

### Sixth Series, No. 3

**Monday, March 28, 1977**  
**Chaitra 7, 1899 (Saka)**

# LOK SABHA DEBATES

## First Session (Sixth Lok Sabha)



सत्यमेव जयते

**LOK SABHA SECRETARIAT**  
**New Delhi**

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No. 3, Monday, March 28, 1977/*Chaitra 7, 1899 (Saka)*

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# LOK SABHA DEBATES

I

## LOK SABHA

2

Monday, March 28, 1977/Chaitra 7  
1899 (Saita)

The Lok Sabha met at Eleven of the  
Clock

[MR. SPEAKER in the Chair]

### MEMBERS SWORN

Shri Bindhyeshwari Prasad Mandal  
(Madhepura)

Shri Ebrahim Sulaiman Sait  
(Manjeri)

Shri Sreekantan Nair (Quilon)

Shri Narendrasingh Yadvendrasingh  
(Damoh)

Shri Hemvati Nandan Bahuguna  
(Lucknow)

Shri Ram Lal Rahi (Misrikh)

Shri Ram Nihor Rakesh (Chail)

Shri Saradish Roy (Bolpur)

Shri Gadadhar Saha (Birbhum)

Shri Ramubhai Rabjibhai Patel  
(Dadra and Nagar Haveli)

11.55 hrs.

ADDRESS BY THE VICE-  
PRESIDENT ACTING AS PRESIDENT

SECRETARY-GENERAL: Sir, I lay  
on the Table a copy of the Address by  
the Vice-President acting as President  
to both Houses of Parliament  
assembled together on the 28th March,  
1977.

Address by the Vice-President acting  
as President

माननीय सदस्यगण,

मैं नई लोक सभा के सदस्यों को बधाई  
देता हूँ और छठी संसद् के संयुक्त अधिवेशन  
में आप सब का स्वागत करता हूँ।

इस अवसर पर जब हम एक सौम्य और  
परिचित चेहरा नहीं देखते तो मेरे विचार  
हमारे भूतपूर्व राष्ट्रपति श्री फखरुद्दीन अली  
अहमद की ओर जाते हैं, जो एक वरिष्ठ  
राजनीतिज्ञ, विवेकपूर्ण सलाहकार, अनुभवी  
अगुवा तथा सज्जनपुरुष थे। आज हम उनके  
निधन पर शोक प्रकट करते हैं और वेगम  
आबिदा अहमद को अपनी हादिक संवेदनाएँ  
देते हैं।

अभी जो आम चुनाव हुआ है उससे प्रभाव-  
पूर्ण तथा निर्णायक ढंग से यह सिद्ध हो गया  
है कि जनता की अपनी ताकत, लोकतन्त्रात्मक  
प्रक्रिया की जीवन-शक्ति, जिसकी जड़ जमी  
है, पर कितना भरोसा है। जनता ने प्रशासक  
के मनमानेपन तथा व्यक्ति-पूजा के अभ्युदय  
तथा गैर संवैधनिक शक्ति केन्द्रों के विरुद्ध  
वैयक्तिक स्वतंत्रता, लोकतन्त्र तथा विधि-  
नियम के पक्ष में अपना स्पष्ट निर्णय दिया है।  
यह चुनाव हमारी लोकतन्त्रात्मक व्यवस्था की  
एक स्वस्थ दो-दलीय प्रणाली के विकास  
की दिशा में एक महत्वपूर्ण मील-पत्थर है।

मेरी सरकार जनता द्वारा दिए गए निर्णय  
को हर तरह से पूरा करने के लिए बचनबद्ध  
है। ऐसा करने में यह मान कर नहीं चला  
जाएगा कि जनता कुछ नहीं जानती और

सरकार ही सभी उत्तर और हल जानती है। पिछले दो वर्षों में लोगों पर कई अत्याचार किए गए तथा उन्हें असीम कष्ट झेलने पड़े, और कई लोगों की तो जानें भी गई। इस दुःखद अनुभव के कारण यह बात कहनी पड़ी।

माननीय सदस्यगण, नई सरकार ने तीन दिन पहले कार्यभार सम्भाला है। अभी जो ये कई उपाय करना चाहती है उनकी विस्तृत योजना बनाने का अभी समय नहीं मिला है। ये उपाय इस वर्ष यथासमय किए जाएंगे और आपके सामने पेश किए जाएंगे। पर, फिर भी, कई कामों पर तत्काल ध्यान देना है और सरकार इन्हें तुरन्त अपने हाथ में लेगी।

सबसे पहला काम है जनता की मौलिक स्वतंत्रताओं और नागरिक अधिकारों पर रोक हटाना, जिससे विधि-नियम तथा प्रेस की स्वतंत्रता का अधिकार फिर से स्थापित हो। 1971 में जिस बाह्य आपातकाल की घोषणा की गई थी उसे मेरे द्वारा कल रद्द कर दिया गया है। सरकार निम्नलिखित कदम उठाएगी :—

(i) पिछले दो सालों में आंतरिक सुरक्षा कानून का जो घोर दुरुपयोग हुआ, उसकी पूरी समीक्षा की जाएगी, जिससे इसे रद्द किया जा सके और इस बात की जांच की जा सके कि न्यायालयों में जानें के अधिकार को बरकरार रखते हुए देश की सुरक्षा तथा आर्थिक अपराधों से निपटने के लिए वर्तमान कानून को और सशक्त बनाने की आवश्यकता है या नहीं।

(ii) इस आशय का कानून बनाया जाएगा जिससे यह सुनिश्चय हो सके कि कोई भी राजनीतिक अथवा सामाजिक संगठन पर पाबंदी न लगाई जाए, जब तक पर्याप्त आधार न हो और इस संबंध में न्यायिक जांच न की जा चुकी हो।

(iii) आपत्तिजनक सामग्री के प्रकाशन पर शोक संबंधी अधिनियम की रद्द

किया जाएगा। विधायिकाओं की कार्यवाहियों को छापने के प्रेस का अधिकार फिर से लौटाया जाएगा।

(iv) जन प्रतिनिधित्व अधिनियम संशोधन में भ्रष्ट आचरणों की जो व्याख्या की गई है तथा जिन कुछ व्यक्तियों के चुनाव अपराध को न्यायालयों की संवीक्षा से बाहर रखकर संरक्षण दिया गया है, उन्हें रद्द किया जाएगा।

इस वर्ष के दौरान, जनता तथा संसद्, संसद् तथा न्यायपालिका, न्यायपालिका तथा कार्यपालिका, राज्य तथा केन्द्र, नागरिक तथा सरकार में संतुलन फिर से लाने के लिए, जिसकी व्यवस्था हमारे संविधान के निर्माताओं ने की थी, संविधान में संशोधन करने की एक व्यापक योजना आपके सामने प्रस्तुत की जाएगी। इसके अन्तर्गत अनुच्छेद 352 (तीन सौ बावन) के प्रावधानों का संशोधन शामिल है, जिनसे आपातकाल की घोषणा करने के अधिकार तथा सम्बद्ध अनुच्छेदों के दुरुपयोग पर रोक रखी जा सके, जिससे कि इस बात का सुनिश्चय हो सके कि राष्ट्रपति शासन संविधान में उल्लिखित उद्देश्यों के अनुसार ही लागू हो, न कि किन्हीं बाहरी उद्देश्यों से।

पिछले कुछ समय से एक जो गम्भीर स्थिति उत्पन्न हुई है वह यह है कि सूचना तथा जनसंपर्क माध्यमों की स्वतंत्रता तथा निष्पक्षता खत्म हो गई है। मेरी सरकार ऐसे उपाय करेगी जिनसे इन माध्यमों को लोकतंत्र में उचित स्थान दिया जा सके। ऐसे उपाय भी किए जायेंगे जिनसे यह सुनिश्चय हो सके कि आकाशवाणी, दूरदर्शन, फिल्म-प्रभाग तथा अन्य सरकारी माध्यम उचित तथ्यों निष्पक्ष तरीके से काम करें।

पिछले साल इस देश के कई इलाकों में परिवार नियोजन का कार्यक्रम जिस प्रकार से

चलाया गया उससे जनता में जितना आक्रोश देखा गया वह पहले कभी नहीं देखा गया। इससे इस कार्यक्रम को, जो राष्ट्र के कल्याण के लिए महत्वपूर्ण है, भारी नुकसान पहुंचा। परिवार नियोजन एक ऐच्छिक कार्यक्रम तथा एक व्यापक नीति के अभिन्न अंग के रूप में जोरदार ढंग से चलाया जाएगा, जिसमें शिक्षा, स्वास्थ्य, मातृ-प्रेन्द्र और बाल कल्याण, परिवार-कल्याण, महिला-अधिकार तथा पौष्टिक आहार शामिल हैं।

