

Seventh Series, Vol, X, No. 16

Tuesday, December 9, 1950  
Agrahayana 18, 1903 (Saka)

# LOK SABHA DEBATES

(Fourth Session)



सत्यमेव जयते

[Vol. X contains Nos. 11 to 20]

LOK SABHA SECRETARIAT  
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# LOK SABHA DEBATES

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## LOK SABHA

Tuesday, December 9, 1980/Agraha-  
Yana 18, 1902 (Saka)

The Lok Sabha met at Eleven of the  
Clock.

[MR. SPEAKER in the Chair]

### ORAL ANSWERS TO QUESTIONS

#### National Power Grid

\*307. DR. VASANT KUMAR  
PANDIT: Will the Minister of  
ENERGY be pleased to lay a state-  
ment showing:

(a) whether it is a fact that Gov-  
ernment have a scheme to establish  
a National Grid concept for achieving  
efficiency in energy distribution;

(b) whether it is a fact that Gov-  
ernment have requested all the States  
to support this concept; if so, the re-  
action of various States to the pro-  
posal;

(c) whether it is a fact that the  
directives from Government to the  
States to attain operational efficiency  
and fix norms and tariffs for distribu-  
tion of surplus energy have not been  
carried out by the States; if so, which  
are States and what reasons have  
they given; and

(d) whether the Centre proposes  
bringing in a constitutional amend-  
ment to enlarge its control of the  
power Sector?

THE MINISTER OF STATE IN  
THE MINISTRY OF ENERGY (SHRI  
VIKRAM MAHAJAN): (a) to (d). A  
statement is laid on the Table of the  
House.

3041 LS-1

### Statement

(a) The National Grid is an  
evolutionary process requir-  
ing appropriate intercon-  
nection and strengthening of  
various state systems. In this  
process, a progressively  
greater role for the Centre is  
visualized in transmission, to  
enable optimal and integrated  
operation of the power  
systems in the country as a  
whole.

(b) In the State Power Minis-  
ters' Conference held in June,  
1980, the role of the Central  
Government in the evolution  
of the National Grid, was  
generally recognised.

(c) The issue of proper manage-  
ment of SEBs which, *inter*  
*alia*, would include opera-  
tional efficiency etc., has been  
discussed in various forums  
from time to time, and has also  
been stressed in various com-  
munications from the Central  
Government. Tariff guide-  
lines for different categories  
of inter-state transactions  
have been adopted by the  
respective Regional Electri-  
city Boards of which the  
State Electricity Boards are  
the constituents.

(d) No such proposal is under  
consideration.

DR. VASANT KUMAR PANDIT:  
Sir, the hon. Minister, in his state-  
ment under clause (a) mentions that  
the National Grid is an evolutionary  
process. The centrally sponsored  
programme of establishing inter-  
state/regional links was included in  
the Fourth Plan and was continued in

the Fifth Plan period. Under the programme, loan assistance to cover the entire cost of construction of the inter-state/regional links was provided by the Central Government to the State Governments outside the State Plan ceiling.

But today, even after thirtythree years of freedom, India, a developing country, has no national power grid. We often hear deficit States clamouring that surplus States are not giving power, particularly, when faced with drought. The entire national economy depends on equitable power distribution, particularly, to deficit or underdeveloped States. To-day, we are in dire need of a well-connected power system. The present installed capacity is failing due to various constraints. There has to be wellknit distribution system to harness atomic, hydel and thermal power system at present in India.

In view of this, will the hon. Minister of Energy please state as to when will this stage of evolution finish? In the entire statement, you do not give any targets as to how much power is being handled by Central Regional Grid. How much power will be handled after five years? Whether this scheme which was started in the Fourth and Fifth Five Year Plans will be continued in Sixth Five Year Plan? When will your evaluation end? What is your target as far the setting up of the National Grid is concerned?

**SHRI VIKRAM MAHAJAN:** Sir, it is true, the regional grid plan was started in the Fourth Plan. From Fourth Plan onwards 100 per cent loan was given to the States for inter-State transmission lines but progress by the States on this account has not been satisfactory. Now, we are taking up the construction of transmission lines in the Central sector and the Planning Commission is discussing as to how much amount should be provided. We hope that 600 to 700 crores will be sanctioned in the Sixth

Plan and approximately 10,000 km. of lines would be constructed. It is still under discussion and, as such, nothing final can be said.

**DR. VASANT KUMAR PANDIT:**

Sir, in the statement it is said: "Progressively greater role for the Centre is visualised in transmission." Please elucidate whether Centre will ultimately establish the National Grid or leave it to the States and Regional Boards for transmission. Many of the State Electricity Boards are not working efficiently. There have been several constraints? What is exactly visualised by a greater role for the Centre to be played?

**SHRI VIKRAM MAHAJAN:** Recently the Energy Minister called a conference of the State Power Ministers in which practically all the State Power Ministers participated. They assured the Minister that they will give maximum cooperation in the power sector. So far as the construction of national grid is concerned we are quite confident that we will be able to achieve the target which we have envisaged for the Sixth Plan.

श्री राजेन्द्र प्रसाद यादव : बिजली की समस्या देश व्यापी है । विभिन्न राज्यों में विभिन्न तरह की परिस्थितियों के बावजूद राज्य अपनी बिजली की समस्या का समाधान नहीं कर पा रहे हैं । मेरी समझ में नहीं आ रहा है कि केन्द्रीय सरकार को सारी बिजली का उत्पादन अपने हाथों में लेने में और प्रदेशों को उन की जरूरत के मुताबिक बिजली देने में क्या दिक्कत आ रही है ?

**SHRI VIKRAM MAHAJAN:** Sir, power is in the Concurrent list and States have their role to play. If the States are willing to pass them on to us we have no objection and we hope to run them better. The States are not willing to pass on the power stations to us and surely the hon. Member does not expect us to use force.

**PROF. MADHU DANDAVATE:** I would like to know from the hon'ble Minister whether it is not a fact that actually the State Electricity Boards have incurred a loss of more than Rs. 700 crores and constantly it has been stressed that there is corruption, nepotism, mis-management and as a result of that more stress has to be laid on national grid system.

In view of this may I know firstly whether you will confirm whether that is the order of the losses incurred by the State Electricity Boards?

If it is true, what concrete steps are being taken to see that the National Grid System becomes more effective?

**SHRI VIKRAM MAHAJAN:** It is true that the Electricity Boards are suffering losses. But, about the quantum, I cannot give the figure just now, because the main question does not deal with it.

So far as the National Grid is concerned, the policy of the Government is this and it has been supported by the Rajadyaksha Committee which said that the Centre should play a greater role in the power sector. We hope that within the next 10 years we will be able to achieve 50:50, that is, Centre will be 50 and States will be 50.

**Power projects and Rural electrification schemes of Orissa, pending clearance**

\*309. **SHRI K. PRADHANI:** Will the Minister of ENERGY be pleased to lay a statement showing:

(a) number and names of the power project proposals and rural electrification proposals of the Government of Orissa which are pending for clearance;

(b) since when; and

(c) the time by which these are likely to be cleared?

**THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN):** (a) to (c). A statement is laid on the Table of the House.

*Statement*

(a) to (c). The proposals for hydro and thermal power projects received from the Government of Orissa/Orissa State Electricity Board which are pending for clearance in the Central Electricity Authority and their present status are shown in Annex I.

• There are 8 rural electrification schemes involving loan outlay of Rs. 3.26 crores submitted by the Orissa State Electricity Board pending clearance in the Rural Electrification Corporation. The details of these schemes are shown in Annex II. 48 other rural electrification schemes involving loan outlay of Rs. 16.74 crores were received in the Rural Electrification Corporation but these have been referred back to the Orissa State Electricity Board for revision/clarifications. The details of these schemes are shown in Annex III. Clearance of the rural electrification schemes by Rural Electrification Corporation is subject to their techno-economic viability and availability of funds. On the basis of the allocation of funds for the current financial year (1980-81) and the schemes already sanctioned (upto October, 1980), the Rural Electrification Corporation will be in a position to sanction more schemes of Orissa involving a loan outlay of about Rs. 5.50 crores upto 31-3-1981.

## ANNEXURE—1

*Proposals for Hydro and Thermal Power Generation Projects, and Transmission Projects Received from the Government of Orissa State Electricity Board which are Pending in the central electricity authority for clearance and Their Present Status*

S.No.	Project	Installed capacity (MW)	Estimated cost (Rs. crores)	Date of receipt of project report	Present Status
1	2	3	4	5	6

**HYDRO PROJECTS**

1.	Bhimkund Multi purpose project	798	328.1	1974	The revised project report incorporating the basis of the CEA/CWC was received in June 1980. Further comments of CWC/CEA on the project report have been forwarded to the project authorities. The project being a multi-purpose the power portion can be considered by the CEA for according techno-economic approval after it is cleared by the Technical Advisory Committee of the Planning Commission.
2.	Balimela St. II	120	20.21	Dec. '78	The replies from the project authorities to the comments of CWC are awaited.
3.	Upper Kolab Ext.	80	18.62	Dec/79	The project is in advanced stage of techno-economic appraisal.
4.	Rengali St. II	150	28.85	Dec/79	Replies to further comments of the CWC have been received recently from project authorities. This project is an extension project of the Rengali HE Project which is presently under construction.
5.	Hirakud Stage-III	37.5	15.97	April,80	The execution of the project involves closure of both the existing Hirakud Power Stations. The Project authorities have been requested to furnish a detailed construction programme to estimate the period of shut-down of the two power stations.

**THERMAL PROJECTS**

No proposal of the Government of Orissa for thermal power plant in Orissa is pending clearance. There was a proposal at one stage for setting up a large thermal power plant at Talcher. However, the state Government have agreed that this power plant may be set up in the Central Sector.



ANNEXURE—II

Rural electrification projects submitted by the Orissa State electricity Board and their Present Status

Sl.No.	Name of Scheme with brief description of Taluk Block or area concerned	District	Cost Amount (Rs. in lakhs)	Loan Amount	Date of receipt in REC	Date of inspection	Date of appraisal	Present status	
1	2	3	4	5	6	7	8	9	
<b>I. NORMAL PROGRAMME</b>									
1.	Jarabandh	Sambalpur	52.374	47.734	25-10-80	..	..	These schemes have been received recently in the Rural Electrification corporation.	
<b>II. REVISED MINIMUM NEEDS PROGRAMME (RMNP)</b>									
2.	Chandapur	Koraput	64.076	62.455	4-8-80	..	..		
3.	Gunpur	Koraput	50.962	46.698	25-10-80	..	..		
4.	Junagarh	Kalahandi	26.134	24.019	Do.	..	..		
<b>III. SPECIAL PROJECT AGRICULTURE (SPA)</b>									
5.	Kesinga	Kalahandi	13.830	10.158	22-9-80	..	..		
6.	Patnagarh	Bolangir	19.246	13.560	1-10-80	..	..		
7.	Athmallik	Dhenkanal	49.316	31.421	29-10-80	..	..		
<b>IV. SYSTEM IMPROVEMENT (ST)</b>									
8.	Kendrapara-II	Cuttack	89.750	89.750	7-10-80	12/79	..	Pending due to non availability of funds.	

ANNEXURE III

Names of 43 Rural electrification schemes which were received from the Orissa State Electricity Board but have been referred back to the Board for revision/clarifications

(Rs. in lakhs)

Sl. No.	Name of scheme with brief description of Taluk, Block or area concerned	District	Cost Amount	Loan Amount	Date of receipt in REC	Date of inspection	Date of appraisal comments sent to SEB
1	2	3	4	5	6	7	8
<b>I. Normal Programme</b>							
1.	Tursikela Block	Bolangir	26.527	21.390	20-7-78	12/78	9-2-80
2.	Muribahal	Do.	36.106	29.421	24-11-78	Do.	Do.
3.	Basta Baliapal	Balasore	21.692	17.892	30-10-79	17-11-79	28-11-79

1	2	3	4	5	6	7	8
4.	Anandpur	Keonjhar	54.690	47.134	8-1-80	25-1-80	10-3-80
5.	Khandapara-Gania	Puri	29.153	26.715	6-2-80	25-3-80	23-4-80
6.	Khalikote-Ganjam	Ganjam	26.487	23.684	6-2-80	14-2-80	7-3-80
7.	Ghashipur	Keonjhar	73.493	40.427	24-3-80	17-5-80	26-5-80
8.	Barkote	Sambalpur	42.442	38.903	6-5-80	..	26-5-80
9.	Naikul	Do.	56.369	53.109	6-5-80	..	Do.
10.	Loisinga	Balangir	41.707	33.827	6-5-80	5-6-80	16-6-80
11.	Nischintkoilli	Cuttack	11.013	10.410	17-7-80	14-8-80 to 16-8-80	25-9-80
12.	Chikiti	Ganjam	24.127	21.303	6-5-80	6-6-80 to 7-6-80	17-7-80
13.	Baripada (SPI)	Mayurbhanj	38.276	37.440	21-12-79	17-5-80	26-5-80
14.	S.P.I. Balasore	Balasore II	28.702	27.874	21-10-79	24-12- to 26-12-79	1-1-80
15.	Rairkhol	Sambalpur	120.000	104.000 <sup>†</sup>	5-3-80	8-5-80	30-5-80
16.	Balimela	Korepur	56.000	56.000	6-5-80	25-7-80 to 26-7-80	19-8-80
17.	Puri (Sadar)	Puri	7.063	6.943	6-5-80	8-8-80	18-8-80
18.	Gondia Scheme	Dhenkanal	20.735	17.525	14-8-80	23-8-80	15-9-80
	Matching Scheme	Do.	11.849	11.849	Do.	Do.	Do.
19.	Padamapur	Sambalpur	55.907	51.779	Do.	29-8- to 30-8-80	22-10-80
	Sub-total		792.998	677.564			

*Minimum Programmes*

1.	Rasgovindpur Scheme No.I	Mayurbhanj	13.947	13.875	5-2-80	23-2-80	3-3-80
2.	Do. No.II	Do.	13.948	13.853	Do.	Do.	Do.
3.	Suliapada	Do.	15.735	15.639	Do.	Do.	Do.
4.	Murda	Do.	14.771	14.647	Do.	Do.	Do.
5.	Bissam Cuttack	Koraput	69.509	66.917	4-3-80	3/80	10-3-80
6.	Bishra	Sundargarh	29.582	27.417	24-3-80	6-5-80	14-5-80
7.	Korkunda	Koraput	78.209	75.776	Do.	4/80	25-4-80
8.	Golemunda	Kalahandi	74.373	68.585	24-3-80	4/80	1-5-80
9.	Nawapara	Do.	72.003	65.571	17-7-70	11-8 to 12-8-to	27-8-80
10.	Rawuan, Sukuruli, Narajila, Jashifaur.	Mayurbhanj	73.656	72.361	4-8-80	22-8- to 23-8-80	24-9-80

1	2	3	4	5	6	7	8
11. Nuageon	Sundargarh	29.303	26.775	8-8-80	27-8-10 30-8-80	25-9-80	
12. Sundargarh (Sadar) and Tangar palli	Do.	40.690	38.387	4-8-80	Do.	Do.	
13. Koksara	Kalahandi	36.480	33.244	4-8-80	8-9 to 11-9-80	29-9-80	
14. Kesinga	Do	28.650	28.428	20-8-80	Do.	30-9-80	
SUB-TOTAL		590.796	561.475				

**Special Project Agriculture**

1. Sheriguda , J.E.D.	Koraput	34.328	33.541	21-11-79	6-12-79	12-12-79	
2. Sundargarh Elec. Divn.	Sundargarh	29.970	22.214	21-12-79	9-1-80	5-2-80	
3. Dasrathpur .	Cuttack	23.646	23.038	Do.	26-1-80	28-2-80	
4. Dhama Elec. Construction Section	Sambalpur	25.054	21.678	8-1-80	19-1-80	11-2-80	
5. Dham nagar Bhandari Pokhari	Balasure	54.727	50.578	Do.	26-1-80	7-2-80	
6. Baripada Elec. Divn.	Moyurbhanj	45.330	38.506	5-2-80	23-2-80	3-3-80	
7. Ullanda Birmaharajpur, ECD	Bolangir	47.828	40.635	6-2-80	15-2-80	10-3-80	
8. Jharsuguda—Lakhanpur ECD	Sambalpur	23.374	19.506	8-2-80	3/80	3-4-80	
9. Bolangir Block ECD.	Bolangir	28.780	22.030	19-2-80	Do.	Do.	
10. Sadar block DEC. Chainpal	Dhenkanal	44.285	18.564	24-3-80	13-5-80	26-5-80	
11. Phulbani Elec. Dn.	Phulbani	27.647	20.929	Do.]	25-6- to 26-6-80	7-7-80	
12. Odapada Block	Dhenkanal	37.574	27.141	6-5-80	18-6 to 21-6-80	26-6-80	
13. Sonapur-Bolangir E.C.D.	Bolangir	42.904	32.653	Do.	7-6 to 8-6-80	Do.	
14. Gondia Block	Dhenkanal	49.450	33.809	Do.	18-6 to 21-6-80	Do.	
15. Khaprakhhol	Bolangir	52.307	30.102	4-8-80	13-8 to 14-8-80	30-8-80	
SUB-TOTAL		567.204	434.924				
GRAND TOTAL		1950.338	1673.963				

**SHRI K. PRADHANI:** I have gone through the statement laid on the Table by the hon. Minister.

May I know from the hon. Minister whether the Government of India have finally decided to take up the Thermal Project at Talcher under the Central Sector? If it is so, when are they likely to take up this project?

**SHRI VIKRAM MAHAJAN:** The project report has been prepared. The hon. Minister is quite firm and he will try to do his best to take it up in the Sixth Plan.

**SHRI K. PRADHANI:** My second supplementary is this. I had specifically asked a question. I asked when this project (pending before the Central Government) is likely to be cleared. But the hon. Minister has not given me the date. May I know whether he can give us at least some tentative date for the clearance of these projects? Sir, I have learnt that these various projects are pending with the Central Government: One is Eve Hydrel Project in Sundargarh and Sambalpur district; the other is, Kashahal Hydro Electric Project in Sundergarh district; Subarnarekha project in Mayurbhanj district; then you have Guludihi project in Mayurbhanj district; then you have Somakue project in Mayurbhanj district and also the Mahanadhi Chitrotpala Hydrel Project. These are pending projects with the Central Government. May I know from the hon. Minister under what stage these projects are at present?

**SHRI VIKRAM MAHAJAN:** There are five projects at present pending before the different Ministries. So far as Bhimkund is concerned, it is a multi-purpose project. It has to be cleared by the Technical Advisory Committee of the Irrigation Department and it has not come to the Power Ministry so far.

So far as Balimela Stage II is concerned, we will be able to complete the clearance within about 3 months.

It is expected to be done very shortly, within 3 months.

So far as Upper Kolab extension is concerned, it is in an advanced stage of clearance. It would be cleared very soon.

So far as Rengali Stage II is concerned it is with Irrigation Department. Their clearance has not come to Power Department so far.

About Hirakud Stage III, there is some problem about shut-down of existing power units because the new unit has to be constructed. We are having discussion with the Government of Orissa.

**SHRI K. PRADHANI:** I asked about some of the projects. I asked whether they are being taken up under the Central Government.

**SHRI K. P. SINGH DEO:** In view of the fact that Orissa is one of the most economically backward regions in this country, and we are trying to develop the infra-structure so far as electrification and hydrel as well as other projects are concerned, which will provide the necessary inputs for the agricultural development of the State, what steps are being taken by the Central Government to streamline the entire system and expedite the processing of these schemes which have been pending for a long time as is evident from the answers supplied by the hon. Minister? Since 1978 onwards these schemes are pending with REC and various other bodies. What are the specific steps which are going to be taken to clear these projects so that the industrially backward regions like Orissa can come up by developing their infra-structure?

**SHRI VIKRAM MAHAJAN:** There are about 8 schemes costing Rs. 3.26 crores. These schemes are pending. They are likely to be cleared very soon. Another set of 48 schemes are there. They are being referred back to the Orissa Government. Certain points have got to be cleared. They

will cost another Rs. 16 crores and odd. A great effort is being made by the Government to give maximum to the backward regions. There are certain norms which are to be observed. There are some special programmes which are given to those regions and special care is taken for Orissa. We hope that they will come up very fast.

**SHRI K. P. SINGH DEO:** I wanted to know what are the specific steps taken for streamlining the process so that these schemes are implemented soon.

**SHRI VIKRAM MAHAJAN:** I said in my reply that as the hon. Member is aware, all these schemes have to be cleared by the Planning Commission before we finally give them to the States. We are trying to help them and so far as Orissa is concerned, a lot of schemes have been given and maximum care will be taken to clear them fast.

**SHRI ARJUN SETHI:** If you look at the statement given by the hon. Minister, which is laid on the Table of the House, you will find all the projects such as Bhimkund multi-purpose project Balimela project etc. are lying pending with the Central Government since 1974. I would like to know from the hon. Minister whether he is aware of the fact that regarding Bhimkund Dam project, a clarification has been received by the Government on 12-11-80 and it is being examined in the Central Water and Power Commission. Now in view of long pending projects, that is, since 1974, what specific steps Government is going to take and assure the House in the interest of the State as well as in the interest of the country, to complete these projects at a very early date?

**SHRI VIKRAM MAHAJAN:** It is only a part of the question which has already been put by the previous hon. Member and I have replied to that.

**DR. SUBRAMANIAM SWAMY:** Sir, what about Q. No. 308?

**MR. SPEAKER:** That has been withdrawn at the request of the Member concerned.

### श्रमिक कानूनों में परिवर्तन

\* 311. श्री कलचन्द बर्मा : क्या विधि, न्याय और कम्पनी कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार वर्तमान परिस्थितियों के संदर्भ में लोगों तथा श्रमिकों को सस्ता तथा आसान न्याय दिलाने की दृष्टि से श्रमिक कानूनों तथा न्यायपालिका में परिवर्तन करने पर विचार कर रही है;

(ख) यदि हां, तो इस बारे में पूरा ब्यौरा क्या है; और

(ग) यदि नहीं, तो उस के क्या कारण हैं ?

**THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIV SHANKAR):** (a) and (b). The Government are constantly keeping under review the labour laws with a view to ensuring that inexpensive and easy justice is provided in labour disputes.

A proposal at present under consideration is to fix a time limit within which labour courts and industrial tribunals should give their awards. Government are also proposing to increase the number of labour courts and industrial tribunals, so that speedy adjudication becomes possible.

(c) Does not arise.

श्री कलचन्द बर्मा : दिल्ली में हाल ही हुए श्रम मंत्रियों के सम्मेलन में मंत्री महोदय ने आश्वासन दिया था कि केन्द्रीय राज्य बीमा योजना, श्रमिक नृधाराजा कानून, न्यूनतम वेतन कानून और केन्द्रीय प्राविडेंट फंड आयुक्त के कार्य का विकेन्द्रीकरण किमा जायगा और साथ ही यह भी कहा

क्या कि अन्य न्यायालयों को अपने फैसलों पर अंमल कराने का अधिकार दिया जाएगा मैं जानना चाहता हूँ कि इस सम्बन्ध में अब तक उन्होंने क्या कार्यवाही की है ?

साथ ही उन्होंने एक और बात भी कही थी कि उद्योगों के अन्दर जो श्रमिक कार्यरत हैं उन्हें उस में भागीदार बनाने का कानून बनाया जाएगा। मैं जानना चाहता हूँ कि इस सम्बन्ध में आप ने अभी तक क्या कार्यवाही की है ?

श्री पी० शिवशंकर : इन्होंने जो सवाल मुझ से पूछा है इस को उन्हें लेबर मिनिस्टर से पूछना चाहिए था। मैंने कोई आश्वासन नहीं दिया है। लेकिन जो कुछ आश्वासन लेबर मिनिस्टर ने दिए हैं मैं इस के पक्ष में हूँ कि उन को पूरा किया जाए। मैं माननीय सदस्य के सेंटिमेंट्स को लेबर मिनिस्टर साहब तक पहुंचा दूंगा।

श्री फूल चन्द वर्मा : आप ने यह आश्वासन नहीं दिया था ?

श्री पी० शिवशंकर : मैं ने कभी लेबर मिनिस्टर या लेबर लीडर्ज की कांफ्रेंस को एड्रेस ही नहीं किया है।

श्री फूल चन्द वर्मा : मैं विधि मंत्री जी से जानना चाहता हूँ कि सभी राज्यों में एक जैसा श्रम कानून हो, क्या इस के लिये सरकार विचार कर रही है ?

दूसरा निवेदन यह है कि श्रमिकों के मामले में अनेक प्रकरण काफी लम्बे समय तक कोर्टों में पेंडिंग पड़े रहते हैं, क्या इनके लिए सरकार उच्च तथा उच्चतम न्यायालयों में अलग से बेंच बनाने का विचार कर रही है ? यदि विचार कर रही है तो इस सम्बन्ध में अभी तक क्या कार्यवाही की है, यदि आप का इरादा नहीं है, तो उस के पीछे कारण क्या है ?

श्री पी० शिवशंकर : आप का यह सवाल कि सारे देश में एक ही किस्म का कानून लागू हो, आज पोषीशन यह है कि पूरे देश में इंडस्ट्रियल डिस्प्यूट एक्ट है, जिसके तहत लेबर कोर्ट्स, इंडस्ट्रियल ट्रिब्यूनल्स या नेशनल ट्रिब्यूनल्स बनाये जाते हैं। जहां तक मुकदमों की अवधि का सवाल है, डिपार्टमेंट के जेरेगौर एक बात जरूर है कि लेबर कोर्ट्स के जितने भी मुकदमे हैं, उन को 3 महीने के अन्दर खत्म कर दिया जाये, लेबर कोर्ट्स अपना अर्वाइड 3 महीने में दे दें।

उसी तरह से जहां तक इंडस्ट्रियल ट्रिब्यूनल्स से मुताल्लिक बात है, उस बारे में भी डिपार्टमेंट के जेरेगौर यह सुझाव है कि इंडस्ट्रियल ट्रिब्यूनल भी अपना अर्वाइड 6 महीने में दे दें। जहां तक सुप्रीम कोर्ट या हाई कोर्ट का ताल्लुक है कि वहां कोई अलग बेंच बनाया जाये, इस वक्त तो ऐसा मसला जेरेगौर नहीं है, लेकिन एक बात जरूर जेरेगौर है कि इंडस्ट्रियल एपीलेट ट्रिब्यूनल फिर से कायम किया जाये। कांस्टीट्यूशन की धारा 266 के तरह हाई कोर्ट में जो रिट पिटीशन दाखिल होता है उसके जूरिस्टिक्शन को इंडस्ट्रियल एपीलेट ट्रिब्यूनल के जूरिस्टिक्शन में तबदील कर दिया जाये। आर्टिकल 323-ए के तहत ऐसे ट्रिब्यूनल बनाये जा सकते हैं।

SHRI SOMNATH CHATTERJEE:  
The Rt. Hon. Member from Secunderabad has mentioned in his answer that the Government is very anxious to see that the labour disputes and industrial disputes are speedily adjudicated. May I take it that it also includes implementation of any decision or award that is given? Will the Rt. Hon. Member from Secunderabad tell us whether a decision of the Supreme Court recently given to pay the bonus to the LIC employees is going to be implemented by the Government, which is the implementing agency, or not? Would not that be done?

**SHRI P. SHIV SHANKAR:** So far as this is concerned, I will convey my friend's sentiments to the Labour Minister.

**DR. SUBRAMANIAM SWAMY:** I would like to know from the Minister whether it is a fact that the Finance Minister has referred a judgement of the Supreme Court regarding the labour dispute of the LIC to the Law Ministry. If so, will he tell the House how long he would take for giving the opinion of the Law Ministry on that judgement?

**SHRI P. SHIV SHANKAR:** I can assure the Honourable Member that I will give the advice at the earliest opportunity.

**Supply of Coal to Punjab and Haryana**

\*312. **SHRI SOMNATH CHATTERJEE:** Will the Minister of ENERGY be pleased to state:

(a) whether it is a fact that quantity of coal that goes to Punjab and Haryana is several times more than the actual requirement of all the industries in these two States; and

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

**THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN):** (a) No, Sir.

(b) Does not arise.

**SHRI SOMNATH CHATTERJEE:** Sir, when I put that question I thought that along with the district of Malda, your State would be the beneficiary of supplies of coal.

**MR. SPEAKER:** My State is not a monopolist, only in production.

**SHRI SOMNATH CHATTERJEE:** At least, you have the link from Malda district, that is better.

Sir, this question was put on the basis of the news item which appeared on the 2nd of November in the

'Statesman' which says that thousands of tonnes of coal is being mugged out of the country by a well-knit gang of smugglers and coal-dealers clandestinely. That is the information. Sir, they mentioned Punjab and Haryana as the States where, apparently, the supplies are going. That, may be diverted in the middle to some other places like Nepal and Bangladesh or somewhere. I would like to know whether the Government's notice has been drawn by this news item appearing in the papers where they have given various instances and the modus operandi of how this is being done. If your attention has not been drawn, you should look into the matter and see that these things are not there. I would like to know if it is Government's contention that there is no smuggling of coal or there is no improper diversion of coal from one State to another. Is that the statement of the Government?

**SHRI VIKRAM MAHAJAN:** Sir: so far as the smuggling of the coal between the States is concerned, I would like to inform the hon. Member that we have sufficient coal and, in fact, because we have so much stocks, about 13 million tonnes at pit-heads, we have made free sale of coal. That is, any one can go to the mine and buy the coal and 25 per cent of collieries have been opened up. There you can go and buy coal. There is no question of inter-State smuggling of coal because the coal is free. Any one can go and buy. The question of inter-State smuggling does not arise.

So far as the investigation is concerned, we had asked Coal India to investigate about Punjab and so forth and they have given us the report that there is no irregularity or impropriety.

**MR. SPEAKER:** You follow the simple principle,

कृत करना, नाम अपना, बंद छकना—  
to work hard.

**SHRI SOMNATH CHATTERJEE:** To work for smuggling. (Interruptions) They also should work hard for their home work.

Sir, may I know from the hon. Minister whether a series of search and seizure was carried out at important centres of coal despatches and receiving stations all over the country, on 23rd October, to detect smugglers' gang and their modus operandi of dispatching coal out of the country and there have been several places in which searches are carried out and that they have revealed that coal worth crores of rupees is being despatched from coal field areas to unknown destination. Is there any basis for this news item? Will the Minister kindly reply and tell us?

**MR. SPEAKER:** He has already replied to that.

**SHRI VIKRAM MAHAJAN:** We have no information about the searches or seizure, and nothing has been brought to our notice.

#### Supply of Fuel to Manipur and Mizoram

\*313. **SHRI SHIVKUMAR SINGH THAKUR:** Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether the attention of Government has been drawn towards a news item appearing in the Indian Express dated 12th November, 1980 under the caption "Manipur, Mizoram send SOS for fuel"; and

(b) if so, the steps being taken by Government to supply the same to these border States for proper functioning of the administration and day to day life of the public?

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI DALBIR SINGH):** (a) Yes, Sir.

(b) Steps were taken following the agitation in Assam from end-October 1980 to maximise movement of petroleum products by rail to depots feeding these States. The situation is being monitored on a day-to-day basis for ensuring adequate availability of products for meeting the essential requirements in these States.

**श्री शिव कुमार सिंह ठाकुर :** 12 नवम्बर के इंडियन एक्सप्रेस में जो समाचार प्रकाशित हुआ था उस संदर्भ में मंत्री महोदय से यह जानना चाहता हूँ कि मणिपुर और मिजोरम में फ्युएल की सप्लाई में आप ने कितनी प्रगति की है और क्या आप की गोहाटी और डिग्बोई की रिफाइनरी शुरू हो गई है? साथ ही मेरा प्रश्न यह भी है कि पाइप लाइन साफ करने का जो कार्यक्रम आप ने हाथ में लिया था उस में कितनी प्रगति हुई है?

पेट्रोलियम, रसायन और उर्वरक मंत्री (श्री प्रकाश चन्द्र सेठी) : डिग्बोई रिफाइनरी शुरू हो गई है। गोहाटी रिफाइनरी में सफाई का काम हो रहा है आशा है आठ सात रोज में वह काम पूरा हो जाएगा और उस रिफाइनरी के भी चालू हो जाने की उम्मीद है। पाइप लाइन में जो क्लूड था उस को निकाल लिया गया है और उस में प्रेश क्लूड पम्प इन कर दिया गया है। जो सप्लाई डिस्टरुप्ट हुई थी इन सब कारणों से उस को दूसरी जगह से भेज कर पूरा करने की कोशिश की गई है। अब मणिपुर, मिजोरम और त्रिपुरा की केरोसिकी और डीजल की सप्लाई में पहले की अपेक्षा काफी वृद्धि हुई है।

**श्री शिव कुमार सिंह ठाकुर :** मैं मंत्री महोदय से जानना चाहता हूँ कि ईरान और ईराक से जो 110 लाख टन खनिज तेल हमारे देश में आता था उस के बदले में आप ने किन देशों से तेल लाने का प्रयत्न किया है और कितना तेल इस साल आने वाला है?



अध्यक्ष महोदय : यह तो इस सवाल से नहीं उठता ।

श्री शिव कुमार सिंह ठाकुर : मंत्री महोदय जवाब दे रहे हैं ।

अध्यक्ष महोदय : अगर आप की और उन की कोई सांठ गांठ है तो मैं इजाजत दे देता हूँ ।

श्री शिव कुमार सिंह ठाकुर : मैं दूसरा प्रश्न पूछता हूँ । मेरा प्रश्न यह है कि पांच या छः लाख टन आप आयात करने वाले थे । मिजोरम और मणिपुर के लिए, उसी दिन की खबर में यह आया है, तो यह जो आप ने बताया कि गोहाटी की रिफाइनरी प्रारम्भ हो गई है तो उस से कितना तेल इस साल प्राप्त करेंगे ?

पेट्रोलियम, रसायन और उर्वरक मंत्री (श्री प्रकाश चन्द्र सेठी) : अध्यक्ष महोदय, डिग्बोई रिफाइनरी से 5 हजार टन पेट्रोल, 7 हजार टन कैरोसिन और 7 हजार टन डीजल प्राप्त होगा ।

महाराष्ट्र के मुख्य मंत्री का न्याय-पालिका पर नियंत्रण रखने संबंधी सुझाव

\* 314. श्री अटल बिहारी वाजपेयी: क्या विधि, न्याय और कम्पनी कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या महाराष्ट्र के मुख्य मंत्री श्री अन्तुले ने राष्ट्रीय विकास परिषद् की पिछली बैठक में यह सुझाव दिया था कि भारत में न्यायपालिका पर कुछ नियंत्रण लगाये जाने चाहिए; और

(ख) सरकार की उस पर क्या प्रतिक्रिया है और इस संबंध में निकट और दूरवर्ती भविष्य के लिए तैयार की गई नीति क्या है ?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIV SHANKAR): (a) In the speech made by the Chief Minister of Maharashtra at the meeting of the National Development Council held on August 30-31, 1960 (as reported in the booklet published by the Government of Maharashtra), he had not suggested that some curbs should be imposed over the judiciary in India.

(b) Does not arise.

SHRI ATAL BIHARI VAJPAYEE: Is it proper for any Chief Minister who holds responsible position and who has taken oath of allegiance to the Constitution to describe parliamentary democracy as dictatorship of judiciary? Is it not a fact that Mr. Antulay has been making disparaging remarks against parliamentary democracy? (Interruptions)

PROF. MADHU DANAVATE: Yes. (Interruptions)

MR. SPEAKER: Please sit down. It is upto the Minister to say. He will say and reply.

SHRI ATAL BIHARI VAJPAYEE: How many Law Ministers are there in this House? (Interruptions)

SHRI SOMNATH CHATTERJEE: Or the Legal Ministers?

MR. SPEAKER: I would not like to count. You please do it.

(Interruptions)

SHRI ATAL BIHARI VAJPAYEE: I should like to know whether the Law Minister agrees with the contention that it is the judiciary that has not allowed the rapid socio-economic transformation in this country; and that if the country is to achieve rapid socio-economic transformation, then some curbs must be put on the judiciary.

**SHRI P. SHIV SHANKAR:** The Question is in three parts. The first part deals with the oath taken by the Chief Minister and his statement.

**SHRI ATAL BIHARI VAJPAYEE:** And his responsible position.

**SHRI P. SHIV SHANKAR:** Sir, I am aware. That is what I am saying. 'Chief Minister' I said. He has taken the oath. *(Interruptions)*

Either you give me the chance to reply so that you can hear what I would like to say ... *(Interruptions)*.

Now, Sir, on that Question, I am firmly of the view, which I have expressed in the other House a couple of days back, that mere taking the oath does not mean that a person is not entitled to freedom of expression which is enshrined as a Fundamental Right in Part III of the Constitution. *(Interruptions)*

Many of us sitting in this House have taken the oath in the name of the Constitution; and some of us who are sitting here—I need not remark—may not have any faith in the various provisions of the Constitution at all. That is the freedom of expression which has been enshrined in Part III and the Chief Minister, I would say, only exercised his right to express on the basis of freedom of expression which is a Fundamental Right.

**AN HON. MEMBER:** Very good.

**SHRI P. SHIV SHANKAR:** Now, the other question, with reference to Parliamentary democracy is, the averment, as has been put forward by Atal Bihariji, that Parliamentary democracy is a dictatorship of judiciary. I have already said that the booklet as it has been published—I have gone through it—the only question that he has posed in the National Development Council and I quote is:

'Is it not a fact that established land reforms measures in the interests of the common man which you initiated, undertook and tried to implement, were thwarted and are being thwarted by the judiciary?'

That is how he put it. Now, this *per se* cannot be said that it amounts to a dictatorship of judiciary. *(Interruptions)* The conclusion—I am only sorry for the conclusion—drawn from the facts in my view cannot be drawn from the statement of Mr. Antulay. On the question of rapid socio-economic reforms and the role of the judiciary I would not like to hazard my opinion. The judgments of the various Courts, various High Courts and the judgments of the Supreme Court which the hon. Members, most of them, are very well aware of, are self-evident.

*(Interruptions)*

**AN HON. MEMBER:** Case dismissed.

**SHRI ATAL BIHARI VAJPAYEE:** The right to express opinion is one thing and I am glad that the hon. Law Minister is very fond of that right. But I would like to know whether unleashing a campaign amounting to an attack on the Constitution, Mr. Antulay, the Chief Minister, very recently after winning the bye election said that the people have voted for Presidential type of Government. I would like to know whether the Law Minister has ever discussed this question with Mr. Antulay and whether after the speeches made at the A.I.C.C. meeting, the Law Minister still holds the view ...

*(Interruptions)*

**MR. SPEAKER:** Please, please. Why do you intervene?

**SHRI ATAL BIHARI VAJPAYEE:** Is the Law Minister in a position to assure the House ...

*(Interruptions)*

**MR. SPEAKER:** You are interfering when he is talking. Why do you say ...

*(Interruptions)*

**SHRI ATAL BIHARI VAJPAYEE:** Sir, why is there so much commotion?

*(Interruptions)*

**MR. SPEAKER:** I know, you put the question.

**SHRI ATAL BIHARI VAJPAYEE:** They are having a guilty conscience.

*(Interruptions)*

**AN HON. MEMBER:** Even that conscience is nationalised.

*(Interruptions)*

**SHRI ATAL BIHARI VAJPAYEE:** Sir, in the other House the Law Minister had said that the Opposition is crying a wolf. May I know, after all the speeches that have been made at the A.I.C.C. ...

*(Interruptions)*

**AN HON. MEMBER:** Demanding Emergency.

*(Interruptions)*

**SHRI ATAL BIHARI VAJPAYEE:** Even going to the length of demanding emergency ...

*(Interruptions)*

Does he still hold that view? Is he in a position to assure the House that there is no thinking on the part of the Government to convert Parliamentary democracy into the dictatorship of a dynasty?

*(Interruptions)*

**SEVERAL HON. MEMBERS:** No, no.

**MR. SPEAKER:** No. It is uncalled for ...

*(Interruptions)*

**MR. SPEAKER:** This question is irrelevant.

*(Interruptions)*

**AN HON. MEMBER:** What does he mean by 'dynasty'?

*(Interruptions)*

**MR. SPEAKER:** You may answer part of the Question.

*(Interruptions)*

**AN. HON. MEMBER:** He has not referred to any individual.

*(Interruptions)*

**PROF. MADHU DANDAVATE:** Is the word 'dynasty' unparliamentary?

**MR. SPEAKER:** I am only saying with reference to the question.

**THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VASANT SATHE):** The Law Minister is capable of replying to such slanderous insinuations. *(Interruptions)*

The Law Minister is capable of replying to such slanderous insinuations. He can take care of him.

*(Interruptions)*

**SHRI P. SHIV SHANKAR:** Sir, the first part of the question deals with the allegation of unleashing a campaign on the Constitution against Parliamentary democracy. It is rather surprising that some people have really developed a sudden love for parliamentary democracy. *(Interruptions)*. Many of those people who did not have any faith in it, I am glad at least now they have started swearing by the Constitution. The point is that if some people are advocating the presidential form of Government, I am firmly of the view that that form of Government is also a highly democratic form of Government. *(Interruptions)*. You have put the question;

let me answer. It prevails in many a democracy. Even one of the greatest jurists, whom Shri Atal Bihari Vajpayee appointed as the Ambassador to the United States had also advocated the presidential form of Government in this country. I thought in appointing him as Ambassador, Shri Atal Bihari Vajpayee *sub silentio* believed in the presidential form of Government. He should rather be very glad that some people have started advocating his cause. He need not unduly worry about that. Merely because some form of Government, including presidential form of Government, is advocated it does not mean it is a tirade on the constitution. We are a free society. Our rights flow from the fundamental rights enshrined in Part III of the Constitution. Many people in this country speak in different forms. I personally feel that there is nothing wrong if some person or set of persons, including the Chief Minister, pleads for a particular form of democratic Government.

The other question is, it is rather unfortunate. Whatever the opposition feels, the opposition is aware that they have been sent into the shelves in the last general elections of 1980 and the people of this country have given a massive mandate in favour of our leader. If she is the leader of this country, she is so in her own right and their scandalous remarks are not going to make any effect on the country.

**SHRI NIREN GHOSH:** Are you opting, by unleashing a campaign against parliamentary democracy, which is becoming more and more inconvenient to you, for presidential form of Government, so that you can be immune from the people's judgment, as you did in the notorious 42nd Amendment? If you do it, will you refer this single question to the referendum of the people? Have you got the courage to do so?

**SHRI P. SHIV SHANKAR:** I am aware that it has become very convenient for my friends on the other side to talk of parliamentary democracy at this stage. I do not know why these people are unnecessarily raising this question. People have the freedom to speak. So far as the Government of India are concerned, I have made the position clear.

#### Suggestion of F.I.C.C. for Oil exploration

\*315. **SHRI CHITTA BASU:** Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether the Federation of Indian Chambers of Commerce and Industry has suggested that Private Sector should be allowed to speed up oil exploration in the context of the present oil crisis; and

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

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI DALBIR SINGH):** (a) No, Sir.

(b) Does not arise.

**SHRI CHITTA BASU:** I am glad that the answer is clear. I presume that the Government has got the policy not to open oil exploration for the private sector in the country. May I know whether it is a fact that oil exploration has been made open to the foreign firms on the basis of production sharing? Is it not prejudicial to the national interest, in view of the fact that this vital strategic area of our economy has been made open for the multinational corporations and foreign firms which are also connected with multinational corporation and oil not only fuels automobiles and machines but it also fuels politics?

**THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI):** The House is well aware of the fact that the whole world is passing through an oil crisis

and at this juncture if India does not become self-sufficient in oil, there is a bigger danger than what the hon. member has referred to. Therefore, we are making a conscious effort to see that India becomes self-sufficient in oil production. To that extent, the policy is modified and we are throwing open 32 blocks for the foreign firms to come in not only for seismic survey but for oil exploration and oil production also. I feel and the Government feels that there is nothing wrong in it.

**SHRI CHITTA BASU:** The ONGC was established with the specific object of oil exploration in our country. Was not ONGC sufficiently and adequately equipped or capable to undertake the exploration work without the collaboration of foreign companies? In this connection, may I also know what is the specific role of the ONGC in the matter of exploration of oil in collaboration with these foreign companies with whom they have entered into an agreement?

**SHRI P. C. SETHI:** I do not at all minimise what the ONGC has done. They have done a very good work in Bombay High; they have also done a good job in finding oil in Gujarat oil fields. But at the same time the country is so vast and the hydro carbon reserves are said to be so big that ONGC and Oil India alone would not be able to do it in the specified time. As far as the bids are concerned, we have not decided what would be the details, whether it would be on the basis of participation or whether it would be on the basis of ONGC collaboration or whether we will give it entirely to them. They are only pre-qualifying bids. Depending on the financial stability and the status of the party and the technical capability to do the work we have prequalified out of 67 parties about 34 or 35 parties. We have already sent two teams one to Washington and one to Paris to give details to these parties on the basis of which negotiations would start sometime next month, January.

3041 LS—2.

**SHRI SUBHASH CHANDRA BOSE ALLURI:** Oil crisis has become a global crisis. I would like to know the progress made in drilling in the country from the hon. Minister, and also about the progress in drilling in Narasapur High, both off shore and on shore. Is it true that there is a survey going on in other places in Krishna and Godavary basin.

**SHRI P. C. SETHI:** Survey and exploration is going on in many places. For example we are starting operations in Tripura along with Soviet collaboration. Survey has been done in Mahanadhi region basin; survey has been done in the Cauvery basin. As far as Narasapur is concerned, we have tried two wells; we are proceeding on the third well.

#### **Project for Production of Aromatics from Bombay High**

\*317. **SHRI A. T. PATIL:** Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to lay a statement showing:

(a) whether the question of undertaking a project for production of aromatics from Bombay High Naphtha at Bharat Petroleum Corporation's Refinery at Bombay—Phase II was under consideration of Government;

(b) if so, what is the decision taken by Government thereon; and

(c) what are the special features of this project especially with reference to: (i) availability of land and infrastructure, (ii) off-site facilities, (iii) savings on recurring costs including transport, (iv) savings on capital investment, (v) availability of Naphtha and aromatics demand, (vi) production and (vii) profitability?

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI DALBIR SINGH):** (a) M/s. Bharat Petroleum Corporation Ltd., have submitted a proposal for the production of aromatics (Phase II) from Bombay High Naphtha.

(b) Final decision on the location of new aromatics projects will be taken after the receipt of Report of the Site Selection Committee which was set by the Govt. to make recommendations in this regard.

(c) These details have been submitted by the Company to the Committee. The Committee will study the submissions made by the Bharat Petroleum Corporation Ltd.

SHRI A. T. PATIL: (a) May I know from the government when the Site Selection Committee was set up and when is it likely to submit its report; (b) what are the different sites for the consideration of the Committee and (c) Will the government place on the Table the special features of different sites with reference to different items which I asked in my sub-question (c).

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): A committee under the chairmanship of Dr. B. D. Tilak was set up in May, 1980; it has not yet submitted the report about the sites but Government has taken a decision and has also sanctioned an amount of Rs. 13.12 crores for setting up an aromatic plant in Maharashtra.

#### Diesel Petrol centres in Shahjahanpur

\*318. SHRI JITENDRA PRASAD: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether it is a fact that diesel/petrol supply centres in the district of Shahjahanpur are fewer in number as compared to the adjacent districts of Bareilly, Pilibhit, Sitapur and Hardoi;

(b) whether there is a strong demand from the people of District Shahjahanpur for increasing the diesel/petrol supply centres in the district; and

(c) if so, what action is contemplated by Government?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI DALBIR SINGH): (a) While the number of retail outlets in Bareilly and Pilibhit districts are more than those in Shahjahanpur, the number of outlets in Sitapur and Hardoi districts are less than those in Shahjahanpur.

(b) Some references have been received for opening more retail outlets in Shahjahanpur district recently.

(c) Indian Oil Corporation have been asked to conduct a survey to examine the feasibility of putting up more outlets in that district. Necessary action in this regard will thereafter be taken by the oil companies, wherever necessary, depending upon the potential of the area concerned.

SHRI JITENDRA PRASAD: In the answer it is mentioned that wherever necessary dependent upon the potential of the area concerned, outlets will be set up. While considering the potential of the area concerned for setting up diesel and petrol supply centres, what are the criteria or minimum requirements which justify setting up of a centre?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): The basic, important question is the supply of products which we are going to sell. As far as the question of increasing the number of outlets is concerned, we take into consideration the growth in the demand which is at the rate of 5 to 7 per cent; now it has been estimated to be about 10 per cent. Depending upon that we take this decision. Survey is conducted on the basis of petrol pump or diesel pump, in what vicinity the other pump is, what is the possible demand in the particular area and whether that petrol pump would not cater to the need of that area. Based on that the Indian Oil Company surveys that. With regard to the entire locations in the Shahjahanpur district, we have already

received some representation from the Hon'ble Member and some local MLAs and we have already asked a team of the company to survey the areas and justify where the new location can be made.

**SHRI JITENDRA PRASAD:** Government has accepted that there is a demand for setting up a diesel and petrol supply centre in Shahjanpur and survey is being done by IOC. Will the Minister state when the survey will be completed, will it be completed by the end of the year and the decision to set up supply centres, will that be taken in January 1981?

**SHRI P. C. SETHI:** As I said, we keep in view the growth in consumption. Now we have revised the norms also. For that location the potential minimum demand is 25 kilo litres of diesel per month as against 50 kilo litres per month which was laid down as the earlier norm. The norm had been revised to half. We hope that the oil companies would be able to complete the surveys if not by the end of this year at least by January. Yesterday only I have asked all the oil companies to publish the opening of new outlets sometime by the end of this month or the beginning of January.

श्री होरालाल झार० परमार : माननीय अध्यक्ष जी, माननीय मंत्री जी से एक यह जानना चाहता हूँ कि उत्तर गुजरात में मेहसाना में जो ओ० एन० जी० सी० का प्रोजेक्ट है और उस के जो बेल हैं, उनमें जो गैस निकली है जिस को कि पिछले चार सालों से जलाया जा रहा है, उस गैस को इकट्ठा करने के लिए सरकार क्या कर रही है ?

**SHRI P. C. SETHI:** The question is about petroleum pump, not about gas.

**Profit and loss of units of coal industry in Public Sector**

\*319. **SHRI RAM VILAS PASWAN:** Will the Minister of ENERGY be

pleased to lay a statement showing:

(a) profit and loss of each unit of coal industry in Public Sector for the last year; and

(b) when the coal price was increased after the nationalisation of coal industry and the extent of increase and the reasons therefor and full details in this regard?

**THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN):** (a) and (b). A statement is laid on the Table of the House.

**Statement**

(a) According to provisional un-audited accounts of Coal India Limited and its subsidiary companies, the profit/loss in the Coal India Limited and its subsidiaries during 1979-80 is as follows:

Name of the Company	Amount of loss in crores
	Rs. during
	1979-80
Coal India Limited	-2.42
Eastern coalfields Ltd.	-84.85
Bharat Coking Coal Ltd.	-54.72
Central Coalfields Ltd.	+16.47
Western Coalfields Ltd.	-8.90
	(-) <b>134.42</b>

(b) The average pithead price per tonne of coal at the time of nationalisation was Rs. 37.50 since then, the prices have been increased thrice as follows:

Average price increased to	
on 1-4.1974	Rs. 47.50
on 1-7.1975	Rs. 64.92
on 17-7.1979	Rs. 101.18

The increase in price have been necessitated by the increase in wages and input costs.

श्री राम विलास पासवान : अध्यक्ष जी, मंत्री महोदय ने जो जवाब दिया है, उस में सेन्ट्रल कोल फील्ड्स को छोड़ कर के उन के तमाम कोल फील्ड्स में घाटा चल रहा है। मैं पूछना चाहता हूँ कि क्या इस घाटे का कारण इंडस्ट्रियल डिस्प्यूट्स है या प्रबंधक की अक्षमता है? सरकार इंडस्ट्रियल रिलेशंस की और मैनेजमेंट को सुधारने के लिए क्या कर रही है?

श्री विक्रम महाजन : कोयले की कीमतें बढ़ने की वजह बहुत हैं जिन में एक्सप्लोसिब्स की कीमतों का बढ़ना, लेबर की छुट्टी कर देना, बिना दरखास्त के छुट्टी कर देना है। पिछले साल हम ने मजदूरों की मजदूरी बढ़ायी है और मजदूरी बढ़ाने से अलाउंसिज भी देने पड़ते हैं। आप को य जान कर प्रसन्नता होगी कि हिन्दुस्तान में कोयले की खानों के मजदूरों को सब से ज्यादा मजदूरी दी जाती है। जैसे जैसे उनकी मजदूरी बढ़ जाती है, उसी के साथ कोयले की कीमतें भी बढ़ती चली जाती हैं। इन सब की वजह से घाटा बढ़ रहा है कोयले की खानों में।

श्री राम विलास पासवान : अध्यक्ष महोदय, मेरा प्रश्न है कि कहीं इन के रसातल में जाने का कारण तो नहीं है कि प्राइवेट खान मालिक मैनेजमेंट के साथ मिलकर सांठगाठ कर रहे हैं और सारा करप्शन हां रहा है इसके संबंध में आप क्या कर रहे हैं?

श्री विक्रम महाजन : अध्यक्ष महोदय, कोयले की खानों का नेशनलाइजेशन हो

चुका है और नेशनलाइजेशन के बाद कोयले का प्रोडक्शन बढ़ता जा रहा है। जहां तक इल्लीगल माइनिंग का सवाल है यह बड़ी नामिनल है और हमारी कोशिश है कि यह बिल्कुल न हो। मैनेजमेंट के साथ प्राइवेट खान मालिकों की कोई सांठगांठ नहीं है, अगर इस संबंध में माननीय सदस्य को कोई जानकारी है तो वे, दें उस की अवश्य जांच करा ली जाएगी।

#### WRITTEN ANSWERS TO QUESTIONS

##### Price of Soda Ash

\*310. SHRI L. S. TUR:

SHRI NITYANANDA MISRA:

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

(a) whether it is a fact that the price of soda ash has recorded hundred per cent increase in recent days; and

(b) if so, what steps Government have taken or propose to take in this regard?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) There are four manufacturers of Soda Ash in the country and their ex-works price (bulk) for different varieties of Soda Ash as on 1-4-80 and 1-9-80, as gathered from them and the percentage increase during the period 1-4-80 to 1-9-80 is as given below:—

Quality	Name of the Manufacturer	Ex-Works price (bulk) Rs./Tonne		Percentage increase
		1-4-80	1-9-80	
LIGHT	M/s Tata Chemicals, Mithapur, Gujarat.	1280.00	1580.00	23.44
	M/s Saurashtra Chemicals, Porbander Gujarat.	1450.00	1600.00	10.34
	M/s Dharangadhra Chemicals Works Ltd., Dhrangadhra	1555.00	1675.00	9
	M/s. New Central Jute Mills Co. Ltd., Varansi.	1850.00	2100.00	13.5
MEDIUM	M/s. Tata Chemicals	1340.00	1640.00	22.39
Dense	M/s. Tata Chemicals.	1400.00	1700.00	21.43
	M/s. Saurashtra Chemicals Ltd.	1540.00	1690.00	9.74



(b) The manufacturers' prices of Soda Ash have increased essentially on account of increases in the cost of inputs. There is no statutory control over the price and distribution of Soda Ash. However, with a view to improving the availability of Soda Ash, the following measures have been taken by the Government:

- (i) Guidelines have been issued to ensure that actual industrial consumers get at least the quantity received by them during the Calendar year 1977 when there was no shortage.
- (ii) The import of Soda Ash has been permitted to all industrial consumers under Open General Licence (OGL) with effect from 14th January, 1979. As the International price is high, the customs duty on imports has been reduced from 75% to 5% in case of dense and 35% in case of light soda ash so as to make the price of imported Soda Ash comparable with indigenous prices.
- (iii) In order to help small scale industrial units, 19,100 tonnes of Soda Ash light were imported by the State Chemicals and Pharmaceuticals Corporation of India (CPC) during the year 1979-80 and distributed mainly to small scale units and State Units both direct and through State Government Organisations. This year also it has been decided to import 20,000 tonnes of Soda Ash through CPC to supplement indigenous production.
- (iv) To protect the interest of small users like house-wives and Dhobies, the manufacturers, arrangements have been made for the supply of about 1000 tonnes of Soda Ash per month to the National Consumers' Cooperative Federation Ltd. (NCCF) for distribution throughout the country.

(v) A Standing Committee has been set up to review periodically the distribution and availability of Soda Ash.

As a result of these measures, the availability has improved considerably.

### बाल फिल्मों का निर्माण

\* 316. श्री अशोक गहलोत: क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार देश में बनाई जा रही निम्न कोटि की फिल्मों का बच्चों और जन्य लोगों के चरित्र पर होने वाले घृणित प्रभाव को रोकने के लिए बच्चों की फिल्मों और सामाजिक विषय की फिल्मों के निर्माण की किसी योजना पर विचार कर रही है ;

(ख) क्या सरकार इस प्रकार की फिल्मों को किसी सरकारी एजेंसी द्वारा बनाए जाने के किसी प्रस्ताव पर भी विचार कर रही है जो बच्चों तथा जन्य लोगों के चरित्र निर्माण में सहायक होंगी ;

(ग) यदि हां, तो उसकी क्या रूप-रेखा है ; और

(घ) यदि नहीं, तो उसके क्या कारण हैं ?

सूचना और प्रसारण मंत्री ( श्री वसन्त साठे ) : (क) से (घ). बाल फिल्म सोसाइटी बच्चों और किशोरों आदि के लिए विशेषरूप से उपयुक्त और विशेष रुचि की फिल्में बनाती है । सरकार ने विभिन्न भारतीय भाषाओं में प्रति वर्ष 4-5 फिल्मों के निर्माण और बच्चों के लिए इतनी ही संख्या में विदेशी

फिल्में मंगाने तथा उन्हें भारतीय भाषाओं में डब करने की योजना को सिद्धान्ततः स्वीकार कर लिया है। फिल्म प्रभाग भी ज्ञानवर्धक, शैक्षणिक और सामयिक सामाजिक विषयों पर लघु फिल्में बनाता है। इसके अलावा, राष्ट्रीय फिल्म विकास निगम सामाजिक और उद्देश्यपूर्ण विषयों पर अच्छी कोटि की फिल्मों के निर्माण के लिए प्राइवेट निर्माताओं को ऋण देता है।

ऊपर बताई गई एजेंसियों के जरिये फिल्मों के निर्माण में बढ़ावा देने के अलावा, सरकार का फिल्म निर्माण का काम हाथ में लेने का कोई विचार नहीं है। चूंकि फिल्मों का निर्माण निजी क्षेत्र में आता है, सरकार इस सृजनात्मक कार्य में सीधे भाग लेना आवश्यक नहीं समझती।

#### Radio facilities in Bihar

\*320. SHRI N. E. HORO: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether it is a fact that there has been recently talks between the State of Bihar and Centre to extend some radio facilities to the State; and

(b) if so, the details regarding the decision taken thereon?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VASANT SATHE): (a) and (b). smt. Ram Dulari Sinha, former Minister of State for Information and Broadcasting held discussions with senior State Government officials on September 22, 1980, in Patna, on expansion and improvement of radio in the State of Bihar. During the discussions the State Government was *inter-alia* requested to provide land for the proposed radio station at Jamshedpur, for construction of studios for the Bhagalpur station and for staff quarters. The Chief Secretary to the State Govern-

ment assured the former Minister of State that land would be made available to A.I.R. expeditiously.

#### Effect of renewal of Assam agitation on supply of crude

\*321. SHRI CHIRANJI LAL SHARMA: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) effect on flow of crude oil from the Upper Assam wells due to renewed agitation on foreigners issue; and

(b) steps taken or proposed to be taken for facilitating the regular flow of crude oil from wells as well as from Gauhati Refinery?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) The flow of crude from the oil wells in the Upper Assam oil fields has been considerably reduced on account of the agitation. Further improvement will depend upon the situation in Assam.

(b) Old deconditioned crude lying in the Gauhati-Barauni section has been flushed out. Digboi refinery has started taking O.I.L. crude. Gauhati refinery is under overhaul. Bongai-gaon and Barauni refineries continue to remain shut-down.

#### बागड़ी में गीतों, वाताओं का प्रसारण

\* 322. श्री भीखा भार्गव : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या अहमदाबाद, बम्बई उदयपुर और जयपुर से बागड़ी बोली में गीतों, वाताओं आदि का प्रसारण करने की मांग जोर पकड़ती जा रही है ;

(ख) यदि हां, तो मांग की पूर्ति के लिए क्या उपाय किए गए हैं ;

(ग) क्या जन-प्रतिनिधियों ने भी इस मांग का जोरदार समर्थन किया है ;

(घ) क्या महाराष्ट्र और गुजरात के मुख्य नगरों और कसबों में बागड़ी बोलने वाले कारवों लोग रहते हैं; और

(ङ) इस संबंध में सरकार द्वारा कब तक निर्णय लिए जाने की आशा है ?

सूचना और प्रसारण मंत्री (श्री बसन्त साठे ) : (क) जी, नहीं ।

(ख) प्रश्न नहीं उठता ।

(ग) माननीय सदस्य इस की मांग करते रहे हैं ।

(घ) जी नहीं ।

(ङ) प्रश्न नहीं उठता ।

बिहार में राजगीर में दूरदर्शन केन्द्र

\* 323. श्री विजय कुमार यादव :  
क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का विचार बिहार के ऐतिहासिक नगर राजगीर में एक दूरदर्शन केन्द्र स्थापित करने का है;

(ख) यदि हां, तो कब तक ;  
और

(ग) यदि नहीं, तो इसके क्या कारण हैं ?

सूचना और प्रसारण मंत्री (श्री बसन्त साठे): (क) से (ग) वित्तीय

संसाधनों के अभाव के कारण राजगीर में दूरदर्शन केन्द्र स्थापित करने का फिलहाल कोई प्रस्ताव नहीं है ।

#### Scheme to set up Open Air Theatres

\*324. SHRI P. M. SAYEED:  
SHRI M. V. CHANDRA-  
SHEKARA MURTHY:

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

(a) whether his Ministry is taking specific measures to encourage open air theatres to take cinema to the countryside;

(b) if so, the details of the proposed schemes;

(c) in which states these are being stated;

(d) whether FFC and NFDC have been asked to provide maximum finance for building of open air theatres; and

(e) if so, the total amount so far sanctioned; and how many open air theatres will be set up?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VASANT SATHE): (a) to (c). The Government is aware of the fact that there is a paucity of cinema houses including open air theatres in the countryside. With a view to encouraging the construction of cinema houses in small towns and rural areas the Ministry has sent certain proposals including the proposal to treat cinema, including cinema houses, as an 'industry', to be considered in the list of priorities for getting financial assistance from the nationalised Banks and several financial institutions. This matter is under consideration of the concerned Ministries. Final view will be taken only after receiving their comments.

(d) The National Film Development Corporation has been asked to take specific measures to either give loans or seed money for the construction of cinema houses particularly in the countryside.

(e) So far, N.F.D.C. has sanctioned loans totaling Rs. 85.76 lakhs in 17 cases for permanent theatres. No loan application for open air theatre has so far been received by the Corporation.

मथुरा तेल शोधक कारखाने के पारिस्थितिकीय प्रभावों का अध्ययन करने के लिए समिति

\* 325. श्री निहाल सिंह : क्या पेट्रोलिएम तथा रसायन और उर्बरक मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या मथुरा तेल शोधक कारखाने के पारिस्थितिकीय प्रभावों का अध्ययन करने के लिये डा० एस० वरदराजन की अध्यक्षता में विशेषज्ञ समिति गठित की गई थी ; और

(ख) यदि हां, तो क्या उक्त समिति ने इस बीच अपना प्रतिवेदन प्रस्तुत कर दिया है और यदि हां, तो उस पर क्या कार्यवाही की गई है ?

पेट्रोलिएम , रसायन और उर्बरक मंत्री (श्री प्रकाश चन्द्र सेठी): (क)जी, हां ।

(ख) समिति की रिपोर्टें जो कि सरकार को दिसम्बर, 1967 में प्रस्तुत की गई थी, संसद के दोनों सदनो में 14-8-1978 को रखी गई थी । सरकार ने मथुरा आगरा क्षेत्र में प्रदूषण के स्तर को नियंत्रण में रखने के लिए विभिन्न उपायों के कार्यान्वयन को देखने

के लिए विज्ञान तथा प्रौद्योगिकी विभाग के सचिव की अध्यक्षता में एक उच्च समिति की नियुक्ति की है । इन उपायों के कार्यान्वयन में प्रगति की समीक्षा के लिए समिति समय समय पर बैठकें आयोजित करती है ।

#### Delay in implementation of DESU, Projects

\*326. SHRI MANGAL RAM PREMI: Will the Minister of ENERGY be pleased to state:

(a) whether it is a fact that several important projects of DESU have been considerably delayed;

(b) if so, the names of the projects stating the period of delay and reasons therefor;

(c) the estimated rise in the cost of the projects as a result of delay in their completion; and

(d) the steps taken by Government to ensure their completion without further delay?

THE MINISTER OF ENERGY (SHRI A. B. A. GHANI KHAN CHAUDHURY): (a) There has been minor delay in the installation of new electrostatic precipitators for units 2, 3 & 4 at I.P. Station and 66 KV transmission lines.

(b) and (c) The delay relating to the provision of additional electrostatic precipitators at the I.P. Station is due to the delay in transportation of the imported material from Bombay to Delhi, and also on account of non-availability of steel. In respect of the 66 KV transmission lines, the delay is on account of the non-supply of tower materials. The increase in cost on account of the delay in respect of the transmission lines is roughly Rs. 2.5 lakhs over a total estimated cost of Rs. 2.27 crores, while there has been no impact in cost in respect of the electrostatic precipitators. The delay in respect of the transmission lines is

of about two years, and very marginal in respect of the work relating to the electrostatic precipitators.

(d) DESU has been advised to make arrangements for movement of material from Bombay to Delhi either by rail or by road, and also to monitor the progress very closely.

**Short circuit facilities at the Central Power Research Institute, Bangalore**

2960. SHRI BHIKHU RAM JAIN: Will the Minister of ENERGY be pleased to state:

(a) whether it is a fact that the short circuit testing facilities at the Central Power Research Institute, Bangalore are not adequate thereby hampering the improvement of quality of transformers; and

(b) the measures proposed to be adopted in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) Yes, Sir.

(b) The Central Power Research Institute is taking steps to augment its testing facilities so as to meet the total testing needs for transformers required for the power system in the country. A scheme for installation of another short circuit generator of 2500 MVA capacity has recently been sanctioned and the proposal is under execution.

**Complaints against DGS&D, New Delhi**

2961. SHRI SAMAR MUKHERJEE: Will the Minister of SUPPLY AND REHABILITATION be pleased to state:

(a) whether Government have received complaints of irregularities on the part of DGS&D, New Delhi, from Spares Corporation, Calcutta-16 in the matter of tenders for supply of street plates for KOMATSU Crawler Tractors;

(b) if so, the nature of the complaint; and

(c) the action taken by Government thereon.

THE MINISTER OF STATE IN THE MINISTRY OF REHABILITATION (SHRI BHAGWAT JHA AZAD):

(a) Yes, Sir.

(b) The allegations made are as follows:

(1) Order was placed on a particular firm for material entirely different from that specified in the drawing. In so doing, no opportunity was given to other tenderers.

(2) Placement of order is not related to the quoted price.

(3) The order was manipulated through highly objectionable and corrupt means by the concerned firm and one officer of the DGS&D and one officer of Controllerate of Inspection (Vehicles), Ahmednagar and possibly the Indentor as well were involved.

(c) The matter is being enquired into.

**Guidelines for merger of firms**

2962. SHRI S. M. KRISHNA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether he recently stated in Bombay that Government will shortly announce MRTP (Classification of Goods) Rules and publish detailed guidelines relating to merger and amalgamation of firms under Section 72A of the Companies Act;

(b) if so, whether this has been done; and

(c) if not, whether he will now lay on the Table a copy each of the reclassification of Goods under MRTP Rules and the guidelines?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIV SHANKAR): (a) No, Sir.

(b) and (c). A copy of the MRTP (Classification of Goods) Amendment

Rules, 1978 will be placed on the Table of the House when finalised.

The reference in part (a) of the Question to guidelines relating to merger and amalgamation is obviously to Section 72A of the Income Tax Act and not the Companies Act. Revision and liberalisation of guidelines for the consideration of applications for amalgamation under Section 72A of the Income Tax Act and publication thereof are matters for consideration of the Specified Authority constituted under the said Section.

**News item captioned "Hurdles beset Punjab Power Projects"**

2963. SHRI R. L. BHATIA: Will the Minister of ENERGY be pleased to state:

(a) whether his attention has been drawn to the news item captioned 'Hurdles beset Punjab Power Projects' appearing in the 'Tribune', Chandigarh dated the 16th November, 1980; and

(b) if so, the measures which Government propose to take to ensure expeditious execution of the various power projects in Punjab?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) Yes, Sir.

(b) For the projects under execution in the State sector, the State Government and the State Electricity Board will have to take appropriate action for their expeditious execution. However, the Central Government will render the assistance, to the extent possible in various areas, as is needed by the State Government/State Electricity Board in the matter. These problems of the projects under construction are also discussed at various forums such as the Power Ministers' Conferences, for appropriate remedial action by the different agencies involved.

**Number of applicants for cooking gas registered at Delhi**

2964. SHRI A. C. DAS: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) the total number of applicants registered at Delhi between 1st October, 1974 till 30th September, 1980 for getting cooking gas connections from Indian Oil;

(b) whether it is a fact that from February, 1981 his Ministry will supply one lakh cooking gas connections per month;

(c) if so, whether it is possible to provide cooking gas connections to every applicant registered at Delhi by the end of 1981; and

(d) the details thereof?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILISERS (SHRI P. C. SETHI): (a) The total number of applicants registered at Delhi between 1st October 1974 till 30th September 1980 for getting cooking gas connections from Indian Oil Corporation is approximately 2,50,000.

(b) As per the present plans one lakh LPG connections are proposed to be released on an All India basis from February 1981.

(c) and (d) It may not be possible to clear the entire waiting list by the end of 1981. However, the waiting list in Delhi will be progressively cleared as additional LPG will become available from Bombay High and Mathura and Koyali refineries.

**Film producing Centres for T.V.**

2965. SHRI LAKSHMAN MALICY: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether there is any proposal under Government's consideration to

set up more film producing centres for television in the country; and

(b) if so, what are the details in this regard?

**THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (KUMARI KUMUD-BEN M. JOSHI):** (a) and (b) Presumably, the Member is referring to T.V. studios which are capable of producing T.V. programmes on videotape as well as film. Under the approved Sixth Plan 1978—83, T.V. studios are proposed to be set up at Ahmedabad, Bangalore, Trivandrum, Jaipur, Raipur, Muzaffarpur and Gulbarga.

**Coal disappeared from Colliery of Bharat Coking Coal Limited**

2966. **SHRI RAM SINGH SHAKYA:** Will the Minister of ENERGY be pleased to state:

(a) whether 1½ lakh tonnes of coal has disappeared from the colliery of Bharat Coking Coal Ltd.;

(b) the names of the persons mainly involved in the disappearance of coal secretly; and

(c) the action taken and proposed to be taken in future by the Government against the gang responsible for disappearance of coal?

**THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN):** (a) to (c) Information is being collected and will be laid on the Table of the House.

**Supreme Court Judgment in the case of M/s. Mahindra and Mahindra Ltd.**

2967. **SHRI D. S. A. SIVAPRAKASAM:** Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to refer to para 110(3) of the Report of (a) 1979-80 of his Ministry and state what remedial actions have been taken by the Department to plug the loop-hole mentioned therein?

**THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIV SHANKAR):** Remedial action, as may be appropriate in the context of the problems referred to in para 110 of the Report of the Ministry of Law, Justice and Company Affairs for 1979-80, can only be taken by amending the relevant provisions of the MRTP Act. In this connection, the report of the High-Powered Expert Committee (Sachar Committee) is under active consideration. The said report was laid on the table of the House on 30-8-1978. As soon as a final decision is taken by the Government in this connection, the necessary legislation would be introduced in Parliament.

**Disposal of compensation of Claims Cases**

2968. **SHRI R. K. MHALGI:** Will the Minister of SUPPLY AND REHABILITATION be pleased to refer to reply to Unstarred Question No. 5978 placed on 29th July, 1980 regarding Compensation claims applications of Displaced Persons from Ulhasnagar, Maharashtra and to state:

(a) the efforts made and progress achieved during the period of last three months in respect of sixty pending cases of compensation claims of Displaced persons from Ulhasnagar (District Thana, Maharashtra);

(b) whether any compensation has been paid to them, and if so, to how many applicants;

(c) what are the difficulties encountered within the last three months to decided those cases; and

(d) if so, what remedies are thought of to remove the said difficulties?

**THE DEPUTY MINISTER IN THE MINISTRY OF SUPPLY AND REHABILITATION (SHRI P. K. THUNGON):** (a) Out of 60 cases, 19 cases have been settled during the last three months.

(b) A sum of Rs. 14,589 has been adjusted/paid to 19 claimants.

(c) The difficulties encountered were:—

- (i) Delay in receipt of details of utilisation of balance amount of compensation/documents from the claimants.
- (ii) Delay in receipt of no refund certificates/adjustment proposals from the State Government.
- (iii) Time taken in finalisation of substitution proceedings.
- (iv) Pendency of judicial matters in civil courts/High Courts and Departmental Tribunals.

(d) The matter is being pursued with the claimants/State Government. In addition, officers of the Settlement Organisation visit Ulhasnagar whenever necessary to expedite the pending cases.

#### Employment with Industrial Houses by Retiring Officers

2969. SHRI SANAT KUMAR MANDAL: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether he is aware that some Senior Class I and Class II Officers of his Ministry after retirement got themselves fixed up in some of the large industrial houses and organisations, with whose matters they were dealing in their capacity, at fantastic salaries and perks;

(b) whether they have got free access to the Branches/Sections in his Ministry and to the official documents and with their contacts are able to secure speedy and favourable disposal of matters relating to their principals;

(c) whether he would state the names and designations of all such

Officers who during the years 1978 onwards obtained such employment and where; and

(d) the steps which he proposes to take to restrain their free movements in the Ministry and check such malpractices to ensure cleaner administration?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) to (d) Presumably the honourable M.P. desires to seek information in respect of large private sector industrial houses and organisations. Under rule 10 of Central Civil Service (Pension) Rules, 1972, only Central Services Group 'A' Officers (Class I) need take permission from the Government for accepting a commercial employment before the expiry of two years from the date of retirement. No such case in respect of Class I (Group A) Officers has come to the notice of this Ministry since 1978. However, in respect of Class II Officers, one Shri Baldev Khanna is understood to have secured employment with M/s J. K. Synthetics Ltd., after his voluntary retirement in 1978. As Class II employees do not have to obtain the Government's approval for seeking commercial employment after retirement, information regarding his salary and perks in that company is not available with this Ministry. He does not have free access to Branches/Sections in the Ministry or to official documents.

#### Crisis in Alcohol-based Industries

2970. SHRI K. MALLANNA: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government have received information that alcohol-based industries are facing grave crisis because of the increasing popularity of portable alcohol (liquor) relaxation of prohibition, harsh taxation and export of alcohol and molasses.



(b) if so, the details regarding alcohol-based industries capacity at present;

(c) the steps taken by Government for its improvement in production; and

(d) whether Government propose considering to have a national policy in respect of molasses and alcohol, both in the matter of supply regulation and taxation?

**THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI):** (a) The alcohol based chemical industry had represented that the industry is badly affected for want of adequate supplies of alcohol, because of the relaxation of prohibition and consequent increase in the demand for alcohol for potable use. They also pleaded for a rationalisation of the various levies and duties on alcohol imposed by the State Govts. and for continuation of the ban on export of molasses and alcohol.

(b) The details regarding installed capacities of major alcohol-based chemicals are as follows:—

Production	Installed capacity 1977 (Tonnes)
1. Acetic Acid . . . . .	40,020
2. Acetic Anhydride . . . . .	14,770
3. Butyl Acetate . . . . .	8,730
4. Ethyl Acetate . . . . .	6,390
5. Monochloro Acetic Acid . . . . .	8,840
6. Pentaerythritol . . . . .	1,800
7. DDT . . . . .	4,200
8. Styrene . . . . .	33,000
9. Polyethylene . . . . .	13,000
10. Acetone . . . . .	3,000
11. Butanol . . . . .	8,250
12. Butadiene . . . . .	25,200
13. PVC . . . . .	18,000

(c) and (d). At the meeting of the Central Molasses Board on 11-11-1980, the State Governments were requested—

(i) to augment the production of alcohol;

(ii) to expedite creation, by the sugar factories, of adequate and proper storage facilities for molasses;

(iii) to promote the use of khand-sari molasses for alcohol production;

(iv) to strike a proper balance between the demand for potable use and the demand for industrial use so that revenue considerations do not lead to starvation of chemical industry;

(v) to rationalise the levies and duties, on the lines suggested in the Report of the Jalan Committee for evolving uniformity in the levies on molasses and industrial alcohol.

#### **New Coal Mines of Eastern Coal-fields Limited**

2971. **SHRI SUSHIL BHATTACHARYYA:** Will the Minister of ENERGY be pleased to state:

(a) names of new coal mines to be opened by the Eastern Coal-fields Limited; and

(b) the details thereof?

**THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN):** (a) and (b). The following coal mining projects are under various stages of consideration for implementation in Eastern Coal-fields Ltd.

*Opencast projects:*

Mandman, Kottadih, Bhanora West Block, Jambad, Nakrakonda, Sonapur/Kumarkhala (Ph. II), Sangramgarh, Badjna, Gourandih, Khas Kajora.

**Under Ground**

Kalidaspur/Kalikapur, Chora Block, Jhanjra-I Mine, Ghusick, Pure Searsole, Damra.

**Reservation for SC/ST in Madras Fertiliser**

2972. SHRI THAZHAI M. KARU-NANITHI:  
SHRI K. B. S. MANI:

Will the Minister of PETROLEUM, CHEMICALS AND FERTILISERS be pleased to state:

(a) is it a fact that Government of India orders providing reservation for SC/ST at the time of initial appointment, promotions and in confirmations stage are not being implemented from the date of issue of these orders in Madras Fertilizers;

(b) if so, why and when these orders will be implemented;

(c) if implemented, year-wise and cadre-wise, details from the date of issue of these orders;

(d) how many employees are working in the above Department and out of which how many SC/ST employees are among them year-wise and cadre-wise details; and

(e) number of employees recruited from the date of opening of factory, cadre-wise and SC/ST among them?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI DALBIR SINGH): (a) Madras Fertilizers Ltd. is a joint venture undertaking in which the Govt. of India, AMCCO (a US company) and National Iranian Oil Company have equity participation in the ratio of 51:24.5:24.5 respectively. The company has been formed in accordance with the

provisions of the Formation Agreement between Government of India and Amoco for establishment of a Fertilizer Plant at Madras. Presently, there is no provision in the Articles of Association of the Company for issue of a directive by the President. No directives have, therefore, been given to the company in regard to the reservation of posts for Scheduled Castes/Scheduled Tribes as have been given to other public sector companies.

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

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

**New Fertilizer Plants**

2973. SHRI AMARSINH V. RATHAWA: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether there is any programme to set up new fertilizer plants in the country during 1980-81;

(b) if so, the sites selected, the production capacity of the plants and the progress of constructing them;

(c) whether any target has been fixed when India will be self-sufficient in regard to fertilizers; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI DALBIR SINGH): (a) and (b). Four large-sized fertilizer plants, two each at Thal Vaishet in Maharashtra and Hazira in Gujarat, are being set up based on the gas from Bombay High/Bassein areas. Another fertilizer plant known as Namrup III based on the gas from the oil fields of ONGC and Oil

India Ltd. is also under construction at Namrup in Assam. The capacity and

the progress made in respect of these plants are as under:—

Name of Plant	Capacity (In tonnes of Nitrogen per annum)	Status
1. Thal Vaishet	6,83,000	Arrangements have been firmed up for provision of infrastructural facilities like water, power, coal, railways, etc. Land for factory has been acquired and civil works are in progress. Agreement has been entered into for the Steam Generation Plant. Work on offsite facilities has started.
2. Hazira	6,68,000	Land has been acquired and arrangements for power, water railways and other services are being made. Agreement has been entered into for the Steam Generation Plant.
3. Namrup, III	1,51,000	Land has been acquired and levelling is going on. Contracts for consultancy services, etc. have been entered into and further action such as design and engineering work, procurement of equipment, etc. are in progress. Civil works and action for provision of infrastructural facilities are in progress.

(c) and (d). While no target has been fixed for self-sufficiency in regard to fertilizers, continuous efforts are being made to narrow the gap between demand and indigenous production by creation of substantial addition fertilizer capacity.

#### Sick Companies

2974. SHRI BALASAHEB VIKHE PATIL: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the names of the companies which have become sick due to their mismanagement, misuse and irregular utilisation of funds during the last three years;

(b) the names of companies which evaded various taxes; and

(c) steps taken by Government to recover tax arrears and to improve their working?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIV SHANKAR): (a) and (b). No precise information is collected under the Companies Act with respect to companies which have become sick whether the cause, that is, due to mismanagement or the misuse and irregular utilisation of funds. Nor is information available in regard to evasion of various taxes in respect of the corporate sector as a whole. In case information is required in respect of any particular company, the same can be furnished.

(c) The Income Tax Department makes systematic efforts to recover tax arrears. Improvement in the working

of companies is sought to be brought about through proper audit of the accounts of companies and various other provisions of the Companies Act pertaining to surveillance of corporate functioning.

#### **Pilferage from Pipelines carrying Petroleum Products**

2975. SHRI CHINTAMANI JENA: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether there have been some cases brought to the notice of Government of pilferage from the pipelines carrying petroleum products in the various States, State-wise;

(b) if so the details regarding the quantity and value of products during last two years; and

(c) the measures taken to safeguard against pilferage and the results achieved so far in this direction?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) and (b). Stray instances of pilferage of oil products from Indian Oil Corporation's product pipelines in Madras came to notice in 1976. For lube base oil alone the pilferage loss is estimated to have been of the order of Rs. 16.31 lakhs in 1978-79 and Rs. 18.51 lakhs in 1979-80.

(c) Pipelines of Indian Oil Corporation are being constantly patrolled by Indian Oil Corporation's own patrolmen and constant liaison in this regard is also being maintained with various States and other authorities. In case of the product pipelines in Madras the question of further intensifying police patrolling has been strongly taken up with the State Government and authorities have agreed for the effective deployment of police personnel. Indian Oil Corpora-

tion has agreed to reimburse its cost. In the case of pipelines passing over rail/road bridges these are being guarded by guards posted by the respective railway/State Government authorities.

In the case of pipeline of Bharat Petroleum Corporation, while the BPT authorities patrol the FO line in Bombay, the Oil companies maintain vigilance over the pipelines in Cochin.

Pipelines of Cochin Refinery are laid underground. Security staff of the company as well as operating personnel inspect pipelines frequently.

Pipelines of Assam Oil Company are regularly patrolled by the members of Company's security force.

#### **Radio and T.V. in Karnataka**

2976. SHRI S. B. SIDNAL: Will the Minister of INFORMATION AND BROADCASTING be pleased to state the proposals under consideration of Government for expansion and development of radio and television activity in the Karnataka State?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (KUMARI KUMUDBEN M. JOSHI): There is already an approved 6th Plan (1978-83) project for upgradation of the auxiliary centre at Gulbarga with provision of permanent studios. In addition, the following schemes for expansion and development of broadcasting in the State of Karnataka have been included in the revised 6th Plan proposals for 1980-85 now under consideration of the Government:

(i) Upgradation of transmitter power at Dharwar.

(ii) Upgradation of the auxiliary centre at Bhadravati with provision of permanent studios.

(iii) Setting up of two local radio stations with low power MF/VHF

transmitters at Mercare (Coorg) and Karwar respectively.

The implementation of these schemes will depend on the approval of the revised Plan, availability of financial resources and relative priorities.

2. As regards television, setting up of a full-fledged TV centre at Bangalore and Programme Production Centre at Gulbarga have been approved for implementation.

### अन्तर्राष्ट्रीय फिल्म समारोह

2977. श्री विलास मुत्तेमवार : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) दिल्ली में जनवरी, 1981 में आयोजित किये जाने वाले अन्तर्राष्ट्रीय फिल्म समारोह के लिये फिल्म समारोह निदेशालय ने कितनी धनराशि मांगी है ; और

(ख) मंत्रालय ने इस प्रयोजन के लिये कितनी धनराशि मंजूर की है ?

सूचना और प्रसारण मंत्रालय में उप-मंत्री ( कुमारी कुमुदबेन . एम० जोशी ) :

(क) 53.58 लाख रुपये ।

(ख) 50 लाख रुपये ।

### Rural Electrification in Tribal Area of Orissa

2978. SHRI GIRIDHAR GOMANGO: Will the Minister of ENERGY be pleased to state:

(a) total number of villages in tribal areas of the Orissa State so far electrified and programmes for the current financial year by REC scheme sanctioned by his Ministry;

(b) the villages selected by the State Government for electrification under the normal schemes of the State in tribal areas for the years 1979-80 and 1980-81; and

3041 LS.—3.

(c) the reasons for delay in implementation of electrification schemes in tribal areas of that State, if any?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) Up to 31st March, 1980, 4,344 villages in the tribal areas of Orissa had been electrified. During the year, 1980-81 535 additional villages in the tribal sub-plan area have been programmed for electrification, out of which 515 villages are likely to be electrified under REC Schemes.

