K. L. BHAGAT) : On

behalf of SHRI H. R. BHARADWAJ I beg to lay on the Table a copy of the Second Annual Report (Hindi and English versions) of the Election Commission of India for the year 1984.

[Placed in Library. See No. LT-918/85]

**Central Excise (Fifth Amendment)
Rules, 1985, Notifications under
Customs Act, 1962 and Central Excise
Rules, 1944, Report of Comptroller and
Auditor General of India for 1983-84—
Union Government (Defence Services)
and Appropriation Accounts of
Defence Services for 1983-84**

THE MINISTER OF STATE IN THE
MINISTRY OF FINANCE (SHRI
JANARDHANA POOJARY) : I beg to lay
on the Table—

1. A copy of the Central Excise (Fifth Amendment) Rules 1985 (Hindi and English versions) published in Notification No. G. S. R. 390 (R) in Gazette of India dated the 1st May, 1985, under sub-section (2) of section 38 of the Central Excises and Salt Act, 1944.

[Placed in Library. See No. LT-919/85]

2. A copy each of the following Notifications (Hindi and English versions) under section 159 of the Customs Act, 1962 :

(i) G.S.R. 394 (E) published in Gazette of India dated the 1st May, 1985 together with an explanatory memorandum rescinding Notification No. 76 Customs Act, dated the 1st May, 1964.

(ii) G.S.R. 398 (E) published in Gazette of India dated the 3rd May, 1985 together with an explanatory memorandum regarding exemption to Butadiene imported for the manufacture of Styrene Butadiene Rubber (SBR) from the basic customs duty in excess of 35 per cent *ad valorem* and from the whole of additional duty of customs leviable thereon.

[Shri Janardhana Poojary]

- (iii) G.S.R. 406 (E) published in Gazette of India dated the 7th May, 1985 together with an explanatory memorandum making certain amendment to Notification No. 42-Customs dated the 1st March, 1978 so as to extend the concessional rate of basic customs duty of 25 per cent *ad valorem* in respect of eighty-seven additional items of machinery for the leather industry.

[Placed in Library. See No. LT-920/85]

3. A copy of Notification No. G.S.R. 387(E) (Hindi and English versions) published in Gazette of India dated 30th April, 1985 together with an explanatory memorandum seeking to invoke the provisions of section 11 C of the Central Excise and Salt Act, 1944 in regard to the payment of duties of excise on certain steel ingots and iron and steel products, during the period commencing on the 20th January, 1979 and ending with the 8th April, 1979 so that the duties of excise shall not be required to be paid during the period aforesaid, issued under the Central Excise Rules, 1944.

[Placed in Library. See No. LT-921/85]

4. A copy of the Report (Hindi and English versions) of the Comptroller and Auditor General of India for the year 1983-84—Union Government (Defence Services), under article 151 (1) of the Constitution.

[Placed in Library. See No. LT-922/85]

5. A copy of the Appropriation Accounts of the Defence Services for the year 1983-84 (Hindi and English versions).

[Placed in Library. See No. LT-923/85]

[*Translation*]

SHRI NARESH CHANDRA CHATURVEDI : MR. Speaker, Sir, kindly listen to me. I am raising some other point... (*Interruptions*) It has been printed here...

Kindly give a patient hearing to all these things. At least the House should know all these things...

MR. SPEAKER : There is no such rule under which I may listen to whatever you say.

(Interruptions)

MR. SPEAKER : No. not allowed. Overruled. It is irrelevant.

(Interruptions)

MR. SPEAKER : Calling Attention. Shri Patil.

12.14 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

[*Translation*]

Situation arising out of Acute shortage of Power and Load Shedding in various parts of the Country

SHRI YASHANTRAO GADAKH PATIL (Ahmednagar) : Mr. Speaker, Sir, I draw the attention of the Minister of Irrigation and Power to the following matter of urgent public importance and request that he may make a statement thereon :

“Situation arising out of acute shortage of power and load-shedding in various parts of the country and the action taken by Government in regard thereto.”

[*English*]

THE MINISTER OF IRRIGATION AND POWER (SHRI B. SHANKARANAND) : Sir, I share the concern of the Honorable Members about power shortage in the country. During the year 1984-85 the total generation in the country was 156.65 billion units, 12 per cent more than the previous year and about 1.7 per cent higher than the target of 154 billion units fixed for the year. The overall shortage in the country could be brought down to 6.7 per cent from 10.8 per cent in 1983-84. In the current year 1985-86.

a target of generating 170 billion units has been fixed. It is about 8.5 per cent higher than the achievement during the previous year.

2. The total additional capacity commissioned during the Sixth Plan 1980-85 was 14226 MW against a target of 19666 MW and it was nearly 50 per cent of the total installed capacity at the beginning of the Sixth Plan. For 1985-86, a capacity addition of 4460 MW is envisaged.

3. The thermal component in the total installed capacity is about 60 per cent. The power availability, therefore, depends very substantially on the performance of thermal power stations. The plant load factor of thermal stations during 1984-85 reached 50.1 per cent as compared to 44.3 per cent at the beginning of the Sixth Plan in 1979-80. The transmission and distribution losses continue to be high, in the range of 21 per cent for the country as a whole.

4. In the Northern Region, the overall deficit during the last year was about 14 per cent. The States which suffered the most were Haryana, Jammu & Kashmir, Punjab and Uttar Pradesh and the power shortage was mainly on account of poor performance of the thermal stations and low level in hydel reservoirs. In the Western Region, the power availability was by and large satisfactory with no major shortfall in any State. In the Southern Region, Andhra Pradesh was surplus in power and gave assistance to Karnataka and Orissa. The power position in Kerala was by and large satisfactory. Karnataka faced considerable shortage and had to place restrictions on consumption by the large industrial units. The Eastern region had a power shortage of more than 17 per cent. The highest power shortage was in Bihar with about 39 per cent followed by Orissa with about 16.5 per cent. In the North-Eastern Region, the power supply position remained by and large satisfactory. Due to shortage of power in the country, most of the States had to impose power cuts and restrictions of varying degrees from time to time. However, efforts were made to give priority in power supply to agricultural consumers and core sector industries.

12.16 hrs.

[MR. DEPUTY SPEAKER *in the Chair*]

5. In the total installed capacity of 42440 MW in the country today, about 88 per cent is in the State Sector and 12 per cent in the Central Sector, whereas in the total generation of 156.65 billion units during 1984-85 the contribution of Central Sector projects was about 14 per cent i.e. 21.81 billion units. The thermal stations in the Central Sector operated at a higher plant load factor than in the State Sector.

6. To improve the power supply position in the country, the Government has undertaken a number of measures including renovation and modernisation of thermal station with a Central assistance of Rs. 500 crores. This scheme will cover 36 thermal stations, and is expected to give additional generation of about 1000-1400 MW on completion in the next 3-4 years. Improvement in the supplies of coal has been effected. Special attention is being given to acceleration of commissioning of projects and implementation. The Government is actively considering implementation of schemes including installation of gas turbine, diesel engines and mini and micro hydel schemes, the gestation period of which will be less than the conventional ones. Additional Extra High Voltage lines and equipments like Static Var Compensators are being installed for system improvement. In order to transmit bulk power efficiently over long distances, a High Voltage Direct Current link is being established between Rihand and Delhi. Energy conservation is also receiving the serious attention of Government in order to improve the powerposition in the country.

7. The electricity requirement in the country is expected to go up from 181 billion units in 1985-86 to 269 billion units at the end of Seventh Five Year Plan in 1989-90. This represents a growth rate for the country as a whole of around 13.5 per cent annum in terms of peak demand. The industrial sector would continue to account for the major share in electricity consuming at about 58.7 per cent of total consumption. Agriculture with 15.8 per cent of consumption would be the next largest electricity consuming sector. The pace of house-hold electrification is expected to increase and about 35 per cent of the house-holds in the country are expected to be electrified by 1989-90 as compared to 18.49 per cent in 1980-81. Subject to constraint of financial resources, we propose to take long term measures for meeting the future power demands in the country.

[Shri B. Shankaranand]

8. Hon'ble Members would appreciate that there has been an overall improvement in the power generation. However, some States are still facing power shortage mainly on account of their own power stations not performing well as also due to low hydel reservoir levels in certain States. The deficit States are being given assistance, whenever possible from other States. We have given guidelines to the State Governments to maximise generation, and to carry out the maintenance programmes in time and as per schedules.

9. I may assure the Hon'ble Members that no effort will be spared to increase the availability of power to various categories of consumers.

[Translation]

SHRI YASHWANTRAO GADAKH PATIL (Ahmednagar) : The power shortage is being experienced largely by the northern parts of the country and this shortage is persisting for the last two years. The Hon Minister has shown the average as 14 per cent but the shortage is 28 per cent in Haryana; 20 per cent in Punjab and twelve per cent in Rajasthan and Uttar Pradesh.

I would also like to say that the installed capacity of the five major Hydel projects, in the country is 203 MW. The power generated by these projects is far behind the target. The installed capacity in case of Thermal power stations was 1,280 MW in Sixth Plan and its production is also far behind the target.

I would like to know the steps being taken by Government to complete the on-going projects. I would also like to know the extent of loss suffered in the supply of electricity and the steps being taken by Government to prevent this loss.

[English]

SHRI B. SHANKARANAND : Sir, as I have already said, we have advised the State Governments that they should concentrate on the completion of the on-going projects rather than taking up new projects when they are already short of funds. Regarding the other points, I think my main answer can still stand.

SHRI Y. S. MAHAJAN (Jalgaon) : Mr.

Deputy Speaker, Sir, the power sector has always lagged behind from Plan to Plan. The addition to capacity in every Plan was less than the target, with the result that the cumulative backlog has increased over the last thirty years. I am afraid, power is likely to be crucial factor in slowing down the rate of economic progress in this country. In the last 10-15 years, not a year has passed when we have not heard about the power constraint. It is a crucial factor which has prevented us from reaching the targets of industrial and agricultural production of our country and which has been responsible for our failure in achieving the targeted increase in the national income. The Hon. Minister has given an account which, to a certain extent is encouraging, but I must say that since he has said that the target for the next year, that is 1985-86, is 170 billion units and the demand will be 181 billion units, how he is going to improve the condition in this respect.

Though there has been an overall increase in the power output, but certain States have suffered very much. For instance, power shortage has increased in Haryana to 37.7 per cent, in J&K to 34 per cent, in DVC area to 20 per cent, in Orissa to 16.5 per cent, and in Uttar Pradesh to 16.5 per cent. The important cause for it is that the plant load factor or the plant utilisation is low in our country. Gradually it has increased to 50 per cent. I must congratulate the Hon. Minister for this because it had been much lower in the past. But, Sir, the international norm is 58 per cent and I do not know how many years are we going to take to reach this standard of utilisation. If the utilisation could be increased even by five per cent, our problem of power shortage would be solved. So, it is a question of management. Therefore, I request the Hon. Minister to tell us how he is going to improve the management and how he is going to reduce the transmission losses because these are the things which are in our control and we can improve them. When you say you are going to instal a plant which will take five years or ten years, that will take a long time, but these are the things which can be done within a short period. Therefore, I would like to know whether it is possible for the Hon. Minister to do so and reduce the power shortage during the current year by increasing the capacity utilisation and by reducing transmission losses.

SHRI B. SHANKARANAND : Sir, much of what has been asked has already been said in my answer, but still I would say that there are reasons for power shortage. Unless we know the reasons and indentify the problems regarding the power shortage, perhaps solutions will always be eluding. The main reasons for power shortage are : (1) the demand outs tripping the availability of power; (2) delay in commissioning of new projects; (3) inadequacies in the generating plants; (4) deficiencies in the supplies of coal, both in terms of quality and quantity; (5) performance of thermal stations below the accepted norms; (6) inadequacy of transmission system to evacuate power from surplus areas to deficit areas in the country; and (7) high transmission and distribution losses. The position in respect of each of these items has been the concern of the Government and we are taking effective measures to root out all these deficiencies.

The measures that we are taking are many, but main amongst them are : (1) assistance to State Electricity Boards power stations for undertaking plant betterment programmes; assisting the State Electricity Boards power Stations for procurement of requisite quantity and quality of coal and also spare-parts from indigenous and foreign sources; visit of task forces and roving teams to identify weak areas requiring improvement and preparation of time-bound programme for rectification introduction of centrally sponsored renovation and modernisation scheme and introduction of incentive scheme. With these measures that the Government has undertaken—of course much has to be done by the State Governments and the power stations themselves—we hope to improve the plant load factor of each power station.

SHRI NARAYAN CHOUBEY (Midnapore) : Our power shortage is becoming chronic and acute day by day. Even ten per cent shortage of power means Rs. 6500 crores of loss of production annually. It is being noted that the power shortage is not a phenomenon of one region only; it is an all-India phenomena—East, West, North, South. Of course, whenever we go through the Press, always we find the headline where West Bengal only comes first. But our Power Minister himself knows...

SHRI RANA VIR SINGH (Kaiserganj) : Is it not correct ?

SHRI NARAYAN CHOUBEY : It is not correct. If you compare the dismal figures of Bihar, it is not correct.

SHRI RANA VIR SINGH : I think you have not seen the comparative chart.

SHRI NARAYAN CHOUBEY : I have seen that.

SHRI RANA VIR SINGH : You see that.

SHRI NARAYAN CHOUBEY : Sir, there is a small poem in Bengali :

“SAB GOPINI RANGO KARE,
NINDI SHUDU SRI RADHIKAR.”

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : Mr. Choubey, it is not a poem, it is a saying.

SHRI NARAYAN CHOUBEY : It means all the milk maidens flirt, but only Sri Radhika is blamed. Of course, it is a fact that in the last year power has grown more, but despite this, because the demand is more, deficit is also more. In 1984-85 deficit had been 11 per cent whereas in 1983-84 it was 10.8% and in 1982-83 it was 9.2%.

It is a fact that the plant-load factor has also improved. That is a good thing. In 1984-85 it was 50.1% as against 47.9% in 1983-84.

Hydel power has also grown, but even then the deficit has been growing.

As the Minister has claimed the Sixth Plan target was 19,666 megawatt, but its actual performance was 25.9% less. Although the actual Sixth Plan target had been slashed down by nearly 8,000 megawatts, I fail to understand why this low capacity utilisation still continues. No doubt it has improved because in 1980-81 it was 44.6% and in 1982-83 it went up to 49.4%. In 1983-84 it was 47.9% and this year it has been 50.1 per cent, whereas its average should have been 58%.

If you kindly see the different areas, you will find that they suffer differently. In respect

[Shri Narayan Choubey]

of north-eastern region it is only 29.6 per cent; eastern region-our region-it is 40.8 per cent; northern region, it is 47.5 per cent and U.P. is having only 31.6 per cent of the capacity. The southern region is good, it is 57 per cent; the western region is also good, it is 53 per cent. And it has been stated by Hon. Minister himself as to what are the reasons for this low capacity utilisation. It is due to the fact that the regions have defects of equipment, defects of maintenance and operation, quality of coal and oversized coal, management of manpower and some old, out-dated units require revamping and renewal. If you kindly see this, the disparity is also very much. Even in respect of deficit there is disparity. In the eastern region the deficit was 20 per cent as against 18.6 per cent in 1983-84, in the northern region the deficit was 17.4 per cent as against 9.4 per cent, in the north-eastern region it was 2.1 per cent as against 1.6 per cent. Western region has improved. In the Western region the deficit is 4.5 per cent as against 7.6 per cent and in the southern region it is 7.5 per cent as against 12 per cent. We know that the western and southern region is improving and in the rest of other regions improvement is not taking place. Also he has stated that there is loss due to transmission, of 21 per cent of the whole production. This is too much. That is why I want to put this question. Why the Government has failed to reach the target of the Sixth Plan? What are the main reasons and what the Government proposes to do? Why the Government could not reach the norm of 53 per cent of the capacity utilisation? And what are the special reasons in respect of the eastern region? I think Mr. Arun Nehru should speak out as to what are the special reasons. (*Interruptions*). In my opinion the eastern region has all along been neglected for a number of years -not only West Bengal, but Bihar, Orissa, Assam and north-eastern areas. The Minister will spell out as to why this region is being neglected and what steps he is going to take. I would also like to know how many of the projects of this region are lying with the Planning Commission which require clearance and what are you going to do for clearing them. You have stated in your reply that you are going to revamp some units and you have sanctioned Rs. 500 crores for revamping some of the units by which certain units are going to be revamped, by which you will

be increasing production to the tune of 1000 to 1400 MW. I would like to know how many of such units are in the eastern region and what steps you are going to take so that the 21 per cent losses which you are having due to transmission only...

SHRI Y. S. MAHAJAN : 21 per cent.

SHRI NARAYAN CHOUBEY : Yes, 21 per cent of the generation is being lost due to transmission. What steps are you going to take to see that this transmission loss is minimised? Perhaps you cannot bring it to zero. But how are you going to minimise it? The Minister simply says that it is a good thing that the performance of the Central sector is better than that of the State sector although with your 12 per cent of the capacity you are producing 14 per cent of what is being produced. And State sectors as a whole are not functioning so good, but then the Central Government is meant only to blame the State Governments and SEBs. What steps you are going to take so that the State Electricity Boards can properly manage themselves in the matter of maintenance? And one of the reasons that has been stated is that deficiency of coal you have made up to some extent, but the quality of coal and the size of coal which is reaching the power plants being too big, sometimes they create difficulties. What steps you are going to take in this regard so that we can have sufficient power in the coming years?

SHRI B. SHANKARANAND : Sir, the Hon. Member has put the question and tried to answer himself.

SHRI NARAYAN CHOUBEY : I fail to understand it.

MR. DEPUTY SPEAKER : No. He demands more projects.

SHRI NARAYAN CHOUBEY : Our Minister behaves more like a philosopher than the Power Minister.

THE MINISTER OF STATE IN THE DEPARTMENT OF POWER (SHRI ARUN NEHRU) : As far as West Bengal is concerned, you did lot of philosophising.

SHRI B. SHANKARANAND : I have nothing to do with the philosophy of Mr. Choubey.

The Hon. Member, Mr. Choubey has put questions and has answered them also. In the way, he admitted that 88% of the power generation is in the State sector. He has admitted that the performance of the Central sector is far better than the State sector.

SHRI NARAYAN CHOUBEY : Not far. But I said, a little bit.

SHRI B. SHANKARANAND : You have admitted that its performance is appreciably better. I have also said in my main answer that 60% of the power generation is with the thermal power stations. So, Sir, he is asking this question. He should have put this question to his own State Government as to what they are doing.

SHRI NARAYAN CHOUBEY : Sir, India is not made of one State but of several States. I do not put question only for West Bengal. They are allergic towards West Bengal. I am asking about the Eastern block. What about Orissa and Bihar ? I speak of Eastern region. I do not speak of Bengal only.

SHRI B. SHANKARANAND : If I can only give the figure of plant load factor of West Bengal, it is very dismal. Out of all the States ..

SHRI NARAYAN CHOUBEY : You give the figures for other States also. What about Bihar and Orissa. (*Interruptions*).

SHRI B. SHANKARANAND : The plant load factor in West Bengal during 1984-85 is just 39.9% whereas, the all-India average is 50.1. Now, you can just imagine as to what is the power position in West Bengal.

SHRI NARAYAN CHOUBEY : They are not functioning properly.

SHRI B. SHANKARANAND : Now, he is asking about the disparity. Now, he has answered my question. The disparity is dependent on the performance of the respective State Governments and their State Electricity Boards.

SHRI NARAYAN CHOUBEY : What about the figures for Bihar and Orissa ?

SHRI B. SHANKARANAND : There is no uniform functioning of all the State Electricity Boards.

Bihar is 30.4%. Orissa is 32.3%. U.P. is 39.8%. Whatever it is, we do not want to say this State or that State. The plant load factor shows as to how the power stations in respect of various States are functioning and how the State Electricity Boards are functioning.

SHRI NARAYAN CHOUBEY : Now, what is the plant load factor, at present, in West Bengal.

SHRI ARUN NEHRU : It has improved. But in other States also, it has improved.

SHRI B. SHANKARANAND : I agree with my Hon. colleague that it has improved in comparison with their own performance of the previous year but not in comparison with other States.

SHRI NARAYAN CHOUBEY : What about loss in transmission ? How to make up 21% loss which you have mentioned in your reply.

SHRI B. SHANKARANAND : That is what I said. You said 12%. I said 21%.

SHRI NARAYAN CHOUBEY : I said 21%. You said 21%. Both.

SHRI B. SHANKARANAND : That is what I said.

SHRI NARAYAN CHOUBEY : My question is how to make up.

SHRI B. SHANKARANAND : Transmission losses are dependent on various factors. The problem does not end only by generation of power. It will not end. The power generated has to be transmitted by various State Electricity Boards through various systems. Unless the State Governments cooperate—then the other factor is also there—transmission losses are bound to be there. But of course.....

SHRI NARAYAN CHOUBEY : What about the other countries like U.K. and France ?

MR. DEPUTY SPEAKER : What about the pilferages taking place in the transmission ? Pilferages will be there. Are there illegal connections ?

SHRI B. SHANKARANAND : Yes. Yes. It contains so many factors like pilferages; thefts etc. are also there.

MR. DEPUTY SPEAKER : Now Shri Brajamohan Mohanty will speak.

SHRI BRAJAMOHAN MOHANTY (Puri) : Sir, the Hon. Minister comes from a State which is suffering from acute power shortage. He has the bitter experience of the situation of that State. Number of States are suffering from acute power shortage where the economy has come to a stand-still.

As a matter of fact, in the Economic survey, it has been pointed out by the Ministry that certain power projects could not be completed and they were abnormally delayed and, for that reason, there has been shortage of power.

They have indicated in the annual report that certain projects could not be completed in time. Is there no question of accountability in the implementation of power projects ? That is my question. Is there any question of fixing responsibility for this delay.

The Ministry has indicated in the reasons for delay. The first reason given is the weak project management. The second reason is the delay in civil works. The equipments are lying idle at the spot as the civil works are not made ready within the time for project authorities. This has happened a number of times. There is delay in placement of orders for auxiliary equipment and other things.

Eleven reasons have been given for the delay in the implementation of the projects. I do not want to repeat them. They have got all the required information.

I would like to know whether the Government of India has called the spade a spade or not. The problem may be with the State Government, may be due to the mismanagement at the top level, may be due to the

bureaucrats at the State level or at the national level. Whosoever may be responsible, the responsibility must be fixed up. You must also fix up appropriate punishment for that.

The question of accountability and responsibility must be there and that must be fixed up.

May I know from the Hon. Minister whether such responsibility has been fixed up and, if so, what action has been taken ?

In this connection, I would place before the House the fact that in the annual report it has been categorically indicated that the Central Electricity Authority are monitoring the progress of the schemes under implementation and for their completion. In that background, I say that the Ministry must go and check up who are the persons responsible for delay. Of course, certain reasons are beyond the control of Government. That is a different thing. Supposing the acquisition of land is involved in dispute in the courts, nobody can help. But, if on account of the negligence of the concerned officer, it has not been done, the responsibility must be fixed and he must be punished.

The next point I would submit is this. So far as Orissa is concerned, it is, of course, a backward State. Our representation in the House is also very poor; we are only 21 in number and naturally our voice is weak. But it must be listened to with rapt attention. As a matter of fact, in Orissa the highest power-cut has been given effect to. Almost all the industries are in a standstill. I am told that there is a powercut of 20 per cent. Naturally the entire production in agriculture and industry has suffered very much. I would point out only one thing. The Rourkela Steel Plant last year had a production loss of 1,980,000 tonnes on account of non-availability of power. The entire State's economy is paralysed. My submission is on two things. One is that there should be a super thermal power station in Orissa. That balance between hydel and super thermal, which should be there, is not there in Orissa. We have a lot of hydel power which, as you know, is a gamble in monsoon. So far as thermal power station is concerned, we had certain initial difficulties. However, last year there was a Calling Attention Motion, and I was the initiator of that

Calling-Attention. Shri Shiv Shankar was the Minister then, and he had almost promised to give another super thermal power station to Orissa. I do not know what is the progress in that regard. I would again urge on the Hon. Minister to give a super thermal power station to Orissa.

It seems that diesel generating sets in a cluster with a capacity of 30 to 35 MW can be temporarily supplied to all the States suffering from acute power shortage. It has been reported in the press that the Karnataka Chief Minister met the Union Minister and he has been assured that they should ask for the same and that the Central Electricity Authority would consider to supply them. My submission would be that Orissa and Bihar, along with Karnataka, should also be taken into consideration and supplied with diesel generating sets in a cluster with a capacity of 30 to 35 MW.; these should be supplied to all the States which are suffering from acute power shortage.

Another submission would be that the plant load factor in Orissa is very low. According to the press report it is 41 per cent in Orissa. It is much below the national average. The States have been given guidelines by the Central Electricity Authority in this respect. I want to know whether the States have complied with them or not—not only Orissa but other States also. This must be checked up by the Ministry and they must place it before the House. The Central Government is not there only to give money; they have to look after the performance aspect also, so that things will improve.

Another point is this. There was a proposal for Hirakud Stage-III in the Mahanadi downstream. That will answer our problem to a great extent. The Government of India is reluctant to finance it. They want a share in power for the Central sector. The Government of India says that they must have a share in power, so that they can advance the funds. My submission is that, so far as backward States are concerned, their demands should be considered very liberally. The whole idea is to bring those States to the national level. In that background my submission would be that they must consider favourable setting up of a super thermal power station in Orissa, the Hirakud Stage-

III and also supply of diesel generating sets in a cluster with a capacity of 30 to 35 MW—here I do not say that only Orissa should be supplied with these diesel generating sets; Bihar and Karnataka also should be supplied.

SHRI B. SHANKARANAND : By hearing the voice of the Hon. Members today in the House nobody would say that the voice of Orissa is weak. The way he is pestering and persisting about the needs and demands of Orissa every year as he himself said that he tabled a calling attention previously also shows that Orissa is never weak.

The Government also has an equal concern as the Hon. Member has in respect of Orissa and other backward States. I do agree that backward States do need nursing to the extent possible. But by nursing alone will not help any States to come up unless the State itself tries to get up and move fast.

The problem regarding Orissa, as I have earlier said, is the plant-load factor. It is very low but now it is improving and its performance is better than what it was in the previous year.

The main demand and thrust of the Hon Member's remarks looking to the entire argument is that he wants that we do take a decision to have a super thermal power plant. Perhaps that is the result and the thrust of the argument of the Hon. Member. I have already said that we have taken up the renovation and modernisation schemes to improve the performance of the various power stations in the States. In Orissa, if I can mention, central assistance of Rs. 19.60 crores is being given to Talcher Thermal power station—out of Rs. 500 crores for renovation and modernisation programme.

Regarding Talcher, I am informed a team has already left to know the problem and to improve its performance.

Regarding the Rourkela steel plant, the Hon Member raised the question. Unfortunately, if we have power in Ramagundam, the AP State Electricity Board have their transmission lines and unless we have transmission lines right from Ramgundam to reach Orissa and Karnataka, perhaps this problem will

[Shri B. Shankranand]

persist. We hope to overcome this problem very shortly. I will not say that Andhra Pradesh is holding us to ransom because of the transmission lines though we have the power. Still the problem arises and unless we have our own transmission lines, it will be there and we hope to overcome it shortly.

The Hon. Member, I will not say, is misinformed. I do not know where he got this information from regarding my promise or anybody's promise to Karnataka Government. (Interruptions) I am not relying on the press report. You are relying on the press report. We have never promised any government regarding Gas Turbine generating units in any States. Of course, the Karnataka State did come with such a proposal but they have not submitted anything in writing and there is nothing before us.

SHRI BRAJAMOHAN MOHANTY :
Why don't you give consideration ?

SHRI B. SHANKARANAND : The question of consideration will arise only when we receive the proposal.

Regarding accountability, I should say that there should be accountability and responsibility. The persons who deliberately cause delay and interfere with the routine progress of any project, should be held responsible. But it is not the person. In a whole project there are many people working at various levels. It is not one person responsible for completion of any project. The problem is funds. That is the main problem and not the persons.

[Translation]

SHRI LALIT MAKEN (South Delhi) :
Mr. Deputy Speaker, Sir, power is a very important subject on which depends the future of our country whether it is rural development or industrialization. If the power situation in the country is not satisfactory, the future of the country cannot be bright. In the report which the Hon. Minister has read out, it is written that 60 per cent of the total installed capacity is that of thermal powers. I would like to say that there is need to bring about some change in the policy in this regard. I think it is not a

correct policy to depend only on this 60 per cent thermal power. Since thermal power is based on coal, gas turbine, petrol and diesel and all these sources are going to be exhausted in ten, twenty or thirty years time. I fail to understand how our Thermal Power Stations will function after 30 or 40 years. An important aspect is that the power generated by them is five to six times costlier than that generated in the hydel power station. I would like to say that this Ministry should be provided with more funds so that the energy crisis could be overcome. I would like to request the Hon. Minister to lay more emphasis on the installation of hydel power station than on the Thermal Power Station in the plan. It is correct that it takes 6 to 7 years to install a hydel power station, but then the power generated thereby is cheaper and this source is inexhaustible also. The water source is inexhaustible. Water will be available even after five hundred or one thousand years and the problem which we are facing today will not arise. In our country the national grid has not been created as yet. It is written in the same report that in many States electricity, power and energy were available in surplus. The need of the hour is that a national grid should be created so that the power from the surplus States could be diverted to the deficit States.

The Rural Electrification Corporation releases funds to the States so that development takes place in the villages and more electricity is made available there. I am sorry to say that there are many States whose power generation is far below the national average. In order to cover up weakness, the States divert the funds received for the Rural Electrification Corporation elsewhere instead of spending them in villages. This needs to be looked into. It should be ensured that the funds received for rural electrification are spent in the villages only. The States should not be allowed to give up the works for which funds are allocated to them and to hide their weaknesses in this manner. I think the main cause of the present power crisis is the poor management. You see the case of U.P. In U.P., there are 27 units and 23 units out of them are lying idle.

13.00 hrs.

Besides, some days ago, fire had broken out in Obra Unit at Mirzapur. You will be

surprised to know that against its installed capacity of 2650 MW, only 750 MW power is generated there, which comes to about 30 per cent. When the power generation is 30 per cent of the installed capacity, naturally, there will be power crisis in the country.

Take for example the Badarpur Power Station of Delhi. Its installed capacity is 720 MW but it sometimes generates 150 MW power, sometimes 100 MW and sometimes 200 MW. I think the cause of so much low power generation is poor management. The bureaucrats sitting there are either asleep or one engaged in making money. They are all corrupt officers. They do not know how to handle the employees and the workers working there. Due to the carelessness of the bureaucrats or the technocrats in charge of management, the generation of power in the Badarpur Power Station is not up to the level of its installed capacity. It is able to generate sometimes 25 per cent and sometimes 30 per cent power. This is also the reason for the power crisis in our country.

I would like to give an example regarding accountability. The question before us is whom should they be accountable and answerable for all this. I want to establish that accountability should not be to the Central Government only. They should be accountable to the people and to the elected representatives of the people. If they are accountable to the elected representatives of the people, the crisis created due to the poor management will come to an end. I would like to give an example.

The Delhi Electric Supply Undertaking has only one power station, i.e., the I.P. Power Station and its whole management is in the hands of the Municipal Corporation of Delhi. The working of the I.P. Power Station and the power supply position is discussed daily before the representatives of the people. The management of the DESU has to explain the reasons for the power shortage. They are responsible for it. They know that if they do not do their work properly, the representatives of the people in the Municipal Corporation of Delhi would take them to task. So, they work properly. Due to this reason the production of power in the I.P. Power Station is about 200 MW as against

its installed capacity of about 280 MW. I think the generation of power of I.P. Power Station is more than that of any other power station in India. The reason being that in the meetings of the Municipal Corporation of Delhi, the management of the DESU is asked to explain the reason for the power short-fall. On the other hand, there is Badarpur Power Station in Delhi whose management is in the hands of the Central Government. There are two power stations in Delhi. One is the I.P. Power Station whose installed capacity is 280 MW and the generation is 200 MW. On the other hand, the installed capacity of the Badarpur Power Station is 720 MW but only 150 or 200 MW of power is generated there. The reason for it is that the management of the Badarpur Power Station has no accountability. The Central Government administer it directly whereas the I.P. Power Station is accountable to the representatives of the people.

I would like to submit to the Hon. Minister that when Badarpur Power Station was installed, the Municipal Corporation of Delhi was made its licensee. According to the decision taken at that time, under one of its clauses, the Badarpur Power Station was to be handed over to DESU but till today it has not been handed over to it. It is being run by the Central Government and this is the reason why the Badarpur Power Station is in such a bad shape. Its handling is poor, the performance is poor and the management is poor. So, I would like to urge that as per the decision taken earlier, this Power Station should be handed over to the DESU without any delay. The Municipal Corporation of Delhi is the proper licensee of the Badarpur Power Station. So, I demand that, this Power House should be handed over to the Corporation without delay.

So, far as transmission of power is concerned, if we consider it honestly, it can appropriately be termed as theft; because the word "transmission" is a polished expression. Mr. Deputy Speaker, Sir, as per the figures given here, there has been a loss of as much as 21 per cent of power due to transmission. I would like to know the reason why the transmission loss is more where industries are located in good number and it is less in the villages the only reason for this is that the theft of power takes place more at places

[Shri Lalit Maken]

where there are factories and in this way much loss is suffered whereas in the village, the consumption of power is less and so the loss there is also less. So, I would like to say that the 21 per cent loss is not due to the transmission, but due to theft. The big officers sitting in the management are corrupt ... The factory-owners in collusion with them commit theft of power. It causes two types of losses. Besides the loss of revenue, the other loss is that if there is no theft of power it could be supplied at those places where it is in short supply. Not only in Delhi, but at all the places where big industries are located when the employees of the DESU go there to check the theft, the owners of all the factories unite and manhandle the employees. The management of the DESU is helpless in such a situation. The Delhi Administration is also helpless. So, I submit that it is necessary to stop this theft. I shall not call it transmission. If it is checked, the power crisis can be overcome. I, therefore, demand that a separate legislation be enacted to provide for stern action against those who commit theft of power so that when the employees of the DESU go there to apprehend them, they are not beaten up but they are able to arrest them and hand them over to the police. The theft of power could thus be put to an end to.

