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Agrahayana 26, 1890 (Saka)

LOK SABHA DEBATES

(Sixth Session)



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LOK SABHA

Tuesday, December 17, 1968/Agrahayana 26,
1890 (Saka)

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Implementation of the recommendations of the
Sarkar Committee Report

- +
* 781. SHRI KAMESHWAR SINGH:
SHRI SHIV CHARAN LAL:
SHRI ERASMO DE SEQUEIRA:
SHRI GHAYOOR ALI KHAN:
SHRI KEDAR PASWAN:

Will the Minister of STEEL, MINES AND METALS be pleased to refer to the reply given to Unstarred Question No. 393 on the 23rd July, 1968 and state:

(a) whether a senior Officer has since been appointed to take action against Shri A. S. Bam, former Iron and Steel Controller and other Officers as recommended by the Sarkar Committee;

(b) if so, the progress made so far; and

(c) if not, the reasons for delay?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI P. C. SETHI): (a) to (c). Yes, Sir. A senior officer has been appointed to process the cases relating to disciplinary proceedings against the concerned officials, in accordance with the relevant rules and regulations. Charge sheets have been issued after consultation with the Central Vigilance Commission, wherever necessary, in five cases and will be issued shortly in two more cases. In one case the statement of defence has also been received and is under examination. In the other two cases, the advice of the Central Vigilance Commission is awaited.

श्री कामेश्वर सिंह : अध्यक्ष महोदय, सरकार ने श्री बाम के ऊपर एक्शन तो लिया लेकिन बहुत देर से लिया। 1967 के बजट सत्र में मैंने इस के बारे में कहा था, लेकिन श्री चन्ना रेड्डी ने, जो उस समय मिनिस्टर थे, उनको बचाने की कोशिश की। लेकिन एक सब से बड़ी दुखद बात इस केस में यह है कि श्री के० सेन्तियाप्पन्, जो उस समय डिप्टी आयरन एण्ड स्टील कन्ट्रोलर थे, ने जब इस केस को प्वाइन्ट-आऊट करना शुरू किया तो उस दफ्तर के अधिकारियों ने और उनके खेरखाह लोगों ने इनको हैरेस और विक्टिमाइज़ करना शुरू किया। सेन्तियाप्पन् साहब ईमानदार अफसर थे, इस वजह से श्रीमन् चन्द प्यारे लाल के कहने पर वहाँ के अफसरों ने जिनमें आयरन एण्ड स्टील कन्ट्रोलर भी शामिल हैं, उनको हैरेस किया, जिसका नतीजा यह हुआ कि सेन्तियाप्पन् साहब को रिटायर होना पड़ा और आज वह भावमी पड़ा हुआ सड़ रहा है, जब कि बाम साहब पर अब एक्शन शुरू हुआ है।

बाम साहब पर तो आपने अब एक्शन लिया—लेकिन मैं जानना चाहता हूँ कि श्रीमन् चन्द प्यारे लाल की जितनी कम्पनियाँ हैं, उनको ब्लैक-लिस्ट किया गया या नहीं? यदि सरकार कमेटी की रिपोर्ट के बाद भी उनको ब्लैक-लिस्ट नहीं किया गया, तो उसका क्या कारण है तथा कितनी कम्पनियों को स्टील के कोटे और दूसरे फायदे पहुंचाये गये हैं?

श्री प्र० च० सेठी : जहाँ तक उनकी पाँच-छः कम्पनियों का तात्लुक है—श्रीमन् चन्द प्यारे लाल, सुरेन्द्र भोवराठीच, जे० एच० कोहन,

ए० पी० जे०, रामकृष्ण कुलवन्त राय, खेमचन्द राजकुमार—इन तमाम कम्पनियों को सरकार कमेटी की रिपोर्ट आने के पूर्व ही ता० 7-5-1966 को बैन कर दिया गया था। इन कम्पनियों को तब से तीन साल के लिये बैन किया गया है। इन में से कुछ कम्पनियों ने कलकत्ता हाई कोर्ट में अपील दायर की है। जहां तक श्री बाम का ताल्लुक है, रिपोर्ट प्राप्त होने के बाद तथा कैबिनेट द्वारा ता० 10-5-1968 को एप्रूव होने के बाद उन को चार्जशीट देने में देरी नहीं की गई, तुरन्त केस को प्रोसेस कर के चार्जशीट दे दी गई।

श्री कामेश्वर सिंह: अभी मंत्री महोदय ने बताया कि उन में से कुछ कम्पनियां कलकत्ता हाई कोर्ट में अपील में गई हैं—मैं जानना चाहता हूँ कि क्या उन के अपील में जाने के बाद भी कोई लाइसेन्स उन कम्पनियों को दिया गया है? यदि दिया गया है तो उसका क्या कारण है? मैं यह भी जानना चाहता हूँ कि इन्हीं की एक कम्पनी—जे० एस० कोहन एण्ड कम्पनी—के खिलाफ सरकार ने क्या कार्यवाही की है?

श्री प्र० चं० सेठी: जे० एस० कोहन एण्ड कम्पनी को भी बैन किया गया है। जिन कम्पनियों को बैन किया जाता है, अगर उनकी इण्डस्ट्री है तो उसको रा-मैटीरियल की सप्लाई बन्द नहीं की जाती है, लेकिन सरकार उनसे खरीदो-फारोख्त का सारा काम बन्द कर देती है।

SHRI UMANATH: The Sarkar Committee makes an important revelation. In a letter addressed by Messrs. Amin Chand Pyare Lal to the Steel Controller, they say:

"We understand from reliable sources that you intend supplying steel ingots to some European countries, especially to Western Germany in order to have steel pipes manufactured therefrom for supply to India. We are very much interested in the proposition and would like to actively participate in the same."

It reveals that Messrs. Amin Chand Pyare Lal had reliable source of information about the Steel policy. When the barter deal was being formulated by the Government, when it was pending before the Finance Ministry for approval, they have come to know of it. So, I would like to know from the hon. Minister: (a) whether any serious investigation had been undertaken to find out what this reliable source is, as mentioned by Messrs Amin-Chand Pyare Lal; (b) whether Mr. Swaran Singh and others who were in charge of the Ministry at that time were themselves the source of such reliable information; and (c) whether no action has been proposed to be taken against Mr. Bhoothalingam for fear that if action is taken against him, very many things would be revealed here, and that it might expose involvement of certain Ministers and political leaders of the Congress party in the Government? I would like to have specific reply to my questions (a), (b) and (c).

SHRI P. C. SETHI: The Sarkar Committee was a high powered committee and it has gone into the entire aspect of these deals. As far as Mr. Swaran Singh and Mr. C. Subramaniam are concerned, the Sarkar Committee has completely exonerated them. As far as Shri Bhoothalingam is concerned the Sarkar Committee found him responsible for certain release of bank guarantees in driblets. But, Sir, this officer has retired; and according to the constitutional provisions as mentioned in CSR 351 A and Article 314, it is not possible to take any action against him.

SHRI UMANATH: My specific question has not been answered. I wanted to know about 'reliable sources.' I have quoted from the letter of Messrs Amin Chand Pyare Lal where they say that from reliable sources they understand about certain moves. I would like to know whether any investigation had been carried out to find out what those reliable sources were and whether Mr. Swaran Singh was the reliable source?

SHRI P. C. SETHI: I have already replied to the Question that the Sarkar Committee have gone into all the aspects.

SHRI UMANATH: My second question, on the question of investigation of the reliable source, he has not answered.

MR. SPEAKER: He has answered it. That is all.

SHRI UMANATH: If he says, yes or no, I have no objection, I can understand it. But my question has not been answered. I asked whether any investigation was undertaken to determine who these 'reliable sources' were as stated by Mesars Amin Chand Pyare Lal.

SHRI P. C. SETHI: The Sarkar Committee has gone into all the aspects. I have already replied to it. Beyond this, it is not possible to say.

श्री रवि राय: इस सदन में कई बार मंत्री महोदय ने कहा है कि श्रीमं चन्द प्यारे लाल ने इम्पोर्ट पालिसी में जो नियम दिये हैं, उनका उलंघन किया है, इसलिये उनको ब्लैक-लिस्ट किया गया है। मैं जानना चाहता हूँ कि अब क्या स्थिति है, क्या उनको फिर कोई लाइसेन्स दिये गये हैं? दूसरे—सरकार कमेटी की मुख्य सिफारिशें क्या हैं तथा सरकार उन पर क्या कार्यवाही कर रही है?

श्री प्र० चं० सेठी: जैसा मैंने पहले कहा है कि 7-5-1966 को उनकी जिन कम्पनियों को बैन किया गया था, वे अभी तक बैन हैं। जहाँ तक एक्सचेंज वायोलेशन का ताल्लुक है—इस मामले को रिजर्व बैंक को सौंपा गया था और उन्होंने सी० बी० आई० को रेफर किया है जो प्रागे इन्वेस्टिगेशन कर रहे हैं।

श्री रवि राय: सरकार कमेटी की मुख्य सिफारिशें क्या हैं और उनके बारे में सरकार क्या कर रही है?

श्री प्र० चं० सेठी: इसके बारे में रिजर्व बैंक को रेफर करने के अलावा और कोई खास सिफारिश नहीं है।

रेलवे उपकरणों की चोरी

+

* 783. श्री प्रकाशवीर शास्त्री:

श्री शिबकुमार शास्त्री:
क्या रेलवे मन्त्री यह बताने की कृपा

करेंगे कि:

(क) रेल गाड़ियों में रेलवे उपकरणों की चोरियों को रोकने के बारे में क्या प्रगति हुई;

(ख) क्या यह सच है कि चोरियां विशेषतया अन्तिम (टर्मिनल) स्टेशनों पर की जा रही हैं; और

(ग) क्या सरकार को मुगल सराय स्टेशन पर बड़ी संख्या में मालगाड़ी तथा यात्री गाड़ियों में होने वाली चोरियों को रोकने में सफलता मिली है?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI PARIMAL GHOSH): (a) Every effort is being made in this respect, as a result of which there has been some improvement in the position.

(b) The losses occur both at terminal stations and on running trains.

(c) Yes, Sir.

श्री प्रकाशवीर शास्त्री: मैं यह जानना चाहता हूँ कि सरकार ने क्या इस बात की जानकारी ली है कि किन-किन क्षेत्रों में विशेष रूप से रेलवे के सामान की चोरियां हो रही हैं, और क्या उसमें कुछ विभागीय कर्मचारी भी सम्मिलित पाये गये हैं? यदि हां, तो मैं यह जानना चाहता हूँ कि पिछले तीन वर्षों के प्राप के पास कुछ इस प्रकार के घांकड़े यदि न हों तो एक वर्ष के ही घांकड़े बीजिये कि कितने रेलवे के सामान की चोरी हुई, कुल मिलाकर कितना सामान चोरी गया?

SHRI PARIMAL GHOSH: Most of these thefts are taking place at interchange points and also at the terminal stations. These things are very much pronounced in the Eastern Railway as well as in the North-Eastern Railway. It is also a fact that a large number of railway staff and RPF men are also involved. In 1966, the total, in the case of dynamo belts worked out to 17,261 and in 1967 it was about 15,914; in the case of electric bulbs it was 89,520 and 126,527 respectively.

श्री प्रकाशवीर शास्त्री : मालूम पड़ता है मैं अपने प्रश्न को पूरी तरह से समझा नहीं पाया। मैंने यह जानना चाहा था कि पिछले तीन वर्षों में कुल मिला कर जो रेलवे के सामान की चोरियां हुई हैं विभाग ने कुछ इस प्रकार के झांकेड़े एकत्रित किये हैं, यदि तीन वर्षों के माहौल तो एक वर्ष के ही बतायें, ताकि सदन को जानकारी मिल सके कि आपके विभाग के कितने करोड़ रुपये का सामान चोरी हो रहा है जिसको रोकने में आप असफल हो रहे हैं। श्रीर. बूसरे के जेले मुगल सराय स्टेशन के ऊपर कितनी चोरी हुई है, उसको रोकने में कहां तक आपकी सफलता मिली है। श्रीर. भक्तिष्य के लिये इस प्रकार के उपाय कौनसे हैं जिन से चोरी पर कुछ नियंत्रण किया जा सके ?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): As regards the theft of railway equipment, the net loss to the railways in 1966 was about Rs. 17.99 lakhs, in 1967 it was Rs. 17.91 lakhs and in 1968, for nine months up to September, it was about Rs. 13.22 lakhs. This was the net value of the property lost due to thefts of railway equipment. The total number of persons arrested was 1907 in 1966, 2036 in 1967 and 1215 up to September, 1968, out of whom railway employees numbered 325 in 1966, 279 in 1967 and 92 in 1968 up to date. Apart from them, the RPF men numbered 8 in 1966, 2 in 1967 and 3 in 1968 up to date.

SHRIMATI SUCHETA KRIPALANI: What percentage of the thefts occurred in the workshops ?

SHRI C. M. POONACHA: I do not have separate figures. But I would like to enlighten the House with another set of figures. This relates to the number of persons arrested under the Unlawful Possession of Railway Property Act, which came into force after 1st April, 1968. These are cases registered against persons who were detected to have been in possession of railway property unlawfully after the Act came into force, and under that Act, about 4880 arrests have been made; the number of railway employees involved was 696 railwaymen and 71 railway protection force people. We do not have separate figures for the workshops.

SHRI PILOO MODY: I have heard that two locomotives have totally disappeared from somewhere in western India. I would like to know whether the hon. Minister has any information to give on this particular matter.

SHRI C. M. POONACHA: I wish that my hon. friend would give me precise information. If he says that somewhere some locomotive has gone away out of sight, we shall not be able to answer it.

SHRI HEM BARUA: In view of the fact that railway equipments are pilfered with impunity and even mirrors and electric switches are removed from the compartments, may I know whether the officers or the employees of the railway who are responsible for looking after these properties are brought to book for neglecting their duties?

SHRI C. M. POONACHA: Cases are registered, the police investigate the cases and the persons concerned are arrested and punished.

SHRI HEM BARUA: I did not mean that. There are some railway officers who are responsible for looking after the security of this equipment. What steps have been taken against them for neglecting their duties?

SHRI PARIMAL GHOSH: The railway officers are not precisely responsible for the security. For that purpose there is the Railway protection force as well as the Government Railway police. The moment such things come to the knowledge of the Railway Protection Force, they in turn report it to the police and investigation is done.

SHRI HEM BARUA: Who controls the security force?

SHRI SRADHAKAR SUPAKAR: We find that a lot of railway equipment is lost and stolen probably on account of the fact that they are not sufficiently guarded at the terminal stations. May I know whether Government have taken sufficient precautions to see that sufficient protection is there to guard against thefts of equipment from trains at the terminal stations?

SHRI PARIMAL GHOSH: Necessary arrangements are being made now in that behalf.

श्री हुकमचन्द कछबाय : सभी मंत्री सहोदय ने बताया कि जहां से छद्मान जाता है और जहां उतरता है वहां चोरी होती है। लेकिन ऐसे भी बहुत से केस हैं कि जो यात्री ट्रेन में चलते हैं उन्हें लूटा जाता है, उनकी जेब काटी जाती है, उनका सामान चोरी किया जाता है और उनके लिये आपने कोई व्यवस्था नहीं की। जैसे उदाहरण के लिये मुगलसराय में पंडित दीनदयाल की हत्या की गयी। मारपीट भी होती है। तो मैं जानना चाहता हूँ कि इस प्रकार के केस गाड़ी में न हों इसके लिये गाड़ी के अन्दर पुलिस की व्यवस्था करने का आप विचार रखते हैं ?

SHRI PARIMAL GHOSH: Some of the long-distance trains where these kinds of things are suspected to take place. . .

SHRI HEM BARUA: The long-distance trains also do not have electric bulbs in the compartments.

SHRI PARIMAL GHOSH: Such trains are being escorted by Armed Police.

श्री हुकमचन्द कछबाय : अध्यक्ष महोदय मैं जानना चाहता हूँ कि सुरक्षा का क्या प्रबन्ध सरकार करने का विचार कर रही है ?

MR. SPEAKER: He says that all trains are guarded.

श्री हुकमचन्द कछबाय : किसी गाड़ी में नहीं चलते हैं। मैं काफी गाड़ी बदलता हूँ। यह कह कर मंत्री जी सवाल को न टालें। जब आपको लूटेंगे तब आपको मालूम पड़ेगा।

SHRI M. B. RANA: What are the duties of the conductors and attendants in the first class compartments or air-conditioned compartments in regard to prevention of thefts from the compartments, and how far are they responsible in that regard?

SHRI PARIMAL GHOSH: Normally, the duties of the conductor are to look after the comfort of the passengers, to find out seats for them and also if any complaint is received to see that the complaint is passed on to the appropriate authorities.

SHRI SHIVAJI RAO S. DESHMUKH: The question was about the duties of conductors and attendants as regards thefts in railway compartments.

MR. SPEAKER: He asked about the duties of conductors.

श्री सरजू पांडेय : सभी स्थानीय मंत्री जी ने बताया है कि रेलवे में काफी चोरियां हो रही हैं और प्रार० पी० एफ० के लोग जब से रेलवे की सुरक्षा के लिए रखे गए हैं, बहुत सारे लोगों का ऐसा विश्वास है और यह बात सही भी है कि यह प्रार० पी० एफ० के लोग तमाम स्थानीय गुंडों से मिल कर रेलों में चोरियां कराते हैं, तो क्या इसके लिए सरकार कोई खास कदम उठा रही है जिससे रेलवे में चोरियां रोकी जा सकें ?

SHRI PARIMAL GHOSH: As I have already stated, in some of the cases railway people are involved. But it is not a fact that after the RPF has been introduced, the number of cases has gone up.

Central Industrial Projects

- * 786. SHRI SHARDA, NAND;
SHRI J. B. SINGH;
SHRI KANWAR LAL GUPTA;
SHRI ONKAR SINGH:

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

(a) the names of the Central Industrial projects which are under construction or expansion;

(b) the total amount needed for completing them and the amount to be spent during this year;

(c) whether it is a fact that no new projects will be taken up unless the old projects are completed; and

(d) if so, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI RAGHUNATH REDDI): (a) and (b).

The required information has been given in the statement laid on the Table of the House by the Prime Minister on the 13th November, 1968, in reply to Starred Question No. 61.

(c) and (d). The decision on this aspect shall be taken when the Fourth Five Year Plan is finalised.

SHRI KANWAR LAL GUPTA: On a point of order.

MR. SPEAKER: No point of order during question hour. His name is here. I will call him.

श्री कंबरलाल गुप्त : अध्यक्ष महोदय, मेरा कहना इतना ही है आपसे कि जिस स्टेटमेंट का इन्होंने जिक्र किया वह या तो संकुलित करना चाहिए था और संकुलित नहीं किया तो उन्हें पढ़ कर बताना चाहिए।

MR. SPEAKER: It is all right; let us proceed now.

श्री हुकम चंद कछवाय : स्टेटमेंट नहीं दिया तो हम सवाल किस पर पूछेंगे ?

श्री रवि राय : अध्यक्ष महोदय, मौखिक बता दें कि जवाब क्या है ?

MR. SPEAKER: Is it suggested that when they refer to a previous question and answer, all those papers should again be laid on the Table?

SHRI RANGA: We cannot put any supplementary.

श्री हुकम चंद कछवाय : अध्यक्ष महोदय फिर हम सवाल कैसे पूछेंगे ?

MR. SPEAKER: Do they want the question to be postponed?

SOME HON. MEMBERS: no.

MR. SPEAKER: Anyhow, it cannot immediately be done.

SHRI KANWAR LAL GUPTA: A copy of the statement may be given.

SHRI SHEO NARAIN : अध्यक्ष महोदय, आपकी हाउस को रेगुलेट करने की जिम्मेदारी है।

You are the supreme authority in this House. We should act according to your advice.

MR. SPEAKER: Nobody is questioning that.

I wonder if the Minister has got it. If he has, he may give it.

SHRI RAGHUNATH REDDI: It is a long statement.

SHRI RANGA: But this is not fair to the House.

MR. SPEAKER: It was laid on the Table. If he wants that the whole thing should again be laid on the Table, I do not know if it can immediately be done.

SHRI RANGA: This was long ago.

MR. SPEAKER: All I can do is to ask him to lay it again. But it does not serve his purpose now.

AN HON. MEMBER: Let it be held over till tomorrow.

MR. SPEAKER: Tomorrow there will be some other questions.

SHRI RANGA: This is a very unfair way of proceeding.

MR. SPEAKER: I know; I agree.

श्री शारदानंद : अध्यक्ष महोदय, मैं आपके माध्यम से मंत्री महोदय से जानना चाहूंगा कि जो भी यह परियोजनाएं चालू की जाती हैं जिस समय इनको प्रारंभ किया जाता है उस समय इनका व्यय कुछ धांका जाता है और जैसे-जैसे यह धाने बढ़ती जाती हैं इनका व्यय बढ़ता जाता है तो क्या मंत्री महोदय इस व्यय को कम करने के लिए कोई योजना बना रहे हैं ?

श्रीऔद्योगिक विकास तथा सम्पदा-कार्य मंत्री (श्री फखरुद्दीन अली अहमद) : जिस वक्त प्रोजेक्ट रिपोर्ट तैयार की जाती है उस वक्त के हालात को देख कर कीमतें वगैरह लगायी जाती हैं। उसके बाद कुछ कीमतों का अन्दाजा नहीं होता, कीमतें बढ़ती हैं, वेजेज वगैरह बढ़ती हैं, उसकी वजह से इजाजा होता है तो इससे जरूर थोड़ी बहुत बढ़ोतरी होती है और वह उस वक्त ऐन्टीसिपेट नहीं कर सकते इसलिए ऐसा होता है।

श्री शारदानंद : दूसरा प्रश्न मैं यह करना चाहता हूँ कि कोई ऐसी परियोजना सरकार के विचाराधीन है ? यदि है, तो वह कौनसी योजना है ?

श्री फखरुद्दीन अली अहमद : इसके मुतालिक तो हमने जवाब दिया था कि जो नई पब्लिक अंडरटेकिंग में इन्वेस्टमेंट की जायगी उस पर प्लानिंग कमीशन गौर कर रहा है और जब उसका फैसला हो सकेगा उसी के बाद हम कह सकेंगे कि कौन-कौनसी चीजें नई सूरत में पब्लिक अंडरटेकिंग में आएंगी।

श्री कंबर लाल गुप्त : अध्यक्ष महोदय, प्लानिंग कमीशन कब तय करेगा यह तो शायद सरकार नहीं बता सकती कोई ज्योतिषी ही बताएगा। मैं पूछना चाहता हूँ कि आपने 3 हजार करोड़ रुपया इन्वेस्ट कर रखा है और उसमें नफा कुछ नहीं होता, उसका एक कारण यह है कि जो प्रोजेक्ट आप लेते हैं वह समय पर पूरा नहीं होता, हमेशा ज्यादा समय उसमें लगता है और जो बजट प्राविजन उनका किया जाता है उससे ज्यादा खर्च उनमें होता है, इसके अलावा आज काफी आइडिल कैपेसिटी भी उन प्रोजेक्ट्स में पड़ी है, तो क्या सरकार इन सब चीजों को ध्यान में रखते हुए एक एक्सपर्ट्स कमेटी बिठाएगी जो इस बात पर रिब्यू करे कि जो नये प्रोजेक्ट्स मिलने वाले हैं या जिनको एक्सपेंड करने वाले हैं वह वहां के बजाय जो एग्जिस्टिंग प्रोजेक्ट्स हैं और

जहां आइडिल कैपेसिटी है वहां उनको यूटिलाइज किया जाय ताकि नया पैसा वहां न लगाना पड़े और दूसरे यह कि अधिक कास्ट न हो और समय पर प्रोजेक्ट्स पूरे हों क्योंकि एक भी ऐसा प्रोजेक्ट सरकार का नहीं है जो समय पर खत्म हुआ हो तो वह समय पर खत्म हो और जितना बजट एलाटमेंट है उसमें वह बन सके इसके लिए कोई कमेटी बिठाए ?

श्री फखरुद्दीन अली अहमद : यह वो बहुत बुनियादी सवाल भानरेबल मेम्बर ने पूछे हैं। इस पर हम गौर कर रहे हैं कि किस तरह से जो प्रोजेक्ट रिपोर्ट आती है वह हमको एप्रोक्सिमेटली सही-सही फिगर बताए जिन फिगरों के अन्दर प्रोजेक्ट तैयार हो सकता है और इस वक्त पालिसी यह है कि जो पब्लिक अंडरटेकिंग्स कम्प्लीट नहीं हुईं, सबसे पहले जो हमारा पैसा है इन्वेस्टमेंट के लिए वह उनको कम्प्लीट करने में लगाया जाय और उसके बाद जो पैसा बचेगा उस वक्त नये प्रोजेक्ट लगाए जाएंगे। उसी के साथ-साथ हम यह भी सोच रहे हैं कि जो हमारे प्रोजेक्ट्स तैयार हो गये हैं उनकी जो आइडिल कैपेसिटी है उसको किस तरह से फुली यूटिलाइज करें ताकि उनसे कंट्री को पूरा बेनिफिट मिले। इसके लिए एक कमेटी भी बनाई जायगी और एकोनामिक मिनिस्टर की भी एक कोआर्डिनेटिंग कमेटी बना कर इस पर गौर करेंगे कि किस तरह से यह मुश्किलात दूर करें और यह डिफिकल्टीज ओवरकम कर सकें। इसके लिये हम कोशिश कर रहे हैं।

SHRI RANGA : The Co-ordination Committee of the Cabinet has always been there, and it has done nothing.

SHRIMATI JYOTSNA CHANDA : May I know whether Government is proposing to take up any new project in Assam in the Fourth Plan?

SHRI F. A. AHMED : I have already replied to it.

SHRI S. KUNDU : Recently the National Development Council has decided on a for-

mula of disbursement of Central assistance to the States in which they have given some consideration to backward States. I would like to know whether in setting up industries in the country in the Fourth Plan this formula will be adhered to and whether it would be seen that the backward States get more preference so far as location of Central industries is concerned? Secondly, so far has there been any industry in Orissa and Assam set up by your Ministry ?

SHRI F. A. AHMED: I have repeatedly answered this question.

MR. SPEAKER: Mr. Damani.

SHRI S. KUNDU: He has not replied to my question.

MR. SPEAKER: State by State he is not able to give.

SHRI S. KUNDU: It is a policy question.

MR. SPEAKER: In reply to a supplementary, how can he lay down the policy? The Question Hour is for eliciting information, not laying down policy.

SHRI S. KUNDU: I was asking for information, the criteria fixed in disbursement of industries.

SHRI S. R. DAMANI: Last session the hon. Minister stated that 14 units in the public sector involving an investment of Rs. 1,800 crores were not running to capacity. In view of this, may I know from the hon. Minister what specific steps have been taken by the Government to utilise the full capacity of these units and whether Government has received the recommendations or suggestions from different parties for utilisation of the idle capacity ?

SHRI F. A. AHMED: As already indicated in the statement placed on the Table by the hon. Prime Minister, the investment in the public undertakings from 1951 to 1958 was of the value of Rs. 2,450 crores and it was also pointed out that an investment of about Rs. 1,500 crores is required to complete those public undertakings. This excludes expenditure provided in 1968-69. Therefore it is our intention that whatever amount is available, first of all it will be spent

for the purpose of completing the public undertakings which are incomplete.

SHRI S. R. DAMANI: The hon. Minister said that 14 units are running with idle capacity. I want to know what steps have been taken to utilise the idle capacity. Did the Government receive any suggestion for better utilisation of the idle capacity ?

SHRI F. A. AHMED: As I said, as far as possible we shall examine the necessity of improving the working of these units and we would not like to keep any unit as an idle capacity. This again is subject to the resources available. It cannot be possible for us to remove all at once the idle capacity in any plant. We shall try to see how we can improve upon the performance as far as possible.

SHRI P. GOPALAN: It is a well known fact that during the first two Five Year Plans Kerala was virtually neglected with regard to the location of central industries.

MR. SPEAKER: If you ask State by State, it will not be possible.

SHRI SHEO NARAIN: U. P. is also most backward.

SHRI F. A. AHMED: This question you will remember, was answered by me only the other day where I stated the position in regard to the development of these industries in various States. I said that there are two Working Groups which are working in the Planning Commission to find out the possible way of removing this regional imbalance. As soon as their report is available, we shall see to what extent we can accept their recommendation in order to remove this regional imbalance which has occurred during the last few years.

SHRI S. KUNDU: For location of central projects, have they any criteria? So far they have not developed any criteria.

SHRI F. A. AHMED: All these criteria are being considered by these Working Groups and they will be taken into consideration.

SHRI K. M. KUSHIK: Has the idle capacity in various public undertakings anything to do with the incompetence in the

management or mismanagement? If so, what steps are Government are going to take to improve this incompetence?

SHRI F. A. AHMED: There are two things. One is the idle capacity because no work order is there. The other is where the production has not gone up because of something going wrong in that particular unit. That aspect we are also examining and we are trying to see whatever capacity is there, it should be fully utilised.

श्री शिव नारायण: अध्यक्ष महोदय, मैं भारत सरकार से जानना चाहता हूँ कि सेन्ट्रल प्रोजेक्ट्स में से कितना हिस्सा आपने उत्तर प्रदेश को दिया है और वहाँ पर कितना काम हुआ है ?

SHRI F. A. AHMED: How can I give those figures now?

MR. SPEAKER: Shri P. Gopalan. Not with regard to Kerala.

SHRI P. GOPALAN: I shall put the question with particular reference to my home State. In the third Plan also, Kerala was neglected, and in this background, I would like to know from the hon. Minister whether he has made a recent statement to the effect that the Central Government will have to think in terms of pulling out all the public sector projects from Kerala if the so-called deteriorating labour relations prevail in that State. Is it the policy of the Central Government? He played a conspiracy at the higher level against the united, legitimate share of Kerala and he is continuing a policy of neglect towards our State. Is it the policy ?

SHRI F. A. AHMED: I do not know if the hon. Member is attributing to me a statement made by the hon. Minister of Labour in Kerala. But may I just point out that I had a discussion recently with the Chief Minister and the Minister of Industries in Kerala when I was there, and the hon. Minister of Labour was not present. And there, particularly, the question was raised by me with regard to the functioning of the Heavy Machine Tool factory, and my Managing Director was also there. He pointed out the difficulties created by the labour and the holding up of work in that area. There was

the question or certain additional expansion in that project, and I told the Chief Minister that unless the State Government was prepared to give us help, it would be very difficult for us to consider the question of expansion when even what is there is not being worked on account of the serious strike situation in that particular area.

भिलाई इस्पात कारखाने द्वारा अर्जित विदेशी मुद्रा

* 787. श्री हुकम चन्ध कछबाय : क्या इस्पात, खान तथा धातु मंत्री यह बताने की कृपा करेंगे कि :

(क) जनवरी, 1965 से लेकर अब तक भिलाई इस्पात कारखाने द्वारा किस-किस किस्म के इस्पात का कितना-कितना उत्पादन किया गया ;

(ख) प्रत्येक किस्म के इस्पात का कितना-कितना निर्यात किया गया ; और

(ग) इस निर्यात से कितनी विदेशी मुद्रा कमाई गई और अगले पांच वर्षों में कितना उत्पादन होने की सम्भावना है ?

इस्पात, खान तथा धातु मंत्रालय में राज्य मन्त्री (श्री प्र० चं० सेठी) : (क) से (ग). तीन विवरण जिन में अपेक्षित जानकारी दी गई है। सभा-घटल पर रख दिए गये हैं। [पुस्तकालय में रख दिये गये देखिये संख्या LT-2733/68.]

श्री हुकम चन्ध कछबाय : माननीय मंत्री महोदय ने जो जानकारी रखी है उससे ऐसा मालूम होता है कि पिछले दो सालों में विदेशों को भेजे जाने वाले माल में काफी कमी आई है तो मैं जानना चाहता हूँ कि उस कमी का क्या कारण है ? दूसरे मैं यह जानना चाहता हूँ कि आपने जो यह कहा कि हम विदेशी मुद्रा को बढ़ायेंगे तो क्या प्राये प्राये वाले सालों में आप उसको बढ़ा पायेंगे ?

श्री प्र० चं० सेठी : अध्यक्ष महोदय, पिछले तीन सालों में बाहर जाने वाले माल की मात्रा में बढ़ोतरी हुई है, उदाहरण के लिए

भिलाई स्टील प्लान्ट से सन् 65-66 में एक करोड़ का माल गया, 66-67 में डेढ़ करोड़ का माल गया, 67-68 में 13 करोड़ का माल गया और यह साल जिसके तीन-चार महीने अभी बाकी हैं, 11 करोड़ का माल जा चुका है।

श्री हुकम चन्द कछवाय : विदेशी मुद्रा कैसे बढ़ायेंगे ?

श्री प्र० चं० सेठी : मैंने एक्सपोर्ट की फीगर्स दी हैं।

श्री हुकम चन्द कछवाय : अध्यक्ष महोदय, इस समय उसकी जो उत्पादन क्षमता है उसका पूरा उपयोग नहीं हो रहा है और उसका मूल कारण यह है कि वहां पर जो आफिसर्स बिठाए गए हैं वे अयोग्य हैं या कुछ सिफारिश के द्वारा लगाए गए हैं और वे ठीक प्रकार से काम नहीं कर सकते हैं। तो क्या सरकार इसके बारे में फिर से विचार करेगी। इसके अतिरिक्त वहां पर जो काम करने वाले कर्मचारी हैं उनकी बहुत सी सहूलियतें सरकार ने छीन ली हैं, क्या सरकार उसके ऊपर भी विचार करेगी ? इसके अलावा जब आप उत्पादन करते हैं तब क्या इस बात को भी ध्यान में रखते हैं कि विदेशी मार्केट में और देश के अन्दर किन-किन चीजों की वास्तविक आवश्यकता है ?

श्री प्र० चं० सेठी : अध्यक्ष महोदय, जहां तक भिलाई स्टील प्लान्ट के उत्पादन का ताल्लुक है, वह पूरी उत्पादन क्षमता पर काम नहीं कर रहा है, यह बात सही है। इसका मुख्य कारण यह है कि भिलाई स्टील प्लान्ट में जिस प्रकार की चीजें बनाई जाती हैं उनकी मांग देश में कम है, उदाहरण के तौर पर भिलाई में पांच लाख टन रेल्स की उत्पादन क्षमता स्थापित की गई है लेकिन रेलवे की मांग कम हो जाने के कारण रेल्स की खपत कम हो गई है लेकिन उसको बाहर निर्यात करने का प्रोग्राम बनाया गया है और उससे बाहर के निर्यात की मात्रा बढ़ी है।

जहां तक अफसरों का ताल्लुक है, हाल ही में वहां पर नये जनरल मैनेजर एप्पाइन्ट हुए हैं, उन्होंने अभी तक ठीक से वहां का काम चलाया है और कोई शिकायत नहीं आई है कि काम ठीक से नहीं चल रहा है। जहां तक मजदूरों की सहूलियतें कम करने का ताल्लुक है, मेरे पास ऐसी कोई शिकायत नहीं आई है। यदि माननीय सदस्य ऐसी कोई जानकारी देंगे तो हम उस पर विचार करेंगे।

श्री हुकम चन्द कछवाय : विदेशों में जिस माल की आवश्यकता है, उसको ध्यान में रखकर उसी प्रकार का माल निर्मित करने के बारे में सरकार ने विचार किया है ?

श्री प्र० चं० सेठी : उदाहरण के तौर पर मैं बतलाऊँ कि भिलाई स्टील प्लान्ट में केवल 12 मीटर की रेल बनाने की क्षमता स्थापित की गई थी लेकिन चूंकि विदेशों में 18 मीटर की रेल लगती है इसलिए इस प्रकार की सुविधा निर्मित की गई है और आवश्यकतानुसार उस में परिवर्तन किया जायगा।

श्री हुकम चन्द कछवाय : मेरे प्रश्न को फिर टाला गया है। मार्केट में किस की आवश्यकता है, दुनिया के बाजार में कौन सी चीजों की आवश्यकता है और हमारे देश में किन चीजों की आवश्यकता है उन आवश्यकताओं को ध्यान में रखते हुए क्या सरकार उन चीजों का निर्माण करेगी ? खाली रेल की बात मैं नहीं कह रहा हूँ मैं तो सभी चीजों की बात कह रहा हूँ।

SHRI NITIRAJ SINGH CHAUDHARY : The statement shows that the production of billets will go on increasing up to 1971-72 when it will reach 520,000 tonnes and thereafter there is a decrease. May I know why, instead of increasing from year to year, it is decreasing after 1972-73 ?

SHRI P. C. SETHI : Only in the case of billets, decline in production has been indicated. That only indicates that billets would be further converted into finished steel.

SHRI N. K. SOMANI: There will have to be a certain flexibility in production if the export market and internal market have to be fed successfully by our steel mills. May I know whether, in addition to the marketing intelligence obtaining Hindustan Steel and the Steel Ministry, Government would like to re-inforce this by a professional marketing organisation, which will give a reliable forecast of demand both in export and internal markets?