(b) During 1979-80, 170 new villages were electrified in the tribal areas under the State Electricity Board's own resources. The programme for 1980-81 under the Board's Normal Development Programme is electrification of 70 villages.

(c) There are several reasons for delay in implementation of electrification schemes in the tribal areas of Orissa. The villages in the tribal areas are sparsely populated and are mostly scattered in small groups of a few hutments, and hence, there is no demand for street lights/domestic connections. There is also poor response from the consumers in these areas for energisation of pumpsets. These result in the State Electricity Board not being able to draw further instalments of loan from REC, which are released on the basis of progress achieved according to the programmed construction schedule.

### Supply of Mineral Oil by Kuwait

2979. SHRI KESHO RAO PARDHI: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Kuwait has agreed to supply mineral oil to India and if so, the basis thereof; and

(b) the quantity and value of the oil to be supplied by Kuwait to India and the number of instalments in

which it will be supplied and the time by which first instalment is likely to be received?

**THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI):** (a) and (b). Yes, Sir. It would not be in the public interest to divulge any details of the agreement.

राजस्थान में विद्युत् उत्पादन और उस की मांग

2980. **आचार्य भगवान देव :** क्या ऊर्जा मंत्री यह बताने की कृपा करेंगे कि :

(क) चालू वर्ष के दौरान राजस्थान में अब तक कुल कितना विद्युत् उत्पादन हुआ ;

(ख) वहां बिजली की मांग कितनी है ;

(ग) क्या विद्युत् उत्पादन के मामले में राजस्थान को आत्म-निर्भर बनाने के लिए कोई समयबद्ध कार्यक्रम सरकार के विचाराधीन है ; और

(घ) यदि हां, तो तत्संबंधी ब्योरा क्या है ?

ऊर्जा मंत्रालय में राज्य मंत्री ( श्री विक्रम महाजब ) :  
(क) राजस्थान के भौगोलिक क्षेत्र में स्थित विद्युत् केन्द्रों का अप्रैल से नवम्बर 1980 का कुल ऊर्जा उत्पादन 1244 मिलियन यूनिट है ।

(ख) फिलहाल राजस्थान की मासिक ऊर्जा मांग लगभग 480 से 450 मिलियन यूनिट होने का अनुमान है ।

(ग) और (घ). राज्य में विद्युत् की उपलब्धता में सुधार लाने के लिए कई उपाय किए गए हैं तथा किए जा रहे हैं । इन उपायों में निम्नलिखित शामिल है :—

(i) राज्य में नई उत्पादन क्षमता को चालू करना । राज्य में फिलहाल निम्नलिखित परियोजनाएं निर्माणाधीन हैं । नीचे दिखाई गई समय अवधि में इन से लाभ प्राप्त होंगे :—

क्रम सं०	स्कीम का नाम	लाभ प्राप्ति	
		1980-85 के दौरान (मेगावाट)	1985-90 के दौरान (मेगावाट)
1	2	3	4
1	माहो (जल विद्युत्)	140	—
2	कोटा (ताप विद्युत्)	220	—
3	अनूपगढ़ नहर (जल विद्युत्)	—	9
4	कोटा विस्तार (ताप विद्युत्)	—	420
5	देहर विस्तार (जल विद्युत्)* (राज्य का हिस्सा)	66	—
6	पौंग विस्तार (जल विद्युत्)* (राज्य का हिस्सा)	70.2	—
<b>जोड़ :</b>		<b>496.2</b>	<b>429</b>

\*ये अन्तर्राज्यीय परियोजनाएं हैं जिनमें राजस्थान भी भाग ले रहा है

इसके अतिरिक्त, उत्तरी क्षेत्र में केन्द्रीय सेक्टर में स्थापित की जा रही कुछ परियोजनाओं से राजस्थान को विद्युत् मिलेगी।

(ii) राजस्थान परमाणु विद्युत् परियोजना में 200 मेगावाट की दूसरी यूनिट के सुस्थिर हो जाने से राज्य में अतिरिक्त विद्युत् उपलब्ध होगी।

विद्युत् क्षेत्र में आत्मनिर्भरता प्राप्त करना विद्युत् सप्लाई सुविधाओं में वृद्धि करने के लिए निधियों की उपलब्धता, विद्युत् संयंत्रों के कार्य-निष्पादन तथा मांग के प्रबंध के लिए किए गए उपायों पर निर्भर करेगा।

#### Legislation of Bharat Oil

2981. SHRI R. L. P. VERMA: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to refer to the reply given to USQ No. 5989 on the 29th July, 1980 re: restriction on movement of burnt oil and state:

(a) whether Government have since decided to legalise the process of filtration of burnt oil;

(b) how many units in Delhi have so far registered themselves with Government; and

(c) the location of Registration Office and detailed procedure of registration?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) No, Sir.

(b) Only one unit from Delhi has applied for registration and the application has been forwarded to technical Sub-Committee for the recommendation.

(c) The units engaged on the re-refining of used oils are required to apply on the prescribed application forms obtainable from ISI who coordinates receipt and processing of the applications. Completed applications are forwarded to Technical Sub-Committee constituted for the purpose. The scheme provides for preliminary screening, ISI certification, etc., of the applications followed by physical inspection by the Technical Sub-Committee of the facilities and know-how available with them for quality re-refining of used oil. On the recommendations of the Technical Sub-Committee, the Ministry of Petroleum would take decision on the application.

#### Supply of Raw Films to Film Institute

2982. SHRI N. DENNIS: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) the details of the raw film footage issued to the State owned Film Institute of India by the Hindustan Photo Films during the last five calendar years; and

(b) the steps taken by the Hindustan Photo Film Limited to ensure that the quota is not abused?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND

**BROADCASTING (KUMARI KUM-  
UBHEN M. JOSHI): (a) FTI received**

the following raw stock from HPT in last 5 yeears:

Year	35mm Release Positive (in feet)	16mm realease positive (in feet)	35mm sound Negative (in feet )	16mm sound negative (in feet)
1975	8,40,000	65,000	5,36,000	..
1976	2,00,000	2,29,000	..	..
1977	5,56,000	2,60,000	75,000	..
1978	5,68,000	..	1,61,000	8,000
1979	10,55,000	1,00,000	3,42,000	35,000
	32,19,000	6,54,000	11,14,000	43,000

(b) As the raw film is not a controlled commodity, the Hindustan Photo Films does not take any steps to ensure that the footage issued by them is not abused. Consumption of raw film in the Film and Television Institute of India, Pune, is governed by the norms laid down by its Academic Council.

#### Ordinances

2983. SHRI A. K. ROY:

SHRI ASHFAQ HUSSAIN:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) number of ordinances promulgated by the Centre in the last twenty years with year-wise break-up in details;

(b) names of the ordinances and the year dealing with the detention without trial in the same period;

(c) number of ordinances that were allowed to lapse and that converted into Acts with year-wise break-up for the same period;

(d) whether there is sudden increase in the ordinance making since the present Government have come in January, 1980; and

(e) if so, facts in detail?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS  
(SHRI P. SHIV SHANKAR): (a)—

Year	Number of ordinances promulgated
1960	1
1961	3
1962	8
1963	Nil
1964	3
1965	7
1966	13
1967	9
1968	13
1969	10
1970	5
1971	23
1972	9
1973	4
1974	15
1975	29
1976	16
1977	16
1978	6
1979	12



(b) (i) The Maintenance of Internal Security Ordinance, 1971 (5 of 1971);

(ii) The Maintenance of Internal Security (Amendment) Ordinance, 1974 (11 of 1974);

(iii) The Maintenance of Internal Security (Amendment) Ordinance, 1975 (4 of 1975);

(iv) The Conservation of Foreign Exchange and Prevention of Smuggling Activities (Amendment) Ordinance, 1975 (6 of 1975);

(v) The Maintenance of Internal Security (Second Amendment) Ordinance, 1975 (7 of 1975);

(vi) The Maintenance of Internal Security (Third Amendment) Ordinance, 1975 (18 of 1975);

(vii) The Maintenance of Internal Security (Fourth Amendment) Ordinance, 1975 (22 of 1975);

(viii) The Conservation of Foreign Exchange and Prevention of Smuggling Activities (Second Amendment) Ordinance, 1975 (29 of 1975);

(ix) The Maintenance of Internal Security (Amendment) Ordinance, 1976 (5 of 1976);

(x) The Conservation of Foreign Exchange and Prevention of Smuggling Activities (Amendment) Ordinance, 1976 (6 of 1976);

(xi) The Prevention of Blackmarketing and Maintenance of Supplies of Essential Commodities Ordinance, 1979 (10 of 1979).

(c) All the Ordinances promulgated during the period under consideration except those mentioned below were converted into Acts. A few of the Ordinances pertaining to States/Union territories were converted into State/Union territory Acts or President's Acts. The rest were converted into Acts of Parliament. The break up of

the Ordinances which were allowed to lapse is given below:—

Year	Number of Ordinances
1976	1 (Ordinance No. 14)
1977	6 (Ordinances Nos. 1, 5, 6, 7 and 10).
1979	3 (Ordinances Nos. 4, 5, and 9).

(d) No, Sir. So far 19 Ordinances have been promulgated in 1980. During the corresponding periods in 1971 and 1975 more Ordinances were promulgated.

(e) Does not arise.

#### Geological Survey in Tamil Nadu

2984. SHRI K. B. S. MANI: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether any survey, including geological survey has been conducted during the last 10 years in Trichy District covering Kolli Malai Hills, Ariyalur, Andimadaun, Perambalur and Jaya Kandam areas in Tamil Nadu;

(b) if so, the details of the report;

(c) any action taken to implement the reports, if so, the details thereon; and

(d) if no survey has been conducted so far, is there any proposal to conduct such survey?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) ONGC has been conducting detailed geological and geophysical surveys in Cauvery Basin including part of Trichy District since 1958.

(b) These surveys have indicated that the basement is fragmented into a number of horsts and grabens and the deeper parts are filled by older Mesozoic rocks over which tertiary

rocks are deposited as a thickening wedge towards offshore. Besides, four structures, viz., Karaikal, Madanam, Pandanallur and Kattumannarkovil were delineated.

(c) Based on the interpretation of the data obtained by these surveys a total of 28 wells have been drilled in the onshore area of Cauvery Basin. However, no commercial accumulations of hydrocarbons were observed.

(d) Does not arise.

### Proposal to increase Refinery Capacity

2985. SHRI PIUS TIRKEY: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government are considering a proposal to increase the refining capacity in the country;

(b) if so, the details of the refining capacity and the utilised capacity with the percentage of the refinery units, unit-wise, during the last three years, year-wise; and

(c) the details of the schemes for expansion of refining capacity of these units?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI DALBIR SINGH): (a) Yes, Sir. Several schemes for expansion of refining capacity and additional of secondary processing facilities have been approved or are being processed to increase crude throughput and middle distillate yield in the various refineries.

(b) The details regarding the refining capacity, actual throughput and the percentage of capacity utilisation of the various units for the past three

years are given in the statement attached herewith.

(c) The details of the various schemes being processed/approved to increase the crude throughput and middle distillate yield in the various refineries are as below:—

(i) BPCL:—Additional of a second catcracker of 0.6 million tonne/annum capacity and increase in crude throughput to a maximum of 6.0 million tonne/annum (Approved).

(ii) CRL:—Addition of a one million tonne Cat. Cracker and increase in throughput to 4.5 million tonne crude (Cat. Cracker portion approved).

(iii) MRL:—Increase of capacity from 2.8 to 5.6 million tonne/annum is envisaged. Expansion scheme includes addition of 0.6 million tonne/annum Cat. Cracker and other necessary offsite facilities (Approved).

(iv) HPC (Vizag):—Expansion of distillation capacity from 1.3 to 4.5 million tonne/annum with a 0.6 million tonne/year Cat. Cracker capacity is envisaged. (Approved).

(v) Barauni:—Addition of a second Delayed Coker to increase middle distillate production by 0.22 million tonne/annum and LPG by 24000 tonnes is envisaged (Approved).

In addition to the above schemes a Six million tonnes per annum refinery is presently under construction at Mathura. The Government are also considering the setting up of two new grass root refineries—one of 8 MTPA in the West Coast around Mangalore and another of 3 MTPA in the North West around Karnal.

## Statement

## Refinery Capacity Utilization 1977-78, 1978-79 &amp; 1979-80

Refinery	1977-78			1978-79			1979-80		
	Capa- city***	Act- ual through- put	Capa- city utili- sation	Capa- city**	Act- ual through- put	Capa- city utili- sation	Capa- city***	Actual through- put	Capa- city utili- sation
	MM Tonnes	MM Tonnes	% age	MM Tonnes	MM Tonnes	% age	MM Tonnes	MM Tonnes	% age
Digboi	0.5	0.54	108	0.5	0.52	104	0.5	0.41	82
Gauhati	0.8	0.82	103	0.8	0.83	104	0.8	0.65	81
Barauni	3.2	3.06	96	3.2	2.66	83	3.2	2.29	72
Koyali	4.2	4.13	98	5.6*	5.25	94	7.0	6.71	96
BPC	5.0	4.51	90	5.0	4.69	94	5.0	4.82	96
HPC-Bombay	3.0	2.90	97	3.0	2.80	93	3.0	3.13	104
CRL	3.0	2.93	98	3.0	2.86	95	3.0	2.87	96
MRL	2.7	2.62	97	2.7	2.76	102	2.7	2.82	104
HPC-Visakh	1.3	1.31	101	1.3	1.33	102	1.3	1.10	85
Haldia	2.5	2.10	84	2.5	2.21	88	2.5	2.40	100
BRPL	..	..	..	0.15**	0.06	40	1.0	1.19	19
	26.2	24.92	95	27.75	25.97	94	30.0	27.48	92

\* Expansion unit commissioned in October, 1978.

\*\*Commissioned in February, 1979.

\*\*\*Estimated achievable capacity.

### Rural Electrification in Orissa

3986. SHRI RASABEHARI BEHERE: Will the Minister of ENERGY be pleased to state:

(a) the names of the scheme sanctioned by the Rural Electrification Corporation for Orissa State for the years 1979-80, 1980-81 and the estimated expenditure of these schemes;

(b) the time target in each case; and

(c) the number of villages likely to be electrified under the scheme?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) and (b).

The names of the rural electrification schemes sanctioned by Rural Electrification Corporation for the State of Orissa during 1979-80 and 1980-81 (up to 30-11-1980) showing the cost, loan amount sanctioned and the phased period of completion (i.e. the estimated time target) in respect of each scheme are given in Statement-I and II.

(c) In all, 4,414 new villages are likely to be electrified under the schemes of REC sanctioned during 1979-80 and 1980-81.

## Statement-I

Names of the schemes sanctioned by the Rural Electrification Corporation in Orissa during 1979-80 together with cost, loan sanctioned, phased period of completion and the villages covered under each scheme

(Rs. in lakhs)

Sl. No.	Name of scheme	District	Cost	Loan sanctioned	Phased period of completion	New villages to be electrified
1	2	3	4	5	6	7
1.	Digapahandi	Ganjam	49.781	13.080	1983-84	51
2.	Aska	Ganjam	34.737	9.102	1983-84	7
3.	Baliapal	Balasore	22.870	7.281	1983-84	—
4.	Basudevpur	Balasore	50.581	15.778	1983-84	76
5.	Dhenkanal	Dhenkanal	45.525	11.921	1983-84	11
6.	Puri	Puri	49.471	13.667	1983-84	9
7.	Jajpur	Cuttack	63.429	19.183	1983-84	55
8.	Basta	Balasore	37.951	11.816	1983-84	48
9.	Naktiduel	Sambalpur	32.775	31.951	1984-85	65
10.	Baliauta	Puri	21.135	19.000	1984-85	70
11.	Rairakhol	Sambalpur	50.602	48.000	1984-85	89
12.	Kaniha	Dhenkanal	43.414	36.957	1984-85	93
13.	Bhuban	Dhenkanal	22.474	20.640	1984-85	48
14.	Bahanga	Balasore	55.992	15.688	1983-84	67
15.	Kconjhar	Kenjhar	48.909	12.256	1983-84	—
16.	Bhunaneshwar	Puri	45.679	12.024	1983-84	30
17.	Bhunaneshwar	Puri	8.250	4.600	1980-81	—
18.	Derabisi	Cuttack	17.494	16.557	1984-85	69
19.	Tentulikhunti	Bolangir	26.939	25.341	1984-85	52
20.	Banspur	Puri	34.444	31.299	1984-85	107
21.	Jatni	Puri	13.580	12.535	1984-85	46
22.	Angul	Dhenkanal	45.351	11.840	1983-84	17
23.	Jajpur	Cuttack	47.752	11.768	1983-84	24
24.	Jagatpur	Cuttack	16.528	16.373	1983-84	—
25.	Pipli	Puri	20.687	18.257	1983-84	100

1	2	3	4	5	6	7
26.	Pallahara . . .	Dhenkanal	44.678	39.732	1984-85	95
27.	Reamal . . .	Sambalpur	61.536	58.850	1984-85	111
28.	Junagarh . . .	Kalahandi	140.679	138.179	1983-84	—
29.	Jaleshwar . . .	Balasore	172.910	172.910	1983-84	—
30.	Keonjhar . . .	Keonjhar	147.720	145.220	1983-84	—
31.	Phulbani . . .	Phulbani	224.619	150.000	1983-84	—
32.	Remuna . . .	Balasore	49.634	15.658	1983-84	162
33.	Cuttack . . .	Cuttack	8.122	7.876	1983-84	83
34.	Ganjam . . .	Ganjam	48.453	18.935	1983-84	11
35.	Dhenkanal . . .	Dhenkanal	29.811	29.676	1983-84	—
36.	Jeypore . . .	Koraput	16.993	3.623	1983-84	34
37.	Kalahandi . . .	Kalahandi	1.584	1.584	1980-81	33*
38.	Bolangir . . .	Bolangir	2.270	2.270	1980-81	36*
39.	Ganjam . . .	Ganjam	1.968	1.968	1980-81	70*
40.	Joda . . .	Keonjhar	77.762	76.931	1984-85	110
41.	Lanjigarh . . .	Kalahandi	66.495	65.348	1984-85	133
42.	Boudh . . .	Phulbani	82.882	79.964	1984-85	239
43.	Kaunta . . .	Mayurbhanj	70.745	69.868	1984-85	194
44.	Harbhanga . . .	Phulbani	83.645	80.430	1984-85	182
45.	Udala . . .	Mayurbhanj	59.464	58.604	1984-85	137
46.	Malkangiri . . .	Koraput	39.806	38.884	1984-85	64
47.	Mathili . . .	Koraput	75.101	73.723	1984-85	122
48.	Jamnikera . . .	Sambalpur	76.126	74.997	1984-85	136
49.	Kusmi . . .	Mayurbhanj	53.829	52.600	1984-85	103
50.	Jodajhumpura . . .	Keonjhar	34.574	33.765	1984-85	58
51.	Lathiketa . . .	Sundergarh	15.385	14.971	1984-85	34
52.	Koira . . .	Sundergarh	54.304	53.286	1984-85	85
53.	Rayagada . . .	Koraput	81.497	78.708	1984-85	214
54.	Sadar . . .	Kalahandi	57.116	55.503	1984-85	99
55.	Baliguda . . .	Phulbani	44.755	43.451	1984-85	101
56.	Koraput . . .	Koraput	42.630	37.992	1984-85	58

1	2	3	4	5	6	7
57.	M. Rampur . . . .	Kalahandi	54.341	53.056	1984-85	106
58.	Tumdibandha . . . .	Phulbani	45.600	44.559	1984-85	80
59.	Jeypore . . . . .	Koraput	31.654	29.548	1984.85	47
			<u>3005.038</u>	<u>2345.583</u>		<u>4081</u>

Note:—Besides, loans of Rs. 2345.583 sanctioned for 59 schemes during 1979-80, as indicated above the Corporation also sanctioned Rs. 8 lakhs as additional loan for 5 ongoing special Transmission (ST) schemes.

### Statements II

Names of the schemes sanctioned by the Rural Electrification Corporation in Orissa during 1980-81 together with cost, loan sanctioned, phased period of completion and the villages covered under each scheme.

(Rs. in lakhs)

Sl. No.	Name of scheme	District	Cost	Loan sanctioned	New villages	Remarks
1.	Angui . . . . .	Dhenkanal	55.635	51.962	75	The first instalment is yet to be drawn by the Orissa State Electricity Board. These schemes are phased for completion over a period of 4 to 5 years from commencement.
2.	Jaleswar . . . . .	Balasore	40.658	12.701	158	
3.	Lahunipara . . . . .	Sundergarh	41.565	39.736	100	
			<u>137.858</u>	<u>104.399</u>	<u>333</u>	

### Rural Electrification in Kerala

2987. SHRI A. A. RAHIM: Will the Minister of ENERGY be pleased to state:

(a) whether Kerala has got surplus electricity and despite this all its villages have not been electrified;

(b) is there any scheme with the Rural Electrification Corporation to help Kerala in electrifying all villages;

(c) if so, details thereof; and

(d) if not, reasons for the same?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) Kerala has got surplus electricity and all its villages have been electrified by May, 1979. Rural Electrification Corporation, however, has been financing Special Project Drinking Water (SPD) Programmes and Special Project Agriculture (SPA) Programmes in Kerala, which are for energisation of pumpsets.

(b) Does not arise.

(c) Does not arise.

(d) Does not arise.

**Change in Purchase Policy of DGS&D**

2988. SHRI VIRDHI CHANDER JAIN: Will the Minister of SUPPLY AND REHABILITATION be pleased to state:

(a) whether it is a fact that the powers of purchases of the Directorate General of Supplies and Disposals have been increased subsequently and the policy of Government has also been changed recently.

(b) what is the change in the policy made by Government recently; and

(c) whether it will lay down the exact procedures being adopted in this regard and also what is its intention to check the corruption in purchases made by Government?

THE MINISTER OF STATE IN THE MINISTRY OF SUPPLY AND REHABILITATION (SHRI BHAGWAT JHA AZAD): (a) and (b) Yes, Sir. The purchase powers of the various officers in the Directorate General of Supplies and Disposals have been enhanced recently. The basis purchase policy remains unchanged. However, Public Sector Undertakings are now entitled to price preference upto ten per cent. Items where Small Scale Sector's contribution has been more than 50 per cent and 75 per cent are also being identified for reservation on that basis. Already a substantial number of items have been reserved for purchase from the Small Scale Sector.

(c) The exact procedures for purchases are already laid down. Cases of irregularity in purchases, if any, are investigated by the Vigilance Branch.

**U.K.'s Cooperation in Coal Mining**

2989. SHRI SUBHASH YADAV: SHRI NAWAL KISHORE SHARMA:

Will the Minister of ENERGY be pleased to state:

(a) whether it is a fact that a high power industrial delegation from United Kingdom visited India in November, 1980;

(b) if so, whether he had any talks with the delegation regarding cooperation in coal mining, setting up of mini and large power plants etc.; and

(c) if so, the main points agreed upon in the talks?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) Yes, Sir.

(b) and (c) Discussions were held with the delegation on different aspects of coal industry, where, *inter-alia*, the possibilities of setting up of captive power plants in coal-fields were also considered. Discussions were of a general nature only.

**Fazal Committee advised Government to wind up Coal India Limited**

2990. SHRI KRISHNA PRATAP SINGH: SHRI BHIKHU RAM JAIN:

Will the Minister of ENERGY be pleased to state:

(a) whether Government are aware of the press reports to the effect that the Fazal Committee has advised to wind up the Coal India for ever; and

(b) if so, the facts thereabout and the reaction of Government thereto?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) and (b). Government have recently received the report of Fazal Committee and it is under examination.

बाजीराव सेठों में डीजल पम्प  
लगायना

2991. श्री राम लाल राही : क्या पेट्रोलियम, रसायन और उर्वरक मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उन्हें पूर्ववर्ती सरकार के इस निर्णय की जानकारी है कि किसी भी सड़क से 15 किलोमीटर दूर के क्षेत्र में, जहाँ पहले से ही एक डीजल पम्प लगा हुआ है, कोई अन्य डीजल पम्प लगाने की अनुमति नहीं दी जायेगी; और

(ख) यदि हां, तो उत्तर प्रदेश में जी० टी० रोड संख्या 24 पर, खैराबाद सीतापुर के निकट, अवध फिलिम स्टेशन से केवल दो किलोमीटर दूर विद्यमान पेट्रोलियम अवध किसी अन्य कम्पनी द्वारा एक दूसरा नया डीजल पम्प लगाये जाने के क्या कारण हैं, और क्या पूर्ववर्ती नीति को बदल दिया गया है तथा तत्संबंधी तथ्य क्या हैं ?

पेट्रोलियम, रसायन और उर्वरक मंत्री (श्री प्रकाश चन्द्र सेठी) : (क) विभिन्न क्षेत्रों पर नये खुदरा बिक्री केन्द्रों की स्थापना के आयतन-दूरी के मानदण्डों में, अन्य बातों के साथ यह व्यवस्थित किया गया है कि राष्ट्रीय/राज्य राजमार्गों पर वर्तमान बिक्री केन्द्र (केन्द्रों) से 15 किलो मीटर के भीतर कोई नया खुदरा बिक्री केन्द्र नहीं खोला जायेगा जब तक राजमार्ग पर 15 किलोमीटर के भीतर स्थित बिक्री केन्द्र की औसत मिली जुली धूपुट 80 किलोमीटर से अधिक है। यह मानदण्ड वर्तमान बिक्री केन्द्र के पुनः स्थानीयकरण जिसे नया बिक्री केन्द्र नहीं माना गया है, पर लागू नहीं होंगे।

(ख) प्रश्न नहीं उठता। क्योंकि यह वर्तमान बिक्री केन्द्र का पुनः स्थानीयकरण है।

Broadcast of Drama by AIR, Madras

2992. SHRI K. RAMAMURTHY: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether the All India Radio Stations, Madras and Tirunelveli have broadcast dramas injuring susceptibilities of the goldsmiths;

(b) whether protests have been lodged by the goldsmiths of Tamil Nadu about this; and

(c) if so, the action taken thereon?

THE DEPUTY MINISTER IN THE  
MINISTRY OF INFORMATION AND  
BROADCASTING

(KUMARI KUMUDBEN M. JOSHI): (a) A.I.R. Tiruchirapalli broadcast a Panchatantra story of "Ungrateful Man" (and not Drama) on 26th July, 1980 in its programme meant for children of 5-8 age group. The programme was also relayed by A.I.R. Tirunelveli. There was no intention on the part of All India Radio to injure the feelings of any community by broadcasting this programme. The Madras Station has not broadcast any such Drama or story.

(b) Yes, Sir.

(c) A.I.R. Tiruchirapalli and also the Directorate General, All India Radio have issued letters to the aggrieved Associations clarifying that it was not at all the intention to hurt the feelings of any community.

After this incident, instructions were issued to all A.I.R. stations to ensure that all such contributions from Children and tiny-tots and other contributions are fully checked by the concerned programme officers before broadcast.



**Maintenance of up-to-date Store records by Collieries of E.C.L.**

2993. SHRI JYOTIRMOY BOSU: Will the Minister of ENERGY be pleased to state:

(a) whether collieries under the Eastern Coal fields Limited Authority maintain upto date store records;

(b) if so, what are the details thereof;

(c) whether it has been alleged that there is a big difference between physical stock and book stock; and

(d) if so, Governments reacton thereto?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) and (b). the Central Stores and Area Stores of E.C.L. have been acting as Accounting Units and maintaining the ledger accounts of stores. According to information furnished by the company, these are uptodate. The stores kept at the collieries are for day-to-day consumption and for these only numerical ledgers/bin cards are maintained. Out of the 114 collieries, records in 104 collieries are uptodate and in the remaining 10 collieries, records are being updated which are likely to be completed by the end of December, 1980.

(c) No such allegation has been received.

(d) Does not arise.

**Views of Eastern News Society on Recommendations of Newsprint Advisory Committee**

2994. SHRI M. RAMGOPAL REDDY: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether Eastern Newspaper Society has urged Government not to proceed with the Newsprint Advisory Committee's recommendations; and

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

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (KUMARI KUM-  
UDBEN M. JOSHI): (a) Yes, Sir.

(b) The matter is under examination.

**Oil from new complex of Bombay High**

2995. SHRI G. Y. KRISHNAN: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether it is a fact that Oil started flowing for the first time from the southern part of the Bombay High project with the dedication of a new complex 'SA' recently; and

(b) if so, the details regarding the production of this new complex?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) Yes, Sir.

(b) With the commissioning of SA Platform Complex in Bombay High South in October 1980, the crude production has been stepped up from a rate of 1,00,000 BOPD or 5 million tonnes per annum to a rate of 1,20,000 BOPD or 6 million tonnes per annum.

**Power Plants**

2996. SHRI K. P. SINGH DEO: Will the Minister of ENERGY be pleased to state:

(a) whether it is a fact that in regard to installation of power plants in the country a peculiar tradition has developed to declare a plant having been installed in March of a particular year when in fact they were a long way off from real installation;

(b) whether it is also a fact that every year the power units go on adding their capacity in 100 to 1500 M.W on 1st April, which were really not achieved;

(c) whether the above is true to most of the major thermal power plants; and

(d) if so, whether Government would check this practice and make it more actual and real?

THE MINISTER OF STATE IN  
THE MINISTRY OF ENERGY  
(SHRI VIKRAM MAHAJAN): (a)  
No. Sir.

(b) to (d). In any power generation unit, after the physical works are completed, the unit takes quite sometime to stabilise. When a thermal unit is commissioned, it runs for a few days and then the same is stopped for examination of the bearings etc. to check various components as prescribed for proper commissioning of the unit. The gap between rolling (a prestage for synchronisation) varies from a few weeks to a few months depending upon the teething troubles of the unit concerned.

### “शोध” चलचित्र

2997. प्रो० निर्मला कुमारी शर्मावतः  
क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को इस आलोचना की जानकारी है कि “शोध” चलचित्र भारतीय जनता के मस्तिष्क पर देश की गरीबी के बारे में अतिशयोक्तिपूर्ण छाप छोड़ता है;

(ख) क्या यह सच नहीं है कि इस तरह के चलचित्र विदेशों में भारत की गरीबी के बारे में गलत छान्ति पैदा करते हैं;

(ग) क्या यह भी सच नहीं है कि इस चलचित्र में दिखाई गई गरीबी देश के किसी भी भाग में नहीं है; और

(घ) क्या सरकार का विचार ऐसे चलचित्रों पर प्रतिबन्ध लगाने का है जो दर्शकों के दिमाग में भ्रान्ति पैदा करते हैं ?

सूचना और प्रसारण मंत्रालय में उप-मंत्री (कुमारी कुमुदबेन एम० जोशी):  
(क) से (घ). सभी फिल्में चलचित्र अधिनियम, 1952 और इस के अन्तर्गत जारी मार्गदर्शी सिद्धान्तों के अनुसार फिल्म सेन्सर बोर्ड द्वारा सेन्सर की जाती हैं। अधिनियम की धारा 5(ख) में निर्दिष्ट बातों, जो संविधान के अनुच्छेद 19(2) पर आधारित है, के आधार पर ही किसी फिल्म पर प्रतिबंध लगाया जा सकता है या उस में काटछांट करने का आदेश दिया जा सकता है। फिल्म सेन्सर बोर्ड फिल्म की जांच भारत में प्रदर्शन के लिए उस की उपयुक्तता को ध्यान में रख कर करता है और उसको निर्बन्धित या अनिर्बन्धित दर्शकों के लिए प्रमाणीकृत करत है। बोर्ड इस बात का ध्यान रखता है कि ऐसी कोई चीज पास न हो जो मार्गदर्शी सिद्धान्तों के अनुसार आपत्तिजनक हो। तथापि, फिल्में संवेदनशील सामग्री है और उन का प्रभाव एक व्यक्ति, से दूसरे व्यक्ति पर भिन्न भिन्न होता है जो उनकी शिक्षा, मनोवृत्ति वातावरण, आदि पर निर्भर करता है। इसलिए यह प्रश्न कि फिल्म “शोध” में गरीबी का बढ़ा-चढ़ा कर चित्रण किया गया है या नहीं, एक ऐसा मामला है जिस पर अपने अपने मत हों सकते हैं। यह उल्लेखनीय है कि फिल्म “शोध” को 24 वें राष्ट्रीय पुरस्कार समारोह में “सर्वोत्तम फीचर फिल्म के लिए पुरस्कार” दिया गया है।

**Crisis in Alcohol Based Industries**

2998. SHRI B. V. DESAI: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether the alcohol industry has 60 per cent idle capacity mainly because of alcohol problems;

(b) is it also a fact that 250 large units spread all over the country, none of them are working in its full capacity; and

(c) if so, what steps Government is proposing to take to solve the problem?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) and (b). It appears that the question refers to capacity utilisation in alcohol industry. There are 120 distilleries in India with a combined installed capacity of 666.5 million litres. The alcohol production in the alcohol year 1979-80 is estimated to be 355.09 million litres. Consequently the overall capacity utilisation of alcohol industry is of the order of 53 per cent. The low capacity utilisation has been essentially due to the fall in sugar production and the consequent fall in molasses production in the sugar year 1979-80.

(c) At the meeting of the Central Molasses Board on 11-11-80, the State Governments were requested—

(i) to augment the production of alcohol;

(ii) to expedite creation, by the sugar factories, of adequate and proper storage facilities for molasses;

(iii) to promote the use of Khandsari molasses for alcohol production.

**Production and demand of Polyester**

3000. SHRI MADHAVRAO SCINDIA: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether in view of the increasing domestic consumption and export potentialities of polyester fabrics, Government propose to expand substantially the production capacity of polyester filament yarn;

(b) if so, present estimated annual production and demand of polyester in the country and the extent of export for the current year; and

(c) the extent of increase in capacity contemplated, the details of the new units to be set up and the expansion of existing units sanctioned or under consideration?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) Yes, Sir.

(b) The present annual production of polyester filament yarn is around 9000 tonnes against an estimated demand of over 20,000 tonnes. Exports are mostly in the form of fabrics.

(c) These matters are under consideration.

**Housing facilities to all Coal Mine Workers**

3001. SHRI AMAR ROYPRADHAN: Will the Minister of ENERGY be pleased to state:

(a) whether Government have decided to provide cent per cent housing facilities to coal mine workers;

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

(c) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) to (c). While additional houses are being constructed every year for coal mine workers, for cent per cent housing satisfaction 4.2 lakh houses will have to be constructed which would involve an outlay of Rs. 674 crores. The progress of house construction will depend upon the availability of funds for the purpose.

घटियां स्तर की कीटनाशक दवाओं की खरीद

3002. श्री राजेश कुमार सिंह : क्या प्रति और पुनर्वासि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या राष्ट्रीय मलेरिया उन्मूलन कार्यक्रम के अन्तर्गत खरीदी गई और बेची गई घटिया किस्म की कीटनाशी दवाओं के भण्डारण पर प्रति मास किराये के रूप में हजारों रुपये खर्च किए जा रहे हैं ;

(ख) क्या यह भी सच है कि विश्व स्वास्थ्य संगठन के एक अधिकारी ने 6 करोड़ रुपये मूल्य की घटिया किस्म की कीट मलेरिया के सौदे पर प्रतिकूल टिप्पणी की है ; और

(ग) यदि हां, तो तत्संबंधी ब्यौरा क्या है ?

प्रति और पुनर्वासि मंत्रालय में राज्य मंत्री (श्री भागवत सा आजाद ) : (क) स्वास्थ्य तथा परिवार कल्याण मंत्रालय ने इसकी पुष्टि की है कि घटिया किस्म के बी० एच० सी० 50 प्र.श. डब्ल्यू० डी० पी० और मैलेथियन 25 प्रतिशत डब्ल्यू० डी० पी० के भण्डार को रखने के लिए, जो कि दिसम्बर, 1977 से महाराष्ट्र राज्य में रखा हुआ है, महाराष्ट्र सरकार द्वारा प्रति मास विवरण दिया जा रहा है। उस के ठीक ठीक आंकड़े उपलब्ध नहीं हैं।

(ख) स्वास्थ्य तथा परिवार कल्याण मंत्रालय ने सूचित किया है कि विश्व स्वास्थ्य संगठन के अनुसार यह सच नहीं है।

(ग) उपरोक्त भाग (ख) के उत्तर को देखते हुए, प्रश्न उत्पन्न नहीं होता।

Request by All India Distillers Association for increase in price of alcohol

3003. SHRI ARVIND NETAM: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether it is a fact that the All India Distillers Association has urged Government of India to allow an increase in the price of alcohol so that production as well as capacity utilization of the industry may be increased; and

(b) if so, what is the reaction of the Government of India thereto?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) Yes, Sir. The price of ethyl alcohol has been revised upwards, with effect from 25th August, 1980, through an amendment to the Ethyl Alcohol (Price Control) Order. A representation has been received from the All India Distillers Association, to allow a further increase in price to compensate for, *inter alia*, increased cost of inputs fuel and transport.

(b) The representation is under examination.

Appointment of producers in Commercial Service of A.I.R.

3004. SHRI T. S. NEGI: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether it is a fact that programme executives are appointed in Commercial Service of All India Radio but producers are not appointed at the Centres;

(b) if so, what are the reasons for this;

(c) whether Government propose to appoint producers as well to these commercial centres; and

(d) what are the functions of a programme executive and station director appointed at the centres?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (KUMARI KUMUD-BEN M. JOSHI): (a) Yes, Sir.

(b) Original programme production work at the Commercial Broadcasting Service is limited and the work is mainly of an administrative and public relations nature involving liaison with advertisers and scheduling of spots etc. Engagement of producers at these centres is not, therefore, considered justified.

(c) No, Sir.

(d) The Programme Executive at a Commercial Broadcasting Service Station undertakes the work of ensuring efficient and smooth running of the Service, including helping in the procurement of business assigned to Commercial Broadcasting Service Stations, by intelligently dealing with enquiries from the prospective advertisers, establishing liaison with the agencies, listening to and approving the recorded spots supplied by the agencies, ensuring the accuracy of advance payment etc. The Station Director in addition to exercising control over administration and accounts of the Commercial Unit is also entrusted with the work of selling of a fixed quota of advertisement time. He is also responsible for planning, presentation, co-ordination and control of the programme and other activities undertaken by the staff.

3041 LS—4

रसायन विभाग के अंतर्गत विदेशी कम्पनियां

3005. श्री तारिक अनवर :  
श्री केशवराव पारधी :

क्या पेट्रोलियम, रसायन और उर्वरक मंत्री यह बताने की कृपा करेंगे कि :

(क) रसायन विभाग के अंतर्गत विदेशी मुद्रा विनियमन अधिनियम कम्पनियों के नाम क्या हैं और उनमें से प्रत्येक कम्पनी का मुख्य उत्पाद क्या है;

(ख) उनमें से अणु और भेषज कम्पनियों के नाम आदि का देशवार ब्यौरा क्या है ,

(ग) 1974 से 1979 और 1980 के दौरान वर्षवार इन कम्पनियों द्वारा किये गये आयात और निर्यात का कम्पनीवार और देशवार ब्यौरा क्या है; और

(घ) 1974 से 1979 के दौरान वर्षवार इन कम्पनियों द्वारा विदेशों को भेजे गए लाभ, लाभांश, रायल्टी, तकनीकी शुल्क, ब्याज आदि की राशि कम्पनीवार और मद और ब्यौरा क्या है?

पेट्रोलियम, रसायन और उर्वरक मंत्री (श्री प्रकाश चन्द्र सेठी): (क) और (ख). अणुओं और भेषजों के निर्माण में लगी हुई फेरा कम्पनियों के ब्यौरे सभा पटल पर रखे विवरण-पत्र में दिए गए हैं, [ग्रन्थालय में रखा गया देखिये संख्या L.T. 1540/80] जिन देशों में इन कम्पनियों की पूरक कम्प-

नियों स्थित है, उनके नाम प्रत्येक कम्पनी के सामने दिए गए हैं, औषधों और भेषजों को छोड़कर रसायनों के निर्माण में लगी हुए फेरा कम्पनियों के बारे में इसी प्रकार के आंकड़े एकत्र किए जा रहे हैं और सभा पटल पर प्रस्तुत किए जा रहे हैं।

(ग) मात्रा और मूल्य को दर्शाने वाले मद वार ब्यौरे महानिदेशालय वाणिज्यिक और सूचना और सांख्यिकी कलकत्ता द्वारा अपनी मन्थली स्टेटिस्टिक्स आफ फोरेन ट्रेड खण्ड 1 और 11 निर्यात और आयात नामक पुस्तक में प्रकाशित किए जाते हैं।

(घ) औषधों और भेषजों से संबंधित कम्पनियों के बारे में अपेक्षित सूचना को दर्शाने वाला एक विवरण पत्र II सभा पटल पर रखा है [ग्रन्थालय में रखा गया देखिये संख्या L.T.--1540/80]

#### Import of formulated herbicide and weedicide

3006. SHRI BAPUSAHEB PARULEKAR: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be please to state:

(a) is it a fact that target of the tea industry to produce 1,500 million kilogram of made tea by the end of this century with a view to boost Tea Export by India has been retarded due to ban imposed by the Government against import of formulated herbicide and weedicide very much in need for protection of young tea plants particularly from 0 to 5 years as also against formulation in India;

(b) whether the ban which harms the highest foreign exchange earning tea production will continue whilst fertilizers, and other inputs are being imported; and

(c) if so, why such a policy detrimental to the tea industry is being followed?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) The Tea Board has prepared a perspective plan for the production of 1200—1400 million kilogram of tea by the turn of the century. Although import of the formulated pesticides, including weedicides and herbicides is banned, there is a provision for their need-based imports through a public sector agency, and as such Tea industry's essential requirements of imported weedicides/herbicides etc., can still be imported through a public sector agency.

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

#### Oil-based gas based coal based fertilizer projects

3007. PROF. MADHU DANDA-VATE: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to lay a statement showing:

(a) what are the respective number of oil based, gas based and coal based fertilizer projects in the country;

(b) after the rise in prices of the petroleum products, what are the respective fuel bills of these three types of fertilizers; and

(c) what steps are proposed in the future to reduce the fuel expenditure?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI DALBIR SINGH): (a) The number of nitrogenous fertilizer plants using different feedstocks is indicated below:—

Feedstock Used	Number of Plants
Naphtha	14
Gas	5
Naphtha/Gas	1
Naphtha/Coke Oven Gas	1
Coke	1
Electrolytic Hydrogen	1
Fuel Oil/ISHS	5
Coal	2

(b) In the recent price increase of petroleum products effected in June, 1980, only naphtha used for fertilizer production was covered. As a result, the expenditure on Naphtha used for production of one tonne of urea has increased by Rs. 285 on an average. This increase did not have any effect on the gas-based or coal based fertilizer plants.

(c) In view of the continuing increase in the cost of imports of petroleum products, it is difficult to effect any significant saving in the feed-stock expenditure of the fertilizer plants based on petroleum products. However, continuous efforts are made by the plants to optimise their consumption efficiencies so as to make maximum use of the petroleum products consumed for fertilizer production. Besides, Government is, at present, laying maximum emphasis on setting up of fertilizer plants based on gas indigenously available from the Bombay High/Bassein structures.

#### State Power Ministers' Conference

3008. SHRIMATI SANYOGITA RANE:

SHRI K. RAMAMURTHY:

SHRI A. U. AZMI:

Will the Minister of ENERGY be pleased to state:

(a) whether the State Power Ministers' Conference was held in November this year in New Delhi;

(b) if so, the subject discussed therein; and

(c) what effective steps are being taken to improve and increase power generation in the country?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) Yes, Sir. The Conference of Power Ministers was held on 14.11-1980 with Northern and Eastern Regions and with the other Regions on 15th instant.

(b) The Conference was mainly convened to discuss the power supply position in each State and Region and to review the progress in the commissioning of new projects during 1980-81 and 1981-82. The Conference discussed the following briefly:—

- (1) Review of the power generation during April to October, 1980.
- (2) Generation Plan from November, 1980 to June, 1981.
- (3) Review of the commissioning of Projects.
- (4) Demand Management.
- (5) Review of the steps taken by State Electricity Boards to introduce betterment-cum-renovation programme as per the guidelines sent by the Ministry of Energy.
- (6) Problems with reference to coal supply.
- (7) Problems with reference to the supply of equipments by BHEL & ILK.
- (8) Problems in the movement of coal by Railways.

(c) A number of measures have been and are being taken to improve further energy generation in the country. These measures include:—

- (1) maximising generation from the existing installed capacity.
- (2) expediting commissioning of new generating capacity;
- (3) supply of adequate quality and quantity of coal to thermal power stations;
- (4) arranging supply of spare parts from indigenous and foreign suppliers; and
- (5) reduction of losses in transmission and distribution systems.

**Implementation of Third Pay Commission's pay scales by DESU**

**3009. DR. KARUPASINDHU BHOI:**  
Will the Minister of ENERGY be pleased to state:

(a) what is the report of the Departmental Committee set up in 1978 to select out the 3rd Pay Commission's pay scale to the medical officers working in Delhi Electric Supply Undertaking;

(b) if the report has not been submitted, the reasons for delay and in exactly how much time the Committee is expected to submit its report; and

(c) if submitted, how much time DESU are expected to take to implement the recommendations of that Committee?

**THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN):** (a) No Departmental Committee was set up in 1978 to select out the Third Pay Commission's pay scales to the Medical Officers working in Delhi Electric Supply Undertaking.

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

**Sites for Bangalore T.V.**

**3010. SHRI H. N. NANJE GOWDA:**  
Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether it is a fact that technical expert from Bombay and Delhi T.V. Centre picked up six alternative sites in the city of Bangalore for T.V. centre; and

(b) by what time Bangalore city will get TV and which is the centre chosen for this purpose?

**THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (KUMARI KUMUD. BEN M. JOSHI):** (a) A site survey was conducted by the Regional Engineer, All India Radio (South) with

Doordarshan engineers from Delhi and few alternative sites were located for setting up a TV Centre at Bangalore.

(b) Bangalore city is expected to get TV service by 1983-84. A site on Jayamahal Road is currently under consideration.

**Delay in implementing DESU's Projects**

**3011. SHRI KUMBHA RAM ARYA:**  
Will the Minister of ENERGY be pleased to state:

(a) whether it is a fact that a number of important projects of Delhi Electric Supply Undertaking (DESU) have been considerably delayed including the electrification of the re-settlement colonies in Delhi;

(b) whether it is also a fact that a large number of applications for new connections are pending with DESU since long.

(c) if so, the names of the projects which have been delayed stating the reasons for delayed in their completion;

(d) the number of applications for new connections pending stating the period of their pendency and the reasons for their remaining undisposed; and

(e) the estimated escalation in the cost of the projects because of delay in their completion and the steps taken by the Government to ensure their completion expeditiously?

**THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN):** (a) The Government attaches great importance to the electrification of re-settlement colonies in Delhi. There has been no delay in the execution of work of generation electrification of re-settlement colonies in Delhi. There has, however, been some delay in the execution of some of the other projects.



(b) About 24,000 applications were received for providing new connection in resettlement colonies from April to end of November, 1980. Out of these, about 18,000 connections have already been given and the balance 6,000 are in the various stages of execution.

(c) There has been minor delay in the execution of the Projects relating to provision of additional electrostatic precipitators for units 2, 3 and 4 at I.P. Station and 66 KV transmission lines. The delay in the Project pertaining to provision of additional Electrostatic precipitators at I.P. Station has been due to delay in the transportation of import materials from Bombay to Delhi and on account of non-availability of steel. The delay in the work of 66 K.V. Transmission lines has been due to delay in the supply of tower material by the contractor.

(d) The total number of pending applications for new connections for the resettlement colonies at the end of November, 1980 were roughly about 6,000. The period of pendency of the applications is given below:—

Applications pending for less than one month	4,500
Pending over one month but less than 3 months	1,400
Over 3 months	100
	<hr/>
Total:	6,000
	<hr/>

(e) There is no cost escalation in regard to provision of additional electrostatic precipitator at I.P. Station. The increase in the cost of the work of 66 KV transmission lines is estimated to be about Rs. 2.5 lakhs against the estimated total cost of Rs. 2.27 crores. Delhi Electric Supply Undertaking has been advised to complete the pending work expeditiously.

**पेट्रोल/डीजल स्टेशनों की स्थापना के लिए लाइसेंस जारी करना**

3012. श्री मूल चन्द डागा : क्या पेट्रोलियम, रसायन और उर्बरक मंत्री यह बताने की कृपा करेंगे कि :

(क) गत तीन वर्षों के दौरान देश में, स्थान-वार तिथिवार और राज्य-वार किन पार्टियों (व्यक्तियों) को पेट्रोल पम्प स्टेशन और डीजल पम्प स्टेशन स्थापित करने के लिए लाइसेंस दिए गए हैं और इन फिलिंग स्टेशनों के आवंटन में क्या मानदण्ड अपनाया गया ; और

(ख) उन पेट्रोल पम्प अथवा डीजल पम्प स्टेशनों के नाम क्या हैं जिनके लाइसेंस, इसी अवधि के दौरान उनके मालिकों अथवा उनके कर्मचारियों द्वारा लाइसेंसों की शर्तों का उल्लंघन करने के लिए रद्द कर दिए गए थे ?

पेट्रोलियम, रसायन और उर्बरक मंत्री (श्री प्रकाश चन्द्र सेठी) : (क) डीजल/पेट्रोल पम्प की डीलरशिपें प्रदान की गई पार्टियों (व्यक्तियों) के नाम, स्थान, नियुक्त तिथि आदि सरकार द्वारा नहीं रखे जाते हैं। इस विशाल वास्तविक और सांख्यिकीय सूचना को एकत्र/समेकित करना खर्चीला और समय लगाने की प्रक्रिया है। इनका रिकार्ड सम्बन्धित तेल कम्पनियों में रखा जाता है। डीलरशिपों को प्रदान करने के लिए निम्नलिखित मापदण्ड अपनाये जाते हैं :—

प्रभावी नीति/मार्गदर्शन के अनुसार जून, 1980 तक सार्वजनिक क्षेत्र की तेल कम्पनियों की सभी प्रकार की 25 प्रतिशत एजेंसियों अनुसूचित जातियों/अनु० जन-जातियों के लिए, 2 प्रतिशत अपाहिज व्यक्तियों के लिए आरक्षित की जाती थी और शेष 73 प्रतिशत वाणिज्यिक आधारों पर

प्रदान की जाती हैं, वास्तविक और कुशल सहकारी समितियों और एग्री इंडस्ट्रीज नगमों को वरीयता दी जाती है। किसी भी व्यक्ति को कोई एजेंसी नहीं प्रदान की जायेगी यदि उसकी अथवा उसके निकट सम्बन्धी जैसे उसके पति/पत्नी, पिता, भाई अथवा पुत्र के पास किसी भी तेल कंपनी की एजेंसी है। सम्बन्धित क्षेत्र में परिचालन समाचार पत्रों में विज्ञापन दे कर आवेदन पत्र मंगाकर सभी नियक्तियों की जाती हैं। सम्बन्धित तेल कंपनियों द्वारा इस उद्देश्य से विधिवत गठित चयन समिति द्वारा व्यक्तियों का चयन किया जाता है।

(ख) अपेक्षित सूचना एकत्र की जा रही है और सभा पटल पर प्रस्तुत कर दी जायेगी।

**मिट्टी के तेल के लिए थोक व्यापारियों और एजेंटों की नियुक्ति**

3013. श्री दलोप सिंह भूरिया : क्या पेट्रोलियम, रसायन और उर्वरक मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि मिट्टी के तेल के लिए लाइसेंसिंग आर्डर जारी करने के बाद भी थोक व्यापारियों तथा एजेंटों को नियुक्त करने का अधिकार अभी भी सभी राज्यों की तेल कंपनियों के पास है जब कि सीमेंट के स्टाकिस्टों की नियुक्ति के लिए कंपनियों के ऐसे ही अधिकार वापस ले लिए गये हैं और यदि हां, तो मिट्टी के तेल के मामले में ऐसी ही वितरण प्रणाली लागू न करने के क्या कारण हैं ; और

(ख) क्या केन्द्रीय सरकार का विचार मिट्टी के तेल के वितरण को 20 सूची कार्यक्रमों में शामिल करने का है ?

**पेट्रोलियम, रसायन और उर्वरक मंत्री (श्री प्रकाश चन्द्र सेठी):** (क) जब कि मिट्टी के तेल के लिए वितरक तेल कंपनियों द्वारा नियुक्त किये जाते हैं, उपरोक्त वितरकों को थोक बिक्री के लिए लाइसेंस सम्बद्ध राज्य सरकारों द्वारा दिये जाते हैं। मिट्टी के तेल के वितरकों की नियुक्ति, तेल कंपनियों जिनमें से अधिकतर सार्वजनिक क्षेत्र में हैं, भारत सरकार द्वारा निर्धारित की गई नीति तथा प्रक्रिया के अनुसार की जाती है। चूंकि वर्तमान व्यवस्था सही तरीके से कार्य कर रही है, व्यवस्था में परिवर्तन आवश्यक नहीं है

(ख) मिट्टी का तेल आवश्यक वस्तु है तथा नियंत्रित मूल्यों पर उत्पाद के समुचित वितरण के लिए सभी उपाये किये जा रहे हैं।

**Research on inflammable gas for supplement energy source**

3014. SHRIMATI GEETA MUKHERJEE: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether in the background of acute energy crisis in the country proper attention is being given to numerous reports of occurrence of inflammable gas in wells, tube-wells, swamps and similar outlets distributed all over the country, especially the deltaic ones; and

(b) whether Government thought of developing research and development facilities to try out methods of developing shallow and dissolved gas technology as a potential supplementary energy source on a relatively small scale and dispersed region?

**THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI):** (a) From time to time reports are being received by ONGC from various sources regard-

ing the occurrence of gas or oil in various parts of the country and in all such cases ONGC carries out on the spot investigations as well as laboratory analysis of the samples collected. In their area of activity, Oil India Limited has also not allowed to go un-noticed any show of hydrocarbons even though it was superficial.

(b) R&D efforts of ONGC are directed towards developing petroleum resources in the country. ONGC is not doing any R&D work on methods of developing shallow dissolved gas (marsh gas).

दिल्ली के आकाशवाणी तथा दूरदर्शन केन्द्रों की घड़ियां

3015. श्री होरा लाल आर० परमार : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को इस बात की जानकारी है कि दिल्ली के आकाशवाणी तथा दूरदर्शन केन्द्रों की घड़ियां हमेशा अलग अलग समय बताती हैं ;

(ख) क्या यह सच है कि दिल्ली दूरदर्शन के कई दर्शकों ने इस सम्बन्ध में शिकायतें की हैं ; और

(ग) यदि हां, तो दोनों केन्द्रों के एक ही स्थान पर स्थित होने के बावजूद दोनों केन्द्रों की घड़ियों द्वारा भिन्न-भिन्न समय दिखाये जाने के क्या कारण हैं और क्या इस गलती को दूर किया जायेगा ?

सूचना और प्रसारण मंत्रालय में उप-मंत्री (कुमारो कुमुब बेत एम० जोशी) : (क)जी, नहीं ।

(ख) दिल्ली दूरदर्शन केन्द्र को इस सम्बन्ध में कोई शिकायत प्राप्त नहीं हुई है ।

(ग) जहां तक आकाशवाणी का संबंध है इन घड़ियों का ब्रिटिश ब्राडकास्टिंग कारपोरेशन द्वारा प्रसारित समय सिगनलों और राष्ट्रीय भौतिक प्रयोगशाला, नई दिल्ली द्वारा प्रसारित परमाणु मानक समय सिगनलों के साथ नियमित रूप से मिलान किया जाता है । इस प्रकार, आकाशवाणी द्वारा घोषित और प्रसारित समय सिगनलों को भारतीय मानक समय के साथ मिलाया जाता है ।

दिल्ली दूरदर्शन का डिगीटल घड़ी को प्रतिदिन 1700 बजे से 1730 बजे के बीच आकाशवाणी, दिल्ली की बड़ी घड़ी के साथ मिलाया जाता है और इसके द्वारा सही समय देने की अपेक्षा की जाती है । हालांकि यह संभावना है कि कुछ अवसरों पर इन घड़ियों में कुछ सेकण्डों का अन्तर दिखाई पड़ा हो । यह अन्तर कुछ सेकण्डों तक ही सीमित हो सकता है ।

सही समय के प्रदर्शन को सुनिश्चित करने के लिए घड़ियों को प्रतिदिन मिलाया जा रहा है ।

बरोनी और बोगाईगांव में बन्द पड़े तेल शोधक कारखाने

3016. श्री जगपाल सिंह : क्या पेट्रोलियम, रसायन और उर्वरक मंत्री यह बताने की कृपा करेंगे कि क्या आसाम आन्दोलन के कारण बरोनी और बोगाईगांव स्थित तेलशोधक कारखाने बन्द पड़े हैं जिसके परिणामस्वरूप नेफथा, मिट्टी के तेल, हाई स्पीड डीजल, मोटर स्पिरिट जैसे पेट्रोलियम उत्पादों के कितनी हानि हुई है, यदि हां, तो कितनी हानि हुई है ?

पेट्रोलियम, रसायन और उर्वरक मंत्रालय में राज्य मंत्री (श्री बलबीर सिंह) : जब कि गोहाटी एवं दिम्बोई शोधनशालाओं

में असम झान्दोलन के कारण रुक-रुक कर कार्य हो रहा है, बोंगाईगांव एवं बरोनी शोधनशालाएं दिसम्बर, 1979 के अन्त/जनवरी, 1980 के शुरू से बन्द पड़ी हैं। जनवरी, 1980 से अक्टूबर, 1980 के अन्त तक दिग्बोई, गोहाटी, बोंगाईगांव तथा बरोनी शोधनशालाओं में असम में

झान्दोलन के कारण कुल अनुमानित 3.5 मि० मी० टन क्रूड थू पुट की हानि हुई है। विभिन्न उत्पादों के उत्पादन में हुई अनुमानित हानि तथा औसत अन्तर्राष्ट्रीय मूल्यों के संदर्भ में उनकी कुल कीमत नीचे दी गई है :—

उत्पाद	मात्रा (000 मी/टन)	मूल्य (रुपये/ करोड़ों में)
एम० एस० नेफथा	601	168.28
ए० टी० एफ०/मिट्टी का तेल	276	77.28
एच० एस० डी०/एल०डी०ओ०	1480	390.72
एफ० ओ०/एल० एस० एच० एस०	542	82.38
अन्य उत्पाद	285	45.60
जोड़ (सभी उत्पाद)	3184	764.26
ईंधन और हानियां	266	—
कुल क्रूड थू पुट	3450	—

इसी समय में बरोनी तथा बोंगाईगांव शोधनशालाओं में क्रमशः 2.676 मि० मी० टन तथा 0.45 मि० मी० टन क्रूड थू पुट की हानि हुई है।

#### Names of coal based Fertilizer Plants

3017. SHRI ARJUN SETHI: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) the names of coal-based fertilizer plants in the country which are functioning on commercial production; and

(b) the number and names of the coal based fertilizer units which are likely to start functioning during the current financial year?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM, CHEMICALS AND FERTILIZERS

(SHRI DALBIR SINGH): (a) The two coal-based fertilizer plants one at Ramagundan in Andhra Pradesh and the other at Talcher in Orissa have gone on commercial production with effect from 1st November, 1980.

(b) Nil.

#### Medical facilities at Coal Mines

3018. SHRI KAMAL NATH JHA: Will the Minister of ENERGY be pleased to state:

(a) whether Government are aware that the medical facilities available at the coal mines are inadequate; and

(b) if so, steps Government propose for meeting such inadequacy with special emphasis on tribal areas?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) and (b) After nationalisation of coalmines, 98 dispensaries and 5 hospitals have been added to the then existing medical facilities. In addition, a strength of 344 doctors (including specialists) and 536 beds have been added to the hospitals, besides 187 ambulance vans in the different coalfields.

Besides these facilities, certain other medical facilities are also provided by Coal Mines Welfare Organisation with 3 Central and 12 Regional Hospitals with 1136 total number of beds. Some more beds have been provided/arranged for T.B., Leprosy and Mental cases. They have also established 29 Ayurvedic dispensaries and seven Sub-Units for Malaria eradication. Two Artificial Limb Centres have been established at Chhindwara and Sidabari.

The medical facilities are proposed to be further augmented under the NCWA-II e.g.:—

(i) Dispensaries with adequate medical and para-medical staff to be provided in every colliery.

(ii) Ambulance vans to ensure speedy movement of serious/emergency cases to the hospitals/dispensaries.

(iii) A bed, at the rate of 160 employees for indoor-patients in the hospitals of the coal companies and CMWO by the year 1982.

(iv) A Regional Hospital with 100 or more beds with Specialists services.

(v) A well-equipped central hospital with Specialists services in each of the two Companies viz. CCL and WCL.

These facilities also cover a large number of employees of coal companies and their families who are from tribal areas.

Suggestion by Petroleum Conservation Research Association

3019. SHRI CHATURBHUJ: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether the Petroleum Conservation Research Association has suggested some efficient driving practices and better maintenance of vehicles which can save for India 6 per cent of the total oil consumed; and

(b) main points of the suggestions, Government's reaction thereto and the instructions, if any, issued for Government's vehicles?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) Yes, Sir.

(b) The main points in the suggestion of the Petroleum Conservation Research Association are good driving practices like slow and steady driving, proper selection and operation of gears and clutches, anticipation of stops and maintenance measures like the maintenance of fuel injection equipment of the vehicles to avoid smoke emission, periodic tuning of engines and maintenance of tyre pressure. The Petroleum Conservation Research Association has set up 7 Model Depots with the approval of the Ministry in State Transport Undertakings. Besides, on the advice of this Ministry the Ministry of Shipping and Transport had written in 1977 to all State Governments and Union Territories about placing limits on the speed of vehicles of the State Transport Undertakings for saving diesel.

**Fertilizer Factories closed for want of Power**

3020. SHRI ZAINUL BASHER: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) how many fertilizer factories were closed during the last three years for want of power; and

(b) what is the estimated loss in production and in value?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI DALBIR SINGH): (a) While power cuts and power problems affected the production of fertilizers to varying degrees in a number of plants, two operating plants had to close down due to power cuts—Varanasi plant for 9 days in September, 1979 and 6 days in October, 1979 and Mangalore plant from 10th February, 1980 upto 7th July, 1980.

(b) Total loss of production on account of power cuts and power problems during the last three years (1977-78 to 1979-80) amounted to about 3 lakh tonnes of nitrogen, valued around Rs. 130 crores at current international prices.

**Improvement in Judicial Services**

3021. SHRI K. LAKKAPPA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether there is any proposal to make improvement in judicial services in the country; and

(b) if so, what are the measures contemplated by the Ministry?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIV SHANKAR): (a) and (b). In so far as the question of improving the conditions of service of the Judicial Officers of the rank of District and Sessions Judges and

Judges subordinate thereto in the country is concerned, it is for the States to make such improvements as may be considered necessary by them.

As regards the question of improving the conditions of service of the Judges of Supreme Court and High Courts, a bill entitled "The High Court and Supreme Court Judges (Conditions of Service) Amendment Bill, 1980" has been passed by both the House of Parliament in the current session. The bill provides for (i) leave on full allowances (equal to monthly rate of pay) for a maximum period of 120 days to each Judge of the High Courts and Supreme Court on medical grounds instead of the present entitlement of 45 days; (ii) exemption from income-tax in respect of rent free official residence to these Judges or the allowance payable to High Court Judges in lieu thereof from the Assessment year 1975-76 commencing from 1st April, 1974 and (iii) removal of the distinction between "Pensionable Civil Post" and "Pensionable Military post" held by a person prior to becoming a Judge.

**Visit of Hitachi Official for Colour T.V.**

3022. SHRI JANARDHANA POOJARY: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether Vice President of Hitachi of Japan visited India to explore possibilities of introducing colour T.V. in this country;

(b) whether some other countries have also offered for collaboration for the manufacture of colour TV; and

(c) if so, the names of these countries, the details of the offers made and Government's reaction thereon?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (KUMARI KUMUDBEN M. JOSHI): (a) to (c). A representative of Hitachi who was

in India recently made a courtesy call on the Minister of I & B. However, no negotiations have been made with any country regarding collaboration arrangements for introduction of colour T.V. in India.

**Assistance by West Germany by Oil Exploration**

3023. SHRI CHINTAMANI PANIGRAHI: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether a delegation from West Germany has offered to assist in oil exploration and drilling of wells etc.; and

(b) if so, what is the reaction of the Government thereto?

THE MINISTER OF PETROLFUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) and (b). At present no specific offer of technical assistance in oil exploration, drilling, etc. from the Federal Republic of Germany is under the consideration of the Government. However, against the pre-qualifying bid for oil exploration in India, one company from the Federal Republic of Germany viz. Deminex—has also responded. This company has been short-listed among other companies for making bids for the blocks on offer.

“आज संसद् में” (टु डे इन पार्लियामेंट) कार्यक्रम में भाग लेने के लिए आमंत्रित व्यक्ति

3024. श्री सत्य नारायण जटिया : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) जनवरी, 1980 से अब तक की अवधि में आकाशवाणी द्वारा प्रसारित किए

गए अंग्रेजी और हिन्दी कार्यक्रम स्पार्टलाइट तथा सामयिकी और “टु डे इन पार्लियामेंट” तथा “संसद् समीक्षा” में भाग लेने के लिए आकाशवाणी, रेडियो तथा दूरदर्शन में काम करने वाले व्यक्तियों से भिन्न दूसरे व्यक्तियों को किस हैसियत से आमंत्रित किया गया और उनका व्यौरा क्या है; और

(ख) क्या उक्त कार्यक्रमों में भाग लेने वालों के चयन के लिए कोई निर्धारित चयन प्रक्रिया है और यदि हां, तो उसका व्यौरा क्या है ?

सूचना और प्रसारण मंत्रालय में उप-मंत्री (कुमारी कुमुदबेन एम० जेश):

(क) और (ख) आकाशवाणी के “स्पार्टलाइट” “सामयिकी”, “टु डे इन पार्लियामेंट” और “संसद् समीक्षा” नामक कार्यक्रमों की प्रतिलिपियां, स्क्रिप्ट तैयार करके देने वाले व्यक्ति के नाम सहित संसद् के पुस्तकालय को नियमित रूप से भेजी जाती हैं। सदस्य अपेक्षित सूचना के लिए कृपया उसको देखें। दूरदर्शन के सम्बन्ध में सूचना परिशिष्ट में दी गई है।

आकाशवाणी और दूरदर्शन के कर्मचारियों को छोड़ कर अन्य व्यक्तियों को विशेष कार्यक्रम के लिए उनकी उपयुक्तता, विषय पर उनके ज्ञान को ध्यान में रखते हुए, उनके व्यावसायिक अनुभव और उपलब्धता इत्यादि जैसे अन्य तथ्यों के आधार पर कामेटी कार्यक्रमों में भाग लेने के लिए आमंत्रित किया जाता है। संसद् की दैनिक समीक्षा अर्थात् “टु डे इन पार्लियामेंट” और “संसद् समीक्षा” के लिए केवल कार्यरत पत्रकारों को ही आमंत्रित किया जाता है।

संसद् समीक्षा के लिए दिल्ली दूरदर्शन द्वारा 1-1-80 से 1-11-80 तक की अवधि के लिए आमंत्रित किए गए पत्रकार ।

नाम	श्रेणिक	बुकिंगों की संख्या
1. श्री एम० के० धर्मराज	वीक इन पार्लियामेंट	7
2. श्री जे० डी० सिंह (टाइम्स आफ इण्डिया)	वीक इन पार्लियामेंट	6
3. श्री भूषण रेना (नेशनल हेराल्ड)	वीक इन पार्लियामेंट	2
4. श्री सत्य सुमन (समाचार भारती)	संसद समीक्षा	3
5. श्री धर्मवीर गांधी (समाचार भारती)	संसद् समीक्षा	2
6. श्री एम० एल० रस्तोगी (नेशनल हेराल्ड)	संसद समीक्षा	4
7. श्री शरद द्विवेदी (समाचार भारती)	संसद् समीक्षा	2
8. श्री विश्व बन्धु गुप्ता (तेज)	संसद् समीक्षा	2

#### Salal Hydel Project in J & K

3025. SHRI P. NAMGYAL: Will the Minister of ENERGY be pleased to state:

(a) when the work on Salal Hydel Project in J & K was started and when the project is scheduled to be completed;

(b) total amount earmarked for the said project and total expenditure incurred so far;

(c) total expected output of energy when completed and per unit cost of electricity;

(d) whether the project is expected to be completed as per schedule; and

(e) the reasons for slow progress of the project?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) The work on infrastructure development, which includes the laying of roads, construction of colonies, and setting up of workshops, etc., started in 1970. The work on foundation excavation for the concrete spill-way and diversion tunnel started in 1972. Work on the main components of the Project started only in 1975-76. The Project is scheduled to be completed in March, 1987.

(b) Out of a sanctioned estimate (1976) of Rs. 22.15 crores, the expenditure till September, 1980 is Rs. 137.75 crores.

(c) The total expected output of energy when completed is 2062 million units. As per the sanctioned estimate (1976) per unit cost of elec-



tricity works out to 16.10 paise per unit.

(d) Yes, Sir.

(e) Being a project in the young Himalayas, where the geology is heterogenous, serious problems were encountered in the course of construction requiring changes in design, which involved increase in quantities and scope of work. This has resulted in the construction taking a longer time than originally envisaged.

**Proposal to improve the condition of Calcutta, A.I.R.**

3026. SHRI SATYAGOPAL MISRA: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether there is a proposal under the consideration of the Government of India to improve the condition of the Calcutta centre of All India Radio;

(b) if so, the details thereof; and

(c) if not, the reasons therefor?

THE DEPUTY MINISTER OF INFORMATION AND BROADCASTING (KUMARI KUMUDBEN M. JOSHI): (a), (b) and (c). Improvement in any station of All India Radio in respect of programme production, transmission and general administration is a continuing process and Calcutta station is no exception. It is the endeavour of the Government to effect all round improvement in facilities at AIR stations, subject to norms, priorities and available resources. Facilities available at the Calcutta station are considered adequate for the present requirements.

**Conference of Editors of News Papers**

3027. SHRI SATISH AGARWAL: SHRI N. K. SHEJWALKAR: DR. VASANT KUMAR PANDIT:

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

(a) whether it is a fact that a Conference was held recently in Bombay

of the Editors of the small and medium Newspapers in the Country;

(b) whether it is also a fact that huge sums of money were spent by the State Government on travelling, lodging and boarding expenses of the delegates;

(c) whether any central assistance was given for this conference, and if so, the amount thereof; and

(d) whether the Central Government propose to hold any conference of the big newspapers in the country?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (KUMARI KUMUDBEN M. JOSHI): (a) Yes, Sir.

(b) An approximate amount of Rs. 5.65 lakhs was spent on the Conference by the State Government.

(c) No, Sir.

(d) There is no such proposal under the consideration of the Government at present.

**Scholarships offered by Doordarshan for training abroad**

3028. SHRI RAM AVADH: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) how many scholarships were offered by different countries to 'Doordarshan' for training their programme staff in the past three years;

(b) how many scholarships were utilised and who were the persons sent for training abroad;

(c) how many scholarships were not utilised; and

(d) the reasons thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (KUMARI KUMUDBEN M. JOSHI): (a) No

offer of scholarship from foreign countries for training the programme staff was received by Doordarshan during the last 3 years. However, programme staff of Doordarshan have been sent abroad from time to time for training or for attending various Workshops whenever such offers are received from foreign countries/organisations.

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

**Establishment of reserves for oil and petro-chemicals company**

3029. SHRI CHHITTUBHAI GAMBIT: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether there is any proposal under consideration of Government to establish more recoverable reserves of oil and conserve them during the Sixth Five Year Plan period;

(b) whether some petro-chemical complexes would be established, besides the one functioning at Baroda; and

(c) if so, whether Government have appointed any committee regarding the selection of their locations and if so, the details thereof?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) Yes, Sir.

(b) Government have decided in principle to set up two gas crackers and its downstream units one in Maharashtra and another in Gujarat. A letter of intent has also been issued to Govt. of West Bengal for setting up a petro-chemical complex at Haldia.

(c) The two Site Selection Committees appointed for the purpose recommended unanimously to locate the Petrochemical Complexes one at Usar, South of Thal-Vaishet and another at Kavas in Gujarat.

3030. SHRI KAMLA MISHRA MADHUKAR: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether it is a fact that the dismal Crude prospects have caused a sharp rise in demand for industrial alcohol;

(b) if so, whether it is a fact that many of the sugar mills and Khand-sari units in the country either throw away their molasses or sell them as cattle feed; and

(c) if it is so, what measures are proposed to be taken for the proper utilisation of molasses?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) No Sir.

(b) As reported by the State Governments at the meeting of the Central Molasses Board on 11-11-1980, in the Molasses year 1979-80, out of a total availability of 20.75 lakh tonnes, 19.71 lakh tonnes were utilised, leaving a carry over of 1.04 lakh tonnes. Out of the 19.71 lakh tonnes of molasses utilised as much as 17.54 lakh tonnes was used for alcohol production, the balance being used for other purposes including manufacture of cattle feed.

(c) The production and disposal of molasses is regulated by the Molasses Control Order 1961, which is applicable in all the States except Bihar, Haryana, U.P., Maharashtra, Punjab and West Bengal. These latter State Governments have similar Molasses Control Orders of their own. The Molasses Control Order provides for a separate funding, equal to 1/3rd of the sale proceeds of the molasses, to be utilised for the construction, by the sugar factories, of proper and adequate storage facilities for molasses. The State Governments have been advised to expedite the construction by sugar factories of adequate

and proper storage facilities so that molasses is not wasted. This advice was also reiterated recently at the meeting of the Central Molasses Board on 11-11-1980.

**Places of location of Thermal Power Units in the country and their performance**

3031. DR. A. U. AZMI: Will the Minister of ENERGY be pleased to state:

(a) the names, places of location of thermal power units throughout the country along with details of each such plants working during the last one year;

(b) whether there has been marked shortfall in power generation in these plants; and

(c) if so, the effective steps being taken and results thereof?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) A statement showing name, location, capacity and performance during 1979-80 of the major thermal power stations of 20 MW capacity and above in the country is attached.

(b) The thermal generation has increased by 21 per cent during November, 1980 as compared to thermal generation during the corresponding period last year. There may, however, be some individual power stations where the generation may be less than the generation during the corresponding period last year.

(c) Does not arise.

**Statement**

State-wise, \*Major Thermal Power Plants and their Capacity Utilisation during 1979-80.

State	Power Station	Station Capacity (MW)	Plant Load Factor during 1979-80 (%)
1	2	3	4
Delhi	Badarpur 1-3	300	48
	Badarpur-4	210	14
	Indraprastha	282.5	68
	Rajghat	28	54
Haryana	Faridabad Extn. 1-2	120	35
	Panipat-1	110	15
	Panipat-2	110	—
J & K	Kalakote	22.5	6.1
Punjab	Bhatinda 1-4	440	29.6
Uttar Pradesh	Obra (Thermal) 1-5	250	44
	Obra Extn. 1(6)	100	59

\*Thermal Power stations with capacity of 20 MW and above.

1	2	3	4
	Obra Extn. 2(7)	100	62
	3(8)	100	—
	Obra Extn. 1-3		
	(6-8)	300	40
	(11)	200	38
	(10)	200	42
	Obra Extn. 4-5		
	(11 & 10)	400	40
	Obra Extn. 6(9)	200	2
	Harduaganj (B)	220	43
	Harduaganj (A)	90	43
	Harduaganj C.1	60	21
	Harduaganj Stn. V	110	55
	Renusagar	125	100
	Panki Extn. 1	110	31
	Panki Extn. 2	110	45
	Panki Extn. 1-2	220	38
	Panki	61	66
	RPH (Kanpur)	65	37
	Dhuvaran (Thermal)	534	63
	A.E. Co.	192.5	60
	Ukai 1-2	240	47
	Ukai 3-4	400	27
	Gandhi Nagar 1-2	240	52
	Sabarmati Extn.	110	46
Madhya Pradesh	Satpura 1-5	312.5	62
	6	200	5
	Korba-II	200	52
	Korba-III	120	76
	Korba-I	100	50
	'A' Kantak Ex. 1-2	240	61
	A 'Kantak	60	76

1	2	3	4
Maharashtra	Trombay	330	74
	Nasik 1-2	280	69
	3	210	16
	Koradi 1-5	680	60
	K'Kheda . . .	90	52
	Paras . . .	92.5	59
	Bhusawal 1-1	62.5	65
	Bhusawal 1-2	210	2
	Parli . . .	60	85
	Chola	40	72
Andhra Pradesh	K'Gudem 'A'	240	49
	K'Gudem 'B'	220	26
	K'Gudem 'C' 1-2	220	48
	R'G dem 'B'	62.5	74
	R' Gundem (A)	20	53
	Nellore	30	28
	Vijawada	210	26
Tamil Nadu	Neyveli	600	45
	Ennore 1-5	450	39
	Basin Bridge	90	41
	Tuticorin	210	13
Bihar	Patratu 1-8	620	39
	Barauni	145	31
D.V.C.	Chanderpura 1-6	780	38
	Durgapur	250	40
	Bokaro	227.5	48
Orissa	Talcher	250	31.8
West Bengal	C.E.S.C.	328	56
	Bandel	320	55
	D.P.L.	280	32
	Santaldih 1-3	360	36
	Gouripur	28	15
Assam	Namrup	111.5	41
	Chandrapur	30.0	43

**Strategy to regulate Power Demand in Industrial and Agricultural Sector**

3032. SHRI S. A. DORAI SEBASTIAN: Will the Minister of ENERGY be pleased to state:

(a) the details of the strategy that has been worked out to regulate power demand both in industrial and agricultural sector;

(b) the details of six point strategy to meet the power requirement of various sectors of economy; and

(c) the names of states which have implemented the two strategies?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) to (c). Government of India have issued guidelines to the various State Governments to regulate power supply in terms of a scheme of graded priorities during the periods of power shortage. Under this scheme, power supply is given to essential consumers on priority. Agriculture and priority industries like fertilizers, pharmaceuticals etc., have been included in the list of essential consumers.

The State Governments, by and large, keep the general guidelines given by the Government of India in 1974 in view, when power cuts/restrictions are imposed while also keeping in view the interest of the industries and other consumers in the State.

**Branch Secretariats of Law Department**

3033. SHRI P. RAJAGOPAL NAIDU: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the number of Branch Secretariats of Law Department in the country;

(b) the places where they are; and

(c) their functions?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIV SHANKAR): (a) There are three Branch Secretariats of the Department of Legal Affairs in the country.

(b) One each at Bombay, Calcutta and Madras.

(c) Their functions are to give legal advice to Central Government Offices, to look after the conveyancing and litigation work of the Central Government and to conduct cases on behalf of the Central Government in High Courts and Subordinate Courts.

**Personnel for A.I.R. Darbhanga Station**

3034. SHRI HARINATHA MISRA: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) the date on and from which the A.I.R. Darbhanga started functioning;

(b) what were the sanctioned posts of various categories;

(c) the posts that have been filled up and that remain to be filled up even now and the reasons therefor; and

(d) is it a fact that since the very inception of the Radio Station, it has been functioning without a Director except for a few months in 1979 and if so, the reasons and justification for the same?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (KUMARI KUMUDBEN M. JOSHI): (a) All India Radio Darbhanga started functioning on 2nd February, 1976.

(b) and (c). The information about sanctioned strength, number of posts filled and number of vacancies is given in the statement. Some of the

posts are vacant mainly because action to recruit personnel is not yet complete. All efforts are being made to fill up these vacant posts.

joined on 29-3-1979 retired on 3-4-1980. The post could not be filled up due to the shortage of officers in this grade. Orders for posting a Station Director have since been issued and he is likely to join shortly.

(d) No, Sir. A Station Director who

*Statement*

S.No.	Designation of Post	Sanctioned Strength	No. of Posts	
			Vacant	Filled up
1	2	3	4	5
1.	Station Director	1	1	..
2.	Station Engineer	1	..	1
3.	Asstt. Station Engineer	1	..	1
4.	Asstt. Engineer	1	..	1
5.	Programme Executive	3	..	3
6.	Farm Radio Officer	1	..	1
7.	Senior Engineering Asstt.	4	..	4
8.	Engineering Assistant	11	..	11
9.	Diesel Technician	1	1	..
10.	Sr. Technician	3	..	3
11.	Technician	4	1	3
12.	Librarian	1	..	1
13.	Transmission Executive	4	1	3
14.	Programme Secretary	1	..	1
15.	Telephone Attendant	2	1	1
16.	Motor Driver	3	..	3
17.	Accountant	1	..	1
18.	Store Keeper	1	..	1
19.	Clerk Grade-I	3	..	3
20.	Clerk Grade-II	8	3	5
21.	Helper	2	..	2
22.	Studio Guard	2	1	1
23.	Dafttry	2	..	2
24.	Peon	5	1	4
25.	Security Guard	7	1	6
26.	Farash	2	..	2

1	2	3	4	5
27. Safaiwala	.	2	..	2
28. Mali	.	1	..	1
29. Stenographer	.	2	1	1
30. Announcer	.	3	..	3
31. Announcer/Compere	.	1	..	1
32. Tabla Player	.	1	..	1
33. Flute Player	.	1	..	1
34. Music Composer (Junior)	.	2	1	1
35. Pakhawaj Player	.	1	..	1
36. Sarod Player	.	2	..	2
37. Dholak Player	.	1	..	1
38. Producer (Educational Broadcast)	.	1	..	1
39. Assistant Editor Script (Educational Broadcast)	.	1	1	..
40. Production Assistant	.	1	..	1
41. Farm Radio Reporter	.	1	..	1
42. Assistant Editor (Script) (Farm & Home)	.	1	..	1
43. Sitar Player	.	2	2	..
44. Violin Player	.	1	1	..
45. Tanpura Player	.	1	1	..

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मध्य प्रदेश में राष्ट्रीय तापीय विद्युत् निगम द्वारा विद्युत् संयंत्रों की स्थापना

3035. श्री नन्द किशोर बर्सा : क्या ऊर्जा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या मध्य प्रदेश में राष्ट्रीय तापीय विद्युत् निगम के अन्तर्गत विद्युत् संयंत्रों की स्थापना की जा रही है; और

(ख) यदि हां, तो उसके क्या कारण हैं ?

ऊर्जा मंत्रालय में राज्य मंत्री (श्री विक्रम महाजन) : (क) और (ख) : राष्ट्रीय ताप विद्युत् निगम इस समय मध्य

प्रदेश में बिलासपुर जिले में कोरबा में एक सुपर ताप विद्युत् केन्द्र स्थापित कर रहा है। मध्य प्रदेश में छिन्दवाड़ा जिले में पेंच में एक सुपर ताप विद्युत् परियोजना स्थापित करने के लिए एक व्यवहार्यता रिपोर्ट भी उसने केन्द्रीय सरकार को भेजी है। इस समय इस व्यवहार्यता रिपोर्ट का केन्द्रीय विद्युत् प्राधिकरण में तकनीकी-आर्थिक दृष्टि से मूल्यांकन किया जा रहा है। हाल ही में राष्ट्रीय ताप विद्युत् निगम से यह भी कहा गया है कि मध्य प्रदेश में सीधी जिले में वैधान में एक सुपर ताप विद्युत् केन्द्र स्थापित करने के लिए वह एक व्यवहार्यता रिपोर्ट तैयार करे।



सम्बन्धित क्षेत्रों में विद्युत् विकास में राज्य सरकारों और राज्य बिजली बोर्डों के प्रयासों की, सगठनात्मक और वित्तीय, दोनों ही प्रकार से, अनुपूर्ति करने के लिए भारत सरकार केन्द्रीय सेक्टर में क्षेत्रीय आधार पर पिट हैडों पर बृहत् प्रतिष्ठापित क्षमता वाले सुपर ताप विद्युत् केन्द्र स्थापित कर रही है। तदनुसार कोयला पिट हैडों पर केन्द्रीय सेक्टर में बृहत् ताप विद्युत् केन्द्रों का विकास करने के उद्देश्य से राष्ट्रीय ताप विद्युत् निगम की स्थापना की गई थी, ताकि इन केन्द्रों से क्षेत्रीय विद्युत् प्रणाली के अन्दर सभी राज्यों में विद्युत् का वितरण किया जा सके।

स्थलों का चयन कोयला क्षमता का उपयोग करने की दृष्टि से उनकी अवस्थिति तथा बृहत् विद्युत् केन्द्र स्थापित करने के लिए उनकी उपयुक्तता को ध्यान में रखते हुए किया जाता है।

#### Supply of Cooking Gas through Pipeline in Delhi

3036. SHRI SUBHASH CHANDRA BOSE ALLURI: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether it is a fact that Government propose to supply cooking gas through pipeline to consumers in Delhi; and

(b) if so, the details in this regard?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) and (b). No proposal for the supply of liquified petroleum gas (Cooking Gas) in Delhi through pipelines is under consideration of this Ministry.