Mr. Deputy Speaker, Sir, another aspect is that the meters showing consumption of power ~~more~~ in the reverse direction. The owners of the factories in connivance with some people set the meters to more in the reverse direction and then they say to the electricity department that they have charged more from them and so they should refund their money. When the meter is set to more in the reverse direction, naturally, it will show the consumption as declining and will give less reading. This should be checked.

I think it is irresponsible to term the 21 per cent loss as transmission loss. This is not transmission loss but is theft. Stern measures should be adopted to stop this theft. A legislation should be enacted under which deterrent action could be taken against those who indulge in the theft of power.

Mr. Deputy Speaker, Sir, besides this, the factory owners resort to another practice.

When the street light is on, they put another wire on the wire of the street light, as a result of which the light is supplied to their factories and houses till the street light remains on. This should also be checked. The theft of power is taking place at different places. If this is checked, the power crisis can be overcome to a large extent.

Sir, I would also like to submit that a ban has been imposed on recruitment. The DESU and certain other Electricity Boards of the country, with a view to please the Government, say that they are carrying on the work with less workers and there is no need to recruit more workers and, thus, they are saving lakhs and crores of rupees of Government. I would like to say that this is a big fraud with Government. It is a matter for happiness that the Finance Minister is present here. I want to bring it to your notice that the big bureaucrats sitting in the Boards are not saving the money of the Government, they are rather squandering it. I will tell you in what way they are squandering money. These people, instead of recruiting workers, give work to the contractors. In this way, they pay many times more money to the contractors than would be given to the workers in the form of salary after their recruitment. So, either you say that these contractors will work without taking any money or you recruit workers. Those contractors indulge in such dishonest practices that our whole system has gone away. For example, Sir, I would like to tell you about Delhi. Here, the power can be divided into two parts—the power generated here and the power that is taken from Uttar Pradesh and other parts and brought to Delhi. After this, the power is distributed from here to the houses and factories. The DESU employee does not undertake the work of distribution of power, this work is done by the workers of the contractors. It is a technical work and it involves work like laying of cables by digging roads, placing bricks on both sides, filling sand on it and then installing transformers. Mr. Deputy Speaker, Sir, you will be surprised to know that the contractors do not engage trained workers for doing such important and technical work but employ persons who carry load on the roads for laying cables, as a result of which our transformers go out of order and the cables are damaged. It results in loadshedding and the people are put to inconvenience.

Mr. Deputy Speaker, Sir, the DESU and the Electricity Boards are treated as essential services. The Hon. Finance Minister is present here. I would like to urge him that like the Delhi Transport Corporation, there should be no ban on recruitment in such essential services. DESU is an essential service. It is essential for the public. So, why has a ban been imposed on recruitment? Why should the contract system not be done away with and work like laying of cables and installation of transformers be done through the skilled workers so that the shortage of power could be removed?

May I know whether it is a fact that some new power stations and gas turbines are being installed in Delhi by Government? If it is so, when is this work likely to be completed?

DESU is an essential service and the ban has not been imposed on recruitment in the essential services. Lakhs of rupees are being wasted on the contractors. Will the Hon. Minister consider abolishing the contract system and get the work done by skilled workers so that the power situation remains satisfactory in Delhi?

I would also like to ask of the Hon. Minister the percentage of load shedding resorted to owing to the defects in the cables, due to the transformers going out of order and due to the collapse of the infrastructure of the DESU, respectively?

May I know whether Government would hand over the Badarpur Power Station to DESU as per its decision and commitment or whether they would be adamant in not transferring it to the DESU?

The Hon. Minister may please also state how many States are producing less power than the national average.

Like the DESU, which is working under the Municipal Corporation of Delhi and is accountable to the Corporation, will Government make the Electricity Boards in the country, whether it is of Uttar Pradesh or Bihar, accountable to the elected representations of that region so that they may be asked regularly about the electricity supply position?

Like DESU in Delhi whose chairman is a representative of the people, will Government appoint elected representatives as chairman of the Electricity Boards in the whole country or give them representation on the Boards, thereby making them accountable to the elected representatives so that the people may be able to voice their grievances and the working of the Electricity Boards may be streamlined.

[English]

SHRI B. SHANKARANAND: The Hon. Member has been so enthusiastic in putting forth the public grievances through the elected representatives in Parliament and elsewhere and he desires that the management or the authority of managing the affairs of such institutions should be handed over to the elected representatives by way of either making them Chairmen of the electricity supply companies or electricity Boards. At the moment, there is no law or rule that only the elected representatives should be made chairmen of the electricity supply companies or the electricity Boards.

MR. DEPUTY SPEAKER: According to our schedule, we were to have lunch break today. But as there are a number of items on the order paper, I propose that we dispense with the lunch break today and continue to sit.

MANY HON. MEMBERS: Yes, yes.

MR. DEPUTY SPEAKER: The House will continue to sit without lunch break today.

Mr. Minister may please continue.

SHRI B. SHANKARANAND: The Hon. Member has really raised very important questions and I must reply to them. I am glad to hear from him that the representatives elected from Delhi are taking a keen interest in the power generation distribution and supply. I must thank them because they alone can be the eyes and ears of the Government to see the lapses whether in regard to management personnel, workers or whatever it may be.

The Hon. Member mentioned about the law with regard to supply of electricity. As

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far as the law regarding electricity supply is concerned, according to me also, it needs a revision, because the needs of the society have changed. The development pattern of this country is fast changing and with modern technology unless we have enough power, perhaps we will not be able to cope up with the demand that is made on the supply of electricity. Sir, in the heat of his argument, he criticised the management of the Indraprastha and Badarpur Power Stations.

SHRI LALIT MAKEN : Not Indraprastha. I criticised only the Badarpur Power Station. I appreciated the management of the Indraprastha Station.

SHRI B. SHANKARANAND : The Hon. Member knows that we have appointed a One Man Committee to go into the question of the ownership of this power station. And I am very much in the know of the fact. We know the problems facing the workers and we also know that sometimes the management are manhandled by the workers. We know both sides of the problem and that is why we have set up the Committee and I am awaiting the report of the Committee to take a decision on the matter.

SHRI LALIT MAKEN : What about giving the management of the Badarpur station to the DESU, Sir ?

SHRI B. SHANKARANAND : I cannot assure that to the Hon. Member, unless I examine the *pros and cons* of the problem. This is not a problem of management alone that would solve the matter. Otherwise, there would not have been any problem throughout the country and every power station would have performed its work very satisfactorily. It is not the management alone. There are other factors also.

SHRI LALIT MAKEN : I have said a different thing. When the Badarpur Power Station came into existence, there was a clause which was a part of the agreement that this Badarpur Power Station would be handed over to DESU. But it has not been done so. I simply want to know this. As per your agreement with DESU, Delhi Municipal Corporation is a licensee of the Badar-

pur Power Station. So, will you please implement what your Ministry itself has said ?

SHRI B. SHANKARANAND : Whatever I do, I must see to the result of my action and not the purpose of any other thing. I am not taking any decision at this moment. I have said that I have appointed a Committee and I am awaiting the report of the Committee.

Sir, the Hon. Member has rightly raised the question of national grid. I must appreciate it because this is being depreciated now. We must have an efficient system of evacuating and transporting power from the surplus States to the deficit States, and for this we need the cooperation of the various State Electricity Boards and Departments of those States where there are no Electricity Boards and also the Centre as well. We have started establishing and constructing long transmission lines, HDVC lines for the first time in the country. Unless we have the cooperation of the States, perhaps the dream of having the National Electricity Grid may not be realised. It all depends on how far the State Governments are going to cooperate with this. This alone will greatly solve the problem of power supply in this country.

Sir, I have already referred to poor management. I have mentioned about the law regarding electricity supply also. The only thing left is this. The Hon. Member asked about the installation of gas turbines in Delhi. Perhaps by a year or a year and a half, six units of 30 megawatts of gas turbine stations will be realised.

THE MINISTER OF STATE IN THE DEPARTMENT OF POWER (SHRI ARUN NEHRU) : In 15 months.

SHRI B. SHANKARANAND : Electricity supply of Delhi will be augmented to that extent. Delhi has been very fortunate, being the capital of this country, to enjoy power at the cheapest rates, not knowing the value of it. Now I would request the Hon. Member to ask the people of Delhi to cooperate. Regarding workers, I would request him to tell them, whether they are in Badarpur or Indraprastha, to cooperate with the managements, so that.....

SHRI LALIT MAKEN rose.

SHRI B. SHANKARANAND : I am not yielding. If the Hon. Member wants to discuss with me, he is free to do so. For that, we need not waste the time of the House. I know he has a cause and a reason to argue the case of the workers, he being the leader of the workers. I do appreciate his interest. Perhaps it would be better if the Hon. Member discusses with me the problems of the workers who perhaps need his advice more than that of mine.

SHRI LALIT MAKEN : It is a general question which is concerned with the Finance Minister also.

MR. DEPUTY SPEAKER : You can go and discuss with him, he says. He is calling you to his Chamber. You can go to him and discuss with him. Please sit down. He is not yielding. Please sit down.

SHRI LALIT MAKEN : I have only one question. DESU is an essential service.

MR. DEPUTY SPEAKER : The Minister has said that he is not yielding to your question.

SHRI LALIT MAKEN : Otherwise I will definitely go to meet and discuss with him. Because the Finance Minister is here I want to avail of this opportunity.

MR. DEPUTY SPEAKER : No. How can you insist on it here? He cannot speak, because the Calling Attention does not concern his department. So, you cannot straightway insist on it here.

SHRI LALIT MAKEN : There is no room for any ban on recruitment. So, this contract system should be abolished. He should at least give an assurance that he will look into the matter.

SHRI B. SHANKARANAND : Recruitment is dependent on the need of the situation. There just cannot be a recruitment for ever

SHRI LALIT MAKEN : Thousands of workers are suffering, and lakhs and crores of rupees are going down the drain, which is not in the interests of the Government.

That is why I had raised a basic question. Kindly give a categorical answer.

SHRI B. SHANKARANAND : Nobody will recruit anybody who is not wanted.

MR. DEPUTY SPEAKER : The Minister's answer is simple...

SHRI LALIT MAKEN : I do not understand. Maybe, I do not have the calibre to understand this answer. My question was : DESU being an essential service, there is no need for the ban on recruitment. So, the ban must be lifted, the contract system must be abolished, and a new... (*Interruptions*)

MR. DEPUTY SPEAKER : The Minister says that if at all it is necessary, recruitment will be done.

SHRI Y.S. MAHAJAN : It is a universal phenomenon in our country. It is a very important question.

SHRI LALIT MAKEN : I demanded that a new law should be enacted to arrest those people who are stealing electricity.

MR. DEPUTY SPEAKER : Definitely. Government will take necessary action.

SHRI B. SHANKARANAND : Perhaps the Hon. Member did not understand what I said. I said : the law needs revision.

MR. DEPUTY SPEAKER : After listening to the Members' observations, I feel they are insisting on hydel projects, because thermal power costs more. That is what they are suggesting.

SHRI B. SHANKARANAND : Hydel potential can be exploited wherever it exists, and not everywhere. Where it exists, it is being exploited.

MR. DEPUTY SPEAKER : What about my constituency? There is... (*Interruptions*)

SHRI B. SHANKARANAND : I will look into the problem.

MR. DEPUTY SPEAKER : Now the Hon. Minister of Finance will make a statement.

13.24 hrs.

STATEMENT RE : ADDITIONAL
ALLOCATION FOR RURAL
LANDLESS EMPLOYMENT GUA-
RANTEE PROGRAMME FOR
1985-86 FOR CONSTRUCTION OF
RURAL HOUSES FOR S. C. AND
S.T.

[English]

THE MINISTER OF FINANCE AND COMMERCE (SHRI VISHWANATH PRATAP SINGH) : Sir, While presenting the Budget for the current year, I had referred to the Government's commitment for further strengthening and improving the performance of the special programmes for poverty alleviation and employment generation. As a step in this direction, it has been decided to make a special allocation of Rs. 100 crores for the Rural Landless Employment Guarantee Programme in addition to the allocation of Rs. 400 crores provided in the Budget estimates for 1985-86. The additional allocation, which will be fully met by the Centre, will be utilised exclusively for construction of low cost rural houses using local materials and with attendant facilities for the scheduled castes and scheduled tribes. It is expected that it will be possible to begin construction of 200,000 houses under this scheme during the current year and a total of one million rural houses for scheduled castes and scheduled tribes during the Seventh Plan period. As the Hon'ble Members will notice, the programme will not only create shelter and tangible physical assets for the poor but it will also provide substantial direct and indirect employment opportunities in rural areas.

MATTERS UNDER RULE 377

[Translation]

- (i) Need to set up a University in
Purnea district of Bihar

SHRIMATI MADHURI SINGH (Purnea) : Mr. Deputy Speaker, Sir, in connection with the setting up of a University in Purnea district of Bihar I have to submit to the Central Education Minister that Purnea district, which is my constituency

is situated at the border of Nepal and West Bengal.

Purnea is the oldest district of the Kosi Division and its population is about 40 lakh. Purnea is situated in the middle of the Kosi Division. With the setting up of a university there students will get a special facility. In addition, teachers and examiners too will be benefited.

The students of Purnea district have to go to far off places to get higher education with the result that they have to spend not only more time, but they have to spend more money also in these times of high prices. During elections, when I visited the different areas, I had an opportunity to speak to the students and their parents. They repeatedly requested for setting up of a university in Purnea.

Many students of the Kosi Belt go out for medical education also. There is a vigorous demand for a medical college also. Therefore, keeping in view the above things, it is necessary to set up a university in Purnea.

I request the Education Minister to give instructions in this regard at the earliest so that the students of Purnea district get the facility of higher education.

[English]

- (ii) Need to develop Sinkhedraja, the
birth place of Chhatrapati Shivaji's
mother as a tourist Centre

SHRI MUKUL WASNIK (Buldhana) : Sinkhedraja, in district Buldana in Maharashtra is one of the most important places in the State. It is here that Jijamata, the mother of Chhatrapati Shivaji Maharaj was born. Every year, at the time of Jijamata's birth anniversary thousands of people from all over the State come here to pay their homage. But unfortunately this place is very backward.

Keeping this in view Shri A. R. Antulay, the then Chief Minister, constituted a high powered "Sinkhedraja Development Committee." The Committee submitted its Report

in January 1982 with several recommendations for developing this historical place into a tourist centre. But, unfortunately, the Report is still pending with the State Government. There are certain recommendations in the Committee's Report which come under the jurisdiction of the Union Government such as the building of railway line i.e. Jalna-Khamgaon connecting Sinkhedraja, a military school, an ordinance factory, womens' university, etc. I request the Hon. Ministers of the concerned departments to extend their full cooperation in developing Sinkhedraja as a tourist centre.

The development of Sinkhedraja will be a true homage to the great mother who gave birth to the great patriotic fighter Chhatrapati Shivaji Maharaj.

[*Translation*]

(iii) Need to double and Electrify the railway line between Bangalore and Madras

DR. V. VENKATESH (Kolar) : *Bangalore city is not only the Capital City of Karnataka but also a big business centre. Similarly, Madras City is a boon to businessmen and to the film industry. The railway line between these two cities is one of the oldest railway lines in India. Electrification and doubling of this high density route is one of the oldest demands of the people of Karnataka and Tamil Nadu. Till now neither it has been electrified nor doubled. Every day several thousands of people travel through this line.

The journey from Madras City to Jolarpet is somewhat comfortable. But from Jolarpet to Bangalore city the journey is very difficult as it is only a single line for the last several decades. The trains have to halt at each and every station to get clearance from the next station. Bangarpet is in between Jolarpet and Bangalore city which is also a very big business centre. Bangarpet is just five k.m. away from Kolar Gold Fields which is another important center of industries. A big factory of BEML

*The speech was originally delivered in Kannada

is situated here. Therefore, not only several thousands of ordinary passengers fully depend upon this line but also businessmen and people working in industries. Therefore, I request the Hon. Railway Minister to double and electrify this line immediately.

[*English*]

(iv) Need to review the timings of the programmes in local languages from AIR and Doordarshan

SHRIMATI GEETA MUKHERJEE (Panskura) : Local language programmes in AIR and Doordarshan are being consistently reduced in the recent months. This has caused concern in many States including West Bengal, Tamil Nadu, Orissa, Maharashtra, etc. where the local language is not Hindi.

For national integration a better balance of local and national programmes has to be worked out.

I draw the attention of the Minister of Information and Broadcasting to review the timings of the programmes in local languages, inform the House about the situation and take measures to bring about a proper balance.

(v) Need to Develop Srinagar Airport as an International airport with a view to boosting tourist traffic and trade

SHRI ABDUL RASHID KABULI (Srinagar) : The economy of Jammu and Kashmir is mostly dependent upon the tourist trade. The Valley of Kashmir called 'Paradise on Earth' is famous for its scenic beauty all over the world. Besides, Kashmiri handicrafts, superb in craftsmanship are also having world market. Visitors from Europe and the Gulf countries have no direct access to Srinagar, the Capital and they have to undergo many difficulties and traverse vast distances before reaching the Kashmir Valley. Srinagar airport is directly connected with the capital Delhi and through it to other major cities of the country. In order to have direct access to Srinagar, it needs to

[Shri Abdul Rashid Kabuli]

be developed into an International Airport. Its geographical proximity is such that it can easily be connected with Tashkent, Kabul, Islamabad, Bahrain, Doha, Baghdad, Jeddah, etc. and also with some important European cities. This shall give a boost to the tourist trade in Jammu & Kashmir. The people who have little time at their disposal and are rich enough shall make use of the International flights. This shall open new vistas for promoting trade and commerce in the Northern States. This will also give further support to the growth of our national wealth. Kashmiri handicrafts have tremendous potential in trade in foreign markets. The Srinagar airport being promoted as an International Airport can result in tourist boom and subsequently in export of fruits, handicrafts and carpets, which in turn shall give the country rich dividends in foreign exchange.

The Government of India should apply its mind to this long standing and worth considering plea of the Jammu & Kashmir State. The demand can easily be met by accommodating the project in the Seventh Five Year Plan.

13.34 hrs.

STATUTORY RESOLUTION RE :
DISAPPROVAL OF TEA COM-
PANIES (ACQUISITION AND
TRANSFER OF SICK TEA UNITS)
ORDINANCE
AND
TEA COMPANIES (ACQUISITION
AND TRANSFER OF SICK TEA
UNITS) BILL—*Contd.*

[English]

MR. DEPUTY SPEAKER : We will now take up Item Nos. 8 and 9 together, that is the Statutory Resolution moved by Shri Abdul Rashid Kabuli and the Tea Companies (Acquisition and Transfer of Sick Tea Units) Bill. Prof. Kurien was on his legs. He can continue.

PROF. P. J. KURIEN (Idukki) : Yesterday, I was speaking about the tea estates. These tea estates are owned mostly by the monopolists. The lands were given by the Government free of cost many years ago, and the investment is mostly public money from the banks and other financial institutions and the labour required is also obtained very cheaply and even now they are getting it. Therefore, the entire aspect should be looked into by the Government. It is not only that the sick estates should be taken over. Of course, the sick estates should be taken over but all the other estates should be also taken over. There is a tendency among the monopolists and large estate owners to make the estate sick so that ultimately the Government will take over these estates by giving them compensation. Again most of the tea gardens are very old. That is why, the productivity is not that much as is expected. New tea plants have to be planted. But there is no effort from the side of the estate owners to plant new tea plants. The Tea Board has certain programme for renovation of tea gardens. Even though the Tea Board has allotted a certain amount for renovation and rejuvenation of tea gardens in the Sixth Plan, only 40 per cent of the target has been achieved by the end of the Plan. In the case of rest 60 per cent either the money has not been spent or even if the money has been spent, the renovation has not taken place. This is very important. I hope the Minister will take note of it. This means that the industry is not at all interested in renovating and rejuvenating the tea gardens. They want to get away with whatever profit they are getting and leave the industry as it is and finally make it sick so that the Government will take it over by giving them compensation. Again there is an effort on the part of the industry to fragment the tea gardens. That will ultimately reduce productivity and will not be in the best interest of the industry and the country as a whole.

The condition of the labour is deplorable. They get very cheap labour. In the early days of tea plantations the fore-fathers of the present labour were treated as slaves. Now their children and grand children are employed in tea gardens. What is their condition? In my constituency there are a number of tea gardens. I have visited the residential place of the labour and seen their

living conditions. They do not have even the minimum facilities that are required by a human being. They do not have proper drainage in their houses, in many houses there is no electricity, no hospital facilities and no schooling facilities for their children. Therefore, I would request the Minister to have a fresh look into the conditions of the plantation labour especially the labour employed in tea gardens. If necessary, he should bring forward a new legislation in order to improve the conditions of labour there. Mostly the estate owners do not implement labour laws especially the Plantation Labour Act. And to the authorities they give the impression that they are implementing them, but there is no proper mechanism to see whether these labour laws are being implemented or not. I would request the Minister to either send his officials or officials from the Labour Ministry to the residential places of the labour and verify whether tea gardens and estate owners are implementing even the present laws which are not adequate to safeguard their interest.

You are aware that last year and the year before last they have made a lot of profit because the prices of tea have gone up. But a part of the profit must go to the labour also. What is the mechanism? You will say that there is bonus. When these tea gardens and estates were running in losses, they were getting only the minimum bonus. But when they are making huge profits, they can get only 20 per cent bonus. I suggest that something should be done so that when there is huge profit; part of that profit should be given to the labourers also. But our bonus ceiling does not permit that. Government should have a fresh look into that because these high profits are generated by the hard work of the labourers and by public finances. The input given by the management, I am sure, is much less as compared to the input given by the labourers and public financial institutions.

The Tea Board, in their Budget, have allotted money for extension of tea gardens to new areas but the achievement is very unsatisfactory. I find that only less than 40 per cent achievement is there in cultivating new areas. There are a lot of cultivable pockets of land which cannot be used for any other purpose. For your special noting I am saying that when I visited the Idukki district of Kerala after my election, I got a

number of representations from the people that those areas could be used for tea cultivation. Tea Board has visited some areas, they have identified the areas where tea cultivation is possible and which cannot be used for any other purpose and which are not being used for any other purpose because other cultivations are not profitable. But I find that even though they have identified some areas, they are not giving any assistance for the new cultivation to the new people. I charge that the Tea Board is helping only the large tea estates. They do not give any assistance to the small farmers. They do not encourage small farmers to come in the field at all. I read an article in the Business Standard dated 28th February 1985 which is very interesting. I quote :

“There is no dearth of fiscal assistance extended to the tea industry via the Tea Board. But its development does not reflect this aid in any way. Investigations reveal that not only are there vast gaps between the sanctioning of loans and their actual disbursement but even those which have been received or used for purposes other than development. In fact, the functioning of the Tea Board has tempted the author to conclude that it is of the large companies, by the large companies and for the large companies.”

Here, the author says that the Tea Board is of the large companies, for the large companies and by the large companies. Again he says :

“There is a large gap between investment and the achievement of the target.”

That means, a good portion of the money is going this way or that way, or going to the pockets of the middlemen. I would request the Hon. Minister to have a thorough enquiry made as to how much money which has actually been sanctioned by the Tea Board, has reached the destinations and what portion of that money has actually been used for the purpose it was meant for. In those cases where you find that the money sanctioned has not been used for the purpose meant for, I say that stringent action should be taken and such companies should be debarred from being sanctioned further loans.

[Prof. P. J. Kurien]

Again I would like to say that it is not necessary that only large companies can grow tea. Tea can be grown by small holders also. There are a large number of farmers holding one hectare, two hectares, three hectares but less than five hectares of land in Idukki district of Kerala. They have come forward offering that they are prepared to have tea plantations, but no assistance is given to them. Tea Board should visit those areas. I can give them a number of representations from the people of those areas. They should identify these areas and give assistance to these small farmers who are prepared to have tea plantations. There no labour is required because in one or two hectares only the person, his family and children will work together. They will pluck leaves and see that the leaves are given to the factory, which can be set up either by the Tea Board or under the supervision of the Tea Board by some private agencies. Therefore, this new aspect of encouraging small holdings in the tea industry should be examined by the tea board.

I am told that the Government is planning to shift the tea auctioning centre from Cochin. I would request that the Centre should not be shifted from Cochin because it will adversely affect the economy of the State and will render hundred of workers in Cochin Port unemployed. Therefore, this thing should also be looked into.

I welcome the export policy on tea announced by the Hon. Minister but I would request him to ensure that sufficient quantity of tea is available in the domestic market at a reasonable price especially to those consumers who cannot afford coffee. It is the poorer sections of the people who mostly consume tea because coffee is costly. I agree that the best quality tea should be exported. I have no objection, but tea should be made available to the common man at a reasonable price.

I hope the Minister will take note of all these suggestions and give a reply on the points raised by me.

SHRI NARAYAN CHOUBEY (Midnapore) : I support this Bill because what the Hon. Minister has stated is very correct. After the take-over of these four tea gardens,

an all round improvement has taken place. There has been an improvement in production, there has been an improvement in earnings and there has been an improvement in labour relations. Therefore, I would request the Hon. Minister to think why he stops only by nationalising the four tea gardens? Why not the entire tea industry should be nationalised so that an all round improvement takes place on the tea front?

I am also glad that our Minister, who is regarded as very honest person in the Cabinet and that he is a very able man, has stated that the Government will not allow the labour to be squeezed or looted. I thank him for this, but let it not turn into the proverb :

VACHANE KIM DARIDRATA

Let it be proved by action. If the intentions are good enough it can be done on the tea front. Tea is essentially produced in the backward hilly areas. Most of the people who are engaged in its production are either Scheduled Caste or Scheduled Tribes people. Our Hon. Minister is a learned man. He must have gone through the famous book 'Two leaves and a Bud' and he knows the conditions of the tea workers which prevailed during the British days. Of course, I do agree that the condition of the tea workers has improved to a great extent after Independence. Many rules have been changed. But even after Independence the rule of Hatta Bahar existed in different areas of West Bangal and Assam. Under this rule if a Member of the family did anything wrong or earned the displeasure of the owner of the tea estate the whole family had to leave the area. That condition is now no more. Conditions have definitely improved now many more improvements are required to be effected. So, the tea industry can be improved and should be improved.

In 1950, the tea industry accounted for 18 per cent of employment in India. It accounted for 14 per cent of export earning, it accounted for 1.6 per cent of rural GNP. But the average growth of tea is falling. The annual average growth from 1900-49 which was 3.96 per cent in production, has come down to 3.37 per cent. Fifty years back the export growth which was 2.72 per cent has

come down in 1950-79 to 0.39 per cent. It is a very serious matter. Only one thing has improved. The home market was covering 4.6 per cent average growth, now it is 12.58 per cent. The area under tea has also come down. The average growth of area under tea which was 0.98 per cent now has come down to 0.68 per cent. The yield per hectare has gone up, it is a good thing. The yield per hectare was 2.04 per cent growth annually. Now it has 2.2 per cent growth annually. We have been producing 43 per cent of the world tea—tea output of the world—and we had been controlling 48.5 per cent of the world tea export. This too has come down in 1982; the tea output of ours has come down to only 30 per cent of the world output and export is only 23 per cent. So, many many things should be done for the improvement of the tea industry. And if the tea industry is improved, our country can solve to some extent our unemployment problem also. The tea area abounds in large number of youth remaining unemployed and also induction of new unemployed youth can be made in the tea area if you can extend that. This year there is a good amount of production, it is 655 million kg. and the domestic requirement is 435 million kg. and export quota is 220 kg. But what has been noted is that despite heavy profit being earned by the companies in these years, some times there is a slump, but now the tea industry is making very heavy profit and everybody, Hon. Members from this side and that side, stated that the private owners are not ploughing back profit in the tea areas. They are simply looting and they are keeping them sick and then they are looking up to the banks or the Government for money so that the sick industries can be revived and if they cannot be revived, then let them be taken over. Under such circumstances I pray to the Hon. Minister to kindly think and take a very revolutionary step, come out boldly and nationalise the industry. The small people are having 2 hectares, or 3 hectares or 5 hectares. But in respect of big gardens controlled by monopoly houses and big houses, I would request that the Government should bring a Bill so that they are all nationalised. Otherwise this tea industry which is making a very heavy profit will never plough back this profit and they will again be depending only upon you to revive the tea industry.

The tea industry has to grow. There is

a plan that you are going to expand the planting area to about 53,600 hectares in filling up of about 38,500 hectares and the planting of over 44,600 hectares. But all these things require funds and these owners won't pay anything for this. All these things require fund, but again they will look to you and the Finance Department and the banks for funds. Why do you allow these things to continue? Our tea industry, even if it has to keep the export limit to 23 per cent as it is today, then we are to produce at least by 2000 A.D. tea to the tune of 1800 million kg. Of this, 721 million kg. will be for home market and 363 million kg. for the export. By taking over four tea gardens, you have increased the production from 1.4 million kgs to 1.50 million kgs. You have made up losses also and in some gardens, you have made profit. I do not mean, you take over all gardens. While you give us this answer, we agree with you and we support it. We have to support it. It is a limited Bill. We give you full support. But then, I request the Hon. Minister to consider whether he can bring a comprehensive Bill nationalising all the big tea gardens controlled by monopoly houses.

With these words, I again thank you Mr. Deputy Speaker and thank the Hon. Minister. I support this Bill. I hope that he will bring a fresh Bill which will cover all the points which we have mentioned.

[Translation]

SHRI GIRDHARI LAL VYAS (Bhilwara): Mr Deputy Speaker, Sir, I rise to support the Tea Companies (Acquisition and Transfer of Sick Tea Units) Bill, 1985.

In the Statement of Objects and Reasons of the Bill, it has been stated—

[English]

“The management of the four sick units was taken over by the Central Government under the provisions of the Tea Act, 1953 after continued mismanagement and neglect of the said tea units by the tea companies concerned, coupled with reckless investment made and incumbrances created by

[Shri Girdhari Lal Vyas]

those companies, had led to a state of deterioration which threatened the very continuance of the said tea units as also of the employment of about 3,000 workers.”

[Translation]

I would like to ask the Hon. Minister why Government do not frame such laws as would provide that any unit which is mismanaged will be nationalised. The way there is mismanagement and wastage of money in such units, you should not pay compensation at the time of their being taken over. I feel that the units which wastes the funds by mismanagement should not be given any compensation.

In the Financial Memorandum, it has been stated that

[English]

The amount so payable will be approximately Rs. 168.35 lakhs.

[Translation]

You will pay Rs. 1.68 crores to such units which are being mismanaged. You want to pay this money as compensation for the take-over. I suggest that provision should be made that the units which have been mismanaged, where money has been misutilised and where because of the mismanagement, the entire unit has been made sick, no compensation will be paid to them. If you make such a provision, the other companies will start re-thinking that if they indulge in mismanagement, they will not get any compensation. I want to draw your attention towards this issue.

My second submission is and you yourself have said—

[English]

“...For the deprivation of the management of its sick tea unit, for the period commencing on the date on which the management of such sick tea unit was taken over by the Central

Government under the Tea Act, 1953 and ending on the appointed day.”

[Translation]

To deprive any tea company of the management of its sick tea unit, for the period commencing on the date on which the management of such sick unit was taken over by the Central Government, you will provide an amount of Rs. 2.1 lakhs for a certain period which will be in the shape of allowances etc. In this connection, my request is that it is wrong to pay any compensation to those sick units which have become sick because of mismanagement. Therefore, no compensation should be paid for their maintenance. Similarly, in clause 3 also you have said that the tea companies will be paid an ordinary interest at the rate of 4 per cent per annum on the amount payable to them. First, you will pay Rs. 168.35 lakhs as compensation for taking them over and then you will pay an interest at the rate of 4 per cent which will come to about Rs. 7 lakhs.

14.00 hrs.

My submission in this respect is that when because of mismanagement those units have been made sick, they should not get any Compensation for that period. They should not get any interest either so that other companies learn a lesson that if there is any mismanagement, no company will get any compensation. There is need to look into this aspect.

You have spent large amounts to make these units viable and the units which had been incurring losses are now earning profits. Their production has increased. In such a situation, when as one Hon. Member has just now stated, the tea units are earning profit and their production has also increased, why is tea so costly? Today in India everyone wants a cup of tea in the morning. Why then are its prices increasing day by day? Why have Government no control over it? This aspect should also be gone into and some arrangement should be made so that its prices may not increase. In other industries you have made many arrangements like imposition of levy on cement, sugar etc. Similarly, you should make some arrangement for tea

also. Levy sugar is sold at a different price in the open market and controlled sugar at a different rate. Similar arrangements can be made for tea also so that the poor may get tea at cheaper rates and their needs may be fulfilled.

Mr. Deputy Speaker, Sir, the Hon. Minister is sitting here. I request him to tell us whether the companies which you have taken over have deposited the amounts deducted from employees for ESI and Provident Fund in their accounts because it is seen that many a time these companies deduct money from the workers pay but do not deposit it in ESI and Provident Fund accounts. There have been many such cases in other industries like the textile industries etc. Where the management has misused this amounts by using it for themselves. Although you have in the very beginning provided that the payment of the workers' dues will be the liability of the company, I would like to know from you whether the money deposited for ESI scheme and the Provident Fund is secure or not and whether you have proper control over that money or not. Keeping all these things in mind, I request you to take suitable steps so that these big tea companies may make available tea to the people at cheaper rates. Government should make arrangements to take over or nationalise these big tea companies so that the people may get these commodities easily.

Mr. Deputy Speaker, Sir, we agree that our export has increased and during these years the tea production too has increased but the tea export has not increased in that proportion. I, therefore, request that our tea export should increase. Simultaneously, it is also necessary that our local needs should be met and the prices should be reasonable. I would like to know from the Hon. Minister what steps are being taken by Government in this regard. Kindly inform us about this in your reply.

With these words I support the Bill.

[English]

SHRIMATI PHULRENU GUHA (Contai) : Mr. Deputy Speaker, I rise to support the Bill. I welcome this Bill very much. I am one of those who believe that all mill

industries, profit making institutions etc. should be run by the public sector. But I understand that in a developing country like ours, it is not possible. So we have given scope to the private sector also. So, we have to give scope to the private sector also. It is well-known that many of our private sector tea industry units deliberately make their units sick. It is very well known and many of our friends and colleagues have mention that. So, I am not going into that. They like to extract as much money as they can and when they find that no more money can be extracted, then they make it sick and make the situation that it should be taken over. This is their tactics—I am sorry to say. It is so in the majority of the cases—may not be in all cases.