आर्थिक क्षेत्र में सरकार 10 वर्षों की अवधि में गरीबी हटाने के लिए वजनबद्ध है। ग्रामीण क्षेत्र की अपेक्षाकृत उपेक्षा से अर्थ-व्यवस्था में एक भयानक असंतुलन उत्पन्न हुआ, जिससे लोग गांव से शहरों की ओर जाने लगे हैं। किसानों को अपने उत्पादन का उचित दाम नहीं मिला है। कृषि तथा सम्बद्ध विकासों के लिए विनियोजन बहुत ही अपर्याप्त है और गांवों की स्थिति सुधारने की आवश्यकता पर बहुत कम ध्यान दिया गया। एक लाख से ज्यादा गांवों में पीने के पानी जैसी प्राथमिक सुविधा भी नहीं है। मेरी सरकार रोजगार उन्मुख नीति अपनाएगी, जिसमें कृषि विकास, कृषि उद्योग, छोटे और कुटीर उद्योगों को, विशेष रूप से ग्रामीण इलाकों में प्राथमिकता मिल सके। ग्रामीण क्षेत्रों में न्यूनतम आवश्यकताओं के प्रावधानों तथा समग्र ग्रामीण विकास को भी ऊंची प्राथमिकता दी जाएगी। पंच-वर्षीय योजना की यथासंभव समीक्षा की जाएगी योजना की प्रक्रिया में फिर से प्राण संचार किया जायेगा और छठी पंचवर्षीय योजना पर अविलंब काम शुरू होगा। इस साल बाद में अंतिम बजट पेश करते समय उन आर्थिक कार्यक्रमों की घोषणा की जाएगी जिन्हें चलाने का प्रस्ताव है।

अब मैं वैदेशिक संबंधों पर आता हूं। मेरी सरकार उन सभी वायदों को निभाएगी जो पिछली सरकार कर चुकी है। यह समानता और परस्पर सद्भाव के आधार पर सभी पड़ोसी तथा विश्व के अन्य देशों के साथ मैत्री

भाव रखेगी और गुट निरपेक्षता की सही नीति अपनाएगी। मुझे यह कहने में खुशी हो रही है कि मेरी सरकार अगले महीने के प्रारम्भ में गुटनिरपेक्ष सम्मेलन में ध्युरो की बैठक की मेजबानी करेगी। मेरी सरकार सभी विकासशील राष्ट्रों के साथ आर्थिक और तकनीकी सहयोग तथा संबंधों को भी मजबूत करने पर विशेष ध्यान देगी।

माननीय सदस्यगण, आपका वर्तमान अधिवेशन छोटा होगा, जिसमें वित्तीय मामलों—संघ की पूरक मांगों, राष्ट्रपति शासन के अन्तर्गत राज्यों, और शाम बजट के संबंध में बोट्टे आन एकाउन्ट, रेल बजट तथा राष्ट्रपति शासन के अधीन राज्यों के बजट—पर तत्काल ध्यान देना होगा। आगामी महीनों में आपके सामने बहुत ही व्यस्त कार्यक्रम है। आज राष्ट्र को आपसे बहुत बड़ी अपेक्षा है और मेरा विश्वास है कि आप उन कार्यों को, जो आपके सामने सरकार द्वारा पेश किए जाएंगे, लगन और तपस्वता से पूरा करने में अपना सहयोग देंगे। मैं इन कार्यों की ओर आपका आह्वान करता हूं और आपकी सकलता की कामना करता हूं।

जय हिन्द।

Honourable Members,

I extend my felicitations to the members of the new Lok Sabha and welcome you all to the joint session of the Sixth Parliament.

On this occasion when we miss his benign and familiar presence my thoughts go to our late President Shri Fakhruddin Ali Ahmed in whom we have lost an elder statesman, a wise counsellor, an experienced leader, and a perfect gentleman. We mourn his loss today and convey our sincere and heartfelt condolences to Begum Abida Ahmed.

The General Election just concluded has effectively and decisively demonstrated the power of the people, the vitality of the democratic process in India and the deep root that it has taken. The people have given a clean verdict in favour of individual freedom, democracy and the rule of law and against executive arbitrariness, the emergence of a personality cult and extra-constitutional centres of power. The election marks an important milestone in the evolution of our democratic polity into a healthy two-party system.)

My Government pledges itself to fulfil in every way the mandate given to it by the people. In doing so, it will not take the people for granted or assume that they know nothing and that the Government alone knows all answers and solutions. The traumatic experience of the last two years during which many atrocities were committed on the people and they had to undergo untold sufferings and some have even died, has brought home the relevance of this.

Honourable Members, the new Government has taken charge only three days ago. It has not had the time to work out the details of the various measures it intends to adopt. This will be done in due course during the year and placed before you. Nevertheless, there are some urgent tasks to be attended to and the Government will take them in hand immediately.

The most urgent task is to remove the remaining curbs on the fundamental freedoms and civil rights of the people, to restore the rule of law and the right of free expression to the Press. The external emergency proclaimed in 1971 has been revoked by me yesterday. The Government will also take the following measures:

- (1) Having regard to the gross abuse to which the Maintenance of Internal Security

Act has been put during the last two years, a thorough review of the Act will be undertaken with a view to repealing it and examining whether the existing laws need further strengthening to deal with economic offences and security of the country without denying the right of approach to courts.

- (ii) Legislation will be introduced to ensure that no political or social organisation is banned except on adequate grounds and after an independent judicial enquiry.
- (iii) The Prevention of Publication of Objectionable Matters Act will be repealed. Immunity which the Press enjoyed in reporting the proceedings of legislatures will be restored.
- (iv) The amendment to the Representation of Peoples Act which redefined corrupt practices and afforded protection to electoral offences by certain individuals by placing them beyond the scrutiny of the courts, will be repealed.

During the course of the year, a comprehensive measure will be placed before you to amend the Constitution to restore the balance between the people and Parliament, Parliament and the Judiciary, the Judiciary and the Executive, the States and the Centre, the citizen and the Government that the founding fathers of our Constitution had worked out. This will include provisions to amend Article 352 to prevent the abuse of the power to declare emergency and of the relevant Articles to ensure that President's Rule is imposed strictly in accordance with the objectives mentioned in the Constitution and not for extraneous purposes.

One of the very serious developments in the recent past was the erosion of the freedom and impartiality of the media of publicity and information. My Government will take steps to restore to the media their due place in a democracy. Steps will also be taken to ensure that All India Radio, Doordarshan, Films Division and other Government media function in a fair and objective manner.

Nothing has roused public anger and resentment so much as the manner in which the family planning programme was implemented last year in several parts of the country. This has caused a major set back to the programme which is vital for the welfare of the nation. Family planning will be pursued vigorously as a wholly voluntary programme and as an integral part of a comprehensive policy covering education, health, maternity and child-care, family welfare, women's rights and nutrition.

In the economic sphere, the Government is pledged to the removal of destitution within a definite time-frame of 10 years. Relative neglect of the rural sector has created a dangerous imbalance in the economy leading to migration of people from rural areas to urban centres. The farmer has been denied reasonable and fair price for his products. Allocations for agriculture and related developments have been grossly inadequate and the need to improve conditions in the villages has received scarce attention. More than a lakh of villages do not even have the most elementary facilities for drinking water. My Government will follow an employment-oriented strategy in which primacy will be given to the development of agriculture, agro-industries, small and cottage industries especially in rural areas. High priority will also be given to the provisions of minimum needs in rural areas and to integrated rural development. To the extent possible at this

point of time, the Fifth Five Year Plan will be reviewed. The planning process will be revitalised, and work on the Sixth Five Year Plan will be taken up without delay. My Government will announce at the time of the presentation of the final budget later this year the details of the economic programme that is proposed to be followed.

I now come to external relations. My Government will honour all the commitments made by the previous Government. It stands for friendship with all our neighbours and other nations of the world on the basis of equality and reciprocity and will follow a path of genuine non-alignment. I am glad to say that my Government will be hosting a meeting of the Non-aligned Co-ordinating Bureau early next month. My Government will also give very special attention to the strengthening of ties and economic and technical co-operation with all developing nations.

Honourable Members, your present session will be a short one in which you will have to attend to urgent financial business—the Supplementary Demands of the Union and the States under President's Rule, and the Vote on Account regarding the General Budget, the Railway Budget and the budgets of States under President's Rule. A heavy and busy schedule lies ahead of you in the coming months. There is today a mood of expectancy in the country and I trust that you will co-operate fully in attending to the business that will be placed before you by Government, with thoroughness and expedition. I commend you to your tasks and wish you all success.

Jai Hind.

12 hrs.