SHRI P. C. SETHI: The public sector steel plants are meant to suit the requirements of the country in view of targets defined by the Planning Commission. To that extent, there is little scope for diversification. But to the extent it is possible to do so, we are trying to do it, because if we try diversification on a big scale, we will have to invest a big amount of money.

Market survey is being undertaken and we are also keeping a constant watch and sending delegations and deputations to foreign countries to study the requirements of foreign countries.

SHRI SAMAR GUHA: Although the production capacity of plants like Bhilai and Rourkela have been expanded, still large quantities of various types of steel are being imported from foreign countries. I want to know what are those varieties, what is the value of the imports and when it will be possible for Bhilai and Rourkela to produce those steels which are being imported today.

SHRI P. C. SETHI: We are importing mainly alloy steel and flat products made of mild steel. When production in Durgapur and Bhadravati picks up, import of alloy steels will go down to a great extent. So far as mild steel and flat products are concerned, when the expanded capacity of Rourkela and Bokaro go into production, the imports of flat products will considerably go down.

SHRI SAMAR GUHA: What about the steel needed for bitumen barrels?

MR. SPEAKER: The hon. Minister has given a categorical and clear answer and I am satisfied with it.

SHRI SAMAR GUHA: With your permission, I want to know whether with the

expansion of Bhilai, our import of steel for oil containers and bitumen barrels from outside will be stopped.

SHRI P. C. SETHI: Bhilai is not producing those flat products.

MR. SPEAKER: I know. I have also explained it to him.

श्री शिंकरे : क्या मन्त्री महोदय यह बतलाने की कृपा करेंगे कि भिलाई में जो इस्पात का उत्पादन होता है उसमें बिन्नी लायक अर्थात् निर्दोष इस्पात जो उत्पादित होता है उसका परसेंटेज क्या रहता है और जो सदोष इस्पात उत्पादित होता है उसका परसेंटेज क्या रहता है ?

SHRI P. C. SETHI: The percentage of rejects is generally 7 to 8 per cent. But, in the case of rail which we are exporting the percentage of rejects is higher, in the range of 11 to 13 per cent, the reason being that there is much stricter examination of these rails and we are taking more care so that they are not rejected in the foreign market. Still, their is a case for improvement and it is being pursued.

श्री महाराज सिंह भारती : इस साल हम ने 11 करोड़ के करीब फोलाद भिलाई के बाहर भेजा है। मैं जानना चाहता हूँ कि भारत के अन्दर जो मार्केट रेट है क्या उसी मार्केट रेट पर आप ने निर्यात किया है और अगर उससे कम मार्केट रेट पर आपने निर्यात किया है तो कितना घाटा आया है और उस घाटे की पूर्ति अनुदान देकर की है या मिल ने उठाई है ?

श्री प्र० चं० सेठी : इंटरनेशनल प्राइस में और यहाँ की कीमत में अन्तर है और उस हद तक उसको सबसिडी देनी होती है।

एक आमनीय सचिव : कितना अन्तर है ?

श्री प्र० चं० सेठी : अन्तर बताना मुनासिब नहीं होगा लेकिन करीब डेढ़ करोड़ रुपया सबसिडी के तौर पर गत वर्ष दिया है।

SHRI R. BARUA: May I know whether recently a whole consignment of rails sent to a foreign country came back because of the defective carbon content?

SHRI P. C. SETHI: Recently we have exported to many countries and nothing has been rejected. This is an old case, two years back, when consignment of rails sent to an African country was rejected.

श्री जगन्नाथराव जोशी : क्या यह बात सच है कि रेल की पटरियां जो कि इथोपिया भेजी गई थीं वह स्पेसिफिकेशन के मुताबिक नहीं थीं इसलिए उन्होंने उसे लेने से इंकार कर दिया, यदि हां, तो ऐसा कितना माल है और ऐसे और भी कितने देश हैं जिन्होंने माल लेने से इन्कार कर दिया और साथ ही माल स्पेसिफिकेशन के मुताबिक बराबर उन को पहुंचे इस दृष्टि से क्या कार्यवाही करने का निश्चय किया है ?

श्री प्र० चं० सेठी : मैंने अभी बताया कि चन्द वर्ष पूर्व अफ्रीकन कंट्रीज में जो रेल का माल यहां से गया था उसमें से रिजैक्ट हुआ था। उसके बाद यहां से इंजीनियर्स गये थे और उन्होंने वहां के सब हालात को देखा। उसके बाद से रेल का कोई माल रिजैक्ट नहीं हुआ।

श्री हुकम चन्द कछबाय : वह जो खराब माल तैयार करने के लिए अफसर जिम्मेदार थे उनके खिलाफ सरकार ने क्या कार्यवाही की है ?

MR. SPEAKER: This is a supplementary to a supplementary.

SHRI SRINIBAS MISRA: Is it a fact that a visiting team of Russian experts have made some recommendations regarding improving the export potential of Bhilai steel plant and, if so, would the Minister like to place that recommendation on the Table of the House?

SHRI P. C. SETHI: We had a lot of discussion with the visiting team of Russians.

They are still at a stage where details cannot be divulged. The protocol is to be signed perhaps in a day or two by the Minister of Industries which will give all the details.

SHRI RANGA: In view of the fact that the higher and rising percentage of rejects speaks very ill of our efficiency and of our inspection staff also, which is supposed to be independent of the management there, and in view also of the fact that they have already installed some machinery which would be testing the strength of the steel, why is it that government have neglected this matter for such a long time and only now they are trying to take some important steps in order to improve the quality of our steel? Is it not a fact that as and when they develop production, simultaneously they see to it that there would be experts who would be examining the quality of it, that there would be machinery also for examining the quality? It speaks very ill indeed of the efficiency and competence of the staff if these rejects were to go on at such a high percentage after so many years of production.

SHRI P. C. SETHI: I have already admitted that there is case for improvement as far as the rejects are concerned.

SHRI RANGA: What do you mean by saying that there is case for improvement? From the very beginning there should not be so much.

SHRI P. C. SETHI: When you have to do specialised production, for example, rail wheels, which are being produced in Durgapur, the percentage of rejects in the initial stages was about 40 per cent but now it has come down to 18 per cent. That itself shows that constant effort is being made to improve the quality.

नई रेलवे लाइनें

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* 788. श्री राम स्वर्ण्य बिश्वाची :

श्री भारत सिंह चौहान :

क्या रेलवे मन्त्री यह बताने की कृपा करेंगे कि :

(क) देश में विभिन्न रेलवे प्रशासनों के

प्रधीन इस समय बिछाई जा रही रेलवे लाइनों का ब्यौरा क्या है ;

(ख) बिछाई जा रही नई रेलवे लाइनों का कितना काम पूरा हो चुका है और प्रत्येक रेलवे लाइन का काम कब तक पूरा हो जाने की सम्भावना है ;

(ग) क्या यह सच है कि कुछ स्थानों पर काम की प्रगति बहुत धीमी है; और

(घ) यदि हां, तो इसके क्या कारण हैं और काम शीघ्र पूरा करने के लिए क्या कार्यवाही की जा रही है ?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI PARI-MAL GHOSH): (a) to (d). A statement is laid on the Table of the House. [Placed in Library. See No. LT-2734/68].

श्री राम स्वल्प विद्यार्थी: मन्त्री महोदय ने एक विवरण सभा पटल पर रखा है। सेन्ट्रल रेलवे और नार्दन रेलवे पर नई रेल लाइनें बन रही हैं। अध्यक्ष महोदय आप देखेंगे तो पता लगेगा कि डिटेल्स आफ टारगेट जहां मांगा गया है वहां कहा गया है कि नाट यैट फिक्स्ड और कही प्राविजनल फिक्स किया है। मैं जानना चाहता हूं कि जब आप योजना बनाते हैं नई रेलवे लाइन डालने की तो क्या आप इस प्रकार का आयोजन नहीं करते हैं कि कब तक वह समाप्त हो जाएगी ?

दूसरी बात में यह जानना चाहता हूं कि क्या रक्षा मन्त्रालय से आपके पास राजस्थान बोर्डर और पंजाब बोर्डर पर कुछ नई रेलवे लाइनें डालने की योजना आई है और यदि आई है तो उसके लिए आपने क्या कुछ किया है ?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): The two railways are the Singrauli-Katni Rail Link and the Hindumalkot-Sriganganagar line. As regards the first line, 75 per cent of the work has been completed; the remaining portion of the work

would be completed in due course of time. In the mean time the expected traffic has not generated there. Therefore a new appraisal is being made as regards the scheduling of the works programme.

As regards the Hindumalkot-Sriganganagar sector, work has been taken up. There was some difficulty between us and the State Government in certain matters. That has now been settled. The Railways themselves will take up the entire work and it is expected to be completed a little ahead of the scheduled time; as such it is provisionally fixed now.

SHRI RANGA: This is a security project, is it not ?

श्री राम स्वल्प विद्यार्थी: राजस्थान और पंजाब बोर्डर पर रक्षा मन्त्रालय द्वारा सुरक्षा की दृष्टि से लाइन डालने के बारे में कुछ सुझाव आए हैं और यदि आए हैं तो उनके बारे में आप ने क्या किया है ?

SHRI C. M. POONACHA: These matters are examined in great detail by the Defence Ministry and we are always guided by their advice and indications.

श्रीमती लक्ष्मीकान्तम्मा: भद्राचलम बैलाडीला लाइन का सर्वे हुआ था। मैं जानना चाहती हूं कि इसकी क्या प्रगति हुई है और देर क्यों हो रही है ?

SHRI C. M. POONACHA: A survey of this line was conducted and the survey results indicated that the investment will not be remunerative enough. A further study is being made because the transport of iron ore from Bailadila sector is in the direction of Vizag Port which is going to be developed to handle as much as 6 million tonnes of exports per annum. This may go up to 10 to 12 million tones per annum if the outer labour scheme at kizag is implemented. After meeting that requirement only additional transport facilities in this sector will have to be thought of. Therefore this new line is under consideration for the time being and we have not taken any final decision.

श्री गुणानन्द ठाकुर: पहले तो आश्वासन दे दिये जाते हैं लेकिन बाद में

मन्त्री महोदय जो कुछ कहते हैं, उसको देखते हुए शक होने लगता है कि क्या उन आशवासनों को पूरा भी किया जाएगा या नहीं किया जाएगा। नई रेलवे लाइनों की यहां बात हो रही है। लेकिन दूसरी तरफ पुरानी रेलवे लाइनें हैं और उनके सिर्फ रिक्लेमेशन का सवाल है। उनका उद्घाटन भी हो जाता है। डा. राम सुभग सिंह जी बैठे हुए हैं, उनसे आप पूछ भी सकते हैं। उद्घाटन भी हो जाता है। इसको देखते हुए मैं स्पेसिफिकली पूछना चाहता हूं कि मंत्री महोदय डेट बतायें कि जब यह सुपोल प्रतापगंज रेलवे लाइन रिक्लेम हो जाएगी? इसको कब तक आप रिक्लेम करने जा रहे हैं?

अध्यक्ष महोदय, हमारा बोर्ड का इलाका है। उत्तर बिहार हर दृष्टिकोण से पिछड़ा हुआ है और उसका जो नेपाल की ओर का इलाका है वह तो और भी पिछड़ा हुआ है। नेपाल के बोर्डर पर बीरगंज की रेलवे लाइन है कोसी योजना की। उस रेलवे लाइन को पहले भी कोसी योजना में स्वीकृति मिली थी। बिहार सरकार ने भी इन्हें उसके बारे में लिखा है। मैं जानना चाहता हूं कि कब तक सरकार उस रेलवे लाइन को पूरा करने जा रही है?

SHRI C. M. POONACHA: This is in respect of restoring some dismantled lines in Bihar area. A section of that line has been restored and the restoration of the other section is under consideration.

SHRI CHINTAMANI PANIGRAHI: The hon. Minister, in his statement, has stated that the Cuttack-Paradip rail link had been sanctioned in December, 1967. This is December, 1968. Nearly one year has elapsed. I would like to know from the hon. Minister as to what is the total acreage of land which is required for construction of this line and whether the State Government has, during one year, made available at least one acre of land to the railway authorities for starting construction, because before Orissa there are only two programmes, generating mass unemployment and private

profit. I would request the hon. Minister to ask the State Government to immediately hand over the land for construction.

SHRI PARIMAL GHOSH: The construction of this line had been sanctioned in the year 1967. Actually, the matter of land acquisition has been referred to the State Government. They have so far handed over only a very small portion of the area and for that, we have already made the necessary arrangements. For the rest of the area, the acquisition proceedings are going on. No land has so far been handed over to the railways. Unless and until the land is handed over to the railways, the necessary construction work can be taken up.

SHRI SURENDRANATH DWIVEDY: What is your expectation?

SHRI PARIMAL GHOSH: That depends on the State Government.

श्री अटल बिहारी वाजपेयी : प्रतिवर्ष हजारों यात्री कन्याकुमारी के दर्शनों के लिए जाते हैं। जब से शिला पर विवेकानन्द के स्मारक का उद्घाटन हुआ है, यात्रियों की संख्या बढ़ गई है। लेकिन टिन्नैवेली से ले कर कन्याकुमारी तक अभी तक कोई रेलवे नहीं है। क्या सरकार इसको प्राथमिकता दे कर बिछाने का निश्चय करेगी?

SHRI C. M. POONACHA: As regards this particular Tinneveli-Kanya Kumari line and also Nagarcoil-Trivandrum line, we are conducting some surveys, and after the survey reports are received a decision will be taken in the matter.

SHRI THIRUMALA RAO: I think I heard the hon. Minister saying that Bailadila-Badrachalam movement is held up. Is the hon. Minister aware that the line capacity between Bailadila and Vizag is not sufficient to lift 6 million tonnes of coal? Is he aware of the proposal of the Metals and Mines Corporation that a port to the south of Vizag, that is, Kakinada can be developed and the railway line has to be investigated so that coal may be carried from Bailadila-Badrachalam to Kakinada? Has he got that in view?

SHRI C. M. POONACHA: This depends upon the other study as regards the location of another port to handle the bulk of ore export; whether it would be Varoha estuary or Kakinada, that matter has not been finally decided.

SHRI K. RAMANI: Long before a survey was conducted to have a new line between Satyamangalam and Chamarajanagar between Madras and Mysore States. I would like to know from the hon. Minister whether the Government is having that project under consideration and whether they are proposing to have a new line in this area because there is no other railway line here between these two States.

SHRI C. M. POONACHA: A survey was conducted, but the survey studies revealed that this line would not be remunerative enough. We have suggested to the Southern Railway a review and reappraisal of their studies, of the survey that was conducted long back.

SHORT NOTICE QUESTION

Refugees in Goalpara District (Assam)

SNQ 13. SHRI DHIRESWAR KALITA: Will the Minister of LABOUR AND REHABILITATION be pleased to state:

(a) whether it is a fact that the Relief and Rehabilitation Commissioner, Government of Assam, visited the Matia Refugee Camp in Goalpara District (Assam) on the 6th December, 1968;

(b) whether it is a fact that the houses of these refugees were set on fire on the same day;

(c) if so, whether any enquiry has been made by Government in this connection; and

(d) the steps taken to rehabilitate these refugees on permanent basis?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION (SHRI D. R. CHAVAN): (a) and (b). According to the information received from the Government of Assam, the Rehabilitation Commissioner of the Assam Govt. visited Matia refugee

camp in Goalpara District on 6-12-68. According to the report of the State Government, one of the huts of the Matia group of camps was set on fire by some miscreants, believed to be migrants. The fire was put out immediately by the Relief and Rehabilitation Commissioner, Assam State, with the help of local police.

(c) The State Government have expressed the view that no enquiry is necessary.

(d) In view of the Assam Government's inability to find land for the rehabilitation of more than 12,000 migrant families in Assam, steps have been initiated to resettle, outside the State, about 4,700 families who are at present residing in the relief camps in Assam and are in excess of the 12,000 families mentioned above.

SHRI DHIRESWAR KALITA: I have heard the hon. Minister patiently. There is one telegram from Shri Saratrava, M. L. A., which reads as follows:—

"Rehabilitation Commissioner himself insulted Maidens of Didhabari Matia Refugee Camps and set fire to the houses of Refugees on sixth December beyond imagination. His undemocratic action protested. Provocation continues. Military circulates in the camps. Immediate action solicited."

Then, I would like to quote from the *Assam Tribune* of 8th December. . .

MR. SPEAKER: You need not read out the whole thing.

SHRI DHIRESWAR KALITA: I shall read only the relevant portion. Here it is said:

"Official sources admitted that there was great panic in the camp as soon as the police appeared there, and scores of refugees fled to the jungles."

On 6th December, the Rehabilitation Commissioner, MR. I. S. Ingty, went there—I do not know on whose behalf he went there—with C. R. P. Force; they set fire to those houses; and a special train was also arranged to take those people to Dandakaranya. In that camp there are already 20,000 refugees. The very word, 'Dandakaranya', sends a shiver

into their bones. . . (Interruptions) At present some refugees have taken shelter in the jungles. Their houses have been set fire to. He has only admitted partly that some miscreants set fire to one house. . .

MR. SPEAKER: Come to the question.

SHRI SAMAR GUHA: This is a very serious question, Sir.

MR. SPEAKER: Mr. Kalita is capable of taking care of himself.

SHRI DHIRESWAR KALITA: Their houses have been burnt down, and the people have fled into the jungles. I would like to know whether they will be brought back from the jungles, and till they express their desire to go to Dandakaranya this action of lifting them bodily to Dandakaranya would be stopped. This is my first question.

SHRI D. R. CHAVAN: What actually happened is this. When these incidents were reported in the newspapers we immediately contacted the Assam Government and we have received certain information from the Assam Government. I will read out that information. It says:

"The Relief and Rehabilitation Department, Government of Assam, after arranging special train, transport and other things, asked the migrants concerned (mostly Hazong) to move, but they refused to move. The Deputy Secretary, Relief and Rehabilitation Department and Magistrate could not make anybody to move till 3-30 in the afternoon of 6th December, 1968. When Shri Ingty, Relief and Rehabilitation Commissioner, Government of Assam, arrived there and persuaded refugees to move, and actually convinced two to three families to go, and brought them along with him to the bus, a group of refugees got angry and assaulted the officer. They also gave some fist blows and would have beaten him had the police not intervened. The families who came out to move to the rehabilitation sites in Dandakaranya were also obstructed by other refugees and police had to take some of them in custody. There was no question of torture to any refugee by anybody."

On further enquiry, it has been revealed, that only one hut was burnt, not houses. It has to be understood that it is an improvised camp with huts in which one of the huts in which one of the refugees was staying, that was burnt. According to the information that we received, it was burnt by some of the miscreants believed to be refugees. On the whole, in the Matia camps, there are 3899 families. Assam Government has accepted the responsibility of setting 12,000 families and they have stated that the situation has reached a saturation point and there is no further scope for any more rehabilitation. Therefore, they have stated that these families should be moved out of Assam. We accepted the responsibility for settling them in Dandakaranya. Some of the representatives and leaders of the refugees themselves were taken to Dandakaranya and they were shown the rehabilitation sites and all these things. After these persons were satisfied the movement was arranged when these 300 families were about to be moved the trouble started. And these persons started saying that they were not prepared to go out of Assam for settlement. That is the position. The next thing is, certain references were made about CRP. It was not used at all. According to the information received only one hut was burnt by one of the miscreants believed to be one of the refugees.

SHRI DHIRESWAR KALITA: My first question has not been answered. I wanted to know: unless they expressed willingness to go to Dandakaranya they will not be removed to Dandakaranya.

SHRI D. R. CHAVAN: It is not that Dandakaranya creates terror in the hearts of the people. Actually, the hon. Member, Shri N. C. Chatterjee, the hon. Member, Shrimati Sucheta Kripalani and the Deputy Chief Minister of Orissa, Mr. Pavitra Mohan Pradhan and the Rehabilitation Minister from Assam had all paid visits to Dandakaranya and had seen the various rehabilitation sites there. And all these persons have paid glowing tributes to the good work done in Dandakaranya and it is not a Rakshasbhoomi as has been made out by him.

SHRI DHIRESWAR KALITA: He has not answered my question. I wanted to know: unless they have expressed willingness

to move to Dandakaranya they will not be removed to Dandakaranya.

MR. SPEAKER: He has said that already.

SHRI D. R. CHAVAN: It is not that the refugees can dictate to us and say 'We should be settled in a particular place'. No administration on earth can be carried on in that way.

SHRI DHIRESWAR KALITA: Since the Government of Assam have stated that they would not be able to settle more than 12,000 refugee families there, may I know what prevents the Central Government from settling these refugees in NEFA which is a Centrally administered area where thousands of acres of land are lying fallow and the refugee families would like to move if the Government of India develop it for rehabilitation?

AN HON. MEMBER: Why not in Assam?

SHRI DHIRESWAR KALITA: The Assam Government have rejected it. From all these facts you can understand what is going on in regard to the refugee rehabilitation scheme. May I know whether Government propose to set up a review body to find out what has been done by the Government of India and the Government of Assam regarding refugee rehabilitation in Assam?

SHRI D. R. CHAVAN: The hon. Member has raised two questions. The first is why these refugee families should not be settled in NEFA which is a Centrally administered area. Secondly, he wants to know why a review committee should not be set up to assess the working of the rehabilitation programme.

Regarding NEFA, we have fixed a target of settling 3000 families there, and today the number of families in site in NEFA is about 2455. Therefore, we are taking these families to the NEFA area. But the difficulty about settling these families is this. These families are Hajong families, that is, they belong to a tribal clan and they have expressed that they will not be going out to NEFA for resettlement. Some of the Hajong families were taken there some time back in 1966 but some of them had deserted those areas.

There are many other difficulties also. Unless these families are prepared to co-operate with Government for their settlement, I do not know what we can do; I do not think that these persons can dictate and we could act to their dictation.

As regards the appointment of the review committee, there are two problems involved in it. The first is concerning the resettlement of the old migrants who came in the wake of Partition, and secondly it concerns the new migrants who started crossing over to this country near about 1st January, 1964. As for the old migrants, this problem was assessed in 1961 with a view to finding out whether any residuary problem remained. This assessment was made in consultation with the Assam Government. After the assessment was made it was revealed that more or less the problem concerning the settlement of the old migrants had been solved.

As regards settlement of new migrants, I have already told my hon. friend that about 12,000 families are likely to be settled there. Today, about 10,700 families are in site, and about 1265 families will be moved on to the sites during the current financial year. About Rs. 10 crores has been spent on relief and rehabilitation of these families. So far as the remaining families in the camp are concerned, the Assam Government have said that they are unwilling to give any land for their settlement because they say that it has already reached a saturation point and there is no further scope for their resettlement in Assam . . .

SHRI ATAL BIHARI VAJPAYEE: Pakistanis are settling in Assam.

SHRI D. R. CHAVAN: All these persons are being taken to Dandakaranya. I have already explained the position about Dandakaranya, the irrigation potential that has been created there etc.

SHRI BASUMATARI: This question has been pending for long. The Hajongs are the plain tribes, to which category I also belong, and they know that there is no land available there; some of them have been taken to other areas including Dandakaranya to see the land and select it and they have agreed. They have agreed to move to

Dandakaranya. But communist party people have got into that area and are dissuading them from going there. That is the trouble. May I know whether Government are aware of this or not?

SHRI D. R. CHAVAN: Some political parties are behind this move. That is the information that we have received. But which political party it is . . .

SHRI SAMAR GUHA: Always, the hon. Minister tries to blame some political party or the other. They are my people and I know where they have come from. You should permit me to ask one question at least.

MR. SPEAKER: I shall first call Shri Hem Barua. He comes from Assam and he knows about it very well.

SHRI SAMAR GUHA: I know these people; I know where they have come from; I know the conditions in which they are living. So, you should give me a chance. Of course, you may call Shri Hem Barua also, but you should give me also a chance . . .

MR. SPEAKER: The hon. Member is incorrigible. I have learnt to deal with all other Members. I am still learning to deal with the hon. Member. For heaven's sake, let him put his question now. I have yet to learn to deal with him.

SHRI SAMAR GUHA: I am sorry if I have given cause for irritation . . .

MR. SPEAKER: Let him come forward with the question now.

SHRI SAMAR GUHA: If I have given cause for irritation it is because not only is my heart irritated but it is bleeding after what has happened in the wake of Partition . . .

MR. SPEAKER: Let him put the question now.

SHRI SAMAR GUHA: I have been for a period of five years in Pakistan and I have been dealing with the refugees, and about fifteen times I had faced imprisonment when I was dealing with the refugee movement in West Bengal. Therefore, I know the problem. These refugees the tribal Hazong were the

inhabitants of Garo Hills of Mymensing district of East Pakistan. After the genocide of 1964 according to the police of the East Pakistan Government, they were squeezed out of the border areas. The Indian leaders, the Government have betrayed these people; they are neither here nor there, *na ghar ka, na ghat ka*. They have no place on this earth; they have no place in India; India does not belong to them. That is the problem . . . (*Interruptions*) My hon. friend was a party to that partition, that criminal sin. Let him remember that.

The hon. Minister has said that they indulged in violence against the police officers. Anybody going to the Garo Hills area should know that the tribal Hazongs should not indulge in violence with the fist, because the tribals there are a militant type of people by tradition. Therefore, I would ask the hon. Minister whether he will send a team from among the Parliament Members to inquire into the violence and brutal atrocities that have been perpetrated on the Hazong refugees there, and secondly whether that team will also investigate whether Assam has really reached the saturation point with respect to refugee rehabilitation. Since these people come from the Garo Hills areas, in Assam also there is another part of the Garo Hills area where these people can be settled. May I know, therefore, whether Government are prepared to send a team from Parliament which will inquire into the matter and send a report?

MR. SPEAKER: The first question had been asked by Shri Dhireswar Kalita and the hon. Minister has already replied to that. The second question is whether the people would be settled in the Garo Hills. That question may be answered.

THE MINISTER OF LABOUR AND REHABILITATION (SHRI HATHI): The land belongs to the State; it does not belong to the Government of India. If the State Government give the land, then we can settle them on the land. The State Government have said that they have no land. The other best alternative is to settle them on the best land possible. As my colleague has explained, Dandakaranya has been developed so nicely. I have myself been there. The Bengali friends say:

वहाँ हम को हमारी जमीन और मिट्टी मिल गई।

That is what they say and they are very happy. So many persons like Shri N. C. Chatterjee and others have been there and they are satisfied that the area has been developed nicely.

SHRI SAMAR GUHA: What about settling them in Garo Hills areas of Assam? Why do they not send a team of Members of Parliament to inquire into the whole thing? Does not Assam belong to India?

SHRIMATI SUCHETA KRIPALANI: Dandakaranya is very good.

MR. SPEAKER: Call attention notice. Shri Sreedharan.

SHRI B. K. DASCHOWDHURY: What the hon. Minister has stated is not a fact. There are 5 million acres of fallow land . . .

MR. SPEAKER: I have passed on to the next item.

WRITTEN ANSWERS TO QUESTIONS

हिन्दुस्तान स्टील लिमिटेड के पास पड़े फालतू भण्डार का मूल्य

* 782. श्री नारायण स्वरूप शर्मा :
श्री अटल बिहारी वाजपेयी :
श्री जगन्नाथ राव जोशी :

क्या इस्पात, खान तथा धातु मंत्री यह बताने की कृपा करेंगे कि :

(क) हिन्दुस्तान स्टील लिमिटेड के पास कितने मूल्य के भण्डार फालतू पड़े हैं; और

(ख) ये भण्डार कब से पड़े हुए हैं तथा इसके क्या कारण हैं ?

इस्पात, खान तथा धातु मंत्रालय में राज्य मंत्री (श्री प्र० च० सेठी) : (क) 1-12-1968 को हिन्दुस्तान स्टील लिमिटेड के बिर्साई, दुर्गापुर और दरकेला इस्पात

कारखानों में 37.39 मिलियन रुपये के मूल्य के बेलित इस्पात का स्टॉक था जिसके लिए कोई प्राईर नहीं थे।

(ख) विक्रेय इस्पात का फालतू स्टॉक या तो प्राईर के विवरण के अनुसार माल का उत्पादन न होने प्रथवा, बेलन मिलों के उत्पादन कार्यक्रम में शेष रह जाने के कारण होता है क्योंकि बेलन मिलों का कार्यक्रम आर्थिक दृष्टि से न्यूनतम मात्रा के लिए निर्धारित किया जाता है। अतः फालतू स्टॉक समय-समय पर बेलन से हुआ है। और यह कहना सम्भव नहीं है कि वह कितने समय से पड़ा हुआ है।

M/s. Gammon India Limited

* 785. SHRI MADHU LIMAYE: Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to refer to the reply given to Unstarred Question No. 1820 on the 24th November, 1967 and state:—

(a) how the shareholders of M/s. Gammon India Ltd. had to pay less premium, when the company had already collected a premium of Rs. 7/- per share of Rs.10/- paid-up value from the Indian shareholders at the time the company was made a public limited company;

(b) whether the company has failed to call its Annual General Meetings within six months of the closing of the year and that they were given extension to hold the meetings by the Department and if so, since how many years this is happening;

(c) whether the results of the company are deteriorating since it became a public limited company and that no dividend was paid for the year ending 31st March, 1967; and

(d) whether Government propose to look into the working of the company and take action to safeguard the interests of minority shareholders?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) to (d). A statement is laid on the Table of the House. [Placed in Library. See No. LT-2735/68].

Seating and Standing Capacity of Third Class Railway Coaches on Suburban Trains in Bombay

* 789. SHRI GEORGE FERNANDES: Will the Minister of RAILWAYS be pleased to state:

(a) the seating capacity and standing capacity of the third class railway coaches on the suburban trains in Bombay;

(b) whether the Railways have got any study made or received any reports of over-crowding in these coaches;

(c) if so, the extent of over-crowding; and

(d) whether in view of the inadequate number of trains, Government will legalise travelling on footboards by the commuters ?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) The seating and standing capacities of the third class coaches on suburban trains in Bombay varies according to the different types of rakes in use. On 9 coach rakes which are generally run on the Main line sections, capacity for 668 to 756 for seating and in addition, for 668 to 765 for standing are provided.

(b) and (c). Yes, Sir. Studies have been undertaken both the Metropolitan Transport Team (Committee on Plan Projects) under the Planning Commission as well as by the Central Railway Administration. The report of the former Team has just been received and is being examined. The report of the study made by the Central Railway is expected shortly.

The Metropolitan Transport Team have indicated in their report that the crush load on such trains varies from 3,000 to 3,145.

(d) No, Sir, as such a step would be imprudent in the interest of safety of passengers.

बिहार तथा आन्ध्र प्रदेश में ताम्बे के निक्षेप

* 790. श्री बिभूति मिश्र: क्या इस्पात, खान तथा धातु मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या यह सच है कि हाल ही में किये गये एक भूतत्वीय सर्वेक्षण से पता चला

है कि बिहार में ताम्बे के बड़े निक्षेप हैं;

(ख) क्या यह भी सच है कि आन्ध्र प्रदेश में भी ताम्बे के बड़े निक्षेप पाये गये हैं;

(ग) यदि हां, तो अब तक कितने ताम्बे के संबंध में खोज कार्य किया गया है;

(घ) चौथी पंचवर्षीय योजना के अनुमानों के अनुसार भारत को कितने ताम्बे की आवश्यकता है; और

(ङ) क्या सरकार तैयार ताम्बे का उत्पादन करने के लिए कोई सक्रिय कार्यवाही कर रही है ?

इस्पात, खान तथा धातु मंत्रालय में राज्य मंत्री (श्री प्र० चं० सेठी): (क) सिंहभूम तांबा पट्टी के राखा खान-रोम सिद्धेश्वर खंड में तांबे के विस्तृत भंडारों का पता लगाया गया है। सिंहभूम में रामचन्द्र पहाड़, तुरामदीह, नन्दूप क्षेत्रों के उत्साहजनक निक्षेपों में विस्तृत अन्वेषण किये जा रहे हैं।

(ख) भारतीय भूवैज्ञानिक सर्वेक्षण संस्था द्वारा आन्ध्र प्रदेश के गुन्टूर जिले के अग्निगुन्डाला क्षेत्र में और खम्मम जिले के मेलरम क्षेत्र से तांबा निक्षेपों का पता लगाया गया है।

(ग) भारतीय भूवैज्ञानिक सर्वेक्षण संस्था द्वारा अब तक किये गये समन्वेषण से बिहार में तांबा धातु की 1,325,000 मैट्रिक टन उपलब्धता के संकेत मिले हैं। आन्ध्र प्रदेश में विभिन्न निक्षेपों में तांबे की 98,000 मैट्रिक टन की उपलब्ध राशियों का अनुमान लगाया गया है।

(घ) यह अनुमान है कि चौथी पंचवर्षीय योजना के अन्त (1973-74) तक लगभग 1,24,000 मैट्रिक टन के तांबे की आवश्यकता होगी।

(ङ) हिन्दुस्तान कापर कॉर्पोरेशन इस समय खेतड़ी कोलिहाम क्षेत्र के निक्षेपों पर आधारित 31,000 टन तांबा प्रति वर्ष के

उत्पादन के लिये राजस्थान में खेतड़ी में एक एकीकृत कम्प्लेक्स की स्थापना कर रही है। हिन्दुस्तान कापर कारपोरेशन बिहार में राखा खान-रोम सिद्धेश्वर खंड और भानुप्रदेश में अग्निगुंडाला क्षेत्र के तांबे के उपयोग के लिये भी कदम उठा रही है।

All India Railway Commercial Clerks' Association

* 784. SHRI SHRI CHAND GOYAL: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have received some representations from the All-India Railway Commercial Clerks' Association regarding the increase in per-centage of their departmental promotions; and

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

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) Yes; Sir.

(b) The matters raised are under examination.

दिल्ली शाहदरा से सहारनपुर तक बड़ी रेलवे लाइन

* 791. श्री हरबलयाल देवगुण : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उनका ध्यान इस बात की ओर दिलाया गया है कि शाहदरा सहारनपुर लाइट रेलवे में यात्रा करने वाले यात्रियों को बड़ी असुविधाओं का सामना करना पड़ता है और इस रेलवे पर यात्रा में बहुत अधिक समय लगता है;

(ख) यदि हाँ, तो क्या सरकार का विचार इस रेल मार्ग पर बड़ी लाइन बिछाने और तेज गति वाली रेल चलाने का है;

(ग) यदि हाँ, तो इस निर्णय को कब तक कार्यरूप दिया जायेगा; और

(घ) यदि नहीं, तो इसके क्या कारण हैं और इस रेलवे पर यात्रा करने वाले

यात्रियों को आराम और सुविधा देने के संबंध में सरकार का क्या कार्यवाही करने का विचार है ?

रेलवे मंत्री (श्री चं० सु० पुनाचा) :

(क) प्राइवेट कम्पनी द्वारा परिचालित इस लाइन के बारे में इस प्रकार की कुछ शिकायतें मिली हैं।

(ख) और (ग). इस लाइट रेलवे को बड़ी लाइन में बदलने की सम्भावना का पता लगाने के लिए टोह इंजीनियरिंग और याता-यात सर्वेक्षण की हाल में मंजूरी दी गई है। सर्वेक्षण पूरा हो जाने और रेलवे बोर्ड द्वारा सर्वेक्षण रिपोर्टों की जांच कर लेने के बाद बड़ी लाइन के सम्बन्ध में विनिश्चय किया जायेगा।

(घ) ऊपर भाग (ख) और (ग) के उत्तर को देखते हुए सवाल नहीं उठता।

Crisis in Aluminium Industry

* 792. SHRI S. S. KOTHARI: SHRI GADILINGANA GOWD:

Will the Minister of STEEL, MINES AND METALS be pleased to state:

(a) whether it is a fact that the aluminium industry is faced with accumulation of stocks due to slackening of demand for its products;

(b) if so, the reasons for which substantial quantities of aluminium were imported; and

(c) the steps Government and the industry are taking to resolve the crisis ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI P. C. SETHI): (a) During June-July 1968 representations were received from the aluminium producers regarding accumulation of stocks with them due to fall in domestic demand and the recession in the cable and conductor industry.

(b) During the earlier years, the indigenous production of E.C. grade aluminium was not sufficient to meet the demand of the ACSR/AAC industry and thus imports of E. C.

grade were allowed to the actual users under the liberalised import policy.

(c) On receipt of the representations from the indigenous producers the position was immediately reviewed and the import of the metal has since been put under 'Actual User Restricted' category. Exports of aluminium from India are also being allowed. The position regarding actual production of aluminium in the country, stocks with the producers etc. is being watched carefully and at present the industry does not carry heavy stocks of the metal.