I would like to say that according to the law of the land compensation is to be given. But through you I request the Government and I request the Finance Minister—you have to follow the law, but give as minimum compensation as possible.

What I would like to say is that not only the Government take over this tea industry but it must see the condition of the worker. The houses of the workers in the tea plantations are really horrible. Many of you must have been to the different gardens. In the tea plantations the difference between the manager's house or even the office clerk's house and the workers house cannot be imagined. Really if you see, tears will come in your eyes. What I would like to say is that as soon as the Government takes over all these units, they must improve the condition of the workers. There are no hospitals. There are no dispensaries. Dispensaries are there but there are no medicines. So I would like through you to request the Government to see that there are dispensaries with all possible medicines and also arrangements for hospitals. There should be arrangements for children's schools, children's play gardens and there should be creches. There should be a place where the nursing mother can go and nurse the child. All these creches should be run by trained people.

What I want to request the Government is that there should be proper family planning arrangements. It should not be on paper alone, but proper motivation should be there and family planning programme should be under-

[Shrimati Phulrenu Guha]

taken with all sincerity.

What I would like to say in one word is that welfare measures must be there according to the labour laws because in most of the places the labour laws are not implemented and the condition of all, particularly of the women are really terrible. So my request is this that it is not only that the Government should take over all these industries but along with that they should see that proper welfare measures are taken for all and particularly for women and children.

With these words I again support this Bill.

THE MINISTER OF FINANCE AND COMMERCE (SHRI VISHWANATH PRATAP SINGH) : I want to thank all the Hon. Members for their support of the nationalisation of these tea gardens that is proposed in the Bill. It is indicative of the fact that the present Government will not shirk its responsibility when it comes to steer the economy. It shall assume this responsibility of steering the economy in the directions of the socio-economic goals that we have. Whether it was the issue of the workers or whether it is the issue of the tea or primary industry in our country, this is the decision that has been made.

I want to answer some of the specific issues raised by the Hon. Minister. One point was made by Mr. Vyas that for those who have mismanaged the industry, there should be some punishment. The Government is thinking on these lines. In the Budget speech itself I had mentioned that we are coming up with a proposal and it is under the active consideration of the Government because public money is committed and somebody siphons away the money. Certainly we are thinking of blacklisting such managements that institutional finance and bank finance will not be available to them. Of course, certain things like power shortage, power break-down, etc. have to be taken into consideration. In this we are thinking to have a body which will go into it and on its recommendation action will be taken. I think it is a very much radical change that the Government is thinking of disciplining those who exploit national resources and waste them. We are going in

much detail of it and I hope soon we will be coming before you with a concrete proposal in this regard to take care of those who mismanage and siphon away money. There cannot be a more stringent punishment than this — that they are denied institutional finance and bank finance...

PROF. N. G. RANGA (Guntur) : Have some imprisonment also.

SHRI VISHWANATH PRATAP SINGH : If you ask them to choose between prison and denial of finance, they will go to prison and take finance. This will be much harsher.

PROF. MADHU DANDAVATE (Rajapur) : Even capital punishment they will prefer.

SHRI VISHWANATH PRATAP SINGH : It is capital punishment in the other sense.

About the apprehension that compensation is being given to these owners who have mismanaged, under the law compensation has to be ascertained. Otherwise it will be struck as ultra vires. But what will the owners get under the present Bill? They will be getting hardly anything. It is not a question of any plus, they will be getting zero money as compensation. First out of the compensation labour dues will be paid and even then if the balance of dues are there, the Government has the responsibility to pay that. Thereafter comes the State Government dues and then the Central Government dues and these dues are so heavy that by then the compensation is getting exhausted. Thereafter comes the tax dues of the Central Government and there will be nothing for that liability. Then secured loans. For that nothing will be left. Then come other liabilities. So nothing he is going to get out of this big compensation.

A point was made by Mr Anand Pathak about the service conditions. He asked what about the continuity of service. If he sees clause 11, it is absolutely ensured that the continuity will be there. It says :

“Every person who has been, immediately before the appointed day, employed in any sick tea unit of any of

the tea companies shall become, on and from the appointed day, an employee of the Tea Trading Corporation and shall hold office or service under that Corporation, with the same rights and privileges as to pension, gratuity and other matters as would have been admissible to him if there had been no such vesting and shall continue to do so unless ...”

So there is complete security on this point.

Then the other point was made— why not give it to the Tea Development Corporation of Bengal? One, the State Government has made no such request. Second, the Tea Trading Corporation has shown improvement and has got the experience. So, it has been decided that it is better that it is with the Tea Trading Corporation.

There was some confusion as to who was managing it. An Hon. Member said that it is protection to those who have mis-managed and that is why nationalisation has come. That is not so. This is mis-management of the erstwhile owners of the tea gardens and not of TTC. After Tea Trading Corporation has come there has been improvement in production. Some of them have shown profit and in some losses have got reduced. So, it is not the mis-management of the Tea Trading Corporation.

Many Hon. Members have mentioned about labour. It is a labour intensive industry and according to our socio-economic needs it needs maximum attention. While a lot has to be done on the labour field generally but in these four tea estates you will be glad to know that while the daily wages in Looksan in 1976 were Rs. 3.92 now it is Rs. 10.12. I don't say it is enough. There has been improvement but still we have to do a lot for the labour in this respect. Therefore, for labour welfare quite a sum has been spent in these gardens and I need not go into the figures.

Sir, the major issue that has been raised is about sick units. The Tea Board takes action and notices are given and after that Report committees are set-up. Another major

issue raised is about the nationalisation of the tea industry as a whole. Wherever the management has been wanting I can assure the House that Government will not be wanting and will be coming forth and save the economy. But there are about 13,000 tea estates of various nature and between 1951 and now there has been increase of production from 285 million kg. to 645 million kg. So, while there are errant ones or those who are not on the right track Government will come forward to take proper action but, I think, at this stage we have also to take into consideration the resource position. It is the same resources needed for the other public sector units like Steel etc. where more attention is needed. It is also a question of how we distribute our available resources. But the larger companies-FERA companies—there you note that all multi-national companies like Brooke Bond and Lipton—they are not FERA companies because they have got a branch here and their equity is below 40 per cent but still it is a branch of multi-nationals. Their total share in package tea market has declined from 45 per cent to 30 per cent and together they are only exporting 10 per cent of the total exports of tea. So, in tea exports they do not have major dominant share but in the packet tea they dominate and there also it has come down from 45 per cent to 30 per cent. Remittances of FERA companies have also come down. In 1980 it was Rs. 11.26 crores and in 1981 it came down to Rs. 7.25 crores. Similarly the total share of FERA companies in 1981 in exports was 12.45 per cent. It has not grown but it is rather a little reduced to 11.83 per cent, or so. We are taking care that these multinationals and the FERA companies do not come or have a monopoly control in these areas.

A point was made by Mr. S M. Bhattam as to what happened to the fifth one while four you are nationalising. Perhaps he was referring to Chargola Estate. Now the studies made by TIC and other consultants have shown that Chargola Estate is permanently nonviable. Anyway, we are also in touch with Assam Government before taking any decision on that point.

About Darjeeling we have got a special programme. There was some slow movement on the distribution of the loan. But that scheme has got going now and loans have

[Shri Vishwanath Pratap Singh]

started being distributed and maximum attention is paid to Darjeeling.

Mr. Daga and Mr. Dogra yesterday raised the issue of share of our tea market and production. Well, production has gone up. In 1976 it was 555 million kgs. and in 1984 it is estimated at 6.44 million kgs. You will be glad to know this. This year our export of tea is going to get us Rs. 73 crores as earnings. It is a big contribution to our foreign exchange earnings. While it was Rs. 366 crores only in 1982-83, it is a big jump from that figure. There is a big jump in production as well as prices. The point was made that our share has come down in this respect. What I want to submit is that previously we used to export 70 per cent of our tea and we used to consume 30 per cent. Now we consume 70 per cent and we export 30 per cent. That is why in spite of production rising, your quantum of exports has been stagnant.

SHRI INDRAJIT GUPTA (Basirhat) : There has been so much more money—a boom in prices.

SHRI VISHWANATH PRATAP SINGH : Well, it has been to our advantage.

SHRI INDRAJIT GUPTA : And the benefit of the companies also...

SHRI VISHWANATH PRATAP SINGH : That we can take care on a different level. A point was made about domestic availability being ensured and that care should be taken. Now what has been decided is that the total exports of orthodox tea to be allowed for a whole year will not exceed 150 million k.g.s. leaving 35 million k.g.s. for domestic purpose. Simiary CTC tea will be restricted in respect of export to 70 million k.g.s. leaving 400 million k.g.s. for domestic consumption. So 435 million k.g.s. will be available for domestic consumption which is adequate according to our assessment. Care has been taken regarding that. Then about small growers a point was made. It was asked : What is the scheme regarding small growers? We have schemes regarding replanting subsidy, rejuvenating subsidy, irrigation schemes and of hire purchase for tea machinery. These

are schemes for small growers which are available to them. Regarding the Board, I think that it is an exaggeration that it is only the big companies who represent the Board. But I would say that the Members of Parliament are also on the Board and all sections of people also represent the Board.

Now, regarding the help that the Government is giving to the industry in the South, I would submit that the Deputy Chairman has been appointed for taking direct supervision, development and progress of tea in South India and its headquarters will be in the South. We have taken this decision for the South for the promotion of Tea.

Regarding Idukki, in Kerala, in the Seventh Plan we have special programme of rejuvenating, new planting and replanting of all these and it is estimated to cost about Rs. 6 crores. This is a special programme which is being considered.

PROF. P.J. KURIEN : What is your programme for the small growers ?

SHRI VISHWANATH PRATAP SINGH : A scheme is there for implementation. If there is any specific problem in certain areas, we will certainly look into it. Now, about the investment in tea, it was mentioned that the investments are not there and they are being diverted, I would say that there is a lot of truth in it. There is sometimes over-exploitation. A short-term view is taken. But on an overall basis, as production has grown, there is a net total investment. In 1984-85, it was assessed at Rs. 140 crores. So, investment has gone up. In 1971-81, the investment was about Rs. 300 crores, that is, in 10 years. So, this is the assessment on this. Now, while individual cases of gardens may not be having investments where we must take harsh action, even in the budget we have a scheme to promote investment in the Tea gardens and the benefit will be available to those who replough and make investment, but those who do not will be denied and they will not avail all those benefits.

So, Sir, I think most of the points I have tried to meet in this short time and I again thank all the Members for the support they have given.

[Translation]

SHRI ABDUL RASHID KABULI (Srinagar): Mr. Deputy Speaker, Sir, the Hon. Minister has claimed about tea that we are going to earn foreign exchange worth Rs. 735 crore this year but I have a complaint in this regard, and the entire House agrees with me that so far as the labourers working in the tea gardens are concerned, they are being highly exploited. Their condition is pitiable, specially that of the women and the children who work there. The labour laws are not being implemented for them. Housing conditions for them are miserable. Government should have paid attention towards alleviating their misery. Therefore, comparing this situation, earning of foreign exchange worth Rs. 735 crores is not a big thing. The people who toil hard and are responsible for producing tea are in a very bad condition.

I want to tell you that the position regarding tea is very bad and the rate of tea which was Rs. 27 per kg. in 1983 rose to Rs. 35 per kg. in 1984, although according to your claim tea is being produced on large scale. CTC tea is not being made available according to the country's needs. A major part of the production is being sent out of the country to earn foreign exchange and people in the country are not getting even half of the per capita requirement of tea. In reply to my question you had particularly stated that management of these four sick units was taken over in 1976 and 1979. You have stated the purpose for which this Bill has been introduced.

[English]

"in respect of said tea units with a view to securing proper reorganisation and management of such tea units so as to subserve the interests of the general public by augmenting the production and manufacture of different varieties of tea..."

[Translation]

You have referred here to reorganisation and management. After the old management there had been Government's management in 1976 and 1979. I would like to know

what your report is in regard to those management. Due to this approach of Government, this Bill has become somewhat conspicuous. It has given room for suspicion. These units remained under government management also. I am opposing this. Bill on this way basis only. Had that management made a correct evaluation and made proper investigations, they could have told us at that time that those units had become completely sick and Government must take them over completely. A period of 9 years from 1976 to 1985 has lapsed since you started managing them and now on the basis of your experience of these 9 years you propose to nationalise them as they are incurring loss. I would like to ask you why you did not implement the policy of nationalisation in 1976 and again in 1979 when you did so in the matter of other units.

You made an investment of Rs. 3.80 crores in them after your management took them over. After issuing the ordinance and introducing the Bill for nationalisation you are saying:

[English]

We still require large sums of money to be invested since the sickness was a result of long years of mismanagement etc.

[Translation]

Besides an investment of Rs. 3.80 crores, in the beginning, Government have made a further investment in them. It has created confusion in my mind. You are showing that you are performing a big feat and are implementing the policy of nationalisation in these four units. I would like to say that your management has not fared well there. What would you like to say in this regard?

I would like to submit one thing more. According to press reports, you got the tea plantation in a very bad condition. That was absolutely dry. Now, you propose to take it over all of a sudden. In fact you want to shield the management which had been functioning there from 1976 and 1979. You want to protect them. I would like to tell the Hon. Minister that so far as nationalisation is concerned, we are not against it

[Shri Abdul Rashid Kabuli]

and we will support it. I would have commended your efforts more, had you taken them over earlier. The multinational companies are exploiting the labourers in all the units. The labourers are being denied their rights. Besides, conditions have become very bad there, Everything including banking is being done there in an improper manner. Therefore, Government should take over these units in the best interests of the people of this country.

I have no objection if you take them. It would be a matter of great pleasure to me. You should implement the policy of nationalisation. Merely taking over these four units will not serve the purpose. There are many multi-national companies in our country, which are earning profit to the tune of crores of rupees. I would like to say that all the units of these companies should be taken over by you in order to improve the conditions of the workers there. There is no other alternative but to take over all the units in order to safeguard the interests and rights of these plantation workers including women. I have no objection if Government take over these units.

I have got an objection that the Ordinance for taking over these units was promulgated at a time when the House was in session. I have criticised this aspect. I feel that keeping in view the respect, supremacy and importance of this House, you should have brought this Bill and got it passed here. I feel that you would not have faced any difficulty in this regard. Instead of doing so you promulgated the Ordinance when the House was in Session. It means that you do not take this House into confidence and are increasing such Ordinances by over ruling this House. In this way you are lowering the prestige of this House.

I am not opposing nationalisation. But I understand that Government never intended to resort to nationalisation previously. If Government had an intention of doing so, then why were these companies not nationalised when their management was taken over in 1976 and 1979? After taking over the management they themselves got involved and that is why they have resorted to

nationalisation now, Had Government intended to nationalise them, they would have done so in 1976 itself.

You have nationalised only four units. There are many other big industries and multi-national companies in the country where lakhs of labourers are working. They are being subjected to exploitation and the capitalists are earning profit and foreign exchange to the tune of crores of rupees. Nothing is being done in the interests of these lakhs of workers. I, therefore, press upon my Resolution.

[English]

MR. DEPUTY SPEAKER : I shall now put the statutory Resolution moved by Shri Abdul Rashid Kabuli to the vote of the House. The question is :

“That this House disapproves of the Tea Companies (Acquisition and Transfer of Sick Tea Units) Ordinance, 1985 (Ordinance No. 3 of 1985) promulgated by the President on the 8th April, 1985.”

The motion was negatived.

MR. DEPUTY SPEAKER : I shall now put the consideration motion moved by Shri Vishwanath Pratap Singh to the vote of the House :

“That the Bill to provide for the acquisition and transfer of the sick tea units specified in the First Schedule and the right, title and interest of the tea companies in respect of the said tea units with a view to securing proper reorganisation and management of such tea units so as to subserve the interests of the general public by augmenting the production and manufacture of different varieties of tea which are essential to the needs of the economy of the country and for matters connected therewith or incidental thereto, be taken into consideration.”

The motion was adopted.

MR. DEPUTY SPEAKER : The House will now take up clause-by-clause consideration of the Bill.

Clause 2—Definitions

SHRI ANANDA PATHAK (Darjeeling) : I beg to move :

Page 2,—

for lines 32 to 34, substitute—

‘(h) “The Development Corporation” means the West Bengal Tea Development Corporation Limited, a company incorporated and registered under the Companies Act, 1956.” (6)

My amendment is that in place of ‘Tea Development Corporation’, ‘West Bengal Tea Development Corporation Limited’ should be inserted. This is because TTCI is basically a trading organization. Management of tea plantations is not in line with its principal functioning or activity. It is meant for trading. Similarly we have got the State Trading Corporation. The STC deals with innumerable items including tea. Then we have the Balmer Lawrie Company. It is also trading in tea but it does not have any production of its own. But the West Bengal Tea Development Corporation has got 7 tea gardens and they are showing an improvement also. Therefore in the same State there is no logic in having to separate organisations, one under the Central Government and the other under the State Government. I have brought this amendment with this point of view. The smaller units should be merged into a bigger unit, so that they will be more viable and stronger. This is not just my version only. In 1951, the Central Government had appointed the Menon Commission. After going through all the aspects of the issue, the Commission also recommended amalgamation of small units into a bigger unit so that the bigger unit will be more viable and more profitable. From all these points of view, I request that my amendment should be taken into consideration and I once again request the Hon. Minister to consider my plea.

THE MINISTER OF FINANCE AND COMMERCE (SHRI VISHWANATH PRATAP SINGH) : I have already answered on the Tea Development Corporation. The Government of West Bengal itself has not

made any request about this corporation. There is no such move from them. Then regarding TTCI, there has been improvement in production and some tea gardens have shown profit, and in some others losses have been reduced, during this period. Mr. Kabuli may note it.

SHRI ANANDA PATHAK : In general, the prices have gone up. Consumption has gone up and the exports have been increased. Not only the TTCI has improved. Others also have shown improvement.

SHRI VISHWANATH PRATAP SINGH : But there is no request from the State Government itself about its own Corporation. How can we consider it *suo motu*? How can we give it? Then about the amalgamation...

SHRI NARAYAN CHOUBEY : Suppose, the proposal comes from the State Government, will you consider it?

SHRI VISHWANATH PRATAP SINGH : We do not write novels here. ‘If this happens, what will happen next, and so on.’

Then, so far as cooperatives are concerned, some help is given if cooperatives are formed. Certainly we will try to assist them.

MR. DEPUTY SPEAKER : I put amendment No. 6 to Clause 2 moved by Shri Ananda Pathak to the vote of the House.

Amendment No. 6 was put and negatived.

MR. DEPUTY SPEAKER : The question is :

“That Clause 2 stand part of the Bill.”

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3—Acquisition of rights of tea companies in respect of sick tea units.

SHRI ANANDA PATHAK : I beg to move :

Page 3, line 9 and wherever they occur in the Bill,—

for "Tea Trading Corporation"

substitute "Tea Development Corporation." (7)

Sir, I move this amendment also for the same points which I have mentioned previously.

SHRI VISHWANATH PRATAP SINGH:
My answer is also the same, Sir.

MR. DEPUTY SPEAKER : I put amendment No. 7 to Clause 3 moved by Shri Ananda Pathak to the vote of the House.

Amendment No. 7 was put and negatived.

MR. DEPUTY SPEAKER : The question is :

"That Clause 3 stand part of the Bill."

The motion was adopted.

Clause 3 was added to the Bill.

Clause 4

MR. DEPUTY SPEAKER : There is no amendment to Clause 4. The question is :

"That Clause 4 stand part of the Bill."

The motion was adopted.

Clause 4 was added to the Bill.

Clause—5 Tea Companies to be liable for certain prior liabilities.

MR. DEPUTY SPEAKER : Now Clause 5. Amendment No. 1. Mr. Ayyapu Reddy.

SHRI E. AYYAPU REDDY (Kurnool) :
I am moving my amendment.

I beg to move :

Page 4, lines 18 and 19—

Omit "and not against the Tea Trading Corporation" (1)

The purport of my amendment is this :
Clause 5 says :

"Subject to the other provisions of this Act, every liability, other than the liability specified in sub-section(1) of section 24, of a tea company in respect of any period prior to the appointed day, shall be the liability of that company and shall be enforceable against it and not against the Tea Trading Corporation"

Under Clause 3, the Tea Trading Corporation takes over the assets and liabilities. They become vested in the Government, and then they stand transferred to the Tea Trading Corporation. Jurisprudentially, where you take over the assets, you have to take over the liabilities also. If you say : "I am taking only the assets and not the liabilities", it will not be constitutionally valid, because an innocent third party's rights cannot be defaced without even payment of compensation. The basic principle is that the liability must also be taken over by a person who takes the assets. It is there. But under Clause 15, it has been provided that the Tea Trading Corporation can pay the liabilities to third parties; and after it makes the payment, it can file an application before the Commissioner for recovering that amount. I request the Hon. Minister's attention to Clause 15 (2) which says—I quote :

"The Tea Trading Corporation may make a claim to the Commissioner with regard to every payment made by that Corporation, after the appointed day, for discharging any liability of a tea company, not being any liability specified in sub-section (1) of section 24, in relation to any sick tea unit owned by it in respect of any period prior to the appointed day; and every such claim shall have priority, in accordance with the priorities attaching under this Act to the matter in relation to which such liability has been discharged by the Tea Trading Corporation."

That is, if the Tea Trading Corporation makes payment for any liabilities which the

sick unit had incurred prior to the appointed date, then it is entitled to go before the Commissioner and ask for payment. But Clause 5 very strangely says that it is not enforceable against the Tea Trading Corporation. For two reasons, my amendment has to be accepted : one, for the simple reason that you have taken over the assets; you have to take over the liabilities. Secondly, Clause 15 itself provides for payment of the debt. Hence if there is a contradiction between Clause 5 and Clause 15, i.e. if it is not enforceable against the Tea Trading Corporation according to Clause 5, then the question of the Corporation paying the liability does not arise under Clause 15(2). I do not know whether I have made myself clear.

SHRI VISHWANATH PRATAP SINGH :
 It is quite clear.

SHRI E. AYYAPU REDDY : Therefore, my submission is that this amendment, viz. for omitting "and not against the Tea Trading Corporation", will be in order. It will make the matter quite clear. Otherwise, it is liable to lead to confusion; and the very constitutional validity of this section may be questioned.

SHRI VISHWANATH PRATAP SINGH :
 When we have paid the compensation, and we give it to the Compensation Commissioner for the assets, then all the liabilities have to be paid out from that compensation, and it cannot be the burden of the Tea Trading Corporation, fundamentally. Now, that is only enabling it, if TTC does pay. It is not obligatory that it will pay. Then, it will also draw from that compensation itself, and go and make payment to him. So, it is not obligatory that the TTC will pay; and the principle is very clear.

SHRI E. AYYAPU REDDY : There is some contradiction and confusion involved in it. Now, 15 (2) says that TTC can pay the liability and then make a claim before the Commissioner. If under clause 5 there is no enforceable law against the TTC, that means TTC may pay or may not pay; if it pays, it is entitled to go and ask for it; if it does not pay, naturally, the third party is left in the lurch. An innocent third party who has paid to the sick unit a certain amount is entitled to recover a certain amount from

the sick unit; he will be left in the lurch; that is you are leaving discretion to the TTC either to pay or not to pay. There are no guidelines as to how this discretion has to be exercised by the TTC; it will be unguided.

SHRI VISHWANATH PRATAP SINGH : The scheme is, first labour dues, then the State Government dues, then the Central Government, then the banks etc. Now, when we have taken the assets, paid the money and paid it to the Commissioner, all liabilities have to be prawn from there; it cannot be anything further than what we have paid as compensation; that cannot devolve on the TTC. Now, if TTC opts to pay any liability, then it has a claim out of the compensation and go and apply for it and get it; it is totally voluntary; and if it does make it, then it does have a right because that liability has to be paid out of the corpus of the compensation.

MR. DEPUTY SPEAKER : Now, I shall put amendment No. 1 moved by Shri E. Ayyapu Reddy to the vote of the House.

Amendment No. 1 was put and negatived.

MR. DEPUTY SPEAKER : The question is;

"That Clause 5 stand part of the Bill."

The motion was adopted.

Clause 5 was added to the Bill.

MR. DEPUTY SPEAKER : There are no amendments to Clauses 6 and 7. I put both the clauses together to the vote of the House. The question is :

"That Clauses 6 and 7 stand part of the Bill."

The motion was adopted.

Clauses 6 and 7 were added to the Bill.

Clause 8—Management etc. of the sick tea units of the tea companies.

SHRI E. AYYAPU REDDY (Kurnool) :
 I beg to move :

[Shri E. Ayyapu Reddy]

after line 9, insert—

“Provided that a representative of the employees or of their union if any, shall be taken as a Director or an advisor in the superintendence and management of the sick tea unit.” (2)

This is for giving effect to Article 43 (a) of the Constitution. The Constitution has provided that it is the responsibility of the States to take steps for enacting legislation so that the worker is entitled to participate in the management of the undertakings or industrial units. Now, in this particular Bill, we have shown the anxiety to come to the rescue of the workers. Hon. Members from both sides have very eloquently stated how these tea workers are exploited, how the labourers in all these tea estates are being ruthlessly exploited all these years. Now, we want to run them efficiently. For that purpose, it is necessary to associate the labour unions or the representatives either a Director or an advisor in the management of this. It is to give effect only to this simple principle adumbrated in Article 43 (a), I have tabled this amendment. I hope this amendment will be quite acceptable to the Hon. Minister.

SHRI VISHWANATH PRATAP SINGH : It is for workers we have taken this step of nationalisation of this. This is the general policy, that is to promote workers' participation in management and various public sector organisations have been given these guidelines and government is promoting it in a phased manner. I don't think statutory provisions at this stage would be advisable.

SHRI E. AYYAPU REDDY : The Hon. Minister may kindly see Article 43 (a) of the Constitution which requires that you must give a Statutory recognition to the participation. At least the Hon. Minister should give us an assurance that it will be provided in the delegated legislation or in the rules to be made; then I will withdraw my amendment. I wanted an assurance that at least under the rule making power, in exercise of the rule making power they will provide for the participation of the accredited labour unions in the management of these tea companies.

SHRI VISHWANATH PRATAP SINGH : It is our policy to promote workers participation in management and I assure you that we will promote this as a policy and we are taking steps in this regard. The Labour Ministry formulates the specific policies and it is done according to it, in all the public sector units. And this much I can assure you that this policy of workers' participation in the management will be promoted even in this area.

MR. DEPUTY SPEAKER : In view of the assurance given by the Hon. Minister, are you withdrawing your amendment ?

SHRI E. AYYAPU REDDY : In view of the assurance given by the Hon. Minister I withdraw my amendment.

MR. DEPUTY SPEAKER : Is it the pleasure of the House that the amendment moved by Shri E. Ayyapu Reddy be withdrawn ?

SOME HON. MEMBERS : Yes.

Amendment No. 2 was, by leave withdrawn

MR. DEPUTY SPEAKER : The question is :

“That Clause 8 stand part of the Bill.”

The motion was adopted.

Clause 8 was added to the Bill.

MR. DEPUTY SPEAKER : Now we come to Clause 9.

Shri Ananda Pathak. Amendment No. 8

Clause—9 Duty of persons incharge of Management of the sick ten units to deliver all assets, etc.

SHRI ANANDA PATHAK : I have given a similar amendment. This is about the public undertakings.

MR. DEPUTY SPEAKER : Are you moving your amendment ?

SHRI ANANDA PATHAK : I am moving the amendment.

I beg to move—

Page 5,—

after line 9, insert—

“Provided that management of the Corporation shall be supervised, conducted and guided by a Board of Directors to be constituted wherein the representatives of the workers and/ or their unions, if any, shall also be included.” (8)

I would like to say that in every public undertaking there are Boards of Directors. There are workers in the Board of Directors to ensure the workers’ participation, the representatives of the workers if they are not already there, should be included. Therefore, I hope in view of whatever has been stated by the Minister this particular provision should be incorporated in the Bill. I hope the Minister will consider this.

SHRI VISHWANATH PRATAP SINGH : The TTCI is under the Companies Act and not under this Bill. But I have given this assurance that generally we will promote the workers’ participation as a general policy.

SHRI ANANDA PATHAK : Inclusion of the workers in the Board of Directors is what I wanted.

SHRI VISHWANATH PRATAP SINGH : This Bill is for nationalisation. TTCI is constituted under the Companies Act. This Bill does not cover the Companies Act. But as a general policy for promoting the workers’ participation the Government will come forward and take steps to promote the workers’ participation.

SHRI ANANDA PATHAK : In view of this, I am withdrawing my amendment.

MR. DEPUTY SPEAKER : Is it the pleasure of the House that the amendment moved by Shri Ananda Pathak be withdrawn.

SOME HON. MEMBERS : Yes.

*Amendment No. 8 was by leave,
 withdrawn.*

MR. DEPUTY SPEAKER : The question is :

“That Clause 9 stand part of the Bill.”

The motion was adopted.

Clause 9 was added to the Bill.

MR. DEPUTY SPEAKER : The question is :

“That Clauses 10 and 11 stand part of the Bill.

The motion was adopted.

Clauses 10 and 11 were added to the Bill.

MR. DEPUTY SPEAKER : Now we come to Clause 12. There is an Amendment No. 3.

15.00 hrs.

Clause 12 — Provident Fund and other Funds

SHRI E. AYYAPU REDDY : I beg to move :

Page 6,—

after line 18, insert—

“Provided that the benefits which the employees are having on the appointed day shall not be affected adversely.”(3)

The Sub-clause especially says :

“moneys which stand transferred under sub-section 1 to the Tea Trading Corporation shall be dealt with by that Corporation in such manner as may be prescribed.”

That is why I have moved the Amendment.

SHRI VISHWANATH PRATAP SINGH : There are two provisions. One is about the dues already in the schemes. All those dues are taken care of. Clause 11 takes care of their employment conditions and terms that are continuing. So, both aspects are well ensured in the Bill. I do not think we are wanting the assurance that present this amendment is necessary.

SHRI E. AYYAPU REDDY : At present we are wanting the assurance that present conditions will not affect adversely.

SHRI VISHWANATH PRATAP SINGH : Clause, 11 ensures it.

SHRI E. AYYAPU REDDY : But you have taken the power to prescribe "in such manner as may be prescribed." There is no such assurance in Clause 11 that it shall not be adversely affected. It says their services will continue. With regard to their benefits I only wanted that they should not be adversely affected and there is no mention of that in Clause 11.

SHRI VISHWANATH PRATAP SINGH : If you read clause 11, it is very clear that the terms and conditions of the employees will be the same as they were there and will continue to be on the same terms.

SHRI E. AYYAPU REDDY : Sir, I seek leave of the House to withdraw my amendment.

MR. DEPUTY SPEAKER : Is it the pleasure of the House that the amendment moved by Shri E. Ayyapu Reddy be withdrawn ?

Amendment No. 3 was, by leave, withdrawn.

MR. DEPUTY SPEAKER : The question is :

"That Clause 12 stand part of the Bill."

The motion was adopted.

Clause 12 was added to the Bill.

Clause 13—Appointment of Commissioner of Payments

SHRI E. AYYAPU REDDY : I beg to move :

Page 6,—

after line 26, insert—

"Provided that the Commissioner of Payments shall not be a person below

the rank of a District Judge or a District Collector." (4)

Sir, no qualifications have been fixed with regard to the Commissioner of Payments. This is only for the purpose of saying that the Commissioner shall not be a person below the rank of a District Judge or a District Collector because he has to function as a Civil Court. Subsequently it is stated that he has got all the powers of the Civil Court. That is why I say at least minimum qualification should be that of a District Judge or a District Collector.

SHRI VISHWANATH PRATAP SINGH : If the spectrum is wide, we can choose. There are many people outside, other than Collectors and Judges who are capable. So, why should we restrict our choice ?

SHRI E. AYYAPU REDDY : Since he has to discharge such functions he has to be a judicial officer. That is why I said the minimum qualification I should not be below the rank of District Judge or a District Collector. He has practically to act as a judicial officer. He entertains claims, takes evidence and gives judgement. Then against that order there is an appeal provided to the High Court.

SHRI VISHWANATH PRATAP SINGH : Sir, it is not acceptable.

SHRI E. AYYAPU REDDY : Sir, I seek leave of the House to withdraw my amendment.

MR. DEPUTY SPEAKER : Is it the pleasure of the House that the amendment moved by Shri E. Ayyapu Reddy be withdrawn ?

Amendment No. 4 was, by leave, withdrawn.

MR. DEPUTY SPEAKER : The question is :

"That Clause 13 stand part of the Bill."

The motion was adopted.

Clause 13 was added to the Bill.

MR. DEPUTY SPEAKER : Since there is no amendment to Clause 14 to 25, I will put them together to the vote of the House.

MR. DEPUTY SPEAKER : The question is :

“That Clause 14 to 25 stand part of the Bill.”

The motion was adopted.

Clause 14 to 25 were added to the Bill.

Clause 26—Contracts to cease to have effect unless ratified by the Tea Trading Corporation

SHRI E. AYYAPU REDDY : I beg to move :

Page 10,—

after line 38, insert—

“Provided further that any person affected by an order of the Tea Trading Corporation, refusing to ratify a contract in his favour, shall have a right to appeal to the Government of India within three months of the date of such order.” (5)

The Tea Trading Corporation is entitled to ratify the contracts. If it refuses to ratify, the contract, the third party has no other remedy. Most probably he has to go to the High Court by way of a rule, saying that the contract must be ratified. That is why, I have said that he may be entitled to go and prefer an appeal before the Central Government for ratifying the contract.

SHRI VISHWANATH PRATAP SINGH : The TCI is under the overall supervision of the Central Government and if there is any grievance, we will go to settle it.

(Interruptions)

SHRI E. AYYAPU REDDY : Unless there is a right of appeal, if they refuse it, there is no other remedy. Suppose you refuse to ratify the contract, there is no other remedy.

PROF. MADHU DANDAVATE (Rajapur) : That right is inherent.

SHRI E. AYYAPU REDDY : The statutory right is put from his coming here and requesting the Central Government to exercise power. It is not administrative supervision which is a judicial remedy.

SHRI VISHWANATH PRATAP SINGH : I would not agree to a statutory provision, but generally it is a working proposition, it does work.

