

Sixth Series, No. 10

Wednesday, April 6, 1977  
Chaitra 16, 1899 (Saka)

# LOK SABHA DEBATES

First Session  
(Sixth Lok Sabha)



सत्यमेव जयते

LOK SABHA SECRETARIAT  
New Delhi

## CONTENTS

*No. 10, Wednesday, April 6, 1977/Chaitra 16, 1899 (Saka)*

	COLUMNS
Oral Answers to Questions:	
*Starred Questions Nos. 21 to 28 . . . . .	2—31
Short Notice Question No. 3 . . . . .	31—32
Written Answers to Questions:	
Starred Questions Nos. 29 to 40 . . . . .	33—41
Unstarred Questions Nos. 51 to 151 . . . . .	41—121
Question of Privilege—	
Allegedly making of a policy statement by the Minister of Health and Family Planning outside the House <i>re</i> -compensation to victims of forcible sterilisation. . . . .	121—25
Papers Laid on the Table. . . . .	125—59
Financial Committees (1976-77)—A Review . . . . .	159
Parliamentary Committees—Summary of Work . . . . .	159
Caltex [Acquisition of Shares of Caltex Oil Refining (India) Limited and of the Undertakings in India of Caltex (India) Limited] Bill—	
Motion to Consider	
Shri O.V. Alagesan . . . . .	159—64
Shri Dinen Bhattacharya . . . . .	164—67
Prof. R.K. Amin † . . . . .	167
Shri Chitta Basu † . . . . .	167—70
Shrimati Parvathi Krishnan . . . . .	170—72
Shri M. Ram Gopal Reddy . . . . .	172—73
Shri Vinodbhai B. Sheth . . . . .	174—75
Shri Vayalar Ravi . . . . .	175—79
Shri H.N. Bahuguna . . . . .	179—90
Clauses 2 to 24 and 1 † . . . . .	191—208

---

\* The sign † marked above the name of a Member indicates that the question was actually asked on the floor of the House by that Member.

## Motion to pass, as amended—

Shri H.N. Bahuguna . . . . . 208.

## Petroleum Pipelines (Acquisition of Right of USSR in Land) Amendment Bill—

## Motion to consider—

Shri Biju Patnaik . . . . . 209, 211-12.

Shri Krishna Chandra Halder . . . . . 209-12.

Clauses 2 to 11 and 1 . . . . . 212-15

## Motion to Pass—

Shri Biju Patnaik . . . . . 215

## Prevention of Publication of Objectionable Matter (Repeal) Bill—

Motion to consider— . . . . . 216-97

Shri L.K. Advani . . . . . 216, 294-97

Shri J. Rameshwar Rao . . . . . 217-18

Shri Jagannath Sharma . . . . . 218-22

Shri K. Mayathevar . . . . . 222-25

Dr. Ram Jee Singh . . . . . 225-29

Shri Somnath Chatterjee . . . . . 229-34

Shri P. Rajagopal Naidu . . . . . 234-35

Shri R.P.L. Verma . . . . . 235

Shri S. Kundu . . . . . 235-39

Shri Vayalar Ravi . . . . . 239-43

Shri Uggrasen . . . . . 243-48

Prof. P.G. Mavalankar . . . . . 248-54

Shri C.M. Stephen . . . . . 254-65

Shri Kanwar Lal Gupta . . . . . 265-71

Shri Sougata Roy . . . . . 271-76

Chowdhry Balbir Singh . . . . . 277-79

Shri A.K. Roy . . . . . 279-81

Shri Narendra P. Nathwani . . . . . 281-88

Shri Gauri Shankar Rai . . . . . 288-93

Clauses 2 and 1 . . . . . 298

## Motion to pass—

Shri L.K. Advani . . . . . 298

# LOK SABHA DEBATES

I

2

## LOK SABHA

Wednesday, April 6, 1977/Chaitra 16,  
1899 (Saka)

*The Lok Sabha met at Eleven of the  
Clock*

[MR. SPEAKER *in the Chair*]

### ORAL ANSWERS TO QUESTIONS

MR. SPEAKER: Before we take up the Question-Hour, I would like to have the co-operation of the hon. Members.

There are twenty questions on the Question List. If you want a large number of questions to be answered, then you must confine yourself to one or two supplementaries only. But if you are going to ask quite a number of supplementaries, then only two or three questions will be covered in a day....

SHRI DINEN BHATTACHARYYA: It all depends upon the merits of the question.

MR. SPEAKER: If you want, I do not mind but only one or two questions we can cover in a day. If all of you get up, it will be difficult and also very embarrassing to the Chair. Therefore, I would say, let us have only two supplementaries in regard to a question.

Shri Dinesh Joarder.

## Government's Policy towards "Samachar"

+

\*21. SHRI DINESH JOARDER:

SHRI S. G. MURUGAIYAN:

Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether any change regarding Government policy towards "Samachar" News Agency is contemplated; and

(b) if so, the main features thereof?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI): (a) With a view to safeguarding freedom of Press and ensuring that there is no monopoly in the news agency operations, Government is giving a fresh look to the entire question of policy regarding 'Samachar' News agency.

(b) Does not arise.

SHRI DINESH JOARDER: I am glad that the Government is going to have a fresh look at the policy and the functioning of the Samachar News Agency.

I would like to know from the hon. Minister that in view of the last 19 or 20 months of emergency and the manner in which these News Agencies like PTI, UNI and other agencies have been merged together and forcible and coercive measures taken to unify these different news agencies into one Samachar News Agency and also the repression and atrocities unleashed on the journalists, particularly, reporters of the news agencies, I want to know from the Minister as

to have many of them have been the victims of these repressive measures of the former Congress Government and how many of them have been arrested under the MISA and the different punitive measures taken against them? I also want to know..

**MR. SPEAKER:** Too wide a question—what is the number of people arrested and all that does not arise out of it.

**SHRI DINESH JOARDER:** What action do the government propose to take to safeguard the journalists from any possible future atrocities?

**SHRI L. K. ADVANI:** Mr. Speaker, Sir, as you have pointed out, the question pertains to the re-organization of the *Samachar*. Of course, in the course of what has been happening about the amalgamation of the news agencies, if there are any cases of victimisation, the Ministry has always been prepared to review and take the necessary remedial steps in that regard. Government have no intention of conducting any roving inquiry into the matter. But, if specific instances are brought to the notice of the government, they will certainly be looked into.

**SHRI DINESH JOARDER:** I would like to know from the hon. Minister when this policy will be reconsidered, whether they will also consider how these small and medium newspapers and other journals can have the supply of news items from news agencies at a cheaper cost and what other machinery can be set up for the supply of news items to different newspapers all over the country, particularly, regional language newspapers.

**SHRI L. K. ADVANI:** It is the Government's policy to protect the interests of the small and medium newspapers and in the scheme of re-organisation which we may undertake, this will certainly be taken into account.

**DR. MURLI MANOHAR JOSHI:** Is the Government thinking of setting up Press Advisory Body so that democratic norms be established between the Government and the Press?

**SHRI L. K. ADVANI:** The question relates to the wide freedom of press in the country. The Ministry is presently seized of the entire issue.

So far as the main issue of 'Samachar' is concerned, I hope to make a comprehensive policy statement before this session ends.

**श्री यमुना प्रसाद शास्त्री :** अध्यक्ष महोदय, मैं आपके द्वारा माननीय मंत्री महोदय से जानना चाहता हूँ कि जिन समाचार एजेंसियों को मिलाया गया है क्या सरकार उन समाचार एजेंसियों को फिर से अलग करने पर विचार करेगी? पी० टी० आई०, यू० एन० आई०, हिन्दुस्तान समाचार और समाचार भारती—इन समाचार एजेंसियों को पिछली सरकार ने मिलाकर एक न्यूज एजेंसी बनाई जिसके पीछे उद्देश्य यही था कि वह सरकारी नियन्त्रण में रहे लेकिन नई सरकार इस उद्देश्य के अनुसार काम नहीं करना चाहती अतः क्या सरकार निश्चित रूप से यह निर्णय लेने जा रही है कि चारों समाचार एजेंसियों को फिर से अलग अलग काम करने का अवसर प्रदान किया जाये ?

**श्री लाल कृष्ण अडवानी :** जहाँ तक मेरी सरकार की नीति का सम्बन्ध है वह बहुत स्पष्ट है कि हम समाचार एजेंसियों पर सरकारी नियन्त्रण के विरुद्ध हैं। दूसरी बात यह है कि न्यूज एजेंसीज के क्षेत्र में हम एकाधिकार को भी उचित नहीं समझते हैं। लेकिन आज जो एमैलगेमेशन हो चुका है उस स्थिति को बदलने के लिए क्या उपाय उचित रहेंगे इसके बारे में हम जरूर सलाह करना चाहेंगे विशेषकर इस बात को ध्यान में रख कर कि समाचार में काम करने वाले कर्मचारियों के हितों को कोई हानि न पहुँचे।

**Denial of Advertisement to certain Newspapers etc.**

\*22. SHRI DINEN BHATTACHARYA: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) names of the daily, weekly and other periodicals to whom advertisements were suspended by the former Government; and

(b) whether the suspension orders have been cancelled?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI): (a) A list of newspapers whose advertisements remained discontinued as on 20-3-1977 is laid on the Table of the House. [Placed in Library. See No. LT-100-77].

(b) Each case is being examined on merits for revocation of the suspension orders, especially those issued on political grounds. Orders in 81 cases out of 100 have already been reviewed and rescinded.

SHRI DINEN BHATTACHARYA: May I know what is actually the basis of review or what are the points that are considered while reviewing these cases?

SHRI L. K. ADVANI: As I have already stated in my reply, where it seems almost obvious that the discontinuance of advertisements to a newspaper or a journal has been politically motivated or was because of the independent views of that paper, the review has already been done and orders have been rescinded. It has not been difficult to see that the *status quo ante* as existed in June 1975 is restored. But I may point out that in certain cases where the stoppage of advertisements is because of the scurrilous content of any paper, there the Government would have a different view. Therefore, out of 100 cases that were brought to me till

now, in 81 cases orders have been rescinded.

SHRI DINEN BHATTACHARYA: May I know whether the list that has been given here is complete? So far my knowledge goes the monthly papers to which the advertisements come from the Government agencies were stopped. 'EK SHATHE' is one such Bengali Journal published by a women organisation in West Bengal. There is another paper called JAISHRI. May I request the Minister to look into the cases of the papers in whose cases ban was imposed by the previous Government? Will he see that these cases are looked into immediately and necessary steps undertaken to sanction advertisements to these papers?

SHRI L. K. ADVANI: I would be grateful if any hon. Member points out specific cases. I will certainly look into them.

SHRI M. RAM GOPAL REDDY: Man is a political animal. The Minister is a politician. May I know whether he is going to rise above politics and to do justice to every paper in the country?

SHRI L. K. ADVANI: We are committed to the policy of not discriminating against anyone on political grounds.

DR. SUBRAMANIAM SWAMY: May I know whether some newspapers were driven to the stage of starvation, let alone, not being granted advertisements? I can quote the example of *Motherland* for instance. May I know whether the Government is going to make amends for the action of the previous Government, which drove such newspapers to extinction? Also, may I know whether the Government will institute an inquiry into the whole action of the previous Government vis-a-vis the *Motherland*?

SHRI L. K. ADVANI: I have already indicated the position in my reply and I have given the list about papers where this action was taken during the emergency. The date is given as 20th March. This includes papers like Motherland and Organiser, which were not granted advertisements even before emergency.

SHRI DINEN BHATTACHARYA: The question relates to stopping of advertisements not relating to any particular period.

So, upto now what is the position about granting of advertisements? That might be answered by the hon Minister.

श्री हुकम चन्द कठवाय : अध्यक्ष महोदय, मैं आप के माध्यम से माननीय मंत्री जी से जानना चाहता हूँ—क्या यह बात सत्य है कि आपातस्थिति के बीच में एक गैर-सरकारी व्यक्ति, जो बेहूदा और मुख्य व्यक्ति था, संजय गांधी—उस के भाषणों और पांच सूत्री कार्यक्रमों के विज्ञापन बहुत बड़े पैमाने पर छपवाये गये, इस के लिए समाचार पत्रों को कितने रुपये के विज्ञापन दिये गये—क्या आप इस की जानकारी देंगे ?

SHRI L. K. ADVANI: I require notice for this question.

श्री कपूरी ठाकुर : अध्यक्ष महोदय मेरा प्वाइन्ट आफ आर्डर है, इस सदन में किसी व्यक्ति को, वह चाहे कोई भी व्यक्ति हो, क्या उस को बेहूदा कहना पालिय मेन्ट्री है ?

MR. SPEAKER: It is question hour now. There is no point of order now. Of course such language must be avoided. I would say, there is no point of order. But such language must be avoided.

चौधरी बलवीर सिंह : बेहूदे को बेहूदा कहने में क्या हर्ज है ?

श्री श्यामनन्दन मिश्र : नहीं कहना चाहिए, बुरी बात है ।

श्री हुकम चन्द कठवाय : यह गाली तो नहीं है, संसदीय शब्द है ।

MR. SPEAKER: Mr. Kachwai, you are now a very very senior Member. Shri Mishra.

SHRI SHYAMNANDAN MISHRA: Sir, may we know whether Government is also examining cases in which undue favours and patronage were shown to certain newspapers and whether Government is contemplating to formulate a comprehensive policy on advertisement including private advertisement?

SHRI L. K. ADVANI: Sir, this is a very important matter and I am looking into the entire gamut of advertisement policy of the Government. What the hon. Member pointed out is correct. On the basis of certain norms that were created during emergency only, there has been some favour shown to certain papers and discrimination against the other papers. I would see to it that the new policy of the Government in respect of advertisement is fair and even-handed.

MR. SPEAKER: The question was whether you will place it on the Table of the House after you take a decision.

SHRI L. K. ADVANI: The moment I take a decision, I shall place it on the Table of the House.

SHRI K. LAKKAPPA: Sir, the newly appointed Minister is very enthusiastic in pronouncing Government's policy on this issue. Because he has made a categorical statement on reviewing the whole situation, I would like to know—of course, we are not denying the fact as far as freedom of the press is concerned—whether the attitude of the Govern-

ment is to encourage yellow journalism in this country? (Interruptions) Sir, he made a statement that there was no discrimination.

MR. SPEAKER: Shrimati Parvathi Krishnan.

SHRI K. LAKKAPPA: Sir, is it not a relevant question?

MR. SPEAKER: I do not think that it is a relevant question.

SHRI K. LAKKAPPA: Sir, I seek your protection in this. My specific question to the Minister is this. Is it the attitude of this Government to encourage yellow journalism in this country?

MR. SPEAKER: Mr. Lakkappa, I have already called Shrimati Parvathi Krishnan.

SHRIMATI PARVATHI KRISHNAN: Sir, May I draw the attention of the Minister to this fact that pressure was brought on the advertisers not to advertise in the papers that were critical of certain actions of the previous Government at that time? Would he make an enquiry into that and see that newspapers are protected from that kind of discrimination?

SHRI L. K. ADVANI: Sir, as I said earlier there have been certain things happening during the last nineteen months which we did not regard as correct. We would like to remedy them. But the process of remedy has to be initiated on the basis of specific complaints. That cannot be a general thing.

As far as general thing is concerned, I only said that the entire policy about advertising is being looked into and a comprehensive statement would be placed before the House.

As the hon. Member has just now pointed out, if all such instances are brought to my notice where pressure

had been exercised on any advertiser, whether in writing or orally, I shall certainly have the matter looked into and proper action will be taken.

### Naxalite Prisoners

†

\*23. SHRI PRADYUMNA BAL:  
SHRIMATI PARVATHI  
KRISHNAN:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) the number of Naxalite prisoners detained in various jails in the country; and

(b) whether Government propose to review their cases and release such prisoners against whom there are no specific charges or against whom false charges have been preferred?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH): (a) According to information received from State Governments, as on 25-3-1977, 645 Naxalites are under detention in Andhra Pradesh, Kerala, Tamil Nadu and West Bengal.

(b) Yes, Sir. The State Governments are being advised to release all such Naxalites in detention except in cases where such detentions had been made on account of their recent indulgence in violent activities. The State Governments are being further advised that investigation and trial of cases involving Naxalites may be expedited.

SHRI PRADYUMNA BAL: Sir, the Hon'ble Home Minister has mentioned about only 645 Naxalite prisoners in the country. My information is that there are a large number of Naxalite prisoners who may be more than the number which the hon. Home Minister has mentioned. For examine, there are quite a number of prisoners in Orissa, Bihar and to so many other places. I think they have



not been included in this number. Actually, this number will run into several thousands in the whole of the country. I would like to know whether the government proposes to enquire into the details of the cases which are pending against them and what is the immediate step going to be taken about these cases?

**CHAUDHURI CHARAN SINGH:** My reply is based on the information supplied by the State Governments. If the hon. Member wants I will make further enquiries from the State Governments.

**SHRI PRADYUMNA BAL:** Mr. Speaker Sir, I have personal information as I have enquired into these cases as a member of a committee two years back that physical atrocities by the police and executive authorities were committed on the body of these prisoners. We found marks on their bodies. Hot iron plates were put on the breasts of a woman prisoner who was housed in Koraput jail. Her husband was also tortured who is also in Koraput jail. I would like to know whether enquiries will be made into such cases and the guilty punished. Some of the so called Naxalites have been killed in cold. All this merit investigation.

**MR. SPEAKER:** The Home Minister has already said that he will make further enquiries.

**SHRIMATI PARVATHI KRISHNAN:** I would like to know from the hon. Minister in the context of the conditions in which these prisoners are being kept whether instructions have been issued that they should be treated as political prisoners and given proper treatment. Secondly, those cases which are pending whether they will be released on parole and given bail so that the conditions under which they are suffering are ameliorated?

**CHAUDHURI CHARAN SINGH:** I have already said that instructions are being issued for their release. As such, no further question about their treatment arises.

**SHRI KRISHAN KANT:** May I know from the hon. Home Minister whether he will enquire into the whole situation as the reply he has got from the State governments was because of the word 'detained' and not 'arrested under various charges'. There are thousands of people in prison on whom cases are being conducted for the last about ten years and the cases have not progressed much. In this connection may I also submit that because of the policy of the new government and the situation in the country whether his attention has also been drawn to the Resolution passed by CPI(M-L) on the 1st April, which shows that they are trying to abjure the application of violence and they are saying that CPI(M-L) is eager to participate in the democratic processes and eager to participate in the coming elections. In view of the new atmosphere they have created, will they see that the leadership of all the parties is released so that they can join with all of us to fight the wrong forces and join the mainstream of Naxalites?

**MR. SPEAKER:** The latter portion is not necessary as part of the question.

**CHAUDHURI CHARAN SINGH:** Am I expected to give a reply to the hon. Members? —There can possibly be only four categories: those who are detenues and no case is pending against them. About them I have already explained the Government's policy that the orders are being issued for their immediate release. There is another category against whom investigations into acts of violence are being carried on. We have asked for expeditious investigation. There is yet a third category of cases which are under trial. We

are still asking the State Governments to expedite the trial and to do their best to see that the cases are finalised as early as possible. There is yet a fourth category of those people who are being convicted. As regards these convictions, our policy is that they must run their full course. Law must have its course in regard to these gentlemen.

**SHRI JAGANNATH RAO:** May I know from the hon. Minister if a reference has been made to the Orissa Government about the number of Naxalites in Orissa prisons including those against whom some cases are pending because Naxalite activities in Orissa are on the border and I know in the Koraput district some Naxalites are in prison. I want to know whether any reference has been made to Orissa Government and what is the reply of the Orissa Government, because the hon. Minister has said that the information received from the State Government says that none from Orissa seems to be in jail.

**CHAUDHURI CHARAN SINGH:** I am having queries made from all the State Governments.

**DR. BALDEV PRAKASH:** I would like to know from the hon. Home Minister that he has just said that in case of violence State Governments have been asked to expedite the investigation. But we know that the cases of violence have been falsely fabricated. In those cases the Union Government will take universal steps to institute an independent Central enquiry to go into cases whether they are false cases or even those false cases were against us when we were put into jail. So, what steps the Central Government will take to investigate whether those cases are false cases or true cases of violence had happened.

**CHAUDHURI CHARAN SINGH:** It is only the courts which will be

able to decide whether the cases are false or true. In such cases which are under trial, Government cannot possibly appoint any other authority to decide whether they are actually guilty or not. It is for the courts to decide. I can only say that the proceeding authorities will take notice of the attitude of the Government, but we cannot say to them that the cases be withdrawn which, perhaps, the courts will not allow and there may be fresh investigation for them.

**श्री मधू लिमये :** तथाकथित नक्सलवादियों और नक्सलवादी कैदियों के ऊपर जो अत्यं चार किए गए हैं, जैसे भागलपुर विःविद्यालय के प्रो० चक्रवर्ती के एक लडके को, प्रशान्त कुमार को भागलपुर जेल से बाहर लाया गया और गोली से पुलिस ने मार दिया और रिपोर्ट कर दी कि वह भाग रहे थे इसलिए उनको मारा गया है, उनमें क्या केन्द्रीय सरकार स्वयं कुछ दखल देगी विटनेसिस मौजूद हैं इस के बारे में। इस तरह के जो उदाहरण हैं क्या उनकी जांच करवाने के लिए कोई हिदायतें राज्यों का दी जाएंगी या केन्द्रीय सरकार स्वयं इन मामलों में कुछ दखल देगी ?

**चौधरी चरण सिंह :** अगर माननीय मित्र मेरे नोटिस में ऐसे कोई केसिस लाएंगे तो सरकार स्टेट गवर्नमेंटस का हिदायतें देगी कि वे उनको इन्वेस्टीगेट करें और अगर गवर्नमेंट इस मिलसिले में संतुष्ट नहीं होगी तो हम इस बात पर विचार करेंगे कि केन्द्रीय सरकार उन मिलसिले में क्या कर सकती हैं।

**DR. SUSHILA NAYAR:** I should like to know from the hon. Minister, how many of those prisoners were women? Has the hon. Minister any information with regard to the torture committed on women prisoners?

**CHAUDHURI CHARAN SINGH:** I have no information.

**Grievances of Staff Artistes of A.I.R.**

\*24. SHRI SAMAR MUKHERJEE: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether the attention of the Government has been drawn to long standing grievances of the Staff Artistes of All India Radio;

(b) if so, the facts thereof; and

(c) steps proposed to be taken in this regard?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI): (a) Yes, Sir.

(b) and (c): The grievances of Staff Artistes are brought to the notice of the Government from time to time through various sources, e.g. during Informal Consultative Committee meetings held with the Staff Artistes Union at Ministry, Directorate and Station level, through individual representations, through Members of Parliament or other public figures. Such grievances are looked into and wherever feasible, removed. The long standing grievances of the Staff Artistes mainly relate to the betterment of their fee scales, grant of retirement benefits and providing of more promotional channels. A statement in this regard is laid on the Table of the House.

**STATEMENT**

*Some of the more important and long standing grievances of Staff Artistes and the action taken on them.*

S. No.	Grievances	Action taken/proposed to be taken
1	Revision of fee scales on the basis of the recommendations of the IIIrd Pay Commission.	Fee scales of Staff Artistes have been revised in June, 1976. They have been given effect from 1-1-1973.
2	Grant of retirement benefits . . . . .	Staff Artistes have been made eligible for gratuity under certain conditions in addition to C.P.F. with effect from 1st December, 1975.
3	Providing more promotional channels . . . . .	The Recruitment Rules of Staff Artistes were revised in 1976 with a view to provide more promotional channels.

SHRI SAMAR MUKHERJEE: From the statement it appears that whatever action had been taken, had been taken by the past government. After the installation of the new government, may I know whether any new representation had been received about their demands and whether the government had given any consideration to those demands and if so what is the result?

SHRI L. K. ADVANI: There have been some representations, made individually. I propose to meet the association people and other artists

also shortly after the session is over. I have been trying to acquaint myself with their problems. I have categorised the three main problems that were there for a long time. By and large I can say that today the staff artists, broadly speaking, are on par with other government employees, the main difference being with regard to pension. They are not eligible to pension as government employees are, but that is in a way compensated by the gratuity provided to them. On that point also there are some grievances and they would be looked into.

श्री उपसैन : अध्यक्ष महोदय, माननीय मंत्री जी के उत्तर से सम्बन्धित। क्या मंत्री जी उन की शिकायतों को दूर करने के लिए यह बात सोच रहे हैं, इस पर विचार कर रहे हैं, कि आकाशवाणी और दूरदर्शन को एक कौंपोरेसन बना दिया जाय और इन के कर्मचारियों को भी उस में प्रतिनिधित्व दे दिया जाय ताकि अपने मामले स्वयं निपटा सकें ?

श्री लाल कृष्ण आडवाणी : वैसे वह एक व्यापक सवाल है। इस के बारे में हमारी सरकार की नीति है कि देश के अन्दर आकाशवाणी और दूरदर्शन जैसे माध्यमों को एक स्वायत्त निकाय होना चाहिए। लेकिन स्टाफ आर्टिस्ट्स का सवाल ऐसा है कि कोई भी स्ट्रक्चरल चेंज हम करें या न करें लेकिन स्टाफ आर्टिस्ट्स के ग्रीवांसेज हम को सुलझाने चाहिए, इस के बारे में कोई दो मत नहीं हैं।

**Deaths of Detenus in Jail or on Parole during Emergency**

\*25. SHRIMATI BIBHA GHOSH GOSWAMY:

SHRI BASHIR AHMAD:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) the total number of detenus State-wise who died in jail during the period of emergency;

(b) whether Government propose to institute an enquiry into the conditions leading to their deaths while in prison; and

(c) the number of detenus who died while on parole?

THE MINISTER OF HOME AFFAIRS CHAUDHURI CHARAN SINGH: (a) and (c): A statement showing total number of persons detained under the Maintenance of Internal Security Act, 1971, who either died in custody or while on parole during the period of emergency in various States and Union Territories, except Haryana, Madhya Pradesh and West Bengal, is laid on the Table of the House.

The information in respect of the States of Haryana, Madhya Pradesh and West Bengal is being collected and will be laid on the Table of the House.... ((Interruptions)).

SHRI DINEN BHATTACHARYYA: They will never supply.

CHAUDHURI CHARAN SINGH: I am not so pessimistic.

(b) The State Governments are being advised to hold a Magisterial enquiry into all cases of deaths of MISA detenus in custody wherever it has not been conducted so far.

STATEMENT

*Number of persons detained under the Maintenance of Internal Security Act, 1971, who either died in custody or while on parole during the period of emergency in various States and Union Territories except Haryana, Madhya Pradesh and West Bengal.*

S. No.]	Name of the State/Union Territory	Number of detenus who died in custody	Number of detenus who died on parole
1.	Andhra Pradesh . . . . .	Nil	1
2.	Assam] . . . . .	Nil	Nil
3.	Bihar	4	Nil

S. No.	Name of the State/Union Territory	Number of detenus who died in custody	Number of detenus who died on parole
4	Gujarat	4	3
5	Himachal Pradesh .	1	Nil
6	Jammu & Kashmir . . . . .	2	Nil
7	Karnataka . . . . .	1	Nil
8	Kerala . . . . .	1	Nil
9	Maharashtra . . . . .	10	2
10	Manipur . . . . .	Nil	Nil
11	Meghalaya . . . . .	Nil	Nil
12	Nagaland . . . . .	Nil	Nil
13	Orissa . . . . .	Nil	Nil
14	Punjab . . . . .	Nil	Nil
15	Rajasthan . . . . .	Nil	Nil
16	Sikkim . . . . .	Nil	Nil
17	Tamil Nadu . . . . .	2	Nil
18	Tripura . . . . .	Nil	Nil
19	Uttar Pradesh . . . . .	14	Information awaited
<i>Union Territories</i>			
1	Arunachal Pradesh . . . . .	Nil	Nil
2	Andaman & Nicobar . . . . .	Nil	Nil
3	Chandigarh . . . . .	Nil	1
4	Dadra & Nagar Haveli . . . . .	Nil	Nil
5	Delhi . . . . .	2	2
6	Goa, Daman and Diu . . . . .	Nil	Nil
7	Lakshadweep . . . . .	Nil	Nil
8	Mizoram . . . . .	Nil	Nil
9	Pondicherry . . . . .	Nil	Nil
		41	9

The information in respect of the State of Haryana, Madhya Pradesh and West Bengal is awaited.

**SHRIMATI BIBHA GHOSH GOSWAMI:** I would like to know from the Hon'ble Minister what the present Government proposes to do in regard to the families of those who died in prison.

**CHAUDHURI CHARAN SINGH:** Government will consider this suggestion very sympathetically.

**SHRIMATI BIBHA GHOSH GOSWAMI:** Whether Government has any intention in the matter of providing employment and other facilities to the sons and daughters of those who died in jail?

**CHAUDHURI CHARAN SINGH:** All I can now say is that this suggestion will be considered by the Government. But I cannot make any commitment.

**SHRI BASHIR AHMAD:** So many atrocities were committed on the people by the former regime and the people were put to untold sufferings. In today's 'The Statesman' newspaper, the former Prime Minister defended herself and her son even today. And not only that. She had also accused some of the former opposition members that the charges were made on false allegations. Now, I would like to know when the Commission of Enquiry would be instituted. Whether it would go into the various charges against those involved in the perpetration of atrocities on the people who were in jail? Whether the Hon'ble Minister is aware of the fact that one film actress Mrs. Snehlata was also tortured and after her release she died? I want to know whether the Enquiry Commission will go into these matters. A Magisterial enquiry on these matters is hardly sufficient to find out the extent of atrocities that have been committed on the people. A large number of persons have died as a result of atrocities committed on the people while in jail. Will the

Hon'ble Minister be pleased to tell us when will the Commission of Enquiry be instituted?

**CHAUDHURI CHARAN SINGH:** Although you will permit me to say that the Supplementary does not arise out of the questions here, still I can assure the hon. Member that the question of High Power Enquiry to go into the atrocities committed during the Emergency is under active consideration of the Government and perhaps I will be able to make a statement on this on the floor of the House tomorrow.

**SHRI RAMA CHANDRA MALLICK:** Mr. Speaker, Sir, I want to know from the Hon'ble Home Minister through you regarding the persons who were detained under the MISA. Out of those who were detained under MISA, 50 persons have died so far—41 in jail and 9 on parole. This information is as per the Government report. I want to know whether any financial assistance or interim relief has so far been given or proposed to be given to the family members by the State Governments concerned or by the Central Government after considering their financial position.

**CHAUDHURI CHARAN SINGH:** I am sorry I have not been able to follow the question.

**MR. SPEAKER:** Next question.

#### Enquiry into the behavior of Press Censor Officials

\*26. **SHRI KRISHNA CHANDRA HALDER:** Will the Minister of INFORMATION AND BROADCASTING be pleased to state whether the Government propose to institute an enquiry into the methods and behaviour of the press censor officials while censoring the newspaper manuscripts, in various States?

**THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI):** There is no proposal for a general, formal enquiry. If however any specific complaints are made they will be enquired into.

**SHRI KRISHNA CHANDRA HALDER:** May I know whether the government is aware of the fact that the Ministry and the Chief Censor Officer issued directives from time to time and whether those directives will be placed on the Table of the House? I also want to know the names of the papers and journals which were forced to stop their publication as per those directives. I also want to know whether the former Information & Broadcasting Minister himself intervened through his officers to ensure that the news of the attack against his rival candidate, Shri Kaushik and his supporters was suppressed by the local press at the time of the election and if so whether the government would enquire into the conduct of the former Information & Broadcasting Minister during the period of the emergency?

**SHRI L. K. ADVANI:** I have no objection to laying on the Table the guidelines that were issued by the censors to the press. I will try to get a full and comprehensive glimpse into the working of the censorship machinery. About the case just cited, I am aware that some news which related to the attack on the rival candidate in the election was sought to be suppressed and some action was taken to remedy it.

**SHRI KRISHNA CHANDRA HALDER:** He said he would lay the guidelines. I asked about the directives.

**SHRI L. K. ADVANI:** The purpose of the question would be served

if we have a view of the guidelines. I would have to go into the directives in detail. There have been a large number of directives and directions, many of them orally and a few of them in writing. This Government's position is that censorship no longer exists. All the guidelines have been withdrawn and the entire set-up also has been in a way wound up.

**SHRI KRISHNA CHANDRA HALDER:** My second supplementary is...

**MR. SPEAKER:** You have already put it. Mr. Kundu.

**SHRI S. KUNDU:** During the period of emergency, we passed through an era of aggressive publicity launched by the then Minister of Information & Broadcasting.

**AN HON. MEMBER:** By the Prime Minister.

**SHRI S. KUNDU:** During that black era, the free arm of the press was systematically and deliberately twisted and the censor was used as an evil instrument. The I&B Ministry used the entire instrument of information & Broadcasting, the censor, the TV, the press to propagate lies and untruth which even Goebbels will fight shy of doing. Now, the hon. Minister said about the guidelines. Some censors in order to please the Ministers and the Prime Minister did something which was not covered in the guidelines. There are so many cases. Take the case of *The Indian Express*, *The Statesman*, *The Janata* etc. Many language dailies—I do not want to go into that. I would like to know whether the hon. Minister would make an announcement that such cases where even the censors had crossed the bounds of the guidelines would be enquired into and suitable action would be taken. Secondly, the hon. Minister would kindly assure this House that the entire action of the Information & Broadcasting Ministry would also be enquired into and a report would be placed on the Table of the House.

**SHRI L. K. ADVANI:** I would not deny that in many of the directions that have been brought to my notice, I find that they did not come within the purview of the guidelines. But in all the cases that have been brought to my notice, I feel, it has been done under the direction of the Minister at that time.

**PROF. P. G. MAVALANKAR:** The question relates specifically to the methods and behaviour of the press censor officials. My friend the Minister has just now said that Government's policy is not to have an overall general review of the entire practice of censor officials. In view of the fact, however, that the methods and behaviour of many of the press officials involved not only giving orders orally but doing things without even oral orders in order to please the higher-ups and prove to be holier than holy, what kind of action Government propose to initiate *suo motu* on the complaints received from press proprietors and editors, from reporters and columnists of newspapers, weekly magazines, etc.? I as a writer and columnist, was also one of the victims of this kind of obnoxious and ugly press censorship, when we were not allowed to print our weekly paper by the orders which did not come to us directly but through the orders which did go to the printer. All these things are required to be enquired into so that not only in my life time and in the life time of the Minister but in the entire life time of the Nation such things do not happen.

**SHRI L. K. ADVANI:** I agree *in toto* with the hon. Member when he said that it should be our responsibility to enquire into obnoxious and ugly things of this kind which are in a way a blot on the otherwise very remarkable history of press freedom in India so that such things do not occur again. Statutory safeguards and even at the administrative level, remedial safeguards are being processed. I would be willing to be guided by your advice also.

**श्री राम नरेल कुलवाहा:** अध्यक्ष महोदय, मैं व्यवस्था का प्रश्न उठाना चाहता हूँ। हम लोगों को जो प्रश्नों की सूची मिली है उसमें 1 और 2 नम्बर का प्रश्न नहीं है। प्रश्न नं० 3 हमें मिला है। बाकी 1 और 2 नम्बर के प्रश्न नहीं मिले हैं।

**MR. SPEAKER:** It will come after the Question Hour.

**PROF. DILIP CHAKRAVARTY:** I would like to know whether the Minister of Information and Broadcasting is aware that the Calcutta station of All India Radio was prevented from having Tagore's songs sung from the All India Radio. His song "Ekla Chalore" which was very popular with Gandhiji himself, was prevented from being broadcast by it; and the famous poem "prithvi" was being prevented from being recited on Air Calcutta. This was done during Emergency. Is the Minister of Information and Broadcasting aware of it? What steps is he going to take? Is the Minister aware that in tune with the 'India is Indira' theory, the former Prime Minister's teachings were being monitored through the All India Radio even a few hours before asking the voters to vote for Congress? What steps are going to be taken in this connection?

**SHRI L. K. ADANI:** Instances of the type of blacking out of Tagore's song "Ekla Chalore", as the hon. Member has just pointed out, have come to my notice. They are very unfortunate. We would see to it that nothing of this kind recurs, not merely during our tenure, but for ever in India.

#### Naval Training Centre at Chilka

\*27. **SHRI GANANATH PRADHAN:** Will the Minister of DEFENCE be pleased to state:

(a) whether construction work of Naval Training Centre at Chilka in Orissa has already started;



- (b) if so, the facts thereof; and  
(c) when it is to be completed?

THE MINISTER OF DEFENCE  
(SHRI JAGJIVAN RAM): (a) Yes,  
Sir.

(b) and (c). The land has been acquired. The civil works have been divided into two phases. Phase I has been further split into two sub-phases. The first sub-phase is planned to make the establishment functional with minimum facilities. This sub-phase involving an expenditure of Rs. 2.2 crores is under execution and is expected to be completed in early 1979. The second sub-phase involving an expenditure of about Rs. 1.19 crores will provide other facilities and amenities for the establishment, and is expected to be completed by the end of 1979. Phase II of the project will be taken up after the completion of Phase I.

The Boys Training Establishment will start functioning as soon as the first sub-phase of Phase I is completed.

श्री गणनाथ प्रधान : मैं माननीय मंत्री जी से जानना चाहता हूँ कि पहले कितने रुपये का बजट था और कितना काम हुआ और उसमें क्या क्या कठिनाइयाँ हैं जिनके कारण ठीक से काम नहीं चल पा रहा है ?

श्री जगजीवन राम : काम तो चल रहा है । 1979 के प्रारम्भ में पहला फेज पूरा हो जायेगा और उसके बाद लड़कों की भर्ती शुरू हो जायेगी ।

श्री गणनाथ प्रधान : मैं यह जानना चाहता हूँ कि जो कठिनाइयाँ हैं जैसे पानी की कमी के बारे में लिखा है लेकिन उसका समाधान नहीं किया गया है और काम नहीं चल रहा है तो इन कठिनाइयाँ को देखना है या नहीं ?

श्री जगजीवन राम : यह नहीं बताया कि काम नहीं चल रहा है । वहाँ पर क्लासेज को शुरू करने के लिए जो कम से कम आवश्यकताएँ हैं उनको पूरा किया जा रहा है । यह तो मानी हुई बात है कि यह जो काम होगा उसमें पीने के पानी का इतजाम करना अनिवार्य होगा और वह भी किया जायेगा ।

SHRI M. S. SANJEEVI RAO: We are all aware that the navy is going to play a very prominent role in the defence of our country. Apart from that, our country is fortunate in locating huge oil reserves in Bombay High. We are also aware that already 2 million tonnes are going to be produced and by 1980 about 10 million tonnes of oil are going to come from the off-shore oil drilling. In the changed circumstances, particularly since we have to safeguard these huge installations, what active steps are being taken to increase the number of training personnel to facilitate the navy in this task?

SHRI JAGJIVAN RAM: That is exactly the scheme. At present we have a training establishment at Visakhapatnam where we train annually 600 boys. The programme is to admit 900 now and ultimately increase it to 1,200 annually.

SHRI S. KUNDU: While asking this question, may I make a fervent appeal to the hon. Defence Minister to bear in mind that Orissa is a backward State like Bihar? This scheme has already been delayed too long. An announcement has been made today that the training school will start early 1979. Can he make an announcement that it will start early 1978 instead of early 1979?

SHRI JAGJIVAN RAM: It means advancing it by one year. I am examining whether it is physically

possible to complete all the minimum requirements to complete the programme by that time.

**Advertisements of DAVP and Railways etc. to smaller and medium Newspapers**

\*28. SHRI SOMNATH CHATTERJI: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether Government propose to increase the amount of advertisements of DAVP, Railways and other public undertakings to smaller and medium newspapers; and

(b) if so, the quantum of increase in terms of money to be paid for the advertisements to those papers?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI): (a) and (b). Advertisements are released to newspapers to meet varying publicity requirements and not as a measure of financial assistance. But remaining within these limitations, small and medium newspapers particularly those published in Indian languages will be used for Government advertisements on an increasing scale. The question, is therefore, being looked into in detail.

SHRI SOMNATH CHATTERJEE: The hon. Minister said that advertisements are not to be given for financial assistance. But in a country where the bigger newspapers are controlled by the monopoly houses, is it not the Government's policy to encourage the small and medium newspapers and young journals? How do you expect them to increase their circulation without assistance from the Government through the medium of advertisements, which

183 LS—2.

was distorted during the last emergency? Is the Government thinking about laying down some policy or norm to help the distribution of advertisements in a fair manner?

SHRI L. K. ADVANI: As I have said, it cannot be simply for financial assistance. Otherwise, advertisement becomes an instrument of political patronage and political leverage, which the Government does not want to do. But, within these constraints, Government would like to evolve a policy which might include a measure of weightage in the case of smaller and medium newspapers, particularly those which are in the regional languages.

SHRI SOMNATH CHATTERJEE: In so far as the issue of advertisements to regional papers or weeklies is concerned, so far as Calcutta weekly *Jansukti* is concerned, although the DAVP has withdrawn the suspension order, the Railway Board and other authorities are not issuing the advertisements to it? Will the Minister kindly look into that? Secondly, what is the quantum of advertisement given to a journal called *Surya*, which has got an artificial growth? What was the financial assistance given to this journal, which is nothing but a by-product of emergency?

SHRI L. K. ADVANI: There are two cases, one in which it has been pointed out to me that railway advertisements are not being given to a paper. I will look into it. So far as *Surya* is concerned, I need notice.

SHRI K. MALLANNA: What is the policy of the new Government regarding advertisements of the DAVP to the monopoly press?

SHRI L. K. ADVANI: We have a positive policy in this matter, not a

negative policy, and that positive policy is to see that in the matter of giving advertisements, the small and medium papers, particularly in the Indian languages, are in a way favoured.

#### SHORT NOTICE QUESTION

#### Resignation of Deputy Chairman, Planning Commission

S.N.Q. 3. SHRI TEJ PRATAP SINGH: Will the PRIME MINISTER be pleased to state whether the Deputy Chairman, Planning Commission of India has resigned from his post or not?

THE PRIME MINISTER (SHRI MORARJI DESAI): Shri P. N. Haksar has submitted his resignation as Deputy Chairman, Planning Commission, but he has been requested to continue for sometime more to enable Government to make suitable alternative arrangements.

श्री तेज प्रताप सिंह : क्या प्रधान मंत्री जी यह बताने की कृपा करेंगे कि नये वर्ष के नये बजट में नई नीतियों के समावेश किये जाने के लिए नये प्रावधान करने होंगे, तो उस के सम्बन्ध में योजना आयोग के समस्त सदस्यों तथा उपाध्यक्ष, जिन का योगदान बजट में होता है, का शीघ्रातिशीघ्र परिवर्तन करने के लिए कब तक कदम उठाएंगे ?

श्री मोरारजी देसाई : जितनी जल्दी हो सकेगा, हम करेंगे ।

श्री तेज प्रताप सिंह : क्या प्रधान मंत्री जी यह बताने की कृपा करेंगे कि हमारे देश में क्या ऐसे नियमों को अनिवार्यता नहीं

है कि नई सरकार के आते ही योजना आयोग के उपाध्यक्ष, सभी सदस्य, राजदूत और गवर्नरों को इस्तीफे दे देने चाहिए ? यदि ऐसे कुछ नियम नहीं हैं तो जो जनतांत्रिक देशों में स्वस्थ परम्परा और पद्धति है, उस को ध्यान में रखते हुए क्या ऐसे नियम लागू करने की कृपा करेंगे कि नई सरकार के आते ही ऐसे सारे लोग इस्तीफा दे दें ।

श्री मोरारजी देसाई : दूमरों की नकल करने की हमें जरूरत नहीं है ।

श्री रामधारी शास्त्री : क्या ऐसा तो नहीं है कि उन का इस्तीफा न स्वीकार करने की बात हो ?

श्री मोरारजी देसाई : वे रहना नहीं चाहते हैं ।

श्री सरब यादव : आपात काल की वस की ड्राइवर प्रधान मंत्री, श्रीमती इन्दिरा गांधी थीं और हस्कर साहब और ये सारे लोग उन के सेनापति थे । जब इन चुनावों ने आपात काल की वस के ड्राइवर को बाहर निकाल फेंक दिया है, तो मैं आपके द्वारा प्रधान मंत्री जी से कहना चाहता हूँ कि इन को भी निकाला जाय और उन का रेजिगनेशन जल्दी से मंजूर किया जाए । (व्यवधान)

श्री मोरारजी देसाई : तत्काल इस्तीफा मंजूर करने से हाँ पर कुछ रहेगा नहीं । इसलिए जो कुछ करना है, वह सोच-विचार कर करना है । सब बातों को सोच कर इस का निर्णय करेंगे ।

**WRITTEN ANSWERS TO  
QUESTIONS**

**Problem of educated unemployment**

**\*29. SHRI VASANT SATHE:** Will the Minister of PLANNING be pleased to state:

(a) whether Government propose to evolve a new policy to tackle effectively the problem of educated unemployment; and

(b) if so, the main features regarding the magnitude of the problem and the action proposed to be taken?

**THE PRIME MINISTER (SHRI MORARJI DESAI):** (a) and (b). Hon'ble Member's attention is invited to the Acting President of India's Address to Parliament on March 28, 1977, in which the broad approach of

the Government in the economic sphere has been spelt out. Government is intensely aware of the problem of rural, urban and educated unemployment. It was in recognition of this that in the Address it was specifically stated that Government propose to 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. However, at this precise stage it is not possible to translate that broad strategy into specific programmes.

As regards the magnitude of the problem of educated unemployment, those registered with employment exchanges on December 31, 1976, number 51.05 lakhs. A statement is laid on the Table of the House giving a categorywise break-up of the figure.

**STATEMENT**

*Number of Educated job-seekers (Matriculates and above) on the Live Register of Employment Exchanges as on 31st December, 1976 classified by educational levels.*

(In thousands)

Sl. No.	Educational level	Number on Live Register as on 31-12-1976 (P)
1.	Matriculates . . . . .	2829.1
2.	Persons who passed Higher Secondary (including Intermediates/ Under-graduates) . . . . .	1255.2
3.	Graduates (including Post-Graduates) Total : . . . . .	1020.4
	(i) Arts . . . . .	469.0
	(ii) Science . . . . .	266.1
	(iii) Commerce . . . . .	146.5
	(iv) Engineering . . . . .	18.4
	(v) Medicine . . . . .	8.6
	(vi) Veterinary . . . . .	0.5
	(vii) Agriculture . . . . .	9.2
	(viii) Law . . . . .	3.2
	(ix) Education . . . . .	90.3
	(x) Others . . . . .	8.7
	<b>Total :</b> . . . . .	<b>5104.6</b>

**NOTE:** I. The information is collected at half-yearly intervals ending June and December each year.

II. Excludes figures for University Employment Information and Guidance Bureaux except for those in Delhi.

III. Figures given above do not add up to total due to rounding off.

IV. P: Provisional.

### Report of Sarkaria Commission

\*30. SHRI K. GOPAL: Will the PRIME MINISTER be pleased to state:

(a) whether Government have received the report of Sarkaria Commission of enquiry set up to enquire into certain charges of corruption against the former Chief Minister of Tamil Nadu; and

(b) if so, the steps proposed to be taken on the report?

THE PRIME MINISTER (SHRI MORARJI DESAI): (a) and (b). The Sarkaria Commission of Inquiry submitted its First Report on 19th January, 1977, which relates to 9 items covered by seven allegations into which inquiry has been completed. A copy of the Report, along with a Memorandum of the action taken thereon, was laid on the Table of the House, on the 1st April, 1977.

### Arrests under DIR and MISA during Emergency

\*31. PROF. SHIBBANLAL SAKSENA:

SHRI HUKMDEV NARAIN YADAV:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) the number of arrests made since 25th June, 1975 month-wise under DIR and MISA, upto 20th March, 1977;

(b) whether any of them are still in jails; and

(c) if so, the particulars thereof?

THE MINISTER OF HOME AFFAIRS (CHAUDHURY CHARAN SINGH): (a) to (c). Information regarding month-wise arrests under MISA and

the particulars of persons still in detention are being collected from the State Governments/Union Territory Administrations and will be laid on the Table of the House. During the period 25th June, 1975 to 19th March, 1977, 34,630 persons were detained under Maintenance of Internal Security Act. Out of these declarations under section 16A of MISA were made in respect of 28,386 persons and all these have been released on the revocation of emergency proclaimed on 25th June, 1975 on 21st March, 1977.

2. Information in respect of the arrests under DISIR is being collected and will be laid on the Table of the House.

### Maruti Ltd.

\*32. SHRI JYOTIRMOY BOSU: Will the Minister of INDUSTRY be pleased to state:

(a) how many bus bodies and road rollers have been built by Maruti Ltd., Haryana; and

(b) who are the buyers of these bodies?

THE MINISTER OF INDUSTRY (SHRI BRIJLAL VERMA): (a) and (b). The Central Government have not granted any industrial licence or registration to Maruti Limited, Haryana, for the manufacture of bus bodies or road rollers. It is reported by the Directorate of Industries, Haryana, that M/s Maruti Heavy Vehicles (Private) Limited, Haryana, are registered as a small scale unit for the manufacture of road rollers. Since the activities relating to manufacture of road rollers and bus bodies have not been registered/licensed with the Central Government, no production and other statistics in respect of these items are available with the Government of India.

### नजरबन्द व्यक्तियों को निर्वाह भत्ता

\* 33. श्री लक्ष्मी नारायण नायक :

श्री राघव जी :

क्या गृह मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या आन्तरिक सुरक्षा बनाये रखना अधिनियम और भारत रक्षा नियमों के अन्तर्गत नजरबन्द किये गये लोगों के उन परिवारों को, जिनके पास जीविका उपार्जन का कोई साधन नहीं था, सरकार द्वारा कोई निर्वाह भत्ता दिया गया था; और

(ख) यदि हां, तो उसका संक्षिप्त व्यौरा क्या है ?

गृह मंत्री ( चौधरी चरण सिंह ) :

(क) भारत रक्षा तथा आन्तरिक सुरक्षा नियमों में किसी व्यक्ति के निवारक निरोध की व्यवस्था नहीं है। इन नियमों के अधीन गिरफ्तार किये गये व्यक्तियों को निर्वाह भत्ता स्वीकृत करने का कोई प्रावधान नहीं है। आन्तरिक सुरक्षा बनाये रखना अधिनियम, 1971 के अधीन नजरबन्द किये गये व्यक्तियों के बारे में अधिकांश राज्य सरकारों ने नजरबन्द व्यक्तियों के परिवारों का भत्ता स्वीकृत करने के लिए नियम बनाये हैं। उपलब्ध सूचना के अनुसार असम, विहार, गुजरात, हिमाचल प्रदेश, जम्मू व कश्मीर, कर्नाटक, केरल, नागालैण्ड, उड़ीसा, पंजाब, राजस्थान, तमिलनाडु, उत्तर प्रदेश, पश्चिम बंगाल की सरकारों और चण्डीगढ़ प्रशासन ने अतीत में नजरबन्द व्यक्तियों के परिवारों को भत्ता स्वीकृत किया है।

(ख) नजरबन्द व्यक्तियों के परिवारों को भत्ता स्वीकृत करने के सम्बन्ध में विभिन्न राज्य सरकारों द्वारा की गई व्यवस्था के सक्षिप्त व्यौरा का विवरण सदन के पटल पर रखा जाता है। [देखिये संख्या एल० टी० -101/77 ]

### Setting up of a Commission to inquire into excesses during Emergency

\*34. SHRI SAMAR GUHA:

SHRI KANWAR LAL GUPTA:

Will the Minister of HOME AFFAIRS be pleased to state whether Government propose to set up a high-power National Commission to hold public enquiry into the cases of firing, lathi charge and other repressive measures adopted by Government inside and outside prison during Emergency?

THE MINISTER OF HOME AFFAIRS (CHAUDHURY CHARAN SINGH): The Government are aware of the need to inquire into complaints of various misdeeds, malpractices, repressive measures, etc., during the period of the Emergency. The whole matter is under close examination and the Government will make a statement on the floor of the House during the current Session.

### Censorship on Publication of Proceedings of both Houses of Parliament

\*35. SHRI B. C. KAMBLE: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether certain orders were issued by Union Government censoring publication in newspapers of proceedings of both Houses of Parliament and particularly the speeches of the then Opposition members; and

(b) if so, the facts thereof and the authority under which those orders were issued?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI): (a) Yes, Sir.

(b) During the short session of Parliament held in July-August, 1975 pre-censorship was imposed on all proceedings under the orders of the Minister of Information and Broadcasting. Barring statements of Ministers which did not infringe censorship,

no other speeches were allowed to be reported. For the session held in January 1976, pre-censorship was restricted to proceedings which fell within the scope of the Censorship Order. Pre-censorship was completely relaxed from March 1976 but editors and correspondents were asked to abide by certain special guidelines issued by the Chief Censor with the approval of the Ministry of Information and Broadcasting.

### Industries in Haldia Complex

\*36. SHRI SUSHIL KUMAR DHARA: Will the Minister of INDUSTRY be pleased to state:

(a) the time target fixed for the completion of the various industries in the Haldia complex;

(b) the present position of each;

(c) the time by which the various industries will start production and by what time they will reach production optimum; and

(d) the steps being taken to expedite completion of various projects?