ट्रैक्टरों का निर्माण

* 793. श्री महाराज सिंह भारती :
श्रीमती निलेश कौर :

क्या औद्योगिक विकास तथा समवाय-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) ट्रैक्टर बनाने के काम के लिए लाइसेंस लेने की शर्तें हटाई जाने के बाद अब तक कितने ट्रैक्टर निर्माताओं से आवेदन पत्र प्राप्त हुए थे; कितने आवेदन पत्रों पर अन्तिम निर्णय कर लिए गये हैं और कितने आवेदन पत्र विचाराधीन हैं;

(ख) क्या यह सच है कि निर्णय करने में सरकार कई वर्ष लगा देती है और इससे ट्रैक्टरों के निर्माण में बाधा पड़ती है; और

(ग) क्या यह भी सच है कि ट्रैक्टरों की वार्षिक मांग बढ़कर एक लाख हो गई है परन्तु उनके निर्माण का लक्ष्य केवल 20 हजार है यदि हां, तो बढ़ी हुई मांग कैसे पूरी की जायेगी ?

औद्योगिक विकास तथा समवाय-कार्य मंत्री (श्री कृष्णवर्द्धन श्रील अहमद) : (क) ट्रैक्टर उद्योग को लाइसेंस प्राप्त करने के उपबन्धों से मुक्त किए जाने के समय से आज तक विदेशी सहयोग से ट्रैक्टर बनाने वाले उपक्रम स्थापित करने के छः आवेदन प्राप्त हुए हैं। इनमें से एक आवेदन को सिद्धान्त रूप में स्वीकार कर लिया गया है और संबंधित फर्म को कहा गया है कि वह अन्तिम

रूप से सहयोग करार, पुनरीक्षित प्रावस्था-आजित निर्माण कार्यक्रम तथा पंजीगत वस्तुओं के आयात के लिए आवेदन प्रस्तुत करे। दो अन्य फर्मों को भी जिनके प्रकरण में विदेशी सहयोगियों को एक मुक्त राशि तथा आबर्ती स्वाभिस्व देय नहीं है को भी पंजीगत वस्तुओं के आयात के लिए आवेदन देने तथा पुनरीक्षित प्रावस्था आजित कार्यक्रम को सरकार के विचारार्थ प्रस्तुत करने के लिए कहा गया है। वे अभी प्रतीक्षित हैं। एक आवेदक को कहा गया है कि वह अपने प्रस्तावित ट्रैक्टर जिसे वह बनाना चाहता है की परीक्षा मध्य-प्रदेश में बुदनी स्थित ट्रैक्टर परीक्षणशाला में आवेदन पर अन्तिम निर्णय लेने से पूर्व कराये। शेष हाल ही में प्राप्त दो योजनाओं की जांच की जा रही है।

(ख) जी, नहीं।

(ग) कृषि विभाग ने 1973-74 में ट्रैक्टरों की मांग को 90,000 नग प्रतिवर्ष आंका है। जबकि ट्रैक्टरों का देशीय उत्पादन 50,000 नग होगा। इस क्षेत्र में विद्यमान एककों द्वारा और अतिरिक्त क्षमता स्थापित करके ट्रैक्टरों के उत्पादन को बढ़ाने के लिए सभी पग उठाए जा रहे हैं। इस समय देशीय ट्रैक्टरों की उपलब्धि तथा ट्रैक्टरों की मांग के अन्तर को रुपये में अदायगी किए जाने वाले देशों से निर्मित ट्रैक्टरों के आयात से पूरा किया जा रहा है।

Production of Iron ore in Bellary Hospet Mines

* 794. SHRI BHOGENDRA JHA: Will the Minister of STEEL, MINES AND METALS be pleased to refer to the reply given to Unstarred Question No. 4497 on the 20th August, 1968 and state:

(a) whether information has been collected with regard to the abundance of power and water near the Bellary Hospet mines;

(b) whether any comparative economic advantage of exporting the best quality iron ore from those mines and of exporting steel made out of the quantity being exported, has been or is being worked out;

(c) whether Government propose either to start a steel mill nearby or send the ore to any of the existing steel plants instead of exporting as ore; and

(d) if not, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI P. C. SETHI): (a) to (d). Bellary-Hospet iron ore deposits are situated close to Tungbhadra Dam near Hospet. Sufficient power is available at present for foreseeable mining purposes. The reliable source of water in the area is also the Tungbhadra Dam and its canal network, which are primarily designed for irrigating the neighbouring agricultural lands in view of very low rainfall in the area. Iron ore being found in high hilly ranges, water has to be pumped from below.

2. As regards comparative economic advantage of exporting the iron ore from those mines and of exporting steel made out of the quantity being exported, as already stated in reply to Unstarred Question No. 4497 on the 20th August, 1968, it is difficult to compare the two in view of the wide disparity of investment and other parameters involved. Iron ore is being exported with a view to earn valuable foreign exchange whereas setting up of Steel Mill would need to be justified on its economic viability, domestic and export demand etc. However, in the context of setting up of new steel works, the Government obtained feasibility studies on Goa-Hospet, Bailadila-Visakhapatnam and Neyveli-Salem region. No decision on setting up of new steel plants or its location has so far been taken. The Steering Group on Iron and Steel which has been appointed to help the Government to formulate its Fourth Plan development programme for iron and steel is expected to formulate recommendations in this regard for consideration of the Government. A decision regarding the setting up of a new steel plant and its location will be taken only after the recommendations of the Steering Group are available.

Railway Accidents

* 795. SHRI S. C. SAMANTA: Will the Minister of RAILWAYS be pleased to state:

(a) whether his Ministry has conducted

any inquiry into or search for the causes of the increased Railway accidents in the recent past;

(b) whether it is a fact that the accidents have largely occurred due to acts of errors and omissions on the part of Railway staff;

(c) whether efficiency checks are held at all levels with a view to recoup the efficiency which has fallen in Railway recruitments due to various factors; and

(d) the measures taken for minimising the accidents which are due to causes over which control can be exercised?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) The trend of train accidents is always kept under constant scrutiny, causes determined after proper inquiries and remedial measures taken to prevent their recurrence.

(b) Yes, Sir.

(c) Standard of recruitment has not fallen on the Indian Railways. Adequate measures are taken to see that railway servants continue to remain efficient during their service and only competent staff reach higher grades.

(d) Inquiries are held into all railway accidents and in the light of findings and recommendations necessary steps are taken to prevent recurrence of similar accidents. As inquiries held into railway accidents reveal that failure of railway staff is the largest single factor responsible for causing accidents, a four-pronged safety drive—educative, psychological, punitive and technological—has been going on to arouse the safety consciousness of the staff and to prevent accidents.

रेलवे स्टेशनों पर जलपान स्टाल

* 796. श्री श्रींकार लाल बेरवा : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सरकार का विचार कुछ व्यक्तियों के एकाधिकार को समाप्त करने का है जो पिछले कई वर्षों से रेलवे स्टेशनों पर जलपान स्टाल चला रहे हैं;

(ख) यदि हाँ, तो उनकी शर्तें क्या हैं;

(ग) क्या यह भी सच है कि भोजन व्यवस्था समिति ने अपने प्रतिवेदन में यह सिफारिश की है कि रेलवे स्टेशनों पर खोले जाने वाले प्रस्तावित नये स्टालों को वर्तमान स्टालों के पालकों को ही आवंटित किया जाना चाहिए; और

(घ) यदि हां, तो इसके क्या कारण हैं ?

रेलवे मंत्री (श्री वे० मु० पुनाचा) :

(क) और (ख). बूक प्राक्कलन समिति की सिफारिशों के परिणामस्वरूप खान-पान के ठेकेदारों के काम के क्षेत्र को कम करने के लिए 1956 में कार्रवाई की गयी थी, इसलिए खान-पान ठेकों के संबंध में इस समय कोई एकाधिकार नहीं है। फिर भी यह सच है कि कुछ मामलों में कुछ व्यक्ति या फर्म कुछ एक स्टेशनों पर बहुत अधिक समय से खान-पान का ठेका लिए हुए हैं। इसका कारण यह है कि उनका काम सन्तोषजनक रहा जिसकी वजह से प्रत्येक अवधि की समाप्ति पर उनके ठेके का नवीकरण किया जाता रहा है। ऐसे पुराने ठेकों को समाप्त करने का कोई विचार नहीं है जो जनता के प्रति सन्तोषजनक सेवा के कारण बिना किसी व्यवधान के कायम हैं।

(ग) और (घ). रेलवे खान-पान और यात्री सुविधा समिति, 1967 ने अन्य बातों के साथ-साथ यह सिफारिश की थी कि ठेकों की भर्य-शमता सुनिश्चित करने और योग्य केटरों को प्राकषित करने के लिए एक ठेकेदार की 'होल्डिंग' की अधिकतम सीमा बढ़ाकर 6 यूनिट कर दी जाये। इस सुझाव को सरकार ने मान लिया है और क्षेत्रीय रेलों को, इस सिफारिश पर अमल करने की हिदायत जारी करते समय, यह स्पष्ट कर दिया गया है कि जिन स्टेशनों पर खान-पान के नये यूनिट बनाने का पर्याप्त प्रीच्य है, ऐसे स्टेशनों के वर्तमान ठेकेदारों को, जिनकी सेवा अच्छी रही है और इस सिफारिश के अनुसार जिनका कार्यक्षेत्र बढ़ाना आवश्यक है, प्रतिरिक्त काम दिया जा सकता है।

Survey for Minerals in Orissa

* 797. SHRI CHINTAMANI PANI-GRAHI: Will the Minister of STEEL, MINES AND METALS be pleased to state:

(a) whether the entire mineral bearing areas of Orissa have been properly surveyed by the Geological Survey of India;

(b) if so, the latest survey reports of the deposits of various mineral ores in Orissa;

(c) whether any survey has been made near Chilka, Banpur, Khandapada, Ranpur and Daspalla areas in the district of Puri, in Orissa; and

(d) if so, the results thereof?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI P. C. SETHI): (a) Preliminary investigations for important mineral bearing tracts in Orissa have been carried out by the Geological Survey of India and detailed investigation in promising locations are in progress.

(b) As a result of survey carried out in different parts of the State, several mineral deposits have been recorded.

A large number of mineral deposits have been surveyed viz. asbestos, base-metals, bauxite, chromite, gold, graphite, iron ore, limestone, manganese ore and nickel ore.

(c) Yes, Sir. Geological survey has been carried out near Chilka, Banpur, Khandapda, Ranpur and Daspalla areas in the Puri district.

(d) No major mineral occurrences have been located in the areas mentioned above.

National Coal Development Corporation

* 798. SHRI PREM CHAND VERMA: Will the Minister of STEEL, MINES AND METALS be pleased to state:

(a) the amount of loss which the National Coal Development Corporation suffered since its inception on account of irregularities, thefts, stock shortages and fires;

(b) whether these matters were looked into and if so, the result thereof;

(c) whether a general assessment of the working of the Corporation has been done; and

(d) if so, the result thereof; and if not, whether Government propose to secure the services of any expert in order to find out the drawbacks and to bring about improvements in its working?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI P. C. SETHI): (a) and (b). The information is being collected and will be laid on the Table of the House.

(c) and (d). Government had appointed a Committee in July, 1967, to enquire into the working of the Corporation and suggest measures for improvement. The Committee has since submitted its report and the same is now under consideration of the Government.

Manufacture of Structural in the Heavy Engineering Corporation, Ranchi

*799. SHRI RABI RAY: Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that the bulk of production in Heavy Engineering Corporation in Ranchi consists of structurals and not sophisticated items of machinery and equipment for steel plants for which the heavy machine building plant, the key unit of the Corporation, was primarily designed;

(b) if so, whether it is also a fact that even in structurals about 40 percent of the present production is being done by private contractors employed by the Corporation; and

(c) if so, the main features thereof?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) to (c). Production for the year 1967-68 and during the period April-September, 1968 in the Heavy Machine Building Project of Heavy Engineering Corporation is as follows:—

	1967-68	Figures in tonnes April-Sept. 1968
Mechanical Items	6571.6	4206.50
Structurals	3694.5	2288.10
Structurals (other Agencies under HMBP)	4344.9	4581.90
Total	14611.0	11076.50

Structurals. produced through other agencies which are usually simple structural items account for about 29% of the total production in 67-68 and 41% in April-September, 1968 in tonnage. These simple Structural are being manufactured through other agencies as it would not be economic for the Heavy Machine Building Plant to take up the manufacture of these items.

रेल कर्मचारियों द्वारा हड़ताल की घमकी

* 800. श्री रघुबीर सिंह शास्त्री: क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या यह सच है कि अखिल भारतीय रेलवे कर्मचारी संघ के महा मंत्री ने 3 अक्टूबर 1968 को गोहाटी में यह घोषणा की थी कि रेल कर्मचारी 31 दिसम्बर, 1968 से अनिश्चित काल के लिये हड़ताल करने के अपने निर्णय पर दृढ़ हैं; और

(ख) यदि हां, तो उनकी मांगों को पूरा करने के लिये और उनकी हड़ताल को रोकने के लिए सरकार ने क्या कार्यवाही की है ?

रेलवे मंत्री (श्री चे. सु. पुनाचा):

(क) कुछ समाचार पत्रों में छपी कुछ रिपोर्टों के सिवाय सरकार को इस सम्बन्ध में हाल में कोई सूचना नहीं मिली है।

(ख) इस समय कोई कार्रवाई आवश्यक नहीं समझी जाती। यदि कभी हड़ताल की घमकी दी गयी, स्थिति का मुकाबला करने के लिए आवश्यक कार्रवाई की जायेगी।

Idle Capacity in various Industries

* 801. SHRI HIMATSINGKA: Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) what was the extent of idle capacity lying in the different industries during the first half of 1968 and how it compares with the extent of idle capacity lying during the first and second half of 1967:

(b) what are the main reasons for the continuing idle capacity;

(c) what steps have been taken during the first six months of 1968 to utilise industrial capacity to the full;

(d) how far the preference in public sector projects by Government and Government agencies has been responsible for this idle capacity; and

(e) whether the Federation of Indian Chambers of Commerce and Industry have submitted to Government a list of concrete cases where purchases are made from public sector undertakings to the exclusion of private sector units and if so, the details thereof and what is Government's reaction to prevent such discrimination against the private sector industry?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) to (e). A statement is laid on the Table of the House [*Placed in Library See No. LT-2736 /68*]

Talcher Industrial Complex

* 802. **SHRI K. P. SINGH DEO:** Will the Minister of STEEL, MINES AND METALS be pleased to refer to the reply given to Unstarred Question No. 3786 on the 13th August, 1968 and state:

(a) whether any instructions have been given by Government to the Fertiliser Corporation of India to revise the estimates of the Talcher Industrial Complex; and

(b) if so, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI P. C. SETHI): (a) The Fertilizer Corporation of India have been asked to revise the feasibility report prepared by them for setting up a coal-based fertilizer plant at Talcher.

(b) Preliminary examination of the feasibility report submitted by the Planning and Development Division of the Fertilizer Corporation of India revealed that this needs revision on the lines that Korba and Ramagundam reports were revised. For instance, the report on Talcher estimates a capital outlay at about Rs. 63 crores whereas for Korba the revised estimate is

placed at about Rs. 72 crores. In terms of capacity and feed stock, the Talcher proposal is similar to the Korba/Ramagundam proposals. The Talcher report, therefore, needs revision. It has also been considered desirable to get a firm commitment about the price of coal and utilities from the State Government as has been done for Korba and Ramagundam projects. It has also to be examined whether capacity for mining the required quantity of coal exists at Talcher. Another aspect which needs to be examined in detail is the market for the proposed plant at Talcher. A separate market report for Talcher project, as is being done for Korba, after taking into consideration the communications existing in the area has also been asked for.

Removal of Regional Imbalances regarding Industries

* 803. **SHRI BISHWANATH ROY:** Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) whether any proposal is under consideration of Government for removing regional imbalances regarding industries during the Fourth Five Year Plan; and

(b) if so, the main features thereof?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) and (b). In pursuance of a decision taken at the meeting of the National Development Council Committee held on 13th September, 1968, two working groups have been set up by the Planning Commission to make a careful study of the question of regional imbalances regarding industries. One of these groups would recommend the criteria for identification of backward areas and the other group would recommend the fiscal and financial incentives for starting industries in backward areas.

A decision in regard to the steps to be taken to remove the regional imbalances will be taken when the reports of these two working groups have been received.

अफगानिस्तान से फलों से लदे ट्रकों का पाकिस्तान द्वारा रोक जाना

* 804. श्री रामगोपाल शासवाले : क्या वाणिज्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि भारत के लिये अफगानिस्तान से फलों से लदे 100 ट्रक पाकिस्तान सरकार द्वारा रोक लिये गये हैं जिसके परिणामस्वरूप भारत को चमन के फलों से वंचित होना पड़ा और पठान व्यापारियों को लाखों रुपये की हानि उठानी पड़ी; और

(ख) यदि हां, तो सरकार ने इस संबंध में क्या कार्यवाही की है ?

वाणिज्य मंत्री (श्री दिनेश सिंह) :

(क) सरकार को इसकी जानकारी नहीं है ।

(ख) प्रश्न नहीं उठता ।

Supply of Iron Ore to Japan from Bailadilla

* 805. SHRI S. R. DAMANI: Will the Minister of COMMERCE be pleased to state:

(a) whether any new agreement has been negotiated with Japan to supply about 1.5 million tonnes of iron ore from Bailadilla during the year 1968-69 and, if so, the details thereof; and

(b) whether all necessary facilities have been created for smooth handling of iron ore exports at various stages, beginning from mining to loading at ports?

THE MINISTER OF COMMERCE (SHRI DINESH SINGH): (a) Yes, Sir. A contract for supply of 1.55 million tonnes, with option of another 0.25 million tonnes of Bailadilla iron ore during the year 1968-69 has been concluded with the Japanese Steel Mills.

(b) Yes, Sir.

Ban on Import of Indian Cigarettes in Nepal

* 806. SHRI SRADHAKAR SUPA-KAR:

SHRI YASHWANT SINGH KUSHWAH:
SHRI Y. A. PRASAD:
SHRI R. K. SINHA:
SHRI K. N. PANDEY:
SHRI HEM BARUA:
SHRI D. C. SHARMA:

Will the Minister of COMMERCE be pleased to state:

(a) whether it is a fact that Nepal has recently banned the import of Indian cigarettes into that country;

(b) if so, the reasons therefor and the extent to which India's trade is likely to be affected thereby;

(c) whether Government have held discussion with the Government of Nepal; and

(d) if so, the result thereof?

THE MINISTER OF COMMERCE (SHRI DINESH SINGH): (a) and (b). On 21st October, 1968, the Government of Nepal issued a notification under the Essential Commodity Control (Powers) Act prohibiting sale and distribution of cigarettes imported from India in the whole of the Kingdom of Nepal. In a subsequent notification issued on 25th October, 1968, it was clarified by them that the restrictions in question applied only to the cigarettes not marked as "Export for Nepal". There is no ban as such on imports of cigarettes from India into Nepal.

(c) and (d). Among other things, the question of import and distribution of cigarettes into Nepal from India was discussed during the Ministerial level talks held in Kathmandu in November, 1968. It was agreed that H. M. G. of Nepal would evolve and notify non-discriminatory procedures for import of cigarettes into Nepal.

Geological Survey in Kashmir

* 807. SHRI MANIBHAI J. PATEL: Will the Minister of STEEL, MINES AND METALS be pleased to state:

(a) whether the Geological survey in Kashmir has recently revealed some new metals and minerals there; and

(b) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI P. C. SETHI): (a) and (b): Salt deposits have been located around the Tso-Kar lake in the Rupshu area of Ladakh district, during the 1967-68 field season. Other mineral deposits located in Jammu and Kashmir include lignite, borax, sulphur, bauxite, limestone, gypsum and graphite.

Training of personnel for Steel plants

* 808. SHRI BASUMATARI: Will the Minister of STEEL, MINES AND METALS be pleased to state:

(a) whether it is a fact that India will not have to depend on foreign countries for training of personnel for steel plants; and

(b) whether it is also a fact that there are adequate facilities and trained people in India to train the personnel for setting up steel plants?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL MINES AND METALS (SHRI P. C. SETHI): (a) By and large, the requirements of technical training for the operation and maintenance of Steel Plants can be met within the country. Foreign training is generally necessary for the operation/maintenance of new types of equipments which may be installed for the first time and for the study of new equipments elsewhere and improvements in existing equipments in advanced countries.

(b) Although considerable expertise has developed in the matter of design and preparation of Detailed Project Reports etc. and the Hindustan Steel Works Construction Ltd. has been set up by Government for the construction of future Steel Plants, foreign assistance may still be necessary for some time to come for the construction/erection, commissioning etc. of Steel Plants.

Sale of Imported Nylon Yarn by S.T.C.

* 809. SHRI R. K. AMIN: Will the Minister of COMMERCE be pleased to state:

(a) whether it is a fact that the State Trading Corporation had imported nylon yarn which was auctioned in the market;

(b) whether it is also a fact that the indigenous manufacturers were in a position to supply nylon yarn at that time; and

(c) if so, the reasons for wasting our precious foreign exchange on its import?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) No, Sir.

(b) Nylon yarn has been imported by S. T. C. only to fill the gap between the indigenous demand and supply.

(c) Does not arise.

Special Police Establishment Report on Lakshmiratan Cotton Mills Co. Limited, Kanpur

* 810. SHRI S. M. BANERJEE: Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) whether any report on the investigations made by the Special Police Establishment into the First Information Report filed by the Company Affairs Department in 1966 against the Lakshmiratan Cotton Mills Co. Ltd., Kanpur, has been submitted to Government; and

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

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) Yes, Sir.

(b) A charge-sheet has been filed against the management for the offence of criminal conspiracy to commit criminal breach of trust.

Geological Survey of Limestone Deposits near Dharamsala

4734. SHRI HEM RAJ: Will the Minister of STEEL, MINES AND METALS be pleased to refer to the reply given to Unstarred Question No. 3502 on the 8th December, 1967 and state:

(a) whether the report of the Geological Survey of India regarding the Limestone Deposits near Dharamsala has since been completed;

(b) if so, what are its main features; and

(c) whether a copy of it will be laid on the Table of the House?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK): (a) to (c). The drilling investigation for Dharmkot limestone was taken up by the Geological Survey of India in June 1966 and the same is expected to be completed by January, 1969. The report on the investigation will be prepared after the investigation is completed and also after analytical, petrological and other necessary investigations on the samples collected, have been carried out. A brief summary of these will be incorporated in the Annual Reports, copies of which are invariably sent to the Parliament Library, when published as Records of the Geological Survey of India. However, a copy of the interim report on the exploratory work carried out by the Geological Survey of India on the limestone deposit at Dharamkot has already been sent to the Parliament Library.

As a result of investigations carried out so far, tentative estimates indicate that 18.8 million tonnes of total limestone reserves will be available from the Dharmkot hill outcrop, out of which 13 million tonnes are expected to be easily quarriable.

Setting up of Industries by Indians Abroad

4735. SHRI BABURAO PATEL: Will the Minister of COMMERCE be pleased to state:

(a) the names of Indian industrialists and the amount of investment made by each in foreign countries so far with the names of industries and the countries;

(b) the basic terms on which these investments were allowed to be made and the amount of fluid funds or the cost of machinery allowed to be sent out in each case;

(c) the share of annual profits of each company and the amount each Company is allowed to repatriate annually and the currency in which they would do so; and

(d) whether in the event of war with Pakistan, our industries in Iran and Iraq would be affected and, if so, the precautions taken to avoid confiscation of Indian property?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) A statement is laid on the Table of the House. [*Placed in Library. See No. LT-2737/68.*]

(b) The terms, under which Indian investment abroad is generally allowed, are equity participation through export of indigenous machinery and extension of technical know-how without remittance of fluid finances. There is generally no ceiling upto which Indian parties are allowed to invest, but normally minority participation by Indian parties is favoured.

(c) Of the approved proposals, only 12 units have so far gone into production and as such it is too early to assess the profits that will accrue to these Companies. Generally, they are asked to repatriate the dividends, royalty etc. earned by them in foreign exchange.

(d) On the basis of past experience, we do not anticipate such eventuality.

Recommendations of Sarkar Committee

4736. SHRI BABURAO PATEL: Will the Minister of STEEL, MINES AND METALS be pleased to state:

(a) the names and designations of the officers against whom action, official, or otherwise, has been taken as per recommendations of the Sarkar Committee on steel transactions and the details of such action;

(b) the names and designations and monthly salaries of those suspected or found corrupt and the nature of action taken against each; and

(c) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL, MINES AND

METALS (SHRI P. C. SETHI): (a) The requisite information is furnished below:

S. No.	Name of Officers	Designation	Salaries	Nature of action taken
1.	Shri A. S. Bam, ICS	Now working as Resident Representative of U. N. Development programme, Belgrade.	Net annual Tax free salary of \$ 16,966.	Disciplinary proceedings have been instituted.
2.	Shri B. C. Mathur, IAS	Joint Secretary, Ministry of Home Affairs.	Rs. 2,575/- p.m.	—do—
3.	Shri S. C. Mukherjee	Dy. Iron & Steel Controller, Calcutta.	Rs. 1,775/- p.m.	—do—
4.	Shri C. A. Nair	Under Secretary, Deptt. of Iron and Steel, New Delhi.	Rs. 1,320/- p.m.	—do—
5.	Shri S. B. Basu	Asstt. Iron & Steel Controller, Calcutta.	Rs. 1,175/- p.m.	—do—
6.	Shri L. K. Bose	Asstt. Iron & Steel Controller, Calcutta (since retired)	Rs. 1,087.60 p.m. (Salary on the date of his retirement).	Action for reduction of pension has been taken up.
7.	Shri S. Gupta	Superintendent in the office of the I & S.C. Calcutta.	Rs. 808.50 p.m.	Disciplinary proceedings have been instituted.
8.	Shri D. P. Mitra	Assistant in the office of the Iron & Steel Controller.	Rs. 607.25 p.m.	—do—
9.	Shri S. N. Banerjee	Assistant in the office of the I & S. C.	Rs. 625.70 p.m.	—do—
10.	Shri G. N. Sen Gupta	Lower Division Clerk in the office of I & S.C.	Rs. 343.40 p.m.	—do—

(b) No allegation of corruption has been made against any official in the Sarkar Committee (Inquiry) Report.

(c) As the following officers have already retired from service and their pensions have been sanctioned, it has not been found possible to take departmental action etc. against them under the rules.

1. Sh. S. Boothalingam, ICS. Secretary, Steel Ministry.
2. Sh. V. Doraiswamy Dy. Iron & Steel Controller.
3. Sh. B. B. Pathak Assistant in the office of the Iron & Steel Controller.

Handicrafts Industry in Tripura

4737. SHRI KIRIT BIKRAM DEB BURMAN: Will the Minister of COMMERCE be pleased to state:

(a) whether there is any scheme for promotion of the handicrafts industry in Tripura during the current year;

(b) if so, the details thereof indicating its lay-out and the assistance granted by Government for the purpose and item-wise annual production of handicrafts in Tripura;

(c) whether any scheme for promotion of handicrafts industry in Tripura during the Fourth Five Year Plan has been submitted by the Tripura Government; and

(d) if so, the broad details thereof and if not, when such a scheme is likely to be received?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) Yes, Sir.

(b) A note indicating the broad outline, lay-out and the assistance granted by Government for the purpose is given in Annexure-I

which is laid on the Table of the House. [Placed in Library. See No. LT-2738/68]. The figures of item-wise annual production of handicrafts are not available.

(c) Yes, Sir.

(d) A note indicating the details of the scheme is given in Annexure-II which is laid on the Table of the House. [Placed in Library. See No. LT-2738/68].

मध्य प्रदेश में औद्योगिक विकास

4739. श्री गं० ख० दीक्षित : क्या औद्योगिक विकास तथा समवाय-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) गत दस वर्षों में मध्य प्रदेश सरकार को औद्योगिक विकास के लिये कितनी धन राशि ऋणों के रूप में दी गयी;

(ख) किन-किन कम्पनियों को न्यूनतम तथा अधिकतम ऋण दिये गये और उनको कितनी-कितनी राशि दी गयी;

(ग) क्या यह सच है कि ऋण प्राप्त करने के बावजूद अनेक कम्पनियों ने उद्योगों की स्थापना नहीं की और यदि हाँ, तो उनके क्या नाम हैं;

(घ) क्या सरकार का विचार उनके विरुद्ध कार्यवाही करने का है; और

(ङ) यदि हाँ, तो किस प्रकार ?

औद्योगिक विकास तथा समवाय-कार्य मंत्री (श्री फ़ख़रुद्दीन खली अहमद) : (क) से (ग). जानकारी इकट्ठी की जा रही है और वह सभा-मटल पर रख दी जायेगी ।

मध्य प्रदेश में मध्यम दर्जे के उद्योगों का विकास

4740. श्री गं० ख० दीक्षित : क्या औद्योगिक विकास तथा समवाय-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या 1968-69 में मध्य प्रदेश में मध्यम दर्जे के उद्योगों के विकास के बारे में

मध्य प्रदेश सरकार ने केन्द्रीय सरकार को कोई योजना प्रस्तुत की है;

(ख) यदि हाँ, तो उस योजना का स्वरूप और ब्यौरा क्या है और इस योजना की क्रियान्विति से प्रत्येक उद्योग की उत्पादन क्षमता कितनी बढ़ जायेगी;

(ग) क्या केन्द्रीय सरकार ने इस योजना को स्वीकार कर लिया है और यदि हाँ, तो किन रूपभेदों के साथ; और

(घ) इससे रोजगार के अवसर किस सीमा तक बढ़ने की सम्भावना है ?

औद्योगिक विकास तथा समवाय-कार्य मंत्री (श्री फ़ख़रुद्दीन खली अहमद) : (क) से (ग). 1968-69 के लिए अपनी वार्षिक योजना के भाग के रूप में मध्य प्रदेश सरकार ने बड़े व मझीले उद्योगों के अन्तर्गत नीचे लिखी विभिन्न योजनाओं के लिए 200 लाख रुपये के व्यय का प्रस्ताव किया :

(लाख रुपये में)

योजना का नाम	प्रस्तावित व्यय 1968-69
1. मध्य प्रदेश राज्य उद्योग निगम की ग्रंथ पूंजी में विनियोजन	75.00
2. औद्योगिक क्षेत्र, भिलाई	22.00
3. अन्य औद्योगिक क्षेत्रों का पूरा होना (उद्योगों की आघारभूत सुविधाएं)	50.20
4. औद्योगिक परियोजना प्रतिवेदन तथा सर्वेक्षण	2.80
5. मध्य प्रदेश औद्योगिक विकास निगम की मार्फत उद्योगों में वित्तीय सहयोग	50.00
	200.00

200 लाख रुपये के उपरोक्त प्रस्तावित व्यय में से सरकार ने 106 लाख रुपये के व्यय की मंजूरी निम्नलिखित रूप में दी:-

परियोजना का नाम	1968-69 के लिए व्यय की सिफारिश	परियोजना का नाम	1968-69 के लिए व्यय की सिफारिश
	(लाख रुपये में)		(लाख रुपयों में)
1. मध्य प्रदेश राज्य उद्योग निगम की ग्रंथ पूंजी में विनियोजन	34.00	4. औद्योगिक परियोजना प्रतिवेदन तथा सर्वेक्षण	2.00
2. औद्योगिक क्षेत्र, भिलाई	15.00	5. मध्य प्रदेश औद्योगिक विकास निगम की मार्फत उद्योगों में वित्तीय सहयोग	30.00
3. अन्य औद्योगिक क्षेत्र	25.00	योग :	106.00

मध्य प्रदेश राज्य उद्योग निगम की ग्रंथ पूंजी में 34 लाख रुपये का स्वीकृत विनियोजन उद्योगों की स्थापना/विस्तार के लिए किया जाना है। इसमें निम्नलिखित उद्योग शामिल हैं :-

औद्योगिक एकक का नाम	नया एकक विस्तार	वर्ष के दौरान विनियोग	परिणामस्वरूप क्षमता में वृद्धि
1. काटन स्पिनिंग मिल, सातेवाड का विस्तार	विस्तार	15.00	12000 तकुए से 19000 तक।
2. चर्बी वाले तेजाब और ग्लिसरीन का कारखाना	नया	7.00	स्थिति अभी तक आंकी नहीं गई है।
3. ग्वालियर पाटरी	नया	3.00	पुरानी भट्टियों के स्थान पर नई भट्टियां लगा दी गई है।
4. स्पिनिंग आफ काटन वेस्ट प्लांट	नया	5.00	स्थिति अभी तक आंकी नहीं गई है।
5. कार्बन डाई-आक्साइड, प्लांट	नया	4.00	-वही-
		34.00	

(घ) इस योजना के अर्न्तगत उपरोक्त उद्योगों की स्थापना से रोजगार के जो अवसर प्रदान होंगे उनका अनुमान नहीं लगाया जा सकता क्योंकि ये प्रस्ताव अस्थायी हैं।

मध्य प्रदेश में लघु उद्योगों का विकास

4741. श्री गं० च० दीक्षित : क्या औद्योगिक विकास तथा सन्वय-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या मध्य प्रदेश सरकार ने उस राज्य में 1968-69 में लघु उद्योगों के विकास और औद्योगिक बस्तियां स्थापित करने के बारे में कोई रिपोर्ट केन्द्रीय सरकार को भेजी है;

(ख) यदि हां, तो योजना की मुख्य बातें क्या हैं;

(ग) क्या सरकार ने उस योजना का अनुमोदन कर दिया है, यदि हां, तो किन

परिवर्तनों के साथ; और

(घ) इस योजना के फलस्वरूप रोजगार के अवसरों में कितनी वृद्धि होगी ?

औद्योगिक विकास तथा समवाय-कार्य मंत्री (श्री कृष्णचंद्रिनी अली अहमद) :
(क) से (ग). मध्य प्रदेश सरकार ने 1968-69 की वार्षिक योजना में ग्रामीण तथा लघु उद्योग क्षेत्र पर कुल 100 लाख रुपये खर्च करने का निश्चय किया था। इन प्रस्तावों पर कार्यकारी दल द्वारा विचार किया गया था और इस पर 98.80 लाख रुपये खर्च करने की सिफारिश की गई थी। योजना आयोग तथा राज्य सरकार के बीच विचार-विमर्श हो जाने के पश्चात् ग्रामीण तथा लघु उद्योग क्षेत्र पर 79.38 लाख रुपये की राशि व्यय हेतु निर्धारित की गई है। लघु उद्योग तथा औद्योगिक बस्तियों के लिए क्रमशः 34.97 लाख रु० और 15.75 लाख रु० की राशि निर्धारित की गई है।

(घ) इस सम्बन्ध में ठीक-ठीक अनुमान लगा सकना कठिन है।

मध्य प्रदेश का औद्योगिक विकास

4742. श्री गं० च० हीक्षित : क्या औद्योगिक विकास तथा समवाय-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) मध्य प्रदेश के औद्योगिक विकास के लिए पिछली पंचवर्षीय योजना में क्या कार्यवाही की गयी है और इस बारे में क्या प्रगति हुई है; और

(ख) चौथी पंचवर्षीय योजना में इस बारे में क्या कार्यवाही करने का प्रस्ताव है ?

औद्योगिक विकास तथा समवाय-कार्य मंत्री (श्री कृष्णचंद्रिनी अली अहमद) :
(क) मध्यप्रदेश में केन्द्रीय सरकारी औद्योगिक परियोजनाओं में तृतीय पंचवर्षीय योजनावधि में 192.6 करोड़ रुपये का विनियोजन किया

गया जिससे तृतीय पंचवर्षीय योजना के अन्त तक विनियोजित पूंजी 415 करोड़ रुपये हो गई। स्थापित या स्थापित की जा रही प्रत्येक परियोजना में किए गए या किए जाने वाले विनियोजन का ब्योरा प्रधान मंत्री द्वारा 13 नवम्बर, 1968 को तारांकित प्रश्न संख्या 61 के उत्तर में सभा पटल पर रखे गए विवरण में उपलब्ध है।

(ख) चतुर्थ पंचवर्षीय योजना को अभी अन्तिम रूप दिया जाना है। इस बारे में जानकारी योजना के बन जाने के पश्चात् ही उपलब्ध होगी।

इटारसी और बम्बई के बीच गाड़ियाँ

4743. श्री गं० च० हीक्षित : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को मालूम है कि इटारसी और बम्बई के बीच चलने वाली गाड़ियों की संख्या तीसरे दर्जे के यात्री यातायात के लिए अपर्याप्त है;

(ख) यदि हाँ, तो क्या सरकार का प्रस्ताव इस लाइन पर एक और गाड़ी चलाने का है अथवा बम्बई-कलकत्ता जनता एक्सप्रेस को बम्बई से प्रतिदिन चलाने का है; और

(ग) यदि नहीं, तो इसके क्या कारण हैं ?