SHRI E. AYYAPU REDDY : Sir, I seek leave of the House to withdraw my amendment.

MR. DEPUTY SPEAKER : Is it the pleasure of the House that the amendment moved by Shri Ayyapu Reddy be withdrawn?

SOME HON. MEMBERS : Yes.

Amendment No. 5 was, by leave withdrawn.

MR. DEPUTY SPEAKER : The question is :

“That Clause 26 stand part of the Bill.”

The motion was adopted.

Clause 26 was added to the Bill.
Clauses 27 to 34

MR. DEPUTY SPEAKER : The question is :

“That Clauses 27 to 34 stand part of the Bill.”

The motion was adopted.

Clauses 27 to 34 were added to the Bill.

First Schedule and Second Schedule.

MR. DEPUTY SPEAKER : The question is :

“That First Schedule and Second Schedule stand part of the Bill.”

The motion was adopted.

**First Schedule and Second Schedule
were added to the Bill.**

**Clause 1. The Enacting Formula, the
Preamble and the Title**

MR. DEPUTY SPEAKER : The ques-
tion is :

“That Clause 1, the Enacting Formula,
the Preamble and the Title stand part
of the Bill.”

The motion was adopted.

**Clause 1, the Enacting Formula
the Preamble and the Title
were added to the Bill.**

SHRI VISHWANATH PRATAP
SINGH : Sir I move :

“That the Bill be passed.”

MR. DEPUTY SPEAKER : The ques-
tion is :

“That the Bill be passed.”

The motion was adopted.

15.08 hrs.

**HIGH COURT AND SUPREME
COURT JUDGES (CONDITIONS
OF SERVICE) AMENDMENT
BILL**

[*English*]

MR. DEPUTY SPEAKER : Now, I
shall pass on the next item—the High Court
and Supreme Court Judges (Conditions of
Services) Amendment Bill. Time allotted for
this is one hour.

THE MINISTER OF LAW AND JUS-
TICE (SHRI A.K. SEN) : Sir, I move* :

“That the Bill further to amend the
High Court Judges (Conditions of
Service Act, 1954 and the Supreme

*Moved with the recommendation of
the President.

**Court Judges (Conditions of Service)
Act, 1958, be taken into considera-
tion.”**

Sir, the matter is not of a controversial
nature. This allowance of Rs. 300/- was
legislated some time back, and it was felt
that Rs. 300 is hardly adequate. That is why
we are moving this Bill to at least raise this
amount to Rs. 500/- per month.

MR. DEPUTY SPEAKER : Motion
moved :

“That the Bill further to amend the
High Court Judges (Conditions of
Service) Act, 1954 and the Supreme
Court Judges (Conditions of Service)
Act, 1958, be taken into considera-
tion.”

Now, Mr. Ayyapu Reddy may speak.

SHRI E. AYYAPU REDDY (Kurnool) :
Sir this is a very small and inconsequential
Amendment. We are not opposing it, we are
supporting it. (*Interruptions*)

15.09 hrs.

[SHRI SHARAD DIGHE *in the Chair*]

I take the opportunity to say that we
require to take a second look on the service
conditions of the Supreme Court Judges and
the High Court judges. I would like to draw
the attention of the Hon. Minister to one
anomaly which is now existing with regard to
the service conditions of the High Court
Judges. If any High Court Judge resides in
his own house, he is entitled to only 12-1/2
per cent of his salary towards rent. But if he
wants a house to be provided, the State
Government is bound to provide a new
furnished residence for him. The anomaly
is, a judge who wants to stick to his residence
gets about Rs. 450/- only. Whereas if he
quits his house and claims another house,
he can rent out his own house for Rs. 3,000
or Rs. 3,500/-. So, those judges who want
to take advantage of the present service
conditions are willy nilly forced to leave out
their own houses and then ask the respective
State Government to provide them free
residential accommodation. It is costing
the State Government nearly Rs. 4,000 to
Rs. 5,000, in some cases, to find a suitable

accommodation to the High Court Judges. As a matter of fact, I know a case where the bungalow of 'A' judge was given to 'B' judge and the bungalow of 'B' judge was given to 'C' judge. The State Government had to pay Rs. 9,000 for both these bungalows. Whereas if they are residing in their own houses, it would pay Rs. 900/-. These anomalous conditions have to be removed. Therefore, kindly have a second look at the entire enactment relating to the service conditions of the judges and see that the judges are not forced to leave their own bungalows. If they reside in their own houses, they may be paid Rs. 2,000 or Rs. 2,500 as house rent allowance and no State Government will grudge to pay that amount because in all the State capitals where the High Courts are located, rent varies between Rs. 3,000 and Rs. 5,000. The judges will be very happy to reside in their own houses because they are attached to their houses. If they get Rs. 2,000 as house rent allowance they will be very happy. Therefore, this anomalous situation must be removed and their service conditions may be reviewed and appropriate steps taken for the purpose of making those conditions harmonious, regular and logical.

PROF. N. G. RANGA (Guntur) : Mr. Chairman, we are all aware of the fact that our workers are very much exploited. Peasants are very much exploited. The next most exploited people are the judges. For the sake of prestige, quite a number of very good and competent lawyers agree to become judges. Most of them stand to gain by becoming judges. But after having joined the Bench, they begin to regret because had they remained in the bar for a few years, they could have earned so much more, as they were earning earlier. Yet they are forced to be content with a salary of Rs. 4,000 a month.

My Hon. friend, Mr. Ayyapu Reddy has already drawn the attention of the House in regard to particular anomaly in the house rent allowance. Look at the allowance that is being paid to them. How is it that the Government has been blind for all these years to the fact that they are paid only Rs. 300 a month for maintaining a car? Is it enough? It is most inadequate. It is a ridiculous sum. At long last, they have woken up—either these people who are responsible for draf-

ting this Bill or those authorities who thought of increasing it. Could they not be, generous enough, sensible enough to realise that this amount of Rs. 300 or Rs. 500 is not enough? Rs. 500 is nothing at all. I would like my Hon. friend, the Law Minister to consult his own experience. How much he was spending on the maintenance of his car, even before the petrol prices had gone up? I am sure if he had been given an opportunity of becoming a judge long before he had become the Law Minister here, he would not have agreed. Possibly, he had been offered also and he refused. One of the senior-most Ministers, Mr. Chatterjee became High Court judge and as a protest against uneconomic, unsatisfactory and undignified salary that was being offered to him, he simply resigned on that account and came away. I was angry with him and I found fault with him because we were trained by Mahatma Gandhi and Rs. 4,000 was a heavenly sum. Yet realities were different and he was right and I was wrong. Therefore, just now, unfortunately, I could not give notice for an amendment to this Bill. But if it is, at all possible, my Hon. friend may bring his own amendment, on his own initiative, to the Bill. It should be possible. He is big enough in our Cabinet to be able to take that kind of initiative. I would like him to raise this amount from Rs. 500 to at least Rs. 1,000. It is a contemptuous sum and we must show some respect to our judges. To offer Rs. 500 a month and to come to this Parliament and say that it has been increased from Rs. 300 to Rs. 500 is not good. What is this, Sir? Are we going to do it? I would like to suggest to my Hon. friend that, with the permission of the House, it should be possible for him to agree to raise this amount to Rs. 1,000 in clause 3 of this Bill. If he is good enough to do that, he will be doing some justice to their status and to our sense of justice also here in this House.

(Interruptions)

PROF. MADHU DANDAVATE : (Rajapur) : One clarification from the Minister. Is it for a car or a cart, bullock cart?

SHRI A. K. SEN : This allowance is for the maintenance of a car.

SHRI AMAL DATTA (Diamond Harbour): Mr. Chairman, this is an amendment which shows the style in spirit the Government functions. It brings *ad hoc* and small amendment from time to time. This amendment to the parent Act has been brought after a long time. Last time, it was brought in 1976. After that, they are proposing now Rs. 200 extra to the judges. It is very good.

Now, the point is, can we not have a discussion on what remuneration we have to pay to the judges? Of course, later today evening we are going to discuss judicial reforms. I do not know whether this is going to cover remuneration...

PROF. MADHU DANDAVATE: I will take in the remuneration of the judges also in that discussion. I am suggesting that.

SHRI AMAL DATTA: It is all right. Mr. Dandavate is the mover of the motion under rule 193 today. So, we will discuss it and we will take part in the discussion. But the main thing is, the Government should have considered, what should be the adequate remuneration for the judges—whether it is in the form of salary or dearness allowance or house rent allowance or car allowance. It does not matter in what form they get. But having judges who are harbouring grievances all the time against the Government against society, it is not good for a democratic society. Judges should be independent of monetary wants. They should also not harbour any grievance against the Government. (*Interruptions*) But I think, so far as remuneration is concerned, we all agree on both sides of the House that the judges are not adequately paid. Even if one compares the remuneration that they were getting at the time of independence, when the Constitution came into effect, it was about Rs. 3,500 as salary. That was in 1950. But if we consider what it is worth today, they are not getting even half of that amount in real terms. That is something which the Government should consider, to what extent they should be compensated against rise in prices, whether they should have dearness allowance which rises with the cost of living index etc. These things should be sorted out.

PROF. MADHU DANDAVATE: If they continue, the real value will go down, still more and more.

SHRI AMAL DATTA: As regards the question of allowance for motor car, of course, it is good. By conveyance, I take it that they mean a motor car. Even Rs. 500/- is a small sum for that.

I would suggest that it may be a condition of service that the judge will be entitled to have the service of the car or he may be taken from his house to court by car provided by the Government. That will be ultimately the best solution because, after all, one cannot keep pace with the rise in prices in all respects. Not only petrol but car prices and prices of all other things go into it. But it is much better, if instead of being paid in cash rather than they are allowed the use of car, just as Secretaries of the Government and other high Government officials do. The judges are no less than that.

In my more than 20 years of practice in High Court, I never came across a High Court Judge who is not aggrieved over his salary and terms and conditions of service. That does reflect upon the judgments which they give. The Government, should, therefore, give a fresh look not only on the question of Rs. 200/- but on how much increase there should be because this proposal of Rs. 200/- is a carry over from the last Parliament and I suspect that since then prices have risen quite a lot. But they have not been able to take that into consideration and they will never be able to do that.

So, I suggest that a salary structure for judges should be thought out and enacted by which the Judges, apart from getting a basic salary which may be whatever we decide upon, be Rs. 3,500/- or Rs. 4,000/-, they should get a dearness allowance which will compensate them at least partially, for the increase in prices and use of a car or car allowance. All these things should be sorted out.

The Judges may be invited to suggest for themselves what salary will be satisfactory to them and only then we shall get a good judiciary, not aggrieved by their terms and conditions of service, not jealous of Govern-

ment servants that they are enjoying more facilities than themselves.

The present Minister of Law has long experience in the bar.

PROF. N. G. RANGA : He is the senior-most.

SHRI AMAL DATTA : Having long experience in the bar, the Hon. Minister will be able to give it a look and a fresh start so that all these cobwebs which have been accumulated over the years should be washed out and we get a completely new Act in this Parliament itself within a year or so superseding the Act of 1958 which we are now amending and we get a contented judiciary and better people to join the judicial service in the High Court and ultimately they come to the Supreme Court. All around we require some kind of changes and this is one of the ways to encourage such changes.

I support the Bill conditionally hoping that the Hon. Minister will take these matters into consideration and bring about a completely fresh Bill.

SHRI P. CHIDAMBARAM (Sivaganga) : Mr. Chairman, the Hon. Minister, while moving the Bill, said that this is a non-controversial measure. It is indeed non-controversial. But I think one can kick up a lot of controversy about the manner in which we are dealing with our judges.

I have had occasion to speak to a number of judges. No one is satisfied with his conditions of service and the feeling among them is that Parliament votes for itself increases in salary and allowances and that the executive which is the steel-frame of this system, by and large, is able to decide for itself, subject of course to Parliament voting what it should get. But the Judiciary is the Cinderella and nobody takes note of the conditions of service of our Judges. Take for example this very Bill. The conveyance allowance of Rs. 300 was fixed in 1974. In 1983 the Chief Justices' Conference recommended that it should be increased from Rs. 300 to Rs. 500 and in 1985 we are moving the Bill after the Finance Minister has raised the price of petrol. To-day if you give to a

Judge Rs. 500 as conveyance allowance, he can buy about 70 litres of petrol. At Rs. 7.01 per litre, he can buy 70 litres of petrol. If it takes us 11 years to review what happened in 1974, if it takes us 2 1/2 years even to accept such a "non-controversial" recommendation, the question does arise : are we dealing with our Judges fairly ?

Now, the second schedule to the Constitution came into being in 1950. The High Court Judges before the Constitution were drawing Rs. 4000. This is the only class of persons whose salaries were reduced when the Constitution came into being. Art 125 clause 2 proviso and Art 221 clause 2 proviso say that the privileges and allowances of Judges shall not be varied to their disadvantage. Art 125 clause 1 and Art 221 clause 1 fix the salary of the Judges as per the schedule. Now, I think, by and large it is agreed that the idea of fixing the salary of Judges in the Constitution is to ensure that the salaries of Judges are not diminished after their appointment and during their tenure. But the inflation diminishes their salaries. The increase in prices diminishes their salaries. Changes in the economic situation diminish their salaries. Should there not be more permanent arrangement by which the salaries of our Judges is taken care of ? I can quote the example of the United States. There is a Commission there which meets once in four years which reviews the salary of the judiciary and certain other top posts. In England there is a committee on top salaries. That commission meets periodically and reviews the salaries of top civil servants, top officers of Government and top judicial officers. I think the Hon. Law Minister should put forward a proposal where there shall be a permanent statutory body to review the salaries of Judges. Mark it, Sir, the Judges have no constituency. The Judges have nobody to speak on their behalf. The Judges cannot go out and speak for themselves.

Now what has happened ? Look at the reflection on Parliament. Since Parliament did not act, a sitting Judge had to move a petition in the Supreme Court and a practising lawyer has joined in this petition. I think the Hon. Law Minister is fully aware because he was appointed *amicus curiae* to argue the case in the Supreme Court. That is the case filed by Justice Devakinandan of the Allahā-

[Shri P. Chidambaram]

bad High Court in the Supreme Court and joined by another lawyer. That is civil appeal 411 of 1982. After hearing Mr. Ashoke Sen who was *amicus curiae* and another lawyer, Mr. K. K. Venugopal and after hearing the petitioner, the Division Bench of the Supreme Court referred four questions by order dated 19th April 1983 to a larger Bench. I will not read all the four questions but I think the second question is very material and I will read it :

“Whether the expression ‘rupees’ in part (D) of the Second Schedule which stipulates the sums payable to the Judges of the Supreme Court and the Judges of the High Court implies the purchasing power equivalent to the goods and services that could be bought in the year 1950; that is to say whether the salaries so fixed should be construed as meaning their real value in terms of goods and services which they could buy at the commencement of the Constitution or do they represent their nominal value at any given point of time ?”

This is a question which should be resolved by Parliament passing a law and not waiting for a sitting Judge of a High Court to move the Supreme Court and the Supreme Court referring the matter to a larger Bench. Take another case—a recent one where a sitting Judge of the Delhi High Court who retired had to have his pension fixed. The Government took the view, the executive took the view, which, according to me, was hopelessly untenable. The matter went to the Supreme Court. The Supreme Court eventually said, ‘You will have to fix his pension based on his last drawn salary which includes the services rendered by him as a Judge of the Subordinate Court.’ The Government accepted it. Why should the Government take this attitude ? It is this attitude which is bringing us disrepute. It is this attitude which is giving rise to doubt and suspicion whether the Parliament and the executive are really interested in maintaining the high dignity and the exalted status of the judiciary. Sir, we ask our Judges to be purer than Caesar’s wife. There is a famous expression—beg, borrow or steal. To-day I think the Judges were to borrow to maintain their dignity. I hope they do not

have to do anything else. To-day you give a conveyance allowance of Rs. 500. Let me ask you honestly—can a Judge to-day replace his car ? Can a Judge buy a new suit ? Can a Judge take his family to a restaurant ? Can a Judge take his family to his home town and travel first class ? We may as well say that the office of a Judge of a High Court or Supreme Court has no status and that we do not mind if they come in tattered clothes and if they daily take the bus or train to come to the court. I am not saying anything against bus or train travel. In England a Judge of the High Court has no hesitation to step out of his court, catch the train and go back to his home, because the trains are very good. The tube is very good. We cannot expect our Judges to do that. If we want our Judges to have an exalted status, the dignity and the high honour which we want them to enjoy, I think there should be a comprehensive amendment. This piecemeal legislation is niggardly. Whether it is constitutional is a different question. This piecemeal grant of Rs. 100 or Rs. 200 is niggardly. It is not befitting the status of the Judges. It is not befitting the status of Parliament.

I take comfort in one statement which the Hon. Law Minister made on a different occasion. He is fully aware of the facts. In England for example it started at about £ 3600 and to-day the High Court Judges get £ 45,000. In West Germany in 1950 the salary was 1500 Deutschmark. It was revised to 2587 Deutschmark in 1960 and 4593 Deutschmark in 1970 and 8166 Deutschmark in 1980 and to-day it is 9213 Deutschmark. The Hon. Law Minister is fully aware of these figures.

The question to-day is : how are we going to approach this matter ? The Hon. Law Minister on a different occasion assured us that there is a conference of Chief Justices, Chief Ministers and Law Ministers which is meeting by the end of this month and he expects them to take up this subject. We hope they will. But let me beg the Hon. Minister—please don’t appoint another committee to look into the matter. The surest way of shelving a matter is to appoint a committee or a commission. There are enough reports. There are enough recommendations. I think we should act. I think the Hon. Law Minister should come forward

with a comprehensive Bill to replace the 1954 and 1958 Acts. I have not the slightest doubt that the whole House will endorse such a Bill and pass a law which will give our Judges the status that they deserve.

Finally I have only one point to make. I do not want to raise any controversy. I think we have all agreed. The Government has to come forward with a certain policy pronouncement about the conditions of service of Judges, fixing the salary, etc. There are other things. We cannot dilute the quality of our justice. The quality of our justice is being diluted due to a number of reasons. One of the reasons is the salary we pay. But it is also being diluted for other reasons. I do not want to name those reasons. When they come forward with a comprehensive Bill, you have to take note of the other reasons which are diluting the quality of justice and to ensure that good people are recruited. I am not saying that top practitioners should be recruited. In fact the measure of salary for a High Court Judge or a Supreme Court Judge cannot be the income of a top practitioner. I do not even think that top practitioners will make good Judges. What we need is men of compassion, humanity, commonsense, a large heart and a total commitment to the Directive Principles of State Policy. If such people are to be recruited, if such people are to be satisfied, if such people have to discharge their duties with satisfaction, I think they should be not only given good salaries but good non-monetary conditions of service. Let us not over-emphasize the monetary conditions of service and let us not forget the non-monetary conditions of service. So I would appeal to the Hon. Law Minister. If he can take note of the suggestion of our senior leader, Mr. N.G. Ranga and even now if we can send a signal to the world and to the country that we are concerned and if this Rs. 500 can be increased to Rs. 1000, I think it will be welcome. But soon he should come forward with a comprehensive Bill dealing with the conditions of service of our Judges so that their high status and the place of honour which the Constitution gives them is made a reality.

[Translation]

*SHRI A.C. SHANMUGAM (Vellore) :

*The speech was originally delivered in Tamil.

Hon. Mr. Chairman, Sir, I welcome wholeheartedly the Bill that has been brought forward by our Hon. Minister of Law, which seeks to enhance the conveyance allowance of Judges from Rs. 300 to Rs. 500/-. As pointed out by the senior leader of the ruling Party, Prof. Ranga, I am sure that the Minister of Law will soon bring forward another amendment enhancing this amount of Rs. 500 to Rs. 1000/- so that the Judges are enabled to work in an atmosphere of contentment. As mentioned by the Member belonging to Telugu Desam the Judges should be given housing facilities and their salaries should also be raised. The Hon. Member from Tamil Nadu Shri Chidambaram made a fervent and an eloquent plea that the service conditions of the Judges deserve reconsideration in the hands of our Law Minister and he wanted a more comprehensive Bill in that regard. It is the inevitable duty of the Government to enhance the salaries of Judges and to provide with other facilities for them; if talented lawyers with the monthly income of Rs. 50,000 to Rs. 1,00,000 are to be attracted and if the quality of justice is not to be diluted. I hope that the Hon. Law Minister will ponder over this problem and ensure expeditious legislation in this matter.

Sir, there is invidious distinction between the Judges of the High Courts and the Judges of Supreme Court in the matter of retirement age. The Supreme Court Judge retires at 65, while his counterpart in the High Court retires at 62. This kind of discrimination should be done away with. There should be uniform age of retirement for all the Judges in the country, irrespective of the fact whether one is a District Court Judge or a High Court Judge or a Supreme Court Judge.

Here it becomes pertinent to point out that while must give all the necessary facilities for the Judges, they should also endeavour to reduce the number of pending cases. The Hon. Minister of Law should also look into this and if necessary increase the number of Judges immediately. As on 31.12.1984 there were 5,48,891 cases pending before the Supreme Court and as on 30.6.1984 there were 8 lakhs of cases pending before the High Courts in the country. It is not that the Judges or the Lawyers or the Government who are affected by this inordinate delay. It is the plaintiff and the defendant who are

[Shri A.C. Shanmugam]

affected. In Tamil Nadu there are thousands of families who have been decimated in such endless litigation. The cases are pending for 15 years, 20 years. I have to mention here the oft-repeated dictum Justice delayed is Justice denied. All the necessary steps must be taken for expeditiously settling all the pending cases in the interest of common people.

While the cases are pending for decades, I do not understand why we should continue with the British tradition of having two months of summer holidays for the Courts. Sir, the Hon. Minister of Law should ensure that there is only one month of summer holiday for the Courts, at least till all the pending cases are settled.

I also want that time-limit should be fixed for different cases. There should be a specific time limit for civil cases and a time-limit for criminal cases. There should be prescribed time for cases before the High Courts and similarly there should be time-limit for cases before the Supreme Court. The inordinate delay in the settlement of cases helps in the escape of criminals and also assists in the disappearance of evidence. I want that the Hon. Minister of Law should formulate legislative proposals in this regard and get it approved by the House soon.

Our Chief Minister, Dr. M. G. R. has been repeatedly stressing the obvious that the Chief Justice of the High court should be one who knows the language of the State. The system of arguing in the local language in the smaller courts and the delivery of judgment in the local language is being followed in Tamil Nadu with great success. The Chief Justice should be able to appreciate the sentiments of the local people and the judgment should also reflect his understanding of the local conventions. Without knowing the local language he will not be able to do justice. The argument of national integration is being adduced for the transfer of Chief Justice from State to State. I do not think that the concept of national integration should not be restricted to the transfer of Chief Justice. It has a wider connotation and an all-embracing meaning. I want the Hon. Minister of Law to pay attention to this and ensure that the Chief Justice of

the High Court is one who knows the local State language so perfectly as to understand and appreciate the arguments advanced before him in the local State language.

Justice Bhagwati has paid encomium to Tamil Nadu for effectively and successfully implementing Free Legal Aid for the benefit of oppressed and downtrodden. Tamil Nadu occupies a pre-eminent place in free legal aid practices. Should this not be introduced in all the States of the country for the benefit of downtrodden?

While talking about arrears of cases, for the past four years 7 posts of Judges are vacant in Madras High Court. Now the post of Chief Justice is also vacant. In the place of 25 judges there are only 17 judges now. You can imagine the delay in the completion of cases and the hardship caused to the people seeking justice. Similarly, there are many vacancies of Judges in the other High Courts also. All such vacant posts should be filled up without much delay.

For decades the people of Tamil Nadu has been demanding the establishment of a bench of Madras High Court at Madurai and at Coimbatore. Now the report of the Jaswant Singh Committee seems to have recommended the same.

MR. CHAIRMAN : You are going beyond the scope of the Bill.

SHRI A.C. SHANMUGAM: A bench of Madras should be established at Madurai and one at Coimbatore also. The Maharashtra High Court has a bench at Nagpur. If that is feasible, why should it not be feasible for the Madras High Court to have a bench in Madurai and one in Coimbatore. For all the four southern States, there should be a bench of the Supreme Court also at Madras. Sir, the Centre and the State Governments formulate projects for development activities. Their implementation is retarded because the Courts issue indiscriminate Stay Orders. Naturally the implementation of such social welfare scheme is retarded. I want to the Hon. Minister of Law to ponder over this problem and do something so that Stay Orders do not become a monotonous routine, affecting the progress of the country. With these few words, I conclude my speech.

[English]

SHRI SOMNATH RATH (Aska) : Sir, I only wish to say that instead of giving Rs.500 as car allowance, I think, it is better if the Government supplies the judges with a State car, besides giving them 100 litres of petrol per month. When we want efficient persons from the Bar to be elevated to the Bench, their condition of service should be such that they will have mental satisfaction to serve as judges and to lead decent lives. We have found many advocates not accepting the post of judges when offered to them. The Law Minister may kindly consider this aspect. In my view, Rs. 2,000 allowance per month which will be income-tax free may be given besides their salary. When a comprehensive Bill is to be brought forward, this may please be considered.

SHRI V.S. KRISHNA IYER (Bangalore South) : Sir, I whole-heartedly support this Bill. I agree with many of my Hon. friends that instead of paying money, you can pay them in kind in terms of so many litres of petrol per month. We can visualise how many litres of petrol a judge may require at a particular place. It will, of course, vary from place to place. What may be sufficient at a place like Bombay, may not be sufficient at other places. We can first of all, make out how many litres of petrol, a Supreme Court judge or a High Court judge would require and it is better, as I said, that we give them in kind that is in terms of so many litres of petrol per month.

I had really expected that a comprehensive Bill will be brought before the House and it would cover various aspects about the conditions of service of the judges. However, the other day the Law Minister had told us that he was holding a conference of Chief Justices of the various High Courts and Chief Minister and Law Minister of Kerala State and that a comprehensive Bill regarding service conditions etc. of the judge would be brought before the House.

More than the service conditions or giving them money etc. I agree with Shri Chidambaram that the quality of judges is very important. Concentration should be on the quality of judges rather than the amount we pay or the allowances we pay to them.

There is another point which has not been referred to by the Hon. Members. In a number of cases, the judges of the High Courts or Supreme Court are sent on deputation to as Commissions of Enquiry; whenever there is a judicial enquiry, a judge of the High Court or Supreme Court is appointed to do that job. The judge is given his terms of reference and he is asked to give his report within a certain period. But unfortunately, till that period is over, he is not provided with proper accommodation or staff; nobody cares for that. That has happened in a number of States in a number of cases. That is the experience of many of us. At the present moment, judicial enquiry is being held into the Bhopal tragedy by a judge. But he was not given accommodation till his first term was over. He has been given extension. It is not his fault. I would request the Law Minister to look into this aspect seriously. Do not appoint him unless the required infrastructure, court room, staff etc. are made available. The Central Government or the State Government concerned must provide all the required infrastructure immediately a judge is appointed as a Commission of enquiry etc. What is happening otherwise? Lakhs and lakhs of cases are pending before the High Courts and the judges are not there. So many seats are vacant. This is because for such jobs, you are drafting the sitting judges and are not appointing fresh judges.

Then, the judges require a number of facilities, apart from improving their conditions of service. The Chief Justice of the Supreme Court is paid Rs. 5000; Judges of the Supreme Court are paid Rs. 4000 and the Judges of the High Courts are paid Rs. 3500. The other day we were told that they get D.A. at par with a Secretary of the Government. I welcome that, but that is not that important. What is important is that the dignity of the judges and decorum should be maintained. A judge is not a politician; he is above all. He must maintain the dignity. He cannot move about like us; he cannot talk like us. Therefore, to keep his dignity you must see and provide to him whatever is needed, so that the judges can work in an objective and impartial manner without any pressure or pull. The dignity of the judiciary must be maintained at all costs. With these works, I support this measure whole-heartedly.

[Shri V. S. Krishna Iyer]

Many people may wonder, why the Parliament is considering such a small measure, which would raise the allowance by Rs. 200 only. But it is a beginning. We hope, the Law Minister will come before the House in the next session with a comprehensive Bill which will include measures to improve the service conditions of the judges.

PROF. P. J. KURIEN (Indukki) : Sir, I support this Bill. But this Bill is only to enhance the conveyance allowance by Rs. 200/-.

PROF. MADHU DANDAVATE : Mr. Kurien, this Bill is not even the petrol bill.

PROF. P. J. KURIEN : That is correct. It is only a small pittance. I would like to draw your attention to a statement made by our present Chief Justice that the quality of judgments is coming down because of the fact that they are not getting experts. Of course, they are qualified judges, but not with the required expertise in the field. The reason is, to be a lawyer is much more paying than to be a judge. Therefore, well-experienced lawyers are not prepared to take up the post of judges. This is the statement of our present Chief Justice. I would like the Hon. Minister to take note of it. Therefore, it is not enough that we increase their conveyance allowance or their dearness allowance. Judges, whether they belong to Supreme Court or High Court, should have sufficient means to live with dignity and also to give judgements without fear or favour.

Sir, judiciary should be above all corruption and it should be above board. But if you go about it, if you go about people who are approaching judiciary for justice, you can hear a number of stories where even the judiciary is not above board. The reason is simple. Judges of lower courts or of High Courts and even of the Supreme Court are not able to make both ends meet because of the low income they are not getting. May be, their income is comparative higher, but because of their peculiar profession, they are not able to live upto their standard with dignity.

I would like to draw your attention to the number of cases pending. Thousands of

cases are pending disposal in the High Courts and in the Supreme Court. There is a saying, 'justice delayed is justice denied.' If you want to forestall any Governmental programme, or any developmental programme, go to the court, file a writ and get a stay. If you want to deny justice, go to the Court and get a stay. Even against *Koran* you can get a stay. You know that. You yourself took interest in getting it dismissed.

But Sir, what is hapening in this country ? Thousands and thousands of cases are pending disposal. The poor victims are denied justice. Therefore, I request you to find out the number of cases pending and if judges are not sufficient, you appoint sufficient number of judges so that these cases are disposed in time. If somebody approaches a court for getting justice, at least within a period of three or six months, the final result should come from that particular court. The case goes from the lower court to High Court and from the High Court it may again go to Supreme Court and it may take even 25 years in total for deciding the case, that means a complete working life is over, by the time justice is meted. There are cases which are pending for ten or fifteen years. What is this ? We profess that we have an independent judiciary. I admit it. But in practice, what is happening ? I have to say that Government should ensure that a case which is admitted in a court should be disposed within a certain period. They should give all facilities to the judges.

I would like to mention one more point. Can the poor people approach even a lower court ? Poor people cannot approach the courts. There are the advocate's fees, this expenditure, that expenditure and so on. Even when he approaches the lower court, if the verdict is against the poor man, he may have to go to the High Court and from High Court even to Supreme Court. It is so expensive. Just think about it. Suppose a person in Andhra Pradesh or Karnataka or Tamil Nadu or Kerala has to file a writ in the Supreme Court. Is it possible ? For an ordinary man—whether he is an employee or an otherwise ordinary man—it is impossible to come to Delhi, to get an advocate; it is very expensive. Therefore, justice is actually finally denied to the people. So I request the Government to have a fresh look into the

working of the Judiciary, and also of the Supreme Court and High Court Benches. I would suggest that there should be more High Court Benches and more Supreme Court Benches.

In States like U.P., there should be a High Court Bench at Lucknow. One has to travel 500 kms. to reach Allahabad. Again in Kerala, the problem is the same. Government should consider constituting more Benches of the High Court.

What about the Supreme Court? People have to come to Delhi to approach the Supreme Court. M. Ps. can come; but what about the common man? So, Government should consider setting up a Bench of the Supreme Court at Bangalore or Hyderabad or Madras or Cochin or Trivandrum. We have no quarrel with the place. Of course, I will welcome having it in Trivandrum.

Yesterday, I read a statement by the minister in Rajya Sabha, ruling out the setting up of a Supreme Court Bench in the South. How can he do that? I want him to give a categorical assurance. I am talking of the people of the whole of South. We also want justice. Therefore, I request the Minister that a Bench of the Supreme Court should be set up in the South. I hope this assurance will come from the Minister.

With these words, I support the Bill. I hope the Minister will come forward with another Bill for increasing the salaries of the Judges, and also for setting up a Bench of the Supreme Court in the South. I support the Bill with the expectation of another Bill.

MR. CHAIRMAN : Now Shri Vijoy Kumar Yadav.

PROF. P.J. KURIEN : I hope the Hon. Minister will appreciate that the entire House is supporting this demand.

MR. CHAIRMAN : There is no right of a second speech.

PROF. MADHU DANDAVATE : There can be a relapse of the speech also, like typhoid.

MR. CHAIRMAN : Mr. Vijoy Kumar Yadav.

[*Translation*]

SHRI VIJOY KUMAR YADAV (Nalanda) : Mr. Chairman, Sir, It is correct that the scope of this Bill is very limited. It is a matter for happiness that a separate discussion on its scope is scheduled to be held today itself.

The question of opposing this Bill does not arise. The condition of the judicial service personnel is very pitiable. Whenever they happen to meet us, they ask us how to raise this matter as they cannot stage a demonstration and cannot resort to agitation, and that is why they are not listened to.

15.59 hrs.

[**MR. DEPUTY SPEAKER** *in the Chair*]

Just now a suggestion has been made that a comprehensive Bill may be brought forward in this regard. I feel that the Hon. Minister should not have any objection to accepting this suggestion. In his reply an assurance should be given to this effect. Generally speaking everyone agrees on this point that a comprehensive Bill should be brought forward in this regard. I would like to know the views of Hon. Minister in this regard.

There is not only the question of conveyance allowance. Whatever facilities are available to them at present are having an impact on the working of the judiciary.

16.00 hrs.

In the entire country, there is total lack of the type of justice desired by the people or provided for in the Constitution. Under the prevailing circumstances if we expect that the cases will be disposed of expeditiously and judges will apply their mind properly and deliver justice, it will not be possible to do so.

[*English*]

MR. DEPUTY SPEAKER : It is already 4 P.M. So, we have to start discussion under

193. You stop here and you can continue this discussion next time.

Prof. Madhu Dandavate will start this discussion. The time allotted is two hours.