THE MINISTER OF INDUSTRY (SHRI BRIJLAL VERMA): (a) to (d). In so far as Ministry of Industry is concerned during the years 1974—76, 14 letters of intents and one industrial licence were issued. These letters of intents and industrial licence are at various stages of completion and it normally takes three to four years for a project to fructify. The authority to extend, cancel and revoke industrial licence and letters of intents issued to entrepreneurs has been delegated to the Administrative Ministries who are responsible for completion and for keeping a watch on the progress of approved project. The detailed information regarding starting and completion of various projects is not readily available.

It is understood that the State Government of West Bengal has obtained

land for the establishment of an industrial estate for small scale industries in Haldia Complex. Construction of sheds in the industrial estate is yet to be started and therefore the establishment of small scale units will start only after the sheds are completed. This is a subject for the State Government and cause of delay in implementation is not known to centre.

### आकाशवाणी और दूरदर्शन को स्वायत्तशासी निगम बनाया जाना

\* 37. श्री ज्ञानेश्वर प्रसाद यादव :  
श्री पी० के० कोदियान :

क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का विचार आकाशवाणी और दूरदर्शन को स्वायत्तशासी निगम में बदलने का है; और

(ख) यदि हां, तो कब तक ?

सूचना और प्रसारण मंत्री ( श्री लाल कृष्ण अडवानी ) : (क) तथा (ख): मामला सरकार के विचाराधीन है।

### आकाशवाणी के कार्यकरण की जांच

\* 38. श्री नवाब सिंह चौहान :

क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का विचार आकाशवाणी के कार्यकरण की जांच करने का है; और

(ख) क्या आकाशवाणी द्वारा आन्तरिक आपात की अवधि के दौरान किये गये कार्यों की भी जांच की जायेगी ?

सूचना और प्रसारण मंत्री ( श्री लाल कृष्ण अडवानी ) : (क) और (ख) मामले में औपचारिक जांच करने का फिलहाल

कोई प्रस्ताव नहीं है। तथापि, आपात स्थिति की अवधि के दौरान लिये गये ऐसे निर्णयों, जो आपातस्थिति पूर्व मानकों के किसी भी प्रकार से विपरीत हैं, का पुनर्विलोकन कर उनमें संशोधन किया जा रहा है।

**News-Items relating to Sanjay Gandhi**

\*39. SHRI R. K. MHALGI: Will the Minister of INFORMATION AND BROADCASTING be pleased to state how many "news-items" relating to Shri Sanjay Gandhi have been released on All India Radio during the period from 1st January, 1976 to 18th January, 1977?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI): One hundred and ninety-two in the Central news bulletins broadcast from Delhi.

**Inquiry into damage to Kidneys of Shri Jayaprakash Narayan**

\*40. SHRI S. KUNDU: Will the Minister of HOME AFFAIRS be pleased to state whether Government have decided to institute an enquiry to find out how the kidneys of Shri Jayaprakash Narayan were damaged during his period of detention in the jail?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH): Government have decided to hold an enquiry into this matter. The exact mode of enquiry and its scope will be determined in consultation with the Ministry of Health and Family Planning.

**Scholarships for Students of Sainik School, Chitorgarh**

51. SHRI O. P. TYAGI: Will the Minister of HOME AFFAIRS be pleased to refer to the reply given to Unstarred Question No. 230 on the 10th

March, 1976 regarding increase in amount of scholarships for students of Sainik School, Chitorgarh and state:

(a) whether the school authorities of Sainik School, Chitorgarh have again asked the parents of students to deposit the balance amount for the year 1975-76 and 1976-77 after the lapse of one year; and

(b) if so, the justification therefor?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH):

(a) Yes, Sir.

(b) According to the information received from the Sainik School, Chitorgarh, the parents of students were asked to remit the difference of amount of fees pending receipt of the same from the Delhi Administration. The money so realised from the parents will, however, be refunded after payment is received from the Delhi Administration. According to the information received from the Delhi Administration, necessary funds have now been arranged by re-appropriation and the payment of additional amount is being authorised.

दिल्ली में सुपर बाजार की शाखाओं में  
लाभ हानि

52. श्री नारायण कृष्ण शेजवलकर : क्या नागरिक पूति और सहकारिता मंत्री यह बताने की कृपा करेंगे कि दिल्ली में गत दो वर्षों में सुपर बाजार की विभिन्न शाखाओं में से प्रत्येक शाखा में कितना-कितना लाभ/हानि हुआ ?

वाणिज्य तथा नागरिक पूति और सहकारिता मंत्री (श्री मोहन धारिया) : कोआपरेटिव स्टोर लि०, (सुपर बाजार), दिल्ली ने केन्द्रीकृत लेखा विधि अपनायी है, जिसमें शाखावार लाभ हानि की स्थिति नहीं दर्शायी जाती। सहकारिता वर्ष 30 जून, को समाप्त होता है, अतः पिछले



दो पूर्ण सहकारिता वर्ष 1974-75 और 1975-76 हैं। वर्ष 1974-75 और 1975-76 के लेखाओं की अभी लेखा परीक्षा चल रही है। अन्तिम कच्चे लेखाओं के अनुसार, सुपर बाजार ने वर्ष 1974-75 और 1975-76 में क्रमशः लगभग 4.46 लाख ६० और 7.26 लाख रुपये का शुद्ध लाभ कमाया है।

**मध्य प्रदेश में "आंसुका" (मीसा) के अधीन बन्दी**

53. श्री मोहन भैया : क्या गृह मंत्री यह बताने की कृपा करेंगे कि :

(क) आपात स्थिति के दौरान "आंसुका" के अधीन मध्य प्रदेश में कितने व्यक्ति गिरफ्तार किये गये ;

(ख) उनमें कितने राजनैतिक तथा कितने कितने व्यक्ति आर्थिक अपराधों तथा अन्य कारणों से गिरफ्तार किये गये ;

(ग) कितने "आंसुका" बन्दी जेलों में मृत्यु को प्राप्त हुए ;

(घ) किन-किन जेलों से लाठी-चार्ज किया गया और क्या इस सम्बन्ध में कोई न्यायिक जांच की गई ; और

(ङ) यदि हां, तो उसके क्या परिणाम निकले ?

**गृह मंत्री (चौधरी चरण सिंह) :**

(क) 25 जून, 1975 से 19 मार्च, 1977 तक की अवधि में मध्य प्रदेश राज्य में आन्तरिक सुरक्षा बनाये रखना अधिनियम, 1971 के अधीन 5550 व्यक्ति नजरबन्द किये गये थे।

(ख) से (ङ) : राज्य सरकार से सूचना एकत्रित की जा रही है और सदन के पटल पर रख दी जाएगी।

### **Maharashtra-Karnataka boundary dispute**

54. SHRI ANNASAHEB GOT-KHINDE: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the broad outlines of the efforts that are intended to be made by the Government to evolve a satisfactory solution of the long standing Maharashtra-Karnataka boundary dispute; and

(b) whether Government intend to lay any time limit to solve the same?

**THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH):**

(a) and (b). The whole matter has still to be viewed by present Government. At this stage, it is difficult to give an outline of the efforts proposed to be taken or to set a time limit for reaching a satisfactory solution. The endeavour of Government will be to settle the matter as early as possible.

### **Allotment of House Sites in Andamans**

55. SHRI MANORANJAN BHAKTA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government propose to allot house sites to houseless industrial workers and agricultural land to landless Kisans and workers in Andamans; and

(b) if so, the criteria of allotment and when it will be done?

**THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH):**

(a) and (b). A good number of house sites have been allotted to house-less persons in Andamans. Most of such persons are industrial workers.

(b) Agricultural land is allotted under the provisions contained in the Andaman & Nicobar Islands Land Revenue and Land Reforms Regulation and rules framed thereunder. At present there is no cultivable land available in the Islands.

### मध्य प्रदेश में सीमेंट कारखाने

56. श्री सुखेन्द्र सिंह : क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या मध्य प्रदेश में सीमेंट कारखानों की स्थापना करने के सम्बन्ध में कोई निर्णय किया गया है ;

(ख) यदि हां, तो कितने स्थानों पर इनकी स्थापना की जायेगी ; और

(ग) मैहर सतना जिले में जो सीमेंट का कारखाना स्थापित किया जाना है उसको वर्तमान स्थिति क्या है ?

उद्योग मंत्री (श्री बृजलाल वर्मा),

(क) और (ख) . जी, हां। भारतीय सीमेंट निगम मध्य प्रदेश में सीमेंट के दो कारखाने—एक अकलतरा (जिला बिलासपुर में) और दूसरा नीमच (जिला मंदसौर में) लगा रहा है। वे विद्यमान मांढर (जिला रायपुर) एकक का विस्तार भी कर रहे हैं। निजी क्षेत्र (प्राइवेट सेक्टर) में मे० सेन्चुरी सीमेंट लि० को मोहर (जिला सतना) में सीमेंट का एक एकक स्थापित करने के लिए लाइसेंस प्रदान किया गया है। मे० मैसूर सीमेंट लि० को भी नरसिंह में एक सीमेंट संयंत्र स्थापित करने के लिए आशय पत्र स्वीकार किया गया है।

(ग) से० सेन्चुरी सीमेंट लि० ने खनन पट्टे प्राप्त करने, भूमि का अधिग्रहण करने, बिजली और पानी के संभरण (सप्लाई) के लिए व्यवस्था करने और माल लाने ले जाने के सम्बन्ध में रेलवे से स्वीकृति प्राप्त करने सम्बन्धी प्रारम्भिक आवश्यक अभ्युपाय पहले ही कर लिये हैं। यह भी समझा जाता है कि संयंत्र और मशीनों के लिए क्रयदेश भी दिए जा चुके हैं।

### Drinking Water to Backward Classes in West Bengal

57. DR. BIJOY MONDAL: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether any amount has been allotted to West Bengal for supply of drinking water to villages inhabited by Harijans, Adivasis and other backward communities; and

(b) if so, the amount allotted in the year 1976-77 and the number of villages covered?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH): (a) and (b). There is no Central Scheme for supply of drinking water to villages inhabited by Harijans, Adivasis and other backward communities. However, under the Minimum Needs Programme of the State Sector, an amount of Rs. 245 lakhs has been provided for rural water supply programme for the year 1976-77. This will cover all the rural areas of the State including those inhabited by Harijans, Adivasis and other backward communities. In addition, a Special Central Assistance of Rs. 6,58,455 has been allotted during 1976-77 for rural water supply covering 257 villages in tribal sub-plan areas of the State.

### विमान दुर्घटनाओं में मारे गये व्यक्ति

58. श्रीमती चन्द्रावती : क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या हिसार रेलवे लाइन पर ऊपरी पुल के उद्घाटन के अवसर के लिए हरियाणा के राज्यपाल स्व० श्री वी० एन० चक्रवर्ती पर विमान से पुष्प वर्षा करने सम्बन्धी पूर्वाभ्यास के दौरान कितने विमान दुर्घटनाग्रस्त हुए और कितने व्यक्ति मारे गये;

(ख) क्या उक्त घटना की कोई जांच की गई थी; और

(ग) पूर्वाभ्यास के दौरान मारे गये कर्मचारियों को कितना मुआवजा दिया गया ?

रक्षा मंत्री ( श्री जगजीवन राम ) :

(क) रक्षा सेवाओं का कोई विमान उक्त अवसर पर किसी दुर्घटना में सम्मिलित नहीं था ।

(ख) प्रश्न नहीं उठता ।

(ग) प्रश्न नहीं उठता ।

#### Projects in Kerala

59. DR. HENRY AUSTIN: Will the Minister of INDUSTRY be pleased to state:

(a) whether Government are aware of the project launched by the Government of Kerala to start atleast one industry in one District; and

(b) whether the Government of India propose to give liberal support to the Government of Kerala to implement the project speedily?

THE MINISTER OF INDUSTRY (SHRI BRIJLAL VERMA): (a) The Ministry is not aware of the particular scheme referred to by the Hon'ble Member. The details of the scheme have been called for from the State Government.

(b) The question of giving assistance to the State Government will be considered on receipt of the necessary details from the State Government.

#### Alleged beating of voters in Dendallow Village in Andhra Pradesh

60. SHRI K. SURYANARAYANA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government are aware that some Scheduled Caste Harijan

voters were beaten by some group of people during polling time on the 16th March, 1977 at Dendallow village in Eluru parliamentary constituency No. 11 in Andhra Pradesh and also they were admitted in the hospital; and

(b) if so, the action taken by Government in the matter?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH):

(a) and (b). The name of the village is Dendalur and not Dendallow. According to information received from Andhra Pradesh Government, at about 3.00 p.m. on 16th March, 1977 there was a clash between Congress and Janata Party Supporters. 8 Congress supporters received injuries of whom 7 are Harijans. One of the injured is still in the Hospital and the remaining 7 were discharged after treatment. A case has been registered and investigation is underway. 15 persons belonging to Janata Party have been arrested while one person is absconding.

#### Censorship on Films

61. SHRI SOUGATA ROY: Will the Minister of INFORMATION AND BROADCASTING be pleased to state the Government's thinking with regard to censorship, particularly kissing and nudity in films?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI): It has been the policy of Government to enforce censorship as laid down in the Cinematograph Act, 1952 and the Rules and Directions issued thereunder. As regards kissing and nudity, vulgar or indecent scenes of an offending nature are not permitted. While a sex theme by itself is not prohibited, its treatment should be aesthetic and sensitive so that generally people do not feel offended by the manner of its depiction.

### Report of Sarkaria Commission

62. SHRI O. V. ALAGESAN: Will the PRIME MINISTER be pleased to state:

(a) whether Government propose to lay a copy of the Report of the Sarkaria Commission of Inquiry, so far submitted by them on the Table of the House;

(b) whether Government propose to extend its term beyond 1st February, 1977 so that it may enquire into all the remaining allegations and submit reports thereon; and

(c) whether the Central Government propose to direct the Government of Tamil Nadu to take necessary follow-up action quickly?

THE PRIME MINISTER (SHRI MORARJI DESAI): (a) to (c). A copy of the First Report, submitted by the Sarkaria Commission of Inquiry on 19th January, 1977, which relates to 9 items covered by seven allegations into which inquiry has been completed so far, was laid on the Table of the House on the 1st April, 1977, along with a Memorandum of the action taken thereon. The term of the Commission, which was due to expire on 1st February, 1977, has been extended upto 31st January, 1978.

### Idukki Hydro Electric Project

63. SHRI K. A. RAJAN: Will the Minister of ENERGY be pleased to state:

(a) the present stage of the construction work of Idukki Hydro Electric Project in Kerala;

(b) the present generating capacity of the said project;

(c) whether sufficient funds have been allotted for the project during the current year; and

(d) if so, the facts thereof?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) to (d). The three Generating Units of 130 MW each of the Idukki Hydro Electric Project-Stage-I have been commissioned. All the civil engineering works of the project, except the erection of crest gates of the Cheruthoni Dam which is in hand, have been completed.

For the year 1977-78, the State authorities have indicated that the limited quantum of payments in respect of certain balance items would be made through adjustments against advances and recoveries. No outlay is, therefore, being provided for the current year.

### Coal India Limited

64. SHRI M. KALYANASUNDARAM: Will the Minister of ENERGY be pleased to state:

(a) whether the Coal India Limited has opened its own distribution channels in some States;

(b) if so, the names of those States;

(c) in how many States private distribution of coke is going on; and

(d) have Government taken a decision to open CIL owned shops to sell hard coke?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) and (b). Yes, Sir. Coal India has undertaken distribution of Soft Coke and Slack Coal in the Union Territory of Delhi and eight districts of Uttar Pradesh.

(c) In other States and the remaining districts of Uttar Pradesh, distribution of Soft Coke is done through agents and depot holders under the regulation of the State Governments.

(d) No, Sir.

**Newsprint Project in Kottayam District**

65. SHRI SKARIAH THOMAS: Will the Minister of INDUSTRY be pleased to state:

(a) the progress made in the setting up of the Newsprint project in Kottayam District;

(b) whether Government propose to give preferential employment to the relatives of the land and field owners from whom the land has been acquired for the project; and

(c) the amount so far spent for the project and when it is likely to be completed?

THE MINISTER OF INDUSTRY (SHRI BRIJLAL VERMA): (a) The Hindustan Paper Corporation Limited have acquired the land for the project and site levelling is almost complete. Arrangements for the supply of raw materials and provision of infrastructural facilities have been made. The Corporation have engaged consultants for carrying out the design and engineering. Civil works are in progress and orders for long delivery items have also been placed.

(b) Yes, Sir. There are standing instructions of the Government with regard to provision of employment to members of families displaced as a result of acquisition of land.

(c) Rs. 16.14 crores. The project is scheduled to be completed by October, 1978.

**Heavy Industries in Dharmapuri District**

66. SHRI K. RAMAMURTHY: Will the Minister of INDUSTRY be pleased to state:

(a) whether the Dharmapuri District in Tamil Nadu has been declared as backward District;

(b) whether there is any proposal to start heavy industries there; and

(c) if so, the nature of industries?

THE MINISTER OF INDUSTRY (SHRI BRIJLAL VERMA): (a) The Dharmapuri District in Tamil Nadu State has been declared as industrially backward to qualify for concessional finance from the financial institutions for setting up industries. Further, 7 taluks of the Dharmapuri District viz., Dharmapuri, Palacode, Hosur, Denkanikottah, Krishnagiri, Uthangaraj and Harur have been selected to qualify for the investment subsidy under the 'Central Outright Grant/Subsidy Scheme, 1971' for setting up of new units in the industrially backward areas.

(b) and (c). There is no proposal at present, to start heavy industries in the Central Sector in the Dharmapuri District. Three parties have been given licences to set up textile machinery manufacturing units in the private sector in this District.

**Price-Tagging Scheme**

67. SHRI K. T. KOSALRAM: Will the Minister of CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether the scheme of price-tagging under which all consumer and other goods are required to be available with price-tags has been given up;

(b) if so, whether it is being enforced in Tamil Nadu;

(c) the measures he proposes to take for the uniform enforcement of this scheme throughout India; and

(d) whether he is aware that the price-tagging has been removed by shopkeepers in Tamil Nadu after the General Elections?

THE MINISTER OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI MOHAN DHARIA): (a) No, Sir.

(b) The scheme of price-tagging under the Tamil Nadu (Display of

Stocks, Prices and Maintenance of Accounts) Order continues to be enforced.

(c) The scheme for displaying prices and stocks remains in force in all the States.

(d) No general violation of the Order has come to notice in Tamil Nadu after the General Elections. Individual cases of violation have been dealt with under law in March, 1977 as in the previous months.

### श्री संजय गांधी के दौरों पर खर्च

68. श्री हुक्म देव नारायण यादव : क्या गृह मंत्री यह बताने की कृपा करेंगे कि :

(क) जुलाई, 1975 से जनवरी, 1977 तक संजय गांधी के दौरों पर और उनकी सभाओं के आयोजन पर राज्यवार कितनी धनराशि खर्च की गई और उस खर्च का भार किसने वहन किया ?

(ख) उन्होंने किस अधिकार से और किसकी अनुमति से सरकारी हवाई जहाजों का उपयोग किया तथा उन्होंने सरकारी संस्थाओं का शिलान्यास एवं उद्घाटन किसकी अनुमति से किया ; और

(ग) आपात स्थिति के दौरान उन्होंने जो राष्ट्र विरोधी काम किया था क्या सरकार का विचार इसकी जांच कराने का है, यदि हां, तो कब तक ?

गृह मंत्री ( चौधरी चरण सिंह ) :

(क) और (ख) : राज्य सरकारों और संघ राज्य क्षेत्र प्रशासनों से सूचना एकत्रित की जा रही है ।

(ग) आपात स्थिति के दौरान की गई ज्यादतियों, दुष्कर्मों और कदाचारों की जांच करने का प्रश्न सदन में श्री ज्योतिर्मय

बसु द्वारा रखे गये एक गैर सरकारी सदस्य के संकल्प में उठाया जा चुका है । सरकार इस मामले पर विचार कर रही है और इस प्रश्न पर सदन के चालू सत्र में एक वक्तव्य दिया जायेगा ।

### Industry in Chittoor District

69. SHRI P. RAJAGOPAL NAIDU: Will the Minister of INDUSTRY be pleased to state:

(a) whether Government are starting any heavy industry in Chittoor District in the State of Andhra Pradesh; and

(b) if so, the date ?

THE MINISTER OF INDUSTRY (SHRI BRIJLAL VERMA): (a) and (b). No provision has been made in the Fifth Five Year Plan for setting up any heavy industry in the Central Sector in Chittoor district in the State of Andhra Pradesh.

### Election of Delegates in the Central Government Employees Consumer Co-operative Society Ltd., New Delhi

70. SHRI SHEO SAMPAT: Will the PRIME MINISTER be pleased to state:

(a) whether the bye-laws of the Central Government Employees Consumer Co-operative Society Ltd., New Delhi provide that in a constituency formed by the Board of Directors, delegates are elected by members in a ratio of one delegate for every 500 members or any part thereof;

(b) whether the Board of Directors of the Society have for the election of delegates during 1977, decided that two delegates in a constituency shall be allowed to be elected only when the number of members of the Society there are 750 or more; and

(c) if so, the particular reasons therefor and whether the approval of Registrar of Cooperative Societies has since been sought for such an amendment in bye-laws?

THE PRIME MINISTER (SHRI MORARJI DESAI): (a) Yes, Sir.

(b) Yes, Sir.

(c) The Board was advised that no amendment of the bye-laws was involved and so the question of referring this particular issue to the Registrar Cooperative Societies did not arise. The decision has been given on the practical consideration of keeping the number of delegates within reasonable limits.

#### Raman Hydel Project

71. SHRI K. B. CHETTRI: Will the Minister of ENERGY be pleased to state:

(a) whether it is a fact that the Raman Hydel Project has been cleared by the Planning Commission;

(b) if so, what is the total amount involved; and

(c) how long it will take to complete the project?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) No, Sir. Approval for sanctioning the Raman Hydro-electric project is under consideration of the Government.

(b) and (c). Does not arise at this stage.

#### कच्छ में आप्रवासियों को भारतीय नागरिकता प्रदान करना

72. श्री अनन्त बबे : क्या गृह मंत्री यह बताने की कृपा करेंगे कि :

(क) सोडा समुदाय के उन लोगों का जो भारत-पाक युद्ध के बाद कच्छ में

आ गये थे, भारतीय नागरिकता प्रदान न किये जाने के क्या कारण हैं; और

(ख) क्या उन्होंने इस बारे में सरकार से अनेक बार अनुरोध किया था ; और यदि हां, तो उन अनुरोधों पर सरकार का क्या कार्यवाही करने का विचार है ?

गृह मंत्री ( चौधरी चरण सिंह ) : (क) और (ख). सोडा समुदाय के व्यक्तियों से कुछ अभ्यावेदन प्राप्त हुए थे जिनमें भारतीय नागरिकता प्रदान करने के लिए अनुरोध किया गया था। सभी पहलुओं पर विचार करने पर उनको यह सुविधा प्रदान करना उपयुक्त नहीं समझा गया। आशा की जाती है कि पाकिस्तान सरकार आवश्यक परिस्थितिय बना कर उपयुक्त उपाय करेगी ताकि प्रभावित व्यक्ति सुरक्षा और सम्मान के साथ अपने घरों को लौट सकें।

#### बिहार में केन्द्रीय रिजर्व पुलिस भेजा जाना

73. श्री चन्द्रदेव प्रसाद वर्मा : क्या गृह मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या बिहार में काफी संख्या में केन्द्रीय रिजर्व पुलिस भेजी गई थी; और

(ख) यदि हां, तो उनकी संख्या कितनी थी और उसकी उपयोगिता क्या थी ?

गृह मंत्री ( चौधरी चरण सिंह ) : (क) और (ख). लोक सभा के हाल के चुनाव कराने की घोषणा से पहले केन्द्रीय रिजर्व पुलिस की 4 बटैलियन बिहार सरकार को उनके अनुरोध पर विधि और व्यवस्था बनाये रखने में उनकी मदद करने के लिए उपलब्ध कराई गई थी। चुनाव के दौरान

विधि और व्यवस्था बनाये रखने के लिए राज्य सरकार के अनुरोध पर केन्द्रीय रिजर्व पुलिस की अतिरिक्त 2½ बटालियन उपलब्ध की गई थी। इन अतिरिक्त बटालियनों को वापिस बुला लिया गया है और इस समय केन्द्रीय रिजर्व पुलिस की चार बटालियन राज्य सरकार के पास है।

### बिहार के विकास के लिये पांचवीं योजना में नियतन

74. श्री युवराज : क्या योजना मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या केन्द्रीय सरकार ने बिहार के योजनाबद्ध विकास के लिए पांचवीं पंचवर्षीय योजना में धनराशि का नियतन किया है ;

(ख) यदि हां, तो कितनी; और

(ग) इस राज्य की जनसंख्या और पिछड़ेपन को ध्यान में रखते हुए सरकार का इस राज्य को कब तक सहायता देने का विचार है ?

प्रधान मंत्री ( श्री मोरारजी देसाई ) :

(क) से (ग) : पांचवीं पंचवर्षीय योजना को अन्तिम रूप देने के लिए 24 और 25 सितम्बर, 1976 को नई दिल्ली में हुई राष्ट्रीय विकास परिषद् की बैठक में सभी राज्यों की योजना के आकार को अन्तिम रूप दिया गया था। पांच वर्षों की सम्पूर्ण अवधि के लिए बिहार राज्य का परिव्यय 1,296.06 करोड़ रुपये है। राज्यों को केन्द्रीय सहायता का आवंटन सभी राज्यों द्वारा स्वीकार किए गए फार्मुले के आधार पर किया जाता है और ऐसा करते समय न केवल जनसंख्या, प्रति व्यक्ति आय के अनुसार प्रकट किए गए पिछड़ेपन का ही ध्यान रखा जाता है, बल्कि सम्बन्धित राज्यों द्वारा संसाधन जुटाने के लिए किए

गये प्रयासों और उनकी विशेष समस्याओं का भी ध्यान रखा जाता है।

### आपात स्थिति के दौरान मध्य प्रदेश में गिरफ्तार किये गये कार्यकर्ता

75. श्री निर्मल चन्द्र जैन : क्या गृह मंत्री यह बताने की कृपा करेंगे कि :

(क) 25-26 जून, 1975 को आपात स्थिति लागू होने पर केन्द्र सरकार द्वारा मध्य प्रदेश सरकार अथवा उसके अधिकारियों को किन श्रेणियों के कार्यकर्ताओं को गिरफ्तार करने के आदेश भेजे गये थे; और

(ख) क्या गिरफ्तारी सम्बन्धी उक्त आदेश अथवा अन्य आदेश अभी भी उपलब्ध हैं ?

गृह मंत्री ( चौधरी चरण सिंह ) :

(क) जून, 1975 में आपात स्थिति की उद्घोषणा के समय, गिरफ्तार किए जाने वाले सरकारी अधिकारियों की श्रेणियों का ठीक ठीक उल्लेख करते हुए मध्य प्रदेश सरकार को कोई आदेश जारी नहीं किए गये थे।

(ख) प्रश्न नहीं उठता है।

### Inquiry into atrocities on Political Prisoners in Jails during Emergency

76. SHRI HARIVISHNU KAMATH: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government propose to institute a public independent inquiry into the atrocities perpetrated on political prisoners in various jails during the period of Emergency, from June 26, 1975 to date; and

(b) if so, when, and its terms of reference ?



THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH): (a) and (b). The Government are aware of general complaints of this nature. A decision as to whether an inquiry should be held and the manner in which the inquiry should be made in respect of any particular case, will be taken, on merits of the case if specific complaints are brought to Government's notice.

**“आंसुका” की धारा 16-क के अधीन राजनैतिक बन्दी**

77. श्री उपसेन : क्या गृह मंत्री यह बताने की कृपा करेंगे कि :

(क) 26 जून, 1975 को आपात स्थिति की घोषणा के बाद से 31 जनवरी, 1977 तक “आंसुका” (मीसा) की धारा 16-क के अधीन राज्य सरकारों द्वारा विभिन्न राजनैतिक दलों के कितने व्यक्ति गिरफ्तार किये गये ;

(ख) उनमें से कितने व्यक्ति अभी तक जेलों में बन्द हैं; और

(ग) वर्ष 1975-76 से 31 जनवरी, 1977 तक कितने राजनैतिक बन्दीयों की जेलों में मृत्यु हो गई और उनमें से प्रमुख आदमियों के नाम क्या हैं ?

गृह मंत्री (चौधरी चरण सिंह) :

(क) 29 जनवरी, 1977 को विभिन्न राजनैतिक दलों के 2861 व्यक्ति और जिनके मामलों में आन्तरिक सुरक्षा बनाये रखना अधिनियम, 1971 की धारा 16क लागू की गई थी, नजरबन्द थे। राज्यवार ब्यौरा संलग्न विवरण में दिया गया है।

आन्तरिक सुरक्षा बनाये रखना अधिनियम, 1971 की धारा 16-क के अधीन 26 जून, 1975 से 31 जनवरी, 1977

तक की अवधि के दौरान नजरबन्द किये विभिन्न राजनैतिक दलों के व्यक्तियों की संख्या के बारे में सूचना राज्य सरकारों से एकत्रित की जा रही है और सद. के पटल पर रख दी जायेगी।

(ख) 25 जून, 1975 को लागू की गई आपातस्थिति के हटाये जाने से आन्तरिक सुरक्षा बनाये रखना अधिनियम, 1971 की धारा 16-क समाप्त हो गई है। अधिनियम की इस धारा के अधीन नजरबन्द किये गये सभी व्यक्ति नजरबन्दी से रिहा कर दिये गये हैं।

(ग) राज्य सरकारों से सूचना एकत्रित की जा रही है और सदन के पटल पर रख दी जायेगी।

**विवरण**

क्र० सं०	राज्य / संघ क्षेत्र का नाम	राज्य नजरबन्दीयों की संख्या
1.	आंध्र प्रदेश	19
2.	असम	13
3.	बिहार	230
4.	गुजरात	17
5.	हरियाणा	45
6.	हिमाचल प्रदेश	—
7.	जम्मू व कश्मीर	15
8.	कर्नाटक	20
9.	केरल	34
10.	मध्य प्रदेश	846
11.	महाराष्ट्र	697
12.	मणिपुर	—
13.	मेघालय	1

विवरण		
क्रम० सं०	राज्य/संघ राज्य क्षेत्र का नाम	राजनैतिक नजरबन्दियों की संख्या
14	नागालैण्ड	1
15	उड़ीसा	37
16	पंजाब	22
17	राजस्थान	3
18	सिक्कम	—
19	तमिलनाडु	61
20	त्रिपुरा	18
21	उत्तर प्रदेश	68 1
22	पश्चिमी बंगाल	31
23	अरुणाचल प्रदेश	—
24	अण्डमान व निकोबार द्वीप समूह	2
25	चण्डीगढ़	1
26	दादरा व नगर हवेली	—
27	दिल्ली	44
28	गोवा दमन व दीव	9
29	लक्षदीप	—
30	मिजोरम	12
31	पांडिचेरी	—
32	केन्द्रीय सरकार	2
	जोड़	2861

“मीसा” के अन्तर्गत बन्दी राजनैतिक  
व्यक्तियों के परिवारों को निर्वाह  
भत्ता

78. श्री छबिराम अर्गल :  
श्री बशीर अहमद :  
श्री उपसेन :

क्या गृह मंत्री यह बताने की कृपा  
करेंगे कि :

(क) ‘मीसा’ में बन्दी राजनैतिक  
दलों से सम्बद्ध व्यक्तियों के परिवारों को  
किन किन राज्यों में निर्वाह भत्ता दिया गया  
तथा किन-किन राज्यों में ऐसा भत्ता नहीं  
दिया गया ;

(ख) कितने व्यक्तियों को कितना-  
कितना मासिक भत्ता दिया गया और राज्यों  
द्वारा निर्वाह भत्ता देने पर कुल कितनी  
राशि व्यय की गई; और

(ग) किस किस राज्य में निर्वाह  
भत्ते के लिए किया गया अनुरोध स्वीकार नहीं  
किया गया ?

गृह मंत्री ( चौधरी चरण सिंह ) :

(क) से (ग) राज्य सरकारों से सूचना  
एकत्रित की जा रही है और सदन के पटल  
पर रख दी जायेगी ।

#### Pending Applications from Kerala

79. SHRI K. KUNHAMBU: Will  
the Minister of INDUSTRY be pleas-  
ed to state:

(a) the total number of licence  
applications from Kerala pending  
sanction with the Ministry; and

(b) the steps taken to clear these  
applications ?

THE MINISTER OF INDUSTRY  
(SHRI BRIJLAL VERMA): (a) and

(b). Out of the industrial licence  
applications for Kerala received till  
31st March, 1977, 14 applications are

pending. Various considerations such as availability of infrastructure, raw materials, know-how, demand, capacity installed etc., are kept in view while taking decisions on industrial licence applications. Every effort is being made to dispose of the pending applications as expeditiously as possible.

**Use of I.A.F. Planes by former Minister in the Military of Defence**

80. SHRI GANANATH PRADHAN: Will the Minister of DEFENCE be pleased to state:

(a) the number of times Shri J. B. Patnaik, former Minister of State for Defence had used the Air Force Plane during January, 1976 to March 15, 1977; and

(b) the purpose of his journeys and the places of his visit?

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM): (a) Shri J. B. Patnaik, former Raksha Rajya Mantri on indent was provided 64 sorties in IAF VIP aircraft during the period 1st January, 1976 to 15th March, 1977.

(b) The places visited by Shri J. B. Patnaik are given in the statement laid on the Table of the House. (Placed in Library. See No. LT-102/77). The exact purpose of the visit is not known. However, in the passenger manifests rendered by the Secretariat of the former Minister the purpose of all the journeys has been certified as official.

**Setting up of a Broadcasting Station in Vidarbha Region**

81. SHRI VASANT SATHE: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether Government of Maharashtra have sent a proposal to set

up a broadcasting station in Vidarbha region during the Fifth Plan; and

(b) the action taken or proposed to be taken in the matter?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI): (a) Yes, Sir.

(b) The Vidarbha region of Maharashtra is already within the primary service range of existing All India Radio stations in the State. There are no immediate proposals to set up any new station in this region.

**Sick Small Scale Industrial Units**

82. SHRI VASANT SATHE: Will the Minister of INDUSTRY be pleased to state:

(a) the number of sick small scale industrial units in the country, state-wise;

(b) whether the question of sick units has assumed a serious proportion; and

(c) the steps proposed to be taken by Government in this regard?

THE MINISTER OF INDUSTRY (SHRI BRIJLAL VERMA): (a) and (b). The Census of Small Scale Industries revealed that 12151 units were sick in 1972. State-wise their number is given in the attached statement. No census of small scale units has been undertaken since then.

(c) There are State level Coordination Committees under the Chairmanship of Secretary (Industries) of the State Government for analysing the cases of sick units and for providing necessary assistance to these units. The Director of Small Industries Service Institutes are Member-Secretaries of these Committees.

## Statement

S. No.	Name of the State	No. of sick units in 1972 according to Census of small Scale Industries
1.	Andhra Pradesh	726
2.	Assam	269
3.	Bihar	512
4.	Gujarat	1116
5.	Haryana	737
6.	Himachal Pradesh	250
7.	Jammu & Kashmir	142
8.	Kerala	424
9.	Karnataka	298
10.	Madhya Pradesh	572
11.	Maharashtra	958
12.	Manipur	23
13.	Meghalaya	16
14.	Nagaland	4
15.	Orissa	162
16.	Punjab	686
17.	Rajasthan	620
18.	Sikkim	
19.	Tamil Nadu	1332
20.	Tripura	41
21.	Uttar Pradesh	465
22.	West Bengal	2401

S. No.	Name of Union Territories	No of sick units in 1972 according to Census of S.S.I
1.	Andaman & Nicobar Islands	..
2.	Arunachal Pradesh	..
3.	Chandigarh	32
4.	Dadra & Nagar Haveli	8
5.	Delhi	187
6.	Goa, Daman & Diu	94
7.	Lakshadweep	
8.	Mizoram	
9.	Pondicherry	66
		-----
		12151

## Grant of Pension to Freedom Fighters

83. PROF. SHIBBAN LAL SAKSENA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the total number of freedom fighters who had applied (i) for pension and (ii) for other assistance to the Central Government during each of the years since the inception of the scheme and the number of freedom fighters whose applications were granted by Central Government, the number of applications which were rejected and the number of those which are still pending, State-wise and reasons therefore; and

(b) the total amount of money paid as pension to freedom fighters in each of the years since its inception?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH): (a) (i) Statements I to V showing the total number of applications received, sanctioned and rejected State-wise for the years 1972-73 to 1976-77 laid on the Table of the House. [Placed in Library. See No. LT-103/77]. On 31st March, 1977, 607 cases were pending disposal from the following States:—

1. Andhra Pradesh	6
2. Bihar	567
3. Kerala	34
	—
Total:	607
	—

These applications have been received recently and are being examined. 40184 applications have been filed for want of adequate evidence.

(a) (ii) So far as other assistance is concerned, the same is being given from the Home Minister's Discretionary Grant in eligible cases. A statement (at appendix—VI) showing the number of freedom fighters given assistance out of this grant State-wise and year-wise is laid on the Table of the House. [Placed in Library. See No. LT-103/77].

(b) The expenditure incurred on the freedom fighters pension scheme since its inception is as follows:

Years	Actual expenditure (Rs. in cr. res.)
1. 1972-73	0.63
2. 1973-74	16.32
3. 1974-75	22.96
4. 1975-76	24.11
5. 1976-77	25.00
	(Anticipated)

#### Amendment of Codes of Civil and Criminal Procedure

84. SHRI BASHIR AHMAD: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government propose to repeal the latest amendments made to the Code of Civil Procedure and to Section 125 of the Criminal Procedure Code; and

(b) if so, the broad outlines thereof?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH): (a) No, Sir.

(b) Does not arise.

#### Withdrawal of Cases against Detenus under D.I.R.

85. SHRI BASHIR AHMAD: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government propose to issue directives to State Governments to immediately communicate to the Centre the particulars of the detenus under D.I.R.; and

(b) whether Government propose to issue a directive to withdraw all such cases launched during emergency?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH): (a) and (b). The Government have not called for particulars of cases in which action has been taken under DISIR, but instructions have been issued requesting the State Governments and U.T. Administrations to review all such cases with a view to withdrawing action in all cases excepting those arising out of economic offences or violent acts. The instructions cover even those convicted to serve sentences awarded by Courts and the State Governments/Union Territory Administrations have been advised to remit the unserved sentences of all those convicted of offences

under DISIR during the emergency except economic offenders and those involved in violent acts.

**ऊर्जा का उत्पादन और मांग**

86. श्री नारायण कृष्ण शेजवलकर : क्या ऊर्जा मंत्री यह बताने की कृपा करेंगे कि :

(क) गत दो वर्षों में ऊर्जा के उत्पादन और उसकी मांग में कितनी वृद्धि हुई ; और

(ख) मांग की तुलना में उत्पादन कितना कम रहा ?

**ऊर्जा मंत्री ( श्री पी० रामचन्द्रन ) :**

(क) और (ख) पिछले तीन वर्षों के दौरान विद्युत् ऊर्जा की निवल मांग तथा उत्पादन केन्द्र बस बार पर विद्युत् उत्पादन तथा उसके मुकाबले विद्युत् में कमी नीचे दी जाती है। 1974-75 से 1975-76 में तथा 1975-76 से 1976-77 में मांग और उत्पादन में हुई वृद्धि की प्रतिशतता भी नीचे दी जाती है :—

(सभी आंकड़े मिलियन यूनिटों में दिए गए हैं)

	मांग	मांग में वृद्धि की प्रतिशतता	उत्पादन	उत्पादन में वृद्धि की प्रतिशतता	कमी
1974-75	80255	4.05	65546	13.8	14709
1975-76	83508		74609		8899
1976-77	88482	5.09	83266	9.61	5216

**Payment of Pension to Freedom Fighters**

87. SHRI ANNASAHEB GOTKHINDE: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the monthly and annual expenditure being incurred by the Government on payment of pension to freedom fighters; and

(b) the State-wise figures of bogus pensioners that have come to the notice of Government so far and the action taken against them?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH): (a) The figures of annual

expenditure on payment of pension to freedom fighters are as under:—

Year	Actual expenditure
	(Rs. in crores)
1972-73	0.63
1973-74	16.32
1974-75	22.96
1975-76	24.11
1976-77	25.00 (anticipated)

The average monthly expenditure during the year 1976-77 is about 2.01 crores.

(b). Complaints have been received against individual freedom fighters that they have managed or are trying to get pension by furnishing incorrect and false information/evidence. Such complaints are examined promptly with reference to the available records and in doubtful cases a reference is made to the State Government concerned for verification and early report. In cases, where there is a strong presumption that the freedom fighter is not entitled to get pension, action is taken immediately to suspend the pension pending further investigation. If on completion of the enquiry, the pension is found to be wrongly obtained, it is cancelled and necessary action regarding recovery is taken. Where it is found that the person concerned adopted fraudulent means to obtain pension, State Governments are asked to consider the desirability of prosecuting the person concerned.

A statement showing the number of complaints received, cases in which pension has been suspended, number of cases in which pension has been stopped or restored and the number of cases pending disposal statewide is laid on the Table of the House. [Placed in Library. See No. LT-104/77].

#### Set up in Andaman & Nicobar Islands

88. SHRI MANORANJAN BHAKTA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government propose to provide popular set up in the Union Territory of Andaman & Nicobar Islands; and

(b) if so, what will be the pattern?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH): (a) and (b). The Government has yet to take a decision in the matter.

#### Industries in Andaman and Nicobar Islands

89. SHRI MANORANJAN BHAKTA: Will the Minister of INDUSTRY: be pleased to state:

(a) whether Government propose to set up more industries in the backward areas; and

(b) if so, whether any special consideration will be given to the entrepreneurs to set up industries in Andaman and Nicobar Islands?

THE MINISTER OF INDUSTRY (SHRI BRIJLAL VERMA): (a). Yes, Sir.

(b) The Andaman and Nicobar Islands have been declared as an industrially backward area and special incentives like financial assistance on concessional terms, relief in income-tax, free technical consultancy services, subsidy on fixed capital investment, transport subsidy etc. are available to the entrepreneurs setting up industries in Andaman and Nicobar Islands. Benefits under the Rural Industries Project Programme are also available to these entrepreneurs.

#### Amnesty to Political Prisoners

90. SHRIMATI BIBHA GHOSH GOSWAMI: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government propose to declare an amnesty to all political prisoners detained and convicted in all the States in the country;

(b) whether all warrants of arrests will be withdrawn and cases instituted against workers and leaders of political parties will be withdrawn; and

(c) whether sentences of all women political prisoners will be commuted and they will be freed?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH): (a) to (c). Following the revocation of emergency proclaimed on 25th June 1975 on 21st March, 1977, all persons detained under section 16A of the Maintenance of Internal Security Act, 1971, for the purpose of emergency have been released. Instructions have also been issued to all State Governments and Union Territories Administrations on 25th March, 1977 to review cases of persons proceeded against under the Defence and Internal Security of India Rules. The State Governments have been advised to withdraw cases pending trial in courts or pending investigation and also remit unserved sentences in the case of those already convicted excepting, in the cases of economic offenders and persons found guilty of violent acts.

**Setting up of Enquiry Commission for Excesses Committed by Officials during Emergency**

91. SHRI KRISHNA CHANDRA HALDER: Will the PRIME MINISTER be pleased to state:

(a) whether Government propose to appoint an Enquiry Commission to go into the misdeeds and excesses committed by the officials during the period of Internal Emergency in the name of family planning; and

(b) if so, the main features thereof?

THE PRIME MINISTER (SHRI MORARJI DESAI): (a) and (b). There is no proposal to appoint an Enquiry Commission. However, specific complaints received from any one would be enquired into and necessary action taken wherever the complaints are found correct.

**Favoured Treatment to Small Newspapers/Periodicals in vernacular languages**

92. SHRI VASANT SATHE: Will the Minister of INFORMATION AND BROADCASTING be pleased to state

the thinking of the Government to use DAVP in the matter of giving favoured treatment to small newspapers/periodicals in vernacular languages?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI): Advertisements are released to newspapers to meet varying publicity requirements and not as a measure of financial assistance. But, remaining within these limitations, small and medium newspapers particularly those published in Indian languages will be used for Government advertisements on an increasing scale. The question is, therefore, being looked into in detail.

**Supply of uranium fuel by USA for Tarapur Atomic Power Station**

93. SHRI VASANT SATHE: Will the Minister of ATOMIC ENERGY be pleased to state:

(a) whether the agreement for supply of uranium fuel by the U.S.A. for Tarapur Atomic Power Station has been renewed;

(b) if so, the main features thereof; and

(c) if not, at what stage the proposal stands?

THE PRIME MINISTER (SHRI MORARJI DESAI): (a) to (c) The agreement with the USA for supply of enriched uranium for the Tarapur Atomic Power Plant has not expired and, therefore, the question of renewal does not arise.

**Production of Harvesters**

94. SHRI JYOTIRMOY BOSU: Will the Minister of INDUSTRY be pleased to state:

(a) whether harvesters are being produced in the country;



(b) whether Government have decided to allow imports; and

(c) if so, facts thereof?

**THE MINISTER OF INDUSTRY (SHRI BRIJLAL VERMA):** (a) Self-propelled Combine Harvesters are not yet being manufactured in the country. Pull type combine harvesters were being produced in the country in the past but their production has been discontinued since 1974 due to lack of demand for this particular type of harvester.

(b) and (c). Proposals for imports alongwith plans for indigenous manufacture of self-propelled combine harvesters are under consideration.

#### Closure of Industries

95. SHRI JYOTIRMOY BOSU:

SHRI NAWAB SINGH CHAUHAN:

SHRI C. K. CHANDRAPPAN:

Will the Minister of INDUSTRY be pleased to state:

(a) the State-wise number of (1) large (2) medium and (3) small industrial establishments closed down since the declaration of internal emergency in June, 1975;

(b) the number of establishments reopened todate;

(c) the steps being taken to get all the establishments re-opened; and

(d) the number of persons rendered unemployed as a result thereof?

**THE MINISTER OF INDUSTRY (SHRI BRIJLAL VERMA):** (a) to (d). The information is being collected and will be laid on the Table of the House.

#### Political Persons Arrested during Emergency

96. SHRI JYOTIRMOY BOSU:

DR. VASANT KUMAR PANDIT:

SHRIMATI PARVATHI KRISHNAN:

SHRI C. K. CHANDRAPPAN:  
SHRI YUVRAJ:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) how many persons belonging to political parties were arrested under DIR and MISA after the promulgation of internal emergency in June 1975 (Section and Sub-section-wise arrests to be given if possible readily);

(b) how many persons have been released since then;

(c) how many persons are yet to be released; and

(d) under what sections of what Acts these persons are still in Jail?

**THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH):** (a) to (d). The information sought is being collected and will be laid on the Table of the House.

#### Misuse of MISA, DIR and Sections 107 and 109 of I.P.C. during Emergency

97. SHRI JYOTIRMOY BOSU:

SHRI LAXMI NARAIN NAYAK:

SHRI CHHABI RAM ARGAL:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether his attention has been drawn to the large scale misuse of MISA, DIR, and Sections 107 and 109 of I.P.C. during the period June, 1975 to February, 1977;

(b) if so, the facts thereof;

(c) whether Government propose to order a thorough probe into the allegations; and

(d) whether the Government will provide State-wise details of arrests and detentions?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH): (a) to (c) The Government are aware of general complaints of this nature. A decision as to whether an inquiry should be held and the manner in which the inquiry should be made is under active consideration of Government.

(d) A statement in this question has already been laid on the Table of the House on 5th April, 1977.

#### Causes Leading to the Promulgation of Emergency

98. SHRI SAMAR GUHA:

SHRI KANWAR LAL GUPTA:

SHRI SURAJ BHAN:

SHRI BASHIR AHMAD:

Will the Minister of HOME AFFAIRS be pleased to state whether a National Commission will be appointed to go into the alleged causes that led to the promulgation of Emergency?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH): The suggestion made by the Hon'ble Members is under active consideration of Government.

#### Names of Newspapers Penalised Under Censorship Orders during the Emergency

99. SHRI SAMAR GUHA: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) names of newspapers, including dailies and periodicals penalised under censorship orders during the Emergency;

(b) measures adopted against them;

(c) names of newspapers including dailies and periodicals which ceased their publications during the Emergency; and

(d) whether a Commission will be set up to go into the cases and to suggest measures for restoration of freedom of press?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI): (a) to (d) A statement is laid on the Table of the House. [Placed in Library. See No. LT-105/77]. The statement does not include names of newspapers which have been penalised under various provisions of law other than censorship orders & M. P. Public Security Act.

#### Publications of Books etc. in Justification of Emergency and 20 plus 5 Points Programme

100. SHRI SAMAR GUHA: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) the names and number of books and booklets published by the Ministry of Information and Broadcasting in justification of Emergency and 20+5 points programme of the last Congress Government;

(b) expenditure made thereon;

(c) amount of the advertisements given in press, dailies and other periodicals in defence and justification or as measure of publicity regarding Government stand on emergency; and

(d) total expenditure made by the Information and Broadcasting Ministry in giving publicity etc. in regard to justification and propagation of emergency measures?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI): (a) In all 216 books/booklets were published by the Ministry to Information and Broadcasting

in justification of Emergency and 20 plus 5 points programme of the last Congress Government. A list showing their names and number is laid on the Table of the House. [Placed in Library. See No. LT—106|177.]

(b) About Rs. 1,64,39,850.

(c) About Rs. 1,18,00,000.

(d) The information is being collected and will be laid on the Table of the House.

#### Arrests made during Emergency

101. SHRI B. C. KAMBLE:

SHRI HUKAMDEO NARAIN  
YADAV:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) how many men and women were arrested during Emergency;

(b) the number of such arrested persons party-wise, group-wise and organisation-wise and whether all of them have been released till to-day;

(c) whether any of these persons arrested, died in the jail or after release from the jail, and what broadly are the causes of their deaths; and

(d) whether there was any representation to the then Government from those arrested and taken ill prior to their death; and if so, with what result?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH): (a) 34630 persons were detained under the MISA during the period 25-6-1975 to 19-3-1977.

(b) to (d). Information is being collected and will be laid on the table of the House.

#### Drinking Water in Villages in M.P.

102. DR. VASANT KUMAR PANDIT: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether any amount has been allotted to Madhya Pradesh for supply of drinking water to villages and interior areas inhabited by Harijans, Adivasis and other backward communities; and

(b) if so, the amount allotted in 1975-76 and 1976-77 and the number of villages and areas covered during the above period?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH): (a) and (b). There is no Central Scheme for supply of drinking water to villages inhabited by Harijans, Adivasis and other backward communities. However, under the minimum Needs Programme of the State Sector for rural water supply, Rs. 400 lakhs and Rs. 350 lakhs have been provided for the year 1975-76 and 1976-77 respectively. All the rural areas of the State including those inhabited by Harijans, Adivasis and other backward communities are expected to be covered under this programme.

#### Development of Bankura and Purulia Districts

103. DR. BIJOY MONDAL: Will the Minister of INDUSTRY be pleased to state:

(a) whether Bankura and Purulia are industrially backward districts in West Bengal; and

(b) the steps Government have taken to establish cottage, medium and heavy industries in these areas?

THE MINISTER OF INDUSTRY (SHRI BRIJ LAL VERMA): (a) Yes, Sir.

(b) The following are some of the steps taken to establish industries in these areas:

(i) The districts of Purulia and Bankura have been selected as industrially backward to qualify for concessional finance from financial institutions.

(ii) The district of Purulia has been selected also to qualify for Central Scheme of investment subsidy.

(iii) Industrial potential surveys of both these districts have been carried out and industries having scope have been identified. Industrial development campaigns for motivating the entrepreneurs and giving them spot advice have also been organised at Purulia and pre-industrial development campaign surveys have been carried out in Bankura.

(iv) A number of other incentives like supply of machinery on concessional terms, are available for setting up industries in backward districts.

(v) Small Industries Service Institute, West Bengal Calcutta, provides intensive help in these districts. One Officer has been assigned for these districts separately. He visits these districts and motivates entrepreneurs and provides technical assistance for developing industries.

(vi) One Extension Centre (particularly for the development of carpentry and blacksmithy) is working at Bankura for providing technical assistance to small scale units.

(vii) Projects for the manufacture of cement and high alloy steel have been sanctioned for establishment in the district of Purulia.

(viii) A new growth centre in Purulia is also being developed.

(ix) Khadi & Village Industries Commission have assisted 56 centres in these districts. Out of these 29 are working. These involve an investment of Rs. 47.52 lakhs; production in 1975-76 of the order of Rs. 33.59 lakhs, and employment to about 3000 persons.

(x) In 1974, four Letters of Intent and 4 Industrial Licences were issued for the establishment of industries in the districts of Purulia and Bankura. In 1975, six Letters of Intent were issued. Two schemes have been registered with the D.G. T.D.

(xi) These districts are also covered under Central Rural Industries Project and Rural Artisan programmes.

In addition, the State Government also provide assistance for establishment of industries in these districts through promotional agencies, incentives scheme etc.