### OBITUARY REFERENCES

**MR SPEAKER:** I have to inform the House of the sad demise of twelve of our friends, namely, Shri Narsingha Malla Deb, Shri P. R. Kanavade Patil, Shri Nana Ramchandra Patil, Shri Sheo Narayan Fotedar, Shri R. M. Hajarnavis, Shri Ajit Prasad Jain, Shri Nemi Saran Jain, Shri C. Chittibabu, Shri E. V. K. Sampath, Shri U. N. Dhebar, Shri T. H. Gavit and Shri A. K. Gopalan

Shri Narasingha Malla Deb was a Member of the Second Lok Sabha during the years 1957—62 representing Midnapore constituency in West Bengal. Earlier, he was a Member of the West Bengal Legislative Council during the years 1952—57. A philanthropist and a social worker, he founded schools, colleges, a polytechnic and a hospital in Jhargram and set up a handicrafts institution for widows. He nursed these institutions till his death. A man of versatile ability, he was several clubs and sports organisations. He passed away at Calcutta on the 11th November, 1976 at the age of 70.

Shri P. R. Kanavade Patil was a Member of the First Lok Sabha during the years 1952—57 from Ahmednagar North constituency of the erstwhile Bombay State. A prominent social worker, he had played a prominent role in the removal of untouchability and spread of education in Ahmednagar District. He passed away at Ahmednagar on the 28th November, 1976 at the age of 74.

Shri Nana Ramchandra Patil was a Member of the Second and the Fourth Lok Sabha during the years 1957—62 and 1967—70 respectively. During the Fourth Lok Sabha, he represented Bhir constituency in Maharashtra. Shri Patil took keen interest in the freedom struggle and organised many revolutionary activities in his home State against the foreign rule. He dedicated

most of his time to the service of the poor and thereby endeared himself to the rural masses. He passed away at Miraj on the 6th December, 1976 at the age of 76.

Shri Sheo Narayan Fotedar was a Member of the First Lok Sabha during the years 1952—57. Starting his career as a Professor of History in 1929, Shri Fotedar plunged into politics in 1931. In 1933, he was elected as Member of Srinagar Municipal Corporation and later became its Vice-President and President. In 1935, he was chosen as the President of All State Kashmiri Pandit Conference. A great parliamentarian, he was elected to Kashmir State Legislative Assembly in 1934 and was a Member of the Assembly for 13 years. As a member of the First Lok Sabha, he took keen interest in the proceedings of the House and served on many important Committees. He was also a Member of the Parliamentary delegation to Turkey and the Middle East countries in 1954. Returning back to the State Legislature in 1957, he was elected as the Chairman of the Kashmir Legislative Council. He participated in several conferences of Presiding Officers of Legislative bodies in India. He passed away on the 6th December, 1976 at the age of 76.

Shri R. M. Hajarnavis was a Member of the Second, Third and Fourth Lok Sabha during the years 1957—70. In Fourth Lok Sabha, he represented Chikur constituency in Maharashtra. He started his career as a lawyer and earned great repute in that field. He was Deputy Minister in the Union Government during the years 1958—63 and Minister of State during the years 1965—66. He passed away at Nagpur on the 27th December, 1976 at the age of 68.

Shri Ajit Prasad Jain was a Member of the Constituent Assembly, Provisional Parliament, First, Second and Third Lok Sabha during the years 1946—65. He was Minister of Rehabilitation in the Union Government during the years 1950—54 and Minister of Food and Agriculture during the years 1954—59.



He was Governor of Kerala during the years 1965-66 and later served as Member of Rajya Sabha during the years 1968-74. Earlier he had also been a Member of Uttar Pradesh Legislative Assembly during the years 1937-47. A renowned statesman, seasoned parliamentarian and able administrator, Shri Jain served the country with great dedication in several fields. He passed away at New Delhi on the 2nd January, 1977 at the age of 75.

Shri Nemi Saran Jain was a Member of the Provisional Parliament and First Lok Sabha during the years 1950-57. In the first Lok Sabha he represented Bijnor constituency of Uttar Pradesh. He took an active part in the freedom struggle and suffered imprisonment several times during 1922 to 1941. He was a Member of the Uttar Pradesh Legislative Council during the years 1924-30. A renowned social worker, he took keen interest in the development of rural areas and was associated with several social organisations. He passed away at New Delhi on the 3rd January, 1977 at the age of 73.

Shri C. Chittibabu was a Member of the Fourth and Fifth Lok Sabha from Chingleput constituency of Tamil Nadu during the years 1967-77. A journalist in his early career, Shri Chittibabu was Editor of the English weekly *Home Rule* published from Madras and also served as Mayor of Madras during the years 1965-66. He passed away at the General Hospital, Madras on the 5th January 1977, at the very young age of 41.

Shri E. V. K. Sampath was a Member of the Second Lok Sabha during the years 1957-62 from Namakkal constituency of erstwhile Madras State. A prominent social worker, he devoted himself mainly to the task of eradication of the caste system. He also took keen interest in the field of education and was associated with several educational institutions. He passed away at Madras on the 23rd February, 1977 at the age of 51.

Shri U. N. Dhebar was a Member of the Third Lok Sabha during the years

1962-63 from Rajkot constituency of Gujarat State. An eminent lawyer and a dedicated social worker, Shri Dhebar served the country in various capacities. He was the Chief Architect of Modern Saurashtra which came into existence following the integration of a large number of princely States in 1948. He served as Chief Minister in the erstwhile state of Saurashtra during the years 1948-54. During his tenure as Chief Minister, he introduced many progressive land reforms. He served as the Chairman of the Scheduled Areas and Scheduled Tribes Commission during 1960-61. He was also associated with several educational institutions in his home State. Shri Dhebar passed away at Rajkot on the 11th March, 1977 at the age of 72.

Shri T. H. Gavit was a Member of the Fourth and Fifth Lok Sabha during the years 1967-77 representing Nandurbar constituency in Maharashtra. Earlier he was a member of the erstwhile Bombay Legislative Assembly during the years 1952-57. A seasoned Parliamentarian, he took keen interest in the proceedings of the House and served on several Parliamentary Committees and other Governmental bodies. A social worker, he devoted himself to the cause of backward classes, particularly the Scheduled Tribes. He passed away at New Delhi on the 18th March, 1977 at the age of 54.

Shri A. K. Gopalan was a Member of First, Second, Third, Fourth and Fifth Lok Sabha, during the years 1952-77. In the Fifth Lok Sabha he represented Palghat constituency in Kerala and was leader of Communist Party of India (Marxist), the largest opposition group. Starting his career as a teacher, Shri Gopalan plunged into active politics in 1927 and dedicated himself to the freedom movement in the Malabar area. Later he founded the Kerala Communist Party. A true and dedicated worker, he never sought any office. He in fact gained popularity amongst the masses and became a national leader by his selfless work. Devoting himself to the trade union and kisan movements in Kerala he raised the consciousness of

[Mr. Speaker]

the exploited and down-trodden people. He was imprisoned and detained several times for political activities and remained underground for five years during British rule. He led the famous Temple Entry Satyagraha in Guruvayoor Kerala and when on huge march from Cannanore to Madras on foot covering a distance of 750 miles. A seasoned parliamentarian and forceful speaker, he took active interest in the proceedings of the House. He always championed the cause of agriculturists, landless labourers and the common man. He also wrote many books on varied topics. He passed away at Trivandrum on the 22nd March, 1977 at the age of 72. In his death the country has lost a great patriot.

We deeply mourn the loss of these friends and I am sure the House will join me in conveying our condolences to the bereaved families.

The House may stand in silence for a short while to express its sorrow.

The Members then stood in silence for a short while.

—

12.10 hrs.

#### PAPERS LAID ON THE TABLE

#### ORDINANCES PROMULGATED BY PRESIDENT

MR. SPEAKER: Mr. Shanti Bhusan.

Some Hon. Members rose—

श्री कंवरलाल गुप्त (दिल्ली-सदर) : अध्यक्ष महोदय, इससे पहले कि ये अध्यादेश यहां सदन के पटल पर रखे जायें मैं विधि मंत्री का ध्यान आर्टिकल 123 (2) (बी) की तरफ दिलाना चाहता हूं जिसमें यह व्यवस्था है कि अगर कोई अध्यादेश जारी किए जाते हैं तो सरकार यदि उचित समझे तो उन को किसी समय भी वापस ले सकती है। इन अध्यादेशों में विशेषतः 4, 6, 7, 8 और 9 नम्बर के अध्यादेश बिल्कुल अनडेमोक्रेटिक हैं और हमारी पार्टी इनसे सहमत नहीं है। तो मैं विधि मंत्री से प्रार्थना करूंगा कि बजाय इसके

कि वे इसके ऊपर सदन का समय लें, इन अध्यादेशों को वे अभी वापस ले लें। इसमें देरी न करें ताकि सदन का समय इन अध्यादेशों के ऊपर व्यर्थ न जाय जिनमें प्राइम मिनिस्टर, प्रेसीडेंट और वाइस-प्रेसीडेंट के एलेक्शन की बात है तथा मेट्रोपालिटन कौंसिल की मियाद बढ़ाने की बात है। मैं प्रार्थना करूंगा कि इन आर्डिनैंसों के ऊपर सदन का समय खर्च नहीं किया जाना चाहिए। आर्टिकल 123 (2) (बी) इस प्रकार है :

An Ordinance promulgated under this article shall have the same force and effect as an Act of Parliament, but every such Ordinance may be withdrawn at any time by the President.