DISCUSSION RE : URGENT NEED
FOR JUDICIAL REFORMS IN THE
COUNTRY

[English]

PROF. MADHU DANDAVATE (Rajapur) : Mr. Deputy Speaker, Sir, I rise to raise the discussion on the judicial reforms in the country. You are quite aware of the fact that, some observations of the Supreme Court Judges regarding the appointment and transfer of judges in various courts and evolution of healthy norms by the Government so that judges are appointed on the basis of merit and well defined norms, when those observations appeared in the Press, I was impelled to give a motion that would plead for the judicial reforms in the country. It is hoped that the debate will provoke the Government to give up its lethargy, rise to the occasion and try to have a comprehensive judicial reforms which are a must for improving the judicial system in the country.

There is no dearth of material regarding judicial reforms in the country. Our veteran Prof. Ranga is not here. He was a member of the Constituent Assembly and the debates of the Constituent Assembly are available in which a number of problems concerning the reforms of judiciary were discussed at the time of drafting the Constitution, certain suggestions made by eminent jurists and others in the Constituent Assembly were found not to be suited to the conditions then, but if we take the conditions of today we find that some of the amendments that were suggested in the Constituent Assembly as early as 1948, 1949 and 1950, they will be found to be relevant to the situation today. So, one source is the debates of the Constituent Assembly. Then we have got the Law Commission's Report and their recommendations; then we have got monumental work by the famous jurist Shri H. M. Seervai, he well-known work, "Constitutional Law

of India" in which he also summarises the need for judicial reforms in the country; and then there are various recommendations by various seminars held by the Bar Council of India and the Bar Councils and Bar Associations in different parts of the country. The central theme for the judicial reforms would be the very concept of judiciary itself.

For a long time, we have been hearing about the so-called committed judiciary. I would like to warn the House about this fashionable concept of committed judiciary. Permit me to say, without casting aspersion on anyone, that a concept of committed judiciary would only mean bonded judiciary, which cannot mean anything else. Of course, others can argue. But, I have not the least doubt.

Taking into account the long judicial history of India and the attitude of the Government to the institution of judiciary and their attitude to the Judges and their outlook, I have come to the conclusion that this current coining 'committed judiciary' in the country is a glorified name for a bonded judiciary in the country and I totally reject this concept. Such a judiciary will ever be willing to show different favours to the establishment of the time, no matter, whether it is the Janata Government or the Congress Government or the Communist Government. The moment you talk in terms of 'committed judiciary' it is very likely that they shall try to extend their favours to the establishment of the time and that is a dangerous precedent for any judicial system. I can understand a case being 'committed to the sessions', but I can never understand judiciary being committed! And, therefore, these concepts have to be completely given up if we want to start really basic reforms in the judiciary.

The central theme will be the procedure for the appointment of the Judges and the procedure that has been laid down for the transfer of Judges. Not only the Constitutional provision—the Constitutional provisions have not stood the test of time; certain interpretations have been put forward and you will find that the constitutional provisions regarding the appointment of Judges and their transfer have to be carefully gone through. Article 124(2) of the Constitution says—

"Every Judge of the Supreme Court shall be appointed by the President by warrant under his hand and seal after consultation with such of the Judges of the Supreme Court and of the High Courts in the States as the President may deem necessary for the purpose and shall hold office until he attains the age of sixty-five years :

Provided that in the case of appointment of a Judge other than the Chief Justice, the Chief Justice of India shall always be consulted :"

"Shall always be consulted"! The very framing of this particular Article 124(2) is such that it is left open to diverse interpretations; and over the years different critics of the Constitution, different jurists, different lawyers have interpreted this particular article in a different way. The first question that arises is—

"Are the provisions for consultation mandatory?" Looking to the spirit of this Article of the Constitution some of the jurists have said that all the provisions of this particular article are mandatory. Consultation is mandatory. But, Sir, again in the construction of this particular Article 124(2) at different places the wording that has been used and the construction that is utilised is slightly of a different type. As far as the first part is concerned, it says," the President may deem necessary for the purpose."

So, there is an interpretation, that this consultation is not obligatory; this is not mandatory. And of course, in the second part, that is, the proviso it is clearly said :

"Provided that in the case of appointment of a Judge other than the Chief Justice, the Chief Justice of India shall always be consulted :"

There of course the consultation is mandatory and obligatory. But all the same it is consultation alone.

The second doubt that arises is, is there a difference in the provisions regarding the

appointment of Chief Justice and Chief Judges? One contention is that "any Judge" means also the Chief Justice. And therefore, both the provisions are one and the same thing, put in a slightly different form. Then the next question is, is consultation dependant on the desire of the President? In the earlier portion of the Article the words used are 'as the President may deem necessary'. And since that is the construction, some may argue that it is not obligatory at all. Therefore, I suggest that for the sake of not only brevity but also clarity it is better that the word 'consultation' should be replaced by 'concurrence'. Mere consultation is not sufficient. There should be concurrence.

SHRI SHYAM LAL YADAV (Varanasi) :
That will change the whole meaning.

PROF. MADHU DANDAVATE : That is my point of view. Actually I am not saying something new. Some Members might feel unduly disturbed, but if you go through the proceedings of the Constituent Assembly, there was a lot of debate on this particular point and there were two very strong points of view. After that the framing of the Constitution was as it is indicated here. Therefore, I personally feel that you may not like the word 'concurrence' you may use some other word, but try to tighten the construction of this particular Article 124(2) so that it should be very clear that consultation is mandatory and obligatory and consultation does not merely depend upon the desire or the satisfaction of the President. So, all these things must be made clear. I think the construction of that particular clause is very loose. But I can understand the looseness of the construction, because it was evolved at a time when certain norms and traditions and conventions were very much respected. There it was understood and Dr. Ambedkar also felt that when we say that there is a consultation that consultation would be respected. After that consultation there would not be supersession. That was the accepted action. But what was the reality?

Now, let me come to the most crucial point i.e. the question of supersessions and transfers. There has been a convention that seniority and suitability should be respected. By and large it was respected for a long time. But then came 25th April, 1973 when Justice

[Shri Shyam Lal Yadav]

A.N. Ray was appointed as Chief Justice of the Supreme Court superseding Justice K.S. Hegde, Justice A.N. Grover and Justice J.M. Shelat, only because their earlier judgments were** to the Government. Some leaders of the Government did not hide that view. I had the privilege to be in this House in the Fifth Lok Sabha and some who are talking in terms of committed judiciary did not mince words and made it clear that on the basis...of** they did not claim to be the Chief Justice of India.

I would like to give another instance. Sixteen Judges in various High Courts were transferred during the Emergency to distant courts as because they delivered orders or judgments or interim orders or judgments**... to the Government at that time. I was a witness to that and I was also an instrument of experimentation because I was one among those who had filed the habeas-corpus petition in the Bangalore High Court when I was a detenu in Emergency in the Bangalore Central Jail. When we appeared there, I may quote a very interesting incident that every time our Counsel like Justice Chhagla or Justice Venugopal or some others tried to put forward certain points of view and pointed at the lacunae or pointed out certain aspects that were violated, within a few days there was a Constitutional Amendment in this Parliament. So sometimes I have a guilty conscience that not only this Government was responsible for anti-democratic amendments, but people like us were also responsible and instrumental for those anti-democratic amendments, because when we go to the court of law and our Defence Counsel argues, the moment he pointed out the lacuna, that lacuna was removed by the Constitutional Amendment in this House. Of course, we were not here to speak in the House because we were sitting in the Bangalore Central Jail.

Now, sixteen special Judges were removed for their historic ..** rulings and judgments. They were sent to geographically inconvenient locations. That is what happened during the Emergency. And only after the Emergency ended those sixteen Judges were given the freedom to return to their respective courts. Two of them settled themselves at a place where they were sent and fourteen came back

to their respective original Courts. But that happened and let us take note of that also.

I would like to point out a third aberration that had taken place because while having the judicial reforms, we will have to keep before our minds all these aberrations that had taken place over the years. Shri R. Dayal, the Metropolitan Magistrate from Delhi who gave orders for Shrimati Indira Gandhi's release was later on appointed to Sikkim High Court superseding thirty senior Judges in Delhi Judicial Service. This is because he allowed himself to.*.....

Now, I would like to give the fourth instance. Justice Shukla was given the temporary appointment as Chief Justice of Allahabad and he confirmed sixteen appointments opposed by his predecessor, Chief Justice Agarwal, who was transferred to the Calcutta High Court. When Justice Shukla finalised those appointments which were lying pending, he was then confirmed.

Then I would like to give the fifth aberration. Till the Chief Justice of Madhya Pradesh High Court, G. P. Singh retired, ten appointments which were held up were confirmed and Justice C.K. Ojha became the Chief Justice. He is now being tipped for the Supreme Court Judgeship. And in 1977 January, Justice Beg was appointed—I am not casting any aspersions In January 1977 Justice Beg was appointed Chief Justice of India.

[*Translation*]

SHRI HARISH RAWAT (Almora) : You are mentioning his name.

(*Interruptions*)

[*English*]

PROF. MADHU DANDAVATE: Sir, there is absolutely nothing.

SHRI EDUARDO FALEIRO (Moemuga) : There are many facts, but they shall not be mentioned here.

(*Interruptions*)

*Expunged as ordered by the Chair.

PROF. MADHU DANDAVATE : Will you listen to what happened? (*Interruptions*). Sir, no aspersions. (*Interruptions*). Did you listen to what I said ?

(*Interruptions*)

SHRI EDUARDO FALEIRO : It will be newspapers tomorrow morning. Then what in will be the position of Judges ?

(*Interruptions*)

PROF. MADHU DANDAVATE : Sir, rather than discussing with the Parliamentary Affairs Minister, will you dispose of the point of order ?

SHRI EDUARDO FALEIRO : The position is very simple. I do not want to raise this point, but I am compelled to raise it now, that when Prof. Dandavate mentioned specifically particular judges, now he is infringing the rule which says that the conduct and the nature of the judiciary and judicial officers cannot be discussed in this House. Look at the result. Prof. Dandavate has no evidence, has not submitted any evidence to you. He is making some allegations. Tomorrow when these allegations appear in newspapers, what is going to be the position of those judicial officers ? This is not the forum to make this type of allegations. Nobody objects ...

(*Interruptions*)

PROF. MADHU DANDAVATE : You need not give the Ruling, Sir. I accept it. You need not give the Ruling even.

SHRI EDUARDO FALEIRO : If you make your general observations, you can attack the Congress Party... ..

PROF. MADHU DANDAVATE : No, no. It is not worth it !

(*Interruptions*)

SHRI EDUARDO FALEIRO : But the Judges are not here to defend themselves. Don't make allegations against the Judges.

PROF. MADHU DANDAVATE : Sir, I will give a precedent. Fortunately I was

the person who from the very Benches in the Fifth Lok Sabha initiated discussion on the supersession of Judges. I referred to Mr. A.R. Ray, I referred to Mr. Hegde, I referred to Mr. Shelat, I referred to Mr. Grover, and for your information, you can ask for all the records of Fifth Lok Sabha and you will find that the very motion was 'Supersession of Judges' and all this was discussed there.

(*Interruptions*)

AN HON. MEMBER : This is not the point.

(*Interruptions*)

SHRI P. CHIDAMBARAM : Sir, he made a statement that 16 appointments were held up during the tenure of so and so Justice and were finalised after so and so Justice took over. Is that a statement of fact ? It is an inference. It is an aspersion that he is casting upon the previous Chief Justice.

(*Interruptions*)

PROF. MADHU DANDAVATE : Sir, I have not cast any aspersion. I have only stated the facts.

(*Interruptions*)

MR. DEPUTY SPEAKER : The Minister wants to say something. Please sit down.

(*Interruptions*)

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI H. K. L. BHAGAT) : Sir, I would just state the fact. The Hon. Member, Prof. Madhu Dandavate is a stickler for the rules and he himself is always pointing out rules and other things. I do not want any discussion to take place on this. But one accepted principle is, no reflection can be made during the speech of the Hon. Member on any judge. (*Interruptions*) What he has said, whether it amounts to reflection or not, the Deputy Speaker can go through the record and if there is any such remark, it should be expunged. It is not that it should be expunged the remarks after appearing in the newspaper.

SHRI A. CHARLES : May I point out one single allegation made ?

MR. DEPUTY SPEAKER ; No. Please sit down.

PROF. MADHU DANDAVATE : I am not yielding. If it is a point of order, I will yield.

MR. DEPUTY SPEAKER : We have already discussed the point of order. Please sit down.

SHRI A. CHARLES : A statement was made that the Chief Justice was transferred to Sikkim overlooking 30 judges because he made a *judgement supporting the Government. That is clearly an allegation.

MR. DEPUTY SPEAKER : I will go through the record and I will see. If there is any aspersion or anything, it will not go on record.

PROF. MADHU DANDAVATE : I am attacking the action of the Government, as far as the transfers are concerned, it is the Government that is responsible. (*Interruptions.*) I do not want to be obstructed at every stage. I never get up and obstruct anybody.

MR. DEPUTY SPEAKER : I will go through the record.

PROF. MADHU DANDAVATE : If I say that 16 judges were transferred during the Emergency, it is an attack on the Government and I have condemned it any number of times.

As far as supersession of judges are concerned, there was a regular debate on Mr. A.N. Ray becoming Chief Justice of India superseding three judges. On that subject, there was actually a debate and it was a 5-hour debate in this very House. But I accept your direction.

SHRI EDUARDO FALEIRO : Impeachment can also be discussed in this House.

PROF. MADHU DANDAVATE : There was no impeachment. It was again a discussion under rule 193. It was again Madhu

Dandavate. That Madhu Dandavate was the same this Madhu Dandavate who is speaking today. Let me make it very clear. Therefore, Sir, I accept your ruling.

SHRI A. CHARLES : Much water has flowed.

PROF. MADHU DANDAVATE : Why do you want to disturb at every sentence. I can do it also. I can disturb you every sentence. But I do not want to do it.

Let me tell you, I follow your instructions. I will say nothing that will cast aspersions. But if judge 'X' has superseded judge 'Y', mentioning 'X' and 'Y' is nothing wrong. If some one has superseded, I will only make a reference to that. (*Interruptions.*) Sir, every time I have been interrupted... (*Interruptions.*)

MR. DEPUTY SPEAKER : You can continue now.

PROF. MADHU DANDAVATE : No aspersion. I am stating the fact. In January, 1977, Justice Beg was appointed the Chief Justice of India—no defamation—superseding his senior judge H.N. Khanna. No aspersion. This is statement of fact. I will not connect it with anything. This is the same H.N. Khanna who gave in the famous MISA *habeas corpus* case, the famous judgement defending the right of the MISA Detenus for a judicial review. The Attorney General pleaded the case and he said : Once the Emergency is pronounced and the fundamental rights are suspended, in that case, one who is detained under MISA, whatever happens to him in the jail, no doors are open for judicial review". And then, Mr. Khanna put a very inconvenient question. He asked the Attorney General

SHRI HAROOBHAI MEHTA : Point of order.

PROF. MADHU DANDAVATE : What is this point of order ? What is defematory. Let us know, whether they are going to obstruct the debate. Let us be very clear.

SHRI HAROOBHAI MEHTA : This is clear contravention of article 121 of the Constitution of India which bars any discussion on the conduct of any judge.

*Expunged as ordered by the Chair.

PROF. MADHU DANDAVATE : I am not bringing the judges into the picture. I am bringing the Government into the picture. I was saying this in the past. I have just quoted the precedents. I have suggested, you go through for the whole night the proceedings of the whole debate connected with law and you take two days to expunge. (*Interruptions.*)

MR. DEPUTY SPEAKER : Please sit down. I will go through the debate. I will see it.

PROF. MADHU DANDAVATE : Article 121 of the Constitution says that no Member of the Legislature can discuss the conduct of the High Court Judge or the Supreme Court Judge.

SHRI P. R. KUMARAMANGALAM (Salém) : I am on a point of order. With due respect to you, I say that in 1973 when the debate took place on supersession of Judges, it was a specific debate about the appointment of the Chief Justice. That was the matter which was dealt with and in that debate, I am willing to stand corrected; you can verify, the course of judgments, the arguments in courts were not discussed. What was discussed may be the philosophies or the thinkings of Judges or may be, as the Professor says in his own words, the committed or the bonded judiciary in his terminology. May be such things were discussed. But never was a judge pointed out by name and said "He is being superseded because of this judgement or that judgement." No. On the contrary, general trends were pointed out, general issues were taken up, the general behaviour of judiciary was noted and discussions took place. I request, in the interest of the three Wings, as laid down in our Constitution, and the stability and the interest of the nation that individual names are not picked up, individual judgments are not pointed out and arguments be taken up. If we do that we are bound to go down much lower in the eyes of public judgement.

MR. DEPUTY SPEAKER : Please wind up. I have told you I will go through the records and let you know.

PROF. MADHU DANDAVATE : Let me correct the information.

SHRI HAROOBHAI MEHTA : Whether this is a point of order or not is to be decided. Otherwise, you cannot...

MR. DEPUTY SPEAKER : Please sit down. I told you I am going into the record and I will verify everything. Then I will expunge it.

(*Interruptions*)

SHRI P. R. KUMARAMANGALAM : It is in the interest of the nation. It is not a small matter.

PROF. MADHU DANDAVATE : I will only remind Mr. Kumaramangalam that fortunately I was present during the debate and only theoretical things were not mentioned. The various judgments that Hedge, and Shelot and Grover had delivered, were read out in this House, extracts were read out and a case was made out that they are being victimised for the type of judgement that they have made. Neither the Members of the ruling party, I may tell you, Mr. Kumaramangalam's father was seated in this very august body, even he did not object to it. He said "Let us have a free and fair debate" and the matter went on. Madhu Limaye quoted some of the judgements. He initiated the debate. I want, therefore, to be corrected on the point of information.

SHRI HAROOBHAI MEHTA : You should give the ruling.

MR. DEPUTY SPEAKER : I have already assured you that if there is any aspersion, it will not go on record. I will go through the record.

PROF. MADHU DANDAVATE : The judgements were quoted. We alleged that because the judgements were** that is why they were penalised. That was the line and Madhu Limaye had tabled that motion. He initiated the discussion. Kumaramangalam participated in it. Others participated in it on both sides. There was a discussion on the type of judgements that were delivered. Nobody objected to that. There was a free and fair discussion and we contributed to the

**Expunged as ordered by the Chair.

[Prof. Madhu Dandavate]

building up of a public opinion on the question of supersession. That is the history of this Parliament. And this Parliament will continue to be a live Parliament like that and, therefore, I am saying.

SHRI HAROOBHAI MEHTA : I am entitled to take the decision of the...

SHRI P. R. KUMARAMANGALAM : He is not talking of the types of judgements and the philosophy of judgements.

MR. DEPUTY SPEAKER : I told you I will go through the record. I want to verify it.

(Interruptions)

MR. DEPUTY SPEAKER : Those things will not go on record.

PROF. MADHU DANDAVATE : Will you allow me to continue? You tell me the point of order. Is there any point of order? You tell me, I will take my seat.

MR. DEPUTY SPEAKER : No. You can speak.

SHRI RAM PYARE PANIKA (Roberts-ganj) : What is the use of raising a point of order?

MR. DEPUTY SPEAKER : There can be several things. I want to verify. I told you that I will verify the record.

SHRI HAROOBHAI MEHTA : There is a clear prohibition in the Constitution...

(Interruptions)

MR. DEPUTY SPEAKER : I will tell you. The names can be mentioned but there cannot be any aspersion.

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI H. R. BHARADWAJ) : I want to point out one thing. The Hon. Member spoke about Justice Ojha; he says that his appointment in the Supreme Court is being considered. It

is factually incorrect, his case is not being considered at the moment.

PROF. MADHU DANDAVATE : It is very good that the correction has come.

SHRI H. R. BHARADWAJ : It is only in his imagination.

PROF. MADHU DANDAVATE : Whatever is imaginary may be left to imagination.

I am telling you the facts. In 1977 superseding Justice Khanna, Justice Beg was appointed. At that time a similar controversy took place. It is again an allegation against the Government, no allegation against the judge. It is our allegation against the Government. In the famous MISA *habeas corpus* case it was the contention of the MISA detenus that even in an Emergency the right to judicial remedy was open to the MISA detenus. But Government took a different decision. Arguments took place. And when the Attorney-General said, "Once the Emergency is proclaimed and the Fundamental Rights are suspended, the right to judicial review is not available to the MISA detenu" Justice Khanna asked a very clear question : "Mr. Attorney-General, if a detenu is shot dead by the jail authorities during Emergency inside the jail, have the relatives of the detenu no judicial remedy to go to the Supreme Court?" Then the Attorney-General said, "Your Lordship, I am very sorry to state that, under the present conditions, judicial remedy is barred". These were the strong lines that were taken by those people. I am making an allegation not against the judge, not against Justice Beg, not against any other judge; I am making an allegation against the Government; during the Emergency, these judges held their heads high and tried to deliver Judgements and interim orders. They were not** to the establishment; so they, were**. Supersession of Justice Khanna was a part of victimisation to which they had been subjected. Therefore, we need a reform in which all these will be totally eliminated.

Take, for instance, the provision that one-third judges should be from outside the State. I know, even lawyers are divided on this, even members of the ruling Party are

**Expunged as ordered by the Chair.

divided on this issue. It is an academic proposition. (*Interruptions*) I know, in the Consultative Committee, various views were expressed. Do not ask me to give the names...

SHRI H. R. BHARADWAJ : What he says is incorrect. The Consultative Committee was unanimous on this. I am prepared to show the records.

PROF. MADHU DANDAVATE : In this very House during the Zero Hour, by giving notice, this issue of one-third judges was raised and we found a difference of opinion irrespective of political parties. Even among the lawyers, some said that it was a very good provision and some others felt that it was likely to be misused. I have a point of view that, if one-third judges are to be necessarily from outside the State, you give more manoeuvrability, more capacity for manoeuvrability, to the administration. That is one point of view. I know some of my colleagues who are lawyers are in favour of this. Let me make it very clear that some of my colleagues who are in Parliament and who happen to be members of my Party are of the opinion that their working as lawyers has given them the idea that, if one-third of the judges are from outside the State, from the point of view of working of the judiciary it will be a good proposition. I may tell you that it cuts across party lines. But I want to warn that even this provision, without necessary safety valves and necessary reforms, if taken in isolation, is likely to be used as a manoeuvring lever, as a lever to operate to throw away certain unwanted judges from outside the State. Even that has to be taken into consideration.

The former Union Law Minister had sent a letter to various States asking them to try to approach judges and get letters that they were willing for transfer. I had raised this question in this very House and asked the Minister for Law, Justice and Company Affairs whether it was not a fact that the Chief Justice of India had expressed his displeasure to this type of letters being taken from the judges voluntarily offering themselves, saying that they were prepared for being transferred to different States. Young judges who want prospects may say that they are prepared to give this in writing. But then

there is some sort of a coercion. Such coercive practices have to be avoided.

There is one more amendment to which I would like to make a reference. Dr. Ambedkar had made a reference to this in the debates in the Constituent Assembly. Prof. K. T. Shah was a very eminent and vigilant member of the Constituent Assembly. He had moved a very significant amendment, and I am sure that on that amendment there can be unanimity even cutting across Party lines. What was the amendment? I would like to preface it by what Mr. H.M. Seervai said on that particular amendment in retrospect :

“To secure independence of the Comptroller and Auditor General of India and the Members of the Public Service Commission, our Constitution has provided that, on ceasing to hold these posts, the incumbent cannot hold any office under the Government of Union or States.”

This provision is already there. Prof. K. T. Shah moved one amendment in the Constituent Assembly, and he suggested that, on similar lines, for the High Court judges and Supreme Court judges, a similar provision should be introduced; when the Supreme Court and High Court judges retire, they should be debarred from holding any post or any appointment given by the Government of India or by the State Government concerned. The noble objective was that, just as the Comptroller and Auditor General of India and Members of the Public Service Commission are debarred even after retirement to hold any post in the Government so that when they are in power, when they are functioning as administrators, they will not keep their eyes on the gains to be accrued afterwards, in a similar way, the Supreme Court and High Court Judges should be debarred; if the Supreme Court and High Court judges keep their eyes on some of the gains that are likely to accrue to them after retirement, then they are likely to give wrong judgments; as a result of that, this attitude was taken. At that time Dr. Ambedkar's only argument was : “The stage has not come when there are a large number of litigations in which the Government is involved; in various debates on the floor of the House it

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has been brought to the notice of the Chair that no more than 50 per cent of the cases before the Supreme Court and High Courts are such that Government is a party to the dispute; and if a number of cases come before the High Courts and Supreme Court in which Government is a party and if the judges are expecting some sort of favour from the Government after retirement, in that case their objective judgement, is likely to suffer". Dr. Ambedkar did not reject that amendment outright; he said, "The stage has not come when we can accept that amendment because the Government is not involved in a large number of disputes that come before the Supreme Court and the High Courts". But today it is an accepted fact that in more than 50 per cent of the disputes, in some form or the other, the Government or the public sector is involved and, therefore, it is better that whatever is the Constitutional provision for the Comptroller and Auditor General of India and Members of the Public Service Commission should be applicable also to the members of the Bar, the members who belong to the Supreme Court and also those who belong to the High Courts.

Only on one ground, perhaps, we are not finding it practicable. The reason is that the service conditions of the judges are such. I am thankful to the learned Member who put forward a very cogent plea, who put forward before the House the fact that, in commensurate with the dignity and prestige of our judiciary, we are not offering them proper emoluments. When they retire from their service, we are not giving them adequate pension. I think, the House was almost unanimous that better emoluments should be available to the judiciary, better facilities should be available to them, even better pension facilities should be available to them. We cannot say, when we are giving them bad emoluments when they are in service and when we are giving them a pension which will be inadequate and meagre, that we will not allow them, after retirement, to take any job in the Government. It cannot be a one-way traffic. Therefore, while suggesting that the famous K.T. Shah's amendment should be accepted at this stage and a judicial reform should be introduced, at the same time I insist that the emoluments of the judiciary and the various facilities available to them,

including the pension facilities should be improved. My friend has rightly pointed out that in the United States and in the U.K., a periodical reform of the salaries of all top-ranking officers, including judicial officers is undertaken. As inflation grows, hardships grow, the emoluments become meagre. Whatever was there—Rs. 3,500 as salary when India became free—and the Constitution was adopted on 26th January, 1950—the same salary of Rs. 3,500/- is very inadequate with the present inflation rate. Sir, if the same administration continues the inflation is likely to go up, Commensurate with that facilities should also improve. Therefore, I balance both these things. Ban after retirement on any job by the Government and better emoluments and better pension that should be taken up. (*Interruptions*).

Sir, I am an uncompromising fighter against the monopolists in this House. Look at my speech on 6th May, 1984 on MRTP Bill and you will find all these suggestions made by me and I fully endorse those suggestions. Not only the government service but they should not also accept the post of monopoly houses as their consultants.

Then there is another question, namely, the question of bifurcation. It is not merely South or North as Mr. Kurien prised it. I am not opposed to his suggestion. In fact, he says that the entire northern community wants that Supreme Court should come to the South. Sir, let it be taken to the South because they are so much bored with the work going on here. They would also like to be shifted from here.

Sir, I am not talking in terms of North and South. I am talking about the new seed that is sown. Unfortunately, the Law Commission has also sown that seed. They have said that the Supreme Court should be bifurcated, namely, one branch will take up only constitutional items and the other will take up all other items and cases which are not concerned with constitutional problems. If that is done, I am sure, most of the members of the existing judiciary also feel because they have said it in so many Seminars if you bifurcate the present Supreme Court into constitutional Supreme Court and non-constitutional Supreme Court in that case it will destroy the unity and integrity of Supreme

Court and probably some manipulations may take place. Here I may indicate the manipulations. There was a controversy regarding the power of the Parliament to amend the Constitution. Here again I may tell the young members that in the Fifth Lok Sabha even before the Government brought the Twenty-fourth Constitution Amendment Bill...

SHRI PRIYA RANJAN DAS MUNSI :
Do you support a non-constitutional Supreme Court ?

PROF. MADAU DANDAVATE : I am not saying it in that sense. I am glad that Das Munsi does not only get angry but he has also a sense of humour. When I said non-constitutional Supreme Court that means branch of the Supreme Court which deals with the problems which are other than constitutional problems. Is that clear ?

Sir, if the bifurcation takes place I see another danger. I do not want to give any scope to this Government to manipulate the matters. I will concretise my criticism why I am not in favour of a reform but maintaining the integrity of the Supreme Court.

Sir, there was a lot of controversy regarding the power Parliament under Article 368 to amend any part of the Constitution. There was a school that believe that Article 13 (2) is a controlling clause for article 368 because 13(2) says that the State shall not enact any law that will either take away or abridge the fundamental right conceded by Part III of the Constitution. In Sajjan Singh's case, in Chandrika Prasad's case, fortunately, the judgement came in favour of the point of view that there is a distinction between constituent law and an ordinary law. Art. 13(2) deals not with constituent law but it deals with ordinary law. If Article 368 is completely outside the ambit of Article 13(2) unfortunately there is Golaknath case and there is the other controversial case. In this very House I moved a Private Member's Bill strengthening the power of the Parliament and demanding that Article 368-must be unfettered and it should not be controlled by Article 13(2) because Article 13(2) relates not to constituent law but it relates to an ordinary law. Within a few weeks the formal Bill of the Government came up. I stood by that particular Bill. In

that context I want to explain my point of view. After that came the emergency. In between some developments took place and it appeared that we cannot take extreme attitude about some of the powers of Parliament. And therefore came the saving grace of the Keshavananda Bharati case judgement; that judgment upheld the power of the Parliament to amend any part of the Constitution including fundamental rights enumerated in Part III. But all that they say is, the power to amend the constitution cannot be utilised to destroy the constitution. And therefore they say that Article 368 can be utilised to amend any part of the constitution excepting the basic feature or basic structure of the constitution. It is an accepted fact. The Minister, in the last Lok Sabha, in reply to my question has candidly accepted that they are not happy with the Keshavananda Bharati judgement. In the Minerva case they demanded repeal of the Keshavananda Bharati judgement. And today we know that the present Supreme Court,—even they tried a fuller bench,—they said, there is no case it was sent back. We know that the existing Supreme Court is not likely to repeal the judgement in the Keshavananda Bharati case and give them the unfettered freedom to change even the basic structure; They have now gone in an appeal seeking repeal of the Keshavananda Bharati case judgement. And if the Supreme Court is split up into two then probably the majority can be manipulated in favour of repeal of the Keshavananda Bharati case and that will be additional reason I want that the integrity and unity of the Supreme Court should be maintained so that no bench of the Supreme Court can be utilised to manipulate the consistent position regarding their philosophy. The jurisdictions are well-defined. I am not one among those who want any confrontation between the people, Parliament and judiciary. But I think that can be done if we once again firmly adumbrate in the constitution the structure of various elements in our democratic life. I am one among those who believe that people are sovereign in helping the Government; Parliament is supreme in amending the constitution and enacting the laws; the Supreme Court is sovereign in interpreting whether the laws enacted by Parliament and legislature and the constitution amended is within the ambit of the general constitution. Now that right of interpretation is there. Supreme Court cannot be a third chamber in this country. I shall never accept that. Each of

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the three elements, the people the Parliament and the judiciary have their own unique jurisdiction. If each one of the three stick to their own jurisdiction there will be no confrontation between the three at all and therefore that should be ensured.

One suggestion regarding backlog. On that I believe that there is a total unanimity in this House. So many cases are pending. Our friends are coming from different parts of the country, whether they come on behalf of labour or whether they come regarding revenue cases, or whether they come with regard to income tax cases or in connection with problems of the Government services etc. Our usual experience is that there is lot of backlog. Sir, one of the eminent jurists V.M. Tarkunde has made a very constructive suggestion, and I think it represents the consensus of this House. He has suggested, in order to remove the backlog, of all the pending cases, that the supreme court should have 4 national tribunals. And they will be like this : One National tribunal will be for income-tax cases. One national tribunal will be for revenue matters like excise customs sales-tax etc. The third national tribunal will be for labour disputes. The fourth one will be for service cases. Each one will have 3 judges with status and salary of Supreme Court; constitutional amendment should be there to prescribe that matters before the national tribunal will not be allowed to be argued and adjudicated before Supreme Court and High Court. If that is done, the backlog of cases that exists today can be completely eliminated.

I conclude with an appeal to the Government. Enough material on judicial reforms is available. Ministry for Justice for its major work is under the control of the Home Ministry. I want that our Home Minister should not be troubled much. The Ministry of Justice should be taken away from the Home Ministry and it should be completely under the Law Ministry.

THE MINISTER OF LAW AND JUSTICE (SHRI A.K. SEN) : It is already outside the Home Ministry. Only one of the Home Secretary happens to be the Justice Secretary.

PROF. MADHU DANDAVATE : Do not keep any connection with the Home Ministry at all; be the master of your own. Not that I want to drive a wedge between the two; there is already a corridor between you two. That is sufficient.

If that is done, the Ministry of Justice will function better. Therefore, I conclude by saying that democracy in the country is to be defended; no matter which party is in power. There should be certain checks, and balances, effective public opinion, a fearless press, free and independent judiciary and vigilant and dynamic Parliament. These four elements are the checks and balances of democracy. Since judiciary is one of the important checks and balances of democracy, I would like the entire House to apply their mind. I shall not hackle anyone, who makes any proposals regarding the reforms which is not acceptable to me. We have grown up in the tradition that we might completely differ with what you say, I shall fight to the death your right to say that.

SHRI EDUARDO FALEIRO (Mormugao) : Mr. Deputy Speaker, Sir, I congratulate Prof. Dandavate for having raised this important discussion on the need for judicial reforms. But I only regret that for most of his speech for more than thirty minutes, he dwelt on the question of appointment and transfer of judges. These are really not the only things; these are not even perhaps the major things in considering the question of judicial reforms.

He said that consultation with the Chief Justice was not enough; concurrence of the Chief Justice was necessary in the case of appointments. Now he suspects the Government; mainly the thrust of his debate has been an attack on the Government, on the ruling party. That has taken much away from the quality of his contribution this afternoon. He wants concurrence with the Chief Justice. He suspects the Government he suspects the Home Ministry. Why will he not suspect tomorrow the Chief Justice, if he agrees? Once a suspicious mind, always a suspicious mind. He has quoted United States and United Kingdom. All that I can say for the information of the learned professor is that neither in the United States, nor in the United Kingdom any concurrence with

the Chief Justice is necessary in the question of appointment of judges. In fact, there is no question of even consultation with the Chief Justice...(*Interruptions*). But whatever you may have said, even consultation provision to have consultation with the Chief Justice does not exist in most of the western democracies. It is an unqualified right of the Government in most of the western democracies.