#### Deployment of B.S.F. and C.R.P. in States

104. SHRI SUSHIL KUMAR DHARA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Government propose to take a fresh decision regarding deployment of C.R.P., B.S.F. and any other such forces in the States; and

(b) if so, the main features thereof?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH): (a) and (b). Presumably the question is with reference to the provisions of Article 257A of the Constitution. If it be so, this matter will be reviewed along with the other provisions of the Forty-second Amendment to the Constitution in due course.

**भारत रक्षा नियमों और आंसका के अन्तर्गत बन्दी बोकारो इस्पात कारखाने के कर्मचारी**

105. श्री ज्ञानेश्वर प्रसाद यादव : क्या गृह मंत्री यह बताने की कृपा करेंगे कि आपातकाल के दौरान बिहार में बोकारो इस्पात कारखाने के किन्ने कर्मचारी आंसुका और भारत रक्षा नियमों के अन्तर्गत बन्दी बनाये गये ?

**गृह मंत्री (श्री श्री चरण सिंह) :** बिहार सरकार से प्राप्त सूचना के अनुसार आपातकाल के दौरान आंतरिक सुरक्षा बनाए रखना अधिनियम, 1971 के अन्तर्गत राज्य में बोकारो इस्पात कारखाने का कोई कर्मचारी बन्दी नहीं बनाया गया था ।

आपात काल के दौरान भारतीय रक्षा तथा आन्तरिक सुरक्षा नियम, 1971 के अधीन कारखाने के 19 कर्मचारी गिरफ्तार किए गए थे । इन कर्मचारियों के खिलाफ चलाये गये मामलों को वापस लेने के लिए राज्य सरकार ने पहले ही आदेश जारी कर दिये हैं ।

#### राज्यपालों की नियुक्ति

106. श्रीमती चन्द्रावती : क्या गृह मंत्री यह बताने की कृपा करेंगे कि :

(क) राज्यपालों की नियुक्तियों सम्बन्धी नियम क्या हैं और वे कितनी अवधि के लिए पद पर रहते हैं ;

(ख) हरियाणा के राज्यपाल, स्वर्गीय श्री बी० एन० चक्रवर्ती का कार्यकाल कब समाप्त हुआ और कार्यकाल के समाप्त हो जाने के उपरान्त भी वह किन नियमों के अन्तर्गत अपने पद पर आसीन रहे; और

(ग) यदि वे कार्यकाल के समाप्त होने के उपरान्त भी अपने पद पर आसीन रहे तो क्या उन पर हुआ व्यय उनके उत्तराधिकारियों से वसूल करने का विचार है ?

**गृह मंत्री (श्री श्री चरण सिंह) :**

(क) संविधान के उपबन्धों के अधीन, किसी राज्य के राज्यपाल को राष्ट्रपति द्वारा अपने हस्ताक्षर और मुद्रा सहित अधिपत्र द्वारा नियुक्त किया जाता है (अनुच्छेद 155) । वह राष्ट्रपति के प्रसाद पर्यन्त अपना पद धारण करता है । राज्यपाल के पद की अवधि उसके पद ग्रहण की तारीख से पांच वर्ष तक है, परन्तु अपने पद की अवधि की समाप्ति हो जाने पर भी राज्यपाल अपने उत्तराधिकारी के पद ग्रहण तक पद धारण किये रहेगा (अनुच्छेद 156) । कोई व्यक्ति राज्यपाल नियुक्त होने का पात्र नहीं होता जब तक कि वह भारत का नागरिक न हो तथा पैंतीस वर्ष की आयु पूरी न कर चुका हो (अनुच्छेद 157) ।

(ख) और (ग) राज्यपाल के रूप में स्व० श्री बी० एन० चक्रवर्ती के पद की सामान्य अवधि 14-9-1972 को समाप्त हो गई थी । परन्तु अपने उत्तराधिकारी के नियुक्त होने तक अनुच्छेद 156 (3) के उपबन्ध के अनुसार वे अपने पद की अवधि समाप्ति के बाद भी पद धारण किये रहे । अतः उनकी पदावधि समाप्त होने के बाद राज्यपाल के रूप में उन पर हुए खर्च को उनके उत्तराधिकारियों से वसूल करने का प्रश्न नहीं उठता ।

#### आकाशवाणी और दूरदर्शन को स्वायत्तशासी निगम बनाया जाना

107. श्री नारायण कृष्ण शेजवलकर : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या आकाशवाणी और टेली-विजन विभागों को स्वायत्तशासी संगठन बनाए जाने की दशा में वहां काम करने वाले कर्मचारियों की पूर्व तथा वर्तमान सेवा शर्तों को ध्यान में रखा जाएगा तथा क्या पहले की गई अनियमितताओं का निराकरण किया जाएगा ;

(ख) यदि हां, तो इस सम्बन्ध में अपनाई जाने वाली नीति तथा प्रक्रिया क्या होगी और क्या कलाकारों के साथ न्याय किसे जाने के लिए कोई कार्यवाही की जाएगी ?

सूचना और प्रसारण मंत्री (श्री लाल कृष्ण अडवानी) : (क) और (ख) : आकाशवाणी और दूरदर्शन को स्वायत्तशासी निगमों के रूप में परिवर्तित करने का प्रश्न इस समय विचाराधीन है। इस अवस्था पर अन्य मामलों के बारे में विचार बनाना समयपूर्व है।

पुलिस तथा अधिकारियों द्वारा आपात-स्थिति के दौरान की गई कथित अनियमितताएं

108. श्री नारायण कृष्ण शेजवलकर : क्या गृह मंत्री यह बताने की कृपा करेंगे कि :

(क) गत 20 महीनों अर्थात् आपात-स्थिति के दौरान कानून तथा व्यवस्था बनाए रखने के लिए उत्तरदायी पुलिस विभाग और अधिकारियों ने जो अनियमितताएं बरती हैं तथा अधिकारों का जो दुरुपयोग किया है, उनके बारे में क्या कोई न्यायिक जांच कराने का विचार है; और

(ख) क्या इन अनियमितताओं का जिक्र होने वाले व्यक्तियों को क्षतिपूर्ति दी जाएगी और दोषी व्यक्तियों को दण्ड दिया जायेगा ?

गृह मंत्री (श्रीधर चरण सिंह) :

(क) और (ख). आपात स्थिति के दौरान की गई ज्यादतियों की जांच करने की मांग सरकार के विचाराधीन है।

#### Special Scheme for Backward Areas in Madhya Pradesh

109. DR. VASANT KUMAR PANDIT: Will the Minister of PLANNING be pleased to state:

(a) the number of areas from Madhya Pradesh and Maharashtra selected under the Central Scheme for special Backward Areas;

(b) the amount allotted for the development of such areas in Madhya Pradesh and Maharashtra for the years 1975-76 and 1976-77; and

(c) how much of the above allotment was actually utilised in the years 1975-76 and 1976-77?

THE PRIME MINISTER (SHRI MORARJI DESAI): (a) to (c). A statement is laid on the Table of the House.

The Central Scheme for Special Backward areas relates to industrially backward districts where concessional finance and investment subsidies are given. There are certain other areas also requiring special attention, information regarding which is given at Sl. No. (1), (2) and (3) in the enclosed statement.

## STATEMENT

(Rs. in lakhs)

Central Scheme	Number of areas	Madhya Pradesh			
		Outlay		Expenditure	
		1975-76	1976-77	1975-76	1976-77
1	2	3	4	5	6
(1) Tribal Sub-Plan	3 whole districts and part of 18 other districts	500.00†	1011.00	N.A.	1273.89*
(2) Tribal Development Agency	2 districts	69.99	91.00	91.19	33.22‡
(3) Drought Prone Area Programme	6 districts	215.00	250.00	348.11**	198.77**
(4) Concessional Finance	36 districts	}			
(5) Investment Subsidy	6 districts				

Central Scheme	Number of areas	Maharashtra			
		Outlay		Expenditure	
		1975-76	1976-77	1975-76	1976-77
1	7	8	9	10	11
(1) Tribal Sub-Plan	Parts of 10 districts	104.00†	231.00		N.A.
(2) Tribal Development Agency		..			
(3) Drought Prone Area Programme	6 districts	176.00	255.00	255.36**	198.15**
(4) Concessional Finance	13 districts	}			
(5) Investment Subsidy	3 districts				

† Releases.

\* Anticipated.

‡ Upto December, 1976.

\*\* Includes State contribution also.

£ Funds are not allotted to the States for the selected districts/areas. Concessional finance is offered by the all-India term-lending financial institutions to entrepreneurs for setting up industries/substantial expansion of existing units in the industrially backward districts selected for the purpose. Similarly, investment subsidy to industries in the areas/districts selected for the purpose is reimbursed by the Centre.

**Police Firing during Emergency**

110. SHRI KANWAR LAL GUPTA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the details of police firings during the emergency; and

(b) the number of casualties during the emergency period?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH): (a) and (b). The information is being collected from the States Union Territories and will be laid on the table of the House as soon as possible.

**आपात स्थिति के दौरान सी० आर० पी० और बी० एस० एफ० द्वारा गोली चलाये जाने से मारे गये लोग**

111. श्री नवाब सिंह चौहान: क्या गृह मन्त्री यह बताने की कृपा करेंगे कि :

(क) आन्तरिक आपात स्थिति के दौरान सी० आर० पी० और बी० एस० एफ० द्वारा गोली चलाये जाने के कारण मारे गये लोगों का स्थानवार व्यौरा क्या है;

(ख) इन बलों को कितनी बार राज्यों को भेजा गया और कहां-कहां, कब-कब भेजा गया; और

(ग) क्या राज्य सरकारों के अनुरोध पर इन बलों को वहां भेजा गया ?

**गृह मंत्री ( चौधरी चरण सिंह ) :**

(क) पिछली आन्तरिक आपात स्थिति के दौरान सी० आर० पी० द्वारा गोली चलाये जाने के कारण मारे गये लोगों के स्थानवार व्यौरे का विवरण सभा पटल पर रखा है। [प्रन्थालय में रखा गया। देखिये संख्या एल टी—107 77] बी० एस० एफ० जब आन्तरिक सुरक्षा ड्यूटी पर थी तो उसने गोली नहीं चलाई थी।

(ख) पिछली आन्तरिक आपात स्थिति के दौरान आन्तरिक सुरक्षा ड्यूटी के लिए विभिन्न राज्यों में प्रतिनियुक्त बी० एस० एफ० सी० आर० पी० की कम्पनियों की संख्या के दो विवरण सभा पटल पर रखे हैं। [प्रन्थालय में रखा गया। देखिये सं० एल टी-107/77]।

(ग) जी हां, श्रीमान्।

**भिलाई इस्पात संयंत्र के मीसा के अन्तर्गत गिरफ्तार किये गये कर्मचारी**

112. श्री मोहन भैया : क्या गृह मन्त्री यह बताने की कृपा करेंगे कि :

(क) आपातकालीन स्थिति के दौरान भिलाई इस्पात संयंत्र के कितने कर्मचारियों को मीसा के अन्तर्गत गिरफ्तार किया गया ;

(ख) क्या इन मीसा बन्दियों के परिवारों को आर्थिक सहायता दी गई थी और यदि हां, तो कितनी; और

(ग) क्या इन मीसा नजरबन्दियों को पैरोल की सुविधाएं दी गई थीं और यदि हां, तो कितने कर्मचारियों ने इस सुविधा का लाभ उठाया ?

**गृह मंत्री ( चौधरी चरण सिंह ) :** (क) में (ग): राज्य सरकार से सूचना एकत्रित की जा रही है और सदन के पटल पर रख दी जायेगी।

**Executive Excesses during Emergency**

113. SHRI S. KUNDU:

SHRI NIRMAL CHANDRA JAIN:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government have decided to investigate into the



various acts of omission and commission of executive excesses and police brutalities perpetrated on the innocent citizens during the period of second emergency and fix up responsibilities for such acts; and

(b) whether Government have any proposal to start criminal and civil cases and institute departmental cases for such erring persons?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH): (a) and (b). The Government are aware of general complaints of this nature. A decision regarding investigation into such complaints will be taken, on merits of each case, as and when specific cases are brought to the Government's notice. Depending upon the results of such investigations, appropriate action will also be initiated against the erring persons.

**Statement made by former Minister of State for Home Affairs in Mexico**

114. SHRI S. KUNDU: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the former Minister of State for Home Affairs while at Mexico sometime in 1976 made a statement to the effect that in India only "terrorists" are detained under MISA; and

(b) if so, the steps taken to tell the truth to the people abroad?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH): (a) According to our mission in Mexico, the former Minister of State in the Ministry of HOME AFFAIRS had said:

"Naturally there were many arrests and the state of emergency was declared. A little later the majority of political prisoners were freed, except for the terrorists."

(b) In reply to a number of questions tabled in the House information

will be furnished about the facts relating to detentions made under the Maintenance of Internal Security Act, 1971, during the emergency. These facts would be reported by the press, in India and abroad, for the information of the public.

**Dialyses Arrangement for Shri Jayaprakash Narayan**

115. SHRI SAMAR GUHA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government will take up all necessary steps including setting up of additional Dialyses at places where so required, to meet the medical requisites for proper medical attention of Lok Nayak Jayaprakash Narayan; and

(b) if so, the steps proposed to be taken by the Government?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH): (a) and (b). Shri Jayaprakash Narayan is presently admitted in the Jaslok Hospital, Bombay and is getting treatment of his choice. He has been undergoing dialysis at Bombay and Patna. If it is found necessary to provide any facilities at any other place, the Ministry of Health will consider the same.

**Issue of Licences to West Bengal**

116. SHRI SOUGATA ROY: Will the Minister of INDUSTRY be pleased to state:

(a) the number of industrial licences issued to West Bengal in 1976-77; and

(b) particulars thereof?

THE MINISTER OF INDUSTRY (SHRI BRIJLAL VERMA): (a) During the period April, 1976—February, 1977, 55 industrial licences were issued for location of projects in Bengal.

(b) The details of industrial licences including name of the party, item of manufacture, capacity, location of the project etc. are published in "Weekly Bulletin of Industrial Licences, Import Licences & Export Licences", "Indian Trade Journal", and "Monthly List of Letters of Intent and Industrial Licences". Copies of the publications are available in the Parliament Library.

**Completion of Nuclear Power Stations at Kalpakkam and Rana Pratap Sagar**

117. SHRI SOUGATA ROY: Will the Minister of ATOMIC ENERGY be pleased to state:

(a) the progress of work at the nuclear power stations at Kalpakkam and Rana Pratap Sagar;

(b) the reasons for delay in completion of work;

(c) whether the external aid positions with respect to these power stations is satisfactory; and

(d) the Government's policy with regard to fast breeder reactors for future power stations?

THE PRIME MINISTER (SHRI MORARJI DESAI): (a) The first unit of the Rajasthan Atomic Power Station has been in commercial operation since December, 1973. Pre-commissioning trial runs of various system of the second unit of the Rajasthan Atomic Power "Project" are in progress. As regards the first unit of the Madras Atomic Power Project at Kalpakkam, the work of erection of major nuclear equipment and turbo generator is in an advanced stage. Civil works have been largely completed for the second unit and manufacture of equipment is in progress.

(b) The delay in completion has been mainly due to delays encountered

in the indigenous manufacture of major nuclear and conventional equipment, non-availability at certain times of essential construction material and difficulties experienced in procuring from alternative sources specialised equipment affected by the embargo imposed by certain countries.

(c) We are no longer dependent on external aid for the Rajasthan Atomic Power Project. The Madras Atomic Power Project is being set up without any external aid.

(d) Government have initiated a programme so that eventually substantial quantities of power can be generated using relatively more abundant thorium. The programme consists of the setting up of an experimental Fast Breeder Test Reactor (FBTR) at Kalpakkam in Tamil Nadu by 1979-80 for providing experience in the construction and operation of sodium cooled fast breeder reactors as a first step. The next step will be the construction of commercial fast breeder reactors after sufficient experience has been gained in the operation of the FBTR.

**Naxalite Prisoners in West Bengal**

118. SHRI SAUGATA ROY: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the number of Naxalite prisoners held in West Bengal on various charges; and

(b) the future policy of Government with regard to Naxalites?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH): (a) Information on Naxalities in custody as under trials for specific offences under various laws is being collected and will be laid on the Table of the House.

(b) While Government do not approve of their ideology and reiterate that violent activities on the part of Naxalities would be firmly dealt with in accordance with law, Government are also of the view that indefinite continuance in detention of such persons cannot be a solution to the problem posed by them. The State Governments are, therefore, being advised to release all such Naxalities in detention except in cases where such detentions had been made on account of their recent indulgence in violent activities. The State Governments are being further advised that investigation and trial of cases involving Naxalities may be expedited.

#### Stopping of Advertisement/Propaganda regarding 20-Point Programme

119. SHRI S. G. MURUGAIYAN:  
SHRI N. K. SHEJWALKAR:

Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether his ministry has stopped all kinds of advertisements/propaganda regarding the 20-Point economic programme evolved by the previous Governments;

(b) the reason therefor; and

(c) the total amount spent so far for this purpose, indicating month-wise details thereof?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI): (a) and (b). All media have been directed to revert to the publicity strategy as it obtained prior to the declaration of Emergency. However, important socio-economic programmes would continue to be publicised.

(c) The information is being collected and will be laid on the Table of the House.

#### Implementation of 20-point economic Programme

120. SHRI A. K. RAJAN: Will the Minister of PLANNING be pleased to state:

(a) whether Government have decided to stop the implementation of the 20-Point economic Programme; and

(b) if so, the reason therefor?

THE PRIME MINISTER (SHRI MORARJI DESAI): (a) The 20-point economic programme is obviously *ad-hoc* in character. There are no *inter se* defined priorities nor clearly established interconnections. It is also not clear what is the relationship between this programme and planned economic development. Consequently many items which form part of accepted national policy do not figure in the programme. The Government will carefully study such omissions and thereafter integrate them with the comprehensive economic programme within the framework of our planning and in terms of the broad economic objectives set out in the Acting President's speech to Parliament.

(b) Does not arise.

#### Plan Outlay for Fifth Plan

121. SHRI M. KALYANASUNDARAM:  
SHRI C. K. CHANDRAPAN:

Will the Minister of PLANNING be pleased to state:

(a) the total plan outlay for the current Fifth Plan period;

(b) the total amount to be allocated annually for the State sector (public sector) for the current plan period; and

(c) the rate of growth in the public sector during this period?

**THE PRIME MINISTER (SHRI MORARJI DESAI):** (a) to (c). Chapter V of the Fifth Five Year Plan 1974—79 gives the details of Plan outlays. The revised plan outlay for the public sector as approved by the National Development Council at its meetings held on September 24-25, 1976 is Rs. 39,303 crores excluding provision for inventories. The year-wise break-up of this outlay together with the year-by-year percentage growth rate are set out below:—

Year	Annual plan outlay	% increase over the previous year's plan outlay.
1974-75	4843.68	10.9
1975-76	5978.09	23.4
1976-77	7851.92	31.3
1977-78	9953.00	26.8

#### Implementation of Recommendations for benefit of Delhi Police Personnel

122. **SHRI M. KALYANA SUNDARAM:** Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government have taken a decision regarding the recommendations made in 1968 for the benefit of the Delhi Police personnel; and

(b) if so, the facts thereof and the reasons for delay in implementing them?

**THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH):** (a) and (b). It is presumed that the question refers to the recommendations made by the Delhi Police Commission (1966—68).

The recommendations made by the Commission have been considered. A statement indicating the action taken on the relevant recommendations is laid on the Table of the

House. [Placed in Library. See No. LT-108/77].

#### Setting up of Space Stations in 1977-78

123. **SHRI M. KALYANA SUNDARAM:** Will the Minister of SPACE be pleased to state:

(a) the number of space stations Government propose to set up in the financial year 1977-78; and

(b) the performance of the existing stations?

**THE PRIME MINISTER (SHRI MORARJI DESAI):** (a) None, Sir.

(b) The performance of the existing stations, namely, the Thumba Equatorial Rocket Launching Station (TERLS) at Trivandrum, The Experimental Satellite Communication Earth Station (ESCES), at Ahmedabad, the Delhi Earth Station (DES) at Delhi, the Satellite Tracking and Ranging Station (STARS) at Kavaloor, Tamilnadu, is satisfactory.

#### Release of persons Detained under MISA and DIR

124. **SHRIMATI PARVATHI KRISHNAN:**

**SHRI C. K. CHANDAPPAN:**

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government have released all the detenus who were arrested under MISA and DIR in all the States; and

(b) if so, their number, State-wise?

**THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH):** (a) and (b). Presumably the information is required in respect of persons detained under the Maintenance of Internal Security Act in the context of emergency proclaimed on 25th June, 1975. On 19th March, 1977, 10903 persons in whose cases

Section 16A of the Act was invoked were in detention. With the revocation of emergency on 21st March, 77 all these detenues were released. State-wise break-up is given in the attached statement.

There is no provision under the Defence and Internal Security of India Rules, 1971 for preventive detention.

*Statement*

Sl. No.	Name of the State/ Union Territory.	Number of persons released.
1.	Andhra Pradesh	256
2.	Assam	129
3.	Bihar	1412
4.	Gujarat.	266
5.	Haryana	19
6.	Himachal Pradesh	2
7.	Jammu & Kashmir	221
8.	Karnataka.	110
9.	Kerala	388
10.	Madhya Pradesh	1390
11.	Maharashtra	1414
12.	Manipur	29
13.	Meghalaya	22
14.	Nagaland	24
15.	Orissa	137
16.	Punjab	28
17.	Rajasthan	143
18.	Sikkim	4
19.	Tamil Nadu	130
20.	Tripura.	13
21.	Uttar Pradesh	4406
22.	West Bengal.	217
23.	Chandigarh	4
24.	Delhi	74
25.	Goa— Daman & Diu	8
26.	Mizoram	55
27.	Pondicherry	12
Total		10903

The information in respect of Union Territories of Arunachal Pradesh, Andaman & Nicobar Islands, Dadra & Nagar Haveli and Lakshadweep is 'nil'.

**Consumption of Energy for Industrial and Agricultural Production**

125. SHRIMATI PARVATHI KRISHNAN:

SHRI C. K. CHANDRAPAN:

Will the State Minister of ENERGY be pleased to state:

(a) how much energy was consumed for the industrial production and Agricultural production and for the development of space technology during the years 1975-76, 1976-77;

(b) whether due to power failure the industrial production was affected in the country;

(c) if so, the facts thereof;

(d) whether Government have taken a decision to change the energy policy; and

(e) if so, the main feature thereof?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) The energy consumed in the industrial production and agricultural production for the year 74-75 & 75-76 is as under:—

	Industries (Million Kw/hr)	Agriculture
74-75	38278	7763
75-76	43346	8721

The actual consumption of energy during 76-77 has so far not been compiled as the figures are generally compiled after the completion of the financial year.

The details of the energy consumed for the development of space technology is as under:

75-76	8.330 Million Kw/hr
76-77	12.754 Million Kw/hr

(b) and (c). It is not possible to assess the extent of loss in production solely due to power shortage as a number of other factors are also involved.

(d) and (e). The main components of the Energy Policy are indicated below:

(1) To the extent practicable and economic, coal shall be the principal source of energy in the country and, therefore, its exploration, exploitation and utilisation should be programmed accordingly.

(2) The policy for oil shall be to reduce the quantity of imports and to maximise indigeneous production;

(3) Use of oil shall be substituted, wherever technically and economically possible, by other forms of energy.

(4) The rate of growth of electricity production should be adequate to meet the future needs including the additional demands arising from the use of electricity in place of oil.

(5) Electricity production should be based on the use of hydro power, coal and nuclear energy.

(6) The policy relating to commercial forms of energy should be reviewed every year in the first instance.

(7) A study of the transport system, in terms of energy needs, should be made so as to plan the future growth of this sector.

(8) Meeting rural energy needs shall be given high priority.

(9) A rapid increase shall be made in the use of bio-gas.

(10) The social forestry programme shall be implemented more effectively.

(11) Alternative fuels to kerosene should be provided and consump-

tion of kerosene discouraged, particularly by the use of price mechanism.

(12) Energy production and utilisation must be made as efficient as possible.

(13) The pricing for energy should be such that at a reasonable level of operating efficiency, an adequate return to the industry is guaranteed and it is able to generate large funds for development purposes. Prices should also promote the desired pattern of energy use and provide energy conservation.

(14) The non-conventional energy sources like solar and geo-thermal energy, bio-gas, tidal power etc. should be developed with the greatest priority to solar energy and bio-gas.

(15) The R&D programmes relating to energy should be pursued vigorously.

(16) Implementation of the energy policy should be adequately monitored and frequently reviewed. Government will keep constantly under review the various aspects of Energy Policy with a view to ensuring its conformity with the overall requirements of the economy.

#### **Increased Pension to Ex-Servicemen**

126. SHRIMATI PARVATHI KRISHNAN; Will the Minister of DEFENCE be pleased to state:

(a) how many ex-servicemen have got increased pension so far; and

(b) how many widows of the sepoys had been given financial assistance to set up self-employment projects in 1972-73, 1973-74 and 1974-75?

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM): (a) As a result of the acceptance of the recommendations of the Third Pay

Commission and Government decisions thereon the pension of 1.970 Commissioned Officers and 55,736 personnel below officer rank who retired on or after 1-1-1973 has so far been increased.

(b) The number of cases in which Directorate General of Resettlement has arranged financial assistance is as follows: —

1972-73 — Nil

1973-74 — 3

1974-75 — 10

#### Setting up Atomic Power Projects

127. SHRI P. K. KODIYAN: Will the Minister of ATOMIC ENERGY be pleased to state:

(a) whether there is any proposal to set up more atomic power projects in the country; and

(b) if so, the number of such projects and their location?

THE PRIME MINISTER (SHRI MORARJI DESAI): (a) and (b). The Committee appointed by Government for selection of suitable sites for the setting up of Nuclear Power Stations has submitted its reports in respect of the Western and Southern Electricity Regions. The reports of the Committee are under consideration of Government.

#### Setting up of a T.V. Centre in Kerala

128. SHRI SKARIAH THOMAS: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether the Government have any proposal to set up a T.V. Centre in Kerala State;

(b) the name of the place where the proposed T. V. Centre is likely to be set up and whether any preliminary survey has been made; and

(c) total expenditure anticipated and when it is likely to start functioning?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI): (a) No, Sir.

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

#### Shortage of Vanaspati in Kerala

129. SHRI SKARIAH THOMAS: Will the Minister of CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether Government are aware of the acute shortage of Vanaspati in Kerala State; and

(b) if so steps taken therefor?

THE MINISTER OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI MOHAN DHARIA): (a) and (b). Shortage of vanaspati in Kerala has been reported by the State Government since October, 1976. Vanaspati manufacturers were asked to augment supplies to Kerala and as a result, against the estimated requirement of the State of 310 tonnes per month, the following are the despatches of vanaspati made to the State of Kerala since October, 1976:

Month	Quantity despatched (in tonnes)
October, 1976	163
November, 1976	266
December, 1976	342
January, 1977	336
February, 1977	310

#### Quality of Cars

130. SHRI SKARIAH THOMAS: Will the Minister of INDUSTRY be pleased to state:

(a) whether the quality and the standard of the cars manufactured in

the country is diminishing day by day and if so, the reasons therefor; and

(b) the steps taken to improve the quality as the prices of the cars are going up?

**THE MINISTER OF INDUSTRY (SHRI BRIJLAL VERMA):** (a) and (b). The fall in demand for passenger cars as a result of the high prices of cars and higher maintenance cost on account of the increase in the prices of petrol and lubricants has brought in the operation of the 'buyer's market'. As a result, the price control on all the three makes of passenger cars has been removed with effect from 1st January, 1975. There has been a fall in the prices of passenger cars since then. The quality of Indian cars in general, however, requires to be brought up to the desired standards. To meet this objective, a scheme has been introduced for checking the quality of cars through periodical testing from the production line and feed-back to manufacturers of the defects noticed during the testing so that corrective measures are taken by them to improve the quality. A Quality Assurance Cell has been set up by the Controller of Inspection (Vehicles) at Ahmednagar to enforce quality consciousness on the manufacturers by analysing the defects noticed, pin-pointing the causes for the same and suggesting remedial measures after carrying out a through inspection.

#### **Introduction of Yuva Vani Programme at Trivandrum**

**131. SHRI SKARIAH THOMAS:** Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether the Government has taken final decision to introduce Yuva Vani programme at Trivandrum; and

(b) if so, when it is likely to be introduced?

**THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI):** (a) Yes, Sir.

(b) The Trivandrum Station of Akashvani started the broadcast of Yuva Vani programme with effect from 3rd April, 1977.

#### **Release of Economic Offenders**

**132. SHRI K. RAMAMURTHY:** Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether after lifting the internal emergency by the Government of India, the economic offenders were released;

(b) whether there is any proposal to enact a new law to deal with those matters; and

(c) if so, whether it will be with the retrospective effect?

**THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH):** (a) With the revocation of emergency proclaimed on 25th June, 1975 in the context of threat of internal disturbance on 21st March, 1977, economic offenders held under section 16A of the Maintenance of Internal Security Act and section 12A of Conservation of Foreign Exchange and Prevention of Smuggling Activities Act were released as the aforesaid provisions lapsed. As regards economic offenders being proceeded against under the provisions of the Defence and Internal Security of India Rules the Government do not consider it appropriate to withdraw action initiated during the emergency.

(b) and (c). The strengthening of existing laws to deal with economic offenders is under examination in the address of the Vice President acting as President on 28th March, 1977.



**Number of Motion Picture Banned during Emergency**

133. DR. VASANT KUMAR PANDIT: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) how many Motion Picture were banned by the Censor Board on Political reasons during the Emergency period;

(b) is it a fact that the film entitled "KISSA-KURSI-KA"—produced by Shri Amrit Nahata was blamed by the Censor Board on Political reasons;

(c) whether the Government ordered reconsideration of all such banned films, and

(d) if so, how many decisions have been changed?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI) (a) The power to ban picture does not vest with the Censor Board but with Government. The only picture banned by Government during this period on grounds other than violence, sex, vulgarity etc. was "AT FIVE PAST FIVE".

(b) This picture was not banned but refused certificate.

(c) No, Sir.

(d) Does not arise.

**Imposition of Complete Censorship on Newspapers in Madhya Pradesh**

134. DR. VASANT KUMAR PANDIT: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether on or about 18th March, 1977 complete censorship was imposed on Raipur (M.P.) newspapers by the Additional District Magistrate Raipur on printing/publication of the news items relating to the attack on a Janata candidate and Party Workers;

(b) whether Chief Minister of Madhya Pradesh and the former Union Minister of Information and Broadcasting had given the above orders of censorship;

(c) whether President of the Madhya Pradesh Union of Working Journalist (Raipur Unit) has complained about this incident; and

(d) whether Government have investigated the matter and if so, action taken thereon?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI): (a) to (d). Government's attention has been drawn to a press report of this incident. Government, however, has made enquiries from the Government of M. P. but no reply has yet been received.

**भारत रक्षा नियमों के अन्तर्गत राजनीतिक बन्धियों के विचाराधीन मामले**

135. श्री युवराज :

श्री छद्दी राम अर्गल :

क्या गृह मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या भारत रक्षा नियमों के अन्तर्गत राजनीतिक बन्धियों के मामले विचाराधीन हैं ;

(ख) यदि हां, तो उनकी राज्यवार संख्या कितनी है; और

(ग) भारत रक्षा नियमों के अन्तर्गत चलाये गये मामलों को सरकार का कब तक वापस लेने का विचार है ?

गृह मंत्री ( चौधरी चरण सिंह): (क) और (ख) भारत रक्षा तथा आन्तरिक सुरक्षा नियमों के अधीन मामलों में अन्तर्गत राजनीतिक व्यक्तियों की संख्या से सम्बन्धित सूचना

राज्य सरकारों तथा संघ राज्य क्षेत्र प्रशासनों से एकत्रित की जा रही है।

(ग) भारत रक्षा तथा आन्तरिक सुरक्षा नियमों के अधीन जांच-पड़ताल तथा विचारण के लिए लम्बित पड़े मामलों पर पुनर्विचार करने और आर्थिक अपराधियों तथा हिंसक कार्यों के दोषी व्यक्तियों के मामलों को छोड़कर सभी मामलों को वापस लेने के लिए राज्य सरकारों संघ राज्य क्षेत्र प्रशासनों को अनुरोध दिये गये हैं। इन अनुरोधों में वे व्यक्ति भी शामिल हैं जिन्हें न्यायालयों द्वारा भारत रक्षा तथा आन्तरिक सुरक्षा नियमों के विभिन्न उपबन्धों के अधीन सजा दी गई है और राज्य सरकारों संघ राज्य क्षेत्र प्रशासनों को उपर्युक्त दोनों श्रेणियों के कैदियों के मामलों, अर्थात् आर्थिक अपराधियों और हिंसक कार्यों के दोषी व्यक्तियों को छोड़ कर ऐसे सभी कैदियों की सजाएं जो उनके द्वारा काटी नहीं गई हैं माफ करने की सलाह दी गई है।

#### Geo-Thermal Power Sources

136. SHRI P. RAJAGOPAL NAIDU: Will the Minister of ENERGY be pleased to state:

(a) whether there are any Geo-Thermal Power sources in our country; and

(b) whether the Government are utilising the sources?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) Geo-thermal manifestations in the form of hot springs occur in several parts of the country. The most important among these are located in North-western Himalayas and along the West Coast.

(b) Investigations are at present in progress in promising areas in the North-Western Himalayas and along the West Coast to establish the geo-

thermal energy potential and examine the feasibility of utilising it for power generation. Some experiments relating to utilisation of geo-thermal energy from some investigation holes have been tried for uses other than power generation, like refining borax and sulphur.

#### Utilisation of Solar Energy

137. SHRI P. RAJAGOPAL NAIDU: Will the Minister of ENERGY be pleased to state:

(a) whether any research is being conducted regarding utilisation of solar energy; and

(b) if so, the results thereof?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) and (b). Yes, Sir. Research activities are directed towards developing (i) thermal uses of solar energy; and (ii) direct conversion into electricity. The thermal uses of solar energy require devising of collector systems and using this energy directly or by converting it into mechanical energy. Considerable progress has been made in developing flat plate collectors which enable solar energy to be utilised at low and medium temperatures. Work is continuing on improving the collection system by evolving appropriate selective coatings and on reducing the cost of collection. Priorities have also been laid down for the end-use of such energy and the main items are as follows:

- (i) pumping for irrigation purposes;
- (ii) drying of agricultural products;
- (iii) cooling for food preservation;
- (iv) desalination of salt and brackish water;
- (v) water heating and space heating;
- (vi) air-conditioning.

Work on developing suitable systems for these items has been undertaken. As yet, the only item which is near commercial viability is that for water and space heating. In addition, a pilot project has also been taken up for using the thermal energy collected through flat plate collectors for generating electricity, using the conventional technology. The plant is expected to be commissioned by the end of 1977.

Technical feasibility of directly converting solar energy into electricity, using solar cells, has been established but the systems are costly and not economically viable. Work is continuing for improving technology and reducing costs.

#### **National Consumer Protection Council**

138. SHRI P. RAJAGOPAL NAIDU: Will the Minister of CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether there is a National Consumer Protection Council in the country;

(b) if so, its activities; and

(c) whether it is having branches in the States?

THE MINISTER OF COMMERCE AND CIVIL SUPPLIES & COOPERATION (SHRI MOHAN DHARIA): (a) and (b). A decision has been taken to set up a National Consumer Protection Council to build up and foster consumer movement in the country. The activities envisaged for this apex body include tendering of advice to the Central Government on matters related to production, supplies and distribution of essential commodities; examination of consumer grievances and initiation of remedial action; bringing to the notice of the concerned agencies problems relating to trade practices or prices of specified commodities; collecting and disseminating information relating to consumer matters; assisting State Governments and Union Territories in development of the consumer movement in their areas and providing assistance, including financial assistance, to organisations and associations

formed for the welfare of the consumers.

(c) The composition of the Council is in the process of being finalised. The Council will then decide the modality of its operations including the establishment of branches.

#### **Launching of Satellite**

139. SHRI P. RAJAGOPAL NAIDU:

DR. MURLI MANOHAR JOSHI:

Will the Minister of SPACE be pleased to state:

(a) whether Government propose to launch a satellite in the near future;

(b) if so, the main feature thereof; and

(c) the time by which it is expected to be launched?

THE PRIME MINISTER (SHRI MORARJI DESAI): (a) and (c). It is proposed to launch two satellites in the near future viz., Satellite for Earth Observation which will be launched sometime in 1978 and the Rohini Satellite which will be launched in 1979.

(b) The Satellite for Earth Observation is essentially a modification of Aryabhata, having more complex payload, data handling and control system. This satellite will weigh slightly over 400 Kgs. and will carry two television cameras and microwave radiometers payloads. This would enable photography and remote sensing of gross features, which will be applicable to forestry, study of bio masses, hydrological features, etc.

The Rohini Satellite, which will be launched with the use of Indian made satellite launch vehicle, will weigh approximately 40 Kgs. This satellite will essentially carry technological payloads to monitor the performance of the launch vehicle.

**Election of Director in the Central Government Employees Consumer Cooperative Society Ltd., New Delhi**

140. SHRI SHEO SAMPAT: Will the PRIME MINISTER be pleased to state:

(a) whether the bye-laws of the Central Government Employees Consumers Cooperative Society Ltd., New Delhi and the Delhi Cooperative Societies Rules, 1973 provide that an elected delegate cannot be elected as Director if his relation is already working as an employee of that Society;

(b) whether any delegate of the above Society has written to the Chairman, Board of Directors about certain directors in this regard, if so, when; and

(c) the action taken by the management on this complaint so far and the reasons for delay in taking action?

THE PRIME MINISTER (SHRI MORARJI DESAI): (a) The Delhi Cooperative Societies Rules, 1973 provide that no person shall be eligible for election as a Director if *inter alia* he is a near relative of a paid employee of the Society, and that if any question arises whether or not a member is a near relative of the said employee, it shall be referred to the Registrar whose decision thereon shall be final.

The bye-laws of the Society are, however, silent in the matter.

(b) Yes, Sir; on the 4th September, 1976.

(c) The management referred the complaint to the competent authority viz., the Registrar of Cooperative Societies for a decision later that month. There has been no delay in taking action.

**Cases referred to the Registrar of Cooperative Societies, Delhi by Consumer Cooperative Societies**

141. SHRI SHEO SAMPAT: Will the Minister of CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) the number and nature of cases referred to the Registrar of Cooperative Societies, Delhi by different Consumer Cooperative Societies functioning in Delhi during the year 1976 and particularly by the Central Government Employees Consumer Cooperative Society Ltd., New Delhi; and

(b) when such cases were received in the Registrar's office and when these cases were disposed of by that office and the decision communicated to the Society concerned?

THE MINISTER OF COMMERCE AND CIVIL SUPPLIES & COOPERATION (SHRI MOHAN DHARIA): (a) During 1976, about 550 references were made to the Registrar of Cooperative Societies Delhi by the consumer cooperative societies functioning in Delhi. The nature of references related to a number of aspects, such as, amendment of byelaws, information about change of addresses, requests for allotment of shops, allotment of confiscated goods, controlled cloth, fair-price shops requests for financial assistance, applications for import licences, election disputes, complaints of overdue elections, stock verification, writing off of bad debts, claims regarding payments, non-maintenance of records, audit, references to arbitration, and the like.

So far as the Central Government Employees Consumer Cooperative Store New Delhi is concerned, 21 references were received by the Registrar of Cooperative Societies, Delhi during the year 1976 on matters pertaining to general body meeting, declaration of dividends, claims of employees, approval for writing off bad debts, stock verification, request for godown accommodation, utilisation of reserve fund, amendment of bye-laws and other allied matters.

(b) Out of the 21 references received from the Central Government Employees Consumer Cooperative Society 14 cases have been disposed of by the Registrar of Cooperative Societies, Delhi and in 7 cases clarification has

been sought from the Society. A statement indicating the position is given in the statement laid on the Table of the House. [Placed in Library. See No. LT-109/77]. A

### Supply of Uranium by U.S. for Tarapur Atomic Power Station

142. SHRI SHEO SAMPAT: Will the Minister of ATOMIC ENERGY be pleased to state:

(a) whether the question of shipment of uranium for the Tarapur Atomic Power Station by U. S. is still in a fluid state;

(b) when the uranium is expected to be received and the effect of the delayed shipment; and

(c) the reaction of Government thereto?

THE PRIME MINISTER (SHRI MORARJI DESAI): (a) Yes, Sir.

(b) It is not certain when the enriched uranium will be received. However, if there is delay beyond May 1977, the operation of the Tarapur Atomic Power Station could be affected by mid-1978.

(c) The Government have informed the U.S. authorities of the adverse effects such delay can have on the availability of power in the western region and have also emphatically conveyed that such delays are not in consonance with the contractual obligations of the Government to Government agreement on the supply of fuel to the Tarapur reactors.

### Shortage of Staff in Nepal Unit of A. I. R.

143. SHRI K. B. CHETTRI: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether smooth functioning of the Nepal unit in N.S.D. and E.S.D. in A.I.R. has been hampered because of the shortage of staff; and

(b) if so, steps Government propose to take to recruit more staff?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI): (a) No, Sir.

(b) Does not arise.

आसुका (मोसा) और भारत रक्षा नियमों के अन्तर्गत गिरफ्तार किये गये सरकारी कर्मचारी

144. श्री ज्ञानेश्वर प्रसाद यादव :  
श्री सुभाष ग्राहजा :  
श्री आरिफ बेग :

क्या गृह मंत्री यह बताने की कृपा करेंगे कि :

(क) आपात स्थिति के दौरान 'आसुका' और भारत रक्षा नियमों के अन्तर्गत कितने केन्द्रीय सरकारी कर्मचारियों को गिरफ्तार किया गया ;

(ख) क्या बहुत से कर्मचारियों को आज तक भी सेवा में वापस नहीं लिया गया है ;

(ग) यदि हां, तो इस सम्बन्ध में सरकार का क्या कदम उठाने का विचार है ; और

(घ) क्या उन्हें सेवा से निलम्बित करने और सेवा से निकालने की अवधि का भी बेतन दिया जायेगा ?

गृह मंत्री ( चौधरी चरण सिंह ) : (क) से (घ) : सूचना एकत्रित की जा रही है और यथा समय सदन के सभा पटल पर रख दी जाएगी ।

### उद्योगों का विकेन्द्रीकरण

145. श्री ज्ञानेश्वर प्रसाद यादव : क्या उद्योग मन्त्री यह बताने की कृपा करेंगे कि :

(क) उद्योगों के विकेन्द्रीकरण की दिशा में सरकार क्या कार्यवाही करने जा रही है;

(ख) क्या ग्रामीण क्षेत्रों में औद्योगिक-करण की दिशा में सरकार अभी तक उदासीन रही है; और

(ग) यदि हां, तो इस दिशा में सरकार क्या कदम उठाना चाहती है ?

उद्योग मंत्री (श्री बृज लाल वर्मा) :

(क) से (ग): औद्योगिक क्षेत्र में विकास, सामाजिक न्याय और आत्म निर्भरता के उद्देश्यों की प्राप्ति सम्बन्धी सरकार की औद्योगिक नीति संकल्प, 1956 से विनियमित है। औद्योगिक नीति संकल्प, 1956 में इस बात पर बल दिया गया है कि सरकारी नीति का उद्देश्य यह सुनिश्चित करना होगा कि विकेन्द्रीकृत क्षेत्र स्वात्मन्वी बनने के लिए पर्याप्त क्षमता प्राप्त करें तथा इसका विकास बड़े उद्योगों के साथ समन्वित रूप में हो। अतः सरकार लघु उद्योगों उत्पादकों की प्रतियोगी सामर्थ्य में सुधार करने सम्बन्धी अभ्युपायों पर ध्यान केन्द्रित करेगी। सन्तुलित क्षेत्रीय विकास करना भी सरकार की नीति है ताकि देश के विभिन्न भागों में उद्योग स्थापित किए जा सकें। राष्ट्रीय नियोजन का एक उद्देश्य यह सुनिश्चित करना भी है कि बिजली, परिवहन आदि सम्बन्धी सुविधाएं उन क्षेत्रों को भी स्थायी तौर पर उपलब्ध कराई जायें जो इस समय औद्योगिक दृष्टि से पिछड़े हुए हैं तथा जहां रोजगार के अवसर प्रदान करने की बहुत सख्त जरूरत है।

बगलें स्थापना स्थान अन्य सभी दृष्टियों से अपयुक्त हो। वर्तमान सरकार इस बात पर गम्भीरता पूर्वक विचार कर रही है कि उद्योगों के विकेन्द्रीकरण के लिए अपेक्षित क्या अभ्युपाय किए जाने चाहिए।

मंत्रियों पर किया गया व्यय

146. श्री राघवजी: क्या गृह मंत्री यह बताने की कृपा करेंगे कि सरकार ने 1-1-76 से 31-12-76 तक की अवधि में केन्द्रीय सरकार के प्रत्येक मंत्री के टेलीफोन, बिजली, निवास स्थान की मरम्मत एवं यात्राओं पर, पृथक्-पृथक् कितना व्यय किया ?

गृह मंत्री (श्री धरम सिंह) : सूचना एकत्रित की जा रही है और सदन के पटल पर रख दी जाएगी।

श्री संजय गांधी द्वारा सरकारी विमानों में यात्रा

147. श्री राघवजी : क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या भूतपूर्व प्रधान मंत्री के पुत्र श्री संजय गांधी ने 25 जून, 1975 के पश्चात् सरकारी विमानों द्वारा यात्रा की थी; और

(ख) यदि हां, तो उसने ऐसे विमानों में कितनी बार यात्रा की और सरकार ने इस पर कितना खर्च किया ?

रक्षा मंत्री (श्री जगजीवन राम) : (क) जी हां।

(ख) उसने वायु सेना के विमानों में 49 अवसरों पर सभा पटल पर रड़े गये विवरण "क" और "ख" में दी गई उड़ान सूचियों के अनुसार यात्राएं कीं। (ग्रन्थालय में रखा गया। देखिये संख्या एलटी-110/77)

विवरण "क" में जो उड़ानों दी गई हैं उनमें श्री संजय गांधी ने प्रधान मंत्री तथा उन अन्य केन्द्रीय मंत्रियों की पार्टी के सदस्य के रूप में यात्रा की जिनके मांग पत्रों पर उड़ानों का प्रबन्ध किया गया था। वर्तमान आदेशों के अन्तर्गत प्रधान मंत्री और सम्बन्धित मंत्री भारतीय वायु सेना का अति विशिष्ट व्यक्ति (बी आई पी) विमान उपयोग करने के लिए प्राधिकृत हैं। वे अपने साथ किसी ऐसे व्यक्ति (व्यक्तियों) को ले जा सकते हैं जिसे मंत्री की यात्रा की सरकारी ड्यूटी के प्रयोजन के लिए विमान में ले जाना आवश्यक हो।

विवरण "ख" में जो उड़ानें दी गई हैं उनमें श्री संजय गांधी ने भारतीय वायु सेना के विमान में उन राज्यों के मुख्य मंत्रियों के साथ यात्रा की है जिनके लिए भुगतान करने पर उड़ानों की व्यवस्था की गई थी। भारतीय वायु सेना के विमानों में श्री संजय गांधी की यात्रा के लिए केन्द्र सरकार द्वारा अलग से व्यय नहीं किया गया क्योंकि उसने अति विशिष्ट व्यक्ति/परम विशिष्ट व्यक्तियों द्वारा प्राधिकृत मांग-पत्रों अथवा राज्य सरकारों द्वारा भुगतान करने पर उपलब्ध विमान में यात्रा की थी।

#### **Alleged Irregularities in Maruti Car Factory**

148. SHRI HARI VISHNU KAMATH: Will the Minister of INDUSTRY be pleased to state:

(a) whether it is a fact that several irregularities have been alleged to have been committed by various individuals and authorities during the construction of the Maruti Car Factory on the outskirts of New Delhi;

(b) if so, whether a public, independent inquiry will be instituted in connection therewith;

(c) whether the factory has gone into production; and

(d) if so, the details of production todate?

THE MINISTER OF INDUSTRY (SHRI BRIJLAL VERMA): (a) and (b). The Ministry of Industry is not aware of any irregularities alleged to have been committed during the construction of the Maruti Car Factory. However, based on the details of the factory building duly certified by a Chartered Accountant, release of 5655 tonnes of construction steel in a phased manner was recommended to the appropriate authority.

(c) Yes, Sir.

(d) According to the information furnished by M/s. Maruti Limited in May, 1976, the manufacture of cars had commenced at the rate of about 15/20 cars per month with effect from 7th July, 1975.

#### **Time Capsule**

149. SHRI HARI VISHNU KAMATH: Will the PRIME MINISTER be pleased to state:

(a) whether Government propose to unearth the Time Capsule embedded in the earth in Delhi a couple of years ago; and

(b) if so, when?

THE PRIME MINISTER (SHRI MORARJI DESAI): (a) and (b). The Government shall take the earliest opportunity to examine the entire matter in detail and then finalise the course of action.

#### **Investigation in an Alleged Assault on Shri Sanjay Gandhi**

150. SHRI HARI VISHNU KAMATH: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether it is a fact that on the morning of March 14, 1977 the All India Radio broadcast a news item regarding an alleged assault on Shri Sanjay Gandhi reported to have taken place the previous night; and

(b) whether an investigation has been made into the alleged incident if so, with what result?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI): (a) A news item regarding the alleged assault on Shri Sanjay Gandhi was broadcast by Akashvani on the morning of March 15, 1977 (and not March 14, 1977).

(b) Case No. 39 under section 307 of the Indian Penal Code has been registered on 15-3-1977 at 12.45 A.M. at Police Station, Amethi. Investigation of this case is under progress.

#### Introduction of a Bill for appointment of Lokpal and Lokayuktas

151. SHRI HARI VISHNU KAMATH: Will the PRIME MINISTER be pleased to state:

(a) whether Government propose to introduce a Bill for appointment of Lokpal and Lokayuktas in accordance with the recommendations of the Administrative Reforms Commission, vide its report of 1966; and

(b) if so, when?

THE PRIME MINISTER (SHRI MORARJI DESAI): (a) and (b). The Government have already initiated action to examine the matter with a view to introducing, as soon as possible, the necessary legislation having regard to the recommendations of the for setting up the institutions of Lokpal and Lokayuktas at the Centre.

12.05 hrs.

#### QUESTION OF PRIVILEGE

ALLEGED ANNOUNCEMENT OF A POLICY MATTER BY THE MINISTER OF HEALTH AND FAMILY PLANNING OUTSIDE THE HOUSE RE. COMPENSATION TO VICTIMS OF STERILISATION.