रेलवे मंत्री (श्री चं० सु० पुनाचा) :
(क) एक और बम्बई वी० टी० और दूसरी और नयी दिल्ली, वाराणसी और हावड़ा के बीच चलने वाली सीधी गाड़ियों में कुछ हद तक भीड़-भाड़ होने के सिवाय बम्बई वी० टी०-इटारसी खण्ड पर चलने वाली मौजूदा गाड़ियाँ यातायात की जरूरतों को संतोषजनक ढंग से पूरा कर रही है।

(ख) और (ग). यातायात के मौखिक प्रश्न के अलावा इस मार्ग पर एक प्रतिरिक्त गाड़ी चलाना, जिसमें 41 टाउन/42 प्रप बम्बई वी० टी०-हावड़ा जनता एक्सप्रेस की

हफ्ते में अधिक बार चलाना भी शामिल है, इस समय सम्भव नहीं है क्योंकि मार्ग में कुछ खण्डों पर यातायात चरम सीमा को पहुँच गया है।

Visit by U. N. Expert Team

4744. SHRI SURAJ BHAN: Will the Minister of COMMERCE be pleased to state:

(a) whether any U. N. Expert Team headed by Mr. B. F. Coggen, had visited India some time back to study the quality of Indian goods for exports and to suggest some improvements;

(b) if so, the main suggestions made by the expert team; and

(c) how far those suggestions have been implemented by Government?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) Yes, Sir.

(b) and (c). A statement is laid on the Table of the House. [Placed in Library. See No. LT-2739/68].

Setting up of Small Scale Industries in Himachal Pradesh and Haryana

4745. SHRI SHANKARRAO MANE: Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that the Government of Himachal Pradesh and Haryana want the Industrialists to set up small scale industries in Himachal Pradesh and Haryana; and

(b) if so, the names of the industries that can be set up there and the details of the facilities offered?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) All State Governments including Himachal Pradesh and Haryana have been encouraging industrialists to set up Small Industries.

(b) A statement is laid on the Table of the House. [Placed in Library. See No. LT-2740/68].

Quota for Stainless Steel and Tin Sheets

4746. SHRI SHANKARRAO MANE: Will the Minister of STEEL, MINES AND METALS be pleased to state:

(a) whether it is a fact that the quota for stainless steel and tin sheets is provided by Government to the actual users; and

(b) if so, the quantity that can be sanctioned to the actual users?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK): (a) and (b). There is no quota allocation at present for stainless steel and tinplates. The actual users are free to approach the Producers and get their requirements of tinplates. As regards stainless steel sheets, their production at Alloy Steel Plant Durgapur has not yet reached marketable quantities.

Railway Board Secretariat Clerical Service Scheme

4747. SHRI KRISHNA KUMAR CHATTERJI: Will the Minister of RAILWAYS be pleased to state:

(a) whether the Supreme Court has held in its judgment in Writ petitions Nos. 96 and 165 of 1967 which were filed by some Railway Board staff that the provisions of the Railway Board Secretariat Clerical Service Scheme which was issued on the 5th February, 1957 with retrospective effect from the 1st December, 1954, are statutory and that promotions and appointments to the service from the 1st December, 1954 are to be made as per the provisions of that scheme;

(b) whether all promotions and appointments made after the 1st December, 1954 in maintenance posts will be regularised according to the provisions of the said Scheme; and

(c) whether the seniority of clerks after the 1st December, 1954 and promotion to the grade of U.D.C. were based on the length of service in the Board's office and, if so, whether this is proposed to be revised now in view of the Supreme Court judgment?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) The Supreme Court, in the concluding portion of their

judgment on these Writ petitions, observed as under:—

"To CONCLUDE, on this aspect, we are satisfied that the Scheme, Annexure 4, as modified by Annexure 7, framed by the 2nd respondent, Railway Board, such as it is, must have effect, as it does not suffer from any defect in its making and does not offend against the Constitution."

Annexure 4 referred to above is the Re-organisation and Reinforcement Scheme, Railway Board's Secretariat Clerical Service. This Scheme, as modified in the manner referred to above, is effective from 1.12.1954,

(b) This has been done, in accordance with the Scheme as modified,

(c) No revision is necessary since the Scheme provides that the clerks will be eligible for substantive appointment to Grade II on the basis of their length of continuous service in Grade II of the Railway Board Secretariat Clerical Service.

Clerks Drafted to Railway Board's Office from the Zonal Railways

4748. SHRI KRISHNA KUMAR CHATTERJI: Will the Minister if RAILWAYS be pleased to state:

(a) whether some of the Clerks who were drafted to the Railway Board's office from the Zonal Railways in 1957 were subsequently promoted to the grade of U.D.C. in their parent Railways with retrospective effect from the 1st April, 1956;

(b) whether these clerks hold that grade substantively and if so, the number thereof;

(c) whether utilising their services in the lower grade of L.D.C. is an infringement of the provisions of F. R. 15 of the Indian Railway Establishment Code, Vol. II; and

(d) whether any decision has been taken to regularise their appointment in the Board's Office and if so, whether in view of the Supreme Court judgment on the enforceability of the Railway Board's Secretariat Clerical Service Scheme, which was issued on the 5th February, 1957 with retrospective effect from the 1st December, 1954, their absorption will be considered in the light of para 14 (1) (a) of the Scheme?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) Yes.

(b) Six such clerks hold the grade substantively.

(c) No infringement of rules is involved since, where necessary, they have, with the sanction of the competent authority, been allowed to draw their substantive pay if the same happens to be more than the pay admissible to them in the Board's office.

(d) They are eligible for absorption in the Board's office in accordance with the existing provisions of the Railway Board Secretariat Clerical Service Scheme. There is no question of their absorption in the light of sub-para 14 (1) (a) of the Scheme, as this sub-para does not form part of the existing para 14 of the Scheme.

Heavy Engineering Corporation Ltd., Ranchi

4749. SHRI NARENDRA KUMAR SALVE: Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) the number of Work Orders received by the Heavy Engineering Corporation Ltd., Ranchi during the period 1967-68 together with the quantity;

(b) the number of orders completed by the Corporation;

(c) the number of work orders pending completion at the end of March, 1968; and

(d) the number of instances in which the work orders were completed after the stipulated period and the reasons therefor?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) to (d). The information is being collected and it will be laid on the Table of the House.

Heavy Engineering Corporation, Ranchi

4750. SHRI NARENDRA KUMAR SALVE: Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) the value of machinery lying idle with the Heavy Engineering Corporation, Ranchi at the end of March, 1968;

(b) the number of men-hours lost due to idle labour during 1967-68; and

(c) the reasons therefor?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) to (c). The information is being collected and it will be laid on the Table of the House.

Claims Against Railways

4751. **SHRI ASGHAR HUSAIN:** Will the Minister of RAILWAYS be pleased to refer to the reply given to Unstarred Question No. 2244 on the 26th November, 1968 and state:

(a) the normal hours of journey of Fruit Parcels booked in wagon load from various stations of Vijayawada, Nagpur, Bhusaval and Palanpur to Delhi;

(b) whether it is a fact that the claims preferred on the basis of 'Assessment Certificates' issued by the Railway Administration are generally repudiated on the grounds of the provisions under section 77 (1) of Indian Railways Act, but when these are referred to Court of Law, the same are made good in favour of consignees; and

(c) if so, whether Government propose to pass the claims on the basis of Assessment Certificates and, if not, the reasons therefor?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) Reckoned from the day of loading, fruit wagons ex. Vijayawada, Nagpur and Bhusaval normally arrive Delhi in 6 to 7, 5 and 4 days respectively. No fresh fruits are normally moved in wagon loads ex. Palanpur to Delhi.

(b) No.

(c) In view of answer to part (b), this does not arise.

Allotment of Cars out of the Central Government Quota

4752. **SHRI A. S. SAIGAL:** Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that Officers drawing pay of Rs. 400/- or above in the scale of Rs. 400/1250 are entitled to allotment of cars out of Central Government quota, whereas officers whose scale of pay does not reach

Rs. 1250/- are not entitled (except certain categories) to this concession till pay reaches Rs. 900/-;

(b) if so, the reasons for this discrimination;

(c) whether it is also a fact that officers drawing pay of Rs. 350/- or above only are entitled to allotment of scooters from Central Government quota irrespective of scale of pay; and

(d) if so, the reason why a minimum of pay Rs. 650/-, is not fixed for allotment of cars irrespective of the scale of pay of the officers?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) Yes, Sir.

(b) Prior to July, 1966, persons in whose case the maximum of pay scale of pay reached Rs. 1250/- were eligible for allotment of cars out of the Central Government quota. In July, 1966 it was decided as a measure of liberalisation, that even persons whose scale of pay does not go upto Rs. 1250/- should be eligible for the allotment of cars out of the Central Government quota provided, they are in receipt of a basic pay of Rs. 900/- p.m.

(c) Yes, Sir.

(d) Already a very large number of applications, particularly for Fiat cars, are pending with Government and it will take some years before the persons, already on the waiting lists, are allotted cars against the Central Government quota. Any further liberalisation by way of lowering the present limit of Rs. 900/- will increase considerably the already long waiting lists. It is also not considered practicable to enforce a uniform minimum limit of pay for this purpose, irrespective of the scale of pay. Government will however consider further liberalisation in this regard, when the waiting lists have been reduced considerably.

National Labour Commissions Report on Heavy Engineering Industry

4753. **SHRI NARENDRA SINGH MAHIDA:** Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) whether the Study Group of National Labour Commission has since submitted its report on the Heavy Engineering Industry;

(b) if so, the broad details of the recommendations made by it; and

(c) the decisions taken by Government thereon?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) Yes, Sir, to the National Commission on Labour.

(b) A statement is laid on the Table of the House. [*Placed in Library. See No. LT-2741/68*].

(c) Government would consider action only after receiving the Report of the National Commission on Labour.

Bombay Co. (P) Limited

4754. SHRI ONKAR LAL BOHRA: Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) the assets of the Bombay Company (P) Limited, which is a British concern at the time of partition of the country;

(b) what were its assets in 1955, 1960, 1965 and at present;

(c) whether it is a fact that the assets of the Company have been dwindling from year to year;

(d) if so, whether Government have instituted an enquiry in the matter; and

(e) if so, the details thereof?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) At the time of the partition of the country in 1947 the Indian Companies Act, 1913 was in force. The provisions of this Act did not impose any statutory obligation on private limited companies to file their annual accounts with Government. Accordingly, no information about the assets position of The Bombay Company (P) Ltd. is available for the year 1947.

(b) and (c). The Company's assets were as follows:—

	(Rs. crores)
31.7.55	2.9
31.7.60	1.5
31.7.65	2.2
31.7.67	1.9

The assets of the Company which declined sharply in 1960 rose considerably in 1965 but were somewhat lower in 1967.

(d) No enquiry under the Companies Act has been instituted.

(e) Does not arise.

Railway Claims Agents

4755. SHRI K. M. KUSHIK: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that due to lack of time and not being familiar with Railway Rules, certain firms appoint persons to deal with their Railway claims and the claims are preferred on the firms' letter-heads;

(b) whether it is also a fact that when, the claims are considerably delayed, the firms depute their appointed men to obtain the latest position of the claims, but the Railways take such persons as claims Agents and demand Power of Attorney in each case;

(c) if so, the reasons for not recognising such persons as the firms representatives; and

(d) what will be the category of persons who prefer claims for and on behalf of the firms and call for correspondence and payment through them or at their addresses?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) So long as claims are preferred on the letter-head of the firm which is entitled to the claims and so long as the claim letter is signed as from the firm, the letter is taken as from the firm (except when some special reasons for doubt may arise) and no particular notice is taken of the fact whether the writer is a person specially appointed by the firm for conducting correspondence about claims. The reasons why different firms might be specially appointing persons for this purpose are not known.

(b) and (c). Power of Attorney is not invariably demanded but only where there is a reasonable doubt about the authority of a particular person to represent a particular firm.

(d) This category of persons are called Claims Agents from whom a Power of Attorney is required.

Sale of Russian Tractors

4756. SHRI R. K. AMIN: Will the Minister of COMMERCE be pleased to state:

(a) whether it is a fact that the State Trading Corporation was inquiring into the complaints of Madhya Pradesh Government regarding the sale of Russian Tractors at high prices; and

(b) if so, the details thereof ?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) Yes, Sir.

(b) The complaint made by the Madhya Pradesh Government against M/s. Indian Engineering and Commercial Corporation, Bombay, who are the Indian agents of the Russian supplier was regarding charging of Customs duty which was not leviable on the tractors and making additions to the octroi duty in respect of tractors sold in Madhya Pradesh during 1965-66. The inspection conducted by STC revealed that there was an overcharging amounting to Rs. 25,194.82. The amount has since been recovered from the party.

रेलवे में बिहाड़ी के आघार पर काम करने वाले मजदूर

4757. श्री नारायण स्वरूप शर्मा:
श्री अटल बिहारी वाजपेयी:
श्री हुकम चन्द कछवाय:
श्री जगन्नाथ राव जोशी:

क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि:

(क) रेलवे में ठेका प्रणाली के अन्तर्गत कितने मजदूर दिहाड़ी के आघार पर काम कर रहे हैं; और

(ख) उन्हें इस समय कितनी दिहाड़ी दी जाती है तथा पांच वर्ष पहले कितनी दिहाड़ी दी जाती थी ?

रेलवे मंत्री (श्री चे० मु० पुनावा):
(क) और (ख). रेलों पर विभिन्न प्रकार के

काम के लिए ठेकेदारों द्वारा लगाए गए मजदूरों की संख्या 1.4.1968 को 1,32,786 थी। लेकिन उनकी दैनिक मजदूरी की दरों के बारे में सूचना उपलब्ध नहीं है, क्योंकि मजदूर ठेकेदारों द्वारा नियुक्त किए जाते हैं और रेलों के पास इस प्रकार के मजदूरों के संबंध में विस्तृत सूचना नहीं होती।

लघु उद्योग

4758. श्री नारायण स्वरूप शर्मा:
श्री अटल बिहारी वाजपेयी:
श्री हुकम चन्द कछवाय:
श्री जगन्नाथ राव जोशी:

क्या औद्योगिक विकास तथा समवाय-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) लघु उद्योगों द्वारा कच्चा माल प्राप्त करने में अनुभव की जाने वाली कठिनाइयों के बारे में सरकार को क्या शिकायतें प्राप्त हुई हैं; और

(ख) सरकार ने इस बारे में क्या कार्यवाही की है ?

औद्योगिक विकास तथा समवाय-कार्य मंत्री (श्री कङ्करद्दीन अली अहमद): (क) निम्नलिखित विषयों पर शिकायतें प्राप्त हुई हैं:—

1. जिनकी कमी है ऐसी लोहे और इस्पात की वस्तुओं के आयात की नीति से सम्बन्धित।
2. प्राथमिकता अग्रदत्त उद्योगों के लिए कच्चे माल के आयात सम्बन्धी नीति से सम्बन्धित।
3. आयातित माल की अपेक्षा कुछ देशी कच्चे माल की अपेक्षाकृत उच्च दर से सम्बन्धित।

(ख) धातु और खनिज व्यापार निगम ने लोहे और इस्पात का आयात करना बन्द कर दिया है। अब औद्योगिक एककों को इन

वस्तुओं के लिए सीधे ही आयात लाइसेंस लेने पड़ते हैं। अन्य समस्याओं की जांच लघु उद्योग मंडल की कच्चे माल विषयक स्थायी समिति कर रही है।

राज्य व्यापार निगम सम्बन्धी पुनर्विलोकन समिति

4759. श्री प्रकाशबीर शास्त्री : क्या वाणिज्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या राज्य व्यापार निगम संबंधी पुनर्विलोकन समिति ने इस निगम को निर्यात-आयात का व्यापार करने वाले सहायक संगठनों का उच्च स्तरीय मामलों में मार्ग-दर्शन करने के लिए एक कम्पनी स्थापित करने की सलाह दी है;

(ख) यदि हां, तो इस बारे में भारत सरकार की क्या प्रतिक्रिया है;

(ग) क्या यह भी सच है कि राज्य व्यापार निगम के सौदों के बारे में असन्तोष है; और

(घ) यदि हां, तो इस निगम के कार्य-संचालन को सुधारने के लिए और क्या कार्य-वाही की गई है ?

वाणिज्य मंत्रालय में उपमंत्री (श्री मोहम्मद शफी कुरेशी) : (क) राज्य व्यापार निगम की पुनर्विलोकन समिति ने अपने अंतरिम प्रतिवेदन में अन्य बातों के साथ-साथ यह सुझाव दिया है कि निगम को समय आने पर शीर्ष नियंत्रक निगम बन जाना चाहिए जो सहायक संगठनों को परामर्श तथा नियंत्रण, उच्च नीति संबंधी निदेश, वित्त तथा वरिष्ठ कर्मचारी प्रदान करने का कार्य करे।

(ख) सरकार समिति के अन्तिम प्रतिवेदन की प्रतीक्षा कर रही है।

(ग) जी नहीं।

(घ) प्रश्न नहीं उठता।

दिल्ली-हापुड़ शटल रेलगाड़ी का हापुड़ स्टेशन पर चकना

4760. श्री प्रकाशबीर शास्त्री : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) दिल्ली-हापुड़ शटल रेलगाड़ी को हापुड़ स्टेशन पर रोकने के लिए जो विशेष व्यवस्था की जानी थी उसके बारे में और कितनी प्रगति हुई है;

(ख) क्या यह सच है कि ठहरने के लिए उपयुक्त स्थान न होने के कारण उपयुक्त शटल गाड़ी को रात को ही वापिस लौटना पड़ता है और उस शहर के यात्री इस शटल गाड़ी का पूरा लाभ नहीं उठा सकते हैं; और

(ग) यदि हां, तो पूर्ण व्यवस्था कब तक की जाएगी ?

रेलवे मंत्री (श्री जे० मु० पुनाचा) :

(क) और (ग). हापुड़ स्टेशन पर पर्यंत संबंधी अतिरिक्त सुविधाएं देने के एक प्रस्ताव पर विचार किया जा रहा है।

(ख) जी हां।

राज्यों में औद्योगिक उपक्रम

4761. श्री प्रकाशबीर शास्त्री : क्या औद्योगिक विकास तथा समवाय-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या औद्योगिक उपक्रम स्थापित करने के मामले में सभी राज्यों को समान स्तर पर लाने के उद्देश्य से कोई विशेष उपाय करने का विचार किया गया है;

(ख) यदि हां, तो उन राज्यों में जो उद्योगों की स्थापना के मामले में पिछड़े हुए हैं किन-किन उद्योगों को बरीयता दी जाएगी; और

(ग) क्या इस सम्बन्ध में संबंधित राज्यों को भी सलाह दी गई है ?

औद्योगिक विकास तथा सवबाय-कार्य मंत्री (श्री फ़ख़रुद्दीन खली अहमद) : (क) से (ग). क्षेत्रीय असंतुलन का अध्ययन करने के लिए योजना आयोग ने दो कार्यकारी दलों का गठन किया है। एक दल तो पिछड़े क्षेत्रों का पता लगाने के लिए मापदण्डों की सिफारिश करेगा और दूसरा दल इन पिछड़े क्षेत्रों में उद्योगों की स्थापना को प्रोत्साहन करने के लिए दिए जाने वाले राज्यकोषीय तथा वित्तीय प्रोत्साहनों के बारे में सिफारिश करेगा। विभिन्न राज्यों के प्रतिनिधियों को इन कार्यकारी दलों में सम्मिलित किया गया है।

इस समय यह बता सकना सम्भव नहीं कि औद्योगिक दृष्टि से पिछड़े राज्यों में स्थापना के लिए किन-किन उद्योगों को बरियता दी जाएगी।

Additional Third Class Coach from Chandigarh to Delhi by Kalka Mail

4762. SHRI SHRI CHAND GOYAL: Will the Minister of RAILWAYS be pleased to state:

(a) whether a demand has been made to Government to add another third class coach from Chandigarh to Delhi in the Kalka Mail in view of the rush and inconvenience experienced by the people of Chandigarh; and

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

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) and (b). With the introduction of third class sleeper coach between Delhi and Chandigarh by 1 Up/2 Dn. Howrah-Delhi-Kalka Mails with effect from 1-4-68, there are now two sectional coaches i.e., one I Class and one III Class sleeper, running between these points. Implementation of the demand for additional third class accommodation between Delhi and Chandigarh/Kalka by these trains is not operationally feasible for want of room by 1 Up/2 Dn. Mails for any additional coach as a regular measure.

Rail Facilities for Industrial Estate of Chandigarh

4763. SHRI SHRI CHAND GOYAL: Will the Minister of RAILWAYS be pleased to state:

(a) whether the industrialists of Chandigarh have approached Government to connect the Railway Station to the industrial estate of Chandigarh or to provide a suitable siding; and

(b) the steps taken by Government in this behalf?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) No. However, Punjab Government had approached the Northern Railway Administration for providing a siding to serve the Industrial area at Chandigarh.

(b) Revised estimate for the work has been sent by Northern Railway Administration to UNION territory of Chandigarh, for their acceptance of their share of cost and recurring charges. Their acceptance is still awaited.

Survey for Mineral Deposits in NEFA

4764. SHRI S. R. DAMANI: Will the Minister of STEEL, MINES AND METALS be pleased to refer to the reply given to Unstarred Question No. 3838 on the 13th August, 1968 and state:

(a) whether the Geological Survey of India have taken up detailed investigations of sulphur bearing minerals at Potni in Subansiri District of NEFA; and

(b) if so, the progress made and when the report will be available?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK): (a) Yes, Sir. The investigation is being continued during the field season 1968-69. Drilling is also proposed to be taken up.

(b) As a result of investigations carried out so far have revealed that sulphide mineralisation is confined to schistose rocks over a strike length of 1000 m. and width 300 m. The report will be prepared after the investigation is completed in all respects.

Industrial Estates

4765. SHRI S. R. DAMANI: Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) the State-wise number of Industrial estates brought into existence upto 31st March, 1968;

(b) the number of sheds constructed in each estate and the cost thereof;

(c) the number of sheds allotted and occupied and those remaining unoccupied; and

(d) the States where incidence of non-occupancy is more than 10 per cent and the reasons therefor?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) to (c). A statement is laid on the Table. [*Placed in Library. See No. LT-2742/68*].

(d) Except in three States of Maharashtra, Delhi and Dadra and Nagar Haveli, the percentage of non-occupancy in all the States is more than 10. The main reason for non-occupation of the shed is the lack of entrepreneurs to start industries.

रेलवे में माल के यातायात में वृद्धि

4766. श्री शारदा नन्द :

श्री सूरज भान :

श्री कंबर लाल गुप्त :

क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि गत एक वर्ष में रेलवे में माल यातायात में वृद्धि हुई है ;

(ख) यदि हां, तो गत तीन वर्षों के आंकड़े क्या हैं ;

(ग) माल के यातायात में वृद्धि होने से सरकार को इस वर्ष कितना अतिरिक्त लाभ हुआ है ; और

(घ) रेलवे को कम से कम हाणि होने पाये, इसके लिए सरकार क्या कार्यवाही कर रही है ?

रेलवे मंत्री (श्री जे० मु० पुनाभा) :

(क) जी हां ।

(ख) रेलों द्वारा पिछले तीन वर्षों में जितना राजस्व-उपार्जक माल यातायात ढोया गया उसके आंकड़े इस प्रकार हैं:—

शुद्ध मीटरिक टन किलोमीटर	
(दस लाख में)	
1965-66 .	98,978
1966-67 .	99,284
1967-68 .	101,121

(ग) 1968-69 के पहले सात महीनों में माल यातायात से लगभग 317.77 करोड़ रुपये की आमदनी हुई जो पिछले वर्ष के इन्हीं महीनों की तुलना में 35.94 करोड़ रुपये अधिक है । इस वृद्धि में 1.4.1968 से भाड़ा प्रभारों में किए गए संशोधन का प्रभाव भी शामिल है । वित्तीय वर्ष के किसी भाग के लिए लाभ के आंकड़े नहीं निकाले जाते ।

(घ) समय पर माल डिब्बों की सफाई, माल परिवहन में शीघ्रता एवं सुनिश्चित संरक्षा द्वारा सेवा के स्तर में सुधार करके रेलों के लिए अधिक यातायात प्राप्त करने के प्रयास किए जाते हैं । रेल उपयोगकर्ताओं की विशिष्ट आवश्यकताओं से निकट सम्पर्क बनाए रखने के लिए और न केवल यातायात की वर्तमान मात्रा को कायम रखने, बल्कि अतिरिक्त यातायात उपलब्ध करने के लिए प्रत्येक रेलवे में एक विपणन एवं विक्रय संगठन मौजूद है ।

प्रशासन, मरम्मत एवं अनुरक्षण, कोयले की खपत आदि और पूंजी निवेश के मामलों में अधिकतम बचत करने के प्रयास भी किए जाते हैं ।

प्रशासनिक कार्यालयों में नए पदों के निर्माण और खाली जगहों को भरने पर प्रतिबन्ध लगाया गया है और रेलवे के सभी विभागों

में कर्मचारियों की आवश्यकताओं की समीक्षा और उनका समंजन किया जा रहा है।

जिन खण्डों पर 'केवल एक इंजन' प्रणाली से काम चलाया जा सकता है उन पर संचालन की यही प्रणाली शुरू की जा रही है।

इमारतों की अनावधिक मरम्मतों के बीच का अन्तराल बढ़ा दिया गया है। रद्दी सामान के जीर्णोद्धार और अलौह सामान की खपत में कमी करने के लिए उसकी जगह दूसरा सामान लगाने पर अधिक जोर दिया जाता है। नाकारा इंजनों, सवारी और माल डिब्बों का प्रतिशत कम करने के प्रयास किए जा रहे हैं और रेल कारखानों में जो प्रोत्साहन योजनाएं लागू की गई हैं, उनसे उत्पादन बढ़ रहा है।

ईंधन नियंत्रण संगठन इंजन कर्मचारियों को किरायायती परिचालन का प्रशिक्षण देते हैं और ईंधन की खपत की दर को नियंत्रित करने के लिए ट्रिप-राशन निश्चित किए गए हैं।

सभी नए पूंजीगत निर्माण-कार्यों की विशेष समीक्षा की जा रही है ताकि यह देखा जाए कि उनमें से कौनसे काम छोड़े जा सकते हैं या किनका परिमाण कम किया जा सकता है या कौनसे निर्माण कार्य स्थगित किए जा सकते हैं।

Minerals and Metals Trading Corporation

4767. SHRI PREM CHAND VERMA: Will the Minister of COMMERCE be pleased to state:

(a) whether the Minerals and Metals Trading Corporation has proper rules for staff recruitment (for jobs carrying more than Rs. 500 p.m.), purchase, contract and sales;

(b) if so, the details thereof and, if not, whether there is any proposal to draft these rules; and

(c) if so, when?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) Yes, Sir.

(b) The Recruitment Rules of the Corporation have laid down the methods and principles of recruitment of staff, principles of determination of seniority and the procedures for promotion, deputation and direct recruitment. Recruitment of staff and matters relating to their appointment are done according to these rules.

The business of the Company which includes negotiating and concluding contracts for purchases and sales is managed by the Board of Directors who in turn have delegated appropriate powers to the Chairman, Directors, General Managers and Divisional Managers.

(c) Does not arise.

सूती कपड़े का आयात और निर्यात

4768. श्री हुकम चन्द कच्छवाय: क्या बाणिज्य मंत्री यह बताने की कृपा करेंगे कि:

(क) गत छः महीनों में विदेशों से कितना सूती कपड़ा आयात किया गया;

(ख) उसी अवधि में विदेशों को कितना सूती कपड़ा निर्यात किया गया;

(ग) क्या सूती कपड़े का निर्यात उसके आयात से अधिक था अथवा उसका आयात उसके निर्यात से अधिक था; और

(घ) यदि हां, तो कितना ?

बाणिज्य मंत्रालय में उप-मंत्री (श्री मोहम्मद शफ़ी कुरेशी): (क) तथा (ख). अप्रैल-सितम्बर, 1968 में लगभग 0.1 लाख वर्ग मीटर सूती कपड़े का आयात किया गया था। उसी अवधि में 2178.4 लाख वर्ग मीटर मिल-निर्मित कपड़ा निर्यात किया गया था।

(ग) तथा (घ). आयात की तुलना में निर्यात 2178.3 लाख वर्ग मीटर अधिक हुआ।

भिलाई इस्पात कारखाने में कर्मचारियों की संख्या

4769. श्री हुकम चन्द कछबाय : क्या इस्पात, खान तथा धातु मंत्री यह बताने की कृपा करेंगे कि :

(क) भिलाई इस्पात कारखाने में इस समय कितने कर्मचारी हैं ;

(ख) विदेशी कर्मचारियों की संख्या कितनी है तथा उनमें से अधिकारी कितने हैं और सरकार को उनको प्रति मास कितना पारिश्रमिक देना पड़ता है; और

(ग) कितने कर्मचारियों को सेवामुक्त किया गया है और पिछले छः महीनों में कितने कर्मचारियों को भर्ती किया गया है ?

इस्पात, खान तथा धातु मंत्रालय में उप-मंत्री (श्री राम सेवक) : (क) और (ख). 31 अक्टूबर, 1968 को भिलाई इस्पात कारखाने में 39,648 कर्मचारी थे जिनमें 89 रूसी प्रविधिज्ञ भी सम्मिलित हैं। इनके अतिरिक्त निर्माण विभाग में 6,822 और खानों और खदानों में 337 निर्माण प्रभारित कर्मचारी थे। विदेशी प्रविधिज्ञों को प्रतिमाह 3.29 लाख रुपये दिए जा रहे हैं।

(ग) अप्रैल, 1968 से सितम्बर, 1968 की अवधि में 258 कर्मचारियों को नौकरी से हटाया गया और 245 व्यक्ति बाहर से भर्ती किए गए।

देश में हीरे की खानें

4770. श्री हुकम चन्द कछबाय : क्या इस्पात, खान तथा धातु मंत्री यह बताने की कृपा करेंगे कि :

(क) देश में इस समय हीरे की कितनी खानें हैं और ये खानें किन-किन स्थानों में हैं;

(ख) इन खानों के काम की प्रगति देख करने के लिए सरकार ने इन खानों को

पिछले 2 वर्षों में कितना अनुदान दिया है; और

(ग) इनसे सरकार को कितना लाभ हुआ है ?

इस्पात, खान तथा धातु मंत्रालय में उप-मंत्री (श्री राम सेवक) : (क) इस समय हीरों की तीन खानें हैं, जिनके नाम हैं; (1) सरकारी छिछली हीरा खान (पन्ना गांव में), (2) रामखेरिया खान (पन्ना गांव में) और मझगावन खान (मझगावन गांव में)। इन में से रामखेरिया और मझगावन खानें राष्ट्रीय खनिज विकास निगम, जो पूर्णतया केन्द्रीय स्वामित्व का सरकारी उपक्रम है, के द्वारा चलाई जा रही हैं।

(ख) 1967-68 और 1968-69 के दौरान केन्द्रीय सरकार ने राष्ट्रीय खनिज विकास निगम को क्रमशः 34 लाख और 5 लाख रुपये की पूंजी दी।

(ग) पन्ना की हीरा खानों ने राजस्व परिचालन केवल 1967-68 वर्ष में प्रारंभ किया। इस वर्ष के लेखों की लेखा-परीक्षा की जा रही है और लाभ आदि विषयक स्थिति लेखा-परीक्षा के पूरा कर लिए जाने के उपरान्त ही ज्ञात हो सकेगी।

काटन सीड सालवेंट प्लांट (बिनीला विलायक निस्सारण कारखाना)

4771. श्री हुकम चन्द कछबाय : क्या औद्योगिक विकास तथा सभबाय-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) केन्द्रीय सरकार द्वारा संचालित काटन सीड सालवेंट प्लांट (बिनीला विलायक निस्सारण कारखाना), उज्जैन में श्रमिकों की वर्तमान संख्या कितनी है;

(ख) स्थापना से लेकर अब तक इस मिल ने कुल कितना लाभ दिखाया है; और

(ग) इसमें कितने मूल्य की आयातित मशीनें लगी हुई हैं और किस देश से इनका आयात किया गया था ?

औद्योगिक विकास तथा सम्बन्ध-कार्य मंत्री (श्री फ़ख़रुद्दीन अली अहमद) : (क) उज्जैन का काटन सीड सालवेंट प्लांट भारत सरकार द्वारा नहीं चलाया जा रहा है। यह कारखाना मध्य प्रदेश राज्य सरकार का है और एक निगमित निकाय के नियंत्रण में है। इस समय इस कारखाने में 82 कर्मचारी हैं।

(ख) कुछ नहीं।

(ग) कारखाने में लगी हुई विदेशी मशीनों की मूल लागत 12,21,366 रु० है। कुछ मशीनें संयुक्त राज्य अमेरिका से मंगाई गई थीं और कुछ बेल्जियम से।

अखबारी कागज का आयात

4772. श्री भारत सिंह चौहान:

श्री हरदयाल देवगुण :

श्री रामस्वरूप विद्यार्थी :

क्या वाणिज्य मंत्री यह बताने की कृपा करेंगे कि :

(क) 1968 के प्रथम दस महीनों में सरकार ने अखबारी कागज का कितना आयात किया और किन-किन देशों से;

(ख) इस पर कितनी विदेशी मुद्रा खर्च हुई; और

(ग) देश में अखबारी कागज के निर्माण के लिए कौन-कौन सी योजनाएँ क्रियान्वित की जा रही हैं और उनमें से प्रत्येक योजना की वर्तमान स्थिति क्या है ?

वाणिज्य मंत्रालय में उप-मंत्री (श्री मोहम्मद शफ़ी कुरेशी) : (क) तथा (ख). सरकारी लेखे में अखबारी कागज के आयात के अलग-अलग आंकड़े उपलब्ध नहीं हैं। जनवरी-अगस्त, 1968 की अवधि में विभिन्न देशों से किए गए अखबारी कागज के कुल आयातों को, उनके मूल्य सहित, दर्शाने वाला एक विवरण सभा पटल पर रखा गया है। [पुस्तकालय में रखा गया (देखिए संख्या LT-2743/68)]

(ग) नेपा मिल (सरकारी क्षेत्र में) की क्षमता को 30,000 से बढ़ाकर 75,000 मे० टन प्रति वर्ष करने की एक योजना वास्तविक रूप में कार्यान्वित की जा रही है।

नेशनल फ़ेडरेशन आफ़ इंडियन रेलवे मेन

4773. श्री भारत सिंह चौहान :

श्री रामस्वरूप विद्यार्थी :

श्री हरदयाल देवगुण :

क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि नेशनल फ़ेडरेशन आफ़ इंडियन रेलवेमेन ने सरकार को अपनी मुख्य मांगें प्रस्तुत कर दी हैं;

(ख) यदि हाँ, तो उनका ब्योरा क्या है और सरकार ने पिछले छः महीने में प्रत्येक मांग के बारे में क्या कार्यवाही की है; और

(ग) इनमें से कुछ मांगों को स्वीकार न किए जाने के क्या कारण हैं ?

रेलवे मंत्री (श्री जे० मु० पुनाचा) :

(क) से (ग). सम्भवतः माननीय सदस्यों का आशय उन मांगों से है जो तदर्थ अधिकरण को भेजे जाने के लिए नेशनल फ़ेडरेशन आफ़ इंडियन रेलवेमेन द्वारा हाल में प्रस्तुत की गई हैं।

14 मांगों में से 8 मांगों के सम्बन्ध में तदर्थ अधिकरण नियुक्त करने का फैसला किया गया है और अधिकरण के गठन पर अभी विचार किया जा रहा है। मांगों में अन्य बातों के साथ-साथ रात्रि ड्यूटी भत्ता, काम के घंटों में असमानता, रनिंग कर्मचारियों के वेतन-मान, काम के घंटों से संबंधित विनियमन आदि विषय शामिल हैं।

अन्य मांगें बातचीत द्वारा तय हो गई हैं।

Duty Hours of Telephone Operators in D. S. Office, New Delhi

4774. SHRI YASHPAL SINGH: Will the Minister of RAILWAYS be pleased to state:

(a) whether the duty hours of Telephone Operators in Divisional Superintendent's Office, Northern Railway, New Delhi were six hours being an essential staff;

(b) if so, whether these duty hours have now been increased to eight hours, inspite of great increase in their work-load;

(c) the circumstances under which their duty hours have been increased when they are bound to perform only six hours duty; and

(d) whether they will be paid any overtime for this extra work?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) The Telephone Operators in the Office of the Divisional Superintendent, Delhi, were rostered for 7½ hours a day with 1½ hours' interval. There is, however, no classification as 'Essential' staff under the Hours of Employment Regulations as applicable to railway servants.

(b) to (d). Under the Hours of Employment Regulations, the staff classified as 'Continuous' can be required to work upto 54 hours per week on an average in any month and when they work beyond this limit overtime is paid on half-monthly basis at 1½ times their ordinary rate of pay. Accordingly, these Telephone Operators who are classified as 'Continuous' are now required to work for 8 hours a day and overtime is payable when they work beyond the prescribed limits. The question regarding the working hours of these staff is, however, under the Railways review.

Telephone Operators in D. S. Office, Delhi Northern Railway Exchange

4775. SHRI YASHPAL SINGH: Will the Minister of RAILWAYS be pleased to refer to the reply given to Unstarred Question No. 6080 on the 27th August, 1968 regarding Telephone Operators in Divisional Superintendents' Office, Northern Railway Exchange, Delhi and state:

(a) whether the information has since been collected;

(b) if so, the details thereof; and

(c) if not, reasons for delay?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) Yes.