PROF. MADHU DANDAVATE : Let there be no misunderstanding. At the stage of appointment, I did not utter the word United Kingdom or United States of America. I supported one of the colleagues who pleaded for better emoluments. He said that in United States of America and United Kingdom, every four years a Commission or a Committee meets, and reviews this and I support that fully. I cannot compare the Indian system with the American system. They are altogether different.

SHRI EDUARDO FALEIRO : It does not behove a professor to say that. But as I said, neither in the United Kingdom, nor in the United States, concurrence of the Chief Justice is required. In the case of United Kingdom, even consultation is not required. Therefore Sir, all that I would like to inform the Hon. Professor is that we on this side of the House are as much concerned.

PROF. MADHU DANDAVATE : There is no written constitution in UK also.

SHRI EDUARDO FALEIRO : So, you have agreed. This tergiversating does not behove of a Professor. We are not saying that there is a written constitution or there is a convention. All that we are saying is that this benefit of consulting which we have in this country, is not available even in the United Kingdom. There, the Government without consulting anybody, including the Chief Justice or the presiding Lord Chancellor or the presiding judge of the judiciary of the UK, without consulting, much less obtaining concurrence, proceeds to appoint judges.

What I was saying when the Professor interrupted me is this. All of us in this House—I am sure at least we in this section

of the House are very much concerned and interested in upholding the freedom of the judiciary, the independence of the judiciary and the dignity of the judiciary. And in this context, permit me to say this. When the Professor began his speech, he began it by saying that the need for this discussion was created by a recent utterance of a judge of the Supreme Court. All that I can say, without going into this specific case regarding the utterances made by that judge, is that the freedom and dignity of the judiciary must be maintained and upheld by all.

This House is the most authentic voice of the people of India. This House are the law makers of this country. And yet, the rules of our procedure do not permit that any aspersions may be cast, or any speech may be made or any allegation may be made which may detract from the dignity of the judiciary. All that I can say is that nothing detracts more from the dignity of judiciary than the utterances of one judge, himself a member of the judiciary, making in public allegations against other judges, casting aspersions against other judges, calling them sycophants and so on. What else and what more can detract from the dignity of the judiciary, when a member of the judiciary, of the highest court, in the land, casts aspersions on brother judges ?

SHRI H. M. PATEL (Sabarkantha) : This is contempt of court. You are casting aspersions.

SHRI EDUARDO FALEIRO : I am leaving it to you Mr. Deputy Speaker to consider whether this position is correct or not. There is no question of any aspersions. Prof. Madhu Dandavate has strayed into this field of making allegations against the Congress Government. He said that during Emergency, several judges were appointed on partisan ground. At the beginning of this debate, I never intended to say this much. But in view of what Prof. Dandavate has said, I am constrained to say this. During the rule of his party, during the Janata Party's rule, I was a member of this House and I was a member of the Consultative Committee attached to the Law Ministry. I do know this. I followed very closely and I knew how the Allahabad High Court and many other High Courts were packed with

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activists of a right wing constituent of the Janata Party. I followed it very closely and I knew how in the Guwahati High Court and in many other High Courts, Chief Justices were not appointed, though they were the senior judges of these particular High Courts, only because they were not politically palatable to the regime that was operating at that time. So, let us not make allegations on this ground. We do not advance in any way if you throw mud at us and we have a lot of ground to throw stones at you. But it definitely does not take you or me or the case for judicial reform anywhere.

Now, Prof. Dandavate waxed eloquence on the question of committed judges. Now, what does he really mean by committed judges? He has not defined 'commitment' of the judges, to which he objects. Apparently, from what we heard from him, the net result seems to be, committed judges according to the Professor's view are those judges who decided in a particular case for the Government. And if they decide against the Government, they are rvey bold and independent judges.

PROF. MADHU DANDAVATE : I will give the definition. Committed judges are those who are committed to the Government. Otherwise, they are omitted.

SHRI EDUARDO FALEIRO : I am here standing as a member of this party.

[17.00 hrs)

I do believe, and I can say that party does believe that the Judge should never, never owe allegiance to any particular group, whether it is the Congress Party, Janata Party, BJP or any other party. But we all do believe here, that there must be a commitment, there shall be a commitment; and a commitment is necessary not merely of the Judges, but of everybody, to what is enshrined in this book, viz. the Constitution of India. This commitment has got to be not merely to the provisions of the Constitution, selectively. I would like to be specific and say that the commitment should be, *inter alia*, to what is mentioned here in the Directive Principles of State Policy in Part IV of the Constitution. What is mentioned here in

Article 39 of the Constitution are words which are to be recollected and recalled every time we have an opportunity. So, I will read it for benefit and for our own re-education, because this is really what has to guide us, guide this House, guide the Judiciary and guide the Executive. Article 39 says :

"The State shall, in particular, direct its policy towards securing—

- (a) that the citizens, men and women equally, have the right to an adequate means of livelihood;
- (b) that the ownership and control of the material resources of the community are so distributed as best to subserve the common good;
- (c) that the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment;
- (d) that there is equal pay for equal work for both men and women;

Article 39 (e) and (f) speak about the opportunities for workers, and opportunities for the children;

I hope neither Mr. Dandavate nor anybody in this House will object to the commitment of a Judge to this particular Article of the Constitution. It is an Article for the poor, for the down-trodden, and for the health and strength of this budding but strong and, I think, right-thinking nation.

SHRI H.A. DORA (Srikakulam) : That is only the Directive Principle of State Policy, not . (*Interruptions*).

SHRI EDUARDO FALEIRO : Hear the voice of the reaction; hear the voice of the Establishment; hear the voice of those who want to sabotage the Constitution. (*Interruptions*). But they also have a right to speak in the House.

SHRI H.A. DORA : You have not heard it. What about Part III of the Constitution ?

SHRI EDUARDO FALEIRO : I want you to say it for the sake of record,

I mention this because there is a difference. We on this side of the House do believe that Part IV of the Constitution is as important a part of the Constitution, if not more, as Part III. Those on that side of the House who are for the rich, for the privileged, for the vested interests will have the Fundamental Rights, whereas the Directive Principles, for them, have no meaning; they cannot be enforced. And when they voted for them, because they also voted for these, they meant that they should never be enforced. That is what the Hon. Member has got to say now. (*Interruptions*).

One important point raised at the end by Mr. Dandavate is about the backlog of cases, and the need for doing something to reduce that backlog. Let me mention that as far as I can recall, in the President's Address, the Government has given a commitment for a Law Reforms Commission. Government has implemented its commitment as far as electoral reforms go. It has very speedily brought in the Anti-Defection Bill, got it made into an Act, and brought in other Bills for electoral reform. I urge upon the Government to show as soon as possible the same speed here also, and constitute a Judicial Reforms Commission, and follow it up and do the necessary things, so that the judicial reforms are brought into our system.

About the backlog, the point is this : our courts today may be courts of law, but lots of people do not believe that they are courts of justice; and the reason is that justice is delayed for so long that it ends up by being denied. This point has been, in a manner, admitted by the Law Minister himself, while replying to a question in this House very recently, on the 22nd January 1985 when he gave this terrifying figure, if I may say so, that in the Supreme Court alone, there are 1,48,891 cases pending. In the Supreme Court alone, one lakh, 48 thousands and more cases are pending; and in the main High Courts, in Allahabad High Court, two lakhs, 12 thousands and 453 cases are pending. In Madras High Court and other major High Courts one lakh, 25 thousands and 993 cases are pending. This is as on 30th June, 1984. The figure, must have gone up by now. There are pending cases which run into lakhs in the High Courts alone; there are million of cases in the lower courts. And really what has not been emphasised in this debate is the

importance of the subordinate judiciary where most of the cases take place are in the lower courts.

If you are going to reduce the number of cases and expedite the disposal of cases so that justice is not denied, then I have a few suggestions to make. (1) We should reduce the number of appeals, reviews and revisions that take years to be disposed of. Very often, we find that a person has no case at all, but even then due to some reason or other, he goes on filing appeals; if he loses one appeal, he files another appeal; if he loses second appeal, he files the third appeal; he goes into writ petition; this keeps on happening. It is not merely a private citizen who is guilty of this dilatory tactics, very often the Government themselves are responsible for resorting to the dilatory tactics. I myself, as Member of Parliament, know about the cases of my constituency. How many times petty officers bring in writ petitions in the High Courts or in other courts regarding their service conditions, pay or superannuation or denial of promotion; they bring cases at tremendous expenses. Once they win, if they manage to win, if they manage to pay the fee to the lawyers, Government very often, instead of stopping there, instead of accepting the verdict of the judiciary, prefer appeals with the result that these small men, petty clerks will have to incur further expenses, further trouble; and this dilatory tactic is being followed not merely by the private litigants, not merely by the big companies, but by the Government themselves. (2) If we are going to reduce the backlog, if we are going to reduce the delay in the disposal of cases, let us give one fair trial and one appeal; no more appeal, no more revision, no more review. The experience has shown that out of the writ petitions that I have filed in the High Courts, three-fourths are dismissed. We have an example in this House in the last few days. How a writ petition was accepted, admitted in the Calcutta High Court on something which has no relevance? It is not a question of being a religious person or non-religious person; it is such a frivolous petition on the face of it and yet this frivolous petition was admitted. (*Interruptions*). Even notice should not have been issued. (*Interruptions*) I would like to tell our Law Minister that it would not have been proper for a judge even to take cognizance of this petition; to dismiss it *in limine*, as and when it comes to the notice; it would

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have avoided all this turmoil in this country, apart from the trouble for the Government of India who had deputed their Attorney-General for the State Government at the tremendous expenses and trouble.

THE MINISTER OF LAW AND JUSTICE (SHRI A.K. SEN) : We cannot have a right.

SHRI EDUARDO FALEIRO : If you want subordinate judiciary to be the mainstay of the judicial system, if you want it to be more effective, you must attract bright and capable people. I am not saying that we are not bright and capable people because that would be casting some sort of aspersion, but more bright and more capable and for that conditions of judiciary being what they are in comparison to the condition of the Bar or lawyers, there is a strong case for improving the scales of pay of the subordinate judiciary. They must be given housing facilities, medical facilities, educational facilities for their children, only then you have a chance to attract some capable people who will contribute, because they are the ones who are going to contribute mainly for judicial reforms in the right direction. When I speak for the housing for the judges, let me mention question of housing the courts themselves. In the Supreme Court, in Delhi, you find litigants come from all over the country. Very often in the court rooms themselves, there is a shortage of place; there is no place for these people who come from Kerala, Tamil-Nadu or from distant places where they can sit and look at their papers and get them typed also. They sit under the trees, in the compound. This is the position of the Supreme Court of India which is so looked after.

MR. DEPUTY SPEAKER : That is why some of them demand that it should be in the South.

SHRI EDUARDO FALEIRO : Trees in the South will give more shelter to the litigants. That is all that is going to happen. But that is not going to solve the problem. Because you must have in every court room facilities for the litigants to sit there rather than loiter in the corridor or sit under the trees. The same applies to lawyers.

Sir, the Government of which the Law Minister is such a dignified member, has been speaking about getting India ready for the twentyfirst century. As far as the courts and their operation are concerned, we are far from that, even in the twentieth century ! Still, to get a copy of the judgment it takes days, because there are no typists, there is no library, there are no facilities. In any case according to the Anglo-Saxon system of jurisprudence which is not the system of jurisprudence all over the world, between five and five hundred judgments have to be cited and law books procured accordingly . I would suggest, let us modernise the operation of our courts. Let us begin with small things like a photo-copying machine rather than having those old typists, each one of them typing judgments, and unending backlog.

Why do we not have photo-copying machines ? And, Sir, why do we not have computers in the courts ? Or, why can the computers not do this work, which is not a very sophisticated work, of compiling, maintaining and helping in collecting the cases on a particular point of law ? Now, we find that this . . . (Interruptions).

PROF. MADHU DANDAVATE : We do not mind computers during the Question Hour also !

AN HON. MEMBER : Computer lawyers !

SHRI EDUARDO FALEIRO : Now we find that this is found to be out of the way and extravagant.

Once United Kingdom starts utilising the computers, then you find that it is the 'in thing' and all of us will opt for computers. That is our approach. Our approach, I would respectfully say is not far from being servile. Whatever is right in the United Kingdom, whatever is right in the United States becomes right here only 15 years thereafter.

MR. DEPUTY SPEAKER : You are saying the same thing. Instead of starting from the U.S.A. which is right here too, implement it here, why can we not have this kind of right thing first and do it here ?

SHRI EDUARDO FALEIRO : We must do it. There is time. And we have reached the time where we must be creative, we must be innovative. We must not wait for other countries, which are smaller countries, which do not have the cultural heritage to do these things, then we follow blindly the lead. We should not do.

There are several other matters on which one would like to speak. An important thing to cut at the backlog will be to give more importance to conciliatory proceedings. It is important that before every case begins at the pre-trial stage in the criminal cases and in the civil cases as soon as the suit is filed, a judge or a presiding officer should make efforts to conciliate, to bring about conciliation, between the two parties. In this context I may mention the very good experience that has been obtained with the Lok Adalat in Gujarat and with Nyaya Panchayat in Maharashtra and other States, where the retired judges, important people, respected people in that particular area, preside over the proceedings. Very often they bring about conciliation. Conciliatory procedure as a preliminary to actual trial, actual judgment of the case or evidence in the case must be there as part of the judicial reform. There is a need to reform our Evidence Act. We have to look into the question of burden of proof. These are all technical matters.

I agree with Prof. Dandavate when he makes a case for administrative tribunals. That will definitely reduce the backlog and pressure on the High Courts and ordinary tribunals. The Government has brought in the Administrative Tribunal Bill, Family Courts Bill and other such related Bills, for being passed in this House. I am sure, these will contribute a very great deal in reducing the backlog.

Permit me to make a final submission and that is, the need for a common civil code. It is very important that we must have a common civil code to bring the country together, particularly today when the country is faced with so many divisive pressures. This common law will bring our people together. I come from a part of the country, perhaps, the only part of the country where we have a common civil code for everybody. I remember that leaders of some religious groups did go

to Goa and convinced the people there that they should adopt the Personal Law. The men were in two minds but all the women were in one mind. They said that they did not want the Personal Law. They wanted the law that they had and that was very good for them. Therefore, taking into account the wishes of the leaders of the community by consulting them and trying to convince them and with their approval let us have a common civil code. With this plea which is very dear to me I thank you and conclude my speech.

SHRI SHYAM LAL YADAV (Varanasi) : I thought that Prof. Madhu Dandavate would deal with the judiciary in the country as it obtains today. But in most part of his speech he devoted himself to political innuendoes and allegations. But actually the Anglo-Saxon system of judiciary has enshrined our minds. Whatever may be the situation of judiciary, the people's faith is still alive in the judiciary. Most of the cases are conducted in the lower courts, as just referred by my friend. But Prof. Dandavate throughout his speech discussed only a fraction of those cases that go to the High Courts and the Supreme Court. He is more concerned about the judges of the Supreme Court and High Courts as if they are doing all judiciary work in the country. Actually after the inauguration of the Constitution the whole judicial system has changed in our country. The High Courts and the Supreme Court do have that power of superintendence over the lower courts.

But there are innumerable types of courts that function throughout the country. People in their everyday life are going to one court or the other, whether dealing with landed property, civil rights, taxation laws, transport litigation. Innumerable types of cases crop up everyday in lower courts and district courts. They are the life blood of our legal system. Everyday the life of millions of people is involved. It is the criminal litigation which affects them largely. If any judicial reform is to be taken into hand, I think that part of litigation should be given top priority, not only the High Courts and the Supreme Court. The criminal litigation, I think, is conducted in a way which is not very healthy. The police investigates the case. From the time when a complainant goes to the police station to file his F.I.R., he

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starts manipulating the case. He never brings true facts to the police station. The police takes upon itself the job to investigate the case to file a charge-sheet. Earlier it used to be that policemen did not register cases because that would show that the crime curve was going up. But the State Governments ordered them and they started registering the cases. Now that part of their duty is not there. If the cases are registered, they are not responsible for them. So, they have to register cases. But I am sorry to say that investigation of crime cases by police is not up to the mark which everyone likes to be.

The Supreme Court may have laid down certain rules and regulations. What the Supreme Court is doing today, I think, is adding to the arrears. The Supreme Court has left its own responsibility. They have left the road of justice and have gone to the lanes and by-lanes of justice. Even if a post card is dropped, the Supreme Court starts hearing on that post card and orders investigation. They have taken the job of policemen also. They send the Registrar to enquire they send the District Judges to enquire. This is not the job of the Supreme Court. The Supreme Court has taken upon itself all the jobs that other persons should have done, and that is why the arrears are increasing. What I was submitting is that the investigation by the police is not very fair in almost all the cases, and people are compelled by the police to confess the offences. The difference that I find here and in the English system—the Scotland investigation system—is that in England the evidence collected by the investigating officer is such that the culprit is left with no option but to confess the crime, but here the investigation starts with a confession. The police officers mostly are very good story-writers, they are novelists, they enact the whole scene of crime in their mind and then they torture the accused persons and just put in their mouth a confession which is invariably retracted later on when the trial opens. I have come across even some cases like the murder of Dindayal Upadhyaya, the veteran Jan Sangh leader who was unfortunately murdered in my own constituency, in the district of Mughal Sarai, while travelling in the train. Certain poor people were caught up in that case. They were made to confess

offences, which all of them withdrew at the time of trial. That case was conducted by the CBI and a lot of hue and cry was raised by the political parties, but nothing came out of that case... (*Interruptions*)

PROF. MADHU DANDAVATE : What had the CPI to do with it ?

SHRI SHYAM LAL YADAV : I am saying CBI. If the CPI becomes CBI, you know the fate of the litigation. So, my submission in this respect would be now the judicial system, mostly the criminal litigation and procedures, is in the hands of the State Governments, and fortunately for this matter, many of the States are ruled by many other parties also—in Bengal, Karnataka, Tamil Nadu, Andhra. Those Members are sitting on that side. They have shown their concern for fair inquiry and justice. So, I would request all of them and everyone that let us take a bold step in criminal investigation and ask the police to record only true statements from the witnesses, from the accused persons and the responsibility for the police should not be fixed up if a case is returned or is not worked out. They should not be expected just to write false things to prepare a case to file a charge sheet unnecessarily without evidence because nobody is prepared to come forward to give his evidence in any case, say, murder or any serious crime. Nobody wants to give evidence. So, the policeman has to bring in professional witnesses from somewhere.

Once the policeman knows that it is not his job to prepare a case or a story, I think he will have the confidence of the people. Otherwise people know, whether they are complainant or witness or accused, that the police is not fair and correct. So, nobody has faith in the criminal investigation on the part of the police. Therefore, it involves a bold decision on the part of all parties.

The second point I would like is that the Judges should have a philosophy. I am not in agreement with Prof. Dandavate that Judges should not be committed. The philosophy of a judge is his surroundings, his ancestral system and his living. What type of man he is, from which section of society he comes. It all plays into his mind and it works in his judgment also. I can cite several examples when a landlord is a judge, his

mind works in that direction. If he is a tenant his mind works in that direction. The landlord does not realise the difficulties of the tenant—be it a tenant or a house of of a land or a sub-tenant. Therefore, it is very necessary that the Judges from that community should be appointed. People coming from a posh locality, flying in aeroplanes, having high standard of living cannot appreciate the difficulties of the poor man. I know the instances when in Uttar Pradesh Zamindari Abolition Act was passed. In that a right was given to the occupants of the agricultural land. If he was recorded as occupant in a certain year, he was conferred the right. He could not be ejected. The High Court of Allahabad from, judges to judges, delivered dozens of judgments in which they tried to interpret the word occupant. One judge who was a very rich man belonging to a very high strata of society and belonging to a Zamindar family said occupied means 'legally occupied'. Another judge came and said 'occupied' means he has cultivated the land. So, they gave so many conflicting judgments. Every time the Uttar Pradesh Legislature had to come forward to explain the word 'occupied' meaning simple occupation or cultivation of the land. Therefore, to say that judges should not be committed, I think, in the present Indian situations is just having a stick to beat the ruling party. He should be committed to the Directive Principles of the Constitution; he should be committed to the society, the poor man, the under-privileged people, the people who are actually running in distress from pillar to post. He should be committed to those persons and those philosophies and that he should not be a landlord, a capitalist or an oppressor. He should not be a terror. I think this philosophy should be kept in mind.

PROF. MADHU DANDAVATE : He should not be a petty bourgeois also.

SHRI SHYAM LAL YADAV : Why bureaucrats. I know how bureaucrat works. An old ICS Officer himself used to go to the High Court as a Judge also. But now that trend has changed. Now, an IAS Officer cannot go. It was there earlier, but not today.

The next point that I would like to submit is that my friend has said about the

common civil code. I think this is a very controversial subject. In the society in which we are living in India which consists of various castes, various religions and various sects, it is not possible to have a common code. (*Interruptions*). This is not possible, and this is very disastrous. If any one takes this step or dares to take up this matter, I think this will meet very stiff opposition. (*Interruptions*). Let us continue whatever system we have, the personal laws are there, most of them apply in property matters, in marriage matters; in some matters personal laws apply, but in other matters we have got legislations and every day the Parliament, and the State Legislatures, are enacting laws to enforce social justice.

Only one important thing I would like to say and that is, arrears are mounting no doubt. But the society has also prospered and now in the new type of litigation, every one is becoming conscious of his rights, his duties or damages that are caused to him. Therefore, people are going usually to courts, even in trifling matters one is likely to go to the court. Even in small matters like transfers,— a primary school teacher is transferred, or a village Lokpal is transferred, he goes to the High Court to get a stay order. An ordinary engineer, an Assistant Engineer in my own city of Varanasi was transferred and he got a stay order from the High Court of Allahabad, and there are two engineers sitting at the same place. It has created a lot of problem. The Constitution has given certain rights to the people, so they are going for enforcement of those rights and most of the time, I would like to say from my own experience that litigants themselves do not want speedy justice. They want the cases should be delayed. Only the delay is in their favour. Most of the writs that are filed in the High Courts— he said about two-thirds, but I say about 90 per cent, are dismissed. But the only thing they want is to get a stay order, let the stay order continue as long as possible and that will serve the purpose. That is all. It is not filed for the purpose of winning the case.

PROF. MADHU DANDAVATE : Are you suggesting that some system should be evolved to delay the proceedings ?

SHRI SHYAM LAL YADAV : No, I am not suggesting. I think perhaps I have

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not made myself clear that delay is caused not because of the Judge, delay is almost tried for by the parties themselves. At their instance there is delay, the lawyer is not present, or one lawyer takes up so many cases and he tries to accommodate it. The litigant also wants that they should not be allowed to proceed. Once I filed a revenue case. I was on the side of the defendant. That case started in the year 1963. I advised my client stating that 'you are not going to win as the law stands, you are sure to lose.' He said, 'Please continue this litigation as long as possible'. And I can tell you that the litigation case is still pending in the lower court. Even the evidence has not started in that case. The plaintiff has died, and the defendant is still alive. I met him during my election in the village. So, the people themselves sometimes want delay because that will wash off the benefit that they are required to give. Now, a lot of litigations are coming up during the elections—not only Assembly elections and Parliament elections, but also local bodies' elections, cooperative elections and all schools, colleges and institutions are having elections and all afterwards having litigations. That is consuming a lot of time in the courts.

SHRI RAM PYARE PANIKA : You tell something about advocates—what they are doing to the country.

(Interruptions)

SHRI SHYAM LAL YADAV : My friend, I was coming to that part also.

MR. DEPUTY SPEAKER : Please conclude.

SHRI SHYAM LAL YADAV : Now, the bar is becoming crowded. You know, because of the unemployment and no avenues, every one who is just able to complete his law comes to join the bar. Now, the situation in the bar is not good. There is no arrangement for sitting, no shed, nothing of that sort, but they are doing their job there. And so far as lawyers are concerned, their interest is to serve the clients. Whatever the client says he is to do. But the lawyers, I am sorry to say, at the High Courts and the Supreme Court, are not doing justice to the

people. Most of the lawyers who are very vocal for Fundamental Rights, for democracy for the rule of law, I think, are doing great injustice to the litigants. They charge very heavily. For a minute they will charge Rs. 1500. I know in the Supreme Court the lawyer will sit for one minute admission only and he will take Rs. 1500. *(Interruptions)*. They are charging exorbitantly. It is out of all proportions. The more the fee they charge...

SHRI E. AYYAPU REDDY : Sir, he is casting aspersion on the court. The Hon. Minister himself is a leading lawyer.

(Interruptions)

SHRI SHYAM LAL YADAV : No aspersion. I say, Mr. Deputy Speaker, there are some eminent lawyers in the country who are more concerned for democracy, for rule of law and all these things. And the more vocal they are, louder they speak, the higher the fee they charge from the people of the country. I know the names of these people and some of them have been in Parliament also. I know they are talking with double tongue. On the one hand, they are fleecing the people and on the other hand, they are talking for, democracy, rule of law or justice. Therefore, Sir, at the end, I would like to submit that whatever judicial reforms are there, this topic will ever remain important and it will always be talked about.

My submission is, whatever shape the reforms may take place, we have to see that the people at large receive justice and they have the faith in the judiciary. Still they have some faith in it. Whenever there is a dispute, they go to the court. Therefore, that faith should not be shaken. Therefore, I think judiciary in India by and large has been quite honest and up to the mark and those who are connected with judiciary are doing their job against heavy odds. Let us help them.

SHRI E. AYYAPU REDDY (Kurnol) : Mr. Deputy Speaker, Sir, the subject of judicial reforms is so vast that I think it is not possible to do justice to this topic within the short time that is available. The Demand for Grants under the Ministry of Law and Justice did not come up for discussion in this year's Budget discussion. We hope that it

will come up for discussion in the next year Debate.

Chronologically speaking, this motion has come before this House in very peculiar circumstances. The recent observations of the Supreme Court that in implementing the policy of transfer of judges and appointment of Chief Justices, there is a *prima facie* case that the Government is picking and choosing and that this picking and choosing will result in the creation of what is called sycophants judges, which were published prominently in the newspapers, made Prof. K. K. Tewary to come and state it before the House. In his characteristic vein, he came and said that it is a political judgement of a judge who was appointed during the Janata regime. We then subsequently requested the Speaker to give time for us to speak on this topic and he was kind enough to allow this debate on this date.

In the Presidential Address, there was a mention of judicial reforms and it was stated by the Prime Minister in this House that within a period of five years, he is going to bring judicial reforms which will serve the cause of the poorest of the poor and the needy and that there will be revolutionary changes in the present system. His point as we understood, was that 80 to 90% of the people are not able to reach the judiciary and that the judiciary is a far off cry for most of these people and that the reforms will be introduced during these five years so that the poorest of the poor have an effective instrument to settle disputes among themselves and also settle the disputes between the citizens and the State. If I remember right, about two or three months ago, at a function organised by the Bar Council of India, the Prime Minister as well as the Law Minister made statements about the independence of the judiciary and the institution of judiciary, will be improved and that there will be no question of any interference with this institution.

It is absolutely necessary that in order to serve the common man in India and to make judiciary meaningful to him, there must be reforms of the subordinate judiciary at the grassroot level.

A number of topics connected with it like court fees, legal aid to the poor, mobile courts, organising the trial courts, making law easily available to the common man, speedy disposal of cases, all these things are important topics which are connected with judicial reforms at the grass-root level.

I do not want to deal with these topics because it is a vast topic. I will confine myself to the observations of the Supreme Court which provoked this debate, that is the appointment of Chief Justices from outside the State and also appointment of one-third judges from outside the State. The Law Commission appears to have made this recommendation. The previous Consultative Committee on Law and Justice also appeared to have endorsed this principle, Academically speaking, this is quite attractive. But in implementing this Scheme, the Government is obviously facing a number of practical difficulties. Now though we have been speaking about having one-third judges from outside, I do not think we have been anywhere near bringing about one-third judges from outside by transfer of judges. With regard to the appointment of Chief Justices from outside, there are only 12 or 13 High Courts which have Chief Justices from outside. But if we take the opinion of the Judges and the judiciary, they do not seem to be happy with this idea of transfers. There are a number of difficulties. Therefore, it is necessary to have a second thought and a second look in implementing this Scheme.

I may here quote one of our greatest jurists Shri Hidayatulla who was our Chief Justice and also our Vice-President. He said in Andhra Pradesh that a judge must grow with the law of the State. No useful purpose would be served by bringing a judge from outside the State because he has not grown with the law of the State. It is true that most of the Central laws are uniform but State laws are different and different States somehow or the other had its own growth of local law and local enactments are there. They may be similar but they are certainly different.

So the questions of having one-third of our judges from outside is practically not possible because we cannot attract the best of the talents. If a practising advocate who is doing

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well at the bar is asked whether he would like to go outside the State, he would completely refuse to do so. If a sitting judge is asked to go outside the State, he will consider it as a punishment. He is not willing to go outside the State because there are so many practical difficulties. If we take the opinion of the Judges and ask them whether they are willing to serve outside the State, I think not more than 5 or 10% of them will agree to it. The wholesale principle that was adopted in the beginning was that no Judge should be transferred from one State to the other unless he consents to it. His consent has to be obtained; otherwise, it would be forcing him to go to some other State much against his will...

PROF. N. G. RANGA : You give him a choice to choose either of two States.

SHRI E. AYYAPU REDDY: After a judge has been recruited and he has served for some time in his own State, he will generally be unwilling to go outside his own State. He will opt to go to the nearest State, to the State which is adjoining his home State; he will do that not because he likes to go there but because he has no other alternative. But the wholesome principle that was adopted in the beginning was that no judge shall be transferred unless he had consented to do so, and the consent of the Chief Justice for this transfer was a must. That was the basic principle that was observed in the beginning, though there was no strict inhibition that a judge should not be appointed from outside the State. There were judges who were appointed from outside the State, who served very well, who adapted themselves to the States in which they served. But that is a different aspect. They are saying that one-third of the judges must be from outside the State. If we take the statistics of the position as of today, we will find that not even one-tenth of the judges are from outside the State. That is the reality. The Government has stated that they are not going to transfer the judges unless the Chief Justice of India recommends such a transfer. If they stick to the principle that unless the Chief Justice recommends transfer of a judge, they will not transfer him, it may not give rise to doubting the bonafides of the Government or saying that the Government is unnecessarily exerci-

sing undue influence for the purpose of subverting the independence of the judiciary. But even the Chief Justice of India may find it difficult to recommend transfer of one-third of the judges. That quota is too big to be fulfilled. Therefore, there should not be an inflexible rule that one-third of the judges must be from outside the State. Such of those judges against whom the Chief Justice finds that there is scope for doubting their impartiality may be transferred on the recommendation of the Chief Justice—and not otherwise.

With regard to appointment of Chief Justice from outside the State, here again I may say that the Government will be facing a number of difficulties. Our experience during the period of Emergency of having judges from outside the State was not very happy. Also the memories of those judges who went and served in other High Courts and came back are also not very happy; they do not say that they were able to do their best in the Courts to which they were transferred. It is true that the recommendations made by the Chief Justice with regard to appointment have been criticised. Some Chief Justices did give room for coming to the conclusion that they were indulging in favouritism. It is true that some Chief Justices did something; they wanted to perpetuate their own tradition, they wanted to have their own men as Chief Justice. It is not as if there was no basis for such a criticism. But even then getting Chief Justices from outside will not solve this problem. As a matter of fact, I may submit that a Chief Justice who came to my State was easily misled by some vested interests because he was absolutely new to that place. Some people who had some vested interests came in contact with him and they misled him. It was long after he retired that he knew that he was misled by those people. If the Chief Justice is from the same State, at least he will not be misled. The only safeguard which the Constitution has provided is that the Chief Minister of the State has also to accept the recommendation made by the Chief Justice. It is not as if the Chief Justice is the be-all and end-all in making selection. The selection made by him has to be approved by the Chief Minister and also the Chief Justice of the Supreme Court. Therefore, there are enough safeguards. To say that the Chief Justice will fill up the High Court only

with his benchmen or yes men is not a correct approach. There are enough safeguards. As a matter of fact, the system of having Chief Justice from that State itself has worked very well. Here and there there may have been some mistakes or some scope for doubting their recommendations. Even then, the Chief Ministers are making their own recommendations. If the Chief Minister is able to get his own candidate as judge of the High Court, if the Chief Minister is entitled to have his own man in the High Court, why, not the Chief Justice? Therefore, there is a human factor involved. It all depends on morality and ethical standards. We cannot cure all these things by some scheme or policy. We will not certainly hasten the Government to implement this principle that the Chief Justice must be from outside that State and that the one-third quota of judges being appointed from outside the State must be filed up. There should not be any scope for the Supreme Court or for anybody to say that the Government is indulging in picking and choosing.

With reference to that case which came up before the Supreme Court, from the facts narrated in the affidavit filed on behalf of the petitioner anybody would come to the conclusion that the Chief Justice of that particular High Court was kept as 'Acting' for a very long time; he was Acting Chief Justice for a very long time. I do not know why he was not made permanent. He was made permanent so that he was not attracted by the guidelines fixed for them, that is, if a Chief Justice is to retire within a year, he need not be transferred from that State—that is one of the guidelines fixed. Therefore, he had been kept as Acting Chief Justice for a very long time, then made permanent and then alone his recommendations were given effect to. There appears to be scope for the Supreme Court to come to the conclusion that there was some sort of nepotism in making this selection and also in confirming the appointments.

I congratulate the Law Minister and the Government on making the appointment of the Chief Justice of India very recently; they did it far in advance; and that is the right attitude. Now, keeping this particular principle of appointing a Chief Justice just at least one or two months ahead of the period of expiry of the incumbent is a very good

principle. But, unfortunately, they are not keeping it. In some High Courts there have been acting Chief Justices for months and months.

PROF. MADHU DANDAVATE : Where there was a right type of person available.

SHRI E. AYYAPU REDDY : In my own State the ex-Chief Justice has been acting for several months. After all we know when a particular Chief Justice is going to retire. What is the work of the Law Ministry? So, far ahead you select the Chief Justice and see that he is appointed immediately.