#### Business activities of Messrs International Telephone and Telegraphs Corporation

3037. PROF. P. J. KURIEN: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the full details of the business activities of the multi-national corporation, Messrs International Telephone and Telegraph Corporation in India; and

(b) the details of the business activities of its various subsidiaries?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIV SHANKAR): (a) and (b). M/s. International Telephone and Telegraphs Corporation (ITT) of USA do not have any subsidiary or branch in India. How ever, it has a subsidiary in the USA called ITT ASIA PACIFIC Incorporated, which has a branch operating in India.

The branch is reported to be generally attending to liaison activities of its parent company. The Indian Telephone Industries have submitted a quotation to P. & T. Department for setting up a factory for the manufacture of cross-bar equipment, and prior to submitting this offer, Indian Telephone Industries had entered into a back-to-back agreement with M/s. International Standard Electric Corporation, New York, which is a subsidiary of M/s. International Telephone and Telegraph Corporation, as the subcontractor for the supply of machines, equipment, tools and technical assistance.

#### Supply of Fuel to Trawlers in Fishing Harbours

3038. SHRI K. A. SWAMI: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government have received representations regarding delay in supplying fuel to trawlers in various fishing harbours;

(b) if so, what action have Government taken to streamline the supply of fuel to trawlers;

(c) whether efforts are being made to install bunkering facilities directly in the fishing harbours; and

(d) if so, the full details thereof?

**THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI):** (a) Some references concerning delay in the supply of diesel oil to deep-sea fishing trawlers, particularly at Visakhapatnam, have been received.

(b) Supply of diesel oil to fishing crafts is arranged as per allocation made by the State Governments through consumer pumps set up by organisations of fishermen as well as retail outlets of oil companies and directly through tanktrucks. The references received have also been brought to the notice of the oil companies for taking action to eliminate possible delays.

(c) and (d). At Bombay, Visakhapatnam and Cochin, the oil companies have facilities for supplying fuel to fishing trawlers directly. Action for setting up of bunkering facilities for fishing trawlers by the oil companies or the consumer pumps will be taken on the basis of economic viability and other relevant considerations.

**Applications for Dealership invited by National Fertilizers Limited**

3039. **SHR JAI NARAYAN ROAT:** Will the Minister of **PETROLEUM, CHEMICALS AND FERTILIZERS** be pleased to state:

(a) whether it is a fact that the Marketing Manager, National Fertilizers Limited, Chandigarh, has invited applications for the dealership in the Western U.P. for Kisan Khad and Kisan Urea; and

(b) if so, the names of the parties who have applied for and the decision taken thereof?

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI DALBIR SINGH):** (a) Yes, Sir.

(b) About 1,000 applications have been received by National Fertilizers Limited in response to their advertisement for appointment of dealers in Western U.P. The applications are presently under scrutiny with a view to calling those applicants, who are found prima facie suitable, for interview by a duly constituted Selection Committee. The compilation of a statement showing the names of such a large number of applicants would involve considerable time and labour and would not be commensurate with the benefits which may be derived from it.

**Loss to Thermal Power Stations in Gujarat due to shortage of coal**

3040. **SHRI R. P. GAEKWAD:** Will the Minister of **ENERGY** be pleased to state:

(a) whether it is a fact that a number of thermal power stations in Gujarat suffered heavy losses of power during 1980 due to unsatisfactory supply of coal;

(b) if so, the total loss of power generation sustained by the thermal power stations in Gujarat, the number of thermal power stations that were shut down (giving the period), the power stations that were generating below their installed capacity, and the reasons for unsatisfactory supply of coal to these power stations; and

(c) steps taken/proposed to be taken to improve the situation?

**THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN):** (a) Only Ukaj Thermal Power Station in Gujarat is reported to have suffered some loss of generation due to shortage of coal during the year 1980.

(b) It is difficult to assess the loss of power generation exclusively due to shortage of coal, as the Unit could be shut down for other reasons as well when shortage of coal is also there. However, the total potential loss of power generation sustained reportedly due to shut down of Units for shortage of coal at Ukai Thermal Power Station is estimated to be about 75.84 million units based on the assumption that 2.4 MU were to be generated per 100 MW capacity per day.

The period of shut down of units at Ukai TPS reportedly due to shortage of coal in 1980 is given overleaf.

Name of TPS	Extent & duration of closure of Units during Jan. 80
Ukai	1x120 (3 days) 1x200 (14 days)

Generation of no other power stations has been affected due to shortage of coal.

The reason for short supply of coal to the power stations of Gujarat is primarily due to the constraints of the Railways in making available additional wagons to transport adequate quantity of coal.

(c) Following steps have been taken to improve the coal supply position:—

(i) Coal companies and Railways have been asked to step up coal supplies to power stations. This matter was also discussed by the Minister for Energy with the Minister for Railways in October 1980 for stepping up the availability of wagons for movement of coal to thermal power stations.

(ii) Close liaison is being maintained between the Department of Coal, Ministry of Railways, Department of Power and Central Electricity Authority for monitoring coal supplies to the power stations. High level inter-ministerial meetings are also held periodically to

review coal supplies to power stations.

(iii) The Cabinet Committee on Industrial Infrastructure also reviews production and movement of coal, particularly to power stations.

(iv) In order to reduce avoidable hold up of wagons, Power Stations have been advised to ensure expeditious unloading of coal and early release of wagons.

#### Implementation of Policy on Rajbhasha in the Ministry of Energy

3041. SHRI R. P. YADAV: Will the Minister of ENERGY be pleased to state:

(a) whether adequate staff arrangements exist in his Ministry and its attached and subordinate offices for proper implementation of the policy of the Union on Rajbhasha;

(b) what are the norms on which the different posts of Hindi are being created, whether the posts created so far are very much less than the norms prescribed for;

(c) whether policy of the Union on Rajbhasha is not being properly implemented due to the shortage of Hindi staff and many of his offices have not been notified where more than 80 per cent of the staff possess working knowledge of Hindi and the working staff is not given the benefit at the due date; and

(d) what measures are being adopted to streamline the machinery put to the work by creating the additional Hindi posts as per the norms laid down?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) to d). The information is being collected from attached/subordinate offices under the Ministry of Energy and will be laid as soon as collected.

**Number of Diesel/Petrol Pumps and Agencies for Fertilizers and L.P. Gas**

3042. SHRI SURAJ BHAN: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) total number of diesel/petrol pumps and kerosene Oil depots/agencies and fertilizers and L.P. gas agencies in the country separately;

(b) total number of diesel/petrol pumps and kerosene oil depots/agencies and fertilizers and L.P. gas agencies owned by Scheduled Castes and Scheduled Tribes separately;

(c) is there any reservation in allotment of these pumps depots/agencies and fertilizers and L.P. Gas agencies for Scheduled Caste and Scheduled Tribe; if so, the percentage thereof and the date since when it was made applicable;

(d) total number of such pumps, agencies and depots etc. allotted to others and Scheduled Castes and Scheduled Tribes separately since the date of reservation in their allotment; and

(e) what further steps Government propose to take to give their due share to them?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) to (e). The requisite information is being collected and will be laid on the Table of the Sabha.

**Projects at Saladipura**

3043. SHRI NAWAL KISHORE SHARMA: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether it is a fact that pyrites project at Saladipura (Sikar-Rajasthan) has done very well and the

mines are ready for large scale production;

(b) whether the establishment for the fertilizers plant at Saladipura (Sikar-Rajasthan) to be considered in view of deposits of the pyrites at Saladipura; and

(c) if so, at what stage the matter is pending and by what time the matter is going to be finalised?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI DALBIR SINGH): (a) Yes, Sir.

(b) and (c). It has been decided in principle that the Saladipura Pyrites should be used in the manufacture of sulphuric acid and phosphatic fertilizers. Tests conducted with the pyrites have shown that it would be technically feasible to set up these facilities for which a techno-economic feasibility report is presently under preparation by Pyrites, Phosphates & Chemicals Limited. As soon as the report is ready, it would be processed by Government with a view to take investment decisions.

**Proposals to amend the Cinematograph Act**

3044. PROF. RUP CHAND PAL: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether it is a fact that Government propose to amend the existing Cinematograph Act in near future; and

(b) if so, reasons thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (KUMARI KUMUDBEN. M. JOSHI): (a) and (b). Amendment of the Cinematograph Act, 1952 is being processed.

रोपड़, हरिके और फिरोजपुर हैडवर्क्स  
जल को नियंत्रित करने के लिए  
शक्तियां

3045. श्री मनफूल सिंह चौधरी :  
क्या ऊर्जा मंत्री यह बताने की कृपा करेंगे  
कि :

(क) क्या रोपड़, हरिके और फिरोज-  
पुर हैडवर्क्स जल को नियंत्रित करने के  
लिए शक्तियां पुनर्गठन अधिनियम, 1966  
के अन्तर्गत पंजाब सरकार अथवा भाखड़ा  
ब्यास प्रबन्ध बोर्ड में निहित हैं ;

(ख) यदि जल नियंत्रण की शक्तियां  
भाखड़ा-ब्यास प्रबन्ध बोर्ड में निहित हैं,  
तो पंजाब सरकार के अधिकारियों द्वारा  
जल नियंत्रित किये जाने के क्या कारण  
हैं ;

(ग) राजस्थान और पंजाब को  
इस वर्ष मार्च से अक्तूबर तक कितना  
क्यूसेक जल सप्लाई किया गया और यह  
कितने समय तक सप्लाई किया गया; और

(घ) राजस्थान नहर, भाखड़ा और  
गंग नहर को सप्लाई किया गया जल गत  
छह महीने के दौरान उनके भाग से कितना  
कम था ?

ऊर्जा मंत्रालय में राज्य मंत्री ( श्री  
विक्रम महाजन ) : (क) पंजाब पुनर्गठन  
अधिनियम, 1966 के प्रावधानों के अन्तर्गत  
रोपड़, हरिके और फिरोजपुर में सिंचाई  
हैडवर्क्स का प्रशासन, अनुरक्षण और प्रचालन  
सम्बन्धी कार्य भाखड़ा-ब्यास प्रबन्ध बोर्ड  
को सौंपे गए हैं ।

(ख) पंजाब सरकार ने हैडवर्क्स का  
नियंत्रण अभी तक भाखड़ा-ब्यास प्रबन्ध  
बोर्ड को नहीं सौंपा है । मामले पर पंजाब  
सरकार के साथ कार्यवाही की जा रही है ।

(ग) 1-3-1980 से 31-10-  
1980 तक की अवधि के दौरान राजस्थान  
को रावी ब्यास के जल से 1810301  
क्यूसेक दिन तथा भाखड़ा जल से 396400  
क्यूसेक दिन सप्लाई किए गए हैं । उसी  
अवधि के दौरान पंजाब को भाखड़ा जल से  
2386574 क्यूसेक दिन प्राप्त हुए हैं ।  
तथापि, रावी ब्यास के जल से पोषित  
विभिन्न नहरों का पंजाब के द्वारा उपयोग  
के बारे में उन्होंने सूचना नहीं दी है ।

(घ) भाखड़ा नहर के नाम से जानी  
जाने वाली कोई नहर नहीं है । राज-  
स्थान नहर तथा गंग नहर (बीकानेर  
नहर) को, जो रावी ब्यास के जल से पोषित  
की जाती है, 1-5-1980 से 20-5-  
1980 तक की पिछली खाली होने वाली  
अवधि के दौरान 51799 क्यूसेक दिन की,  
21-5-1980 से पिछली भरने वाली  
अवधि के दौरान 157891 क्यूसेक दिन  
की तथा 21-9-1980 से 31-10-  
1980 तक की चालू खाली करने की अवधि  
के दौरान 68253 क्यूसेक दिन की कम  
सप्लाई की गई है । तथापि, दक्षिणी  
घाघरा नहर, बाहवाली वितरण नहर,  
जण्डवाला वितरण नहर, किशनगढ़ लिंक  
नहर, सदूल ब्रांच तथा कर्णी सिंह ब्रांच के  
माध्यम से भाखड़ा के जल से राजस्थान  
को नीचे दिए गए अनुसार अधिक सप्लाई  
दी गई है :—

1-5-1980 से 20-5-1980 तक—  
3451 क्यूसेक दिन

21-5-1980 से 29-5-1980 तक—  
19027 क्यूसेक दिन

21-9-1980 से 31-10-1980 तक—  
3793 क्यूसेक दिन

गुजरात के वनासकण्ठा जिले में  
खाना पकाने का गैस की एर्जेसियों  
का आवंटन

3046. श्री गौती भाई झार० चौधरी  
क्या पेट्रोलियम, रसायन और उर्वरक मंत्री  
यह बताने की कृपा करेंगे कि गुजरात के  
वनासकण्ठा जिले के डीसा तथा राधानपुरा  
नगरों को, इस दृष्टि से कि उनकी जनसंख्या  
बहुत है और ये तालुक मुख्यालय भी हैं,  
गैस एर्जेसियों का आवंटन किया जायेगा ?

पेट्रोलियम, रसायन और उर्वरक मंत्री  
(श्री प्रकाश चन्द्र सेठ) : वर्तमान कम  
संभावनाओं के कारण गुजरात में डीसा में  
अथवा राधानपुर में इस समय खाना पकाने  
की गैस की एर्जेसियां खोलना आर्थिक दृष्टि  
से व्यवहार्य नहीं होगा।

#### Position regarding prices of Essential Drugs

3047. SHRI C. CHINNASWAMY:  
Will the Minister of PETROLEUM,  
CHEMICALS AND FERTILIZERS be  
pleased to state:

(a) the present position regarding  
prices of essential drugs so as to be  
within reach of the public at reason-  
able rates;

(b) whether the prices of imported  
drugs are out of all proportion to the  
cost of production in foreign countries  
allowing reasonable margin of profit;

(c) if so, the broad feature for some  
representative drugs; and

(d) the steps taken to secure reduc-  
tion in price?

THE MINISTER OF STATE IN THE  
MINISTRY OF PETROLEUM,  
CHEMICALS AND FERTILIZERS  
(SHRI DALBIR SINGH): (a) One of  
the objectives of the Government is to  
make available life saving medicines  
to the people at reasonable prices. The  
prices of such drugs are therefore con-  
trolled under Drugs (Prices Control)  
Order 1979 and there was a freeze on

prices of bulk drugs and formulations  
for one year effective March 1978.  
However, since escalations in the cost  
of inputs have since taken place as a  
result of the hike in petroleum prices,  
Government decided in August 1980  
to allow price adjustments in the  
prices of price-controlled bulk drugs  
and formulations on the basis of cost  
studies of the Bureau of Industrial  
Costs and Prices. Adjustments in the  
prices of some of the formulations  
particularly based on Streptomycin,  
Chloramphenicol Powder, Pethidine,  
Phthalyl Sulphathiazole, Sulphadimi-  
dine, Sulphacetamide, PAS and its  
salts have already been announced by  
the Government.

(b) and (c). The cost of production  
in the margin of profit of bulk drugs  
produce in the foreign countries are  
the guarded secrets of the manufactur-  
ers/suppliers of those bulk drugs. No  
details of cost of production, margin  
and the prices charged for imports are  
available. In the case of canalised  
drugs bought by Government through  
the State Chemical and Pharmaceuti-  
cal Corporation of India Limited open  
tenders ensure competitiveness, and  
reasonable prices. The weighted  
average c.i.f. price of imports of a few  
bulk drugs is, however, given below:

Name of the Drug	Weighted aver- age c.i.f. price of imports during 1979-80 (Rs. /Kg.)
Pethidine Hydrochloride.	8.06.38
Chloramphenicol Powder	357.73
Tetracycline . . . .	256.82
Streptomycin Sulphate . . . .	376.50
Dapsone . . . . .	128.66
Pyrazinamide . . . . .	544.14

(d) The adjustments in the prices of  
bulk drugs and formulations that  
would be effected by the Government

based on the cost studies conducted by the B.I.C.P. would result in increase in prices of some drugs and formulations and reduction in the cases of other drugs and formulations.

**Sale of Sindri Fertilizer Factory**

3048. SHRIMATI PRAMILA DAN-DAVATE: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether it is a fact that the Supreme Court has modified its order to permit the buyer of the Sindri Fertilizer Factory to dismantle the plant;

(b) whether the Fertilizer Corporation Kamgar Union has made a writ petition to the Supreme Court;

(c) whether the Government have considered their decision to sell the Sindri Fertilizer Factory;

(d) whether the Government have made any effort to hand over the factory to the Union to run the Factory; and

(e) if not, reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI DALBIR SINGH): (a) and (b). The Supreme Court has on 13-11-1980 dismissed the petition filed by the Fertilizer Corporation Kamgar Union and others and upheld the sale of the redundant and retired plants at Sindri.

(c) No, Sir.

(d) No, Sir.

(e) Since the old plants had outlived their life and were unsafe to operate, the question of running them does not arise.

**Performance of the State Electricity Boards**

3049. SHRI K. T. KOSALRAM: Will the Minister of ENERGY be pleased to state:

(a) whether any indepth study of the performance of the State Governments in so far as State Electricity Boards are concerned, has been undertaken;

(b) if so, whether it has been completed; and

(c) if so, the action taken on this study report?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) to (c). A committee was appointed in December, 1978 to go into all aspects of the power supply industry in the country under the chairmanship of Shri Rajadhyaksha former Member Planning Commission. The Committee has completed its work and presented its report on 4th Sept., 1980 to the Minister for Energy.

The report deals with all aspects of the power supply industry. The major areas of discussion in the report are as follows:

1. Planning for development.
2. Power project formation and implementation.
3. Operation maintenance.
4. Finance, financial management and tariff.
5. Rural Electrification.
6. Organisation and management.
7. Research and development.

The recommendations of the report have to be implemented in consultation with and the full support of State Governments. Copies of the report have already been sent to the Chief Ministers and Power Ministers of each State and the Chairman, State Electricity Boards. Government of India is

engaged in implementing this report which would be done after the consultation and discussion with State Governments and other agencies, wherever necessary.

#### **New Cooking Gas connections in Gujarat**

**3050. SHRI NAVIN RAVANI:** Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) how many new cooking gas connections are to be given in Gujarat from January 1st 1981, district-wise; and

(b) is it true that out of total new connections, 60 per cent would go to Punjab, Haryana and Chandigarh, if so, on what basis such distribution has been made?

**THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI):** (a) No district-wise allocations have so far been made regarding release of gas connections in the State from 1st January, 1981.

(b) No, Sir.

#### **Demand for Establishment of Petrochemicals Factory at Barauni**

**3051. SHRIMATI KRISHNA SAHI:** Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether it is a fact that there is a demand for establishment of a petrochemicals factory at Barauni (Begusarai) for the last many years;

(b) whether it is also a fact that a study team of the Centre visited Barauni in August, 1980 and that team discussed the issue of establishment of petrochemicals factory with the State Government and public representatives there;

(c) whether it is also a fact that when the first oil refinery of the country was being set up in Barauni an assurance was given to the people that petrochemicals factory will also be set up there; and

(d) if, the replies to above questions are in the affirmative, whether Government will set up the petrochemicals factory at Barauni?

**THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI):** (a) and (b). Yes, Sir.

(c) and (d). Government of India have constituted a Site-Selection Committee for setting up of petrochemical complexes. The Committee will make recommendations for the various locations on techno-economic consideration. The report of the Committee is awaited.

#### **Coal Production**

**3052. SHRI G. M. BANATWALLA:** Will the Minister of ENERGY be pleased to state:

(a) whether coal production during the current year up to 30th September, 1980 is short of the target and if so, the extent of shortage;

(b) causes of the shortage and whether these factors could not be envisaged and taken into accounts at the time of fixing the targets; and

(c) whether the total annual production in the current year is expected to reach the target?

**THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN):** (a) The coal production from April—November, 1980 is higher as compared to last year. However, there was a shortfall of 2.84 million tonnes in coal production in April—September, 1980 from the target for the same period. But it may be mentioned that targets are



normally fixed higher than what normally is actually achievable.

(b) The main causes for the shortfall from target were inadequate power supply, particularly in Bihar-Bengal coalfields and uncertain law and order situation. The likely constraints on production are kept in view while fixing the targets of coal production. However, the shortage in power supply was more than envisaged.

(c) Given normal position in regard to the inputs for coal production for the remaining part of the current year, the production targets for 1980-81 are expected to be achieved.

#### UNESCO Conference at Belgrade

3053 SHRI P. M. SAYEED: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether the conference of UNESCO was held at Belgrade on 23rd October, 1980;

(b) if so, whether India also attended the conference;

(c) what were the subjects discussed;

(d) whether one of the major decisions of the conference was establishment of international programme for the development of communication;

(e) if so, whether India will be benefited by the decision; and

(f) if so, to what extent the development of communications in India will be undertaken?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (KUMARI KUM-  
UDBEN M. JOSHI): (a) The twenty-first session of the General Conference of UNESCO was held at Belgrade from 23rd September to 28th October, 1980.

(b) Yes, Sir.

(c) The main subjects discussed at this Conference included Draft Programme and Budget of UNESCO covering a period of three years, 1981—1983, in the fields of Education, Natural Sciences, Social Sciences, Culture and Communication, preliminary discussion on the Medium Term Plan of UNESCO for 1974—1989; general policy questions such as UNESCO's contribution to the establishment of a New International Information Order, Peace, Human Rights and elimination of colonialism and racialism; etc.

(d) Yes, Sir.

(e) and (f). The proposal for the setting up of IPDC was initiated by the Group of 77 countries, including India. The primary object of the establishment of this programme is to develop communication infrastructure and facilities in developing countries with a view to reducing the existing gap in the field between the developed and the developing countries. The activities of the IPDC would cover survey, evaluation and planned development of communication facilities in the developing countries. It would also address itself to exploring ways and means for providing developing countries with resources they need to create or improve communication infrastructure and train personnel in order to bring about a wider and balanced exchange of information. The setting up of such a mechanism under the aegis of UNESCO is, by itself, a significant step forward in the attempts by developing countries at reducing the present imbalances in the worked communication and information set-up. The actual benefits to be derived by various countries, including India, will, of course, depend on the resources available to the programme, assessment of needs of developing countries and *inter se* priority thereof, etc. India has been elected as one of Members of the 35-Member Inter governmental Council which will oversee the working of this programme. We

would strive to cooperate with other countries in setting up this programme on a sound basis by offering our assistance in terms of sharing of experience, training facilities, etc. for communication development in developing countries.

मवाना, मेरठ में पेट्रोल पम्पों को  
डोजल का आवंटन

3054. श्री निहाल सिंह : क्या पेट्रोलियम, रसायन और उर्वरक मंत्री यह बताने की कृपा करेंगे कि मेरठ जिले

की मवाना तहसील के प्रत्येक पेट्रोल पम्प को गत वर्ष के दौरान तथा इस वर्ष जनवरी से 20 अक्टूबर तक कितनी मात्रा में डोजल आवंटित किया ?

पेट्रोलियम, रसायन और उर्वरक मंत्री (श्री प्रकाश चन्द्र सेठी) : मवाना, मेरठ के तेल कम्पनियों द्वारा प्रत्येक खुदरा पेट्रोल पम्पों का वर्ष 1979 तथा जनवरी से 20 अक्टूबर, 1980 के दौरान एच० एस० डी० की पूर्ति की गई, जो दर्शाई गई है ।

(आंकड़े कि० लिटर में)

	1979	जनवरी—अक्टूबर 20, 1980
	(जनवरी—दिसम्बर)	
मवाना फिलिंग स्टेशन, मवाना	537	505
राम राज सर्विस स्टेशन, राम राज	739	344
अरुण फिलिंग स्टेशन, वेशुमा	378	260
मिलन फिलिंग स्टेशन, किला परिक्षतगढ़	508	483
फार्म फ्यूल सेण्टर, किथोड़	535	510
मवाना आउटो स्टोर्स, मवाना	1031	828*
करतवाल आउटोमोवाइल्स, मवाना	305	397*

\* अक्टूबर, 1980 तक ।

#### Export of Video Rights

3055. SHRI K. PRADHANI: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether Indian film producers have been demanding that they should be allowed to negotiate the export of video rights directly with the foreign buyers;

(b) whether any task force on export was appointed by Government to suggest measures in this regard; and

(c) if so, the details thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (KUMARI KUM-UBEN M. JOSHI): (a) Yes, Sir.

(b) and (c). The Ministry of Commerce had in May 1980, set up a Task Force on Export Promotion of Entertainment Goods under the Chairmanship of Shri A. K. Dutt, Secretary, Ministry of Information and Broadcasting. One of the recommendations made by the Task Force was that export of video rights of feature films should be allowed by canalisation through the National Films Development Corporation. This recommendation has been accepted and necessary

amendment to the Import Policy 1980-81 made.

**Commercial Contents in T.V. Programmes**

3056. SHRI JANARDHANA POOJARY: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether Government have decided to increase the commercial contents in TV programmes;

(b) what is the amount earned by the commercial service of TV, State-wise, during the last three years;

(c) whether Government have held talks regarding (a) with the advertisers; and

(d) if so, the details thereof and outcome of the talks held with the advertisers?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (KUMARI KUMUDBEN M. JOSHI): (a) There is no proposal to increase the commercial contents in T.V. programmes. At present Doordarshan Kendras can sell 10 per cent of the total transmission time for commercials but the time actually sold is much less. Efforts are being constantly made to increase the time sold.

(b) Details are given below:—

S. No.	Name of State	Total gross revenue earned during the year		
		1977-78	1978-79	1979-80
1	2	3	4	5
		Rs.	Rs.	Rs.
1.	Union Territory of Delhi (DDK, Delhi).	94,05,400	1,43,78,500	1,81,42,875.50
2.	Maharashtra (DDK, Bombay) . . .	87,19,280	1,53,49,125	1,89,90,900
3.	Punjab (DDK, Jullundur) . . .	11,64,250	28,64,500	58,85,850
4.	West Bengal (DDK, Calcutta) . . .	20,77,500	50,72,200	83,35,790.45
5.	Tamil Nadu (DDK, Madras) . . .	11,47,250	31,71,250	56,46,400
6.	Uttar Pradesh (DDK, Lucknow) . . .	8,22,000	20,80,000	32,18,850
7.	Jammu & Kashmir (DDK, Srinagar)	3,75,000	9,52,250	14,23,174

(c) and (d). Yes, Sir. The advertisers have suggested increase in the commercial time on Doordarshan by increasing the number and frequency of telecast of popular programmes and provision of facilities for the production of sponsored programmes. Within the limit of 10 per cent of transmission time available for commercial telecast, efforts are being made to increase the commercial content.

**Setting up of Petro-Chemical Complex**

3057. SHRI JANARDHANA POOJARY: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government have decided to set up three more petro-chemical complexes in the country; and

(b) if so, the exact places where these will be set up and cost involved in each complex?

**THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI):** (a) and (b). Government have decided in principle to set up two petrochemical gas cracker complexes; one at Usar in Maharashtra and another at Kavas in Gujarat. A letter of intent has also been issued to West Bengal Industrial Development Corporation to set up a Naphtha Cracker Petrochemicals Complex at Haldia. Details including cost estimates are yet to be finalised.

**Supply of Nutan Stove to Maharashtra and other States**

3058. **SHRI JANARDHANA POOJARY:** Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether it is a fact that 'Nutan' stoves have not been supplied to Maharashtra and several other States in the country; and

(b) what is the number of these stoves being manufactured annually and its distribution State-wise during the last five years?

**THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI):** (a) Yes, Sir.

(b) Marketing of Nutan stoves commenced from 10-3-1977. Its year-wise production and sales since then are as follows:—

Year	Production	Sales
1977-78 . . . . .	2,09,492	2,73,831
1978-79 . . . . .	5,22,159	5,38,908
1979-80 . . . . .	4,93,695	4,73,824
1980-81 (upto Oct. 1980) . . . . .	1,22,043	90,785

Due to limited availability Nutan stove is presently being marketed only in a few States/Union Territories. State-wise sales figures are not readily available.

**Proposal for Merger of Hindustan Lever and Liptons**

3059. **SHRI R. L. BHATIA:**  
**SHRI SUSHIL BHATTACHARYYA:**

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the Uni-Lever, the parent Company of the Hindustan Lever and Liptons had approached the Government for merger; and

(b) if so, Government's reaction thereto?

**THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIV SHANKAR):** (a) No, Sir.

(b) Does not arise.

**Accident in Churcha Colliery in Madhya Pradesh**

3060. **SHRI SAMAR MUKHERJEE:** Will the Minister of ENERGY be pleased to state:

(a) whether Government are aware of the accident in Churcha Colliery (Madhya Pradesh) on 30 September, 1980;

(b) if so, the number of dead, missing and the injured miners in the said accident;

(c) whether Magisterial enquiry was held into the accident; and

(d) what preventive steps have been taken to prevent such accidents in future?

**THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN):** (a) Yes, Sir.

(b) In the accident one person died, two were seriously injured, twenty two received minor injuries and no one is reported to be missing.

(c) It has been reported that the Collector of District Surguja has asked the concerned sub-Divisional Magistrate to inquire into the matter.

(d) The Committee on Safety in coal mines, which submitted its report in August, 1979 has made wide ranging and comprehensive recommendations covering various aspects of safety in coal mines. These have been accepted and are being implemented. As a result of measures taken to improve safety conditions in coalmines, the rate of accidents has declined.

**Absorption of Surplus Staff of Dandakaranya Project**

3061. SHRI SAMAR MUKHERJEE: Will the Minister of SUPPLY AND REHABILITATION be pleased to state:

(a) the reasons for the delay in absorbing 37 surplus staff of Dandakaranya Project now waiting in the Central Surplus Staff Cell of Department of Personnel and Administrative Reforms; and

(b) how long it will take to absorb these staff?

THE DEPUTY MINISTER IN THE MINISTRY OF SUPPLY AND REHABILITATION (SHRI P. K. THUNGON): (a) and (b). 34 employees declared surplus from the Dandakaranya Project, have been transferred to the Central (Surplus Staff) Cell of the Department of Personnel and Administrative Reforms for redeployment elsewhere. Of these, 19 have already been nominated by them

3041 L.S.—6

against suitable vacancies in various Government Departments and efforts are being made to nominate the remaining employees during the current month.

**Rural Electrification during 1980-81**

3062. SHR A. C. DAS: Will the Minister of ENERGY be pleased to state:

(a) the total number of villages earmarked to electrify in all over the country during this financial year under central sponsored scheme;

(b) the number of villages earmarked for electrification in Orissa;

(c) the progress made so far in this state in rural electrification; and

(d) the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) During the financial year 1980-81, a target of electrifying 25,000 villages has been set by the Planning Commission, out of which 16,500 villages are likely to be electrified under rural electrification schemes financed by Rural Electrification Corporation Limited.

(b) In 1980-81, the target set for Orissa is electrification of 1600 new villages.

(c) According to the latest progress report received from the Orissa State Electricity Board, a total of 17,439 villages have been electrified up to 31-8-1980.

(d) Out of 17,439 villages so far electrified in Orissa, 208 villages were electrified during the period 1-4-1980 to 31-8-1980, which included 166 villages under the schemes financed by the Rural Electrification Corporation Limited.

**जीवन रक्षक औषधियों का निर्माण करने वाली कम्पनियां**

3033. श्री निहाल सिंह : क्या पेट्रोलियम, रसायन और उर्बरक मंत्री जीवन रक्षक औषधियों का निर्माण करने वाली कम्पनियों के बारे में 22 जुलाई, 1980 के अतारंकित प्रश्न संख्या 5191 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या जीवन रक्षक औषधियों का निर्माण करने वाली कम्पनियों से सम्बन्धित प्रश्न के भाग (ख) और (ग) में पूछी गई सूचना एकत्रित कर ली गई है, यदि हां, तो तत्संबंधी ब्यौरा क्या है; और

(ख) यदि नहीं, तो एकत्रित करने में हो रहे विलम्ब के क्या कारण हैं ?

पेट्रोलियम, रसायन और उर्बरक राज्य मंत्री (श्री इलबीर सिंह): (क) और (ख) औषध नियंत्रक (भारत) और मुख्य नियंत्रक आयात और निर्यात से अनुरोध किया गया था कि वे दिनांक 22-7-1980 के लोक सभा अतारंकित प्रश्न संख्या 5191 के क्रमशः भाग (ख) और (ग) के बारे में सूचना भेजें। औषध नियंत्रक (भारत) ने सूचित किया है कि उन को अभी तक केवल महाराष्ट्र, गुजरात, दिल्ली, हरियाणा और कर्नाटक के राज्य औषध नियंत्रकों से सूचना

प्राप्त हुई है और आन्ध्र प्रदेश तथा पश्चिम बंगाल राज्य औषध नियंत्रकों ने अभी सूचना नहीं भेजी है। उन्होंने आगे बताया है कि :

(1) अब तक प्राप्त सूचना से यह पता लगा है कि किसी भी फर्म ने नकली औषधियों का निर्माण नहीं किया है। तथापि परीक्षण करने से उन के कुछ उत्पादों को मानक स्तर का नहीं पाया गया है। जितनी बार इन कम्पनियों के उत्पादों को घटिया किस्म का पाया गया है उस के ब्यौरे संलग्न विवरण पत्र में दिये गये हैं। प्राप्त उत्तरों से यह देखा जा सकता है कि कम्पनी के उत्पादों को उपयुक्त स्तर का नहीं पाया जाता है उस कम्पनी को राज्य औषध नियंत्रक द्वारा चेतावनी दी जाती है और उसको बाजार से घटिया किस्म का माल वापस लेने को कहा जाता है। जिन मामलों में घटिया किस्म के नमूनों में अधिक खराबी पायी जाती है उन मामलों में संबंधित निर्माता से उस औषध के निर्माण की अनुमति वापस ले ली जाती है। अनुमति वापस लेने के बारे में की गई कार्यवाही के ब्यौरे संलग्न विवरण पत्र में कम्पनियों के नामों के सामने दिये गये हैं। इन मामलों में भी निर्माताओं को घटिया माल बाजार से वापस लेने को कहा जाता है।

आयात लाइसेंसों के बारे में मुख्य नियंत्रक आयात और निर्यात के कार्यालय ने वही दोहराया है कि : —

“आयात और निर्यात व्यापार नियंत्रण संगठन द्वारा जारी किये गये सभी आयात लाइसेंसों के ब्यौरे जैसे पार्टी का नाम और पता, लाइसेंस का मूल्य आदि आयात लाइसेंसों, निर्यात लाइसेंसों और औद्योगिक लाइसेंसों के साप्ताहिक बुलेटिन में प्रकाशित किये जाते हैं जिस की प्रतियां संसद् पुस्तकालय को नियमित रूप से सप्लाई की जाती है।”

## विवरण

क्रम सं०	कम्पनी का नाम	जितनी बार श्रौषधों को घटिया किस्म का पाया गया है
1	2	3
1	मैसर्स बैयर (इंडिया) लि०, बम्बई	13
2	मैसर्स भारतीय एग्रो इण्डस्ट्रीज फाउण्डेशन, पूने	—
3	मैसर्स बूट्स क० (इंडिया) बम्बई	9
4	मै० बूरोज वैल्कम एण्ड क० (इंडिया) लि०, बम्बई	8
5	मैसर्स बोहरिगर नांल लि०, बम्बई	1
6	मैसर्स सिपला, बम्बई	22 एक मामले में निर्माण की अनुमति वापस ली गई।
7	मैसर्स फार्मा लैव० लि० बम्बई	3 (वही)
8	मैसर्स चौगुले एण्ड कम्पनी (हिन्दुस्तान) प्रा० लि०, बम्बई	4
9	मैसर्स सीबा गेगी इंडिया लि०, बम्बई	4
10	मैसर्स इफर एण्टरप्रेन लि०, बम्बई	9
11	मैसर्स ई मर्क (इंडिया) प्रा० लि०, बम्बई	2
12	मैसर्स ज्योफरी मैन्स एण्ड क० लि० बम्बई	4
13	मैसर्स जर्मन रिमेडीज लि० बम्बई	3
14	मैसर्स ग्लैक्सो लैबोरेटरीज लि०, बम्बई	10
15	मैसर्स हाफकिन इनस्टीट्यूट, बम्बई	15
16	मैसर्स हिन्दुस्तान एण्टीबायोटिक्स, पूणे	6
17	मैसर्स हैक्स्ट फार्मास्यूटिकल लि०, बम्बई	7
18	मैसर्स जोनशन एण्ड जोनशन ग्रॉफ इंडिया	3
19	मैसर्स पैक लेबोरेटरीज, बम्बई	4
20	मैसर्स में एण्ड बेकर लि०, बम्बई	4
21	मैसर्स मर्क शर्प एण्ड डोहमें (इंडिया) लि० बम्बई	11
22	मैसर्स पार्क डैविस (इंडिया) लि०, बम्बई	14
23	मैसर्स सर्ज (इंडिया) लि०, बम्बई	1
24	मैसर्स फाइजर लि०, बम्बई	9
25	मैसर्स रोश प्रोडक्ट्स, बम्बई	5

1	2	3
26	मैसर्स सैण्डोज इंडिया लि०, बम्बई	3
27	मैसर्स सुनीता लैबोरेटरीज लि०	शून्य
28	मैसर्स यूनी कैम लेबोरेटरीज लि०, बम्बई	एक (मामले में निर्माण की अनुमति वापस ली गई) ।
29	मैसर्स वाण्डर लि०, बम्बई	शून्य
30	मैसर्स वेयथ लेबोरेटरीज	1
31	मैसर्स यूनीक कैमिकल्स, बम्बई	1
32	मैसर्स फेयर डील कारपोरेशन लि०, बम्बई	2
33	मैसर्स थोराप्यूटिक फार्मास्यूटिकल्स लि०, बम्बई	4 दो मामलों में निर्माण की अनुमति वापस ली गई ।
34	मैसर्स ह्विफेन (इंडिया) लि०, बम्बई	3
35	मैसर्स इथनोर लि०, बम्बई	2 (एक मामले में निर्माण की अनुमति वापस ली गई) ।
36	मैसर्स एलैम्बिक कैमिकल वर्क्स क० लि० बरोदा	2
37	मैसर्स अतुल प्रोडक्ट्स, गुजरात	शून्य
38	मैसर्स सुरिद गेगी लि०, बरोदा	शून्य
39	मैसर्स सैन बाँयोटिक्स लि०, बरोदा	1
40	मैसर्स थोमिस कैमिकल्स लि०, गुजरात	3
41	मैसर्स काविला लेबोरेटरीज लि०, अहमदाबाद	3
42	मैसर्स साइनामाइड (इंडिया) लि०, बलसारा	1
43	मैसर्स इंडियन प्रोसेस कैमिकल लेबोरेटरीज, बंगलौर ।	1
44	मैसर्स जे० एल० मोरीसन सन एण्ड जोन्स (इंडिया) लि०, बंगलौर	10
45	मैसर्स क्योर वैल (इंडिया) लि०, हरियाणा	शून्य
46	मैसर्स रैनवक्सी लैबोरेटरीज लि०, नई दिल्ली	1

पेट्रो-फिल्म्स को-आपरेटिव लिमिटेड  
द्वारा पालिस्टर फिलामेंट  
यार्न का उत्पादन

कितना होता है तथा उस उत्पादन की लागत क्या है तथा इसे किस दर पर बेचा जा रहा है; और

3064. श्री निहाल सिंह : क्या पेट्रो-लियम, रसायन और उर्वरक मंत्री यह बताने की कृपा करेंगे कि :

(क) पेट्रो फिल्म्स को-आपरेटिव लिमिटेड का गठन कब किया गया था और उसमें कितने व्यक्ति काम कर रहे हैं तथा उसमें पालिस्टर फिलामेंट यार्न का वार्षिक उत्पादन

(ख) प्रति वर्ष किन विभिन्न सरकारी तथा गैर-सरकारी मिलों तथा बुनकर सहकारी समितियों को कितने-कितने यार्न की सप्लाई की गई ?

पेट्रो-लियम, रसायन और उर्वरक मंत्री (श्री प्रकाश चन्द्र सेठी): (क) अनुमानतः यह—असल पेट्रो-फिल्म्स को-आपरेटिव लिमिटेड



से सम्बन्धित है। इस को दिल्ली सहकारी समिति अधिनियम, 1972 के अन्तर्गत 10 सितम्बर, 1974 को पंजीकृत किया गया था।

31-10-1980 को यथा स्थिति में इसमें 987 नियमित कर्मचारी थे। इस समिति ने वर्ष 1979-80 (जुलाई-जून) के दौरान 2332 मीट्रिक टन पालिएस्टर फिलामेंट तन्तु का उत्पादन किया था।

उत्पादन लागत को बतलाना समिति के वाणिज्यिक हित में नहीं है।

वर्तमान बिक्री मूल्य जिस में उत्पादन, शुल्क, बिक्रेता कमीशन, बिक्री कर आदि शामिल नहीं किया गया है निम्न रूप में है :—

	प्रतिकिलो ग्राम
	रुपए
76 डेनियर (प्रथम किस्म)	57.60
150 डेनियर	53.60

(ख) विभिन्न संगठनों को गत तीन वर्षों के दौरान बेचे गये घागे की मात्रा नीचे दी गई है :—

(मीट्रिक टनों में)

वर्ष	सरकारी मिलें	सहकारी समितियां	अन्य	योग
(जुलाई—जून )				
1977-78	—	3	334	337
1978-79	11	326	3136	3523
1979-80	31	375	2846	3252

#### Coal Reserves in the Country

3065. SHRI S. M. KRISHNA: Will the Minister of ENERGY be pleased to state:

(a) how long India's present metallurgical and non-metallurgical coal reserves are expected to last; and

(b) what efforts are being made to make them last longer while at the same time meet the demands in the country?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) According to the Report of the Working Group on Energy policy (1979), assuming that the annual coal production would reach a level of 400 million tonnes by the year 2000 and continue at that level thereafter, the

available reserves would be adequate to last for 90 years after the year 2000. Within the metallurgical coal, prime coking coal, which on the current available technology should at least be 50% of the coking coal, may get exhausted by about 2025 A.D.

(b) The steps taken to make the coal reserves last longer are as follows:—

(i) Adopting open cast mining wherever feasible to improve the recovery.

(ii) Adopting new mining technologies in under ground mines with a view to increase the recovery of the coal reserves.

(iii) Beneficiating the low grade coal to enable their utilisation in industrial furnaces.

(iv) Use of non-coking coal in blast furnaces with a view to conserve coking coal.

(v) Research & development of efforts to evolve suitable mining techniques to mine deep and thin seams which is not considered economically feasible now.

(vi) Improving the coal burning/utility efficiency to reduce consumption of Coal.

**Application for waiving recoveries of loan**

3066. SHRI D. S. A. SIVAPRAKASAM: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether any applications were received to waive recoveries of loan

under Section 309(5B) and 314(2)(b) of the Companies Act; and

(b) if so, the names of the Companies, the names of Directors and the amount involved?

**THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIVA SHANKAR):** (a) and (b). It is presumed that the Honourable Member refers to applications for waiver of excess remuneration paid to managerial personnel. Recovery of loans do not form the subject matter of Section 309(5B) and 314(2)(b) of the Companies Act, 1956.

A statement is attached furnishing the information required. The information relates to applications received for the period 1-1-1980 to 30-1-1980.

**Statement**

*Names of companies from whom applications under sections 309(5B)/314(2)(b) of the companies Act, 1956 were received, names of directors and the total amount involved.*

Sl. No.	Name of Company	Date of Application under Section 309 (5B)/314(2)(b) of the Companies Act, 1956	Names of Directors to whom the amount relates with designation	Total amount involved.
1	2	3	4	5
1.	Dhakshina Bharath Hindi Prachar Sabha Printing Company (P) Ltd.	3-6-1980 Under Section 309 (5B)	1. Shri K. S. Raman Menon Director. 2. Shri M. K. Thankappan Director.	Rs. 16,507 14,307
2.	Bharat Petroleum Corpn. Ltd.	20-5-1980 Under Section 309	1. Shri J. B. Malik Wholetime Director. 2. Shri M. H. Wijvekate (Managing Director)	17,982 13,000
3.	British Paints (I) Ltd.	14-3-1980 Under Section 309 (5B)	Shri D. Madhukar (Managing Director)	44,855
4.	Vanavil Dyes and Chemicals Ltd.	8-9-1980 Under Section 309 (5B)	Shri G. Dorai Managing Director.	17,733
5.	M/s. Mangalam Cements Ltd.	15-1-1980 Under Section 309 (5B)	Shri D. P. Maloo Managing Director.	36,840

1	2	3	4	5.
6.	M/s. Nilgiri Dairy Farm Ltd.	24-1-1980 Under Section 309(5B)	(i) Sh. M. Chennispan (Managing Director)	Rs. 77,500
			(ii) Sh. M. S. Mani (Wholctime Director)	77,750
			(iii) Sh. M. Chellayan (Whole-time Director)	77,750
			(iv) Sh. C. Ramachandran (Whole-time Director)	75,500
7.	M/s. Nysore Tobacco Co. Ltd.	20-2-1980 Under Section 309(5B)	Sh. K. S. Shivappa (Managing Director)	2,356
8.	M/s. Methoni Tea Company Ltd.	17-9-1980 Under Section 309 (5B)	Sh. M. P. Goenka (Managing Director)	24,976
9.	M/s. Mahindra Spicer Ltd.	13-10-1980 Under Section 309(5B)	Sh. P. K. Patil (Managing Director)	33,468
10.	M/s. Namco Rubber & Plantics Limited.	14-1-1980 Under Section 314(2)(b)	Shri R. Kalyanaraman (Office Superintendent)	50,909

**Prosecutions launched under Cinema-tograph Act**

3067. SHRI D. S. A. SIVAPRAKASAM: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether prosecutions have been launched on any person or Company under Section 7(1)(b)(c) of the Cinematograph Act during the past three years; and

(b) if so, names of the persons or companies and the results of the prosecutions?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (KUMARI KUMUDBEN M. JOSHI): (a) and (b). The information asked for is being collected and will be laid on the Table of the House as early as possible.

**Drilling for oil in port Canning area West Bengal**

3068. SHRI SANAT KUMAR MANDAL: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether exploratory oil drilling was done sometime back in port Canning area in West Bengal;

(b) if so, its out come and whether it was abandoned;

(c) if so, reasons therefor; and

(d) whether it is proposed to resume drilling operations in this area; if so, when and if not, reasons therefor?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) Yes, Sir. One well was drilled by Indo-Stanvac Petroleum Project in 1959.60.

(b) and (c). The well was drilled down to a depth of 4041.3 metres but

was abandoned due to technical reasons after testing two horizons.

(d) Resumption of drilling operations would depend on the results of further seismic surveys proposed to be undertaken in and around this area.

**Absorption of retrenched work charged staff of Dandakaranya project**

3069 SHRI SUSHIL BHATTACHARYYA: Will the Minister of SUPPLY AND REHABILITATION be pleased to state:

(a) the reasons for delay in absorbing 14 retrenched work-charged staff of Mechanical Division of Dandakaranya Project (M.P.) in alternate jobs; and

(b) whether they are likely to be absorbed in alternate jobs before the end of this year?

THE DEPUTY MINISTER IN THE MINISTRY OF SUPPLY AND REHABILITATION (SHRI P. K. THUNGON): (a) and (b). Retrenched work-charged staff are not eligible for re-deployment in alternative jobs under the scheme for re-deployment of surplus staff. However, as a result of the efforts made by the Department of Rehabilitation on compassionate grounds most of the 84 work-charged employees retrenched from 1st February, 1980 have been fixed up in alternative jobs. 14 employees remain unabsorbed despite best efforts made by this Department. They should seek the assistance of the Employment Exchange for fresh employment against notified vacancies.

**Power cuts imposed in all the towns of Orissa**

3070. SHRI K. PRADHANI: Will the Minister of ENERGY be pleased to state:

(a) whether it is a fact that power cut is uniformly imposed in all the towns of Orissa or it differs from town to town;

(b) if so, the district-wise break up of the hours for which electricity is supplied in rural areas, district-wise;

(c) whether Government are aware of the extent of difficulties being experienced by people due to heavy power cut in the prevailing drought conditions; and

(d) the time by which Government will be able to meet the entire power demand of urban and rural people in the State of Orissa?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) No, Sir. At present, there are no power cuts in Orissa.

(b) and (c) Does not arise.

(d) The present power demands of urban and rural areas in Orissa are being met fully.

**Rural electrification in Chhota Udaipur Taluka of Gujarat**

3071. SHRI AMAR SINH RATHAWA: Will the Minister of ENERGY be pleased to state:

(a) the total number of towns and total number of villages in Chhota Udaipur Taluka of Gujarat State which have been electrified upto 31st December, 1980;

(b) the total number of villages which are to be electrified;

(c) whether any target has been fixed for electrifying villages during this year, their number; and

(d) when all the villages will be provided electricity in Chhota Udaipur in Gujarat State?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) Out of the 279 inhabited villages in Chhota Udaipur Taluka of Gujarat State, 82 villages had been electrified as on

31.3.1980. These include all the towns in this Taluka as per 1971 Census.

(b) 197 villages were left out to be electrified as on 31.3.1980, out of which a few villages will be getting submerged under the Heran Dam Project.

(c) Normally the target for village electrification is fixed for the State as a whole and as such the information is not available.

(d) Excepting the villages, which are getting submerged under the Heran Dam Project, all the remaining villages are sanctioned and programmed to be electrified by 1980-85.

**Financial assistance for producers of Films**

3072. PROF. MADHU DANDAVATE: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether Government are aware of the fact that talented small film producers are finding it difficult to produce good artistic films for want of adequate finances; and

(b) what steps are taken to give financial assistance to such small film producers?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (KUMARI KUMUDBEN M. JOSHI): (a) Yes, Sir.

(b) Government set up in 1960 Film Finance Corporation for providing financial and other assistance for production of good quality films on purposeful themes. This Corporation was amalgamated with the National Film Development Corporation (NFDC) on 11th April, 1980. Loans for good artistic films are now given by N.F.D.C. to film producers.

**Demand for a supply centre of L.P. gas in Shahjahanpur**

3073. SHRI JITENDRA PRASAD: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether it is a fact that there is a strong demand for opening a supply centre of L.P. Gas in Shahjahanpur town; and

(b) if so, what action is contemplated by Government?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) and (b) A Liquefied Petroleum Gas agency is proposed to be opened in Shahjahanpur town during 1981-82 by the Oil Industry.

**क्षेत्रीय राष्ट्रमंडलीय सम्मेलन के बारे में आकाशवाणी समाचार**

3074. श्री राम बिल्लस पासवान: क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या आकाशवाणी ने क्षेत्रीय राष्ट्रमंडलीय सम्मेलन के संबंध में समाचारों का प्रसारण इस ढंग से किया था कि उसमें पक्षपात किए जाने की झलक आती थी;

(ख) क्या विभिन्न राज्याध्यक्षों के विचारों को सही रूप में प्रसारित नहीं किया गया था; और

(ग) यदि उपर्युक्त भाग (क) और (ख) का उत्तर "हां" में है तो इस के कारण क्या हैं ?

सूचना और प्रसारण मंत्रालय में उप-राज्य मंत्री (कुमारी कुमुद बेन एम. जोशी) : (क) और (ख) जी, नहीं।

(ग) प्रश्न नहीं उठता।

निचले न्यायालयों में लोगों को कथित परेशान किया जाना

3075. श्री अटल बिहारी वाजपेयी :  
श्री बिलास मुत्तेमवार :

क्या बिधि, न्याय और कम्पनी कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या गत सितम्बर में उन्होंने पटना में कहा था कि निचले न्यायालयों में जाने वाले गरीब लोगों को इन न्यायालयों के कर्मचारियों द्वारा इतना ज्यादा परेशान किया जाता है कि जिस से न्यायपालिका के प्रति इन में निराश की भावना व्याप्त हो रही है; और

(ख) तत्संबंधी तथ्य क्या हैं और इस बारे में क्या कार्यवाही की जा रही है या करने का विचार है ।

बिधि, न्याय और कम्पनी कार्य मंत्री (श्री पी० शिवशंकर (क)पटना में तारीख 14 सितम्बर, 1980 को बिहार न्यायिक अधिकारी एसोसिएशन के वार्षिक सम्मेलन का उद्घाटन करते हुए मैंने कहा था कि ऐसा प्रतीत होता है कि लोगों का न्यायपालिका में विश्वास समाप्त होता जा रहा है क्योंकि न्यायालयों में गरीब लोगों को वहां के निम्नतर कर्मचारियों के हाथों काफी कठिनाई का सामना करना पड़ता है । उसी भाषण में न्यायिक अधिकारियों से यह अपील की गई थी कि वे न्याय प्रणाली की गरिमा को पुनःस्थापित करने के लिए भरसक प्रयास करें ।

(ख) समुचित कार्यवाही करने की जिम्मेदारी राज्यों, उच्च न्यायालयों और निचले न्यायालयों के पीठासीन अधिकारियों की है ।

बिहार के गिरिडीह जिले की स्वांग कोयला खानों में दुर्घटना

3076. श्री रीतलाल प्रसाद बर्मा :  
क्या ऊर्जा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि बिहार के गिरिडीह जिले की स्वांग कोयला खानों में 18-1-79 को एक घातक दुर्घटना में तीन व्यक्ति मारे गये और गोली चलाने वाला एक व्यक्ति तथा एक नेता, जो बुरी तरह घायल थे, बच निकले और इस दुर्घटना के लिये गोली चलाने वाले को जिम्मेदार ठहराया गया है, धारा 41 और 42 के अन्तर्गत उसे दंड का दोषी पाया गया है, वरिष्ठ अधिकारियों तथा इंजीनियरों की पदोन्नति कर दी गई है; और

(ख) यदि हां, तो क्या सरकार का विचार इस मामले की छान बीन के लिये संसद् सदस्यों की एक समिति नियुक्त करने का और दोषी अधिकारियों के खिलाफ कार्यवाही करने का है ?

ऊर्जा मंत्रालय में राज्य मंत्री (श्री विक्रम महाजन) : (क) स्वांग कोलियरी में 12-1-1979 को हुई दुर्घटना के फलस्वरूप तीन व्यक्तियों की मृत्यु हुई, खनन सरदार (जो शटफायरर का काम कर रहा था) को गंभीर चोट लगी और एक कोयला लोडर को मामूली चोट लगी । खान सुरक्षा महा-निदेशक के निष्कर्षों के अनुसार यह दुर्घटना खनन सरदार द्वारा निर्णय करने में गलती के कारण हुई और खनन सरदार स्वयं भी गंभीर रूप से घायल हो गया । इन परिस्थितियों में किसी व्यक्ति के खिलाफ कोई कार्यवाही नहीं की गई । चूंकि किसी अधिकारी या इंजीनियर को जिम्मेदार नहीं ठहराया गया था इसलिए उन की पदोन्नति रोकने का प्रश्न नहीं उठता ।

(ख) प्रश्न नहीं उठता ।

**Generation of power from the tides in the sea**

3077. SHRI S. M. KRISHNA;  
SHRI CHINTAMANJANI PANI-  
GRAHI;  
SHRI K. A. SWAMI:

Will the Minister of ENERGY be pleased to state:

(a) whether any studies have been or are being conducted for generation of power from the tides in the sea;

(b) whether any attempt has been made to harness the tides to provide energy; and

(c) when and where and the outcome thereof?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) to (c). Government have recently approved a proposal for taking up investigation and studies in the Gulf of Kutch in Gujarat to establish the feasibility for generating energy from the tides in the sea at an estimated cost of Rs. 2.18 crores. These studies will comprise (i) short-term field investigations; (ii) Laboratory Studies; and (iii) long term field investigations. The data collected from these studies would enable the preparation of a preliminary feasibility report for tidal power development in the Gulf of Kutch and would determine whether the implementation of the project is technically and economically feasible.

**Allocation of Coal to West Bengal**

3078. SHRI SOMNATH CHATTERJEE: Will the Minister of ENERGY be pleased to state:

(a) whether Government have caused any investigation to be made or received any report from the Government of West Bengal regarding allocation of coal to 134 parties by Coal India Limited out of whom 119 are in Malda District of West Bengal; and

(b) if so, the result of such investigation and the nature of such report and the action taken thereon?

THE MINISTER OF ENERGY (SHRI A. B. A. GHANI KHAN CHOUDHURY): (a) and (b). The State Government of West Bengal had brought to the notice of Government about allocation of coal by Coal India to 133 parties of which 119 were in Malda district. Since no irregularity had been committed and as there is no statutory control on the sale and distribution of non-coking coal, the question of an investigation does not arise.

**Press Commission**

3079. SHRI G. M. BANATWALLA: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) the progress in the work of the Press Commission;

(b) whether Government are considering any extension of the term of the Press Commission which expires in December, 1980 and if so, reasons therefor;

(c) reasons for delay in the appointment of the Secretary, Press Commission, on the retirement of Shri M. V. Desai; and

(d) whether the Government proposes to change the Chairman of the Commission or reconstitute the Commission and if so, reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (KUMARI KUMUDHEN M. JOSHI): (a) The reconstituted Press Commission has taken stock of the work already done. It has held six sessions so far and has also identified areas where fresh work is required to be done. In respect of some new issues included in the revised terms of reference a few fresh questionnaires are likely to be issued. The reconstituted Commission has also invited memoranda from in-

dividuals and associations on the revised terms of reference. So far 225 memoranda have been received including 79 in response to the notification issued on the revised terms of reference.

(b) In view of the revised and enlarged terms of reference of the reconstituted Commission, Government proposes to consider favourably the request of the Press Commission for extension of its term beyond December, 1980.

(c) The new Secretary, Press Commission has since been appointed after completion of necessary administrative procedures. As such, there is no delay involved.

(d) No such proposal is under consideration of Government at present.

**पूर्ति तथा निपटान महानिदेशालय में दर्ज फर्म**

3080. श्री निहाल सिंह : क्या पूर्ति और पुनर्वासि मंत्री यह बताने की कृपा करेंगे कि :

(क) उन फर्मों के नाम क्या हैं जिन्होंने अक्टूबर, 1980 तक पूर्ति तथा निपटान महानिदेशालय में अपने नाम दर्ज करवाये थे तथा उन में से भारतीय तथा विदेशी फर्मों कितनी हैं; और

(ख) जिन फर्मों ने अपने नाम दर्ज करवा रखे हैं, उन के द्वारा किन किन जिल्लों की सप्लाई की जायेगी तथा गत तीन वर्षों के दौरान इन में से प्रत्येक फर्म ने कितने मूल्य का माल सप्लाई किया ?

**पूर्ति और पुनर्वासि मंत्रालय में राज्य मंत्री (श्री भागवत शा आजाद):** (क) तथा (ख) 31-10-1980 को पूर्ति तथा निपटान महानिदेशालय में 2759 भारतीय फर्मों तथा 901 विदेशी फर्मों के नाम पंजीकृत थे। वतन सूची एकत्रित की जा रही है और

अनुमान है कि 31-3-81 तक वह तैयार हो जाएगी। केवल पंजीकृत सप्लायकर्ताओं से प्राप्त होने वाले सामान के मूल्य के बारे में अलग आंकड़े नहीं रखे जाते हैं। पिछले तीन वर्षों के दौरान प्रत्येक पंजीकृत फर्म द्वारा सप्लाई की गई वस्तुओं तथा सप्लाई किए गए सामान के मूल्य के बारे में सूचना एकत्रित करने पर होने वाला व्यय तथा श्रम, प्राप्त होने वाले संभावित परिणाम के अनुरूप नहीं होगा।

**News Item Captioned 'Coal Famine Hits Simla'**

3081. SHRI JITENDRA PRASAD: Will the Minister of ENERGY be pleased to state:

(a) whether his attention has been drawn towards a news item captioned 'Coal Famine Hits Simla' appearing in the 'Hindustan Times', dated 4th November, 1980;

(b) if so, reasons for apathetic attitude on the part of Government in supplying coal to Simla which is an essential item during winter season for protection against cold; and

(c) the action taken or proposed to be taken to ensure adequate supply of coal on war footing to each family at Simla particularly during the ensuing winter and snowy season?

**THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN):** (a) Yes, Sir.

(b) and (c). There has been some shortfall in the supply of coal and soft coke to Himachal Pradesh mainly due to inadequate availability of transport capacity. There has been no apathy on the part of Government in dealing with the problem. Coal companies are in touch with railway authorities at all levels to maximise movement of coal and soft coke by rail to the consumers, including consumers in Himachal Pradesh. The



Movement of coal by railways is also being monitored at the highest level by a Cabinet Committee on Industrial Infrastructure. To improve the availability of soft coke to consumers in the State Coal India would be opening two coal dumps in Himachal Pradesh.

**Funds for International Film Festival of India**

3082. SHRI ARVIND NETAM: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether it is a fact that the Eighth International Film Festival of India is likely to be postponed due to shortage of funds; and

(b) if so, whether Government propose reconsidering the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (KUMARI KUMUDBEN. M. JOSHI):

(a) No, Sir.

(b) Does not arise.

**Supply of Coal to Small Scale Industries in Maharashtra**

3083. SHRI A. T. PATIL: Will the Minister of ENERGY be pleased to state:

(a) what was the quota for supply of the following raw materials to small scale industries fixed for Maharashtra during the last three years and the current year;

(i) steam coal

(ii) coke (x) by-product hard coke, and (y) bee-hive hard coke;

(b) what was the actual supply during the respective years; and

(c) what do Central Government propose to do for the coordination of demand and supply of these raw materials?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) and (b). Steam coal is consumed mainly by industrial units in the pottery, ceramic, textile/rayon and small scale sectors. The programme for supply of coal to these sectors from Western Coalfields Ltd., which is the main supplier of coal to Maharashtra industrial units, and the actual despatches in the past three years and in the current year is as under:

Year	Programme of supply (in million tonnes)	Actual despatches
1977-78 . . . . .	1.20	1.12
1978-79 . . . . .	1.23	0.97
1979-80 . . . . .	1.31	1.14
1980-81 . . . . .	0.75	0.63

(April-September- Provisional figures)

No quota for supply of Hard coke has been fixed for any state. However, in early 1979 keeping in view the availability of Byproduct and Bee-hive coke and transport capacity, 12,000 tonnes BP and 36,000 tonnes BH coke per annum were allotted to Maharashtra. The actual despatches of hard coke has been as under—

(‘000 tonnes)

Year	Despatches of Hard coke to Maharashtra		
	BP coke (estimated)	BH coke	Total
1977-78 . . . . .	18	61	79
1978-79 . . . . .	14	50	64
1979-80 . . . . .	12	42	54
1980-81 . . . . .	5	23	28

(April-September)

(c) Close liaison is maintained by Coal India with railways to maximise movement of coal and coke to the

consumers. Shortfall in rail movement of coal and coke from the sponsored quantity is being released for transport by road. Further, coal and BH coke from certain identified mines have been put on sale free of all restriction, recently. Under this scheme about 15,000 tonnes of coal have been sold to the consumers in Maharashtra in September-November '80. The movement of coal by rail and coal production are also being monitored at the highest level by a Cabinet Committee on Industrial Infrastructure.

**Reconstitution of Law Commission**

3084. DR. VASANT KUMAR PANDIT:

SHRI P. M. SAYEED:

SHRI M. V. CHANDRASHEKARA MURTHY:

SHRI N. K. SHEJWALKAR:

SHRI SATISH AGARWAL:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government have finalised the reconstitution of the Law Commission;

(b) whether Government are contemplating a change in the terms of reference of the Commission; and

(c) the details of the new Law Commission and its personnel?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIV SHANKAR): (a) No, Sir.

(b) A decision on the terms of reference of the Commission will be taken at the time of its reconstitution.

(c) Does not arise.

**A.I.R. Broadcasts 'Jammed'**

3085. DR. VASANT KUMAR PANDIT: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether it is a fact that during the last 8-months many All India Radio broadcasts are 'jammed' by

outside foreign agencies, if so, how many time and which particular programmes were recorded as 'jammed' by China, Pakistan and/or any other country; and

(b) what steps Government are taking to prevent 'jamming' AIR programmes, particularly, those which are meant for foreign countries?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (KUMARI KUMUDBEN. M. JOSHI):

(a) No recent case of 'jamming' (which is a term used to denote deliberate interference with a view to making the jammed signal unintelligible) of any AIR broadcast has come to the notice of the Government. In some cases, the effects of jamming have been observed on certain frequencies but there has been no evidence that in these cases the intention was to affect AIR's transmissions. Further, due to congestion in the frequency bands, allocated to broadcasting service, some transmission of AIR are affected by the operation of broadcasting stations in other countries.

(b) Does not arise.

**Sale of Essential Chemicals in Black Market**

3086. SHRI K. PRADHANI: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether some cases of the essential chemicals being sold at rate many times higher than their manufacturing cost in the black market have come to the notice of Government; and

(b) if so, the details regarding such cases during the last two months and the steps Government have taken or propose to take to stop this malpractice immediately?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) and (b).

In general, basic chemicals are not price controlled. The producers' prices of Soda Ash had increased considerably during the last one year on account of increases in the cost of inputs. Though Soda Ash is not subject to price and distribution control, Government have taken the following steps to improve the availability:—

(i) Guidelines have been issued to all the manufacturers of Soda Ash to ensure supply to industrial consumers of the quantity supplied to them during 1977

(ii) Arrangements have been made for the supply of about 1000 tonnes of Soda Ash per month to the National Consumers' Cooperative Federation for distribution through their member retail outlets in the country to meet the needs of small users.

(iii) In 1979-80, 19,100 tonnes of light Soda Ash were imported through the State Chemicals and Pharmaceuticals Corporation of India (CPC) and distributed through State Government Agencies to the small scale sector. This year also it has been decided to import 20,000 tonnes of Soda Ash through the State Chemicals and Pharmaceuticals Corporation of India.

(iv) Soda Ash import has been placed under Open General Licence for actual users and the Customs duty on Soda Ash imports has been reduced from 75 per cent to 35 per cent and 5 per cent in the case of light and dense Soda Ash respectively.

(v) There is also constant monitoring in the Government of the supply being made by the manufacturers. A Standing Committee on Soda Ash consisting of representatives of different Government Departments, major consumers of Soda Ash and manufacturers of Soda Ash has been appointed and it periodically reviews the production, availability and distribution of Soda Ash.

Roughly about 86 per cent of the Soda Ash production in the country is being sold direct to industrial consumers at producers' prices. The balance is being sold through traders in the market.

As a result of the measures taken by the Government, the availability of Soda Ash has improved considerably.

#### Cooking Gas Connections in Orissa

3087. SHRI K. PRADHANI: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to lay a statement showing:

(a) the total number of cooking gas connections in the country as on June, 1980, (State-wise);

(b) the total number of cooking gas connections in each district of Orissa; and

(c) what steps have been taken by Government to provide gas connections in areas not covered so far?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) State-wise number of cooking gas connections released in the country upto June is as under:—

Sl. No.	Name of State/Union Territory	Total No. of gas connections released
1	2	3
1	J & K	19,650
2	Assam	25,107
3	Andhra Pradesh	1,98,595
4	Bihar	1,02,173
5	Gujarat	3,37,665
6	Haryana	53,993
7	Karnataka	1,23,270
8	Himachal Pradesh	5,323
9	Kerala	58,425

1	2	3
10	Meghalaya . . . . .	3,032
11	Manipur . . . . .	1,239
12	Mizoram . . . . .	1,057
13	Madhya Pradesh . . . . .	1,60,726
14	Nagaland . . . . .	2,267
15	Orissa . . . . .	36,284
16	Punjab . . . . .	55,484
17	Rajasthan . . . . .	51,627
18	Sikkim . . . . .	1,170
19	Tripura . . . . .	1,110
20	Uttar Pradesh . . . . .	2,70,976
21	Tamil Nadu . . . . .	2,13,540
22	Delhi . . . . .	3,03,844
23	Chandigarh . . . . .	26,893
24	Pondicherry . . . . .	5,614
25	West Bengal . . . . .	1,73,074
26	Goa . . . . .	12,228
27	Maharashtra . . . . .	8,96,599
	Total . . . . .	31,50,961

(b) The total number of cooking gas connection in each district of Orissa is as under—

Sl. No.	Name of District	Number of gas connections
1	Puri . . . . .	9,464
2	Koraput . . . . .	2,071
3	Sambalpur . . . . .	3,630
4	Ganjam . . . . .	4,596
5	Balasore . . . . .	738
6	Cuttack . . . . .	18,675
7	Sundergarh . . . . .	6,007
	Total . . . . .	35,181

(c) It is proposed to start marketing of cooking gas in all district headquarters not covered so far and towns with a population of above 50,000 when additional LPG starts becoming available next year.

**News-item Captioned "Participants in Film Festival"**

3088. SHRI SHIV KUMAR SINGH THAKUR: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether the attention of Government has been invited towards a news-item appearing in the 'Indian Express' dated 12th November, 1980, under the caption "Participants in Film Festival";

(b) if so, the venue of the film festival, when it is going to be held and how many countries have sent in their willingness to participate and how many are expected to send their willingness; and

(c) the details of the prizes to be awarded to the best films and whether these films will be released for public show in the country; if not, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (KUMARI KUMUD-BEN. M. JOSHI): (a) Government has seen the news-item which appeared in the Indian Express, New Delhi dated 12-11-80 under the Caption "Participants in Film Festival".

(b) The 8th International Film Festival of India will be held in New Delhi from 3rd to 17th January, 1980. Sixtyone countries have indicated their willingness to participate in the festival; a few more may send their willingness before the commencement of the festival.

(c) The following awards are proposed to be given:—

**FEATURES:**

Best Film . . . . .	Golden Peacock
Best Director . . . . .	Silver Peacock
Best Actor . . . . .	Silver Peacock
Best Actress . . . . .	Silver Peacock
Special Jury Prize . . . . .	Silver Peacock

**SHORTS:**

Best Film . . . . .	Golden Peacock
Special Jury Prize . . . . .	Silver Peacock. (Optional).

The films entered in the Festival will not be released for public show in the country, as India's International Film Festival is held under International Regulations which lay down that a film cannot be screened more than three times' and that no film will be shown outside the city where the festival is organised.

**Policy for Distribution of Diesel**

3089. SHRI SHIV KUMAR SINGH THAKUR: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether the attention of Government has been drawn to a news-item appearing in the "Indian Express" dated 12th November, 1980 under the caption "Lack of uniform diesel policy creates chaos";

(b) if so, the reasons for not issuing a uniform policy guiding the State Governments for proper distribution of diesel;

(c) the names of the States which are hard hit as a result of shortage of diesel and other oils and the steps being taken to improve the position; and

(d) whether Government are considering to revise their policy for distribution of diesel to the State Gov-

ernments, if so, the details thereof and if not, the reasons therefor?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) Yes, Sir.

(b) This Ministry makes the overall monthly allocation of High Speed Diesel (HSD) oil to the States and Union Territories. This allocation is split up by the State Governments between the different sectors consuming HSD like agriculture, transport, industry, etc. based on the priorities drawn up by the State Government for different uses of diesel depending upon the requirements which vary from State to State. This Ministry has advised the State Governments and Union Territory Administrations to regulate the sale and Distribution of diesel in such a manner as to ensure proper and equitable distribution of the product to the various priority sectors. Issue of diesel to vehicles plying on inter-State routes is regulated by the rules and orders so framed by the State Governments. Depending upon the size of the State and the number of such vehicles passing through a State, the quantum of diesel issued to such vehicles differs.

(c) The diesel demands in most of the States, with the exception of the States and Union Territories in the North East region, have been by and large fully met in recent months. The availability of other petroleum products of mass consumption is generally satisfactory.

(d) Since the existing policy for distribution of diesel is working satisfactorily no revision thereof is considered necessary.

**Setting up of Petro-Chemicals Complex in Vidarbha**

3090. SHRI SHIV KUMAR SINGH THAKUR: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether it is a fact that a delegation of Members of Parliament and

State Legislators from Vidarbha region of Maharashtra State submitted a memorandum to the Prime Minister recently for setting up Petro-Chemicals Complex in Vidarbha, as reported in the Indian Express dated 14th October, 1980;

(b) if so, the details of the complex to be set up together with its annual production capacity, what petro-chemicals will be produced, estimated expenditure to be involved and when it is expected to start production; and

(c) whether there is any such proposal under the consideration of Government to set up a complex in Madhya Pradesh also, if so, the details thereof and if not, the reasons therefor?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) Yes, Sir.

(b) Govt. have decided in principle to set-up a petro-chemical complex viz., a gas cracker and its down stream units at Usar, South of Thal Vaishet in Maharashtra. The details of the complex are yet to be finalised.

(c) Govt. of Madhya Pradesh have also submitted a proposal for setting up an aromatics complex, which will also be considered by the Site Selection Committee set up by the Govt. for recommending suitable locations for new aromatics projects.

प्रेस सूचना ब्यूरो की आलोचना वाला लेख

3091. श्री अटल बिहारी वाजपेयी :  
श्री सत्यनारायण जटिया :

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

(क) क्या सरकार का ध्यान 2 अक्टूबर 1980 के "द स्टेट्समैन" में छपे लेख की ओर दिलाया गया है जिस में प्रेस सूचना

ब्यूरो के बारे में यह आलोचना की गई है कि प्रेस सूचना ब्यूरो ऐसे ढंग और ऐसे रूप में देता है जिससे न केवल उस की अपनी साख गिरती है बल्कि सरकार में विश्वास भी कम होता है; और

(ख) यदि हां, तो इस लेख में किन किन मुख्य बातों का उल्लेख है, और उन में से प्रत्येक के बारे में सरकार की क्या प्रतिक्रिया है ?

सूचना और प्रसारण मंत्रालय में उप मंत्री (श्री कुमारी कुमुदबेन, एम० जोशी) : (क) जी हां । "दि स्टेट्समैन" ने 2 अक्टूबर, 1980 के अपने संस्करण में पत्र सूचना कार्यालय के कार्यकरण पर एक लेख छपा था ।

(ख) उक्त लेख में लगाए गए मुख्य आरोप ये हैं : (1) दो अध्यादेशों अर्थात् राष्ट्रीय सुरक्षा अध्यादेश, 1980 और दंड प्रक्रिया संहिता (संशोधन) अध्यादेश, 1980 के पूरे पाठों को, पत्र सूचना कार्यालय द्वारा जारी किए गए हैड-आऊटों के साथ साथ समाचारपत्रों को जारी नहीं किया गया था; (2) इन रिलीजों में उक्त अध्यादेशों के प्रख्यापन को उचित ठहराने का प्रयास किया गया था; (3) पत्र सूचना कार्यालय ने "संजय समाधि" पर एक गैर-सरकारी स्पष्टीकरण रिलीज किया था; (4) पत्र सूचना कार्यालय मंत्रियों की राजनीतिक गतिविधियों को भी कवर करता है और पत्र सूचना कार्यालय के अधिकारी मंत्रियों के जन-सम्पर्क अधिकारियों के रूप में काम कर रहे हैं; (5) यह नियम कि पत्रकार संयुक्त सचिव या इस से ऊपर के दर्जे के अधिकारियों से सूचना प्राप्त करें, समाचारपत्रों के मुक्त प्रवाह में बाधक हैं; और (6) पत्र सूचना कार्यालय प्रेस सम्मेलनों का अवसर आयोजन नहीं करता । इन सभी बातों की सरकार द्वारा जांच की गई है और इन में कोई सच्चाई नहीं पाई गई है ।

**Transfer Policy for Producers and Production Assistants**

3092. SHRI RASHEED MASOOD: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether Producers and Production Assistants are not covered by the Transfer Policy of AIR; if so, reasons therefor; and

(b) whether he is aware that certain officials of CBS, AIR at Delhi have been working there for last seven years or so and not transferred; if so, the reasons why have they not been transferred?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (KUMARI KUM- UDBEN M. JOSHI): (a) The Producers and Production Assistants in All India Radio who belong to the category of staff known as staff artists are engaged on contracts with special reference to a discipline, language and suitability to work at a particular station of All India Radio. In view of this, unlike Civil servants of the All India Radio, their transfer as a matter of routine after a lapse of a specified period is not ordered. The contracts entered into with them do, however, provide that whenever required, they have to proceed to any part of India on transfer/four or assignments, as the case may be and there render such services as may be assigned to them.

(b) Yes, Sir. As indicated against (a) above, unlike Civil servants of the All India Radio, the transfer of staff artists is not considered necessary as a matter of routine.

**भारतीय फिल्मों का निर्यात**

3093. श्री अशोक गहलोत : क्या सूचना और प्रसारण मंत्री यह बने ताकी कृपा करेंगे कि :

(क) क्या भारतीय फिल्मों का देश से निर्यात होता है;

(ख) यदि हां, तो 1979-80 के दौरान तथा अक्टूबर, 1980 तक देश में कितनी और कौन-सी भारतीय फिल्मों का निर्यात किया गया;

(ग) क्या भारत सरकार को इन फिल्मों से कोई विदेशी मुद्रा की आय हुई; और

(घ) यदि हां, तो किस फिल्म से और किस देश से कितनी कितनी आय हुई ?

सूचना और प्रसारण मंत्रालय में उपमंत्री (कुमारी कुमुदबेन एम० जोशी) : (क) जी हां ।

(ख) से (घ) सूचना एकत्रित की जा रही है और उसको सदन की मेज पर रख दिया जायेगा ।

**Catalytic Reformer Unit of Bharat Petroleum Corporation**

3094. SHRI A. T. PATIL: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether a catalytic reformer unit of 3,00,000 T/A capacity of Bharat Petroleum Corporation Ltd. is lying idle for several years as it has not been required for mogas octane improvement for which it was originally intended, or for some other reasons;

(b) whether this unit can be gainfully deployed in aromatic manufacture; and

(c) if so, what section do Government proposed to take to utilise this unit for aromatic manufacture or otherwise?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI DALBIR SINGH): (a) The catalytic reforming unit with a capacity of about 300,000 T/A was commissioned in the Bharat Petroleum Corporation Ltd. Refinery at Bombay in September, 1957. The unit was originally intended

for gasoline octane improvement and was used as such till early 1967 when other refineries came up in India and gasoline export potential also dwindled. It was then used part-time with half the catalyst charge for the manufacture of Avgas component but its reforming section was finally shut-down in March, 1972.

(b) and (c) The reformer unit is now proposed to be utilised at approximately half of its capacity in the project for the production of Benzene from Bombay High Naphtha, presently under implementation. The possibility of further utilising its capacity for the production of other aromatic products is under consideration.

**Project for manufacture of Benzene and Toluene from Bombay High**

3095. SHRI A. T. PATIL: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether a small project to manufacture benzene and toluene from Bombay High Naphtha has been approved by Government of India; and

(b) if so, what actions has been taken up to now by Government to implement that project and with what achievement?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) and (b) In April 1980, Govt. approved the proposal of Bharat Petroleum Corporation Ltd. (BPCL) for the production of benzene and toluene based on Bombay High Naphtha. BPCL are taking necessary steps to implement the project.

विदेशी औषध कम्पनियों की आय, आस्तियां, लाभ, लाभांश, विदेशी इक्विटी शेयर आदि

3098. श्री तारिक अन्वर :

श्री हीरा लाल आर० परमार :

क्या पेट्रोलियम, रसायन और उर्बरक मंत्री यह बताने की कृपा करेंगे कि :

(क) भारत में वर्ष 1974-79 के दौरान कार्यरत विदेशी औषध कम्पनियों की वर्ष-वार, कम्पनी-वार तथा देश-वार आय, आस्तियों, लाभ, लाभांशों, कुल इक्विटी शेयरों, विदेशी इक्विटी शेयरों का व्यौरा क्या है ; और

(ख) वर्ष 1974 में विदेशी मुद्रा विनियम अधिनियम में संशोधन के पांच वर्ष पूर्व की अवधि में विदेशी औषध कम्पनियों की आय-आस्तियों, लाभ, लाभांश, कुल इक्विटी शेयरों तथा विदेशी शेयरों आदि का वर्ष-वार, कम्पनी वार तथा देश-वार व्यौरा क्या रहा ?

पेट्रोलियम, रसायन और उर्बरक मंत्री (श्री प्रकाश चन्द्र सेठी) : (क) उपलब्ध अपेक्षित सूचना दर्शाने वाला विवरण पत्र सभा पटल पर रखा गया है । [ग्रंथालय में रखा गया । देखिये संख्या LT-1541/80] ।

(ख) वर्ष 1973-74 के पूर्व की अवधि के लिए उस समय भारत में कार्य कर रही विदेशी कम्पनियों की बिक्री, परिसम्पत्ति, लाभ लाभांश, कुल साम्यपूजी, विदेशी साम्यपूजी आदि के उपलब्ध आंकड़े औषध और भेषज उद्योग पर हाथी समिति की रिपोर्ट के अध्याय 1 में अनुबंध I, II और III में दिए गए हैं जिसकी प्रति दिनांक 8-5-1975 को सभा पटल पर प्रस्तुत की गई थी ।



**Scarcity of L.P. Gas in Simla**

3099. SHRI JITENDRA PRASAD:  
Will the Minister of PETROLEUM,  
CHEMICALS AND FERTILIZERS be  
pleased to state:

(a) whether it is a fact that there is a great scarcity of L.P. Gas in Simla town and the consumers have to wait for over a month;

(b) is it also a fact that there were a large number of complaints against M/s. Himalaya Gas Company at Simla for misbehaviour of the Proprietor with the consumers;

(c) if so, what action has been taken; and

(d) is it also a fact that a second depot has been opened since 1 October, 1980 and a condition has been imposed that no old consumer can get his connection transferred to the new depot; if so, the reasons thereof?

THE MINISTER OF PETROLEUM,  
CHEMICALS AND FERTILIZERS  
(SHRI P. C. SETHI): (a) There had been some disruption of supply in the Simla Market. However the position at present is normal.

(b) and (c) There have been some complaints of delayed refill supplies and misbehaviour of the distributor who has been warned to ensure courtesy and efficiency in service to his customers.

(d) Yes, Sir, a second distributorship has been commissioned. However, there is no condition that no old customer can get his connection transferred to the new distributor, and some such transfers have already been reported to be agreed to.

**Unprecedented Power failure in South Bengal**

3100. SHRI SANAT KUMAR MANDAL: Will the Minister of ENERGY be pleased to state:

(a) whether there was unprecedented power failure in South Bengal on the 13th November, 1980 resulting in the dislocation of rail, radio, tap-water supply and other public utility services;

(b) if so, the reasons therefor; and

(c) the steps proposed to be taken to prevent such power crisis gripping South Bengal in future?

THE MINISTER OF STATE IN THE  
MINISTRY OF ENERGY (SHRI  
VIKRAM MAHAJAN): (a) The West Bengal State Electricity Board has intimated that there was a power failure in West Bengal on 14-11-1980 at about 05.28 hrs. resulting in dislocation of the public utility services.

(b) The breakdown of the system had taken place following a transmission line failure due to burning of jumpers and subsequent ground fault resulting in tripping of the DPL—Durgapur 132 KV transmission line and isolation of West Bengal State Electricity Board transmission system from DPL-DVC system. West Bengal SEB was importing about 60 MW from the DPL. With the loss of 60 MW assistance, the frequency in West Bengal system dropped down to about 45 cycles and large scale load shedding was done to improve the system frequency. However, the fall of frequency could not be arrested and when the frequency came down to 42 cycles, the Santaldih machines had to be hand-tripped to save the machines from adverse effects of under frequency conditions. This resulted in the frequency falling further and the Bandel units were also tripped at 05.34 hrs. It is also reported that at this time, there were a few cases of failure of 132 KV

lightening arrestors on the 132 KV side of 132 KV/33 KV transformers at some sub-stations.

(c) A technical enquiry is being made by the West Bengal State Electricity Board and corrective action will be taken by them as found necessary to prevent future recurrence of this type of failures. West Bengal State Electricity Board has also informed that they are gearing up the maintenance and line patrolling of the transmission lines as well as checking of lightening arrestors. They are also considering installation of under frequency relays for automatic shedding of loads on under frequency and over fluxing relays for stopping over fluxing of the transformers.

### बिजली उत्पादन की अतिरिक्त क्षमता का बनाया जाना

3101. श्री राम विलास पासवान :

क्या ऊर्जा मंत्री निम्नलिखित जानकारी दर्शाने वाला एक विवरण सभा पटल पर रखने की कृपा करेंगे कि :

(क) सरकार द्वारा अगले पांच वर्षों में प्रत्येक राज्य में बिजली उत्पादन की (प्रति वर्ष) कितनी अतिरिक्त क्षमता स्थापित की जानी है ;

(ख) बिजली उत्पादन की अविष्ठापित क्षमता कितनी हैं और गत पांच वर्षों में प्रत्येक राज्य द्वारा उत्पादित बिजली का ब्यौरा क्या है; और

(ग) देश में विगत पांच वर्षों में वर्ष-वार बिजली की सप्लाई तथा मांग की स्थिति का राज्यवार विवरण क्या है ?