(b) and (c). The required information is given in the statement at Annexure 'A' laid on the Table of the House. [Placed in Library. See No. LT-2744/68].

रेशम के उद्योग का विकास

4776. श्री महाराज सिंह भारती: क्या वाणिज्य मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या यह सच है कि वर्ष 1967-68 तक रेशम के उद्योग के विकास के लिए वार्षिक आयव्ययक में मंजूरशुदा धन का पूर्ण रूप से कमी उपयोग नहीं किया गया था;

(ख) यदि हां, तो उस धनराशि को न मांगने के क्या कारण थे जो खर्च नहीं की गई थी; और

(ग) 1968-69 के आयव्ययक में इस काम के लिए कितने धन की व्यवस्था की गई है तथा इस वर्ष कितना धन व्यय होने की सम्भावना है?

वाणिज्य मंत्रालय में उप-मंत्री (श्री मोहम्मद शफी कुरेशी): (क) तथा (ख). रेशम-उद्योग के विकास के लिए आयव्ययक में मंजूरशुदा धन के उपयोग में कमी रही है। इसका मुख्य कारण रेशम का उत्पादन करने वाले राज्यों के लिये अनुदानों और ऋणों के रूप में मंजूर की गयी राशि का उनके द्वारा उपयोग करने में असमर्थता है। सहायता के विद्यमान ढंग के अनुसार केन्द्रीय सरकार राज्य सरकारों को स्वीकृत रेशम उत्पादन योजनाओं पर व्यय का 50 प्रतिशत सहायता-अनुदान के रूप में और 25 प्रतिशत ऋण के रूप में देती है। शेष 25 प्रतिशत राज्य सरकारें अपने साधनों द्वारा पूरा करती हैं। अतः

रेशम-उद्योग के लिए बजट व्यवस्था निम्न-लिखित को ध्यान में रखकर की जाती है:—

- (1) गत वर्षों में किया गया वास्तविक व्यय, और
- (2). स्वीकृत योजनाओं और कार्यक्रमों को क्रियान्वित करने के लिए वित्तीय वर्ष में राज्यों को दी गई/ दी जाने वाली केन्द्रीय सहायता ।

(ग) आयव्ययक में 91.85 लाख रु० की व्यवस्था है। इस अवस्था में संभावित व्यय बताना संभव नहीं है ।

**हेवी इंजीनियरिंग कारपोरेशन लिमिटेड,
रांची**

4777. श्री महाराज सिंह भारती : क्या औद्योगिक विकास तथा समवाय-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या हेवी इंजीनियरिंग कारपोरेशन, रांची द्वारा बोकारो इस्पात कारखाने के लिए बनाई जा रही मशीनों की कीमतें निश्चित कर दी गई हैं;

(ख) यदि हां, तो उनका ब्यौरा क्या है; और

(ग) इस देश में बनने वाली इन मशीनों की कीमत तथा अमरीका और रूस में इन मशीनों को प्रचलित कीमत में कितना अन्तर है ?

औद्योगिक विकास तथा समवाय-कार्य मंत्री (श्री कृष्णवर्द्धन प्रसी प्रहमब) : (क) और (ख). मामले पर अभी विचार किया जा रहा है तथा उस पर बातचीत की जा रही है ।

(ग) प्रश्न ही नहीं उठता ।

धातुकामिक उद्योग

4778. श्री महाराज सिंह भारती : क्या इस्पात, खान तथा धातु मंत्री यह बताने

की कृपा करेंगे कि :

(क) धातु कामिक उद्योगों के विकास के लिए एक संस्था स्थापित करने के बारे में किसी योजना पर विचार किया जा रहा था; और

(ख) यदि योजना को अंतिम रूप दे दिया गया है, तो उसका ब्यौरा क्या है ?

इस्पात, खान तथा धातु मंत्रालय में उप-मंत्री (श्री राम सेवक) : (क) और (ख). हिन्दुस्तान स्टील लिमिटेड के वर्तमान केन्द्रीय इंजीनियरी और रूपांकन कक्ष को धातु कामिक कारखानों के रूपांकन और इंजीनियरी के लिए तथा भारी इंजीनियरी निगम को उपकरणों का रूपांकन करने के लिए सबल बनाने का विचार है। ब्यूरो के बारे में अभी निश्चय किया जाना है। आशा है कि अंतिम रूप से निर्णय शीघ्र ही कर लिया जायेगा ।

Water Trolleys in Kota Division

4779. SHRI ONKAR LAL BERWA: Will the Minister of RAILWAYS be pleased to state:

(a) the number of water trolleys in use in the Kota Division and when they were manufactured;

(b) whether it is a fact that Government are considering to augment the number of trolleys in view of the forthcoming summer season;

(c) whether it is also a fact that the trolleys presently in use have become old and do not work properly; and

(d) if the reply to parts (b) and (c) be in the affirmative, the action proposed to be taken by Government in this regard ?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) Fifty nine water trolleys are in use on Kota Division. These trolleys were purchased from time to time and their dates of manufacture are not available.

(b) No. The number of water trolleys already provided on Kota Division is considered adequate.

(c) No. The trolleys are repaired and renovated regularly.

(d) Does not arise.

Auctioning of Damaged Wagons in Kota Division

4780. SHRI ONKAR LAL BERWA: Will the Minister of RAILWAYS be pleased to state:

(a) the number of damaged wagons in Kota Division which have been auctioned recently and the basis of auction;

(b) the names of persons who supervised the auction;

(c) the number of wagons sold and the amount for which they were sold in the last auction; and

(d) the amount for which they have been sold in the recent auction?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) 75 condemned and not damaged wagons were sold in the last auction at Kota on 20-8-1968. The wagons were condemned by the competent authority on age cum condition basis and all the reusable components were reclaimed before they were put up for sale.

(b) The auction proceedings were supervised by Shri N. P. Awasthi, District Controller of Stores, Ajmer assisted by Shri M. B. L. Mathur, Asstt. Controller of Stores, Kota and Shri R. K. Khare, Senior Inspector of Accounts.

(c) 50 wagons were sold in the previous auction held at Kota on 25-5-1968 for Rs. 87,290/- (average Rs. 1746/- per wagon).

(d) The amount realised for the 75 wagons sold in the recent auction held at Kota on 20-8-1968 was Rs. 1,47,590/- (average Rs. 1968 per wagon).

Commercial Clerks in Ajmer Division

4781. SHRI ONKAR LAL BERWA: Will the Minister of RAILWAYS be pleased to state:

(a) the number of posts of Commercial

Clerks created/abolished in the Ajmer Division of the Western Railway since 1962;

(b) the criteria adopted for creation and abolition of posts of Commercial Clerks;

(c) whether there has been any representation from the staff regarding shortage of staff in the Ajmer Division; and

(d) if so, action Government propose to take on the representation?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a)

Posts created — 40

Posts abolished — 18

(b) Posts of Commercial Clerks are created on the basis of workload and abolished when the work-load does not justify their continuance.

(c) Yes.

(d) The matter has been looked into and it has been found that the strength of staff available is adequate to handle the present work-load.

रेलवे को बिजली के बल्बों की सप्लाई

4782. श्री श्रींकार लाल बेरवा : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) रेलवे को बिजली के बल्ब सप्लाई करने वाली कम्पनियों के नाम क्या हैं;

(ख) उन कम्पनियों के कारखाने देश में किन-किन स्थानों पर हैं; और

(ग) रेलवे में बल्बों की कमी को पूरा करने के लिए सरकार क्या कार्यवाही कर रही है ?

रेलवे मंत्री (श्री जे० मु० पुनाचा) :

(क) से (ग). एक विवरण सभा पटल पर रखा गया है। [पुस्तकालय में रखा गया। देखिये संख्या LT-2745/68].

Export of Mineral Ores

4783. SHRI RAM KISHAN GUPTA: SHRI R. BARUA: SHRI B. K. DASCHOWDHURY: SHRI VISHWA NATH PANDEY:

Will the Minister of COMMERCE be pleased to state:

(a) the steps taken or proposed to be taken by Government to increase the export of mineral ores from this country; and

(b) whether there is any proposal to appoint mineral attaches in some foreign countries to study the marketing possibilities of mineral ores?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) On the sale promotion side, Delegations of the Minerals and Metals Trading Corporation have been visiting the main consuming countries from time to time. Besides liaison arrangements in Japan, our main market, the MMTC has appointed selling agents in Western Europe. The MMTC also maintains constant touch with Trade Representatives of foreign countries in India and the Indian Missions abroad.

The MMTC continues to give loans and advances to mine owners and suppliers of mineral ores for purchase of machinery and equipment for the development of mines so as to maintain production at the optimum level.

Consultative Committees have been set-up on Iron and Manganese Ores in order to establish close working relationship with the mine owners/trade.

Integrated projects covering the development of mines, road and rail movement, provision of mechanical ore handling facilities at the ports and the dredging of ports to accommodate large size vessels are under way. These projects when completed would help in reducing the C. & F. cost of Indian ores at the destination thus making it more competitive in the international market.

(b) No, Sir. However it is understood that the Ministry of Steel, Mines and Metals (Department of Mines and Metals) is examining a proposal for appointing Mineral Attaches under the Indian Bureau of Mines in some countries.

Small Car

4784. SHRI KAMESHWAR SINGH:
Will the Minister of INDUSTRIAL DEVE-

LOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that Government have received an application from M. H. Thakur of Baroda for the manufacture of 100 per cent Indian small car;

(b) if so, whether Government have taken any decision on the application; and

(c) if not, the reasons therefor?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) A proposal has been received from Shri M. H. Thakur for the manufacture of small car in India, which is to be designed for him by M/s. Lepage of Belgium.

(b) and (c). This proposal, along with other similar proposals, is under the consideration of Government.

Improvements in Windscreen Glasses fitted in Fiat and Ambassador Cars

4785. SHRI KAMESHWAR SINGH:
Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to refer to the reply given to Unstarred Question No. 1588 on the 30th July, 1968 and state:

(a) whether the quality of the wind-screens used in Fiat and Ambassador cars has been improved;

(b) if not, whether the manufacturers of cars are responsible for the increased road accidents in Fiat and Ambassador cars; and

(c) if so, the action taken by Government?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) As stated in reply to unstarred Question No. 1588 on the 30th July, 1968, the manufacturers of windscreen glass have been given assistance for the import of Plate glass for the manufacture of windscreens. It is expected that the windscreens manufactured with imported plate glass will be free from defects such as waviness and refractions which had crept in due to the use of indigenous sheet glass. The results will be known after sometime.

(b) No reports have been received suggesting that accidents have taken place on account of the poor quality of windscreens fitted in Ambassador and Fiat cars.

(c) Does not arise.

National Coal Development Corporation

4786. SHRI PREM CHAND VERMA: Will the Minister of STEEL, MINES AND METALS be pleased to state:

(a) whether the National Coal Development Corporation has proper rules of staff recruitment (for jobs carrying more than Rs. 500 p.m.), for purchases, contracts and sales; and

(b) if not, whether there is any proposal to draft these rules?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK): (a) and (b). There are no distinct cadre schemes for officers of purchase and sales Departments who are drawn from the General Administrative and other cadres of the N.C.D.C. The Corporation has got proper rules of staff recruitment and promotions to posts in the Technical and Cost Accounts cadres. In the case of the General Administration and Accounts cadres the recruitment rules cover posts upto and including those in the pay scale of Rs. 590—900. Higher posts in these cadres are filled up by departmental promotion. It is not considered necessary to have separate cadres for purchase and sales Departments.

National Industrial Development Corporation Ltd.

4787. SHRI PREM CHAND VERMA: Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) the authorised and paid up capital of the National Industrial Development Corporation Ltd., at the time of its setting up and as on the 31st March, 1968;

(b) the amount of loan owed by the Corporation on the 31st March, 1968, how much

of it was from the Central Government, banks or other parties;

(c) how much money has been paid as interest by the Corporation during the last three years; and

(d) the working results of the Corporation during the last three years, the extent of profit and if loss was incurred, what were the main causes for the loss and the estimate for 1968-69?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a)

Capital	At the time of the setting up of the Corporation (20-10-1954)	On 31.3.1968
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	Rs.	Rs.
(i) Authorised Capital	1,00,00,000	1,00,00,000
(ii) Paid up capital	10,00,000	10,00,000

(b) Amount of loan owed by the Corporation on 31.3.1968:—

	Rs.
1. To Central Government	9,55,00,446
2. To Banks	Nil
3. To other parties	Nil
Total	9,55,00,446

(c) Amount of interest paid by the Corporation.

	1965-66	1966-67	1967-68
	Rs. 54,47,317	Rs. 51,03,445	Rs. 47,51,293

(d)

Working results	1965-66	1966-67	1967-68
	Rs.	Rs.	Rs.
(i) Profit	4,35,123	6,11,389	45,190
(ii) Estimated profit for (1968-69)		4,61,500	

National Mineral Development Corporation Ltd.

4788. SHRI PREM CHAND VERMA: Will the Minister of STEEL, MINES AND METALS be pleased to state:

(a) the authorised and paid-up capital of the National Mineral Development Corporation Ltd. at the time of its setting up and the figures as on the 31st March, 1968;

(b) the amount of loan which the Corporation owed on the 31st March, 1968 and how much of it was from the Central Government, Banks or other parties;

(c) the amount of money paid as interest by the Corporation during the last three years; and

(d) the working results of the last three years, the extent of profit and if loss was incurred, the main causes for the loss and what are the estimates for 1968-69?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK): (a) The position is as under:

	(Rs. in lakhs)
Authorised Capital:	
(i) At the time of its setting up	1,500.00
(ii) As on 31st March 1968.	3,000.00
(iii) Paid up Capital as on 31.3.1968	2,406.03

(b) The position about the loans drawn by the Corporation is indicated below:—

	(Rs. in lakhs)
(i) Loans drawn from Central Government outstanding as on 31.3.1968	2,193.33
(ii) Cash credit from State Bank of India	0.29
(iii) 1. Payment due to Japanese/ USA supplies under deferred payment terms from Bailadila Project (D. No. 14)	522.84
2. Payment due to Japanese under deferred payment terms in respect of Kiriburu iron ore Project	60.44

(c) The interest paid by the Corporation during the last three years is as under:—

	(Rs. in lakhs)
1965-66	10.68
1966-67	19.88
1967-68	255.54
Total	286.10

(d) A statement is laid on the Table of the House. [Placed in Library. See No. LT-2746/68].

विदेश स्थित भारतीय व्यापार मिशन

4789. श्री भारत सिंह चौहान:
श्री राम स्वरूप विद्यार्थी:
श्री हरदयाल देवगुण:

क्या वाणिज्य मंत्री यह बताने की कृपा करेंगे कि :

(क) विदेशों में स्थित विभिन्न भारतीय व्यापार मिशनों ने चालू वर्ष के पूर्वार्द्ध में कितने मूल्य के माल के क्रयादेश प्राप्त किए;

(ख) प्रत्येक व्यापार मिशन पर प्रति वर्ष अनुमानतः कितना धन व्यय होता है।

(ग) क्या उन व्यापार मिशनों को समुचित सुविधायें देने का सरकार का विचार है, ताकि वे विदेशों से अधिक क्रयादेश प्राप्त कर सकें; और

(घ) यदि हां, तो उन्हें क्या-क्या सुविधायें दी जायेंगी ?

वाणिज्य मंत्रालय में उप-मंत्री (श्री मोहम्मद शफी कुरेशी) : (क) विदेश स्थित भारतीय व्यापार मिशनों का कार्य सीधे क्रयादेश प्राप्त करना नहीं है, वे भारतीय व्यापारियों और विदेशी खरीदारों के बीच व्यवसाय को सुगम बनाने के लिए प्रतिकरणों के रूप में काम करते हैं। वे अपने प्रत्यायन के देश तथा भारत से व्यापार सम्बन्धी पृष्ठ-ताछ के विषय में जानकारी प्रदान करते हैं और सम्बद्ध विदेशों के आर्थिक विकास तथा

व्यापार की संभाव्यता के बारे में सरकार को सूचना देते हैं। वे भारतीय उत्पादों का प्रचार भी करते हैं तथा उन देशों में जाने वाले भारतीय व्यवसायियों को बाजार सम्बन्धी जानकारी देकर और विदेशी आयातकों से निकट सम्पर्क स्थापित करवा कर क्रयदेश प्राप्त करने में उनको सहायता करते हैं। इसके प्रतिरिक्त वे विदेशी बाजारों में, बाजार की प्रवृत्तियों और भारतीय उत्पादों के निर्यात के लिए वहाँ सम्भाव्यताओं और प्रत्याशाओं के बारे में निर्यात संबद्धन परिषदों आदि विभिन्न अभिकरणों की भ्रवगत रखते हैं।

(ख) एक विवरण सभा पटल पर रखा गया है। [पुस्तकालय में रखा गया। देखिए संख्या LT-2747/68]

(ग) तथा (घ): प्रश्न नहीं उठते।

Exports during Fourth Plan

4790. SHRI NITIRAJ SINGH
CHAUDHARY;
DR. RANEN SEN:

Will the Minister of COMMERCE be pleased to state:

(a) whether it is a fact that during the Fourth Five Year Plan stress will be laid on the increase of our exports;

(b) if so, the steps taken and proposed to be taken in this direction;

(c) whether as a consequence of present and future rise in foreign trade, Government consider it necessary to have bigger shipping fleet, and produce exportable goods at cheaper rates; and

(d) if so, the steps proposed to be taken?

THE DEPUTY MINISTER IN THE
MINISTRY OF COMMERCE (SHRI
MOHD. SHAFI QURESHI): (a) Yes, Sir.

(b) The list of measures taken to increase exports will be found in Annexure-I laid on the Table of the House. [Placed in Library. See No. LT-2748/68]. In regard to future measures, the process of evolving rational and stable policies for increasing exports will be a continuing one. So far as the policies required to achieve the export objectives of

the Fourth Five Year Plan are concerned, they are currently under study and formulation.

(c) Yes, Sir.

(d) Expansion of our shipping tonnage is necessary both for the present and expected volume of trade for carrying 50% of our overseas trade in Indian vessels. The augmentation of our merchant marine fleet would require acquisition of additional bulk carriers, tramps and tankers as also ships for overseas liner services for the existing and new trade routes. According to an estimate, the tentative target for the shipping fleet for the Fourth Plan should be 4.5 million G.R.T. When the target for the merchant shipping fleet for the Fourth Plan has been finalised, suitable steps would be taken to acquire the ships.

In regard to production of exportable goods at cheaper rates, it may be mentioned that many of the measures listed at Annexure-I are directly designed to bring down the cost of production. Further, a Seminar was recently held by the Indian Institute of Foreign Trade on cost reduction, the basic aim of the study was to explore areas where further reduction in the cost of production of exportable goods would be possible and make available the information to trade and industry. The process of making progressive use of new knowledge in the technological and other fields for reducing costs would be a continuing one.

Wage Structure of Employees of Heavy Engineering Corporation Ranchi

4791. SHRI RABI RAY: Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) whether it is fact that a five member rationalization Committee headed by Major General Har Kirath Singh had been appointed to examine the wage structure of about 300 categories of employees of the Heavy Engineering Corporation; and

(b) if so, what are the findings of the Committee and the action taken on them?

THE MINISTER OF INDUSTRIAL
DEVELOPMENT AND COMPANY
AFFAIRS (SHRI F. A. AHMED): (a)
Yes, Sir.

(b) The Committee has not yet completed its work.

Supply of Structural and Equipments by H. E. C Ranchi to Bokaro Steel Plant

4792. SHRI RABI RAY: Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that according to an agreement with Bokaro Steel Ltd. the Heavy Engineering Corporation has to deliver by June 1971 about 100,000 tonnes of mechanical equipments and structurals (72,000 tonnes of equipments and 26,500 tonnes of structurals) for Bokaro's 1.7 million-tonne capacity in the first phase; and

(b) if so, the progress so far made in this connection and the main features thereof?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) The Heavy Engineering Corporation Limited, Ranchi has to supply 7,950 tonnes of equipments, 26,500 tonnes of steel structures and 402 tonnes of machine tools making a total of 98,852 tonnes for Bokaro Plant of 1.7 million tonnes capacity. The agreement, incorporating the delivery schedule for the various items of equipments is expected to be finalised shortly.

(b) As on 1st October, 1968, 2012 tonnes of equipment, 5023 tonnes of steel structures and 19.0 tonnes of machine tools totalling 7054 tonnes have been completed, out of which 1678 tonnes of equipment, 3137 tonnes of structures (total 4815 tonnes) have been despatched to Bokaro Steel Limited.

Relief measures for Tea Industry

4793. SHRI RABI RAY: Will the Minister of COMMERCE be pleased to state:

(a) whether it is a fact that Government have announced a package of relief measures for the tea industry to offset the decline in its profitability due to the continuous fall in prices in the international market since February last; and

(b) if so, the details thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI

MOHD. SHAFI QURESHI): (a) Yes, Sir.

(b) With effect from the 1st October, 1968, the following measures of relief to the tea industry have been announced:

1. *Reduction in Export Duty:*

The export duty rebate has been increased from 24 p. to 35 p. per kg.

2. *Reduction in Excise Duty:*

The special excise duty amounting to 20% of the basic excise duty has been withdrawn.

3. *Replanting Subsidy:*

A replanting subsidy scheme at the rate of Rs. 3,500/-- per hectare for plain gardens and Rs. 4,500/-- per hectare for hill gardens. The subsidy is to be paid through the Tea Board and will apply only to areas from which tea has been uprooted on or after 1-10-1968 and where the tea bushes are over 50 years old.

Repair Work in Rourkela and Durgapur Steel Plants

4794. SHRI RABI RAY:
SHRI D. N. PATODIA:

Will the Minister of STEEL, MINES AND METALS be pleased to state:

(a) whether Government's attention has been drawn to the statement made by the Chairman of Hindustan Steel Ltd. that the repair work of Rourkela and Durgapur Steel Plants is overdue and the cost of the repairs is likely to run into eight crores of rupees;

(b) whether it is a fact that even though the urgency was known to the authorities, no concerted effort was made to take timely action;

(c) whether it is also a fact that much of the damage was due to the wrong handling of machines, over-work and sabotage by workers; and

(d) if so, whether any departmental enquiries have been made to fix responsibilities and when the repairs will be completed?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK): (a) to (d): Government have seen a report entitled

"Vital Repairs necessary for two Public Sector Steel Plants" which appeared in the Press in September, 1968. The Chairman of HSL has referred to the major repairs of a capital nature. Units forming part of Million Tonne stage of the steel plants at Bhilai, Rourkela and Durgapur which have been in continuous operation for the last 8 or 9 years now need major capital repairs which is the normal feature of Steel Plant operation. In the case of some units of the Steel Plants these capital repairs have been programmed to commence after the corresponding units of the expansion projects are commissioned, so that the level of production of finished steel of a critical nature is not affected.

2. The House is already aware of the major damages which had occurred to the Coke Ovens in the Durgapur Steel Plant and the report of the Pande Committee. A copy of the Report of this Committee and the decisions of Government thereon were placed on the Table of the House on 19th July, 1967. Subsequently, further progress on the implementation of the recommendations of the Committee was reported on the 10th April, 1968. The action taken in this connection including the action against officers was mentioned by the Minister for Steel, Mines and Metals during half-an-hour discussion in Lok Sabha on 21st July, 1967. The bulk of the repair work is likely to be completed by the middle of 1970, and the rebuilding of Coke Oven Battery No. 1 by the end of 1971.

3. Recently, damages were also caused to the Reheating Furnaces of the Rolling Mills Complex including the Wheel and Axle Plant at Durgapur by the sudden switching off of water supply by a group of workers on the 4th September, 1968. After repairs involving an expenditure of Rs. 5 lakhs approximately the affected units were put into operation in the last week of September, 1968.

राज्य व्यापार निगम को आयात लाइसेंस

4795. श्री रामाबतार शर्मा : क्या वाणिज्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि आयात लाइ-

सेंस देने के बारे में राज्य व्यापार निगम को प्राथमिकता दी जाती है;

(ख) पिछले पांच वर्षों में ग्रन्थ कम्पनियों के मुकाबले किन कम्पनियों को अधिकतम संख्या में आयात लाइसेंस दिए गए हैं; और

(ग) इन लाइसेंसों पर राज्य व्यापार निगम द्वारा कितने प्रतिशत कमीशन लिया जाता है ?

वाणिज्य मंत्रालय में उप-मंत्री (श्री मोहम्मद शफी कुरेशी) : (क) जी, नहीं, परन्तु उन मदों के विषय में जिनका व्यापार निगम के माध्यम से ही होना निर्धारित है अथवा उन देशों के साथ व्यापार के विषय में, जहां निर्यात अभिकरण राज्य के स्वामित्व में हैं, अग्रवाद है।

(ख) जब तक किसी विशेष मद का उल्लेख न किया जाए, यह जानकारी देना संभव नहीं है।

(ग) राज्य व्यापार निगम अपनी सेवाओं के लिए माल के देश में पहुंचने पर मूल्य पर लगभग 1-1½ प्रतिशत का थोड़ा-सा सेवा-प्रभार लेता है।

आयात की जाने वाली वस्तुओं के स्थान पर प्रयोग की जाने वाली वस्तुओं संबंधी कार्यक्रम

4796. श्री रघुबीर सिंह शास्त्री : क्या औद्योगिक विकास तथा समन्वय-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) देश में इस समय आयात की जाने वाली वस्तुओं या उनको देश में उपलब्ध वस्तुओं से परिवर्तित करने के निर्माण कार्य में अब तक क्या प्रगति हुई है;

(ख) क्या यह सच है कि अभी भी आयात में कमी करने का पर्याप्त क्षेत्र है; और

(ग) यदि हां, तो इस बारे में भविष्य में कार्यक्रम का व्यौरा क्या है ?

औद्योगिक विकास तथा समन्वय-कार्य मंत्री (श्री कृष्णचंद्र प्रसाद) : (क) सुसंगठित प्रयुक्त अभ्युपायों के फलस्वरूप कई उद्योगों के लिए पुर्जों के तथा कच्चे माल के आयात में पर्याप्त कमी हुई है। 1967 में इस कारण विदेशी मुद्रा में हुई बचत लगभग 30 करोड़ रुपये थी।

(ख) जी, हां। ऐसी आशा है कि आयात प्रतिस्थापन के अभ्युपायों से विदेशी मुद्रा की बचत में वर्ष प्रति वर्ष प्रगत्यात्मक वृद्धि होगी।

(ग) प्रत्येक उद्योग में आयात प्रतिस्थापन कार्यक्रम को कार्यान्वित करने के लिए निम्नलिखित पग निरंतर उठाए जा रहे हैं:—

1. आयातित कच्चे माल, पुर्जों तथा फालतू हिस्सों के स्थान पर देश में निर्मित उसी कोटि अथवा उस से मिलती-जुलती कोटि के कच्चे माल, पुर्जों तथा फालतू हिस्सों का प्रयोग किया जाना।
2. उत्पादन की प्रत्येक इकाई में आयातित कच्चे माल तथा पुर्जों की खपत में कमी करना।
3. मध्यमों की प्रपेक्षा सीधे मूल कच्चे माल से रसायन तथा रसायन उत्पादों का उत्पादन करने के काम में प्रगत्यात्मक परिवर्तन।
4. प्रावस्था-भाजित कार्यक्रम में शीघ्रता लाकर देशीय उत्पादों की न्यूनतम समय में अधिक उपलब्धि करना।
5. पूंजीगत बस्तुओं के आयात के आवेदनों की धीरे-धीरे कड़ाई से जांच ताकि देश में निर्मित या निकट भविष्य में निर्मित होने वाली मशीनों तथा

उपकरणों आदि के आयात की अनुमति न दी जाय।

6. केन्द्रीय सरकार तथा राज्य सरकारों के सम्बद्ध प्राधिकारियों को अनुदेश दिए गए हैं कि वह परियोजना की प्रायोजनावस्था से ही तकनीकी विकास के महानिदेशालय से परामर्श करते रहें ताकि देश में निर्मित होने वाली मशीनें अथवा जिनका निर्माण देश में विकसित किया जा सकता है उनको उचित समय पर आयात न करने के कारण आयात न कर लिया जाए, इसका सुनिश्चय किया जा सके।

7. आयात प्रतिस्थापन क्षेत्र में प्रोत्साहन करने की योजना भी चालू की गई है जिसके अन्तर्गत उन व्यक्तियों तथा संस्थाओं को इनाम दिए जाते हैं जिनके व्यावहारिक विचारों से आयात में कमी होती है।

Production of Galvanised Iron Sheets

4797. SHRI HIMATSINGKA:
SHRI JUGAL MONDAL:

Will the Minister of STEEL, MINES AND METALS be pleased to state:

(a) the present annual production of galvanised iron sheets in the country and the estimated annual requirement thereof at present; and

(b) which are the main units producing this type of sheets and whether Government propose to license further units or grant expansion of capacity of the existing units; and

(c) if so, the details of the scheme in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK): (a) The production of galvanised sheets during 1967-68 was 74,110 tonnes and the estimated production during 1968-69 is 1,68,400 tonnes.

The annual demand for galvanised sheets is estimated by the National Council of Applied Economic Research is 3,35,216 tonnes in 1970-71.

(b) and (c): There are at present 3 main Producers viz. Tata Iron and Steel Company, Indian Iron and Steel Company and Rourkela Steel Plant who produce galvanised sheets. The production of galvanised sheets is tied up with the production of black plain sheets and as black sheets can only be produced by the main producers, the question of granting licences to other small units does not arise. Under the expansion scheme of Rourkela Steel Plant, a galvanizing line has been installed. The Plant has already started producing galvanised sheets from July, 1968 and is expected to produce about 50,000 tonnes of galvanised sheets during 1968-69 against its installed capacity of 1,60,000 tonnes per annum. The Bokaro Steel Plant which is under construction is also designed to produce 1,50,000 tonnes of galvanised sheets annually after the completion of the first phase of construction.

Indo-Ceylon Agreement on Tea

4798. SHRI HIMATSIKKA:
SHRI R. K. AMIN:

Will the Minister of COMMERCE be pleased to state:

(a) whether the talks for implementation of the agreement between India and Ceylon on the Joint Marketing of Tea in the world markets were held towards the end of May this year;

(b) if so, the specific issues discussed at the said meeting and the decision taken in regard to each item; and

(c) the extent to which the exports of Indian tea are likely to increase during the year 1968-69 as compared to the previous years as a result of this agreement?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) Yes, Sir.

(b) The two countries agreed to set up a Working Group to draft the constitution and define precisely the objectives, functions, financial and administrative structure

and scope of operations of a Joint Tea Consortium to promote the sale of tea in blended and packaged form. Both the Government of Ceylon and the Government of India have set up Working Groups to finalise the memorandum and articles of Association of the Consortium. Joint meetings of the Working Groups of the two countries will be arranged shortly to finalise the matter.

The other important decisions taken relate to Joint market surveys, joint review of the existing auction machinery with particular reference to the desirability of new sale outlets, setting up of joint Committee to coordinate tea research work carried on in both the countries. The steps to be taken for implementing these decisions will be discussed with Ceylon shortly.

(c) It is too early to make any assessment at this stage.

H. M. T. Plant in Ceylon

4799. SHRI HIMATSIKKA:
SHRI S. K. TAPURIAH:
SHRI VISHWA NATH PANDEY:

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

(a) whether there is a proposal to set up a Hindustan Machine Tool Plant in Ceylon;

(b) if so, the size of the plant to be installed there and the estimated cost thereof; and

(c) the steps taken in that direction?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) to (c): There is no proposal for Hindustan Machine Tools Ltd. to set up a plant in Ceylon for manufacture of machine tools. Hindustan Machine Tools Ltd. propose to render technical collaboration and assistance to a Ceylonese organisation in setting up a machine tool plant in that country. At the request of the Ceylonese organisation, a detailed feasibility report for a machine tool plant in Ceylon has been prepared by Hindustan Machine Tools Ltd. and the details are under discussion.

Collaboration Arrangements with Soviet Union

4800. SHRI HIMATSINGKA:
SHRI S. K. TAPURIAH:
SHRI RAM SEWAK YADAV:
SHRI BENI SHANKER
SHARMA:

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

(a) whether it is a fact that the Soviet Union has agreed that, in future, in all the collaboration arrangements with India more than half the investment would be Indian;

(b) if so, how much of plan credit for the Fourth Five Year Plan projects has already been authorised and how much of Indian rupee resources would be required to match Soviet aid under the latest agreement; and

(c) in what specific fields the Soviet collaboration in industry under the Fourth Five Year Plan is expected and whether it is a fact that difficulty is being encountered in mobilising sufficient rupee resources to match the Soviet aid, if so, the nature and extent of the difficulties faced and the steps being taken to solve the same?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) There is no Soviet investment in these projects.

(b) A sum of Rs. 250 crores has been indicated by the USSR for schemes envisaged for the Fourth Plan, under the Economic Cooperation Agreement dated 10-12-66. Since the Fourth Plan has not yet been finalised, it is not possible to indicate at this stage what rupee resources would be required to match the Soviet aid of Rs. 250 crores.

(c) As the Fourth Five Year Plan is yet to be finalised, it is difficult at this stage to express a definite view on the industries and other fields in which Soviet collaboration would be utilised during the Fourth Plan.

Projects which have been set up or are being set up with the U. S. S. R. assistance have not suffered on account of shortage of rupee finance. It has been the general

policy to find the required rupee resources for implementation of such projects within the Plan and budgetary allocations.

Export of Manganese Ore

4801. SHRI S. R. DAMANI: Will the Minister of COMMERCE be pleased state:

(a) the quantities of manganese ore exports in the first half of the current year and how they compare with the corresponding periods of the years 1966 and 1967;

(b) whether our prices are competitive in the world markets;

(c) whether it is a fact that export duty on manganese ore is proving an impediment to boost our exports; and

(d) if so, whether Government are considering the reduction or abolition of export duty to maintain our exports?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) India's exports of manganese ore during the first half of 1968 and the corresponding periods of 1966 and 1967 have been as follows:—

	<i>Quantity</i>
1968 (Jan.-June)	6,31,002 tonnes
1967 " "	5,75,401 "
1966 " "	6,47,240 "

(b) to (d). The prices of certain goods of manganese ore in certain destinations are not competitive but it is not correct to say that export duty is an impediment to boost our exports. Government are of the view that reduction in export duty will not be in the best interest of our export trade at this stage.

Jhansi-Bhusaval Passenger Train

4802. SHRI NITIRAJ SINGH CHAUDHARY: Will the Minister of RAILWAYS be pleased to state:

(a) on how many days during the last 12 months, the Jhansi-Bhusaval Passenger train Connected Itarsi-Nagpur Passenger train;

(b) whether in view of the fact that persons of Chattisgarh Region of Madhya Pradesh have to come and go *via* Nagpur from Bhopal, the Up and Dn. Nagpur-Itarsi Passenger

Trains are proposed to be extended to Bhopal; and

(c) if there are no terminal facilities at Bhopal how other trains terminating and originating at Bhopal are dealt with?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) Prior to 1-4-68, there was no scheduled connection between 358 Up Jhansi-Bhusaval Passenger and 394 Dn. Itarsi-Nagpur Passenger at Itarsi. During the seven months April-October, 1968 this connection was maintained on 24 occasions.

(b) No.

(c) The available terminal facilities at Bhopal are just adequate to deal with the Central and Western Railway trains terminating there, thus leaving no scope for termination of any additional train there at present.

Bank Guarantee for taking delivery of Goods

4803. SHRI NITIRAJ SINGH CHAUDHARY: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that in case of loss of Railway Receipt delivery of goods cannot be effected on furnishing of indemnity bond alone;

(b) whether Bank guarantee is also necessary for taking delivery; and

(c) whether the Eastern Railway Howrah compels furnishing of Bank guarantees after Indemnity bonds are furnished, if so, the reasons therefor?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) If a railway receipt has been lost, delivery of goods is granted on Indemnity Note provided the official accepting the Indemnity Note is satisfied with the bonafides of the party claiming delivery and of the soundness of the surety.

(b) Bank guarantee may be demanded if the official accepting the Indemnity Note is not satisfied with the soundness of the surety or title of the party claiming delivery is in doubt.

(c) At Howrah bank guarantee is normally insisted upon when the surety on the Indemnity Note is not to the satisfaction of the official allowing delivery.

राजस्थान में सीमेंट के कारखाने

4804. श्री रामावतार शर्मा: क्या औद्योगिक विकास तथा सन्वाय-कार्य मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या राजस्थान में तीन सीमेंट कारखाने स्थापित करने की कोई योजना सरकार के विचाराधीन है;

(ख) यदि हाँ, तो उन स्थानों के क्या नाम हैं जहाँ उक्त कारखाने स्थापित किए जायेंगे और उनको कब तक स्थापित करने का विचार है; और

(ग) उक्त कारखानों के स्थापित करने पर क्या व्यय होगा और उनका उत्पादन क्षमता का ब्यौरा क्या है?