श्री केशवराव धोंडग (नांदेड़) : सदर साहब, मैं रूल 222 के तहत यहां पर प्रिवि-

लेज मोशन पेश कर रहा हूँ। इस सभा का अधिवेशन जारी रहते हुए गवर्नमेंट की कोई भी पालिसी चाहे ब्रह्म-इकोनॉमिक हो, वा फं मिली प्लानिंग के सम्बन्ध में हो, वह पहले हाउस के सामने आनी चाहिए। सदर साहब, बड़े अपसोस की बात है कि स्वास्थ्य मंत्री, सम्माननीय राज नारायण साहब ने कानपुर में 3 अप्रैल को एक वक्तव्य दिया जिसमें उन्होंने कहा कि स्टैरेलाइजेशन के बारे में, फेमिली प्लानिंग के बारे में जिन पर ज्यादातियां हुई हैं उनमें से हर आदमी को पांच हजार रुपये देने के बारे में उन्होंने स्टेट गवर्नमेंट्स को लिखा है। इस तरह की उन्होंने कई घोषणाएं की हैं। इसलिए मेरी गुजारिश है कि यह इस सभा का खुल्लमखुल्ला अपमान है कि इस सदन का अधिवेशन चलते हुए उन्होंने इस तरह की घोषणा यहां नहीं की। हम तो बाहर और यहां जम्हूरियत की बात करते हैं, लोकशाही की बात करते हैं। यह बाड़ी सावरन है, इस सावरन बाड़ी में पहले वक्तव्य न देना और बाहर दे देना यह ठीक नहीं है। मेरे ख्याल में यह सभा का अपमान है। इस तरह का रवैया ठीक नहीं है। पहले उन्हें यहां वक्तव्य देना चाहिए था। (व्यवधान) मैं उनसे प्रश्न करूंगा कि इसके सम्बन्ध में सभा को सूचना दें। और सदर साहब आप इस बारे में इन्साफ दें ऐसा मैं आपको और सभागृह को गुजारिश करता हूँ।

स्वास्थ्य और परिवार नियोजन मंत्री (श्री राज नारायण) : अध्यक्ष महोदय, मेरे विरुद्ध विशेषाधिकार की भ्रवहेलना का प्रस्ताव पेश किया गया है। मुझे खुशी है कि माननीय सदस्य ने मेरे विरुद्ध विशेषाधिकार भ्रवहेलना का प्रस्ताव रखा है। ऐसे प्रस्तावों का मैं बहुत सम्मान करता हूँ। जब जब मेरे सं दीय जीवन में मेरे विरुद्ध विशेषाधिकार भ्रवहेलना के प्रश्न रखे गये तब तब मैंने उनका स्वागत किया है। आज भी मैं इसका स्वागत करता हूँ।



[श्री राज नारायण]

यह विशेषाधिकार धवहेलना का प्रस्ताव क्या है, मैं उसको पढ़ देता हूँ उन्होंने शायद न पढ़ा हो। "3-4-77 को कानपुर में केन्द्रीय स्वास्थ्य मंत्री श्री राजनारायण ने पत्र-प्रतिनिधियों को एक मुलाकात में बताया कि जिन लोगों के साथ कुटुम्ब नियोजन के अन्तर्गत सख्तियां की गई हैं उनको न्याये देने के लिए प्रत्येक को पांच हजार रुपये की सहायता देने का आदेश केन्द्रीय सरकार ने राज्य सरकारों को दिया है। ऐसी घोषणा उन्होंने की। इतना ही नहीं, जिन पर जबर्दस्ती कुटुम्ब नियोजन का आप्रेशन किया है, उन पर दुबारा मुफ्त आप्रेशन कर, उनकी नस जुड़वाई जाए, ऐसा भी उन्होंने घोषित किया।"

श्रीमन्, अब तक जो नीति रही है, वह मैं इस सदन के सम्मानित सदस्यों की जानकारी के लिए पढ़ देना चाहता हूँ। जो मैं पढ़ रहा हूँ इसमें ऊपर बहुत ज्यादा है कि किस हालत में सौ रुपया दिया जाए, जिसमें सत्तर रुपया दिया जाए, यानी यह सर्कुलर उस मंत्रिमंडल के समय का है जिसमें हमारे बाबू जी मंत्री थे, उसमें लिखा है कि "यदि नसबंदी आप्रेशन, लूप निवेशन करवाने वाले व्यक्ति की आप्रेशन या निवेशन के दस दिनों के भीतर मौत हो जाती है तो इस निधि में से पांच हजार रुपये की रकम उसके जीवित पति-पत्नी को अथवा यदि उसका पति या पत्नी जीवित न हो तो उसकी जाति-बिरादरी को दे दी जाए, भले ही मौत का कारण कुछ भी हो। जिन मामलों में नसबंदी आप्रेशन, लूप निवेशन का तारीख से चार सप्ताह के बीच कोई जटिलता उत्पन्न हो जाए और तत्पश्चात् उस व्यक्ति की मृत्यु हो जाए तो भी यह सत्यापित हो जाने पर कि मृत्यु नसबंदी आप्रेशन या लूप निवेशन के परिणामस्वरूप हुई है, पांच हजार रुपये की रकम अनुग्रहपूर्वक अनुदान के रूप में दे दी जाए। यह जो हमने कहा है यह पहले की पालिसी है—(व्यवधान) अनावश्यक ढंग से बीच में बोलने से कोई मजा नहीं मिलेगा।

मैं उससे धवराता भी नहीं। लेकिन जरा और आगे में जाना चाहता हूँ। यह प्रश्न तो साफ हो गया और मैं समझता हूँ कि माननीय सदस्य समझ गए होंगे कि यह चीज कार्यान्वित हो रही है। हमें खुशी है कि उत्तर प्रदेश के जो स्वास्थ्य मंत्री है वह हम को दस बजे मिलने के लिए आए थे और उन्होंने कहा कि हम इसको कार्यान्वित कर रहे हैं। अगर कहीं गड़बड़ी आपको मालूम हो तो हमें निश्चित रूप से बताई जाए और हम उसको लागू करेंगे। हम समझते हैं कि हरियाणा की सरकार से भी यही आया है कि भी इसको कार्यान्वित करेंगे और उसमें तनिक भी मीन मेख नहीं निकालेंगे। सारी राज्य सरकारें हमारा जो सर्कुलर गया है इस सम्बन्ध में उसके मुताबिक इसको कार्यान्वित करने के लिए तैयार हैं। जिसका बैल है वह तो कहता है कि गरियार है और पडोसी यह कहे कि चलता है तो मैं इसको समझ नहीं सकता हूँ। मैं आगे जा सकता था। मैं कह देना चाहता हूँ कि यह अंधूरा सर्कुलर है लेकिन हमारी कैबिनेट में अभी इस पर पूरी तरह से विचार नहीं हुआ है। नसबन्दी करते समय जिनकी मृत्यु हो गई थी उनको सरकार मुआवजा दिलाए, इस सम्बन्ध में पुलिस की फाइल... (व्यवधान) आप हल्ला मत करें। मैं आगे जाना चाहता हूँ.....

श्री केशवराव धोंडगे : क्या मुझे बोलने का हक नहीं है। मंत्री महोदय ने मरने वालों के बजाय जिन्दों के बारे में भी कहा है। मंत्री महोदय ने कहा है हल्ला मत करिये। इसका मतलब क्या है ?

श्री राज नारायण : हल्ला शब्द के माने नहीं समझते हैं तो क्या मुझे माने बताने पड़ेंगे ? अगर हल्ला शब्द से इनको तकलीफ है तो मैं वापिस लेता हूँ। मेरा कहने का अभिप्राय यह है कि शोर न हो, सदन की डिसेंसी और डकोरम, मर्यादा और सुशुचि कायम रहे।

पुरानी सरकार ने हवाई जहाज के एकसी-डेंट से जो मरते थे उनको एक लाख रुपया

देने का फैसला किया था और देती थी। क्या मानव जीवन का मूल्य जो गरीबों का है उसको गिरा दिया जाएगा ? गरीब मरता है, हरिजन का बच्चा मरता है, पिछड़ी हुई जाति का आदमी मरता है पुलिस की गोली से क्या उसको मुआवजा न दिया जाए ? इसलिए हमारी कॅबिनेट इस पर विचार करेगी। लेकिन यह प्रश्न इस समय यहां नहीं। हमें जो असमानताएं हैं उनकी तरफ ध्यान देना होगा। यह जनता पार्टी की सरकार है बुरुआ सरकार नहीं है।

MR. SPEAKER: There is no privilege question involved.

12.15 hrs.

#### PAPERS LAID ON THE TABLE

ANNUAL ACCOUNTS, STATEMENTS, REVIEWS AND ANNUAL REPORTS, NOTIFICATIONS ETC.

THE PRIME MINISTER (SHRI MORARJI DESAI): I beg to lay on the Table:

(1) A copy each of the following papers (Hindi and English versions) under sub-section (2) of section 103 of the Major Port Trusts Act, 1963:

(i) Annual Accounts of the Cochin Port Trust for the year 1973-74 and the Audit Report thereon.

(ii) Annual Accounts of the Cochin Port Trust for the year 1974-75 and the Audit Report thereon.

(iii) Annual Accounts of the Cochin Port Trust for the year 1975-76 and the Audit Report thereon.

(iv) Annual Accounts of the Paradip Port Trust for the year 1974-75 and the Audit Report thereon

(v) Annual Accounts of the Paradip Port Trust for the year 1975-76 and the Audit Report thereon.

(vi) Annual Accounts of the Calcutta Port Trust for the year 1974-75 and the Audit Report thereon.

(vii) Annual Accounts of the Calcutta Port Trust for the year 1975-76 and the Audit Report thereon.

(viii) Annual Accounts of the Bombay Port Trust for the year 1975-76 and the Audit Report thereon.

(ix) Annual Accounts of the Madras Port Trust for the year 1975-76 and the Audit Report thereon.

(x) Annual Accounts of the Kandla Port Trust for the year 1975-76 and the Audit Report thereon.

(xi) Annual Accounts of the Visakhapatnam Port Trust for the year 1975-76 and the Audit Report thereon.

(xii) Annual Accounts of the Mormugao Port Trust for the year 1975-76 and the Audit Report thereon.

(2) Four statements (Hindi and English versions) showing reasons for delay in laying the papers mentioned at item Nos. (i), (ii), (iv) and (vi) above. [Placed in Library. See No. LT-112/77].

(3) A copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956:—

(a) (i) Review by the Government on the working of the Central Inland Water Transport Corporation Limited Calcutta for the year 1975-76.

(ii) Annual Report of the Central Inland Water Transport Cor-

poration Limited Calcutta, for the year 1975-76 along with the Audit Accounts and the comments of the Comptroller and Auditor General thereon. [*Placed in Library. See No. LT-113/77*].

(b) (i) Review by the Government on the working of the Electronics Corporation of India, Limited, Hyderabad, for the year 1975-76.

(ii) Annual Report of the Electronics Corporation of India Limited, Hyderabad, for the year 1975-76 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon. [*Placed in Library. See*

No. LT-113/77].

(c) (i) Review by the Government on the working of the Indian Rare Earths Limited, Bombay, for the year 1975-76.

(ii) Annual Report of the Indian Rare Earths Limited, Bombay, for the year 1975-76 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon.

[*Placed in Library. See No. LT-113/77*].

(d) (i) Review by the Government on the working of the Uranium Corporation of India Limited, Jaduguda, for the year 1975-76.

(ii) Annual Report of the Uranium Corporation of India Limited, Jaduguda, for the year 1975-76 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon. [*Placed in Library See No. LT-113/77*].

(4) A copy each of the following Notifications (Hindi and English versions) under sub-section (2) of

section 25 of the Tamil Nadu Motor Vehicles Taxation Act, 1974 read with clause (c) (iv) of the Proclamation dated the 31st January, 1976 issued by the President in relation to the State of Tamil Nadu:

(i) G.O. Ms. No. 2341 published in Tamil Nadu Government Gazette dated the 13th October, 1976.

(ii) G. O. Ms. No. 2479 published in Tamil Nadu Government Gazette dated the 13th October, 1976.

(iii) G. O. R. No. 4074 published in Tamil Nadu Government Gazette dated the 20th October, 1976.

(iv) G.O. Ms. 2520 published in Tamil Nadu Government Gazette dated the 27th October, 1976.

(v) G.O. Ms. No. 2722 published in Tamil Nadu Government Gazette dated the 24th November, 1976.

(vi) G.O. Ms. No. 2732 published in Tamil Nadu Government Gazette dated the 24th November, 1976.

(vii) G.O. Ms. No. 2885 published in Tamil Nadu Government Gazette dated the 8th December 1976.

(viii) G.O. Ms. No. 3352 published in Tamil Nadu Government Gazette dated the 30th December, 1976.

(ix) G.O. Ms. No. 14 published in Tamil Nadu Government Gazette dated the 12th January, 1977.

(5) A statement (Hindi and English versions) showing reasons for delay in laying the Notifications mentioned at (4) above. [*Placed in Library. See No. LT-114/77*].

(6) A copy each of the following Notifications (Hindi and English versions) under sub-section (2) of

**section 3 of the All India Services Act, 1951:**

(i) The Indian Administrative Service (Appointment by Promotion) Sixth Amendment Regulations, 1976, published in Notification No. G.S.R. 853(E) in Gazette of India dated the 27th October, 1976.

(ii) The Indian Police Service (Fixation of Cadre Strength) Fifteenth Amendment Regulations, 1976, published in Notification No. G.S.R. 856(E) in Gazette of India dated the 30th October, 1976.

(iii) The Indian Police Service (Pay) Sixteenth Amendment Rules, 1976, published in Notification No. G.S.R. 857(E) in Gazette of India dated the 30th October, 1976.

(iv) The Indian Administrative Service (Pay) Twenty-second Amendment Rules, 1976, published in Notification No. G.S.R. 859(E) in Gazette of India dated the 1st November, 1976.

(v) The Indian Police Service (Pay) Fourteenth Amendment Rules, 1976, published in Notification No. G.S.R. 1381 in Gazette of India dated the 13th November, 1976.

(vi) The Indian Police Service (Appointment by Promotion) Third Amendment Regulations, 1976, published in Notification No. G.S.R. 883(E) in Gazette of India dated the 18th November, 1976.

(vii) The Indian Police Service (Fixation of Cadre Strength) Sixteenth Amendment Regulations, 1976 published in Notification No. G.S.R. 894(E) in Gazette of India dated the 23rd November, 1976.

(viii) The Indian Police Service (Pay) Seventeenth Amendment Rules, 1976, published in Notification No. G.S.R. 895(E) in Gazette of India dated the 23rd November, 1976.

(ix) The Indian Police Service (Recruitment) Third Amendment Rules, 1976, published in Notification No. G.S.R. 1678 in Gazette of India dated the 4th December, 1976.

(x) The Indian Police Service (Fixation of Cadre Strength) Seventeenth Amendment Regulations, 1976, published in Notification No. G.S.R. 928(E) in Gazette of India dated the 17th December, 1976.

(xi) The Indian Police Service (Pay) Eighteenth Amendment Rules, 1976, published in Notification No. G.S.R. 929(E) in Gazette of India dated the 17th December, 1976.

(xii) The Indian Administrative Service (Fixation of Cadre Strength) Twentieth Amendment Regulations, 1976, published in Notification No. G.S.R. 946(E) in Gazette of India dated the 24th December, 1976.

(xiii) The Indian Administrative Service (Pay) Twenty-fourth Amendment Rules, 1976, published in Notification No. G.S.R. 947(E) in Gazette of India dated the 24th December, 1976.

(xiv) G.S.R. 1765 published in Gazette of India dated the 25th December, 1976 containing corrigenda to Notification No. G.S.R. 504 published in Gazette of India dated the 10th April, 1976.

(xv) The All India Service (Conduct) Second Amendment Rules, 1976, published in Notification No. G.S.R. 1766 in Gazette of India dated the 25th December, 1976.

[Shri Morarji Desai]

(xvi) The Indian Administrative Service (Probation) Fifth Amendment Rules, 1976, published in Notification No. G.S.R. 1767 in Gazette of India dated the 25th December, 1976.

(xvii) The Indian Administrative Service (Appointment by Selection) Amendment Regulations, 1976, published in Notification No. G.S.R. 1768 in Gazette of India dated the 25th December, 1976.

(xviii) The Indian Administrative Service (Appointment by Promotion) Fourth Amendment Regulations, 1976, published in Notification No. G.S.R. 1769 in Gazette of India dated the 25th December, 1976.

(xix) The Indian Administrative Service (Fixation of Cadre Strength) Twenty-fourth Amendment Regulations, 1976, published in Notification No. G.S.R. 953(E) in Gazette of India dated the 27th December, 1976.

(xx) The Indian Administrative Service (Pay) Twenty-third Amendment Rules, 1976, published in Notification No. G.S.R. 954(E) in Gazette of India dated the 27th December, 1976.

(xxi) The All India Services (House-rent Allowance) Rules, 1977, published in Notification No. G.S.R. 5(E) in Gazette of India dated the 4th January, 1977.

(xxii) The Indian Administrative Service (Pay) Second Amendment Rules, 1977, published in Notification No. G.S.R. 45(E) in Gazette of India dated the 28th January, 1977.

(xxiii) The Indian Administrative Service (Fixation of Cadre Strength) Third Amendment Regulation 1977, published in notification No. G.S.R. 44(E) in Gazette of India dated the 28th January, 1977.

(xxiv) The Indian Administrative Service (Fixation of Cadre Strength) Second Amendment Regulations, 1977, published in Notification No. G.S.R. 126 in Gazette of India dated the 29th January, 1977.

(xxv) The Indian Forest Service (Cadre) First Amendment Rules, 1977, published in Notification No. G.S.R. 124 in Gazette of India dated the 29th January, 1977.

(xxvi) The Indian Administrative Service (Pay) First Amendment Rules, 1977, published in Notification No. G.S.R. 125 in Gazette of India dated the 29th January, 1977.

(xxvii) The Indian Administrative Service (Fixation of Cadre Strength) Fourth Amendment Regulations, 1977, published in Notification No. G.S.R. 51(E) in Gazette of India dated the 1st February, 1977.

(xxviii) The Indian Administrative Service (Pay) Third Amendment Rules, 1977, published in Notification No. G.S.R. 52(E) in Gazette of India dated the 1st February, 1977.

(xxix) The Indian Administrative Service (Fixation of Cadre Strength) Fifth Amendment Regulations, 1977, published in Notification No. G.S.R. 73(E) in Gazette of India dated the 10th February, 1977.

(xxx) The Indian Administrative Service (Fixation of Cadre Strength) First Amendment Regulations, 1977, published in Notification No. G.S.R. 155 in Gazette of India dated the 5th February, 1977.

(xxxix) The Indian Forest Service (Pay) Amendment Rules, 1977, published in Notification No. G.S.R. 243 in Gazette of India dated the 28th February, 1977.

(xxxix) The Indian Police Service (Pay) Third Amendment Rules, 1977, published in Notification No. G.S.R. 97(E) in Gazette of India dated the 28th February, 1977.

(xxxix) The Indian Police Service (Pay) First Amendment Rules, 1977, published in Notification No. G.S.R. 99(E) in Gazette of India dated the 28th February, 1977.

(xxxix) The Indian Police Service (Pay) Second Amendment Rules, 1977, published in Notification No. G.S.R. 98(E) in Gazette of India dated the 28th February, 1977.

(xxxix) The Indian Police Service (Cadre) First Amendment Rules, 1977, published in Notification No. G.S.R. 285 in Gazette of India dated the 5th March, 1977.

(xxxix) The All India Services (Discipline and Appeal) Amendment Rules, 1977, published in Notification No. G.S.R. 358 in Gazette of India dated the 19th March, 1977.

(xxxix) The Indian Administrative Service (Fixation of Cadre Strength) Seventh Amendment Regulations, 1977, published in Notification No. G.S.R. 119(E) in Gazette of India dated the 22nd March, 1977.

(xxxix) Notification No. 11052/15/76-AIS(II) dated the 10th November, 1976 containing Corrigendum to Notification No. G.S.R. 1133—laid on the Table of Lok Sabha on the 25th October, 1976. [*Placed in Library. See No. LT-115/77.*]

President's Pension (Amdt) Rules, 1977, Notification under D.M.C. Act, 1957, a statement and Ministers (Allowances Medical Treatment and other privileges) Amdt. Rules, 1977.

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

(1) A copy of the President's Pension (Amendment) Rules, 1977 (Hindi and English versions) published in Notification No. G.S.R. 96 (E) in Gazette of India dated the 28th February, 1977, under sub-section (2) of section 5 of the President's Pension Act, 1951. [*Placed in library. See No. LT-116/77.*]

(2) A copy of Notification No. 100/77-ISG (Hindi and English versions) published in Delhi Gazette dated the 21st March, 1977 making certain amendment to Notification No. U-13021/17/75-Delhi (i) dated the 24th March, 1975 under sub-section (3) of section 490 of the Delhi Municipal Corporation Act, 1957.

(3) A statement (Hindi and English versions) explaining reasons for the issue of the above Notification. [*Placed in Library. See No. LT-117/77.*]

(4) A copy of the Ministers' (Allowances, Medical Treatment and other Privileges) Amendment Rules, 1977 (Hindi and English versions) published in Notification No. G.S.R. 58(E) in Gazette of India dated the 2nd February, 1977, under sub-section (2) of section 11 of the Salaries and Allowances of Ministers Act, 1952. [*Placed in Library. See No. LT-118/77.*]

NOTIFICATIONS UNDER NAVY ACT, 1957.

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM): I beg to lay on the Table a copy each of the following Notifications (Hindi and

English versions) under section 185 of the Navy Act, 1957:—

(1) The Navy (Pension) First Amendment Regulations, 1977 published in Notification No. S.R.O. 52 in Gazette of India dated the 19th February, 1977.

(2) The Navy (Pension) Second Amendment Regulations, 1977 published in Notification No. S.R.O. 75 in Gazette of India dated the 12th March, 1977. [*Placed in Library. See No. LT-119/77.*]

President's Acts under Tamil Nadu state Legislature (Delegation of powers) Act, 1976, Notifications under Essential commodities Act, 1955 and under Rice-milling industry (Regulation) Act, 1958 etc.

**SHRI RAVINDRA VARMA:** On behalf of Shri Prakash Singh Badal, I beg to lay on the Table:—

(1) A copy each of the following President's Acts (Hindi and English versions) under sub-section (3) of section 3 of the Tamil Nadu State Legislature (Delegation of Powers) Act, 1976:—

(i) The Tamil Nadu Debt Relief Laws (Amendment) Act, 1976 (President's Act. No. 46 of 1976) published in Gazette of India dated the 29th December, 1976.

(ii) The Tamil Nadu Debt Relief Laws (Amendment) Act, 1977 (President's Act, No. 3 of 1977) published in Gazette of India dated the 12th January, 1977. [*Placed in Library. See No. LT-120/77.*]

(2) A copy each of the following Notifications (Hindi and English versions) under sub-section (6) of section 3 of the Essential Commodities Act, 1955:—

(i) The Fertiliser (Control) Eighth Amendment Order 1976, published in Notification No. G.S.R. 854(E) in Gazette of India dated the 27th October, 1976.

(ii) The Fertiliser (Movement Control) Fourth Amendment Order, 1976, published in Notification No. S.O. 696(E) in Gazette of India dated the 28th October, 1976.

(iii) G.S.R. 865(E) published in Gazette of India dated the 2nd November, 1976.

(iv) G.S.R. 880(E) published in Gazette of India dated the 15th November, 1976.

(v) The Gujarat and Dadra and Nagar Haveli Rice (Export) and Paddy (Movement Control) Second Amendment Order, 1976, published in Notification No. G.S.R. 1975 in Gazette of India dated the 27th November, 1976.

(vi) The Rajasthan Paddy (Regulation of Movement) Order, 1976, published in Notification No. G.S.R. 1705 in Gazette of India dated the 4th December, 1976.

(vii) G.S.R. 917(E) published in Gazette of India dated the 13th December, 1976. /

(viii) The Fertiliser (Movement Control) Amendment Order, 1977 published in Notification No. G.S.R. 19(E) in Gazette of India dated the 15th January, 1977.

(ix) G.S.R. 65(E) published in Gazette of India dated the 8th February, 1977. [*Placed in Library. See No. LT-121/77.*]

(3) A copy each the following Notifications (Hindi and English versions) under sub-section (4) of section 22 of the Rice-Milling Industry (Regulation) Act, 1958:—

(i) The Rice-Milling Industry (Regulation and Licensing) Amendment Rules, 1976, published in Notification No. G.S.R. 490(E) in Gazette of India dated the 29th July, 1976.

(ii) The Rice-Milling Industry (Regulation and Licensing) Amendment Rules, 1977 published in Notification No. G.S.R. 284 in

Gazette of India dated the 26th February, 1977. [Placed in Library. See No. LT-122/77].

(4) A copy of the Central Warehousing Corporation (Amendment) Rules, 1977 (Hindi and English versions) published in Notification No. G.S.R. 338 in Gazette of India dated the 12th March, 1977, under sub-section (3) of section 41 of the Warehousing Corporations Act, 1962 [Placed in Library. See No. LT-123/77].

(5) A copy of the Annual Report and Certified Accounts (Hindi and English versions) of the Tamil Nadu Warehousing Corporation, Madras for the year 1973-74 under sub-section (11) of section 31 of the Warehousing Corporation Act, 1962 read with clause (c) (iv) of the Proclamation dated the 31st January, 1976 issued by the President in relation to the State of Tamil Nadu.

(6) A statement (Hindi and English versions) showing reasons for delay in laying the above Accounts. [Placed in Library. See No. LT-124/77].

(7) A copy of Notification No. G.O. Ms. 341 (Hindi and English versions) published in Tamil Nadu Government Gazette dated the 7th January, 1976 under sub-section (4) of section 27 of the Tamil Nadu Warehouses Act, 1951 read with clause (c) (iv) of the Proclamation dated the 31st January, 1976 issued by the President in relation to the State of Tamil Nadu. [Placed in Library. See No. LT-125/77].

**RAILWAYS RED TARIFF (AMDT.)  
RULES 1977**

THE MINISTER OF RAILWAYS (PROF. MADHU DANDAVATE): I beg to lay on the Table a copy of the Railways Red Tariff (Amendment) Rules, 1977 (Hindi and English versions) published in Notification No. G.S.R. 405 in Gazette of India dated the 19th March, 1977 issued under section 47 of the Indian Railways Act,

1890. [Placed in Library. See No. LT-126/77].

**NOTIFICATIONS UNDER EXPORT (QUALITY CONTROL AND INSPECTION) ACT, 1963 ANUAL REPORTS AND AUDITED ACCOUNTS ETC.**

THE MINISTER OF COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION (SHRI MOHAN DHARIA): I beg to lay on the Table:

(1) A copy each of the following Notifications (Hindi and English versions) under sub-section (3) of section 17 of the Export (Quality Control and Inspection) Act, 1963:—

(i) The Export of Jute Products (Quality Control and Inspection) Amendment Rules, 1976 published in Notification No. S.O. 4462 in Gazette of India dated the 20th November, 1976.

(ii) The Export of Dried Fish (Inspection) Amendment Rules, 1976 published in Notification No. S.O. 4494 in Gazette of India dated the 27th November, 1976.

(iii) The Export of Steel Tubes and Tubulars (Quality Control and Inspection) Amendment Rules, 1977 published in Notification No. S.O. 60 in Gazette of India dated the 1st January, 1977.

(iv) The Export of Pipe Fittings (Inspection) Rules, 1977 published in Notification No. S.O. 62 in Gazette of India dated the 1st January, 1977.

(v) The Export of Cashew Kernels (Quality Control and Inspection) Amendment Rules, 1976 published in Notification No. S.O. 410 in Gazette of India dated the 29th January, 1977.

(vi) The Export of Canned Crab Meat (Inspection) Rules,



1977 published in Notification No. S.O. 456 in Gazette of India dated the 5th February, 1977.

(vii) The Export of Carpet (Quality Control and Inspection) Amendment Rules, 1977 published in Notification No. S.O. 825 in Gazette of India dated the 19th March, 1977. [Placed in Library. See No. LT-127/77].

(2) (i) A copy of the Indian Standards Institution (Certification Marks) Regulations, 1955 (Hindi and English versions) under section 22 of the Indian Standards Institution (Certification Marks) Act, 1952.

(ii) A statement explaining the reasons for laying the papers at item (i) above. [Placed in Library. See No. LT-128/77].

(3) A copy of the Annual Report (Hindi and English versions) of the Indian Standards Institution, New Delhi, for the year 1975-76. [Placed in Library. See No. LT-129/77].

(4) A copy of the Central Silk Board Contributory Provident Fund (Amendment) Rules, 1976 (Hindi and English versions) published in Notification No. G.S.R. 1529 in Gazette of India dated the 30th October, 1976, under sub-section (3) of section 13 of the Central Silk Board Act, 1948. [Placed in Library. See No. LT-130/77].

(5) A copy of the Audited Accounts (Hindi and English versions) of the Central Silk Board for the year 1974-75 under sub-section (4) of section 12 of the Central Silk Board Act, 1948. [Placed in Library. See No. LT-131/77].

(6) A copy of the Audit Report (Hindi and English versions) on the Accounts of the Rubber Board for the year 1974-75 along with the statement of Accounts. [Placed in Library. See No. LT-123/77].

(7) A copy of the Annual Report (Hindi and English versions) National Cooperative Development Cor-

poration, New Delhi, for the year 1975-76 under sub-section (3) of section 14 of the National Cooperative Development Corporation Act, 1962. [Placed in Library. See No. LT-133/77].

#### ANNUAL REPORTS, NOTIFICATIONS ETC.

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): I beg to lay on the Table:—

(1) A copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956:—

(i) Annual Report of the National Insurance Company Limited, Calcutta, for the year 1974 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-134/77].

(ii) Annual Report of the Oriental Fire and General Insurance Company Limited, New Delhi, for the year 1974 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-135/77].

(iii) Annual Report of the New India Assurance Company Limited, Bombay, for the year 1975 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-136/77].

(iv) Annual Report of the General Insurance Corporation of India, Bombay, for the year 1975 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-137/77].

(2) A copy of Notification No. G.O. Ms. 1917 (Hindi and English versions) published in Tamil Nadu Government Gazette dated

the 26th January, 1977 issued under sub-section (1) of section 2 of the Tamil Nadu Chit Funds Act, 1961 read with clause (c) (iv) of the Proclamation dated the 31st January, 1976 issued by the President in relation to the State of Tamil Nadu. [*Placed in Library. See No. LT-138/77*].

(3) A copy of the Tamil Nadu General Sales Tax (Amendment) Act, 1976 (President's Act, No. 40 of 1976) (Hindi and English versions) published in Gazette of India dated the 9th November, 1976, under sub-section (3) of section 3 of the Tamil Nadu State Legislature (Delegation of Powers) Act, 1976. [*Placed in Library. See No. LT-139/77*].

(4) A copy of the Customs Tariff (Determination of Origin of Goods under the Bangkok Agreement) Rules, 1976 (Hindi and English versions) published in Notification No. G.S.R. 863 (E) in Gazette of India dated the 1st November, 1976, under section 10 of the Customs Tariff Act, 1975. [*Placed in Library. See No. LT-140/77*].

(5) A copy of Notification No. G.S.R. 1790. (Hindi and English versions) published in Gazette of India dated the 25th December, 1976 making certain amendment to Notification No. G.S.R. 952 dated the 21st June, 1976 under section 51 of the Finance (No. 2) Act, 1971. [*Placed in Library. See No. LT-141/77*].

(6) A copy each of the following Notifications (Hindi and English versions) under section 296 of the Income-tax Act, 1961:—

(i) S.O. 4060 published in Gazette of India dated the 6th November, 1976.

(ii) S.O. 4061, published in Gazette of India, dated the 6th November, 1976.

(iii) S.O. 4062, published in Gazette of India, dated the 6th November, 1976.

(iv) S.O. 4063, published in Gazette of India, dated the 6th November, 1976.

(v) S.O. 4064, published in Gazette of India, dated the 6th November, 1976.

(vi) S.O. 4065, published in Gazette of India, dated the 6th November, 1976.

(vii) The Income-tax (Seventh Amendment) Rules, 1976, published in Notification No. S.O. 842 (E), in Gazette of India dated the 30th December, 1976. [*Placed in Library. See No. LT-142/77*].

(viii) The Income-tax (Second Amendment) Rules 1977 published in Notification No. 23 (E) in Gazette of India, dated the 18th January, 1977.

(ix) S.O. 578, published in Gazette of India, dated the 19th February, 1977.

(x) S.O. 579, published in Gazette of India, dated the 19th February, 1977.

(xi) S.O. 583, published in Gazette of India, dated the 19th February, 1977.

(xii) S.O. 584, published in Gazette of India, dated the 19th February, 1977.

(xiii) S.O. 585, published in Gazette of India, dated the 19th February, 1977.

(xiv) S.O. 587, published in Gazette of India, dated the 19th February, 1977.

(xv) The Income-tax (Third Amendment) Rules, 1977, published in Notification No. S.O. 210 (E), in Gazette of India dated the 5th March, 1977. [*Placed in Library. See No. LT-143/77*].

(7) A copy each of the following Notifications (Hindi and English versions) under sub-section (4) of section 46 of the Wealth-Tax Act, 1957:—

(i) The Wealth-tax (Third Amendment) Rules, 1976, published in Notification No. S.O. 702(E), in Gazette of India, dated the 3rd November, 1976.

(ii) The Wealth-tax (Fourth Amendment) Rules, 1976 published in Notification No. S.O. 732(E), in Gazette of India, dated the 15th November, 1976.

(iii) The Wealth-tax (Amendment) Rules, 1977 published in Notification No. S.O. 16(E), in Gazette of India dated the 12th January, 1977.

(iv) The Wealth-tax (Second Amendment) Rules, 1977 published in Notification No. S.O. 166(E) in Gazette of India dated the 15th February, 1977. [Placed in Library. See No. LT-144/77].

(8) A copy of the Interest-tax (Amendment) Rules, 1976 (Hindi and English versions) published in Notification No. S.O. 843(E), in Gazette of India dated the 30th December, 1976 under sub-section (4) of section 27 of the Interest-tax Act, 1974. [Placed in Library. See. No. LT-145/77].

(9) A copy of the Gift-tax (Second Amendment) Rules, 1976 (Hindi and English versions) published in Notification No. S.O. 722(E), in Gazette of India dated the 12th November, 1976, under sub-section (4) of section 46 of the Gift-tax Act, 1958. [Placed in Library. See No. LT-146/77].

(10) A copy of the Companies (Profits) Surtax (Amendment) Rules, 1977 (Hindi and English versions) published in Notification No. S.O. 167(E), in Gazette of India

dated the 15th February, 1977, under sub-section (3) of section 25 of the Companies (Profits) Surtax Act, 1964 [Placed in Library. See No. LT-147/77].

(11) A copy each of the following Notifications (Hindi and English versions) under section 72 of the Delhi Sales Tax Act, 1975:—

(i) The Delhi Sales-Tax (Ninth Amendment) Rules, 1976 published in Notification No. F.4(2)/76-Fin.(G), in Delhi Gazette dated the 30th December, 1976.

(ii) The Delhi Sales Tax (First Amendment) Rules, 1977 published in Notification No. F.4(62)/76-Fin.(G), (iii) in Delhi Gazette dated the 25th January, 1977.

(iii) The Delhi Sales Tax (Second Amendment) Rules, 1977 published in Notification No. F.4(78)/75-Fin.(G), in Delhi Gazette dated the 25th February, 1977. [Placed in Library. See No. LT-148/77].

(12) A copy of the Central Sales Tax (Registration and Turnover) (Amendment) Rules, 1976 (Hindi and English versions) published in Notification No. G.S.R. 962(E), in Gazette of India dated the 30th December, 1976, under sub-section (2) of section 13 of the Central Sales Tax Act, 1956. [Placed in Library. See No. LT-149/77].

(13) A copy each of the following Notifications (Hindi and English versions) under section 38 of the Central Excises and Salt Act, 1944:—

(i) The Central Excise (Twenty-fifth Amendment) Rules, 1976, published in Notification No. G.S.R. 1608 in Gazette of India, dated the 13th November, 1976.

(ii) The Central Excise (Twenty-sixth Amendment) Rules, 1976,

published in Notification No. G.S.R. 920(E) in Gazette of India dated the 15th December, 1976.

(iii) The Central Excise (Twenty-seventh Amendment) Rules, 1976, published in Notification No. G.S.R. 1792, in Gazette of India, dated the 25th December, 1976.

(iv) The Central Excise (First Amendment) Rules 1977, published in Notification No. G.S.R. 96 in Gazette of India dated the 15th January, 1977.

(v) The Central Excise (Second Amendment) Rules, 1977, published in Notification No. G.S.R. 152 in Gazette of India, dated the 29th January, 1977.

(vi) The Central Excise (Fourth Amendment) Rules, 1977, published in Notification No. G.S.R. 408, in Gazette of India dated the 19th March, 1977.

(vii) The Central Excise (Sixth Amendment) Rules, 1977, published in Notification No. G.S.R. 128 (E) Gazette of India, dated the 25th March, 1977. [*Placed in Library. See No. LT-150/77.*]

(14) A copy each of the following Notification (Hindi and English versions) issued under the Central Excise Rules, 1944:—

(i) G.S.R. 1547, published in Gazette of India, dated the 30th October, 1976, together with an explanatory memorandum.

(ii) G.S.R. 872(E), published in Gazette of India dated the 10th November, 1976, together with an explanatory memorandum.

(iii) G.S.R. 878(E) and 879(E), published in Gazette of India, dated the 13th November, 1976, together with an explanatory memorandum.

(iv) G.S.R. 1607, published in Gazette of India dated the 13th

November, 1976 together with an explanatory memorandum.

(v) G.S.R. 881(E) published in Gazette of India dated the 16th November, 1976 together with an explanatory memorandum.

(vi) G.S.R. 891(E) published in Gazette of India dated the 22nd November, 1976, together with an explanatory memorandum.

(vii) G.S.R. 905(E), published in Gazette of India dated the 1st December, 1976, together with an explanatory memorandum.

(viii) G.S.R. 1719, published in Gazette of India dated the 4th December, 1976 together with an explanatory memorandum.

(ix) G.S.R. 1762, published in Gazette of India dated the 18th December, 1976, together with an explanatory memorandum.

(x) G.S.R. 966(E), published in Gazette of India, dated the 31st December, 1976, together with an explanatory memorandum.

(xi) G.S.R. 42(E), published in Gazette of India dated the 27th January, 1977, together with an explanatory memorandum.

(xii) G.S.R. 871(E), published in Gazette of India dated the 9th November, 1976, G.S.R. 882(E), published in Gazette of India, dated the 17th November, 1976, G.S.R. 910(E), published in Gazette of India dated the 8th December, 1976, G.S.R. 921(E), published in Gazette of India dated the 15th December, 1976, G.S.R. 1791, published in Gazette of India dated the 25th December, 1976, G.S.R. 32(E), published in Gazette of India, dated the 24th January, 1977, G.S.R. 43(E), published in Gazette of India, dated

the 28th January, 1977, G.S.R. 51 (E), published in Gazette of India dated the 1st February, 1977 and G.S.R. 70(E), published in Gazette of India dated the 8th February, 1977 together with an explanatory memorandum.

(xiii) G.S.R. 97 published in Gazette of India dated the 15th January, 1977, together with an explanatory memorandum.

(xiv) G.S.R. 123, published in Gazette of India dated the 22nd January, 1977, together with an explanatory memorandum.

(xv) G.S.R. 66(E), published in Gazette of India, dated the 8th February, 1977 together with an explanatory memorandum.

(xvi) G.S.R. 90(E), and 91(E) published in Gazette of India dated the 26th February, 1977, together with an explanatory memorandum.

(xvii) G.S.R. 281, 282 and 283 published in Gazette of India dated the 26th February, 1977, together with an explanatory memorandum.

(xviii) G.S.R. 102(E), published in Gazette of India dated the 1st March, 1977, together with an explanatory memorandum.

(xix) G.S.R. 109(E), published in Gazette of India dated the 11th March, 1977, together with an explanatory memorandum.

(xx) G.S.R. 127(E), published in Gazette of India dated the 25th March, 1977, together with an explanatory memorandum.

[Placed in Library. See No. LT-151/77].

(15) A copy each of the following Notifications (Hindi and English versions) under section 159 of the Customs Act, 1962:—

(i) G.S.R. 867(E) published in Gazette of India dated the 5th November, 1976, together with an explanatory memorandum.

(ii) G.S.R. 876(E) published in Gazette of India dated the 12th November, 1976, together with an explanatory memorandum.

(iii) G.S.R. 893(E), published in Gazette of India dated the 22nd November, 1976 together with an explanatory memorandum.

(iv) G.S.R. 896(E) published in Gazette of India dated the 23rd November, 1976, together with an explanatory memorandum.

(v) G.S.R. 897(E) published in Gazette of India dated the 24th November, 1976, together with an explanatory memorandum.

(vi) G.S.R. 902(E) published in Gazette of India dated the 27th November, 1976 together with an explanatory memorandum.

(vii) G.S.R. 903(E) published in Gazette of India dated the 29th November, 1976 together with an explanatory memorandum.

(viii) G.S.R. 1720 published in Gazette of India dated the 4th December, 1976 together with an explanatory memorandum.

(ix) G.S.R. 909(E) published in Gazette of India dated the 8th December, 1976 together with an explanatory memorandum.

(x) G.S.R. 1723 published in Gazette of India dated the 11th December, 1976 together with an explanatory memorandum.

(xi) G.S.R. 919(E) published in Gazette of India dated the 14th December, 1976 together with an explanatory memorandum.

(xii) G.S.R. 926(E) published in Gazette of India dated the 16th December, 1976 together with an explanatory memorandum.

(xiii) G.S.R. 930(E) published in Gazette of India dated the 18th December, 1976 together with an explanatory memorandum.

(xiv) G.S.R. 951 published in Gazette of India dated the 24th December, 1976 together with an explanatory memorandum.

(xv) G.S.R. 1(E) published in Gazette of India dated the 1st January, 1977 together with an explanatory memorandum.

(xvi) G.S.R. 7(E) and 8(E) published in Gazette of India dated the 6th January, 1976 together with an explanatory memorandum.

(xvii) G.S.R. 39 published in Gazette of India dated the 8th January, 1977 together with an explanatory memorandum.

(xviii) G.S.R. 67 published in Gazette of India dated the 8th January, 1977 together with an explanatory memorandum.

(xix) G.S.R. 11(E) and 12(E) published in Gazette of India dated the 11th January, 1977 together with an explanatory memorandum.

(xx) G.S.R. 20(E) and 21(E) published in Gazette of India dated the 15th January, 1977 together with an explanatory memorandum.

(xxi) G.S.R. 26(E), 27(E) and 28(E) published in Gazette of India dated the 22nd January, 1977 together with an explanatory memorandum.

(xxii) G.S.R. 29(E) published in Gazette of India dated the 22nd January, 1977 together with an explanatory memorandum.

(xxiii) G.S.R. 30(E) and 31(E) published in Gazette of India dated the 24th January, 1977 together with an explanatory memorandum.

(xxiv) G.S.R. 60(E) published in Gazette of India dated the 7th February, 1977 together with an explanatory memorandum.

(xxv) G.S.R. 61(E) published in Gazette of India dated the 7th February, 1977 together with an explanatory memorandum.

(xxvi) G.S.R. 63(E) published in Gazette of India dated the 7th February, 1977 together with an explanatory memorandum.

(xxvii) G.S.R. 67(E) and 68(E) published in Gazette of India dated the 8th February, 1977 together with an explanatory memorandum.

(xxviii) G.S.R. 69(E) published in Gazette of India dated the 8th February, 1977 together with an explanatory memorandum.

(xxix) G.S.R. 84(E) published in Gazette of India dated the 24th February, 1977 together with an explanatory memorandum.

(xxx) G.S.R. 85(E) published in Gazette of India dated the 24th February, 1977 together with an explanatory memorandum.

(xxxi) G.S.R. 106(E) published in Gazette of India dated the 7th March, 1977 together with an explanatory memorandum.

(xxxii) G.S.R. 107(E) and 108(E) published in Gazette of India dated the 9th March, 1977 together with an explanatory memorandum.

(xxxiii) G.S.R. 111(E) published in Gazette of India dated the 11th March, 1977 together with an explanatory memorandum.

(xxxiv) G.S.R. 112(E) published in Gazette of India dated the 11th March, 1977 together with an explanatory memorandum.

(xxxv) G.S.R. 113(E) published in Gazette of India dated the

11th March, 1977 together with an explanatory memorandum.

(xxxvi) G.S.R. 407 published in Gazette of India dated the 19th March, 1977 together with an explanatory memorandum.

[Placed in Library. See No. LT-152/77].

(16) A copy each of the following Notifications (Hindi and English versions) under sub-section (5) of section 53 of the Tamil Nadu General Sales Tax Act, 1959 read with clause (c)(iv) of the Proclamation dated the 31st January, 1976 issued by the President in relation to the State of Tamil Nadu:—

(i) G.O.Ms. No. 68 published in Tamil Nadu Government Gazette dated the 23rd January, 1976.

(ii) G.O.P. No. 211 published in Tamil Nadu Government Gazette dated the 10th March, 1976.

(iii) G.O.Ms. No. 219 published in Tamil Nadu Government Gazette dated the 17th March, 1976.

(iv) G.O.Ms. No. 1347 published in Tamil Nadu Government Gazette dated the 13th October, 1976.

(v) G.O.Ms. No. 1363 published in Tamil Nadu Government Gazette dated the 13th October, 1976.

(vi) G.O.P. No. 1417 published in Tamil Nadu Government Gazette dated the 5th October, 1976.

(vii) G.O. Press No. 606 published in Tamil Nadu Government Gazette dated the 15th November, 1976.

(viii) G.O.Ms. No. 1536 published in Tamil Nadu Government Gazette dated the 15th November, 1976.

(ix) G.O.Ms. No. 1583 published in Tamil Nadu Government Gazette dated the 1st December, 1976.

(x) G.O.Ms. No. 1534 published in Tamil Nadu Government Gazette dated the 1st December, 1976.

(xi) G.O.P. No. 1760 published in Tamil Nadu Government Gazette dated the 29th December, 1976.

(xii) G.O.Ps. No. 72 published in Tamil Nadu Government Gazette dated the 2nd February, 1977.

(xiii) G.O.Ms. No. 80 published in Tamil Nadu Government Gazette dated the 2nd February, 1977.

(xiv) G.O.Ps. No. 169 published in Tamil Nadu Government Gazette dated the 3rd February, 1977.

(xv) G.O.Ms. No. 1908 published in Tamil Nadu Government Gazette dated the 9th February, 1977.

(xvi) G.O.Ms. No. 163 published in Tamil Nadu Government Gazette dated the 23rd February, 1977.

(xvii) G.O.Ps. No. 535 published in Tamil Nadu Government Gazette dated the 11th December, 1974.

(xviii) G.O.P. No. 752 published in Tamil Nadu Government Gazette dated the 16th July, 1975.

(xix) G.O.P. No. 883 published in Tamil Nadu Government Gazette dated the 20th August, 1975.

(xx) G.O.Ms. No. 1160 published in Tamil Nadu Government Gazette dated the 29th October, 1975.

(xxi) G.O.P. No. 1399 published in Tamil Nadu Government Gazette dated the 18th November, 1975.

(xxii) G.O.Ms. No. 1540 published in Tamil Nadu Government Gazette dated the 2nd February, 1976.

(xxiii) G.O.Ms. No. 90 published in Tamil Nadu Government Gazette dated the 18th February, 1976.

(xxiv) G.O.Ms. No. 348 published in Tamil Nadu Government Gazette dated the 17th April, 1976.

(xxv) G.O.P. No. 394 published in Tamil Nadu Government Gazette dated the 19th March, 1976.

(xxvi) Memorandum No. 2/291/III(2)/75-7 published in Tamil Nadu Government Gazette dated the 28th April, 1976.

(xxvii) G.O.Ps. No. 99 published in Tamil Nadu Government Gazette dated the 19th May, 1976.

(xxviii) G.O.Ms. No. 637 published in Tamil Nadu Government Gazette dated the 26th May, 1976.

(xxix) Memorandum No. 48532/III(2)/75-2 published in Tamil Nadu Government Gazette dated the 2nd June, 1976.

(xxx) G.O.Ms. No. 789 published in Tamil Nadu Government Gazette dated the 7th July, 1976.

(xxxi) G.O.Ms. No. 931 published in Tamil Nadu Government Gazette dated the 21st July, 1976.

(xxxii) G.O.Ms. No. 932 published in Tamil Nadu Government Gazette dated the 18th August, 1976.

(xxxiii) G.O.P. No. 1049 published in Tamil Nadu Government Gazette dated the 25th August, 1976.

(xxxiv) G.O.Ms. No. 1087 published in Tamil Nadu Government Gazette dated the 18th August, 1976.

(xxxv) G.O.Ms. No. 1392 published in Tamil Nadu Government Gazette dated the 29th September, 1976.

(17) A statement (Hindi and English versions) showing reasons for delay in laying the Notifications mentioned at (xvii) to (xxxv) of (16) above.

[Placed in Library. See No. LT-153/77].

(18) (i) A copy of Notification No. G.O.Ms. 778 (Hindi and English versions) published in Tamil Nadu Government Gazette dated the 23rd June, 1976 making certain amendment to the Indian Stamp Rules, 1925, under sub-section (2) of section 75A of the Indian Stamp Act, 1899 read with clause (c)(iv) of the Proclamation dated the 31st January, 1976 issued by the President in relation to the State of Tamil Nadu.

(ii) A statement (Hindi and English versions) showing reasons for delay in laying the above Notification.

[Placed in Library. See No. LT-154/77].

REVIEWS AND ANNUAL REPORTS, A STATEMENT, BUDGET ESTIMATES OF DVC FOR 1977-78, AND BHAKRA MANAGEMENT BOARD (AMDT.) RULES. 1976

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): I beg to lay on the Table:—

(1) A copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956:

(a) (i) Review by the Government on the working of the Rural Electrification Corporation, New Delhi, for the year 1975-76.



(ii) Annual Report of the Rural Electrification Corporation, New Delhi, for the year 1975-76 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon.

(b) (i) Review by the Government on the working of the National Projects Construction Corporation Limited, New Delhi, for the year 1975-76.

(ii) Annual Report of the National Projects Construction Corporation Limited, New Delhi, for the year 1975-76 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon.

[Placed in Library. See No. LT-155/77].

(2) (i) A copy of the Annual Report (Hindi and English versions) of the Damodar Valley Corporation along with the Audit Report on the accounts thereof for the year 1974-75, under sub-section (5) of section 45 of the Damodar Valley Corporation Act, 1948.

(ii) A statement (Hindi and English versions) showing reasons for delay in laying the above report.

[Placed in Library. See No. LT-156/77].

(3) A copy of the Budget Estimates (Hindi and English versions) of the Damodar Valley Corporation for the year 1977-78, under sub-section (3) of section 44 of the Damodar Valley Corporation Act, 1948.

[Placed in Library. See No. LT-157/77].

(4) A copy of the Bhakra Management Board (Amendment) Rules, 1976 (Hindi and English versions) published in Notification

No. G.S.R. 1709 in Gazette of India dated the 4th December, 1976, under sub-section (3) of section 97 of the Punjab Reorganisation Act, 1966.

[Placed in Library. See No. LT-158/77].

AUDITED ACCOUNTS OF E.S.I.C. FOR 1972-73, 1973-74 & 1974-75 REVISED AND BUDGET ESTIMATES OF E.S.I.C. FOR 1976-77 & 1977-78 RESPECTIVELY, A STATEMENT re. DELAY IN LAYING PAPERS AND STATEMENTS re. ACTION TAKEN

SHRI RAVINDRA VARMA: I beg to lay on the Table:

(1) A copy each of the following papers (Hindi and English versions) under section 36 of the Employees State Insurance Act, 1948:—

(i) Audited Accounts of the Employees' State Insurance Corporation for the year 1972-73 together with the Audit Report thereon.

(ii) Audited Accounts of the Employees' State Insurance Corporation for the year 1973-74 together with the Audit Report thereon.

(iii) Audited Accounts of the Employees' State Insurance Corporation for the year 1974-75 together with the Audit Report thereon.

(iv) Revised Estimates for the year 1976-77 and Budget Estimates for the year 1977-78 of the Employees' State Insurance Corporation.

(2) A statement showing reasons for delay in laying the papers mentioned at (i) to (iii) of item (1) above.

[Placed in Library. See No. LT-159/77].

(3) The following statements showing the action taken by the Government on various assurances, promises and undertakings given

by the Ministers during the various sessions of Lok Sabha:

*Fourth Lok Sabha*

(i) Statement No. XLIII—  
Tenth Session, 1970.

(ii) Statement No. XXXI—  
Eleventh Session, 1970.

(iii) Statement No. XXXVIII—  
Second Session, 1971.

*Fifth Lok Sabha*

(iv) Statement No. XXVI—  
Third Session, 1971.

(v) Statement No. XXXIII—  
Fourth Session, 1972.

(vi) Statement No. XXIII—  
Eight Session, 1973.

(vii) Statement No. XXI—  
Ninth Session, 1973.

(viii) Statement No. XIX—  
Twelfth Session, 1974.

(ix) Statement No. XXIII—  
Thirteenth Session, 1975.

(x) Statement No. VII—  
Fifteenth Session, 1976.

(xi) Statement No. VI—  
Sixteenth Session 1976.

(xii) Statement No. III—  
Seventeenth Session, 1976.

[Placed in Library. See No. LT-160/77].

**ANNUAL REPORT OF DEVELOPMENT COUNCIL FOR AUTOMOBILES, AUTOMOBILE ANCILLARY INDUSTRIES ETC. FOR 1975-76, NOTIFICATIONS, REVIEWS AND ANNUAL REPORTS**

उद्योग मन्त्री श्री बृज लाल वर्मा : अध्यक्ष मण्डल, में वादा—पूर्व क. मद संख्या 12 में उल्लिखित कागजात को सभा पटल पर रखता हूँ :

(1) A copy of the Annual Report (Hindi and English versions) of the Development Council for Automobiles, Automobiles Ancillary In-

dustries, Transport Vehicle Industries, Tractors, Earth-moving Equipment and Internal Combustion Engines, for the year 1975-76, under sub-section (4) of section 7 of the Industries (Development and Regulation) Act, 1951. [Placed in Library. See No. LT-161/77].

(2) A copy each of the following Notifications (Hindi and English versions) under sub-section (6) of section 3 of the Essential Commodities Act, 1955:—

(i) The Copper (Prohibition of Use in the Manufacture of Electrical Cables and Wires) Amendment Order, 1976 published in Notification No. S.O. 750(E), in Gazette of India dated the 23rd November, 1976.

(ii) The Copper (Prohibition of Use in the Manufacture of Electrical Cables and Wires) Amendment Order, 1977 published in Notification No. S.O. 59(E) in Gazette of India dated the 31st January, 1977.

[Placed in Library. See No. LT-162/77].

(3) A copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956:

(a) (i) Review by the Government on the working of the Hindustan Cables Limited, for the year 1975-76.

(ii) Annual Report of the Hindustan Cables Limited, for the year 1975-76 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon.

(b) (i) Review by the Government on the working of the Bharat Heavy Electricals Limited, for the year 1975-76.

(ii) Annual Report of the Bharat Heavy Electricals Limited, for the year 1975-76 along with

the Audited Accounts and the comments of the Comptroller and Auditor General thereon.

[Placed in Library. See No. LT-163/77].

12.14 hrs.

**FINANCIAL COMMITTEES (1976-77)—A REVIEW**

SECRETARY-GENERAL: I beg to lay on the Table a copy of 'Financial Committees (1976-77)—A Review' (Hindi and English versions).