ऊर्जा मंत्रालय में राज्य मंत्री (श्री बिक्रम महाजन) : (क) छठी पंचवर्षीय योजना 1980-85 को अभी अन्तिम रूप

नहीं दिया गया है । योजना अवधि 1980-85 में विद्युत उत्पादन क्षमता की अभिवृद्धि के लक्ष्यों की सही जानकारी छठी योजना को अन्तिम रूप दिये जाने के पश्चात ही मिल सकेगी । यद्यपि छठी पंचवर्षीय योजना 1980-85 में शामिल किए जाने के लिए विद्युत कार्यक्रम की सिफारिशें करने हेतु योजना आयोग द्वारा गठित किए गए विद्युत पर कार्यकारी दल ने अन्तिम रूप से उन परियोजनाओं का पता लगाया है जिनसे 1980-85 की अवधि के दौरान लाभ प्राप्त होंगे । कार्यकारी दल की रिपोर्ट के अनुसार निर्माणाधीन और स्वीकृत की गई परियोजनाओं से 1980-85 को पांच वर्ष की अवधि के दौरान (वर्ष-वार) सृजित होने वाली संभावित अतिरिक्त विद्युत उत्पादन क्षमता राज्यवार विवरण-1 में दी गई है । विवरण सभा पटल पर रखा गया । [ग्रंथालय में रखा गया देखिये संख्या LT-1542/80]

(ख) 1975-76 से 1979-80 के वर्षों के दौरान राज्यवार प्रतिष्ठापित विद्युत उत्पादन क्षमता विवरण-2 में दी गई है विवरण सभा पटल पर रखा गया । [ग्रंथालय में रखा गया देखिये संख्या LT-1542, 80] 1975-76 से 1979-80 के वर्षों के दौरान प्रत्येक राज्य (केवल युटीलिटीज) का सकल विद्युत उत्पादन विवरण-3 में दिया गया है ।

विवरण सभा पटल पर रखा गया । [ग्रंथालय में रखा गया । देखिये संख्या LT-154 /80]

(ग) 1975-76 से 1979-80 (वर्ष-वार) वर्षों के लिए प्रत्याशित विद्युत आवश्यकता की तुलना में प्रत्येक राज्य में विद्युत सप्लाई की स्थिति विवरण-4 में दिखाई गई है । विवरण सभा पटल पर रखा गया । [ग्रंथालय में रखा गया । देखिए संख्या एल टी-1542/40]

**कोयला उद्योग के कार्यक्रम की जांच करने वाली समितियों के नाम**

3102. श्री राम विलास पासवान : क्या ऊर्जा मंत्री यह बताने की कृपा करेंगे कि गत पांच वर्षों के दौरान कोयला उद्योग के कार्यक्रम की जांच करने वाली समितियों के नाम क्या हैं और उन के द्वारा की गई सिफारिशें क्या हैं ?

ऊर्जा मंत्रालय में राज्य मंत्री (श्री विक्रम महाजन) : सरकारी उद्यम कार्यालय के महानिदेशक श्री जी० सो० बवेजा की अध्यक्षता में एक समिति कोयले की उत्पादन लागत में किराया करने और कोयला खनन कार्य में अधिक कुशलता के संबंध में सुझाव देने के लिए नियुक्त की गई थी। इस समिति ने जून, 1978 में अपनी रिपोर्ट प्रस्तुत की थी और कोयले की उत्पादन लागत में किराया के लिए कुछ सिफारिशें की थीं। इस रिपोर्ट की पांच प्रतियां मार्च 1979 में संसद के पुस्तकालय में रखी गई थीं। फिर भी, समिति की कुछ महत्वपूर्ण सिफारिशें नीचे दी जा रही हैं :—

1. उत्पादन जहां तक संभव हो पूरे वर्ष एक रूप गति से किया जाए।

2. बिक्री की धनराशि शीघ्रता से वसूल की जाए।

3. बिजली का बिल्कुल सही लोड बनाए रखा जाए।

4. वर्तमान और नई खानों में उत्पादन में वृद्धि के कारण मजदूरों की जो अतिरिक्त जरूरत महसूस हो उसे अभी फालतू मजदूरों को लगा कर पूरा किया जाए।

5. जो काम उत्पादन से संबंधित नहीं है उन में कामगारों की और भर्ती रोक दी जाए।

6. जहां कहीं खान के कार्यकारी फेस खान मुहानों से दूर हों वहां एक दूसरे के अंतिम घंटों में ही शुरू हो जाने वाली ओवर-लेपिंग चार पालियां प्रारंभ की जाएं।

7. प्रत्येक कामगार के काम के व्योरे को व्यापक बनाया जाए।

8. न्यूनतम उपस्थिति और उपस्थिति बोनस के बीच संबंध फिर स्थापित करना।

9. मजदूरी के महावारी भुगतान की प्रणाली शुरू करना।

10. पहले की 75 प्रतिशत फाल बैंक मजदूरी प्रणाली फिर शुरू करना।

11. जहां काम पर आधारित प्रणाली है वहां ट्रामों के कार्यभार को यथार्थवादी दृष्टि से निश्चित करना।

12. जहां कहीं दशाएं उपयुक्त हों वहां तरल आक्सीजन जैसे सस्ते विस्फोटक पदार्थों का प्रयोग।

13. सामग्री सूची में जो सामान है उस का तुरन्त पुनरीक्षण और बेकार सामानों को बेच देना।

14. मुख्य खनन उपकरणों के उपयोग में सुधार।

15. कोल फेसों पर टोकरी द्वारा लदान को बन्द कर के उस के स्थान पर कन्वेयर लगाकर और अन्य यंत्रों के द्वारा यंत्रीकृत लदान शुरू करना।

16. प्रबन्ध मण्डल यह सुनिश्चित करेगा कि कोयले के टब भलीभांति कम से कम प्रत्येक टब में 1.10 टन की दर से भरे जाएं।

17. गैर-योजना ऋणों को अनुमानों में बदलना।

18. नई परियोजनाओं के लिए धनराशि पहले इक्विटी द्वारा और फिर ऋणों द्वारा उपलब्ध कराना

19. तेपणन में लगे फालतू कर्मचारियों को उत्पादन संबंधी काम में लगाना ।

20. ऊपरी खर्चों में किफायत करने की दृष्टि से सब एरिया प्रणाली समाप्त करना ।

21. मुख्यालय में कर्मचारियों की संख्या घटाना ।

#### Take-over Management of Harika Ropar Dam

3103. SHRI CHIRANJILAL SHARMA: Will the Minister of ENERGY be pleased to refer to the reply given to Unstarred Question No. 0049 on the 29th July, 1980 regarding take over of management of Harika-Ropar Dam and State:

(a) whether the question of taking over of the management of Harika-Ropar Dam from the Punjab Government has been discussed with the Chief Minister of Haryana; and

(b) if so, the results thereof?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) The question of transfer of Harika and Ropar headworks to the Bhakra Beas Management Board, has been taken up with the Government of Punjab. The Chief Minister of Punjab has intimated that he would discuss this issue. No discussion on this matter is contemplated with the Chief Minister of Haryana.

(b) Does not arise.

#### जीवन रक्षक औषधियों की मांग और उत्पाद

3104. श्री विजय कुमार यादव : क्या पेट्रोलियम, रसायन और उर्वरक मंत्रि: यह बताने की कृपा करेंगे कि :

(क) देश में जीवन रक्षक औषधियों की कुल मांग और उत्पादन की स्थिति क्या है ;

(ख) क्या ऐसी औषधियों का उत्पादन मांग से कम है; और

(ग) यदि हां, तो इस सम्बन्ध में देश को आत्मनिर्भर बनाने के लिए क्या प्रयास किए जा रहे हैं ?

पेट्रोलियम, रसायन और उर्वरक मंत्रालय में राज्य मंत्री (श्री बलबीर सिंह) : (क) वर्ष 1979-80 के लिए जीवन रक्षक औषधों से सम्बन्धित अनुमानित मांग (जैसा कि औषधों और भेषजों पर कार्यकारी दल द्वारा तैयार किया गया है) और संगठित क्षेत्र में उत्पादन दर्शाने वाला विवरण पत्र सभा पटल पर रख दिया गया है । [ग्रन्थालय में रखा गया देखिए, संख्या एल-टी-1543/80] ।

(ख) कुछ एण्टिबायोटिक, विटामिन, क्लोरोक्वीन, डिवसोजिन, पिपराजाइन और इसके लवण तथा डैप्सोन का उत्पादन मांग अनुमान से कम था ।

(ग) नई औषध नीति के बृहत उद्देश्यों में से एक है—आयात की मात्रा को कम करने की दृष्टि से औषधों के उत्पादन में तेजी से स्वावलम्बन का लक्ष्य बनाना । नई औषध नीति के मानदण्डों को औषधों और भेषजों के उत्पादन के लिए औद्योगिक लाइसेंस के आवेदन-पत्रों पर कार्यवाही

करते समय ध्यान में रखा जाता है। बिजली, कटौती, श्रमिक अशान्ति, कच्चे मालों की उपलब्धता आदि जैसे उत्पादन में रुकावटों को दूर करने में मदद की जाती है।

**Take over of Oil Fields in Assam by Army**

3105. SHRI P. M. SAYEED:  
SHRI M. V. CHANDRA-  
SHEKARA MURTHY:

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

(a) whether Army has taken over the control of ONGC oil fields in Assam;

(b) if so, from which date the Army took over;

(c) whether the capacity of all the refineries has been achieved or they are still below their capacity;

(d) what is the total output from the Barauni Refinery which was slowed down since December last year; and

(e) whether the flow of the crude in the Barauni unit was at the reduced rate of four cm per hour against a capacity of 40 cms?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) and (b). No, Sir. The Army personnel were deployed in oil fields and pumping installations during the limited period of 6th November, 1980 to 1st December, 1980.

(c) and (d). While Digboi Refinery has started taking Oil India crude, crude supplies to Gauhati Refinery were suspended from 4-11-80 due to the Refinery shutdown. The Barauni Refinery remains shutdown as regular supplies of crude oil to it have not yet been resumed. The crude distillation unit of Bongaigaon Refinery is shutdown since 26th December, 1979.

(e) Crude oil was pumped into Barauni Refinery's tanks from 4th to 23rd November, 1980 as a part of clearing the stagnated crude from OIL INDIA's crude pipeline and the flow rate during this period varied from 100—230 KLS/per hour.

**Action against striking Staff in Assam**

3106. SHRI P. M. SAYEED: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether the Union Government have sacked the whole staff who are not still doing oil pumping in Assam;

(b) if so, whether the job at present is being done by the Army;

(c) whether the Army is not in a position to pump the oil from Assam refineries due to lack of cooperation from the employees; and

(d) if so, what is the total loss being suffered by the Government due to this?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) No, Sir.

(b) The Army personnel were deployed in oil fields and pumping installations during the limited period of 6th November, 1980 to 1st December, 1980.

(c) Does not arise.

(d) The overall approximate value of product losses suffered up to end September, 1980 due to Assam agitation was about Rs. 626 crores.

**Absorption of the Retrenched Work-Charged Staff of Mana Camp**

3107. SHRI SAMAR MUKHERJEE: Will the Minister of SUPPLY AND REHABILITATION be pleased to state:

(a) how many retrenched Group 'C' work-charged staff of Mana Camp

are still left to be absorbed in alternate jobs;

(b) if they have not yet been absorbed, the reasons thereof; and

(c) whether steps are being taken to absorb these remaining retrenched staff in alternate jobs?

**THE DEPUTY MINISTER IN THE MINISTRY OF SUPPLY AND REHABILITATION (SHRI P. K. THUNGON):** (a) Seven.

(b) They are work-charged staff. Retrenched work-charged staff are not eligible for re-deployment in alternative jobs under the scheme for re-deployment of surplus staff. They have to seek assistance of the Employment Exchange for fresh employment against notified vacancies.

(c) The particulars of these employees have been sent on compassionate grounds to some Central Government Organisations, for consideration.

**Installation of Third Generation Computer by Eastern Coalfields Ltd.**

**3108. SHRI SAMAR MUKHERJEE:** Will the Minister of ENERGY be pleased to state:

(a) whether it is a fact that a third generation computer has been installed by the Eastern Coalfield Ltd. Data Processing Centre, Asansol;

(b) if so whether it has been done in accordance with the recommendation of the Committee on Automation;

(c) if the answer to (b) is negative, the reasons for the same, and

(d) what will be the impact of installation of the above mentioned computer on the present and future job potential of the ECL?

**THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN):** (a) No, Sir. Only a Mini computer has been pro-

cured by Eastern Coalfields Limited but not installed so far.

(b) Yes, Sir.

(c) Does not arise.

(d) Since the computer will be used for statistical data storage and processing etc. for management information system, it is unlikely to affect present and future job potential.

**Electrification of Villages in Orissa**

**3109. SHRI CHINTAMANI JENA:** Will the Minister of ENERGY be pleased to state:

(a) whether any block-wise list of proposals has been made by the Government of Orissa to electrify the villages;

(b) if so, the details thereof;

(c) the names of the villages, block-wise, which are going to be electrified during the current financial year and the funds released for the same; and

(d) the measures taken by the Government of Orissa and the FEC to avoid delay in executing the scheme?

**THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN):** (a) 8 Rural electrification schemes received from the Orissa State Electricity Board were under examination in Rural Electrification Corporation as on 31-10-1980. In addition, 48 schemes, which had been received in the Corporation, were referred back for revision/clarifications to the Orissa State Electricity Board and were pending with it.

(b) The block Taluka/area-wise details of the rural electrification schemes referred to in reply to part (a) of the Question are given in the Statements I & II, laid on the Table of the House. (Placed in Library. See No. LT-1544/80).

(c) During the current financial year (1980-81), 1,350 new villages are likely to be electrified under REC schemes in Orissa State. Rural Electrification schemes, for which financial assistance is made available by the Corporation, are implemented by the State Electricity Board and the *inter se* during the current financial year, fixed during the current financial year, is to be decided by the State Electricity Board. As such, the information about the names of the villages to be electrified during 1980-81 is not available.

As on 31-3-1980, an amount of Rs. 14.67 crores disbursed as loan instalments by the Rural Electrification Corporation was remaining to be utilised by the Electricity Board. In addition, an amount of Rs. 12.70 crores is available for disbursement by the Corporation to the Orissa State Electricity Board during the current financial year (1980-81), against schemes already sanctioned/to be sanctioned in Orissa.

(d) With a view to expediting the implementation of rural electrification schemes, the officials of the Corporation carry out regular monitoring of the schemes and hold discussions with the officials of the State Electricity Board. The progress of scheme is reviewed before the release of the second and subsequent instalments of loan sanctioned in respect of each scheme. The Corporation has also introduced a system of performance budgeting to watch the progress in implementation of the schemes and initiate special measures in individual cases, wherever necessary.

**एकाधिकार तथा अवरोधक व्यापारिक व्यवहार अधिनियम के सम्बन्ध में उच्च-शक्ति प्राप्त समिति**

3110. श्री मूल चन्द डागा : क्या विधि, न्याय और कम्पनी कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या एकाधिकार तथा अव-

रोधक व्यापारिक व्यवहार अधिनियम, 1969 के उपबन्ध पर पुनर्विचार करने और उसमें आवश्यक संशोधनों के बारे में सुझाव देने के लिए 23 जून, 1977 को एक उच्च-शक्ति प्राप्त विशेषज्ञ समिति नियुक्त की गई थी और यदि हां, तो उसके उद्देश्य क्या हैं ; और

(ख) क्या सरकार ने समिति के प्रतिवेदन पर विचार कर लिया है और यदि हां, तो इस अधिनियम को कब तक संशोधित किये जाने की संभावना है और यदि नहीं, तो इसके क्या कारण हैं ?

विधि, न्याय और कम्पनी कार्य मंत्री (श्री श्री० शिवशंकर) : (क) हां, श्रीमान् जी । समिति से संदर्भित शर्तों, सरकार के संकल्प दिनांक 23-6-1977, जो उसकी रिपोर्ट के परिशिष्ट—I में पुनः प्रस्तुत किया गया था, में प्रदर्शित की गई हैं और जिसकी प्रतियां सदन के पटल पर दिनांक 30-8-1978 को रख दी गई थीं ।

(ख) समिति की रिपोर्ट, सरकार के विचाराधीन है और एकाधिकार तथा अवरोधक व्यापारिक व्यवहार अधिनियम में उसके सुझावों को कार्यान्वित करने के लिए जो स्वीकार किये जाते हैं, उनमें संशोधन करने का विधेयक उच्चाधिकार विशेषज्ञ समिति के सुझावों पर जैसे ही निर्णय किया जाता है उनको यथाशीघ्र संसद् में पुरःस्थापित किये जाने की संभावना है ।

**राष्ट्रीय फिल्म विकास निगम द्वारा फिल्म निर्माताओं को दिया गया ऋण**

3111. श्री मूल चन्द डागा : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) राष्ट्रीय फिल्म विकास निगम द्वारा कितनी राशि का ऋण दिया गया तथा

जिन व्यक्तियों को ये ऋण दिये गये उनका व्यौरा क्या है और फिल्म बनाने अथवा सिनेमा घर बनाने के लिए ऋण मंजूर करने की तारीखें क्या हैं और उसका राज्य-वार व्यौरा क्या है ;

(ख) क्या भूतपूर्व फिल्म वित्त निगम द्वारा मंजूर किये गये ऋण वसूली योग्य नहीं रहे और सरकार उन्हें वसूल न कर सकी अथवा उन्हें बट्टे-खाते में डालना पड़ा; यदि हां, तो उन लोगों के नाम क्या हैं जिन्हें ऋण दिये गये तथा कितनी ऋण राशि बट्टे खाते डाली गई तथा उसकी तारीख क्या है; और

(ग) सरकार द्वारा उन व्यक्तियों के विरुद्ध क्या कार्यवाही की गई है जिनसे वसूली नहीं की जा सकी ?

सूचना और प्रसारण मंत्रालय में उप-मंत्री (कुमारी कुमुदबेन एम० शोशी) : (क) और (ख) फिल्में बनाने या सिनेमाघरों के निर्माण के लिए ऋण 10-4-1980 तक फिल्म वित्त निगम द्वारा दिए जाते थे। फिल्म वित्त निगम का राष्ट्रीय फिल्म विकास निगम के साथ 11-4-1980 से समामेलन के बाद इस प्रकार के ऋण अब राष्ट्रीय फिल्म विकास निगम द्वारा दिए जाते हैं। एक विवरण (विवरण संख्या 1) जिसमें उन व्यक्तियों का व्यौरा जिन को अब तक फिल्म वित्त निगम/राष्ट्रीय फिल्म विकास निगम द्वारा फिल्म बनाने के लिए ये ऋण दिए गए हैं और उनका राज्य-वार व्यौरा सभा पटल पर रखा दिया गया। [ग्रन्थालय में रखा गया देखिए संख्या एल-टी—1545/80]। दूसरा विवरण, जिसमें सिनेमाघरों के निर्माण के लिए ऋणों का व्यौरा दर्शाया गया है, भी (विवरण संख्या 2) सभा पटल पर रखा गया। ग्रन्थालय में रखा गया देखिए संख्या एल-टी—1545/80]।

यह सच है कि भूतपूर्व फिल्म वित्त निगम द्वारा दिए गए कुछ ऋण वसूली योग्य नहीं रहे और इनको बट्टे-खाते में डाल देना पड़ा था। एक विवरण (विवरण संख्या 3) जिसमें बट्टे-खाते डाले गए ऋणों का व्यौरा दिया गया है, सभा पटल पर रखा गया। [ग्रन्थालय में रखा गया देखिए संख्या एल-टी—1545/80]।

(ग) ऋणों को बट्टे-खाते डालना एक लेखा प्रक्रिया है जो निगम को इस अधिकार से बंचित नहीं करती कि वह-बट्टे खाते डाले ऋणों को वसूल नहीं कर सकती। दोषी निर्माताओं से ऋण की वसूली के लिए कानूनी कार्रवाई अब विभिन्न चरणों में चल रही है।

#### Negligence on promising on-shore exploration for oil

3112. SHRIMATI GEETA MUKHER. JEE: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) the recent principal emphasis on off-shore exploration is resulting in utter neglect of the more economic and promising on-shore exploration for oil and natural gas around the proven petroliferous zones of the country;

(b) have Government taken into consideration the long-term view that on-shore exploration is less costly and relatively less dependent on foreign technology and assistance;

(c) is it not true that a judicious combination of off-shore and on-shore exploration would also yield better distributive effects on the nation's natural resources; and

(d) if so, whether Government propose considering such a balance in the planning?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) No, Sir.



(b) Exploration plans are being executed on the basis of geological priorities and the relative merits of different prospects of onshore and offshore areas.

(c) and (d). A judicious combination of offshore and onshore exploration to discover optimum reserves as well as to produce optimum quantities of oil and gas from both onshore and offshore areas is being implemented.

#### Exploratory Wells in West Bengal

3113. SHRIMATI GEETA MUKHERJEE: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) is it a fact that while the drilling of the exploratory well was completed in February, 1980 at Diamond Harbour, West Bengal the immediate subsequent work of testing of the availability of hydro-carbon in the area has not been taken up;

(b) if so, is such delay due to total lack of coordination between the different sub-disciplines of ONGC and default of the administration in the field of planning and execution;

(c) are such delays and defaults proving enormously costly for the country and causing a serious drain on our limited foreign exchange resources;

(d) if the answers to (b) and (c) are in the affirmative what measures are being contemplated for the redressal of the situation; and

(e) is it true that exploratory wells dug in West Bengal around Bodra, Bakultala, Ranaghat and Port Canning yielded positive indications of presence of hydro-carbon: if so, what prompted the Government to stop all follow-up activities in the area in this respect?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) No, Sir. Immediately after completion of drilling, the work relating to testing of

interesting horizons was taken in hand and production testing started in May, 1980. One horizon has already been thoroughly tested and another horizon has been conventionally tested. Further testing is proposed to be undertaken with the help of a foreign agency.

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

(e) Minor traces of gas have been noticed during drilling of Bodra, West Ranaghat and Port Canning only. Seismic surveys adjacent to these areas are in progress with a view to locating suitable structures.

#### Coal stock position of thermal power stations of D.V.C., W.B.S.E.B., B.S.E.B. and D.P.L.

3114. SHRIMATI GEETA MUKHERJEE: Will the Minister of ENERGY be pleased to state:

(a) what is the actual policy of stocking coal in each of the thermal power stations of D.V.C., W.B.S.E.B., B.S.E.B. and D.P.L. and whether the actual stock varies from the same and if so, what are the reasons for it;

(b) what steps have been taken by Coal India Limited to ensure sufficient stock of coal in each of the thermal power stations of D.V.C., W.B.S.E.B. and D.P.L. and what monitoring arrangements have been made by all concerned to ensure the same; and

(c) why Coal India Ltd., are not taking full responsibility to supply requirement of coal at power stations sites instead of power supply agencies taking responsibility for road transportation arrangement and diverting attention from concentrating on power generation?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) As per norms, all power stations situated beyond 350 KM. distance from the coal mines should keep a coal stock of about 4—6 weeks; those within 350 KMs a stock of about 3 weeks and pitheads power stations a stock of

about 2 weeks. The coal stock of the thermal power stations of D.V.C., W.B.S.E.B., B.S.E.B. and D.P.L., keep on varying depending upon the receipt of coal and consumption from time to time. While the coal stock at Chandrapura and Bokaro power stations of D.V.C. and D.P.L. are more than the coal stock as per the norms, the coal stock at other power stations has been less than the stock as per the norms. The shortfall in coal stocks in these cases could be primarily attributed to shortfall in supply of coal against the allocation and delay in release of wagons at the power stations end.

(b) and (c). Coal India is making all efforts to step up production and to ensure that adequate coal is available for loading and transporting to power stations. It is not the function of Coal India Ltd. to transport coal to the power station site. A number of steps have been taken by the Government to improve the supply of coal to thermal power stations. These steps include:—

(i) Steps to increase production of coal and ensure a higher rate of wagon supply to move coal to power stations has been discussed by the Minister for Energy with the Minister for Railways in October, 1980 and arrangements to ensure better coordination of coal supply and transportation was also reviewed in a Conference of Power Ministers held on November, 14 & 15, 1980.

(ii) Close liaison is being maintained between the Department of coal, Ministry of Railways, Department of Power and Central Electricity Authority for monitoring coal supplies to the power stations. High level inter-ministerial meetings are also held periodically to review coal supplies to power stations.

(iii) The Cabinet Committee on Industrial Infrastructure also reviews production and movement of coal, particularly to power stations.

(iv) In order to reduce avoidable hold up of wagons, Power stations have been asked to take steps to ensure expeditious unloading of coal and early release of wagons.

#### Merger of sick units with giants

3115. SHRI K. RAMAMURTHY: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) what are the 11 schemes of forging sick units with giants which are under the consideration of Government; and

(b) how many of these giants are foreign companies?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIV SHANKAR): (a) It is presumed that by the word 'Giants', the Hon'ble Member means MRTP companies. This Department has under consideration the following 7 schemes of merger of sick units with MRTP companies:

1. Amalgamation of M/s. Hindustan Polymers Ltd., with M/s. McDowall and Company Ltd.

2. Amalgamation of M/s. Mindia Chemicals Ltd., with M/s. Polyolefins Industries Ltd.

3. Amalgamation of M/s. Centron Industrial Alliance Ltd. with M/s. Brooke Bond India Ltd.

4. Amalgamation of M/s. National Rifles Ltd. with M/s. Indian Hume Pipe Company Ltd.

5. Amalgamation of M/s. Kothari Sugars and Chemicals Ltd. with M/s. Kothari (Madras) Ltd.

6. Amalgamation of M/s. Intrac-Pharmaceuticals Ltd., with M/s. Indo-Swiss Synthetics Gem. Mfg. Co. Ltd.

7. Amalgamation of M/s. J. K. Iron & Steel Co. Ltd., with M/s. Raymond Woollen Mills Ltd.

(b) None of these companies is a foreign company in terms of the provisions of the Companies Act, 1956.

**Functioning of public undertakings without Chairman**

3116. SHRI K. RAMAMURTHY: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether the following public sector undertakings under the charge of the Ministry are functioning without Chairman from the month mentioned against each:

Bongaigaon Refinery and Petrochemicals Limited—September, 1978.

Madras Fertilizers—December, 1978.

Hindustan Antibiotics—September, 1979.

Pyrites, Phosphates and Chemicals Limited—July, 1980.

Madras Refineries—February, 1980.

National Fertilizers—No Managing Director since last year, and

Hindustan Latex—No Managing Director since last year; and

(b) the steps being taken to fill up these posts.

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) and (b). A statement showing the requisite information is laid on the Table of the Sabha.

**Statement**

**1. Bongaigaon Refinery and Petrochemicals Limited.**

The post of Chairman, Bongaigaon Refinery and Petrochemicals is vacant since September, 1978. The Appointment's Committee of the Cabinet have declared the name of Shri S. K. N. S. Dixit for the post of Chairman and Managing Director of the company.

Necessary orders in this regard are expected to be issued shortly.

**2. Madras Fertilizers Limited**

The post of Part-time Chairman is vacant since December, 1978. The selection of a new incumbent for the post is yet to be made. The proposal is pending with Public Enterprises Selection Board.

**3. Hindustan Antibiotics Limited (HAL)**

The post of Part-time Chairman is vacant since 6th July, 1979. Part-time Chairman is yet to be appointed on the basis of the recommendations made by Public Enterprises Selection Board, a reference has been made to Department of Personnel for approval of ACC.

**4. Pyrites, Phosphates and Chemicals Limited.**

The post of Part-time Chairman is lying vacant since 31-5-80. It is proposed to combine the post of Part-time Chairman and Managing Director and appoint the present Managing Director, Shri T. N. Jaggi as Chairman and Managing Director in the up-graded scale of pay of Rs. 2500—3000. The recommendations of the Public Enterprises Selection Board in this regard have been received and are under process.

**5. Madras Refineries Limited.**

The post of Managing Director was lying vacant since 17-11-78. The post has since been filled up and Shri A. J. A. Tauro has taken over as Chairman and Managing Director of the Company with effect from 21-11-1980.

**6. National Fertilizers Limited.**

The post of Chairman-cum-Managing Director is lying vacant since 19-10-1979. The PFSB has again been approached to select another incumbent for the post as Shri P. N. Deva- rajan, Managing Director, Hindustan Organic Chemicals Limited who was selected for the post could not be shifted from his present assignment.

and therefore was not available for the post. The matter is pending with PFSB.

**7. Hindustan Latex Limited.**

The post of Chairman-cum-Managing Director, Hindustan Latex Limited has not been lying vacant. Dr. R. Rabindranath Menon, IAS, has been working as Chairman-cum-Managing Director, Hindustan Latex Limited, Trivandrum since 21-4-1978. This undertaking is under the administrative control of Ministry of Health and Family Welfare.

**Total investment in fertilizers**

3117. SHRI JYOTIRMOY BOSU: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) total investment in the fertilizers as at the end of 1966, 1976 and 1979;

(b) shares of (i) private sector, (ii) private foreign sectors and (iii) public sector in this total;

(c) names and particulars of foreign who have technical collaboration agreements with (i) public sector and (ii) private sector fertilizer projects;

(d) what are the terms of technical collaboration agreements; and

(e) whether it is a fact that technical collaboration agreement with foreign companies have not strengthened our National Fertilizer Industry?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI DALBIR SINGH): (a) to (e). The required information is being collected and will be laid on the Table of the House.

**Port-based fertilizer Plant at Paradip**

3118. SHRI LAKSHMAN MALICK: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to refer to the reply

given to Unstarred Question No. 228 on the 10th June, 1980 regarding Fertilizer Plant at Paradip and to state:

(a) whether Government have since taken any decision on the setting up of a port based fertilizer plant at Paradip; and

(b) if so, what are the details in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI DALBIR SINGH): (a) No, Sir.

(b) Does not arise.

**Reduction in the prices of tyres**

3119. SHRI R. K. MHALGI: Will the Minister of SUPPLY AND REHABILITATION be pleased to state:

(a) whether the Tyre Manufacturers have agreed to reduce the price of trucks, car and scooter tyres by 3 Per cent;

(b) if so, what will be the new prices of trucks, car and scooter tyres respectively and when will come in force; and

(c) what were the prices of these commodities on the 1st April, 1980?

THE MINISTER OF STATE IN THE MINISTRY OF SUPPLY AND REHABILITATION (SHRI BHAGWAT JHA AZAD): (a) Of the 5 firms with whom DGS&D have entered into rate contract, 3 firms have indicated varying reductions in their prices.

(b) and (c). A statement showing (i) the rates as on 1-4-1980, 5-5-1980, (ii) the rates prevailing immediately before the reduction offered by the firms, and (iii) the current revised rates after reduction, have been indicated in the statement enclosed. Reductions in prices were notified on different dates by the firms and the reduced prices came into force from the date they were notified by the firms.

## Statement

In cases of 2 firms : M/s. Dunlop and M/s. Apollo Tyres, items for which price reduction was subsequently intimated by these firms, were included in their Rate Contracts only with effect from 5-5-1980 and, therefore, as on 1-4-1980 these items were not on the Rate Contract with these two firms. Therefore, the rates of these two firms as on 5-5-1980 have been mentioned under Column (1) below. So far as the third firm M/s. Premier Tyres is concerned, the rates of relevant items as on 1-4-1980 prevailing in the R/C are indicated under Column (1) below :

M/s. DUNLOP :

	Rates as on 5-5-80	Rates as on 11-9-80	Current Revised reduced rates
	(1)	(2)	(3)
	Rs.	Rs.	Rs.
<b>(a) Truck Tyre (O.T.R.) Sizes</b>			
(i) 9.00-20-PGMS-12 PR . . . . .	2360.35	2449.38	2388.79
(ii) 9.00-20-PGMS-14 PR . . . . .	2389.74	2655.33	2547.35
(iii) 9.00-20-Power Ripe-12 RR . . . . .	2360.35	2400.39	2331.81
(iv) 9.00-20-Power-Rib-14PR . . . . .	2389.74	2596.34	2498.36
<b>(b) Scooter Tyres :</b>			
(i) 3.50-8K99-4PR . . . . .	87.68	95.50	93.55
(ii) 3.50-10-K99-4PR . . . . .	93.53	102.32	100.37
<b>(c) Car Tyres : Sizes</b>			
(i) 5.20-14 Super Star HI-P BSW 6PR(Nylon)	367.29	382.10	374.24
(ii) 5.90-15 Super Star HI-P BSW 6PR (Nylon);	426.04	450.69	441.87
(iii) 5.60-13 C49-HI-P HSW 6 PR (Nylon) . . . . .	367.29	421.29	412.48
(iv) 5.20-14 Super Star HI-P WSW 6 PR (Nylon)	377.07	412.48	404.64
(v) 5.90-15 Super Star HI-P WSW 6 PR (Nylon)	435.83	480.08	478.28
	Rates as on 1-4-80	Rates as on 3-10-80	
	Rs.	Rs.	Rs.
<b>2. M/s. Premier Tyres : Sizes:</b>			
<b>(a) Truck Tyres :</b>			
(i) 9.00-20-12PR . . . . .	1860.70	2050.00	2001.06
<b>(b) Car Tyre :</b>			
		Rates as on 1-10-80	
(i) 5.60-13-6PR BSW (Rayon) . . . . .	275.39	339.00	333.00
(ii) 5.20-14-6PR BSW (Rayon) . . . . .	263.09	331.00	325.00
(iii) 5.90-15-6PR BSW (Rayon) . . . . .	304.62	391.00	383.00

	1	2	3
(iv) 6.40-15-8PR BSW (Rayon) . . . . .	384.59	513.00	503.00
(v) 6.70-15-6PR (Rayon) . . . . .	384.59	503.00	492.00
(vi) 5.60-13-6PR WSW (Rayon) . . . . .	304.62	375.00	369.00
(vii) 5.20-14-6PR WSW (Rayon) . . . . .	281.55	347.00	340.00
(viii) 5.90-15-6PR WSW (Rayon) . . . . .	333.85	413.00	405.00
(c) Scooper Tyres : Sizes :			
(i) 3.50-8-4 PR . . . . .	82.08	100.00	98.00
(ii) 4.00-8-4 PR . . . . .	136.20	166.00	163.00
(iii) 4.00-8-6 PR . . . . .	143.89	180.00	176.00
3. M/s. Apollo Tyres : Sizes :	Rates as on 5-5-80	Rates as on 30-7-80	
	Rs.	Rs.	Rs.
Car Tyres :			
(i) 5.20-14-6PR BSW ACE (Rayon) . . . . .	269.65	305.18	302.24
(ii) 5.20-14-6PR BSW ACE (Nylon) . . . . .	323.59	349.33	345.39
(iii) 5.90-15-6PR BSW ACE (Rayon) . . . . .	328.50	417.02	413.00
(iv) 5.90-15-6PR BSW ACE (Nylon) . . . . .	387.32	353.24	349.33

So far as the effective date of reduced prices is concerned as per DGS&D Rate Contract terms, whenever a firm notifies reduction in prices, the reduction is given effect from the date reduced prices have been notified. Wherever a firm revises its prices upwards the increased prices are allowed taking 30 days time from the date of intimation to DGS&D about revised prices. Accordingly, the reduction in prices, intimated by the firms (as indicated under Col. (3) above) have been adjusted from the dates on which reductions for various tyres were notified.

#### Production of Vitamin 'C' by Hindustan Antibiotics, Maharashtra

3120. SHRI R. K. MHALGI: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether the Hindustan Antibiotics Ltd., Pimpri, Pune (Maha-

rashtra) has virtually, not produced any Vitamin 'C' from their 125 ton capacity Vitamin 'C' plant, erected with a capital investment of Rs. ten crores in 1970;

(b) who were employed as consultants to rehabilitate the said plant and at what charges;

(c) whether consulting agency completed its job, and fully paid, but still no Vitamin 'C' is being produced from the plant;

(d) whether this public sector undertaking is in search of a new consultant to rehabilitate the Vitamin 'C' plant; if so, whether any negotiations have been held in this regard with any other consultants; and

(b) if so, the result of the negotiations?

THE MINISTER OF STATE IN  
THE MINISTRY OF PETROLEUM,  
CHEMICALS AND FERTILIZERS

(SHRI DALBIR SINGH): (a) to (c) The Vitamin 'C' plant of Hindustan Antibiotics Ltd., Pimpri was commissioned in 1973. It has produced 17.56 tonnes during 1979-80. The total capacity cost approved by the Government to Rs. 2.33 crores for a plant of 160 tonnes capacity. The present rated capacity is 125 tonnes.

The plant was put up based on the process developed by National Chemical Laboratory, Pune whose obligation was limited to the supply of process package and the plant was mechanically completed by the company on its own.

Since after the commissioning of the plant, the production did not come up to the expectations, Government appointed a Task Force in 1976. On the basis of the recommendations of the Task Force assistance was obtained from Roche Products Ltd. who had agreed to provide technology and assistance for rehabilitation of the plant free of cost.

Although higher volume of production was achieved during 1979-80, the efficiencies and results upto the rated capacity could not be achieved.

The Company, therefore, has been exploring the possibilities for further technological assistance for Vitamin 'C' plant and had received an offer from a consultant who has experience in the line for preparing a design report for revamping of the plant on the basis of which proposals to meet the deficiencies in the existing plant could be considered. Although they undertook to do the assignment for a fee of Rs. 1.70 lakhs, they have still to confirm finally.

**Production of Formulations by Hindustan Antibiotics Limited Maharashtra**

3121. SHRI R. K. MHALGI: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Hindustan Antibiotics Limited, Pimpri, Pune (Maharashtra)

has started formulation of Gentamycin for the last on year;

(b) What are the different formulations;

(c) figures (in lakhs of Rs.) of the sales of these different formulations during the last year; and

(d) what is the amount invested by HAL, Pimpri, Pune, (Maharashtra) for procuring the bulk drugs imported to manufacture the formulations; and is the amount paid in foreign exchange?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI DALBIR SINGH): (a) Yes, Sir.

(b) The Gentamycin formulations made by Hindustan Antibiotics Limited are in the form of injections and Ear/Eye drops.

(c) Sales during 1979-80 of these formulations were as follows:—

	Rs./Lakhs
Injections	26.30
Ear/Eye drops	0.95

In addition, Gentamycin bulk valued at Rs. 21.85 lakhs was sold.

(d) Bulk Gentamycin was not imported during 1979-80. Only intermediates were imported to convert into bulk Gentamycin. Foreign exchange component was Rs. 33.81 lakhs.

**Delay in Approval of Appointment of Directors of Companies**

3122. SHRI S. M. KRISHNA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the total number of applications received by the Central Government in regard to grant of approval within the meaning of Com-

panies Act, 1956, on the appointments/re-appointments of Managing Directors/Executives or whole-time Directors of various Companies registered with the Registrar of Companies, West Bengal:

(b) whether the grant of approval has been delayed much beyond time;

(c) if so, the facts thereof, names of the Companies within Registrar of Companies, West Bengal, applied for such approval along with details of past three or four years working and profits earned each by such Companies; and

(d) what steps proposed to be taken to quickly dispose of the same?

THE MINISTER OF LAW JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIV SHANKAR): (a) to (d). Applications under Section 269 of the Companies Act, 1956 for the appointment/reappointments of Managing Directors/Wholetime Directors of public limited companies and private companies which are subsidiaries of public limited companies and payment of remuneration are received in the Department in respect of all companies, and no separate data with regard to applications from companies registered with the Registrar of Companies, West Bengal are maintained by the Department. The collection of these data will involve considerable time and labour which may not be commensurate with the results likely to be achieved, particularly in view of the fact that Hon'ble Member has also desired to have the information relating to the names of each such company and profits earned during the last three or four years.

According to the existing practice the applications received from companies regarding appointment and payment of remuneration of the managerial personnel are disposed of within a period of 60 days on receipt of the application, an initial scrutiny

is made to find out if all the required information and the resolution of the company in a General Meeting of shareholders have been furnished. The companies are promptly advised to any deficiencies noticed in the application. The proposals of the companies are examined in the light of the report of the Registrar of Companies which contains information about complaints, if any, received against the management and the inspection/investigation, if any, that may have carried out of its books of account and the follow up action taken thereon. These data are relevant for considering if the person proposed for appointment is 'fit and proper' to hold the cost in question, and if the appointment of such a person is not likely to be against the public interest.

The Delhi High Court had struck down the 1978 executive guidelines on managerial remuneration as illegal and ultra vires the provisions of the Companies Act, 1956. The matter was taken in appeal by Government to the Supreme Court. The Supreme Court on 29th September, 1980 while granting ad-interim stay of the Delhi High Court's order, had directed that the Central Government shall not proceed to sanction remuneration in respect of the managerial personnel of such of the companies as object to their applications being processed under the November 1978 guidelines. In the light of this, companies have been requested to indicate their willingness or otherwise to the processing of the applications in terms of the 1978 guidelines. This has, to some extent, resulted in some delay in the disposal of the applications.

#### Production of Cheap Type Films

3124. SHRI K. MALLANNA: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether Government are aware that a sense is prevailing these days amongst the film producers producing cheap entertaining pictures to make



more such films which is spoiling the culture of our land; and

(b) if so, whether the proposes suggesting to film producers to prepare films drawn from classics rich who cultural heritage and historical importance which may reflect the life of the people of the land?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (KUMARI KUMUDBEN M. JOSHI): (a) and (b). No, Sir. Production of films is in private sector and Government have no control as such over production of films. However, all films are censored by the board of Film Censors before certification in accordance with the provisions of the Cinematograph Act 1952 and the guidelines issued the there under. According to these guidelines, the Board ensures *inter-alia* that pointless or avoidable scenes of violence, cruelty and horror are not shown and that human sensibilities are not afforded by vulgarity, obscenity and depravity. To improve the cultural quality of cinema, Government have instituted the National Awards for Indian films. These awards encourage films of artistic excellence National Film Development Corporation, a Government of India undertaking, provides loans to producers of good films and also assists in their distribution and exhibition.

#### **International Film Festival in India**

3125. SHRI K. MALLANNA: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether it is a fact that India is holding an International Film Festival on 3rd January, 1981;

(b) if so, the number and names of the countries which are participating in this International Film Festival of India; and

(c) the names of the Indian Films selected for this Festival?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (KUMARI KUMUDBEN M. JOSHI): (a) Yes, Sir.

(b) The following sixtyone countries have indicated their willingness to participate in the festival:—

1. Australia
2. Austria
3. Behrain
4. Bangladesh
5. Belgium
6. Bolivia
7. Brazil
8. Bulgaria
9. Canada
10. Chile
11. China
12. Columbia
13. Cuba
14. Czechoslovakia
15. Denmark
16. Egypt
17. Finland
18. France
19. F.R.G.
20. G.D.R.
21. Ghana
22. Greece
23. Hong Kong
24. Hungary
25. Indonesia
26. Iraq
27. Italy
28. Jamaica
29. Japan
30. Kenya
31. Kuwait
32. Laos
33. Mexico
34. Mongolia
35. Nepal
36. Netherlands
37. New Zealand
38. Nigeria

39. Norway
40. Pakistan
41. Peru
42. Philippines
43. Poland
44. Portugal
45. Romania
46. Spain
47. Sri Lanka
48. Sweden
49. Switzerland
50. Syria
51. Tunisia

52. Turkey
53. United Arab Emirates
54. United Kingdom
55. United States of America
56. U.S.S.R.
57. Uruguay
58. Venezuela
59. Vietnam
60. Yugoslavia
61. Zambia

(c) Twenty one films, as mentioned in the list attached, have been selected for the Indian Panorama Section of the International Film Festival.

**List of Films Selected for Indian Panorama**

Name of the film	Language	Directed by
1. Aakrosh . . . . .	Hindi	Govind Nihalani
2. Akaler Sandhaney . . . . .	Bengali	Mrinal Sen
3. Albert Pinto ko Gospsa kyon ata hai- . . . . .	Hindi	Saeed Mirza
4. Bhavanji Bhavai . . . . .	Gujarati	Ketan Mehta
5. Dadar Kirty . . . . .	Bengali	Tarun Majumdar
6. Doorathu Idi Muzhakkam . . . . .	Tamil	K. Vijayan
7. Esthappan . . . . .	Malayalam	G. Aravindan
8. Greeshmam . . . . .	Malayalam	V. R. Gopinath
9. Hirak Rajar Deshey . . . . .	Bengali	Satyajit Ray
10. Kadige Hodavaru . . . . .	Kannada	V. Jagannath
11. Kolangal . . . . .	Malayalam	K. G. George
12. Lorry . . . . .	Malayalam	Bharathan
13. Nizalkal . . . . .	Tamil	Bharathi Raja
14. Sankarabharanam . . . . .	Telugu	K. Vishwanath
15. Satha se Udta Aadmi . . . . .	Hindi	Mani Kaul
16. Shodh . . . . .	Hindi	Biplab Roy Choudhuri
17. Simhasan . . . . .	Marathi	Jabar Patel
18. Sparsh . . . . .	Hindi	Sai Paranjpye
19. The Great Indian Film Bazar . . . . .	English	Shridhar Kshiro Sagar
20. Bancharamer Bagan . . . . .	Bengali	Tapan Sinha-
21. Chakra . . . . .	Hindi	Rabindra Dharmaraj

खाना पकाने की गैस के लिए प्रतीक्षासूची में नाम

3126. श्री चतुर्भुज : क्या पेट्रोलियम, रसायन और उर्वरक मंत्री यह बताने की कृपा करेंगे कि :

(क) दिल्ली, बम्बई, मद्रास, कलकत्ता और कानपुर में अलग-अलग घरेलू गैस सिलिण्डरों के लिए प्रतीक्षासूची में नामों की संख्या कितनी है ;

(ख) कथित महानगरों के अतिरिक्त गत तीन वर्षों के दौरान वर्षवार कुल समेकित प्रतीक्षासूची क्या है; और

(ग) प्रतीक्षासूची के अनुसार गैस देने के लिए क्या कदम उठाये गये हैं; उसके परिणाम क्या रहे और इस सम्बन्ध में क्या भावी योजना है ?

पेट्रोलियम, रसायन और उर्वरक मंत्री (श्रीप्रकाश चन्द्र सेठी) : (क) दिल्ली, बम्बई, मद्रास, कलकत्ता और कानपुर में खाना पकाने की गैस के कनेक्शनों के आवंटन के लिए प्रतीक्षा सूचियों में आवेदन-कर्ताओं की संख्या नीचे दी गई है :

	इंडियन आयल कार्पोरेशन (30-9-80 को यथास्थिति)	हिन्दुस्तान पेट्रो-लियम कार्पोरेशन (1-10-80 को यथास्थिति)	भारत पेट्रोलियम कार्पोरेशन (1-10-80 को यथास्थिति)	कुल जोड़
1	2	3	4	5
दिल्ली	273325	25131	78028	376484
बम्बई	—	104660	164064	268724
मद्रास	136262	—	—	—
कलकत्ता	45174	—	—	—
कानपुर	3949	—	—	—

(ख) भाग (क) के उत्तर में दिए गये शहरों को छोड़ कर अन्य स्थानों के सम्बन्ध में गत तीन वर्षों के लिए समेकित प्रतीक्षा सूची में कुल आवेदन-कर्ताओं की संख्या के सम्बन्ध में उपलब्ध सूचना नीचे दी गई है :—

	1977	1978	1979	1980
इंडियन आयल कार्पोरेशन	—	—	—	1029146
	(आंकड़े उपलब्ध नहीं हैं )			(30-9-80 को यथास्थिति )
भारत पेट्रोलियम कार्पोरेशन	142432 (1-4-77 को यथास्थिति)	218186 (1-4-78 को यथास्थिति)	223873 (1-4-79 को यथास्थिति)	317063 (1-4-80 को यथास्थिति)
हिन्दुस्तान पेट्रो-लियम कार्पो-रेशन	—	233146 (31-3-78 को यथास्थिति )	558366 (31-3-79 को यथास्थिति)	1066182 (1-10-80 को यथास्थिति )

(ग) उत्पाद की सीमित उपलब्धता के कारण गैस कनेक्शनों को अधिक संख्या में स्वीकृत करना संभव नहीं हुआ है। तथापि, तरल पेट्रोलियम गैस को बम्बई हाई सम्बद्ध गैस से निकालने की सुविधाओं के आरम्भ होने पर और उसके साथ ही मथुरा और कोयाली शोधनशालाओं से अतिरिक्त उत्पाद उपलब्ध होने पर वर्ष 1981 के आरम्भ से पर्याप्त मात्रा में नये गैस कनेक्शन जारी किये जाने की आशा की जाती है।

चालू योजनाओं के अनुसार, नये नामांकन मुख्य रूप से ग्राहकों की प्रतीक्षा सूची में से किए जायेंगे। वर्तमान अनुमान के अनुसार, वर्ष 1981 की पहली तिमाही से मार्च, 1982 तक लगभग 12 लाख नये घरेलू उपभोक्ताओं को तरल पेट्रोलियम गैस कनेक्शन दिये जाने की आशा की जाती है। ऐसी आशा है कि बाद के दो वर्षों में नये ग्राहकों को कम से कम 8 लाख प्रतिवर्ष की दर से कनेक्शन जारी किये जायेंगे।

इन सुविधाओं के आरम्भ होने के परिणाम-स्वरूप वर्ष 1983-84 तक लगभग 30 लाख नये ग्राहकों को नामांकित किया जाता है।

#### Appointment of Government Directors in Companies

3127. SHRI K. LAKKAPPA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) names of persons appointed as Directors by the Central Government on the Boards of those Companies where the Government have imposed Section 408 between 1st January and 31st October, 1980; and

(b) their qualifications and experience?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIV SHANKAR): (a) and (b) A statement is attached:

#### Statement

Names of the companies in which the Directors under section 408 of the companies Act, 1956 have been appointed during the period between 18-8-1980 to 31-10-1980 together with the details of their qualifications/experience.

Sl. No.	Name of the Company	Name of Director	Qualification/Experience
1	2	3	4
1	M/s. South India Viscose Limited- Coimbatore (Tamilnadu)	1. Shri J. V. Rao	M. A., LLB. Retired Director of Ministry of Shipping and Transport, Government of India.
		2. Shri P. V. Rathnam	I. A. S. (Retired). Held posts of Home Secretary (Government of Andhra Pradesh) and Chairman of M/s. Andhra Pradesh Dairy Development Corporation Limited.
2	M/s. Sandur Manganese & Iron Ores Ltd., Bellary, Karnataka.	(i) Shri. S.M. Yusuf	B.Sc., A. G. A., Retired Regional Director, Company Law Board Madras.

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|---|--|------------------------------|---|
|   |  | (ii) Sh. T.Y. Naidu          | Businessman. Proprietor M/s Uma Laminated Products Hyderabad.   |
| 3 | M/s. Trisure India Ltd., Bombay        | (i) Sh. H. Bhaya             | Director, Indian Institute of Management, Calcutta.   |
|   |  | (ii) S. H. Nanjundiah        | I.A.S. (Retired). Additional Chief Secretary to the Government of Maharashtra.                          |
|   |  | (iii) Sh. Satyanarana Pecti. | Chartered Accountant, for more than 2 decades.  |
| 4 | M/s. Bird & Company Limited, Calcutta. | (i) Sh. J. G. Kurnamangalam. | Formerly Chairman, Coal Mines Authority.  |
|   |  | (ii) Miss. Roma Mazumdar     | I.A.S., Commissioner of Commerce & Industries and Secretary to Govt. of West Bengal, Calcutta.          |
|   |  | (iii) Shri B.C. Ray          | Retired Managing Director, Lagan Jute Machinery Company Limited, Calcutta.                              |
|   |  | (iv) Sh. Subir Nandi         | B.E. (Civil/structural Engineering), General Manager (Engg), M/s. Jessop and Company Limited, Calcutta. |

**For the period 11-7-80 to 10-9-80**

- |   |  |                             |   |
|---|--|-----------------------------|---|
| 5 | M/s. National Rayon Corporation Limited, Bombay. | (i) Sh. B.R. Patel          | I.A.S. (Retired).   |
|   |  | (ii) Sh. B. K. Dutt         | Retired Managing Director, United Bank of India, Calcutta.                  |
|   |  | (iii) Sh. G. K. Abhayankar. | Retired Additional Secretary, Government of India.                          |
|   |  | (iv) Sh. K. C. Raman.       | Businessman.  |
|   |  | (v) Sh. V. B. Haribhakti.   | Chartered Accountant, C/o. M/s. Haribhakti & Co. Bombay.                    |
|   |  | (vi) Shri R.M. Mehta.       | Former Managing Director, Life Insurance Corporation Limited of India.      |
|   |  | (vii) Sh. B.C. Randeria.    | Former Executive Director (Investment) Life Insurance Corporation of India. |

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**For the period 11-9-80 to 10-7-83.**

- (i) Shri. P.J. Sheth Presently Managing Director Solid Containers Limited, Bombay.
- (ii) Shri Rajeshwar Prasad. I.A.S. (Retd). Ex. Secretary Ministry of Health, Government of India.
- (iii) Shri. K.S. Rajan I.A.S., Secretary (Technical Development) and Director General (Technical Development) Ministry of Industry Government of India.
- (iv) Shri. S.D. Varma Ex-Chairman, Allahabad Bank.
- (v) Dr. Inderjit Singh Chairman, The Punjab & Sind Bank Ltd., now Custodian Punjab & Sind Bank.
- (vi) Shri. A.C. Jain Businessman, Managing Director of M/s. Hindustan Monark Pvt. Limited, New Delhi.
- (vii) Shri. Ranjit Singh Businessman, Chairman, Shah Malleables Castings Limited Bombay.
- (viii) Shri. Ramesh C. Jain Businessman, Chairman, Universal Industries Limited.

**Coal reserves in Giridih District of Bihar**

3128. SHRI A. K. ROY: Will the Minister of ENERGY be pleased to state:

(a) total coal reserve, coking and non-coking in the Giridih District of Bihar facts in details with particular reference to the Giridih Sub-division;

(b) number of collieries running their names and the number of persons employed by them in the Giridih sub-division.

(c) names and number of collieries now lying closed in the same area and

the potential of employment lying unutilized because of that;

(d) whether the large scale closure of the prospective collieries has led to the theft of coal by illegal mining there continuing openly around the Giridih town despite the official claim otherwise; and

(e) steps to start these closed collieries in Giridih sub-division?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) to (e). The information is being collected and will be laid on the Table of the House.

**Suggestions for Changes in MRTP Act**

3129. SHRI B. V. DESAI: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether representatives of trade and industry have requested Government for drastic changes in the MRTP Act;

(b) if so, what are the reasons put forward by them;

(c) what are the changes recommended; and

(d) to what extent Government have agreed to these amendments?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIV SHANKAR): (a) to (d) No memorandum or representation has been received in the recent past from "trade and industry" urging Government to make drastic changes in the MRTP Act. There have, however, been some suggestions in different quarters in regard, *inter alia*, to raising the exemption limit of assets under section 20 of the MRTP Act. A number of bodies had also earlier submitted numerous memoranda to the High-Powered Expert Committee (Sachar Committee) containing various suggestions for amendments to the Companies Act as well as the MRTP Act. The recommendations of the Sachar Committee for amending the MRTP Act are contained in Chapters XIX to XXII of its Report. Copies of the Sachar Committee report were laid on the Table of the House on 30th August, 1978.

All these suggestions including the recommendations contained in the report of the Sachar Committee for amendments to the MRTP Act are under the active consideration of Government.

**Price for Fertilizer Industry**

3130. SHRI B. V. DESAI: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Union Government have approved the scheme of the Ministry to change methodology for computing the retention price for the fertilizer industry;

(b) if so, whether these will not lead to any revision in the controlled price for consumers;

(c) what will be financial impact likely due to this change; and

(d) to what extent the decision is likely to satisfy the criterion of reasonable return?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI DALBIR SINGH): (a) Yes, Sir. Government have revised the methodology for computation of net worth for the retention pricing period commencing from 1-4-1979.

(b) No, Sir.

(c) Additional financial impact of the change in the methodology for computation of return on net worth is estimated to be Rs. 25.34 crores for 1979-80 and about Rs. 30 crores for 1980-81 at the level of production estimated currently.

(d) The change in the methodology fully satisfies the criterion of reasonable return on net worth to the fertilizer industry.

**Re-organisation of Coal India Limited and its subsidiary**

3131. SHRI B. V. DESAI: Will the Minister of ENERGY be pleased to state:

(a) whether the Ministry's proposal to reorganise the Coal India set up

as also to restructure the subsidiary coal companies is facing objection from various quarters;

(b) if so, the main reasons thereof;

(c) what are the details of the Ministry's proposal; and

(d) when the final decision is likely to be taken?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) to (d). The whole question of re-organisation of Coal India Ltd. and restructuring of the subsidiary coal companies is under examination of the Government. As such the question of the Ministry facing any objection from various quarters does not arise.

#### Power Plant started functioning

3132. SHRI B. V. DESAI: Will the Minister of ENERGY be pleased to state:

(a) whether all power plants have started functioning in full capacity by now;

(b) if so, the details of the same; and

(c) by what time the power crisis will be over?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) and (b). The capacity utilisation of thermal power stations depends on various factors including the age of the plant, condition of equipment, quality of fuel, stabilisation period of the unit, system operating conditions, system mix and load factor etc. The capacity utilisation of thermal power plants in the country during November, 1980 was 45.4 per cent. The capacity utilisation of hydro power stations mainly depends on the water availability and design potential.

(c) A number of short-term and long term measures have been taken

and are being taken to improve the power availability in the system. These measures include:

(i) better management of load demand by staggering of holidays, shifting of loads from day time to night time etc.

(ii) accelerated addition of new generating capacity in the system. It is envisaged to add about 20,000 MW of additional generating capacity during the period 1980-85. Detailed monitoring of the construction schedules of all the on-going projects is being undertaken to ensure expeditious completion of the projects.

(iii) A number of steps have been taken to improve the operation and maintenance of existing thermal power plants with a view to maximising generation from the existing installed capacity. These steps include:

(a) assistance to the State Electricity Boards, to undertake plant betterment programmes and better preventive maintenance schedule;

(b) identification of deficiency in design of equipments and taking up programmes for their rectification and replacement;

(c) arranging timely supply of spare parts from indigenous and foreign suppliers;

(d) supply of adequate quantity of coal of right quality. Defaulting collieries are being identified and the representatives of power stations posted there for joint sampling. Coal companies have been required to intensify hand-picking of stones, shales and other extraneous materials so as to improve the quality. Coal companies have also been advised to install portable/permanent crusher, at mines and undertake



appropriate coal beneficiation programmes.

(iv) undertaking training programmes for engineers and technical personnel entrusted with the operation and maintenance of power stations.

**Enquiry under MRTP Act against Hindustan Lever**

3133. SHRI K. A. RAJAN:  
SHRI R. L. BHATIA:  
SHRI SUSHIL BHATTACHARYA:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether an enquiry has been pending under the M.R.T.P. Act against Hindustan Lever ever since 1978; and

(b) if so, the details and the progress thereof?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIV SHANKAR): (a) and (b). Yes, Sir. The Monopolies and Restrictive Trade Practices Commission issued a notice of enquiry on 17th May, 1978 to Messrs Hindustan Lever Limited and Messrs Tata Oil Mills Company Limited under Section 10(a)(iv) and 37 of the MRTP Act, 1969. The allegations against the said companies are that they have acted in concert by revising the prices of certain brands of toilet soap manu-

factured by them from the same date. The enquiry is in progress.

**Cease and Desist Orders of MRTP Commission on Hindustan Lever**

✓ 3134. SHRI K. A. RAJAN:  
SHRI R. L. BHATIA:  
SHRI SUSHIL BHATTACHARYA:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Hindustan Lever has carried out in practice the former cease and desist orders of the MRTP Commission with regard to restrictive trade practices indulged in by the company in respect of price manipulation and area restrictions; and

(b) details thereof?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIV SHANKAR): (a) In compliance with the MRTP Commission's 'Cease and Desist Order dated 17-3-1976, Messrs Hindustan Lever Limited filed an affidavit of compliance on 5-10-1977 and a supplementary affidavit on 5-12-1977.

(b) The MRTP Commission instituted an inquiry against Messrs Hindustan Lever Limited on 5th July, 1974, the allegations against the company being that they were indulging in restrictive trade practices of resale price maintenance, full line forcing and area allocation. When the

M RTP Commission passed 'Cease and Desist' order on 17-3-1976, the company filed an appeal before the Supreme Court under Section 55 of the MRTP Act, 1969. The Supreme Court upheld the Commission's order and dismissed the appeal of the company. There is no evidence of violation of the Commission's orders since the company filed its affidavit regarding compliance of the order.

### राजस्थान के लिए मंजूर की गई ग्रामीण विद्युतीकरण योजनाएं

3135. श्री वृद्धि चन्द्र जैन : क्या ऊर्जा मंत्री यह बताने की कृपा करेंगे कि :

(क) ग्रामीण विद्युतीकरण निगम ने वर्ष 1979-80 तथा 1980-81 के लिए राजस्थान के भिन्न-भिन्न जिलों के लिए कितनी ग्रामीण विद्युतीकरण योजनाएँ मंजूर की हैं और उनके लिए मंजूर किए गए ऋण का जिलावार व्यौरा क्या है ;

(ख) क्या यह सच है कि राज्य विद्युत् बोर्ड इन योजनाओं को बहुत ही धीमी गति से क्रियान्वित कर रहा है; और

(ग) बोर्ड के काम को शीघ्रता से करने के लिए ग्रामीण विद्युतीकरण निगम क्या ठोस कार्यवाही कर रहा है ?

ऊर्जा मंत्रालय में राज्य मंत्री (श्री विक्रम महाजन) : (क) राजस्थान के विभिन्न जिलों के लिए ग्राम विद्युतीकरण निगम ने 1979-80 के दौरान 20.78 करोड़ की कुल ऋण राशि को 95 ग्राम विद्युतीकरण स्कीमें तथा 1980-81 (30-11-1980 तक) के दौरान 8.83 करोड़ रुपये की ऋण सहायता की 18 स्कीमें

स्वीकृत की हैं। जिलेवार व्यौरा संलग्न विवरण में दिए गए हैं।

(ख) ग्राम विद्युतीकरण निगम द्वारा स्वीकृत की गई स्कीमें सामान्यतः 5 वर्ष तक की अवधि में सोपानबद्ध रूप में पूरी की जाती हैं तथा ऋण की राशि निर्माण के कार्यक्रम तथा वास्तविक प्रगति के आधार पर किस्तों में दी जाती है। 1979-80 में स्वीकृत की गई स्कीमों का क्रियान्वयन राज्य विजली बोर्ड द्वारा बड़ी धीमी गति से किया जा रहा है इस समय ऐसा कहना जल्दबाजी होगी। जहां तक 1980-81 में स्वीकृत की गई स्कीमों का सम्बन्ध है, इन स्कीमों का क्रियान्वयन अभी शुरू किया जाना है।

पिछले वर्षों में स्वीकृत की गई स्कीमों के बारे में 30-6-1980 तक की उपलब्धियों की समीक्षा वास्तविक लक्ष्यों के साथ में करने पर यह देखा जा सकता है कि इन स्कीमों की प्रगति अच्छी रही है क्योंकि ग्राम विद्युतीकरण से सम्बन्धित सोपानबद्ध लक्ष्यों की उपलब्धियाँ 94 प्रतिशत बनाई गई हैं तथा पम्प सैट ऊर्जित करने के सम्बन्ध में उपलब्धियाँ 1.02 प्रतिशत बनाई गई हैं।

(ग) ग्राम विद्युतीकरण निगम की स्कीमों का शीघ्रता से क्रियान्वयन किए जाने के लिए निगम के अधिकारी नियमित रूप से मानीटरिंग करते हैं तथा राज्य विजली बोर्ड के अधिकारियों के साथ विचार-विमर्श भी करते हैं। साथ ही ऋण की दूसरी तथा बाद की किस्तें देने से पहले हमेशा ही वास्तविक प्रगति की समीक्षा की जाती है। स्कीमों के क्रियान्वयन में प्रगति पर निगरानी रखने के लिए निगम ने कार्य निष्पादन बजट की प्रणाली भी लागू की है।

## विवरण

1979-80 और 1980-81 (30-11-80 तक) के दौरान राजस्थान में स्वीकृत की गई  
ग्राम विद्युतीकरण स्कीमों का जिला-वार ब्यौरा

क्रम संख्या	जिले का नाम	1979-80 के दौरान स्वीकृत की गई		1980-81 (30-11-80 तक) के दौरान स्वीकृत की गई	
		सं०	ऋण (लाख रुपये में)	संख्या	ऋण (लाख रुपये में)
1	2	3	4	5	6
1	अजमेर . . .	3	41.839	—	—
2	अलवर . . .	6	58.765	4	162.818
3	बांसवाड़ा . . .	4	239.257	—	—
4	बाड़मेर . . .	8	469.143	2	130.978
5	भरतपुर . . .	3	17.356	—	—
6	भीलवाड़ा . . .	2	8.931	—	—
7	बीकानेर . . .	4	256.197	—	—
8	बूंदी . . .	4	96.779	—	—
9	चित्तौड़गढ़ . . .	7	41.526	5	338.671
10	चूरु . . .	1	0.537	—	—
11	जयपुर . . .	12	119.383	—	—
12	जालौर . . .	5	200.851	1	15.904
13	झुंझनू . . .	5	33.949	—	—
14	झालावाड़ . . .	4	9.646	—	—
15	जोधपुर . . .	2	91.074	1	93.180
16	कोटा . . .	4	159.469	—	—
17	नागौर . . .	3	41.362	1	74.928
18	पाली . . .	4	7.148	1	7.433
19	सवाईमाधोपुर . . .	4	125.977	1	9.678
20	सीकर . . .	4	40.321	1	3.622
21	सिरोही . . .	2	17.143	1	45.339
22	उदयपुर . . .	4	1.234	—	—
जोड़ : . . .		95	2077.887	18	882.631

### **Training in Legal Drafting in Hindi**

3136. SHRI P. RAJAGOPAL NAIDU: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether training in legal drafting in Hindi is given by the Legislative Department;

(b) if so, the number of persons trained during 1978-79 in that;

(c) whether training is given in legal drafting in any other language other than English and Hindi by the above Department; and

(d) if not, the reasons therefor?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIV SHANKAR): (a) Yes, Sir.

(b) Normally the training is from 1st July of one year to 30th June of next year. An officer from Rajasthan received training during the training year 1977-78. Another officer from Rajasthan was trained as a special case for one year from January, 1979. Two more officers, one from Rajasthan and the other from Madhya Pradesh, underwent training during the training year 1979-80.

(c) No, Sir.

(d) The training, both in English and Hindi, is not through any formal course of instruction. The trainees are given the opportunity to work with experienced officers of the Department engaged in the work of legal drafting so that they may acquire the necessary specialised skills on the job. Similar facilities for training in legal drafting in other languages cannot be made available by the Department as the translation of Central Acts into those languages is being done through the agency of the State governments concerned.

### **Raising the Royalty on Coal**

3137. SHRI K. P. SINGH DEO: Will the Minister of ENERGY be pleased to state:

(a) whether the coal producing States have been asking the Central Government for raising the coal royalty;

(b) if so, whether the question has been considered; and

(c) if so, the decision taken in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) Yes, Sir.

(b) and (c). The question of revision of royalty rates on coal is, at present, under active consideration of the Government.

### **A.I.R. Darbhanga**

3138. SHRI HARINATHA MISRA: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) within what radius the broadcasts made by AIR Darbhanga can be heard;

(b) is it a fact that in the neighbouring Terai area of Nepal the mother tongue is Maithili which has been recognised as the second Official Language by the Nepalese Government;

(c) is it also a fact that the broadcasts made by AIR, Darbhanga cannot be heard in the Terai area of Nepal; if so, the reasons therefor;

(d) is it a fact that in the establishment of AIR, Darbhanga one of the objectives had been to cover the Terai area of Nepal in and through its mother tongue; if not, the reasons; and

(e) if so, how is the purpose served?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (KUMARI KUMUDBEN M. JOSHI): (a) The expected coverage range of Darbhanga station is between 75 to 90 kms.

(b) A sizeable part of the population of the Terai region speaks Maithili as its mother tongue. However, Maithili has not been recognised as the second official language by the Government of Nepal.

(c) to (e). Darbhanga station of AIR was established to cover the predominantly Maithili speaking regions in the State of Bihar. It was not intended for covering the Terai region of Nepal. As such, no survey has been made in that region to assess the coverage of Darbhanga station. However, it is possible that the Darbhanga Station may be covering some parts of the Terai region of Nepal.

#### Generator for A.I.R. Darbhanga

3139. SHRI HARINATHA MISRA: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) is it a fact that the A.I.R. Darbhanga has no generator of its own and is dependent for the supply of electricity on outside sources;

(b) since January last on an average, for what period of time such electricity supply has been available; and

(c) is it proposed to see that A.I.R. Darbhanga has its own generator if not, the reasons therefor?

THE DEPUTY MINISTER IN MINISTRY OF INFORMATION AND BROADCASTING (KUMARI KUMUDBEN M. JOSHI): (a) A.I.R. Darbhanga studios have a diesel generator which is used in the event of power supply failure. However, there is no generator available at present for the transmitter which has

to depend on the State Electricity Board for power supply.

(b) On an average, AIR Darbhanga radiates about 326 hours of programmes per month. The outage due to non-availability of power supply to the transmitting centre has on an average been 94 hours per month. For the rest of the period, the electricity supply has been available.

(c) A proposal for purchasing a 62.5 KVA diesel generator for the transmitter is presently being considered.

#### Accommodation for Employees of Darbhanga Station of A.I.R.

3140. SHRI HARINATHA MISRA: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) how many of the employees, serving AIR Darbhanga, have been provided with Government accommodation; and

(b) whether Government have any plan to provide accommodation to all the whole-time employees of AIR Darbhanga, if not, reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (KUMARI KUMUDBEN M. JOSHI): (a) 18 employees of AIR Darbhanga have been provided with Government accommodation.

(b) Revised 6th Plan (1980-85) proposals, which are under consideration, include a provision of Rs. 500 lakhs for the scheme "Construction of additional staff quarters at existing centres." If this provision is accepted, the construction of additional quarters at Darbhanga will be given due consideration along with other AIR centres, depending on relative priorities.

**Rural Electrification Scheme of  
Madhya Pradesh**

3141. SHRI ARVIND NETAM: Will the Minister of ENERGY be pleased to state:

(a) whether Government of India have schemes for rural electrification in Madhya Pradesh; and

(b) if so, the areas to be covered by the scheme?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) Rural electrification programmes are formulated and also implemented by the Electricity Board, funds for which are provided under the Normal Development Programme of the State and through the Rural Electrification Corporation. 76 Rural Electrification Schemes of Madhya Pradesh Electricity Board were under various stages of examination in the Corporation as on 30-10-1980. In addition, 12 schemes, which had been received from the State Electricity Board, were referred back for necessary revision/clarification, and were pending with the Board as on 31-10-1980.

(b) The areas covered under the schemes which were under examination in the Corporation and under those which were pending with the State Electricity Board for revision/clarification are given in the Statement I & II.

**Statement I**

*Areas covered under rural Electrification Schemes of Madhya Pradesh pending examination with rec for Financial assistance (Position as on 31-10-1980)*

Sl. No.	Name of Scheme/Block covered	District
1	2	3
1	Bichiya block	Mandla
2	Dindori block	Mandla
3	Odgi & Bhaithan	Sarguja

1	2	3
4	Wadrafnagar	Sarguja
5	Lundra block	Sarguja
6	Naterua block	Vidisha
7	Dhantari block	Raipur
8	Karhal block	Morena
9	Karkeli-II	Shahdol
10	Manpur-I.	Shahdol
11	Manpur-II	Shahdol
12	Bhimpur block	Betul
13	Tumaron block.	Hoshangabad
14	Datia block	Datia
15	Seondha Block	Datia
16	Vijaypur block	Morena
17	Sheopur block	Morena
18	Ghindwara & Sausar Ghindwara	
19	Khategaon	Dewas
20	Kannod	Dewas
21	ST Scheme	Datia
22	ST Scheme of Sheopur and Vijaypur	Morena
23	Morena Jeoura and Pathargarh	Morena
24	Kurai block	Raipur
25	Tilda block	Raipur
26	Morar, Ghatigaon and Bhitwar.	Gwalior
27	Chitrangi	Sidhi
28	Jhabua, Rama & Ranapur	Jhabua
29	Waidhan	Sidhi
30	Sidhi & Shihawal-block	Sidhi
31	Lahar block	Bhind
32	Gohad block	Bhind
33	Bhind & Ater	Bhind

34	Vijaydandi block	Mandla
35	Pursore block .	Raigarh
36	Bhanupartappur	Bastar
37	Saranggarh .	Raigarh
38	Malkardha .	Bilaspur
39	Narayanpur .	Bastar
40	Bihar block .	Balaghat
41	Shakti tehsil .	Bilaspur
42	Barernakela block	Raigarh
43	Boda Malhara .	Chhatarpur
44	Badwara block	Jabalpur
45	Tikamgarh & Baldeo- garh	Tikamgarh
46	Harda & Tuniarani	Hoshangabad
47	Sohagpur, Pipariya and Bankhedi	Hoshangabad
48	Raigarh block .	Raigarh
49	Nawagarh .	Durg
50	Damoh & Jhabua	Damoh
51	Anuppur & Kotma	Shadol
52	Bushar block	Shadol
53	Khalwa block .	Khandwa
54	Katni block	Jabalpur
55	Biragarh block .	Jabalpur
56	Panna, Pawai and Guunaour blocks	Panna
57	Paraswada block	Balaghat
58	Dhabra block .	Bilaspur
59	Mungaoli & Lormi	Bilaspur
60	Chapra & Dhanora	Seoni
61	Lakhandon .	Seoni
62	Betul, Chicholi and Ghoradongri .	Betul
63	Potlawad .	Jhabua

64	Mandla, Nainpur and Mandla Bichiya .	
65	Jatra and Patera	Tikamgarh
66	Barod block .	Shajapur
67	Nalkheda .	Shajapur
68	Phanda & Barasia	Bhopal
69	Patan . . .	Jabalpur
70	Seondha & Datia	Datia
71	Morar & Ghatiagaon	Gwalior
72	Budhni . . .	Schore
73	Vidisha & Gayarap- pur . . .	Vidisha
74	Panagar . . . .	Jabalpur
75	Mhow block .	Indore
76	Ambah, Porsa .	Morena

**Statement-II**

*Areas covered under rural electrification schemes referred back to Madhya Pradesh Electricity Board for Revision/Clarification and pending with them (Position as on 31-10-1980).*

Sl. No.	Name of Scheme/Block covered	District
1	Kundam block	Jabalpur
2	Bawala block .	Chhatarpur
3	Bodla block .	Rajnandgaon
4	Dewas block .	Dewas
5	Bagli block .	Dewas
6	Schore block .	Schore
7	Kherkhiya .	Hoshangabad
8	Kukshi block .	Dhar
9	Shakti tehsil .	Bilaspur
10	Khategaon block	Dewas
11	Bhanda & Daloga	Gwalior
12	Hoshangabad Elc. Divn. . . .	Hoshangabad

**Production of Caustic Soda**

3142. SHRI MADHAV RAO SCINDIA: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether it is a fact that a large number of industrial licence for caustic soda are not being implemented or are being under utilised;

(b) if so, the extent of licensed production capacity which remains unutilised, indicating the total licensed capacity and actual production during 1979-80 and the half-year ending September, 1980;

(c) the reasons for non-implementation of licences; and

(d) the steps taken and being taken to ensure capacity production of caustic soda?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) (i) All the six industrial licences for Caustic Soda, with a total capacity of 1,41,100 tonnes per annum are at different stages of implementation.

(ii) Due to power shortages, the utilisation of installed capacity was only 72 per cent during the year 1979-80 and 74 per cent during April-September, 1980-81.

(b) There are 33 units engaged in the manufacture of Caustic Soda with an annual installed capacity of 7,65,994 tonnes. The actual production of Caustic Soda during the year 1979-80 was 5,49,662 tonnes and during the half-year April to September 1980, 2,82,841 tonnes.

(c) Does not arise.

(d) Government are taking steps to improve the power availability,

which would improve the capacity utilisation. Further, the Government are also encouraging the use of metal anodes instead of graphite anodes which would economise power consumption and thereby increase capacity utilisation.

मध्य प्रदेश में मांड कोयला खानों से कोयले का खनन

3143. श्री नन्द किशोर शर्मा : क्या ऊर्जा मंत्री यह बताने की कृपा करेंगे कि :

(क) रायगढ़ (मध्य प्रदेश) के निकट एक बिजलीघर की स्थापना के प्रस्ताव की अनुमति दिये जाने के बाद, जिसे बाद में मांड कोयला क्षेत्र से जोड़ दिया जाएगा। मांड कोयला क्षेत्र में कोयले के खनन-कार्य को तेज करने हेतु सरकार अथवा कोयला विभाग द्वारा क्या कार्यवाही की जा रही है अथवा अब तक की गई है; और

(ख) इस सम्बन्ध में केन्द्र सरकार का क्या रवैया है ?

ऊर्जा मंत्रालय में राज्य मंत्री (श्री विक्रम महाजन) : (क) और (ख) : रायगढ़ के निकट एक बिजलीघर स्थापित करने का प्रस्ताव अभी तक मंजूर नहीं किया गया है। मांड-रायगढ़ क्षेत्र में भारतीय भूवैज्ञानिक सर्वेक्षण द्वारा प्रादेशिक सर्वेक्षण किया जा रहा है। इस क्षेत्र में कोयले के भंडारों की मात्रा का पता लगने में लगभग 3 वर्ष का समय लग जाएगा। इसके बाद कोल इंडिया लि० को अथवा उसकी ऐजेन्सी अर्थात् खनिज गवेषण निगम को विस्तृत समन्वेषण कार्य करना पड़ेगा। यहां पूंजी निवेश का कोई विचार समन्वेषण की उपर्युक्त दोनों अवस्थाएं पूरी हो जाने पर ही किया जा सकता है।



मध्य प्रदेश स्थित आई० बी० कोल  
माइन्स से बम्बई तथा गुजरात के बिजली  
घरों को कोयले की सप्लाई

3144. श्री नन्द किशोर शर्मा :  
क्या ऊर्जा मंत्री यह बताने की कृपा करेंगे  
कि :

(क) क्या मध्य प्रदेश में रायगढ़  
स्थित आई० बी० कोलमाइन्स से बम्बई  
तथा गुजरात राज्य के बिजलीघरों को,  
जिनकी कुल विद्युत् प्रजनन क्षमता लगभग  
1600 मेगावाट है अस्थाई रूप से कोयले  
की सप्लाई सुनिश्चित कर ली गई है ;

(ख) यदि हां, तो इसके क्या कारण  
हैं ; और

(ग) कोयला उपलब्ध होने के बावजूद  
भी मध्य प्रदेश बिजली बोर्ड को कोयले की  
सप्लाई करने से इन्कार कर दिया गया है  
और इस बारे में केन्द्र सरकार द्वारा क्या कदम  
उठाये जाने का विचार है ?

ऊर्जा मंत्रालय में राज्य मंत्री (श्री विक्रम  
महाजन) : (क) और (ख) : आई० बी०  
कोयला खानें मध्य प्रदेश के रायगढ़  
जिले में नहीं बल्कि पड़ोस में ही उड़ीसा के  
सम्बल पुर जिले में हैं ।

पिछले एक वर्ष की इन खानों से महा-  
राष्ट्र राज्य बिजली बोर्ड या गुजरात बिजली  
बोर्ड को किसी बिजलीघर के लिए कोई  
कोयला नहीं भेजा गया ।

परन्तु रेलवे ने संचालन सुविधा की  
दृष्टि से 4,000 से 5,000 टन कोयला  
जो अन्य ग्राहकों को भेजा गया था उसे  
महाराष्ट्र के बिजलीघरों को भेज दिया ।

(ग) मध्य प्रदेश में चलने वाले किसी  
भी बिजली बोर्ड को कोयला देने से इन्कार  
नहीं किया गया है ।

आई० बी० कोयला खानों से रायगढ़  
तापीय विद्युत् केन्द्र को कोयले की सप्लाई

3145. श्री नन्द किशोर शर्मा  
क्या ऊर्जा मंत्री यह बताने की कृपा करेंगे  
कि :

(क) मध्य प्रदेश बिजली बोर्ड के  
रायगढ़ तापीय विद्युत् केन्द्र को कहां से  
तथा कितनी मात्रा में कोयले की सप्लाई  
की जा रही है ;

(ख) रायगढ़ स्थित आई० बी० कोयला  
खानों के पास 50 भाडे टन से भी अधिक  
कोयले के भण्डार हैं ;

(ग) यदि हां, तो इस खान से उपरोक्त  
बिजली घर को कोयले की सप्लाई करने  
के क्या कारण हैं ; और

(घ) इस खान से उक्त केन्द्र को  
कोयला उपलब्ध कराने हेतु क्या कार्यवाही  
करने का विचार है ?

ऊर्जा मंत्रालय में राज्य मंत्री (श्री  
विक्रम महाजन) : (क) चूंकि रायगढ़  
ताप विद्युत् केन्द्र के लिए कोई परियोजना  
रिपोर्ट मध्य प्रदेश बिजली बोर्ड से केन्द्रीय  
विद्युत् प्राधिकरण को प्राप्त नहीं हुई है अतः  
रायगढ़ ताप विद्युत् संयंत्र का कोयला लिकेज  
का प्रश्न नहीं उठता ।

(ख) और (ग) : भारतीय भू-वैज्ञानिक  
सर्वेक्षण विभाग द्वारा किए गए प्रारम्भिक  
भू-वैज्ञानिक सर्वेक्षणों से पता चला है  
कि आई० बी० घाटी में 500 मिलियन  
टन कोयले के भंडार हैं । विस्तृत भू-  
वैज्ञानिक रिपोर्टों द्वारा ये भंडार अभी तक  
'प्रमाणित' श्रेणी में नहीं लाए गए हैं  
जब तक ऐसा नहीं हो जाता, तब तक आई०  
बी० घाटी कोयला क्षेत्र से किसी प्रकार के  
और लिकेज के बारे में वचनबद्धता नहीं  
की जा सकती ।

(ब) जो स्थिति (क), (ख) और (ग) में बताई गई है उसको ध्यान में रखते हुए, इस खान से कोयला उपलब्ध कराने का प्रश्न फिलहाल नहीं उठता ।

#### Discovery of Oil Reserve near Chilka Lake in Orissa

3146. SHRI CHINTAMANI PANI-GRAHI: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether his Ministry has informed the Orissa State Government that oil reserve has been discovered near Chilka Lake in Orissa;

(b) if so, whether any survey or drilling was made;

(c) whether the extent of reserves has also been estimated; and

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

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) and (b). No, Sir. The investigations carried out by ONGC indicated that there was contamination of refined petroleum products and not a natural oil see page at Sial village in Puri District.

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

#### Electrification of New Ashok Nagar Across Hindon Cut in Delhi

3147. SHRI K. M. MADHUKAR: Will the Minister of ENERGY be pleased to state:

(a) is it a fact that the electrification of New Ashok Nagar and its adjacent colonies situated in village Chilla extension across Hindon cut in Delhi has not been done so far though these are pre-1972 colonies;

(b) what action is being taken to provide street light and domestic light connections to the residents of these colonies especially when road light has been provided upto the colonies;

(c) what action is proposed to be taken against the defaulting officers; and

(d) by which time complete electrification will be done?

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): (a) Before electrification of a colony can be taken up, at least 20 per cent of the plot-holders of each colony are required to pay the earnest money and to give a formal undertaking to bear the appropriate development charges in respect of the new Ashok Nagar colony, which has not been electrified work has not been taken up, as information regarding the number of plots, undertaking to provide land for the sub-station, and other details have not been furnished.

(b) Street lighting will be provided on a specific request from the Delhi Municipal Corporation or the agency responsible for maintenance of roads.

(c) Does not arise.

(d) Electrification of the colonies can be taken up when all the information as mentioned in part (a) of this Question is furnished to DESU.

#### Price of Gas charged by ONGC

3148. SHRI R. P. GAEKWAD: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government are aware that different prices of gas are being charged by ONGC from various consumers in Gujarat, Maharashtra and Assam States;

(b) whether Government are aware that fixation of price of gas on the basis of coal/oil replacement price is unjustified and contrary to the principle "cost plus" as given in Dr. V. K. R. V. Rao's Award on the fixation of price of gas in Gujarat;

(c) if so, whether it is a fact that prices of gas in Gujarat have been increased to over 800 per cent during the period 1966 to 1980; and

(d) if so, whether Government consider it necessary to appoint a committee to go into the question of pricing of gas in Gujarat keeping in view the norms accepted and recommended by Dr. V. K. R. V. Rao in the gas price Award in case of Gujarat?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): (a) Yes, Sir. The prices of gas charged by ONGC vary in different regions and for different purposes in the same region.

(b) The Award of Dr. V. K. R. V. Rao had in fact taken into consideration the pit head price of West Bengal and Bihar coal of thermal equivalence in determining the price of gas in Gujarat. He, however, did not rule out the application of thermal equivalence theory of alternate fuels for determining the price of gas in future.

(c) During the period 1966 to 1980, the price of gas for industries in Gujarat has been revised six times either on the basis of an arbitration award or negotiations with the consumers or as a result of increase in rates of sales tax. As against the price of Rs. 74.91 per 1,000 cubic metres of gas, inclusive of royalty, sales tax and transportation cost in 1967, the current price for different users is as under:—

(Per 1,000 cubic metres)

G.E.B.	Rs. 150/-
G.S.F.C.	Rs. 310/-
Private Industries	Rs. 504/-

(d) The prices being charged are not considered unreasonable, particularly in view of the increases in the prices of petroleum products.