May I request the hon. Minister to have these Ordinances withdrawn? They are highly objectionable and anti-democratic.

MR. SPEAKER: Normally, while papers are laid on the Table of the House, we do not allow any discussion. After all, these are only being placed on the Table. Government may or may not proceed with them. Since the hon. Member wanted to raise it, I had allowed him. Now I will allow only Mr. Krishna Kant....

SHRI JYOTIRMOY BOSU (Diamond Harbour): Are you allowing a discussion right now?

MR. SPEAKER: No discussion at all. Normally, when papers are laid on the Table of the House, there is absolutely no discussion. Perhaps, the same point which Mr. Kanwar Lal Gupta has raised, is likely to be raised by Mr. Krishan Kant also. The point has been made to the Minister concerned. What he might say or do is the Government's concern. I would only say this. If we start having a discussion now, there will be no end to it. We have a very important business to transact. Also if I am to permit all the Members and we are to have a discussion now, then it will be

creating a bad precedent. After all, one submission has been made. If every hon. Member begins making submissions, it will take the time of the House and it will also be a bad precedent. Laying the papers on the Table of the House is just a normal procedure. Later on, Government may or may not proceed with those Ordinances; it is not compulsory, just because they are laying them on the Table, that they should proceed with them. Therefore, let us not prolong this. (*Interruptions*) I have no objection, but you will be creating a very bad precedent, and once a precedent is created, next time when somebody else wants to raise something when papers are laid on the Table, I cannot say 'No; you cannot raise it'. After all, the point has been made. The Minister may lay them on the Table now. Later on, he may explain whether he is going to proceed with them or not. Therefore, may I request the hon. Members not to raise anything now? I will allow only Mr. Krishna Kant because he had given me notice earlier. Mr Krishna Kant.

SHRI JYOTIRMOY BOSU: On a point of submission.

SHRI S. KUNDU (Balasore): On a point of order. It is an important point of order.

MR. SPEAKER: What is the point of order?

SHRI S. KUNDU: You will find in this order paper under item 4(7)....

MR. SPEAKER: There is no point of order at all. The hon. Member is raising the same issue in the name of point of order.

SHRI S. KUNDU: Sir, this item which has been introduced today is not Constitutionally admissible; it cannot be admitted before the House. Here, Sir, the ordinance on the disputed election matter in respect of the Prime Minister...

MR. SPEAKER: Please sit down. There is no point of order.

SHRI JYOTIRMOY BOSU: Arising out of the observations, may I make a submission....

MR. SPEAKER: There is no point of order at all there, there is no point of submission.

SHRI KRISHNA KANT (Chandigarh): Sir, before the Minister lays these papers on the Table of the House, I would like to know whether in view of what the President has said in his Address and in view of the promises that we have made in the last elections that equality will be maintained in so far as the Prime Minister, Speaker and other Members of Lok Sabha are concerned, he will allow this ordinance to pass? Or, it will be much better to withdraw it earlier; even now that can be done.

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): These ordinances are being laid on the Table of the House in view of the mandatory requirement of Article 123. That does not mean that the Government proposes to convert them into Acts or to introduce Bills to that effect. The thinking of the Government will be crystallised in one course, but the President's Address itself has given an indication of the broad thinking of the Government in so far as that matter is concerned.

I beg to lay on the table a copy each of the following Ordinances (Hindi and English versions), under article 123 (2) (a) of the Constitution:—

- (1) The East Punjab Urban Rent Restriction (Chandigarh Amendment) Ordinance, 1976 (No. 14 of 1976) promulgated by the President on the 17th December, 1976.
- (2) The Caltex [Acquisition of Shares of Caltex Oil Refining (India) Limited and of undertakings in India of Caltex (India) Limited], Ordinance, 1976 (No. 15 of 1977) promulgated by the President on the 30th December, 1976.

[Shri Shanti Bhusan]

- (3) The Food Corporations (Amendment) Ordinance, 1976 (No. 16 of 1976) promulgated by the President on the 31st December, 1976.
- (4) The Representation of the People (Amendment) Ordinance, 1977 (No. 1 of 1977) promulgated by the President on the 2nd February, 1977.
- (5) The Petroleum Pipelines (Acquisition of Right of User in Land) Amendment Ordinance, 1977 (No. 2 of 1977) promulgated by the President on 3rd February, 1977.
- (6) The Presidential and Vice-Presidential Elections (Amendment) Ordinance, 1977 (No. 3 of 1977) promulgated by the President on the 3rd February, 1977.
- (7) The Disputed Elections (Prime Minister and Speaker) Ordinance, 1977 (No. 4 of 1977) promulgated by the President on the 3rd February, 1977.
- (8) The Government of Union Territories (Amendment) Ordinance, 1977 (No. 5 of 1977) promulgated by the President on the 7th February, 1977.
- (9) The Delhi Administration (Amendment) Ordinance, 1977 (No. 6 of 1977) promulgated by the President on the 7th February, 1977. [Placed in Library. See No. LT-2/77.]

SHRI JYOTIRMOY BOSU: Sir, it was clearly indicated in the Handbook for Members that while the papers are being laid on the Table of the House, the Members have a right to seek further information. But unfortunately, after you left, that provision was withdrawn. It is a pity that that practice should continue now. Therefore, Sir...

MR. SPEAKER: Now, let the papers be laid on the Table of the House.

PROCLAMATIONS REVOKING INTERNAL AND EXTERNAL EMERGENCIES, NOTIFICATIONS UNDER DEFENCE AND INTERNAL SECURITY OF INDIA RULES, 1971, AND DEFENCE AND INTERNAL SECURITY OF INDIA ACT, 1971, AND A STATEMENT, AND PRESIDENT'S ORDER UNDER GOVERNMENT OF UNION TERRITORIES ACT, 1963.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): On behalf of Chaudhary Charan Singh, I beg to lay on the Table:—

(1) A copy each of the following Proclamations (Hindi and English versions) under sub-clause (b) of clause (2) of article 352 of the Constitution:—

(i) Proclamation issued by the Vice-President acting as President on the 21st March, 1977 under sub-clause (a) of clause (2) of article 352 of the Constitution, revoking the proclamation of Emergency issued on the 25th June, 1975, published in Notification No. G.S.R. 117(E) in Gazette of India dated the 21st March, 1977. [Placed in Library, See No. LT-3/77.]

(ii) Proclamation issued by the Vice-President acting as President on the 27th March, 1977 under sub-clause (a) of clause (2) of article 352 of the Constitution, revoking the Proclamation of Emergency issued on the 3rd December, 1971, published in Notification No. G.S.R. 132(E) in Gazette of India dated the 27th March, 1977. [Placed in Library. See No. LT-4/77.]

(2) A copy of the Compensation Tribunal (Amendment) Order, 1977 (Hindi and English versions), published in Notification No. G.S.R. 71(E) dated the 9th February, 1977 issued under the Defence and Internal Security of India Rules, 1971. [Placed in Library. See No. LT-5/77.]

(3) (i) A copy of the Defence and Internal Security of India (Amendment) Rules, 1976 (Hindi and English versions) published in Notification No. G.S.R. 396(E) dated the 11th June, 1976, under section 35 of the Defence and Internal Security of India Act, 1971.

(ii) A statement (Hindi and English versions) giving reasons for delay in laying the above Notification. [Placed in Library. See No. LT-6/77.]

(4) A copy of the Order of the President dated the 5th February, 1977 issued under section 51 of the Government of Union Territories Act, 1963, extending the President's rule in Pondicherry for a further period of one year commencing from the 28th March, 1977 published in Notification No. S. O. 149(E) in Gazette of India dated the 9th February, 1977. [Placed in Library. See No. LT- 7/77.]

12.20 hrs.

#### RE. ADJOURNMENT MOTION

DR. KARAN SINGH (Udhampur):

Mr. Speaker, Sir, I have given notice of an adjournment motion to discuss the undemocratic and totally unwarranted dissolution of the Jammu and Kashmir Assembly. There has been a major distortion and perversion of democracy and this should be brought and discussed before the House immediately.