**PARLIAMENTARY COMMITTEES—SUMMARY OF WORK**

SECRETARY-GENERAL: I beg to lay on the Table a copy of the 'Parliamentary Committees—Summary of Work' (Hindi and English versions) pertaining to the period 1st June, 1976 to 18th January, 1977.

12.15 hrs.

**CALTEX [ACQUISITION OF SHARES OF CALTEX OIL REFINING (INDIA) LIMITED AND OF THE UNDERTAKINGS IN INDIA OF CALTEX (INDIA) LIMITED] BILL—  
contd.**

MR. SPEAKER: We will now take up Item No. 15 for consideration.

SHRI O. V. ALAGESAN (Arkonam): Sir, I welcome this Bill brought by the Minister for Petroleum Shri Bahugunaji. It concerns an area in our economy which is both crucial and strategic. This is the culmination of a process that began quite some time ago. Over the years, there has been a demand in this House and also among the public that the three foreign refineries should be nationalised. The two bigger ones of the three refineries have already been

nationalised and now the proposal is to take over the management and ownership of the Caltex Refinery.

12.16 hrs.

[KUMARI ABHA MAITI *in the Chair*].

Now, these refineries were established in the early 1950s and there was an agreement that these refineries should not be nationalised before the expiry of 25 years. Now, it is because of that that an agreement had to be entered into for the take-over of the three foreign refineries. What the previous Government has done is being continued and, in this connection, I would like to say that when these foreign people were invited to establish refineries in India, the country had absolutely no oil technology and so we invited them to come here and set up their refineries. But now we have developed our technology, we have increased production and we have increased our refining capacity—which is more than even the consumption requirements of the people today.

This is not a small achievement. It is not a small achievement, in a period of 25 years, to be in a position to say good-bye to the foreign refinery owners and to have acquired the position where our technologists are in a position to go to other countries and establish refineries and offer technological assistance. It has to be admitted that this is not a mean achievement. When I say that this is the achievement of the Congress Party, I do not deny the part that the Prime Minister has played in our Party. It is unfortunate that the Finance Minister should have disowned everything that had been done before and denied the economic advantages that have accrued to him at the time of his taking over. He might have done it out of pique or pettiness, but from the national point of view, it was short-sighted. I would like to cite an opinion from a reputed magazine. *The Economist* of London; it is neither for the Congress Party

nor against the Janata Party. This is what it has to say on the inheritance of the Janata Government in the economic field—this issue is dated March 26, 1977:

“For all its inbuilt political conflicts, the Janata Party has far fewer economic constraints to worry about than previous governments. The foodgrain buffer stock stands at 18 m. tonnes and foreign exchange reserves at more than three billion dollars. Thus the two biggest hurdles to development have been overcome. Shortages of raw materials, transport and power have also largely disappeared. Exports are rising by 30 per cent and industrial growth by 10 per cent this year. It is a good inheritance. If properly managed, it could be the basis for a successful assault on poverty and unemployment.”

This is what a neutral magazine has said about the inheritance of the present Government, as to what the previous Government has achieved.

The story of Bombay High is a miracle story, and I wish that the present Minister, who is known for his dynamism, pushes forward the progress that has already been achieved and tries to produce more and more of crude, both on and off-shore, because, we are in a very tight position with regard to supply of crude. The import bill of crude which was less than Rs. 200 crores some years ago, owing to the rise in prices of crude, in these years has gone up to about Rs. 1,200 crores. So, we have to hasten exploration of oil, the search for oil, both on and off-shore, and see that this deficiency is made up as quickly as possible. I hope, under the present Minister, we will achieve self-sufficiency in crude production, so that we need not depend on others. It is a large out-go of foreign exchange—to the tune of Rs. 1,200 crores—which this country cannot afford.

Because of the five-fold increase in crude prices, the prices of petroleum products here in this country have gone up. Several Committees have gone into this question. I would appeal to the hon. Minister to see whether the prices of these petroleum products like kerosene, petrol, diesel and also cooking gas can be brought down by any means. I know the difficulty. This is because the prices of crude are going up and are threatening to go up further. Under these circumstances, it will be a tall order to ask the Minister to reduce the prices to any considerable extent, but still I would request him to pay his attention to this aspect and see if it would be possible for him to reduce the prices especially of kerosene which is used by the poor people of this country.

We have a programme for expansion of refining capacity. We have undertaken to establish a second refinery in Assam at Bongaigaon; we are going to almost double the capacity of the Koyali refinery and we propose to establish a new refinery at Mathura. As far as the expansion at Koyali is concerned and the second refinery in Assam is concerned, I have nothing to say, but I would like the Minister to consider my suggestion that it will be more profitable to have refineries on our coasts than inland. In fact, the crude that is proposed to be taken to Mathura would be landed at some place in Saurashtra and would be taken through the pipeline. I would like the Minister to examine my suggestion whether it will be more economical and useful from various points of view to have coastal refineries instead of inland refineries. In that connection, I would like to plead that since you are taking over Caltex Refinery in Visakhapatnam on the east-coast expansion of that may be considered. You have to plan more and more refineries in the country to meet the growing demand. Now the demand has been artificially contained because of the high prices of crude and

[Shri O. V. Alagesan]

petroleum products. I think, last year the rise in demand is about less than 2 per cent. If you allow consumption, if proper price levels are maintained, prices are reduced, the consumption would go up by not less than 5 per cent, every year. You have to plan for more refineries and there I would appeal to you to plan refineries on the coasts. Shri Biju Patnaik, who is sitting by the side of Shri Bahuguna, is a very dynamic person and he brought into existence the Port of Paradeep. But for his perseverance and dogged action that Port would not have been brought into existence. I would suggest a new refinery in that place and another refinery in Tuticorin which is fast developing into an important industrial centre. You will certainly expand the existing coastal refineries in Madras and Cochin and if you think of the refineries on the West Coast barring the two refineries in Bombay which have already been taken over, you may think of Goa as a very suitable location. It is necessary that the refining capacity should be increased and that way we should have the necessary crude for feeding these indigenous refineries. That will help us to reduce the import bill; not only that, it will reduce our dependence on other countries which may vary their policy in times of crisis. It is absolutely necessary that we go in for more energetic and more intensive exploration of oil. Several regions like off-shore Cauvery, Orissa Off-shore region and Off-shore Kutch region have been leased out to foreign companies. For the present, the hon. Minister is engaged more in politicking. If he diverts part of his attention to these things, he will achieve miracles.

So I would once again appeal to the Minister to look into these matters. I know he has just taken over, but, during the next session of Parliament. I hope he will come with a more comprehensive statement of

policy and action that he proposes to pursue.

I welcome this Bill and give my support to it.

SHRI DINEN BHATTACHARYA (Serampore): I could not welcome this Bill fully. It is a backlog imposed by the previous government on the present government. Why don't you call it a negotiated purchase? It is neither nationalisation nor takeover. You will be astonished to know how long the negotiations continued. I have heard Mr. Malaviya spoke here on so many occasions and everytime coming and saying, 'We are taking active measures to take over all the oil companies including the Caltex, both refining and marketing.' After all it is good that as soon as this new government took up the responsibility, it has come forward with the Bill and Mr. Bahuguna, able no doubt he is, has brought it in this session. But I will request him to at least look into this Bill and its full implication.

Why have you decided to pay compensation to a company which has looted our country so long and so much? You are paying Rs. 13 crores as compensation....

AN HON. MEMBER: More than that.

SHRI DINEN BHATTACHARYA: then you are also taking up the responsibility of paying their taxes. Why? My question to the Minister is: Why? Why cannot you take it over and tell these people, 'You have taken enough money. What was your total investment and how much money you have repatriated to your own country by way of exploitation which was allowed by the previous government during its last 30 years rule?' I do not know on what basis the compensation was assessed. Mr. Malaviya took so many years to calculate and find out as to what are the assets of these companies. How do you arrive at

this figure? Why do you take up the responsibility of paying the taxes due by these companies to the government including income-tax and wealth tax? Why? That is my question to the Minister, to at least satisfy not this House alone, but the whole country also.

The whole country looks to you that you will at least initiate a new policy in this matter. We want to be self-reliant so far as the petroleum products are concerned. My friend, Mr. Alagesan, was telling as to why the prices of petroleum products have gone up. Don't you know the actual price of crude and the refining costs? And what are the taxes you are levying? I know because I have some connection with some automobile industries. I know the condition of the automobile factories. Why are our cars not being sold in the market? It is because of the increase in the petrol prices. And then our poor villagers are suffering for the abnormal increase in kerosene prices. Madam Chairman, you come from West Bengal. Do you know the actual production cost of one litre of petrol? If you calculate, it will be Rs. 1.20. But what is the price in the market? It is Rs. 1.40 in cities.

**THE MINISTER OF STEEL AND MINES (SHRI BIJU PATNAIK):**  
That is the posted price.

**SHRI DINEN BHATTACHARYA:**  
What is the amount of taxes you are levying? If you reduce the taxes, automatically, the price will come down. I would request the Government to at least look into this matter.

The Members on the Opposite side are laughing. They wanted to reap the harvest. Now, Mr. Barua comes and laughs at it and says please reduce the cost. When we were previously asking him in this regard, everytime the then Government came up with a statement that they could not do that. I have been in the Lok

Sabha since 1962. Mr. Chavan is also sitting by his side. He was the Finance Minister at one time. He also took the steps to impose abnormal rate of excise duty.

My second question is regarding the employees. I know thousands of employees in Caltex were retrenched when the computerisation was introduced by this foreign company. In Calcutta itself, from their Head Office, hundreds of employees—clerks and others—were retrenched and they have not been provided with any alternative job. Many of these employees are still without a job. They are not getting any alternative job anywhere. Their cases may kindly be considered sympathetically. It will be better if you can provide them with job in these taken over companies.

I have already mentioned about the higher rate of profits earned by Caltex. In the past they had already repatriated crores of rupees. Still they will be a hang-over on you, on this new Government. After all the total amount may be taken into consideration. What are their total assets? I do not get any hint either from your Financial Memorandum nor from the Statement of Objects and Reasons. I know that this is the fault of the previous Congress Government who have been boasting about ushering in a big socialist State. I say the calculations for knowing the assets of the company could not be made for the last so many years. The whole matter is most surprising.

Shri Alagesan has mentioned that for crude we have to depend on the foreign suppliers. I wonder why? Why did their Government (Censors) take up measures promptly so far as off-shore drilling and other exploration works are concerned? So far as West Bengal is concerned, you abandoned the idea of off-shore exploration. Some experiments were made over there spending lakhs of rupees.

[Shri Dinen Bhattacharya]

I do not know the result. We have not been informed about that so far.

I would appeal to you to kindly look to this matter at the earliest so that we may be relieved of the exploitation by this foreign big oil monopolist even for on-shore and off-shore exploitation.

I know that if you make a serious attempt you will succeed. You will get all cooperation not only from us, but from the people of the whole country. Lastly, I request you to look into the tax-structure of the petroleum products and the kerosene products so that the people could get these things at cheaper rates.

PROF. R. K. AMIN (Surendranagar): I have moved an amendment to omit the words 'free of income-tax'. Was this Bill prepared by the previous Government, before this Government came into power? Has this been kept without any change by the present Minister? How is it that this clause has been allowed? Is it by some contrivance? I say this because civil servants in their negotiation include such things though it may not be the policy of the Government. When you say 8 per cent income-tax free, the effective rate becomes 13 per cent. Is there any loan raised by Government of India in regard to which interest is paid at 13 per cent. If not, then this is inconsistent with the Government policy. So, this should be examined and enquired into as to who did this?

SHRI CHITTA BASU (Barasat): This Bill provides for cent-per-cent acquisition of Caltex India Ltd. So far as the proposition of taking over of the assets is concerned it is a welcome move. But it is surprising to know that this take over measure is not in keeping with the professed ideas of the Minister concerned. Caltex is one of the three big foreign oil companies functioning in this country for a long time. This foreign oil company in this country did not really

allow us to develop our own national economy petroleum. Petroleum industry occupies a very strategic position in the national economy of our country. It is related to the developmental projects of our country. It is also vitally related to the defence of the country. Self-reliance in the petroleum industry can hardly be over-emphasised. That being the case, the previous Government, during the long period of thirty years, have not really paid proper attention for the attainment of self-reliance in this respect. The foreign companies were allowed to repatriate huge sums of money from this country by way of loot and plunder of our national economy. It was in the fitness of things that the present Government should reverse that process.

As far as the attitude of the previous Government goes, they were to woo the foreign private companies' investment in this country. They widely opened the floodgates for the multinationals in this country. Their policy was not to restrict the foreign investment in the country. The policy of the previous Government was also not to attain self-reliance in this country. (Interruptions) Sir, it is amazing to note that the present Government is also following in the footsteps of the predecessor Government. I know that it is a *fait accompli* for the hon. Minister. Negotiations were not conducted by Shri Bahuguna. And the agreement was also not finalised by him. The agreement was entered into by the previous Government and he is just following it up.

Madam Chairman, while making this comment I also want to know from the hon. Minister whether he is examining the economics of the Caltex to know what was the actual investment of the Caltex in India and what was the total amount repatriated by them during these years. So far as the economics of the foreign company as well as its performance is concerned, it would be evident from

the fact that their repatriation has been already of a big order. I have got with me the figures in my possession to show that in the year 1963, these three foreign oil companies had repatriated a sum of Rs. 100 crores annually. That being the case, the general pattern of the foreign oil company, Caltex cannot be an exception.

So far as Burmah-Shell is concerned, I have got my figures to show that they have made an investment of Rs. 67 crores. They have repatriated about Rs. 30 crores. This is the general pattern of exploitation or loot of the foreign oil companies that are operating in India. Therefore, I strongly disapprove of the idea of paying such a huge amount of money of about Rs. 14 crores by way of purchasing their assets. It would only mean the negation of the national policy. It is not justified.

Therefore, even at this stage, I ask the Government of India to reconsider this proposal. In this connection, I would only refer to Dr. Tansar, a well-known petroleum expert as to what he says namely, that India should not malign all foreign oil refineries and pay no compensation. He further says that considering the enormous profits they have made, these companies deserve no compensation. May I draw the attention of Shri Bahuguna to the example set by the Chilean Government with regard to the International Copper Company? It is in the fitness of things that the Janta Party should also follow the example set by the Chilean Government in the matter of nationalisation of the International Copper Company in Chile. It was the expectation of the people, the desire and expectation of the country as also this House. And during the past few years, we had always collaborated and surrendered ourselves to the interests of the foreign investment in our country. Is it not the time for you to rise up and say that India belongs to the people of India and we want to build

a national self-reliant economy and India will not remain an arena of exploitation by the oil cartels.

Madam Chairman, in Clause 11 the Government proposes to reserve the right of altering the condition of work and service of the present employees. It might be necessary to bring about further changes but that should not be to worsen the condition but for betterment of the life of workers already employed there. May I seek an assurance from the hon. Minister that if alterations are necessary they will not be to the disadvantage of the workers who are already working under Caltex India Ltd.? May I also have another assurance to the effect that the government will improve upon the condition of the workers there?

SHRIMATI PARVATHI KRISHNAN (Coimbatore): Madam Chairman. I welcome the Bill to take over this foreign concern particularly in the petroleum industry which is extremely important for our national economy. At the same time, I have my reservations and I would like to say that the amount of compensation that is being paid is very high as here is a foreign company which has derived tremendous profits by exploiting our country. Earlier also I have maintained that the compensation amounts that are being doled out to the foreign companies in this country should certainly not reach phenomenal proportions.

I am quite aware that the Minister himself does agree with me on this point. All I would like to request him is that when Parliament thought fit to amend the Constitution and give further rights to Parliament in the matter of compensation to foreign companies please take that out of the cold storage and see that you make full use of it. In this connection, may I also point out that in the process you may not throw the baby out with the bath water. Keep what is good. There were good legislations in the past 30 years and there have been



[Shrimati Parvathi Krishnan]

many wrong also. My submission is: Throw the dirty water but keep the baby.

Then Madam Chairman, I would also like to join with Mr. Dinen Bhattacharya in requesting that the prices of Petroleum products be brought down but he forgot one important fact, namely, for a long time on the Floor of the House and outside house-wives have been agitating against raising the price of cooking gas. As far as working women are concerned cooking gas is a modern thing that is of great use for them but its price is going up. While the production cost of cooking gas is only Rs. 8 or Rs. 9 per cylinder after the various duties that have been imposed, the actual cost of the cooking gas is in the region of Rs. 28 or Rs. 32 per cylinder. I would request the Minister that he should examine this matter and see how much relief he can give to the housewife. When we want to raise our country's standard and take the country forward, it is not enough to say: Well after all we believe in our traditions. We believe in our great heritage and, as such, why not go back to cow-dung cake. That is the reply which is often given, and that you will agree with me on this. Therefore, I take this opportunity to say that when you are taking a further step forward to see that the petroleum industry comes more and more under Indian management and you are going to build up self-reliance, you have to build up the whole structure of it and be in a position to enable our people to benefit from this both in terms of the availability and in terms of the ability of the people to purchase this.

Madam, one more point. I do not want to repeat many of the points that Mr. Chitta Basu raised. I have also noted them, and I would support him in much that he has said.

One point I would like to say is that I would like to take this opportu-

nity of saying that when these concerns are being taken over and being nationalised, you can take your trade unions into confidence also because we in the trade unions, since we have to examine the balance sheets year after year when discussing bonus, since we have to examine the balance sheets when we are discussing our wage relations and so on, we are also in a position to have our points of view and stick to them in regard to compensation because I think we would be able to tell you very much of the manner in which the money is being channelled away through pipelines either going abroad or through the perquisites that are given to the higher officers or the higher echelons of these companies. This has been a sore point throughout the country and that is why you will find very often that our public sector has required technicians and good officers. They can be weaned away by these foreign companies because of these perquisites and therefore, we in the trade unions should be given an opportunity to state our point of view so that on the basis of that you can assess what is rightful and what is not and take the good points because that would be exactly establishing democratic norms not only as far as Parliament is concerned, not only as far as political power is concerned, but democratic norms throughout the structure and the basis of our country as a whole in all spheres of life and in all spheres of activity, and I hope the Minister who is renowned for being a dynamic person, who is renowned also for cherishing such democratic norms will show the way and blaze the trail for establishing such democratic norms at least within the limits of his own Ministry.

SHRI M. RAM GOPAL REDDY (Nizamabad): Madam Chairman, now this is a very welcome move by this Government. The previous government has earned over Rs. 300 crores of foreign exchange and built up the reserve. Now, I want to know what is the basis of paying this Rs. 13 crores and odd in foreign exchange in

several years to come and paying a very high rate of interest. What I want is that the Minister should negotiate with this Caltex Company and reduce that amount from Rs. 13 crores to Rs. 5 crores or Rs. 6 crores and pay the lumpsum and get rid of this. I think the Minister will accept my suggestion.

There are some flats which were previously on lease with the Caltex Company and some of the officers have purchased those flats and they have paid their own money and they have made several improvements. But some engineer or officer in the Ministry somehow or the other wants to acquire these quarters also and I want to know what is the basis. This would be mere appropriation of the private people's property. I want to know, is there not any basis for acquiring these flats. I request the Minister to go into these details. These flats which were purchased by the individual officers of the Company must not be taken over and they should be with those people. They were having the registered deeds with them, they have paid their own money and the Caltex Company has renounced its lease deed also. Then there is no basis for the Government to acquire these flats and it would be great injustice to do so. It will be a great injustice to the officers who have purchased these flats. About the Staff, the minister should see that they now work with much more interest, because so long they were working for a foreign company. Now they will be working for the government and for the people of this country. So, they will have to give of their best so that the concern may run profitably and bring prosperity to the country.

13.00 hrs.

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): Madam Chairman, I propose that we proceed with the Bill without adjourning for lunch, because there is a heavy business before the House.

MR. CHAIRMAN: Is it the sense of the House that we continue to sit during lunch hour also?

HON. MEMBERS: Yes.

MR. CHAIRMAN: So, the House agrees to this proposal.

SHRI VINODBHAI B. SHETH (Jamnagar): Madam Chairman, this is not a controversial Bill. Some of the members have criticised the take-over and some have supported it. Those who have supported it think that it is part of the nationalisation of oil refineries and oil companies. I hope all hon. members who have supported this Bill will in future support the take-over of some of the companies in which investments have been made by the communist countries also.

This Bill is a legacy of the former government. The benefits given to the company include tax exemption along with the interest. I do not know whether section 15 of the Income-tax Act needs amendment to exempt the interest. Besides Rs. 13 crores being given for the capital, there is the tax on capital gains amounting to Rs. 4.29 crores which the government is going to undertake. The interest comes to Rs. 1,05,35,883. If all these are added up, we are handing over nearly Rs. 20 crores to this company. This was negotiated by the former government. I hope our dynamic minister will look into the matter of tax-free interest and capital gains tax and see whether the company should bear it. Tax includes penalty. So, if the income-tax department finds that some penalty is to be imposed under section 271 (1) (a) or 271 (1) (c), will the government pay the penalty also? These questions arise in my mind and I hope in the minds of other hon. Members also.

How was the figure of Rs. 13 crores arrived at? Is it the market value? We do not know the break-up of the shares of the company. We do not know which method has been adopted for arriving at this figure.

[Shri Vinodbhai B. Sheth]

The House is ignorant about that. I would request the Minister to tell the House how this figure of 13 crores has been arrived at.

There is another clause which relates to take over by the Government the premises of the employees of the Caltex company. This clause is legally unenforceable, morally unjustifiable and socially callous. We cannot take over the premises of the employees who come from the middle class families. The Government has no right to interfere with the contractual agreement between the company and the employees. The employees have not purchased these flats from the company. They have purchased it from the landlords. The company have not even given loans to the employees. They have taken loan from outside and paid interest on that. Some have purchased these premises in the name of their wives. In case of divorce, there will be difficulty for the Government in allotting the premises. Therefore, I would request the hon. Minister that this section 72 should be omitted or deleted from the statute. I think all the cases should be looked into. There should not be any discrimination among the employees of three companies, ESSO, Burmah Shell and Caltex, and they should be given justice.

SHRI VAYALAR RAVI (Chirayinkil): Madam, Chairman, I welcome this Bill. This is the baby of the old Government which Mr. Bahuguna is carrying. I do not want to discuss the policy but I am sorry the ruling party members still have anti-Congress feelings in their minds. I wish to tell my friends on the treasury benches that the Congress Government never ignored the petroleum industry. Everyone knows that the previous Government had a definite policy on petroleum. When the US experts came in 50s and gave their opinion that oil could not be found here, the

then Government of India refused to accept their advice and they went back. I agree that Soviet experts did find oil in Assam.

In 1961 the production of indigenous crude was 0.45 million tonnes, it has gone up to 6.8 million tonnes in 1971-72 and to 7.5 million tonnes in 1974-75. Mr. Chitti Babu will understand this.

AN HON. MEMBER: What about imports?

SHRI VAYALAR RAVI: We imported 7 million tonnes in 1974-75. But the share of these two foreign companies—Caltex and Burmah Shell—had been reduced considerably. Against their import of 2.9 and 1.1 million tonnes, it has considerably gone down in 1974-75 to 1.2 and 0.48 million tonnes. So, the Government was able to reduce the import of crude oil by these foreign companies in 1974-75. It is true that we have to depend upon foreign crude because our indigenous production is not enough, and we have to spend Rs. 1200 crores in foreign exchange.

If you look at the statistics, you will find that in 1971-72 it was only Rs. 192 crores in foreign exchange. It was in 1971-72 that the previous government came to parliament. In 1974-75 it is Rs. 1200 crores. If the OPEC countries in Geneva have done something, why do you blame the previous government for it? As a result of this attack on the economy, not only India but all the developing countries had to suffer. I am not defending the OPEC countries' decision. I am sorry for the decision of the OPEC to help capitalist countries. That decision did not help the developing countries in Asia and Latin America. The money earned by the OPEC was put in American banks. Unfortunately it was their decision.

Therefore, don't abuse the previous government saying that it had no policy. It had a policy. We have found oil in Bombay High. I hope Mr. Bahuguna will continue the process. I am sure he has no all-communist mania.

Now about the employment and distribution policies. Some refineries are producing crude and petroleum products and selling them to the IOC. The IOC employees are getting all the benefits like bonus, while the producing units are not getting any benefit at all. For example, I will cite the case of the Cochin refinery to the Minister. That refinery does not have a distribution agency. The agency is the IOC—The issue of paying bonus arose. The Cochin refinery employees could not get a single paisa as bonus in 1974-75, because they were told that losses were being incurred. Meanwhile the distribution agency employees, *viz.* those of the IOC got a bonus of 20 per cent because of the pricing policy. The hon. Minister should look into the pricing and distribution policies.

We have petrol bunks under the name of Hindusthan and Bharat. But the distribution is made only from the production of the Cochin refinery. The names are different. The companies have gone. Why can't we have a single distribution agency? Let all the petrol bunks be put up by the IOC. Let the refineries exist as producing units; and let there be another distribution agency. It will help us better. The Cochin refinery makes the supply to all the petrol bunks in Kerala and Tamil Nadu. The refinery workers will then be benefited. In this connection, I would urge upon the Minister not to fall into the trap of some of the notes put up. When an idea was mooted to increase the capacity of the Cochin refinery, a proposal was made for the super tanker to come to the Cochin port. When this idea was mooted by the Petroleum Ministry, it was said that they

can have a pipeline from Bombay to Cochin. This was a funny idea. It sabotaged the whole programme of the government. I hope the Minister will be careful about this funny idea.

I am pointing out this because the people of Kerala are sore that the super-tanker berth has been denied to the Cochin Refinery. The capacity of the Cochin Refinery has already increased and it can refine more crude. I think the total capacity of the State sector refineries is 20.1 million tonnes. It can be increased if the Cochin Refinery can be expanded, and that can be done if you help to establish a super-tanker berth at Cochin. If you allow a super-tanker berth to come up in Cochin, the entire south will be supplied by the Cochin Refinery.

The employees should be completely protected. Government have taken a wise decision to cut down the salaries of the high-paid officials from Rs. 10,000 to Rs. 5,000. It is a very good decision. You must fix a ceiling on the salaries of high-paid employees of the refineries, be it the Managing Director or anybody. There should be a uniform policy regarding the salary for the managerial and other cadres and the disparity should be reduced between the ordinary worker and the highest paid employee.

I agree with the view expressed here regarding compensation. Even though I belong to the previous Government, I am not able to appreciate the agreement under which the Government decided to pay a high compensation and write-off tax arrears. I do not know whether this Government can do anything about it. Perhaps, they have to honour the commitments of the previous Government. Otherwise, Government will lose their credibility. I am very sorry that the previous government agreed to such a high compensation and I want to express my regret for it.

[Shri Vayalar Ravi]

Shri Ram Gopal Reddy made a suggestion that we can pay the compensation in one lump sum rather than in five instalments. Since our foreign exchange reserve position is very good, we can pay it in a lump sum and thus save the interest payment.

While wishing the hon. Minister every success in this Ministry, which is a very complicated one on account of the foreign exchange involved, I wish to say that the hon. Minister has to look to the interests of all the regions of the country. For instance, Shri Alagesan referred to the Madras Refinery and I have referred to the Cochin Refinery.

SHRI O. V. ALAGESAN: I have also referred to the Cochin Refinery.

SHRI VAYALAR RAVI: The hon. Minister comes from UP and the Mathura Refinery is still in difficulties. I hope that along with the Mathura Refinery, the Madras and Cochin Refineries will also flourish. I hope he will give equal importance to all the three refineries.

I congratulate the hon. Minister and support the Bill.

SHRI H. N. BAHUGUNA: Madam Chairman, I am beholden to the hon. Members who have given their very valuable suggestions while discussing this Bill on the floor of this House. My hon. friend, Shri Alagesan, with his vast experience of the actual working of this Ministry, has given many suggestions.

I can assure him that the location of refineries has got to be inter-connected with the availability of crude and the prospecting of crude which is going on both in the Bay of Bengal as well as in the Kutch area. We are not at the journey's end so as to indicate where we propose to put up our new refineries. Obviously, they will have to be put up at particular points where crude can be made available. It has been suggested that

it should be put up only at the coast. But the whole complexion of the country is such that regional imbalance and many other considerations have to be taken into account.

The consumption point has also to be kept in view. Whether we carry crude or petroleum products is a question ultimately of economics and we have to see what is more economic in the over-all interests. I can assure you that no other consideration will weigh with this Government, with me, except the wellbeing of the people of this country, providing them with the cheapest possible fuel or energy and the location will, therefore, be decided on that basis.

Another point has been raised by almost every speaker about compensation. It is not really compensation. The word "compensation" has its own meaning and, therefore, I do not want to use it. I am merely saying that an amount in consideration of the take-over is being paid. As you know, this is an international, foreign company, and for good reasons or for reasons best known to the predecessor Government and their negotiating team, all this has been agreed upon by the Government of India.

I am not one who would say that there has been no petroleum policy, if I may say so. If there is anything which can be said to the utmost credit of the last 20 years of Congress rule in India, it is this particular field where India has gone ahead at a speed and in a manner which I would say remains a matter of pride for this or any developing nation.

It is another point that mistakes might have been committed here and there. Shrimati Parvathi Krishnan was quite right. One should never throw out the baby with the bathwater. The bathwater is there, I am only trying to isolate the baby from the bathwater. There have been mistakes here and there which have got to be

taken care of, avoided, but fundamentally in the sector of petroleum and petroleum products it has been to a large extent a policy of self-reliance and public or State ownership of the means of production.

It was asked how we arrived at this Rs. 13 crores. I do not want unnecessarily to present the case as a defence counsel would do—I am not saying everything that I should be expected to say—but the written down value of the assets of Caltex and all those undertakings which are taken over in their books of accounts would be reasonably such as to make us accept this amount as a fair price for the take-over.

My eminent and hon. friend who is a leading advocate has raised the question about income-tax and the reason for exempting them from payment of income-tax. He has asked what would happen to penalties to be imposed on Caltex, if any, for the past years or the current year. So far as the liability of Caltex on many accounts, whether it be income-tax or other taxes or duties which are in dispute, is concerned, we have to see that we do not give away the entire amount all at once. So, we are keeping some amount behind so that over three or four years when their liabilities vis-a-vis the Government with regard to income-tax and other matters are cleared up, we have an amount from which we can make the deductions necessary.

That is why, we are doing it in instalments and it would not be possible if we are really to give the entire sum to them. I quite agree with the calculations of my hon. friend with regard to Vinod Seth. His calculations are not wrong by and large; they are just a little here and there, but they are near the point so much approximating to the actual amount. But the point is that so far as capital gains tax is concerned, it is to be done in rupee basis. We have

helped them with money and they gave back that money to the Government. It is true that they take away Rs. 13 crores; it is not Rs. 13—4.29 crores. Then there would be about Rs. 8.71 crores. Obviously, it is not intended to reduce the take over price, or the take over cost or money in consideration of take over. The net is 13, that is, you see somewhere or other, if the hon. Members should like to say: I do not want to make it part of the records of the House, because we have got still an oil company and I do not want to get involved with them on the pattern, this particular pattern. I will have to keep in my mind the various views expressed here. But, right now, if we are to put and present the case in support of all that this Bill contains, perhaps it may not be in the national interest. Therefore, I want to tell the Members here and assure them that we do not want to give any amount more than necessary and I wish we could withhold this. But the thing has gone to a length where the country's commitment has gone rather far or is irrevocable, unless we are to come down upon a policy of expropriation or a policy declaring that we shall not pay anybody anything.

Shrimati Parvathi Krishnan is quite right in pointing out about 31D regarding the Constitution Amendment Bill which this House had the privilege to pass in the 5th Lok Sabha with regard to compensation. As far as 31D is concerned, it is quite right. But the point is that unfortunately the predecessor Government never used it for a day, never used it for a moment. I assure here that we do propose to take it out of the cold storage and make use of it as much as possible and as far as possible. Unfortunately, we cannot deal with either thing one way or the other.

My hon. friend was talking about the question of Soviet investment. I do not know much about that. So far as Soviets are concerned, the basic

[Shri H. N. Bahuguna]

help has been in the public sector. We have already taken the public sector with us. There is no question of taking over Russian interests except where they are in private companies or I do not know how far they are. The point is that socialist bloc came in this country and helped in the basic field in the public sector. Others came in various other fields. I am not going into controversy. But we take over on the same ground or whosoever runs that particular industry irrespective of colour.

A point has been raised about the employees and there are two parts of it. As far as this particular clause about changing the terms and conditions of the employment to which some of my hon. friends felt disturbed is concerned, I can assure them that there is no intention on the part of the Government to change any of the terms and conditions of the employment of workmen. Instead I give full assurance for the workmen that we do not want to change them but not for those people who are in that category, who are not workmen, who are supervisory staff and other covenanted officers and those who have perks and salary which are not in tune with our total wage policy. Rs. 8000 including perks or excluding perks is not a salary which I can give to anyone. Either that man has got to come down to our terms within our wage structure or I cannot create a special field for this type of people. There is no question of hurting or harming any other set of employees.

So far as the employees who were retrenched by the Caltex earlier are concerned, if any of them is of any use to us, in our new refineries or in our new organisation, certainly, he will be considered and I will be there to consider them. But in these refineries or in these particular place where there is no possibility of having computerised work, there is no possibility of bringing them back in those very

places. I am sorry, I have to say, with regret, no on that score.

There has been a lot of talk about pricing policy. We are not talking now on this. But with a goodwill on all sides and a good wish on all sides for reducing the prices, something can be done. But how do we go about? I welcome the suggestion made by Mrs. Parvathi Krishnan of asking the trade unions how to go about it. I am requesting her right now, through you, Madam, that she may kindly make a working paper for a reduction of oil prices or petrol prices or, for that matter, any price and I am willing to sit with them to work on that economics. The trade unions do know more than what many of us do. I have knowledge of them because I myself have been one of them.

My point is that someone has to make a start and do something about it. I am quite willing to go into the whole question along with them if they can tell me how to go about that matter. There are certain things which are inevitable in the context of rising oil prices all the world over. That has to be kept in mind and, I am sure, we cannot give unnecessary hope to the people that something is going to happen when we know that the journey has not come to an end in the matter of self-sufficiency in petroleum or its derivatives.

Something was said about the rate of interest, why 8 per cent. Again, I say, it is part of the bargain. That is not something which unilaterally the Government has done. There has been a bargain struck between the Government and the Caltex. Everything is a byproduct of that bargain. Some people will say, "Why not the Janata Party Government overthrow that bargain and have a new one?". These are not the things which are done by a great nation of ours. The continuity of Government and the continuity of the commitment or, for that matter, the credibility of the

Government is a matter of great importance and we should do nothing which may in the international world create a scare against the Indian economic system or against the various sort of things that are connected with our economy.

Now, though I very much dislike it, there are many multi-nationals in this country. They are already here. They are in the field of drugs; they are in many other fields and in very strategic fields. Yet, I cannot do much about it in 7 or 10 days. After all, if somebody has crept in here for the last 50 years or 40 years or 30 years or 20 years, one will have to think what to do about it at least for many months. We cannot with one shot say, "Look, you take Re.1/- and go back home". The Constitution says that. Under the Constitution, I will be entitled to take away any industry for Re. 1/-. No court can challenge that in view of the Constitution Amendment. But that will create a situation in which perhaps our society, as constituted today, is not willing to go nor we are ready for that absolutely new type of thing which involves many considerations.

I cannot create socialism in the Petroleum Ministry. Obviously, that is not a byproduct of petroleum. If it were so, I would have done it. Socialism is not a derivative of petroleum. But I can assure the hon. Members one thing. Everybody knows my views. I am a socialist. I do believe in socialism; I do believe in public ownership of the means of production. We should have more and more of it. But I do also believe that we have a democratic way of life. We have to proceed in a particular manner. We have to do many things. But democracy is equally important. Therefore, we have got to see that we don't do things in haste.

One thing more that as was said was about cowdung. I would appeal to the whole nation to save cowdung. We don't want it to be wasted. Apart from other uses, the farm and field needs it is a basic inorganic fertilizer.

In fact, cowdung is more precious to me than many other things, but today we are wasting a lot of it. We have to develop a cowdung technology which involves the gas system of cooking for the rural areas. It is not the housewives in the towns and cities who really matter in this connection. I don't say that they don't matter; they do matter in the economy of the country but the vast number of mothers and sisters of the rural areas are dealing with cooking more than anyone else is doing, and it is they who have to be told how to save it. Therefore, the technology of using cowdung gas for producing food and yet saving cowdung for the farms as inorganic manure has to be pursued more and more, for which we need the assistance of the Hon. Members as well as a deliberate policy on the part of the government to pursue that line and to assist and help those putting up this type of plants.

Now, Mr. Alagesan was quite right when he said that when the refinery was put up there was an agreement made in 1950 that for twentyfive years there shall be no takeover. This, in fact, is therefore a continuation of the terms of the agreement made at the time of the factory or refinery or particular organisation being brought into this country. But I can assure you that it is not a bad bargain. In spite of the fact that one can say that there could be still less payment, to say that they have taken away hundreds of crores of rupees is also not physically correct. But I don't want to enlarge on this as I have to deal with one more company in this particular field and many more in the field of drugs and fertilizers. But I would say that what has been done has been done in good faith and I smell no rat in it. In fact, the whole thing was processed under an Ordinance and that Ordinance was public property.

Now, regarding the employees, some Hon. Members raised a point about some premises. Some flats in



[Shri H. N. Bahuguna]

Bombay—about 29 or 30 of them—and some perhaps in Delhi were rented by Caltex and Caltex then gave them over to the officers as perquisites. When we announced our policy in 1974 ('we' means the Government of India—and it is a continuing thing, whoever may be there) they passed over these flats to the senior employees, who purchased them out of their hard-earned money, and a number of them—twelve to my knowledge—are occupying these flats even today as owners; and Caltex was to surrender the lease. I may say that the whole thing was processed even before I became the Minister of petroleum. As the Prime Minister said the other day, we have been here only a few days and the whole trouble is that it has to pass through so many stages by reason of the requirements of law. So, even before I became the Minister the Bill had been processed at all levels and I signed it later on as my baby. I accept it; I don't say that there is anything wrong about the whole thing. But as for 7(2), there is really an element of mischief in it. When the discussion comes up on that particular thing, at that point I will make my observations, but I can assure you at this juncture about one thing—that it is not our intention to throw out those who have purchased these houses from the flats. We are very sorry that Caltex should have done such a thing and put these people in a quandary.

Suppose those officers do not want to serve. Where do I put my new officers? In which premises? I have no house. I have to provide a house. Therefore, I am between the Devil and the Deep Sea. Nevertheless, we shall try to find some method by which we can reduce the mischief in this. The mischief is we were taking over the rights of the employees without providing for any payment

thereon. It is true, Constitutionally and legally there is the difficulty; I admit that. Suppose we say that we pay them some money in consideration of this particular thing contained in Cl. 7(2) or so. But I can assure you that, by and large, the policy would be not to disturb them, even if we are put to some inconvenience. If the law is needed to be changed to that extent, I have to go back to my colleagues; I cannot do it unilaterally. The thing came up only a day before; some people came to me only a day before, in the night at about 9.00 p.m. I did not really have the time. I have to consult my colleagues. It has to go to the Cabinet. Therefore, right now, I would plead patience with the friends who have any difficulty in this, and I can assure them that, so long as I am at the helm of affairs, I make this commitment that I do not propose to disturb these people who have purchased these flats and whose ownership has already been established before the introduction of this Bill. If something is done today or yesterday, I am not going to bother. The mischief in the law is there. But that will be attracted only if I were to interfere with the rights of that particular person, and I say that we do not propose to interfere with those rights; we do not want to trouble anybody; it is not our business to do that. I am sorry, Caltex had played ducks and drakes with us. It was not a correct thing for a company of the standing of Caltex to put us against our own Indian brethren and make this Government face them—Caltex taking all the praise saying 'we gave you this'. We know that this has happened. The company was going. They knew that they did not have to surrender any right. They had no business to surrender any right. On that very point, I have to talk to Caltex since they have done it. They have also to tell me how they propose to do and what they propose to do in the matter. I only hope that they are no more doing that. What-

ever has happened has happened. It is only 12 quarters. But if you go on extending this favour surreptitiously, it is not a correct thing to do, it is not a correct behaviour.

In the end I would say that I am again grateful to my friends who have suggested many things beyond the scope of this Bill, with regard to larger policy frame of petroleum, crude, its production, and so on. I would only say that I need the goodwill of the whole House and the people. Government will have to have the luck to find more oil. In respect of oil, it is luck and pluck both. Millions and billions of rupees have been spent round many countries, but they have not been able to strike a single well. Therefore, I am only praying, hoping and expecting that we will strike more oil. I am more than sure that India's destiny is linked up with energy, and energy we shall have.

DR. HENRY AUSTIN (Erankulam): The hon. Minister has said that he would try to find more oil. Will he give an assurance—or at least say that he will look into it—that the remaining places where prospecting was proposed to be taken up will be taken up. I have particularly in view my constituency, off the coast of my constituency, Ernakulam in Kerala, where some surveys have already been undertaken. Throughout Kerala, people are waiting for some such encouragement. I hope, under the Minister's dynamic leadership, the areas in Kerala will be taken up.

SHRI H. N. BAHUGUNA: We are at the moment on Caltex. I cannot make a random speech. I can assure him that, wherever oil is available, off-shore or on-shore, it will be our endeavour to bring that oil up.

SHRI VAYALAR RAVI: Regarding Caltex take-over, about employees, will the Minister announce that there will be labour participation in the management?

SHRI H. N. BAHUGUNA: The policy in this respect has not been changed by this Government, but I would say that to the question of participation of labour in management, we have to give a careful thought and at the appropriate time we would come to that. But as I said, the basic policy of the Government in this regard has not been changed by us.

SHRI M. S. SANJEEVI RAO (Kakinada): As you know, the foreign companies who had taken lease on the East Coast are not going ahead at all. What action is being taken?

SHRI H. N. BAHUGUNA: They had tried one well, but found it barren and they are not doing their job. But right now it does not arise in relation to this Bill.

SHRI ANNASAHEB GOTKHINDE (Sangli): The hon. Minister has said that he would protect those transactions which the Caltex had entered into in respect of some premises. We would like to know whether that protection would be afforded to the transactions entered into before the introduction of this Bill or before the appointed day.

SHRI H. N. BAHUGUNA: I have already said that those that have come within the purview of this Bill are supposed to be between 1974 to 1976. That is the period governed by Section 7(2). Whatever is covered by that, I am talking of that only.

MR. CHAIRMAN: The question is:

“That the Bill to provide, in the public interest for the acquisition of the shares of Caltex Oil Refining (India) Limited and for the acquisition and transfer of the right, title and interest of Caltex (India) Limited in relation to its undertakings in India and thereby to secure that the ownership and control of the petroleum products pro-

[Mr. Chairman]

duced by the Caltex Oil Refining (India) Limited, and marketed and distributed by the said undertakings, in India, are so distributed as best to subserve the common good, be taken into consideration."

*The motion was adopted.*

MR. CHAIRMAN: Now, we will take up clause by clause consideration of the Bill. There are no amendments to clauses 2 to 6. The question is:

"That clauses 2 to 6 stand part of the Bill."

*The motion was adopted.*

*Clauses 2 to 6 were added to the Bill.*

**Clause 7—** [Special provisions as to certain rights and interests held by Caltex (India) before the appointed day].

SHRI RAM JETHMALANI (Bombay North West): I beg to move:

Page 5,—

*after line 5 insert—*

"Provided further that nothing in this sub-section shall apply to any transaction involving the delivery of possession actual or constructive of residential premises by Caltex (India) before the appointed day, either upon transfer, surrender or relinquishment or otherwise of a right or interest therein in favour of the owner or a person who is or was an employee of Caltex (India) or a spouse or child of such an employee, or the Joint Hindu Family of which such employee was a member."(1)

SHRI VINODBHAI B. SHETH: I beg to move:

Pages 4 and 5,—

*omit lines 34 to 46 and 1 and 2 respectively' (11)*

Page 5, line 6,—

*for "(3)" substitute "(2)" (12)*

Page 5, line 7,—

*omit "or sub-section (2)"(13)*

SHRI RAM JETHMALANI: Madam Chairman, now that the principle of the Bill has been accepted in full, I only want to make one observation. While I fully accept the dynamic socialism of the hon. Minister as well as the central core of the Marxist teaching which I hear on the other side. I must make it clear that one of the copious causes of injury to our national interest in the matter of development of our industry and economy has been our thoughtless criticism of foreign capital, foreign investment and the role of foreign companies. I think, our economy needs them and I hope, we shall continue to attract foreign capital on terms not of exploitation, but of partnership. Our Indian companies are flourishing in foreign lands and if all the time we keep on saying that these foreigners come here and make investments and exploit this country, there is no reason why others should not say so about Indian companies which are making fairly good profits in other countries. I take it, therefore, that the policy of this Government is not going to be to shy away foreign capital out of this country.

Coming now to Section 7(2), I wish to make clear my own view as a lawyer that Section 7(2) is wholly unconstitutional and void. It is indefensible even under the provisions of the Constitution as they exist after the 42nd Amendment. You cannot validate Section 7(2), but since the hon. Minister is in some difficulty, we do not wish to embarrass him and we would allow Section 7(2) to go on record with the assurance that he shall protect all those who have validly acquired titles to the properties in which they were living until the date of their retirement from Caltex.

Let me, however, say this, that perhaps the hon. Minister is not very fair to Caltex because Caltex might not have really played ducks and drakes with us as he said but it is the old policy of this company and I know it. It is a policy which existed prior to 1974 that whenever their senior employees retired, they tried to provide accommodation for them by releasing accommodation in their favour and surrendering their own in rights in the apartments which they held. Therefore, it is not something which they have done after 1974 or tried to do something underhand. They have also been guided by humanitarian motives, in favour of their own employees and they have tried to see that nobody is uprooted after his retirement. Therefore, I do not know whether this criticism is really justified and I am sure the hon. Minister will look into this and rectify it if this criticism causes any underserved damage or hurts to anybody.

If the hon. Minister has accepted that he is not going to disturb those who are in occupation, I believe he will have no difficulty whatever in accepting the amendment that I have moved, namely, the addition of a proviso to clause 7(2) on the assumption that clause 7(2) will continue to be a part of the law. All that we have said here is that nothing in this section shall affect the right of those employees who have received residential premises from Caltex on surrender of their own tenancy rights. This proviso you should have no difficulty in accepting at all. This is without any embarrassment to anybody. I do not want anybody to be left to the tender mercies of an assurance given when the legal titles will be wholly displaced. Consider Madam, what will happen? How will these people defend themselves against trespassers in a court of law? Suppose a trespasser comes and says 'Your title is extinguished under Sec. 7(2). You are not the owner at all',

what is the remedy for them? Therefore, to protect them, you must accept at least this limited proviso which I have moved and Mr. Sheth has already allowed you to retain Section 7(2).

That is all I want to submit. You should make it secure for these people to live in their premises.

**SHRI VINODBHAI B. SHETH (Jamnagar):** I heard some of the explanations given by the hon. Minister and when the assurance is given, if the proviso of Mr. Ram Jethmalani is accepted, I do not mind withdrawing my amendments.

Secondly, if you say the compensation is equal to the written down value, it is a bit contradictory. When the price negotiated is Rs. 13 crores, then there is a capital gain of Rs. 4.29 crores. If the written down value is accepted as the amount for compensation, then the question of capital gains does not arise at all... (Interruptions). Yes, it is a question of book entry.

We are going to pay compensation as per clause 10(3). So far as the credibility of this nation is concerned, the provision 'free of income-tax' may be kept.

**SHRI H. N. BAHUGUNA:** I am grateful to Shri Vinodbhai for agreeing to this 8 per cent.

Regarding the question raised by him with regard to capital gains which amounts to Rs. 4.29 crores, I am again saying that it is part of the bargain and it is not a question of something. In any case, it is a book entry. We pay them and they pay it back to us. They do not take it home. Nobody is allowed to take it home. We are not reducing it from Rs. 13 crores because that is a commitment and a bargain.

So far as the point raised by hon. Member, Shri Ram Jethmalani is

[Shri H. N. Bahuguna]

concerned, I am completely in agreement with him. My difficulty is, as I said and also indicated, the matter has to be considered by the Cabinet. When I said that, I meant that it was considered by the Cabinet even before I came to the Petroleum Ministry....

**SHRI RAM JETHMALANI:** We will protect you against your Cabinet.

**SHRI H. N. BAHUGUNA:** I am not seeking protection. I am saying about the propriety. Something which we charged the previous government with, I am not going to commit the same mistake. If it is necessary to provide it by law—Mr. Jethmalani says that it should be provided by law, but I am going a step further—if it is necessary and perhaps it may be necessary to do so, then we may think of removing the entire clause. We might have to do that. Therefore, I appeal that the question of accepting the proviso should not be insisted upon.

**SHRI RAM JETHMALANI:** I am not pressing Amendment No. 1 to Clause 7 of the Bill. I seek leave of the House to withdraw it.

*Amendment No. 1 was, by leave,  
withdrawn.*

**SHRI VINODBHAI B. SHETH:** I am not pressing Amendments No. 11, 12 & 13 to Clause 7 of the Bill. I seek leave of the House to withdraw them.

*Amendments Nos. 11 to 13 were,  
by leave, withdrawn.*

**MR. CHAIRMAN:** The question is:

"That Clause 7 stand part of the Bill."

*The motion was adopted.*

*Clause 7 was added to the Bill.*

**Clause 8—(Removal of doubts)**

**SHRI ANNASAHEB GOTKHINGDE**  
(Sangli): I beg to move:

Page 5, line 27,—

for "an" substitute "a reasonable" (6).

The amendment is very simple and I hope there should be no difficulty for the Government to accept it. Before referring to Clause 8, I would draw the attention of the Hon. Minister to Clause 15 of the Bill on which this particular amendment is based. It requires the contract to continue unless terminated by the Central Government.

Please refer to page 8, last proviso:

"Provided that the Central Government shall not terminate any contract of make any alteration or modification therein except after giving to the parties to the contract, a reasonable opportunity of being heard...."

Clause 8 is for removal of doubts.

8(2) "If any question arises as to whether any property appertained, ....., the question shall be referred to the Central Government which shall after giving an opportunity of being heard to the persons interested in the matter, decide it in such manner as it may think fit."

Government has already taken the stand that opportunity should be given. There has to be and should be a reasonable opportunity. Why is not my amendment being accepted?

**SHRI H. N. BAHUGUNA:** I do not mind accepting if the word 'reasonable' is put.

**MR. CHAIRMAN:** The question is:

Page 5, line 27,—

for "an" substitute "a reasonable" (6)

*The motion was adopted.*

MR. CHAIRMAN: The question is:

"That Clause 8, as amended, stand part of the Bill."

*The motion was adopted.*

*Clause 8, as amended, was added to the Bill.*

14.00 hrs.

**Clause 9—(Power of Central Government to direct vesting of the undertakings of Caltex (India) in a Government Company)**

SHRI ANNASAHEB GOTKHINDE:  
 Sir, I beg to move amendments Nos. 7, 8 and 9.

Page 5, line 31,—

omit ", or has complied,"(7)

Page 5, line 36,—

omit "such earlier or"(8)

Page 5, line 37,—

omit "(not being a date earlier than the appointed day)"(9)

श्री हेमवती नंदन बहुगुणा : मैंने एक अर्नेडमेंट आप का मान लिया । इसको भी प्रेस कर रहे हैं ।

SHRI ANNASAHEB GOTKHINDE:  
 In deference to the wishes of the hon. Minister I will not press these amendments.

I seek leave of the House to withdraw these amendments.

*Amendments Nos. 7 to 9 were, by leave, withdrawn.*

MR. CHAIRMAN: The question is:

"That Clause 9 stand part of the Bill."

*The motion was adopted.*

*Clause 9 was added to the Bill.*

**Clause 10— [Payment of amount to Caltex Petroleum and Caltex (India)]**

श्री हुस्मदेव नारायण यादव (मधुबनी):  
 सभापति महोदय, मैं इस धारा 10 की उपधारा (2) में अपना संशोधन पेश करूंगा । पहला जो है धारा 10 की उपधारा (1) में उस को मैं मूव नहीं करूंगा ।

I beg to move:\*

Page 6, line 9,—

add at the end—

"and this amount shall be spent by the company on the development of small scale industries in India." (3)

धारा 10 की उपधारा (2) में जो मेरा संशोधन है वह यह है कि कर मुक्त व्याज लगेगा, यह हटा दिया जाय । उस के संबंध में मुझे यही कहना है कि कानूनी आधार इस का क्या होगा मैं वह नहीं जानता, मैं केवल इतना ही जानता हूँ कि संविधान को जहाँ तक मैं जानता हूँ उस में लिखा हुआ है कि हिन्दुस्तान में सभी लोगों को एक समान न्याय मिलेगा और एक समान रखा जायगा । तो जब दूसरे लोगों से इतनी आमदनी पर टैक्स लिया जा सकता है तो इस कम्पनी को क्यों छोड़ा जा रहा है, यह बात मेरी समझ में नहीं आई । हमारा जो जनता पार्टी का चुनाव घोषणा पत्र है उस में यह लिखा हुआ है कि दस हजार तक की आमदनी को हम आयकर से मुक्त मानेंगे । अब मेरी समझ में यह बात नहीं आती कि यहाँ कम्पनी को 11 लाख डालर सूद में दिया जा रहा है, इतना रुपया जब कम्पनी को सूद में दिया जा रहा है तो उस को आयकर से मुक्त किया जा रहा है और दूसरी तरफ हमारे चुनाव घोषणापत्र में यह कहा गया है कि दस हजार से ज्यादा जो रहेगा उस में दस हजार तक ही कर मुक्त रहेगा ।

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

सभापति महोदय : आप कौन से नम्बर का अमेंडमेंट मूव कर रहे हैं ?