Now the joke in the Bar which is in most of the High Courts is. Acting permanent Chief Justice; permanent Acting Chief Justice. This type of having acting Chief Justices must be avoided. In fact, it was argued before one of the High Courts that there is no scope for having an acting Chief Justice. The Constitution does not speak of an acting Chief Justice, There shall be a Chief Justice for every High Court. The Chief Justice is a permanent Chief Justice and not an acting Chief Justice. Therefore, these things have to be avoided.

Sir, the main object is to have an independent judiciary. That is the Constitutional responsibility and in achieving that object we must see that there is no scope to say that the judges are made to run round the executive. In the Directive Principles also it is stated that judiciary must be separated from executive. The very purpose is that judiciary must not be dependant in any manner on the executive. The Constitution also envisages that the secretariat of the Supreme Court as well as the High Court, the service conditions and all those things must be within the jurisdiction of the High Court and not that of the Government. Therefore, keeping in view that basic principle and also the basic object of giving an effective and efficient instrument, namely, the judiciary for settlement of disputes between citizens and citizens and citizens and State it is absolutely necessary that we must have judicial reforms and speedy judicial reforms.

MR. DEPUTY SPEAKER : The allotted two hours for this discussion are almost over.

Now, you have to tell how long we can proceed.

SOME HON. MEMBERS : Let us extend by one hour.

MR. DEPUTY SPEAKER : Alright. We will extend by one hour and then see.

SHRI P.R. KUMARAMANGALAM (Salem) : Mr. Deputy Speaker, Sir, when Prof. Dandavate was talking; almost right at the beginning while talking for judicial reforms he started by talking of committed judiciary and bonded judiciary. I would like to humbly submit that both the terms are correct.

18.00 hrs.

Because, we are talking of a 'binding' thing and a bond to the social philosophy enshrined in our constitution. We want no commitment to the Government. We want no adherence, no partiality, to the Government. We want the judiciary to be independent we want them to be true to their task; we want them to do their duty as judges, a commitment to the consciousness of the country; we want commitment to bonded philosophy, to the social content of our constitution. In fact I was extremely unhappy and I was taken aback ..

PROF. MADHU DANDAVATE : I have changed the view : I am for committed judiciary !

PROF. SAIFUDDIN SOZ (Baramulla) : If this is the criteria ..

SHRI P. R. KUMARAMANGALAM : This is the only criteria ..

SHRI AMAL DATTA (Diamond Harbour) : Are you saying by that, that judges are giving partially unconstitutional judgments that you want commitment to the constitution ? That is your intention...

SHRI P. R. KUMARAMANGALAM : We never said it...

SHRI AMAL DATTA : That is what you are saying by implication.

SHRI- P. R. KUMARAMANGALAM : Why not you please listen to me ? Hardly two words have I said so far and you started harassing ! Mr. Deputy Speaker, Sir, the situation simply is this. When we talk of Directive Principles of State Policy it is because the judiciary itself has recognised that the Directive Principles of State Policy represents the conscience of our constitution. It is not just the congress party which is speaking of it. In fact some members of the judiciary whom some members of the opposition sympathised with and extolled even including justice H.R. Khanna about whom Prof. Dandavate spoke with appreciation, have stated this. That is why when we talk of committed judiciary and bonded judiciary we are talking of commitment to a philosophy, not to any part, not to any Government, not too any particular set of persons. We are very clear when we talk of commitment; when we talk of binding, we talk of it for the social philosophy. In this context there is a reason why we are saying it. It is not without reason. One of the Members who spoke before me spoke of tenant, sub-tenant and landlord; and he mentioned about what are called certain factors and forces that work unconsciously sometimes in the minds of men. Earlier this quotation has been made and that is why I am repeating this quotation specially for the benefit of Prof. Dandavate who spoke of commitment and bonded judiciary. It is a statement made in Britain in a book by justice Benjamin Cardozo where it is said :

'Deep below consciousness are other forces, the likes and the dislikes, the predilections and the prejudices, the complex of instincts and emotions and habits and convictions which make the men, whether he be litigant or judge.'

It is this instinct, this emotion, these habits, which we want to be in consonance with our constitution. We can't afford to have a judge who sits in the highest court of the land and speaks after taking oath or allegiance to the constitution against the philosophy of our constitution. There is no sense in our having a Preamble; there is no meaning in our having Directive Principles if we do not make it clear that judges have to be committed to it. And unfortunately there has been a trend in the past without doubt; this commitment was only to Fundamental Rights, only to individual rights, not able to see the constitution

as a whole. It is a living document. It is not to be taken up in pieces, have adherence only to certain portions which are convenient. The whole context and the philosophy of the document as a whole has to be taken into consideration. At this stage I would like to point out and appreciate Professor Saheb's statement to the effect that the right type of person has been chosen as the Chief Justice. All that I wish to say on this point is that the person who has been chosen as the Chief Justice has made judgments—very controversial, very powerful and very strong judgments—against the Government and against the Congress Government at times. Even then, as you can see, he has been chosen to be the Chief Justice. This is to prove that the Congress Government is not interested in having (without quoting anybody else) sycophants as judges. We are interested in having independent people, we are interested in having people who have a clear thinking, who are independent, honest and just.

I do not know whether it was a slip of the tongue, but the Professor Sahib while speaking has said that there are three institutions which need to be protected. He mentioned the legislature, the judiciary and the people.

MR. DEPUTY SPEAKER : He has mentioned the press also.

SHRI P. R. KUMARAMANGALAM : Yes. The press is the fourth one.

PROF. MADHU DANDAVATE : While I am speaking, I also need protection.

THE MINISTER OF LAW AND JUSTICE (SHRI A.K. SEN) : That also comes within the scope of the legislature.

MR. DEPUTY SPEAKER : I am here to protect you, Professor.

SHRI P. R. KUMARAMANGALAM : That also falls within the scope of the legislature as the Hon. Minister says. My point, if I understand correctly, is that the people are sovereign and they come above all. The three wings of the Constitution consist of (1) the judiciary, (2) the people, and (3) the executive and undoubtedly unless all these three can

co-exist, and have their independence and roles of operation, the framework of the Constitution will fall down. But, it does not mean that any one of them whether it is legislature or whether it is executive or whether it is judiciary, can go beyond the social philosophy of the Constitution. All the three are bound by it.

PROF. MADHU DANDAVATE : Executive cannot be co-equal with legislature and judiciary.

SHRI P. R. KUMARAMANGALAM : I am not placing it on the same level. It is also another wing. It is reportable to the legislature. But the people are supreme. Let us not forget that. Let us not treat ourselves as superior to people. We are only the representatives of the people. At this stage, there is another point which may be relevant. I appreciate Prof. Dandavate's point of view that after retirement, there should be something to stop judges taking up positions, work or consultations from any authority or any person. We have seen certain judges—without naming people—who have been chairmen of commissions, who have been High Court judges, and some of them, even Supreme Court judges, becoming consultants in and for private sector. In fact, for example, Justice Shah was consultant to Bombay Dyeing. Even for a better example, I can quote that we have Chief Justice H.R. Khanna, who also gives consultancies. Not that I am saying that they are motivated, but what I am saying is that it is time to stop it, so that they do not look forward to something else after retirement. And I agree with the Professor Sahib we can appoint them where it is necessary, where we require a person in public interest, to hold an inquiry or something of that sort. That is a different picture. But jobs and consultancies are something which we should stop and which we should not allow certainly. Judges should be above reproach. Today an allegation has started against judiciary that they are looking forward to something else afterwards, and this is unfortunate.

PROF. MADHU DANDAVATE : You see. how consensus is evolving.

SHRI P. R. KUMARAMANGALAM : I would like to mention another point and that is on the question of transfer and appointment of judges. In fact, Justice H.R.

[Shri P. R. Kumaramanglam]

Khanna was the Chairman of the Law Commission. Professor Sahib, it is very relevant for you. He prepared a report which was called the 80th Report on the Appointment of Judges and in that report, it has been laid down that one-third of the Chief Justices of High Courts should be from outside and one-third of the judges should be from outside, where they proved very categorically, the provisions for appointment of judges in the Constitution are sufficient. It is the same Justice H.R. Khanna who was a candidate of the Opposition for the presidential elections, it is that very same person. I am not saying that he is not a respectable person. I respect him without doubt as an individual. But without doubt, I can say that this was the same person who gave this recommendation and not just like that, but as Chairman of the Law Commission and the Law Commission's recommendations are the ones which are now being applied by the Congress Government for these points. I have another important point and I am sure the Law Minister would bear me out on this and that is, the present transfers and appointments are done not only in consultation with the Chief Justice, but I am sure with his consent itself because we have been very careful. Many cases have proved this, when cases have gone to court. Then the Chief Justice's signatures and comments on the file come out. In fact, they were ~~lost~~ and circulated. You would all ~~recall~~ ~~the~~ Judges' cases. So it is not a fact any more that the Chief Justices were not consulted, unless, of course, Prof. Dandavate—as Mr. Faleiro said—suspects the Chief Justices also. If he suspects us, it is understandable because it is political rivalry. If he suspects the Chief Justices, it will be going too far, with due respect.

PROF. MADHU DANADAVATE : He is a lovable young man. I will not suspect him.

MR. DEPUTY SPEAKER : Nobody will suspect him, not only you.

SHRI P.R. KUMARAMANGALAMA : My friend says : 'Brutus is an honourable man.' I humbly submit that the appointment of a Chief Justice is being done in the various courts only in consultation with the Chief Justice of India, and following the procedures. In fact, the consultation has stretched to con-

sent; and only after the consents are obtained, are appointments made. Therefore, the observations made by a Judge in a cases show his philosophy and thinking.

He is unable to believe that a Congress Government can be fair and honest; and his days of original appointment are being revealed. In fact, if I understand it, that particular Judge was not the seniormost when he was elevated to the Supreme Court Bench. He definitely was not, and I think the Opposition knows this. He superseded many and came to the Bench. He was appointed at a time when the Congress was not in power; and undoubtedly he seems to think, like many in the Opposition think, that whoever appoints that person, to that person he owes allegiance; to and all that. I wish to make it clear that our party, and our Government does not want any allegiance of this sort. We want Judges to be independent, or, as I said we want only commitment to the social philosophy enshrined in our Constitution.

Another point : insofar as the Law Commission goes, they were very clear that it might may be necessary even to supersede, to appoint Chief Justice of High Courts; and of course, now the question of supersession for appointment of the Chief Justice of Supreme Court is a settled issue. But why I quote that Law Commission is because that Law Commission was headed, and the report was made, by Justice Mr. H.R. Khanna who not only has the approval and support of the Opposition and of Prof. Madhu Dandavate—and admiration also, I am sure, of all of us—but he had also the support and appreciation of the whole of the Oppositon in totality, for a Presidential candidate. That report said that it might be necessary, and it approved and insisted that there should be an one-third transfer, insisted that no Justice should be from in-house or in-State, and justified it from the point of view of saying that it would bring honesty, would improve the calibre and that there would be no internal or State politics or legal politics involved, and that the politics of Bar would not influence the Bench. And, therefore, what is done, is not being done arbitrarily. It is being done on the basis of a categorized report.

PROF. SAIFUDDIN SOZ (Baramulla) :
Has it been done in every State ?

SHRI P. R. KUMARAMANGALAM :
It is being done everywhere:

PROF. SAIFUDDIN SOZ : No.

SHRI P. R. KUMARAMANGALAM :
Please come out with a specific case. If you want to ask about Jammu and Kashmir, the ex-Chief Minister should be the concerned person. (*Interruptions*)

PROF. SAIFUDDIN SOZ : You must update your data.

SHRI P. R. KUMARAMANGALAM :
The matter of judicial reforms is not only limited to the committed judiciary or bonded judiciary or the question of who is appointed where, but we have a problem of arrears; and being a person who belongs to the legal profession, I wish to submit that it is not possible to solve this problem of arrears in any other manner except by increasing the number of judges. Just like we have not increased the remuneration of the judges which is very much necessary, I totally agree with Professor Sahib that it is out of time and out of place today to say that Rs. 3,500 is enough for a judge.

PROF. MADHU DANDAVATE : He agrees with me on money matters.

SHRI P. R. KUMARAMANGALAM :
I thought Professor Sahib would agree with me on the Philosophy matter also; he has backed out. We need more judges since we have more cases and we have more cases not only because we have more people, but it is also because our people have become more conscious of their rights; and we are growing democracy with education increasing, literacy increasing, people coming forward to the courts to establish their rights. It is high time that we should give up the idea of 13 judges or 15 judges or 20 judges or 30 judges and talk in terms of real proper analysis of how many cases a High Court has or a lower court has and how many judges are to be required. This is my humble plea from my since to the Law Minister and I am sure, if he gives reasonable remuneration to the judges, he will attract good talent—not that there is no good talent now—but the ones who come, come out of national commitment and social philosophy. But we hope to attract

better talent and younger talent if we can increase their remuneration and terms of conditions of services and thereby increase the number of judges for quick disposal of cases.

I have noticed that on the 21st January 1985, to an Unstarred Question, the Hon. Minister had answered saying that the matter of elimination of delay, clearance of the arrears, etc. be referred to the 10th Law Commission.

It is my request that this reference which has been made way back on 13-8-1985 be speeded up since we require the report urgently to act upon it and I thank you for this opportunity.

SHRI SHARAD DIGHE (Bombay North Central) : Mr. Deputy Speaker, Sir, Hon. Member Prof. Dandavate has raised a very interesting debate in this House today. Of course many of the points which he raised in the earlier part of his speech are part of an old debate going on from the time of the Emergency. And, therefore, when he treaded in the sensitive areas he had to meet with stiff opposition and some trouble in this House. I thought that this subject is very wide, namely, judicial reforms and it might contain several other subjects also. But from the beginning the debate has been concentrated on the main subject of committed judiciary, appointment and transfer of Judges.

Now, many things have already been said by the earlier speakers and I agree with many speakers who have said that in a sense a committed judiciary is necessary. The only difference of opinion is, what is meant by a committed judiciary? And I have found when the debate was going on, Hon. Member Prof. Dandavate was also nodding his head when a certain definition was given by certain Hon. Members, as far as this committed judiciary is concerned. The judgments are influenced by the personality of that Judge and as mentioned by Hon. Member Shri Kumaramangalam, no Judge can say that his judgments are not influenced by his personal views. And, therefore, from that point of view a committed judiciary is also necessary, but the commitment as has been said, should be to the Constitution of this country.

PROF. MADHU DANDAVATE : Well said !

SHRI SHARAD DIGHE : And, in other words, the commitment should be to the socio-economic revolution which this country has undertaken and the elimination of poverty and the programmes for that. Again the commitment of the Judges should be towards these programmes. So, whenever the judges oppose nationalisation of banks or some such progressive steps taken by the executive then there is always resistance and there is then difference of opinion. Such judges should not be there so, if the judiciary also recognise their duty and play their role in the socio-economic revolution of this country. Then I think, this debate will not arise again and again and there will not be confrontation. As has been already stated all the three wings should recognise their sphere of activity, the executive, the legislature and the judiciary. The confrontation arises when one wing crosses the limit of the other. And, therefore, if that is avoided by all the three wings of the Constitution, then I think there will not be further friction, and the smooth sailing as far as this socio-economic revolution is concerned will go on.

Now, as far as the appointment and transfer also are concerned, this has been not a new one. As I just now read, the idea was first promulgated even by the States Reorganization Commission. And for the purpose of integration it was suggested that the Chief Justice of every State should be from outside. Therefore, it is for this laudable object that this idea was promulgated, namely, that the Chief Justice should be from the other States, and that there should be at least one-third of the Judges of the High Court from the other States. Therefore, it is not a new idea. If is for the integration of this country. Some times this one-third has not been achieved. Well, it is an objective. We should try to achieve it. Now, for this purpose also there should be some guidelines and I know that there are some guidelines as far as the transfers are concerned, that the seniormost Judge of course considering the suitability—is made the Chief Justice and he is transferred to the other States, before making him a Chief Justice. Now, there are exceptions which are also there, namely if there is one year only or less than a year for his retirement then he is not transferred. Some such guidelines are already there. If these guidelines are not sufficient, if some more guidelines are necessary to remove the suspicion of the Opposi-

tion parties, then I submit that further guidelines may be also laid down so that there may not be misgivings in the minds of the people that this is used only to get rid of certain persons who are not required, or inconvenient Judges or that this is used for the purpose of giving some punishment to a Judge for giving a certain judgment.

So, these misgivings should be taken away and for this purpose if further guidelines are necessary they may also be laid down. But we must understand that this is a laudable object for the purpose of the integration of this country and therefore it should not be opposed from that point of view.

Now, as far as the judicial view on this point is also concerned, I think that they have supported now and all those things have been already held to be valid as far as this is concerned. The Law Commission have also supported this view. Therefore, there should not be further dispute. If necessary, further guidelines may be put as far as this is concerned.

The main question under the judicial reforms appears to be the arrears of cases which are pending in different High Courts and the lower courts. When we talk of judiciary, we should not put before us only the High Courts and the Supreme Court. There is the main judiciary in the lower courts also. Therefore, when we talk of attracting more efficient and better calibre, then we should also think of the lower courts. When we talk of improving the conditions of their service, then we must also put before us the lower judiciary also. The conditions of service for the lower judiciary are very very unsatisfactory. I know a case of a judge of small causes court in Bombay, who was transferred from Nasik. For one year he could not get a quarter in Bombay. So far full one year he used to come from Nasik. Such hardships will have to be removed. Their pay scales must be made attractive so that more and more bright people and people possessing better calibre can be attracted. The question of arrears depends much on the quality also. Merely increasing the number of judges will not solve the problem. You must have better quality so that the arrears of cases can be reduced to a considerable extent. Therefore, not only pay scales but other service condi-

tions should also be improved. I see many times in Bombay that as soon as the court is over, the poor judge stands in the queue for the bus while lawyers and litigants pass by him in their cars looking at him contemptuously. If this is the position, nobody will have the respect for the judiciary. It will affect their work also. Therefore, several other maladies which are there, depend upon the conditions of their service, which are unsatisfactory. Therefore, these things will have to be urgently looked into by some Commission or some such body. Otherwise, our judiciary is about to crush under the heavy burden of these arrears. If the people lose faith in the judiciary, then the democracy will suffer. For preserving the democracy at least, we should create a situation by which people will not resort to extra-judicial means for getting their justice, but they should have full faith in the judiciary. For that judicial reforms are very much needed. I hope, the Law Minister will urgently look into it.

There are several other suggestions which have been made by the Hon. Members. I would not go into details. But as far as bifurcation of the Supreme Court is concerned, it is necessary to have a Bench in the south also so that people from a very long distance may not come to Delhi for getting their grievances redressed. Similarly, different types of tribunals will have to be formed as suggested by Mr. Madhu Dandavate, so that the problem of arrears can be solved and the cases can be disposed of urgently.

SHRI AMAL DATTA (Diamond Harbour): Sir, I think we are fortunate to have this debate today although it has arisen because of an unfortunate remark made by a Supreme Court judge. It is more unfortunate that the Supreme Court judge had to make such a remark because the things have come to such a passe that the people are really losing faith in the judiciary. There is no use saying that we must have an independent judiciary because the Constitution provides for that, but we must work in the spirit of the Constitution and ensure that the judiciary is really independent and people have faith in it.

18.31 hrs.

[**SHRI SHARAD DIGHE** *in the Chair*].

The subject of this debate is very comprehensive. We have been discussing mostly

about the reform in judiciary or the ills of judiciary which have to be corrected but we have not been concentrating very much on judicial administration but because of the paucity of time, I think everybody has concentrated and particularly because of the genesis of this particular discussion, we have been discussing mostly about the judiciary and not the judicial administration. I will also confine myself to that, that is to say, about the judiciary. But judicial administration also should find a place in the debate in Parliament because it is the duty of the Parliament to provide for such an administration which can take care of the cases so that people do not have to wait unduly long for the dispensation of justice, and do not have the feeling that they have been cheated of their right.

The question of selection of judiciary has come up. I think that some Hon. Member remarked that there is a guideline. If there is a guideline, that is not known to us. There should be a guideline which is known to everybody so that we know that the judicial officers of the High Courts and the Supreme Courts judges are selected by such and such body considering such and such qualifications. This is necessary, other-wise people cannot but have a feeling that those who are in the ruling party are selecting people of their own choice so that ultimately they will get their allegiance. That feeling has to be there until and unless the guidelines are framed and the guidelines are very rigidly and strictly followed and they are seen to be followed.

There is a provision for consultation but to what extent that consultation is being followed now that is the moot question. As far as we can gather, that consultation is being kept in abeyance, particularly because of the Supreme Court judgement that consultation does not mean concurrence. Therefore, it is left to the executive to decide who will be the judges, without having to disclose under what qualification or following what guidelines they have chosen those people to be on the Bench.

Similarly, transfers also are not a very bad proposition. Coming from the Bar, as I do, I know that there is a lot of grievance amongst the lawyers in the Bar against certain judges of even the High Courts, and certainly of the lower courts also. And I am

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told that the Supreme Court Bar also have certain grievances against certain judges. Now the fact is that in this country it is necessary that the judges who are selected from the Bench and have been familiar with certain members of the Bar, should be kept out in such a fashion that they do not dispense undue favour. Favouritism in High Courts has become a byword. The litigants have to first ask that in such and such particular court, they have a case, and so which counsel they have to brief. It has come to that. And that is the reason why the Law Commission recommended that one-third of the judges should come from outside. It is not a bad suggestion. On the other hand, anything good can be turned to a bad use. If the Government wants to implement the Law Commission's suggestion, they can do it in a fashion which cannot give rise to any apprehension in the minds of the politicians or the people at large that this is going to be used as a handle to blackmail the judges. If the Judges can be transferred at any time of their career in the Bench, then, of course, this power can be used as a weapon to blackmail. If a Judge having served for four or five years or more is proving inconvenient to the Government, in that case he can be told by the Government, that if he does not behave, he will be transferred. If you want that such apprehensions and suspicions do not arise, and if it is necessary that the Judges are to come from outside, well they should come from outside at the very time of their appointment, or when the appointment is made they can be told that after one or two years in the Bench, he will have to go to such and such High Court. Or even the person practising in Bombay High Court, when he is elevated to the Bench can straightaway be appointed to the Karnataka High Court or the Gujarat High Court. That can take care of the situation that judges are coming from outside; at the same time they are not transferable at any time at the behest or at the will of the Government.

Similarly I am of the opinion that supersession should not take place. Seniority must be the rule of promotion. The rule of seniority can be deviated from only when the person is becoming the Chief Justice and is having a few months to go. In my opinion the Chief Justice, position is an administrative position apart from being a judicial one.

So, a person who has got only six or seven months or even one or two years to go and if he is made Chief Justice, he does not take interest in the Administration and during his tenure the Administration of the High Court practically collapses. Therefore, the person who has got at least three years to go, only he can come to the grips with the Administration and carry it on in his own interest. Therefore, such a person should be appointed as Chief Justice. That should be made as a very rigid principle. Therefore, guidelines have to be evolved and that has to be very rigidly adhered to.

Political considerations have played part in appointment of Judges and in elevation even to the Supreme Court. This is the feeling that we have and the people have.

We have spoken about the conditions of the service of the Judges. We have also spoken about the salaries and all that particularly in the Bill which has just been over. There is a need to improve the conditions of service of the Judges. Some members spoke about the working of the Judges after their retirement. It is necessary that the Judges do not take favour when they are on the Bench in the hope that they will be rewarded after their retirement. Therefore, what is necessary is that the Government should not offer them anything after their retirement. Some Hon. Members have said that such and such Judge after retirement are doing private consultation practice and all that. Now, unless the Judge gets pension at the same level what he was getting as salary at the time of his retirement, you cannot expect him not to do even this consultation practice. Otherwise how will he make his both ends meet? If a person is living he has to maintain the same standard of living which he was enjoying before his retirement. You cannot say that he has no right to live. Therefore, it is better that he does something for which he has not previously dispensed any favour. But if a person is appointed after his retirement as an arbitrator by the Government or as the Chairman of an inquiry commission by the Government that always gives a suspicion that this particular Judge had been dispensing favour to the Government and therefore, he is being favoured in return after his retirement. On the other hand if he is just doing consultation practice in his Chamber, I do not see any

harm in it, because after his retirement he becomes professional again.

There are a lot of things being said about judiciary. People say the judiciary does not have a clean image at the moment. And particularly when you speak of the commitment social philosophy, one should recognise that the Judges have been standing in the way of lot of reforms, particularly in the way of the economic reforms even today. They came in the way not only of the Bank nationalisation case, but in West Bengal they came in the way of the implementation of the land reforms, I think, much more than in any other State. May be because we needed more reforms.

AN HON. MEMBER : Madhya Pradesh had done it in 50s.

SHRI AMAL DATTA : Madhya Pradesh may have done it in 50s. I am not disputing that but during the Congress regime in West Bengal upto 1977 the land reform was only in books. But since 1977 it has been implemented and during the course of the implementation of the land reforms, we have found that some members of the judiciary initially created too much trouble so that the entire land reforms programme got delayed by two to three years. Ultimately it has gone through because those persons who opposed it moved away from that Bench or because some of the persons who got those matters, were in favour and they went through it very sympathetically. But what I say is that it should not have been delayed if they had not come in the way. Then you perhaps know of a famous case in West Bengal where even the election, the very basis of the democratic process of this country, was sought to be stopped by the Bench. That was foiled by the Supreme Court. These are the things which are there with the judiciary. Therefore, I say that the Judges on the judiciary should have some education in the social philosophy.

Now, who were these Judges. They were those who had good practice, some of them did not even have good practice. But even if a person has a good practice as a lawyer that does not mean that he understands the social philosophy. So, he has to be educated in that before he becomes a Judge. We should have thought about it. We have not considered it or discussed it, but it has now

become necessary as we progress further that the Judges should be educated more and more so that they do not stand in the way of the reforms.

There should be a code of conduct for the Judiciary. We find that the High Court Judges are mixing very freely with the lawyers appearing before them. During the British days the Judiciary was held in high esteem. I am not praising any aspect of the British colonial rule, but then the Judges were held in high esteem. One of the behaviour pattern of the Judges was that they did not use to mix with the lawyers or the litigants openly. But today it has become a norm and the Judges very frequently accept hospitality both from the lawyers as well as from the litigants. There is no code of conduct to day for the Judges and any person can appear before them. Sometimes in the early sixties some regulation was made that certain relations within a certain degree cannot appear before a Judge. But now we see when a person becomes a Judge, his own Senior in whose Chamber he used to work, is appearing before him and in every case he is appearing. If a statistics is kept you will find that in some cases twenty to thirty per cent of the cases before a judge are being handled by his erstwhile senior. This is very bad because obviously people know that only through this counsel you are going to get an order, otherwise you will not get even a hearing. This is happening these days and I think the Hon. Law Minister knows it very well from his experience.

Now, I come to indiscriminate injunctions. The law about injunctions is that if a person gets an injunction and because of that if a loss is caused to the other party, he must pay the penalty for that. What happens is that if a public road is to be built or a tube-well has to be sunk and somebody comes and files a suit or writ petition the matter is delayed for four to five years or even ten years. What happens is that the people suffer, the cost goes up, but ultimately all these suits or petitions are dismissed without allowing any costs at all. These people should be penalised because they have started a frivolous litigation and if the Judges are not going to do it, I suggest that the Government should make a law and whenever it is found that a person has delayed public work by means of such

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frivolous litigation, he should be penalised. Only then we can get the number of frivolous writ petitions reduced or eliminated. Otherwise we are going to have to bear the burden of 2 lakhs or 3 lakhs of pending cases. Most of these cases are frivolous cases. They have been instituted only with the knowledge that once you get a rule or an injunction, the matter will go on for four years or five years and in the meantime nothing will get done. So, something has to be done in this regard. I am not going to take your time any more. But all these problems are important enough for a full day or more than a day's discussion. (*Interruptions*). I am concluding. Don't press bell.

I am saying that today we are discussing it because of an unfortunate remark made about the judiciary. But we should discuss it not because of that reason. We are probably discussing it for a wrong reason. We should discuss it for the right reason, viz, what kind of judicial reform is needed in India so that people do get justice and not delayed and denied justice like this, and for that what is the duty of us, Members of Parliament and what the Parliament and Government together should do to reform the judicial system so that we really ensure the independence of judiciary and we ensure that the people get justice and the third limb of the Constitution works properly. That should be our motto and our motive and our object, and I request the Law Minister to give us suitable opportunities in the next Session or other Sessions for a full-fledged discussion on all aspects of judicial reform, not only on the appointments, selections, transfers and supersessions.

(*Interruptions*)

[*Translation*]

DR. G. S. RAJHANS (Jhanjharpur) : Mr. Chairman, Sir, uptill now Hon. Members have been talking about the Supreme Court and the High Courts. It appeared to me as if they were talking about the whole country. I would like to talk about that part of the country where 70 per cent of the population lives. You talk about judges of the Supreme Court and the High Courts very often, but have you ever earnestly thought of the poor people living in the villages and hardly getting even two meals a day. Have you ever thought of

whether they are getting justice or not. They never get proper justice.

Survival of the fittest is the universal fact. If you go to villagers .. [*Interruptions*]

Do the rural people get justice ? Go and see for yourselves the atrocities being perpetrated on Harijans, Adivasis, and the poor, boatmen etc. They tremble at the very mention of the name of court. What justice can they expect from the courts ? There is a saying in Bihar, that when people there want to curse others they say that they be accurred with coming into contact with a lawyer, or a doctor and be done away with. In this way there is a fear of courts in their minds.

I would like to tell you a real experience of my life. I am one of those Members of this House who have seen the richest person as well as the poorest person of the country I have worked in a leading newspaper of the country and I live among poor people. I have got experience of both the worlds. For me, it is the discovery of India and I wonder whether our rhetorics here in the House is going to have any effect on the poor or not. The people are leading a very miserable life in the villages and justice is not being done to them. At most thousand times, we have discussed about providing legal aid, but the poor are not getting justice. You may say anything, but it remains a fact that the poor are not getting justice and it is also doubtful if they would get justice in future as well.

I would like to tell you another more serious thing. Perhaps you might not be aware that certain mafia gangs are active in Bihar and Uttar Pradesh. As a journalist, I had investigated the Bhagalpur Blinding case and I would like to say that the factual position is not known to the world. You might be aware that when the people in this country and throughtout the world were condemning the Bhagalpur Blinding case, the people at Bhagalpur were raising slogans praising the police officers. The press gave wide publicity to this case, but the papers did not allow the people to know the factual position. Bhagalpur is situated on the banks of the river Ganga. Actually what happened there was that the dacoits had kidnapped the people there and had cut them into pieces. Their mothers and sisters were insulted and

when the people went to the police station to seek justice, they were denied justice there. You might have also heard about the courts that all the criminals who are apprehended are released on bail by the courts the very next day. The police said that they were feeling helpless, as the dacoits apprehended by the police were released by the court on bail the very next day. When I asked the judges of the Court to do something in this regard and why they had released them on bail, they told me that what was the guarantee of their security. These people would kill them also. Whatever happened in Bhagalpur, has happened in Bettiah, Champaran and the same thing is happening in Dhanbad and Bokaro also, throughout the entire steel industry area and the coal belt.

I would therefore, like to say that your talk of justice and the judgement would remain merely a discussion of Parliament and the people are not going to be benefited at all. You should, therefore, take some steps which may benefit the people. Today the people, the judges and the policemen are living in an atmosphere of terror. The policemen say that they do not have sophisticated weapons with them to liquidate such elements. Very recently, the dacoits killed a man. I asked the people why they did not report the matter to the police or seek justice from the Court. They replied that the criminal would go to the prison today and the very next day, he would be released on bail and he would then kill them also.

What I mean to say is that the persons sitting in Delhi, whether they are journalists, M.Ps. or judges of the Supreme Court or High Court, are not aware of the factual position. The Common man in India is not getting the justice. Today, when you talk about judicial reforms, it is my humble request to you that some steps should be taken to ensure justice to the Common man. In addition to the Supreme Court and High Courts, there are lower courts in our country in which lakhs of cases are pending and some of the cases are pending for more than 20 years. You talk about tenant and landlord. But there is a war widow who had built a house with great hardship and a tenant is living in it. She says that her husband had died in action and she requires her house for her own use, but the tenant takes the case to the Court and it remains pending for 20

years there. This Parliament is a Supreme and sovereign body of this country and if we cannot provide them justice who else would be able to do so.

Sir, it is my submission that we should be practical in our approach. You have rung the bell, but there are certain points on which I would like to express my views. I may kindly be given one more minute. I want to say one thing about the lawyers. I have seen the real face of the lawyers. I used to go to famous advocates of Delhi on behalf of the *Hindustan Times*. I would like to refer to one example. I went to a top advocate, who was elected as an M. P. also later on. I would not mention his name. A notorious dacoit was sitting by his side, who had his face covered.. (*Interruption*)...I would not mention his name. When I asked him to take up my case, he replied that I would pay him only Rs. 5000 as fee for one day, whereas the person sitting by his side would pay Rs. 50,000 to him. He would not even enquire about the quantum of fees, because his lap is full of gold, silver, diamonds and jewellery. I have seen this with my own eyes. On the one hand that person supports the dacoits and on the other hand, he talks big things here. The honest persons are suppressed. He had also said that I would make payment through cheque so that the person would not ask for a receipt. This is not happening only there. I would like to tell you that once it had appeared in some newspapers that the lawyers of this country were looting the people. As a result, myself and the editor were harassed throughout the country. We had to go even to smaller places. The judges of those places expressed their helplessness. They said that they had to live day and night with the lawyers and in those circumstances what they could do against them. They advised me to apologise. We told them that we would not apologise. We said that they talked about freedom of the press but these lower courts suppressed the freedom of the press. It is not known to them. We went to Rajasthan, Uttar Pradesh and South India braving the cold winter and the hot summer, but we did not apologise. We said that the real face of the lawyers should be exposed to the people. When we engaged the lawyers at these places, you would be surprised to know that these lawyers changed fees not only for themselves, but for their daughters-in-law, their sons and their sons-in-law

[Shri G. D. Rajhans]

and said that they all were their assistants. I had thought that when I would get an opportunity to speak in Parliament, I would expose these lawyers. I have to say this much only.