औद्योगिक विकास तथा सन्वाय-कार्य मंत्री (श्री कृष्णवर्द्धन झली ब्रह्मचर): (क) से (ग). सीमेंट उद्योग को उद्योग (विकास और विनियमन) अधिनियम 1951 के अन्तर्गत लाइसेंस लेने के उपबन्ध से दिनांक 13 मई, 1966 से छूट दे दी गई है। कोई प्रस्ताव सरकार के विचाराधीन नहीं है। राजस्थान में गैर-सरकारी क्षेत्र में दो या तीन वर्षों के भीतर दो नई सीमेंट फैक्टरियाँ स्थापित करने की सम्भावना है उनका विवरण निम्नलिखित है:—

स्थान	क्षमता	पूरा होने की संभा- वित तिथि	प्रायोजना पर लागत
1. उदयपुर	20,000	1970	430 लाख रुपये
2. बेवर	4,000	1970	900 लाख (प्रथम चरण) रुपये

राजस्थान में चित्तौड़गढ़ और सवाई-माधोपुर की वर्तमान सीमेंट फैक्टरियों की क्षमता में सन् 1970-71 तक प्रत्येक में 2 लाख टन वार्षिक की प्रतिरिक्त क्षमता बढ़ाने का प्रस्ताव है।

India's Trade Relations with Cuba and North Vietnam

4805. SHRI JYOTIRMOY BASU: Will the Minister of COMMERCE be pleased to state:

(a) since when India has no trade relations with Cuba;

(b) whether various trade and loan agreements between the U. S. A. and India contain any clause which prohibits India from maintaining trade relations with the Governments of North Vietnam and Cuba; and

(c) if not, the reasons for cutting off trade relations with these two countries and at the same time establishing new trade relations with South Vietnam ?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) and (b). India is maintaining trade relations with Cuba and North Vietnam.

(c) U. S. Aid legislation imposes some restrictions on trade between Cuba and North Vietnam on the one hand and aid-receiving countries on the other but India's trade with these countries has not been affected much by that.

Exports to South Vietnam

4806. SHRI JYOTIRMOY BASU: Will the Minister of COMMERCE be pleased to state:

(a) the total quantity and value of each item of goods exported to South Vietnam during the years from 1962-63 to 1967-68 (year-wise); and

(b) the names of the exporters of these items?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) A statement showing, under broad heads, our year-wise exports to South Vietnam (both in quantity and value) in the period from 1962-63 to 1967-68, is laid on the Table of the House. [*Placed in Library. See. No. LT-2749/68*]. Detailed statistics would be found available in the publication. "Monthly Statistics of the Foreign Trade of India" of the Department of Commercial Intelligence and Statistics, Calcutta.

(b) Statistics of Imports/Exports published by the Department of Commercial Intelligence and Statistics, Calcutta do not show the names of exporters.

Import of Electrical Equipments

4807. SHRI JOYTIRMOY BASU: Will the Minister of COMMERCE be pleased to state:

(a) the total value of each category of electrical equipments required for irrigation and power projects in the Public Sectors which were imported from the years 1964-65 to 1967-68 (year-wise); and

(b) the total value of each category of electrical equipments produced in India during this period (year-wise) ?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) Separate figures of value of electrical equipments imported for irrigation and power projects for Public and Private Sectors are not available. A statement showing annual imports of Electric Power machinery, Switch-gear and Equipment for distributing electricity during 1964-65 to 1967-68 is laid on the Table of the House. [*Placed in Library. See No. LT—2750 / 68*].

(b) A statement is laid on the Table of the House. [*Placed in Library. See No. LT—2750/68*].

Directorate of Inspection and Investigation

4808. SHRI JYOTIRMOY BASU: Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) whether a Directorate of Inspection and Investigation, with its units at Madras, Kanpur, Calcutta and Bombay, functions in the Department of Company Affairs for checking fraud, misfeasance, misappropriation and other malpractices in the corporate sectors; and

(b) if so, how many cases of malpractices have been unearthed by each unit of the Directorate during the last two years and the nature of malpractices in each case ?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFF.

FAIRS (SHRI F. A. AHMED): (a) The Directorate of Inspection and Investigation has units in Delhi, Calcutta, Bombay, Madras and Kanpur. The inspections under Section 209 (4) of the Companies Act, 1956 are meant to ensure that proper books of accounts are maintained by the companies and that healthy corporate practices are followed. Investigations are ordered when *prima facie* materials come to the notice of the Department indicating fraud, misfeasance, etc. Where there are materials to show that misappropriation or some other offence under the Indian Penal Code has been committed, such cases are referred to the Police for investigation and necessary action. Contraventions of provisions of the Companies Act brought to light in the Inspection Reports are referred to the concerned Registrar of Companies for calling for the explanations of companies and launching prosecution where appropriate.

(b) A list of companies where, on the basis of Inspection Reports, investigations have been ordered or where references have been made to the Police for further action is placed on the Table of the House. [*Placed in Library.* See No. LT-2751/68].

M/S Birla Brothers

4809. **SHRI JYOTIRMOY BASU:** Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) the names of concerns under the control of Birla Brothers (as per report of the Monopoly Enquiry Commission) which have foreign collaboration agreements, both financial and technical; and

(b) the details of the terms of agreement in each case?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) The information is being compiled and will be laid on the Table of the House.

(b) The details of terms of foreign collaboration agreements are considered confidential.

Passenger Trains running from Pathankot to Baijnath Paprola

4810. **SHRI HEM RAJ:** Will the Minister

of RAILWAYS be pleased to state:

(a) whether it is a fact that the rakes of nine bogies for Passenger trains running from Pathankot to Baijnath Paprola and back were agreed to and ordered;

(b) whether it is also a fact that this order is not being implemented, and if so, reasons therefor;

(c) whether it is a fact that all the trains Up and Down and especially 2 PBJ from Paprola Baijnath to Pathankot go always over-crowded; and

(d) if so, the steps Government propose to take to reduce over-crowding and run the proper rakes?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) Out of 8 trains on Pathankot-Baijnath Paprola N. G. section, four trains run with a scheduled composition of 9 bogies, two with 8 bogies and two with 7 bogies.

(b) Owing to damages and/or limitations of load, some of the above trains ran with less than the scheduled composition on certain occasions.

(c) No.

(d) Does not arise.

Old Rolling Stock on Kangra Valley Railway

4811. **SHRI HEM RAJ:** Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that the rolling stock especially engines, goods wagons and some passenger bogies are old, worn out and overaged in the Kangra Valley Railway;

(b) whether it is also a fact that the over-aged engines incur failures on the way and over-aged and short supply of goods wagons hinder the movement of goods to the up stations; and

(c) if so, the steps Government propose to take to replace the engines and goods wagons on the Kangra Valley Railway Section of the Northern Railway?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) It is correct that some of the engines, goods wagons and passenger coaches in use on the Kangra-Valley Section are overaged but this rolling stock is kept in a fit condition.

(b) Overaged engines do not incur more failures than other engines if they are properly looked after and the working of these engines is at present satisfactory. There is, however shortage of wagons on this section and traffic is regulated according to the availability of the stock.

(c) Replacement of overaged rolling stock is a continuous process and replacements are done on programmed basis for all Indian Railways including Kangra Valley Railway depending upon the condition of the Rolling Stock and the availability of funds.

पटना सिटी स्टेशन

4812. श्री रामावतार शास्त्री : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि 16 सितम्बर, 1968 को जब उन्होंने दौरा किया था तो पटना साहिब तख्त हरिमन्दिरजी प्रबन्ध समिति के सचिव ने उन्हें एक पत्र दिया था;

(ख) क्या यह भी सच है कि उसने अपने पत्र में पटना सिटी स्टेशन के नाम में परिवर्तन, गाड़ियों की व्यवस्था और अन्य सुविधाओं और स्थिति में सुधार के बारे में एक लिखित सुझाव दिया था;

(ग) यदि हां, तो सुझावों का ब्यौरा क्या है; और

(घ) इस बारे में सरकार की क्या प्रतिक्रिया है ?

रेलवे मंत्री (श्री जे० मु० पुनाचा) :

(क) जी हां ।

(ख) जी हां ।

(ग) और (घ)। एक विवरण, जिसमें दिए गए सुझावों का संक्षिप्त ब्यौरा और उनसे संबंधित टिप्पणी दी गई है, सभा पटल पर रखा गया है। [पुस्तकालय में रखा गया। देखिए संख्या LT-2752/68]

बीड़ी उत्पादन

4813. श्री रामावतार शास्त्री :

श्री के० एस० अन्नाहम :

श्री के० रमानी :

श्री मुहम्मद इस्माइल :

क्या वाणिज्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि 1963-64 से बीड़ी उत्पादन में वृद्धि हुई है;

(ख) यदि हां, तो उसके बाद प्रति वर्ष बीड़ी का कुल कितना उत्पादन हुआ;

(ग) क्या बीड़ी उत्पादन के साथ-साथ बीड़ी कर्मचारियों की मजूरी भी बढ़ी है;

(घ) यदि हां, तो इस बारे में तुलनात्मक आंकड़े क्या हैं;

(ङ) देश में बीड़ी की कितनी खपत होती है तथा देश से कितनी मात्रा में बीड़ी का निर्यात किया जाता है और उन देशों के नाम क्या हैं जिन्हें बीड़ी का निर्यात किया जाता है, और

(च) पिछले दस वर्षों में इसके परिणाम-स्वरूप (वर्षवार) कितनी विदेशी मुद्रा प्राप्त हुई ?

वाणिज्य मंत्रालय में उप-मंत्री (श्री मोहम्मद शफ़ी कुरेशी) : (क) जी हां ।

(ख) बीड़ियां कुटीर और लघु उद्योग क्षेत्र में बनाई जाती हैं। देश में कोई बड़े पैमाने का बीड़ी निर्माता कारखाना नहीं है। उत्पादन के सही आंकड़े प्राप्य नहीं हैं। फिर भी, वर्ष 1963-64 से 1967-68 तक की अवधि में बीड़ियां बनाने के लिए दी गई अनिर्मित तम्बाकू का परिमाण (लगभग) नीचे दिया जाता है:—

वर्ष	परिमाण ('000) कि.ग्रा.
1963-64	60,397
1964-65	68,944
1965-66	67,873
1966-67	70,460

1967-68

72,313

योग: 3,39,987

(ग) तथा (घ). तम्बाकू निर्माण शालाओं (बीड़ी बनाने वाली निर्माण शालाओं सहित) में नियोजित कम वेतन पाने वाले भ्रदक्ष कर्मचारियों के लिए राज्य सरकारों द्वारा नियत की गई/संशोधित की गई न्यूनतम मजूरी की दरें भारतीय श्रम सांख्यिकी (इंडियन लेबर स्टैटिस्टिक्स), 1968 की सारणी 4.9 में दी गई है।

(ङ) वर्ष 1963-64 से 1967-68 की अवधि में 703 मेट्रिक टन बीड़ियां भारत से निर्यात की गईं। जिन देशों को ये निर्यात की गईं वे ये हैं: अदन, बहरीन द्वीप समूह, कुवैत, श्रीलंका, मस्कत, कतार ट्रशल मोमन, सऊदी अरब, अफगानिस्तान, जापान, मल-येशिया, नेपाल, सिंगापुर, केन्या, तंजानिया, सं० रा० अमेरिका, फिनलैण्ड, स्वीडन। देश के अन्दर बीड़ियों की खपत के आंकड़े प्राप्त नहीं हैं परन्तु बीड़ी निर्माताओं को दी गई अनिर्मित तम्बाकू और इन पांच वर्षों में निर्यात की गई तम्बाकू से 3,39,284 मे० टन तम्बाकू से बनी बीड़ियों की देश के अन्दर खपत होने का अनुमान है।

(च) 1958-59 से 1967-68 तक के 10 वर्षों में बीड़ियों के निर्यात से 4,23,17,116 रुपये की विदेशी मुद्रा उपाजित की गई।

रेलवे मैकेनिकल श्रमिकों के वेतनमानों में वृद्धि की मांग

4814. श्री रामावतार शास्त्री : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि इंडियन रेलवे लोको मैकेनिकल स्टाफ एसोसिएशन ने रेलवे मैकेनिकल कर्मचारियों के वेतनमान बढ़ाए जाने के बारे में एक जापन सरकार को दिया था;

(ख) यदि हां, तो उसका व्यौरा क्या है; और

(ग) इस बारे में सरकार की क्या प्रतिक्रिया है ?

रेलवे मंत्री (श्री जे० मु० पुनाचा) :

(क) से (ग). इस सम्बन्ध में कुछ अभ्यावेदन मिले हैं लेकिन वेतनमानों में संशोधन के अनुरोध को स्वीकार करना सम्भव नहीं हो सका है।

दानापुर के स्थानापन्न यातायात श्रमिक

4815. श्री रामावतार शास्त्री : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि पूर्व रेलवे के दानापुर स्थित यातायात विभाग के 24 स्थानापन्न श्रमिकों ने विभागीय अनियमितताओं के बारे में 1 अक्टूबर, 1968 को डिवीजनल सुपरिन्टेंडेंट को एक संयुक्त अभ्यावेदन भेजा था;

(ख) क्या रेलवे के अन्य अधिकाारियों को भी उक्त अभ्यावेदन की प्रतियां भेजी गई थीं;

(ग) क्या अभ्यावेदन में यह कहा गया है कि गत एक वर्ष से अधिकाारी मनमाने ढंग से नियमित स्थानापन्न श्रमिकों के नाम सूची से निकाल रहे हैं और अपनी पसन्द के व्यक्तियों को रख रहे हैं;

(घ) क्या इस अभ्यावेदन में अनेक मामले भी बताए गए हैं; और

(ङ) यदि हां, तो उनके बारे में सरकार की क्या प्रतिक्रिया है और इन अनियमितताओं को रोकने के लिए क्या कार्यवाही की गई है ?

रेलवे मंत्री (श्री जे० मु० पुनाचा) :

(क) जी हां, लेकिन संयुक्त अभ्यावेदन की तारीख 11-10-1968 है।

(ख) जी हां।

(ग) जी हां ।

(घ) कथित अनियमितता के एक मामले का उल्लेख किया गया है ।

(ङ) मामले की जांच की जा रही है ।

Manufacture of Cars

4816. SHRI R. K. AMIN:
SHRI D. N. PATODIA:

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

(a) whether it is a fact that all the three factories manufacturing cars in India work below their existing capacity;

(b) whether it is also a fact that the economic size for manufacturing cars is bigger than that of the existing plants; and

(c) if so, what action Government propose to take to bring these plants to their optimum size?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) Of the three Car manufacturing plants in the country, only one, that of M/S. Standard Motor Products of India Ltd. Madras, is, at present working below the assessed capacity.

(b) Yes, Sir.

(c) Apart from the size of the plant for economic production, its layout on the basis of mass production lines is also essential to secure economics in costs and prices. The estimated demand for cars and the available balance of capacity for expansion above the existing levels have also to be considered. Taking all these factors into account, it is felt that the full benefits of mass production and reduction in price cannot be achieved by expansion of the existing units, with their old equipment and production methods. The whole question of additional capacity for cars is under Government's consideration.

Bus-Train collision near Bassein Road Station

4817. SHRI VISHWA NATH PANDEY:
Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that a suburban electric train on the Western Railway collided on the 21st October 1968 with a Maharashtra State Transport bus at a level crossing near Bassein Road station about 48 kilometres from Bombay;

(b) if so, the total number of the persons injured;

(c) the causes of the accident; and

(d) the reaction of Government thereto?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) A Maharashtra State Transport bus crashed through the closed level crossing gate No. 37 on the West side near Bassein Road station and collided with Electric suburban train No. 66 Up ex Virar to Churchgate which was negotiating the level crossing at that time.

(b) In this accident 26 persons in the bus including the Bus Driver sustained injuries of whom ten were hurt grievously.

(c) *Prima facie* it appears that the Driver of the bus was coming at a high speed while approaching the level crossing gate and being unable to control the bus crashed through the closed gate of the level crossing and collided with the train.

(d) The State Transport Authorities (Maharashtra Government) have accepted the responsibility for this accident and have arranged ex-gratia payment to the injured.

Trade Agreement with Hungary

4818. SHRI SRADHAKAR SUPAKAR:
SHRI R. BARUA:

Will the Minister of COMMERCE be pleased to state:

(a) whether India has recently entered into a trade agreement with Hungary for the year 1969; and

(b) if so, the terms thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) and (b). A statement is attached.

Statement

Under the bilateral Trade and Payments Agreement concluded between India and Hungary on 22nd November, 1963, which is valid upto the end of 1970, letters have been

exchanged at Budapest on 28th October, 1968 between the trade delegations of both the countries regarding the exchange of goods during 1969, which will be of the order of Rs. 540 million both ways.

In addition to the traditional items, India will export to Hungary mineral ores, railway wagons, readymade garments, textile products, shoes and leather products, wire ropes, automobile ancillaries, asbestos products, rayon tyre cord and yarn apart from a wide range of engineering goods.

Hungary will supply to India steel and steel products including drum sheets, railway equipment fertilizers, drugs and pharmaceuticals, chemical including heavy chemicals and other items of machinery and equipment.

Supply of Railway materials to West Asian Countries

4819. SHRI SRADHAKAR SUPAKAR: Will the Minister of COMMERCE be pleased to state:

(a) whether India has received large orders from some West Asian countries for the supply of rails and other railway materials for the construction of Railway lines; and

(b) if so, the total estimated earnings therefrom and the net earnings in terms of foreign exchange separately?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) Yes, Sir.

(b) The total value of orders received so far is approximately Rs. 11 crores. It is not possible at the present time to estimate the precise quantum of net earnings in terms of foreign exchange.

Import Licences for Sodium Sulphide

4820. SHRI S. R. DAMANI: Will the Minister of COMMERCE be pleased to state:

(a) the number of import licences, with quantity against each, issued during the last year for the import of sodium sulphide and the amount of foreign exchange involved;

(b) whether Government were aware that the Rajasthan Government's sodium sulphide plant was in a position to meet the demand in the country; and

(c) if so, whether the licences issued were for quantities required in excess of the availability at the above factory or in total ignorance of it?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) The import of Sodium Sulphide was banned during last year.

(b) Rajasthan Government's plant does not produce Sodium Sulphide. It produces Sodium Sulphate, the import of which is also banned from April, 1968.

(c) Does not arise.

बिहार में बिना टिकट यात्रा

4821. श्री शारदानन्द : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) 1 जनवरी, 1968 से बरौनी-जमालपुर, कटिहार, समस्तीपुर, दानापुर, और सोनपुर स्टेशनों पर बिना टिकट यात्रा करने के संबंध में कितने व्यक्तियों को पकड़ा गया;

(ख) उनसे जुमने के रूप में सरकार ने कितनी धनराशि वसूल की है; और

(ग) जुमने की राशि न देने के लिए कितने व्यक्तियों को गिरफ्तार किया गया ?

रेलवे मंत्री (श्री बे० सु० पुनाचा) :

(क) से (ग). एक विवरण जिसमें प्रपेक्षित सूचना दी गई है, सभा पटल पर रखा गया है। [पुस्तकालय में रखा गया। देखिए संख्या LT-2753/68]

हैबी इंजीनियरिंग कारपोरेशन, रांची

4822. श्री शारदानन्द : क्या औद्योगिक विकास तथा सन्वाय-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) 1 अगस्त, 1968 को हैबी इंजी-

नियंत्रण कारपोरेशन, रांची में चेकोस्लोवाकिया के कितने तकनीशन काम कर रहे थे;

(ख) उस निगम में इस समय चेकोस्लोवाकिया के कितने तकनीशन काम कर रहे हैं; और

(ग) चेकोस्लोवाकिया में रूस द्वारा हस्तक्षेप किए जाने के पश्चात् चेकोस्लोवाकिया के कितने तकनीशनों ने निगम से काम छोड़ दिया तथा वे किन-किन देशों में चले गए?

औद्योगिक विकास तथा सम्बाध-कार्य मंत्री (श्री कृष्णचट्टीन शर्मा प्रहमद) : (क) निगम में काम कर रहे चेक तकनीशियनों की संख्या 1 अगस्त, 1968 को इस प्रकार थी:-

(1) फाउन्ड्री फोर्ज परियोजना 208

(2) हैवी मशीन टूल परियोजना 20

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228
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(ख) काम कर रहे चेक तकनीशियनों की संख्या 1 दिसम्बर, 1968 को इस प्रकार थी:-

(1) फाउन्ड्री फोर्ज परियोजना 180

(2) हैवी मशीन टूल परियोजना 19

—
199
—

(ग) अक्टूबर, 1968 में 7 चेक विशेषज्ञ कनाडा चले गए। ये तकनीशियन उन चेक विशेषज्ञों के अतिरिक्त हैं जो कि संविदा की अवधि पूरी हो जाने पर चेकोस्लोवाकिया चले गए थे।

भारत का निर्यात और आयात

4823. श्री शारदानन्द : क्या वाणिज्य मंत्री यह बताने की कृपा करेंगे कि :

(क) भारत द्वारा 1 जनवरी, 1968 से लेकर अब तक कितने मूल्य की वस्तुओं का निर्यात किया गया है तथा जिनको ये वस्तुएं

निर्यात की गई थीं उनके नाम क्या हैं; और

(ख) उक्त अवधि में कितने मूल्य की वस्तुओं का आयात किया गया था ?

वाणिज्य मंत्रालय में उप-मंत्री (श्री मोहम्मद शफ़ी कुरेशी) : (क) तथा (ख). 1 जनवरी, 1968 से 30 सितम्बर, 1968 की अवधि में भारत से हुए निर्यातों (पुनर्निर्यात सहित) तथा आयातों का कुल मूल्य क्रमशः 969 करोड़ रु० तथा 1448 करोड़ रु० रहा।

इन आंकड़ों के देशवार आंकड़े वाणिज्यिक आसूचना तथा सांख्यिकी, कलकत्ता के महा-निदेशक द्वारा प्रकाशित "भारत के विदेशी व्यापार के मासिक आंकड़े" नामक प्रकाशन में उपलब्ध है।

Hindustan Standard and Fiat Cars

4824. SHRI NITIRAJ SINGH CHAUDHARY: Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) the prices at which Hindustan, Fiat and Standard Cars were sold when production to the car Industry was given and their present sale prices;

(b) the reasons leading to the increase in the sale price; and

(c) the level at which the sale prices would stabilise and when?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) The ex-factory selling prices of the three makes of cars ruling in January, 1957 before the prices on the basis of the Tariff Commission's report (1956) and those prevailing now are given below:-

Make of Car	Ex-factory retail price-ruling in January, 1957	Ex-factory retail price at present
	Rs.	Rs.
Hindustan	9,845/-	14,892/-
Fiat	8,847/-	13,551/-
Standard	9,450/-	14,000/- (4 door)

(b) The prices of cars have increased over the years due to various reasons such as increase in manufacturing costs, increase in the value of imported components, increase in customs and excise duties and other Government levies, increase in prices of tyres and tubes, increase in cost on account of substitution of imported components by indigenous components and, in the case of Standard Car, also due to change over from two-door to four-door model;

(c) The prices of cars are dependent upon various factors such as the prices of components and raw materials and the wage bill of the manufacturers.

राज्य व्यापार निगम द्वारा अर्जित लाभ

4825. श्री रघुबीरसिंह शास्त्री : क्या वाणिज्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि राज्य व्यापार निगम द्वारा अर्जित लाभ की दर गैर-सरकारी क्षेत्र की तुलना में बहुत कम है;

(ख) यदि हाँ, तो इसका क्या कारण है; और

(ग) राज्य व्यापार निगम सम्बन्धी पुनर्विलोकन समिति द्वारा की गई सिफारिशों को ध्यान में रखते हुए इस निगम को वाणिज्यिक आघारों पर चलाने के संबंध में सरकार का विचार क्या कार्यवाही करने का है ?

वाणिज्य मंत्रालय में उप-मंत्री (श्री मोहम्मद शफी कुरेशी) : (क) तथा (ख). निगम मुख्यतः लाभ कमाने वाली संस्था नहीं है। यह विभिन्न प्रकार के संबंधनात्मक कार्य करता है, जो सामान्यतः गैर-सरकारी क्षेत्र द्वारा नहीं किए जाते और उनमें कभी-कभी हानियां उठानी पड़ती हैं। चूंकि निगम भी एक सेवा संस्था है, इसलिए यह किन्हीं विशिष्ट परिस्थितियों से लाभ उठाकर अधिक लाभ अर्जित नहीं करता। अतः ये सब कुछ देखते

हुए गैर-सरकारी क्षेत्र की तुलना में इसके लाभ की दरें उचित होती हैं।

(ग) राज्य व्यापार निगम सम्बन्धी पुनर्विलोकन समिति की अन्तिम सिफारिशें अभी प्राप्त नहीं हुई हैं। सरकार अंतिम प्रतिवेदन पर, जिसके मई, 1969 के अन्त तक मिलने की सम्भावना है, भागे की कार्यवाही के लिए विचार करेगी।

बिहार में औद्योगिक विकास

4826. श्री रामावतार शास्त्री : क्या औद्योगिक विकास तथा सन्वाय-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) बिहार सरकार ने चौथी पंचवर्षीय योजना में राज्य में औद्योगिक विकास के बारे में कोई योजना तैयार की है; और

(ख) यदि हाँ, तो योजना का व्यौरा क्या है ?

औद्योगिक विकास तथा सन्वाय-कार्य मंत्री (श्री फ़ख़रुद्दीन अली अहमद) : (क) जी, हाँ।

(ख) बिहार राज्य सरकार ने चतुर्थ पंचवर्षीय योजना के लिए औद्योगिक विकास की योजनाएँ तैयार की हैं। राज्य द्वारा प्रस्तावित योजना विचाराधीन है और अभी तक उस पर कोई निर्णय नहीं लिया गया है।

Manufacture of Wagons for Export to U.S.S.R.

4827. SHRI K. M. KOUSSHIK: Will the Minister of COMMERCE be pleased to state:

(a) whether it is a fact that re-modelling of factories would be necessary to enable us to manufacture the type of rail wagons desired to be purchased by the U. S. S. R.; and

(b) if so, the expenditure involved in remodelling the factories?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) No, Sir.

(b) Does not arise.

Railway Schools and Colleges

4828. SHRI YAMUNA PRASAD MANDAL: Will the Minister of RAILWAYS be pleased to State:

(a) the names and sections of teachers/lecturers teaching optional subjects to those classes in which there are less than 5 students in Railway schools and colleges on the Northern Railway; and

(b) the number of students who took optional subjects in those classes separately during the last five years?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): Information regarding part (a) and (b) is furnished in the statement laid on the Table of the House [Placed in library. See No. LT-2754/68].

Guna-Maksi Railway Line

4829. SHRI BABURAO PATEL: Will the Minister of RAILWAYS be pleased to state:

(a) the reasons why after spending nearly Rs. 6 crores over the Guna-Maksi railway link the work has been stopped when only Rs. 3 crores more are needed to complete the project;

(b) whether he had himself seen the damage done to the earthwork due to rains and flood prior to answering Unstarred Question No. 105 on 13th February, 1968;

(c) whether he is aware of the extensive damage done this year due to the rains and floods to the earth track which has been completely washed away in about hundred places;

(d) when exactly it is proposed to complete this project and relieve the tension among local people; and

(e) if not, the reasons thereof?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) In view of slow generation of traffic in this sector a re-appraisal of traffic is underway with a view to rephase the works programme.

(b) No.

(c) It is learnt that the earthwork has not been completely washed away at any place though there was slight damage due to rains and floods during this year. According to terms of the contract, the contractors have to make good the damage to the earthwork during execution, before completed stretches are handed over to the Railway.

(d) and (e). The question of fixing a revised target date for the completion of this line, taking into account the rate of traffic growth in the area, and subject to availability of adequate funds, is under consideration.

Krishna Finance Transport (P) Limited

4830. SHRI BABURAO PATEL: Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that the directors of Krishna Finance Transport (P) Ltd. of Delhi which went into liquidation on 23rd October, 1967, had declared in an affidavit before the High Court that the assets of the company were Rs. 14,00,000/- with a paid-up capital of Rs. Rs. 2,50,000 as against which the Company's liability to its depositors amounted to less than Rs. 11,00,000/-;

(b) whether it is a fact that the accounts of the company were not audited after 30th June, 1965;

(c) the reasons why the Official Liquidator has not paid any dividend to the depositors in spite of the directors claiming assets of Rs. 14,00,000/-;

(d) the reasons why legal steps are not taken against the directors for swearing a false affidavit; and

(e) the names of the directors of the company and the date of its registration?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) One Director (Shri H. K. Dass Sharma) in his affidavit, dated 4-8-67 before the High Court had said that "about a sum of Rs. 14 lakhs has to be realised from different parties against which a sum of Rs. 11,00 lakhs is payable by the company."

(b) Yes, Sir.

(c) The assets of the company mainly consist of debts due from hirer-debtors in respect of vehicles financed by the company. The said debts have yet to be realised. The list of contributories and creditors has not yet been settled by the Court. The question of payment will arise only after the claims are settled in accordance with law by the court.

(d) As the affidavit, indicates only estimated figures of assets and liabilities, the question of taking steps does not arise at this stage.

(c) The persons who were directors of the company on the date of the winding up order are as under:

1. Mr. H. K. Das Sharma.
2. Mr. J. M. Arora.
3. Mr. M. L. Agarwal.
4. Mr. Hans Raj Puri
5. Mr. M. L. Seth.

The company was registered on 3rd June, 1957.

Fixation of Seniority of Ticket Collectors

4831. SHRI UMANATH:
SHRI A. K. GOPALAN:
SHRIMATI SUSEELA
GOPALAN:

Will the Minister of RAILWAYS be pleased to state:

(a) whether any representation from the Ticket Collectors regarding fixation of seniority has been received by Government on the 11th June, 1968; and

(b) if so, the action taken thereon and when the matter is likely to be finalised?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) In the absence of specific details, it has not been possible to lay hands on any such representation.

(b) Does not arise.

Import of Russian and American films

4832. SHRI D. BASUMATARI: Will the Minister of COMMERCE be pleased to state:

(a) the number of Russian and American

films imported by India annually; and

(b) whether the imports of Russian and American films have increased or decreased during the last three years?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) This information is not available as the records are not maintained according to the number of films imported. A statement showing the import of films during the last three years is attached.

(b) The import of films showed an increase in 1966-67 compared to that in 1965-66 and fall significantly during 1967-68.

STATEMENT

Statement Showing Import of Cinematograph Films, Exposed (Whether Developed or not) During 1965-66, 1966-67 and 1967-68

S. Country No.	Quantity in '000 Metres		Value in Rs. '000 (Post Devaluation Rate).	
	1965-66 Qty.	1966-67 Qty.	1965-66 Val.	1966-67 Val.
1. U. S. A.	1068	1554	1141	1906
2. U.S.S.R.	51	178	149	157
			735	1221
			31	69

Seniority List of A. S. Ms. Delhi/Ferozepur Divisions

4833. SHRI ABDUL GHANI DAR: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that the General Manager, Northern Railway has failed to finalize the combined seniority list of Assistant Station Masters, Delhi/Ferozepur Divisions for the last 10 years and if so, the reasons therefor;

(b) whether the final seniority list circulated by the General Manager in April, 1968 is still being challenged; if so, the names of the staff responsible for wrong assignment of seniority;

(c) whether the objection raised on the wrong seniority and promotions by the Chief Auditor, Delhi in 1966 is still outstanding; if so, the reasons thereof;

(d) whether the seniority list is in consonance with the recruiting Authority, G. M. N. W. Railway, Lahore No. 847-E/48, dt. 27-11-43 and G. M. Delhi letter No. 757W/24-IV (EIB), dated 14-6-65; if not, reasons therefor;

(e) whether the confirmations are held up due to non-finalization of the list since 1954; and

(f) action taken against the officers and staff responsible for not preparing the list correctly?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) to (f). Information is being collected and will be laid on the Table of the Sabha.

Cement Factory in Assam

4834. SHRI D. BASUMATARI: Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to refer to the reply given to Unstarred Question No. 6145 on the 27th August, 1968 and state:

(a) whether the proposal for a cement factory at Bokajan in Assam has been considered by Government; and

(b) if so, the details thereof?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) and (b). The proposal of the Cement Corporation of India Limited for the setting up of a cement plant at Bokajan in Assam with an annual capacity of 200,000 tonnes is still under consideration in consultation with the Planning Commission.

Rise in prices of Steel

4835. SHRI K. N. PANDEY: Will the Minister of STEEL, MINES AND METALS be pleased to refer to the reply given to Unstarred Question No. 428 on the 23rd July, 1968 and state:

(a) whether Government have examined the matter regarding rise in prices of steel; and

(b) if so, the details thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK): (a) and (b). There is no statutory control on prices and as such prices are notified by the Joint Plant Committee. Revised prices for various categories of iron and steel were announced by the Joint Plant Committee on 30th July, 1968. A copy of the revised price list is laid on the table of the House [*Placed in Library. See No. LT-2755/68*].

Production of Tractors

4836. SHRI D. N. PATODIA:
SHRI N. K. SANGHI:

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

(a) whether it is a fact that even if the total installed capacity for the production of tractors is exploited fully, there will be a gap of nearly 35,000 tractors per annum;

(b) whether this big gap between the demand and the supply is likely to retard the progress that is being made in the field of agriculture; and

(c) if so, what steps are being taken to ensure that the progress of agricultural development is not hampered because of the shortage of tractors?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) According to an assessment made by the Department of Agriculture, the demand for Agricultural tractors by 1973-74 may go up to 90,000 Nos. per annum. Against this the indigenous production of tractors by 1973-74 may not exceed, 50,000 Nos. per annum.

(b) and (c). In order to fill the gap between the demand and indigenous production, the indigenous manufacturers are being encouraged to expand their installed capacity. With a view to fostering the rapid development of the industry, this industry has been exempted from the licensing provisions of the Industries (Development and Regulation) Act, 1951 with effect from the 7th February, 1968. Following delicensing of the industry, one scheme for the manufacture of Russian tractor (DT-14B) has been approved in principle. A number of other proposals for

the establishment of new units in the field are being processed. In the meantime, in order that the progress of agricultural production is not hampered, imports of tractors are allowed.

Extension of Railway line from Banspani to Joruri on South Eastern Railway

4837. SHRI G. C. NAIK
SHRI D. AMAT:
SHRI MAHENDRA MAJHI:

Will the Minister of RAILWAYS be pleased to state:

(a) whether a Railway line from Banspani to Joruri on the South Eastern Railway has been suggested by the Planning Commission during the Fourth Plan period;

(b) what quantities of iron and manganese ores have been transported by road between Joruri and Banspani during the last three years;

(c) the total cost involved in the transport of these ores by road;

(d) in view of the fact that the mine owners have undertaken to repay the cost of this extension, whether such an investment should be encouraged; and

(e) if so, the steps taken to construct this railway line?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) to (e). The information is being collected and will be placed on the Table of the Sabha.

Amendment of Railway Rules

4838. SHRI VISHWA NATH PANDEY: Will the Minister of RAILWAYS be pleased to refer to the reply given to Unstarred Question No. 4544 on the 20th August, 1968 and state:

(a) whether Government have considered the proposal to amend the Railway Rules or the relevant law in consultation with the Ministries of Law and Home Affairs; and

(b) if so, the details thereof?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) An amendment to the Indian Railways Act, 1890, inserting

Section 100B therein to deal with obstruction to trains and tampering with signal gear or otherwise, has been passed by both Houses of Parliament recently.

(b) This Section (100B) provides for punishment for a railway servant, or any other person, who obstructs or causes to obstruct any train, rail-car or other rolling stock upon a railway, by squatting, picketing keeping without authority any rolling stock on the railway or tampering with signal gear or otherwise.

Assault on Travelling Ticket Examiner and Guard of Katihar-Lumding Passenger train

4839. SHRI VISHWA NATH PANDEY:
SHRI C. K. BHATTACHARYYA:

Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that a Travelling Ticket Examiner and the Guard of the Katihar-Lumding passenger train were severely assaulted with daggers, sticks and line ballasts by a crowd at Sudhani station on the Katihar-Siliguri section of the North East Frontier Railway on the 21st November, 1968;

(b) if so, the causes thereof; and

(c) the steps Government have taken so far?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) Yes.

(b) A group of students travelling without tickets in a first class compartment of 21 Up Passenger train was detected and detained by the T. T. E. at Barsoi Railway station on the North East Frontier Railway. The detained students boarded the same train again and at Sudhani Railway station, they assaulted and inflicted injuries on the Ticket Examiner and the Guard of the train.

(c) A case was registered by Government Railway Police, Kishanganj on Crime No. 4 (11) 68 under Sections 147/323 I. P. C. and 121/127 Indian Railways Act and is under investigation. The local civil and police authorities have also been approached by the local railway authorities for taking special measures to stop hooliganism by students and anti-social elements.

Robbery in Pathankot-Sealdah Express

4840. SHRI VISHWA NATH PANDEY:
SHRI DEVEN SEN:
SHRI C. K. BHATTACHARYYA:

Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that four armed bandits looted the belongings of passengers in a crowded Third Class compartment of the Pathankot-Sealdah Express on the 21st November, 1968, while the train was on its run between Pusauli and Kudra stations of the Grand Chord section of the Eastern Railway;

(b) if so, the steps taken in the matter so far; and

(c) the reaction of Government thereto?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) Yes.