श्री हुक्मदेव नारायण यादव : यह धारा 10 की उपधारा (2) पर है ।

सभापति महोदय : लेकिन अमेंडमेंट नं० कौन सा है आप का ?

श्री हुक्म देव नारायण यादव : अमेंडमेंट नम्बर इस में जो दिया गया है वह तो है 3 ।

मुझे ज्यादा नहीं कहना है । केवल इतना ही कहना है कि जनता पार्टी ने जो चुनाव घोषणा पत्र में जनता से कहा है उसमें और इस विधेयक में मुझे अन्तर्विरोध नजर आया इसीलिए मैं मंत्री जी का ध्यान इस तरफ आकृष्ट करना चाहता कि हिन्दुस्तान में सभी लोगों को दस हजार तक ही आप छूट दे सकते हैं तो इस कम्पनी को 11 लाख डालर जो आप दे रहे हैं उस पर आप कहते हैं कि आयकर नहीं लगेगा इसके पीछे क्या रहस्य है, मैं देहात का रहने वाला एक साधारण आदमी हूँ, किसान हूँ, लोक सभा में प्रतिनिधि बनकर आया हूँ, तो इन सब बातों में मुझे बहुत ज्यादा गड़बड़ भालूम पड़ती है । दो तरह की दृष्टि जब बनेगी, वह विदेशी हो या देसी हो या यह भी हो सकता है कि पीछे की सरकार ने जो वार्ता की हो उस के फलस्वरूप हो या यह अमेरिकन कम्पनी है, यह भी इस में पता लगता है तो उस अमेरिकन कम्पनी का पीछे की सरकार पर इतना दबाव रहा हो कि जिस सरकार ने उस कम्पनी से वार्ता की उस ने अमेरिकन सरकार के दबाव में आकर ऐसा किया हो या जो विश्व में साम्यवादी और पूंजीवादी खेदों के नाम पर दो दृष्टि चलती रही है उस से कहीं प्रभावित होकर तत्कालीन सरकार ने इतनी बड़ी राशि आयकर मुक्त कर के देना का तय कर लिया हो तो अब जो जनता की सरकार है उसको सोचना चाहिए ।

मंत्री जी ने विचार के प्रस्ताव के समय कहा कि चूँकि एक सरकार वादा कर चुकी है तो उसको कैसे तोड़ें । अगर एक सरकार ने

वादा किया मारुति कम्पनी को आर्डर देने का तो उसको हम कैसे छीन सकते हैं — मैं समझता हूँ इस तर्क में कोई दम नहीं है । पिछली सरकार ने कम्पनी से वादा किया है और कोई एग््रीमेन्ट हुआ लेकिन अब इस सरकार का काम है कि वह उस वादे पर फिर से विचार करे और इस बात को देखे कि इस कम्पनी को जो आयकर मुक्त सूद दिया जा रहा है उसको देना देश के लिए ठीक होगा या नहीं, वह जनहित में होगा या नहीं । इस बात को देखना इस सरकार के लिए परमावश्यक है । आयकर मुक्त इतने लाख डालर की इतनी बड़ी राशि अगर आप किसी कम्पनी को देते हैं तो मैं नहीं समझता वह समाजवाद या प्रगतिशीलता का दृष्टिकोण होगा । अगर समाजवाद सही मानने में कुछ अर्थ रखता है तो इस बिल को समाजवादी बिल नहीं कहा जा सकता । जो मेरा अगला संशोधन है उसपर जब मैं बात करूँगा तो आगे की बात ताऊंगा लेकिन अभी तो मैं यही कहना चाहता हूँ कि संविधान में सभी नागरिक बराबर हैं और न्याय के आधार पर सभी को समानाधिकार मिलना चाहिए । जनता पार्टी ने लिखा है अपने चुनाव घोषणा पत्र में कि 10 हजार तक की आमदनी हम आयकर मुक्त मानेंगे । फिर यह जो बिल आया है जिसमें इतनी राशि करमुक्त कर दी है यह एक अन्तर्विरोध है और जनता को दिए गए आश्वासन के प्रतिकूल है ।

चूँकि मैं जनता से चुनकर इस संसद में आया हूँ तो हमारी पार्टी ने जनता के सामने जो आश्वासन दिए हैं और वादे किये हैं उनको भी देखना मेरा फर्ज हो जाता है । मैंने जीवन भर विरोधी दल की राजनीति की लेकिन वहाँ और अब यहाँ मुझे सरकारी पक्ष में बैठना पड़ा । चूँकि सरकार इस विधेयक को लाई है और मैं जानता हूँ किसी न किसी तरह मुझे इसका साथ देना पड़ेगा फिर भी मैं मंत्री महोदय से चाहूँगा कि वे इसपर विचार करें क्योंकि इसमें अन्तर्विरोध है और यह हमारी पार्टी के घोषणपत्र के विरुद्ध जाता है

श्री हेमवती नन्धन बहुगुणा : : सभापति महोदय, माननीय सदस्य हुकमदेव नारायण यादव जी ने जिस भावना के अन्दर और जिस समझदारी के अन्दर बात कही है उससे कोई झगड़ा नहीं है। प्रश्न सिर्फ यह है, जैसा मैं ने पहले भी कहा कि कालटेक्स के साथ एक सौदा पक्का हुआ, इस सौदे का हिस्सा है कि हम उनको आयक से मुक्त कर रहे हैं, उस सौदे को तोड़ना कहां तक उचित होगा। यहां पर श्री जेठमलानी जी कह रहे थे कि बाहर के देशों को पैसा जा रहा है तो हमारे देश में भी आये। मैं नहीं जानता सरकार की क्या नीति रहेगी, किन शर्तों के साथ रहेगी लेकिन प्रश्न यह है कि विदेशी कम्पनी को विदा करते समय हमने वचन दिया है उसको अगर तोड़ दें तो उससे अन्तर्राष्ट्रीय कठिनाई पैदा होगी और इसी कारण इस बात को मंजूर करना पड़ रहा है। इसी कारण 13 करोड़ रूपए रखे गए हैं। अगर हम एक करोड़ 5 लाख रुपये पर इनकम टैक्स लें तो कालटेक्स वाले यह भी कह सकते थे कि 13 करोड़ में हम नहीं मानते। मैं पुनः कहना चाहता हूँ कि सौदे की मार्फत यह कम्पनी ली जा रही है, संविधान में जो एको अधिकार है स्वतः लेने का उसके अन्तर्गत नहीं लिया जा रहा है। इस सौदे को हम बिगाड़ नहीं सकते हैं, इस कठिनाई को हुकमदेव जी को देखना चाहिए।

लेकिन एक बात आज मालूम हो गई है—माननीय सदस्य जिस दल से खड़े होने हैं वही जीतता है और सरकार बनाता है। इसलिए सब को यह मान लेना चाहिए कि माननीय सदस्य जिवर से खड़े हो रहे हों,

उसी दल की सरकार बनती चली जायगी। इस खुशी की सूचना के लिए, जिसे उन्होंने दिया है, मैं उनको धन्यवाद देना चाहता हूँ।

MR. CHAIRMAN: I shall now put amendment No. 3 to the vote of the House.

*Amendment No. 3 was put and negatived.*

MR. CHAIRMAN: The question is:

"That Clause 10 stand part of the Bill."

*The motion was adopted.*

*Clause 10 was added to the Bill.*

**Clause 11—**[Transfer of service of existing employees of Caltex (India), etc.]

SHRI ANNASHEB GOTKHINDE: I beg to move:

Page 7, line 14,—

for "an" substitute "a reasonable" (10)

As the hon. Minister has already accepted my similar amendment, I request that this may also be accepted.

SHRI H. N. BAHUGUNA: I accept it for his satisfaction. At one place the word 'reasonable' is there. So, for similarity I accept his amendment.

MR. CHAIRMAN: The question is:

"Page 7, line 14,—

for "an" substitute "a reasonable" (10)

*The motion was adopted.*

MR. CHAIRMAN: The question is:

"That Clause 11, as amended, stand part of the Bill."

*The motion was adopted.*



Clause 11, as amended, was added to the Bill.

Clause 12—(Provident, superannuation, welfare fund, etc.)

SHRI HUKMDEO NARAIN YADAV:  
I beg to move\*:

Page 8.—

after line 4, insert—

“(5) There shall be a Board of Directors. to manage the affairs of the company which shall consist of—

- (i) one representative of the Reserve Bank of India;
- (ii) one representative of the Government of India;
- (iii) two representatives of trade unions;
- (iv) two representatives of consumers;
- (v) two representatives of farmers;
- (vi) one jurist to be nominated by the above representatives; and

the representative of the Bank shall be the Chairman and the representative of the Government shall be the Secretary of the Board of Directors.” (5)

सभापति महोदया, मैंने जो संशोधन दिया है—उस के पीछे एक दृष्टिकोण है। इस समय हम जिस विधेयक पर विचार कर रहे हैं, उस के सम्बन्ध में हम यह मान कर चल रहे हैं कि यह पहले की सरकार द्वारा बनाया हुआ है। लेकिन जहाँ तक राष्ट्रीयकरण का सवाल है—हम लोग जो राष्ट्रीयकरण के पक्षवाले हैं, हमारी यह धारणा रही है कि वास्तव में राष्ट्रीयकरण हो। राष्ट्रीयकरण और सरकारीकरण इन दोनों में

बहुत बड़ा फर्क है। यह कहा जा सकता है कि यह विधेयक राष्ट्रीयकरण वाला है, लेकिन मेरी दृष्टि में यह राष्ट्रीयकरण नहीं है, बल्कि सरकारीकरण है। एक निजी विदेशी कम्पनी जो हमारे देश में कारोबार कर रही थी, उस के काम को सरकार ने अपने हाथ में ले लिया, लेकिन इस का जो प्रबन्ध है, वह उसी पद्धति से चलेगा जिस पद्धति से यह आज तक चलता आया है। एक डायरेक्टर और चपरासी में जो अन्तर आज तक चलता आया है, वह आगे भी चलेगा। जो बड़े अफसर हैं, उन के रहन-सहन का जो ढंग है, उन की शाना-शौकत, बंगला, कोठी, मोटरकार—ये सब उसी तरह से संचालित रहेंगे जैसे कम्पनी के मातहत थे। सरकार के अपने हाथ में लेने से उन की कार्य-पद्धति में कोई अन्तर नहीं आएगा। फर्क सिर्फ इतना पड़ेगा कि पहले उन को कालटैक्स कम्पनी के जरिये वेतन मिलता था, अब उस का भुगतान भारत सरकार के जरिये होगा। राष्ट्रीयकरण में तब मानता जब एक चपरासी और इस कम्पनी में काम करनेवाले सब से बड़े अफसर दोनों के वेतन और भत्ते में जो भयकर असमानता है, उस को दूर करने का कोई कार्यक्रम इस में होता। इस में उस असमानता को दूर करने का कोई प्रयास नहीं किया गया है। छोटे छोटे कर्मचारियों का जो शोषण अफसरों द्वारा होता है, उन पर जो उन का नियंत्रण होता है, उन का पंजा हमेशा उन के ऊपर कसा रहता है और वे उन को दबाने में लगे रहते हैं, उन बड़े अफसरों का पंजा उन के ऊपर कम हो और छोटे कर्मचारियों को व दबा न सके, इस के सम्बन्ध में इस बिल में कुछ नहीं है। इस में केवल इतना ही होगा कि पहले जहाँ अमेरिकन कम्पनी द्वारा उन को वेतन मिलता था, अब वह वेतन भारत सरकार दिया केंगी। इस का मतलब यह हुआ कि रेलगाड़ी की पटरी बड़ी है, इंजन वही है

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

लेकिन जो पहले डिब्बा लगा हुआ था, उस डिब्बे को बदल दिया गया है। इंजन वहाँ चल रहा है और सम्पूर्ण कोषार वही चल रहा है। मैं किसानों का प्रतिनिधि हूँ लेकिन इस में किसानों के प्रतिनिधित्व की, उपभोक्ताओं के प्रतिनिधित्व की कोई बात नहीं कही गई है। जनता पार्टी ने अपने चुनाव घोषणा पत्र में कहा था कि उस के द्वारा मजदूरों का हित होगा और किसानों का हित होगा। जनता पार्टी की सरकार का यह प्रथम राष्ट्रीयकरण का विधेयक संसद में पेश हुआ है, तो मैं सरकार से पूछना चाहूँगा कि इस में मजदूरों की साक्षीदारी का सवाल क्यों नहीं रखा गया है।

सभापति जी, मैं एक बुनियादी सवाल उठाना चाहता हूँ और वह यह है कि सरकार द्वारा यह कम्पनी ली जा रही है। मैं आप को बताना चाहता हूँ कि जब खेती के लिये हाई डायल की आवश्यकता पड़ती थी पम्पिंग सेट चलाने के लिये, तो मैं जानता हूँ, क्योंकि मैं एक किसान हूँ और भुक्तभोगी हूँ, कि हमें कितनी कठिनाइयों का सामना करना पड़ता था और वह हम को नहीं मिलता था। जब सरकार ने इस तेल कम्पनी को अपने हाथ में ले लिया है तो किसानों का एक प्रतिनिधि इस के संचालन मंडल में, बोर्ड आफ डायरेक्टर्स में होना चाहिये। इस में किसानों का प्रतिनिधि हो, मजदूरों का प्रतिनिधि हो और उपभोक्ताओं का प्रतिनिधि हो और फिर उनके द्वारा सारे तंत्र का संचालन हो और सारा सरकारी तंत्र ही न हो। मैं चाहता हूँ कि एक ऐसी स्वतन्त्र संस्था हो जो इस कम्पनी पर नियंत्रण रखे। मैं समझता हूँ कि जो राष्ट्रीयकरण की दृष्टि है, उस के अनुसार ऐसा होना जरूरी है। इसलिये मुझे यह संशोधन देना पड़ा है और यह संशोधन जो मेरी दृष्टि है, जो जनता पार्टी की दृष्टि है और जो चुनाव घोषणा पत्र में कहा गया है, उस के अनुसार

है और उस सब को ध्यान में रख कर ही सरकार को यह विधेयक लोक सभा में लाना चाहिये था। ऐसा नहीं हुआ है और इस से जनता ही जो आश्वासन दिया गया है, उस के प्रतिकूल यह विधेयक जाता है। मैं किसान हूँ और मैंने किसान के दर्द को देखा है और उन दर्द से मैं पीड़ित रह चुका हूँ। हम लोग किसानों का वोट लेकर यहाँ पर आये हैं और मैंने उन में वायदा किया है कि भारत की लोक सभा में इस बार हम आप की बातों को उठायेगे। यह पहला मौका है जबकि इस लोक सभा में लगभग 250, 300 विशुद्ध किसानों के प्रतिनिधि चुन कर आये हैं और इस बार उद्योगपतियों और किसानों के बीच टक्कर होने वाली है। इस बार किसान हारने वाला नहीं है और हम अपने अधिकार के लिये लड़ेंगे। इसलिये मैं अपने संशोधन को पेश कर रहा हूँ। राष्ट्रीयकरण की जो नीति है, उस में परिवर्तन हो और जनता के हित में यह चीज होनी चाहिये। केवल सरकारीकरण करने से कुछ नहीं होने वाला है। जो पुरानी सरकार की दृष्टि है, उस को आप न अपनाएं और इसीलिये मैंने अपना संशोधन सदन में पेश किया है।

**श्री हेमवती नन्दन बहुगुणा :** बिहार के माननीय सदस्य श्री हुकमदेव नारायण यादव ने जो एक बुनियादी प्रश्न, मौलिक प्रश्न उठाया है, वह बड़ा व्यापक है। पहली बात तो मैं यह कहना चाहता हूँ कि हम ने कहीं भी 'राष्ट्रीयकरण' शब्द का प्रयोग नहीं किया है। 'टेक ओवर' और 'राष्ट्रीयकरण' में बहुत फर्क है। कम्पनी को अपने हाथ में लेना और राष्ट्रीयकरण करना, इन दोनों में थोड़ा सा फर्क है। मैंने पहले भी कहा है कि भारत सरकार और कालटैक्स के बीच में एक समझौता हुआ है। इसलिये इस दृष्टि को माननीय सदस्य भूले नहीं।

### [श्रीहेमवती नम्बन बहुगुणा]

दूसरी बात जो मैं उन से निवेदन करना चाहता हूँ वह यह है कि केवल काल-टैक्स कम्पनी ही तेल और डीजल बनाने का काम नहीं करती है। इण्डियन आयल कार्पोरेशन और आयल एण्ड नेचुरल गैस व मीशन तथा अन्य संस्थाएँ भी रिफाइनिंग इत्यादि का काम करती हैं। इसलिए उन का जो यह कहना है कि बोर्ड आफ़ डाइरेक्टर्स में कौन कौन रहें, कैसे रहें, वह तो जब इंडियन आयल के बारे में प्रस्ताव आए उस समय यह बात विचार करने की है। इस समय तो कालटैक्स के टेक ओवर का मामला सदन के सामने है। जब सम्पूर्ण तेल व्यवसाय, तेल उद्योग को चलाने के लिए नीति पर विचार हो, उसमें कालटैक्स कम्पनी भी शामिल होगी, क्योंकि सम्पूर्ण तेल उद्योग का यह भी एक हिस्सा है, उस समय इन सब मुद्दों पर जो कि माननीय सदस्य ने अभी उठाए हैं, विचार हो सकता है। अगर अभी हम कालटैक्स के मामले में इन मुद्दों को लें तो इसका मतलब यह भी हो सकता है कि हमने सम्पूर्ण तेल उद्योग को छोड़ दिया और केवल काल-टैक्स को लिया।

माननीय सदस्य ने कहा कि किसानों के प्रतिनिधि यहां पर ज्यादा हैं। खुशनसीबी से मैं भी उसी वर्ग का हूँ। हम 290-300 सदस्य मजदूरों और किसानों का जो प्रतिनिधित्व करते हैं उनका शासन तो आएगा ही, इसमें किसी को क्या संदेह हो सकता है। लेकिन इस समय तो हम कालटैक्स का इंतजाम अपने हाथ में ले रहे हैं। उसका इंतजाम कैसे हो, यह उस समय विचार करने की बात है जब हम सम्पूर्ण तेल नीति पर विचार करें। कपड़े के उद्योग का कैसे प्रबन्ध हो यह उस समय विचार करने की बात है जब कि तेल उद्योग की नीति पर विचार हो। मैं माननीय सदस्य को विश्वास

दिलाना चाहता हूँ कि उस समय व जो भी बात उठाना चाहें वे उठा सकते हैं और हम उस पर पूरी तरह विचार करेंगे।

जहां तक डीजल मिलने में कठिनाई का सवाल है, फर्टिलाइजर मिलने में कठिनाई का सवाल है, ये सारी बातें जब पेट्रोलियम और फर्टिलाइजर से सम्बन्धित बजट पेश होगा उसमें आएंगी तथा इसके सम्बन्ध में नीति निर्धारित होगी। उस समय माननीय सदस्य वे सारी बातें रख सकते हैं कि इस मंत्रालय को इन सब बातों के सम्बन्ध में क्या करना चाहिए और उसी समय उन्हें ये सारी बातें करनी चाहिए। मैं माननीय सदस्य के विचारों और भावनाओं का आदर करता हूँ लेकिन उनका इस बिल से कोई सम्बन्ध नहीं है।

MR. CHAIRMAN: I will now put amendment No. 5 to the vote of the House.

*Amendment No. 5 was put and negatived.*

MR. CHAIRMAN: The question is:

"That clause 12 stand part of the Bill."

*The motion was adopted.*

*Clause 12 was added to the Bill.*

*Clauses 13 to 24, The Schedule, Clause 1, the Enacting Formula, the Preamble and the Title were added to the Bill.*

SHRI H. N. BAHUGUNA: I beg to move:

"That the Bill, as amended, be passed."

MR. CHAIRMAN: The question is:

"That the Bill, as amended, be passed."

*The motion was adopted.*

14.24 hrs.

**PETROLEUM PIPELINES (ACQUISITION OF RIGHT OF USER IN LAND) AMENDMENT BILL**

**THE MINISTER OF STEEL AND MINES (SHRI BIJU PATNAIK):**  
Madam, I beg to move:\*

"That the Bill to amend the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 be taken into consideration."

It is well-known to the House that the Kudremukh Project is a very important project and it has to be completed in a record time on a priority basis.

14.25 hrs.

[**SHRI S. D. PATIL** in the Chair]

This is an additional pipeline for transporting petroleum. Powers are already vested with the Government but these are additional powers to be taken by the Government. Therefore, this Bill has come as an amendment of the earlier one. So, I would request the House to take this into consideration.

**MR. CHAIRMAN:** Motion moved:

"That the Bill to amend the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 be taken into consideration."

**SHRI KRISHNA CHANDRA HALDER (Durgapur):** The Bill seeks to extend the coverage of the principal Act by providing the system of pipeline for transporting of other minerals apart from the existing provision for petroleum products. Before extending the provisions of the Act, it would have been better if the Government would have paid some attention to the working of petroleum pipelines in the country. The petroleum pipelines scandals

were among the most prominent that were brought to light during the Congress regime in the past. The Takkr Commission was appointed to inquire into the scandalous state of affairs which highlighted losses of several lakhs of rupees to the Government. The findings of the Takkr Commission are perhaps now gathering dust in the official shelves. The Parliament has no idea, rather Parliament was never informed, about the steps taken by the Government to rectify the mistakes after the findings of the Takkr Commission were submitted to the Congress Government. There was serious apprehension that the entire matter was hushed up and the officers involved were allowed to get away with their booty. It is necessary that all these facts should be brought before the public by the Janata Government so that colossal misuse of power by the top officers can be stopped in future. If the Government had brought this Bill after rectifying the mistakes of the past Bill, it would have seen by the people in a different perspective. The technique of transport of bulk minerals by pipeline is a highly sophisticated technique. Some more thought should have been given by the Government as to whether this system should be introduced in India in today's circumstances. If the minerals are transported by traditional methods, it would give employment to several thousand of workers. The proposed technique of transportation of mineral through pipelines will prevent generation of new jobs. If such high technological devices are introduced, the task of achieving full employment in ten years will be greatly jeopardised. I would, therefore, request the Government to reconsider the introduction of such highly technical devices and further consider whether these jobs can be done with use of manual labour so that growing unemployment in the country is at least arrested to some extent. The Kudremukh Iron Ore Project

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

[Shri Krishna Chandra Halder]

where this technique is initially being introduced will only help the foreign company who will sell the machinery to India. Instead if the Government makes an effort of using labour intensive methods it will increase the purchasing power of the people and boost the domestic market. Therefore, the Government should give some more consideration to this aspect. The principal act itself does not provide adequate compensation to the poor peasants whose land is acquired for the purpose. At times, suitable alternative uses are also not provided to them. This only adds to the gravity of the problem. It is necessary that the government should make some efforts to change its attitude in this regard, so that the poor people in the villages whose land is acquired, are not faced with destitution. While providing for the removal of the construction on the land acquired by government, this Act assumes added importance. Therefore, I would request government to make a break with the haphazard manner in which the Congress government was tackling the issue in the past, so that government could take a more pro-people attitude on such an issue.

SHRI BIJU PATNAIK: I do not understand what the hon. Member is trying to convey. As he himself says, the pipeline is being laid to carry the slurry of concentrates from the iron ore belt to the harbour for onward transmission by ships to Iran. Does he suggest that this should be carried by head-loads by labour all the way from the quarry to the port? That is how you can use more manpower. (Interruptions) There is only one way. Either we carry by the pipeline by making it slurry, or by millions of labour with head-loads across the mountains. There is no other way.

SHRI KRISHNA CHANDRA HALDER: If the alternative suggestion is accepted by the government, it can be done.

SHRI BIJU PATNAIK: Obviously so. Therefore, saying that this is going to take away the employment potential is incorrect, because quarrying will itself provide the potential. The maintenance of the pipeline will provide it and the bill amply provides for proper compensation to be paid, to be fixed by no less a person than the district judge, if the pipeline removes buildings or fills up wells etc. I hope you will have no objection to this.

SHRI KRISHNA CHANDRA HALDER: I want to know whether it will apply to other iron ore mines also in future as well.

SHRI BIJU PATNAIK: Yes. This is an enabling bill to carry through pipelines materials other than petroleum and petroleum products. That is all which it seeks to do at the moment. It will be brought about for the same purpose for which this House has given powers to the government in the case of transportation of oil and oil products through pipelines. There is no difference.

MR. CHAIRMAN: There are no speakers. The question is:

"That the Bill to amend the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 be taken into consideration."

*The motion was adopted.*

MR. CHAIRMAN: We shall now take up clause-by-clause consideration. The question is:

"That Clauses 2 and 3 stand part of the Bill."

*The motion was adopted.*

*Clauses 2 and 3 were added to the Bill.*

Clause 4—

*(Amendment of section 2)*

MR. CHAIRMAN: Now Clause 4. There is one amendment from Mr. Gotkhinde.

**SHRI BIJU PATNAIK:** On this amendment I believe I have already explained the matter to Shri Gotkhinde. I do not think he will insist on moving it.

**SHRI ANNASAHEB GOTKHINDE:** I would not move it. I would seek to know whether there will be multiplicity of proceedings and contradictory recommendations.

**SHRI BIJU PATNAIK:** As I have already explained to the hon. Member, we have put in the words 'in the same area', because there may be different authorities operating in the same area. There are 2 different companies, viz. Caltex and Indian Oil. They are 2 different corporations operating in the same area. That has to be provided for. Along with this, an iron ore line has to come under a different authority. And it will create further complications. Therefore, the bill seeks to provide for different authorities in the same area or in different areas.

**MR. CHAIRMAN:** The question is:

"That Clauses 4, 5 and 6 stand part of the Bill."

*The motion was adopted.*

*Clauses 4, 5 and 6 were added to the Bill.*

**Clause 7—**

*(Amendment of section 6)*

**SHRI ANNASAHEB GOTKHINDE:** I beg to move:

Page 2,—

*omit lines 20 to 23. (2)*

The hon. Minister was quite generous in explaining the provisions to me. I am glad the intention of the Government is to safeguard and protect the interests of the users and occupiers. Therefore, I am not pressing this amendment.

**MR. CHAIRMAN:** Has the hon. Member the leave of the House to withdraw his amendment?

**SOME HON. MEMBERS:** Yes.

*Amendment No. 2 was, by leave, withdrawn.*

**MR. CHAIRMAN:** The question is:

"That Clauses 7 and 8 stand part of the Bill."

*The motion was adopted.*

*Clauses 7 and 8 were added to the Bill.*

**Clause 9—**

*(Amendment of section 9)*

**SHRI ANNASAHEB GOTKHINDE:** I beg to move:

Page 3, line 26,—

for "the costs" substitute—

"the reasonable costs" (3)

Though the Minister tried to convince me, still my doubts are there. If the intention is to safeguard the interests of the owner or occupier, that will not be safeguarded unless and until my amendment is accepted. I will make my point clear. The provision reads:

"...the Court of the District Judge within the local limits of whose jurisdiction such land is situated may, on an application made it by the competent authority after holding such inquiry as it may deem fit"

—what is the court called upon to do  
The provision says:

"...cause the building, structure, reservoir, dam or tree to be removed or the well or tank to be filled up..."

That is the main function entrusted to the Court. So far as the fixation of the cost is concerned, there is no option left to the court. It has to fix whatever cost is determined by the competent authority. Therefore, I would request the Government to accept this particular amendment. In that case, whether the cost determined by the competent authority is reasonable or not would be determined by the district court.

SHRI BIJU PATNAIK: The amendment moved by the hon. Member really does not cover that point at all. In that case, he should have stated "reasonable cost, as may be awarded by the District Judge". When the District Judge holds some enquiry for the removal of buildings, he also holds enquiry on the buildings put up and the cost. So, it covers both the things. What the hon. Member has in mind is the protection of the tenant, the owner of the land or the building or whatever is sought to be demolished. I have no doubt that the Government have taken good care to protect the interests of the affected people. This Government does not, like the previous Government, take over any property at any price. That is not the intention of this Government. In view of that, I would request the hon. Member to withdraw his amendment.

SHRI ANNASAHEB GOTKHINDE: I want to withdraw my amendment. I seek leave of the House to withdraw it.

MR. CHAIRMAN: Has the hon. Member the leave of the House to withdraw his amendment?

SOME HON. MEMBERS: Yes.

SHRI ANNASAHEB GOTKHINDE: Amendment No. 3 was, by leave, withdrawn.

MR. CHAIRMAN: The question is: "That Clauses 9 to 11, Clause 1, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

CLAUSES 9 TO 11, CLAUSE 1, THE ENACTING FORMULA AND THE TITLE WERE ADDED TO THE BILL.

SHRI BIJU PATNAIK: I beg to move:

"That the Bill be passed".

MR. CHAIRMAN: The question is:

"That the Bill be passed".

The motion was adopted.

### PREVENTION OF PUBLICATION OF OBJECTIONABLE MATTER (REPEAL) BILL

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI): I beg to move:

"That the Bill to repeal the Prevention of Publication of Objectionable Matter Act, 1976, be taken into consideration."

At this stage I do not want to say very much on this subject because the purpose of this Bill is obvious. We hold that during the last 19/20 months there has been a very serious encroachment into the freedom of the press and this particular measure, namely the Prevention of Publication of Objectionable Matter Act, which was adopted during the period of the emergency constitutes a very serious erosion of the freedom of the press.

[MR. DEPUTY-SPEAKER in the Chair]

It is, therefore, that the Government has decided to include this among the first Bills to be introduced in this House. I commend it to the House with all the emphasis at my command.

I would like to say that our belief in the freedom of the press is not a matter of policy. It is an article of faith with us because we hold that without the freedom of the press, democracy is meaningless, and if the Prevention of Publication of Objectionable Matter Act remained on the statute-book, freedom of the press would be an illusory thing, it would have no meaning whatsoever.

This is the brief statement that I wish to make at this stage.

MR. DEPUTY-SPEAKER: Motion moved:

"That the Bill to repeal the Prevention of Publication of Objectionable Matter Act, 1976, be taken into consideration."

श्री जे० रामेश्वर राव (गुड्डूरनगर) :  
उपाध्यक्ष महोदय, मैं आप के जरिए पहले ही  
कहना चाहता हूँ कि हम इस बिल के खिलाफ  
नहीं हैं। हम पूरी तरह से इस बिल का  
समर्थन करते हैं। मुझे मंत्री महोदय की  
इस बात से पूरा इत्तिफाक है कि बिना  
प्रेस या अखबारों की आजादी के जम्हूरियत  
नहीं चल सकती है।

परसों शाम मैंने टेलिविज़न पर प्रधान  
मंत्री के भाषण को बड़े गौर से सुना—  
मुझे उन के हर लफ्ज़ से इत्तिफाक है, वह  
भी हमारे साथी थे, हमारे उप-प्रधान मंत्री  
थ—, मगर मैंने देखा कि उन्होंने कोई नई  
बात नहीं कही। य सारी बातें हमारी  
पार्टी ने कही गई हैं। इस सदन में कही  
गई हैं। मगर उम जमाने में उन के इम्प्ली-  
मेन्टेशन में कुछ ताखीर हुई। मुझे उम्मीद  
है कि कम से कम अब जब कि उन्होंने  
कांग्रेस का लेबल छोड़ कर जनता पार्टी का  
लेबल अख्यार किया है, इसका इम्प्ली-  
मेन्टेशन होगा। इस में हमारी पूरी  
मदद रहेगी।

एक चीज मैं मंत्री महोदय के ध्यान में  
लाना चाहता हूँ कि इस अखबारी आजादी  
को देने के बाद वे येलो जर्नलिज़्म जिसे  
कहा जाता है उसे कैसे रोक लेंगे? व  
भी नहीं चाहें और हम भी नहीं चाहें  
कि एसी चीजें अखबारों में कही जायं  
जिस से देश का सुमान हो या किसी  
फर्दाक नुकसान हो। प्रस की डिगनिटी मेंट्रेन  
होनी चाहिए और एक कोड आफ काण्डक्ट  
होना चाहिए। सोचते थे पहले कि एक  
प्रस कौंसिल हो और एक कोड आफ काण्डक्ट  
ही। मगर यह अमल में नहीं आया।  
अब हुकूमत इस के बारे में क्या ख्याल करती  
है, वे क्या सोचते हैं यह हम जनना चाहते  
हैं। अब क्या करेंगे? प्रस कौंसिल को  
री-एक्टिवाइज़ करेंगे या कोड आफ काण्डक्ट  
लाएंगे? क्योंकि यह जरूरी है।

जिस तरह से मंत्री महोदय ने कहा कि बिना  
अखबारी आजादी के जम्हूरियत नहीं चल  
सकती जिससे मुझे बिल्कुल इत्तिफाक है  
इसी तरह अखबारों में कोड आफ काण्डक्ट  
के बिना भी जम्हूरियत नहीं चल सकती, यह  
आप को मानना पड़ेगा। इस बारे में आप  
क्या सोचते हैं? किस तरह से इस को  
अमल में लाएंगे, किस तरह से इस को  
संभालेंगे उस हद तक इस सदन में आप हम  
को किसी न किसी तरह का एण्योरेंस जरूर  
दीजिएगा। इस में ज्यादा तो मैं कहना  
नहीं चाहता और सदन का वक्त भी नहीं  
लेना चाहता। इन थोड़े से शब्दों के साथ  
मैं आप के इस बिल का समर्थन करता  
हूँ।

SHRI JAGANNATH SHARMA  
(Garhwal): Mr. Deputy-Speaker, Sir,  
after the historic elections, the party  
in power has stood for the service of  
the people and is trying to preserve  
the ideals of democracy. Freedom of  
Press is the corner-stone of democracy  
and a sound foundation of all demo-  
cratic organisations. Whether it is in  
India, whether it is in America or  
England, in all the democracies of the  
world, there are certain elements  
which are common for all democra-  
cies. For example, in a democracy,  
there is a rule of majority and res-  
pect for the minority and the funda-  
mental rights adumbrated in Article  
19 of the Constitution and so on.

Now, even with all these freedoms,  
freedom of the Press is the most im-  
portant, even with the freedom that  
has been enunciated in Article 19 of  
the Constitution, freedom of the Press  
is the most important. While deciding  
Ramesh Thaper's case, the Chief Jus-  
tice, Mr. Patanjali Shastri has said,  
"There may be some abuse of free-  
dom of Press. A freedom of such  
amplitude might involve risk of abuse.  
But the framers of the Constitution  
may well have reflected with Madison,  
who was the moving spirit in the pre-  
paration of the First Amendment of  
the Federal Constitution, that it is



[Shri Jagannath Sharma] better to leave a few of its noxious branches to their luxuriant growth than by pruning them away to injure the vigour of these yielding the proper fruits." Then Lord Mansfield has said: "Printing without any previous licence." With all this background, what the Congress Government did? It abrogated the Ferozè Gandhi Act; it suppressed the recommendation of the Press Commission and it brought forward an Act which can be termed as the darkest Act in the history of this House. In fact, there was no occasion for me to speak on this Bill. But since this Act, has a dark history, since this Act under repeal is treated as a black Act. I thought of speaking a few words on this Bill.

Everybody knows that there was the Press Emergency Powers Act passed in 1930 and then there was the Publication of Objectionable Matter Act, passed in 1951 and both these Acts were repealed in 1957. What was provided in these Acts? There was a provision that the security can be forfeited but the forfeiture of security shall be decided only by a court of law. In spite of this background, in spite of this history, in spite of this knowledge that they had in this country, the Congress Government brought forward a Bill, under repeal, at the moment which said that a District Magistrate can do whatever he likes, that a person of the rank of the Deputy Secretary can raise any objection, can *suo motu* claim and arrest anybody and then the Government of India had all the powers without any reference to the court. If I am not mistaken, if I have some correct knowledge about it, I even heard that a petitioner who went to the court was held up under MISA and the judge was reverted. These are some of the things that have to be recapitulated before we want to repeal this Bill. It is, of course, most welcome.

In this connection, I would also like to invite the attention of the House to the Preventive Detention Act. I was sorry to hear from the Leader of the Opposition that he owned the excesses

committed but that he stood by the Forty-second Constitution Amendment. My submission is that it was to perpetuate those excesses that the Forty-Second Constitution Amendment came into existence. After the First and Second World War, the British Parliament authorised the Government to use preventive detention and the British Government used preventive detention only in war time. But our Constitution envisages preventive detention even in peace time. If it envisages preventive detention even in peace time, what was the necessity of bringing forward the MISA. What was the necessity of bringing forward such Bills knowing full well that they could take resort to such measures as even preventive detention. I am not in favour of even preventive detention. This is what even our former Chief Justice of the Supreme Court, Mr. Patanjali Shastri, said:

"This sinister-looking feature, so strangely out of place in a democratic Constitution and so incompatible with the provisions of the Preamble is doubtless designed to prevent the abuse of freedom by anti-social and subversive elements which might imperil the national welfare of this infant Republic."

It was he who thoroughly condemned even preventive detention as a sinister-looking feature, as a monster, absolutely undesirable in a democratic set-up. But he did that since we were an infant Republic, let us have it for some time.

Even with this background, even with these judicial pronouncements, we had this black Act which is under repeal now and an Act like MISA. Not only this. In the Act under repeal, there was a provision that nothing can be publicised against the President, the Vice-President, the Prime Minister and the Council of Ministers in spite of their mis-doings. They were protected against scurrilous actions, indecent actions, defamatory actions and even against blackmail. What has happened to these Members of Parliament? What has happened to the citizens of this country?

Under what conditions is the House to discuss again in detail Articles 14, 19 and 20 of the Constitution? I would not like to dilate on it, but I would certainly like to say that Art. 14 which guarantees equality before law and equal protection under the law cannot be protected if only the Prime Minister and the Council of Ministers are protected for any type of remarks or any type of actions. These were the contents of that harsh Bill. And then, in order to stifle the Opposition, in order to gag the working classes and in order to punish the journalists, the editors and the general public, this Bill was brought with these provisions.

Whenever there is an autocratic dictator and whenever he wants to change popular rule to authoritarian rule, the first thing he does is to give a jolt to the Press because it is the strongest and perhaps the most powerful means of ventilating and expressing opinions about the performance of the Government.

Since my time is short I don't want to enlarge on it but, with this background, I would support the Hon. Minister that the Bill should be repealed. At the same time, though this is not the time for me to advise the Press and though I am not in a position to do so. I would certainly make this request to them. I belong to a constituency which is known in the country and abroad as one of the holiest places where the devout Hindus go on pilgrimage, namely Badrinath and Kedarnath. I belong to that constituency which is wholly known and yet is absolutely unknown; I belong to that constituency where people have gone for salvation—kings and common people alike; I belong to that constituency which is widely known Flowers (there are about 2,000 varieties of flowers), which is the Botanists' paradise and tourists' delight, but that is not known to this country. So now I would request the Press, of course through the Minister and the Government, that they should now take a decision to find out the hidden wealth of the Himalayas. They should find

out whether it is Kubera's Alka or Indra's Amaravati. This is the time when the Press should take the initiative. They should not resort to yellow journalism; they should not go after capitalists alone. They should themselves feel the need of the country without waiting for any suggestions.

If the learned Speaker would give me some time I would like to speak in detail at the time of the Budget about what there is in the Himalayas and the constituency to which I belong. But, at the same time, I would like to request the Press that they should make a determined effort to find out the hidden wealth of the Himalayas and other parts of the country.

With these words, I support the Bill.

SHRI K. MAYATHEVAR (Dindigul): Sir, I welcome this Bill wholeheartedly on behalf of the All India Anna D.M.K. My Party and I consider the right of publication as nothing but the right of expression, which is one of the Fundamental Rights guaranteed under Art. 19(1) (A) in Chapter X of the Indian Constitution. So, this is one of the most important Fundamental Rights of the people of India and the Pressmen and I therefore welcome and support this Bill.

Regarding the freedom of the Press and censorship, you have done a very good thing. This is one of the good things you have done, but there are so many kinds of newspapers being run by many kinds of people in India. There are certain papers which were started only with the intention of getting newspaper quotas or quotas of tons of white paper. They have started newspapers, which are called yellow papers, only for this purpose. Those papers which have been started with the ulterior motive of getting newsprint quota should not be encouraged by the Government by giving advertisement or quota. So many papers have committed default in

[Shri K. Mayathenar]

running the papers. Those papers should not be encouraged by the Government.

15.00 hrs.

There are certain other kinds of papers which are started only for blackmailing certain Ministers, certain political parties, certain leaders of the State, certain leaders of the country. These papers are started only to blackmail certain Ministers and thereby gain something wrongfully. Such papers which are indulging in blackmailing and all other yellow papers should not be allowed to continue. Such papers are there in Tamil Nadu and various other parts of the country. These papers have a criminal motive, a preplanned motive; they are blackmailing certain Ministers of the past. No wonder, those papers are likely to blackmail this new Government and the new Ministers also. Therefore, all these yellow papers should be very seriously looked into by the new Government, and such yellow papers should not be given any advertisement by the Government of India or the State Governments.

We cannot give an absolute right for publication in the newspapers of the news in India and throughout the world. There should be reasonable restrictions on news publication. Giving an absolute right without any reasonable restrictions will only create chaos and confusion in the minds of all political parties, including the Janata Party which is presently ruling the country. Therefore, I warn the Government to be very careful about these kinds of newspapers and the activities by those proprietors of the papers.

I request the Government to nationalise certain monopolistic newspapers which are having crores of rupees of black money. This black money is dumped into the newspapers and is converted into white money.

These monopolistic newspapers are run not for the sake of giving news to the public, to the masses of India, but only with the objective of making profits and robbing the public of their money. Such monopolistic papers are always supporting capitalistic views; they are not supporting the progressive policies but are supporting only the capitalistic or aristocratic views. Such papers should not be encouraged by the Government.

There are no safeguards for the chief editors, editors, sub-editors and other staff and workers, working in the newspapers. These people are working day and night. They should not be arrested suddenly under section 500 of the IPC for defamatory publication. Even for non-cognizable offences, the chief editors, editors and other staff are arrested by the police and prosecuted. There should not be any such arrest all of a sudden, without a proper notice being issued to the chief editor or the Managing Director or those who are responsible for such publication. Without giving such notice, there should not be unexpected and sudden arrests of editors or sub-editors or other staff or any worker. It is my duty to bring these things to the notice of the new Government with the hope that they will consider and implement my suggestions.

I would suggest that the employees of all the newspapers like labourers, sub-editors, editors, reporters and others should be protected with all rights and privileges equivalent to the rights and privileges of the employees of the State and Central Governments. There are a number of newspapers owned by private management. They throw out their employees at their whims and fancies and they are in the streets. They do not have money even to go to the labour court. Being a practising lawyer in Madras, I know this. So many editors were dismissed, but they could not afford to fight against the monopolistic papers. I would, therefore, request that

you must guarantee their jobs and equate them with the employees of the State Governments and Central Government.

Finally, I would request the hon. Minister of Information and Broadcasting, the Prime Minister and the Central Government run by the Janata Party, that there should not be any discrimination in matters of giving advertisement to the various newspapers. I request specifically that there should not be any discrimination between newspapers supporting the ruling party and the newspapers supporting the Opposition parties.

We welcome this Bill. We have been supporting and we will continue to support good and progressive policies of the Government. We support this Bill whole-heartedly as I said, we are sure, the State Governments and the Central Government would give advertisements to all the newspapers without any discrimination. Article 14 of the Constitution says that there would be equality and equal protection of law not only to all citizens, but also to all newspapers. That protection should be extended to newspapers run by the Opposition parties in any part of India including Tamil Nadu.

With these words, I support this Bill.

डा० रामजी सिंह (भागलपुर) ।  
 अध्यक्ष महोदय, आज से दो वर्ष पूर्व, कांग्रेस मंत्रिमण्डल के सूचना और प्रसारण मंत्री ने जब यह बिल संसद में प्रस्तुत किया था तो उनके सामने बहुत से लोगों ने बहुत तरह की बातें कही थीं। उस समय उन्होंने यह दावा किया था कि अगर यह बिल नहीं लाया जाएगा तो देश में जनतंत्र समाप्त हो जाएगा। वे यह कहते थे कि प्रेस वाले आपत्तिजनक बातें लिखते हैं इसलिए उनके ऊपर नियंत्रण होना चाहिए। लेकिन जब यह प्रश्न उनसे पूछा गया कि किसी प्रेस

की स्वतन्त्रता पर नियंत्रण करने का माप-दण्ड क्या होगा और कौन व्यक्ति यह निर्णय करेगा कि यह आपत्तिजनक है या नहीं तो उनके सामने कोई उत्तर नहीं था।

केवल यह कहा गया था कि कोई जिला कलेक्टर या उसके समकक्ष रैंक वाला अफसर करेगा। इसका अर्थ सचमुच में यह होता है कि हमारी स्वतन्त्रता का, प्रेस की स्वतन्त्रता का नियमन और नियंत्रण एक दृष्टि में एक छोटा सा अफसर करेगा। लेकिन आज कितनी बड़ी बात की जा रही है। आज हमें बड़ी खुशी है कि वह जो प्रेस की स्वतन्त्रता का बिल मंत्री महोदय ने पेश किया है इसमें सभी ओर से स्वागत और समर्थन किया जा रहा है। अगर प्रेस स्वतन्त्र रहता है और उसको स्वतन्त्र रहना चाहिए तो मैं नहीं समझता हूँ कि इसका विरोध होना चाहिए। अगर ये लोग तब स्वतन्त्र होते तो उस समय भी उस बिल का हार्गिज समर्थन नहीं करते जब प्रेस पर पाबन्दी लगाई गई है। यह बहुत बड़ी बात है। उस समय कहा गया था :

This is delegation of responsibility.

यह कहा गया था कि हम तो यह उत्तरदायित्व दूसरों को सौंप रहे हैं। लेकिन सचमुच में यह उत्तरदायित्व किसी पर सौंपना नहीं था बल्कि उत्तरदायित्व का ही अन्त करना था।

This is not delegation of responsibility but abrogation of responsibility.

हमारे यहां छोटे छोटे पत्र भी छपते हैं। जब इनकी चर्चा की गई तब तुरन्त हमारे माननीय सदस्य ने कहा कि यहां ये लो जर्नलिज्म की बात है। लेकिन जब प्रेस के लोगों ने आचार संहिता बना ली थी तो क्या वजह थी कि कानून की यह तलवार उन पर लटकाए रखी गई थी? मैं समझता

[ डा० रामजी सिंह ]

हूँ कि इस तरह के कानून को रखना उनके अन्दर भय का संचार करना था। उस भय के वातावरण में आदमी सचमुच में जनतंत्र की कीमत समझ नहीं सकता है। भय और जनतंत्र परस्पर विरोधी बातें हैं। वे दिन समाप्त हो चुके हैं जब हम किसी एक नेता की बात में हाँ में हाँ मिलाया करते थे।

We do not want to follow that "leader concept" now either on that side or on this side.

मैं समझता हूँ कि सचमुच में भारत में एक नए गणतंत्र की स्थापना हुई है। इस नए गणतंत्र में भय का कोई वातावरण नहीं है।

तत्कालीन प्रसारण मंत्री ने जब यह बिल पेश किया था तो कहा था कि चक्रवर्ती राजगोपालाचारी भी इस तरह का बिल लाये थे। लेकिन उनको मालूम होना चाहिए कि ऐसा कह कर उन्होंने राजाजी के साथ न्याय नहीं किया। उनको राजाजी का नाम लेने में भी तब संकोच नहीं हुआ था, इसको देख कर दुःख होता है। राजाजी तो अभिव्यक्ति की स्वतन्त्रता, प्रेस की स्वतन्त्रता के हिमायती रहे हैं। जब उन्होंने ऐसा कहा तो लगता था कि डैविल स्क्रिपचर्ज कोट कर रहा है। सच बात तो यह है कि यह जो प्रेस के ऊपर उन्होंने पाबन्दी लगाई यह पाबन्दी उसी प्रकार की थी जिस प्रकार की ब्रिटिश सरकार ने बहुत पहले अपने राज्यकाल में लगाई थी और बिल लैजिस्लेटिव असम्बली में पेश किया था। उस समय अग्नेजों ने जो बिल पेश किया था और जो विचार व्यक्त किए थे लगभग वही विचार और वही शब्द कांग्रेसी प्रसारण मंत्री ने व्यक्त किए। दोनों के उद्देश्यों में बहुत कुछ समानता है। ब्रिटिश काल में जब

बिल लाया गया था और जो उसका उद्देश्य था वह इन शब्दों में बताया गया था :

"to bring into hatred or contempt His Majesty or the government established by law in British India or the administration of justice in British India or any class or section of His Majesty's subjects in British India or to excite disaffection towards His Majesty or State Governments."

कांग्रेस सरकार ने भी करीब करीब वही शब्द और पंक्तियाँ रखी थी :

"to bring into hatred or contempt or excite disaffection towards Government established by law in India or in any State and thereby cause of or tend to cause public disorder."

शुक्ल जी ने उस समय कहा था कि इसका एमरजेंसी से कोई सम्बन्ध नहीं है। तब कुछ हमारे दक्षिणपन्थी साम्यवादी भाइयों ने भी कहा था कि सचमुच में जयप्रकाश नारायण जी चाहते थे कि पुलिस और फौज बगावत करें और उसके लिए वह उनको भड़काना चाहते थे। लेकिन इन लोगों ने उनकी बात पर ध्यान नहीं दिया। अगर ध्यान नहीं दिया तो फिर इस बिल को लाने की उनको आवश्यकता क्यों महसूस हुई? जनतंत्र में सभों की जिम्मेदारी लेने वाला आदमी सब से ज्यादा गैर जिम्मेदार होता है। जनतंत्र में प्रत्येक व्यक्ति स्वतंत्र और समान होता है। लेकिन शुक्ल जी के बयान को जब हम देखते हैं तो उन्होंने उस में कहा था कि जनतंत्र में मिनिस्टर को सभों की जिम्मेदारी लेनी होती है और इसलिए अगर कोई गैर जिम्मेदार हो जाए तो उसकी जिम्मेदारी हमारे ऊपर है।

इस से बड़ कर के इतिहास में प्रवंचना और कोई नहीं सुनी गई है। और इसीलिए सचमुच में यह जो हमारा सात दिन का लोक

सभा का अधिवेशन हुआ है यह स्वतन्त्रता का एक गौरवमय सप्ताह रहा है। हमारे माननीय सूचना मंत्री ने जो यह बिल पेश किया है वह स्वतंत्रता की पहली किरण है। इसलिए मैं उन्हें धन्यवाद देता हूँ, आज लगत है कि हम स्वतन्त्र भारत में स्वतन्त्र रश्मि को प्रणाम कर रहे हैं।

SHRI SOMNATH CHATTERJEE (Jadavpur): Mr. Deputy Speaker, Sir, it was expected that the Leader of the Opposition would have been here to undo the wrong that had been committed during the period of emergency. The Leader of the Opposition was given the facility yesterday to broadcast over the All India Radio. The whole atmosphere of the country has changed and we must congratulate the Government for having come out so soon to remove this monstrosity on the statute book which has defiled not only the precincts of the House but the Constitution of India by incorporating this black Act into the Ninth Schedule of the Constitution. I am glad that the Government has come forward to redeem the pledge given to the people. The previous Government kept itself propped up by calculated misuse of constitutional provisions, took recourse to repressive laws, which reached the pinnacle of infamy, when they brought the package of legislation for abolition of the Press Council, the Parliamentary Publication Bill; they nullified the Feroze Gandhi Act and they brought in this Act which we are repealing now. They wanted to avoid all scrutiny of their actions—scrutiny by Parliament, scrutiny by Press and scrutiny by the courts. They declared a war on the people of the country. They declared a war on their political opponents. All this flowed from an attitude of infallibility. They thought that they could never go wrong. They thought that they were the masters of the people and not the people the masters. That was the attitude displayed by the Bill which we are repealing today.

We are glad that the Congress Party has today realised the mistake which they have committed. Today they are giving their unflinching support to the repealing Bill. It is really strange that they had mortgaged their conscience then. If they had felt that the law should not have been there they ought to have mustered the courage to speak against it, and not just to toe the line of one-and-a-half persons ruling the country at that time. The people have thrown out those people responsible for this outrage on the freedom of the press and on the freedom of speech. The people have thrown them out as garbage into the dust-bin of history. This will be a lesson to everybody. It shows to all that the people's voice cannot be silenced for ever.

Sir, Mr. V. C. Shukla whom we now hear or find in the papers to be one of those belonging to the Sanjay Caucus, a new expression, when he piloted the Bill, last time, which we are repealing to-day, said that the Bill was meant to fortify those people who believe in discipline. The previous Government was saying that they were the sole repository of self-discipline. What did they do during the 20 months of this discredited emergency? They had discarded all norms of propriety; they committed gross acts of indiscipline by outraging the Constitution, by annihilating all freedom, by muzzling all expression of public opinion. Sir, I feel that no disciplined Government could have carried on with these series of acts of impropriety, both constitutional and public, which they had done. At that time they were talking and giving lectures to us on discipline or sense of discipline.