MR. SPEAKER: I have received the notice, and I will request the hon.

Member to raise it tomorrow. I will give my consideration to it today and tomorrow we shall see if we can discuss.

SHRI SHYAMNANDAN MISHRA (Begusarai): May I raise a question of propriety, if not a breach of privilege of the House?

SHRI JYOTIRMAY BOSU: (Diamond Harbour): On the day of President's Address, how can it be raised? You should rule it out.

MR. SPEAKER: I have received the notice. I have been suggesting to the hon. Member that I will be giving my consideration. I am very particular that the Vote on Account must go through, but, tomorrow, I will give my consideration and then give my decision tomorrow morning. If there is going to be discussion tomorrow, you can have it some time tomorrow evening.

श्री मोहम्मद शफी कुरेशी (अनन्तनाग) :  
अध्यक्ष महोदय, आय एडजर्नमेन्ट मोशन तें,  
मझे कोई एतराज नहीं है लेकिन बजीरे  
आजम या होम मिनिस्टर को बयान देना  
चाहिए। पहले वे बयान दें। मैं यह बात भी  
कहना चाहता हूँ कि जनता पार्टी ने सबसे  
पहले कश्मीर में डेमोक्रेसी का खुल किया  
है। (व्यवधान)

[श्री محمد شامع قریشی (اننت ناگ): ادھوں میں سوچ رہا ہوں کہ آپ ایڈجرنمنٹ  
موشن لیں، مجھے کوئی اعتراض نہیں  
ہے لیکن وزیر اعظم یا ہوم منسٹر کو  
بھان دینا چاہئے۔ پہلے وہ بیان دیں۔  
میں یہ بات بھی کہنا چاہتا  
ہوں کہ جیٹا پارٹی نے سب سے پہلے  
جسٹن کشمیر ریاست میں ڈیموکریسی  
کھول دیا ہے۔ (وہودھان)]

SHRI KANWAR LAL GUPTA (Delhi—Sadar): Sir, is the hon. Member prepared to resign and face the electorate? .... (Interruptions)

SHRI JYOTIRMOY BOSU: Butchers of democracy, butchers of Democracy.

SHRI SHYAMNANDAN MISHRA: I am on a question of propriety, if not on a question of breach of privilege of the house on the matter raised by Dr. Karan Singh just now, i.e., the imposition of President's rule in Jammu and Kashmir which has been announced to the Press but has not yet been announced to the House. It has not found a mention in the President's Address too. So, I leave it to you whether it should be construed as a breach of privilege of the House or as a breach of propriety of the House. I leave it to you.

MR. SPEAKER: Anyway, these will only be considered tomorrow. When I consider, all these aspects will be considered naturally. Just now I am not allowing anything. I am not giving any decision now. He has given notice but I have not taken any decision on that.

SHRI SHYAMNANDAN MISHRA: What about my question of breach of propriety or breach of privilege?

MR. SPEAKER: I have not given any decision till now on that. I will give my consideration on this issue. That is all, nothing more.

Now, Mr. H. M. Patel.

\*Not recorded.

SHRI JYOTIRMOY BOSU: Under Direction 2, sub-section 31, I have given a notice under Rule 377. I would like to place it. You kindly allow me one minute ....

MR. SPEAKER: Every day I get so many notices of so many motions. But, unless the hon. Member is called, it cannot be raised. The moment a notice is given it does not mean to say that I have accepted it. When I accept it, I will certainly call the hon. Member. Just now I have called the Finance Minister.

SHRI JYOTIRMOY BOSU: I assure you that I will not take more than one minute.... (Interruptions)

SHRI MOHD. SHAFI QURESHI: The Prime Minister is here. Why should he not speak?.... (Interruptions)

SHRI AMRIT NAHATA (Fali): Can he spell democracy?

SHRI JYOTIRMOY BOSU: I have given notice. Therefore, in all fairness I should be given one minute.

MR. SPEAKER: I am not giving you one minute also. If you want to speak, you can speak, for one hour. I do not mind ....

SHRI JYOTIRMOY BOSU: That sort of thing I never do

MR. SPEAKER: But this will not be taken note of.

SHRI JYOTIRMOY BOSU: \*

12.25 hrs.

**SUPPLEMENTARY DEMANDS FOR GRANTS (GENERAL), 1976-77**

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL):** I beg to present a statement showing Supplementary Demands for Grants in respect of the Budget (General) for 1976-77.

12.25 hrs.

**SHRI HARI VISHNU KAMATH (Hoshingabad):** Mr. Speaker, I rise on a point or order. I take my stand on Rule 376. I read out the Rule before the House:

"(1) A point of order shall relate to the interpretation or enforcement of these rules or such Articles of the Constitution as regulate the business of the House and shall raise a question which is within the cognizance of the Speaker.

(2) A point of order may be raised in relation to the business before the House at the moment".

The business before the House is given in the List of Business.

Now I would like to invite your attention to the fact that the Constitution—'asli' Constitution.....

**MR. SPEAKER:** Please tell me what is the Point of Order and on which subject.

**SHRI HARI VISHNU KAMATH:** There is a universally accepted Constitutional legal maxim that this House or for the matter of that any corporate body cannot transact its business without the provision for a quorum in the House. Unfortunately, there is a vacuum now.

**MR. SPEAKER:** You can raise a point of order on an issue which is being discussed by the House. But here there is absolutely nothing.

**SHRI HARI VISHNU KAMATH:** The business cannot be conducted without the provision for quorum before the House. There is a vacuum in regard to quorum. Please refer to the Rules of Procedure.

**MR. SPEAKER:** I know that. But there is no point of order at all because there is no subject before you.

**SHRI HARI VISHNU KAMATH:** List of Business before the House is a subject.

**MR. SPEAKER:** Are you objecting to the Grants for the Railways?

**SHRI HARI VISHNU KAMATH:** The business cannot be transacted without a provision for quorum. That is an axiom.

*(Interruptions)*

**MR. SPEAKER:** There is no point of order.

**SHRI HARI VISHNU KAMATH:** Will you please listen to me?

**MR. SPEAKER:** Will you kindly allow the Law Minister to explain that?

**SHRI HARI VISHNU KAMATH:** I have not completed my point of order.

*(Interruptions)*

**MR. SPEAKER:** The Speaker takes a decision on a point of order but not an hon. member.

**SHRI HARI VISHNU KAMATH:** I have not completed my point of order yet. Please listen to me.

**MR. SPEAKER:** The Law Minister will please explain.

**THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN):** I

[Shri Shanti Bhushan]

submit that the provisions relating to quorum which were in force before the 42nd Amendment of the Constitution are still in force because those provisions of the 42nd Amendment relating to quorum have not been brought into force by the necessary notification.

MR. SPEAKER: This question, therefore, does not arise.

SHRI JYOTIRMOY BOSU (Diamond Harbour): There have been extensive printing and serial numbering of duplicate ballot papers by the Government Press, Alipur, Calcutta, under the control of a senior I.P.S. officer Shri Panchoo Gopal Mukherjee, with a very unclean past record. Thousands of such ballot papers have been seized by the District Magistrate and others. That is a very important point. The matter has come out in the press widely and extensively. That was done for the purpose of extensive rigging on the day of polling.

MR. SPEAKER: I do not know.

SHRI JYOTIRMOY BOSU: I would like the hon. Law Minister to enlighten this House as to whether he knows about duplicate ballot papers having been printed and serial-numbered? If so, will he conduct an enquiry? Will he make an investigation about the printing of duplicate ballot papers in the Government Press at Alipur in West Bengal?

12.30 hrs.

#### SUPPLEMENTARY DEMANDS FOR GRANTS (RAILWAYS), 1976-77

THE MINISTER OF RAILWAYS (PROF. MADHU DANDAVATE): I beg to present a statement showing Supplementary Demands for Grants in respect of the Budget (Railways) for 1976-77.

#### SUPPLEMENTARY DEMANDS FOR GRANTS (TAMIL NADU), 1976-77

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): I beg to present a statement showing Supplementary Demands for Grants in respect of the State of Tamil Nadu for 1976-77.

#### SUPPLEMENTARY DEMANDS FOR GRANTS (NAGALAND), 1976-77

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): I beg to present a statement showing Supplementary Demands for Grants in respect of the State of Nagaland for 1976-77.

#### SUPPLEMENTARY DEMANDS FOR GRANTS (PONDICHERY), 1976-77

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): I beg to present a statement showing Supplementary Demands for Grants in respect of the Union Territory of Pondicherry for 1976-77.

12.35 hrs.