### विदेशी कम्पनियों की भारतीय शाखाएँ

3149. श्री राम विलास पासवान : क्या विधि, न्याय और कम्पनी कार्य मंत्री निम्नलिखित जानकारी दर्शाने वाला एक विवरण सभा पटल पर रखने की कृपा करेंगे कि उन 301 विदेशी कम्पनियों की जिन्होंने अपने वार्षिक तुलन-पत्र और हानि-लाभ के विवरण कम्पनी कार्य विभाग को प्रस्तुत किये हैं ; भारतीय शाखाओं और सह-कम्पनियों के वर्ष 1973 से वर्ष 1979 तक की अवधि का उत्पादन, बिक्री, लाभ, आयात-निर्यात कुल आस्तियाँ, देयताएँ आदि के सम्बन्ध में कम्पनीवार, देशवार, और वर्ष-वार ब्यौरा क्या है ?

विधि, न्याय और कम्पनी कार्य मंत्री (श्री पी० शिवशंकर) : प्रश्न में संदर्भित 301 विदेशी कम्पनियाँ, उन विदेशी कम्पनियों की शाखाओं से सम्बद्ध हैं जिन्होंने वर्ष 1973-74 के तुलन-पत्रों और लाभ तथा हानि लेखाओं को प्रस्तुत किया था। वर्ष 1978-79 में, 358 कार्यरत विदेशी कम्पनियों में से 141 शाखाओं ने अपने तुलन-पत्रों और लाभ तथा हानि लेखाओं को प्रस्तुत किया था। 2 दिसम्बर, 1980 को उत्तरित प्रश्न संख्या 2054 के उत्तर में जैसा स्पष्ट किया गया था, शेष 217 शाखाओं में; 25 नौपरिवहन और विमान चालन व्यापार में लगी हुई थीं तथा उनको अलग से भारतीय लेखाओं को प्रस्तुत करने से मुक्त कर दिया गया था, 24 अन्य भारतीय कम्पनियों में समाभिलित हो गई थीं इस प्रकार से उनको अलग से लेखाओं को प्रस्तुत करना अपेक्षित नहीं था, जबकि अन्य निष्क्रिय हो गई थीं या बन्द होने की प्रक्रिया के अन्तर्गत थीं। विदेशी कम्पनियों की 141 शाखाओं और 113 सहायकों के कम्पनी अनुसार और देशानुसार परिसम्पत्तियों, व्यापारावर्त (अर्थात् बिक्री), कर से पूर्व लाभ, आयातों और निर्यातों के ब्यौरे, जिनके

सम्बन्ध में वर्ष 1978-79 की सूचना उपलब्ध है, कथित अतारांकित प्रश्न के उत्तर में लोक सभा में प्रस्तुत कर दी गई है (वर्ष 1978-79 की अवधि में विदेशी कम्पनियों की 125 सहायकों कार्यरत थीं और तुलन-पत्र और लाभ तथा हानि लेखा उनमें 113 के उपलब्ध हैं)। उत्पादन का मूल्य कम्पनियों के लाभ तथा हानि लेखाओं में प्रत्यक्ष रूप से नहीं दर्शाया गया है किन्तु यह, बिक्री के मूल्य में व्यापक रूप से प्रति-विम्बित होता है। वर्ष 1978-79 की अवधि में विदेशी कम्पनियों की 141 शाखाओं और 113 सहायकों की देयताओं के आंकड़े क्रमशः सभा पटल पर रखे विवरण I और II में दिये गये हैं। (ग्रन्थालय में रखे गये। देखिए संख्या एल-टी-1546 80) ।

पूर्व वर्षों की समरूपक सूचना तैयार नहीं की गई है क्योंकि इस सूचना के संकलन में काफी समय और श्रम लगेगा जो सम्भवतः उपलब्ध होने वाले परिणामों के समानुपातिक नहीं होगा ।

#### Film Institutes

3150. SHRI N. DENNIS: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) the details of the film institutes set up by (1) Central Government and (2) State Governments; and

(b) the details of their functions?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (KUMARI KUMUDBEN M. JOSHI): (a) The following film institutes have been set-up by the Central and the State Governments;

(i) Central Government—Film and Television Institute of India, Pune.

(ii) State Governments—Institute of Film Technology, Adyar, Madras, set-up by the Govt. of Tamil Nadu. S. J. Polytechnic Institute, Bangalore, set-up by the Govt. of Karnataka, also provides training in cinematography and sound engineering.

(b) Film and Television Institute of India, Pune;

This Institute was established in 1960 with the object of providing facilities for professional training in the art and technique of film making. It was re-named as Film and Television Institute of India after the facilities for training to Doordarshan employees were also provided. The Institute is working as a Society since 1st October, 1974. The Institute at present awards diplomas in the following disciplines:—

- (i) Cinematography
- (ii) Editing
- (iii) Direction
- (iv) Sound Recording and Sound Engineering.

Admission to the Institute is made on the basis of a written entrance examination, followed by an interview. 20 students are admitted for the first three disciplines and 12 for the course on Sound Recording and Sound Engineering. 7 seats are reserved for foreign students from Afro-Asian Countries. The training in the Film Wing in the Institute is theoretical as well as practical.

Institute of Film Technology, Adyar:

A section was originally started in Central Polytechnic, Madras in the year 1945 to train students in Cinematography and Sound Recording. Later, the section was upgraded as a separate Institute of Film Technology in the year 1960. At present, the

Institute offers the following courses:—

- (i) Direction and Screen Play Writing
- (ii) Cinematography
- (iii) Sound Recording and Sound Engineering
- (iv) Film Processing
- (v) Editing
- (vi) Acting

Students are selected from Tamil Nadu and other States in India and also from abroad on the basis of merit.

**Approval of Appointments of Directors of Companies in West Bengal**

3151. DR. A. U. AZMI: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that large number of applications have been received for Central Governments approval to the appointments/re-appointments of Managing Directors/whole-time Directors during the year 1980 from the Companies registered with the Registrar of Companies, West Bengal;

(b) whether the same have been pending for Governments decisions on such appointments, fixing of remunerations including perks, etc;

(c) if so, the facts thereof, the names of each such Companies, profits earned by each of them during the last three years and names of each such incumbents etc.; and

(d) what steps are being taken to dispose of the application without further delay?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIV SHANKAR): (a) to (d). Applications under Section 269 of the Companies Act, 1956 for the appointment/reappointments of Managing Directors/Wholetime Directors of public limited companies and

private companies which are subsidiaries of public limited companies and for payment of remuneration are received in the Department in respect of all companies, and no separate data with regard to applications from companies registered with the Registrar of Companies, West Bengal are maintained by the Department. The collection of these data will involve considerable time and labour which may not be commensurate with the results likely to be achieved particularly in view of the fact that the Hon'ble Member has also desired to have the information relating to the names of each such company, profits earned during the last three years and the names of the incumbents etc.

According to the existing practice, the applications received from companies regarding appointment and payment of remuneration of the managerial personnel are disposed of within a period of 60 days. On receipt of the application, an initial scrutiny is made to find out if all the required information and the resolution of the company in a General Meeting of shareholders have been furnished. The companies are promptly advised of any deficiencies noticed in the application. The proposals of the companies are examined in the light of the report of the Registrar of Companies which contains information about complaints of any, against the management and the inspection/investigation if any that may have been carried out of its books of account and the follow up action taken thereon. These data are relevant for considering if the person proposed for appointment is 'fit and proper' to hold the post in question, and if the appointment of such a person is not likely to be against the public interest.

The Delhi High Court had struck down the 1978 executive guidelines on managerial remuneration as illegal and ultravires the provisions of the Companies Act, 1956. The matter was taken in appeal by Government to the Supreme Court. The Supreme Court

on 29th September, 1980, while granting ad-interim stay of the Delhi High Court's order, had directed that the Central Government shall not proceed to sanction remuneration in respect of the managerial personnel of such of the companies as object to their applications being processed under the November 1978 guidelines. In the light of this, companies have been requested to indicate their willingness or otherwise to the processing of the applications in terms of the 1978 guidelines. This has to some extent, resulted in some delay in the disposal of the applications.

#### Gontermann Peipers (India) Limited

3152. DR. A. U. AZMI: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the composition of Gontermann Peipers (India) Limited Calcutta along with details facts and the composition of Board of Directors, allocation and distribution of shares of the company amongst the said Directors and total number of units and value of shares being held by foreigners;

(b) whether serious dispute has arisen in regard to disposition of foreign shareholding and whether any preventive order had been issued by the company Law Board which were defied by the foreign shareholders;

(c) if so the facts and details thereof;

(d) what further action is being proposed to be taken against all those who have flouted Board's directives in this regard; and

(e) the details of total turnover during the past three years?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIV SHANKAR): (a) The shares held by the foreign collaborators, the Financial Institutions,

the directors and others in this company are as follows:—

Sl. No.	Name	No. of shares of Rs. 10/- each
1.	Gontermann Peipers GMBH (The foreign Collaborator)	3,60,000 (Constituting 40%)
2.	Deutsche Gesellschaft Fur Wirtschaftlich Zusammenarbeit (Entwicklungsgesellschaft) MBH	1,80,000 (Constituting 20%)
3.	Industrial Finance Corp. of India	29,178
4.	The Industrial Credit & Investment Corporation of India Limited	41,071
5.	Industrial Development Bank of India	47,481
6.	Life Insurance Corpn. of India	30,650
7.	The United India & Gen. Insurance Co. Ltd.	30,000
8.	Unit Trust of India	37,250
9.	Union Bank of India	100
10.	Sh. H. K. Nathani (Mg. Director);	19,057
11.	Sh. H. N. Guha (Director)	1,600
12.	Sh. G. Basu, (Chairman)	100
13.	Others	1,23,513
	Total	9,00,000

As on 5-5-1980 the composition of the Board of Directors of the company was as follows:

1. Mr. G. Basu, Chairman
2. Mr. W. Lotz, Director (Mr. H. Ludwig Alt, Director)
3. Mr. H. Gravenhorst-Director (Mr. H. N. Peine Alt. Director)
4. Mr. L. Huesken—Director

5. Mr. F. N. Paetzolt director  
(Mr. L. S. Davar-Alt Director)

6. Mr. H. K. Nathani Mg. Director.

7. Mr. H. N. Guha Director

8. Mr. A. R. Ghosh Director.  
(Nominated by IFC)

(b) to (d). In the month of May, 1980 Shri Hari Narain Guha, a Director of the company made a representation to the Company Law Board stating that he apprehended a change in the ownership of shares held by M/s Gontermann Peipers GMBH: (Foreign Collaborators) and M/s. Deutsche Gesellschaft Fur Wirtschaftlich who were seeking to transfer their shares to a non-resident Indian company, which, if allowed, would effect prejudicially the interests of the company. The Company Law Board after careful consideration of the facts and circumstances of the case passed an interim order under section 409(2) of the Act on 21-5-1980 to the effect that no change in the Board of Directors should be effected without the confirmation of the Central Government and issued a show cause notice under section 409(1) of the Act as to why a final order should not be passed. The Company Law Board is hearing the case and appropriate orders will be passed by it after completion of enquiry under section 409 (1) of the Act.

(e) The details of total turnover of the company during the last three years is as follows:—

	Rs.
Year ended on 30-4-78	. 2,96,09,622
Year ended on 30-4-79	. 3,86,07,590
Year ended on 30-4-80	. 4,59,10,455

**News Regarding of Advertisement to Rajasthan Patrika**

3153. SHRI SATYANARAYAN JATIYA: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether his attention has been drawn to a press report in the 'Indian Express' dated September 29, last that Rajasthan Government has drastically cut the flow of advertisement to the local Hindi daily 'Rajasthan Patrika' believed to be result of its being critical of the Rajasthan Government;

(b) whether similar reports of cut in advertisements by State Governments to papers of critical views have been received from U.P., Karnataka and other States;

(c) is it a fact that the Press Council has recently protested that such Government action towards criticising papers was improper;

(d) facts in this regard to each case, Government's reaction thereto and action taken; and

(e) guidelines in this regard as given to States?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (KUMARI KUMUDBEN M. JOSHI): (a) Yes, Sir.

(b) Some complaints/reports alleging discriminatory treatment by some State Governments in the matter of release of advertisements have come to the notice of the Government.

(c) and (d). Press Council observed in the adjudication on the complaint of 'Charitra Vikas' that advertisements cannot be discontinued merely because, in the opinion of the Government Departments or concerned officials, certain writings in newspapers are unpalatable or are not to their liking or contain criticism of the

working of the Government or the authority concerned. The Press Council was satisfied in that case that the cancellation of the release of advertisements by the U.P. State Electricity Board and other Departments to the weekly was motivated by political, personal and extraneous considerations. The Council was further of the view that no Government or authority could withhold the release of advertisements merely because a newspaper was critical of its policies and that if there were any writings which were regarded as scurrilous or scandalous it was open to authorities to approach the Press Council or to take appropriate action in a Court of Law.

(e) The State Government are free to follow their own Advertising Policies and no guidelines are issued to them by the Union Government.

#### Popularising Products of Small Industry through D.A.V.P.

3154. SHRI K. T. KOSALRAM: Will the Minister of INFORMATION AND BROADCASTING be pleased to state the steps being taken in furtherance of assurance of Information and Broadcasting Minister on September 23, 1980 given at the Seminar on Small Industries for popularising through the Directorate of Advertising and Visual Publicity the products of small scale industry and for cutting into the monopoly enjoyed by the multinationals and big houses in this matter?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (KUMARI KUMUDBEN M. JOSHI): In furtherance of the assurance given, Government proposes to consider ways and means of giving publicity to the products of small scale industries through the media, under its control. The matter is being examined and certain steps such as concessional rates of advertisements for small scale industry is already in practice.

#### अधिकारियों के स्थानान्तरण सम्बन्धी नियम

3155. श्री टी० एस० नेगी : क्या सूचना और प्रसारण मंत्री अधिकारियों के स्थानान्तरण सम्बन्धी नियमों के बारे में 12 अगस्त, 1980 के अतारांकित प्रश्न संख्या 7765 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) इन महागमों के केन्द्रों पर दस वर्ष से भी अधिक समय से कार्यरत अधिकारियों की विशेष अर्हताएं क्या हैं और नियमों का उल्लंघन करने के क्या कारण हैं ;

(ख) आकाशवाणी के दिल्ली, बम्बई कलकत्ता और मद्रास स्थित विभिन्न केन्द्रों में कितने राजपत्रित अधिकारी प्रोग्राम एग्जीक्यूटिव के रूप में छः वर्षों से भी अधिक समय से काम कर रहे हैं और उनके नाम तथा अर्हताएं क्या हैं ;

(ग) क्या यह सच है कि जल्दी-जल्दी स्थानान्तरण किए जाने से कार्यक्रमों के स्तर पर बुरा असर पड़ता है; और

(घ) यदि हां, तो क्या सरकार का विचार अपनी वर्तमान स्थानान्तरण नीति में परिवर्तन करने का है ताकि कार्यक्रमों के स्तर में सुधार हो सके ?

सूचना और प्रसारण मंत्रालय में उप मंत्री (कुमारी कुमुदबेन एम० जोशी) :

(क) भाषायी और कार्यक्रम की आवश्यकताओं, प्रशासनिक मजबूरियों, निजी समस्याओं, आयु और कुछ अन्य बातों के कारण कार्यक्रम अधिकारियों को उनके सामान्य कार्यकाल से अधिक समय के लिए केन्द्र पर रखना जरूरी हो जाता है। इस रूप में कोई विशेष अर्हताएं नहीं हैं।



प्रशासनिक सुविधा के लिए, कर्मचारियों के स्थानांतरण के बारे में कतिपय मार्गदर्शी सिद्धांत निर्धारित किए गए हैं। ये सांविधिक नियम नहीं हैं। मार्गदर्शी सिद्धान्तों के अनुसार, कार्यक्रम अधिकारियों को उनके सामान्य कार्यकाल के बाद रखने से किन्हीं नियमों का उल्लंघन नहीं होता।

उसके सामान्य कार्यकाल के बाद रखने के लिए विशेष अर्हताओं का होना कसौटी नहीं है।

(ग) जी, हां। स्थानांतरण सामान्य क्रम में नहीं किये जाते तथा सेवा के हित को सदा ध्यान में रखा जाता है।

(ख) एक विवरण संलग्न है। जैसा कि प्रश्न के भाग (क) के उत्तर में बताया गया है, किसी अधिकारी को केन्द्र पर

(घ) जी, नहीं। वर्तमान नीति को पर्याप्त समझा जाता है।

#### विवरण

क्र०सं०

नाम

1. श्रीमती एस० बी० चन्दोला, आकाशवाणी, बम्बई।
2. श्रीमती राज रानी भाटिया, तदैव
3. श्रीमती के० बी० मंजरेकर, तदैव
4. श्री वार्ड० एच० मनाके, तदैव
5. श्री एस० के० कामरा, विज्ञान प्रसारण सेवा, बम्बई।
6. श्री जे० पी० शर्मा, केन्द्रीय विक्रय यूनिट, बम्बई।
7. श्री एस० ठाकर, विविध भारती सेवा, बम्बई।
8. श्री एस० के० सरकार, आकाशवाणी, कलकत्ता।
9. श्री एस० के० घोष, तदैव
10. कु० रीटा मुखर्जी, आकाशवाणी, दिल्ली।
11. श्री एच० के० देवासरे, तदैव
12. श्रीमती वेद कर्वात्रा, तदैव
13. श्री पी० एन० वर्मा, तदैव
14. कु० मंजुला भटनागर, तदैव
15. श्री बी० के० चौपड़ा, तदैव
16. श्री नारायण परवानी, विदेश सेवा प्रभाग, दिल्ली।
17. श्री मेहर सिंह, तदैव
18. श्री विचित्र सेनगुप्त, तदैव
19. श्रीमती बी० वेंकटरामन, आकाशवाणी, मद्रास।
20. कु० एस० लीला, तदैव
21. श्री एम० एस० सदाशिवम, तदैव
22. श्री डी० अरुमुगम, तदैव
23. श्री एम० कृष्णमूर्ति, विज्ञापन प्रसारण सेवा, मद्रास

**To-day in the Legislature**

3156. SHRI R. K. MHALGI: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether it is a fact that the Government have received a representation dated 30th July, 1980 from B.J.P. Legislative Party in Maharashtra in respect of introducing "Today in the Legislature" programme on Bombay Doordarshan on the lines of "Today in Parliament";

(b) if so, the reasoning given;

(c) what action has been taken or being taken by the Government on the demand so made in the said representation; and

(d) if no action has been taken so far, the reasons for delay thereof and when it shall be taken?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (KUMARI KUMUDBEN M. JOSHI): (a) and (b). A letter dated July 30, 1980 was received from B.J.P. Legislative Party in Maharashtra suggesting the introduction of a programme 'Today in the Legislature' from Bombay Doordarshan in order to inform the people of the problems concerning them and being taken up for discussion in the Legislature.

(c) and (d). The request was carefully considered. It was felt that in the absence of suitable visuals, necessitated by the ban on film shooting inside the legislative halls, telecast of a programme like 'Today in the Legislature' would not be quite appropriate. Considering the fact that this format is very suitable for radio broadcasts, it has been decided to continue to broadcast over the radio proceedings of the State Legislature.

**Electric Lamp Manufacturers (India) Limited, Calcutta**

3157. DR. A. U. AZMI: Will the Minister of LAW, JUSTICE AND

**COMPANY AFFAIRS** be pleased to state:

(a) the composition of Board of Directors, Director's total share holding in each case of Electric Lamp Manufacturers (India) Limited, Calcutta;

(b) the total amount of share-capital of the company including cost unit-wise each share value, the authorised capital and the total subscribed capital of the said Company along with names and details of major shareholders holding more than 500 shares;

(c) whether, it is a fact that all the shares are still being held by foreigners belonging to various multinational groups abroad and attempts are being made to transfer holdings without properly going through the process of dilution in order that general Indian public may not participate; and

(d) if so, the facts thereof and the action being proposed to prevent such illegal transfer of foreign shareholdings?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIV SHANKAR): (a) and (b). As per latest annual report and accounts of Electric Lamp Manufacturers (India) Private Ltd., as at 30th June, 1979, the Directors of the company were as follows:—

1. Shri W. MacLaine Poni-Chairman.
2. Dr. R. S. Mamak
3. Shri S. G. Padhye

The individual Directors do not hold any shares.

As on 30th June, 1979 the authorised capital of the company was Rs. 60 lakhs and its subscribed capital was Rs. 65 lakhs made up of 5,50,000 shares of Rs. 10/- each.

The entire paid-up capital of the company is at present held by the following 4 foreign companies.

	No. of shares held	Percentage held
1. General Electric Co. Ltd. U.K.	116,463	21.1%
2. Crompton Parkinson Ltd., U.K.	75,680	13.8%
3. Mazda Lamp Co. Ltd., U.K.	163,432	29.7%
4. N. V. Philips Gloeilampen-fabriek Holland	194,425	35.4%
	550,000	100%

(c) and (d). As per information furnished by the Ministry of Finance, in accordance with the directive issued under the FERA, 1973 by the Reserve Bank of India to Electric Lamp Manufacturers (India) Pvt. Ltd., Calcutta (ELMI) for dilution of non-resident interest in the equity capital of the company to a level not exceeding 40 per cent. ELMI has submitted a proposal for the sale of the entire shareholding to Peico Electronics & Electricals (formerly Philips India Ltd.). The proposal is under consideration of the Reserve Bank of India, pending approval of the proposal under the relevant provisions of the Companies Act.

**National Rayon Corporation Limited,  
Bombay**

3158. SHRI JYOTIRMOY BOSU:  
Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the National Rayon Corporation Limited, Bombay has been declared sick and is now under the management of the Central Government;

(b) if so, what is the background of the management takeover;

(c) details of assets and liabilities of the company;

(d) who are its principal shareholders and number and value of shares held by each;

(e) whether a chemical merchant of Bombay, named Shri Gurdial Berlia, has been trying to take over this concern; and

(f) if so, what are the details thereof?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIV SHANKAR): (a) and (b). M/s. National Rayon Corporation Limited, Bombay has not been declared sick by the Central Government. However, in order to prevent the affairs of the company being conducted either in a manner which is oppressive to any members of the company or in a manner which is prejudicial to the interest of the company or to public interest, Government Directors have been appointed by the Central Government under Section 408 of the Companies Act, 1956 on the Board of Directors of M/s. National Rayon Corporation Limited for a period of 3 years with effect from 11th July, 1980. At present there are 15 directors on the Board of Directors of the company out of which 8 directors have been appointed under Section 408 of the Companies Act, 1956. The Government Directors are, therefore, in the majority. It may be mentioned that the 'take over' of the management of industrial units is a matter which falls within the ambit of the Industries (Development and Regulation) Act, 1951 administered by the Ministry of Industry.

(c) The details of assets and liabilities of the company are available in its published Balance Sheets. However, the latest published Balance Sheets for the year ending 31-12-79 reveals current assets of Rs. 2994 lakhs and current liabilities of Rs. 1121 lakhs and a net working capital of Rs. 1873 lakhs. The reserves and surplus of the company stand at Rs. 1288 lakhs.

(d) The paid up share capital of the company as on 30th June, 1980 is as under:—

		Rs.
1,74,246	5.55% preference shares of Rs. 100/- each.	1,74,24,600
5,94,097	Ordinary shares of Rs. 100 each.	5,94,09,700

In the existing shares capital of the company, the principal shareholding as on 30-6-80 is as under:—

	No. of existing Shares	% of the total equity capital
1. Nationalised Banks	12,253	2.06
2. National Insurance Co.	89,133	15.00
3. Public sector Financial Institutions	1,06,954	18.01
	2,08,340	35.07
4. Berlia's Holdings	85,044	14.31
5. Shares acquired by Berlias (but transfers not duly registered)	27,139	4.53
	1,12,183	18.88
6. Other shareholders	2,73,574	46.05
	5,94,097	100.00

(e) and (f). The Berlia Group is at present holding 18.84 per cent of the equity capital of the company. As already indicated above the Government Directors appointed under Section 408 are in the majority. While, as indicated above, the Berlia Group has purchased certain shares which are yet to be registered with the company, there is no information with the Department to clearly indicate that the Berlias are trying to take over the company.

#### Running of an Advertising Agency by an Employee of A.I.R.

3159. SHRI KRISHAN CHANDRA PANDEY: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether it is a fact that an employee of All India Radio is competent to open an advertising agency in his name and can request All India Radio for its registration;

(b) if not, but if a person does so, what penalty is imposed against him; and

(c) whether it is a fact that if it comes in the knowledge of the Department that an employee has got registration of his agency while he is in service the recognition of his registration is withdrawn if so, the reasons and if not, what are the reasons for this?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (KUMARI KUMUDBEN M. JOSHI): (a) No, Sir.

(b) The conditions of service prescribed for regular Govt. servants and Staff Artistes provide for appropriate disciplinary proceedings against the erring employees.

(c) No agency in the name of any employee is registered or recognised by the All India Radio. The question of withdrawing the registration or recognition does not, therefore, arise.

12 hrs.

**RE. ADJOURNMENT MOTIONS**

श्री राम विलास पासवान: (हाजीपुर): अध्यक्ष जी, पिछले सत्र से आपको लिख कर के देता आ रहा हूँ कि 5 हजार हरिजन, मराठवाड़ा यूनिवर्सिटी का नाम बदलकर डाक्टर अम्बेडकर यूनिवर्सिटी रखने के सम्बन्ध में अभी तक कोई कार्यवाही नहीं की गई, इसके लिए जेल गये हैं, इस सम्बन्ध में मैं नोटिस दे रहा हूँ, मोशन दे रहा हूँ।

अध्यक्ष महोदय : मोशन दीजिए, मैं देख लूंगा :

श्री राम विलास पासवान : एडजर्नमेंट मोशन दिया है, कालिंग प्रॉपोजन दिया है, मैं आपसे मिला भी था, आपने कहा था कि इस सम्बन्ध में मंत्री जी को कहा है, मंत्री जी इस सम्बन्ध में जवाब देंगे।

अध्यक्ष महोदय : आप आज आ जाइए, बात कर लेंगे।

**SHRI RATANSINH RAJDA** (Bombay South): I have given a notice under rule 197 about the brutal lathi charge on Afgan students.

**MR. SPEAKER:** No, not allowed.

**SHRI HARIKESH BAHADUR** (Gorakhpur): Sir, kindly allow the adjournment motion on the brutal lathi charge on teachers in Rajasthan, as a result of which many teachers have been injured.

**MR. SPEAKER:** Not allowed.

**PROF. MADHU DANDAVATE** (Rajapur): Since you were not well, the Deputy-Speaker has said the privilege motion...

**MR. SPEAKER:** I will inform you.

12.03 hrs.

**PAPERS LAID ON THE TABLE**

**REVIEW ON AND ANNUAL REPORT OF INDIAN PETROCHEMICALS CORPORATION LTD., 1979-80 AND MADRAS FERTILIZERS LTD., MANALI, 1979-80.**

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI DALBIR SINGH):** On behalf of Shri P. C. Sethi, I beg to lay on the Table a copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619 of the Companies Act, 1955:—

(1) (i) Review by the Government on the working of the Indian Petrochemicals Corporation Limited, for the year 1979-80.

(ii) Annual Report of the Indian Petrochemicals Corporation Limited, for the year 1979-80 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon.

[Placed in Library. See No. LT-1529/80]

(2) (i) Review by the Government on the working of the Madras Fertilizers Limited, Manali (Madras), for the year 1979-80.

(ii) Annual Report of the Madras Fertilizers Limited, Manali (Madras), for the year 1979-80 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon.

[Placed in Library. See No. LT-1530/80]

**RE. CALLING ATTENTION**

श्री राजनाथ सेनकर शास्त्री (सैदपुर): अध्यक्ष महोदय, मैंने एक कालिंग प्रॉपोजन दिया था, जिसमें एक हरिजन विधायिका पर एक सब इन्स्पेक्टर ने पिस्तौल तानी थी और उसके बच्चों की पिटाई की थी, उसका क्या हुआ ?

अध्यक्ष महोदय : अगर आपने दिया था तो वह विचाराधीन है ।

श्री धनिक लाल मण्डल (झारपुर) : अध्यक्ष महोदय, विद्यार्थियों को छोड़ कर शिक्षकों पर लाठी का प्रहार शुरू हो गया है । सरकार किसी भी समस्या को शांतिपूर्ण ढंग से हल नहीं कर पा रही है ।

अध्यक्ष महोदय : मैं उत्तर दे चुका हूँ ।

श्री धनिक लाल मण्डल : मेरा व्यवस्था का प्रश्न है ।

अध्यक्ष महोदय : ओवर रूल, मैंने रोक दिया है ।

श्री धनिक लाल मण्डल : हमारी बात सुन लीजिए, आपको रोकने का पूरा अधिकार है, लेकिन आप इस तरह से नहीं सुनेंगे तो हमारा यहां रहना और काम करना मुश्किल हो जाएगा ।

अध्यक्ष महोदय : इतना लिबरल कोई नहीं है ।

श्री धनिक लाल मण्डल : यह सरकार हिंसा पर उतारू हो गई है ।

अध्यक्ष महोदय : आप तो गृह मंत्री रहे हैं, ऐसा क्या कह रहे हैं ।

श्री धनिक लाल मण्डल : हिंसा का बढ़ता हुआ जो हाथ है इसको कहीं जा कर थामा जाएगा ? अब तक विद्यार्थियों पर लाठी, गोली चलती थी लेकिन अब टीचर्स पर भी लाठी चल रही है । यह सरकार खुद हिंसा बढ़ा रही है ।

श्री रामावतार शास्त्री : (पटना) : मेरा कॉलिंग एटेंशन दो बजे क्यों रखा गया है ?

अध्यक्ष महोदय : आप तो खुद-समझदार आदमी हैं । कुछ सोच कर ही किया होगा ।

12.55 hrs.

### STATEMENTS OF PUBLIC ACCOUNTS COMMITTEE

SHRI\* CHANDRAJIT YADAV (Azamgarh): I beg to lay on the Table English and Hindi versions of the following statements:—

(1) Statement showing Action Taken by Government on the recommendations contained in Chapter I and final replies in respect of Chapter V of Hundred and Sixth Report (Sixth Lok Sabha) on Defence Services.

(2) Statement showing Action Taken by Government on the recommendations contained in Chapter I of Hundred and Twentieth Report (Sixth Lok Sabha) on New Lines and Line capacity works.

12.00 hrs.

### STATEMENT RE. COMPLETION OF THE DEMONSTRATION SPONGE IRON PLANT AT KOTHAGUDEM, ANDHRA PRADESH

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI P. VENKATASUBBAIAH): I am very happy, Sir, to inform the House that the demonstration sponge iron plant which was being put up by the Government of India at Kothagudem in Andhra Pradesh with the assistance of UNDP/UNIDO has been completed and the results achieved during the trial runs have been highly satisfactory. The capacity of the plant is 30,000 tonnes per annum. The hon. Members are aware that there are two

routes for producing steel, one, the blast furnace route, and the other, the electric arc furnace route. Blast Furnace route uses coking coal whereas the electric arc furnace route uses steel melting scrap.

The Members are also aware that the reserves of coking coal in the country are limited and therefore, methods have to be found to use non-coking coal in the production of steel. The indigenous availability of steel melting scrap is also limited and is just sufficient for the production of 1.7 million tonnes of liquid metal, whereas the installed capacity of the electric arc furnaces in the country is over 3 million tonnes.

It is known that sponge iron can supplement steel melting scrap in the feed material for the electric arc furnaces to the extent of 20 to 40 per cent in the charge and may go up further. Sponge iron can be produced by using gas or non-coking coal as a reductant. Since availability of gas in India is limited, it is of vital interest to this country to establish the technology of using non-coking coal in the production of sponge iron.

The choice of technology was limited to two processes—one offered by Lurgi Chemie of Germany and the other, Allis Chalmers of USA. The technology offered by Allis Chalmers was based on the use of oil to some extent and therefore the technology offered by Lurgi Chemie which is based on 100 per cent use of non-coking coal was accepted. I am happy to inform the House that since 12th November, 1980 this plant has been running without any use of oil. The metallisation which should have been 92 per cent according to the contract has been varying between 92 to 96 per cent. Although the plant is using low grade iron ore containing 60 to 61 per cent iron, the sponge produced from it has about 88 per cent iron content. The House will also be pleased to know that within a few days of its starting operations, the plant achiev-

ed a daily production of 100 tonnes which is its rated capacity. The steel produced from this sponge iron used in various furnaces has indicated that the quality of steel produced is better than that produced when all scrap is used. The reports from the rolling mills also indicate that they have found it easier to roll steel produced out of this sponge iron. The plant will be inaugurated on the 31 December, 1980, by the Vice President of India.

I take this opportunity to thank UNDP/UNIDP for their Assistance and to congratulate the officers and staff of Sponge Iron India Ltd. and M/s. Lurgi Chemie which have set up this plant.

12.10 hrs.

#### MATTERS UNDER RULE 377

##### (i) ADULTERATION OF DIESEL WITH KEROSENE OIL IN CERTAIN DISTRICTS OF UTTAR PRADESH.

श्री रणवीर सिंह (केसरगंज) : अध्यक्ष महोदय, उत्तर प्रदेश के बहराइच, गोंडा, बलरामपुर एवं बाराबांकी जनपदों में डीजल में किरोसिन आयल की मिलावट के कारण अनेक ट्रैक्टरों के पम्प डाउन गये हैं, जिनसे किसानों को भारी क्षति उठानी पड़ी है। पंजाब ट्रेडर्स द्वारा निमित्त स्वराज ट्रैक्टरों के अभियन्ता ने जांच के पश्चात् उक्त पुष्टि की है। क्षतिग्रस्त ट्रैक्टरों की संख्या उस क्षेत्र में 70 से ऊपर पहुंच रही है। किरोसिन के मूल्य डीजल से कम होने के कारण अनधिकृत मिलावट से मुनाफा कमाने की दृष्टि से यह घातक कदम उठाये गये हैं। आपूर्ति हेतु उपलब्ध डीजल की जांच के अभाव में भी इस प्रकार का अनर्गल कार्य करने को प्रोत्साहित किया गया है। अविलम्ब जांच करा कर इसकी पुनरावृत्ति रोकी जाये तथा उत्तरदायित्व निर्णीत कर क्षतिग्रस्त कृषकों की क्षति पूर्ति कराई जाये।

(ii) **PROCUREMENT AGENCIES OF FOOD-GRAINS IN KALAHANDI DISTRICT OF ORISSA.**

\***SHRI RASABEHARI BEHERA** (Kalahandi): The poor performance of the Government agencies both of the Central and the State Governments in procuring paddy has put Kalahandi farmers in a very miserable plight. For vast majority of them, the primary means of livelihood is agriculture. Their day-to-day living is dependent upon the sale proceeds of the crops, and unless they get remunerative prices for their produce, they will face starvation deaths.

In the absence of energetic procurement efforts by the Government agencies, the middle men are having a field day, and the farmers have become the victims of their machinations and manipulations. The cultivators, for the sake of their survival, are selling their produce at distress prices. The middle men and the business men have no compunction in fleecing the farmers who have to maintain their families and also start agricultural operations for the next season. They do not have money to buy seed grains for the next season. The agricultural credit institutions seem to be living in their own ivory tower. They demand security in one form or other before they sanction loans. The farmers who are exposed to sun and showers, cannot produce anything tangible as security.

The Government of India should gear up the foodgrains procurement agencies so that the farmers in backward districts like Kalahandi are not made sacrificial goats.

(iii) **SURVEY FOR THE CONSTRUCTION OF A RAILWAY LINE FROM SAJEJANWA TO DOHIRI GHAT IN UTTAR PRADESH.**

श्री महंवीर प्रसाद (बांसगांव) : अध्यक्ष महोदय, सहजनवा से दोहरी घाट तक रेलवे लाइन का पुनः सर्वेक्षण करा

\*The original speech was delivered in Oriya.

कर निर्माण कराने के सम्बन्ध में रेलवे मंत्री जी का ध्यान आकर्षित करना चाहता हूँ।

उक्त रेलवे लाइन जिसकी दूरी लगभग 67.35 किलोमीटर है और उस पर लगभग 14.25 करोड़ रुपये व्यय होने की बात है, किन्तु जनता पार्टी की सरकार ने यह कह कर उक्त रेलवे लाइन को निरस्त कर दिया था कि आर्थिक दृष्टिकोण से उक्त लाइन लाभप्रद नहीं है। उक्त रेलवे लाइन मेरे निर्वाचन क्षेत्र में पड़ती है, जिसकी महत्ता काफी है। बड़े दुःख के साथ कहना पड़ता है कि आज आजादी के इतने वर्षों के बाद भी मेरे निर्वाचन क्षेत्र में एक इंच भी रेलवे लाइन नहीं है। यदि यही नियम बना लिया जाए, तो जो क्षेत्र सदियों से पिछड़े हुए हैं, वे सदैव पिछड़े ही रह जायेंगे।

अभी हाल ही में मैंने उद्योग मंत्री उत्तर प्रदेश सरकार से जब उक्त क्षेत्र में उद्योग लगाने के विषय में बात की तो उन्होंने यही कहा कि चूंकि उक्त क्षेत्र में रेलवे लाइन नहीं है, इसलिए उद्योग नहीं लगाया जा सकता।

अतः रेलवे मंत्री जी से अनुरोध है कि उक्त निर्वाचन क्षेत्र को आर्थिक, सामाजिक एवं शैक्षणिक दृष्टिकोण से अन्य क्षेत्रों के समानान्तर लाने के लिए पुनः उक्त रेलवे लाइन का सर्वेक्षण करा कर उसे बनाने के लिए आवश्यक कार्यवाही करें।

(iv) **LOCATION OF FARAKKA SUPER THERMAL POWER PROJECT TOWNSHIP.**

**SHRIMATI GEETA MUKHERJEE** (Panskura): Under Rule 377, I am making a statement.

It has been reported in the West Bengal Press (Basumati) that the



Township for the Farakka Super Thermal Power Project at Farakka is sought to be located in Malda district. Farakka is in Murshidabad district and it is on the one bank of the Ganga and Malda is on the other bank. If the township for Farakka is built in Malda it will present great difficulty to the workers and officers of Farakka Thermal Project. For a power plant where operational problems are to be attended constantly this would also create operational problems. Hon'ble Minister for Energy should inform the House whether such a proposal is being entertained and if so, whether he would reject this so that the township and the Super Thermal Project at Farakka remain at the same place particularly when there is no dearth of place in Farakka.

## (v) SUPPLY OF RICE TO KERALA

SHRI V. S. VIJAYARAGHAVAN (Palghat): Under Rule 377, I am making a statement.

The distribution of rice in Kerala has been paralysed. The situation is such that distribution of rice through ration shops will come to a complete standstill till at least January. It is quite regrettable that the move to deny the supply of rice to the people of Kerala is afoot at a time when we are exporting rice to foreign countries.

Kerala requires 1,35,000 tonnes of rice per month. But in the month of November, the Food Corporation of India did not have even one week's stock in its godowns. It is understood that the FCI did not take any step whatsoever to stock rice in time.

As per rule, applications for wagons for bringing rice should be submitted one month in advance. It has been found on enquiry that the FCI did not apply for wagons at the right time. By the time the application is submitted and wagons made available and then rice reaches the retail ends from the wholesalers, it will be at

least January. In January the price of rice will be up by 15 paise per Kg.

Disruption in the distribution of rice in Kerala will force the State Government to make direct purchases from neighbouring states. This will cause high losses to the State. The card holders will have to pay more price for the rice.

Therefore, I request the Government to take immediate steps to send rice to Kerala and then avoid disruption in the distribution of rice through ration shops.

## (vi) BONUS TO L.I.C. EMPLOYEES

SHRI SUNIL MAITRA (Calcutta North East): Under Rule 377, I am making a statement.

The LIC (Modification of Settlement) Act, 1976 was successfully challenged first in the Calcutta High Court and subsequently in the Supreme Court by the All India Insurance Employees' Association and the Supreme Court struck it down as violative of the Constitution of India.

Bowing to the seven-judge-bench judgement of the Supreme Court, the Janata Government asked the LIC to release payment of Bonus illegally withheld. But all the same in 1978 the LIC served notice under Section 19(2) of the I.D. Act expressing its intention to terminate the settlement. Again by applying 9A of the I.D. Act the LIC changed the service condition relating to Bonus and deprived the employees of their right to it. Not content with it, the Government of India acting under Section 49 of the LIC Act issued a Gazette Notification amending Regulation 58 of the LIC Staff Regulations pertaining to Bonus and sought to deprive the employees of their right to Bonus. Perhaps as a measure of abundant caution, the Govt. of India again acting under Section 11(2) of the LIC Act issued a Gazette notification which in effect deprived the LIC employees of their right to Bonus.

The actions of the LIC under Section 19(2) and 9A of the I.D. Act were successfully challenged in the Lucknow Bench of the Allahabad High Court. Another Writ Petition was filed in the Calcutta High Court challenging the validity of the LIC's actions under 19(2) and 9A of the I.D. Act and the Central Government's action under Section 49 and 11(2) of the LIC Act. Having lost the case in the Allahabad High Court, the LIC went in for appeal to the Supreme Court. The writ petition pending in the Calcutta High Court was also transferred to the Supreme Court. At preliminary stage of the hearing, the Supreme Court had passed order that in the event of the LIC appeal not surviving, the employees should be paid bonus along with 12 per cent interest.

On November 10, 1980, the Supreme Court by its judgment held all the actions of the LIC and the Government of India illegal and *ultra vires* the Constitution and struck down the orders depriving the employees of their right to bonus.

But now strangely enough report has appeared in a section of the press that secret confabulations are going on in the concerned Ministries to see to it that the effects of the Supreme Court judgment are nullified and employees are not paid any bonus, even the bonus that has legally accrued to them for the years 1978-79 and 1979-80. To a delegation of the All India Insurance Employees' Association, the LIC Chairman was reported to have told on 11-11-80 that in view of the Finance Ministry telephonically instructing him not to pay the bonus, he was unable to pay.

I urge upon the Government not to engage in such methods. What is involved in this issue is not merely the question of payment of bonus to 43,000 LIC employees only, but also far more basic and fundamental and that is whether this Government will submit to the judicial interpretation of law enacted by the Parliament or it will arrogate to itself also the

power of interpreting the laws irrespective of the judgments and interpretation by the highest judiciary in this country.

(vii) REPORTED GROWING GANGSTERISM  
IN CERTAIN PARTS OF BOMBAY

SHRIMATI PRAMILA DANDAVATE (Bombay North Central): Mr. Speaker, Sir, on 7th December, 1980, a serious episode occurred in Bombay which constitutes a grave threat to the freedom of press.

The 'Mumbai Sakal' a popular Marathi daily published from Bombay has been exposing the growing gangsterism in World and Prabhadevi areas of Bombay where gangsters openly move with swords terrorising people. My letters of complaint to the Police Commissioner of Bombay regarding this gangsterism has produced no result so far.

Some elements probably engaged by the exposure of gangsterism through the columns of 'Mumbai Sakal' burnt the tempo carrying copies of the Marathi daily on 7th December, 1980. The driver escaped and was, therefore, saved from being burnt alive. This is an assault on the freedom of press.

I request the Minister of Home Affairs to instruct the authorities concerned to ensure that such acts of vandalism are prevented and freedom of press protected.

(viii) SUPPLY OF MAIDA TO TAMIL  
NADU

\*SHRI C. PALANIAPPAN (Salem): Mr. Speaker, Sir, under Rule 377, I wish to raise the following matter of urgent public importance. In Tamilnadu there are thousands of cottage units producing pappad, bun, biscuits etc., which are common people's delicacies. To give an example, in Salem district alone, there are 120 cottage units producing pappads in which more than 3000 people are working, out of whom about 2800 are women.

\*The original speech was delivered in Tamil.

It has to be borne in mind that women belonging to scheduled castes, handicapped women are working in these cottage units. Besides, thousands of cottage units are there producing bun, which meets food needs of poor people.

The basic raw material for producing pappad, bun, biscuits etc. is maida, starch etc. The starch is prepared out of a root vegetable. This starch is supplied by more than 800 starch producing units in Dharamapuri district alone. But unfortunately, maida is becoming a scarce commodity. It is impossible for these cottage units to purchase maida from open market because there is a difference of Rs. 140 to Rs. 170 per bag of maida between the price charged in the open market and that charged in Government fair price shops. Because of non-availability of maida, many cottage units preparing pappad, bun, biscuits etc. are on the verge of closure. As an illustration 97 such units have been closed in Salem District. The Government of India should supply adequate quantities of maida to these cottage units through the Khadi and Village Industries Commission, which is entrusted with the responsibility of looking after such cottage units.

12.25 hrs.

STATUTORY RESOLUTION RE.  
DISAPPROVAL OF CODE OF CRIMINAL  
PROCEDURE (AMENDMENT) ORDINANCE  
AND  
CODE OF CRIMINAL PROCEDURE  
(AMENDMENT) BILL

MR. SPEAKER: We now take up the Statutory Resolution and the Code of Criminal Procedure (Amendment) Bill also. Shri Atal Behari Vajpayee—not here, Shri N. L. Shejwalkar—not here. Shri Satish Agarwal.

SHRI SATISH AGARWAL (Jaipur): Mr. Speaker, Sir, I beg to move:—

"This House disapproves of the Code of Criminal Procedure

(Amendment) Ordinance, 1980 (Ordinance No. 12 of 1980) promulgated by the President on the 23rd September, 1980."

Mr. Speaker, Sir, I have moved this Statutory Resolution seeking disapproval of the Ordinance which has been promulgated by the President on the 23rd September, 1980, amending certain provisions of the Criminal Procedure Code which was enacted by the House in 1973 and which came into force from April, 1974.

First, I am dead against issuance of Ordinances and legislation through Ordinances, particularly when Parliament meets for nearly six to seven months in a year. There was absolutely no occasion, and there is absolutely no justification, for issuance of this Ordinance on 23rd September. But, unfortunately, as the House is well aware, this Government is running the administration of this country through Ordinances and is not resorting to legislation through Parliament. This extraordinary power of issuing Ordinances is existing in the Constitution which clothes the President with this power of issuing Ordinances, but resort to it should be taken as least as possible and that too for issuing Ordinances only on not very vital matters. So, I condemn this attitude of the Government to legislate and administer through the system of Ordinances. I register my strongest protest against the tendency of this Government to issue Ordinances. This is not the only Ordinance which has been issued; as the House is well aware, there are nearly a dozen Ordinances which have been issued by this Government during this intervening period. The reasons that have been placed on the Table of the House by the Government and the Minister concerned justifying the reasons for the issue of this Ordinance are not at all convincing.

So far as the other provisions in the Ordinance are concerned, they

are innocuous. I am not very much worried about them. You have tightened certain provisions with regard to grant of bail or with regard to security. I am not worried about them. But my main attack is with regard to Clause 2 which takes away the powers of proceedings under sections 108, 109 and 110 of the Criminal Procedure Code from the judicial magistrates and vests them with the executive magistrates. Hon. Members are well aware that, during the freedom movement, the Congress Party had been insisting and had been campaigning for separation of the judiciary from the executive and for divesting the executive magistrates from exercising powers under the Code. And this fight in the national movement under the Congress Party continued for decades. I do not know how they forget all about that. It was not only a part of the freedom movement that a struggle was carried on against misuse of these powers by the executive magistrates, but later on this question was examined by the Law Commission and the Law Commission, after considering the various aspects of the question, gave its considered report. The report was accepted by the Central Government and on the basis of that, suitable amendments were made in the Criminal Procedure Code and that new Act was enacted in 1973. For refreshing the memory of the hon. Minister and the hon. Members of this House, I would like to quote from the Report of the Law Commission—Forty-first Report of the Law Commission, page 51, para 8.11:

“We are of the view that, having regard to the fact that the final order to be passed in these proceedings affects the liberty of the person against whom the proceedings are instituted and that sifting of evidence in a judicial manner is required before an order demanding security can justifiably be passed, it is desirable to vest these powers exclusively in judicial magistrates. Inquiry under any of these three sections partakes of the

character of a trial, though technically the person against whom the proceedings are taken is not an accused person, there is no offence to be inquired into or tried and the ordinary rules of evidence are relaxed to some extent....”

“...All Magistrates of the first class may, in our opinion, be given powers under these three sections. At the same time, we do not think that the powers under these sections need be vested concurrently in both Judicial and Executive Magistrates although this is the position in some States at present. Under a statutory scheme of separation, such a system is likely to create confusion and even otherwise has nothing to commend it.”

With these observations the report was adopted by the Central Government and the Code of Criminal Procedure was codified and a new law was enacted by this Parliament in 1973. We have had enough experience of 7 years under the amended provisions of the Criminal Procedure Code and I do not find absolutely anything which justifies a departure from the well-considered opinion of the law experts enshrined in the Law Commission's report or the judgement taken by this august House somewhere in 1973. Even in that particular Code of Criminal Procedure there is a provision that if any particular State wants to delegate these powers to Executive Magistrates, they can do so in consultation with the High Court. Now you have reversed that procedure. You are giving these powers in general to the Executive Magistrates and giving the powers to the State legislatures and the State Governments that if they wish to do so, they can delegate these powers to the Judicial Magistrates in consultation with the High Court. Why do you do that? That power is still there with the State governments and if they so wish, if any particular State government wants to delegate these powers to Executive Magistrates within their State for specific and certain

reasons, they can do so even now under the existing law. But to change that particular pattern wholesale and to divest the Judicial Magistrates on all India basis from exercising powers under Sections 108, 109 and 110 and to delegate these powers to the Executive Magistrates on an all India basis, I think, is not justified.

12.32 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

With your permission, I would like to illustrate my point of view as to how these powers have been misused by Executive Magistrates which necessitated the Law Commission also to come to the conclusion, which necessitated the legislators also to come to the conclusion that these powers should not be exercisable by the Executive Magistrates. I would like to refer to certain cases of 1958 in Jaipur. There were hundreds of lawyers who were prosecuted, proceedings were initiated against them under Sections 107, 108, 109 and 110 and the Executive Magistrates found them guilty for all that and under other provisions of the Code of Criminal Procedure during the High Court agitation and from all these persons against whom proceedings were initiated, sureties were demanded and when sureties were not furnished, they were sent to jail. But all these orders of the Executive Magistrates without exception—I lay emphasis on the words that the hundreds of orders passed by the Executive Magistrates without exception were set aside by the High Court and the persons against whom proceedings were initiated, were advocates of the Jaipur Bar some of whom later became Chief Justice and Judges of Rajasthan High Court like Shri Ved Pal Tyagi and the late Mr. Justice J. P. Jain. Proceedings against all these persons were initiated under the Criminal Procedure Code by the Executive Magistrates, sureties were demanded and they were found guilty under certain provisions and all the

orders, without exception—not even one judgment stood the test of scrutiny by the High Court—were set aside by the High Court. This was the experience at the Bar. This was the experience at the Judiciary. This was the experience of the State Governments. This was the experience and well-considered decision and conclusion of the Law Commission and they made certain recommendations to the Central Government and the Central Government, in its wisdom, adopted the Law Commission's report and enacted a new law in 1973. I do not know why. This particular approach of the Central Government is also in violation of the Directive Principles enshrined in our Constitution—the Directive Principles about which the present ruling Party and the Law Minister swear morning, day and night that they stand for, the Directive Principles and they sometimes plead for the superiority of the Directive Principles over the Fundamental Rights. I would ask the Law Minister. Is it not contained in Art. 50 of the Constitution that there will be a separation of judiciary from the executive and the Magistrates will be appointed like that? How does he justify all this? I say this particular Ordinance is in violation of the powers or is a gross misuse of powers given to the President or the Central Government, to issue the Ordinance under Article 123 of the Constitution. This is against the healthy traditions of a parliamentary democracy. It is something unusual. This is wholly unjustified. This goes against the recommendations of the Law Commission; this goes against the decision of this august House taken in 1973; this is in violation of Article 50 enshrined in our Constitution. This is a Directive Principle which has been laid down. I quote Article 50 of our Constitution. It says:

'The State shall take steps to separate the judiciary from the Executive in the Public Services of the State'.

By what test, I would like to submit, is the issuance of this Ordinance at all justified? This will be giving a blanket power to the executive magistrates to act in accordance with the dictates of the executive authorities of the States, that is, the ruling party, the political party. I do not think that these proceedings under these sections are absolutely hundred per cent judicial in nature of that type. Suppose some executive magistrate wants to send someone to the jail or some minister wants somebody to be sent to the jail. Then, what is the way out? He can ask the magistrate to demand a security of Rs. 2 lakhs. I am aware of the case where an executive magistrate under the proceedings had asked for a security of Rs. 2 lakhs which the man could not furnish and ultimately, that man had to be sent to the jail. So I think these provisions are likely to be misused. It means that this Government has no confidence; this Government has no faith in the judicial process, in the judiciary. That is why I do not want these powers to remain with the executive magistrates. I do not think that the judiciary has not acquitted itself well of the responsibilities cast upon them. Wherever the judiciary has failed, wherever there are shortcomings and wherever there had been a fault, I was one of the critics of the judiciary on that score and I say judicial reforms are necessary in the present situation. We are all for reforms in the judiciary, in the judicial system. I plead strongly that the judicial system needs a reform. I say that this is not the system that is failing. I say that it is the persons at the higher level who are failing the whole system. Whatever system we may adopt—we may adopt any other system—it is the man in charge who is at the helm of affairs who is failing the whole system. It is not the people who are failing the system; it is not the parliamentary democracy which is failing but it is the people who are at the helm of affairs who

are failing the whole system. Therefore, I say that the success of any instrument depends upon the user of that instrument. (Interruptions)

SHRI K. LAKKAPPA (Tumkur): What did you do when you were in power?

SHRI SATISH AGARWAL: When we were in power, we did not issue this Ordinance; when we were in power, we restored to the judiciary the judicial independence, we restored the civil liberties; we restored the freedom of the press and we restored the dignity of the judiciary which was taken away by Mr. Lakkappa and his partymen during the nineteen months of black days of emergency. They have unnecessarily got irritated. I am only trying to focus attention of this august Body to this absolutely objective feeling of mine. I had only criticised clause 2 of this Ordinance which takes away the powers from the judicial magistrates and vests that power in the executive magistrates.

So, Sir, I say that this in violation of Article 50 which is a Directive Principle enshrined in the Constitution. This is against the report of the Law Commission, a well-considered report, which was adopted by this Government in 1973 and an act was passed by the Legislatures in 1973. Sir, the past experience has also strengthened my viewpoint that there is no justification. The Government seems to have a lack of faith in the judicial system, in the judiciary itself. You probably feel that you cannot judge your political opponents but you want to suppress them through the executive magistrates by exercising the powers under these sections. You want those powers to be exercised by the Executive Magistrates who will be very amenable to your pressures and those provisions shall be grossly misused and there is not one case but hundreds of cases and hundreds of instances when, during the emergency, how false cases were re-

gistered by the police under various sections... (Interruptions). Misuse of powers by officials or bureaucrats has been there, is there and will be there provided that the people at the helm of affairs are vigilant. Then you can check. But here you are going to reverse the pattern. So, I say why does this government not have faith in the judicial magistrate or why don't they have faith in the judiciary or judicial system. This is a pointer to the fact that the present government has no faith in judiciary; they do not want to strengthen the judicial system and want to take away these powers from the judicial magistrate and vest in the executive magistrate.

Sir, I have not attacked any other provision. I have specifically mentioned clause 2 which is the life of this particular Ordinance. You may have rest of the provisions. I do not want to oppose them. But so far as this question is concerned, it is a basic question and even in this, you have made provisions for the State governments. So, I say in view of Article 50 of the Constitution; in view of the Law Commission's report and also in view of the well-considered judgement of this House in 1973 and in view of the past experience of seven years and in view of the need to strengthen judicial system in this country, the present pattern should not be reversed. The power should not be vested in the executive magistrate in comparison to the judicial magistrate. So, I whole-heartedly condemn the provisions incorporated in Clause 2 of this Ordinance. Sir, if the House later decides to delete this clause, I offer to withdraw my Resolution but let the Government come forward with that reply. I do not think this government is going to do that as this government has least possible regard for judiciary. With these words I move my Resolution.

MR. DEPUTY-SPEAKER: Resolution moved:

"This House disapproves of the Code of Criminal Procedure

(Amendment) Ordinance, 1980 (Ordinance No. 12 of 1980) promulgated by the President on the 23rd September, 1980."

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI P. VENKATASUBBAIAH): Mr. Deputy Speaker, Sir, of course Shri Satish Agarwal, an eminent lawyer, has argued his case though it is a bad case. He has put forward certain points in favour of his Resolution that has been moved. I will come to that part of it later. Now, I beg to move:

"That the Bill further to amend the Code of Criminal Procedure, 1973, be taken into consideration."

Sir, in view of the prevailing law and order situation and in order to enable the law enforcement agencies to deal effectively with anti-social elements, habitual offenders and those creating enmity between groups and communities, it was considered imperative that the law should be strengthened urgently. Accordingly, an Ordinance was promulgated. It is proposed to give permanent effect to the amendments affected by the Ordinance and this Bill has, therefore, been brought before the House to replace the Ordinance.

One of the main objectives of the Bill is to make it difficult for habitual criminals falling within defined categories to obtain bail. The Bill seeks to provide that if any person, who has already been convicted of any cognizable and non-bailable offence twice, or who has been convicted once of an offence punishable with death or imprisonment for life or imprisonment for seven years or more is arrested and accused of or suspected of the commission of any cognizable and non-bailable offence, he will not ordinarily be granted bail by the court. Such a provision has become necessary to curb the criminal

[Shri P. Venkatasubhaiah]  
 activities of habitual offenders guilty of serious crimes. Before the promulgation of the Ordinance many such criminals would obtain release on bail and commit more crimes while on bail. Under the provisions of the Bill, criminals falling under the prescribed categories, will not be able to obtain bail ordinarily. However, it has not been considered desirable to take away the discretion of the courts altogether and a court will still be able to grant bail in such cases but only for special reasons to be recorded by it.

These changes will not affect women or those under 16 years of age or those who are sick or infirm.

The position in the Code of Criminal Procedure, 1973 in regard to the liability of a surety is also unsatisfactory, there being no provision in it to deal with surety if the penalty, he is bound to pay, on the forfeiture of his bond, is not paid or cannot be recovered. A provision has been made to make a surety in such circumstances liable to imprisonment in a civil Jail.

The Bill also seeks to entrust security proceedings under sections 108, 109 and 110 Cr. P.C. to Executive Magistrates with a provision to enable the States to entrust them, if they so prefer, to Judicial Magistrates. Under the Code of Criminal Procedure, 1973, security proceedings under these were entrusted to Judicial Magistrates and the States given the power under section 478 to entrust them to Executive Magistrates after getting a Resolution to this effect passed from the State Assembly and after consulting the High Court concerned. The present Bill proposed to reverse this position. I may mention that in the repealed Code of 1898, there was no obligation to entrust these proceedings to Judicial Magistrates. These proceedings are not strictly trials and are not punitive in

nature. They are security proceedings designed to play a role in the prevention of crime and thereby assist in the maintenance of law and order. In principle, therefore, there could be no objection to the entrustment of these proceedings to the executive magistracy which is responsible for the maintenance of law and order. However, scope has been retained for any State, which so prefers to entrust these proceedings to Judicial Magistrates, after following the procedures prescribed in Section 478.

The Bill empowers District Magistrates to accord sanction for prosecutions under section 153B IPC and sub-sections (2) and (3) of section 505 IPC. In the repealed code of 1898, cognizance of an offence under section 153B and Section 505 IPC could be taken only upon complaint made by order of or under authority from the State Government, the District Magistrates or an officer empowered by the State Government. The Law Commission in its 41st Report considered this provision as unnecessarily complicated leading to time consuming controversies whether an officer had been duly empowered by the State Government, whether the authority to lodge the complaint had emanated from that officer or from the Government and so on. The Law Commission, therefore, recommended that the power should be vested in the Central Government or the State Government and a provision was made accordingly in the Code of Criminal Procedure, 1973. Obtaining sanction of the State Government can take time and delay in sanction would defeat the purpose of prosecution of such offences. It is, accordingly, proposed to give these powers concurrently to the District Magistrates also. With the provision now proposed, the kind of difficulty envisaged by the Law Commission in its 41st Report should not arise.

Sir, the Bill seeks to make useful amendments in the Code of Criminal Procedure. These changes, which have been proposed after discussing



them in inter-States Conferences or consulting the States otherwise, will undoubtedly help in preventing crimes and in coping with criminal elements. I am sure the Members will in the light of the objectives of the Bill readily agree to the changes proposed. In regard to the queries raised by Shri Satish Agarwal, I will reply to them when reply to the debate on this Bill at the end.

SHR R. K. MHALGI (Thane): Sir, why not he reply to his queries now itself?

SHR G. M. BANATWALLA (Ponnani): Sir, he does not want us to listen to the reply, particularly to the queries raised by Shri Satish Agarwal.

(Interruptions)

MR. DEPUTY-SPEAKER: Motion moved:

"That the Bill further to amend the Code of Criminal Procedure, 1973, be taken into consideration."

Now, Mr. Mool Chand Daga, are you moving your amendment?

SHRI MOOL CHAND DAGA: Yes, Sir.

SHRI MOOL CHAND DAGA (Pali): I beg to move:

"That the Bill further to amend the Code of Criminal Procedure, 1973, be referred to Select Committee consisting of 12 Members, namely:—(1) Shri Banwari Lal, (2) Prof. Madhu Dandavate, (3) Shri Harish Kumar Gangwar, (4) Shri Krishna Kumar Goyal, (5) Shri Nihal Singh Jain, (6) Dr. Karan Singh, (7) Shri Y. S. Mahajan, (8) Shri T. Nagaratnam, (9) Shri Arjun Sethi, (10) Shri Dharam Das Shastri, (11) Shri P. Venkatasubbaiah; and (12) Shri Mool Chand Daga with instructions to report by the 31 January, 1981." (1)

SHR A. K. ROY (Dhanbad): I beg to move:

"That is Bill further to amend the Code of Criminal Procedure, 1973, be referred to Select Committee consisting of 12 Members, namely:— (1) Shri Krishna Chandra Halder, (2) Shri Mukunda Mandal, (3) Shri Sanat Kumar Mandal, (4) Shri Manni Lal, (5) Shri Ram Swarup Ram, (6) Shri Bhola Raut, (7) Shri Amar Roypradhan, (8) Shri Ajit Kumar Saha, (9) Shri Gadadhar Saha, (10) Shri Babu Lal Solanki, (11) Shri Sunder Singh, and (12) Shri P. Venkatasubbaiah with instructions to report by the 26th January, 1981." (10)

\*SHRI SYED MASOODAL HOS-SAIN (Murshidabad): Mr. Deputy-Speaker, Sir, I rise to oppose this Bill. If the object of this Bill was as simple as the hon. Minister tried to project, then of course there was no reason to oppose it. But they have brought forth this Bill with political motivations. If we read the whole Bill, two things become prominent. One is, that more power is sought to be given to the executive magistrates, and to the district magistrates and secondly to prevent those who have been detained on some accusation from obtaining release on bail. Why had this been done? We know that when this Criminal Procedure Code was framed during the British rule, the executive magistrates wielded great powers and they normally acted on the advice of the police. As a result, the people were greatly harassed in the courts. Political workers faced even greater harassment. The executive magistrates took action against political workers according to the report put up by the police. We have that experience before us and because of that experience there was separation of judiciary later on and the powers were taken

\*The original speech was delivered in Bengali.

[Shri Syed Masoodal Hossain]  
 away from executive magistrates and handed over to the judicial magistrates. When the emergency was promulgated in 1975, we found that there was the rule of MISA and DIR throughout the country. During that dark period also we found that in certain cases the people who were detained under DIR could get release on bail because the powers were in the hands of judicial magistrates. The present Government cannot afford to have faith in an independent judiciary, therefore efforts are afoot to hand back powers to the executive magistrates. This is the first step towards that end. Today the same party is back in power at the Centre under the same leader. But we find that they are unable to solve any problem. Prices are sky-rocketing, the farmers are not getting legitimate returns, agricultural labourers are forced to agitate for their demand of minimum wages. A few days ago Shrimati Indira Gandhi herself admitted in the AICC meeting that the agitations which are taking place all over the country is pushing the country towards disaster. Now legislations like the National Security Ordinance have been promulgated primarily to suppress such mass agitations. You know Sir, that all those States where there are left-party Governments or left and democratic-front Governments, have opposed the National Security Ordinance. They have refused to enforce this ordinance in their States. Therefore clever efforts are being made now to give more powers to the executive magistrates and district magistrates there by the present amendment to the Criminal Procedure Code. For example, Section 196 has been amended to give the power of sanction to the district magistrates. In the original code, the power was not there. The State Government only could give that sanction. We know that the District Magistrates and the IPS Officers belong to the Central Cadre and will act according to their directions. Such officers are being given more powers.

Sir, the sections 108, 109 and 110 are all preventive Sections. The police will arrest persons under these Sections and will not give their report for days together. The Executive magistrates will harass the detainees endlessly and will force them to execute 'bonds' such situations will arise. Therefore, we contend that a serious situation will arise if powers are taken away from the hands of judicial magistrates and handed over to executive magistrates.

About grant of bail Sir, Section 5 of this amending Bill which amends Section 437 of the Principal Act is very dangerous. In such section (ii) of Section 5 it has been stated that,

"such person shall not be so released if such offence is a cognizable offence and he had been previously convicted of an offence punishable with death, imprisonment for life or imprisonment for seven years or more or he has been previously convicted on two or more occasions of a non-bailable and cognizable offence."

This is a very dangerous provision. You know Sir, there are many persons in the ruling party as well as in the opposition benches who participated in the freedom movement during the British rule and were falsely implicated in various charges and were jailed. So, if the police today fabricate false cases against them and detain them then they will not be able to obtain bail from the courts. Sir, we, who take part in mass agitations and popular movements, are in the greatest danger. This is a very peculiar thing. He, who had been convicted with a false charge once upon a time, cannot go to the courts and apply for bail. This is about non-bailable cases. But in bailable cases also steps have been taken to ensure that people do not get bail at least not easily. In Section 6 which amends Section 446 of the original or Principal Act the professional enforcers have been sought to be frightened. If there is forfeiture due to

any reason, if the accused person fails to appear in court for some reason, then the surety is to be imprisoned in a civil jail for a period six months. This is a very peculiar thing. In a court of law ordinary people stands surety for bail. It is not possible always to know a person intimately or to know his antecedents or his character or his address for standing bail. If such a person fails to turn up on a particular date, then the surety is to be imprisoned for six months. Therefore, people will be afraid to stand surety and consequently bail will not be granted. It has been clearly stated that this step has been taken against professional sureties. The Government is saying that they want to take steps against anti-social elements. That is very good. We also want that anti-social elements should be punished. We also want the Government to function smoothly. But at the same time we want that every body should get justice. No body should be detained without trial. If there is a charge against anybody, the police will surely arrest him. But the accused has also a fundamental right to be released on bail and to arrange for his own defence in court. Here efforts are being made to deny him the right of self defence. We want that every body must be given the basic right to self defence.

I will therefore appeal to the Government to withdraw this black Bill which has been processed with political motives. If you want to run the Government efficiently and in a lawful manner then you should do two things. Firstly you should arrange for speedy trial. People face harassment in the courts day after day. They do not get justice. The police harass the people. When some complaint is filed, the police do not undertake speedy and prompt enquiry. Many of you may have experienced that the police very often do not go for spot enquiry and recording of statements on the spot under Section 161. They record the statements under 161 in their respective police stations. They

also let the cases hang on for years and that hampers speedy trials of such persons. If the number of courts need to be increased for that, then increase their number. We will support any such measures by the Government. But we cannot support this black piece of legislation which has been brought forth with political motives. I will request the Government to withdraw this black Bill.

13 hrs.

*The Lok Sabha adjourned for Lunch till Fourteen of the Clock.*

*The Lok Sabha re-assembled, after Lunch at eight minutes past Fourteen of the Clock.*

[MR. DEPUTY-SPEAKER in the Chair]

**CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE**

**RAILWAY ACCIDENT AT SIMARIA STATION NEAR BARAUNI**

MR. DEPUTY-SPEAKER: Now Calling Attention. Mr. Ramavtar Shastri.

श्री रामावतार शास्त्री (पटना) :  
उपाध्यक्ष महोदय, मैं अविलम्बनीय लोक महत्व के निम्नलिखित विषय की और रेल मंत्री का ध्यान दिलाता हूँ और प्रार्थना करता हूँ कि वह इस बारे में एक वक्तव्य दें :

“बरौनी के निकट सिमरिया स्टेशन पर 5 दिसम्बर, 1980 को हुई रेल दुर्घटना जिस में कुछ व्यक्तियों की मृत्यु हो गई और कई अन्य घायल हो गए।”

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS AND PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN): Sir, on 5-12-80 at about 20.45 hours, while 311 Up Fast

[Shri Mallikarjun]

Passenger was standing outside the Home signal of Simaria station on Danapur Division of Eastern Railway, 46 Down Danapur-Samastipur Express train came from behind and collided with the rear of the former. As a result, the rear-most two coaches, i.e. a second class-cum-luggage van and brakevan and a parcel van of 311 Up Passenger train were badly damaged and derailed. The engine of 46 Down Express also derailed.

In this accident, 4 persons were killed, 4 sustained grievous injuries and another 15 simple injuries.

On receipt of information, Medical Relief Van from Danapur accompanied by Medical Superintendent, a team of railway doctors and other Divisional Officers rushed to the site immediately. Another Medical Relief Van from Jhajha was also despatched to the site. Divisional Medical Officer, Garhara also proceeded to the site immediately. After being rendered first aid, the injured were removed to the hospitals for further medical attention.

General Manager, Eastern Railway, who was in Delhi proceeded to Patna by air on 6-12-80 to reach Simaria expeditiously to ensure that all possible assistance was rendered to the victims of the accident. Member Engineering Railway Board also went to the site of the accident and visited the injured in the hospital.

*Ex-gratia* relief to the next of kin of the dead and to the injured was ordered by the Minister of Railways and has been arranged. He has conveyed his sympathies to the bereaved families and to the injured. I hope the House shares my anxiety in this connection.

The Commissioner of Railway Safety who is an independent statutory authority functioning under the Ministry of Tourism and Civil Aviation, will hold inquiry into this accident on

10-12-1980. Suitable follow-up action will be taken on receipt of his report.

श्री रामावतार शस्त्री : (पटना)

उपाध्यक्ष जी, इस सम्बन्ध में कुछ कहने से पहले मेरा आपसे एक निवेदन है और मेरा खयाल है कि आप मेरे निवेदन पर ध्यान देंगे।

MR. DEPUTY-SPEAKER: How much time do you require?

SHRI RAMAVATAR SHASTRI: Since this is a very broad issue at least ten minutes I require or more, if possible.

MR. DEPUTY-SPEAKER: Granted.

श्री रामावतार शस्त्री : उपाध्यक्ष जी, यह जो ध्यानाकर्षण प्रस्ताव हमने यहां पर प्रस्तुत किया है, जिसके बारे में मंत्री जी की तरफ से एक वक्तव्य पढ़ा गया वह स्थिति को ठीक से दर्शाने वाला वक्तव्य नहीं है। इसकी चर्चा तो मैं करूंगा ही लेकिन साथ ही साथ इसके पहले, जो तीन बड़े बड़े एक्सीडेंट्स हुए हैं उनकी चर्चा करना भी मैं अप्रासंगिक नहीं मानता हूँ। इसीलिए मैंने आपसे निवेदन किया कि अगर जरूरत हो तो ज्यादा समय भी आप देने की कृपा करेंगे।

यह जो सिमरिया में 5 दिसम्बर को दुर्घटना हुई, पौने नौ बजे रात्रि में, यह सिमरिया स्टेशन पूर्व रेलवे का स्टेशन है जहां पर 46-डाउन दानापुर समस्तीपुर एक्सप्रेस और 311 अप सियालदा मुजफ्फरपुर पैसेंजर गाड़ी से टकराकर दुर्घटनाग्रस्त हो गई। इनका कहना है कि दो डिब्बे बर्बाद हुए जबकि मेरी खबर है कि तीन डिब्बे बिल्कुल बर्बाद हो गए। इनका कहना है कि चार व्यक्ति मरे और 14-15 से अधिक घायल हुए,

लेकिन जो प्रत्यक्षदर्शी लोग वहां पर मौजूद थे उनका कहना है कि कम से कम 11 आदमियों की मृत्यु हुई है और सौ व्यक्ति घायल हुए हैं। तो यह स्थिति वहां के बारे में है। इन्होंने जो सहायता की चर्चा की है वह तो ठीक है लेकिन दुर्घटना की गम्भीरता को आपने कम करके आंकने की कोशिश की है जो उचित नहीं है। ऐसा करने से आपका ध्यान भी उसके सिलसिले में कम जायेगा। तो मैं पहले इसके बारे में यह कहना चाहता हूँ।

फिर 20 अक्तूबर को इटारसी के निकट बाम्बे जाने वाली पंजाब मेल दुर्घटनाग्रस्त हो गई। अखबारों की खबर में आपको बता रहा हूँ। अखबारों में छपे आपके सरकारी आंकड़ों के अनुसार बीस लोग मरे और दर्जनों घायल हुए। 27 अक्तूबर को बड़ौदा के निकट जो दुर्घटना हुई उसमें 9 व्यक्तियों के मरने और अनेकों के घायल होने का समाचार है। फिर 30 अक्तूबर को कानपुर से 45 किलोमीटर दूर संगम एक्सप्रेस दुर्घटनाग्रस्त हो गई जिसमें सबसे ज्यादा—3 यात्री मारे गए और सौ से अधिक घायल हुए। इन चारों दुर्घटनाओं को अगर मिलाकर देखें तो मरने वालों की संख्या करीब 75 होगी और सैकड़ों लोग घायल हुए। इस तरह से इतनी जल्दी, जल्दी 20 अक्तूबर से 5 दिसम्बर तक चार बड़ी रेल दुर्घटनायें हुई हैं जिनका दुःख इस देश को बर्दाश्त करना पड़ा।

अब मैं कहना चाहता हूँ कि इस देश के किसी न किसी कोने में रोज दुर्घटनायें होती हैं। माल गाड़ियां ज्यादा दुर्घटनाग्रस्त होती हैं, लेकिन पैसेंजर गाड़ियां भी दुर्घटनाग्रस्त हो रही हैं। इसकी एक मिसाल मैं दे दूँ। 30 नवम्बर और 1 दिसम्बर को, जिसकी चर्चा हम यहां कर

चुके हैं, हरिनाथ मिश्र जी और मैं तिन-सुकिया मेल से आ रहे थे तो एक पाटा स्टेशन है, फफूंद से थोड़ी दूर पश्चिम में, वहां एक माल गाड़ी दुर्घटनाग्रस्त हो गई जिसके तीन-चार डिब्बों को उठाने में 21 घंटे लग गए और गाड़ी साढ़े 14 घंटे लेट पहुंची। गाड़ियों के लेट होने का मसला अलग है। और गाड़ियों ही लेट चल रही हों, ऐसी बात नहीं है, आपकी जो राजधानी एक्सप्रेस गाड़ियां चलती हैं वह भी लेट हो रही हैं।

चार पांच घण्टे तो लेट हो ही जाती हैं। कल ही मैं डिलक्स से आ रहा था, वह भी अढ़ाई घण्टे लेट आई। लेकिन हम दुर्घटनाओं पर चर्चा कर रहे हैं, तो मैं आपको बताना चाहता हूँ कि इस साल 1980 में अप्रैल से अक्तूबर तक सात महीनों के अन्दर 342 डिब्बे पटरी से उतरे यानि दुर्घटनाग्रस्त हुए और 1979, एक साल पहले इन्हीं सात महीनों में, 303 दुर्घटनायें हुईं। फिर 1978-79 में सवारी और मालगाड़ी को मिलाकर 931 दुर्घटनायें हुईं। इनमें से 778 डिरेलमेंट हैं। फिर 1979-80 में 900 दुर्घटनायें हुईं, जिनमें 792 डिरेलमेंट हैं। अगर हम मोटे-मोटे तौर पर देखें तो एक हजार दुर्घटनायें कम से कम प्रत्येक वर्ष हो रही हैं। ये दुर्घटनायें कम होने के बजाय रफ्तार-रफ्तार बढ़ती जा रही हैं। हमारे मुल्क में ग्यारह हजार ट्रेनें रोज चलती हैं और एक करोड़ लोग रोजाना यात्रा करते हैं तथा 69 हजार किलोमीटर की यात्रा करते हैं जिस रफ्तार से गाड़ियां चलती हैं, उनके रख-रखाव का बन्दोबस्त उचित नहीं है। ट्रेक पुराने पड़े हुए हैं, जिनको बरसों पहले ठीक ही जाना चाहिए था। नई पटरियां, नए ट्रेक जिष्ठ जाने चाहिए थे, लेकिन इस दिशा में कोई काम नहीं हो रहा है। नई-धोल्पा, कानपुर जो आप

[श्री राम भवतार शास्त्री]

लेते हैं, वे सब फिन्ने-पिटे लेते हैं, उनको भी आप प्राइवेट सैक्टर के लोगों से लेते हैं, क्या वे आपको ठीक ढंग से मिल सकते हैं ? उनसे बैगन्स भी लेते हैं, पुर्जे भी लेते हैं—पत्र नहीं उनसे आपको क्यों मोहब्बत है, जो आप उनसे लेते हैं । इसलिए जाहिर बात है कि घटनायें होंगी और मृतकों की संख्या दिन-प्रति-दिन बढ़ती जाएगी ।

मैं आपको मृतकों के बारे में बताना चाहता हूँ । 1978-79 में 74 लोग दुर्घटना में मरे और 390 घायल हुए । फिर 1979-80 में मृतकों की संख्या बढ़कर 113 हो गई और 4477 घायल हुए । इस साल अप्रैल से अक्टूबर तक, अभी जिसको मैं पहले बता चुका हूँ, उस के अलावा 86 व्यक्ति मर चुके हैं और 330 घायल हुए हैं ।

उपाध्यक्ष जी, हर साल पांच करोड़ रु० के रोलिंग स्टॉक की बर्बादी हो जाती है । इस साल भी 2 करोड़ 39 लाख रु० की बर्बादी हो चुकी है । यदि इतने बड़े पैमाने पर धन-जन की हानि इस देश में होगी, इस गरीब मुल्क में होगी, तो जाहिर बात है कि इस देश में चिन्ता का होना स्वाभाविक है । यह इसीलिए होता है, क्योंकि आप सब-स्टैंडर्ड मैटीरियल लेते हैं ।

MR. DEPUTY-SPEAKER: Eight minutes are over; you have not come to the subject proper.

SHRI RAMAVATAR SHASTRI: I am coming.

MR. DEPUTY-SPEAKER: You have covered all the lines; you have got

into all the trains. Now, please come to 5th December.

श्री रामावतार शास्त्री : यह तो मैंने आपको थोड़ी भूमिका के बारे में बताया है... (बयबघान) ... इसलिए, उपाध्यक्ष जी, मैं कह रहा हूँ कि इतनी गम्भीर स्थिति है और धन-जन की इतने बड़े पैमाने पर बर्बादी हो रही है । आपका जो रेलवे बोर्ड है, जिसको हम लोग सफेद हाथी का समूह कहते हैं । आप लोगों को बदलते जरूर हैं, मंत्री भी बदल गए हैं, लेकिन स्थिति में सुधार नहीं है, एक्सीडेंट्स में भी सुधार नहीं है और समय पर गाड़ियों के चलने में भी सुधार नहीं है । इसलिए मैं यह जानना चाहता हूँ : क—इन दुर्घटनाओं के कारण क्या हैं ? इस सम्बन्ध में सरकार ने क्या लोकेट किया है ?

ख—सरकार ने दुर्घटनाओं को रोकने के लिये क्या कारगर कदम उठाये हैं ?

ग—जो सवाल अब पूछने जा रहा हूँ, वह बहुत ही महत्वपूर्ण है—लेबर लीडर लोग ध्यान से सुनें । क्या सरकार ने कभी रेलों में काम करने वाली मान्यता प्राप्त और गैर-मान्यता प्राप्त रेल कर्मचारियों की फ्रेडरेशन्ज, यूनियन्ज, एसोसियेशन्ज, से रेल दुर्घटनाओं को रोकने के लिये कोई बार्ता की है ? यदि हाँ, तो उस बार्ता का क्या परिणाम निकला ? यदि नहीं, तो ऐसा क्यों नहीं किया गया ? क्या सरकार इस की आवश्यकता महसूस नहीं करती है ? हम लोग महसूस करते हैं कि उन के कोभापरेसन के बिना न गाड़ियाँ समय पर चला सकेंगे और न दुर्घटनाओं को रोक सकेंगे ।

ब—क्या यह सच है कि सरकार पटरियों के कारखानों के लिये सामानों की सप्लाई ठीक प्रकार से नहीं करती, इस में कल-पुर्ज भी शामिल है ?

ड०—क्या यह सच है कि पटरियों को ठीक करने वाले मैगमनों के साथ मानवीय व्यवहार नहीं किया जाता, जिसका असर पटरियों के रखरखाव पर पड़ता है ?

च—हवाई जहाज से यदि कोई मरे तो मुआवजा 1 लाख रुपये है, रेल की दुर्घटना में मरे तो 50 हजार रुपये है, लेकिन मैं समझता हूँ यह सब कागज पर है। बहुतों को नहीं मिलता है। मैं यह जानना चाहता हूँ कि अब तक आप ने कितने लोगों को मुआवजा दिया है ? कितने रुपये फी मरने वाले परिवार को दिये हैं ? इस के उत्तर से पता लग जायेगा कि आप कानून का उल्लंघन कर रहे हैं या कानून का पालन कर रहे हैं।

छ—क्या सरकार ने जस्टिस सीकरी की अध्यक्षता में रेलवे एक्सीडेंट्स एन्कवायरी कमेटी का गठन किया था ? यदि हाँ, तो क्या यह बात सच है कि उस कमेटी ने अपनी रिपोर्ट सरकार के सम्मुख पेश कर दी है ? यदि हाँ, तो अब तक उसे संसद के सामने पेश न करने के क्या कारण हैं ? सरकार उस रिपोर्ट को सदन के सामने कब तक पेश करने का इरादा रखती है मंत्री महोदय इन प्रश्नों का जवाब बहुत सफाई से दें।

SHRI MALLIKARJUN: Sir, as the hon. Member has mentioned, the accidents have not increased, they are decreasing. It is unfortunate that accidents are occurring. In 1963-64 there were 1,635 accidents. Now, during 1979-80 it is reduced to 800.

For each year we have got a record. (Interruptions) I have taken about 15 years' figures.

MR. DEPUTY-SPEAKER: When you are interrupted, Mr. Minister, you need not reply. (

(Interruptions)

MR. DEPUTY-SPEAKER: Now, interruptions are not replied in Calling Attention. He has to reply only to Mr. Ramavatar Shastri. We must conduct the House according to the rules. You reply only to the Calling Attention.

SHRI MALLIKARJUN: The answer to the first question...

(Interruptions)

What are the reasons for the accidents.

(Interruptions)

MR. DEPUTY-SPEAKER: Please listen.

SHRI MALLIKARJUN: For the occurrence of the accidents there are various reasons.

(Interruptions)

MR. DEPUTY-SPEAKER: Read the rules.

SHRI MALLIKARJUN: The first question which the hon. Member put and desired to elicit the answer was about the reasons for the accidents. There are various reasons for the occurrence of accidents. There are human failures, there are lapses on the part of railwaymen, as the hon. Member has mentioned one of the persons like the gangmen and there are also mechanical failures.

(Interruptions)

MR. DEPUTY-SPEAKER: Just listen.

AN HON. MEMBER: More than 60 per cent.

(Interruptions)

AN HON. MEMBER: Running commentary!

**SHRI MALLIKARJUN:** The second question which the hon. Member put and desired to know, was about the preventive measures we are taking. From time to time, we have been taking preventive measures. After the recent happenings and accidents in October, we have also constituted a high level task team. Apart from that, we have issued instructions to ensure complete involvement and co-operation of all the departments concerned with safety operations such as traffic, civil engineering, mechanical engineering, signalling and telecommunications, electrical engineering and so on, to keep in touch all the time, so that in future such things should be reduced to the extent possible, because the accidents are incidental. Totally we cannot give a guarantee about future. So, to reduce and minimise the accidents, such instructions have been given. We have asked the General Manager to have a monthly review about coordination. For preventive measures, we have made use of the advancement in technology also. We have now developed certain systems to avoid accidents. For example, we have ultrasonic devices to detect defects in wheels, axles and brakes. We have got automatic warning system. We have got track circuiting. We have got vigilance control device to alert the drivers in operation. To see the rear portion of another train, we have developed a system so that it will be visible. Government is taking all possible positive and constructive measures each and every time to see that such things do not occur.

Another question was about supply of substandard materials for track. We are keen that such things should not be supplied by the supplier. As a buyer, railways will not tolerate any such substandard materials being supplied to them. If any such thing comes to the knowledge of the hon. member, he can write to us and we will certainly investigate it and stop it.