Also, Sir, what Mr. Shukla then said was this. I believe the lesson has been learnt—I do not know whether it has been learnt or not. He said:

“Those people who believe in healthy journalism, those people who believe in constructive criticism, those people who believe

[Shri Somnath Chatterjee]

that the press is an integral part of democracy, that the healthy democracy depends upon the health of the press and the health of the press depends upon the health of democracy, they will definitely support this measure".

This was the statement of Mr. Shukla. But, they had equated the country with an individual and, democracy, according to them, depended on the whims and caprices of an individual who was placed in the same pedestal as the country was. And that is why their entire viewpoint was perverted; they lost all sense of outlook and discipline which they were drumbeating. Whatever was being said or they were made to say was a theory which I call a pernicious theory adopted in those days. Those who would not stop to the depth of sycophancy were, according to them, not patriots or were anti-nationals and that those who do not belong to that group would not be allowed even to speak out their minds in this country. Sir, we have seen the result. The result is that the people have totally rejected them.

Having muzzled the voice of the people, having taken away the right of personal liberty, having banned all the meetings and processions and having gagged the press, freedom of the speech and having kept Members of Parliament in detention for an indefinite period, having let loose the reign of terror in this country, they wanted to continue with their hegemony over the people with their perverted notions of discipline which was sought to be adumbrated in the law which was enacted on those days, and which was used against the Opposition.

Sir, the framers of the Bill had also said that for the purpose of controlling the press, it was necessary for them to have that Bill. What was

the object with which they came forward with the Bill with the concept of objectionable matter. I am sure you are all aware of what was meant by objectionable matter. They have said that criticism of any statement derogatory to the Prime Minister or the Speaker or the President would be treated as an objectionable matter. I believe that the real objective was to protect the Prime Minister and the Speaker and the President were brought in to give company to the Prime Minister. It is obvious. The real objective was to put a particular person above all law. Nobody can even criticise and even honest criticism would not be permitted. Today what we see is this. The Congress people were kept out of the mainstream of the people's reactions, people's views and that is why they could not realise what the people were really thinking.

The object was something else. What justification was there? They said that the press was trying to abuse their so-called freedom. Sir, there are laws in the country—Penal Code is there and there are other laws that are there; the DIR was then functioning. With all these repressive laws and with all the powers to control the so-called indiscretion of the press and the journalists, they were not satisfied, still, they brought forward this Bill. They could have taken action against them under the other laws. But, they would not stop there. They wanted a law which would completely put the press under the control of the Executive—the Executive of that arrogant nature which we have seen during the emergency. We have also seen that when ever anything was raised in this House, any criticism was made however justified it may be, it was dubbed as character assassination. When the question of Maruti was raised, it was characterised as character assassination. When we raised the question of Rs. 60 lakhs spirited away from the State Bank of India, it was dubbed as character assassination.

When we raised the question of Pondicherry licence scandal, it was dubbed as character assassination. That is how they wanted to keep them away from all criticism and the best thing they did for themselves was to muzzle the press so that the press should not even raise a voice of protest or write a line in justified criticism of the action that was being taken. Not only this country was equated with an individual, the entire process of administration was to serve the interests, and now it is apparent, the personal interests of one individual and her family and that is why the country today has given a real lesson and I hope they have learnt it. Today, I believe my friends on the Congress side come and support it because they had also become the victims of it. I am sure they now realise how decimated they have become, how they had denigrated themselves and thereby denigrated the people of this country, denigrated all the process of democracy in this country by keeping quiet and toeing the line and trumpeting the so-called achievements of an individual and the family.

Today I am happy that Mr. Advani is undoing a deliberate attempt that was made by the previous government to create a privileged class of people in this country like the Prime Minister and those other persons. Sir, it had been included in the Ninth Schedule. The object was that they knew that this law could not be sustained in any court of law once the emergency was over. That is why it was put in the Ninth Schedule, so that no attack would be permitted and nobody could doubt that that is a law which could not be sustained under the Constitution of India.

A personality cult was developed, it was practised and the whole administration was utilised for that purpose. The Parliament, I am sorry to say, was reduced to a state of rubber stamp organisation; although I was

part of it, I could not help it. It was converted into a rubber stamp Parliament consisting of a majority of 'yes' men and as I said in the other House, with their tongue tied and their conscience mortgaged, and these people were sitting on that side at that time. They had allowed themselves to become complete 'yes'-men and henchmen of an individual in this country. Today, having realised the mood of the people, they are coming and supporting this repealing Bill.

I want to say only one thing. I hope they have learnt the lesson of their life, but that lesson is the lesson of the democratic spirit of the country, the democratic urges and aspirations of this country that the people of this country will never submit themselves permanently to an autocratic regime and an authoritarian regime. So far as our Party is concerned, there have been various distortions about our activities in the past, but still we believe that the freedom of press is such a cherished principle that we should always support it even if there are pitfalls here and there and that the best thing to ensure will be a conscious public opinion which will be a vocal public opinion. But you cannot compromise on the question of freedom of speech and freedom of expression. If we lose freedom of speech and freedom of expression, then we will lose the best part of our life when we subjugate ourselves to a feeling of imprisonment of our minds and of our views which we cannot tolerate and that is why we opposed the previous Act and we strongly support this Bill, and I congratulate Mr. Advani for coming with the Bill so soon during the first Session of this House.

SHRI P. RAJAGOPAL NAIDU (Chittoor): Sir, the Minister is moving for the repeal of the Prevention of Publication of Objectionable Matter Act. I want to clear some of my doubts. I want to know whether the Government wants the freedom of



[Shri P. Rajagopal Naidu]

the monopolist proprietor of the press who wants to control the production, distribution, exports and imports and the life of the people and to utilise the press to promote his own interest or whether the government wants the freedom of the editor who knows the problems of the people and who wants freedom to propagate his views. I want to know whether the government wants unrestricted freedom of the press or whether they are going to lay down some restriction. Unrestricted freedom is nothing but licence, as Mr. Hegde himself knows. I want to know whether the government is going to create an independent agency to give advertisements to newspapers or whether it will keep this power in its own hand so as to keep all the newspapers under its thumb and have the liberty to dictate to the newspapers. If the government clarifies the position in regard to these points, it will be better for the people and for the country.

**श्री अर० एल० पी० वर्मा (कोडरमा) :**

सभापति महोदया, जहां तक प्रेस का प्रश्न है उसमें व्यक्ति को अभिव्यक्ति की स्वतन्त्रता मिलनी ही चाहिए और इस में किसी तरह की पाबन्दी अगर होती है तो मौलिक अधिकार का हनन होता है। इसलिए इस प्रावधान में यह पूरी छूट होनी चाहिए ताकि हर तरह के विचारों को स्वतन्त्रतापूर्वक हम व्यक्त कर सकें।

दूसरी बात कि कभी कभी प्रेस में बहुत सी सेंसरशिप पाबन्दियां इस तरह की होती हैं जो नागरिक जीवन या सामाजिक जीवन, आर्थिक जीवन पर किसी तरह का आक्षेप होता है, वह जरूरी होता है समाज के लिए तो वैसी परिस्थिति में वैसी पाबन्दी नहीं लगनी चाहिए।

**SHRI S. KUNDU (Balasore):** Sir, I rise to support the Bill which has been introduced to repeal one of the

most Draconian laws we have ever seen. Gandhiji gave us freedom and also freedom of speech. I am astonished that those who have been singing the songs of Gandhiji and preaching what he taught to the nation have themselves been the authors of this black law. We were in jail when this law was enacted by this Parliament. We were simply horrified when we came to know about it. If anybody has a cursory glance at the provisions of this Act, he will wonder what has happened to the country. Anybody could be got and his press and other property could be forfeited in the name of security. Not only the editor but the owner, the keeper and everybody could be hauled up. Earlier the law had given some advantage that at least the aggrieved party could go before a judicial magistrate. But in this law which we are going to repeal, the entire jurisdiction was taken over by an officer who will be appointed by the Government. Under this law, anybody can file a prosecution before that officer and that officer will come and pounce upon the press. If the ruling party wants to harass its opponent, even this thing could be done through a constable. I thank the hon. Minister that he has brought this Bill to repeal this Act.

I remember long ago in the British days when Lord Lytton was the Viceroy in 1889, he had passed an Act called Vernacular Press Act. At that time, Tagore was a young boy and he was writing poems eulogising the national cause of independence. That was not tolerated by the Viceroy and he passed the Act. That was a very obnoxious Act whereunder the proof of the matter which was intended to be published would have to be examined by the Government. At that time there was so much of protest against this Act that after some years Lord Rippon was forced to withdraw that Act. From this we came to 1947 when we had our freedom. But after thirty years of our independence, I

never imagined that there would be such a horrible Government which would pass an Act which would be much worse than Lord Lytton's. And these very Members who were sitting on the Treasury benches at that time kept their mouth shut. I think they have done the greatest harm to this country. We live and work together may be there is a difference of opinion because of our party ideologies, but we have taken oath to maintain the democratic norms in this country. We have burnt the vessel of democracy; we have burnt the torch of democracy. We want that this torch should be taken to dark areas around where there is no democracy, where there is authoritarian Government. We should throw light on them so that democracy would also start functioning in those countries, not by force but by our own action. But unfortunately, in Gandhiji's country when many people were behind the bar, these people were responsible to see that the entire light which the torch threw around, was extinguished. This is a great curse on the name of Gandhi and those who swear by the name of Gandhi.

Today, in the Question Hour, I have said that it is necessary that the world must know as to what had happened during this emergency and how the press was muzzled, how its throat was throttled and why the press could not function independently. In all these things, a full enquiry is necessary. We will not live in comfort by saying that we have repealed this Act but we have to dig out all the earth that laid the basis for this draconian legislation. Therefore, I would say that the Minister should come forward and make an inquiry into the conduct of those persons who were responsible for muzzling the press and making the Information and Broadcasting Department an instrument of ugly propaganda. Therefore, I would again re-iterate the demand that the Minister will do a great service to the cause of democracy if he

agrees to institute an inquiry into the whole gamut and find out who are the people who were responsible for these things, what was the object in doing it, whether they slowly and gradually wanted that this country should be completely turned for ever into a dictatorial country.

Now, the point is, what should be the nature of the press. We want a free press, no doubt. But we want the press to be vibrant and really free. The press must project the hopes and aspirations of the teeming millions of our country. We do not want that the press should speak about the rich of this country. We also do not want that the press should be controlled and monopolised by a few big industrial houses. We heard, of course while we were in the jails, that there was a big talk against the monopoly Press. This is what the All India Radio said. We used to hear that this monopolist Press did not give any publicity to Indira Gandhi government's good deeds or to the 20-point or 25-point programmes. Indira's government came down with a heavy hand on the Press. Within a period of 2 or 3 months, we heard that the monopoly Press was given a good chit, and that they behaved in a nice way. During these months, the monopolists increased their assets; and particularly during the last budget they received many concessions. During that period we heard that the monopoly Press was behaving better and that they had become good boys. They got chits from the former Minister Mr. Shukla and Mrs. Indira Gandhi.

Mr. Deputy Speaker, Sir, do you know of such a horrible, naked and opportunist policy ever being pursued by any government? If we say that only Goebbels, the propaganda minister of Hitler could have competed with this sort of propaganda, we will be wrong. Some friends are sorry that we are saying this. But tell us where and how we are wrong. I thank our new Minister Mr. Advani who has

[Shri S. Kundu]

also said that he will go into the entire gamut of monopoly holding of the Press. He said this in answer to a Question. As far as I know, one of the largest circulated dailies in Japan, "Asahi Shimbun" is run by a cooperative of working journalists. They are people who work in that firm. We have to consider whether it would be possible in India to try to have the co-operative sector, taking the working journalists and the people who work in the press. If it could be done, we will make another big advance in maintaining the freedom of the press from the power and influence of the monopolists who are now ruling supreme. I hope the Minister will give the assurance that he will take quick steps in this direction.

Finally, a word about the small newspapers. The small newspapers and periodicals are in a very miserable stage. If we want to maintain the freedom of the press, we must see that the freedom is really exercised. If we do not give some advantages to the small newspapers and periodicals which are spread over the small cities and villages of this country, this freedom would not be really meaningful. I am not going into the details as to how and where it should be done, because there are various aspects which should be taken into consideration.

Lastly, I want to thank you for giving me this opportunity.

SHRI VAYALAR RAVI (Chirayinkil): Mr. Deputy-Speaker, Sir, at the outset I must admit that I was a member of the Lok Sabha and I was a party to the passing of this Bill. I have no hesitation to admit that this Bill was not necessary.

SHRI K. S. HEGDE (Bangalore South): So, you were wrong in supporting it?

SHRI VAYALAR RAVI: I am glad the hon. Minister, Shri Advani, has

come forward with this Bill to repeal the old Act.

There has been so much talk about the freedom of the press. This House has debated this question any number of times. Whose freedom do we mean by the freedom of the press? Is it the freedom of the owner of the newspaper to express his view?

15.48 hrs.

[SHRI S. D. PATIL in the Chair]

SHRI K. S. HEGDE: Was it the freedom of Mr. Wergheese or the freedom of Mr. Birla?

SHRI VAYALAR RAVI: Neither the freedom of Mr. Verghese nor the freedom of Mr. Birla. The aspirations of the people have to be expressed through the newspapers. It has to be in the vanguard of democracy.

PROF. DILIP CHAKRAVARTY (Calcutta South): How do you defend the arrest of journalists?

SHRI VAYALAR RAVI: I am not defending it. At the same time, I am proud to be a Congressman. There is no doubt about it.

SHRI K. S. HEGDE: He is unburdening himself.

PROF. DILIP CHAKRAVARTY: Perhaps, not the same (Congress as was led by Mrs. Gandhi).

SHRI VAYALAR RAVI: I know his sojourn there will not be long. I have no doubt that he will come to this side one day. His honeymoon is only temporary; it is only a sojourn. I am very sorry for him. (*Interruptions*) That party had to compromise on so many things. They could not send even a single member here from my State for the first time. Even the seat of the veteran freedom fighter, Shri A. K. Gopalan, had been captured by the Congress.

AN HON. MEMBER: What about UP?

SHRI VAYALAR RAVI: We are aware of it. That is why we are sitting on this side. But why do you say we have lost? Why are you so afraid of us even today?

I know that fear is there in your mind that you will be overthrown. I have no doubt about it. You criticised our mistakes. Please try to do right things. Please do not try to come to this side.

As far as Birla papers are concerned, they abused the Congress Government and asked the Press to abuse the Congress Government during elections. There should be freedom of the Press and not for owners of the Press. We should give more freedom to the people who are working there. In this connection, I would request the hon. Minister to consider the participation of the employees, workers and the journalists in the newspapers. They must have a bigger say in the ownership and management of the newspapers. You give a little more freedom to the Press. Otherwise, they would always be under the control of the management. We have not done it; we have not done so many other things. I am not standing here to say this thing or that thing. If my conscience says I will definitely admit what my party has done or what my party has not done.

SHRI K. S. HEDGE: What did your conscience say at that time? (*Interruptions*)

SHRI VAYALAR RAVI: Your conscience made you to resign from the judgeship and fight elections even though there were allegations. He used his position to conspire against the Prime Minister. Fortunately, he has been elected as Member of Parliament. (*Interruptions*) Please do not interrupt me. I know what you were. I know your past history.

AN. HON. MEMBER: Do not get angry.

SHRI VAYALAR RAVI: I am not becoming angry. Do not think that everything is all right. I can speak for hours together regarding S.V.D. Government in 1967 including Mr. Charan Singh and others who were in U.P. and M.P. I can speak about it but I do not want because I know that they are in power, we are not in power. We could not fulfil the promises made to the people or we have made mistakes. Why are you afraid of this today?

This Act had infringed the freedom of the Press and curbed the freedom of the journalists to write whatever they felt to write. I agree with it. But, at the same time, I hope the Minister will request the journalists of the newspapers that they should play a responsible role in democracy. I will be happy if they criticise the Government and the Opposition but that criticism of the Government and the Opposition should be constructive. That purpose has to be achieved. Even though this Bill is a repealing one, I hope, the hon. Minister and the present Government will be able to achieve that objective as to make the journalists and the newspaper industry more responsible and to make constructive criticism on the activities of the Government and their machinery.

Regarding the policy announcement made by the hon. Minister today morning during the Question Hour that his Ministry will encourage the medium and small newspapers and that the advertisements and other things will be given in such a manner to help the regional or the vernacular newspapers, I believe, the previous Government also followed the same policy. I would say that the Government should have a thorough look into the matter and also see, at the same time, that the newspapers do not begin to make money. There is a tendency in big cities and in certain areas to start an

[Shri Vayalar Ravi]

evening news daily with a circulation of 500 or 1000 copies, get newprint quota and sell it, thereby making a lot of money. This is a very bad practice. It is still continuing in different parts of the country. The Government should not encourage such a tendency in the journalistic world.

Lastly, I would appeal to the Government to have a look into another matter. There was an attempt made by the previous Government to diffuse ownership of newspapers. There was a proposal by the previous Government but, I admit, that it was shelved for two or three years. I hope, the hon. Minister, Mr. Advani, will have a fresh look into the matter of diffusion of ownership of newspapers. If he can bring forward such a measure, it will be a credit to him. I hope, he will do it.

With these words, I support the Bill.

**श्री उपसैन (देवरिया) :** क्वल इसके कि मैं इस विधेयक पर अपनी कुछ राय जाहिर करूं मैं मंत्री महोदय का शुक्रिया अदा करना चाहता हूं, उन को बधाई देना चाहता हूं कि उन्होंने जनतंत्र की जड़ों को मजबूत करने के लिए इस बिल को यहां रखा है। विगत 19 महीनों में जनतंत्र की जो कड़ियां टूट गई थीं उनको ऐसा करके उन्होंने फिर से जोड़ने का काम किया है।

मैं अपने लायक दोस्तों की बातों को सुन रहा था, डी० एम० के० के माननीय सदस्य की बात को सुन रहा था। जब मैं जेल में था तब हम वहां मुशायरा किया करते थे। वहां पढ़ा गया एक शेर मुझे याद आ गया है और उस शेर को मैं आपके

जरिए अपने लायक दोस्तों को मुनाना चाहता हूं।

“जो भी अंजाम हो अंजाम की परवाह नहीं

हाथ पहुंचा तो सितमगर के गरेबां के करीब।”

मैं समझता हूं कि इतनी बड़ी बात नहीं है जिसके बारे में हमारे अन्ना डी एम के के दोस्त सारा एथिक्स, सारा माकिसेज्म का क्लासिक्स निकाल कर यहा रख दें। मुझे अपनी इस छोटी सी जिन्दगी में समाचारपत्रों के प्रमुख लोगों से मिलने का मौक मिला। ग्राम्बे क्रानिकल के मि० देहलवी, फ्री, प्रेस जनरल के श्री सदानन्द, नैशनल हैराल्ड के श्री चलपति-राव आदि एडीटर्ज को मिलने का मुझे सौभाग्य प्राप्त हुआ है। मुझे मालूम है कि नैशनल हैराल्ड के एडीटर जब उत्तर प्रदेश की सरकार के खिलाफ कुछ छापते थे तो वहां के मुख्य मंत्री नाराज हो जाते थे। वहां के कांग्रेसी लोग कहते इस अखबार को तो पंडित जवाहर लाल नेहरु ने बनाया था 1936 में और इसके एडीटर चलपति राव को कैसे निकाला जा सकता है। लेकिन अब आप देखें कि इन पिछले 19 महीनों में क्या क्या अखबारों में छप कर निकला करता था। मैं तो मीसा के अन्तर्गत बन्द था, प्रिजनर था, जेल में था, देवरिया से बरेली मुझे ले जाया गया, मुझे कुछ पढ़ने को भी नहीं मिलता था। जंलर साहब से कहता था कि अखबार दें और जो भी

अखबार दिए जाते थे उन में प्रधान मंत्री श्रीमती इंदिरा नेहरू गांधी की बात छपती थी या फिर युवराज की छपती थी और कभी कभी बरुआ साहब की बात छप जाया करती थी। मैं अन्ना डी एम के के साथियों से पूछना चाहता हूँ कि क्या यहीं वे पढ़ना चाहते थे और जो दूसरे लोग कहना चाहते थे या कहा करते थे, उनकी बात को वे पढ़ना नहीं चाहते थे? क्या इसी तरह की आजादी वे चाहते थे? सरकार ने इस दौरान अखबारों की आजादी का कुचलने की हर तरह से कोशिश की, उनका गला घोटने की कोशिश की। यह कोशिश कहां से की जाती थी और कौन व्यक्ति इसके लिए जिम्मेदार थे? इशारा तो नम्बर 1 सफदरजंग रोड से हुआ करता था क्योंकि सभी नहरें और नदियां वहां से चलती थीं, मगर इस के लिए दो लोग जिम्मेदार थे—एक श्री विद्या चरण शुक्ल और दूसरे मोहम्मद यूनस। “बड़े मियां सो बड़े मियां, छोटे मियां सुवाहनअल्ला”। सारी दुनिया में यूनस साहब घूमते थे। नान-एलाइन्ड प्रैस ब्यूरो का बैठक काहिरा में हो रही है और वहां वह भाषण कर रहे हैं कि प्रैस को डिसिप्लिन्ड होना चाहिए। मुझे पता नहीं कभी उन्होंने समाचार पत्रों में काम किया है कि नहीं। मैंने तो काम किया है और मैं कहता हूँ कि अगर समाचार पत्रों की आजादी जो छीन ली गई थी अगर उस आजादी को न दिया जाता तो देश का पता नहीं क्या होता। हम लोगों को जेल में यहां के अखबार नहीं मिलते थे, मगर बाहर के अखबार हमारे पास आ जाते थे। एक अखबार लन्दन से लाला हरदयाल सिंह निकालते थे “स्वराज्य” उस अखबार को पुनः हमारे साथियों ने लन्दन से निकालना शुरू कर दिया था, जब वह हमारे पास आता था तब हमको लखनऊ, पटना और

दिल्ली की खबरें मालूम होती थीं। देहात में तो लोग कहते थे कि बी० बी० सी० सुनों और सुनते भी थे क्योंकि आकाशवाणी इन्दिरावाणी हो गया था।

16.00 hrs.

तो मैं कहना चाहता हूँ कि यह जरूर है कि अगर लोकतन्त्र हम चाहते हैं तो प्रैस को आजादी देनी पड़ेगी। प्रैस की आजादी को आपको अक्षुण्ण रखना पड़ेगा, इसमें दो राय नहीं हो सकती हैं। हमारे मित्र ने मोनोपली हाउसेज की बात कही। मैं तो समाजवादी हूँ और मोनोपली हाउसेज के बहुत खिलाफ हूँ। 40 वर्ष तक हम इस के खिलाफ लड़ते रहे। मगर उन के यहां जो एडीटर काम करते हैं, श्री कुलदीप नायर या श्री वरधीज, वह तो कैपिटलिस्ट नहीं हैं। कुलदीप नायर को भी पिछली सरकार ने मीसा में बन्द कर रखा था और श्री वरधीज को इन्दिरा जी के कहने से बिड़ला जी ने निकाल दिया था। अगर उनको आजादी होती तो वह उसके खिलाफ अपनी कलम से लिख सकते थे। मगर ऐसा नहीं कर सके। हमारे कम्युनिस्ट भाइयों के नेता श्री लेनिन भी मजदूरों के नेता थे जिन्होंने ‘इसकारा’ नाम का पत्र निकाला था जो बाद में चलकर “प्रावदा” कहलाया। प्रावदा का मतलब होता है सच्चाई। सच्चाई का आवाज अगर रूस में लेनिन उठा सकता था तो यहां के पत्रकार क्यों नहीं सच्चाई का आवाज उठा सकते हैं? उस सच्चाई को पूंजीपतियों का हवा खड़ा करके दबाया नहीं जा सकता है।

हमारे लायक दोस्त ने कहा कि जापान में दो बड़े पत्र हैं—“आशाही” और “शिम्वून” जिन का प्रबन्ध वहां के कर्मचारियों की सहकारी समिति करती है। अगर उस तरह की व्यवस्था आप

[श्री उग्रसेन]

यहां भी लागू करेंगे तो हम आप के साथ होंगे। आप इस बारे में बिल लायें हम उसका खुलकर समर्थन करेंगे। पिछली सरकार ने जो काला कानून बना दिया था उस को हटा कर के आज प्रैस आजाद हुआ है ताकि सही बातें उनमें छपें। अखबारों को अपना सम्पादकीय लिखने की आजादी हो, इसमें आप हमारा साथ दें ऐसी मेरी प्रार्थना है। इस विधेयक की हमारे बहुत से विरोध पक्ष के साथियों ने तारीफ की है यह खुशी की बात है।

16.03 hrs.

[SHRI TRIDIB CHAUDHURI in the Chair]

सभापति महोदय, हमारे यहां दो अंग्रेजी के न्यूज मीडिया थे, एक यू० एन० आई० और दूसरा पी० टी० आई० और इसी तरह दो हिन्दी के न्यूज मीडिया थे— समाचार भारती और हिन्दुस्तान समाचार। इमरजेंसी में जो कांग्रेस सरकार ने सब से बड़ा पाप किया सारी सत्ता इन के हाथ में आते ही वह यह कि इन चारों न्यूज एजेंसीज को मिला कर के एक कर दिया और एक कर के जो समाचार एजेंसीज के बड़े बड़े अफसरान थे यू० एन० आई० और पी० टी० आई० के अफसरों को बड़े बड़े पद दे दिए गए। लेकिन जितने छोटे छोटे कर्मचारी थे यू० एन० आई० और पी० टी० आई० के उन का कत्ले-आम किया गया। मेरे पास उनके प्रस्ताव हैं उन्होंने जनता सरकार का स्वागत किया है। कांग्रेस सरकार ने उन छोटे कर्मचारियों को इस तरह परेशान किया कि जो हिन्दी जानते थे उनको हैदराबाद भेज दिया कि वहां जा कर उर्दू में समाचार लिखें। जो उर्दू जानते थे और अमृतसर में थे, उनको पटना भेज दिया गया और कहा गया कि हिन्दी में लिखें। कहीं कुछ देखा नहीं गया कि बच्चे कहीं

हैं। जो पी० टी० आई० लखनऊ में थे, बड़े पदों पर थे, शहरों को रिपोर्ट किया करते थे, उनको आगरा भेज दिया गया। उनके पास पूरा अधिकार था कि दुनिया में घूम घूम कर प्रेस की आजादी की बात करते थे, प्रेस को डिसिप्लिन सिखाते थे। मैं चाहता हूँ कि इस प्रवृत्ति से आगे चल कर जब उसके लिए कोई कानून या विधेयक इस सदन में लायें तो पूरे परस्पैक्टिव पर विचार कर काम करें।

मैं यह भी कहना चाहता हूँ कि यहाँ पूंजीवाद का प्रश्न नहीं उठता है, प्रैस गुलाम हो गया था, लोकतन्त्र बंधन में था, पिजड़े में था, जेल में था। हम लोग अगर मीसा में जेल में प्रीजनर थे, तो प्रैस की आजादी भी ज्यादा बदनतर हालत में थी। माननीय मंत्री जी ने प्रैस की आजादी को रिहा किया है जो कि जेलों में बन्द थी, लाल किले में बन्द थी। वह हमारे शुत्रिया और बघाई के पात्र हैं।

इन शब्दों के साथ मैं इस विधेयक का समर्थन करता हूँ।

PROF. P. G. MAVALANKAR (Gandhinagar): Sir, I am very happy that this short and significant Bill has come in this very first, the inaugural, session of the new Sixth Lok Sabha. I am also very happy that this Bill is being piloted by my esteemed friend, Shri L. K. Advani, who, with his clear-headed and level-headed approach, not only has been piloting this Bill—and will be piloting the one which is to follow—but also has been piloting a new, bold and prompt policy of restoring everything in terms of processes of democracy. I would like to start by congratulating him and the Janata Government for taking these initiatives in the very early days and weeks of

their Government. I would also like to congratulate the Minister for this briefest Bill. Of course, brevity is the soul of wit. But I wish that, apart from being brief, this Bill had also spelt out to some significant, broad extent the manner in which Government would go about safeguarding, as has been said in the Statement of Objects and Reasons, the freedom of the press.

One of the major election promises has thus been honoured, and this is being honoured within days of the election heat and fervour which are still not over. Normally, election promises are never meant to be fulfilled, not only in India but in many parts of the democratic world, this has been the position. Therefore, I would say with pleasure and pride that, for the first time, in India, the election promises, one after another, are being fulfilled and honoured, both in letter and in spirit. I feel very happy and proud as a citizen and as a Member of this hon. House to acknowledge this attitude of the new Government.

The Statement of Objects and Reasons very briefly and rightly says:

"Freedom of the press is necessary for the successful functioning of democratic institutions."

I would go further and say that not only is it necessary, but freedom of the press in a democracy is vital, crucial, decisive and indispensable. It was Thomas Jefferson, one of the great American democrats of the world for all time to come, who once, when he was asked as to what he would choose between a government without a free press and a free press without a Government, said that he would have no hesitation, whatsoever, in choosing the latter, i.e., a free press without a government, because, according to him, as long as there is an assurance of a free press to the people of his country, that is America, where free press was continuously and freely available to the people, then the possibility of a free government is also there. But if there is a government without a free press,

then you will have neither a good government nor a free press. Therefore, free press is vital to the functioning of a democracy. That is why, it is said that a free press is the fourth estate, indeed, free press is a part of a free, democratic government. No democratic government, no free government, is complete without a free, vigorous, critical press, and press meaning both newspapers and periodicals and viewspapers.

Free comments and critical editorials in various newspapers, dailies, weeklies, bi-weeklies, monthlies and journals and periodicals are very essential. As the great editor of the then "Manchester Guardian", Mr. Scot said once: "Facts are sacred, but opinions are free" Let the people get all the facts in a free manner, but let the opinions be respected as sacred properties of those who write and comment upon those facts, and therefore, these comments must be available. I am glad that Advaniji and the Janata Party are saying that they want to learn from the criticism of the free press, because it is only a free press which makes it possible for the Government to learn. Prof. Harald Laski said that a Government always learnt more from the criticism of its opponents than from the eulogy of its supporters. Therefore, it is very essential.

Now, Sir, I am not surprised that my good friend, Shri Vayalar Ravi, is today supporting this Bill and many others from the Congress side, who are now in the opposition. Had they not supported this Bill, how would they find their opposition to the Janata Party expressed in the newspapers? They cannot say today that they have any conscience, because if they had it, they surely put their conscience in the refrigerator box during the Emergency! If really they have the conscience, they should have had the guts to speak out then, if not on the floor of this House, at least in the ruling Congress Parliamentary Party as it existed then. But I am not surprised at what Shri Vayalar Ravi says now, because



[Prof. P. G. Mavalankar]

even the Cabinet Ministers were not informed about the declaration of internal emergency at that time, and so, how can they inform Shri Vayalar Ravi about the intentions of the Government with regard to free press?

I also want to say that the very title of the old Bill 'Prevention of Publication of Objectionable Matter Bill' was objectionable. After all, what is really objectionable? How do we define that this is objectionable and this is not objectionable? For example, if the Prime Minister is criticised in terms of the policy of the Prime Minister, or if the Government is criticised in terms of the policy of the Government, is it objectionable? The very purpose of the free press, the free Parliament and the free people is to see that the Government is kept on its toes, the establishment is kept continuously on the watch, and they are taught, told, corrected and challenged whenever they go wrong. So, it is good that this Bill is now called 'Prevention of Publication of Objectionable Matter (Repeal) Bill.'

Sir, I want to conclude by saying three more things. One is that the former Minister of Information and Broadcasting, Shri V. C. Shukla, a very good looking man, and very affectionate in many ways, did many evil things in a most arbitrary and cavalier fashion and he was doing it as a kind of a command performance at the behest of his Prime Minister and also of his other young boss and adviser, who was neither in the Cabinet nor in the Parliament! I want to go on record that the former Minister of Information and Broadcasting, Shri V. C. Shukla dealt with free press and press men of this great country in a most shabby manner, and it should be examined if there was any possibility of bringing him to book if not through Parliament or through a Commission, at least through vigilant and vibrant

public opinion so that such a man will have no place whatever not only in Parliament, but in the public life of this country. After all, they were dealing with the people and they were having a sacred duty of informing the people of what was happening, and they had to ensure all the time that whatever had been told in the House did not always go to the outside world. If what we say in this House is not reported to the country at large and the world at large, why are we here? We are not here sitting, standing and talking in our private homes; indeed, we are talking as elected representatives of a great nation, whose right is to know what we say and it is our duty to tell them what we say here. It is only through the media of the press that all this goes to the people and, therefore, the press gallery in any democracy in any free Parliament, is an indispensable and absolutely vital part of the institutions of parliamentary machinery and democracy. I want to say further that Shri V. C. Shukla was responsible for not only shabbily treating the press and the press men, not only humiliating them, trying to humble them with all the bad and blanket powers that he and his Government enjoyed at that time, but he also tried to mislead this House by saying that *Samachar* was brought about by a kind of voluntary union.

I would like Mr. Advani to clarify this point whether *Samachar* was a voluntary union or a forced union, whether the "Press Trust of India" and the "United News of India" and "Samachar Bharati" and "Hindustan Samachar" were really willing and enthusiastic for a merger. If they were really willing, why not the UNI and PTI and other agencies let us know about it? But it was the Minister under the cloak of emergency and under a terrible unprecedented and most disastrous and bad censorship the world has ever seen—even Hitler's Germany and Mussolini's Italy did not see the kind of censorship which Mr. Vidya Charan Shukla tried to

impose—brought it about. I want to go on record that *Samachar* was not a voluntary union, and Mr. Vidya Charan Shukla told this House, this hon. House, the Fifth Lok Sabha that it was a voluntary union. I want to know from you, Sir, if some kind of a privilege motion cannot be brought against the former Minister for misleading the House and telling falsehood that this was a voluntary union.

Freedom of the Press in this country has had a glorious record not only after Independence but even before Independence. If only I had some more time, I would have dealt with it in detail. But I will only give two names. Lokamanya Bal Gangadhar Tilak started *Kesari* in Marathi and *Mahratta* in English and Mahatma Gandhi started *The Young India*, *Navjivan*, *Harijan*, *Harijan Sevak* and *Harijan Bandhu* in Gujarati. All these and several other papers had a glorious tradition of a free press in pre-Independence India and that tradition had been continued in post-Independence era by pressmen from various corners of this country, both the English and the language Press in this country, and I want to take this occasion to pay my tribute to the pressmen, the reporters, the editors, the commentators and the columnists of this country of both the English and the language press who even after Independence and much more so during the Emergency carried the battle further and did not bow down. They would rather break but not bend. I do not want to be partial. If I had more time. I would have given all the names. But I would like to refer to a few names here. Papers like the *Indian Express*. *Opinion* of Shri A. D. Gorwala, *Seminar*, *Himmat*, *Sadhana* in Marathi and *Sadhana* in Gujarati and if I may say with all humility, the Gujarati *Weekly Nirikshak* of which I have the honour of being one of the editors did their very best in seeing that even during the emergency the freedom of the Press was not allowed to be suppressed. If my esteemed friends on the Government

benches today had some news in the jails, it was because some of us tried to see that they were properly fed and at right time.

May I conclude by saying that the Statement of Objects and Reasons says, 'With a view to safeguarding the freedom of Press, this Bill seeks to repeal...'. May I request, in conclusion, my esteemed friend, Shri Advani and the government that they will do everything possible to ensure the freedom of the press, not only through governmental institutions—I do not want to anticipate what the Minister is going to say—for, I believe, freedom of press is not a thing the government alone can do much about Government can, of course, do it by not interfering with it. But, apart from the government's own non-interference in the matter of freedom of the Press, what we want is the development of a critical, free and vigorous public opinion in this country, in this Parliament in the legislatures right from the Panchayats and onwards to the Parliament, where the people's representatives can talk freely and fearlessly, and even if they are supporters of the government, they will not mind telling the truth when the need of the hour is to tell the truth. If that is done, then I am quite sure that this Bill, which is a repeal of the earlier ugly law, will be a first and a major step, and it will be in the right direction of ensuring freedom of the Press for a free people, a democratic people and a decent people because it is only when a free people get facts and opinions and comments freely and continuously that all is safe for democracy and a democratic republic.

SHRI C. M. STEPHEN (Idukki):  
When I am rising to speak, let me make it clear that as may be expected by some of my friends on this side or that, I am not in a mood to say that all that was done was bad.

I have nothing against the Bill that has been brought forward by Mr.

[Shri C. M. Stephen]

Advani. This is as it should have been because the Bill which we are now seeking to repeal should be seen in the proper perspective, the perspective being that the Bill was enacted in the context of the emergency proclamation.

I have stated why the emergency proclamation was necessitated when I spoke on the President's Address. I don't want to go over the entire gamut once again. Whether the proclamation was correct or not in all aspects of implementation is a different matter. But I am very emphatic that the Presidential proclamation was in the national interest. That was necessitated because of the anti-democratic, lawbreaking, anti-national violent activities of the opposition then. After the promulgation of the emergency, certain actions were to be taken curtailing among other things what I may call untrammelled freedom of publication. That was one of the actions which had to be taken and it was in that context that this Bill had been enacted. Let us not forget the fact that when we speak of the freedom of the Press, we speak not merely for freedom of working journalists, but we speak also for the freedom from the money-bags controlling the Press. They have been managing the press and their philosophy is that he who pays the piper will call the tune. But freedom of the press need not necessarily mean freedom of the intellectual to express his views. The freedom of the press under the conditions obtaining today in this country is more the freedom of the powerful elements to carry out certain propaganda they want to make against the national interest, and in their interest. It is a move against the conspiracy by what we call the reactionary elements in this country and

the Press which had been controlled by those reactionary elements would certainly have been put into use for the purpose of subverting and corroding what is sought to be achieved by the proclamation of emergency. It was in this context that this Act was enacted. I don't forget the fact that this was put in the Ninth Schedule. At that time members of both sides of the House protested against that sort of thing. The inclusion of the Bill in the Ninth Schedule did not go without protest. I am one of those who raised his voice of protest against it.

It is now my argument that this Bill was not intended to operate beyond the period of emergency. This Bill was a measure which was sought to subserve the interest of the emergency which was proclaimed. The situation envisaged to be met by this Bill would not have been met except by the enactment of this Bill which you are now seeking to repeal. Therefore, when the emergency ends, it stands to logic, as far as I and many of my hon. friends, can see it, that as a corollary, this act which was promulgated by the then Government must go. That is what I wish to submit. When Mr. Advani, has brought forward this Bill the conditions are different. The Bill is as it should be and as it should have been. That is all what I want to say.

Having said that, I should emphasise that a clarity of thought is absolutely necessary as to what the freedom of expression and press is and should be. Let us look at it as is enshrined in our Constitution, that is, about the freedom of speech and freedom of expression. Mr. Hegde, I hope, will agree with me that the freedom of expression and freedom of speech is not unconditional. I shall quote the relevant clause.

Clause (2) of Art. 19 of the Constitution says:

"Nothing in sub-clause (a) of clause (1) shall affect the operation of any existing law, or prevent the State from making any law, in so far as such law imposes reasonable restrictions on the exercise of the right conferred by the said sub-clause in the interests of the security of the State, friendly relations with foreign States, public order, decency or morality, or in relation to contempt of court, defamation or incitement to an offence".

Therefore, the framers of our Constitution, founding fathers of our Constitution, granted the freedom and contemplated that that freedom should not go against the interests of the society, the interests of morality, of discipline etc. How can these be achieved. That has been a matter of anxious pursuit by the intellectuals, by lovers of freedom, and by socialists. So the question has been how that golden mean can be struck and how the freedom of the press can be sustained on the one side and how provisions could be made on the other side to ensure that the freedom does not degenerate to what I may call a licence to the detriment of the interests of the country, the sovereignty and integrity of the country or the morality, decency and all the rest of it. Measures were being taken from time to time and we have made certain provisions. We attempted the method of voluntary goodwill and understanding and leaving that to the goodwill of the press and people. Is it not, however, a fact that looking back from the days of the promulgation of the Constitution to the present day, there has been a degeneration in the matter of enjoying or exercising that freedom? Was that freedom exercised in a manner as most of us would like to have that exercised? Take the case of labour and the right of organisation granted

to the labour. Sir, I am a trade unionist. But can we say that that freedom granted was really used in the interest of the whole nation or in the interest of the labour? I would say that that freedom was not used in a manner as it should be. I do not want to enumerate further. Everywhere the degeneration of that freedom was, to the base level, to a licence is what occurred Aristotle prophesied as to one type of Government will fall and another type will follow. He said that when the freedom granted in a democracy degenerates into a licence, then democracy becomes dehedged and autocracy will take over. This is what was sought to be done. We had been sliding back to that. The reply will come immediately that autocracy has already taken over under Congress. Polemics apart, the fact remains that where freedom degenerates to a licence, democracy will lose its vitality, its self-sustaining vitality, its integrated dynamism and the democratic fabric will get dehedged and others will take that over. This was a danger that we were running into. Anyway these are not quite relevant. The point I am emphasising was this. The freedom of expression, freedom of speech guaranteed by the fathers of our Constitution was and was to be subject to certain restrictions. How a mean has to be struck is what I have been trying to find out. In 1969 when we promulgated an Act—The Criminal and Election Laws Amendment Act, 1969—certain sections were promulgated that we set up the Press Council machinery which should try to create a sort of code of conduct amongst the journalists. Such action is necessary for the purpose of preventing or combating any activity prejudicial to the maintenance of communal harmony and affecting or likely to affect public order, may, by order in writing addressed to the printer, publisher or editor, prohibit the printing or publication of any document etc.,

[Shri C. M. Stephen]

etc. It was done in 1969 much earlier than the promulgation of the emergency, where the Congress as such was not in complete majority and it was done with the consent of everybody. That Act, would show that there was an allround realisation of the need for restraints on the freedom of press and expression. The objectionable Act was another attempt in the same direction. As I said this Act was promulgated against the background of Emergency and as the Emergency has been lifted this should also go.

Mr. Chairman, I would like to say that it is not as if arbitrary powers were given under that Act. One of the chapters in this Act is regarding prohibition of prejudicial publications. Then there is provision which I quote:

"Any activity prejudicial to the interests of sovereignty and integrity of India, security of the State, friendly relations with foreign States, public order, decency or morality;"

With respect to the above if anything happens then for two months period a direction could be given that that matter be not published or if it is published it could be kept back. Then we have a chapter regarding security from presses in certain cases.

Sir, there are two redeeming features. A notification demanding security is not the last word about it. That notification must come before the House. It will be before the House for 60 days and the House will have jurisdiction to cancel or amend the notification. This executive action is not the last word about it. This notification comes before the House under Section 16 of that Act has got power to modify, amend or cancel the whole thing. Over and above that if a person is aggrieved by the order of security there is a

relief given to him. He can appeal to the High Court. It is not as if judiciary is kept away from the whole thing. The High Court is given full freedom either to amend, cancel or modify as to whatever they choose to do. Then there is another provision if literature is found to be prejudicial then there is power to detain packages containing certain publications when imported. In this case also there is provision for appeal to the High Court.

Mr. Chairman, Sir, what I have said is that in our effort to strike balance between freedom on the one side and misuse of freedom on the other side a certain provision has been made more or less in line with the provision made in the Indian Penal Code. Certain provisions have been made and those provisions give certain authority to the government but the same has been made subject to the decision by the both Houses and also by the appellate authority of the High Court. It is not as if some arbitrary power has been given to some officer to operate as he chooses. All that has been done is done in the interests of the sovereignty of India, friendly relations with foreign States, public order, decency and morality. Then, Sir, these provisions were enacted against the background of Emergency. As the Emergency goes this also goes.

Mr. Chairman, I would like to emphasise that the problem is still not over. This Act may not be necessary in the judgement of the present government. I may also say so long as Congress is here on this side, that sort of thing may not be necessary but what is the guarantee against what may be called 'yellow press'. Freedom of the Press and freedom of the intellectuals: Yes. Freedom of the journalists: Yes. Freedom of the persons who can think and write: Yes. But what about freedom of mighty money to control human thought and expression and to reduce intellectuals to

the status of quill-drivers. Is it a freedom to be safeguarded—a freedom of the man who can command money, who can run chain newspapers in the country and pollute the thinking of the people? Is it a freedom to be safeguarded and what is the safety and the guarantee that that freedom will not be misused to the detriment of the people? This is the thing to which the Government has to address itself squarely. By the repealing of this Act, the problem is not over. That is what I emphasise. By the repealing of this Act the problem is still at large. It is the Government themselves who are the best judges as to whether the public interest can be best served by enlarging everybody's freedom. It is for them to decide. I have nothing more to say about it. But as my friend Mr. Rameshwara Rao pointed out here, the question of yellow journalism is before us. Have we not seen how many innocent people have been the victims of this yellow journalism? What is the guarantee? You carry on yellow journalism against persons. Character assassination is being carried out not necessarily of persons at top, but of anybody. What is the guarantee against it? What is the safety against it? Should there not be safety? Murder of a person is certainly less cruel than the sort of character assassination which we find being practised in certain areas. Is it not social menace? Is it proper for us to cry out that the freedom of the press is throttled if provisions are made to manacle yellow journalism? Is that the freedom of the press? Freedom of the press, as I understand, is a freedom in consonance with the common weal. If you put it to me, the people in this election have given a mandate to the Janta Party. I for one, although I belong to the Opposition Party, will not agree that the Prime Minister of this country, Mr. Morarji Desai, so long as he enjoys the confidence of this House can be denigrated. I am not

prepared to agree that he can be denigrated. A certain image of the Prime Minister has got to be projected and has got to be maintained. Carrying on vilification against him certainly cannot be justified although it might serve my political purpose. When the people have given a verdict, when the people have returned somebody, when the people have given verdict for a particular policy, it is the duty of the mass media, of the press, of the journalists and the writers of this country to see to a certain extent possible—I do not say to the fullest extent possible—that they write, in honesty to their service, for the projection of the image that the people wanted them to project. If that has not happened, what is the solution? Can you say in the name of the freedom of the press you can undermine the country, undermine the people's verdict, undermine the image of the Prime Minister and President of India? Can you permit it?

I for one would say: 'No, must not be permitted'. That is my humble opinion. Therefore, what I am saying is, the proposition before us is not so simple as many of my friends like you think. It is like sugar quoted sort of shibboleth coming in handy. But let us not deceive ourselves by believing that this is such a simple matter. Mr. Somnath Chatterjee, a lawyer, is here; Mr. Hedge, the ex-Supreme Court Judge is here. Many such cases came before him. They must have been taxing their brain to find out the golden mean between the freedom of press on the one hand and the misuse of the freedom on the other, the degeneration of the freedom to the level of a licence which will completely denigrate and demolish our democratic fabric. The experiment that we are attempting in our country giving a fundamental right and putting certain restrictions is a very adventurous experiment.

[Shri C. M. Stephen]

To make it a success a sort of forbearance is necessary, balance is necessary, a balanced outlook is necessary. Therefore, in a pursuit to find a golden mean, if somebody errs a little this side and if somebody errs a little that side, let it not be characterised as criminal and as being draconian and black and a tyrannical sort of thing. If that erring takes place, let us made an effort to find a golden mean. That is why, I said that when I make my observation, I stand not in a mood of epology for what we did, but I do stand here defending what I did, defending my support to the Bill as it then was because I was satisfied the Bill when it put certain conditions was not arbitrary, it was not unchannelled undirected and it was not without control because it was made subject to the control of this House. This House could annul the notification which was made; it was subject to judicial review because it was appealable to the High Court at every stage. In the conditions obtaining then, the Bill was necessary and was supported. Now that emergency is over, the problem is before the government, as a corollary it must follow; the Bill must be repealed. But repealing of the Bill will leave behind the problem of misuse of freedom in the interest of some people, in favour of vested interests, against the interest of the country. I hope Mr. Advani with his original ideas will find a golden mean and balance.

My friend was speaking about Samachar. We know the whole history of it; we know how PTI came in, we know how UNI came in, how we were given a desk in Reuter's office in London. Our national pride was not content with a desk in Reuter's office in London and we wanted our own Press media. So PTI came in and UNI came in. It was then certainly big money that was operating in the news media and the problem of safeguarding against that was there.

It was stipulated as a situation that more than one newspaper must be involved in order to launch out a news service. There are Press magnates here who have 100 papers under them and all those papers could come together under the news media, thereby satisfying the stipulation and yet making it a one-man show. Thus the news media was under monopoly control and therefore it had to be merged and it was merged.

If there is need to put it under control, it can be done. But what do we find? You used mass media for your purpose. I do not say that Samachar alone was used. Samachar was completely used; radio was used, television was used, the Janata Party set the record in so using it. Your inaugural function at Ram Lila grounds, the A to Z of it, was put on the live wire. There was a live broadcast of that. What is the point in criticising? It may happen again; it will happen; it can happen. It is understandable that in the euphoria of victory things like that were done; I can understand that. I hope that things will be corrected. Let us find a method to correct wrong things and have a national consensus and develop that.

With respect to Samachar, I should plead; let it not be disintegrated. Some people say that the move is not before the government. Still I say this. Pooling of the employees has taken place; different points of view are there. Those employees are happy that they are in a family. There is a dissident opinion about that; for that dissident opinion there is another opinion. So, this has come to stay and it must carry on. It is in the interest of the employees that they are not disintegrated. Whatever benefit is available must be pooled and shared. Some sort of a control could be exercised. Therefore, with respect to disintegration of Samachar, I have got my own reservations. This thought occurred to me when I heard this. It is not

the final view. After thinking it over some other thoughts may develop.

My concluding word is this. I support this Bill because this Bill is the corollary to the conclusion of the emergency; it should have come and it has come. But I want to make it clear that I have not a word of apology for having been a party to the Bill which is being repealed by this Bill because of the reasons which I have already given. The justifiability of an action depends upon the context. In that context it was necessary. Emergency was justified at that time. If you have doubts about it, I quote Babu Jagjivan Ram's support to that proposition. With these words, I support the Bill.

**श्री कंवर लाल गुप्त (फिल्ली सदन) :**  
सभापति जी, मेरे मित्रों ने भी इस बिल का समर्थन किया है और मैं उनको इसके लिए बधाई देना चाहता हूँ। कांग्रेस बेंचेज में जिन्होंने समर्थन किया है उसमें दो कैटेगरीज हैं। एक तो वह जिन्होंने खुल कर कहा है कि हम से गलतियाँ हुई हैं और उन को स्वीकार करते हैं। जनता ने जो हॉट डंड दिया है उसको भी स्वीकार करते हैं। वह बहुत ईमानदारी से यह बात कहते हैं, और हम उनकी ईमानदारी की कद्र भी करते हैं कि उन्होंने सफाई से कहा। लेकिन कुछ लोग ऐसे भी हैं जो आज भी यह कहते हैं कि 19 महीनों में जो तानाशाही का राज रहा, प्रैस का गला घोंटा गया, अदालतों के दरवाजे बन्द किए गए वह इसलिए हुआ कि राइटिस्ट रीऐंशनरी और लैफ्ट ऐंडवै चरिस्टों को रोकने के लिए वैसा करना जरूरी था जिस की कि यह बिल कोरोलरी थी। मुझे दुख है कि जिस प्रकार हिटलर और मुसोलिनी के बाद भी उनके चमचे जर्मनी और इटली में बच गए थे उसी प्रकार इन्दिरा जी ने चेले चढ़े आज भी हिन्दुस्तान में बचे हुए हैं।

मैं चाहता हूँ कि ऐसी कैटेगरी के जो लोग हैं उनके सारे भाषण जनता में भेजे जाएं ताकि जनता को पता लगे कि आज भी हिटलर के चेले देश में मौजूद हैं और उनसे जनता को लड़ने की जरूरत है।

माननीय स्टीफन ने कहा कि हमने भी गांधी ग्राउन्ड की पब्लिक मीटिंग में टी० वी० का मिसयूज किया है। मैं इस बारे में आपसे सहमत हूँ। मेरी राय साफ है, मैं जनता पार्टी का सदस्य हूँ, मैं कहना चाहता हूँ कि किसी भी पोलिटिकल पार्टी की मीटिंग के लिए टी० वी० का इस्तेमाल नहीं होना चाहिए। ऐसा जल्दी में हो गया जो मेरी राय में ठीक नहीं था। लेकिन मैं उनसे एक बात कहना चाहता हूँ कि हमारी पार्टी के कुछ लोगों ने पब्लिकली इस बात को कहा कि नहीं होना चाहिए था पर क्या कांग्रेस पार्टी में कोई सदस्य ऐसा था जिसने कभी प्रोटेस्ट किया हो जब कि इन्दिरा जी और संत गांधी को लगातार टी० वी० पर दिखाया जाता था? क्या क्या आप के मुँह में उस समय जुबान नहीं थी? जिस तरह से हम प्रोटेस्ट कर रहे हैं, हमारे साथियों ने किया वैसा आपने कभी नहीं किया और वः इसलिए हुआ कि आप की जबान बन्द थी, आपके मुँह पर ताला लगा हुआ था।

**SHRI C. M. STEPHEN:** The Congress meeting was never put on live wire.

**SHRI KANWAR LAL GUPTA:** I can quote many instances in Delhi (Interruptions).

**SHRI SOMNATH CHATTERJEE:** Shrimati Indira Gandhi's speech in Calcutta was directly broadcast.

**PROF. DILIP CHAKRAVARTY:** Shrimati Indira Gandhi's speech before Election was broadcast. (Interruptions).



10.48 hrs.