#### RAILWAY BUDGET, 1977-78

THE MINISTER OF RAILWAYS (PROF. MADHU DANDAVATE): Mr. Speaker, Sir, I rise to place before the House the annual financial statement for the Indian Government Railways showing the estimated receipts and expenditure for the year 1977-78. The estimates are for the whole of the next financial year, but as the time available now, before the end of this financial year, for discussion of the Demands for 1977-78 is very limited, I seek from this House, for the present, only a vote on account sufficient to cover the estimated expenditure for the first



four months of the financial year 1977-78, leaving the supplies for the rest of the year to be voted separately later on.

#### *Financial Results of 1975-76*

2. I shall first begin with the operating results of 1975-76, the last completed financial year. The Budget for the year visualized a surplus of Rs. 23.03 crores in the hope that the traffic revival noticed in the preceding year would gather momentum during 1975-76. The actual trend of materialisation of traffic in 1975-76 was better than what was expected at the time of the Budget, and this was reflected in the Revised Estimates for traffic receipts. However, the increased traffic receipts were more than offset by post-budgetary liabilities amounting to Rs. 152.36 crores, arising mainly out of retroactive sanction of five additional instalments of dearness allowance. The net result, therefore, for 1975-76 at the Revised Estimate stage was a deficit of Rs. 62.81 crores, against the original budgeted surplus of Rs. 23.03 crores. The final accounts for the year 1975-76 indicate a deficit of Rs. 61.11 crores, or an improvement of Rs. 1.70 crores over what was expected at the Revised Estimate stage.

#### *Revised Estimates 1976-77*

3. In the Budget Estimates for the current year 1976-77, a surplus of Rs. 8.98 crores was expected after taking into account the effect of the proposals for adjustment of freight charges in respect of certain specified commodities. The current year has been, for many years, the best operating year for the Indian Railways. This can be seen from the fact that during the period from April, 1976 upto the end of January, 1977, 13.3 million tonnes more of originating revenue earning traffic have been loaded as compared to the corresponding period of last year. This is also about 7 million tonnes more than the loading proportional

to the original Budget Estimate. There was vigorous marketing effort, and all the goods traffic that was offered was carried by the Railways, and the outstanding registrations were very low. Power Houses, Cements Plants and other coal using industries had adequate stocks of coal right through. As regards export of iron ore, the full demands were met. Movement of brick burning coal and soft coke which showed a decline in the earlier part of the year, for lack of demands, has picked up substantially from the month of December. The total originating loading both for the revenue earning and the non-revenue traffic combined, is expected to be an all time record exceeding 230 million tonnes.

4. Increase in passenger traffic during the current year has been truly phenomenal. Against 1,183 million originating suburban passengers and 915 million originating non-suburban passengers during April—December 1975, the numbers in the corresponding period this year have been 1,305 million suburban and 1,137 million non-suburban, recording an increase of more than 10 per cent under the former and 24 per cent in respect of the latter. This increase is the combined effect of check of ticketless travel and all round improvement in passenger train operation. During the period April—December 1976, 96 new non-suburban trains were introduced and frequency of 5 trains was increased. In addition, the run of 50 pairs of non-suburban trains has been extended. The result of these changes has been an increase of over 25,000 train kilometres per day. Details are given in the booklet circulated with the budget papers.

#### *Gross Traffic Receipts*

5. On the basis of the trend of traffic, the Revised Estimate of Gross Traffic Receipts for 1976-77 has been placed at Rs. 1987.55 crores, or an increase of about Rs. 32 crores over the Budget.

### *Working Expenses*

6. On the working expenses side, I am glad to say that inspite of the increase in traffic over the Budgeted level the Revised Estimates record a net saving of about Rs. 3 crores over the Budget as a result of better efficiency and tighter expenditure control. The actual saving could have been more but for the inescapable additional expenditure to meet the increased requirement of fuel, lubricants and other materials necessitated by higher traffic as compared with the Budget. Even though the year is expected to close with a lower net expenditure than the sanctioned Budget under all the Revenue Demands taken together, increased allocations will be required under some Demands. I am, therefore, approaching the House for Supplementary Demands for Grants where additional expenditure authorisation has been found to be necessary.

7. It is a matter of great satisfaction that the Railways are now expected to close the current financial year with a net surplus of Rs. 35.67 crores, as against Rs. 8.98 crores surplus anticipated in the Budget. When the accounts for the year are finally closed, it is possible that the actuals might even exceed this level of surplus.

### *Plan Outlay for 1976-77*

8. The Railways' developmental programme for 1976-77 envisaged a total outlay of Rs. 417.81 crores including Rs. 10 crores for the Metropolitan Transport Projects and Rs. 5 crores to meet the working capital requirement for financing export orders. Due to overall financial constraints, this allocation was less than what the Railway Ministry had projected as its requirement; but all the same by careful planning of the various developmental projects, including line capacity works and renewals, it has been possible to maintain the plan targets within this allo-

cation, except in the case of new line constructions. In the case of new line constructions the Ministry of Finance and the Planning Commission were specially requested for an additional allotment of Rs. 3 crores to keep up the progress on certain project oriented lines. This additional allocation has been agreed to and is included in the Supplementary Demands 1976-77. In respect of Rolling Stock, due mainly to updating of the prices of rolling stock turned out of the Diesel Loco Works, Varanasi and the Chittaranjan Loco Works, some financial adjustments involving transfer of value from inventories to rolling stock have been found to be necessary resulting in increase in the gross expenditure under Demand 15, the net outlay remaining unaffected. I am, therefore, approaching the House for additional expenditure authorisation under Demands 14 and 15. The details are given in the Supplementary Demands for Grants.

### *Resumption of Indo-Pak Rail Traffic*

9. An important development during the current year is the resumption of Indo-Pak rail traffic. Arising out of the joint statement signed by the Foreign Secretaries of India and Pakistan at Islamabad on 14th May 1976, the details for the restoration of rail communications across the Atari-Wagha border were worked out towards the end of June 1976. Rail communications between India and Pakistan were resumed on 22nd July 1976 with the running of a daily express train from Amritsar to Lahore and back. However, interchange of freight traffic started only from the 3rd September 1976. By the end of February 1977, more than 17,150 passengers crossed over from India to Pakistan and over 23,000 passengers from Pakistan to India. Nearly 900 wagon loads of freight traffic have also been moved to Pakistan from India. Goods traffic from Pakistan to India has, however, to pick up.

### *General Improvement In Railway Operation*

10. Before I deal with the 1977-78 Budget Estimates, it would be in order to pause and take stock of the general performance of the Railways in the financial year which will end in a few days. Noticeable improvement in railway operation commenced from 1975-76 and has been further consolidated in the current year. There has been general appreciation of the unprecedented improvement in railway working. I might mention briefly that in almost all spheres of railway working, the Railways have excelled the best norms that they had ever achieved before. The menace of unauthorised travel agents and anti-social elements indulging in malpractices in seat reservation has been largely eliminated. At large stations, booking and reservation counters have been increased and the long queues have now been reduced considerably. Additional long distance fast trains have been introduced and overcrowding has been reduced substantially not only as a result of additional trains but also by a continued watch on ticketless travellers. Cleanliness in trains and at railway stations has improved; substantial improvement has also been made in the railway catering service. Punctuality of trains, which was only in the region of about 65 per cent prior to 1975, has registered spectacular improvement. Even as compared to 1975-76 the percentage of trains not losing time has recorded an improvement and the average of trains maintaining punctuality is at present well over 90 per cent.

11. Apart from the welcome improvement in the punctuality of passenger train services, the current year also witnessed introduction of a number of super-fast long-distance Mail and Express trains to connect important State Capitals and cities. Some of these super-fast trains, such as the Tamilnadu Express, the Karnataka Kerala Express, the Jammu Tawi-Bombay Express and the Gomti Ex-

press have considerably reduced the journey time and have made travel comfortable. It has been possible to introduce these trains without any substantial additions to the facilities existing at the various terminal points and also without affecting the growth of the freight traffic, which is essential to the growth of the economy of the country and for the viable working of the Railways. It has to be mentioned in this connection that many of our important terminals like Delhi, Bombay, Calcutta and Madras are now reaching a saturation limit and that additional facilities will have to be planned and provided to cater for increased passenger traffic.

### *Railway Convention Committee*

12. Due to dissolution of the Fifth Lok Sabha on 18-1-1977, the Convention Committee's recommendations for 1977-78 are not available to Government. Consequently, the computation of dividend to General Revenues has been made on the basis of the recommendations made by the Railway Convention Committee, 1973 for the year 1976-77 as approved by Parliament. The appropriation to Depreciation Reserve Fund has been proposed at Rs. 140 crores for the year 1977-78 as against Rs. 135 crores made during 1976-77. This increase was fully accepted by the Committee in the course of their discussions with the Ministry. Their earlier recommendations for relief in certain specified areas requiring consultation with the concerned Ministers, etc., are being pursued so that the Railways may obtain some desired financial relief on account of the various social obligations.