As far as Justice Sikri Committee on Accidents is concerned, the report

has been submitted and it is under examination. Soon after it is over, it will be placed on the Table of the House.

**SHRI RAMAVATAR SHASTRI:** What about cooperation from labour and compensation?

**SHRI MALLIKARJUN:** All the time whenever the Minister has been meeting representatives of recognised and unrecognised unions, he has been emphasising the point of cooperation. The most vital thing is cooperation in operation in all the fields, which is essentially required in order to maintain the integrity of the nation and the economic development of the nation. All the time cooperation has been urged upon and to the extent possible, both the recognised and unrecognised unions are also extending their co-operation. But sometimes, now and then, they play their own role, which is beyond the capacity and imagination of both of us to deal with at this moment.

So far as compensation is concerned, for death, we will provide Rs. 50,000. There is a system for that. A Claims Commissioner will be there and within 3 months, a family member of the deceased or somebody who is legally eligible should apply to the Claims Commissioner. Soon after the production of documents and after the identity is established, Rs. 50,000 is being paid. How many people have got it so far, that information I do not have with me at the moment. I shall furnish it.

**श्री राजेन्द्र प्रसाद वाइव : (मधेपुरा)**

उपाध्यक्ष जी, ग्राज रेल मंत्रालय को यदि रेल दुर्घटनाओं का मंत्रालय कहा जाये तो कोई प्रतिशयोक्ति नहीं होगी। आप यदि देखें तो इस साल में कितनी ही पहले सालों की अपेक्षा अधिक दुर्घटनाएँ हुई हैं। इसको नहीं भी मानें या न मानें लेकिन यह ठीक है।



वे दुर्घटनाएं क्यों होती हैं इसको इस सदन को, रेल प्रशासन को और मंत्री जी को भी देखना होगा। इन दुर्घटनाओं के पीछे मैं दो मुख्य कारण मानता हूँ एक तो मैन और दूसरे मीटर। मैन जो रेल चलाता है। उस में ड्राइवर आयेगा, गार्ड आयेगा जो कि ट्रेन का इंचार्ज होता है, एस० एम० और ए० एस० एम० भी आयेगे जो कि सिग्नल देते हैं। फिर प्वाण्ट मैन, गैंग मैन और केबिन मैन भी आयेगे जो कि लाइन बनाते हैं जिन पर गाड़ियां आती हैं। किसी भी विभाग को सुचारु रूप से चलाने के लिए उस में काम करने वाले कर्मचारी संतुष्ट होने चाहिए और अपने काम में रुचि लेने वाले होने चाहिए। जब कर्मचारी काम करते हुए संतुष्ट होगा तभी वह काम में रुचि ले सकता है। अगर उस घर की समस्या सताती हो, तो वह रुचि नहीं ले सकता है। जैसी कि आज देश की हालत है और रेलवे कर्मचारियों को जो कुछ मिलता है उस में उसे अपने घर में अपने बीबी-बच्चों के राशन की समस्या सताती है, इस से वह चिन्तित रहता है कि वह राशन समय पर उन्हें दे पायेगा और राशन उसे मिल भी पायेगा या नहीं। दूसरे उसे अपनी जान की रक्षा की चिन्ता सताती है। यह कारण मैं मुख्य मानता हूँ जिससे कि रेल दुर्घटनाएं होती हैं।

उपाध्यक्ष जी, यही नहीं, रेलवे कर्मचारियों को उच्चाधिकारी भी परेशान करते हैं। उनकी बातों को वे सुनने को तैयार हों इसका तो प्रश्न ही नहीं उठता, उनकी वाजिब बातों को भी नहीं सुना जाता है। इन कारणों से उन में अनुशासन रह नहीं सकता। अतः इस विषय में रेलवे मंत्रालय को सोचने की जरूरत है। वास्तव में उन्हें किस तरह से अनुशासित करें, किस तरह से ऐसी

हालत पैदा करें जिसमें वे काम में रुचि लें, किस तरह से उनकी जरूरत की चीजों की पूर्ति करें इन सब बातों पर ध्यान देना जरूरी है। मैं चाहूंगा कि जब रेल मंत्री जी जबाब दें तो इस बारे में अपना रिएक्शन जाहिर करें।

उपाध्यक्ष जी आप जानते हैं कि बहुत सी गाड़िया कोयले के इंजन से चलती हैं। जिसका एक्सीडेंट हुआ उसका भी कोयले का इंजन था। आजकल कोयले के इंजनों की हालत को मैं जानता हूँ क्योंकि मैं रेल कर्मचारियों से सम्बन्ध रखता हूँ। वे मुझ से बराबर कहा करते हैं कि इन इंजनों के स्पेयर पार्ट्स ही नहीं मिलते हैं और उनके बारे में वे बराबर कहा करते हैं लेकिन उनके अधिकारी उन्हें उसी अवस्था में इंजनों को ले जाने के लिए फोर्स करते हैं। वे उनसे कहते हैं कि गाड़ी ले जाओ और चलाओ। सेफ्टी की, सुरक्षा की परवाह किये बिना उन्हें इंजिन ले जाना पड़ता है। एक तरफ तो आप सेफ्टी रूल बनाते हैं और दूसरी तरफ आपके अधिकारी उन्हें इस तरह से गाड़ी चलाने पर मजबूर करते हैं। सुरक्षा के रूल हम इसलिए बनाते हैं कि जिससे यात्रियों की सुरक्षा बनी रहे।

इन सुरक्षा नियमों की उपेक्षा कर के गाड़ी चलाने के मैं उदाहरण देना चाहता हूँ। रेलवे बोर्ड के जो नये अध्यक्ष आये हैं, वे पहले पश्चिमी रेलवे के महाप्रबन्धक थे। मैं उदाहरण दे सकता हूँ कि इन्होंने दर्जनों नहीं सैकड़ों केसिज में लिख कर आदेश दिये हैं कि सुरक्षा के नियमों का उल्लंघन कर के भी गाड़ी चलाओ। फिर आप कैसे उम्मीद कर सकते हैं कि दुर्घटना नहीं होगी। मैं जानना चाहूंगा कि गाड़ियां चलाने पर ही क्यों जोर दिया जाता है, क्या सुरक्षा आवश्यक नहीं है, क्या सुरक्षा पर जोर देना आवश्यक नहीं है?

श्री राजेन्द्र प्रसाद यादव]

उपाध्यक्ष जी, मैं कहना चाहूंगा कि कुछ दिन पहले तक रेलवे में यह व्यवस्था थी कि पांच सौ किलोमीटर तक जो गाड़ी चल जाती थी उसका मेंटनीनेंस होता था। अब इन्डेफिनिट पेरियड तक गाड़ियां चलने पर मेंटनीनेंस नहीं होता है। कहते हैं कि मेंटनीनेंस स्टाफ रखने की जरूरत नहीं है। इससे हम रेलों में इकोनोमी बरतते हैं। क्या इस तरह से ये इकोनोमी बरतते हैं या यात्रियों की जानों से खेलते हैं? मैं जानना चाहता हूँ कि इस दिशा में मंत्री जी कुछ करना चाहते हैं या नहीं?

उपाध्यक्ष जी, रेलवे प्रशासन की भाज जो हालत है और जिस समय से यह सरकार प्रशासन में आयी है उसी दिन से यह नया प्रपोजल लेकर आया कि 10 एडीशनल जी० एम० की पोस्ट बना दी जाय। सारे डिब्रीजंस में आप जाकर देखे एडीशनल डी० आर० एम० को बहाल किया गया है। कहते क्या हैं कि ऐसा एडिमिनिस्ट्रेशन को डी-सेंटलाइज करने के लिए करते हैं, एफीसिएंसी बढ़ाने के लिए करते हैं, लेकिन जो वास्तव में वर्क मेन हैं, जिनसे गाड़ियां चलती हैं, गार्ड हैं, ड्राइवर हैं, ए० एस० एम० हैं, पोइन्ट मेन हैं, उनको नहीं बढ़ाते हैं, वहां पर इकोनोमी बरतते हैं।

मैं जानता हूँ कि दुर्घटनाएं क्यों होती हैं। बरोनी जंक्शन है, मैं उधर से गुजरता हूँ, मेरा घर भी उधर ही पड़ता है, वहां पर मैं देखता हूँ कि ए० एस० एम० को इतना काम रहता है कि यह इयूमनली पोसीबल ही नहीं है, लेकिन उसे भुलकर किया जाता है, लेकिन हेल्डस नहीं बढ़ा सकते। अगर इनका वही एडिमिनिस्ट्रेशन रहा तो सुधार क्या होगा।

जो नीचे के कर्मचारी हैं वे रेल चलाने के लिए जबाबदार हैं या जो सेलून में या एयरकंडीशन बंगले में रहते हैं, जो जाते हैं सिर्फ इंस्पेक्शन के लिए पर देखेंगे नहीं, बाहर निकलेंगे नहीं, लेकिन वे चलते हैं इंस्पेक्शन पर। आप अंदाज कर लीजिए कि क्या इंस्पेक्शन करेंगे, क्या सुधार करेंगे? मंत्री जी आर्डनरी फस्ट क्लास में जाकर देखेंगे कि कहां क्या हो रहा है और कहां सुधार की आवश्यकता है।

श्री शास्त्री जा न ठाक ही बात बताई कि यह सरकार जीते जी तो समाजवाद ला नहीं सकती हैं मैं उनसे पूछना चाहता हूँ कि जो मर गये हैं, उनके लिए यह सरकार समाजवाद लाना चाहती है या नहीं? वे आदमी जो ज्यादा पैसा देते हैं, हवाई-जहाज में चढ़ते हैं, उनकी दुर्घटना होने पर एक लाख रुपये और कम पैसा देकर जो हम मामूली लोग चलते हैं, मामूली लोगों का देश है हिन्दुस्तान वे ट्रेन में चलते हैं और यदि वे मरते हैं तो उनको 50 हजार रुपये। यदि आप वास्तव में यूनिफार्मिटी लाना चाहते हैं तो मरने के बाद यदि आप उनके साथ समाजवाद लाना चाहते हैं या नहीं?

श्री रामावतार शास्त्री : 50 हजार भी कहां हैं?

श्री राजेन्द्र प्रसाद यादव : उपाध्यक्ष जी, मंत्री जी हमारे स्टेट से आते हैं, उनको जानकारी होगी कि सिमरिया वहां यह रेल दुर्घटना हुई है, वह जगह है राष्ट्रकवि स्वर्गीय विनोदजी का जन्म स्थान, वहां यह दुर्घटना हुई है तो

उस दुष्टिकीय से मैं मंत्री जी से कहना चाहूँगा कि इस केस में कम से कम शुरुआत करें इस बात की कि आइंदा कम से कम मरने वालों के साथ चाहे वे रेल दुर्घटना में मरे चाहे हवाई दुर्घटना में मरे, एक तरह का मुआबजा दिया जाए। इन्हीं बातों पर वे मैं मंत्री जी से खुलासा चाहता हूँ।

रेल मंत्री (श्री केदार पांडे) :  
उपाध्यक्ष महोदय जी, माननीय सदस्य ने जिन बिन्दुओं पर रोशनी डाली है उनके बारे में एक-एक कर के मैं कहना चाहता हूँ। पहली बात यह है सुरक्षा— मैं इस बात को कहना चाहता हूँ कि सुरक्षा जरूरी है और ट्रेन का चलना भी जरूरी है। ऐसी बात नहीं है कि सुरक्षा की कीमत पर ट्रेन चले। यह सही बात है कि ट्रेन बनी है इन्सान के लिए तो कोशिश यह करनी चाहिए कि जितनी भी सेफ्टी हम दे सकें, सुरक्षा दे सकें, दें। उनके लिए हल्ज वगैरह हैं। माननीय सदस्य ने कहा कि इस तरह के आदेश हुए हैं कि रेलवे सेफ्टी को इग्नोर करो और ट्रेन चलाओ मैं इस चीज को नहीं मानता हूँ। ऐसा कोई आदेश किसी भी अफसर ने दिया हो तो उसको हमारे सामने आप रखें और हम उस पर विचार करेंगे।

मेंटेनेंस की जो बात है वह ठीक है। जितना वह होना चाहिए अभी नहीं हो रहा है। पुराना सब सामान है, ट्रेक है, सब कुछ है। लेकिन उस तरफ सरकार का ध्यान गया है और हमने आदेश दिए हैं कि मेंटेनेंस ठीक होना चाहिए। पुरानी रेलें हैं, उन में सुधार भी हुआ है और कहीं कहीं बहुत कम हुआ है, वैसे ही वे पड़ी हुई हैं—बंक्वो जी मुस्करा रहे हैं।

श्री० मधु बंडवले (राजापुर) : मैं इसलिए मुस्करा रहा हूँ कि आप कहीं यह न कह दें कि जनता सरकार जिम्मेदार है।

श्री केदार पांडे : आपके वक्त जो हुआ सो हुआ और हमारे वक्त जो हो रहा है वह मैं बता रहा हूँ।

अब आप एक्सीडेंट्स को लें। अप्रैल, 1979 से नवम्बर, 1979 तक 636 घटनाएं घटित हुई हैं। अप्रैल, 1980 से नवम्बर, 1980 तक 670 घटनाएं घटित हुई हैं। एक्सीडेंट्स हर साल होते हैं। आप देखें कि 1976-77 में इनकी संख्या 780 थी और 1977-78 में 886। यह वह वक्त था जब जनता राज था। इस तरह की घटनाएं कम से कम हों यही उद्देश्य रहता है। घटनाएं हो सकती हैं कभी कभी। इससे यह पता चलता है कि थोड़ा बहुत एग्ज इधर उधर-हुआ है, बैरिगेशन हुआ है।

ग्रीबेंसिस की बात आपने कही है और यूनियन की बात कही है। मैंने भी करीब 15 साल मजदूर आन्दोलन में काम किया है, मजदूर आन्दोलन का मुझे अनुभव है। अब मैंने रेल मंत्रालय का चार्ज लिया तो सब से पहले मैंने मजदूरों से मुलाकात की। दो फेडरेशन हैं जो रिगनाइज्ड हैं। उनके प्रतिनिधियों को मैंने बुलाया और उन से बात की। वे काफी खुश थे। शास्त्री जी से भी मेरी बात हुई है। और भी होने वाली है। सभी ने मुझे कहा कि आप यहां पर काम करें, हम आपको पूरा सहयोग देंगे। यहां बहुत से मजदूरों की मैंने सभा भी की। उन लोगों ने भी आश्वासन मुझे दिया कि हम पूरा सहयोग आपको देंगे। रेल कर्मचारियों, रेल मजदूरों में मेरा पक्का विश्वास है।

[श्री केदार पांडे]

मैं यह स्वता हूँ कि उनके सहयोग के बिना रेल चल नहीं सकती है। डर से, कम से, तंग कर के रेल नहीं चलाई जा सकती हैं। ह्यूमन फैक्टर है। लोगों का पूरा सहयोग हमें लेना चाहिए और इसके लिए मैं बहुत तत्पर हूँ।

स्टाफ का अपग्रेडिंग भी हुआ है, आफिसर्स का भी कुछ हुआ है लेकिन कम हुआ है—

श्री रामाचतार शास्त्री : आफिसर्स का ज्यादा हुआ है।

श्री केदार पांडे : आफिसर्स के अपग्रेडिंग की जो बात है उस में अगर कोई ग्रीब्स है या आगे हो तो मेरे सामने उस बीज को लावे और मैं देखूँगा। मैंने अभी तमाम रेल कर्मचारियों से पूछा उनके प्रतिनिधियों से पूछा तो उन्होंने कहा कि अभी एक दो महीने तक हम लोग आपके सामने कोई सवाल नहीं रखेंगे, हम ठीक से रेलवे चलाएंगे।

एक्सटेंशन पर जो लोग थे उनके हट जाने के बाद सतरह लाख जो रेलवेमें हैं उन पर इसका बहुत बड़ा असर पड़ा है, उन में उत्साह पैदा हुआ है। उन्होंने कहा हम लोग पूरा सहयोग आपको देंगे उन्होंने हमारे सामने अभी कोई ग्रीब्स नहीं रखा है। जब रखेंगे तो जरूर देखेंगे उसको टाप प्रायोरिटी देंगे और उसको खत्म करने की कोशिश करेंगे। जब तक रेल कर्मचारी खुश नहीं रहेंगे जब तक वे इल्मिनान से काम नहीं कर सकेंगे, तब तक काम नहीं हो सकेगा। उनके सहयोग के बिना हम कुछ नहीं कर

सकते हैं। माननीय सदस्य से मैं कहना चाहता हूँ कि अगर रेल कर्मचारियों को कोई तकलीफ है उनकी कोई मांग है, तो मैं उसे अपन माइंड से सुनने के लिए तैयार हूँ। इसमें कोई ट्रेडिशन वाली बात नहीं है।

मैंने दो रेकनाइज्ड फेडरेशन से बात की है। इसके अलावा मैं अनरेकनाइज्ड यूनियन से भी बात करता हूँ। हाल ही में टी० टीज० आये थे मैं उनकी बहुत बड़ी सभा में गया। उनमें ऐसे लोग हैं, जिसकी यूनियन रेकगनाइज्ड नहीं है। मैंने कहा कि मैं रेल मंत्री हूँ और रेल कर्मचारियों से बात करूँगा। रेल मंत्री और रेल कर्मचारियों में बहुत गहरा संबंध होना चाहिए। मैं किसी यूनियन के साथ पोलिटिकल कन्सिडरेशन से बात नहीं करूँगा। रेल मंत्री भी ट्रेड यूनियनिस्ट हैं। इसलिए जब आप मुझ से बात करने आये, तो समझिये कि दूसरा ट्रेड यूनियनिस्ट रेल मंत्री के रूप में बैठा है। इस तरह आपको कोई दिक्कत नहीं होगी। और क्या चाहते हैं आप ?

हम रेलवे को माडर्नाइज करना चाहते हैं, उसे आधुनिक बनाना चाहते हैं। आज हमारे यहां सात हजार स्टीम इंजिन हैं। दूसरे देशों में स्टीम इंजिन नहीं है। रूमनिया में एक भी स्टीम इंजिन नहीं है। हम भी स्टीम इंजिनों को कम करना चाहते हैं। हम डीजल लाइजेशन और इलेक्ट्रिफिकेशन करना चाहते हैं। उसके लिए काम शुरू भी हो गया है। हम हर साल एक हजार किलोमीटर का इलेक्ट्रिफिकेशन करना चाहते हैं। यह शुरू करेंगे। अगर हमें ज्यादा बिजली मिल जाये, तो हम जल्दी करेंगे लेकिन बिजली की भी तीकसी है देश में यह हम सब का कामन अंडरटैकिंग है।

जहां तक ट्रेक का संबंध है, हम बहुत जगह ट्रेक को रिप्लेस करना चाहते हैं, इसको बदलना चाहते हैं। हमारे साधन लिमिटेड हैं। हम मेन्टेनेंस को टाप प्रायर्टी देंगे। अगर मेन्टेनेंस ठीक नहीं होगा, इन्तजाम ठीक नहीं होगा, तो एक्सिडेंट्स हो सकते हैं।

जहां तक कम्पन्सेशन का संबंध है, हवाई जहाज में एक लाख रुपये और रेल में पचास हजार रुपये का रूल है। हम इस बारे में सोच रहे हैं। बिडिक्रिटवनेस नहीं होनी चाहिए कि अगर किसी क लिए एक लाख रुपये कम्पेन्सेशन है, तो उसे बटोया जाये। यह ट्रेड वूनियनिज्म नहीं है। जो नीचे है, उसे ऊपर उठाना चाहिए।

श्री रमावतार शास्त्री : जो हवाई जहाज में दुर्घटनाग्रस्त होता है, उसको एक लाख रुपया मिल जाता है। लेकिन रेलवे में किसी को पचास हजार रुपये नहीं दिये जाते हैं। कोई न कोई बहाना बना दिया जाता है।

श्री केदार पांडे : जहां तक इस दुर्घटना का संबंध है, लोगों को कम्पेन्सेशन मिलेगा। उसके लिए एनक्वायरी हो रही है। जांच होने के बाद इस बारे में निर्णय हो जायेगा। अक्टूबर से लेकर नवम्बर, दिसम्बर तक आठ दस दुर्घटनाएं हुई हैं, जिस पर हमें खेद है। एक दुर्घटना में 35 लोग मरे और कुल मिलाकर 79 डेथ्स हुई हैं। सच्चाई को सब को कबूल करना चाहिए। हम चाहते हैं कि इस स्थिति में सुधार करें और सुधार होगा। सब रेलवे कर्मचारी उत्साह के साथ काम कर रहे हैं। किसी दुर्घटना में ह्यूमन फैल्यूर हुई है। हो सकता है कि उसके अलावा कोई दूसरी गलती हुई हो।

लेकिन इस के बारे में जांच पड़ताल हो रही है। मैं कोशिश करूंगा आइन्दा कि

दुर्घटना कम से कम हो या भ्रसक न हो, उसको हम एलिमिनेट करें। लेकिन एलिमिनेशन आज के संदर्भ में संभव नहीं है। कहीं कहीं यह हो सकता है।

एक बात मैं कहूंगा कि लोडिंग आज बहुत बढ़ गई है जिससे कि अग्निग होती है। साढ़े सत सौ की जगह ढाई हजार तीन हजार लोडिंग हो रही है। (व्यवधान)

कोयला की जहां तक बात है कोयला अच्छा मिलना चाहिए, उसको भी हम देख रहे हैं कि किस तरह से उस को ठीक करें। क्वालिटी आफ कोल देखने की जरूरत है और हम वह देखेंगे।

जो माननीय सदस्यों ने सुझाव दिया है उस पर हम जरूर विचार करेंगे और देखेंगे कि आगे चल कर सुधार हो।

PROF. P. J. KURIEN (Mavelikara): I had given notice of calling attention motions both on accidents and insecurity due to dacoities in running trains, but the Speaker, in his wisdom, has allowed only the motion on accidents. I hope you will not stick to technicalities if I talk about the robberies and dacoities in running trains also, because, as a matter of fact, we are concerned with the safety and security of railway passengers.

I regret that in the statement the hon. Minister has said that railway accidents are incidental, that they cannot be avoided but only minimised. I beg to disagree because railway accidents can be completely avoided. If you analyse these accidents, they are due to either human failure, human lapses for mechanical defects. All these three can be eliminated.

Indian Railway had a reputation for safety and punctuality, but unfortunately in recent times the number

[Prof P. J. Kurien]

of railway accidents has been gradually increasing, and we are complacent saying that they cannot be avoided. Actually, the railway system is such that an accident is impossible if all the safety rules are observed and there is no lapse on the part of the railwaymen who are working.

Of course, we have changed the Minister and now we have a comparatively younger Minister. If he instructs his officers strictly and has direct dialogue with the staff and employees who are actually working, he can avoid most of these accidents. An analysis should be made by experts to find out what percentage of the accidents is due to human failures, lapses on the part of employees and mechanical failure, respectively, and then concrete proposals and remedial action should be suggested for eliminating each of them.

We must replace machinery which is not properly maintained which is not up to the mark. We must manufacture better and high quality machinery, and we should not hesitate even to import them, because human lives are involved.

I am sorry that hon. Minister has come out with a casual statement stating that so many lives have been lost and so many have been injured. That is not the way to do it. As hon. Member Shri Yadav said, we have first, second and third class citizens in this country. If a passenger by air loses his life, it is equivalent to Rs. 1 lakh. We have fixed the value of life. If a traveller in the train dies due to an accident, the compensation given is less than the compensation given in the case of an Air accident. It is very bad. There should not be any such discrimination. If somebody loses life in Railway accident or Aeroplane accident, the compensation should be equal in every respect. You cannot fix the cost of life. But whatever compensation is given, it should be equal.

You mentioned that recently in Kanpur there were four railway accidents. An accident in Kanpur took a toll of 34 lives. Further, the hon. Deputy Minister was saying that in 1963-64 there were 1,600 accidents and the accidents have been on the decline. But the list show that accidents are on the increase. Many hon. Members have told about these accidents. I am not going deep into this matter.

I now talk of an equally important aspect, that is robberies and dacoities in trains. As on 20-11-1980, it was said in this House, that 214 cases of robberies and 85 cases of armed dacoities, took place in trains, between January to October, 1980 as against 160 and 47 in the corresponding period of the previous year. I am not giving these figures to say that since this Government has come back, the robberies and dacoities have increased. That is not my point. But that is a fact that 240 cases of robberies and 85 cases of dacoities have taken place between January to October, 1980. In fact, no effective measure has been taken by the Government to curtail the number of these dacoities and robberies.

Recently, it was reported in the press that in Allahabad on 1st December, a gang of three armed men entered a compartment. They were trying to attack a businessman. They took away all his belongings. A policeman standing there intervened. This gang of three armed men actually killed the policeman. The policeman was killed by the gangsters in the train.

I can quote a number of instances. At Gorakhpur on 17th November, 1980 ten persons in the train were deprived of all their belongings by some goondas at pistol point. Such a thing has happened at two places in this very month.

The Malayala Manoranman has reported such an incident. This paper supports Cong (I) Government at the

Centre. This paper has mentioned that one gentleman named Shri Kurien Verghese was travelling from Bombay to Trivandrum. On the way two dacoits tried to rob him of his belongings. Shri Verghese tried to pull the chain. Just see, these dacoits beat him also. This has been reported in Malayalam in The Malayala Manoranman. I quote—

“Wrist Watch, Jewellery and money were snatched away. When complained to the Station Master, he expressed his helplessness. When the police was informed they curtly told that they have ‘more important work’ to do. This is an every day occurrence. Many passengers sustained injuries. The police and the railway officials are all in collusion with them. Then, where do we get justice from, he asked?”

My point is, when this incident was reported to the Station Master, the Station Master expressed his inability and helplessness. The allegation made by this paper is that the railway officers and the police are also a party to all these robberies. These are taking place in connivance with the railwaymen. That is a fact which I want the Minister to take note of. I would request him to take all steps to prevent this.

15 hrs.

In the light of all these things, may I ask the hon. Minister whether he is prepared to analyse the accidents and find out the percentage of accidents, the number of accidents, due to human failure, due to lapses and due to mechanical failures and bring forward the concrete proposals for solution of all these things. Will he appoint an expert committee for each of these things? For rectifying the mechanical failures, he should appoint a committee of technical experts. Likewise, for dealing with the employees, he should have another committee. They should go in detail to find out solutions for each so that the accidents can be avoided.

Regarding dacoities and robberies in the trains, I want to know what steps he proposes to take. Already, there are armed policemen as guards on important trains. I want to know whether he will increase the number of policemen already employed because even after employing these policemen, the robberies and dacoities are increasing. He should try to increase the number of policemen employed at present in the trains.

Another question that I ask is: Will he take it up with the State Governments because this is a law and order issue? I am told, in Tamil Nadu, in Katpadi station, a group of people will come to the railway station, enter the platform, enter the train and rob the passengers in the train and run away. So it should be taken up with the State Governments because the State Governments have also the responsibility in this matter. I want to know whether he will take it up with the State Governments.

I also want to know whether he will take it up with the Home Ministry itself as to what can be done in the matter because, whether it is accidents or robberies or dacoities, whatever it may be so, that all these things could be prevented. The safety and security of passengers should be restored. I hope, under his Ministry, this will be achieved.

**SHRI MALLIKARJUN:** The hon. Member has not merely confined to the particular question of accidents but he has taken on overall picture into consideration. Though I would also like to give an overall picture of the railways but because of lack of time I do not want to do that.

As has been mentioned by the hon. Member that the accidents can be totally avoided, we do all wish that there should be a total avoidance of such accidents. He wanted an analysis of the accidents. Now, recently,

[Shri Mallikarjun]

in October, about the major accidents which have taken place at Itarsi, between Itola and Miangaon near Baroda and between Jinjak and Ambiapur near Kanpur, the Railway Safety Commissioner who has conducted the investigation has revealed that there are two accidents which are because of the failure of the railwaymen and one accident is because of the mechanical failure which means that the derailment of the wagon has taken place because of the Jamming and all those things.

So far as the maintenance of our rolling stock is concerned, all the time we take the maximum care and the periodical overhauling of the rolling stock is done. It is not that the railways are negligent in that. The railway administration is keen to have a direct dialogue with the staff, no doubt, but I would say that the railway employees and the railways itself are part and parcel of the Government. They have their duties and responsibilities which they are to perform in a spirit of patriotism.

So far as dacoity and robbery are concerned, the Railway administration is taking maximum care, trying to augment the Force. Force is the only ultimate thing which will check people who enter into trains with weapons, and so on and so forth. When those citizens have lost their morals, their moral character, when they have lost their responsibility, what remains ultimately is nothing but force. (Interruptions). To deal with any citizen who has lost his responsibility which he owes to the society, naturally we need some force. Who are involved in dacoities? (Interruptions).

PROF. P. J. KURIEN: It is the duty of the Government to check them. It is your responsibility... (Interruptions).

SHRI MALLIKARJUN: Dacoit is also a citizen of the country. (Interruptions).

MR. DEPUTY-SPEAKER: He never meant the citizens as a whole. You have not listened to him. Hear him completely.

SHRI MALLIKARJUN: A dacoit is also a citizen of the country who has forgotten his responsibility to the society. (Interruptions).

MR. DEPUTY-SPEAKER: You have not followed him properly. He says about dacoits only, not about all the citizens. A dacoit is also citizen. He has mentioned that. That is all.

(Interruptions)

I have followed him. He never meant anything about citizens as a whole. You may go through the proceedings. I have followed him.

SHRI MALLIKARJUN: It is painful to note that robbery and dacoity are increasing. But at the same time, I would like to inform this august House that our administration is taking adequate steps to prevent such dacoities and robberies. The hon. Member was asking whether we were going to provide the Force with arms. We are increasing our Force. I would like to inform this august House that we are going to have mobile court—it is at the finalisation stage—investigating huge amounts. At certain places like the eastern sector—the eastern sector is the most vulnerable and affected sector; for example, to Dhanbad, we have already deployed additional force, and so on and so forth. We are taking steps. What I have said earlier is, a dacoit is also a citizen; he owes his responsibility to the society and he forgets it. I have not said in any other manner...

SHRI A. K. ROY (Dhanbad): On a point of order.



MR. DEPUTY-SPEAKER: No point of order in Call-Attention. Under that rule are you raising the point of order?

SHRI A. K. ROY: The rule is the residuary power of Members.

MR. DEPUTY-SPEAKER: Which rule has been violated? I say which rule has been violated?

SHRI A. K. ROY: As you have got residuary powers, members also got residuary powers and I am raising the point of order, under that residuary power.

MR. DEPUTY-SPEAKER: There is no point of order. I am not allowing you.

SHRI A. K. ROY: Allow me to exercise my residuary power.

MR. DEPUTY-SPEAKER: There is no point of order. Let me go to the next item.

PROF. P. J. KURIEN: Only one question.

MR. DEPUTY-SPEAKER: I am not permitting you.

STATUTORY RESOLUTION RE. DIS-  
APPROVAL OF CODE OF CRIMI-  
NAL PROCEDURE (AMENDMENT)  
ORDINANCE—Contd.

AND

CODE OF CRIMINAL PROCEDURE  
(AMENDMENT) Bill—Contd.

MR. DEPUTY-SPEAKER: Shri Jagannath Rao.

SHRI JAGANNATH RAO (Berhem-  
pur): I do not know why so much  
opposition should be there to this  
Bill. This Bill only speaks to tighten  
up some of the provisions of the  
Code. First, the power to take  
cognizance of the proceedings under  
Sections 108, 109 and 110 of the  
Criminal Procedure Code is now  
being vested with the Executive

Magistrates. Executive Magistrates  
are Magistrates of First Class because  
these sections say that they can be  
tried only by First Class Magistrates.  
In the 1973 Code the Judicial Magis-  
trates were vested with the powers  
to take cognizance of these sections.  
Now the power is given to the Exe-  
cutive Magistrate. The reason is that  
the Judicial Magistrates do not have  
a clear idea of the law and order.  
They are confined to the dis-  
posal of cases. They do not  
consider the circumstances under  
which these offences are being com-  
mitted by these persons. Therefore, it  
is necessary that the Executive Magis-  
trate who is also incharge of law and  
order should get these powers. That  
is the reason for this amendment . . .

SHRI ATAL BIHARI VAJPAYEE  
(New Delhi): What a simple reason  
you have put forward?

SHRI JAGANNATH RAO: Then  
the other clause relates to giving of  
sanction. There are some offences  
which cannot be prosecuted without  
the previous sanction of the govern-  
ment. Previously the power vested  
with the Central Government or the  
State Government. Now the District  
Magistrate is being authorised to give  
the sanction before prosecution is  
launched under Section 153A, 153B,  
295A and so on. Therefore, I do not  
see any reason why there should be  
any objection to this. These are very  
serious offences under these sections  
and there can be no prosecution  
without the sanction of the Govern-  
ment or the Magistrate, as the case  
may be.

Clause 4 adds section 44A after Sec-  
tion 116. Clause 5 deals with grant-  
ing of bail. Section 437 of the  
Criminal Procedure Code speaks of  
bail in respect of non-bailable  
offences. It says that the non-bailable  
offences bail may be given in certain  
circumstances. Now this amendment  
seeks to tighten the granting of bail  
for these non-bailable offences, and  
for valid reasons. The reasons are  
given here . . .

**SHRI SATISH AGARWAL:** None has opposed it.

**SHRI JAGANNATH RAO:** Therefore, bail should be restricted in non-bailable offences in certain circumstances enumerated in this clause. Clause 6 speaks of forfeiture of the bond executed by the accused person and the surety. Not only the bond will be forfeited but both of them will have to undergo simple imprisonment for a period of 6 months in addition to the forfeiture of the bond which shall be recovered as if it was a fine imposed by the court. So, there should be nothing wrong in it. The power of the executive magistrates can also be transferred to the judicial magistrates. All proceedings pending the trial in the Judicial Magistrates' courts will continue till this Bill comes into force and becomes an Act.

Therefore, I do not find any controversy in any of the clauses in the Bill. I need not, therefore, speak more on it and I support this Bill.

**MR. DEPUTY-SPEAKER:** Shri Rajnath Sonkar Shastri.

**श्री राजनाथ सोनकर शास्त्री : (सैदपुर) -** माननीय उपाध्यक्ष जी, जो दण्ड प्रक्रिया संहिता (संशोधन) विधेयक आज सदन में पेश है उस का मैं पूर्ण विरोध करता हूँ। मैं समझता हूँ कि यह दण्ड प्रक्रिया संहिता संशोधन विधेयक जो पेश किया गया है वह इस सरकार की अक्षमता का परिचायक है। लगता है कि इस सरकार का विश्वास अपनी न्यायपालिका पर नहीं रह गया है और सरकार किसी प्रकार से घबरा कर या किसी ढंग से भयभीत हो कर यह विधेयक लायी है। इस विधेयक में कहा गया है कि न्यायपालिका कमजोर है और राजद्रोहात्मक बातें फैलाने वालों के खिलाफ कार्यवाही करने के लिए इस प्रकार दंड प्रक्रिया संहिता में संशोधन किया जा रहा है।

माननीय उपाध्यक्ष जी, इस में यह भी कहा गया है कि इस से ला एण्ड माईर

की स्थिति सुधरेगी। 108(1) के (क) में राजद्रोहात्मक बातों का जिक्र करते हुए यह कहा गया है कि यदि कोई ऐसी बात फैलाता है जिस का प्रकाशन भारतीय दंड संहिता की धारा 124(क) या धारा 153 (क) या धारा 153 (ख) या धारा 295 (क) या धारा 292 के अनुसार अस्लील वस्तु विक्रय, उस का निर्माण करना, उसका उत्पादन करना, आयात करना अथवा प्रेस और पुस्तक रजिस्ट्रीकरण अधिनियम, 1867 के विरुद्ध कार्य करना जैसी बातों के लिए कार्यवाही हो जाएगी।

धारा 109 में संदिग्ध व्यक्तियों से सदाचार के प्रतिभूति का वर्णन है। महोदय, मैं बताना चाहता हूँ कि ये जो बातें इस विधेयक में कही गई हैं कि हम इन उक्त परिस्थितियों के कारण इस संहिता का संशोधन कर रहे हैं, मैं समझता हूँ कि ये बातें पहले से ही संविधान में वर्णित हैं और यदि संविधान का नियमपूर्वक पालन किया गया होता तो ऐसे ढंग से इस प्रकार के अमेंडमेंट की कोई जरूरत आज नहीं होती।

धारा 110 में लुटेरों, गृहभद्रक, चोर कुट रचयिता, अथवा इनकी संरक्षा करने वालों, एवं अपहरण कर्ता, उद्यापनकर्ता, छली, जमाखोरों, मुनाफाखोरों के विरुद्ध कार्यवाही करने का जिक्र है। यह बातें इस विधेयक में कही गयी हैं जबकि पहले से ही संविधान में पर्याप्त कानून बनाकर इन बातों को रोकथाम अच्छे ढंग से कर दी गयी है। इस विधेयक के द्वारा पुलिस को विशेष पावर दी जा रही है, एकजीक्युटिव मैजिस्ट्रेट को विशेष पावर दी जा रही है और यह कहा जा रहा है कि पुलिस किसी भी व्यक्ति को बगैर वारन्ट के भी पकड़ सकती है और उस व्यक्ति की जमानत नहीं हो सकती है, जमानत आदि लेने से इंकार भी किया जा सकता है। मैं समझता हूँ, जैसा कि मैंने पहले कहा है कि यह सरकार की कमजोरी है। मुझ में कानून तो है लेकिन

कानून का पालन करने के लिए ऐसा कोई नियामक आज देश में नहीं रह गया है जिस से कानून का पालन कराया जा सके। हमारे देश में जो सरकार काम कर रही है यदि वह संविधान का पालन बिना किसी भेदभाव के करे और जाति के आधार पर न करे तो ऐसी कोई बात नहीं हो सकती है जिन बातों के लिए यह संशोधन किया जा रहा है।

मान्यवर, मैं अपने कानून मंत्री के समक्ष एक बात रखना चाहूंगा। कानपुर में अभी तीन चार दिन पहले एक हरिजन विधायिका श्रीमती कमला दरियावाही पर पुलिस के एक आदमी ने संगीन पिस्तौल से हमला किया। क्या यह विधेयक उस पुलिस के आदमी को गिरफ्तार करा सकता है या उस पर मुकद्दमा चलवा सकता है। यदि वह विधायिका भाग न गयी होती तो निश्चय ही पुलिस का वह आदमी, जो कि शराब के नशे में धूत था, विधायिका को मार डालता। कहा जा रहा है कि एग्जीक्यूटिव जिम्मेदार होगी। एग्जीक्यूटिव की यह हालत है कि देश में चारों तरफ जहां अपराध होते देखा जा रहा है वहीं एग्जीक्यूटिव ही सामने आ जाती है। अभी आप देखें दिल्ली में एक महीने पहले एक घटना हुई। एक व्यक्ति अनिल कुमार शंकर सिनेमा देख रहा था, तभी पुलिस इंस्पेक्टर ने उस को हाल के अन्दर से खींच कर मारा, इतना मारा कि आज वह अस्पताल में अंतिम सांसें गिन रहा है। क्या इस अध्यादेश के मुताबिक उस पुलिस अधिकारी को प्रोटेक्शन नहीं दिया जा रहा है? क्या पुलिस इस अध्यादेश को प्राप्त करने के बाद या देश की एग्जीक्यूटिव अध्यादेश के आधार पर अपना ताण्डव नृत्य जो आज हो रहा है, उस से बढ़ कर घोर ताण्डव नृत्य नहीं करेगी? वाराणसी के तमाम थाने जैसे मुड़वाडीह, चपेलापुर, चौबेपुर, बड़ायांव आदि इस के ज्वलंत उदाहरण हैं जहां रामचोर बर्म के लोगों को, पुलिस के पास जितने पावर हैं, उन के आधार पर

उन को पकड़ कर जेल भेज रहे हैं। उन को पीटा जा रहा है और इतनी बुरी तरह पीटा जा रहा है कि मैं बता नहीं सकता और उसके बाद उन्हें अस्पताल तक पहुंचाने तक की मानवता भी पुलिस के अंदर नहीं है।

महोदय मैं समझता हूं कि जितने अत्याचार मुक्त में हो रहे हैं उन को और बढ़ावा देने के लिए यह अध्यादेश लागू किया जा रहा है। इस से एग्जीक्यूटिव मजिस्ट्रेट, डिस्ट्रिक्ट मजिस्ट्रेट, को विशेष अधिकार दिए जाएंगे, जैसा कि मैंने पहले कहा है, क्या यह अधिकार प्राप्त करने से, हम कानून मंत्री महोदय से पूछना चाहते हैं कि जरा वे हम लोगों को यहां समझाएं कि इन अधिकारों के बाद, जितने अधिकार उनके पास हैं, उन से अधिक इस अध्यादेश द्वारा दे देने से क्या उन की स्थिति और बदतर नहीं होगी? क्या और अत्याचार नहीं बढ़ेगा?

महोदय, तर्क दिया जा रहा है कि इस अध्यादेश के माध्यम से अपराधी की आदत सुधरेगी, वार वार के अपराधी या सजायाफ्ता अपराधी सुधरेंगे, अपराधों में कमी होगी, अपराधी डरेंगे, ला एण्ड आर्डर की व्यवस्था मजबूत होगी। महोदय, मैं आप के माध्यम से माननीय गृह मंत्री महोदय से कहना चाहूंगा कि ध्यान दीजिए कि डंडे के बल पर कभी कोई सरकार चल सकती है क्या? यह सरकार डंडे के बल पर चलाई जा रही है। क्या इस सरकार के पास मस्तिष्क नाम की कोई चीज नहीं रह गई है? क्या इस अध्यादेश का सहसा ले कर अब सरकार चलाई जाएगी?

महोदय, सीसा और इमरजेंसी के पहले क्या हुआ था उस समय देश का क्या हुआ हुआ था और वर्तमान सरकार जो 1974, 1975-76 में थी उसका क्या रूप था? यह सारे का सारा हिन्दुस्तान जानता है। यह भय और आतंक का वातावरण यह अध्यादेश साकर के देश में

[श्री राजनाथ सोनकर शस्त्रि]

पेश किया जा रहा है। मैं समझता हूँ कि यह एक भीठा जहर है और अपने पापों को छिपाने के लिए एक गहरा षडयंत्र किया जा रहा है, इससे तमाम राजनीतिक व्यक्ति या जो लोग आंदोलनों में या सही बातों को कह देने में कभी नहीं हिचकते उनके उपर इस अध्यादेश के माध्यम से कार्यवाही की जाएगी।

महोदय, मैं इस अध्यादेश का बहुत ही कठोर शब्दों में विरोध करता हूँ और मैं हाउस में अपने सभी साथियों से आग्रह करता हूँ कि वे दिमाग से और दिल से सोच कर इस अध्यादेश का विरोध करने में हम लोगों की मदद करें।

श्री मूल चन्द डागा : (पाली) : मैं यह कहना चाहता हूँ कि यह क्रिमिनल प्रोसीजर कोड अमेंडमेंट जो आप ला रहे हैं इसको पेश करने से पहले आप पढ़ लीजिए। आप उसको पढ़िए और श्रीमान उपाध्यक्ष महोदय आप ही कृपा करके उस लाइन को पढ़ लीजिए।

The ordinance, *inter alia*, sought to:—

(iv) Vest the power to take security proceedings under sections 108, 109 and 110 of the code in Executive Magistrates; and

(v) provide for transfer of the power to take security proceedings under the aforementioned Sections 108, 109 and 110 of the Code to Judicial Magistrates."

आप किसी को पावर्ज ट्रांसफर करना चाहते हैं? जूडिशियल मैजिस्ट्रेट्स के पास तो पहले से ही पावर्ज है। इस अर्डिनेंस को आप पढ़िये। मालूम ऐसा होता है कि सेक्शन 108, 109 और 110 में आप जूडिशियल मैजिस्ट्रेट्स को पावर्ज ट्रांसफर करना चाहते हैं। या तो यहाँ पर एग्जिक्यूटिव

मैजिस्ट्रेट होना चाहिये लेकिन आप प्राव-जैक्ट्स एंड रीजंज में खुद कह रहे हैं कि आप जूडिशियल मैजिस्ट्रेट को पावर्ज ट्रांसफर करना चाहते हैं। एग्जिक्यूटिव मैजिस्ट्रेट में आलरेडी पावर्ज है। मैं समझ नहीं सका हूँ कि आप क्या करना चाहते हैं।

एक माननीय सदस्य : टाईपिंग मिस्टेक हो सकती है ?

श्री मूल चन्द डागा : जब मैं इसका पढ़ रहा था तब गाडगील साहब ने मेरी मदद की। अब आप ही बताइये कि क्या यह टाईपिंग मिस्टेक हो सकती है।

बिधि, न्याय और कम्पनी कार्य मंत्री (श्री पी० शिवशंकर) : उन्होंने आपको गलत राय दी है।

श्री मूल चन्द डागा : गलत राय नहीं दे रहे हैं आपका काम गलत है।

श्री जी० एम० बनातबाला : (पोन्नानी) : आप थोड़ा रुक जाइये। मिनिस्टर साहब समझने की कोशिश कर रहे हैं। वह आफिसरज को कंसल्ट कर रहे हैं।

श्री मूल चन्द डागा : आर्टिकल 50 जो संविधान का है उसको आप देखें उस में यह कहा गया है :

The State shall take steps to separate the Judiciary from the Executive in the Public Services of the State.

15.28 hrs.

(Shri Chintamani Panigrahi in the Chair).

1950 में संविधान बना था तब इस ने सोचा था कि हम जूडिशियरी को

एग्जिक्यूटिव से भ्रमण करेंगे और वह इंडिपेंडेंट होगी। साथ ही लेजिसलेचर भी भ्रमण होगी। 1973 में हमने इसके बारे में एक एक्ट पास किया, क्रिमिनल प्रोसीजर कोड पास किया और हम ने यह कहा कि ये सारी पावर्ज एग्जिक्यूटिव मैजिस्ट्रेट के पास न रह कर जूडिशल मैजिस्ट्रेट के पास रहेंगी। आज 1980 में हम कह रहे हैं कि ये सारी पावर्ज एग्जिक्यूटिव मैजिस्ट्रेट के पास रहनी चाहियें।

मैं जानना चाहता हूँ कि पिछले तीन सालों में सैक्शन 108, 109 और 110 में कितने चालान हुए और एग्जीक्यूटिव मैजिस्ट्रेट के पास यह पावर न होने के कारण प्रासीक्यूशन में कितनी ढील हुई है। मैं समझता हूँ कि अगर एग्जीक्यूटिव मैजिस्ट्रेट के पास कैसिज जाने लगे तो और ढील होगी और जनता को और ज्यादा नुकसान होगा। मैं समझ नहीं पाया कि सरकार सैक्शन 108 को क्यों एमेंड करना चाहती है, जबकि हमने सोच समझ कर क्रिमिनल प्रोसीजर कोड में यह एमेंडमेंट की थी कि यह पावर जूडिशल मैजिस्ट्रेट के पास रहनी चाहिए।

मैंने इस बारे में दो आर्टिकल पढ़े हैं, जिनमें से एक स्टेट्समैन में छपा है। एग्जीक्यूटिव मैजिस्ट्रेट्स की ब्रेकडोर एन्ट्री होती है, क्योंकि सैक्शन 20 के अंतर्गत उनकी एपायंटमेंट स्टेट गवर्नमेंट के द्वारा होती है, जबकि जूडिशल मैजिस्ट्रेट्स को हाई कोर्ट एपायंट करती है। इस सैक्शन में कहा गया है :-

"In every district or in every metropolitan area the State Governments appoint as many persons as they require to the post of Executive Magistrates and shall appoint one of them to the post of District Magistrate."

सरकार संविधान के आर्टिकल 50 की मंशा को न मानते हुए और 1973 में पास किये गये प्राविजन के खिलाफ जाते हुए हाई कोर्ट की पावर्ज एग्जीक्यूटिव को देना चाहती है।

यह आर्डिनंस 23 सितम्बर को जारी किया गया था। 28 सितम्बर को स्टेट्समैन में यह एडिटोरियल कमेंट आया था :-

"Such activities are undoubtedly condemnable but the danger now is that an overzealous executive may treat allegations as proof. By setting aside judicial magistrates, the ordinance makes this both possible and easy. The executive Magistrate and the District Magistrate can play havoc if they are so minded. Herein lies the threat to the freedom of the press."

दूसरे अखबारों के कमेंट्स पढ़ कर मैं सदन का समय नहीं लेना चाहता हूँ। मंत्री महोदय सोचें कि क्या यह जूडिशरी की इंडिपेंडेंस पर हमला होगा या नहीं।

श्री पी० शिव शंकर : नहीं होगा।

श्री मूल चन्द डागा : यह बहुत अच्छा एगोरेंस हैं। ऊपर बैठने वाले यह एगोरेंस देते हैं।

सरकार सैक्शन 108 के अंतर्गत चालान करने की पावर्ज डिस्ट्रिक्ट मैजिस्ट्रेट को दे रही है। पहले ये पावर्ज स्टेट गवर्नमेंट के पास थीं। अब डिस्ट्रिक्ट मैजिस्ट्रेट को भी यह पावर दी जा रही है कि वह भी चालान कर सकता है।

SHRI P. VENKATASUBBAIAH: You have referred to the articles. You please read out those articles.

SHRI MOOL CHAND DAGA: I shall read out this:

"... except with the previous sanction of the Central Government or of the State Government or of the District Magistrate."

पहले डिस्ट्रिक्ट मैजिस्ट्रेट नहीं था। हम लोग अभी जल्दी-जल्दी बिल पास कर रहे हैं और बिल पास हो भी जायेगा। पहले 108, 109 और 110 के अंदर जो चालान करने के पावर्स थे वह स्टेट गवर्नमेंट या सेंट्रल गवर्नमेंट को थे। आज वह डिस्ट्रिक्ट मैजिस्ट्रेट को दे दिया। (व्यवधान)। हां, तीनों को दे दिया। डिस्ट्रिक्ट मैजिस्ट्रेट को पहले नहीं था, उस को भी दे दिया। तो उस के ऊपर 27 सितम्बर के बिजनेस स्टैंडर्ड में कमेंट्स निकली हैं जिस में लिखा है :

"Erosion of rights.

But there is hardly any justification for the provision for empowering district magistrates to sanction proceedings under Section 153B of the Indian Penal Code and subsection 2 and 3 of Section 505 of the IPC. If these powers were hitherto vested in the Union and State Governments there were good reasons for it. This was conceived of as a necessary safeguard against misuse of such powers by executive magistrates. The law in vesting these powers in the executive had prescribed that the sanction for prosecution must come from a high and responsible level. If such sanctions take a longer time to come than necessary action has to be taken to simplify and streamline official procedure rather than to vest such powers to sanction proceedings in district magistrates. Power not only corrupts but also leads to tyranny. This is not to deny that occasions for such prosecutions are today numerous than before. But that is no reason for putting an end to the safeguard which was to vest the power to sanction such proceedings in top level authority. The press, in particular, is threatened by the

removal of this hitherto operating safeguard. And this is in violation of the commitment to a free press given by Mrs. Gandhi on more than one occasion."

आप ने डिस्ट्रिक्ट मैजिस्ट्रेट को पावर दे दिया। वह इस को यूज कैसे करेगा? उस के ऊपर भी मैंने बताया कि इस प्रकार की जो पावर्स हैं वे अच्छी नहीं हैं।

अब वेल अप्लीकेशंस को लें। हिन्दुस्तान में अभी भी सुप्रीम कोर्ट के अंदर कांई अंडर ट्रायल प्रिजनर्स के कैसेज है जो कई सालों से जेलों में पड़े हैं। बिहार में पांच पांच सात-सात साल के अंडर ट्रायल प्रिजनर्स चौदह-चौदह साल के हैं और उन का कांई इलाज नहीं है।

AN HON. MEMBER: Anti-social elements.

SHRI MOOL CHAND DAGA: What do you mean by anti-social elements? You have to prove them anti-social. We must safeguard the interests of the people.

किसी आदमी की आजादी को खत्म करना आसान नहीं है। हम सफेद पोश लोग सब बहुत अच्छे हैं जो उनको ऐंटी सोशल ऐंटी सोशल कह दिया। हम हर एक आदमी की स्वतंत्रता की रक्षा करना चाहते हैं। कांस्टीच्यूशन यह कहता है। वेल अप्लीकेशन में आप ने अमेंडमेंट कर दिया। इस में आप देखेंगे 437 में :

"If it appears to such officer or court at any stage of the investigation, enquiry or trial as the case may be, that there are not reasonable grounds for believing that the accused has committed a non-bailable offence, but that there are sufficient grounds for further enquiry into his guilt, the accused shall pending such enquiry be released

on bail, or at the discretion of such officer or court. . . ."

MR. CHAIRMAN: You have already taken 15 minutes.

SHRI MOOL CHAND DAGA: I will take only a few minutes. Read that Section 446-A again. It is a new addition. He said it is substitute of 446. For what purpose it is a substitute? It is an addition. Do not see this word 'substitute'.

अब आप ने 446(ए) भी अमेन्ड कर दिया। आप उस को पढ़िये।

This is an addition. But they say it is substituted.

अब यह जो डिफिटिंग की जा रही है इस को कौन कर रहा है? ला डिपार्टमेंट कर रहा है या कौन सा डिपार्टमेंट कर रहा है? अगर आप बिल को पास करना चाहते हैं तो ठीक है लेकिन मैं फिर कहना चाहता हूँ कि आप जुडीशल मैजिस्ट्रेट से पावर मत लीजिएगा। अगर आप ने एग्जीक्यूटिव मैजिस्ट्रेट को पावर दे दी तो गांवों में जो लोग रहते हैं उनकी हालत और भी बिगड़ जाएगी। वे गरीब लोग और भी परेशान हो जायेंगे। जुडीशल मैजिस्ट्रेट अपने माइन्ड को जुडीशली एक्सर्साइज करेगा लेकिन एग्जीक्यूटिव मैजिस्ट्रेट अपने माइन्ड को जुडीशली एक्सर्साइज नहीं करेगा। इसलिए आप मेहरबानी कर के एक बार फिर सोचिए और इस पर पुनर्विचार कीजिए। मैंने अमेन्डमेंट इसलिए नहीं दिए हैं कि लोग कहने लगते हैं कि डागा ने अमेन्डमेंट दे दिए। लेकिन आप किसी बिल को हरीडली पास करने से पहले सोच लीजिए और विचार कर लीजिए। 1973 में इसी पार्टी ने इसी सदन में इसी संविधान के आर्टिकल 50 का आवर करते हुए पास किया था कि जुडीशली मैजिस्ट्रेट को पावर होनी चाहिए। आज अगर उस से यह पावर छीन कर एग्जीक्यूटिव मैजिस्ट्रेट को आप यह पावर दे देंगे, तो उचित नहीं होगा। आज

करप्शन कितना रैम्पेंट है, यह कहने की जरूरत नहीं है। रोम-रोम में करप्शन भरा हुआ है। सेक्शन 108, 109 और 110 की पावर्स अगर आप एग्जीक्यूटिव मैजिस्ट्रेट को दे देंगे तो यह अच्छा नहीं होगा। इस तरह से आप एन्टी सोशल एलिमेंट का नाम लेकर, उसकी आड़ में शिकार मत खेलें। मैंने होम मिनिस्टर से एक प्रश्न पूछा था, उन को हिम्मत के साथ यह फीगर देनी चाहिए थी कि 108, 109 और 110 के अन्तर्गत तीन सालों में इतने चालान किए गए। मैं कहता हूँ 110 में केसेज पेश नहीं हुए होंगे और अगर पेश भी हुए होंगे तो उन का निर्णय नहीं हुआ होगा।

इसलिए मेरा निवेदन है कि इस बिल को पास करने से पहले आप दो तीन बातों को सोच लीजिए। आप एग्जीक्यूटिव मैजिस्ट्रेट को जुडीशल पावर्स मत दीजिए। साथ ही साथ आप बेल के मामले में इतना स्ट्रिक्ट मत बनें। बेचारे अन्डर ट्रायल प्रिजनर्स सालों तक अन्दर रहते हैं। और ये लोग वही होते हैं जिन के पास साधन नहीं होते, जो कि गरीब लोग होते हैं। लीगल एड हमारे ला मिनिस्टर साहब अभी तक नहीं दे पाए हैं। बीस साल हो जाने के बाद भी अभी तक उन को लीगल एड नहीं दी जा सकी है। इसलिए उन के अधिकारों की रक्षा करते हुए इस बिल पर पुनर्विचार करने की मैं आप से प्रार्थना करता हूँ।

SHRI C. T. DHANDAPANI (Pol-lachi): It is very interesting to discuss this Bill, because it deals with anti-social elements as well as habitual offenders. But there are many more laws and rules of Government to deal with these anti-social elements and other criminals.

Of course, this Bill is a small one. It deals with 2 or 3 points. It deals with the question whether we must have judicial magistrates or Executive Magistrates. All these years, we have been practising certain conven-

tions and procedures, by having some sort of a judicial system. Through this Bill, we are converting it from judiciary to executive officials.

As our friends have already stated here, it is mentioned in clause 2 thus:

“...for the words “a Judicial Magistrate of the first class”, the words “an Executive Magistrate” shall be substituted.

The Executive Magistrate, as Mr. Daga said, is a State Government employee. So, he has to toe the line of the State Government. Actually, I thought this Bill should have been presented in a better form, and drafted somewhat wisely. But it has not been done. I feel that appointing an Executive Magistrate will result in a chaos.

Not only that; we are giving more powers to the State Governments. Of course we in the DMK, are asking for more powers to the State Government, but not to crush the political opponents or others. That is a different issue. In this case, the powers have been given to the State Governments. For example, I have my own experience. A tenant was cultivating a piece of land for more than 15 years. One day, he was asked to vacate the land—by an MLA of the local ruling party. It was about a year ago. The tenant went to the Court against that particular MLAs atrocities. The case went up to the High Court. The Executive Magistrate gave the verdict in favour of the MLA. Judicial Magistrate gave the judgment in favour of the tenant. But the MLA went to the High Court. The question was this: who was in possession of the land. The High Court passed orders in favour of the tenant. The judgement was delivered around 11 A.M. or 11 NOON. The same day, that night itself, before the verdict reached the Pollachi town, the local MLA engaged some goondas and evicted that tenant. The next morning,

the RDO, the so-called Executive Magistrate, promulgated orders under section 145 of the Criminal Procedure Code. It means that nobody can enter the field. So, myself and my district secretary, namely, a former Minister Mr. Kannappan and others went to that place, to meet that Executive Magistrate. On our way, we were arrested and imprisoned for a week, for the reason that we had an intention to defy the orders promulgated under Section 145. In that case, we were imprisoned. If this power is given in the hands of the Executive Magistrate, certainly the power will be misused. If the government wants to deal with a particular criminal or a particular section, what I suggest is that we can appoint a Special Magistrate with the powers of a District Magistrate so that they can deal with other cases, because there are various cases pending in all the courts. They may be in a position to deal with a particular criminal. So, I suggest that we can appoint a Special Magistrate instead of the Executive Magistrate. I hope the Minister will consider this suggestion.

Secondly, the State Government has been given larger powers in this matter. At the same time, another important thing is about bail. Here the power is given in the hands of the police. A police officer can say whether a bail can be granted or not. So, in this thing, the State Government has acquired more power and they can crush the opposition parties. As far as my State is concerned, if anybody says, “MGR or ADMK Government of Tamilnadu,” nobody knows about it. Our present government is called “307 Government.” because even for a simple offence, 307 is being imposed. For example, in my constituency, a college student of about 18 years of age, threw a stone on a bus and he was arrested under 307. Even for taking out a procession 307 is imposed. For everything 307 is imposed. On page 2 of the Bill, it is stated: “Such person shall not be so released if such offence is



a cognizable offence and he had been previously convicted of an offence punishable with death, imprisonment for life or imprisonment for seven years or more, or he had been previously convicted on two or more occasions of a non-bailable and cognizable offence." In that case, any political man or political parties' workers can be arrested and put behind the bars. Some Ordinances are being promulgated in Madras, in Tamilnadu. An Ordinance on prohibition had been promulgated. If anybody takes liquor, he will be punished. Do you know, Mr. Chairman, what will be the punishment? The punishment will be in imprisonment for five years or for seven years or fine also or both. This is a non-bailable section. This Ordinance is being implemented in Tamilnadu. Suppose a person drinks twice or he is convicted twice, he will never get bail in any court. In that case, everybody will be punished in many ways. I am quoting from *The Economic Times*, New Delhi, dated 3rd October, 1978, regarding TN Ordinance on prohibition. It says "A feature of the ordinance is that it empowers the authorities to remove persons convicted of offence from the area for a stipulated period." So, a person can be expelled from his place to another place. In that case, what will be the position of the public? I do not want to say many things about that. In the same way, another Ordinance is being promulgated. Suppose the cane growers or the agriculturists do not pay arrears. They will also be penalised. The offence is punishable for a minimum period of two years and the maximum period of five years; and the minimum fine is Rs. 3000 and the maximum fine is Rs. 5000. Then there is another Ordinance. That is what the state government is doing. It is doing it in such a way, all this oppressive activity. The state government will also utilise this Bill to suppress the opposition parties in Tamilnadu and in many other places also. Shri Jagannatha Rao referred to it and stated that because judicial magistrate did

not know about law and order problem and society, this power was being given to the executive magistrate. The police are there; the police themselves are doing all these things. It is not necessary; it is not that the executive magistrate alone can understand all these things. The executive magistrate does wrong and creates the situation according to the convenience of the local government, state government. It is not good for the people who are there. In clause 5(c), it says that for the words 'reason' in sub-section 4, the words 'reasons or special reasons' should be substituted. I do not know what it means. Reason means reason. What would be the special reason? Something may be said. But in that case what is the government going to do? This type of wording is misleading the public.

In clause 7(b) it says that hereafter no person shall be released only on his own bond. In that case the powers of the police officers should be taken away. I can understand the court. But the police officer is in the hands of the state government.

In clause 8 it says that if the legislative assembly of a state by a resolution permits the state government may after consultation with the High Court implement the Act. Powers have been given to the state government to do all these things. You have given powers to the state, to the district magistrate, judicial magistrate. But when the state government themselves indulge in such activities what are you going to do? Is there any provision? No provision at all. Take Villupuram in Tamilnadu. It has been stated in the statement of objects and reasons that those who create enmity between different groups and communities will be dealt with. In Villupuram one of the ruling party MLAs himself created trouble between Harijans and other communities. Many Harijans were killed. A commission was constituted and a report was submitted a year and half

[Shri C. T. Dhandapani]

ago. No action has been taken. What provision are you going to incorporate in this Bill when a state government violates the spirit of this Bill like that? In another place, Palakode, Muslims were butchered and their shops were set on fire by the former M.P. who belonged to the ruling party in Tamilnadu. He was an M.P. in the very same House. He was responsible for all those things but no action was taken. In Peranampet the ruling party was responsible for clash between Hindus and Muslims. In Kerala also this is happening; there is clash between the ruling party and RSS. Shri Namboodiripad, a learned man stated—it appeared in papers—that if RSS attacked 'us, certainly we will retaliate'. It is not proper for a big leader, international leader like Namboodiripad to say like that. What are you going to do? On page 7 it says: "any offence under one or more of the following Acts, namely, Foreign Exchange Regulation Act, 1973..." I got some information from our hon. friend, the former Minister, Shri Satish Agarwal, our good friend. The Chief Minister of Tamilnadu, he was involved in a case or violation of Foreign Exchange Regulation Act.

16 hrs.

MR. CHAIRMAN: Let us not being in these things now.

(Interruptions)

SHRI K. MAYATHEVAR (Dindigul): He is not bringing. He is only illustrating.

SHRI XAVIER ARAKAL (Ernakulam): Even though he is illustrating, this is highly improper. This is unparliamentary. That too, hearsay, hon. Member, Shri Satish Agarwal is there. (Interruptions)

SHRI C. T. DHANDAPANI: Shri Arakal is my friend.

(Interruptions)

SHRI K. MAYATHEVAR: He should also know.

(Interruptions)

SHRI C. T. DHANDAPANI: Mr. Arakal also knows it.

SHRI K. MAYATHEVAR: Cannot Vakalat for M.G.R.

MR. CHAIRMAN: You kindly go to the other point.

SHRI C. T. DHANDAPANI: That is what I am saying. There was a case against him for violating the Foreign Exchange Act. That case went on for more than eight years. That case was dropped during Janata Party Government.

AN HON. MEMBER: For what? Why?

(Interruptions)

SHRI C. T. DHANDAPANI: I do not know the reason why it was dropped.

(Interruptions)

SHRI P. VENKATASUBBAIAH: You could have asked him.

(Interruptions)

SHRI K. MAYATHEVAR: The former Prime Minister wanted it to be dropped.

SHRI C. T. DHANDAPANI: I came to know of it from Mr. Satish Agarwal himself that it was dropped.

(Interruptions)

SHRI SATISH AGARWAL.: Lot of things you come to know from conversation, they are not to be quoted.

(Interruptions)

SHRI SATISH AGARWAL: It was an inquiry. It was not a case. Inquiry is always conducted with a doubt. Some inquiry was going on for the last eight to ten years.

SHRI G. M. BANATWALLAI: It was dropped. Was it dropped?

SHRI SATISH AGARWAL: Yes, it was dropped. It was also an inquiry.

SHRI C. T. DHANDAPANI: I am not accusing anybody. He is not present here. That is not my object.

SHRI G. M. BANATWALLA: You are stating facts.

SHRI C. T. DHANDAPANI: For the benefit of Shri Arakal also. So, in this case, in such a way, through this Bill, the Central Government is putting some powers in the hands of certain people—executive or judiciary whoever it may be—who may indulge in such activities which may be against the rule of law. What is going to be done by this Government, I want to ask all these things, in connection with this Bill. So, by saying this I want to mention that this Bill actually will not help the judiciary. Therefore, I request the hon. Minister to consider these things and bring a comprehensive Bill which can help the public as well as the judiciary.

SHRI A. T. PATIL (Kolaba): Sir, I rise to support this Bill in its entirety. This Bill seeks to entrust the powers under sections 108, 109 and 110 of the C.R.P.C. to executive magistrates. The first attack on this provision is that the executive is being strengthened at the cost of the judiciary and that there is erosion of judicial powers. My respectful submission would be that nobody here is interested in eroding the judicial powers. Our judiciary should be strengthened, but within its jurisdiction. If sections 108, 109 and 110 refer to the question of crime where the person charged or proceeded against is to be ultimately declared as a criminal and a blot is to be cast on him and throughout his life he will be looked upon as a criminal, then the matter should not be taken out of the jurisdiction of the judicial magistrate and an opportunity should be given to the person concerned to defend himself according to all the niceties of procedure. But sections 108, 109 and 110 refer properly to

executive action for checking effectively the habitual offenders. Therefore, this is properly within the jurisdiction of the executive and so, the matter should be entrusted to the executive agency. In fact, some years back, in my State the powers under these sections were entrusted to judicial magistrates and it was found to be very inconvenient from the point of view of doing justice to the parties concerned. Once they are kept under surveillance under the so-called judicial powers, no decision is given for several days. Therefore, the powers under these sections were again sought to be entrusted to the executive magistrates.

One point made by Shri Jaganatha Rao is equally important namely, the executive magistrates are in the better know of the law and order situation. Therefore, they can dispense justice better in such cases. For one thing, by this piece of legislation, we are not advancing the cause of law and order to a great extent. It is a very simple and small piece of legislation. The law and order situation may arise out of environmental pollutions, out of social circumstances, out of economic conditions and so on. Here we are restricting ourselves to one sector, i.e. criminal activities in social factors. If there is environmental pollution, if due to the bulging of the cities, there is breakdown of the infrastructures such as transport, water, electricity, etc., then there is bound to be a rise in crimes. This Act will not in any way help directly to reduce such crimes or criminal activities. Similarly this Act does not enter into the economic sphere also, where you find that the level of poverty line is increasing. In 1964-65 it was 44 per cent. Now it has gone up to more than 48 per cent. So, when the level of poverty is increasing, there is bound to be a rise in crimes. This Bill is not in any way an improvement on that in respect of that condition. Its scope is very small and limited, having reference only to the social sector.

[Shri A. T. Fatil]

the habitual offenders, the criminals and anti-social elements and it has no reference to the increase in crimes due to environmental pollution or economic deterioration. This Bill seeks to take some effective steps in respect of those offences alone.

So far as the first provision is concerned, since it is specifically within the jurisdiction of the executive magistrate, there is no objection. In fact, it is welcome that the powers under sections 108, 109 and 110 have been transferred to the executive magistrate.

There is essentially a misconception about these powers and the provisions of section 478. The principle under section 478, which has got to be amended now, is not a different provision altogether, a different principle altogether. The principle is already accepted under the old law. This is a welcome principle. I in any State you are not satisfied with this power being entrusted to the executive magistrate, you are welcome to transfer it to the judicial magistrate, if your Legislative Assembly permits it by a resolution. Previously, it had to be done by the Legislature. But the principle is the same. I do not understand why we should quarrel with this provision, when there is only a little difference. The difference is that formerly the powers were given to the "Legislature". The wording was "If the State Legislature by a resolution so requires". The present provision says "If the Legislative Assembly of a State by a resolution so permits". If you use the terms "Legislature", if there are two Houses, then both the Houses should pass the resolution. Since the present provision refers to the "Legislative Assembly", if the lower House passes a resolution, it is sufficient. So, it is only a permissive provision. You are welcome to transfer the power under sections 108, 109 and 110 to a judicial magistrate. Nobody restrains you

from conferring them on the judicial magistrate. Really speaking, if these two sections are read together, there ought to be no quarrel, because the principle is already accepted; it has been implemented. How many States, or Legislative Assemblies, or Legislatures have passed such a resolution is altogether different; but they were already empowered and it is not as if we are enunciating a new principle. The principle has already been accepted.

In the Statement of Objects and Reasons it is stated:

"provide for transfer of the power to take security proceedings under the afore-mentioned sections 108, 109 and 110 of the Code to Judicial Magistrates."

But there is no contradiction. There appears to be some misconception or misreading of the provision. What is mentioned in the Statement of Objects and Reasons is correct.

So far as the other aspects are concerned, we are trying to strengthen the administration of law and order. In that process, we are giving concurrent power to the District Magistrate in respect of specific offences and not in respect of all offences. It is only in respect of section 153-B and sub-sections (2) and (3) of section 105 of the IPC, because both these sections refer to similar offences. Section 153-B refers to dissemination of information or circulating something to bring about a clash between two groups of persons on the ground of religion or caste, etc. These sections are similar and refer to the same object. The new provision has been made so as to enable the District Magistrate to take action in respect of this and not in all respects.

So, when we examine the provisions of law, we must do it in the proper perspective, in the proper light. Here the District Magistrate is given power to grant sanction for prosecution. He does not

prosecute, he gives only sanction; he does not convict anybody. You must kindly appreciate to that he does not convict a person; he simply says "I sanction the prosecution of that person". Instead of the Central Government or the State Government taking action in these matters, the District Magistrate does it.

There was a lot of discussion in this House about communal conflicts and riots. Many hon. Members complained that Government do not take action quickly and speedily. In order that the Central Government or the State Government could take action speedily, it is necessary that the report should come from the District Magistrate or the authorities in the district concerned. Then only the Central or State Government can consider the matter, take a decision and act on it. Since the District Magistrate or the officer in the district knows the matter much better than a distant authority, either in Delhi or in the State capital, is it not better to give him concurrent power? We should remember that power is restricted to the grant of sanction for prosecution. These are small things, small spheres in which concurrent power is given to the District Magistrate. In order to have speedy disposal or speedy action in matters like this, and that too in the limited sphere where there are communal conflicts, especially when time and again there is a demand in this House for deterrent action, if we provide something which will enable the authorities to take quicker action under the law, I do not see why there should be any objection to it.

Then I come to bail. In the case of bail, the complaint is that the liberty of the citizen is deprived. I am of the opinion that it is a philosophy of criminal justice. The question is whether there should be the theory of retributive punishment or the theory of reformative punishment. Under the head Reformative punishment will come prohibitory punishment. In the circumstances of the day, when crimes are rising at a rapid rate and when criminals are being

instigated sometimes by persons interested in the instigation of the crime to bring about a breakdown in the law and order situation in the State, I think we must follow the prohibitory theory. This section, to a very small extent, says that we shall follow that theory and says that if he is a known criminal, then he should be under the custody of the Magistrate concerned and he should not be released on bail if he is already convicted for a particular offence twice. The section reads:

"such person shall not be so released if such offence is a cognizable offence and he had been previously convicted of an offence punishable with death, imprisonment for life or imprisonment for seven years or more, or he had been previously convicted on two or more occasions of a non-bailable and cognizable offence;"

When the criminality of a person is well-established, if you are going to give him an opportunity to go on bail, I think you are permitting him to take law in his own hands. If you want crimes to be curbed, then you will have to deal with criminals with a harder hand and it is necessary that strict action should be taken. So, I support this provision.

There should be no fear or apprehension in the minds of anybody that he will be kept there for a very long period. If he is not released on bail, the responsibility is on the prosecution to ensure that the case is expedited and the matter is disposed of very early. And if he is convicted, in that case the period which he has undergone will be deducted from the entire period of his sentence. Therefore, in a way this is a welcome provision for such persons and for the entire society as well.

I need not go into the provision of imprisonment in civil jail under clause 6, because in civil law you will find such provisions and therefore, there is nothing wrong about it.

In respect of cancellation of bond under clause 7, it is necessary that professional sureties who are a nuisance to the society should be checked. I, therefore, welcome this Bill and I wholeheartedly support the Bill and request the Minister to kindly give his support if any such Bills are brought forward.

SHRI RATANSINH RAJDA (Bombay South): Sir, throughout the history we have marked that whenever rulers or the powers that be want to assume dictatorial powers in their hands, they always clamour for more powers. The provisions of the present Act, the Indian Penal Code and the Criminal Procedure Code, I submit, are enough to deal with the present situation. But the rulers would say that times are extraordinary, demanding extraordinary measures. Then, under that pretext they would try to arm themselves with more powers which are completely unnecessary and they would go on arming themselves with those powers.

Sir, the present ruling party has been continuously clamouring for more powers after they took over the charge of the Government as if a hungry man who comes from a famine stricken area clamours and wants to grab more and more food from wherever he gets. In the same way, it has been seen that the present Government has been clamouring to arm themselves with more powers. (Interruptions)

Sir, there is a cause for arming themselves with these powers. A Conference of Chief Secretaries was held in April and they recommended strengthening of the provisions of law on habitual offenders and those spreading communal discord. Now, looking superficially there is nothing wrong if habitual offenders are punished and for spreading communal discord and disharmony people are brought to book. Then, everybody would bless the Government, there is nothing wrong in it. If that was the real objective and if you try to do that, then there is no objection.

But there is something more than what appears on the surface. Now, the Ordinance was brought in. Before that, in this Chief Secretaries' Conference several recommendations were made by them. That was followed by the Chief Ministers' Conference. The same chorus, the same pining for arming with more powers was also voiced at the Chief Ministers' Conference. That Conference was held on 23rd September. What did the Chief Secretaries and Chief Ministers say? They stated that the provisions of the present Criminal Procedure Code are not enough. They demanded amendment of the Criminal Procedure Code to facilitate crime detection. That was the excuse given.

SHRI A. K. ROY (Dhanbad): Did the Chief Minister and Chief Secretary of West Bengal also demand it?

SHRI RATANSINH RAJDA: That you can ask Mr. Venkatasubbaiah. I was not present there.

SHRI A. K. ROY: That you should clarify, otherwise it will give a wrong impression as if they also joined.

SHRI RATANSINH RAJDA: I appreciate and understand what you say.

They said this amendment was imperative to facilitate crime detection, as if there was anything in the Code as it stood which impeded that purpose.

What are the salient features that they are proposing by bringing this amendment? There are some provisions regarding previous convicts, convicted of cognizable and non-cognizable offences. Ordinarily they would not be granted bail by the court. The court would release them only after recording the reasons in special circumstances. For non-appearance, the surety is to be imprisoned. Then there is cancellation of the bail bond. These are all routine amendments that are visible on the surface.

But the main point is this, that the amending Bill confers powers on ex-

cutive magistrates. Anybody who cares for the liberty of the common man, the citizen, would really raise his voice against these provisions.

The code demarcates the functions of judicial magistrates working under the Sessions Judge and under the close supervision of the High Courts as against those of the executive magistrates who work under the district magistrate. Why? There is an interesting reason for this.

Certain powers of the district magistrates and superintendents of police were curtailed by the amended Code of 1973. The Chief Ministers want that they should be restored. Here, the cat is out of the bag.

**SHRI RAM SINGH YADAV (Alwar):** What more powers have been given to the superintendents by this?

**SHRI RATANSINH RAJDA:** The States are not reconciled to the separation of the judiciary from the executive which the 1973 amended Code brought about. So, a hue and cry has been raised, and they want those curtailed powers to be restored. That is the main purpose of this Bill.

The system of checks and balances is sought to be removed completely. Vast powers would be given to the executive magistrates who would be under the thumb and influence of the ruling party people, and they may arrest any person, they may play havoc with the machinery of law, they may take the law into their own hands indirectly through the executive magistrates. This is the greatest danger that is looming large. I would request the hon. Minister not to be a party to such a draconian amendment which would curtail the liberty of the citizen. I would like to request the hon. Minister that he should think thousand times from this point of view before bringing this amendment. The question thereafter would arise about the freedom of the press. Under these provisions, I submit, freedom of press would be severely curtailed. We are all aware that this amending Section 108 is the villain of the piece. It could be compared or likened with

40th amendment of the Constitution which was introduced during emergency. The Publication of Objectionable Matters Act was put in the IX Schedule and that objectionable piece of legislation was thus protected. The same type of amendment is being brought about and any material to be published by the press would be curtailed, would be prevented from being published and whosoever publishes that, on the slightest excuse would be sent behind the bars or would be punished. At least they would be pressurised. From this point of view also, I would submit, that this amendment or these amendments are anti-people and are draconian as they curtail the liberty of the people.

With these words, I would once again submit that these amending provisions should be withdrawn. I would submit that the present provisions in the Act are sufficient enough to deal with the situation as it prevails today.

With these words I conclude my submission.

**श्री वृद्धि चन्द जैन : (बाड़मेर) :** सभापति महोदय, आज सदन में कोड ऑफ क्रिमिनल प्रोसीजर (अमेन्डमेंट) बिल 1980 प्रस्तुत किया गया है। उस के संबंध में मैं यह जानना चाहता हूँ ऐसी कौन सी स्थिति पैदा हुई, 1973 में हमारी खुद की, कांग्रेस पार्टी की, सरकार थी, उस वक्त हम ने इस में बहुत बढ़िया-बाढ़िया अमेन्डमेंट्स किए थे, जो कि वास्तव में जनता के हित में थे। लेकिन आज एसी क्या आवश्यकता हुई कि फिर कोड ऑफ क्रिमिनल प्रोसीजर में अमेन्डमेंट कर रहे हैं। जब हम जुडीशियरी को महत्ता देते थे, हम ने क्लीयरली मान लिया था—संपरेशन ऑफ जुडीशियरी को। हम ने आर्टिकल 50 ऑफ दी कान्स्टीट्यूशन में मान्यता दी। लेकिन अब कौन सी स्थिति पैदा हुई और ऐसे कौन से बड़े भारी जुर्माने गए हैं कि हम को इस में अमेन्डमेंट करना पड़ रहा है। 107 के अन्तर्गत जब कि ज्यादा आर्टिकल

[श्री बुद्धि चन्द बैन]

होते हैं और मैजिस्ट्रेट को एक्जीक्यूटिव पासवर्स भी हैं कि वह स्थिति को सख्ती से कन्ट्रोल करे और सख्ती से कन्ट्रोल करने के लिए 151 में अरेस्ट करने का भी प्रावधान है, जिस से कि वह लाॅ एंड गार्डर को कन्ट्रोल करते हैं। आज 109 के अन्तर्गत सस्पेंडेटेड वैगरेन्ट-पर्सन्स को, मैं खुद प्रैक्टिस करता था, मुझे मालूम है कि पुलिस जनरल आदमियों को, निरअपराध आदमियों को पकड़ लेती थी और ऐसे केसेज कोर्ट में आते थे। इसलिए मैं कहना चाहता हूँ कि इस से लाॅ-एण्ड-गार्डर सिचुएशन पर कोई बहुत बड़ा इफैक्ट नहीं पड़ता है।

दूसरे, मैं हैबिचुअल आफेंडर्स के बारे में कहना चाहता हूँ। जो हैबिचुअल आफेंडर्स हैं, उनके खिलाफ आपने इस बिल में स्ट्रिक्ट प्रोविजन बना दिए हैं, बेल के लिए स्ट्रिक्ट प्रोविजन बना दिए हैं, जिसको मैं सपोर्ट करता हूँ। इसमें कोई शक नहीं कि अभी तक बेल के जो प्राविजन हैं, वे काफी स्ट्रिक्ट नहीं हैं, लीनिएन्ट हैं और आफेन्स करने वाले उन का अनड्यू एडवान्टेज उठाते हैं। इस लिये इस बिल में अब जो प्राविजन किया गया है वह खास तौर से हैबिचुअल आफेंडर्स के लिये है। जो आदमी दो बार आफेन्स कर ले उसके लिये कागनिजिबिल और नान-बेलेबल प्राविजन होना चाहिये, जिस की इस बिल में व्यवस्था की गई है, इस लिये मैं इस प्राविजन को सपोर्ट करता हूँ। लेकिन जहां तक एक्जीक्यूटिव को अधिकार देने का तात्लुक है, मैं यह कहना चाहता हूँ कि एक्जीक्यूटिव मैजिस्ट्रेट्स के पास पहले ही बहुत काम है। रेवेन्यू के मामले होते हैं, दूसरे मामले होते हैं। एक महीने के अन्दर हमारे सब-डीविजनल मैजिस्ट्रेट 20 दिन तो दूर करते हैं, जिस से दफा 107 के

केसेज के डिस्पोजल में भी दो-दो और तीन-तीन साल लग जाते हैं और जब इन केसेज के डिस्पोजल का भार उन पर पड़ेगा, तो जाहिर है कि इस में बहुत ज्यादा डिले होगी।

इस लिये मैं आप से निवेदन करना चाहता हूँ—डागा साहब ने जो जानकारी चाही थी, आप पहले उस सम्बन्ध में जानकारी प्राप्त कीजिये, पूरी तरह से केसेज के सम्बन्ध में जानकारी प्राप्त कीजिये। जहां तक मेरी जानकारी है—दफा 108, 109 और 110 में इस प्रकार के केसेज बहुत कम होते हैं। इस लिये मेरा कहना है कि जुडीशियरी में डिस्पोजल जल्दी होगा। मेरी समझ में नहीं आ रहा है कि इस में परिवर्तन की आवश्यकता क्यों पड़ी है? आर्डिनेन्स को जारी करने की आवश्यकता क्यों पड़ी? यदि एक महीने बाद यह मामला आता तो इस में कौन सा आकाश टूट जाता? आप की इस कार्यवाही से आज हम को अपोजीशन का क्रिटिसिज्म सुनना पड़ रहा है। डेमोक्रेसी में हम इस प्रकार का क्रिटिसिज्म क्यों सुनें। गवर्नमेंट की भूल से हमें इस प्रकार का क्रिटिसिज्म सुनना पड़े यह ठीक नहीं है।

इस के अन्दर एक प्रावीजो है—

“Provided further that the Court may also direct that a person referred to in clause (ii) be released on bail if it is satisfied that it is just and proper so to do for any other special reason.”

इस में जो “स्पेशल रीजन्ज” का प्रावधान किया है, बेल के मामले में लोग इस का फायदा उठा लेंगे, क्योंकि इस में कोर्ट्स का डिस्क्रिशन है। यदि कोर्ट्स ठीक ढंग से अपनी डिस्क्रिशन को एक्सरसाइज नहीं करती है तो फिर इन्फाफ नहीं होगा। इसलिये “स्पेशल रीजन्ज”



को स्पेसिफिकली डिफाइन करना चाहिये या ताकि स्पष्ट हो जाय कि वे रीजन्ज क्यों हैं।

शोयर्टी के बारे में जो प्रावीजन किया है; यह ठीक है। आज कल शोयर्टी देने वालों की एक प्रोफेशनल क्लास बन गई है, कोर्ट्स में बैठे रहते हैं और शोयर्टी देते रहते हैं। अब इस में जो प्रावीजन किया गया है कि यदि कोई शोयर्टी न दे तो उस का इम्प्रीजन्मेंट हो सकता है—यह अच्छा प्रावीजन है और मैं इस का समर्थन करता हूँ।

इस के क्लॉज 8 में धारा 478 को बदला है, जिस में यह प्रावीजन किया है कि अब यह अधिकार एक्जीक्यूटिव मैजिस्ट्रेट के पास भी होगा। मैं यह समझता हूँ कि यह काम तो असेम्बली चाहती तो स्वयं कर सकती थी, आप को इस प्रकार के प्रावीजन की आवश्यकता क्यों पड़ी? जुडीशियल मैजिस्ट्रेट के यहां इन्साफ जल्दी होतः है। इसलिये मेरा कहना है कि जुडीशियल मैजिस्ट्रेट का जो क्लॉज है वह इस में रहना चाहिये। मैं एक बार और कहना चाहता हूँ— इस में जो ओरिजनल प्रावीजन था, वह 1973 में बहुत सोच समझ कर किया गया था। उस समय श्री राम निवास मिर्घा जी ने उस बिल को पायलोट किया था, उस पर पूरा डिस्कशन हुआ था और उन्होंने ने उस वक्त उन सब बातों का बहुत अच्छी तरह से जवाब दिया था, पूरी तरह से रीजन्ज दिये थे। इसलिये मेरी समझ में नहीं आ रहा है कि अब कौन सी स्थिति पैदा हो गई है जिस से इस को बदला गया है। मैं यह चाहता हूँ कि इस बारे में जो हम ने अमेंडमेंट रखे हैं उन को आप मान्यता दें और "जुडीशियल मैजिस्ट्रेट" शब्द जो है, वे इस में रहने दें।

इन्हीं शब्दों के साथ मैं इस बिल का समर्थन करता हूँ परन्तु कंडीशनली और पार्सियली इस को सपोर्ट करता हूँ।

MR. CHAIRMAN: Mr. Bhogendra Jha.