[English]

SHRI BRAJAMOHAN MOHANTY (Puri) : Mr. Chairman, the last word on the subject has been said and I am afraid of repetition.

When I was listening to the speakers who spoke immediately before me, I have been reflecting on the formulation of Dicey that the legislature is one generation behind the public opinion and the judiciary is another generation behind the Legislature.

When Prof. Madhu Dandavate initiated a motion, I thought that he would speak something and that he would give some sparkling enlightenment which will suggest measures to reduce this gap. But I am desperate. I am desperate because I did not find any such enlightenment. As a matter of fact, I was very careful listening to him between the lines.

If he was unhappy with the present judicial system, my idea is that when he was in the Government, he could have introduced some changes. (*Interruptions*) when they amended the Constitution, they could have introduced some radical changes, if they liked.

So far as the judges after their retirement is concerned, it is they and we together who brought one retired Chief Justice from the Supreme Court and gave him the highest position here in this Parliament.

19:00 hrs.

Our system may not be a perfect system, but my submission would be that that is the best available system in the world. In the United States of America, the most freedom-loving people of the USA have evolved a system where the President of the USA almost always nominates judges from his party-men; his party-men are nominated as judges. Nobody says that the independence of the judiciary there has been tampered with. In the United Kingdom also, the Prime

Minister advises the Crown that such and such person will be the Chief Justice. There is no problem there. Never has there been a clamour there that there has been a political decision. My submission would be that nowhere do you find a clamour as you see in India that the independence of the judiciary is being tampered with. When I was listening to Mr. Amal Datta, I recalled those days when the Secretary of the CPM said that the Supreme Court was administering class justice. I recall those days when the Secretary of the CPM said that the Supreme Court is administering class justice. I recall those days. Now they are clamouring for independence of judiciary. There was contempt proceedings against Mr. Namboodiripad. My submission is : I do not say that it is a perfect system. But it is the best available system. So any positive suggestion to improve upon it we will definitely welcome and that will definitely be considered by the Government. Then, Sir, so far as the poorer strata of the society are concerned are they not deprived of justice ? Are they not ? How long litigation is pending ? I was looking at the figures. In the year 1983 the cases pending in the High Courts numbered more than 10 lakhs. You can imagine all over the country how many cases should have been pending. What is the justice we are doing ? So you can imagine how people are left to their own fate and somebody dies but the litigation is not finalised.

No doubt Prof. Dandavate mentioned about devolution of authority of the Supreme Court, creating tribunals for labour cases, tribunals for taxation cases and some others. It is an old idea which has been accepted by the Chief Justice of the Supreme Court. But that should be given effect to immediately. In the Consultative Committee I myself raised this matter a number of times to give effect to the devolution of the authority of the Supreme Court. My submission would be that that will not answer the problem. The problem of pending cases for years will not be solved. My submission is : So far as the role of the Supreme Court since the post-independence era is concerned what is its position ? Till Golaknath case the will of the people were to prevail and the people of India were sovereign. After Golak the will of the people will prevail only if it conform to the Constitution of India. So it is a liberal democracy and the voice of the people is no longer absolute. So we have come to this

position after Golak case. To-day we are in a most uncertain position.

MR. CHAIRMAN : There are still four more speakers and then there is the reply by the Law Minister so if you agree that now everybody will speak for not more than five minutes, then we can complete this by 7.30 p. m.

THE MINISTER OF LAW AND JUSTICE (SHRI A. K. SEN) : There is a Cabinet meeting. You may then take it up tomorrow. Now the reply will take some time.

PROF. MADHU DANDAVATE : I suggest that his reply maybe taken up tomorrow. But other speeches should be completed.

SHRI A. K. SEN : This is a very important subject and the reply from the Government side you would like to hear.

MR. CHAIRMAN : Reply will be tomorrow but the list of speaker will be finished to-day.

PROF. MADHU DANDAVATE : But he should not go away. He should be condemned to sit here till the debate is over.

SHRI A. K. SEN : I shall leave the State Minister here because I have some important work. Not that this is not important. I beg to be excused.

MR. CHAIRMAN : Still 5 minutes rule will apply—I think.

SHRI BRAJAMOHAN MOHANTY : My submission would be : who does not know that a climate of uncertainty has been created by the Keshavanand Bharati's case. What is the basic feature of the Constitution which cannot be touched by Parliament by way of amendment ? Is it known to the Judges ? Is it known to the Bar Council ? It is more uncertain. Amal Babu knows it. Nobody in India can say what is the basic feature of the Constitution and what is not. In that judgment itself a different picture is given by different judges. My submission would be : Sec. 4 of the Forty-Second amendment of the Constitution which amends Art. 31C. What is the position ? In one case, the Minerva Mills case that section was declared invalid.

In a subsequent case the Supreme Court again upheld it. What is the position ? Does it prevail ? Does it operate here ? Nobody knows. I am quoting the Chief Justice of India. While presiding over the Silver Jubilee celebrations of the Jammu & Kashmir High Court, the Chief Justice quoting Lord Scrutton's observation said :

“It is the habits in which a Judge is trained, the people with whom he mixes leads him to having class of ideas and when confronted with another set of ideas, he is unable to give accurate and sound judgment. Most lawyers and Judges have greater familiarity with taxation problems of the rich than retrenchment compensation of workers.”

Our system is a tradition bound system and our judicial system resists any change. I expected from Prof. Dandavate something which will promote changes, which will promote dynamic changes which will be in keeping with the aspirations of the people, but nothing of that sort I heard. About the judiciary I would only quote one passage from an article written by an internationally renowned research scholar.

“I would only cite some pertinent examples whereby the legal system has acted in a manner in which it could have better not acted. First, the Courts in its zeal to protect the footpath dwellers from being evicted, held that they should not be uprooted till they are provided with alternative sites. This gives immediate justice but at the cost of encouraging lawlessness. Such a decision will encourage the unscrupulous persons to occupy public lands with impunity. Second, the Courts in an image-building exercise has lost its night's sleep on the welfare and comforts of the convicts. This exercise in playing to gallery reached the high water-shed mark when it first banned handcuffing of under-trial prisoners and thereby added to the problems of the law enforcing authorities; and secondly, more and more is being done to even convicts having been sentenced by the Supreme Court itself to death by being hanged till death..”

[Shri Brajamoohan Mohanthy]

My submission would be that this image building of the judges should stop. They should mind their own duty and do justice. They should not consider that they are above Parliament and they are above public opinion. They should not think that they are the third Chamber of the legislation.

[*Translation*]

SHRI VIJOY KUMAR YADAV (Nalanda) : Mr. Chairman, Sir, the motion moved by Prof. Madhu Dandavate is very important and Professor Sahib has rightly expressed the hope that Government would get an inspiration from this motion and would bring forward a comprehensive legislation regarding judicial reforms.

What is the necessity of having judicial reforms today ? It is correct that today the people have lost faith in the judiciary of our country. Some people say that our judiciary creates a sense of confidence among the people. But the situation is totally different. Not only the poor and the common men are not getting justice, but litigation has also become so expensive that the common man cannot go to the courts. Then, as many Hon. Members have said, corruption on a very large scale has crept into our judicial system. The judgements are not fair and that is why the people have lost faith in the judiciary.

Today, the Supreme Court and High Courts are meant for a few people only. The Supreme Court or the High Courts are out of reach of the common man. Even if there is a tenable case and they would get justice there, the financial condition of the common people is so bad that they are unable to go there. Their financial condition does not allow them to knock at the door of the Supreme Court or the High Courts.

The first point in judicial reforms should be that the people should get cheap justice. As a matter of fact, the meaning of justice to the people is that they should get cheap justice and get it without any pull or pressure or favouritism. Secondly, justice should be provided speedily. When Judicial reforms are to be effected, these three principles need to be considered. Whenever any legislation is formulated, it is very essential that provisions to this effect are made therein.

Mr. Chairman, Sir, under the present judicial system, the cases, whether criminal cases or civil remain pending for a very long time. A case has to pass through many stages. In my view, this also delays the justice. One of the reasons for delay in getting justice is its procedure also. I think there is a need to make a basic amendment in it also. A time-limit should be prescribed for the pendency of any case.

Until the loopholes and the defects in the laws are removed, which keep the cases pending for quite a long time, the people will not be able to get justice. It has been mentioned that there are many loopholes in the Land Reforms Law in Bihar. People make appeals after appeals and cases keep on pending for long. To obviate this, in my view, amendments in the Cr.P.C. and C.P.C. are very necessary.

Regarding judicial reforms, mention has been made about having a committed judiciary. The members of the ruling party have interpreted its meaning in various ways. Professor Sahib has placed certain facts before the people. After all, why are such things said ? These things are said due to the methods which are adopted for transfers and postings. If the transfers, postings or promotions, etc., in all the High Courts and the Supreme Court are done according to some prescribed norms under a common guideline and the policy of pick and choose is eschewed, such things would not be said.

So far as the commitment to the constitution is concerned, not only the judges, the M.Ps. and the M.L.A. are committed, but all the citizens of India must be committed to it. It is clear that the people who are not committed, have no place in India.

PROF. MADHU DANDEVATE : They take oath according to the Constitution.

SHRI VIJOY KUMAR YADAV : They of course, take oath according to the Constitution. Members have talked about social justice. We want to bring about social and economic reforms in our country. It is clear that commitment towards it is the first and the foremost thing. Therefore, so far as such a commitment is concerned, it is being viewed from a different angle. Many things happen in the courts. As Shri. Shyam Lal

Yadavji has said just now and we also have felt the Judges are committed to the classes from which they came and not so much towards the Constitution on the social reforms and, therefore that also affects their judgements. I do not say that there is dishonesty, but the commitment towards the constitution which should be there is lacking. There is wide scope for interpretation there. One may interpret it in ones own way. Mr. Chairman, Sir, I would, therefore like, to suggest that this aspect must be kept in view. I would finish my speech after mentioning one more point only. I would like to say that when we want justice, rapid disposal of cases and more work, the salaries and other facilities in the lower Courts, the High Courts and the Supreme Court should also be increased. We would have to look towards their basic problems and their facilities should be increased.

SHRI MOOL CHAND DAGA (Pali) :
Mr. Chairman, Sir, declarations are no solution our Ministers, leaders and Judges all talk about providing justice at the door of the poor. You may go though any speech, leaders and judges all say one thing in their speeches that justice would be provided to the poor at his door. The speeches which have been made today in Parliament have emphasised the need for increasing the pay and other facilities of the judges. You should kindly tell us about all the emoluments and not only pay and then you can take a decision. Law is a cobweb, in which only the poor are trapped and the rich escape. All the laws are cobwebs. You can ask the Hon. Minister about it. The Hon. Minister of State is a hardworking person. He said that 1.36 lakh cases were pending in the Supreme Court and 10 lakh cases were pending in the various High Courts. You may kindly find out how many cases are pending in district Courts and Munsif Courts. You are aware of the number of cases pending in the Supreme Court. Millions of people live in villages. The soul of India lives in villages and you are talking of Supreme Court and High Court here in this House. These big people forget about the land. I have to talk about the land in the villages. The common man in the village yearns for justice. The question is where he will get that justice. Only those who have money can go to the Supreme Court and the High Courts. The poor do not get justice at the very door of

justice. You will have to ponder over it. There are numerous agents in the Courts. The leaders speaking for Judicial reforms should have said that justice should be made available to the poor. I am pained to learn that they talk big but would not care for the poor, because the newspaper will carry reports to the effect that such and such discussion has taken place. We want that family Courts should be set up so that the poor could get justice. Nobody will be allowed in a lawyer's black coat in these Courts. The views of both the parties will be ascertained and then a decision will be given. Summary trials should be made. In the U.S.A. both the parties used to be called for hearing and the case settled within 5 to 6 months. Our former Minister Shri Digvijay Singh is present here, he has told us that a constitutional appeal is pending for the last 12 years. The hearing is yet to be completed. In spite of all this, you want to talk of justice. Justice is that which is cheap, and easily available. The poor want justice. Our democracy is based on justice. If we are to keep the democracy alive, we shall have to make justice available to the poor. Justice will have to be given the way we want it. When a decree is issued, who can enforce it? All the judgements are delivered in English and none in the regional languages. A lawyer carries 25 books as a "beldar" carries goods on his donkey. The lawyers keep books such as, 1956 Allahabad, 53-Calcutta or 52-Madhya Pradesh and the like. The judgements are prepared by copying from these books. This is our commonsense. We have lost our commonsense. Time and again it is said that 'justice delayed is justice denied'. We have been elected to this House as people's representatives. We should see to it that justice is given expeditiously. . . (Interruptions) I want that the people should get justice from the Courts. When you have forgotten all these things, how can justice be had in the courts. The old laws will have to be amended. You will have to make arrangement for giving hearing daily. The arrangements by the lawyers go on for days together. The hearing should be completed in a day... (Interruption) What happens at present is that a case lingers on in the Supreme Court for 7 days for documents alone. Arguments go on and the lawyers charge at least Rs. 3,500 as fee for a day. It does not include black money; that is a separate matter. All this goes on. These are

[Shri Mool Chand Daga]

the qualities of good people to talk of socialism, deliver big sermons and speak in English. They can speak in a foreign language, but do not want to speak in the language of their land. They do not want to speak in the language in which they sought votes. They speak in different language to get votes—in Marathi, in Hindi and in Konkan but once elected to this House they say that we are to impress the big newspapers so that they could print something about us. Therefore, the foremost question before us is how to make cheap Justice available to the poor easily and expeditiously and what Judicial reforms should be made for this purpose. For this, it is necessary to have good Munsifs, and good Judges in civil courts and their emoluments should be increased. If this emoluments are raised, if good people are appointed there, the poor will get justice in those courts. For this purpose, you also need to impose a time limit, only then, they will get any benefit, otherwise, your talk of Judicial reforms, which is nothing but crammed sentences is not going to be of any avail. Our Minister speaks a lot that cheap and expeditious Justice will be made available to the poor and that radical changes will be made in education. They make many sorts of such announcements and this way they are very kind to us ! I would like to ask whether you will give cheap, easy and expeditious justice to the poor through speeches only. This is not going to help. For this, you change the law, amend the Evidence Act, amend the clauses, bring out the law in your own language. When all the laws will be in regional languages, the people will be able to understand them. Judgements should also be in the languages which are spoken by the people. Otherwise, what happens is that the lawyers go on arguing the case and the clients do not understand what they are saying or what they want to say and how much close they are to the facts. They do not know whether they are speaking the facts or not. Why should the arguments be in English only. These people deceive their clients because only one crore people know English in this country—not more than that.

Sir, this is a very intricate question. To talk of Justice to the poor is one thing, but the fact remains that the poor do not get Justice today. So far as 'legal aid to the poor' is concerned, you might be knowing that a big meeting was held in this regard in Bombay

and you might have attended that meeting, it was organised by Shri Antulay. I think, a book was published in 1960 ..(Interruption) I have not been able to know till today how you are going to give justice to the poor. How will you make cheap, easy and expeditious justice available to the poor, and how will you implement it ?

Therefore, Sir, I want that whenever you speak in this connection, you should give full attention as to how cheap, easy and expeditious justice can be made available to the poor in the conditions prevailing in the country.

[English]

SHRI DIGVIJAY SINH (Surendranagar) : I will stick to my promise—half a minute—although he has taken the wind out of my sail. I know that the time of this institution is more precious than any other in the country.

The Unstarred Question which was replied today by the Hon. Minister of Law and Justice, bearing No. 6495 was put by me. The question was 'Please lay a statement showing a list of Full Bench constitutional cases pending in the Supreme Court, which have not been heard for once in twelve years'. Full Bench constitutional case not heard once in 12 years. And the reply was : "As per information furnished by the Registry of the Supreme Court, there are 110 such cases."

I have to say nothing more. I think this half-a-minute is more pungent than half an hour.

SHRI HAROOBHAI MEHTA (Ahmedabad) : The speech of Prof. Madhu Dandavate I must say with great respect to him, was punctuated by polemics. So, I do not want to take time of the House in answering polemic by polemic. I shall go straight to the question of the independence of judges. A proposal has been mooted that the appointment of judges should be made with the concurrence of the Chief Justice. I have got strong objection to this suggestion and that is on the ground that the constitutional responsibility of the Council of Ministers is to the Parliament; if the President makes an appointment according to the advice of the

Council of Ministers, the Government is answerable to the House. If the concurrence of the Chief Justice is required and he is made the sole authority of appointment, our House will not lose the right to question regarding the appointment. Therefore, the powers of Parliament will be eroded to that extent. I, therefore, submit that the present system of appointment power vesting in the President on the advice of the Council of Ministers in consultation with the Chief Justice is consistent with the constitutional responsibilities towards this august House; and any change in the system will derogate from the power of this House. Therefore, the power of appointment should and likewise the power of transfer of judges continues to be vested in the President.

Now, as has been rightly said, judges should be independent; judiciary should be independent; but that means that their judicial functioning should be beyond interference. I don't think the executive of Parliament has ever interfered with the adjudicative functioning of courts. Independence of Judiciary does not mean that judges should be allowed to be independent of the aspirations of the people and social commitment and the basic philosophy of the Constitution enunciated in the Preamble and the Directive Principles of the Constitution. If it is required to be referred to any judgement on this point, please see the Judgement rendered in Kesavananda Bharti's case; if there is any article required to be referred to on this point, kindly see Art. 38 according to which all institutions of the States are required to apply Directive Principles of the constitution which are fundamental in the governance of the country.

Now, unfortunately, we find some judgement coming in the way of the implementation of the Directive Principles. I do not want to dwell at length on this point. But look at the Excelwear Case wherein the Judgement of the Supreme Court upholding the right of the businessmen or industrialists to close down their undertakings came directly in the way of Directive Principles of right to work. Similarly, when the Government decided to take over Manek Chowk Mills of Ahmadabad in order to restart it, but Delhi High Court gave a stay with the request that the workers are starving for the last several years. Many progressive measures

are suffering on account of injunctions given by the courts often even temporary voiding of laws is effected by courts by giving injunctions on stay against the operation of the laws with the result that progressive measures cannot be brought into effect for years even if ultimately they would qualify for being upheld.

A survey or a study is required to be made on the question of what would have been the development tempo of this country had there been no power of the courts to give injunctions against the implementation of laws. It would reveal a great deal.

Now, the judiciary itself is according to cardozo an undemocratic institution. It is neither elected nor is it answerable to people or to Parliament. Therefore, let there not be any plea for enlargement of the powers of the judiciary. The question of arrears has become acute in the last few years. One reason is that the judiciary has expanded the horizon of its powers more than what the Constitution envisaged. They should know parameters of their powers. In the name of public interest litigation which is good so far as it concerns bonded labour or working conditions of sweating labour or slum dwellers and others who cannot defend themselves. But it is from the weaker sections who often resorted to indiscriminately as if Judiciary is a super executive.

In Ahmedabad, some, officers were posted to look after law and order situation in a polluted area. Now in the midst of riot situation, the court said that the official should not work in that particular area. This way the control of law and order situation was taken out from the hands of the executive on account of court saying that this Commissioner should not work or that Commandant of the Special Reserve Police should not work in this particular area. Why should the courts start acting as super executive? Courts have been enlarging their jurisdiction in areas not meant for them and that is one reason why there is a problem of arrears.

But this can be solved. First of all, the higher courts should work for more days. I was not surprised—but many friends will be surprised—when I saw the calendar of the Supreme Court two or three years ago, and

[Shri Haroobhai Mehta]

the situation has not much improved since. One hundred and eightythree non-working days and 182 working days for the Supreme Court. Half of the year the Supreme Court did not work ! What is this ? Can they not work more ? We are asking workers to work for eight hours on machines. But the Judges cannot work for more than five hours. I do not think Prof. Dandavate will place mental work at a higher pedestal compared to the physical work. Long vacations and short working days are luxurious kind of things. There should not be long and repetitive arguments. As a member of the Bar, I am myself abashed. The Judges should not encourage long and pedantic arguments. The public are not interested in pedantic judgements. They are interested in quick and simple orders.

Some procedural reforms are necessary. Legal aid should be provided. In Gujarat we have successfully evolved Lok Adalates. It has proved to be a very good example. Some matters are taken out of regular boards of the courts and placed before conciliation boards comprising advocates, retired judges, social workers and others. They try to persuade the parties to settle the cases. More than one hundred Lok Adalats camps have been held and 15,000 cases have been settled out of courts. That is one way. That may help us in the early disposal of cases.

Therefore, I would submit that if the judiciary remains within its sphere earmarked by the Constitution, instead of making pronouncements or observations in the other spheres not belonging to them, it would be all right. Somebody spoke about the observations of Mr. Justice Tulzapurkar. I am not surprised. He is a Judge who is known to have made some disparaging remarks about his brother Judges while pronouncing a judgement. It is a reported judgement. Because, after all,

*“Yada-yada umchati vakyavanam,
tada-tada jaati kul pramanam.”*

I may point out that it is not necessary or correct to say that high emoluments, are necessary to ensure honesty. Even a Talati Khabbe honest; a Police Constable can be honest. If you give more pay to the Judges, to ensure honesty, I may say that that is quite correct. After all,

*“Kriya sidhi satve bhavati,
mehtam na upkarane.”*

It is not that honesty can be ensured only by paying high emoluments. A High Court Judge gets about Rs. 6,000 per month all told. If one says that there should not be disparity between his income and that of lawyers appearing before them. Then on the same reasoning a trade controller should have pay equal to the income of a pleader, industrial licensing adjutants should get an income equal to the industrialist appearing before them. If there is any need, there is need for a ceiling on the fees of the advocates, if there should not be a large disparity between the income of the Judges and the income of the lawyers.

MR. CHAIRMAN : Please conclude.

SHRI HAROOBHAI MEHTA : I am concluding.

I suggest that a commission may be appointed to find out what are the reforms that are necessary in the present judicial system.

PROF. SAIFUDDIN SOZ (Baramulla) : Mr. Chairman, Sir, I heard very good speeches from my colleagues on the need for judicial reforms. As usual, Prof. Madhu Dandavate made a very good speech, raised some points which were answered partly by my friend Mr. Faleiro and Mr. Kumaramangalam. But after hearing all these speeches I heard one speech from a Telugu Desam Member; I was very much enlightened by the speech of Shri Ayyapu Reddy. And, many points were made by other friends. Mr. Daga also mentioned that he wants a Panchayati Nizam in place of this rotten judicial system. All these speeches put together, I collated the facts from speeches of the friends and I have come to the conclusion that there is something radically wrong with the judicial system. Mr. Kumaramangalam was referring to the Directive Principles of the Constitution and the philosophy of the Constitution. But where is the disagreement ? I want to remind him and others, who believe that nothing is wrong in the system, that the situation is brewing to a stage where all of us will be forced to recite with Faiz Ahmed Faiz the following couplet :

“Bane hein ahle hawas, muddai bhi munsif bhi
Kise vakil karen, kis se munsifi chahen,”

We have created a mess. Now, Mr. Kumaramangalam was posing a question to Prof. Dandavate and he brought in Mr. Khanna's name. Mr. Falerio referred to Tulzapurkar, indirectly. Something is going wrong before our very eyes not because of the judges but because of our policies. I have the limitation of time. I want to ask a question. About the policy of appointment and the policy of transfer, are there definite guidelines adopted by the Government? You have the guidelines according to which one-third of the judges must be from outside the state and the Chief justice cannot be from the same State. But in Janmu & Kashmir Justice Bahauddin Farooqi remained acting Chief Justice for 3.1/2 years. I want to tell you that there is no provision for an acting Chief Justice in the constitution as such. Yet in Jammu & Kashmir State Mr. Justice Farooqi remained as acting Chief Justice for 3.1/2 years. All these years he must have remained in despondency. Once he was confirmed, he was asked to go to Sikkim. When he explained his case through a letter, that letter was treated as his resignation. Now, fortunately, the present Chief Justice remained as acting Chief Justice only for six months. But I want to tell you that when you come to implementation of policies, you play havoc with the whole system. Do not think that I am having any brief for Justice Bahauddin Farooqi or asking for the transfer of the present Chief Justice. That is not the point. I do not cast aspersions in general terms on the executive. But I was telling you something is radically wrong with the system, and if you are discussing judicial reforms, I have only two points to make. One is on the appointment of judges. What is the criterion for the appointment of judges? Somebody said seniority. No, if your system is pucca and your man on the top is not fit for that office, then there will be the selection. After all, if you have a criterion, if you have a definite criterion, then seniority is one element in that criterion, it is not everything. May be, there may be a brilliant judge, a judge committed to the Constitution of India and a judge committed to the understanding of problems of teeming millions of India, but there are judges who do not care for your Constitution, there are judges who hate the very word of socialism, there are judges

who do not care for any poverty line or the starvation line. Those judges are not fit to become judges of the Supreme Court. So, a definite criterion has to be there and seniority will be one element of the criterion. Where is the criterion? *Sifarish* (recommendation) has been the rod. Recommendation by politicians must have been the rod during Janata regime, I do not know because it is for Mr. Faleiro to sort out with Professor Dandavate. What Professor Dandavate was telling you about committed judiciary and bonded judges, that raises a very important question and Mr. Ashok Sen, and his able colleague are there. They are luminaries in the profession, they must answer these points. So, when you come to the appointment of the judges—I do not say recruitment of the judges because that will not be a dignified word—you have to be very cautious. When somebody becomes judge of a High Court because he has to rise to an upper level, he has to go to the Supreme Court, at that time you apply a criterion rigorously and you must rise above party level at that time.

Now I come to emoluments. I feel one with Mr. Daga—by telepathy he has snatched away my idea, I do not know how—that not that they (Judges) should not get more money, certainly there must be some rise, there should be some perks, but if you double the emoluments, if you give them three times more emoluments, that can never make them honest, that can never give them dignity. At the time of making the appointment of a judge, you must ensure that he has some principle in life. After all, somebody should have reputation for honesty. He cannot be only senior and ask for the promotion. So, at the time of giving reply tomorrow, I wish the law Minister makes a commitment in this House that they shall be very cautious in making the appointments. After all, we have to work for the unity and integrity of this country. Why politics? And then, we shall watch these judges. Some of them are not behaving as they should in a democratic country. This Parliament is supreme, and I raise a question here that we have to discuss judges when it comes to discussion, when it pinches our hearts. K. K. Tewary rises and brings in the name of Justice Tulzapurkar. Somebody said he is a good judge. Mr. Tewary said, Tulzapurkar's remarks are objectionable. Here is a man who mentioned his name, there is a man who mentioned

[Prof. Saifuddin Soz]

Justice Khanna's name. I want to know who will ask the judges to prove their integrity. You say people. Where are people? We are the people of India, those who are sitting here. Kumaramangalam is wrong. He says 'commitment to the people'. Where are people? Can you meet 70 crores of people? We are the people of India. Parliament is supreme. They have to see what the judges are doing. They have to be restrained through law which is our province. Here is a house belonging to the Lok Sabha pool and there is a man in the street. He is nobody in Delhi that is to say, he has no official position. His son or he goes to the Delhi High Court and gets the stay. Why does a Judge grants stay on filmsy grounds. Mr. Faleiro is not in a position to allot that house. That fellow has no position in Delhi yet he obtained stay. What is this stay? And this stay is extended from time to time. To whom is that judge answerable, I want to ask Mr. Bhavadwaj. I raised a point in the zero hour today, which the Hon. Speaker did not allow. I do not question the Speaker's wisdom because after all he is in charge of affairs. He knows what suits the occasion. But my point was different. When I referred to the Calcutta situation, I was not reducing the problem into a communal situation. I never said that it has touched the feelings of Muslims only. But I want to tell you that two petitioners went to the High Court and that petition was admitted. It was not a good thing on the part of that judge. If I do not say it here, where do I say it? I raised this problem not only here in the Zero Hour, there was an occasion for me to take up this problem with the Prime Minister, we had gone in a delegation in some other connection. I said: 'Mr. Prime Minister, I say that the Government of India's action is laudable and if the West Bengal Government's action is also laudable, you got the writ disposed of early. But tell me: Did those two people not create a situation for the country? Maybe they are in league with some agency and they wanted to destabilise the country.' So it was the Judge's ineptitude to accept that. In the Supreme Court and High Courts, as Faleiro rightly said, hundreds of writs are just, on first sight, rejected. Why were these writs admitted in the High Court as a result of which a disturbance was created in the country? The Muslim leaders behaved properly, they asked for restraint. But tell me,

these judges have to be answerable before somebody, and what is that power? That power and authority is Parliament. So, Parliament must uphold its dignity and its authority and those Judges are answerable before us. So, recruitment is very important. (*Interruptions*).

The second thing is backlog which in a very brief speech, perhaps the briefest Mr. Digvijaya Singh has covered this. I must say that I never thought that in one minute he could make a speech, and Mr. Bhavadwaj has answered that only 110 cases are pending in the Supreme Court which have not been heard for 12 years and you want us to sanction a big kitty and a long list of perks to the Judges which is a reflection on their working and some solution will have to be found. How do you solve the problem of backlog? In my State, more than 40,000 cases are pending and there are so many connected problems which Mr. Bhavadwaj must be knowing. There are vacancies which you do not fill up. Why not? And Tarkunde who has been very able and honest—at least among the Judges whom I know personally, he is one of the most honest Judges we have produced in this country. A legal luminary as Tarkunde is, he gives a solution stating, 'Have tribunals for justice'. And you have already touched the feeling of Mr. Daga who wants panchayati Nizam. Why not? Some delegation of authority and power is required. For smaller things one has to go to the Supreme Court. Why? Where from shall people get money? They have no money. Only businessmen can go to the Supreme Court, perhaps not the poor people.

So, backlog is there, and that backlog has to be cleared and the Law Ministry must be knowing better as to how they can do it.

Lastly, Sir when you go to the court, the atmosphere is terribly filthy there. Firstly the people are led to the court. Those who do not want to go like me feel is if we are going to a place which is not sacred at all, not because of surroundings, but one knows that when one enters into the precincts of the court, one thing is definite that he will never get justice and if justice comes, it will be very delayed.

[*Translation*]

The process of litigation is wearisome. But the other aspect is—

[English]

—I do not know how it happens. The petition writers and the lawyers sit on broken benches and jhoggis all around. There are a lot of people in the compound—these lawyers, advocates and petition writers. When one is inside the court, it is less than a sacred place. I am telling you what a common man feels about the High Court and the Supreme Court, but the Law Ministry can get the external filthy atmosphere cleared. Many foreigners come and they visit our courts, but the surroundings are very filthy. You must rise to the occasion and get the surroundings cleaned.

PROF. MADHU DANDAVATE : Foreign hand in the court also ;

PROF. SAIFUDDIN SOZ : May be.

Thank you very much. I have made one or two points which I feel that the Law Minister or Mr. Bharadwaj, I do not know who will answer this debate—some one of us has requested you and I support that request that we must have one full-day's discussion on the judicial reforms. We have to say many things. So, till we have that, the points we have raised must be answered by the Hon. Law Minister. Thank you, Sir.

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI H. R. BHARADWAJ) : Sir, before we adjourn for the day, I just wanted to intervene and put the record straight because after all such senior Members have participated in the discussion. We would like to be corrected if there is something wrong. I am putting two suggestions.

Has any Chief Justice been transferred in contravention of the policies laid down? Has any Chief Justice complained, "I was transferred without the consent of the existing Chief Justice of India"? Not a single Chief Justice has been transferred during the last 5 years without the express consent of the Chief Justice of India. That is the Constitutional obligation. But some judge of the Supreme Court has said that a Chief Justice has been transferred without the consent of the Chief Justice of India. It is highly incorrect. We cannot restrain these judges in that court but they must correct themselves when

they say something. When their brother Chief Justice of India recommends something, we do it. And then, we are being accused of it.

Secondly, I would like to know whether any single appointment—I repeat appointment—has been made without the express consent of the Chief Justice of India. I welcome suggestions on these two points. I would like the Hon. Members to point out if there is any contravention.

PROF. MADHU DANDAVATE : I accept the challenge. 16 judges were transferred during the Emergency.

SHRI H. R. BHARADWAJ : I am not talking of the Emergency. I am talking of the last five years. Perhaps you did not talk about the Emergency. I talk about the recent past.

[Translation]

SHRI HARISH RAWAT (Almora) : Mr. Chairman, Sir, I thank you very much for the opportunity which you have given me as a bonus for my presence in the House in this late hour. I shall not take much time.

The first thing is that I want to draw the attention of the Hon. Minister to the fee which an ordinary litigant has to pay as stamp duty. This should be solved in consultation with the state Governments, because, perhaps, the income from this duty goes to them. The poor have to pay this high rate of stamp duty whereby justice becomes costly for them.

The second point to which I want to draw your attention is legal education. We have many media through which we can provide to the common man the knowledge of ordinary laws which we practically come across in our daily life but, I think, very little work has been done in this direction. Once in a while, we see such a programme on television. Such programmes should be regularly given on radio and television. In addition to this other media at the disposal of the Ministry of Information and Broadcasting should also be utilized to give more and more knowledge of ordinary laws to the people.

One thing more I want to say. In our courts, especially in the lower courts; Shri

Rajhans has referred to a 'mafia'—I would not say 'mafia' but—a sort of gang is formed. Some lawyers, some sort of agents exploit the people attending the courts in connivance with the judges. The dates are postponed time and again and an impression is created that a favourable judgement in the case can be given or a bail can be granted if one engages a particular lawyer. Many difficulties of this sort are experienced which need to be removed, because most of the people come in contact with our lower courts from where they expect justice, as very few people go to appellate courts. Therefore, the functioning of lower courts needs to be improved. We are not only to improve their functioning, but should also give more emoluments to the judges working at this level. When we talk of judges, we talk of only the Supreme Court and High Court judges and after listening to the debate in this House, I got an impression that our Hon. Members who speak here and express their views seem

to be influenced by the Supreme Court and High Court judges and the quality of justice at that level only. But the foremost thing which needs to be considered today is how people can get effective, easy, expeditious and cheap justice from the lower courts.

In this connection our resolve to provide legal aid needs to be strengthened further. It helps the people a lot. This should be encouraged by involving a larger number of people and good persons in it.

[*English*]

MR. CHAIRMAN : The House stands adjourned to re-assemble at 11.00 A.M. tomorrow.

20.01 hrs.

The Lok Sabha then adjourned till eleven of the clock on Wednesday, May 15, 1985 Vaisakha 25, 1907 (Soka),