[MR. SPEAKER in the Chair].

श्री कंवर लाल गुप्त : अध्यक्ष महोदय, दिल्ली के अन्दर दिल्ली प्रदेश कांग्रेस कमेटी की मीटिंग हुई जिसमें श्रीमती इंदिरा गांधी ने और संजय गांधी ने भाषण किया और आल इंडिया रेडियो ने उसको डाय-रेक्ट ब्रॉडकास्ट किया। अगर यह बात गलत हो तो आप मुझे जो चाहें सजा दें, नहीं तो माननीय स्टोफन सजा लें। बड़े हो कर इतना ही कह दें कि मुझे गलती हो गई मैं माफी चाहता हूँ; मैं मान लूंगा। यह फर्क है डेमोक्रेटिक और डिक्टेटोरियल रिजिम का। मैं मानता हूँ कि द्रोणोचार्य की भी जबान बन्द थी यद्यपि दुर्योधन ने कुछ किया था, रत्रुश्चेव की भी जबान बन्द थी जब स्टालिन का राज्य था। उसी प्रकार उस समय आपकी भी जबान बन्द थी। मुझे मालूम है, आप मीसा में बन्द होकर जेल नहीं जाना चाहते थे, नहीं तो हमारे साथ जेल में मेहमान बनकर रहते। आपमें उस समय हिम्मत नहीं थी। जनता पार्टी की हुकूमत आने के बाद सारी पाबन्दियां हटीं हैं और जनता पार्टी ने आज आपको जबान दी है। आज कांग्रेस के बहुत से लोग कहते हैं कि संजय गांधी और बंसी लाल को हटाओ, हमने आपको आपकी पार्टी में बोलने की डेमोक्रेसी दी है। जनता पार्टी ने आपको डेमोक्रेसी दी जिसके कारण आज आप कांग्रेस के बारे में कुछ कह सकते हैं। आप पहले तो कुछ नहीं कह सकते थे ?

डेमोक्रेसी के लिए यह बिल लाना जरूरी है। मेरे मित्र ने थोड़ा सा वोट किया था, मैं भी इस बिल का सेंक्शन 3 वोट करना चाहता हूँ —

"In this Act, the expression 'objectionable matter' means any words, signs or visible representa-

tions which are likely to bring into hatred or contempt or excite disaffection towards the government established by law in India or in any State thereof and thereby cause or tend to cause public disorder."

यानी आप गवर्नमेंट के खिलाफ कोई भी डिस्अफैक्शन करें, कुछ भी ऐसे शब्द बोल जाएं, इशारा किया जाए, तो उसकी सजा मिल सकती है। आखिर में एक्सप्लेनेशन 2 में यह है —

"Explanation II. In considering whether any matter is objectionable matter under this Act, the effect of the words, signs or visible representations and not the intention of the keeper of the press or the publisher or editor of the newspaper or news sheet as the case may be shall be taken into account."

इन्टेंशन का सवाल नहीं है, क्या आपके मन में है, इसका सवाल नहीं है। अगर आपने कुछ भी ऐसी बात कही है, जिसमें डिस्अफैक्शन हो सकता है, तो इन्टेंशन को छोड़कर आपको अन्दर कर दिया जाएगा। क्या मेरे मित्र इसको सपोर्ट कर सकते हैं ?

मेरा कहना यह है कि जिस तरह से प्रेस का इस देश में गला घोंटा गया था, दुनिया के किसी डेमोक्रेटिक कंट्री में ऐसा नहीं हुआ। अंग्रेजों के जमाने में भी यहाँ प्रेस का इस तरह गला नहीं घोंटा गया। डेमोक्रेसी के नाम पर तानाशाही चलाई गई। कहा गया कि पार्लियामेंट सुप्रीम है, लेकिन पार्लियामेंट की प्रोसीडिगज नहीं छप सकती थीं। अगर पार्लियामेंट सुप्रीम है, तो इसमें जो बोला जाता था, उसका जनता को पता लगना चाहिए था। लेकिन यह सुप्रीम नहीं थी, इसलिए इसकी सारी बातें जनता के सामने नहीं आ सकती थीं।

इतना ही नहीं कि सरकार के खिलाफ कुछ कहा जाए तो वह ही न छपे, मद्रालतों, हाईकोर्टों और सुप्रीमकोर्टों के जो जजमेंट होते थे, उनको भी नहीं छपने दिया गया। इसके कई उदाहरण हैं। उस जजमेंटों को भी सेंसर कर के दिया गया। बहुत सारे जर्नलिस्टों को जेल में डाल दिया गया। जिस दिन एमर्जेन्सी डिव्लेयर हुई उस दिन सेंसरशिप लागू भी नहीं हुई थी, उसके एक दो दिन बाद सेंसरशिप लागू की गई थी।

इतना ही नहीं कि कानून बना दिया गया, सेंसर बना दिया गया, गाइडलाइन्स कर दी गई, इसके अलावा कई अखबारों के प्रेसों तक की बिजली काट दी गई जिससे कि अखबार छप न सकें। जो अखबार इंडिपेंडेंट एटीट्यूड लेते थे उनको खबरें न मिलें, उनको सेंसर से खबरे देने में जानबूझ कर देरी की जाती थी। हम जानते हैं कि इंडियन एक्स-प्रेस, स्टेट्समैन अखबार कभी कभी 12 बजे और 1, 1 बजे निकलते थे और कभी निकल ही नहीं पाते थे। इस प्रकार से बिजली काटकर उनको परेशान किया गया।

अध्यक्ष महोदय मैं आपके द्वारा मंत्री महोदय से मांग करता हूँ कि डेमोक्रेसी के लिए यह जरूरी है कि इस प्रकार का सारा डेटा इकट्ठा करके जानकारी देनी चाहिए कि किस प्रकार से प्रेस का गला घोंटा गया। यह सारा डेटा इकट्ठा करके सदन के सामने लाया जाए जिससे जनता को और दुनिया को पता लग सके।

मंत्री महोदय यह बताए कि पिछली सरकार ने देश में आतंक पैदा करने और तानाशाही स्थापित करने के लिए किस प्रकार सेंसर का उपयोग किया।

मैं अपने देश के इंडिपेंडेंट प्रेस को बधाई देना चाहता हूँ, जिस ने इतने दबाव के बावजूद—अखबारों ने एडवर्टाइजमेंट बन्द कर दिये गये, प्रेस की बिजली काट दी गई, उन के मकान नीलाम कर दिये गये—अपनी नीतियों को नहीं बदला और मजबूत खड़ा रहा। कुछ लोग और अखबार ऐसे भी थे, जिन्होंने समझा कि हाथ रोगने और रेडियो तथा टेलि-विजन से पैसा कमाने का यही मौका है। मैंने मंत्री महोदय को एक चिट्ठी लिख कर बताया है कि आकाशवाणी और टेलि-विजन में आज भी संजय काकस के लोग बैठ हुए हैं। पिछले उन्नीस महीनों में उन्होंने जिस तरह तानाशाही के साथ मिलकर काम किया, उसी तरह व आज भी सरकार के काम को चलाना चाहते हैं और हमारी सरकार को बदनाम करना चाहते हैं। मुझे मालूम है कि सरकार द्वारा संजय गांधी और 20-पायंट प्रोग्राम पर होने वाले खर्च के आंकड़े इकट्ठे किये जा रहे हैं। मगर ये अफसर उस में गड़बड़ कर रहे हैं और खर्चा कम बता रहे हैं। मैं चाहूंगा कि सरकार इस बारे में छानबीन करे। इस काकस के लोगों को, जिन में आकाशवाणी और दूर दर्शन के बड़े बड़े अधिकारी शामिल हैं, इन संस्थाओं में स्थान नहीं मिलना चाहिए। जो लोग डेमोक्रेटिक माइंडिड हैं और जो देश को प्रजातांत्रिक ढंग से चलाना चाहते हैं, उन्हीं को इन संस्थाओं में रखना चाहिए।

सरकार को देश के इंडिपेंडेंट प्रेस को एनकरेज करना चाहिए। जो लोग हमारे क्रिटिक हैं, उन्हें भी एनकरेज करना चाहिए। यह जरूरी नहीं है कि सब लोग हमारी पार्टी की नीतियों की तारीफ ही करें। जो लोग हमें क्रिटिसाइज करेंगे, हम उन से भी सीखेंगे और अगर हमने कोई गलतियां की हैं, तो हम उन को ठीक करेंगे। जब देश में तानाशाही थी, तब इंडिपेंडेंट प्रेस ने - - - - -  
बूती से उस का मुकाबला किया। म  
यह जरूरी नहीं है कि वह हमारी खुशम ज

[श्री कंबर लाल गुप्त]

करें। उसको खुली छूट होगी कि वह हमारे बारे में जो चाहे लिखें। जो समाचारपत्र इंडिपेंडेंट प्रोपीनियन देते हैं सरकार को उन्हें पूरी सहायता और प्रोत्साहन देना चाहिए।

मुझे खुशी है कि इस काले कानून को समाप्त किया जा रहा है। देश में प्रजातंत्र पर सब से बड़ा कुठाराघात प्रेस का गला घोटन के रूप में हुआ। पिछली सरकार ने कानून बना कर सेंसर लगा दिया और प्रेस का मुंह बन्द कर दिया, ताकि लोगों को देश में होने वाली घटनाओं के बारे में सही इन्फॉर्मेशन न मिल सके। यहां तक कि जब श्री जयप्रकाश नारायण, श्री मोरारजी देसाई और श्री अटल बिहारी वाजपेयी आदि नेता गिरफ्तार हुए, तो लोगों को मालूम तक नहीं हुआ कि ये ग कहां हैं। क्या यह भी कोई आब-कशनेबल मैटर था? क्या इस पर भी सर लगाना चाहिए था? यह कोई गोल्डन मीन नहीं है। यह तो एक ब्लैकट बैन कर के आप ने डमोक्रसी का गला घोंटा है। वह दिन वापस न आए यह सरकार इस तरह की नीति अपनाए और एक डेटा बना कर इस सरकार ने 19 महीने में क्या क्या किया इसकी जानकारी पूरे विस्तार में जनता के सामने और सदन के सामने माननीय मंत्री जी को रखनी चाहिए। इन शब्दों के साथ मैं इस विधेयक का समर्थन करता हूँ।

17.00 hrs.

SHRI SOUGATA ROY (Barrack-pore): Mr. Speaker, Sir, let me make it clear at the outset, that I am not here to oppose the Bill. Let me also make it clear that I am not here to defend the indefensible. I was not a member of the 5th Lok Sabha, like you. That is why my conscience is

quite clear on this point. As Mr. Stephen correctly said, this Bill is a corollary to the Emergency. This bill has been called a draconian bill. But, as I said, the bill being a corollary of the Emergency, if the Emergency was draconian, this bill was also draconian.

The elections were fought on the issue of Emergency. The Congress Party lost the elections. I accept the verdict as a member of the Congress party, whatever we may think about Emergency. Whether we support the Emergency or not, the people of India as a whole have not supported it. Therefore, I have no hesitation in saying that the bringing in of this bill was a logical corollary of the victory of the Janata Party and of the repeal of the Emergency.

But at this point, I want to make a few important points. It has been very often said from the ruling benches that everybody in the Congress Party was silent on this point. Every Party has its discipline and ethics. There are many Congressmen who were not happy when advertisements to the 'Patriot' were stopped. There were many Congressmen who were unhappy when 'Mainstream' was censored; but being in the Congress party, it was not always possible to come out in the open. (Interruption). I will say something about 'Indian Express' and 'Statesman' later on. But there is a difference between political newspapers and non-political newspapers; and that point has to be made very clear. What is the difference between responsible journalism and yellow journalism? It has to be made clear. As Mr. Stephen said earlier to-day, Shri Morarji Bhai is the Prime Minister of India to-day and anything written to denigrate him personally would be a denigration of the image of India. If anybody in the cabinet of Shri Morarji Bhai dies and if it is said that Shri Morarji Bhai had a hand in it, naturally the image of India does not go up in the

eyes of the people of the world. This is what was being done, Mr. Speaker, before the Emergency. A certain Cabinet Minister of the government died; and the Press came out openly saying that the Prime Minister had a hand in it. This is libellous; and no country can function with such an irresponsible Press. Mr. Advani has come to the government recently. When the dust settles down and when the ethereal issues settle down to real issues, he will find that in running a country and a government, it is necessary to evolve a code of ethics of the Press and of journalism; it is necessary to find out a way to curb yellow journalism; it is necessary to find a way to stop character assassination and it is necessary to find a way to prevent unfair attacks on persons. I do not say that such a bill will be necessary again because, as I said, Emergency may not be necessary in this country again. And if no Emergency is necessary, a black bill or a draconian bill will not be necessary either. Still, it is time that Mr. Advani sits with the Press, with the working journalists and with the owners of newspapers to find a way to stop this, because I know that after six months, his government will be subjected to the same barrage of propaganda from the Press, as we were subjected to when we were on the government side.

May I remind you that in your euphoria you are talking highly of the free press, you are talking highly of the independent press, you are talking highly of the Indian Express?

MR. SPEAKER: I did not talk about anything.

SHRI SOUGATA ROY: They were saying that.

MR. SPEAKER: Then put it that way. When you say "you", it will apply to me.

SHRI SOUGATA ROY: Sir, I am addressing through you the ruling benches, if I am not mistaken. When the ruling benches talk highly of the independence of the press, it comes to my mind that the very same language press, the very same national dailies, they printed on the first page big photographs of a certain youth leader drinking green coconut, the very same press printed the picture of certain youth leaders tying boot lace and today they have come in support of the Janata Party. I know of a vernacular daily of my part of the country, *Ananda Bazar Patrika*. It was printing the photographs in big size on the first page every day and saying that a certain youth leader had done this or done that. Today that paper is giving hospitality to the Janata Party. So, I can only tell you that this euphoria will be short-lived. These people can turn against you again, as it turned against us. Do not have any faith in them.

You talk about the freedom of the press. May I tell you that really there is no freedom, no democracy under capitalism? Let me remind you this free press, as you call it, the Indian Express, it is owned by a jute magnate, Shri Ramnath Goenka, who has so many jute mills in my State of West Bengal, one of which the previous Government had to take over. There cannot be any freedom for the working journalist working under Shri Ramnath Goenka, there cannot be any freedom for a journalist working in the big language dailies, because they have to go by the dictates of their owners.

Mr. Advani, it is all right you have brought forward this Bill, and this Bill is welcome. But let me also tell you that in 1973 our Government thought of bringing about a Bill for the diffusion of ownership of newspapers, but it fell due to certain reasons. I was not in Parliament at that time and so I do not know the reasons. When you get down to the

[Shri Sougata Roy]

brass tacks, if you want freedom of the press in the country then you have to stop the ownership of the press by the big jute mill owners.

Shri Uggrasen has just now spoken on this subject. He has been a Socialist all his life and so he would very much like to see the ownership of these newspapers in this country diffused. But, I am very sorry, Mr. Uggrasen, you will find yourself in collision with the members of the Janata Party, who belonged to the Swatantra Party previously, who belonged to the Congress (O) previously, because they will say "No, no, we will not take it away from Shri Ramnath Goenka, who is a big friend of the Janata Party, who is helping us in so many ways". So, in spite of your socialism, you would not be able to do it. Therefore, I would request those of you who believe in the freedom of the press to work for the diffusion of ownership of the newspapers, because there cannot be any real freedom of the press, of the working journalist, under a capitalist system, under a capitalist ownership, where Shri Ramnath Goenka, Shri Sahu Jain and people like him are owning big national dailies, where crores of rupees are necessary to bring about another chain of newspapers. This is another point I wanted to mention.

Thirdly, I have another point. The other day I was reading an interview by the Prime Minister, Shri Morarji Desai, to *Current*. He was talking with the Editor of *Current* and he said: you journalists drink too much; if I have prohibition, then you journalists, your freedom will be restricted in the sense you would not be able to drink. I want to say that there is a point in what Shri Morarji said. Last year there was a big scandal implicating certain journalists with the CIA in the border areas. I would say that this addiction to

alcohol often makes some journalists—I would not say all journalists, but some journalists, because most of the working journalists in this country are honest, free and fearless; I have no doubt about it—but some journalists come into contact with the foreign agencies. Because of the consumption of alcohol in the Embassy parties, some of these journalists come into contact with foreign countries and their agencies, and that is why they often do things which are detrimental to the interests of this country. We must ensure that our journalists do not get implicated in this sort of affairs.

So, I again say that today what is necessary in this new atmosphere when the Janata Party has come to power is this: let us get rid of this euphoria.

Let us stop repeating what the faults of the previous Government were. It has been going on in these few days in Parliament. I have been hearing about what the previous Government had done. Please tell us what you are going to do and what is your policy about the newspapers. Just now, Mr. L. K. Advani, made a statement which has disappointed me. He said that DAVP advertisements were mainly for the purpose of publicity. So, those newspapers which have bigger circulation will get bigger advertisements. Is he not favouring the monopoly Press, big newspapers who are run by big capitalists. How can a small and medium newspaper thrive unless there is a fair share of the advertisements given to the small and medium newspapers. By all means, you can give advertisements to 'Motherland', to your own party paper and so on, but you should also give some advertisements to our party papers so that small and medium newspapers can thrive in this country. With these words, I lend my support to the Bill and welcome the introduction of the Bill.

**चौधरी बलबीर सिंह (शोधकर्ता) :**

अध्यक्ष महोदय, पिछले 20 महीनों के बारे में एक शायर ने कहा है —

बैयाद की क्या खूब हुनरमन्दी है,  
हर बात पे ऐलान खुदा बन्दी है ।

पहले श्री बन्द कफ़स में बुलबुल

अब सहने-चमन में भी जुबां बन्दी है ।

इन बीस महीनों में इस तरह ने गले काटे गये—हर आदमी के, प्रेस के —जिसकी मिसाल नहीं मिलती है । हमारे पंजाब के लाला जगत नारायण जी, जो राज्य सभा के मेम्बर रहे हैं, हिन्द समाचार और पंजाब केसरी के मालिक हैं । वे अपने अखबार में यह भी नहीं छाप सकते थे कि लाला जगत नारायण जी गिरफ्तार हो गये । छापना तो दर-किनार उन के प्रेस को बन्द करने के लिए बिजली का कनेक्शन भी काट दिया गया । उन्होंने मजबूर हो कर ट्रैक्टर की मदद से अखबार छापना शुरू कर किया—इस हद तक कार्यवाहियां हुईं । यहां दिल्ली में इण्डियन एक्सप्रेस अखबार को इस ढंग से बन्द किया गया, पहले उसकी बिजली बन्द हो गई, फिर उस के खिलाफ इन्कमटैक्स का केस बनाया गया और उस में उस अखबार की विलिडिंग पर ताला जम गया । . . .

श्री सौगत राय : क्या आप रामनाथ गोयनका के दोस्त हैं ?

**चौधरी बलबीर सिंह :** अध्यक्ष महोदय, मुझे बड़ी खुशी है—पिछले 20 महीनों में इन लोगों की जुबान बन्द रही, अब हम ने इन को जबान दी है, आज ये लोग यहां पर बोल रहे हैं —

नज़र उनकी जुबां उन की,  
किसे मैं मौतबिर समझूं,

नज़र कुछ और कहती है,  
जुबां कुछ और कहती है ।

ये यहां पर कुछ कहते हैं और बाहर कुछ और बातें कहते हैं । आप किस प्रेस की हिमायत करना चाहते हैं ? क्या उस प्रेस की जो दिन-रात संजय गांधी और इन्दिरा गांधी के गीत गाता था । अध्यक्ष महोदय, ये इस बात को भूल गये कि हमारी सरकार ने इस बिल को यहां पेश कर के आप को बोलने की इजाजत दी है, इस बिल से आपको हक मिलेगा कि आप हमारे खिलाफ लिख सकें—यह इख्तियार हम ने आपकी दिया है, वरना पुराने कानून से हम को क्या नुकसान था, हम तो उस पाबन्दी से फायदा उठा सकते थे । लेकिन हम ने अपने घोषणा-पत्र में एलान किया था कि हम इस मुल्क को आजादी देंगे । अखबारों को आजादी होगी, लिखने की आजादी होगी और हर आदमी को लिखने की आजादी मिलेगी । वह आजादी हम बहाल कर रहे हैं । इस से इस देश को बड़ी ताकत मिलेगी, जम्हूरियत को ताकत मिलेगी क्योंकि लोक राज में अगर अखबार आजाद नहीं हैं, अखबारों को लिखने की आजादी नहीं है, तो वह बिल्कुल बेमाइने हो कर रह जाता है । आज ये लोग इस की मुखालफत कर रहे हैं और कैंसी कैंसी बातें कर रहे हैं । एक तरफ तो अपनी जबान से कहते हैं कि हम इस बिल की हिमायत कर रहे हैं और दूसरी तरफ ये इस के खिलाफ शोर मचा रहे हैं ।

अध्यक्ष महोदय, जिस ढंग से अखबारों का गला पिछले 20 महीनों में घोंटा गया है, वह आप को भी मालूम है । अखबारों में कुछ छप नहीं सकता था कि कौन लीडर कहां पर बन्द है, और किस पर क्या जुल्म हुआ है । कोई आदमी अगर जेल में मर गया है, तो वह नहीं छप सका और किसी को एक जेल से दूसरी जेल में भेज दिया गया, तो अखबार में कहीं नहीं वह छप सका । इस तरह का सलूक पिछले 20 महीनों में अखबारों के साथ हुआ है ।

[चौधरी बलशोर सिंह]

प्रध्यक्ष महोदय, मैं आप का इशारा समझ रहा हूँ और मंत्री महोदय को मुबारकबाद देता हूँ कि उन्होंने इस बिल को ला कर प्रखबारों को आजादी दी ।

SHRI A. K. ROY (Dhanbad): Mr. Speaker, Sir, I am rather amazed to find Congressmen speaking or lecturing on Marxism. I was told that the State has a class character. We were sermonised that in capitalism there cannot be any democracy. We were also told that all the big newspapers are in the pocket of the monopoly houses. We were so surprised and happy. I think, this is the biggest achievement of the Emergency that Congressmen have turned Marxists.

I would like to tell you that it is true and we also know that freedom of the press does not mean freedom of the people to express their views. We also know that the press and all the big newspapers are in the hands of some fortunate few who are intelligent enough to give publicity to their own men even today. This was the case before Emergency and this is the case after Emergency. This was the case during Emergency but in an accentuated way. May I ask my young friends who are talking that there cannot be true democracy in capitalism as to what do we prefer: dictatorship of the monopolists or the so-called democracy of the monopolists where you get some chance by using their contradictions to vent your views? We prefer bourgeois democracy to bourgeois dictatorship.

On this basis, I would like to express my views. What for was the censorship imposed? Was it to check the monopoly houses? No. It was to throttle and choke the people. I have come from Dhanbad, one of the biggest industrial complex in the country. I had to contest the elections from jail. I was released from jail

two days after the result of the election was declared. I remained in jail. Even before that my family could not know that I was in jail. Not only that. As soon as the Emergency was declared, they choked the Harijans and the Adivasis. They said that to curb the monopolists, they had imposed press censorship. In Dhanbad, we have found what they did. They choked the workmen; they dismissed them. The day the Emergency was declared, two Harijans were murdered. When we approached the Press at least to publish it because, while you people were trumpeting that you were upholding the interests of Harijans and Adivasis, the very day of the declaration of Emergency was desecrated with the murder of a Harijan, they said that since press censorship was there they could not help. Colliery after colliery was attacked by goondas and when we asked them to publish it and focus attention on it as production was being hampered while you wanted more and more production for the maintenance of the country, they said they could not publish it because there was press censorship and that if we should press them further, they would themselves become victims. That is why you imposed press censorship! When I was in jail, all the prisoners used to be tortured regularly. One of our oldest friends whom we used to respect, a Moulana Saheb, was arrested, though he was a symbol of harmony, in the name of being a member of the Jamia Islamia. He was 80 years old but he was assaulted with lathis. Ultimately he fell ill and the Government secretly arranged for his burial on their own initiative when they found that he was to die soon. He was secretly thrown out of the jail and after a week he died in hospital. But not a word about this came in the press. That is why press censorship was imposed! In this way I can give you a series of examples. We had to spend perhaps one of our longest periods in jail. That is why I say, in this bourgeois system, in the capitalist system, we know that the

State power is in the hands of the 'owning' class. Of course the Judiciary is also not sacrosanct because they are also people with a particular class interest and a class outlook; they are not angels as they have not fallen from the heavens. But despite all these things, even in this system, while the Congressmen were talking of a classless character of the society, they themselves used this class system in a most offensive way. I may tell you that the Indian people would prefer to fend for themselves rather than suffer dictatorship in the name of socialism and what not. That is why I would like to welcome this Bill. When the press is free to publicise without fear, we will have an opportunity to push forward.

SHRI NARENDRA P. NATH-WANI (Junagadh): Mr. Speaker, Sir, I rise to support the Bill. I am rather surprised about the manner in which some Members from the opposite side tried to explain away the existence of this measure or its inclusion in the Constitution itself. Some of them argued and told this House that this Act was a corollary to the Emergency. No. It has been made a permanent and a part of the Constitution; not merely it is a permanent Statute, but it has been included in 9th Schedule. Of course, there was other set of rules—Defence of India Rules—under which, during the Emergency, restrictions on the press were imposed. It was visualised that, even if Emergency was revoked, still control over the press had to be exercised. With that end in view, this measure was enacted. We all know how the power thus taken by the erstwhile Congress Government came to be exercised. I want to refer to two cases in which I had occasion as a counsel.

Everybody here and also abroad knows about the Navjiwan Trust. It has published 600 volumes of books out of which 500 deal with, or per-

tain to, Gandhiji's speeches, writings etc. One day, suddenly, without any notice, without any warning whatsoever, Navjiwan Press came to be sealed under an order from the Government. At that time when they asked for reason for such action, no explanation or reason was given. But thereafter the concerned authorities were pleased to say that the Navjiwan Trust had published a book and, therefore, it was being forfeited. Let us try to see what was the nature of this book. It was nothing else than the verbatim report of the judgment given by the Gujarat High Court in Bhumiputra case. Bhumiputra had published a report of the speech delivered by Shri M. C. Chagla at a seminar held at Ahmedabad. Action was taken against Bhumiputra by the authorities. They sealed the press. Bhumiputra filed a writ petition in the Gujarat High Court, and the Gujarat High Court gave its decision holding that the complained article did not fall within the prohibition under law. Rigid censorship rules had been prescribed; still, the publication of this article by Bhumiputra did not violate those rules. That was the judgment given, and the Navjiwan press did nothing else than to publish the whole judgment, in its entirety, in deference to the public demand to read that judgment. For publication, without any warning as I said earlier, the Navjiwan press came to be forfeited. I along with my learned friend, Shri Sohrabji, as counsel advised Navjiwan Trust to file a writ petition in the Gujarat High Court challenging this action of the Government. And I need only say that, even before the case was taken up for hearing, the Government advocate on the other side asked the High Court to adjourn it for some hours, because Government had second thoughts about it, and after the lunch interval he came and told the court that Government was pleased to withdraw the order. This is how things were considered prejudicial or objectionable or coming



[Shri Narendra P. Nathwani]

in the way of internal security or what standards were applied.

Sir, I want to tell you something more about this case.

I know that the officer who passed this order had some compunctions—qualms of conscience. He thought that he would become notorious throughout the world for ages, if he passed such an order. When he was asked to pass the order, he wrote a note that what he was asked to do was against law and there was no justification, and yet he was told by the censors authority that he should do according to the instructions given to him. It is not the wording or the phraseology standing by itself which was considered but the manner in which provisions were implemented.

There is another interesting case which I would like to tell to the House. I can go on giving facts of cases which form part of record, the proceedings of several High Courts. It is not something which I can try to draw on my imagination. I want to tell you about the case of *Indian Express*. Friends opposite ask, whether am a friend of Shri R. N. Goenka. I would like to tell them, whether friend or foe, they must recognise one thing that he has stood by the freedom of the press at considerable risk to his person, and at considerable risk to his person and at considerable risk. He has discharged his public duty at considerable risk. Let me tell you about the case which forms part of the record of Bombay High Court. Anyone of you who has got any regard for truth, for public interest, should try to read an affidavit in that case. I would tell how the pre-censorship rules and press restrictions were operated to the prejudice of the newspapers who tried to do their duty within the four corners of these rigid rules. The case that I am going to tell you about is illustrative. This is a part of that affidavit.

In order to take over the control and management of Bombay office of the *Indian Express*. Government managed to get some of its nominees appointed on the Board of Directors. The Chairman was Shri K. K. Birla. He said that editor should go, the next man should also go and someone who was fourth or fifth according to seniority should be made the editor. This was objected to. What happened then? The Government, the censorship authorities used to ask the newspapers for submission of galleys or proof of material that was going to be printed and published. Other two leading newspapers, besides *Indian Express*, are the *Times of India* and *Free Press*. The *Indian Express* management as well as that of two other Newspapers used to submit their copy for being scrutinised to the authorities. What happened then is most interesting. The two other newspapers would get back their copies after checking before 12.00 O'clock with the result that they would be able to bring out their papers at about 5.00 O'clock in the morning and these were available to the public in the morning. But so far as *Indian Express* was concerned, copy approved by the censorship authorities was not returned till 8.00 O'clock next morning and the result was that the paper which was expected to be available at 5.00 or 6.00 O'clock in the morning, could only come up in the afternoon to the public. *Express* could not compete with the other newspapers, naturally, with the result that Shri Ramnath Goenka filed a writ petition in the Bombay High Court.

If I had the time, I would tell the House how during the last 19 months, not merely the freedom of the Press but the independence of the Judiciary—I am referring to the Judiciary—was undermined and how its independence and integrity were also undermined. The matter came before a Judge sitting on the Original Side. May I say that I am an ex-Judge of the Bombay High Court and so, I know in what frame of mind the Judges were placed

during the emergency—the learned Judge hearing this petition on the Original Side could do nothing but pass an order referring it to a Division Bench consisting of the Chief Justice and Mr. Justice Tuljapurkar; he refused to pass any interim order. So, the *Indian Express* suffered for a number of days. It could not publish its morning paper. When the matter came before the Division Bench, Mr. Ramnath Podar was advised to take courage, further courage.

AN HON. MEMBER: It is Mr. Ramnath Goenka not Mr. Ramnath Podar.

SHRI NARENDRA P. NATHWANI: I am sorry. Both are my personal friends. Let it be known. I am not afraid of it. He has tried to search my records.

MR. SPEAKER: I am glad the Birlas are not your friends. They are very happy that they are friends. Mr. K. K. Birla is your great friend. If he admits that Mr. Goenka is his friend, there is nothing insulting. I am happy about it. But you do not have the courage at least to say that Mr. Birla is your friend.

SHRI NARENDRA P. NATHWANI: It is a matter of personal knowledge. I also know this. You should also know that the husband of the former Prime Minister of India was also a friend of Shri Ramnath Goenka.

To resume my narration, at that stage, Shri Goenka filed an affidavit on oath. What I am stating is derived from that affidavit in which he has stated that after the emergency, he was asked to submit to certain nominees of the government become Directors and to take charge of the paper and if he did not comply with, the result would be that not only he but his son and daughter-in-law would be arrested under MISA and he has also mentioned the name of the Minister who held out this threat.

So, the matter became very critical for the government. They had to meet that allegation in affidavit by filing an affidavit in reply and if that thing had happened, certainly, the court would have gone into that disputed question of fact, whether such a threat was held out or not. The Government was obviously afraid of doing it. They knew that the truth would come out. So they considered discretion to be the better part of valour and did not file a counter affidavit. They merely stated to the court to this effect 'we do not want to dispute this writ petition and we promise that we would return the material or proofs of the paper within time'. And thereafter not only did they return it within time but they did not care to scrutinise the same.

That is—I am saying—how this power of trying to control and reform the Press has been exercised. And the most sinister part of the whole thing is that all these steps were taken to curb the Press and prevent the people from knowing the truth—Why? In the name of strengthening the Press and strengthening democracy. This is the most sinister part. How puerile, juvenile and childish attempts were made not to allow the people know the correct facts even where no politics was involved and where no question of raising a voice of dissent was involved. To what extent have they gone? May I give another illustration?

I appeared as Counsel in one case. A daily newspaper of Rajkot used to publish very useful items of news. For instance once they published a news item that in a village near Surendranagar there was scarcity of water and that the authorities should look into it because the people were experiencing difficulty or hardship. The Editor was asked not to publish such reports. The Editor submitted his explanation. He said in his explanation that it was truth. He said, if it was false and if there was no

[Shri Narendra P. Nathwani]

substance in it he would be most willing to withdraw that statement. But they said, no. He was told 'You must not publish truth; even slightest difficulty people experience should not be published during emergency. Any inconvenience should not be published'. That is how the press was sought to be checked.

MR. SPEAKER: All these things are known to everybody. Please conclude. Sins of emergency are known to both sides of the House. Kindly conclude.

SHRI NARENDRA P NATHWANI: Sir, I am grateful to you for giving me this opportunity. I am saying this because some Members of the opposition said....

MR. SPEAKER: They are not opposing the Bill.

SHRI NARENDRA P NATHWANI: ..that this was a temporary measure. I wanted to ask them. Having regard to your conduct in the past, how after emergency was revoked, you would have exercised your powers under the existing Act? How would you have utilised it? Otherwise where was the necessity of including this Act in the Ninth Schedule to the Constitution?

Before I sit down I would like to tell the House about one fact—which is known to every one, both inside this House and outside this House. Unlimited power was taken to curb the Press. Apart from that, they resorted to all sorts of dubious methods by way of withdrawing patronage—by way of withdrawing advertisements to them. Not only State Governments and the Union Government, but even Zilla Parishads and Municipal Corporations (which were under their control) were asked not to give advertisements to those papers which were trying to serve the public

by giving correct news. This is the submission which I wanted to make and I thank you Sir, for the opportunity given to me to take part in this debate.

MR. SPEAKER: The Bill has been accepted by all corners and I think we must be able to finish it today. Tomorrow also we have got some other business. I appeal to members on this side and that side to be very brief so that we may be able to finish it today.

श्री गौरीशंकर राय (गाजीपुर): अध्यक्ष महोदय, यह सही है कि दोनों ओर से इस बिल के समर्थन के बाद इस पर बोलने की आवश्यकता नहीं थी। मगर विरोधी पक्ष के द्वारा यह कहते हुए भी कि हम इस का समर्थन करते हैं, जो तर्क उपस्थित किये गये, उन से ऐसा लगा कि हमारे मित्र इन बीस महीनों में इस देश में नहीं थे, बल्कि कहीं बाहर गये हुए थे।

सर्वप्रथम मैं श्री स्टीफन और उन के अन्य दोस्तों को उन की स्वामिभक्ति, लायल्टी, टु दि मास्टर, के लिए बधाई देना चाहता हूँ। हिन्दुओं के एक ग्रन्थ में कहानी है कि एक महापुरुष के साथ मैं उन का नाम नहीं लूंगा—कोई भी नहीं रहा, लेकिन एक स्वामीभक्त जानवर मरते दम तक उन के साथ रहा। हमारे माननीय मित्र इस वक्त भी जो स्वामीभक्ति दिखा रहे हैं, उस के लिए वे बधाई के पात्र हैं।

लेकिन इतना मैं आप के जरिए उन से कहना चाहता हूँ कि यह देश उन का भी है, हमारा भी है और सब का है। जब कोई तथ्य सामने रखें तो उस में उन्हें सोचना चाहिए। वे कहते हैं कि प्रधान मंत्री की आलोचना करने से देश की इमेज खराब होगी। इतने दिन तक तो इस कल्पना के साथ वे काम करते ही रहे कि प्रधान मंत्री ही देश हैं यहां भी आज इसी को दोहरा रहे

हैं जब कि पीपुल्स वर्डिकट आ गया । मैं समझता हूँ कि अगर प्रधान मंत्री के गन्दे काम के लिए प्रधान मंत्री की आलोचना की जाय अपनी ड्यूटी के लिए तो देश की इमेज बढ़ेगी । निक्सन के निकालने से अमेरिका की इमेज घटी नहीं बल्कि अमेरिका के लोगों की नैतिकता और उन की शान दुनिया में बढ़ी है । जब सारे लोगों ने प्रधान मंत्री के व्यवहार के ऊपर, उन के कार्यों के ऊपर अपनी राय दी है तो उस का क्या मतलब है कि उन के हारने से हमारे देश की इमेज घटी है ? नहीं, हमारे देश की इमेज बढ़ी है । मैं अपने मित्रों से कहना चाहता हूँ कि प्रधान मंत्री को देश के साथ आइडेंटिफाइ करने का अराष्ट्रीय काम, अनपैट्रिआटिक काम अब न करें क्योंकि प्रजातंत्र के देश में यह अनपैट्रिआटिक है और अनफेयर है ।

पिछले बीस महीनों में जो अखबार की स्थिति थी उस की प्रशंसा करने वाले हमारे नौजवान मित्र उस तरफ के अखबार को मानते हैं । इस उम्र को देख कर आश्चर्य होता है कि उस समय के प्रेस की ये प्रशंसा करते हैं । मान्यवर के सामने शायद पड़ा हो या न पड़ा हो, एक हिन्दी का अखबार मेरे सामने पड़ा है जिस में लिखा था कि संजय गांधी ने जिस तरह के वार्यों से अपना सामाजिक कार्य शुरू किया है वे हमें महात्मा गांधी की याद दिलाते हैं । महात्मा जी ने भी इसी तरह काम शुरू किया था । इस प्रकार के अखबार छापने की स्वतंत्रता ये चाहते हैं ।

ये हम को कहते हैं कि क्या गोयनका के दोस्त हों ? हाँ, जो आजादी की लड़ाई में भी रहा हो और जो इस गुलामी के मामले में भी लड़ा है उस के दोस्त होने में हम अपने को शर्मिन्दा महसूस नहीं करते हैं । हम शर्मिन्दा महसूस करते हैं इस बात के लिए कि इन की एमजेंसी की प्रशंसा करने के लिए बिरला साहब इंग्लैंड में भी गए और बिरला साहब इन की प्रशंसा करने के लिए वहाँ

हमारे राजदूतावास में रहे । बड़ी कन्टेम्पचुअस लैंग्वेज में बिरला साहब ने प्रशंसा की । हमारे उन के दोस्त होने में हमें शर्मिन्दगी नहीं है लेकिन बिरला के चरण चिह्नों पर चलने में इन को नाज है । हमारे मित्र ने जैसा कहा है कि उस पर उन को संकोच नहीं है । इन की सरकार बिरला के पदचिह्नों की गुलाम रही है, उसकी चेरी रही है । ये हमारे मित्र नौजवान लोग हैं लेकिन बिरला के ये गुलाम रहे हैं ।

**एक माननीय सदस्य :** हम बिरला के भी खिलाफ हैं । बिरला के दोस्त नहीं है ।

**श्री गौरी शंकर राय :** ट्रेजरी बेंच पर जो अभी तक थे वे बिरला के दोस्त नहीं थे, उस की चेरी थे, उस के दाजानुदास थे ।

एक बात और कहना चाहता हूँ । इस सन्दर्भ में एक बात याद आती है कि जब एमजेंसी लगी थी तो सारे देश में दो आवाजें उठीं एमजेंसी के समर्थन में । मालूम नहीं इधर हमारे कम्युनिस्ट पार्टी के मित्र यहाँ बैठे हैं या नहीं, लेकिन एमजेंसी के समर्थन में दो आवाजें आई और एक प्रतियोगिता हुई उन में कि एमजेंसी के समर्थन में कौन आगे जाता है, उस में कम्युनिस्ट पार्टी के मित्र भी गए प्रधान मंत्री के दरवाजे पर और के बिरला साहब भी गए, मैं अपने कम्युनिस्ट मित्रों के साथ महानुभूति प्रकट करता हूँ कि नम्बर 2 पर ये पहुंचे, पहले बिरला साहब ने एमजेंसी का समर्थन किया । एमजेंसी का गुणगान करने वाले ये प्रगतिशील लोग हैं । उस प्रगतिशीलता से आज भी ये मुक्त नहीं हुए ।

एक बात मैं यह कहना चाहूंगा कि मान्यवर आप जैसे लोग या बहुत सारे इधर और उधर बैठे हुए लोग जो राष्ट्रीय आन्दोलन की लड़ाई में रहे हैं और इस मौजूदा गुलामी के खिलाफ लड़ने में भय-मुक्ति की बात करते हैं । हमारे प्रधान मंत्री मोरार जी भाई भय-मुक्ति की बात करते हैं । वह भय-मुक्ति तो देश में हुई लेकिन एक और विरोधी दल को फायदा हुआ । इन

[श्री गौरी शंकर राय]

इसको लज्जा-मुक्ति भी हो गई। लज्जा-मुक्ति यानी शोम-प्रूफ। लज्जा मुक्ति को कभी कभी मैं एक्सप्लेन नहीं कर पाता हूँ, अंग्रेजी में जिसको शोम-प्रूफ कहेंगे। एक ऐसी स्थिति होती है कि विज्ञ स्थिति में मनुष्य होता है, उस में उसको भय नहीं होता, लज्जा नहीं होती, संकोच नहीं होता। तो भय मुक्त तो हैं ही हमारे इस पक्ष के शासक दल के लोग लेकिन लज्जा-मुक्त नहीं हैं यह हमारी प्रार्थना है। हया-मुक्त मैं नहीं कहूँगा वह अपालिया ट्री होगा।

मान्यवर, वे लोग उस प्रेस को मानते हैं जिस प्रेस में क्या क्या हुआ यह आप को मालूम है। अंग्रेजी जमाने में जब आप जैसे लोग गिरफ्तार हुए, महात्मा गांधी गिरफ्तार हुए तो पूरा समाचार छपा। लेकिन इस देश में एमजेंन्सी में गिरफ्तारियों को छापने से भी मना कर दिया गया। आप को याद होगा जब महात्मा जी बीमार थे अहमदाबाद जेल में तो रोज मेडिकल बुलेटिन निकलती थी कि महात्मा जी का टेम्परेचर आज इतना है। लेकिन जब देश के लोगों में भ्रम हुआ, हम लोग फरार थे उस समय, लोग विश्वास नहीं करते थे कि अंग्रेज ठीक रिपोर्ट दे रहे हैं या नहीं तो बी० सी० राय उन के पास लाए गए और उन के दस्तखत से बुलेटिन निकलती थी। लेकिन इस देश में जयप्रकाश नारायण जैसे महान व्यक्ति जेल में बन्द हुए हम लोग अब भी फरार थे और पता लगाने गए श्री जयप्रकाश नारायण जीवित रहेंगे या नहीं मैं जानकारी के लिए कहता हूँ—जब उन की स्थिति अत्यंत खराब थी और जिस समय इस देश के पुराने गृह मंत्री श्री ब्रह्मानन्द रेडडी ने स्टैंडिंग कमेटी में कहा कि जयप्रकाश नारायण की तबियत ठीक है उस के तीन दिन बाद मरणासन्न स्थिति में वे छोड़े गए। देश के किसी भी व्यक्ति को यह नहीं जानने दिया कि उन की तबियत खराब है। इसके लिए उन्हें नाज़ है। अगर विरोध पक्ष के लोगों को अपने

बीस महीने के कर्माँ के लिए नाज़ है, शर्मिंदगी इनके हिस्से में नहीं है, अपने बीस महीने के कार्यों के लिए शर्मिंदा नहीं हैं तो हम भारतीय होने के नाते शर्मिंदा हैं। एक देशभक्त होने के नाते हम इसके लिए लज्जित है और शर्मिंदा है। लज्जा से हम डूबे जा रहे हैं।

मुझे कुछ बातों के लिए इस विवाद में उठकर बोलना पड़ा।

MR. SPEAKER: Please try to conclude. There are hardly five minutes left for the Minister to reply. Leave something for him to reply to also. Let us pass this Bill by 6 O'clock.

श्री गौरी शंकर राय : मान्यवर, इस घुटन के बाद आप हमारी मजबूरी समझिये जब हमें बोलने की आजादी मिली है तो जो काम इस विषय में इस बीच हुए है उनकी चर्चा देश में होनी चाहिए। ... (व्यवधान)

अभी हमारे मित्रों ने अखबारों को एडवर्टीजमेंट देने की पालिसी के लिए मानो-पोलिस्ट्स को मना करने की बात की है। मालूम नहीं पिछले 20 महीने में इनको मोनोपोलिस्ट्स से कितनी नफरत रही है—यह मैं नहीं जानता लेकिन यह मैं जानता हूँ कि संजय गांधी के जो अखबार निकलते थे उनमें एडवर्टीजमेंट के अलावा और कुछ नहीं होता था। (व्यवधान) चूकि स्टीफेन साहब ने अभी कहा था इसलिए मैं ने बताया कि ऐसे अखबार जिनमें सिर्फ एडवर्टीजमेंट्स ही निकलते थे, और कुछ भी नहीं निकलता था उन अखबारों को एडवर्टीजमेंट दिए जाते थे।

मान्यवर, अभी बताया गया "समाचार" के बारे में कि उसकी जो वर्तमान स्थिति है वह बड़ी आतंककारी है और उसको रखना चाहिए। मैं सरकार से अपील करना चाहता हूँ कि समाचार की जो आज स्थिति है उसको उसकी पुरानी स्थिति में लाकर सारी प्रेस एजेंसीज को मुक्त करें वरना इस देश में प्रेस

गुलाम रह जायेगा। जिस आदर्श स्थिति की कल्पना हमारे मित्त कर रहे हैं वह आदर्श स्थिति उनके दिमाग में होगी या जॉपिटाने के लिए, फेस सेविंग डिवाइस के लिए और केवल आर्गुमेन्ट के लिए आर्गुमेन्ट दे रहे हैं। केवल डिक्टेटोरियल कंट्रीज में एक प्रेस एजेंसी होती है। उनका यह कहना कि अपने मन में यह प्रेस एजेंसीज एक में मर्ज हुई है, सत्य से परे है। मैं निवेदन करूंगा कि सरकार इस बात की शीघ्र व्यवस्था करे ताकि इस देश के अखबारनवीस प्री हो सकें।

हमारे मित्रों ने कहा कि वर्किंग जर्नलिस्ट्स का क्या होगा। पिछले बीस महीने के दौरान बिड़ला साहब ने भूतपूर्व प्रधान मंत्री के इशारे पर वर्गीज को निकाल दिया—वर्किंग जर्नलिस्ट्स के प्रति ऐसा इनका प्रेम रहा है। कितने ही वर्किंग जर्नलिस्ट्स पकड़ कर जेल में बन्द कर दिए गए जिनके लिए आज यह प्रसू बहा रहे हैं। मैं विरोध पक्ष से कहूंगा कि खामखाह तर्क के लिए इस बिल का विरोध न करें। पब्लिक रीडिक्ट के बाद अपने को बदलें क्योंकि इतिहास बदल गया है।

इन शब्दों के साथ मैं इस बिल का समर्थन करता हूँ और स्वागत करता हूँ।

MR. SPEAKER: There are still three more speakers. I don't think in the coming five minutes we will be able to finish the speeches of these three speakers and also the Minister. A similar Bill is also there. The next Bill is exactly similar, viz., the Bill to protect the publication of reports of proceedings of Parliament. If we can give them chance tomorrow, we can finish this Bill today and take up the other Bill tomorrow. On that Bill the three friends also can speak. I have no objection. It is the Government that will have to regulate the business. I have particularly no objection. If the Government is prepared to do that, I have absolutely no objection.

AN HON. MEMBER: I am a publisher of a paper. I may be allowed to speak.

MR. SPEAKER: It is between the ruling Party and yourself. That is not my concern. It is the ruling Party and yourself who will have to deal with the matter. I have nothing to say in the matter if you want to talk.

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI): Mr. Speaker, Sir, I am extremely grateful to all the Members who have participated in this debate because so far as this Bill concerned, the support has been unanimous without exception, and I am particularly overwhelmed by the kind words that have been spoken about the Janata Government, and about me personally, and I feel proud that in this very important sphere, the Janata Government is redeeming its pledges with such expedition.

I am particularly happy that the Congress Party also has lent support to this Bill. I can't say it fully because from amongst the Congress speakers there was only one who expressed very strong reservations and who felt that the original Bill was correct and it was a corollary to the emergency and now that the emergency has ended, that Bill should also end. That was the only lone voice that I heard from the Congress benches.

My friend from West Bengal will have some reservations of a different nature. But he also felt that it was something indefensible. I am not going to defend it. So, I am satisfied with what we have done by bringing forth this Bill is reflecting the collective wisdom of the nation, not something that we believe in only, but something that the country has believed in right from Independence and except for these 20 months of eclipse—there was an eclipse—and during which eclipse also, what I have heard today makes me feel that even the Congress Party did not believe it. The Congress Party only because it was under a pall

[Shri L. K. Advani]

of fear, pall of awe, it could not speak. Just now a couple of friends said that the Janata Government can even claim the credit of having given time to the Congress Party—*Mookam karoti; vachalam*. They can claim credit, but that credit really goes to the people who have revolted against all that the emergency stood for. So, I would appeal to my friends on the Congress Benches that if we think that this is an occasion for starting a new, then we must be prepared to shed all links with whatever happened in the emergency. You cannot maintain that what happened in the emergency was right. This was a corollary to the emergency. Today emergency was over. Therefore, it can go. This is not one Bill in itself. I can rattle out a whole chain of laws in the same series, a whole chain of constitutional amendments in the same series, every one of which I hold was intended to perpetuate the emergency. This Bill also falls in the same category. This Bill is something which has nothing to do with the emergency and I do not say it myself. Mr. V. C. Shukla when he moved this Bill said: "I must make it clear that this Bill has nothing to do with the emergency provisions that are in operation today. It has nothing to do with censorship. It is only meant to fortify those people who believe in self-discipline".

18.00 hrs.

Mr. Stephen is not here; I wish he went through this speech. Some people feel unhappy that we cited the instance of Nazi Germany, because Nazi Germany's was a horrid image. But people who have gone through the horrors of the last twenty months know what horror can be. If Germany today is what it is, it is because it completely snapped its links with Nazi Germany and feel that what happened then was wrong. Even those who may have been participants in the deeds of Nazi Germany in those days feel that they were wrong and they had the courage to honestly admit it. If this is the approach of the

Congress Party, there is no difficulty about it. But the approach that was reflected in Mr. Stephen's speech distressed me and made me unhappy. I do not feel angry that there was a general desire to justify all that was done. In the present context of things, it is not desirable and it is not good so far as the country is concerned; it is not good for the Congress Party itself.

I do not think that I have much to say on the provisions of the Bill. Everybody had supported it. Some felt that if we passed this Bill it would be licence for the Press media and it was also stated that the Janata Government was under some euphoria and it did not realise what was going to happen six months hereafter. I belong to the journalistic fraternity myself and I am conscious of what is going to happen. By and large I hold that the Indian Press had been a sober and restrained Press. Throughout the world that it is the impression that the Indian Press has produced. In fact there are friends in the west who regard that the Indian Press leans towards the side of timidity. There is no such thing as forthright investigative reporting, the kind of thing that happened in American Watergate scandal. It is somewhat significant that in my capacity as Information and Broadcasting Minister I have come to know that the film, *All the President's Men*, dealing with the water-gate scandal was not allowed to be shown during the Emergency.

SHRI KANWAR LAL GUPTA: Can you arrange to show it now?

MR. SPEAKER: If anybody shows, he has no objection now.

SHRI L. K. ADVANI: I feel that the Press should be guided by a code of conduct and that code should not be prepared by the government and imposed upon them. Let the Press conduct itself; I rely on it and I have full faith in it. I do feel that there is need for self-discipline and that the institutional arrangement that we had

earlier should be there. I assure this House that in the next session we will see that the Press Council is revived and that the Press Council Bill comes before the House. Something was said about diffusion of press ownership. I have been hearing about it for years. I do not know why the then ruling party did not do it. There are difficulties.

I will not go into this matter in depth as to what can be done to make the Press really free in all respects, free primarily from Governmental control and also from the control of money.

MR. SPEAKER: I think I can put it to vote now.

SHRI L. K. ADVANI: So, I thank you again for the support you extended to me.

MR. SPEAKER: The question is:

"That the Bill to repeal the Prevention of Publication of Objectionable Matter Act, 1976, be taken into consideration."

*The motion was adopted.*

MR. SPEAKER: I find that there are some amendments by Shri Samar Guha and Shri Chandradeo Prasad Verma. But they are not present here to move these amendments. The question is:

"The Clauses 2, 1, the Enacting Formula and the Title stand part of the Bill."

*The motion was adopted.*

*Clauses 2, 1, the Enacting Formula and the Title were added to the Bill.*

SHRI L. K. ADVANI: I beg to move:

"That the Bill be passed."

MR. SPEAKER: The question is:

"That the Bill be passed."

*The motion was adopted.*

18.05 hrs.

*The Lok Sabha then adjourned till Eleven of the Clock on Thursday, April 7, 1977/Chaitra 17, 1899 (Saka).*