SHRI SATISH AGARWAL: Mr. Bhogendra Jha was a member of the Joint Committee.

SHRI BHOGENDRAS JHA (Madhubani): Mr. Chairman, Sir, my friend has reminded the House that I was a member of the Joint Committee. I happened to be a member of the Joint Committee and after the Joint Committee failed to accept some of my suggestions, I had to give a note of dissent. The Bill had been passed by the Rajya Sabha. Again, I with the help of some friends in the Lok Sabha, got the whole Bill referred back to Rajya Sabha and then some better provisions were accepted. So, the Criminal Procedure Code became a bit less intolerable for the average citizens of India, for the common man; not that it is ideal; not that it is what it should be; but it became a little bit less intolerable than what it was previously. But, since that time, the intransigent bureaucracy and the repressive mentality of the Police became assertive and some State Governments began suggesting to take us back to the colonial past. During the Janata Party rule, for two and a half years, an attempt was made to incorporate the provision of keeping in prison without trial, in this very Code, in the Criminal Procedure Code, and this House was made to accept an amendment that some persons could be kept in jail without any trial, without any proceedings. Fortunately at that time in the Rajya Sabha, the Janata Party did not have the majority and Congress was in the Opposition and they also supported our standpoint against the then Government and that Amendment was rejected there. Now, incidentally, this is not the position now, in the Rajya Sabha, the position is not such that, if we commit some mistake here, the Rajya Sabha will correct it. So, this House has to be more responsible and in that sense, I am happy to hear some saner voices from that side, from the side of the ruling Party.

[Shri Bhogendra Jha]

In the Statement of Objects and Reasons, two main points have been raised. One is to amend the provisions regarding bail so as to make it more difficult for habitual criminals committing serious offences to obtain bail. That itself is contradictory because the provisions that are here with regard to bail—which the Law Commission had discussed and recommended and the Joint Committee had approved and the House passed, are that bail is not a mercy thing. To keep a person while under trial in prison should not be the right of the executive, of the State or of the police. Here some people are discussing that once you are prosecuted, you should be kept in jail. Why and when he should be granted bail is being discussed. I will put it the other way. Why should anyone be kept in jail even for a single day unless he has been proved guilty? Suppose—why suppose, it is happening in many cases. People are kept in prison as prisoners under trial and they are declared innocent, totally innocent. Not that they are released on the question of benefit of doubt, but on the ground that they are totally innocent. They are kept in prison for years together. Who is going to compensate them—for the loss of liberty to a person who has been declared totally innocent? Who is going to compensate? The society? The Bench? The Bar? Or this House? Who will compensate? So the question is not that should anyone be released on bail; the question should be why should anyone be kept in jail for a single day unless he or she was declared guilty. Therefore, I think the question of bail should not have been put the way that it has been put here. It is on that basis the Joint Select Committee has recommended certain things and the House had accepted that at that time and it has helped the conditions in our country.

Secondly, to give the power to the executive in preventive proceedings, here again, the cart is being put before the horse. The prosecutor should

not be allowed to become a judge. When any proceeding is started, it is started by the executive on the orders of the executive and should the executive be made the judge of that also? That is why the Joint Select Committee and the Law Commission had recommended that it should be taken out of the hands of the executive and given to the Judiciary—not that in the judiciary you have better men or there are worse men in the executive but on the principle that the same person should not be the prosecutor and Judge at the same time. If you want more powers for the executive, I would like the Minister to tell us in his reply. The new Criminal Procedure Code gave much powers to the executive which it lacked previous to that. In the new Cr. P. C., in Sec. 110 new provisions were made to cover:

“any offence under one or more of the following Acts, namely:—

(a) the Drugs and Cosmetics Act, 1940;

(b) the Foreign Exchange Regulation Act, 1973;

(c) the Employees' Provident Funds and Family Pension Fund Act, 1952;

(d) the Prevention of Food Adulteration Act, 1954;

(e) the Essential Commodities Act, 1955;

(f) the Untouchability (Offences) Act, 1955;

(g) the Customs Act, 1962; or

(ii) any offence punishable under any other law providing for the prevention of hoarding or profiteering or of adulteration of food or drugs or of corruption, . . .”

So these provisions were made. I would like the Minister to tell the House whether a single proceeding has been started against a single

hoarder or a single black-marketeer or a single adulterator or a single person violating the Untouchability (Offences) Act throughout the country. Even in the centrally administered areas or even in the capital of Delhi has a single person been proceeded against? Who has prevented that? Did the executive start proceedings and the Judiciary come in the way? Did the Judicial Magistrates come in the way? I would ask you to give even a single instance. Why were proceedings not started? It is their government. It is the State of black marketeers, it is the State of hoarders. It is the system which they are dominating. That is why the power was given under Section 110 but not a single person has been proceeded against in the last six years. So, the executive has got the power but the Government lacks the will. Even the Janata Party or the former Congress (U), or whatever it was, also lacked the will.

Not a single proceeding was launched against the people who indulged in blackmarketing, hoarding and adulteration. So, where they have got the powers, they did not use them. They want powers to harass the people. This amendment is sought to be made because if one has been convicted twice—more than two times—he will not be granted bail. There are scores and thousands of workers, peasants and youths in this country who have been convicted four times or even five times for waging a struggle—the trade unions and the students—and who will not be granted bail. The landlords committing one murder after the other and those converting the black money into white get acquitted because of money power. In such a situation, this amendment is uncalled for. It will be very harmful; the ordinance is totally unjustified even from the point of view of Government. There is no urgency for this ordinance. This is a blatant misuse of the power of issuing of the ordinances.

Lastly, Sir I want to say one thing.

It has been put here that the State Assemblies by passing a resolution can give the power to the judicial authority. I suggest that you put it conversely. Why don't you give this power to the States? The present Cr. P.C. has already given the power to the Executives. It is already there. So, what is the necessity for this here? Let all the Congress (I) Governments or Assemblies give this power to the executives. Why should Parliament be goaded into committing the sins against democracy? Sir, the main effect of this is that the jurisprudence is being violated if we enact this into a law.

SHRI JAGDISH TYTLER (Delhi Sadar): You say that the Parliament should not commit this sin. That means you want the States to commit that sin. You cannot have both the things. You say that the Centre should not commit the sin. Why should the States commit it?

MR. CHAIRMAN: Let him finish.

SHRI BHOGENDRA JHA: If the government wants more powers it has got them in the Cr. P.C. You can utilise those powers (*Interruptions*). If you are determined to implement it in your own states, we will oppose you in the assemblies too.

MR. CHAIRMAN: Mr. Jha, kindly conclude now.

SHRI BHOGENDRA JHA: I say that Parliament should not be a party to that sin. That is what I am saying. So, Sir, the Bill, as it stands, on the whole is unjustified and it will not help in maintenance of law and order. Rather it will help only the repressive forces and the anti-people forces. So, this Bill has to be rejected. I think the Minister will think over it whether it is warranted or not. According to me, it is wholly unwarranted. I have one question to the hon. Minister. I hope he will reply. You should compel him to reply. I want to know whether a single person was proceeded against for an economic

[Shri Bhogendra Jha]

offence. No a single person has been proceeded against in the Centrally administered union territory of Delhi against the economic offence.

MR. CHAIRMAN: Shri Ram Singh Yadav.

श्री राम सिंह यादव (अलवर) : सभापति जी, माननीय मंत्री जी ने जो भारतीय दण्ड प्रक्रिया संहिता के संशोधन हेतु विधेयक पेश किया है उसका मैं समर्थन करता हूँ और मैं विशेष रूप से मेरे साथी वक्ता और अधिवक्ता जो हैं, जिन्होंने कुछ शंकाएं व्यक्त की हैं उन के संबंध में कुछ कहना चाहूंगा। उन्होंने कहा है कि धारा 108, 109, 110, 145 और 147 में एग्जैक्टिव मैजिस्ट्रेट को श्रवण करने के जो अधिकार दिये गये हैं वे उचित नहीं हैं। मैं उनका ध्यान मौजूदा दंड प्रक्रिया संहिता की धारा 117, 121, 122 की ओर आकर्षित करना चाहता हूँ। धारा 373 में कहा गया है कि इन धाराओं के अन्तर्गत सजा पाए हुए व्यक्ति के विरुद्ध जो अपील दायर करना चाहता है वह सेशन जज के यहां दायर कर सकता है, डी० एम० के यहां अपील दायर नहीं होगी। यह शंका कि एग्जैक्टिव मैजिस्ट्रेट का जो निर्णय होगा वह सरकार के ही पक्ष में होगा निर्मूल है क्योंकि यहां भी अपील की पावर सेशन जज को ही दी गई है, डी० एम० को नहीं।

कानून और व्यवस्था का प्रश्न भी उठाया गया है। हमारे विरोधी दल के सदस्यों को भी मौका मिला था शासन करने का। आज जब वे पुलिस या एग्जैक्टिव मैजिस्ट्रेट्स की आलोचना करते हैं तो मैं पूछना चाहता हूँ कि उन्होंने अपने कार्यकाल में कौन से कदम उठाये थे जिस से पुलिस की पावर्स सर्कम्बेट होती और उन्होंने सी आर पी में कौन से एमेंडमेंट किए थे जिन से पुलिस की पावर्स पर अंकुश लगता। कार्य-

पालिका को ला एण्ड ग्रांडर मेन्टेन करने की जिम्मेदारी आपने दी है, दायित्व दिया है और हमारा अनुभव और हमारा तजुर्बा यह बताता है कि ज्यूडिशियल मैजिस्ट्रेट को ला एण्ड ग्रांडर की पावर्स जब दी गई हैं तो उससे हालत बिगड़ी ही है, सुधरी नहीं है। उसका कारण यह है कि एक काम दो में विभक्त कर दिया जाता है और आधा काम एग्जैक्टिव को दे दिया जाता है और आधा ज्यूडिशियल मैजिस्ट्रेट को तो वह काम कभी भी सही नहीं हो सकता है। काम को सही रूप से करने के लिए जरूरी है कि एग्जैक्टिव मैजिस्ट्रेट के पास ही यह पावर रहती।

मैं यह भी कहना चाहता हूँ कि गवर्नमेंट ने आबिट्ररी पावर्स हासिल नहीं की हैं और वह इसलिये कि धारा 478 सी आर पी सी की जो हैं उसमें राज्य सरकारों को पावर दी गई है कि वे अगर जरूरी समझती हैं तो धारा 108, 109, 110, 145 और 147 के तहत यदि विवादों का निपटारा करवाना चाहती हैं, निर्णय करवाना चाहती हैं तो ज्यूडिशियल मैजिस्ट्रेट से करवा सकती हैं। इस वास्ते यह जो विधेयक पेश किया गया है यह किसी भी दृष्टि से अनुचित नहीं है और जो शंकायें उन्होंने व्यक्त की हैं, वे उचित नहीं हैं।

437 में यह व्यवस्था की गई है कि आदतन आफेंस करते हैं, जो आफेंडज हैं उनकी बेल नहीं ली जाएगी। जो इससे सम्बन्ध रखने वाले व्यक्ति हैं या जो ड्राफ्ट करने वाले लोग हैं उन से मैं निवेदन करना चाहता हूँ कि दफा 437 का तो आप ने संशोधन कर दिया है, 436 का कर दिया है वहीं पर 116 और 446 के प्राविजंज को कोई सरपास नहीं कर सकता है, उसकी तरफ भी आप क्यों नहीं देखते हैं और इसी तरह का संशोधन 438 में करते हैं। जिस व्यक्ति के ऊपर कत्ल का मुकदमा है, जिस को सजा हो चुकी

है या वह व्यक्ति जिस को दो बार से अधिक बार सजा हो चुकी है उसको भी इसमें एंटीसीपेटरी बेल मिल जाएगी। 436 और 437 और 439 में तो बेल नहीं मिल सकती है लेकिन 438 में मिल जाएगी। आप को चाहिए था कि आप यह देखते कि 438 में भी उस को एंटीसीपेटरी बेल न मिलती और उस का संशोधन आप करते।

एक व्यक्ति जो किसी का कत्ल करता है, मर्डर करता है तो जो बीरीव्ड फैमिली है उसको आप कम्पेन्सेट करवाना चाहते हैं लेकिन आप दर तय नहीं करते हैं। आप को दर भी तय कर देनी चाहिए थी। आप लाजिमी कर दें कि कम से कम इतना कम्पेन्सेशन बीरीव्ड फैमिली को जरूर मिलेगा। जिस तरह से एक्सीडेंट होने की सूरत में पचास हजार या एक लाख आप कम्पेन्सेशन देते हैं उसी तरह से जिस का कत्ल हो उसके परिवार वालों को मुआवजा मिलना चाहिये और उस की दर तय कर दी चाहिये।

17 hrs.

सैक्शन 110 में यह प्रावधान है कि ब्लैक मार्केटियर्स, होर्डर्स और स्मगलर्स, हैबिचुअल आफेंडर्स और जो लोग सिविल, लिबर्टीज एक्ट के तहत आफेंसिज करते हैं उनके खिलाफ कार्यवाही की जा सकती है। मंत्री महोदय यानों या डिस्ट्रिक्ट मैजिस्ट्रेट्स से इनफार्मेशन मंगा कर देखें कि इस सैक्शन के तहत कितने चालान पेश हुए हैं। अगर ऐसे व्यक्तियों के खिलाफ पुलिस ने जानबूझ कर चालान पेश नहीं किये हैं, तो पुलिस वालों को दंडित करने के लिये प्रावधान किया जाना चाहिए।

विरोधी पक्ष की ओर से कहा जाता है कि पुलिस की पावर्ज को करटेल किया जाये, लेकिन मुझे दुःख है कि इस बारे में एक भी सुझाव नहीं आया है कि पुलिस की पावर्ज को कैसे करटेल किया जाये जो जिम्मेदारियां

सरकार ने पुलिस को दी हैं, अगर वह उन्हें पूरा करने में सक्षम नहीं है, उस के द्वारा लापरवाही या नेगलीजेंस की गई है, तो पुलिस के खिलाफ एक्शन लेना चाहिए।

मुझे बार का एक्सपीरियंस है कि बहुत से मर्डर केसिज में इनवेस्टीगेटिंग आफिसर असली मुलजिम को छोड़ देता है और गलत आदमी के खिलाफ चालान पेश करता है। मैं सुझाव देना चाहता हूँ कि अगर सेमन्ज जज या हाई कोर्ट या सुप्रीम कोर्ट यह स्ट्रिक्चर्ड देता है कि असली मुलजिम को छोड़ दिया गया है, और किसी गलत आदमी को हीनस आफेंस में फंसा दिया गया है, तो उस निर्दोष व्यक्ति को इन्वेस्टीगेटिंग आफिसर से कम्पेन्सेशन क्यों नहीं दिलाया जाता है उस के खिलाफ एक्शन लिया जाना चाहिए।

हम उम्मीद करते हैं कि भविष्य में दंड प्रक्रिया संहिता की धारा 304 को लिबरल उदार, बनाया जाएगा और ऐसे एक्यूज्ड को डिफेंड करने के लिये प्रावधान किया जायेगा, जिस के पास मीन्ज नहीं है। सेशन कोर्ट हो, या हाई कोर्ट या सुप्रीम कोर्ट, बड़े बकील उस की पैरवी करने के लिए जल्दी से तैयार नहीं होते हैं। मेरा सुझाव है कि हाई कोर्ट और सुप्रीम कोर्ट के लेवल पर यह हल बनाया जाये कि ऐसे लोगों को अच्छे बकीलों की पैरवी कम्पलसरीली दी जा सके।

इस बिल के द्वारा नया सैक्शन 446ए जोड़ा गया है, वास्तव में वह उन लोगों के लिए है, जो हैबिचुअली जमानत देते हैं। अगर उनसे सम्बन्धित अभियुक्त अदालत में उपस्थित नहीं होता है तो उनसे जमानत वसूल न होने की स्थिति में उन्हें सजा देने का प्रावधान किया गया है। लेकिन इस धारा के मुताबिक उस आदमी को भी उतनी ही सजा दी जायगी, जो बीमारी की वजह से या गलती से अदालत में हाजिर न हो सके। इस में कम्पलसरीली छः महीने की सजा का प्रावधान किया

[श्री रामसिंह सादर]

बया है। इस में मैजिस्ट्रेट को डिस्क्रीशन देनी चाहिये थी कि अगर वह समझे कि कोई व्यक्ति रीजनेबल ग्राउंड्स की वजह से नहीं आ सका है, तो उसे सजा न दी जाये। इस बारे में दोबारा सोचने की जरूरत है।

जिस तरह जुडीशल मैजिस्ट्रेट फर्स्ट क्लास का प्रावधान किया जाता है, उसी तरह इस में यह स्पष्ट होना चाहिए कि एकसीक्यूटिव मैजिस्ट्रेट फर्स्ट क्लास हो, क्योंकि सैकंड क्लास और थर्ड क्लास के एकसीक्यूटिव मैजिस्ट्रेट भी होते हैं। इस में इस बात को स्पेसिफिक नहीं दिया गया है।

बेल सम्बन्धी प्राविजन में 'स्पेशल रीजन्ज' की बात कही गई है। मुझे इस पर आपत्ति है। विधि शब्दावलि, लीगल फेजालोजी, में 'स्पेशल रीजन्ज' की कहीं जरूरत नहीं है, सिर्फ 'रीजन्ज' ही काफी है।

'Reasons' mean that those reasons are being applied by a Judicial Magistrate or by a Judge who has got judicial discretion.

जहाँ एक व्यक्ति जुडीशल डिस्क्रीशन एक्सरसाइज करता है, वहाँ "स्पेशल रीजन्ज" की जरूरत नहीं है। इसलिए "स्पेशल" शब्द अनावश्यक और निरर्थक है, इस से कोई मतलब हल नहीं होता है।

इन शब्दों के साथ मैं इस विधेयक का समर्थन करता हूँ।

SHRI A. K. ROY (Dhanbad): Mr. Deputy-Speaker, Sir, I very humbly like to submit, Sir, that this Code of Criminal Procedure (Amendment) Bill is itself a criminal amendment. I say, this Code of Criminal Procedure should be so amended as to prevent such types of Amendments being

brought up before the House. Sir, the question is not about the small facilities that were extended earlier which have been withdrawn. It is nothing but a criminal assault on Article 50 of the Directive Principles of the State Policy in the Constitution. It says—

"50. Separation of judiciary from executive:—The State shall take steps to separate the judiciary from the executive in the public services of the State."

In the Constituent Assembly debate, it was very widely discussed. At that time, it was under Article 39-A. At that time Dr. Ambedkar said as follows:—

"It has been the desire of this country from the very long past that there should be separation of the judiciary from the executive and the demand has been continued right from the time when the Congress was founded. Unfortunately, the British Government did not give effect to the resolution of the Congress demanding this particular principle being introduced into the administration of the country. We think that the time has come when this reform should be carried out."

Sir, next day, that is, on the 25th November, 1948, Pandit Jawaharlal Nehru intervened in this particular debate and he said as follows:

"I may say straight off that so far as the Government is concerned, it is entirely in favour of the separation of judicial and executive functions. I may further say that the sooner it is brought about, the better."

Sir, it was the Congress Resolution on that day. Now, it is not the Congress Ministry. This is the Congress-I Ministry. I hope that our quasi-Home Minister, while replying to the debate will elaborate whether the Congress-I Ministry has got any obligation to

respect the Congress Resolution which was passed long back. (*Interruptions*).

AN HON. MEMBER: Now, this is Congress-I.

SHRI A. K. ROY: This is Congress (I), there is Congress (U) and now there will be Congress (They)... (*Interruptions*). You start with adding after your party name all the alphabets 'A', 'B', 'C', 'D' etc. and with 'Z'. Then everybody will be included. (*Interruptions*). Mr. Zail Singh is now sitting there and it will end with Congress (Z). And that is the end of it.

Mr. Deputy-Speaker, Sir, they have argued that it is a small piece of legislation. But its mischief-making power is not small. It is immense. You will find that it deals with sections 108, 109 and 110. I would like to say that this Section 110 is a perennial mishap for the poor people who are the people who are to suffer, not the rich people, not the people sitting on the Treasury Benches, not the propertied people, not the people with means and all those sorts of things. It is the poor people who suffer and they languish in the jails and they have to face all those ordeals. It is claimed that this amending bill has been brought forward to deal effectively with the anti-social elements and habitual offenders. If you go through the history, you will find that after 1942 movement, the British Government used to call all the persons involved in the national movement as anti-social and habitual offenders, and they used to give advertisement. At that time, they were not there; only the Congress party was there. They used to be declared as anti-social elements, habitual offenders and all sorts of things. The discentres of today may be the rulers of tomorrow. Naturally, the law should take care of that.

Various aspects of the Bill have already been argued well and I would

not like to repeat them. I wonder how you are giving all the judicial powers to the prosecutor, who is also prosecuting. Is it with an idea so that he can handle them more brutally? Now, the Congress (I) Party has a big majority in the House; they rule at the Centre as also in almost all the States; they rule on the land, they rule in the air and they rule in the water. Why are they getting afraid? Why are they bringing forward one legislation after the other with or without your permission, and clipping the wings of the judicial system.

MR. DEPUTY-SPEAKER: They do not require my permission.

SHRI A. K. ROY: They came with the Bill for restricting blackmarketing and profiteering, which afterwards would flourish under the protection of these people. Then, they came with that 'anti-social' National Security Bill which is pending in this House and now they have come with this Bill. These are nothing, but preventive detention measures: No proof is needed to show that a particular person is anti-social or not, mere apprehension will do. Poor people, Harijans, Adivasis, backward, toiling people and black people will be affected by this. They say that they are anti-social people, and they would put them behind the bar. But what about propertied and rich people? A provision has been made for anticipatory. Who will make use of that? Only the rich people and the top executives. The persons responsible for blinding a number of undertrials in Bhagalpur have taken anticipatory bail. For that, no amendment has come. These are the stark realities, which we should not forget to see.

I would like to conclude by giving a warning to all the Ministers, half-Ministers, quasi-Ministers of the consequences of such measures. Justice V. R. Krishna Iyer, while he was a judge, gave a speech in Madras and he said:

[Shri A. K. Roy]

"Law without politics, is blind; politics, without law is deaf. We suffer terribly from blind justice and deaf politics to such a degree that the day, hopefully is not far off when the common millions, now busy 'licking' their wounds and burying their dead, will begin to see and hear things for what they are and call the bluff of the Administration of Injustice."

And further:

"When the court collaborates with Law against Justice, the story of the Bastille will be writ again in blood."

With these words, I conclude.

SHRI XAVIER ARAKAL (Ernakulam): I won't take more than three minutes because I really congratulate Mr. Satish Agarwal for supporting the Bill. If you were here you would have really appreciated his arguments. He appreciated all the provisions except one, that is, Clause 2 which affects the power given to the Executive Magistrate for which Mr. A. T. Patil, the Hon. Member here, very logically, legally, has analysed the proposition of law. Now, Mr. Vajpayee has understood what I have said. Those who come late may refer to the speeches given by some other hon. Members. If you refer to the statement of objects and reasons, there are five reasons given. Does anybody in this House disagree on those points? Many Members have expressed strongly on these five points in support of this Bill. The only point where they disagreed was whether the power should be given to the Executive Magistrate or not. My submission, Sir, is if you refer to Sections 108, 109 and 110 of the Act, you will see why this power is given and for what purpose it is given. Sir, if you do not have the Cr.P.C. you may refer to the Annexure. On page 6, it is given. Mr. Roy made an eloquent speech here. I do

agree with that. But, what is the substance of it? It won't take us anywhere. We have to be objective in approaching the offences being committed under these Sections. At page 7, Sir, any offence under one or more of the following Acts namely (a) Drugs and Cosmetics Act, 1940, (b) The Foreign Exchange Regulations Act of 73 and (c) The Employees Provident Funds and Family Pension Fund etc. etc. You mean these are committed by the poor Harijans and poor people, Mr. Roy? I do not know. As far as my reading goes, Sir, the aim and object of this Act is to apprehend those who commit offences and make it non-bailable. There we stand together and the Congress Party is committed to that object.

Sir, I am referring to these provisions because they are imperative and mandatory. My submission is that this amendment should have been brought earlier. There are other provisions of the Criminal Procedure Code which require immediate attention and amendment. Those lawyers here who are practising in Magistrate Courts, will know what is happening there. We know that very well.

It is already over-burdened, delayed, lot of procedures are there, unwarranted and unrequired. My submission is by this amendment, those unwarranted procedures can be eliminated.

You do not agree with that. Where is your logic? On the one hand, you talk, delay and deny. Delay means denying the justice. Here we want to do justice. This House has been diligent enough to deliberate on the points raised here. We had the privilege to hear many people here. So, I submit that when we approach issues of economic and other offences pertaining to Sections 108, 109 and 110, this is imperative and mandatory. It ought to have been brought in earlier and implemented.

With these words, I wholeheartedly support the Bill.



श्री जयपाल सिंह कश्यप (ग्वांबला) :

उपाध्यक्ष महोदय, क्रिमिनल प्रोसीजर कोड के संशोधन का जो बिल इस समय सदन के सामने प्रस्तुत है, मैं इस के बारे में यह कहना चाहता हूँ कि यह प्रजातन्त्र की ओर से तानाशाही की ओर बढ़ते हुए कदम है। यह सरकार की मनोदशा का प्रतीक है। इस देश के लोगों को भारतीय संविधान में कुछ पण्डामेंटल राइट्स दिये गये हैं, उन राइट्स को किस तरह से छीना जाय, यहां के लोगों के अधिकारों को कैसे कम किया जाय—इस बात का प्रयास इस बिल में किया गया है। संविधान की धारा 50 के अनुसार क्रिमिनल प्रोसीजर कोड में जो पहले संशोधन किया गया था, उस में एक्जीक्यूटिव से जुडीशियरी की तरफ ले जाने का प्रयास था। लेकिन आज उन निदेशक सिद्धान्तों के विपरीत दिशा में ले जाने का प्रयत्न किया जा रहा है। मैं ऐसा समझता हूँ कि आप को उस दिशा को बदलने या उस दिशा में चलने के बाद वापस आने का अधिकार नहीं है। इसलिये मैं यह चाहता हूँ कि आप जो संशोधन लाये हैं, पहले हमें इस बारे में सर्वोच्च न्यायालय की राय लेनी चाहिए कि क्या हम को इस बात का अधिकार है कि हम एक बार जुडीशियरी को अधिकार दे दें और उस को एक्जीक्यूटिव से सैपरेट कर दें, उस को फिर से जुडीशियरी से छीन कर एक्जीक्यूटिव को दे सकते हैं? इस प्रश्न को सुप्रीम को के समक्ष भेजा जाय और उन से राय लेनी चाहिए, अन्यथा नतीजा यह होगा कि हम यहां बिल को पास कर देंगे, लेकिन आगे जा कर कानून के इण्टरप्रेटेशन में यह भ्रंश करार होगा।

इस देश में अब तक के जो लीर-तरीके रहे हैं, उन में कानून ने गरीबों पर अंकुश रखा है, लेकिन इस देश के गरीबों के लिए

खुली छूट रही है। उन पर किसी कानून का कोई अंकुश नहीं रहा है। अच्छा तो यह होता कि इस देश में पुलिस का जो राज कायम है, नौकरशाही और पुलिस की जो तानाशाही बढ़ती जा रही है, उस पर रोक लगाने के लिए कोई प्रयत्न किया जाता। लेकिन आप ने ऐसा नहीं किया, बल्कि पुलिस को ज्यादा से ज्यादा अधिकार दे कर, नौकरशाही को ज्यादा से ज्यादा अधिकार दे कर इस देश में आप तानाशाही की हालत को लादना चाहते हैं। आपकी मंशा और उद्देश्य यही मालूम होता है।

यदि कानून में ऐसा संशोधन होता कि जिन गरीबों पर अत्याचार होते हैं, जो बोट क्लब पर बैठ कर धरना देते हैं, माननीय गृह मंत्री जी और प्रधान मंत्री जी के दरवाजे खटखटाते हैं लेकिन उनकी कोई सुनवाई नहीं होती, ऐसे व्यक्तियों को राहत पहुंचाने का प्रयास होता तो हम इस का समर्थन करते, लेकिन ऐसा कोई प्रयास इस बिल में नहीं है। पुलिस स्त्रियों के साथ बलात्कार करती है, लोगों की आंखें फोड़ देती है, उत्तर प्रदेश में जिस तरह से लोगों को गोलियों से मारा जा रहा है—उन के खिलाफ इस कानून में व्यवस्था होनी चाहिए थी। पुलिस का सताया हुआ अगर पुलिस के खिलाफ कोई केस रजिस्टर कराये तो वह रजिस्टर किया जाय और पुलिस के खिलाफ भी उसी तरह से कार्यवाही की जाय जैसी दूसरे मुलजिम्मा के साथ होती है, तब हम इस कानून का समर्थन करते।

माननीय मंत्री जी, एक मंत्री की हैसियत से नहीं, बल्कि एक साधारण नागरिक की हैसियत से आप मेरे साथ किसी थाने में चलिए, यदि आप वहां कोई रिपोर्ट लिखाना चाहेंगे, तो वह रिपोर्ट वहां नहीं लिखी जायगी, जब तक आप उन को पैसा नहीं देंगे। हिन्दुस्तान के किसी भी थाने में आसानी से रिपोर्ट नहीं लिखी जाती

[श्री जयपाल सिंह कश्यप]

है, बहुत से राज्यों का तो मुझे भी अनुभव है। मैं तो यहाँ तक कहता हूँ बहुत से ऐसे लोग हैं जो खुद पुलिस के लिए दफ़ा 109 में लोगों को फँसवाते हैं। दफ़ा 109 का हर तरह से हनन होता है और वही पुरानी रटी-रटाई कहानी कोर्ट में दोहरा दी जाती है। रात को 12 बजे पकड़ा, उस की जेब से "आला-नक्रब" और एक बीड़ी का बंडल निकला। हालांकि 109 का जुर्म जुर्म नहीं है, लेकिन लाखों लोगों के साथ यही होता है, वही कहानी अदालत में दोहराई जाती है। न्याय व्यवस्था पर इन कानूनों का क्या असर पड़ेगा, यह आप देखिए। पुलिस के हाथ में आज शासन है, आप का शासन आज नहीं है। मंत्री जी, आप यहाँ बैठे हुए हैं, आप का शासन नहीं है। आज तो शासन पुलिस कर रही है। आप के हाथ में कोई बागडोर नहीं है, पुलिस पर कोई अंकुश नहीं है। आज पुलिस में भ्रष्टाचार व्याप्त है और जो इन्वेस्टिगेशन मशीनरी है, उस का तो कहना ही क्या? जिस को चाहा, छोड़ दिया जैसे लेकर और जिस को फँसाना चाहा, फँसा दिया कत्ल के मामले में फँसा दिया या डकैती के मामले में फँसा दिया। जैसा वह चाहे कर सकती है और आप उन को रोक नहीं पा रहे हैं। आप उन को पकड़ नहीं पा रहे हैं। उन पर आप अंकुश लगाइए। अगर आपने इस देश में पुलिस के जो बढ़ते हुए अधिकार हैं, उन को न रोका और उस के लिए कानून में संशोधन न किये, तो मैं यह कहूँगा :

"हृद से बढ़ जाती हैं जब इन्सान की मजबूरियाँ  
अमनपसन्द लोग भी बगावत की बात करते हैं"।

इस देश के गरीब लोगों की आँखें निकलवा कर के देश के प्रजातंत्र की रक्षा आप नहीं कर पायेंगे। आप इस देश की स्त्रियों की धानों में देहज्जती करा कर पुलिस के अधि-

कारों की बात करते हैं और इस तरह के इस नये कानून को इस देश में ला रहे हैं। कमाल है। आप 153 बी और 505 बी में हिन्दुस्तान के सारे मुकदमों को उठा कर देख लीजिए। केवल पालीटीकल आदमियों पर मुकदमें चलाए जाते हैं चाहे वह ललित सिंह यादव पर मुकदमा चलाया गया हो या राम स्वरूप वर्मा पर मुकदमा चलाया गया हो और चाहे वह जयपालसिंह कश्यप पर चलाया गया हो। जो जाति-विरोध की बात करें, जो जाति-तोड़ने की बात करें, उस पर आप की पुलिस मुकदमा कायम करती है, जो बैकवर्ड क्लासेज और शेड्यूल्ड कास्ट्स की बात करता है, जो वर्ण-व्यवस्था को तोड़ने की बात करता है, आप की पुलिस उस पर मुकदमा कायम करती है। अदालत छोड़े या न छोड़े लेकिन आप की पुलिस ऐसे ही लोगों पर मुकदमें कायम करती है। आप इस बिल के द्वारा कानून में जो संशोधन ला रहे हैं, उस में डी० एम० को अधिकार दे रहे हैं। इस के लिए आप डिस्ट्रिक्ट जज को अधिकार दीजिए। 153-बी और 505 बी में सैक्शन पावर डिस्ट्रिक्ट जज को होनी चाहिए। यह इन्सान के फण्डामेंटल राइट का सवाल है, उसके बोलने के अधिकार का सवाल है, जो संविधान ने उस को दिया है। इसलिए मेरा कहना यह है कि डिस्ट्रिक्ट जज की सैक्शन के बाद ही ये मुकदमें चलने चाहिए न कि डिस्ट्रिक्ट मैजिस्ट्रेट को यह अधिकार दिया जाना चाहिए क्योंकि उस को जिधर आप धुमायेंगे वह धूमेगा। आज पूरी एकजीक्यूटिव जिस तरह से बेनकाब हो रही है, बेमिसाल हो रही है, वह सब को मालूम है। चारों तरफ नौकरशाही के कारण धोर अन्याय व्याप्त है। इस बिल को ला कर और उसको आप बढ़ा रहे हैं।

यह कहते हुए मैं इस बिल का विरोध करता हूँ और आप ने जो मुझे समय दिया है, उसके लिए मैं आप को धन्यवाद देता हूँ।

**SHRI G. M. BANATWALLA (Ponnani):** Mr. Deputy-Speaker, the government has expressed grave concern and anxiety over the need to deal effectively with habitual offenders, anti-social elements and those fomenting communal mischief. I share this anxiety and concern. My only submission to this House is that Clauses 2 and 3 of the present Bill are unwarranted by this anxiety and concern. Clause 2 of the Bill seeks to transfer the powers from the Judicial Magistrate to the Executive Magistrate. It would be the duty of the government to give this explanation to this House how this vesting of the powers with the Judicial Magistrate and not with the Executive Magistrate, as it is today, has prevented the government from dealing effectively with the present situation. I must say that this transfer of powers from the Judicial Magistrate to the Executive Magistrate is an unfortunate scuttling of the process; it is a destruction. I should say, of inbuilt safeguards that are there in the procedural matters in our laws. I must point out to the House that, even as Section 478 of the present Criminal Procedure Code stands, the power is with the State Legislature and the State Legislature is, in its own wisdom, competent to assess the situation and to pass a resolution, if the situation is so bad. I would submit that—the powers may be transferred from the Judicial Magistrate to the Executive Magistrate, this is a very good provision in the present law—if the situation so deteriorates, if the situation so warrants, let the State Legislature meet and let it pass a resolution and let the concerned State Government in terms of section 478 consult the High Court of the state and then let the powers be transferred in accordance with the advice given by the High Court from the judicial magistrate to the executive magistrate. It is too much on the part of the government to try to make this House a party to defeating the spirit of article 50 of the Constitution which refers to separation of judiciary from the executive.

In order to be brief, I will take up several other things when my amendments come up. I may now refer to clause 3 of the Bill which makes a provision that sanction for prosecutions with respect to 153B or sub-section 2 of sub-section 3 of section 505 of the Indian Penal Code may be granted henceforward by even district magistrates. As the situation stands today, it is the state government or the central government that can sanction such prosecutions. Power is now sought to be given even to the district magistrate. A question has been asked as to what is wrong in giving this power? Only two or three days back, we had a full-fledged discussion on communal riots and at that time also I had pointed out that it was a well known fact that the local authorities were unfortunately, not immune to communalism and they did not, unfortunately, reflect an impartial attitude. It is an unfortunate state of affairs with respect to the local authorities. We have been complaining again and again with respect to it that they act with trenchant partisan attitude. That is because of the local influences. The law as it stands today is a little safeguard, an imperfect safeguard I should say, to see that local influences did not result in such prosecutions. If the power of sanctioning prosecution is given to the district magistrate, he will, we know very well, be actuated by local influences. As of today there is a lot of misuse and abuse of powers. The Powers of sanctioning prosecution have been misused not once or twice but umpteen times. Today it is rather unfortunate that we have a Bill which seeks to give remedies but which are wrong remedies and they would on the contrary aggravate the situation.

**THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI P. VENKATASUBBIAH):** Mr. Deputy-Speaker, I thank the hon. Members who have participated in this debate and contri-

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buted constructive suggestions. I do not want to answer some of the personal references made against some of our Ministers sitting here. It is due to frustration that such personal references are made. I am sure that in course of time, in course of several years to come the hon. Member who has referred to half-Minister and quasi-Ministers will not even in his wildest dream hope of becomes even a quarter of Minister. I expected that these discussions are conducted in a very objective and dignified manner. Some of these Opposition Members are suffering from a sense of frustration. That is the tragedy of it with some Members. I can only say, where ignorance is bliss, to be wise is folly. Having said, that I will only refer to the basic object and idea behind bringing those amendments. Some of the hon. Members are suffering from a misconception that these are all of a punitive nature. As a matter of fact, they are security proceedings, designed to play a role only in the prevention of crime and especially assisting the maintenance of law and order. This is only a preventive sort of a measure. It is not designed to be a punitive nature and as a matter of fact any action taken under these sections can be referred for an appeal to the Sessions Judge. So, it is as though this is arbitrary, and also it is final. And, No. 2, Shri Satish Agarwal has said that these three sections were formerly in 1973, in the jurisdiction of judicial magistrates. And he now says, Sir, that this Government for fear of certain things, they are trying to arm themselves with some punitive powers so as to make their position safer, I would like to remind the hon. Members that even this amendment which was made in 1973, it has been done by our Government led by the present Prime Minister, Smt. Indira Gandhi. There are certain compelling reasons. As I have said in my introductory remarks there are certain compelling reasons as to

have a second look at these matters and I had said, I quote again:

'In view of the prevailing law and order situation and in order to enable the law enforcing agencies to deal effectively with anti-social elements, habitual offenders and those creating enmity between groups and communities, it was considered imperative that the law should be strengthened urgently.'

This was the compelling reason and the Government which is in charge of the administration and which has come into power after obtaining a massive mandate of the people thinks that it is its duty to maintain law and order to deal with these habitual offenders and anti-social elements, people who are creating disharmony among communities and groups, black marketeers and smugglers. These are the anti-social elements that are creating trouble in the country. So, we thought that it is necessary that these sections should be brought to the jurisdiction of the executive magistrates. Even then, when the Criminal Procedure Code was amended in 1973, an option was given to the State Governments, if a resolution is passed by the State Assembly, and with the concurrence of the High Court, they can opt even for an executive, to endorse these matters to the executive magistrates. I am referring, in this connection, to the State Governments of Bihar, Haryana, Himachal Pradesh, Rajasthan and Uttar Pradesh. Even the Delhi Administration had opted for keeping these sections under the jurisdiction of the executive magistrates. Here also in the present Bill we have said that with the permission of the State Assembly and with the concurrence of the High Court, if any State Government so chooses to still retain them with the judicial magistrate, they can do so. So, in this connection, Shri Mool Chand Daga—an eminent lawyer as he is—he did not comprehend properly and he started saying that in the objects of the Bill it has

been stated that we are retaining this provision for transfer of the powers to take security proceedings under the aforementioned Sections 108, 109, and 110 to the Code. He has forgotten or by oversight he could not see item (iv) in the statement of objects and reasons which says:

"vest the power to take security proceedings under sections 108, 109 and 110 of the Code in Executive Magistrates".

Clause 8 says that "for section 478 of the principal Act, the following section shall be substituted." So, if Mr. Daga reads the new section 478 given under clause 8, then he will understand the true position.

The whole discussion has centred round the point that the Central Government are trying to arm themselves with more punitive powers, trying to become dictatorial and give more powers to the executive magistrates. In this connection, I may refer to the speeches of Shri Jaganatha Rao and Shri A. T. Patil, who have clarified the position. The executive magistrates are in charge of maintaining law and order and therefore, the power has been given to them to see that the habitual offenders and anti-social elements are dealt with quickly and expeditiously. There is nothing wrong in what this amendment seeks to provide.

Shri Satish Agarwal has quoted the 41st report of the Law Commission in defence of his contention because the 41st report states that these should be with the judicial magistrates. But I refer the hon. member to the 37th report of the Law Commission where it is categorically stated that these should be with the executive magistrates. So, if the Law Commission gives one opinion at one time and another opinion at another time, we have to take the totality of the circumstances into account and come to a conclusion.

Sections 109 and 110 are directed against suspected persons whose acti-

vities may lead to committing a cognizable offence or habitual offenders like robbers, house-breakers, etc. (Interruptions). It has been made time and again very clear that no politician will come under habitual offender and I am sure none of our hon. members about whom I have got the highest regard can be taken a habitual offender or antisocial element. Hon. Members of Parliament are leaders in their own right; they are representatives of the people. It is not the intention of the Government to direct these things against any of our friends opposite. They are only trying to create an impression in the country that this is intended for political purposes.

SHRI SOMNATH CHATTERJEE (Jadavpur): I only hope your wishes prevail!

SHRI P. VENKATASUBBAIAH: If the executive magistrate charged with the responsibility of maintenance of law and order binds a person for a period for good behaviour, I do not know why hon. members should take objection to it. I have mentioned about the 37th report of the Law Commission. They have laid emphasis on the preventive nature of the proceedings under sections 108 to 110 and their vital impact on the maintenance of law and order. In fact, there had been a recommendation that the powers under all these sections should be vested exclusively in the Executive Magistrates. That was the opinion given by the 37th Report of the Law Commission.

Some hon. Members have raised objections with regard to the amendment of section 196, whereby concurrent powers have been given to the District Magistrates. I will point out that it is only in respect of sections 153B and sub-section (2) and (3) of section 505 that concurrent powers are proposed to be given to District Magistrates, and these sections relate to offences dealing with prejudicing the national integrity and communal harmony. This is very

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limited in nature. I can understand the feelings of Shri Banatwalla. But we cannot say with one stroke that all the officers or the bureaucracy is communal-minded. We have to repose some confidence in it if the State or the country is to be administered through the bureaucracy. This amendment is of limited nature. When the Chief Secretaries met, they also recommended that this provision should be suitably amended.

**SHRI ATAL BIHARI VAJPAYEE:** Including the Chief Secretaries of West Bengal and Kerala?

**SHRI P. VENKATASUBBAIAH:** I am referring to the consensus of opinion of the Chief Secretaries. I am not in a position now to mention whether the Chief Secretaries of West Bengal and Kerala have approved of this; I can only say that the consensus emerged out of the Chief Secretaries' meeting is that this change was to be effected.

**SHRI A. K. ROY:** When I raised this point whether the representatives of the West Bengal and Kerala Governments subscribed to this view, I was told that the Minister will clarify this point while replying to the debate. So, let him clarify that.

**SHRI P. VENKATASUBBAIAH:** I have replied to that point. What more does he require?

Then I come to making the bail provision more stringent. This clause seeks to make it very difficult for habitual criminals falling within the specified category to obtain bail. It seeks to provide that if any person has already been convicted for a cognisable and non-bailable offence twice, or has been convicted once for an offence with death, or imprisonment for life, or imprisonment for 7 years or more, or had been previously convicted on two or more occasions of a non-bailable and cognisable offence, he will not ordinarily be granted bail by the court. The grant-

ing of bail in such cases would only be for special reasons to be recorded in writing. Some Members have said that under the cover of "special reasons", the court may do anything it likes. It has been specifically and categorically stated that the reasons must be minuted by the presiding officer. He has to say what are the special reasons. He cannot *suo motu* arbitrarily grant bail without giving any reasons.

Further, there is a provision that this will not be applicable if the person arrested is under the age of 16 years, or is a woman or is sick or infirm. That will answer the points raised by some hon. Members.

I may state here that this provision is to curb criminal activities by habitual offenders, who take advantage of the liberal bail provisions and commit crimes while released on bail. Some information collected from Delhi would bear this out. In Delhi, as reported by the police authorities, 1,805 persons with previous convictions were arrested for different offences after 1st January, 1978. All of them were released on bail, despite opposition by the administration. All of them were involved in offences subsequently.

Sir, the Delhi Administration has reported that "records in respect of 90 of these have been checked further which show that 67 had convictions in offences punishable with imprisonment for 7 years RI or more etc, or had 2 convictions in cognizable non-bailable offences." 37 out of these have since been detained under the National Security Ordinance.

Sir, about the position of the under-trial prisoners that has been mentioned, while the Government of India are sympathetically considering the recommendations of the Law Commission in its 78th Report to bring down incidence of unduly long detention of under-trials, the State Government of Tripura were anxious to amend Section 167 Cr.P.C. in its

application to the State of Tripura so as to provide a maximum period of detention in custody of 300 days of an offence punishable with death or with imprisonment for life or imprisonment of 3 years or more. The present Government of Tripura wants the maximum period of such custody to be raised to 200 days. (The position in the Code is that remand in custody is allowed up to a maximum of 60 days ordinarily and up to a maximum of 90 days if offence is punishable with death or with life imprisonment or imprisonment of 10 years or more). The Tripura Government had asked for this change in view of the disturbances that erupted there. By quoting this, I am not trying to cast any aspersions on the State Government. But, here, depending upon the circumstances prevailing in that area, the Tripura Government which is supposed to be a left government and a progressive government, was compelled to come forward with this suggestion that detention period must be raised to 200 days. And in the case of offences, eventually approval was given for allowing a maximum remand in custody of 120 days ordinarily and up to 189 days in case the offence was punishable with death or life imprisonment or with imprisonment of 10 years or more.

The States were consulted and most of them including West Bengal and Kerala agreed to such amendment regarding bail. (Interruptions).

Sir, another thing is about the people who give sureties. We have also made this very stringent because there are some habitual surety givers. So, care has been taken in respect of these people.

Sir, in clause 7 we have inserted a new section 446A. This provision is proposed to be inserted to provide for the cancellation of a bail bond of a person whose bond for appearance has been forfeited and that after such forfeiture of the bond, he shall not be released only on his own bond unless he is able to show sufficient

cause for his failure to appear. This provision is meant to avoid the misuse of the liberal provisions by the accused not to appear in the court and delay the trial of the case. The courts would even now on their own be cancelling the bail bond of such a person. But this provision has been inserted by way of abundant caution.

Now, I come to clause 9. This is a saving clause and seeks to provide how the proceedings already commenced before the commencement of the Bill should be dealt with.

So far as consultation with the State Governments is concerned, I have already submitted that if any of the State Governments want that these powers should be retained with the judicial magistrates, they can do so after passing a resolution in their respective State Assemblies and getting the concurrence of the State Government.

In so far as the provisions relating to bail are concerned, consultations with the States started in early 1979, and most of the States, including West Bengal and Kerala, expressed agreement with the provisions that have now been introduced in the Bill in Clauses 5, 6 and 7. So far as Clauses 2 and 3 are concerned, these were included after the Chief Secretaries' Conference, as already mentioned in my speech.

These are, as I said, measures to see that preventive action is taken so as not to allow these anti-social elements to disturb the peace, create a law and order problem and take the law into their own hands.

These are the facts of the matter. Some of the hon. Members may not have studied the implications of the Bill very thoroughly. Anyway, they are free to express their own opinion, but I may reiterate that this Government is determined to maintain law and order and to give justice to those who have been denied the same for

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ages, who have been oppressed and suppressed. We want to take them out of the clutches of the oppressive and anti-social elements.

With these words I request the hon. Members who have given notice of amendments to withdraw them and vote for the Bill.

MR. DEPUTY-SPEAKER: Shri Satish Agarwal.

SHRI RAMAVATAR SHASTRI: The House should adjourn at 6 O'Clock.

MR. DEPUTY-SPEAKER: No, it will have to be passed. It will take only 15 minutes.

I want to make it very clear that three hours were allotted to this Bill. Shri Ramavatar Shastri is objecting now, but the time allotted to his party was five minutes.

SHRI RAMAVATAR SHASTRI: Why are you mentioning my party?

MR. DEPUTY-SPEAKER: Should I not tell you what the actual position is? He knows it is a weak point for him.

The time allotted is three hours. Had we stuck to it, I would have asked every speaker to sit down after four or five minutes. I have not done that, I have given all opportunities. Now I want this Bill to be passed today. We will sit for some more time. Let us not stand on technicalities. On other occasions the opposition wants something and we agree. Therefore, I would like to take the pleasure of the House.

Is it the pleasure of the House to continue?

HON. MEMBERS: Yes.

SHRI ATAL BIHARI VAJPAYEE: Every day you cannot have it like

this. Yesterday we decided to sit for a longer period. Is this going to be the order of the day every day?

MR. DEPUTY-SPEAKER: You are a very senior Member. We will stick to time hereafter, whoever be the speaker. Three hours were allotted. But more than 3½ hours are over by now. (Interruptions)

18 hrs.

SHRI SAMAR MUKHERJEE (Howrah): Generally the extension of the House is agreed upon. But today do not try to impose.

MR. DEPUTY-SPEAKER: I am not imposing.

SHRI SAMAR MUKHERJEE: It will be taxing our patience. You can very well understand it. Psychologically, everybody is now tired. Members want to go. Many of us have appointments. I have to go just now. I have fixed an appointment considering that at 6 O'Clock the House will adjourn. In this way many hon. Members have appointments. If the sitting of the House is to be extended ... (Interruptions)

THE MINISTER OF PARLIAMEN- TARY AFFAIRS AND WORKS AND HOUSING (SHRI BHISHMA NARA- IN SINGH): Whatever time has been fixed by the Business Advisory Com- mittee will have to be adhered to to finish the business of the House in time.

MR. DEPUTY-SPEAKER: The time allotted by the Business Advi- sory Committee will have to be strictly adhered to.

(Interruptions)

MR. DEPUTY-SPEAKER: At times we have agreed to your request. We have to adjust the time. There should be give and take. Mr. Satish Agar- wal is not going to take much time.

(Interruptions)



**SHRI SAMAR MUKHERJEE:** To-day you adjourn the House.

**SHRI A. K. ROY:** We are not interested to sit any more.

**MR. DEPUTY SPEAKER:** Then in that case as soon as the time allotted by the Business Advisory Committee is over, I shall have to ring the bell.

**SHRI SAMAR MUKHERJEE:** Late sitting happens daily.

**SHRI P. VENKATASUBBAIAH:** It is not our mistake. Members want much time to speak. We, therefore, want that it should be completed to-day.

(Interruptions)

**MR. DEPUTY-SPEAKER:** Shri Ramavatar Shastri, please sit down. You belong to a small party. (Interruptions). You take much time. From the time point of view I am telling.

**SHRI SAMAR MUKHERJEE:** It cannot happen every day. To-day you adjourn. We will accommodate you on some other day.

**SHRI P. VENKATASUBBAIAH:** To-morrow, there is a meeting in the Central Hall.

**SHRI SOMNATH CHATTERJEE:** It is not deliberate on our part. To-day everybody is in difficulty. Let it be to-morrow.

**MR. DEPUTY-SPEAKER:** To-morrow we have a function in the Central Hall. We have to adjourn at 5 O'Clock.

**SHRI SAMAR MUKHERJEE:** Fix it for day after tomorrow.

**SHRI ATAL BIHARI VAJPAYEE:** Shri Satish Agarwal has to reply. Then the House will have to take up clause by clause consideration and amendments.

**MR. DEPUTY-SPEAKER:** It shall be over by 18.30. (Interruptions)

**SHRI ATAL BIHARI VAJPAYEE:** It is not possible. To-day we have engagements.

**SHRI BHISHMA NARAIN SINGH:** We give co-operation. We do not stick to the timings fixed by the Business Advisory Committee. When we want co-operation, all sorts of objections come from that side. I am very sorry. (Interruptions)

श्री सोमनाथ चटर्जी : आज मत कीजिए ।

श्री भीष्म नारायण सिंह : कल कैसे करेंगे । कल तो सोवियत प्रेजिडेंट आयेंगे और वरसों रेम्युनेरेटिव प्राइस पर डिस्कशन करना है । सब एक साथ कैसे होगा । हम आपका सहयोग चाहते हैं । I appeal to all the hon. Members and the leaders of various parties who are sitting here to please cooperate. I always cooperate with them.

**SHRI NIREN GHOSH (Dum Dum):** It does not get concluded within the allotted time. You take all the Lok Sabhas. This is what happens. Is it something new? (Interruptions).

**MR. DEPUTY-SPEAKER:** You must find out some solution.

**SHRI P. VENKATASUBBAIAH:** The only solution would be to strictly adhere to the time allotted by the Business Advisory Committee. In this case, you have been liberal ...

**SHRI BHISHMA NARAIN SINGH:** In every case.

**SHRI P. VENKATASUBBAIAH:** Certainly, we expect cooperation from them. Let them cooperate with us. (Interruptions)

**MR. DEPUTY-SPEAKER:** Everybody's convenience cannot be looked

[Mr. Deputy-Speaker]

after, we have got to complete the business.

SHRI A. K. ROY: I have got a simple solution. If they come out with a good Bill, we will see that it is passed. If they come out with a bad Bill, we cannot cooperate there.

SHRI BHISHMA NARAIN SINGH: That is for the House to consider. (Interruptions)

MR. DEPUTY SPEAKER: I am calling Shri Satish Agarwal.

SHRI RAMAVATAR SHASTRI: You take the opinion of the House.

MR. DEPUTY-SPEAKER: Please cooperate.

श्री रामावतार शास्त्री : जितना आप को अधिकार है, उतना हम को भी है । हमारी बात मान जाइये, कल देखा जायगा ।

श्री भीष्म नारायण सिंह : कल कैसे देखिएगा । कल तो ब्रेजनेव साहब का भाषण सुनियेगा । इसलिए इसका आज ही करना ठीक है ।

MR. DEPUTY-SPEAKER: Tomorrow we have got that function. Day after tomorrow there is another discussion fixed at 4 O 'Clock. Without "give and take", it is not possible to run the House. The Government is making an appeal. At times, you also make an appeal. Both sides have got to adjust. Unless it is technical or something like that, most of the points have been discussed by the hon. Members and they have been replied to. Now, Shri Satish Agarwal has to reply. Otherwise, that tempo will be lost. Shri Satish Agarwal

SHRI RAMAVATAR SHASTRI: What will happen from tomorrow

PROF. MADHU DANDAVATE: We would listen to your appeal today. But my request is let it not be come a precedent every time. In this case, it is all right.

MR. DEPUTY-SPEAKER: It will not become a precedent.

SHRI SATISH AGARWAL: Mr. Deputy-Speaker: Sir, I have heard with rapt attention the learned speeches of the hon. Members from both the sides on my Resolution seeking disapproval of the Ordinance and on the motion for consideration of this particular Bill moved by the hon. Minister.

Excepting four hon. Members, that is Shri Jagannath Rao, Shri A. T. Patil, Shri R. S. Yadav and Shri Arakkal, the rest of the hon. Members have criticised the tendency of the Government in so far as the issuing of the Ordinances is concerned or certain provisions in the Bill are concerned.

The hon. Minister, while replying to the Resolution that I moved before this House, has quoted certain extracts from the 37th Report of the Law Commission, thereby strengthening his argument that the Law Commission, in its 37th Report, had recommended—for Clauses 108, 109 and 110—that the system of executive Magistrates should be there. Now, the advocate-friends of both sides will appreciate that an over-ruled judgement or a revised judgement or a dissented judgment has no sanctity in the eye of law. If the Supreme Court has given a particular judgment and that is revised and modified later on by the same Supreme Court, that judgment cannot be cited in support of any contention before any court of law, that amounts to professional misconduct. With due regard to my learned friend, Mr. Venkatasubbaiah, I would like to remind this hon. House and through you, Sir, the Minister also of the 41st Report of the Law Commission which I cited in this House. I would

like to read the concluding paragraph of their introductory preface in this connection. The 37th Report of the Law Commission was with regard to sections 1 to 176 of the Code of Criminal Procedure. Thereafter, that Law Commission was wound up. Another Law Commission was reconstituted and that Law Commission carried on a detailed study of all the provisions, including the Reports submitted by the previous Law Commission. To what they say in their 41st Report, I would like to draw the attention of this hon. House:

"Although the first fourteen chapters of the Code have been exhaustively analysed in the previous Report of the Law Commission and a number of amendments have been proposed, we have found it unavoidably necessary to review their recommendations, to modify or alter them here and there, and to suggest in places a different line of revisions. A finely integrated and comprehensive law like the Code of Criminal Procedure cannot possibly be revised piecemeal since amendments suggested in one part of the Code naturally affect provisions in other parts to a greater or lesser extent. We therefore, propose in this final Report on the Code to consider it chapter by chapter starting from the beginning and to present the Commission's recommendations in a consolidated form."

This Law Commission, in its 41st Report, took into consideration the interim recommendations made by the previous Law Commission in its 37th Report, which was only in relation to sections 1 to 176; they took a comprehensive view, an integrated view, of the whole Code of Criminal Procedure, they considered the recommendations contained in the earlier Reports; they themselves revised it, modified it, and then submitted an integrated, consolidated Report to the Government of India; and this, they did after inviting the opinion of various High Court judges, Supreme

Court judges, Bar Associations, etc. etc. . . . A much more elaborate procedure was undertaken by this Law Commission and so, I would only humbly submit that Mr. Venkatasubbaiah's reference to the 37th Report in support of his argument in favour of Executive Magistrates for sections 108, 109 and 110 is untenable and, in the legal language, I can say that that was overruled, modified, revised; the over-ruled Report should not have been referred to; in the legal sense, it amounts to professional misconduct. So, that ends the matter there.

So far as the other points are concerned, I would like to remind him and other hon. Members also that, in respect of this particular Code of Criminal Procedure amendment, the process was initiated after the submission of the 41st Report. The Bill was submitted by your Government; there is no doubt about it; I never said that it was submitted by any other Government. The Bill was introduced in the Rajya Sabha on the 10th December, 1970. It was referred to a Joint Select Committee in December 1970. Thereafter the Lok Sabha was dissolved and again this Bill was referred to another Joint Select Committee after the reconstitution of the Lok Sabha on 31st March, 1971 in the Rajya Sabha and on 2nd April 1971, in the Lok Sabha. So in April, 1971, a Joint Select Committee comprising of members of both Houses and the Chairman belonging to the ruling party and majority of the members belonging to the then ruling party was formed and the matter was entrusted to them. I do not want to go into much detail and I would only say that this Joint Select Committee received 154 memoranda from all Bar Associations in the country, from all individuals, from many eminent jurists, legal luminaries, and advocates of the Bar and other public bodies. This particular Joint Select Committee examined 72 witnesses including prominent lawyers,

(Shri Satish Agarwal—Contd.)

Advocates, Inspectors General of Police of various States, Chief Secretaries, Home Secretaries, Police Commissioners and many others whose list is given here in the Joint Select Committee report. They toured the country and they held 44 sittings and then they drafted the report, adopted it on 4th November 1972 which was then placed before the House and then a discussion clause by clause took place in both Houses which went on till the end of 1973 . . . .

**SHRI RAM SINGH YADAV:** Your government in Rajasthan empowered the Executive Magistrates.

**SHRI SATISH AGARWAL:** It may be any government for anybody. If your government has done a good thing I support it. I supported your Jute Nationalisation Bill. If a good thing is done by this government, I support it and I stand by it. I am not a man who belongs to that tribe which believes that whatever the government does is a good thing. I am not aware of the decision which you say, was taken by the then Government of Rajasthan. If it was taken, I do not support that as many of the hon. Members sitting on that side have not supported clause (2). This is a matter of conscience and I never supported all actions of my government even when I was a Minister and I had my own opinions on that. Let it be quite clear in this respect.

So far as the reference to the 37th Report is concerned, that does not stand, that does not hold good because it was modified and reversed by the 41st Report. So far as this particular report of the Joint Select Committee is concerned, after all this thorough procedure—examining witnesses, having memoranda, discussing it technically for one full year in both Houses of Parliament and not only this, certain clauses were passed in Lok Sabha but they were re-opened and were again debated and the gov-

ernment accepted certain amendments, so with that elaborate procedure of a referee to a Select Committee, inviting memoranda, examining witnesses and coming to a definite conclusion with regard to the powers being vested in the Judicial Magistrates so far as clauses 108, 109 and 110 are concerned—that is the crux of the whole matter and now only on the recommendations of certain Chief Secretaries or certain Police Commissioners or Home Secretaries, the government has come to a different finding and how they are feeling the necessity that in order to curb or control the law and order situation in the country, they deem it desirable to amend those provisions which have been incorporated in the Code of Criminal Procedure after such long and due deliberations. With all due defence, I would submit that the law and order situation cannot be controlled by merely delegating those powers to the Executive Magistrates, because, as rightly pointed out by some hon. Members on that side also, the Executive Magistrates have got many more duties to do than to discharge their functions in the court of law. Not only that, the powers are delegated to the Judicial Magistrates of First Class but now you are delegating them to the Executive Magistrates without any distinction of class. Mr. Ram Singh Yadav is aware of the fact that in the Executive Magistrates, there are First, Second and third class magistrates also. The tehsildars are magistrates of third class. Now, if you simply make a reference to the executive magistrate—not first-class—it means that even a tehsildar sitting in a tehsil will be competent to initiate proceedings and take cognisance of Sec. 108, 109 and 110. So, this is the recommendation of the Chief Secretaries and Police Commissioners that this power should be delegated to the executive magistrates who are third-class magistrates. If that is done, then the results will also be third-class. I may tell you that you will

not be able to control the law and order situation. We are one with the Government that the law and order situation in the country should not deteriorate. So, it is not a political question but it is a question of political stability in this country. It is a question of integrity of the country. It is a question of keeping the country united. I really fail to understand why, after such due deliberations for practically three or four years from 1970 onwards the provision was for vesting the powers in judicial magistrates, First Class and you are now substituting the 'Judicial Magistrate' by the words 'Executive Magistrates' without any designation of first, second or third class? Even the third-class magistrate will be empowered under this new amended provision to exercise the powers under Sec. 108, 109 and 110. I will be the last person to accept the amendment which, in place of a judicial magistrate, First-class, authorises an executive magistrate, III Class to exercise the powers under Sections 108, 109 and 110.

So, Sir, there is a very big lacuna here. If the hon. minister or the government feels that some amendment has to be moved, whereby some class of the executive magistrate is to be incorporated into Clause 2. It is for the hon. Minister to seek an adjournment from the Chair and move the necessary amendment to that. I would also appeal to the Minister for Parliamentary Affairs that this should not be a party question. If you are going to replace or substitute the judicial magistrate, first-class then at least substitute something at par. It cannot be a donkey for a horse or *khachhar*. Anyway, I leave it to the good sense of the Parliamentary Affairs who is looking after the whole parliamentary business. I leave it also to the good conscience of the hon. Minister of State for Home Affairs Shri Venkatasubbaiah. It is for him to meet out that point.

Shri Arakal made a point that these cases will be delayed. In judicial

magistrates courts, the judicial magistrates have got no other work to do except disposing of the cases. As you are well aware, the executive magistrates have got to discharge 101 functions more apart from the court work. I do not have much experience of the lower courts for more than 25 years because, in the initial five years of my practice, I used to go to the courts from 1950 to 1955 or 1956. Thereafter, I left it. I am aware of this fact as a Member of the Legislative Assembly in Rajasthan for fifteen years. The magistrates or S.D.Os. are generally on tour—sometimes for famine relief work, sometimes for flood relief and sometimes for attending to V.I.Ps. visiting the places. So, they won't be able to dispose of cases earlier. My friend Mr. Arakal if you want early disposal of the cases, that can only be in the courts of the judicial magistrates because they have no other job to attend to except disposing of cases.

Now, Sir, in this particular case, some hon. Members have expressed the fear that this Government has got all regards for the judiciary. I am not going into that point again. I can only say that it was during the emergency—I wish to remind only one thing; we have forgotten about it—in the whole country, out of 400 district magistrates and collectors, who issued the detention orders, those detention orders had to be extended every quarter by stating that 'I am hereby satisfied that the detention is necessary in the interest of emergency. And so their detention has been extended'. Can you point out even one single district magistrate in the whole of the country who said 'I am not satisfied. So, the detenu is hereby released even after one year'. That is why I am saying that the district magistrate and the executive magistrate act in accordance with the wishes of the ruling party. But we have judicial magistrates who—whether this party in power or that party in power—here in Delhi released Mrs. Gandhi in 1978. This is the judiciary. Whether this party or that party in power the independence

[Shri Satish Agarwal]

of the judiciary and the dignity of the judiciary should be maintained. There should be no efforts by this government to denigrate the judiciary. That is why I said that I am strongly in favour of keeping these matters within the jurisdiction of judicial magistrates because as a matter of fundamental principle we have accepted the principle of separation of judiciary from executive. Sir, I do not want to quote in this respect the views of the national leaders like Jawahar Lal Nehru and others.

Sir, one particular point which very hesitatingly Mr. Jagannath Rao made and which was repeated by my friend, Mr. Patil was that the judicial magistrates do not understand the problems of law and order. They do not understand and they do not appreciate the law and order situation. It may be true. But they are not concerned with that. It is for the police. It is for the police to control it. It is for the police to make cases. It is for the police to frame out charges. It is for the police to submit papers to the magistrate for his satisfaction. How is the judicial magistrate concerned with that? When you want an executive magistrate it is because you think he can be better utilised and you can direct him that such and such situation has arisen and he should take action. Mr. Daga knows who ordered firing in Bikaner and also in Jauhri Bazar. So, Sir, the executive magistrates who are looking after the law and order situation and who are involved in ordering lathi-charge and firing should not be given the powers under Section 108, 109 and 110. This is all the more the reason that they should be kept away from this particular process and these quasi-judicial proceedings should be given to the judicial magistrate.

Sir, one argument has been put forward by Mr. Patil and supported by the Minister of State for Home Affairs that there is provision U/S 478 whereby some of the States have already amended the provision. After a resolution passed by the Assembly and

concurrence of the High Court sought, these powers U/S 108, 109 and 110 have been delegated to the executive magistrates. If some of the States have done it why unnecessarily bring this piece of legislation. Let other States do so if they feel like doing so. Where is the bar? He mentioned that States like U.P., Bihar, Himachal Pradesh, Delhi etc. have done it. So, without amending Clause 2 and without amending Section 478 of the Old Code of Criminal Procedure if this desired result can be achieved by a mere Resolution of the Assembly then you have got a massive mandate in majority of the States then those Chief Ministers if they are in favour of delegating this authority to the executive magistrate they can take advantage of Section 478 as it exists in the Old Code of Criminal Procedure and delegate these powers to the executive magistrate and do away with the whole mischief. Where is the problem? But you are as a matter of principle trying to defend and justify that judiciary is not able to do justice to the law and order cause. I do not agree with you on that score. It is a question of fundamentals and when you are doing it in that way it is something with which I do not agree. The hon. Minister has also referred to certain other conferences, to what happened in Tripura, what happened in West Bengal, what happened in Kerala and so on. And he has cited in that particular connection that there was a suggestion from Tripura and that suggestion was read out by him in the House and he said some other State Governments have agreed to that. So far as Tripura is concerned, we wish that the whole of the country does not get converted into Tripura. Let Tripura be Tripura; let Tripura remain Tripura. Tripura is not ideal for the rest of the country. Whatever has happened in Tripura, we do not want to follow in the country. We know those unfortunate events which happened in Tripura. Sir, whether it is a Government headed by Marxists or headed by Leftist, bad is bad everywhere, whether it is done by a Communist

Government or a Janata Government or a Congress Government. That is why I am not going to support it. I hold no brief either for Tripura or for West Bengal or for Kerala. We know the onslaughts that we are facing in Kerala and it is we who are fighting against it and that is why you also joined hands with us in the 1980 January Assembly elections there. A situation may develop in this country when all the nationalist forces may have to come together to fight these undemocratic forces. There may be realignment of nationalist democratic forces in this country. We should not be susceptible about anybody and everybody. We are all patriots here; we have the good of the country and the integrity of the country at heart. For certain political considerations sometimes you criticise us; we criticise you; but on basic fundamental questions relating to the security and integrity of the country we are all one. We defended Tripura. I am only citing it. (Interruption) In Kerala he says, BJP and Congress-I are one. Here we and you are one; somewhere we and they are one, but the question is this. In the changed political situation in the country which may take place within the next year, I do not know what will be the realignment. I am not going to predict that. I am not on that political plane. But I was only referring to and replying to the citation made by Mr. Venkatasubbaiah regarding Tripura, as if Tripura is some Supreme Court for us. We are not going to follow Tripura in all matters. Of course, we defended the right of the Tripura Government to remain in power and settle their problems and not to be superseded or dissolved. Whatever has happened in Tripura, may God forbid, should not happen anywhere else in the country. So, that is not the argument you should cite at this time, which has got some basic, binding effect. You have cited 37th Report, completely modified and reversed by the Law Commission itself.

SHRI P. VENKATASUBBAIAH:  
Mr. Agarwal, it is not a court where

one report supersedes the other report. The report is the 37th Report. It is not like a sessions court judgment being reversed by the High Court Judgment and all that. It is a report given by eminent jurists. That report stands. It does not mean that the 41st report will supersede the 37th Report. So, it is not like that.

SHRI SATISH AGARWAL: That will be correct when? When the previous report, interim report, partial report, is not modified by the later authority of the same State. In his case the Law Commission constituted by your Government modified that report, reversed that report; that report has no sanction; that report is non-existent so far as this report is concerned. That is the basic fundamental question. I don't want to enter into argument. You may have your own argument. Regarding the reply of the Minister with reference to Clause 2, I wish to say this. I do not touch the other provisions of the other clauses. I have fundamental opposition to the principle of issuing ordinances and the principle of exercising power by the President under Article 123 by issuing ordinances, now and then. I am basically opposed to that. I have been opposing it right from the very beginning. So I oppose it on that ground. I oppose Clause 2 particularly without making any reference to the other clauses of the Bill. And the hon. Minister, while replying, has not given any cogent reasons. He has not given any satisfactory reply as to why this retrograde step is being taken after 7 years. We are now in 1980. Your Government amended the law in 1973 on the basis of the recommendation of the Law Commission, on the basis of memoranda, on the basis of hearing witnesses, on the basis of the opinion of eminent jurists and lawyers and advocates of Supreme Court Bar Association and the Bar Association of the entire country. This Government has brought forward this law and it trying to include in the Directive Principles under "Separation of judiciary from the Executive" and vest these powers in the Judicial Ma-

[Shri P. Venkatasubbaiah]

gistrates. This is a retrograde step. You are taking the country backwards. So, I strongly condemn the attitude of the Government. I appeal to the hon. Members of this House, without any consideration of party affiliation, to adopt my Resolution for which I seek the approval of this august House.

**SHRI P. VENKATASUBBAIAH:** Sir, I would like to clarify one point which Mr. Satish Agarwal has raised. He has said that there are categories and classifications in the Executive Magistrates. I think he must be referring to the old report in this regard. But now, as it stands at present, there is no classification in the Executive magistrates. There is no Class-I Magistrate, Class-II Magistrate or Class-III Magistrate. Executive Magistrates are executive magistrates, according to me.

**MR. DEPUTY-SPEAKER:** I shall now put the Statutory Resolution by Shri Satish Agarwal to the vote of the House.

The question is:

"That this House disapproves of Criminal Procedure (Amendment) Ordinance 1980 (Ordinance No. 12 of 1980) promulgated by the President on the 23rd September, 1980."

*The Lok Sabha divided:*

Division No. 6]

[18.44 hrs.

**AYES**

Agarwal, Shri Satish  
Barman, Shri Palas  
Chaudhury, Shri Saifuddin  
Dandavate, Prof. Madhu  
Ghosh, Shri Niren  
Giri, Shri Sudhir  
Hasda, Shri Matilal  
Horo, Shri N. E.  
Lawrence, Shri M. M.  
Maitra, Shri Sunil

Mandal, Shri Mukunda  
Masudal Hossain, Shri Syed  
Pal, Prof. Rup Chand  
Rajda, Shri Ratansinh  
Roy, Shri A. K.  
Roy, Dr. Saradish  
Saha, Shri Ajit Kumar  
Shastri, Shri Ramavatar  
Varma, Shri Ravindra  
Zainal Abedin, Shri

**NOES**

Abbasi, Shri Kazi Jalil  
Anand Singh, Shri  
Ankineedu Prasad Rao, Shri P.  
Appalanaidu, Shri S. R. A. S.  
Arakal, Shri Xavier  
Baitha, Shri D. L.  
Baleshwar Ram, Shri  
Barway, Shri J. C.  
Bhardwaj, Shri Parasram  
Bhuria, Shri Dileep Singh  
Birender Singh Rao, Shri  
Chandra Shekhar Singh, Shri  
Charanjit Singh, Shri  
Chavan, Shri S. B.  
Chennupati, Shrimati Vidya  
Chingwang Konyak, Shri  
Choudhury, Shri A. B. A. Ghani Khan  
Dabhi, Shri Ajitsinh  
Daga, Shri Mool Chand  
Dev, Shri Santosh Mohan  
Dhandapani, Shri C. T.  
Dogra, Shri G. L.  
Doongar Singh, Shri  
Fernandes, Shri Oscar  
Gadgil, Shri V. N.  
Gadhavi, Shri Bheravadan K.  
Gehlot, Shri Ashok  
Gireraj Singh, Shri  
Gouzagin, Shri N.  
Jain, Shri Virdhi Chander  
Jamilur Rahman, Shri  
Jena, Shri Chintamani



Karma, Shri Laxman  
Kaul, Shrimati Sheila  
Kidwai, Shrimati Mohsina  
Krishan Dutt, Shri  
Kuchan, Shri Gangadhar S.  
Kusuma Krishna Murthy, Shri  
Lakkappa, Shri K.  
Mahabir Prasad, Shri  
Mallick, Shri Lakshman  
Mallikarjun, Shri  
Mallu, Shri A. R.  
Mishra, Shri Ram Nagina  
Misra, Shri Harinatha  
Motilal Singh, Shri  
Mukhopadhyay, Shri Ananda Gopal  
Nair, Shri B. K.  
Namgyal, Shri P.  
Nehru, Shri Arun Kumar  
Oraon, Shri Kartik  
Pandey, Shri Krishna Chandra  
Panigrahi, Shri Chintamani  
Panika, Shri Ram Pyare  
Patil, Shri A. T.  
Patil, Shri Balasaheb Vikhe  
Patil, Shri Chandrabhan Athare  
Patil, Shri Uttamrao  
Patil, Shri Veerendra  
Poojary, Shri Janardhana  
Potdukhe, Shri Shantaram  
Pradhani, Shri K.  
Prasan Kumar, Shri S. N.  
Quadri, Shri S. T.  
Ram, Shri Ramswaroop  
Rao, Shri M. Satyanarayan  
Rathod, Shri Uttam  
Raut, Shri Bhola  
Rawat, Shri Harish Chandra Singh  
Reddy, Shri P. Venkata  
Satish Prasad Singh, Shri  
Sethi, Shri Arjun  
Shakyawar, Shri Nathuram  
Shankaranand, Shri B.  
Sharma, Shri Chiranji Lal  
Sharma, Shri Kali Charan

Sharma, Shri Nand Kishore  
Shastri, Shri Hari Krishna  
Shiv Shankar, Shri P.  
Singh Deo, Shri K. P.  
Sparrow, Shri R. S.  
Stephen, Shri C. M.  
Sukhbans Kaur, Shrimati  
Sunder Singh, Shri  
Tapeswar Singh, Shri  
Tayeng, Shri Sobeng  
Tayyab Hussain, Shri  
Tewary, Prof. K. K.  
Thorat, Shri Bhausahab  
Tripathi, Shri R. N.  
Vairale, Shri Madhusudan  
Venkataraman, Shri R.  
Venkatasubbaiah, Shri P.  
Virbhadra Singh, Shri  
Vyas, Shri Girdhari Lal  
Wagh, Dr. Pratap  
Yadav, Shri Ram Singh  
Yazdani, Dr. Golam  
Zail Singh, Shri  
Zainul Basher, Shri

MR. DEPUTY-SPEAKER: Subject to correction, the result\* of the division is:

Ayes : 20

Noes : 100.

*The motion was negatived.*

MR. DEPUTY-SPEAKER: Now, amendments to the motion for consideration.

SHRI MOOL CHAND DAGA: I seek leave of the House to withdraw my amendment to the motion for consideration.

\*The following Members also recorded their votes for NOES: Shri P. V. Narasimha Rao, Shri Mundar Sharma, Shri S. B. Sidnal, Shri Shankarrao Patil, and Shri C. Pallanappan.

MR. DEPUTY-SPEAKER: Has Shri Daga leave of the House to withdraw his amendment?

SOME HON. MEMBERS: No.

MR. DEPUTY-SPEAKER: I shall put the amendment to the motion for consideration moved by Shri Mool Chand Daga to the vote of the House.

The question is:

"That the Bill further to amend the Code of Criminal Procedure, 1973, be referred to Select Committee consisting of 12 Members, namely:

- (1) Shri Banwari Lal
- (2) Prof. Madhu Dandavate
- (3) Shri Harish Kumar Gangwar
- (4) Shri Krishna Kumar Goyal
- (5) Shri Nihal Singh Jain
- (6) Dr. Karan Singh
- (7) Shri Y. S. Mahajan
- (8) Shri T. Nagaratnam
- (9) Shri Arjun Sethi
- (10) Shri Dharam Das Shastri
- (11) Shri P. Venkatasubbaiah;  
and
- (12) Shri Mool Chand Daga

With instruction to report by the 31st January, 1981." (1)

*The Lok Sabha divided:*

Division No. 7]

[18.47 hrs.

AYES

Agarwal, Shri Satish  
Banatwalla, Shri G. M.  
Barman, Shri Palas  
Choudhury, Shri Saifuddin  
Dandavate, Prof. Madhu  
Ghosh, Shri Niren  
Giri, Shri Sudhir

Hasda, Shri Matilal  
Horo, Shri N. E.  
Lawrence, Shri M. M.  
Maitra, Shri Sunil  
Mandal, Shri Mukunda  
Masudal Hossain, Shri Syed  
Pal, Prof. Rup Chand  
Rajda, Shri Ratansinh  
Roy, Shri A. K.  
Roy, Dr. Saradish  
Saha, Shri Ajit Kumar  
Shastri, Shri Ramavatar  
Verma, Shri Ravindra  
Zainal Abedin, Shri

NOES

Abbasi, Shri Kazi Jalil  
Anand Singh, Shri  
Ankineedu Prasad Rao, Shri P.  
Appalanaidu, Shri S. R. A. S.  
Arakal, Shri Xavier  
Baitha, Shri D. L.  
Baleshwar Ram, Shri  
Barway, Shri J. C.  
Bhardwaj, Shri Parasram  
Bhuria, Shri Dileep Singh  
Birender Singh Rao, Shri  
Chandra Shekhar Singh, Shri  
Charanjit Singh, Shri  
Chavan, Shri S. B.  
Chennupati, Shrimati Vidya  
Chingwang Konyak, Shri  
Choudhury, Shri A. B. A. Ghani Khan  
Dabhi, Shri Ajitsinh  
Dev, Shri Sontosh Mohan  
Dhandapani, Shri C. T.  
Dogra, Shri G. L.  
Doongar Singh, Shri  
Fernandes, Shri Oscar  
Gadgil, Shri V. N.  
Gadhavi, Shri Bheravadan K.  
Gehlot, Shri Ashok  
Giriraj Singh, Shri

Gouzagin, Shri N.  
 Jain, Shri Virdhi Chander  
 Jamilur Rahman, Shri  
 Jena, Shri Chintamani  
 Karma, Shri Laxman  
 Kaul, Shrimati Sheila  
 Krishan Dutt, Shri  
 Kuchan, Shri Gangadhar S.  
 Kusuma Krishna Murthy, Shri  
 Lakkappa, Shri K.  
 Mahabir Prasad, Shri  
 Mallick, Shri Lakshman  
 Mallikarjun, Shri  
 Mallu, Shri A. R.  
 Mishra, Shri Ram Nagina  
 Misra, Shri Harinatha  
 Motilal Singh, Shri  
 Mukhopadhyay, Shri Ananda Gopal  
 Nair, Shri B. K.  
 Namgyal, Shri P.  
 Nehru, Shri Arun Kumar  
 Oraon, Shri Kartik  
 Palaniappan, Shri C.  
 Pandey, Shri Krishna Chandra  
 Panigrahi, Shri Chintamani  
 Panika, Shri Ram Pyare  
 Patil, Shri A. T.  
 Patil, Shri Balasaheb Vikhe  
 Patil, Shri Chandrabhan Athare  
 Patil, Shri Shankarrao  
 Patil, Shri Uttamrao  
 Patil, Shri Veerendra  
 Poojary, Shri Janardhana  
 Potdukhe, Shri Shantaram  
 Pradhani, Shri K.  
 Prasan Kumar, Shri S. N.  
 Quadri, Shri S. T.  
 Ram, Shri Ramswaroop  
 Rao, Shri M. Satyanarayan  
 Rao, Shri P. V. Narasimha  
 Rathod, Shri Uttam

Raut, Shri Bhola  
 Rawat, Shri Harish Chandra Singh  
 Reddy, Shri P. Venkata  
 Satish Prasad Singh, Shri  
 Sethi, Shri Arjun  
 Shakyawar, Shri Nathuram  
 Shankaranand, Shri B.  
 Sharma, Shri Chiranji Lal  
 Sharma, Shri Kali Charan  
 Sharma, Shri Mundar  
 Sharma, Shri Nand Kishore  
 Shastri, Shri Hari Krishna  
 Shiv Shankar, Shri P.  
 Sidnal, Shri S. B.  
 Singh Deo, Shri K. P.  
 Sparrow, Shri R. S.  
 Stephen, Shri C. M.  
 Sukhbuns Kaur, Shrimati  
 Sunder Singh, Shri  
 Tapeswar Singh, Shri  
 Tayeng, Shri Sobeng  
 Tayyab Hussain, Shri  
 Tewary, Prof. K. K.  
 Thorat, Shri Bhausahab  
 Tripathi, Shri R. N.  
 Vairale, Shri Madhusudan  
 Venkataraman, Shri R.  
 Venkatasubbaiah, Shri P.  
 Virbhadra Singh, Shri  
 Vyas, Shri Girdhari Lal  
 Wagh, Dr. Pratap  
 Yadav, Shri Ram Singh  
 Yazdani, Dr. Golam  
 Zail Singh, Shri  
 Zainul Basher, Shri

MR. DEPUTY-SPEAKER: Subject to correction, the result\* of the division is:

AYES : 21

NOES : 103

*The motion was negatived.*

\*Shrimati Mohsina Kidwai also voted for NOES.

MR. DEPUTY-SPEAKER: I shall now put amendment No. 10 to the motion for consideration, moved by Shri A. K. Roy. The question is:

That the Bill further to amend the Code of Criminal Procedure, 1973, be referred to Select Committee consisting of 12 Members,  
Halder

(1) Shri Krishna Chandra Halder

(2) Shri Mukunda Mandal

(3) Shri Sanat Kumar Mandal

(4) Shri Manni Lal

(5) Shri Ram Swarup Ram

(6) Shri Bholu Raut

(7) Shri Amar Roypradhan

(8) Shri Ajit Kumar Saha

(9) Shri Gadadhar Saha

(10) Shri Babu Lal Solanki

(11) Shri Sunder Singh; and

(12) Shri P. Venkatasubbaiah

with instruction to report by the 26th January, 1981.

*The Lok Sabha divided:*

Division No. 8] .. [18.53 hrs.

AYES

Agarwal, Shri Satish

Banatwalla, Shri G. M.

Barman, Shri Palas

Chaudhury, Shri Saifuddin

Dandavate, Prof. Madhu

Dandavate, Shrimati Pramila

Ghosh, Shri Niren

Giri, Shri Sudhir

Hasda, Shri Matilal

Horo, Shri N. E.

Lawrence, Shri M. M.