(b) and (c). Government Railway Police, Sasaram (Bihar) has registered case No. 8 dated 20-11-68 u/s 394 IPC (Voluntarily causing hurt in committing robbery). Vigorous police investigation is in progress. The Government Railway Police has introduced escorting of trains. The matter is being pursued with the State Police for controlling crimes of this nature.

National Industrial Development Corporation

4841. SHRI P. P. ESTHOSE: Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that a theft took place in the stores of the Technological Consultancy Bureau of the National Industrial Development Corporation during the year 1968;

(b) if so, the steps taken to investigate into the matter; and

(c) whether the case has been referred to the Central Bureau of Investigation?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) Certain shortages in the stores have been reported by the Stores In-charge in August, 1968.

(b) and (c). An enquiry into the matter was ordered shortly thereafter to be conducted by a senior officer of the National Industrial Development Corporation. Further action will be taken after examination of his report.

 Scooter project started by the National Industrial Development Corporation

4842. SHRI P. P. ESTHOSE: Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that a Scooter Project was started in the Technological Consultancy Bureau of the National Industrial Development Corporation;

(b) if so, the amount spent on this project so far;

(c) the shape/stage in which it is at present; and

(d) on whose directive the Project was initiated?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) Yes, Sir.

(b) Rs. 4295.89.

(c) The development work is still in progress.

(d) Chief Consultant, N. I. D. C.

National Industrial Development Corporation

4843. SHRI VISHWANATHA MENON: will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) whether its a fact that certain members of the staff of the Technological Consultancy Bureau of the National Industrial development Corporation are made to sit and work in the rear and front basements of the Jeevan Vihar Building on Parliament street, New Delhi;

(b) if so, since when they are being made to sit and work in the basements; and

(c) the byc-laws of the New Delhi Municipal Committee under which the National Industrial Development Corporation was

allowed to make their staff sit and work in the basements ?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) Yes, Sir. Due to shortage of space, the basement had to be used.

(b) Rear basement w. e. f. January '63. Front basement w. e. f. December, 1966.

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

National Industrial Development Corporation

4844. SHRI P. P. ESTHOSE: will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) whether the Technological Consultancy Bureau of the National Industrial Development Corporation is registered as a Commercial or industrial Concern; and

(b) the status of the National Industrial Development Corporation ?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) The Technological Consultancy Bureau is a division of the National Industrial Development Corporation which is rendering consultant engineering services. The Bureau is not registered as a commercial or industrial concern.

(b) The National Industrial Development Corporation is a Private Limited Company registered under the Companies Act.

National Industrial Development Corporation

4845. SHRI P. P. ESTHOSE: Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that there have been a few cases of Tuberculosis amongst the staff of the National Industrial Development Corporation/Technological Consultancy Bureau, who were made to sit in unhygienic conditions in the basements of the Jeevan Vihar Building on Parliament Street, New Delhi; and

(b) if so, how many cases of Tuberculosis or such disease have been reported ?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) and (b). There have been four cases of TB amongst the staff of National Industrial Development Corporation/Technological Consultancy Bureau. These include 1 UDC, 1 Ferro-Printer and 2 Peons. Out of these only the Ferro-printer had worked in the basement of the Jeevan Vihar Building in Parliament Street. The remaining persons worked on the various floors from time to time.

Premier Tyre Factory

4846. SHRI VASUDEVAN NAIR: Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) whether Government have taken any final decision regarding sanction for the expansion programme of the Premier Tyre Factory at Kalamassery in Kerala; and

(b) if so, what is the decision ?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) No, Sir.

(b) Does not arise.

Export of Cashew to U. S. A.

4847. SHRI VASUDEVAN NAIR: Will the Minister of COMMERCE be pleased to state:

(a) whether there are any differences between the Indian exporters of cashew and the U. S. importers regarding packing of the same;

(b) if so, the reason therefor; and

(c) whether our export trade is in any way affected by this ?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) Yes, Sir.

(b) Some of the wooden cases in which cashew tins are packed were detained

by the United States authorities on account of the infestation of the wood of the cases. The importers of cashews in the United States have, therefore, demanded that the outer packing of cashew tins should be of cardboard cartons instead of wooden cases. This has been accepted by the cashew exporters and arrangements are being made accordingly, including those for handling the cardboard carton packed tins of cashew at the Cochin port.

(c) No, Sir.

Deraignment of Howrah-bound Toofan Express

4848. SHRI VISHWA NATH PANDEY:
SHRI D. C. SHARMA:

Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that six bogies of the Howrah-bound Toofan Express went off the rails in the evening of the 5th October, 1968 while entering Etawah Station on the Kanpur-Tundla section;

(b) if so, the causes of the accident; and

(c) action taken by Government in the matter?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) Yes.

(b) *Prima facie* the accident was caused by a roller bearing seizure in the left leading roller bearing axle box of the coach marshalled fifth from the train engine.

(c) The Railways are already engaged in an intensive four-pronged safety campaign—educative, psychological, punitive and technological—to arouse the safety consciousness of the staff and prevent accidents.

Restrictions by Pakistan on Import of Indian Books

4849. SHRI D. N. PATODIA:
SHRI DEVEN SEN:

Will the Minister of COMMERCE be pleased to state:

(a) whether it is a fact that a severe restrictions imposed on the import of Indian books in Pakistan has put the book export trade to a serious handicap;

(b) whether Government have taken up the matter with the Government of Pakistan for relaxation of the restrictions; and

(c) if so, the reaction of the Pakistan Government in the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) to (c). Government have no information about the restrictions imposed by Pakistan on import of Indian books. In fact, the trade between the two countries at present is at stand still as Pakistan has not so far lifted the ban on trade with India.

Decline in Export Earnings from Tea

4850. SHRI C. K. BHATTACHARYYA:
Will the Minister of COMMERCE be pleased to state:

(a) whether it is a fact that the export earnings from tea during the months of September-October, 1968 have been Rs. 5 crores less than the earnings in the corresponding period of last year;

(b) if so, the reasons therefor; and

(c) whether the rise in the cost of production is one of the reasons for this decline in earnings?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) The value of tea exported during September, 1968 is higher by Rs. 1.87 crores as compared to the value of tea exported during September 1967. It is, however, estimated that the value of tea exported during October, 1968 has declined by Rs. 7.97 crores as compared to the corresponding period of 1967.

(b) the main reasons for lower export earnings from tea during October, 1968 were:—

(i) loss of production of exportable qualities of tea consequent on severe cyclonic storm and floods in Jalpaiguri and Darjeeling, the tea growing districts, in the early part of October, 1968;

(ii) interruption in the movements of tea from North Bengal and Assam due

to severe damage of communications, resulting in absence of fresh arrivals of tea for Calcutta and London auctions; and

- (iii) curtailment of despatches for London auctions following accumulation of large stocks in U. K. and consequent decline in prices at London auctions.

(c) No, Sir.

Overbridge near Tellicherry Station

4851. SHRI A. K. GOPALAN:
SHRI E. K. NAYANAR:
SHRI P. GOPALAN:

Will the Minister of RAILWAYS be pleased to state:

(a) whether there is any proposal for the construction of an overbridge near Tellicherry railway station;

(b) if so, the details thereof; and

(c) whether the State Government has agreed to construct the approach road for the same?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) to (c). The Government of Kerala has tentatively proposed construction of a road overbridge during 1969-70, in replacement of the existing level crossing at Km. 732/9-10 on the Tellicherry-Coorg Road near Tellicherry Station. The State Government has not however yet indicated as to when they would be able to take up the work on the approaches.

As soon as the State Government take a final decision and allocate necessary funds for their portion of the work, the Railway Administration would take appropriate action for the construction of the bridge structure.

Crisis in Handloom Industry in Kerala

4852. SHRI A. K. GOPALAN:
SHRI P. GOPALAN:

Will the Minister of COMMERCE be pleased to state:

(a) whether the Handloom Industry in Kerala especially in Cannanore District is facing a serious crisis;

(b) if so, the details thereof;

(c) the total number of workers rendered unemployed as a result thereof;

(d) the steps taken by Government to save the industry; and

(e) the success achieved?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) No, Sir.

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

(d) and (e). To help the handloom industry in the co-operative sector various schemes such as organisation of loomless weavers into co-operative, grant of rebate on sale of handloom cloth, issue of loans for share participation by weavers etc. are implemented. These measures have enabled the apex society to market the goods of the primaries to a great extent. As far as the private sector of the industry in the State is concerned, a Handloom Finance Corporation has been registered as a Joint Stock Company and it has begun to function, by which the industrialists in the private sector can make use of it for the best advantage of the industry. The Corporation has already taken steps to issue loans also. The response from the industrialists is encouraging.

Use of Jute Bags by the Cement Industry

4853. SHRI S. S. KOTHARI: Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that a considerable quantity of cement is being lost as a consequence of using ordinary jute bags for packing by the cement industry; and

(b) if so, whether Government propose to direct the cement industry to use laminated jute bags to obviate this loss and also to reduce health hazard of the workers handling cement bags?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) About 1½% is estimated to be lost due to the use of jute bags for cement.

(b) Does not arise. The matter will be considered when laminated jute bags are commercially available to satisfy the needs of the cement industry.

Export of Agricultural Commodities

4854. SHRI R. BARUA: Will the Minister of COMMERCE be pleased to state:

(a) whether it is a fact that Government have drawn up a concrete programme to increase production and export of agricultural products from India; and

(b) if so, the details of the programme contemplated with the names of the products which have potential market in foreign countries?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) and (b). Centrally Sponsored Schemes for raising the production of Cotton, groundnut, jute, tobacco, lac, pepper, cashewnut and coconut etc. so as to make larger quantities available for export/import substitution, are being drawn up for implementation in the potential areas in different states. As regards exports, Fourth Plan Targets are being drawn up. In the meanwhile, wherever necessary, cash assistance and import replenishment licences are being granted. Sub-Committees have been formed for considering measures for increasing export of some of these items. Sales-Cum-Study Teams/Delegations are being sent abroad to boost exports. Besides participation in Trade Fairs/Exhibitions in the potential markets, export performances are constantly reviewed. As and when necessary the required promotional measures are taken to increase the exports.

Overbridge and Platform at Banda Station

4855. SHRI JAGESHWAR YADAV: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that the scheme for the construction of an overbridge for pedestrians at Banda Junction (Central Railway) and a platform towards north of the station involving an expenditure of two lakhs and forty-nine thousand rupees was approved some time back;

(b) whether after spending about Rupees seven thousand on the scheme, the work was postponed on the ground of economy;

(c) whether Rupees twenty-five thousand have been spent on the construction of a

platform and a washing siding near the bank of a pond and that the scheme has been abandoned now;

(d) whether it is a fact that this platform cannot accommodate a complete 12-bogie-train and, if so, the reasons why the concerned engineers could not foresee it;

(e) whether there is a proposal to demolish the existing godown at Banda and to construct a platform at a cost of about eight lakhs of rupees; and

(f) whether the scheme mentioned in part (a) above would have proved the best and that the capitalists have a hand in getting it abandoned?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) to (f). The information is being collected and will be laid on the Table of the Sabha.

बान्दा लोको शेड

4856. श्री जगेश्वर यादव: क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या यह सच है कि मध्य रेलवे में तथा भारत में बान्दा लोको शेड ही एकमात्र ऐसा शेड है, जहाँ श्रमिकों को दिन में 12 घण्टे काम करना पड़ता है जबकि अन्यत्र सब जगह 8 घण्टे की ड्यूटी होती है; और

(ख) यदि हाँ, तो इसके क्या कारण हैं?

रेलवे मंत्री (श्री चे० मु० पुनाचा):

(क) जी नहीं।

(ख) सबाल नहीं उठता।

Loans to Cotton Textile Mills

4857. SHRI S. S. KOTHARI: Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) the total amount of loans made available by the National Industrial Development Corporation to the Cotton Textile Mills since its inception and till it ceased giving any fresh loans;

(b) the number of cotton mills assisted and their capacities;

(c) the amount of loans repaid by these mills and the sums outstanding;

(d) whether there are any overdues and if so, the amount thereof; and

(e) the number of mills involved?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) The Corporation, in all, received 155 loan applications aggregating Rs. 72.06 crores out of which 67 applications were sanctioned aggregating Rs. 19.59 crores. Out of these, 44 loans for a total sum of Rs. 14.18 crores were accepted by the companies concerned whereas in the case of 23 applications for a sum of Rs. 5.41 crores the loans were declined by the applications. In two other cases sanction of loans aggregating Rs. 80.23 lakhs was withdrawn by the Corporation. Effective sanction of loans by the Corporation therefore amounted to Rs. 33.37 crores in respect of 42 applications. Besides, in the case of one company, the Corporation extended assistance to the extent of Rs. 3.75 lacs under the Short-term Rental Scheme (Hire-Purchase) for acquiring machinery.

(b), (c) and (e). The details of the Cotton Textile Mills assisted, their capacities, loans sanctioned, amounts advanced, repaid and outstanding in these cases are given in the statement (Annexure I) which is laid on the Table of the House. [Placed in Library. See No. LT-2756/68].

(d) A statement giving the details of defaults in the repayment of instalments of principal and interest in the case of Cotton Textile Mills assisted by the Corporation is given in (Annexure II) which is laid on the Table of the House. [Placed in Library. See No. LT-2756/68].

बैलाडिला-जगदलपुर लाइन पर यात्री गाड़ियों का चलाया जाना

4858. श्री रामसिंह अग्रवाल : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि बैलाडिला जगदलपुर (मध्य प्रदेश) रेलवे लाइन पर

कैबल फैंकटरी के सामान को लाने से जाने के प्रबन्ध हैं;

(ख) यदि हां, तो इन स्थानों के लोगों की सुविधा के लिए इस रेलवे लाइन पर यात्री रेलगाड़िया चलाए जाने के लिए प्रबन्ध न किए जाने के क्या कारण हैं; और

(ग) जगदलपुर से झारखली तक रेलवे लाइन बिछाने में असुधारण विलम्ब किए जाने के क्या कारण हैं ?

रेलवे मंत्री (श्री डे० मु० घुमाचा) : (क) और (ख). बैलाडिला (किरनदुल)-जगदलपुर खण्ड, नई बिछाई गई कोटाबलासा-किरनदुल लाइन का एक भाग है जो 1 नवम्बर, 1968 से माल यातायात के लिए खोल दिया गया है। यात्री गाड़ियों का चलना शुरू करने से पहले नए रेल पथ को सुदृढ़ करना आवश्यक है। इसके अलावा यह लाइन कम आबादी वाले क्षेत्रों से गुजरती है और प्रधान-तया लौह अयस्क के यातायात के लिए बनाई गई है। इस लाइन पर उपलब्ध मार्ग लौह अयस्क के निर्यात के लिए अयस्क डोने वाली महत्वपूर्ण गाड़ियों के पूरे इस्तेमाल के लिए है और यदि ऐसी यात्री गाड़ियां चलाई गयीं जिनमें भरपूर यात्री नहीं चलने की आशा है तो अयस्क डोने वाली गाड़ियों पर बुरा असर पड़ेगा। जब और ज्योंही यात्री गाड़ियों के लिए इस लाइन का औचित्य होगा, निस्सन्देह यात्री गाड़ियां चलाने के बारे में विचार किया जायेगा।

(ग) डल्ली-राजहरा (झरनडल्ली) और डाटेवारा (जिससे जगदलपुर से सम्पर्क होता है) के बीच रेल सम्पर्क बनाने के लिए हाल में की गई जांच-पड़ताल से मालूम हुआ है कि यह रेल सम्पर्क लाभप्रद नहीं होगा। वर्तमान कठिन अर्थोपाय स्थिति के कारण निकट भविष्य में इस रेल-सम्पर्क के निर्माण पर विचार करना कठिन है।

बस्तर में सीमेंट का कारखाना

4859. श्री राम सिंह अग्रवाल : क्या औद्योगिक विकास तथा समवाय-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि बस्तर (मध्य प्रदेश) में सीमेंट कारखाना स्थापित करने सम्बन्धी योजना को अंतिम रूप दे दिया गया है; और

(ख) यदि हां, तो उक्त कारखाना स्थापित किए जाने में विलम्ब के क्या कारण हैं ?

औद्योगिक विकास तथा समवाय-कार्य मंत्री (श्री कृष्णचंद्र प्रसाद) : (क) तथा (ख). सीमेंट कारपोरेशन आफ इण्डिया लिमिटेड, को जगदलपुर जिला बस्तर, मध्य प्रदेश में सीमेंट के कारखाने की स्थापना का प्रस्ताव विचाराधीन है और इस पर योजना आयोग का परामर्श लिया जा रहा है। सीमेंट कारपोरेशन को इस परियोजना तथा अन्य परियोजनाओं को प्रारम्भ करने के लिए अनुमति दिए जाने का निर्णय, चतुर्थ पंचवर्षीय योजना के व्यय को अंतिम रूप देने पर ही लिया जायगा।

बस्तर में "पैलट" बनाने का कारखाना

4860. श्री राम सिंह अग्रवाल : क्या इस्पात, खान तथा धातु मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि बस्तर में 'पैलट' बनाने का कारखाना कम कीमत पर स्थापित किया जा सकता है क्योंकि वहां कारखाना स्थापित करने की सभी सुविधायें उपलब्ध हैं;

(ख) क्या इसके फलस्वरूप 'पैलटों' की सप्लाई में शतप्रतिशत वृद्धि हो जाएगी;

(ग) क्या यह कारखाना स्थापित करने

में केवल 17 करोड़ रुपये व्यय होगा जबकि इसमें वार्षिक 17 करोड़ रुपये का लाभ होगा;

(घ) यदि हां, तो अब तक कारखाना स्थापित न किए जाने के क्या कारण हैं; और

(ङ) क्या कारखाने की स्थापना का कार्य तुरन्त शुरू किया जायेगा ?

इस्पात, खान तथा धातु मंत्रालय में उप मंत्री (श्री राम सेवक) : (क) से (ङ). राष्ट्रीय खनिज विकास निगम (भारत सरकार का एक उपक्रम) बस्तर जिले में बैलाडिला खानों पर लौह-अयस्क सूक्ष्मों के पैलेटाइजेशन के लिए तकनीकी-आर्थिक सम्भाव्यता अध्ययन का कार्य अपने सलाहकारों को सौंपने का विचार रखता है। अध्ययन, अन्य बातों के साथ-साथ, पैलेट्स के उत्पादन की अनुकूलतम क्षमता, उपयोग में लाई जाने वाली प्रक्रियाओं, पूंजी और परिचालन लागत के साथ-साथ लाभदायकता का अनुमान, बाजार का सर्वेक्षण, पैलेट्स की मांग आदि का विचार करेगा।

बैलाडिला सूक्ष्मों पर आधारित पैलेटाइजेशन संयंत्र की स्थापना के प्रश्न पर निर्णय केवल सम्भाव्यता रिपोर्ट के प्राप्त होने और उस पर जांच हो सकने के पश्चात् ही लिया जा सकता है।

Cement Factories in Himachal Pradesh

4861. DR. RANEN SEN: Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that a decision to start cement factories in Kangra, Himachal Pradesh had been taken previously; and

(b) if so, the progress made in this regard?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) and (b). In 1963, an industrial licence was granted to a private party for setting up a cement factory at Samloti in Kangra District. The

party, having failed to take effective steps for implementing the scheme, surrendered the licence in 1964 for cancellation.

Import of Synthetic Fabrics

4862. SHRI C. CHITTYBABU:
SHRI H. AJMAL KHAN:

Will the Minister of COMMERCE be pleased the state to total import of synthetic Fabrics in terms of meters and value during the period from April to October, 1968?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): Import of Synthetic Fabrics during the period from April to August, 1968, for which statistics are available, is as under:—

Quantity (000 meters)	Value (Rs. lakhs)
1298	62

Import of Synthetic Fabric from Nepal

4863. SHRI C. CHITTYBABU: Will the Minister of COMMERCE be pleased to state:

(a) whether it is a fact that India has already imported from Nepal Synthetic fabrics to the mutually agreed quota of Rs. 90 lakhs;

(b) whether the import during the period from April to October, 1968 has exceeded the mutually agreed quota of 19 lakhs meters worth about Rs. 90 lakhs; and

(c) if so, whether Government have banned the import for the remaining period from November to March, 1969?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) to (c). As a result of the discussions held in Kathmandu in November, 1968, by the Indian Delegation led by Shri B. R. Bhagat, Government of Nepal agreed to limit the export of synthetic fabrics to India to the level of 1967-68. During the period April-August, 1968, synthetic fabrics valued at Rs. 53 lakhs were imported from Nepal. Statistics beyond August, 1968 are being collected and the matter is under examination.

Export of Industrial Goods

4864. SHRI D. N. PATODIA:

SHRI N. R. LASKAR:

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

(a) whether the National Small Industries Corporation has urged Government to grant subsidies, at least initially, to the Corporation to undertake export industrial goods;

(b) whether the Corporation has also suggested that small scale sector possesses considerable potential for producing exportable items;

(c) if so, whether Government have considered the above proposal; and

(d) if so, the decision taken in this regard?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) and (b). Yes, Sir.

(c) and (d). The matter is under consideration.

Samastipur-Darbhanga Railway Line

4865. SHRI BHOGENDRA JHA: Will the Minister of RAILWAYS be pleased to refer to the reply given to Starred Question No. 199 on the 19th November, 1968 and state:

(a) whether it is a fact that the Samastipur-Darbhanga Section of the Samastipur-Raxaul line is only 20 k.m. long;

(b) whether it is also a fact that three lines run from Darbhanga to the Indo-Nepalese border *i.e.*, to Raxaul, to Jainagar, and to Nirmali, which will be connected with the broad-gauge line, if it is extended to Darbhanga;

(c) whether Darbhanga is the most populous District of the country; and

(d) if so, whether it is proposed to begin immediately the conversion of the Samastipur-Darbhanga Section into broad-gauge line, pending and as a prelude to its extension to Raxaul?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) The length of the Samastipur-Darbhanga section is 37.42 Kms.

(b) Yes.

(c) It is one of the more thickly populated areas in the country.

(d) A decision to convert the entire Samastipur-Darbhanga-Raxaul section from metre gauge to broad gauge would depend on the results of the surveys proposed to be undertaken in the near future.

Order for Export of Rail Wagons to U.S.S.R.

4866. SHRI K. P. SINGH DEO: Will the Minister of COMMERCE be pleased to state:

(a) whether it is a fact that the U.S.S.R. Government has considerably scaled down the order for the purchase of Indian rail wagons;

(b) if so, the extent thereof; and

(c) the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) No, Sir.

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

Duty on Indian Goods exported to Nepal

4867. SHRI K. P. SINGH DEO: Will the Minister of COMMERCE be pleased to state:

(a) whether it is a fact that some Indian goods and medicines are subjected to more duty in Nepal than the Pakistani goods;

(b) whether it is also a fact that about 750 Indian items are being taxed against the treaty provisions and some of them are either totally or partially banned whereas Nepalese goods are obtaining preferential treatment from India;

(c) if so, the reasons for the discriminatory treatment to the Indian goods by the Government of Nepal;

(d) whether the matter was discussed at the ministerial talks held recently in Nepal;

(e) if so, the results thereof; and

(f) the reaction of Government in regard thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI

MOHD. SHAFI QURESHI): (a) to (c). The requisite information is being collected and will be placed on the Table of the House.

(d) to (f). The question of Nepalese tariff being discriminatory against India in respect of some items, was discussed in the Ministerial level talks held in Kathmandu in November, 1968. The Nepalese delegation agree to detect and rectify any tariff discrimination against Indian goods that may have occurred during the past years, and to take appropriate remedial action.

Small Car Project

4868. SHRI D. N. PATODIA: Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that the Secretary of the Congress Party along with some members and officials of the party had visited Paris and held discussions with a leading motor car manufacturing concern on the question of a smaller car for India;

(b) whether members and officials of the party were deputed by Government to hold talks with the firm on their behalf; and

(c) if so, the outcome of the talks and the status of the party officials?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) to (c). Government had not deputed either the Secretary of the Congress Party or any members or officials of the party to visit Paris to hold talks with any motor car manufacturing concern there on the question of the manufacture of a small car in the country. Nor have Government received any intimation whether members or officials of the Congress Party visited Paris or held any talks with any motor car manufacturing firm in Paris and, if so, what the outcome of the talks has been.

वातानुकूलित डिब्बों के इंचार्ज के वेतनमान

4869. श्री सरजू पाण्डेय: क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या यह सच है कि पूर्वोत्तर रेलवे तथा पूर्वोत्तर सीमा रेलवे में वातानुकूलित

डिब्बों के इंचाजों के वेतन तथा उन्हें दी जा रही विभागीय सुविधाओं में बहुत अन्तर है;

(ख) यदि हां, तो इसके क्या कारण हैं;

(ग) क्या यह भी सच है कि पूर्वोत्तर रेलवे में वातानुकूलित डिब्बों के इंचाज के लिए शौचालयों आदि की व्यवस्था नहीं है; और

(घ) क्या पूर्वोत्तर रेलवे के वातानुकूलित डिब्बों के इंचाजों ने अपनी मांगों के बारे में सरकार को कोई जापन भेजा है और यदि हां, तो इस बारे में सरकार की क्या प्रतिक्रिया है ?

रेलवे मंत्री (श्री जे० मु० पुनाचा) :

(क) और (ख). उनके वेतनमान में कोई अन्तर नहीं है। जहां तक सुविधाओं का प्रश्न है, जैसे वदियों का, इस मामले पर पूर्वोत्तर रेल प्रशासन विचार कर रहा है।

(ग) जी हां। डिब्बा इंचाजों के लिए अलग से शौचालयों की व्यवस्था करना व्यावहारिक नहीं है।

(घ) जी हां, इस पर विचार किया जा रहा है।

बिहार स्टोन 'क्वेरी'

4870. श्री जगेश्वर प्रसाद यादव : क्या इस्पात, खान तथा धातु मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि उत्तर प्रदेश के जिला बांदा में स्थित बिहार स्टोन क्वेरी का बन विभाग द्वारा नीलाम किया गया था और नीलाम में उसे 1962-63 और 1963-64 के लिए 5200 रुपये प्रति वर्ष की दर पर श्री जगन्नाथ के नाम छोड़ दिया गया था;

(ख) क्या ठेकेदार जगन्नाथ ने एक वर्ष की किरत पहले ही भ्रदा कर दी थी और क्या उसे उक्त क्वेरी में काम करने के लिए केवल

एक वर्ष की अवधि के लिए अनुमति दी गई थी;

(ग) क्या उक्त क्वेरी का तहसील द्वारा 1963-64 के लिए पुनः नीलाम किया गया और 3,700 रुपये में बोली एक अन्य ठेकेदार श्री भवानी दीन के नाम छोड़ दी गई थी जिसने उक्त राशि तहसील में ही जमा की थी;

(घ) क्या श्री जगन्नाथ ने 1963-64 की अवधि में उक्त खान में काम करने के अधिकार से वंचित होने पर एक आवेदन इस सम्बन्ध में खारबी के रेंज अधिकारी को भेजा था और क्या चार वर्ष बीत जाने के पश्चात् अब उससे 5,200 रुपये जमा करने के लिए कहा गया है; और

(ङ) यदि हां, तो इसके क्या कारण हैं और क्या सरकार उपरोक्त राशि को वसूल न करने के आदेश जारी करेगी ?

इस्पात, खान तथा धातु मंत्रालय में उप मंत्री (श्री राम सेवक) : (क) और (ख). बांदा जिले की तहसील करबी के बिहार बन क्षेत्र के पहले अन्तः क्षेत्र में स्थित पत्थरों की एक खुली खदान जिला बन अधिकारी; बांदा, द्वारा श्री जगन्नाथ के पक्ष में 5,200 रुपये प्रति वर्ष की दर पर दो वर्ष की अवधि अर्थात् 1962-63 और 1963-64 के लिए सार्वजनिक रूप में नीलाम की गई थी। श्री जगन्नाथ ने 1962-63 वर्ष के लिए 5,200 रुपये की भ्रदायगी कर दी, परन्तु 1963-64 वर्ष के लिए न तो उसने कोई भ्रदायगी की और न ही खुली खदान में कार्य किया, हालांकि बन विभाग की ओर से खुली खदान में कार्य करने के लिए दूसरे वर्ष में कोई बाधा न थी।

(ग) जी, हां।

(घ) श्री जगन्नाथ द्वारा बन विभाग के साथ किए गए समझौते के अधीन, उसके लिए यह आवश्यक था कि वह या तो 1963-64 वर्ष के लिए 5,200 रुपयों की भ्रदायगी करता और या वह जिला बन अधिकारी, बांदा,

को समय पर अपनी कठिनाइयों की, यदि कोई हो, लिखित सूचना देता। उसने ऐसा नहीं किया और फलस्वरूप 6 दिसम्बर, 1965, को उसे एक पत्र भेजा गया जिसमें उसे उपरोक्त भ्रदायगी करने के लिए कहा गया। तदन्तर बांदा के कलेक्टर को भू-राजस्व के बकाया के रूप में इस राशि की उगाही के लिए प्रार्थना की गई।

(ङ) उगाही के भ्रदेश जो कि किसी गलत-फहमी के कारण जारी किए गए थे भ्रब वापस लिए जा चुके हैं।

महाराष्ट्र में औद्योगिक विकास

4871. श्री देवराव पाटिल : क्या औद्योगिक विकास तथा समबाय-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) महाराष्ट्र राज्य में चौथी पंच-वर्षीय योजना भ्रर्वाधि में कौन-कौन से कारखाने खोले जायेंगे;

(ख) ऐसे कारखानों में से प्रत्येक पर भ्रनुमानित खर्च कितना-कितना भ्राएगा;

(ग) क्या यह सच है कि महाराष्ट्र राज्य के (भ्रम्बई को छोड़कर) विदर्भ और मराठ-बाड़ा क्षेत्र औद्योगिक दृष्टि से बहुत पिछड़े हुए हैं; और

(घ) यदि हां, तो राज्य के इन क्षेत्रों के पिछड़ेपन को दूर करने के लिए क्या कार्यवाही की जा रही है ?

औद्योगिक विकास तथा समबाय-कार्य मंत्री (श्री कृष्णचहीन अली अहमद) (क) और (ख). चतुर्थ पंचवर्षीय योजना को भ्रभी अंतिम रूप दिया जाना है। महाराष्ट्र में योजना काल में स्थापित किए जाने वाले नए उद्योगों की सूचना योजना बन जाने पर प्राप्त होगी।

(ग) जी, हां।

(घ) दिनांक 13 सितम्बर, 1968 की राष्ट्रीय विकास परिषद् की बैठक के निर्णय के भ्रनुसार योजना भ्रायोग ने क्षेत्रीय भ्रसंतुलन

के प्रश्न के सभ्यक भ्रध्ययन के लिए दो कार्य-कारी दलों की स्थापना की है। एक दल पिछड़े क्षेत्रों के परिज्ञान की कसौटी निश्चित करने की सिफारिश करेगा और दूसरा पिछड़े क्षेत्रों में उद्योगों को प्रारंभ करने के लिए राजकोषीय और वित्तीय प्रोत्साहनों की सिफारिश करेगा। इन कार्यकारी दलों के प्रतिवेदन प्राप्त होने पर क्षेत्रीय भ्रसंतुलन को हटाने के लिए उचित कार्यवाही की जाएगी।

Booking of Parcels of Tomatoes from Palanpur to Delhi in a Shuttle Train

4872. SHRI K. M. Koushik: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that certain parcels of tomatoes booked from Palanpur (PNV) to Delhi under PWB Nos. 31325 to 32 on the 3rd April, 1968, were loaded in a shuttle train instead of a direct train with the result that the goods which can reach Delhi within 26 hours reached destination on the 8th April, 1968;

(b) whether it is also a fact that the claim for losses suffered by the consignee was repudiated under the provisions of Section 74 (1) of Indian Railways Act; and

(c) if so, the exact responsibility of the Railways in this case where the consignment took 5 days to reach destination, the reasons for not accepting liability for the losses suffered by the consignee, and the result of the investigation made in this case?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) No parcels of tomatoes were booked under PWB Nos. 31325 to 32 from Palanpur station of Western Railway (Station Code PNU and not PNV) to Delhi on 3.4.1968.

(b) and (c). In view of reply to part (a) above, the questions do not arise.

Minerals in Rajasthan

4873. SHRI BRIJ RAJ SINGH KOTAH: Will the Minister of STEEL, MINES AND METALS be pleased to state:

(a) whether it is a fact that Rajasthan holds second position next to Bihar in producing minerals;

(b) the percentage of mineral output from Rajasthan to the total mineral output of the country;

(c) the total volume of foreign exchange earned by exports of minerals from Rajasthan and

(d) the steps Government propose to take to increase the output of minerals in Rajasthan and also exports of those minerals?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK): (a) No, Sir.

(b) The percentage of the value of mineral output in Rajasthan during 1967 was 1.4% of the all-India value of minerals.

(c) Separate figures for exports from Rajasthan are not available.

(d) Several Government agencies, besides private mine-owners, are engaged in exploration and development of mineral deposits which is expected to result in increased production and export.

Sona Shop in Ashoka Hotel, New Delhi

4874. SHRI BRIJ RAJ SINGH KOTAH: Will the Minister of COMMERCE be pleased to state:

(a) whether it is a fact that a shop called 'Sona' was recently commissioned at the new Wing of the Ashoka Hotel;

(b) if so, the amount of capital involved in its setting up and its monthly recurring expenditure;

(c) the number of such shops in the country or abroad at present; and

(d) whether Government propose to establish more such shops both in India and abroad?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) Yes, Sir.

(b) Capital expenditure	Rs. 0.39 lakhs
Monthly recurring expenditure	Rs. 0.04 lakhs

(c) Six—one in India and five abroad.

(d) The Handicrafts and Handloom Export Corporation has proposals for opening a few more such shops.

Committee on Small Scale Rubber Cultivators

4875. SHRI VASUDEVAN NAIR: Will the Minister of COMMERCE be pleased to state:

(a) whether Government have taken any decision on the Abdullah Committee Report on Small Scale Rubber Cultivators;

(b) if so, the decision taken thereon; and

(c) if not, the reason for the delay?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) to (c). The recommendations made by the committee are being examined in the light of the Rubber Board's comments which have since been received.

Smuggling of Jute into Nepal

4876. SHRI C. CHITTYBABU: Will the Minister of COMMERCE be pleased to state:

(a) whether it is a fact that the export of jute from Nepal is exceeding its production in Nepal;

(b) if so, whether Government are aware that the surplus quantity of jute export from Nepal to third countries comes from India; and

(c) if so, the loss of export duty to India thereby?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) No, Sir.

(b) and (c). Do not arise. Some smuggling of jute from India to Nepal is believed to be taking place. Government are making efforts to check smuggling and deflection of trade. There is no export duty on raw jute and, therefore, the question of loss of export duty does not arise.

Import of Synthetic Fabric and Stainless Steel from Nepal

4877. SHRI C. CHITTYBABU: Will the Minister of COMMERCE be pleased to state:

(a) whether it is a fact that the import of Synthetic fabrics and Stainless steel utensils from Nepal during the year 1967-68 was to the tune of Rs. 90 lakhs and Rs. 1.80 crores respectively;

(b) if so, whether any duty is levied on import of these items and if not, the reasons therefor; and

(c) whether Government intend to impose duties on their imports in future ?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) According to the information available with the Department of Commercial Intelligence and Statistics, imports of Synthetic fabrics and stainless steel utensils from Nepal during the year 1967-68 were of the value of Rs. 90.9 lakhs and Rs. 1.86 crores, respectively.

(b) and (c). Trade between India and Nepal is regulated in accordance with the provisions of the Treaty of Trade and Transit of 1960. Article II of the Treaty provides that goods originating in either country and intended for consumption in the territory of the other shall be exempt from customs duty and other equivalent charges as well as from quantitative restrictions. Such imports are, however, subject to levy of additional duty equal to the excise duty leviable on like Indian products unless exempted under section 2 (A) of the Indian Tariff Act of 1934.

Enquiry against Birla Group of Concerns

4878. SHRI D. C. SHARMA: Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) whether a Cabinet sub-committee has been formed to settle the mode of inquiries against the Birla Group of concerns;

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

(c) the decision taken by the Cabinet sub-Committee in the matter?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) Yes, Sir.

(b) and (c). The sub-Committee consists of the Dy. Prime Minister and the Ministers incharge of Industrial Development and Company Affairs, Home, Law and Commerce.

Now the matter is under the consideration of the Government.