13. In their recommendations for 1976-77, the Railway Convention Committee had, by and large, continued the earlier concessions. Additionally, they had also accepted the suggestion that the cost of staff quarters sanctioned for construction during the Fifth Plan period may be allocated to Capital instead of the Development Fund,

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the Railways being liable for payment of dividend to General Revenues on such capital only if they are able to meet their other dividend obligations in full. As it is expected that the Railways will earn a net surplus during the two years 1976-77 and 1977-78, the dividend payable to General Revenues includes the dividend liability in respect of the cost of staff quarters chargeable to Capital in terms of the Railway Convention Committee's recommendation.

#### *Budget Estimates 1977-78*

14. I shall now deal with the Budget Estimates for 1977-78. The Gross Traffic Receipts for the year, at the existing level of rates and fares, are estimated at Rs. 2091.44 crores, recording an increase of about Rs. 104 crores over the Revised Estimate for the current year. The increase in the traffic receipts is based on an estimated 6% growth under 'passengers' and an originating revenue-earning freight traffic target of 217 million tonnes.

15. The ordinary working expenses (net) have been placed at Rs. 1635.75 crores, involving increase of about Rs. 87½ crores over the Revised Estimates for the current year. The higher provision takes into account the effect of annual increments to the staff and full year's effect in 1977-78 of the implementation of Miabhooy Award, upgradation of posts and removal of anomalies etc. Increased provision has also been made for maintenance of track, rolling stock and other equipment, apart from additional fuel requirement to meet the demands of the higher traffic expected to be moved during 1977-78 as compared with the current year. The details of the additional provisions made under various Demands are given in the Explanatory Notes under each Demand in the Demands for Grants.

16. As mentioned earlier, increased provision has been made for appropriation to the Depreciation Reserve Fund. Appropriation to Pension Fund

has also been increased by Rs. 5 crores over the current year to meet the expected withdrawal from the Fund for payment of pension to retired pensionable railway employees. The liability for payment of dividend to General Revenues for 1977-78 works out to Rs. 225.56 crores, against the current year's Revised Estimates of Rs. 211.30 crores, on the basis of the recommendations of the Railway Convention Committee, 1973.

#### *Financial Results*

17. Taking into account the various provisions made in the Budget for 1977-78 as presented to the House, the Railways are expected to earn a net surplus of Rs. 26.45 crores, and this sum is proposed to be transferred fully to the Railway Development Fund. Thus we hope to earn, for the second year in succession, a net surplus after payment of Dividend to General Revenues. Despite the net surplus aggregating over Rs. 62 crores accepted to be realised in the two years, the Railways' indebtedness to the General Revenues on account of temporary loans obtained for Development Fund and Revenue Reserve Fund expenditure is expected to be of the order of Rs. 477.18 crores at the end of 1977-78. It may be recalled that the Budget for 1976-77 envisaged the Railway indebtedness as on 31-3-1977 to be Rs. 491.50 crores. According to the Revised Estimates, this figure is expected to be reduced to Rs. 461.99 crores at the end of the current year. The balance of Rs. 477.18 crores as on 31-3-1978, in terms of the Budget for 1977-78, is a sizable debt and it would be our endeavour to see that it is contained within reasonable limits, if not reduced.

#### *The Railway Freight Structure Enquiry Committee*

18. In spite of the heavy indebtedness of the Railways, I am not bringing forward any proposals for increase of freight rates and fares. The present freight structure is largely based on the recommendations made by a High Power Committee appointed in

1955. The Public Accounts Committee (1974-75) have given a recommendation in their 148th Report that the Railways should undertake rationalisation of the tariff. Pursuant to this recommendation the Government have decided to appoint a high power Expert Committee to study the problem comprehensively and make suitable recommendations in the matter.

#### *Plan Outlay For 1977-78*

19. As a result of discussions held with the Planning Commission and the Ministry of Finance, the Plan allocation of Rs. 501 crores has been agreed to for 1977-78 to enable the Railways to provide inputs for building up the originating freight loading target of 250/260 million tonnes by 1978-79, the last year of the Fifth Five Year Plan. This allocation includes Rs. 10 crores for the Metropolitan Transport Projects at Bombay, Calcutta, Delhi and Madras. In addition, a sum of Rs. 2.80 crores has been provided to enable the production units of the Railways to meet their working capital requirement in respect of export orders. The share of new lines and restorations is Rs. 23.58 crores and of electrification projects Rs. 19 crores. I am aware of the need for railway development, without any delay, in certain backward regions of Konkan, Orissa, Madhya Pradesh, North Eastern part of the country and other backward areas. I will initiate necessary steps in this connection.

#### *Staff Relations*

20. The year 1975-76 witnessed normalcy in staff relations. The performance of the Railways during the current year is a testimony to the high calibre of men and women employed at all levels on the Railways and their unflinching commitment to the tasks assigned to them. The collective bargaining evolved on the Railways over the years has to be re-activated and it will be my constant endeavour to seek the cooperation of the trade union machinery in this task. I will strive to introduce a new element of

dynamism in the management labour relationship.

21. Certain anomalies arising out of the implementation of the Pay Commission recommendations were referred to a joint committee of labour and management and an agreement was finally reached and is under implementation. A number of non-gazetted posts have been upgraded on the Railways to increase promotional opportunities for the staff. A tribunal has also been set up for re-classification of the workshop and artisan staff according to the job content. I will strive to seek the cooperation of labour to improve the results.

22. All the Railway employees who were either suspended or dismissed as a sequel to their participation in the Railway strike in May, 1974, will be re-instated unconditionally.

SHRI MOHD. SHAFI QURESHI (Anantnag): This is George Fernandes rehabilitation.

SHRI VASANT SATHE (Akola): So that they can repeat it. Go ahead.

THE MINISTER OF WORKS AND HOUSING AND SUPPLY AND REHABILITATION (SHRI SIKANDAR BAKHT): Ministers are not going to be re-instated.

PROF. MADHU DANDAVATE: This is in consonance with the stand I have consistently taken in this House in the past and the pledge I have given to the working class.

23. In this context I should like to inform the House that concrete steps have been taken for labour participation in management. Apart from shop councils formed in the production units with management and labour representatives, the scheme of workers' participation has been extended to commercial and service organisations having large public dealings. As an experimental measure, Station Committees have been set up in Bombay, Madras and Delhi in which representatives of organised labour are associated with the objective

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of providing better service to the customers.

24. In view of the impressive results achieved by the Railways in the current year, and the expectation of an equally successful next financial year, the House will no doubt appreciate the unstinted cooperation and total dedication to duty displayed by railway employees at all levels. It is also a matter of satisfaction that a surplus budget could be presented for the year 1977-78 without any increase in fares and freight rates. I am confident that the Railways will continue to get the full support of the House, cooperation from the public and dedicated service from all employees.

12.55 hrs.

#### GENERAL BUDGET, 1977-78

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL); Sir, I rise to present the Budget to this august House.

The Budget and the demands for grants that are being made available to Honourable Members were prepared on the basis of the directions given by the previous Government. I would like to make it clear at the outset that though these have been circulated, they do not reflect our philosophy, policies, and programmes.

2. There was no time since we assumed office to recast these estimates and to print the Budget documents, afresh. The annual financial statement and the demands for grants prepared earlier will serve the limited purpose of fulfilling the Constitutional requirements for taking a Vote on Account before the 31st March, 1977. This will enable Government to meet essential expenditure during the first four months of the ensuing financial year.

3. The Budget for the current financial year presented in March, 1976

envisaged an overall deficit of Rs. 328 crores. Due to certain increases in expenditure, partly offset by improvement in receipts, the year is expected to close with a deficit of Rs. 425 crores. It is not necessary for me to take you over the various details of the budgetary developments during the current year for which the present Government can obviously assume no responsibility.

4. According to the Budget as prepared, while total receipts are expected to go up during the year 1977-78 to Rs. 14,910 crores as compared with the figure of Rs. 13,759 crores in the Revised Estimates for 1976-77, expenditure for the ensuing year is estimated at Rs. 15,542 crores as against the current year's Revised Estimate of Rs. 14,184 crores. This position has resulted from an increase in both non-Plan and Plan expenditure.