Maitra, Shri Sunil

Mandal, Shri Mukunda

Musudal Hossain, Shri Syed

Pal, Prof. Rup Chand

Rajda, Shri Ratansinh

Roy, Shri A. K.

Roy, Dr. Saradish

Saha, Shri Ajit Kumar

Shastri, Shri Ramavatar

Varma, Shri Ravindra

Zainal Abedin, Shri

NOES

Abbasi, Shri Kazi Jalil

Anand Singh, Shri

Ankineedu Prasad Rao, Shri P.

Appalanaidu, Shri S. R. A. S.

Arakal, Shri Xavier

Baitha, Shri D. L.

Baleshwar Ram, Shri

Barway, Shri J. C.

Bhardwaj, Shri Parasram

Bhuria, Shri Dileep Singh

Birendra Singh Rao, Shri

Chandra Shekhar Singh, Shri

Charanjit Singh, Shri

Chavan, Shri S. B.

Chennupati, Shrimati Vidya

Chingwang Konyak, Shri

Choudhury, Shri A. B. A. Ghani Khan

Dabhi, Shri Ajitsinh

Daga, Shri Mool Chand

Dev, Shri Sontosh Mohan

Dhandapani, Shri C. T.

Dogra, Shri G. L.

Doongar Singh, Shri

Fernandes, Shri Oscar

Gadgil, Shri V. N.

Gadhavi, Shri Bheravadan K.

Gehlot, Shri Ashok

Giriraj Singh, Shri

Gouzagin, Shri N.

Jain, Shri Virdhi Chander

Jamilur Rahman, Shri

Jena, Shri Chintamani

Karma, Shri Laxman

Kaul, Shrimati Sheila

Kidwai, Shrimati Mohsina

Kuchan, Shri Gangadhar S.  
 Kusuma Krishna Murthy, Shri  
 Lakkappa, Shri K.  
 Mahabir Prasad, Shri  
 Mallick, Shri Lakshman  
 Mallikarjun, Shri  
 Mallu, Shri A. R.  
 Mishra, Shri Ram Nagina  
 Misra, Shri Harinatha  
 Motilal Singh, Shri  
 Mukhopadhyay, Shri Ananda Gopal  
 Nair, Shri B. K.  
 Namgyal, Shri P.  
 Nehru, Shri Arun Kumar  
 Oraon, Shri Kartik  
 Palaniappan, Shri C.  
 Pandey, Shri Krishna Chandra  
 Panigrahi, Shri Chintamani  
 Panika, Shri Ram Pyare  
 Patil, Shri A. T.  
 Patil, Shri Balasaheb Vikhe  
 Patil, Shri Chandrabhan Athare  
 Patil, Shri Shankarrao  
 Patil, Shri Uttamrao  
 Patil, Shri Veerendra  
 Poojary, Shri Janardhana  
 Potdukhe, Shri Shantaram  
 Pradhani, Shri K.  
 Prasan Kumar, Shri S. N.  
 Quadri, Shri S. T.  
 Ram, Shri Ramswaroop  
 Rao, Shri M. Satyanarayan  
 Rao, Shri P. V. Narasimha  
 Rathod, Shri Uttam  
 Raut, Shri Bhola  
 Rawat, Shri Harish Chandra Singh  
 Reddy, Shri P. Venkata  
 Satish Prasad Singh, Shri  
 Sethi, Shri Arjun  
 Shakyawar, Shri Nathuram  
 Shankaranand, Shri B.  
 Sharma, Shri Chiranji Lal

Sharma, Shri Kali Charan  
 Sharma, Shri Mundar  
 Sharma, Shri Nand Kishore  
 Shastri, Shri Hari Krishan  
 Shiv Shankar, Shri P.  
 Sidnal, Shri S. B.  
 Singh Deo, Shri K. P.  
 Sparrow, Shri R. S.  
 Stephen, Shri C. M.  
 Sukhbuns Kaur, Shrimati  
 Sunder Singh, Shri  
 Tapeswar Singh, Shri  
 Tayeng, Shri Sobeng  
 Tayyab Hussain, Shri  
 Tewary, Prof. K. K.  
 Thorat, Shri Bhausahab  
 Tripathi, Shri R. N.  
 Vairale, Shri Madhusudan  
 Venkataraman, Shri R.  
 Venkatasubbaiah, Shri P.  
 Virbhadra Singh, Shri  
 Vyas, Shri Girdhari Lal  
 Yadav, Shri Ram Singh  
 Yazdani, Dr. Golam  
 Zainul Basher, Shri

MR. DEPUTY SPEAKER: Subject to correction, the result\* of the division is:

AYES : 22

NOES : 102

*The motion was negatived.*

MR. DEPUTY SPEAKER: Now the question:

"That the Bill further to amend the Code of Criminal Procedure, 1973, be taken into consideration."

*The Lok Sabha divisions:*

Division No. 9]

[18.85 hrs.

AYES

Abbasi, Shri Kazi Jalil

\*The following Members also recorded their votes for NOES: Shri Zail Singh, Shri Krishna Dutt, and Dr. Pratap Wagh.

Anand Singh, Shri  
Ankineedu Prasad Rao, Shri P.  
Appalanaidu, Shri S. R. A. S.  
Arakal, Shri Xavier  
Barway, Shri J. C.  
Bhardwaj, Shri Parasram  
Bhuria, Shri Dileep Singh  
Birendra Singh Rao, Shri  
Chandra Shekhar Singh, Shri  
Charanjit Singh, Shri  
Chavan, Shri S. B.  
Chennupati, Shrimati Vidya  
Chingwang Konyak, Shri  
Chinnaswamy, Shri C.  
Choudhury, Shri A. B. A. Ghani Khan  
Dabhi, Shri Ajitsinh  
Daga, Shri Mool chand  
\*Dandavate, Shrimati Pramila  
Dev, Shri Sontosh Mohan  
Dhandapani, Shri C. T.  
Dogra, Shri G. L.  
Doongar Singh, Shri  
Fernandes, Shri Oscar  
Gadgil, Shri V. N.  
Gadhavi, Shri Bheravadan K.  
Gouzagin, Shri N.  
Jain, Shri Virdhi Chander  
Jamilur Rahman, Shri  
Jena, Shri Chintamani  
Karma, Shri Laxman  
Kaul, Shrimati Sheila  
Kidwai, Shrimati Mohsina  
Kuchan, Shri Gangadhar S.  
Kusuma Krishna Murthy, Shri  
Lakkappa, Shri K.  
Mahabir Prasad, Shri  
\*Maitra, Shri Sunil  
Mallick, Shri Lakshman  
Mallikarjun, Shri  
Mallu, Shri A. R.  
Mishra, Shri Ram Nagina  
Misra, Shri Harinatha

Motilal Singh, Shri  
Mukhopadhyay, Shri Ananda Gopal  
Nair, Shri B. K.  
Namgyal, Shri P.  
Nehru, Shri Arun Kumar  
Pandey, Shri Krishna Chandra  
Panigrahi, Shri Chintamani  
Panika, Shri Ram Pyare  
Patil, Shri A. T.  
Patil, Shri Balasaheb Vikhe  
Patil, Shri Chandrabhan Athare  
Patil, Shri Shankarrao  
Patil, Shri Veerendra  
Poojary, Shri Janardhana  
Potdukhe, Shri Shantaram  
Pradhani, Shri K.  
Prasan Kumar, Shri S. N.  
Quadri, Shri S. T.  
Ram, Shri Ramswaroop  
Rao, Shri M. Satyanarayan  
Rao, Shri P. V. Narasimha  
Rathod, Shri Uttam  
Raut, Shri Bhola  
Rawat, Shri Harish Chandra Singh  
Reddy, Shri P. Venkata  
Satish Prasad Singh, Shri  
Sethi, Shri Arjun  
Shakyawar, Shri Nathuram  
Shankaranand, Shri B.  
Sharma, Shri Chiranji Lal  
Sharma, Shri Kalj Charan  
Sharma, Shri Mundar  
Sharma, Shri Nand Kishore  
Shastri, Shri Hari Krishna  
\*Shastri, Shri Ramavatar  
Shiv Shankar, Shri P.  
Sidnal, Shri S. B.  
Singh Deo, Shri K. P.  
Stephen, Shri C. M.  
Sukhbuns Kaur, Shrimati  
Tapeshwar Singh, Shri  
Tayeng, Shri Sobeng

Tayyab Hussain, Shri  
Tewary, Prof. K. K.  
Thorat, Shri Bhausahab  
Vairale, Shri Madhusudan  
Venkataraman, Shri R.  
Venkatasubbaiah, Shri P.  
Virbhadra Singh, Shri  
Vyas, Shri Girdhari Lal  
Wagh, Dr. Pratap  
Yazdani, Dr. Golam  
Zail Singh, Shri  
Zainul Basher, Shri

NOES

Agarwal, Shri Satish  
Barman, Shri Palas  
Choudhury, Shri Saifuddin  
Dandavate, Prof. Madhu  
\*Gehlot, Shri Ashok  
Ghosh, Shri Niren  
Giri, Shri Sudhir  
Hasda, Shri Matilal  
Horo, Shri N. E.  
Lawrence, Shri M. M.  
Mandal, Shri Mukunda  
Masudal Hossain, Shri Syed  
Pal, Prof. Rup Chand  
Rajda, Shri Ratansinh  
Roy, Shri A. K.  
Roy, Dr. Saradish  
Saha, Shri Ajit Kumar  
\*Sparrow, Shri R. S.

\*Sunder Singh, Shri  
Tripathi, Shri R. N.  
Varma, Shri Ravindra  
Zainal Abedin, Shri

MR. DEPUTY SPEAKER: Subject to correction, the result\*\* of the division is:

Ayes : 96

Noes : 22

*The motion was adopted.*

Clause 2—(Amendment of Section 108, 109 and 110).

MR. DEPUTY-SPEAKER: We now take up clause by clause consideration of the Bill. Now clause 2, Shri Bhogendra Jha is not here. Shri G. M. Banatwalla.

SHRI G. M. BANATWALLA: I beg to move:

"Page 1, line 7,—

Omit "108". (7)

MR. DEPUTY-SPEAKER: Mr. Daga, are you moving?

SHRI MOOL CHAND DAGA: I am not moving it.

SHRI G. M. BANATWALLA: At this late stage I once again appeal to the Government and to the entire House to rise above party considerations and see to it that the powers which are to be exercised by the judicial magistrate are not given to the executive magistrate and the country is saved from the annihilation of the democratic principles of separation of the executive and the judiciary.

MR. DEPUTY-SPEAKER: I shall now put amendment No. 7 moved by

---

\*Wrongly voted for NOES.

\*\*The following Members also recorded their votes:—

AYES: Shri Kartik Oraon, Shri D. L. Baitha, Shri Krishan Dutt, Shri Uttamrao Patil, Shri Giriraj Singh, Shri Ram Singh Yadav, Shri Sunder Singh, Shri R. S. Sparrow and Shri Ashok Gehlot;

NOES: Shrimati Pramila Dandavate, Shri Ramavatar Shastri, and Shri Sunil Maitra.

Shri Banatwalla to the vote of the House. The question is:

Page 1, line 7,—

Omit "108", (7).

The Lok Sabha divided:

Division No. 10] [19.01 hrs.

AYES

Agarwal, Shri Satish  
Banatwalla, Shri G. M.  
Barman, Shri Palas  
Choudhury, Shri Saifuddin  
Dandavate, Prof. Madhu  
Dandavate, Shrimati Pramila  
Ghosh, Shri Niren  
Giri, Shri Sudhir  
Hasda, Shri Matilal  
Horo, Shri N. E.  
\*Kaul, Shrimati Sheila  
Lawrence, Shri M. M.  
Maitra, Shri Sunil  
Masudal Hossain, Shri Syed  
Pal, Prof. Rup Chand  
Rajda, Shri Ratansinh  
Roy, Shri A. K.  
Roy, Dr. Saradish  
Saha, Shri Ajit Kumar  
Shastri, Shri Ramavatar  
Varma, Shri Ravindra  
Zainal Abedin, Shri

NOES

Abbasi, Shri Kazi Jalil  
Anand Singh, Shri  
Ankineedu Prasad Rao, Shri P.  
Appalanaidu, Shri S. R. A. S.  
Arakal, Shri Xavier  
Baitha, Shri D. L.  
Baleshwar Ram, Shri  
Barway, Shri J. C.  
Bhardwaj, Shri Parasram  
Bhuria, Shri Dileep Singh

Birender Singh Rao, Shri  
Chandra Shekhar Singh, Shri  
Charanjit Singh, Shri  
Chavan, Shri S. B.  
Chennupati, Shrimati Vidya  
Chingwang Konyak, Shri  
Choudhury, Shri A. B. A. Ghani  
Khan  
Dabhi, Shri Ajitsinh  
Daga, Shri Mool Chand  
Dev, Shri Sontosh Mohan  
Dhandapani, Shri C. T.  
Dogra, Shri G. L.  
Doongar Singh, Shri  
Fernandes, Shri Oscar  
Gadgil, Shri V. N.  
Gehlot, Shri Ashok  
Gireraj Singh, Shri  
Gouzagin, Shri N.  
Jain, Shri Virdhi Chander  
Jamilur Rahman, Shri  
Jena, Shri Chintamani  
Karma, Shri Laxman  
Kidwai, Shrimati Mohsina  
Krishan Dutt, Shri  
Kuchan, Shri Gangadhar S.  
Kusuma Krishna Murthy, Shri  
Lakkappa, Shri K.  
Mallick, Shri Lakshman  
Mallikarjun, Shri  
Mallu, Shri A. R.  
Mishra, Shri Ram Nagina  
Misra, Shri Harinatha  
Motilal Singh, Shri  
Mukhopadhyay, Shri Ananda Gopal  
Nair, Shri B. K.  
Namgyal, Shri P.  
Nehru, Shri Arun Kumar  
Oraon, Shri Kartik  
Palaniappan, Shri C.  
Pandey, Shri Krishna Chandra  
Panigrahi, Shri Chintamani

\*Wrongly voted for AYES.



Panika, Shri Ram Pyare  
Patil, Shri A. T.  
Patil, Shri Balasaheb Vikhe  
Patil, Shri Chandrabhan Athare  
Patil, Shri Shankarrao  
Patil, Shri Uttamrao  
Patil, Shri Veerendra  
Poojary, Shri Janardhana  
Potdukhe, Shri Shantaram  
Pradhani, Shri K.  
Prasan Kumar, Shri S. N.  
Quadri, Shri S. T.  
Ram, Shri Ramswaroop  
Rao, Shri M. Satyanarayan  
Rao, Shri P. V. Narasimha  
Rathod, Shri Uttam  
Raut, Shri Bhola  
Rawat, Shri Harish Chandra Singh  
Reddy, Shri P. Venkata  
Satish Prasad Singh, Shri  
Sethi, Shri Arjun  
Shakyawar, Shri Nathuram  
Shankaranand, Shri B.  
Sharma, Shri Chiranji Lal  
Sharma, Shri Kali Charan  
Sharma, Shri Mundar  
Sharma, Shri Nand Kishore  
Shastri, Shri Hari Krishna  
Shiv Shankar, Shri P.  
Sidnal, Shri S. B.  
Singh Deo, Shri K. P.  
Sparrow, Shri R. S.  
Stephen, Shri C. M.  
Sukhbuns Kaur, Shrimati  
Sunder Singh, Shri  
Tapeswar Singh, Shri  
Tayeng, Shri Sobeng  
Tayyab Hussain, Shri  
Tewary, Prof. K. K.

Thorat, Shri Bhausahab  
Tripathi, Shri R. N.  
Vairale, Shri Madhusudan  
Venkataraman, Shri R.  
Venkatasubbaiah, Shri P.  
Virbhadra Singh, Shri  
Vyas, Shri Girdhari Lal  
Wagh, Dr. Pratap  
Yadav, Shri Ram Singh  
Yazdani, Dr. Golam  
Zail Singh, Shri  
Zainul Basher, Shri

MR. DEPUTY-SPEAKER: Subject to correction, the result\* of the division is:

AYES : 22

NOES : 102

*The motion was negatived.*

MR. DEPUTY-SPEAKER: I shall now put clause 2 to the vote of the House.

The question is:

“That clause 2 stand part of the Bill”

*The Lok Sabha divided:*

Division No. 11]

[19.04 hrs.

AYES

Abbasi, Shri Kazi Jalil  
Anand Singh, Shri  
Ankineedu Prasad Rao, Shri P.  
Appalanaidu, Shri S. R. A. S.  
Arakal, Shri Xavier  
Baitha, Shri D. L.  
Baleswar Ram, Shri  
Barway, Shri J. C.  
Bhardwaj, Shri Parasram  
Bhuria, Shri Dileep Singh  
Birender Singh Rao, Shri

\*The following Members also recorded their votes:

AYES: Shri Mukunda Mandal;

NOES: Shri B. K. Gadhavi, Shri Mahabir Prasad and Shrimati Sheila Kaul.

Chandra Shekhar Singh, Shri  
 Charanjit Singh, Shri  
 Chavan, Shri S. B.  
 Chennupati, Shrimati Vidya  
 Chingwang Konyak, Shri  
 Chaudhury, Shri A. B. A. Ghani Khan  
 Dabhi, Shri Anjitsinh  
 Daga, Shri Mool Chand  
 Dev, Shri Sontosh Mohan  
 Dhandapani, Shri C. T.  
 Dogra, Shri G. L.  
 Doongar Singh, Shri  
 Fernandes, Shri Oscar  
 Gadgil, Shri V. N.  
 Gadhavi, Shri Bheravadan K.  
 Gehlot, Shri Ashok  
 Gireraj Singh, Shri  
 Gouzagin, Shri N.  
 Jain, Shri Virdhi Chander  
 Jamilur, Rahman, Shri  
 Jena, Shri Chintamani  
 Karma, Shri Laxman  
 Kaul, Shrimati Sheila  
 Kidwai, Shrimati Mohisna  
 Kuchan, Shri Gangadhar S.  
 Kusuma Krishna Murthy, Shri  
 Lakkappa, Shri K.  
 Mahabir Prasad, Shri  
 Mallick, Shri Lakhshman  
 Mallikarjun, Shri  
 Mallu, Shri A. R.  
 Misra, Shri Harinatha  
 Motilal Singh, Shri  
 Mukhopadhyay, Shri Ananda Gopal  
 Nair, Shri B. K.  
 Namgyal, Shri P.  
 Nehru, Shri Arun Kumar  
 Oraon, Shri Kartik  
 Palaniappan, Shri C.  
 Pandey, Shri Krishna Chandra  
 Panigrahi, Shri Chintamani  
 Panika, Shri Ram Pyare

Patil, Shri A. T.  
 Patil, Shri Balasaheb Vikhe  
 Patil, Shri Chandrabhan Athare  
 Patil, Shri Shankarrao  
 Patil, Shri Veerendra  
 Poojary, Shri Janardhana  
 Potdukhe, Shri Shantaram  
 Pradhani, Shri K.  
 Prasan Kumar, Shri S. N.  
 Quadri, Shri S. T.  
 Ram, Shri Ramswaroop  
 Rao, Shri M. Satyanarayan  
 Rao, Shri P. V. Narasimha  
 Rathod, Shri Uttam  
 Raut, Shri Bhola  
 Rawat, Shri Harish Chandra Singh  
 Reddy, Shri P. Venkata  
 Satish Prasad Singh, Shri  
 Sethi, Shri Arjun  
 Shakyawar. Shri Nathuram  
 Shankaranand, Shri B.  
 Sharma, Shri Chiranji Lal  
 Sharma, Shri Kali Charan  
 Sharma, Shri Mundar  
 Sharma, Shri Nand Kishore  
 Shastri, Shri Hari Krishna  
 Shiv Shankar, Shri P.  
 Sidnal, Shri S. B.  
 Singh Deo, Shri K. P.  
 Sparrow, Shri R. S.  
 Stephen, Shri C. M.  
 Sukhbuns Kaur, Shrimati  
 Tapeswar Singh, Shri  
 Tayeng, Shri Sobeng  
 Tayyab Hussain, Shri  
 Tewary, Prof. K. L.  
 Thorat, Shri Bhausaheb  
 Tripathi, Shri R. N.  
 Vairale, Shri Madhusudan  
 Venkataraman, Shri R.  
 Venkatasubbaiah, Shri P.  
 Virbhadra Singh, Shri  
 Vyas, Shri Girdhari Lal

Wagh, Dr. Pratap  
Yadav, Shri Ram Singh  
Yazdani, Dr. Golam  
Zail Singh, Shri  
Zainul Basher, Shri

**NOES**

Agarwal, Shri Satish  
Banatwalla, Shri G. M.  
Barman, Shri Palas  
Choudhury, Shri Saifuddin  
Dandavate, Prof. Madhu  
Dandavate, Shrimati Pramila  
Ghosh, Shri Niren  
Giri, Shri Sudhir  
Hasda, Shri Matilal  
Horo, Shri N. E.  
Lawrence, Shri M. M.  
Maitra, Shri Sunil  
Mandal, Shri Mukunda  
Masudal Hossain, Shri Syed  
Rajda, Shri Ratansinh  
Roy, Shri A. K.  
Roy, Dr. Saradish  
Saha, Shri Ajit Kumar  
Shastri, Shri Ramavatar  
\*Sunder Singh, Shri  
Varma, Shri Ravindra  
Zainul Abedin, Shri

MR. DEPUTY SPEAKER: Subject to correction, the result\*\* of the division is:

Ayes : 101

Noes : 022

The motion was adopted.

\*Wrongly voted for NOES.

\*\*The following Members also recorded their votes.

AYES: Shri Uttamrao Patil, Shri Ram Nagina Mishra and Shri Sundar Singh.

NOES: Prof. Roop Chand Pal.

Clause 2 was added to the Bill.

Clause 3 (Amendment of section 136).

MR. DEPUTY SPEAKER: Shri Banatwalla.

SHRI G. M. BANATWALLA: I beg to move:

Page 2, line 9,—

omit "or of the District Magistrate" (8)

Page 2, lines 12 and 13,—

omit "and the District Magistrate may, before according sanction under sub-section (1A)" (9).

At present, the power to sanction prosecutions under Section 153B of IPC is with the Central Government and the State Governments. It is now sought to give the power also to the District Magistrates. And it is an unhappy experience of the minorities that they have been the victims of local influences and pressures on local authorities. The hon. Minister has said that the Government stands by the oppressed and suppressed people and by the minorities and weaker sections. I appeal to the Government not to give, unnecessarily, this power to the District Magistrate who is susceptible to local influences and local pressures. Let the inbuilt safeguards exist. I say that the present deteriorating situation also does not warrant the transfer of this power to the District Magistrate.

MR. DEPUTY-SPEAKER: I shall now put amendments No. 8 and 9 to clause 3 moved by Shri G. M. Banatwalla to the vote of the House.

The question is:

"Page 2, line 9,—

omit "or of the District Magistrate". (8)

Page 2, lines 12 and 13,—

omit "and the District Magistrate may, before according sanction under sub-section (1A)." (9)

The lobbies have been cleared already.

*The Lok Sabha divided.*

Division No. 12] AYES [19.10 lrs.  
AYES

Agarwal, Shri Satish  
Banatwalla, Shri G. M.  
Barman, Shri Palas  
Choudhury, Shri Saifuddin  
Dandavate, Prof. Madhu  
Dandavate, Shrimati Pramila  
Ghosh, Shri Niren  
Giri, Shri Sudhir  
Hasda, Shri Matilal  
Horo, Shri N. E.  
Lawrence, Shri M. M.  
Maitra, Shri Sunil  
Mandal, Shri Mukunda  
Masudal Hossain, Shri Syed  
Pal, Prof. Roop Chand  
Rajda, Shri Ratansinh  
Roy, Shri A. K.  
Roy, Dr. Saradish  
Saha, Shri Ajit Kumar  
Shastri, Shri Ramavatar  
Varma, Shri Ravindra  
Zainul Abedin, Shri

NOES

Abbasi, Shri Kazi Jalil  
Anand Singh, Shri  
Ankineedu Prasad Rao, Shri P.  
Appalanaidu, Shri S. R. A. S.  
Arakal, Shri Xavier  
Baitha, Shri D. L.  
Baleshwar Ram, Shri  
Barway, Shri J. C.

Bhardwaj, Shri Parasram  
Bhuria, Shri Dileep Singh  
Birender Singh Rao, Shri  
Chandra Shekhar Singh, Shri  
Charanjit Singh, Shri  
Chavan, Shri S. B.  
Chennupati, Shrimati Vidya  
Chingwang Konyak, Shri  
Choudhury, Shri A. B. A. Ghani Khan  
Dabhi, Shri Ajitsinh  
Daga, Shri Mool Chand  
Dev, Shri Sontosh Mohan  
Dhandapani, Shri C. T.  
Dogra, Shri G. L.  
Doongar Singh, Shri  
Fernandes, Shri Oscar  
Gadgil, Shri V. N.  
Gadhavi, Shri Bheravadan K.  
Gehlot, Shri Ashok  
Gireraj Singh, Shri  
Gouzagin, Shri N.  
Jain, Shri Virdhi Chander  
Jamilur Rahman, Shri  
Jena, Shri Chintamani  
Karma, Shri Laxman  
Kaul, Shrimati Sheila  
Kidwai, Shrimati Mohsina  
Krishan Dutt, Shri  
Kuchan, Shri Gangadhar S.  
Kusuma Krishna Murthy, Shri  
Lakkappa, Shri K.  
Mahabir Prasad, Shri  
Mallick, Shri Lakshman  
Mallikarjun, Shri  
Mallu, Shri A. R.  
Mishra, Shri Ram Nagina  
Misra, Shri Harinatha  
Motilal Singh, Shri  
Mukhopadhyay, Shri Ananda Gopal  
Nair, Shri B. K.  
Namgyal, Shri P.  
Nehru, Shri Arun Kumar

Orson, Shri Kartik  
 Palaniappan, Shri C.  
 Pandey, Shri Krishna Chandra  
 Panigrahi, Shri Chintamani  
 Panika, Shri Ram Pyare  
 Patil, Shri A. T.  
 Patil, Shri Balasaheb Vikhe  
 Patil, Shri Chandrabhan Athare  
 Patil, Shri Uttamrao  
 Patil, Shri Veerendra  
 Poojary, Shri Janardhana  
 Potdukhe, Shri Shantaram  
 Pradhani, Shri K.  
 Prasan Kumar, Shri S. N.  
 Quadri, Shri S. T.  
 Ram, Shri Ramswaroop  
 Rao, Shri M. Satyanarayan  
 Rao, Shri P. V. Narasimha  
 Rathod, Shri Uttam  
 Raut, Shri Bhola  
 Rawat, Shri Harish Chandra Singh  
 Reddy, Shri P. Venkata  
 Satish Prasad Singh, Shri  
 Sethi, Shri Arjun  
 Shakyawar, Shri Nathuram  
 Shankaranand, Shri B.  
 Sharma, Shri Chiranji Lal  
 Sharma, Shri Kali Charan  
 Sharma, Shri Mundar  
 Sharma, Shri Nand Kishore  
 Shastri, Shri Hari Krishna  
 Shiv Shankar, Shri P.  
 Sindal, Shri S. B.  
 Singh Deo, Shri K. P.  
 Sparrow, Shri R. S.  
 Stephen, Shri C. M.  
 Sukhabuns Kaur, Shrimati  
 Sunder Singh, Shri  
 Tapeswar Singh, Shri  
 Tayeng, Shri Sobeng  
 Tayyab Hussain, Shri  
 Tewary, Prof. K. K.  
 Thorai, Shri Bhausaheb

Tripathi, Shri R. N.  
 Vairale, Shri Madhusudan  
 Venkataraman, Shri R.  
 Venkatasubbalah, Shri E.  
 Virbhadra Singh, Shri  
 Vyas, Shri Girdhari Lal  
 Wagh, Dr. Pratap  
 Yadav, Shri Ram Singh  
 Yazdani, Dr. Golam  
 Zail Singh, Shri  
 Zainul Basher, Shri

MR. DEPUTY-SPEAKER: Subject to correction, the result of the division is:

Ayes : 22

Noes : 104

*The motion was negatived.*

MR. DEPUTY-SPEAKER: Now, the question is:

*"That Clause 3 stand part of the Bill."*

*The Lok Sabha divided.*

AYES

Division No. 131 [19.14 hrs.

Abbasi, Kazi Jall  
 Anand Singh, Shri  
 Ankineedu Prasad Rao, Shri P.  
 Appalanaidu, Shri S. R. A. S.  
 Arakal, Shri Xavier  
 Baitha, Shri D. L.  
 Baleshwar Ram, Shri  
 Barway, Shri J. C.  
 Bhardwaj, Shri Parasram  
 Bhuria, Shri Dileep Singh  
 Birender Singh Rao, Shri  
 Chandra Shekhar Singh, Shri  
 Charanjit Singh, Shri  
 Chavan, Shri S. B.  
 Chennupati, Shrimati Vidya

Chingwang Kenyak, Shri  
 Choudhury, Shri A. B. A. Ghani Khan  
 Dabhi, Shri Ajitsinh  
 Daga, Shri Mool Chand  
 Dev, Shri Sontosh Mohan  
 Dhandapani, Shri C. T.  
 Dogra, Shri G. L.  
 Doongar Singh, Shri  
 Fernandes, Shri Oscar  
 Gadgil, Shri V. N.  
 Gadhavi, Shri Bheravadan K.  
 Gehlot, Shri Ashok  
 Gireraj Singh, Shri  
 Gouzagin, Shri N.  
 Jain, Shri Viridhi Chander  
 Jamilur Rahman, Shri  
 Jena, Shri Chintamani  
 Karma, Shri Laxman  
 Kaul, Shrimati Sheila  
 Kidwai, Shrimati Mohsina  
 Krishan Dutt, Shri  
 Kuchan, Shri Gangadhar S.  
 Kusuma Krishna Murthy, Shri  
 Lakkappa, Shri K.  
 Mahabir Prasad, Shri  
 Mallick, Shri Lakshman  
 Mallikarjun, Shri  
 Mishra, Shri Ram Nagina  
 Motilal Singh, Shri  
 Mukhopadhyay, Shri Ananda Gopal  
 Nair, Shri B. K.  
 Namgyal, Shri P.  
 Nehru, Shri Arun Kumar  
 Oraon, Shri Kartik  
 Palaniappan, Shri C.  
 Pandey, Shri Krishna Chandra  
 Panigrahi, Shri Chintamani  
 Panika, Shri Ram Pyare  
 Patil, Shri A. T.  
 Patil, Shri Balasaheb Vikhe  
 Patil, Shri Chandrabhan Athare  
 Patil, Shri Shankarrao  
 Patil, Shri Uttamrao

Patil, Shri Veerendra  
 Poojary, Shri Janardhana  
 Potdukhe, Shri Shantaram  
 Pradhani, Shri K.  
 Prasan Kumar, Shri S. N.  
 Quadri, Shri S. T.  
 Ram, Shri Ramswaroop  
 Rao, Shri M. Satyanarayan  
 Rao, Shri P. V. Narasimha  
 Rathod, Shri Uttam  
 Raut, Shri Bhola  
 Rawat, Shri Harish Chandra Singh  
 Reddy, Shri P. Venkata  
 Satish Prasad Singh, Shri  
 Sethi, Shri Arjun  
 Shakyawar, Shri Nathuram  
 Shankaranand, Shri B.  
 Sharma, Shri Kali Charan  
 Sharma, Shri Mundar  
 Sharma, Shri Nand Kishore  
 Shastri, Shri Hari Krishna  
 Shiv Shankar, Shri P.  
 Sidnal, Shri S. B.  
 Singh Deo, Shri K. P.  
 Sparrow, Shri R. S.  
 Stephen, Shri C. M.  
 Sukhbuns Kaur, Shrimati  
 Sunder Singh, Shri  
 Tapeswar Singh, Shri  
 Tayeng, Shri Sobeng  
 Tayyab Hussain, Shri  
 Tewary, Prof. K. K.  
 Thorat, Shri Bhausahab  
 Tripathi, Shri R. N.  
 Vairale, Shri Madhusudan  
 Venkataraman, Shri R.  
 Venkatasubbaiah, Shri P.  
 Virbhadra Singh, Shri  
 Vyas, Shri Girdhari Lal  
 Yadav, Shri Ram Singh  
 Yazdani, Dr. Golam

Zail Singh, Shri  
Zainul Basher Shri

**NOES**

Agarwal, Shri Satish  
Banatwalla, Shri G. M.  
Barman, Shri Palas  
Choudhury, Shri Saifuddin  
Dandavate, Prof. Madhu  
Dandavate, Shrimati Pramila  
Ghosh, Shri Niren  
Giri, Shri Sudhir  
Hasda, Shri Matilal  
Horo, Shri N. E.  
Jha, Shri Bhogendra  
Lawrence, Shri M. M.  
Maitra, Shri Sunil  
Mandal, Shri Mukunda  
Masuda Hossain, Shri Syed  
Pal, Prof. Rup Chand  
Rajda, Shri Ratansinh  
Roy, Shri A. K.  
Roy, Dr. Saradish  
Saha, Shri Ajit Kumar  
Shastri, Shri Ramavtar  
Varma, Shri Ravindra  
Zainal Abedin, Shri

MR. DEPUTY-SPEAKER: Subject to correction, the result \*of the division is:

Ayes : 101

Noes: 23

The 'Ayes have it, the Ayes have it.

*The motion was adopted*

*Clause 3 was added to the Bill.*

**Clause 4—(Amendment of Section 436).**

MR. DEPUTY-SPEAKER: There is no amendment to clause 4. The question is:

"That clause 4 stand part of the Bill."

*The Lok Sabha divided:*

**AYES**

Division No. 14] [19.17 hrs.

Abbasi, Shri Kazi Jalil  
Anand Singh, Shri  
Ankineedu Prasad Rao, Shri P.  
Appalanaidu, Shri S. R. A. S.  
Arakal, Shri Xavier  
Baitha, Shri D. L.  
Baleshwar Ram, Shri  
Barway, Shri J. C.  
Bhardwaj, Shri Parasram  
Bhuria, Shri Dileep Singh  
Birender Singh Rao, Shri  
Chandra Shekhar Singh, Shri  
Charanjit Singh, Shri  
Chavan, Shri S. B.  
Chennupati Shrimati Vidya  
Chingwang Konyak, Shri  
Choudhury, Shri A. B. A. Ghani Khan  
Dabhi, Shri Ajitsinh  
Daga, Shri Mool Chand  
Dev, Shri Sontosh Mohan  
Dhandapani, Shri C. T.  
Dogra, Shri G. L.  
Doongar Singh, Shri  
Fernandes, Shri Oscar  
Gadgil, Shri V. N.  
Gadhavi, Shri Bheravaadan K.  
Gehlot, Shri Ashok  
Girera] Singh, Shri  
Gouzagin, Shri N.  
Jain, Shri Virdhi Chander  
Jamilur Rahman, Shri  
Jena, Shri Chintamani  
Karma, Shri Laxman  
Kaul, Shrimati Sheila  
Kidwai, Shrimati Mohsina

\*Shri Hari Natha Mishra also noted for AYES:

Krishan Dutt, Shri  
 Kuchan, Shri Gangadhar S.  
 Kusuma Krishna Murthy, Shri  
 Lakkappa, Shri K.  
 Mahabir Prasad, Shri  
 Mallick, Shri Lakshmati  
 Mallikarjun, Shri  
 Mallu, Shri A. R.  
 Mishra, Shri Ram Nagina  
 Misra, Shri Harinatha  
 Motilal Singh, Shri  
 Mukhopadhyay, Shri Ananda Gopal  
 Nair, Shri B. K.  
 Nehru, Shri Arun Kumar  
 Oraon, Shri Kartik  
 Palaniappan, Shri C.  
 Pandey, Shri Krishna Chandra  
 Panigrahi, Shri Chintamani  
 Panika, Shri Ram Pyare  
 Patil, Shri A. T.  
 Patil, Shri Balasaheb Vikhe  
 Patil, Shri Chandrabhan Athare  
 Patil, Shri Shankarrao  
 Patil, Shri Uttamrao  
 Patil, Shri Veerendra  
 Poojary, Shri Janardhana  
 Potdukhe, Shri Shantaram  
 Pradhani, Shri K.  
 Prasan Kumar, Shri S. N.  
 Quadri, Shri S. T.  
 Ram, Shri Ramswaroop  
 Rao, Shri M. Satyanarayan  
 Rao, Shri P. V. Narasimha  
 Rathod, Shri Uttam  
 Raut, Shri Bhola  
 Rawat, Shri Harish Chandra Singh  
 Reddy, Shri P. Venkata  
 Satish Prasad Singh, Shri  
 Sethi, Shri Arjun  
 Shakyawar, Shri Nathuram  
 Shankaranand, Shri B.  
 Sharma, Shri Kali Charan  
 Sharma, Shri Munda

Sharma, Shri Nand Kishore  
 Shastri, Shri Hari Krishna  
 Shiv Shankar, Shri P.  
 Sidnal, Shri S. B.  
 Singh Deo, Shri K. P.  
 Sparrow, Shri R. S.  
 Stephen, Shri C. M.  
 Sukhbans Kaur, Shrimati  
 Sunder Singh, Shri  
 Tapeswar Singh, Shri  
 Tayeng, Shri Sobeng  
 Tayyab Hussain, Shri  
 Tewary, Prof. K. K.  
 Thorat, Shri Bhausahab  
 Tripathi, Shri R. N.  
 Vairale, Shri Madhusudan  
 Venkataraman, Shri R.  
 Venkatasubbaiah, Shri P.  
 Virbhadra Singh, Shri  
 Vyas, Shri Girdhari Lal  
 Wagh, Dr. Pratap  
 Yadav, Shri Ram Singh  
 Yazdani, Dr. Golam  
 Zail Singh, Shri  
 Zainul Basher, Shri

## NOES

Agarwal, Shri Satish  
 Barman, Shri Palas  
 Choudhury, Shri Saifuddin  
 Dandavate, Prof. Madhu  
 Dandavate, Shrimati Pramila  
 Ghosh, Shri Niren  
 Giri, Shri Sudhir  
 Hasda, Shri Matilal  
 Horo, Shri N. E.  
 Jha, Shri Bhogendra  
 Lawrence, Shri M. M.  
 Maitra, Shri Sunil  
 Mandal, Shri Mukunda  
 Masudal Hossain, Shri Syed  
 Pal, Prof. Rup Chand  
 Roy, Shri A. K.



Roy, Dr. Saradish  
Saha, Shri Ajit Kumar  
Shastri, Shri Ramavatar  
Varma, Shri Ravindra  
Zainal Abedin, Shri

MR. DEPUTY-SPEAKER: Subject to correction, the result\* of the division is:

AYES : 103

NOES : 21

*The motion was adopted.*

*Clause 4 was added to the Bill.*

*Clause 5—(Amendment of section 437)*

SHRI BHOGEN德拉 JHA: Sir, I beg to move:

"Page 2,—

*for lines 31 to 34, substitute—*

"of an offence punishable with death or imprisonment for life (5)."

Page 2, line 34,—

*add at the end—*

"except in cases connected with agrarian or trade union disputes or movements concerning collective demands of any section of the people." (16).

Sir, here the question is that the amendment sought by this Bill contravenes the spirit of new Cr. P.C. because here, in this clause 5 it is going to be made more difficult for the granting of bail to a person who has not been proved guilty. At that stage, I have moved a minor amendment.

In clause 5, sub-clause (a)(1)(ii) reads:

"such person shall not be so released if such offence is a cognizable offence and he had been previously convicted of an offence punishable

with death, imprisonment for life or imprisonment for seven years or more, or he had been previously convicted on two or more occasions of a non-bailable and cognizable offence;"

This is the amendment as proposed in the Bill. I would like the whole House to appreciate that it is very dangerous. Suppose one person has been convicted or sentenced to one month's RI or SI or two months' RI or SI—let it be RI—then he shall not be granted bail in a new case when he is not proved guilty. Afterwards he may be cleared as innocent and gets clean acquittal. But if he is kept in jail as an undertrial prisoner on account of his previous conviction for one month or two months, then in that case for one year he will have to be in prison and then he gets acquittal. That will be a crime against justice it is a crime not against that individual, but against the very system itself. So, I think that will be modified and here the amendment is in modification only. Here, the amendment is a modification, so that the last three lines are deleted. That is the minimum. So, I insist that this should be accepted, and I appeal to them also because it is not we alone who will be affected, the whole system will be affected by it. I urge that my amendment be accepted.

MR. DEPUTY-SPEAKER: I shall now put amendment Nos. 5 and 16 to Clause 5 moved by Shri Bhogendra Jha to the vote of the House.

The question is:

Page 2,—

*for lines 31 to 34, substitute—*

"of an offence punishable with death or imprisonment for life."  
(5)

\*The following Members also recorded their votes:

AYES: Shri P. Nangyal;

NOES: Shri Ratansinh Rajda.

[Mr. Deputy-Speaker]

Page 2 line 34.—

add at the end—

“except in cases connected with agrarian or trade union disputes or movements concerning collective demands of any section of the people.” (16)

The Lok Sabha divided:

Division No. 15]

[19.28 hrs.

AYES

Agarwal, Shri Satish  
Barman, Shri Palas  
Choudhury, Shri Saifuddin  
Dandavate, Prof. Madhu  
Dandavate, Shrimati Pramila  
Ghosh, Shri Niren  
Giri, Shri Sudhir  
Hasda, Shri Matilal  
Horo, Shri N. E.  
Jha, Shri Bhogendra  
Lawrence, Shri M. M.  
Maitra, Shri Sunil  
Mandal, Shri Mukunda  
Masudal Hossain, Shri Syed  
Pal, Prof. Rup Chand  
Rajda, Shri Ratansinh  
Roy, Shri A. K.  
Roy, Dr. Saradish  
Saha, Shri Ajit Kumar  
Shastri, Shri Ramavatar  
Varma, Shri Ravindra  
Zainal Abedin, Shri

NOES:

Abbasi, Shri Kazi Jalil  
Anand Singh, Shri  
Ankineedu Prasad Rao, Shri P.  
Appalanaidu, Shri S. R. A. S.  
Arakal, Shri Xavier  
Baitha, Shri D. L.  
Baleshwar Ram, Shri  
Barway, Shri J. C.

Bhardwaj, Shri Parasram  
Bhuria, Shri Dileep Singh  
Birender Singh Rao, Shri  
Chandra Shekhar Singh, Shri  
Chavan, Shri S. B.  
Chennupati, Shrimati Vidya  
Chingwang Konyak, Shri  
Choudhury, Shri A. B. A. Ghani Khan  
Dabhi, Shri Ajitsinh  
Daga, Shri Mool Chand  
Dev, Shri Sontosh Mohan  
Dhandapani, Shri C. T.  
Dogra, Shri G. L.  
Doongar Singh, Shri  
Fernandes, Shri Oscar  
Gadgil, Shri V. N.  
Gadhavi, Shri Bheravadan K.  
Gehlot, Shri Ashok  
Gireraj Singh, Shri  
Gouzagin, Shri N.  
Jain, Shri Virdhi Chander  
Jamilur Rahman, Shri  
Jena, Shri Chintamani  
Karma, Shri Laxman  
Kaul, Shrimati Sheila  
Kidwai, Shrimati Mohsina  
Krishna Dutt, Shri  
Kuchan, Shri Gangadhar S.  
Kusuma Krishna Murthy, Shri  
Lakkappa, Shri K.  
Mahabir Prasad, Shri  
Mallick, Shri Lakshman  
Mallikarjun, Shri  
Mallu, Shri A. R.  
Mishra, Shri Ram Nagina  
Misra, Shri Harinatha  
Motilal Singh, Shri  
Mukhopadhyay, Shri Ananda Gopal  
Nair, Shri B. K.  
Namgyal, Shri P.  
Nehru, Shri Arun Kumar  
Oraon, Shri Kartik  
Palaniappan, Shri C.

Pandey, Shri Krishna Chandra  
Panigrahi, Shri Chintamani  
Panika, Shri Ram Pyare  
Patil, Shri A. T.  
Patil, Shri Balasaheb Vilke  
Patil, Shri Chandrabhan Athare  
Patil, Shri Shankarrao  
Patil, Shri Uttamrao  
Patil, Shri Veerendra  
Poojary, Shri Janardhana  
Potdukhe, Shri Shantaram  
Pradhani, Shri K.  
Prasan Kumar, Shri S. N.  
Quadri, Shri S. T.  
Ram, Shri Ramswaroop  
Rao, Shri M. Satyanarayan  
Rao, Shri P. V. Narasimha  
Rathod, Shri Uttam  
Raut, Shri Bhola  
Rawat, Shri Harish Chandra Singh  
Reddy, Shri P. Venkata  
Satish Prasad Singh, Shri  
Sethi, Shri Arjun  
Shakyawar, Shri Nathuram  
Shankaranand, Shri B.  
Sharma, Shri Kali Charan  
Sharma, Shri Nand Kishore  
Shastri, Shri Hari Krishna  
Shiv Shankar, Shri P.  
Sidnal, Shri S. B.  
Singh Deo, Shri K. P.  
Sparrow, Shri R. S.  
Stephen, Shri C. M.  
Sukhbuns Kaur, Shrimati  
Sunder Singh, Shri  
Tapeswar Singh, Shri  
Tayeng, Shri Sobeng  
Tayyab Hussain, Shri  
Tewary, Prof. K. K.  
Thorat, Shri Bhausahab  
Tripathi, Shri R. N.  
Vairale, Shri Madhusudan

Venkataraman, Shri R.  
Venkatasubbalah, Shri P.  
Virbhadra Singh, Shri  
Vyas, Shri Girdhari Lal  
Wagh, Dr. Pratap  
Yadav, Shri Ram Singh  
Yazdani, Dr. Golam  
Zail Singh, Shri  
Zainul Basher, Shri

MR. DEPUTY-SPEAKER: Subject to correction result of the division is as follows:

AYES : 22

NOES : 102

*The motion was negatived.*

MR. DEPUTY-SPEAKER: The question is:

"That Clause 5 stand part of the Bill."

*The Lok Sabha divided:*

Division No. 16]

[19.30 hrs.

AYES

Abbasi, Shri Kazi Jalil  
Anand Singh, Shri  
Ankineedu Prasad Rao, Shri P.  
Appalanaidu, Shri S. R. A. S.  
Arakal, Shri Xavier  
Baitha, Shri D. L.  
Baleshwar Ram, Shri  
Barway, Shri J. C.  
Bhardwaj, Shri Parasram  
Bhuria, Shri Dileep Singh  
Birender Singh Rao, Shri  
Chandra Shekhar Singh, Shri  
Chavan, Shri S. B.  
Chennupati, Shrimati Vidya  
Chingwang Konyak, Shri  
Choudhury, Shri A. B. A. Ghani Ki  
Dabhi, Shri Ajitsinh  
Daga, Shri Mool Chand

Dev, Shri Sontesh Mohan  
 Dhandapani, Shri C. T.  
 Dogra, Shri G. L.  
 Doongar Singh, Shri  
 Fernandes, Shri Oscar  
 Gadgil, Shri V. N.  
 Gadhavi, Shri Bheravadan K.  
 Gehlot, Shri Ashok  
 Gouzagin, Shri N.  
 Jamilur Rahman, Shri  
 Jena, Shri Chintamani  
 Karma, Shri Laxman  
 Kaul, Shrimati Sheila  
 Kidwai, Shrimati Mohsina  
 Krishan Dutt, Shri  
 Kuchan, Shri Gangadhar S.  
 Kusuma Krishna Murthy, Shri  
 Lakkappa, Shri K.  
 Mahabir Prasad, Shri  
 Mallick, Shri Lakshman  
 Mallikarjun, Shri  
 Mallu, Shri A. R.  
 Mishra, Shri Ram Nagina  
 Misra, Shri Harinatha  
 Motilal Singh, Shri  
 Mukhopadhyay, Shri Ananda Gopal  
 Nair, Shri B. K.  
 Namgyal, Shri P.  
 Nehru, Shri Arun Kumar  
 Oraon, Shri Kartik  
 Palaniappan, Shri C.  
 Pandey, Shri Krishna Chandra  
 Panigrahi, Shri Chintamani  
 Patil, Shri A. T.  
 Patil, Shri Balasaheb Vikhe  
 Patil, Shri Chandrabhan Athare  
 Patil, Shri Shankarrao  
 Patil, Shri Uttamrao  
 Patil, Shri Veerendra  
 Poojary, Shri Janardhana

Potdukhe, Shri Shantaram  
 Pradhani, Shri K.  
 Prasan Kumar, Shri S. N.  
 Quadri, Shri S. T.  
 Ram, Shri Ramswaroop  
 Rao, Shri M. Satyanarayan  
 Rao, Shri P. V. Narasimha  
 Rathod, Shri Uttam  
 Raut, Shri Bhola  
 Rawat, Shri Harish Chandra Singh  
 Reddy, Shri P. Venkata  
 Satish Prasad Singh, Shri  
 Sethi, Shri Arjun  
 Shakyawar, Shri Nathuram  
 Shankaranand, Shri B.  
 Sharma, Shri Kali Charan  
 Sharma, Shri Nand Kishore  
 Shastri, Shri Hari Krishna  
 Shiv Shankar, Shri P.  
 Sidnal, Shri S. B.  
 Singh Deo, Shri K. P.  
 Sparrow, Shri R. S.  
 Stephen, Shri C. M.  
 Sukhbuns Kaur, Shrimati  
 Sunder Singh, Shri  
 Tapeswar Singh, Shri  
 Tayeng, Shri Sobeng  
 Tayyab Hussain, Shri  
 Tewary, Prof. K. K.  
 Thorat, Shri Bhausahab  
 Vairale, Shri Madhusudan  
 Venkataraman, Shri R.  
 Venkatasubbaiah, Shri P.  
 Virbhadra Singh, Shri  
 Vyas, Shri Girdhari Lal  
 Wagh, Dr. Pratap  
 Yadav, Shri Ram Singh  
 Yazdani, Dr. Golam  
 Zail Singh, Shri  
 Zainul Basher, Shri

NOES

Agarwal, Shri Satish  
Barman, Shri Palas  
Choudhury, Shri Saifuddin  
Dandavate, Prof. Madhu  
Dandavate, Shrimati Pramila  
Giri, Shri Sudhir  
Hasda, Shri Matilal  
Horo, Shri N. E.  
Jha, Shri Bhogendra  
Lawrence, Shri M. M.  
Maitra, Shri Sunil  
Mandal, Shri Mukunda  
Masudal Hossain, Shri Syed  
Pal, Prof. Rup Chand  
Rajda, Shri Ratansinh  
Roy, Shri A. K.  
Roy, Dr. Saradish  
Saha, Shri Ajit Kumar  
Shastri, Shri Ramavatar  
\*Tripathi, Shri R. N.  
Varma, Shri Ramindra  
Zainal Abedin, Shri

MR. DEPUTY-SPEAKER: Subject to correction the result\*\* of the division is:

AYES : 98

NOES : 22

*The motion was adopted.*

*Clause 5 was added to the Bill.*

MR. DEPUTY-SPEAKER: The question is:

"That clause 6 stand part of the Bill."

*The Lok Sabha divided:*

Division No. 17] [19.39 hrs.

AYES

Abhasi, Shri Kazi Jalil  
Anand Singh, Shri  
Ankineedu Prasad Rao, Shri P.  
Appalanaidu, Shri S. R. A. S.  
Arakal, Shri Xavier  
Baitha, Shri D. L.  
Baleshwar Ram, Shri  
Barway, Shri J. C.  
Bhardwaj, Shri Parasram  
Bhuria, Shri Dileep Singh  
Birender Singh Rao, Shri  
Chandra Shekhar Singh, Shri  
Chavan, Shri S. B.  
Chennupati, Shrimati Vidya  
Chingwang Konyak, Shri  
Chaudhury, Shri A. B. A. Ghan  
Khan  
Dabhi, Shri Ajitsinh  
Daga, Shri Mool Chand  
Dev, Shri Sontosh Mohan  
Dhandapani, Shri C. T.  
Dogra, Shri G. L.  
Doongar Singh, Shri  
Fernandes, Shri Oscar  
Gadgil, Shri V. N.  
Gadhavi, Shri Bheravadan K.  
Gehlöt, Shri Ashok  
Gireraj Singh, Shri  
Gouzagin, Shri N.  
Jain, Shri Virdhi Chander  
Jamilur Rahman, Shri  
Jena, Shri Chintamani  
Karma, Shri Laxman  
Kaul, Shrimati Sheila  
Kidwai, Shrimati Mohsina

\*Wrongly voted for NOES.

\*\*The following Members also recorded their votes:

AYES: Shri R. P. Panika, Shri Gireraj Singh, Shri Virdhi Chander Jain and Shri R. N. Tripathi;

NOES: Shri Niren Ghosh.

Krishan Dutt, Shri  
 Kuchan, Shri Gangadhar S.  
 Kusuma Krishna Murthy, Shri  
 Lakkappa, Shri K.  
 Mahabir Prasad, Shri  
 Mallick, Shri Lakshman  
 Mallikarjun, Shri  
 Mallu, Shri A. R.  
 Mishra, Shri Ram Nagima  
 Misra, Shri Harinatha  
 Motilal Singh, Shri  
 Mukhopadhyay, Shri Ananda Gopal  
 Nair, Shri B. K.  
 Nangyal, Shri P.  
 Oraon Shri Kartik  
 Palaniappan, Shri C.  
 Pandey, Shri Krishna Chandra  
 Panigrahi, Shri Chintamani  
 Panika, Shri Ram Pyare  
 Patil, Shri A. T.  
 Patil, Shri Balasaheb Vikhe  
 Patil, Shri Chandrabhan Athare  
 Patil, Shri Shankarrao  
 Patil, Shri Uttamrao  
 Patil, Shri Veerendra  
 Poojary, Shri Janardhana  
 Potdukhe, Shri Shantaram  
 Pradhani, Shri K.  
 Prasan Kumar, Shri S. N.  
 Quadri, Shri S. T.  
 Ram, Shri Ramswaroop  
 Rao, Shri M. Satyanarayan  
 Rao, Shri P. V. Narasimha  
 Rathod, Shri Uttam  
 Raut, Shri Bhola  
 Rawat, Shri Harish Chandra Singh  
 Reddy, Shri P. Venkata  
 Satish Prasad Singh, Shri  
 Sethi, Shri Rrjun  
 Shakyawar, Shri Nathuram  
 Shankaranand, Shri B.  
 Sharma, Shri Kali Charan  
 Sharma, Shri Nand Kishore

Shastri, Shri Hari Krishna  
 Shiv Shankar, Shri P.  
 Sidnal, Shri S. B.  
 Singh Deo, Shri K. P.  
 Sparrow, Shri R. S.  
 Stephen, Shri C. M.  
 Sukhbuns Kaur, Shrimati,  
 Sunder Singh, Shri  
 Tapeshwar Singh, Shri  
 Tayeng, Shri Sobeng  
 Tayyab Hussain, Shri  
 Tewary, Prof. K. K.  
 Thorat, Shri Bhausahab  
 Tripathi, Shri R. N.  
 Vairale, Shri Madhusudan  
 Venkataraman, Shri R.  
 Venkatasubbaiah, Shri P.  
 Virbhadr Singh, Shri  
 Vyas, Shri Girdhari Lal  
 Wagh, Dr. Pratap  
 Yadav, Shri Ram Singh  
 Yazdani, Dr. Golam  
 Zail Singh, Shri  
 Zainul Basher, Shri

## NOES

Agarwal, Shri Satish  
 Barman, Shri Palas  
 Choudhury, Shri Saifuddin  
 Dandavate, Prof. Madhu  
 Dandavate, Shrimati Pramila  
 Giri, Shri Sudhir  
 Hasda, Shri Matilal  
 Horo, Shri N. E.  
 Jha, Shri Bhogendra  
 Lawrence, Shri M. M.  
 Maitra, Shri Sunil  
 Mandal, Shri Mukunda  
 Nasudal Hossain, Shri Syed  
 Pal, Prof. Rup Chand  
 Rajda, Shri Ratansinh  
 Roy, Shri A. K.  
 Roy, Dr. Saradish  
 Saha, Shri Ajit Kumar

Shastri, Shri Ramavtar  
Varma, Shri Raviindra  
Zainal Abedin, Shri

MR. DEPUTY-SPEAKER: Subject to correction, the result\* of the division is:

Ayes : 101

Noes : 21

*The motion was adopted.*

*Clause 6 was added to the Bill.*

MR. DEPUTY-SPEAKER: The question is:

"That Clause 7 stand part of the Bill."

*The Lok Sabha divided:*

Division No. 18]

[19.43 hrs.

AYES

Abbasi, Shri Kazi Jalil  
Anand Singh, Shri  
Ankineedu Prasad Rao, Shri P.  
Appalanaidu, Shri S. R. A. S.  
Arakal, Shri Xavier  
Baitha, Shri D. L.  
Baleshwar Ram, Shri  
Barway, Shri J. C.  
Bhardwaj, Shri Parasram  
Bhuria, Shri Dileep Singh  
Birender Singh Rao, Shri  
Chandra Shekhar Singh, Shri  
Chavan, Shri S. B.  
Chennupati, Shrimati Vidya  
Chingwang Konyak, Shri  
Choudary, Shri Chitturi Subba Rao  
Choudhury, Shri A. B. A. Ghani Khan  
Dabhi, Shri Ajitsinh  
Daga, Shri Mool Chand  
Dev, Shri Sontosh Mohan  
Dhandapani, Shri C. T.  
Doongar Singh, Shri  
Fernandes, Shri Oscar

Gadgil, Shri V. N.  
Gadhavi, Shri Bheravadan K.  
Gehlot, Shri Ashok  
Gireraj Singh, Shri  
Gouzagin, Shri N.  
Jain, Shri Viridhi Chander  
Jamilur Rahman, Shri  
Jena, Shri Chintamani  
Karma, Shri Laxman  
Kaul, Shrimati Sheila  
Kidwai, Shrimati Mohsina  
Krishan Dutt, Shri  
Kuchan, Shri Gangadhar S.  
Kusuma Krishna Murthy, Shri  
Lakkappa, Shri K.  
Mahabir Prasad, Shri  
Mahala, Shri R. P.  
Mallick, Shri Lakshman  
Mallikarjun, Shri  
Mallu, Shri A. R.  
Mishra, Shri Ram Nagina  
Misra, Shri Harinatha  
Motilal Singh, Shri  
Mukhopadhyay, Shri Ananda Gopal  
Nair, Shri B. K.  
Namgyal, Shri P.  
Oraon, Shri Kartik  
Palaniappan, Shri C.  
Pandey, Shri Krishna Chandra  
Panigrahi, Shri Chintamani  
Panika, Shri Ram Pyare  
Patil, Shri A. T.  
Patil, Shri Balasaheb Vikhe  
Patil, Shri Chandrabhan Athare  
Patil, Shri Shankarrao  
Patil, Shri Uttamrao  
Patil, Shri Veerendra  
Poojary, Shri Janardhana  
Potdukhe, Shri Shantaram  
Pradhani, Shri K.  
Prasan Kumar, Shri S. N.  
Quadri, Shri S. T.

\*Shri Niren Ghosh also recorded his vote for NOES.

Ram, Shri Ramswaroop  
 Rao, Shri M. Satyanarayan  
 Rao, Shri P. V. Narasimha  
 Rathod, Shri Uttam  
 Raut, Shri Bhola  
 Rawat, Shri Harish Chandra Singh  
 Reddy, Shri P. Venkata  
 Satish Prasad Singh, Shri  
 Sethi, Shri Arjun  
 Shakyawar, Shri Nathuram  
 Shankaranand, Shri B.  
 Sharma, Shri Kali Charan  
 Sharma, Shri Nand Kishore  
 Shastri, Shri Hari Krishna  
 Shiv Shankar, Shri P.  
 Sidnal, Shri S. B.  
 Singh Deo, Shri K. P.  
 Sparrow, Shri R. S.  
 Stephen, Shri C. M.  
 Sukhbuns Kaur, Shrimati  
 Sunder Singh, Shri  
 Tapeswar Singh, Shri  
 Tayeng, Shri Sobeng  
 Tayyab Hussain, Shri  
 Tewary, Prof. K. K.  
 Thorat, Shri Bhausahab  
 Tripathi, Shri R. N.  
 Vairale, Shri Madhusudan  
 Venkataraman, Shri R.  
 Venkatasubbaiah, Shri P.  
 Birbhadra Singh, Shri  
 Vyas, Shri Girdhari Lal  
 Wagh, Dr. Pratap  
 Yadav, Shri Ram Singh  
 Yazdani, Dr. Golam  
 Zail Singh, Shri  
 Zainul Basher, Shri

**NOES**

Agarwal, Shri Satish  
 Barman, Shri Palas

Choudhury, Shri Saifuddin  
 Dandavate, Prof. Madhu  
 Dandavate, Shrimati Pramila  
 Giri, Shri Sudhir  
 Hasda, Shri Matilal  
 Horo, Shri N. E.  
 Jha, Shri Bhogendra  
 Lawrence, Shri M. M.  
 Maitra, Shri Sunil  
 Mandal, Shri Mukunda  
 Masudal Hossain, Shri Syed  
 Pal, Prof. Rup Chand  
 Rajda, Shri Ratansinh  
 Roy, Shri A. K.  
 Roy, Dr. Saradish  
 Saha, Shri Ajit Kumar  
 Shastri, Shri Ramavatar  
 Varma, Shri Ravindra  
 Zainal Abedin, Shri

MR. DEPUTY-SPEAKER: Subject to correction, the result\* of the division is:

Ayes : 102

Noes : 21

The Ayes have it, the Ayes have it.

*The motion was adopted*

*Clause 7 was added to the Bill*

**Clause 8—(Substitution of new section for section 478)**

SHRI BHOGENDRA JHA: I beg to move:

Page 3, line 36,—

after "sections" insert "107," (6)

Sir, this is a very formal amendment...

MR. DEPUTY-SPEAKER: That has already been circulated.

SHRI BHOGENDRA JHA: It is a formal amendment to clause 8. My

\*The following Members also recorded their votes:

Ayes : Shri G. L. Dogra;

Noes : Shri Niren Ghosh.



amendment is very material and seeks to include Section 107 also in the category of sections 108, 109 and 110 to enable the State Assembly through a resolution authorise the Judiciary in a particular State to take the proceedings under all the three preventive sections. The present Bill does not include Sec. 107. In Sec. 107 in the new Cr. P.C. limitation was given that if within 6 months there is no decision made, then the proceedings will lapse unless for special reasons to be recorded the Magistrate decides that it is necessary to extend the time. There also the Sessions Judge could decide otherwise. I have known in many cases the Executive Magistrates are prolonging the proceedings for one year, two years and so on, I would like the Home Minister to know it, in violation of the new Cr. P.C. There are two reasons for this. One is that the Executive Magistrates are...

MR. DEPUTY-SPEAKER: Please be short... Mr. Roy, he is speaking and I am asking him to be short. Why do you get up? I do not want your advice.

SHRI BHOGENDRA JHA: Sir, I do not disturb anyone or like to be disturbed...

SHRI JAMILUR RAHMAN (Kishanganj): How much time has been allotted to Mr. Bhogendra Jha to speak on this particular amendment?

MR. DEPUTY-SPEAKER: Please now conclude.

SHRI BHOGENDRA JHA: With all respect to you, Sir, I do not want to be disturbed like this.

Sir, we are authorising through this Bill under Clause 8 the State Assemblies. If the assembly passes a resolution, then Sections 108, 109 and 110 will come under the purview of the judicial magistrate. But Sec. 107 is being excluded. That is what I submit. That should also be included—

clubbed with Sec. 108, 109 and 110. Sec. 107 is mainly against peasants, workers and other sections of the people. The object of the Bill says that it is for maintenance of the law and order and for preventing the crimes or controlling the crimes—not that it is for suppressing the movement, democratic movement, of the peasants, workers and other sections of the people. So, Sir, it is pertinent that you give at least to the democratic movement a place in our judicial system. But Sec. 109 & Sec. 110 are for controlling the crimes. So, my submission is that Sec. 107 must also be included because the Executive Magistrate has belied us. Please include Sec. 107 also. It is the experience in the last so many years that openly they are violating it. From one court they get into the other court. Sec. 107 is not for any offence. If there is any apprehension, the possibility, of a breach of peace, then, one proceeding is started. I am submitting to the Minister also that this is one of the cases of violence in the country. If you commit a violence, you will be tried under Sec. 328 IPC or 324 I.P.C. and if the guilt is proved, sentence is four or five years imprisonment. But, under 107, if they have committed any offence or if there is an apprehension or possibility of a breach of peace, on the basis, you are proceeded against for imprisonment to one year or two years. Cr. P.C. is being violated. The limit is put at six months. This is what the executive is doing. At least do not exclude 107. That is why I appeal to the Minister and also to the friends on that side that they should club Section 107 along with Sec. 108, 109 and 110.

SHRI A. K. ROY: The Minister should reply.

MR. DEPUTY-SPEAKER: If he wants, he can reply. I cannot compel him to reply. Please listen. It is left to the Minister. If he does not reply, I cannot force him to reply.

SHRI A. K. ROY: You give him time to think.

MR. DEPUTY-SPEAKER: I am a Presiding Officer. I am observing everything. I shall put amendment No. 8 moved by Shri Bhogendra Jha to the vote of the House.

SHRI BHOGENDRA JHA: We want a division on this.

MR. DEPUTY-SPEAKER: The lobbies have been cleared. The question is:

\* Page 3, line 36,—

after "sections" insert "107," (6)  
The Lok Sabha divided:

Division No. 19]

[10.56 hrs.

### AYES

Agarwal, Shri Satish  
Barman, Shri Palas  
Choudhury, Shri Saifuddin  
Dandavate, Prof. Madhu  
Dandavate, Shrimati Pramila  
Ghosh, Shri Niren  
Giri, Shri Sudhir  
Hasda, Shri Matilal  
Horo, Shri N. E.  
Jha, Shri Bhogendra  
Lawrence, Shri M. M.  
Maitra, Shri Sunil  
Mandal, Shri Mukunda  
Masudal Hossain, Shri Syed  
Pal, Prof. Rup Chand,  
Rajda, Shri Ratansinh  
Roy, Shri A. K.  
Roy, Dr. Saradish  
Saha, Shri Ajit Kumar  
Shastri, Shri Ramavatar  
Varma, Shri Ravindra  
Zainal Abedin, Shri

### NOES

Abbasi, Shri Kazi Jalil  
Ahmad, Shri Mohammad Asrar

Anand Singh, Shri  
Ankineedu Prasad Rao, Shri P.  
Appalanaidu, Shri S. R. A. S.  
Arakal, Shri Xavier  
Baittha, Shri D. L.  
Baleshwar Ram, Shri  
Barway, Shri J. C.  
Bhardwaj, Shri Parasram  
Bhuria, Shri Dileep Singh  
Birender Singh Rao, Shri  
Chandra Shekhar Singh, Shri  
Chavan, Shri S. B.  
Chennupati, Shrimati Vidya  
Chingwang Konyak, Shri  
Choudhury, Shri A. B. A. Ghani Khan  
Dahbi, Shri Ajitsinh  
Daga, Shri Mool Chand  
Dev, Shri Sontosh Mohan  
Dhandapani, Shri C. T.  
Dogra, Shri G. L.  
Doongar Singh, Shri  
Fernandes, Shri Oscar  
Gadgil, Shri V. N.  
Gadhavi, Shri Bheravadan K.  
Gehlot, Shri Ashok  
Gireraj Singh, Shri  
Gouzagin, Shri N.  
Jain, Shri Virdhi Chander  
Jamilur Rahman, Shri  
Jena, Shri Chintamani  
Karma, Shri Laxman  
Kaul, Shrimati Shella  
Kidwai, Shrimati Mohsina  
Krishan Dutt, Shri  
Kuchan, Shri Gangadhar S.  
Kusuma Krishna Murthy, Shri  
Lakkappa, Shri K.  
Mahabir Prasad, Shri  
Mahala Shri R. P.  
Mallick, Shri Lakshman  
Malikarjun, Shri  
Mishra, Shri Ram Nagina  
Misra, Shri Harinatha

Motilal Singh, Shri  
Nair, Shri B. K.  
Namgyal, Shri P.  
Oraon, Shri Kartik  
Palaniappan, Shri C.  
Pandey, Shri Krishna Chandra  
Panigrahi, Shri Chintamani  
Panika, Shri Ram Pyare  
Patil, Shri A. T.  
Patil, Shri Balasaheb Vikhe  
Patil, Shri Chandrabhan Athare  
Patil, Shri Shankarrao  
Patil, Shri Uttamrao  
Patil, Shri Veerendra  
Poojary, Shri Janardhana  
Potdukhe, Shri Shantaram  
Pradhani, Shri K.  
Prasan Kumar, Shri S. N.  
Quadri, Shri S. T.  
Ram, Shri Ramswaroop  
Rao, Shri M. Satyanarayan  
Rao, Shri P. V. Narasimha  
Rathod, Shri Uttam  
Raut, Shri Bhola  
Rawat, Shri Harish Chandra Singh  
Reddy, Shri P. Venkata  
Satish Prasad Singh, Shri  
Sethi, Shri Arjun  
Shakyawar, Shri Nathuram  
Shankaranand, Shri B.  
Sharma, Shri Kali Charan  
Sharma, Shri Nand Kishore  
Shastri, Shri Hari Krishna  
Shiv Shankar, Shri P.  
Sidnal, Shri S. B.  
Singh Deo, Shri K. P.  
Sparrow, Shri R. S.  
Stephen, Shri C. M.  
Sukhbun, Kaur, Shrimati  
Sunder Singh, Shri  
Tapeswar Singh, Shri  
Tayeng, Shri Sobeng  
Tayyab Hussain, Shri

Tewary, Prof. K. K.  
Thorat, Shri Bhausahab  
Tripathi, Shri R. N.  
Vairale, Shri Madhusudan  
Venkataraman, Shri H.  
Venkatasubbaiah, Shri P.  
Virbhadra Singh, Shri  
Vyas, Shri Girdhari Lal  
Wagh, Dr. Pratap  
Yadav, Shri Ram Singh  
Yazdani, Dr. Golam  
Zail Singh, Shri  
Zainul Basher, Shri

MR. DEPUTY SPEAKER: subject to correction the result of the Division is:

AYES : 22

NOES : 101

*The motion was negatived.*

MR. DEPUTY SPEAKER: question is:

"That Clause 8 stand part of the Bill."

*The motion was adopted.*

*Clause 8 was added to the Bill.*

*New clause 8A*

Mr. DEPUTY SPEAKER: There is Amendment No. 13 for the insertion of New Clause 8A. It is a Government amendment.

*Amendment made:*

Page 3,—

*after line 38, insert—*

"Consequential } 8A. Section 72  
amendment of } of the Delhi Police  
Act 34 of 1978. } Act, 1978  
} shall be omitted." 13

*(Shri P. Venkatasubbaiah).*

MR. DEPUTY SPEAKER: The question is:

"That New Clause 8A stand part of the Bill."

*The motion was adopted.*

*New Clause 8A was added to the Bill.*

MR. DEPUTY SPEAKER: Consequential re-numbering of the other clauses will be done.

There are no amendments to Clauses 9 and 10. So, I will put them to vote.

The question is:

"That Clauses 9 and 10 stand part of the Bill."

*The motion was adopted.*

*Clauses 9 and 10 were added to the Bill.*

*Clause 1, the Enacting Formula and the Title were added to the Bill.*

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI P. VENKATASUBBAIAH): Sir, I beg to move:

"That the Bill, as amended, be passed."

MR. DEPUTY SPEAKER: Motion moved:

"That the Bill, as amended, be passed."

Now, we have got three speakers. They have given their names. They must be very short in their speeches. They should not take more than three minutes. Mr. Niren Ghosh, you should not take more than 3 minutes.

SHRI NIREN GHOSH (Dum Dum): Sir, the more isolated the Congress (I) Government is, the more draconian measures are being adopted by them to restrict people's

rights. They are the inheritors and the 'continuator' of the much-hated British police system. They have done it through all these years. They have followed the same colonial system, Cr. P.C., I.P.C. and so on and in the final round they come forward with this amendment. They have amended it in a retrograde way and they have proved themselves to be more reactionary than the Britishers. The Janata Government also tried to amend the Indian Criminal Procedure Code with regard to detention, but due to pressure within their party and from outside they had to make a hasty retreat. But this Government, even on the brink of a precipice, knows no retreat.

Sir, this Bill has equated the Magistrate with the Central and State Governments, with equal powers in certain respects. They have lost all senses and they have come to this stage. They say 'habitual offenders'. What is the definition of 'habitual offenders'? A criminal magistrate, in collusion of the Police, thinks that certain number of people are 'habitual offenders'. That is all. They become 'habitual offenders' thereby. I tell you, no underground world can exist without their support, without the collusion and the connivance of the Police. (*An hon. Member. That is what happens in West Bengal.*) Now, I will tell you a story.

20.00 hrs.

MR. DEPUTY-SPEAKER: You don't relate any story or anything now. You have got only one minute. Please conclude.

SHRI NIREN GHOSH: There was a division of spoils. Then the police wanted more. But the underworld retaliated by declaring a strike. They wanted to commit thievery, offence, etc. Then the police yielded to the underworld... (*Interruptions*)

MR. DEPUTY SPEAKER: Three minutes are over for you. I am not

permitting you. Now, Mr. Ramavatar Shastri.

(Interruptions)

SHRI JAMILUR RAHMAN: Sir, his time is over. He should not be allowed to continue his speech.....

(Interruptions)

MR. DEPUTY SPEAKER: Mr. Ramavatar Shastri, are you willing to speak or not?

(Interruptions)

MR. DEPUTY SPEAKER: Mr. Ramavatar Shastri, I am permitting you only to speak. I am not permitting others.

श्री रामावतार शास्त्री : उपाध्यक्ष जी, किसानों, मजदूरों, मध्यावर्गीय कर्मचारियों और आम गरीब जनता के आन्दोलनों से घबरा कर ही सरकार ऐसे जन-विरोधी कानूनों का आश्रय ले रही है। अगर ऐसी बात न होती, तो इस कानून को लाने की कोई भी आवश्यकता नहीं थी।

दूसरी बात मैं यह कहना चाहता हूँ कि उन्होंने इस विधेयक के समर्थन में सात कानूनों का जिक्र किया है, जिन का उल्लंघन करने वालों के खिलाफ ये कार्यवाही करना चाहते हैं। उस में इन्होंने बटमारों, मकान तोड़कों, चोरों, उच्चकों, जाली लोगों का जिक्र किया है। यदि ऐसे लोग होंगे तो उनके खिलाफ कार्यवाही करेंगे। मैं केवल एक जवाब चाहता हूँ—अब तक आप ने ऐसे कितने लोगों के खिलाफ कार्यवाही की है। अगर आप यह बतला दें तो शायद हमारा विरोध कम हो सके। लेकिन आपने अब तक यह बात नहीं बतलाई है कि पिछले ढाई महीनों में, अध्यादेश के जारी करने के बाद से, इस तरह के कितने लोगों के खिलाफ, चोर-बाजारी करने वाले लोगों,

दवा छिपा कर बेचने वाले लोगों, गल्ला छिपा कर बेचने वाले लोगों, मुनाफाखोरों, को जेल में डाला है। आप चाहें तो अभी भी बतला सकते हैं।

तीसरी और अन्तिम बात—पुलिस का गलत इस्तेमाल किया जाता है। मैं इसका उदाहरण देना चाहता हूँ... (व्यवधान)... कौशलनगर कालोनी के गरीबों के मकानों पर बार-बार छापे मारे जाते हैं। चोरी का सामान कुछ भी नहीं निकलता है, फिर भी छापे मारते हैं—यह कहां का न्याय है। पटना में इस तरह के छापे मारे गए हैं। चोरी कोई नहीं करता है, फिर भी पुलिस वाले तंग करते हैं—आपकी पुलिस उन को तंग करती है... (व्यवधान)... वहां लोगों की हत्या कर दी गई, फिर भी आप ने कुछ नहीं किया। अफसर लोग जो मन में आता है, करते हैं। इन शब्दों के साथ मैं इस विधेयक का विरोध करता हूँ... (व्यवधान)...

MR. DEPUTY SPEAKER. Now the question is:

“That the Bill, as amended, be passed.”

Let the lobbies be cleared.

The Lok Sabha divided:

Division No. 20] [20.12 hrs.

AYES

Abbasi, Shri Kazi Jalil  
Anand Singh, Shri  
Ankineedu Prasad Rao, Shri P.  
Appalanaidu, Shri S. R. A. S.  
Arakal, Shri Zavier  
Baitha, Shri D. L.  
Baleshwar Ram, Shri  
Barway, Shri J. C.  
Bhardwaj, Shri Parasram  
Bhuria, Shri Dileep Singh  
Birender Singh Rao, Shri  
Chavan, Shri S. B.  
Chennupati, Shrimati Vidya  
Chingwang Konyak, Shri  
Choudhury, Shri A. B. A. Ghani Khan  
Dabhi, Shri Ajitsinh

permitting you. Now, Mr. Ramavatar Shastri.

(Interruptions)

SHRI JAMILUR RAHMAN: Sir, his time is over. He should not be allowed to continue his speech.....  
(Interruptions)

MR. DEPUTY SPEAKER: Mr. Ramavatar Shastri, are you willing to speak or not?

(Interruptions)

MR. DEPUTY SPEAKER: Mr. Ramavatar Shastri, I am permitting you only to speak. I am not permitting others.

श्री रामावतार शास्त्री : उपाध्यक्ष जी, किसानों, मजदूरों, मध्यावर्गीय कर्मचारियों और ग्राम गरीब जनता के आन्दोलनों से घबरा कर ही सरकार ऐसे जन-विरोधी कानूनों का आश्रय ले रही है। अगर ऐसी बात न होती, तो इस कानून को लाने की कोई भी आवश्यकता नहीं थी।

दूसरी बात मैं यह कहना चाहता हूँ कि उन्होंने इस विधेयक के समर्थन में सात कानूनों का जिक्र किया है, जिन का उल्लंघन करने वालों के खिलाफ ये कार्यवाही करना चाहते हैं। उस में इन्होंने बटमारों, मकान तोड़कों, चोरों, उच्चकों, जाली लोगों का जिक्र किया है। यदि ऐसे लोग होंगे तो उनके खिलाफ कार्यवाही करेंगे। मैं केवल एक जवाब चाहता हूँ—अब तक आप ने ऐसे कितने लोगों के खिलाफ कार्यवाही की है। अगर आप यह बतला दें तो शायद हमारा विरोध कम हो सके। लेकिन आपने अब तक यह बात नहीं बतलाई है कि पिछले ढाई महीनों में, अध्यादेश के जारी करने के बाद से, इस तरह के कितने लोगों के खिलाफ, चोर-बाजारी करने वाले लोगों,

दवा छिपा कर बेचने वाले लोगों, गल्ला छिपा कर बेचने वाले लोगों, मुनाफाखोरों, को जेल में डाला है। आप चाहें तो अभी भी बतला सकते हैं।

तीसरी और अन्तिम बात—पुलिस का गलत इस्तेमाल किया जाता है। मैं इसका उदाहरण देना चाहता हूँ... (व्यवधान)... कोशलनगर कालोनी के गरीबों के मकानों पर बार-बार छापे मारे जाते हैं। चोरी का सामान कुछ भी नहीं निकलता है, फिर भी छापे मारते हैं—यह कहां का न्याय है। पटना में इस तरह के छापे मारे गए हैं। चोरी कोई नहीं करता है, फिर भी पुलिस वाले तंग करते हैं—आपकी पुलिस उन को तंग करती है... (व्यवधान)... वहां लोगों की हत्या कर दी गई, फिर भी आप ने कुछ नहीं किया। अफसर लोग जो मन में आता है, करते हैं। इन शब्दों के साथ मैं इस विधेयक का विरोध करता हूँ... (व्यवधान)...

MR. DEPUTY SPEAKER: Now the question is:

“That the Bill, as amended, be passed.”

Let the lobbies be cleared.

The Lok Sabha divided:

Division No. 20]

[20.12 hrs.

AYES

Abbasi, Shri Kazi Jalil  
Anand Singh, Shri  
Ankineedu Prasad Rao, Shri P.  
Appalanaidu, Shri S. R. A. S.  
Arakal, Shri Xavier  
Baitha, Shri D. L.  
Baleshwar Ram, Shri  
Barway, Shri J. C.  
Bhardwaj, Shri Parasram  
Bhuria, Shri Dileep Singh  
Birender Singh Rao, Shri  
Chavan, Shri S. B.  
Chennupati, Shrimati Vidya  
Chingwang Konyak, Shri  
Choudhury, Shri A. B. A. Ghani Khan  
Dabhi, Shri Ajitsinh

Daga, Shri Mool Chand  
 Dev, Shri Sontosh Mohan  
 Dhandapani, Shri C. T.  
 Doongar Singh, Shri  
 Fernandes, Shri Oscar  
 Gadgil, Shri V. N.  
 Gadhavi, Shri Bheravadan K.  
 Gehlot, Shri Ashok  
 Gireraj Singh, Shri  
 Gouzagin, Shri N.  
 Jain, Shri Virdhi Chander  
 Jamilur Rehman, Shri  
 Jena, Shri Chintamani  
 Karma, Shri Laxman  
 Kaul, Shrimati Sheila  
 Kidwai, Shrimati Mohsina  
 Krishan Dutt, Shri  
 Kuchan, Shri Gangadhar S.  
 Kusuma Krishna Murthy, Shri  
 Lakkappa, Shri K.  
 Mahabir Prasad, Shri  
 Mallikarjun, Shri  
 Mallu, Shri A. R.  
 Mishra, Shri Ram Nagina  
 Misra, Shri Harinatha  
 Motilal Singh, Shri  
 Mukhopadhyay, Shri Ananda Gopal  
 Nair, Shri B. K.  
 Nangyal, Shri P.  
 Oraon, Shri Kartik  
 Palanippan, Shri C.  
 Pandey, Shri Krishna Chandra  
 Panigrahi, Shri Chintamani  
 Panika, Shri Ram Pyare  
 Patil, Shri A. T.  
 Patil, Shri Balasaheb Vikhe  
 Patil, Shri Chandrabhan Athare  
 Patil, Shri Uttamrao  
 Patil, Shri Veerendra  
 Poojary, Shri Janardhana  
 Potdukhe, Shri Shantaram  
 Pradhani, Shri K.  
 Prasan Kumar, Shri S. N.  
 Quadri, Shri S. T.

Ram, Shri Ramswaroop  
 Rao, Shri M. Satyanarayan  
 Rao, Shri P. V. Narasimha  
 Rathod, Shri Uttam  
 Raut, Shri Bhola  
 Rawat, Shri Harish Chandra Singh  
 Reddy, Shri P. Venkata  
 Sethi, Shri Arjun  
 Shakyawar, Shri Nathuram  
 Shankaranand, Shri B.  
 Sharma, Shri Kali Charan  
 Sharma, Shri Nand Kishore  
 Shastri, Shri Hari Krishna  
 Shiv Shankar, Shri P.  
 Sidnal, Shri S. B.  
 Singh Deo, Shri K. P.  
 Sparrow, Shri R. S.  
 Stephen, Shri C. M.  
 Sukhbuns Kaur, Shrimati  
 Sunder Singh, Shri  
 Tapeswar Singh, Shri  
 Tayeng, Shri Sobeng  
 Tayyab Hussain, Shri  
 Tewary, Prof. K. K.  
 Thorat, Shri Bhausahab  
 Tripathi, Shri R. N.  
 Vairale, Shri Madhusudan  
 Venkataraman, Shri R.  
 Venkatasubbaiah, Shri P.  
 Virbhadra Singh, Shri  
 Vyas, Shri Girdhari Lal  
 Wagh, Dr. Pratap  
 Yadav, Shri Ram Singh  
 Yazdani, Dr. Golam  
 Zail Singh, Shri.  
 Zainul Basher, Shri.

NOES

Agarwal, Shri Satish  
 Choudhury, Shri Saifuddin  
 Dandavate, Prof. Madhu  
 Dandavate, Shrimati Pramila  
 Ghosh, Shri Niren  
 Giri, Shri Sudhir

485 *fly accident* AGRAHAYANA 18, 1902 (SAKA) at Samuria near 486  
Barauni (C.A.)

Hasda, Shri Matilal  
Horo, Shri N. E.  
Jha, Shri Bhogendra  
Lawrence, Shri M. M.  
Maitra, Shri Sunil  
Mandal, Shri Mukunda  
Masudel Hossain, Shri Syed  
Pal, Prof. Rup Chand  
Rajda, Shri Ratansinh  
Roy, Shri A. K.  
Roy, Dr. Saradish  
Saha, Shri Ajit Kumar  
Shastri, Shri Ramavatar  
Varma, Shri Ravindra  
Zainal Abedin, Shri.

MR. DEPUTY-SPEAKER: The re-  
sult\* of the division is:

Ayes : 96;

Noes : 21

The motion was adopted.

MR. DEPUTY-SPEAKER: The  
House now stands adjourned to meet  
again tomorrow at 11 A.M.

20.11 hrs.

*The Lok Sabha then adjourned till  
Eleven of the Clock on Wednesday,  
December 10, 1980|Agrahayana 19  
1902 (Saka).*

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\*Shri G. L. Dogra also voted for AYES.