5. The Central Sector of the Plan for 1977-78 involves an outlay of Rs. 5,053 crores and will make a draft on the Central Budget of Rs. 4,096 crores. This compares with the preceding year's (1976-77) outlay of Rs. 4,090 crores and a budgetary support of Rs. 3,347 crores at the Budget stage. Central assistance to States and Union Territories, and for various programmes concerning the Hill and Tribal areas, the North Eastern Council and Rural Electrification Corporation as well as the Andhra Six Point Formula amounts to Rs. 1,692 crores according to these estimates for the year 1977-78. The corresponding figure for the current year is Rs. 1,412 crores. Taking Centre, States and Union Territories together, the Budget envisages a total Plan outlay for 1977-78 of Rs. 9,953 crores as compared with Rs. 7,852 crores in the Budget Estimates of 1976-77.

13.00 hours.

6. The net effect of the proposals made in the Budget would be an overall deficit of Rs. 1,432 crores. However, the Budget takes credit for special borrowings of the order of

Rs. 800 crores against drawal of foreign exchange reserves, the assumption being that such borrowing would be non-inflationary, as it is covered by increased imports of goods. Accordingly, the Budget document shows a net deficit of Rs. 632 crores.

7. In the context of the rise in the whole-sale price index of 12.5 per cent that has occurred since March, 1976, any deficit financing has to be viewed with concern. In order to reverse the rising trend of prices, and to usher in a period of reasonable price stability, the Government are of the firm view that financing of public expenditure in a manner which would generate inflationary pressures should be eschewed. It is our firm resolve to review the Fifth Plan and to revise the Budget Estimates so that they reflect our thinking and priorities. We propose to complete this exercise in time for the regular Budget which will be presented in May, 1977.

8. Meanwhile, I have asked my Ministry to request all Ministries, Departments and Public Sector Undertakings under the control of the Central Government not to take up new schemes and not to enter into fresh major commitments till we have completed our review. The possibility of rephrasing and re-scheduling continuing schemes would also be explored. All Ministries and Departments of Government, and Public Sector Agencies will be asked to observe the utmost economy in expenditure, keeping in view the present Government's emphasis on austerity and avoidance of all forms of ostentation.

9. It is the will of the people of India as expressed unequivocally at the Polls, that there is an urgent

need to redirect our economic policies and priorities so as to ensure that economic growth subserves the objective of speedy eradication of poverty and unemployment, and a progressive reduction in inequalities of income and wealth. The House may rest assured that we shall keep our faith with the people. The task ahead is formidable, but with the willing support and goodwill of the people, we are confident that we shall achieve our objective.

13.05 hrs

#### FINANCE BILL, 1977\*

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): Sir, I beg to move for leave to introduce a Bill to continue for the financial year 1977-78 the existing rates of income-tax with certain modifications and to provide for the continuance of the provisions relating to auxiliary duties of customs and excise and the discontinuance of the duty on salt for the said year.

MR. SPEAKER: The question is;

"That leave be granted to introduce a Bill to continue for the financial year 1977-78 the existing rates of income-tax with certain modifications and to provide for the continuance of the provisions relating to auxiliary duties of customs and excise and the discontinuance of the duty on salt for the said year."

*The motion was adopted.*

SHRI H. M. PATEL: I introduce\*\* the Bill.

\*Published in Gazette of India extraordinary, Part II, section 2 dated 28-3-1977.

\*\*Introduced with the recommendation of the Vice-President acting as President.

13.07 hrs.

## TAMIL NADU BUDGET, 1977-78

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): I beg to lay on the table of the House the Annual Financial Statement of the State of Tamil Nadu for the financial year 1977-78.

*Statement*

2. The Budget Estimates for 1976-77 envisaged a revenue deficit of Rs. 5.32 crores and closing cash balance of minus Rs. 2.98 crores. In the Revised Estimates, the revenue deficit is estimated at Rs. 12.78 crores with a closing cash balance of minus Rs. 1.18 crores. The major factor which has led to the increase in the revenue deficit is the expenditure on drought relief and flood relief. The Plan and Non-Plan expenditures on drought relief have been Rs. 27.52 crores. Rs. 4.1 crores will be spent on flood relief. The total expenditure of Rs. 31.62 crores on the relief for natural calamities has been covered to the extent of Rs. 18.75 crores by way of advance Plan assistance from the Centre.

3. The approved Plan outlay for the current year was Rs. 201 crores. It is now anticipated that Plan expenditure will be of the order of Rs. 227 crores in 1976-77.

4. In the Budget as now proposed for 1977-78, the revenue receipts are estimated at Rs. 635.91 crores and the expenditure on revenue account at Rs. 645.81 crores, resulting in a revenue deficit of Rs. 9.9 crores. The capital expenditure in 1977-78 has been estimated at Rs. 62.69 crores.

5. A Plan outlay of Rs. 260 crores has been approved for 1977-78. The provisions in the Plan for major sectors are: Power—Rs. 95 crores; Irrigation—Rs. 25 crores; Agriculture and allied sectors—Rs. 30 crores; Industry—Rs. 14 crores; Transport and Communications—Rs. 24 crores; Water

Supply and Sewerage—Rs. 25 crores; Education—Rs. 13 crores; Housing and Urban Development—Rs. 16 crores; and other social and economic services—Rs. 18 crores.

6. The overall effect of the transactions on the Revenue, Capital and Loan accounts will result in a closing cash balance of minus Rs. 13.92 crores at the end of 1977-78. Government will endeavour to fully eliminate this deficit through a variety of measures including economies, better collection of taxes and other dues to Government and by improving the financial performance of the public sector Corporations. We can also expect a measure of buoyancy in receipts due to better fiscal discipline and improved efficiency in the operations of Government, provided seasonal conditions are reasonably normal. Specific targets for economy will be formulated and implemented in all departments of Government. Similarly, intensive reviews have been undertaken of the financial performance of public sector undertakings and improved surpluses on their part will be planned for and achieved during the year.

7. At present, we are seeking a 'Vote-on-Account' for five months on the basis of the Annual Financial Statement placed before the House.

SHRI HARI VISHNU KAMATH (Hoshangabad): Does the Government propose to end President's Rule in Tamil Nadu and hold fresh elections there?

MR. SPEAKER: I do not think the hon. Finance Minister will be able to answer that question now.

## NAGALAND BUDGET, 1977-78

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL) I beg to lay before the House the annual financial statement of the Government of Nagaland for the financial year commencing from 1st April, 1977.



**Statement**

The House is aware that the functions and powers of the Legislative Assembly of the State of Nagaland are at present exercisable by Parliament. Accordingly, with your permission, Sir, I beg to lay before the House the annual financial statement of the Government of Nagaland for the financial year commencing from 1st April, 1977.

2. Revenue receipts of the State in 1977-78 are estimated at Rs. 57.09 crores and expenditure, on revenue account, at Rs. 49.31 crores, resulting in a revenue surplus of Rs. 8.68 crores. The capital account, however, shows a deficit of Rs. 5.22 crores. Thus, in the overall, there will be a surplus of Rs. 3.46 crores. As against Rs. 17.70 crores in 1976-77, the estimates for 1977-78 provide for a Plan Outlay of Rs. 19.27 crores, comprising Rs. 6.33 crores for agriculture and allied services, Rs. 1.40 crores for water and power development, Rs. 5.26 crores for transport and communications, Rs. 5.15 crores for social and community services and Rs. 1.13 crores for other services like industry, etc.

3. Sir, at present we are seeking a 'Vote-on-Account' for five months on the basis of the estimates which I have just laid before the House.

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13.08 hrs.

PONDICHERRY BUDGET, 1977-78

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): I beg to lay before the House the annual financial statement of the Union Territory of Pondicherry showing the estimated receipts and expenditure of the territory in relation to the financial year 1977-78.

**Statement:**

The House is aware that the functions and powers of the Legislative Assembly of the Union territory of Pondicherry are at present exercisable by Parliament. Accordingly, with your permission, Sir, I beg to lay before the House the annual financial statement of the Union territory, showing the estimated receipts and expenditure of the territory in relation to the financial year 1977-78.

2. In the Revenue Account of the Union territory, receipts in 1977-78 are estimated at Rs. 13.90 crores and expenditure at Rs. 20.05 crores, leading to a deficit of Rs. 6.15 crores, which will be met by grant-in-aid from the Centre. On Capital Account, the estimates reveal a deficit of Rs. 4.38 crores, which will be met by obtaining loans from the Government of India. The estimates for 1977-78 provide for an outlay of Rs. 8.33 crores on the Plan of the Union territory, as compared to Rs. 7.25 crores in 1976-77. Sectoral distribution of the contemplated Plan outlay is given in the Explanatory Memorandum which is being made available to the Honourable Members.

3. On the basis of these estimates, Sir, we are, for the present, seeking a Vote on Account for the first five months of the year commencing on 1st April, 1977.

MR. SPEAKER: The House stands adjourned till 11.00 A.M. tomorrow.

13.10 hrs.

*The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, March, 29, 1977/Chaitra 8, 1899 (Saka)*