बोकारो इस्पात कारखाने में वरिष्ठ परिचालन प्रशिक्षार्थियों की भर्ती

4879. श्री मृत्युंजय प्रसाद : क्या इस्पात, खान तथा धातु मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या बोकारो इस्पात कारखाने के अधिकांशियों ने वरिष्ठ परिचालन प्रशिक्षार्थियों के 300 पदों के लिए अधिकतम तथा न्यूनतम योग्यतायें निर्धारित की हैं और क्या उन्होंने रोजगार दिलाने वाले कार्यालयों को स्पष्ट हिदायत दी है कि वे डिग्रीधारी इंजीनियरों के नाम प्रथवा प्रावेदन-पत्र प्रेषित न करें;

(ख) क्या यह भी सच है कि बिहार में रसायनिक तथा धातुकर्मिक इंजीनियरी का डिप्लोमा पाठ्यक्रम की व्यवस्था नहीं है और इसलिए इन विषयों में डिग्री-धारी बिहार के इंजीनियरों के प्रावेदन-पत्रों पर कोई विचार नहीं किया जाता है; और

(ग) क्या सरकार का विचार बोकारो इस्पात कारखाने के अधिकांशियों को यह हिदायत देने का है कि वे बिहार के इंजीनियरों की उपेक्षा करने की इस प्रणाली में परिवर्तन करें ?

इस्पात, खान तथा धातु मंत्रालय में उप-मंत्री (श्री राम सेवक) : (क) जी, हां ।

(ख) जी, हां। बिहार अथवा किसी अन्य राज्य के रसायनिक तथा धातुकामिक इंजीनियरी के उपाधिधारियों को बरिष्ठ कर्मकार प्रशिक्षार्थियों को पदों के लिए नहीं लिया जाता क्योंकि इन प्रशिक्षार्थियों को छोटे पदों पर रखा जाएगा जो उपाधि-धारियों के लिए उपयुक्त नहीं है। तथापि विज्ञान के स्नातकों को भी इन पदों के लिए लेने का फैसला किया गया है।

(ग) प्रश्न नहीं उठता।

Licentiates and Graduates in Medicine in Railway Hospitals

4880. SHRI P. ANTONY REDDY: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that the High Court of Madras on Writ Petition Nos. 717 and 2174 of 1966, have ordered that there should be no difference in matters of scale of pay, grades and promotions between Licentiates in Medicine and Graduates in Medicine working in Railway Hospitals; and

(b) if so, the action taken by the Railway Board on this order?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) and (b). Yes. An appeal has been filed against the decision of the Madras High Court and the case is *sub-judice*.

Indo-Malaysian Joint Ventures

4881. SHRI R. BARUA: Will the Minister of COMMERCE be pleased to state:

(a) whether it is a fact that an eight member delegation visited Malaysia recently to explore further possibilities of establishing Indo-Malaysian joint ventures;

(b) if so, the names of the members of the delegation;

(c) the subjects discussed and the results thereof; and

(d) whether any agreement was reached between the two countries in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) A seven member delegation sponsored by the Federation of Indian Chambers of Commerce and Industry visited Malaysia in November, 1968 to explore *inter alla* the possibilities of establishment with Indian parties of joint ventures in Malaysia.

(b) The members of the delegations were:

- (1) Shri S. P. Godrej
- (2) Shri M. L. Apte
- (3) Shri Vijay K. Chauhan
- (4) Shri V. Isvaran
- (5) Shri Bishen Sahai
- (6) Shri Ranjit Shah
- (7) Dr. Ram Gopal Agrawal

(c) and (d). The detailed Report of the Delegation is still awaited.

Promotion of Class IV Employees as Telephone Operator on the Nothern Railway

4882. SHRI YASHPAL SINGH: Will the Minister of RAILWAYS be pleased to refer to the reply given to Unstarred Question No. 8319 on the 23rd April, 1968 and state:

(a) whether it is a fact that the Railway Board has sent orders to the Nothern Railway Headquarters office, New Delhi to regularise the services of class IV staff as Telephone Operator who were promoted in this connection;

(b) if so, whether the orders have been implemented by the Headquarters office; and

(c) if not, the reasons for the delay?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) Yes, a special dispensation has been given by the Railway Board for the regularisation of these cases.

(b) Necessary instructions have been issued by the Headquarters office, Nothern Railway, to the Divisional authorities.

(c) Does not arise.

Metro Gauge Diesel Electric Locomotives

4883. SHRI KANWAR LAL GUPTA: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that the first metro-

auge diesel electric locomotive has been omitted recently;

(b) what will be the production of such locomotives in the next two years; and

(c) what is the programme of changing steam engines to diesel electric locomotives in the next two years and on which lines the electric locomotives will be used?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) Yes Sir on 22.11.1968.

(b) According to present planning, production of M. G. Diesel locomotives in the next two years is expected to be as under:—

1969-70 — 30

1970-71 — 50

(c) During the years 1968-69 to 1970-71 the following number of metre gauge steam locomotives will become overaged:—

Upto 1.4.68 During 1969-70 During 1970-71

641 Another 98 Another 75

The actual condemnation and replacement of these engines will depend on their physical condition and the overall availability of locomotives in relation to traffic needs. Hence it is not possible to indicate how many of them will be actually replaced by diesels.

The allotment of the diesel locomotives will be made on the basis of priorities depending on density of traffic on particular sections, operational requirements and other relevant factors.

Closed Cotton Mills

4884. SHRI LOBO PRABHU: Will the Minister of COMMERCE be pleased to state:

(a) the number of cotton mills closed down since the commencement of the current year in each State; and

(b) whether Government propose to make arrangements for making available to the industry long-term loans at special rate of interest not exceeding that charged on the loans given to small-scale industries, considering the immense importance of this industry to the national economy and the difficulties through which it has been passing?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) A statement giving the information is attached.

(b) No, Sir.

Statement

The number of cotton textile mills which closed down since the commencement of the current year and such of those mills as reopened or were lying closed on the 31st October, 1968, is as follows:—

Name of the State	Mills closed	Mills reopened	Mills Still lying closed
(1) Andhra Pradesh	3	3	—
(2) Bihar	2	1	1
(3) Gujarat	11	1	10
(4) Kerala	5	5	—
(5) Madras	34	16	18
(6) Maharashtra	1	—	1
(7) Mysore	1	1	—
(8) Rajasthan	3	2	1
(9) Uttar Pradesh	2	1	1
(10) West Bengal	4	1	3
(11) Pondicherry	1	—	1
Total	67	31	36

1 एम० डी० मुरादाबाद-दिल्ली रेलगाड़ी का देरी से चलना

4885. श्री मोल्लू प्रसाद :

श्री शिवचरण लाल :

क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) 1 अक्तूबर, 1968 से 30 नवम्बर, 1968 की अवधि में मुरादाबाद से दिल्ली आने वाली रेलगाड़ी प्रत्येक दिन दिल्ली जंक्शन पर कितने बजे पहुंची, उक्त अवधि में वह कितने दिन दिल्ली जंक्शन पर समय पर पहुंची और कितने दिन देर से पहुंची;

(ख) उक्त दिनों में प्रत्येक दिन इसके देर से पहुंचने के क्या कारण थे;

(ग) क्या रेल गाड़ी के देर से पहुंचने के लिए जिम्मेदार व्यक्तियों के विरुद्ध कोई कार्यवाही की गई है; यदि हां, तो क्या कार्यवाही की गई है; और

(घ) क्या सरकार का विचार यह सुनिश्चित करने के लिए कोई कार्यवाही करने का है कि भविष्य में यह रेलगाड़ी दिल्ली में समय पर पहुंचे और यदि हां, तो क्या और यदि नहीं, तो इसके क्या कारण हैं ?

रेलवे मंत्री (श्री जे० मु० पुनाचा) :

(क) नं० 1 एम डी मुरादाबाद-दिल्ली सवारी गाड़ी 1 अक्टूबर से 30 नवम्बर, 1968 तक सभी दिन दिल्ली में देरी से पहुंची। इस अवधि में नं० 1 एम डी सवारी गाड़ी के प्रतिदिन दिल्ली में पहुंचने का वास्तविक समय विवरण* में दिया गया है। जो सभापटल पर रखा गया है। [पुस्तकालय में रखा गया। देखिए संख्या LT-2757/68]।

(ख) देरी से चलने के बहुत से कारण थे जिनमें से मुख्य कारण है:—तांबे के तारों की चोरी के कारण संचार व्यवस्था में बार-बार खराबी, खतरे की जंजीर खींचे जाने की अधिक घटनायें, विस्थापित फ्रांसिंग के लिए रुका रहना, और मुख्यतः इस गाड़ी तथा अन्य गाड़ियों के निर्धारित समय पर न चलने के कारण गाजियाबाद में भ्रामान-लाइन सम्बन्धी कठिनाइयां। प्रति दिन मुख्यतः जिन गाड़ियों को रुकना पड़ा उनका ब्योरा ऊपर भाग (क) में उल्लिखित विवरण में दिया गया है। जो सभा-पटल पर रखा गया है। [पुस्तकालय में रखा गया। देखिए संख्या LT-2757/68]।

(ग) इस गाड़ी तथा अन्य गाड़ियों के रुके रहने के कारणों के लिए जिम्मेदार पाए गए कर्मचारियों के विरुद्ध समुचित कार्यवाई की जा रही है।

(घ) इस गाड़ी के संचालन पर पूरी

*बाद में दिया जाएगा।

निगरानी रखी जा रही है और इसके चालन में सुधार लाने के लिए एक समय-पालन अभियान चलाया गया है। कंट्रोल सर्किट के लिए तांबे के तारों के बदले ए० सी० एस० धार० कंडक्टर का उपयोग करके विभागीय लाइन तारों की व्यवस्था करने के संबंध में भी विचार किया जा रहा है। इस दौरान कानून और व्यवस्था के इंचार्ज सिविल प्राधिकारियों के सहयोग से खतरे की जंजीर खींचने और उपस्कर की चोरी की सामाजिक बुराइयों को यथासम्भव रोकने का प्रयत्न भी किए जा रहे हैं।

Carrying of Dead Body of a Polish Expert from Patna to Howrah on 5th November, 1968

4886. SHRI MOHAMMAD ISMAIL:
SHRI NAMBIAR:
SHRI C. K. CHAKRAPANI:

Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that one Polish Expert attached to the Barauni Thermal Power Project died on the 4th November, 1968;

(b) if so, whether the Bihar Electricity Board authorities had informed the Eastern Railway authorities that the dead body would be carried from Patna to Howrah by 12 Dn Delhi-Howrah Express on the 5th November, 1968;

(c) whether it is a fact that Shri J. N. Wadhwa, Divisional Safety Officer, Danapur, who was officiating as Divisional Transportation Superintendent informed all the stations concerned that the body will be carried by 11 Up Howrah-Delhi Express from Patna to Varanasi on the 5th November, 1968;

(d) if so, whether Government have enquired into the reasons for giving wrong information and taken any action in the matter; and

(e) if not, the reason therefor?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) to (c). The Bihar State Electricity Board advised the Railway Administration at 4.00 p.m. on 4.11.1968 that the dead body of a Polish Expert,

attached to that organisation who died on 3.11.68 would be sent from Patna to Delhi on 5.11.1968 by 11 Up Howrah-Delhi Express. Shri J. M. Wadhwa, Divisional Safety Officer, Danapur, accordingly issued necessary instructions to all concerned for the transport of the dead body. The body was not, however, brought to Patna Jn. station till the departure of 11 Up Howrah-Delhi Express on 5.11.1968. The Bihar State Electricity Board advised later the same day that the body would be sent to Calcutta by 12 Dn. Delhi-Howrah Express, leaving Patna on 5.11.1968, and the Railway Administration made all necessary arrangements for this purpose.

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

Foreign Collaboration

4887. SHRI K. P. SINGH DEO:
SHRI R. K. SINHA:

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

(a) whether it is a fact that a delegation of the Confederation of British Industry visited India recently and had discussions with Government regarding foreign collaboration;

(b) if so, the matters discussed with the delegation; and

(c) the outcome thereof?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) Yes, Sir.

(b) and (c). A Note containing details regarding matters discussed is laid on the Table of the House. [*Placed in Library. See No. LT-2758/68*].

Diamond Trading Company, London

4888. SHRI K. P. SINGH DEO:
SHRI D. N. PATODIA:

Will the Minister of STEEL, MINES AND METALS be pleased to state:

(a) whether it is a fact that a team of representatives of the Diamond Trading Company, London which visited India recently

offered to enter into a long term agreement to purchase the entire production of Panna Mines;

(b) if so, whether Government have considered the offer; and

(c) if so, the results thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK): (a) No, Sir.

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

Industrial Estate in Andhra Pradesh

4889. SHRI V. NARASIMHA RAO:
Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS: be pleased to state:

(a) whether it is a fact that there was a scheme to construct an Industrial estate at Amadalavalasa, Srikakulam District Andhra Pradesh;

(b) the number of sheds proposed to be constructed, the total estimate of the Industrial estate and the amount spent so far; and

(c) the reasons for the delay in construction and the time by which it is likely to be completed?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) There is no scheme for establishment of a conventional Industrial Estate at Amadalavalasa, However, there is an 'Assisted Industrial Estate' there where developed plots are being made available to prospective industrialists to build their own factory sheds.

(b) Being an 'Assisted Industrial Estate', no construction of units or sheds by Government is contemplated. Out of forty six developed plots, nine have been allotted so far; four industrialists have started construction of sheds; and the others are expected to start construction shortly. A total outlay of Rs. 2.07 lakhs was envisaged for acquisition of land and provision of necessary infra-structure facilities for the Estate. Up to 30.9.1968, about Rs. 1.82 lakhs has been spent.

(c) Government do not propose to construct any shed and so there is no question of delay on the part of Government.

Indian Graphite Ore

4890. SHRI V. NARASIMHA RAO: Will the Minister of STEEL, MINES AND METALS be pleased to state:

(a) whether it is a fact that the Indian graphite ore is low grade for manufacture of goods;

(b) whether Government would undertake graphite up-grading industry in the public sector;

(c) whether any draft plan has been prepared; and

(d) if so, the main features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK): (a) Yes, Sir. The Indian graphite is reported to contain very high ash content and its average graphitic carbon content is between 25-30%, while for the manufacture of graphite crucibles, pencils, graphite lubricants and foundry graphite, midget electrodes, dry cells, batteries and graphited asbestos packing etc. natural graphite of high purity having graphitic carbon content above 90% is required.

(b) According to information available, work on the beneficiation of Indian graphite has been done in the Indian Institute of Sciences, Bangalore, National Metallurgical Laboratory, Jamshedpur, Regional Research Laboratory, Bhubaneswar and the Department of Geology, Andhra Pradesh University. The process developed at the National Metallurgical Laboratory, Jamshedpur is reported to have been adopted by M/s. Patna State Graphite Mining and Company, Titlagarh (Orissa). Graphite upgrading facility for Indian graphite is available to some extent at the Government Graphite Crucible Industry, Rajahmundry.

(c) No specific plan has been prepared for graphite beneficiation.

(d) Does not arise.

Railway Line from Kalingapatnam to Rayagada in Andhra Pradesh

4891. SHRI V. NARASIMHA RAO: Will the Minister of RAILWAYS be pleased

to state:

(a) whether Government are aware of the fact that there is a standing proposal to lay a new Railway line from Kalingapatnam Port *via* Srikakulam to Rayagada in Andhra Pradesh;

(b) whether any investigation had been made previously and any plan proposed in this regard;

(c) if so, the steps taken by Government in the matter; and

(d) if not, whether any special investigation is likely to be undertaken?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) Representations have been received for this rail link.

(b) No.

(c) and (d). Due to the present difficult ways and means position, it is difficult to consider the construction of the Kalingapatnam—Port—Rayagada line in the near future and hence no investigations are proposed to be undertaken at present.

Delay in Transhipment of Goods despatched from Rourkela and Bhilai Steel Plants

4892. SHRI V. NARASIMHA RAO: Will the Minister of STEEL, MINES AND METALS be pleased to state:

(a) whether it is a fact that the goods despatched from Rourkela and Bhilai Steel Plants are delayed in reaching Visakhapatnam Port within the scheduled time for shipping;

(b) whether any demurrage is paid by the Hindustan Steel Ltd. for delay in transhipment; and

(c) if so, the steps taken by Government for quick transport and whether there is any proposal for having a separate railway-line from these two Steel Plants?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK): (a) to (c). The required information is being collected and will be laid on the Table of the House.

Looting of Goods Train between Paharpur and Gururu Stations

4893. SHRI SHRI CHAND GOYAL:
SHRI VISHWA NATH PANDEY:
SHRI N. R. LASKAR:

Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that a goods train was looted by fifty armed robbers between Paharpur and Gururu Stations on the Eastern Railway;

(b) whether the looting had taken place in May, 1968 also on this very line;

(c) whether any recoveries have been made; and

(d) the steps taken by Government to ensure safety of the passengers on the line?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) Yes, but the case was that of a theft of goods from a running goods train and not of looting by armed robbers.

(b) Yes, a theft also took place on this section on the 15th May, 1968.

(c) and (d). Yes, five bags of peas were recovered in the present case. Twenty three bags of barley, two bales of jute and one bag of sugar were recovered in the case of theft that took place in May, 1968. As a result of persistent efforts by Railway Protection Force and Government Railway Police, 7 criminals were arrested and prosecuted in the former case and 8 criminals have been arrested in the latter. Preventive measures have also been intensified by augmenting the strength of both armed and crime staff of the Government Railway Police and the Railway Protection Force and escorting of important passenger trains by Government Railway Police has also been introduced.

Wireless Operators' Grade in Railway

4894. SHRI C. CHITTYBABU: Will the Minister of RAILWAYS be pleased to state:

(a) the number of Wireless Operators who have reached their maximum in grade of Rs. 150-300 Railway-wise;

(b) the percentage of higher grades allotted to the Wireless Operators in each grade Railway-wise;

(c) whether there is a proposal to increase the percentage of upgrading as given to their sister allied categories; and

(d) whether there is also any proposal to grant them an intermediate grade at par with P and T as they were granted the recruitment scale of Rs. 150-300 at par with P and T?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) and (b). Information is being collected and will be laid on the Table of the Sabha.

(c) and (d). No.

Concessions to India in Britain's Import Deposit Scheme

4895. SHRI D. N. PATODIA:
SHRI R. K. SINHA:
SHRI SITARAM KESRI:

Will the Minister of COMMERCE be pleased to state:

(a) whether it is a fact that Government have approached the Government of Britain to secure exclusion of the greater part of India's trade with that country from the operation of Britain's Import Deposit Scheme; and

(b) if so, the reaction of the British Government in the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) and (b). Our high Commissioner in London has expressed the concern of the Government of India to the British Government about the introduction of the Import Deposit Scheme and our interest in securing exclusions of more items of export interest to us from the operation of the scheme than are excluded at present. The matter was also discussed with the British Foreign Secretary when he visited Delhi recently and, as a result, it was agreed that the question of exempting cotton textiles from the purview of the scheme would be further considered by the British Government. He was also requested to consider exempting handloom textiles, some

industrial raw materials and intermediates from the operation of the scheme. Our High Commissioner in London has been instructed to continue his efforts.

Export of Engineering Products

4896. SHRI BENI SHANKER SHARMA: Will the Minister of COMMERCE be pleased to state:

(a) whether India has recently obtained several big orders for the export of engineering products which indicate that India is fast emerging as a world supplier of certain specific engineering products;

(b) if so, the details thereof; and

(c) the efforts being made by Government to explore new markets for the export of these products?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) Yes, Sir.

(b) High value contracts secured by India relate to export of railway wagons, coaches and track materials, transmission line towers, power cables, aluminium and copper conductors, textile machinery, etc. apart from turn-key contracts for complete supplies and installation for electric sub-stations.

(c) A regular programme of market surveys, publicity through publications and advertisements, participation in exhibitions and fairs, sponsoring of delegations and study teams, etc. is undertaken through the agency of Engineering Export Promotion Council, besides grant of special *ad-hoc* assistance by Government on selective basis.

Rate of Defective Production in Hindustan Steel Limited

4897. SHRI BENI SHANKER SHARMA: Will the Minister of STEEL, MINES AND METALS be pleased to state:

(a) whether it is a fact that ten per cent of the production of the Hindustan Steel Limited was defective;

(b) whether it is also a fact that percentage of defective production in Tata Iron and Steel Company works out to a maximum of four per cent;

(c) if so, the reasons for the high rate of defective in the Hindustan Steel Limited; and

(d) the steps taken or proposed to be taken to check the same?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK): (a) to (d). The information is being collected and will be laid on the Table of the House.

Development of Iron Ore Mines

4898. SHRI BENI SHANKER SHARMA: Will the Minister of STEEL, MINES AND METALS be pleased to state:

(a) whether an investment of Rs. 240 crores has been suggested during the Fourth Plan both for the development of iron ore mines and for providing the infrastructure to double exports from the current level of 16 million tonnes to 31 million tonnes by a Planning Group on iron ore;

(b) whether the suggestion has been considered; and

(c) if so, with what result?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK): (a) Yes.

(b) and (c). The suggestions are being considered by the Government in the context of the formulation of the Fourth Five Year Plan.

Durga Cotton Mill, Kadi (Gujarat)

4899. SHRI S. M. SOLANKI: Will the Minister of COMMERCE be pleased to state:

(a) whether it is a fact that the Durga Cotton Mill of Kadi in Gujarat State is a sick mill and is closed for the last two years for want of financial aid from Government or any other source and as a result two thousand workers are unemployed;

(b) if so, whether Government are considering to sanction loan to this Mill through the established Corporation; and

(c) if not, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) The mill closed down in September, 1965, due to uneconomic working, financial difficulties, labour trouble and difficulties in the management. Prior to closing, the mill was employing about 1600 workers.

(b) and (c). The mill is considered fit to be scrapped. Moreover, the entire property of the mill is under Court's attachment. There is, therefore, no question of giving loans to it through the State Textile Corporation.

Import of Machinery and Plant

4900. SHRI LOBO PRABHU: Will the Minister of COMMERCE be pleased to refer to the reply given to Unstarred Question No. 1285 on the 19th November, 1968 and state:

(a) the mode of ascertaining the proper prices of machinery and plant etc., imported from various countries when comparison is not made on account of varying specifications;

(b) whether Government are aware of the methods adopted by the Private Sector to secure competitive prices for their plant and if so, the details thereof; and

(c) whether no reference is at all made to the Finance Ministry before permitting imports of these items, and, if so, how it is ensured that public funds are used to the best advantage?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) and (b). While making an application for the import of plant and machinery, the applicant firms obtain competitive quotations from different sources of supply and indicate their preference in this matter. However, because of the shortage of convertible foreign exchange, imports of machinery are allowed mainly against bilateral credit provisions and it is not possible to accede to the applicants' request for import from that particular source. In most cases, therefore, orders have to be placed on a supplier in the country from which a Credit has been obtained.

(c) Import of plant and machinery is permitted only after the request has been examined and cleared by an Inter-Departmental Committee known as the Capital Goods Committee. Ministry of Finance are represented on this Committee and unless their representative agrees, no import of capital goods is allowed.

Price of Steel

4901. SHRI LOBO PRABHU: Will the Minister of STEEL, MINES AND METALS be pleased to state:

(a) the average difference between internal and external prices of steel;

(b) how far this is covered by subsidy and what was the total amount last year; and

(c) whether this subsidy was borne by the general revenues or added to the price of steel sold internally?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK): (a) to (c). It is presumed that Hon'ble Member is referring to the Scheme for reimbursement of the difference between internal and international prices of steel and pig iron to fabricators of engineering goods for export. The Scheme is applicable to the engineering industries requiring indigenous mild steel and pig iron for export of fabricated engineering goods. Indigenous iron and steel are supplied to fabricators of engineering goods for export at international prices. The difference between internal and international prices varies from category to category of steel. The fund for the Scheme is raised by an extra recovery in the indigenous prices of steel and pig iron. The disbursement on this account between 2-5-67 to 30-9-68 amounted to about Rs. 1.40 crores.

रेलवे के डिस्पेंसरी के लिए उनी बर्तियां

4902. श्री निहाल सिंह: क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या यह सच है कि रेलवे के मेडिकल विंग में डिस्पेंसरी (कम्पाउण्डरी) को अब केवल उनी जरसियां दी जाती हैं जबकि

इनको पहले ऊन की पूरी बर्दियां (कोट तथा पेंट) मिलती थीं; और

(ख) यदि हां, तो इसके क्या कारण हैं ?

रेलवे मंत्री (श्री जे० मु० पुनाचा) :

(क) और (ख). हाल में जारी किए गए अनुदेशों के अनुसार रेलों के चिकित्सा विभाग के डिस्पेंसर अब जाड़े में पूरी ऊनी बर्दियां, अर्थात् कोट और पेंट पाने के पात्र हैं लेकिन यह पात्रता जनवरी, 1966 में जारी किए गए मितव्ययिता आदेशों के अधीन होगी जिसमें यह कहा गया है कि बर्दियां पुराने बर्दी विनियमों या फरवरी, 63 में लागू किए गए नए विनियमों में से जो भी कम उदार हो, उसके अनुसार दी जायेंगी।

चित्तौड़-कोटा रेलवे लाइन

4903. श्री श्रींकार लाल बोहरा :
क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) चित्तौड़-कोटा नामक नई रेलवे लाइन बनाने के सम्बन्ध में अब तक क्या कार्य-वाही की गई है;

(ख) क्या यह सच है कि रेलवे बोर्ड ने वर्ष 1941 या उसके लगभग इस रेलवे लाइन के निर्माण की अनुमति दी थी और उसके लिए सामग्री भी सप्लाई की थी;

(ग) यदि हां, तो उपरोक्त रेलवे लाइन के निर्माण को, जिसे उस समय अलाभकारी नहीं समझा जाता था, अब अलाभकारी समझा जाने के क्या कारण हैं जबकि उस क्षेत्र का सब प्रकार का विकास होने के कारण कच्चे माल के उत्पादन और यातायात में दस गुना वृद्धि हुई है; और

(घ) क्या रेलवे बोर्ड द्वारा अनुमोदित पुरानी योजना सभा-पटल पर रखी जायेगी?

रेलवे मंत्री (श्री जे० मु० पुनाचा) :

(क) और (ख). इस लाइन की मंजूरी

1949 में दी गई थी, परन्तु राजस्थान रेलवे के पश्चिम रेलवे में प्रत्याभित विलयन को देखते हुए, निर्माण-कार्य शुरू न किया जा सका। इसलिए जो पटरियां और फिटिंग्स इस योजना के लिए प्राप्त किए गए थे, उन्हें किसी दूसरी परियोजना में अन्तर्गत कर दिया गया। बाद में 1955-56 में किए गए सर्वेक्षणों और 1965-66 के पुनर्निर्धारण से पता चला कि यह परियोजना लाभप्रद न होगी और इसीलिए इस समय इसके निर्माण का विचार नहीं है।

(ग) निर्माण की वर्तमान लागत को देखते हुए इस लाइन के लाभप्रद होने की संभावना नहीं है।

(घ) पहले की सर्वेक्षण रिपोर्टें पूरी तरह से पुरानी पड़ गई हैं, इसलिए उनको सभा-पटल पर रखने से कोई लाभ न होगा।

राजस्थान में रेलवे लाइनों की लम्बाई

4904. श्री श्रींकार लाल बोहरा :
क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि अन्य राज्यों की अपेक्षा राजस्थान में रेलवे लाइनों की लम्बाई कम है यद्यपि क्षेत्रफल की दृष्टि से यह देश में दूसरे नम्बर का सबसे बड़ा राज्य है, और जहां की जनसंख्या चाहे कम है, परन्तु वह बहुत बड़े क्षेत्र में फैली हुई है; और

(ख) क्या चित्तौड़-कोटा, बड़ी सदरी से नीमच, डूंगरपुर से बांसवाड़ा, प्रतापगढ़, भीलवाड़ा से कोटा और जोधपुर से जेसलमेर आदि नयी रेलवे लाइनों के निर्माण कार्य को आगामी आय-व्यय में सम्मिलित करने का रेलवे बोर्ड का विचार है, जिसका सुझाव राज्य सरकार द्वारा दिया गया है ?

रेलवे मंत्री (श्री जे० मु० पुनाचा) :

(क) रेलवे लाइनों की लम्बाई सम्बन्धी सूचना राज्यवार नहीं बल्कि सिर्फ क्षेत्रीय रेलवे के अनुसार संकलित की जाती है।

राजस्थान राज्य में से होकर, मध्य, उत्तर और पश्चिम रेलवे गुजरती हैं। क्षेत्रीय रेलों के मार्ग और रेल पथ की लम्बाई से संबंधित पूरा ब्यौरा "सप्लीमेंट टू दी रिपोर्ट बाई दी रेलवे बोर्ड आन इण्डियन रेलवेज—स्टेटिस्टिकल स्टेटमेंट्स फार दी ईअर 1966-67" के विवरण 8 में दिया हुआ है, जिसकी प्रतियां संसद् के पुस्तकालय में उपलब्ध हैं।

• (ख) जी नहीं।

खेतड़ी ताम्बा परियोजना

4905. श्री अशोक लाल बोहरा : क्या इस्पात, खान तथा धातु मंत्री यह बताने की कृपा करेंगे कि :

(क) राजस्थान में खेतड़ी ताम्बा परियोजना पर अब तक कुल कितनी धन-राशि खर्च की गई है और यह परियोजना कब तक पूर्ण हो जाने की संभावना है ;

(ख) क्या यह सच है कि खेतड़ी ताम्बा परियोजना के अधिकारियों और श्रमिकों के आपसी संघर्ष के कारण वहां गड़बड़ उत्पन्न हो गई है और कुशल तथा अच्छे कार्य के अभाव में इस परियोजना की प्रगति कम रही है ; और

(ग) इस परियोजना को पूर्ण करने की प्रारंभिक योजना क्या थी उसकी क्रियान्विति में किन कठिनाइयों का सामना करना पड़ा और वर्तमान स्थिति क्या है ?

इस्पात, खान तथा धातु मंत्रालय में उपमंत्री (श्री राम सेबक) : (क) राजस्थान में खेतड़ी तांबा प्रायोजन पर 31 अक्टूबर, 1968, तक कुल 13.24 करोड़ रुपये का खर्च हुआ है। प्रायोजना के 1970-71 तक चालू किए जाने और 1972-73 तक पूरा उत्पादन प्राप्त करने की सम्भावना है।

(ख) जी, नहीं।

(ग) खेतड़ी तांबा प्रायोजना मार्च 1961 में राष्ट्रीय खनिज विकास निगम को

सौंपी गई थी। मैसर्स वैस्टर्न नैप इंजीनियरिंग कम्पनी ने, जिन्हें सलाहकार नियुक्त किया गया था, जनवरी 1962 में विस्तृत रिपोर्ट प्रस्तुत की, जिसमें पहले के प्रस्तावित 10,000 मैट्रिक टन के इलैक्ट्रोलाइटिक तांबे के उत्पादन की तुलना में 21,000 मैट्रिक टन प्रति वर्ष की क्षमता की खान तथा संयंत्र की स्थापना की वांछनीयता की सिफारिश की गई। इस योजना को सरकार द्वारा मई, 1962 में अनुमोदित किया गया था। बाद में इस प्रायोजना के कार्य-क्षेत्र में खेतड़ी/कोलिहान से इलैक्ट्रोलाइटिक ग्रेड के तांबा धातु के 31,000 मैट्रिक टन, मल्ट्यूरिक एमिड के 600 मैट्रिक टन प्रति दिन और ट्रिपल सुपर फास्फेट के 2,00,000 मैट्रिक टन से ऊपर के उत्पादन तक वृद्धि कर दिया गया था।

इसके कार्यान्वयन में आने वाली अन्य कठिनाइयों, विदेशी ऋण की अनुपलब्धता, बिजली की सप्लाई की अपर्याप्तता, उपकरणों की प्राप्ति में और आयातित उपकरणों के लिए संविदाओं को अंतिम रूप देने में विलम्ब है।

हिन्दुस्तान जिंक लिमिटेड

4906. श्री अशोक लाल बोहरा : क्या इस्पात, खान तथा धातु मंत्री यह बताने की कृपा करेंगे कि :

(क) हिन्दुस्तान जिंक लिमिटेड, उदयपुर में सरकार ने अब तक कुल कितनी पूंजी लगाई है और पिछले तीन वर्षों में इसकी आय और व्यय का ब्यौरा क्या है ;

(ख) मेटल कारपोरेशन आफ इंडिया को अब तक कितना प्रतिकर दिया गया है, जिसका नियंत्रण भारत सरकार ने अपने हाथों में ले लिया है ; और

(ग) यदि अब तक कोई प्रतिकर नहीं दिया गया, तो इस सम्बन्ध में कब तक और किस आधार पर निर्णय किया जाएगा ?

इस्पात, खान तथा धातु मंत्रालय में उप मंत्री (श्री राम सेवक) : (क) सरकार ने हिन्दुस्तान जिंक लिमिटेड में अभी तक

11.59 करोड़ रुपया लगाया है। पिछले तीन वर्षों के दौरान कम्पनी की धाय और खर्च निम्न प्रकार से थे:-

	22 अक्टूबर, 1965, से 31 मार्च, 1967	1 अप्रैल, 1967, से 31 मार्च, 1968, की अवधि	1 अप्रैल, 1968 से 30 नवम्बर, 1968 की अवधि
			(रुपये लाखों में)
बिक्री से धाय	131.88	146.47	250.25
अभिग्रहण से पूर्व की देयताओं को पूरा करने में, सरकारी ऋणों पर ब्याज, राजस्व और पूंजी लेख में खरीद, वेतनों और मजदूरियों, बोनस आदि, रेल-भाड़ा और उत्पादन शुल्क, अन्य राजस्व और पूंजी खर्च पर नकद खर्चा।	947.63	445.63	374.68

(ख) और (ग). मैटल कारपोरेशन आफ इंडिया को अभी कोई मुआवजा अदा नहीं किया गया है। अभिग्रहण अधिनियम की शर्तों के अनुसार मुआवजे की सरकार द्वारा उचित समझी जाने वाली और कम्पनी को दी जाने वाली रकम उसे स्वीकृति के लिए 28 जून, 1968, को सूचित की गई थी। कम्पनी ने प्रस्तावित मुआवजे को अभी स्वीकार नहीं किया है।

Lien of Railway Electrification Project Staff

4907. SHRI TENNETI VISHWANATHAM: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that a considerable number of Class III staff working in the Railway Electrification Project are not having lien in Open Lines;

(b) if so, the steps taken by Government in this regard; and

(c) the policy of Government for the absorption of the Railway Electrification staff who have already passed the screening?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) to (c). Only staff recruited through Railway Service Commissions are provided with liens on Open Line Railways. Class III staff who were recruited locally by the Railway Electrification are not given lien on Open Line. Surplus staff of the Railway Electrification who have no liens are screened by a Screening Committee and absorbed against alternative posts on the open line for which they are found suitable, as and when vacancies arise.

Reversion of Railway Electrification Project Staff

4908. SHRI TENNETI VISHWANATHAM: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that a considerable number of Class III employees working in the Railway Electrification Project, will be sent back to the other Railways within a short time;

(b) whether it is a fact that these employees will be facing reversion both in rank and pay on their transfer from Railway Electrification to other Railways;

(c) if so, the steps taken by Government in this regard; and

(d) whether Government propose to frame a policy and issue instructions to the Zonal Railways to accept the Railway Electrification's selection for promotion as valid?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) to (d). A large number of class III staff in the Railway Electrification have been drafted from the various Railways. Some of them would have come on promotion and yet some others would have got promotion after coming to the Railway Electrification. The promotions which the staff got in the Railway Electrification are treated as purely temporary for as long as they work in that Organisation.

As far as the position on the parent railway is concerned, the staff will, on reversion from the Railway Electrification, have to be posted to such posts which they would have held on the parent railway and given pay which they would have drawn in those posts, as normally admissible, had they not proceeded on transfer to the Railway Electrification. If, a special consideration is given to such staff on their reversion to the parent railways, it will result in discontentment among the staff who are already working in the parent cadres. The latter will have a genuine grievance that the former set of staff had already gained benefits by going out of the parent cadre and that that advantage is being perpetuated by the administration at their cost. Considering the claims of both the groups of employees together, Government consider that those who had gone to the Railway Electrification and have gained promotions should not be placed at a more advantageous position than their seniors in the parent cadres.

As regards recognition of selections held in the Railway Electrification, the position is that the field of selection in a Project will be really different from that on a regular Railway. The standard of selection in a Project may tend to be somewhat on the liberal side as the selections are intended to fill only the temporary posts in the Project which will cease to exist after some period. In a railway, a selection will be a rigorous one, as selected persons will not only get

confirmation in the grade but will also be on the run for further promotions in their career. Standing orders already exist that persons who have got promotion on a different Railway or organisation during the period of temporary transfer should not be automatically considered for any preferential treatment on the parent railway in the matter of promotion to higher grades and that the normal rules should be applicable for filling the posts in the parent cadres. However, the report on the performance in the higher grades in the borrowing units is taken into account, among other things, when a selection is held in the parent cadre of such employees. There is no justification for deviating from the general orders in the case of the staff employed in the Railway Electrification Project alone.

Trade Delegation from North Korea

4909. **SHRI R. K. AMIN:**
SHRI H. AJMAL KHAN:
SHRI K. M. KOUSHIK:
SHRI K. P. SINGH DEO:
SHRI NARENDRA SINGH MAHIDA:

Will the Minister of COMMERCE be pleased to state:

(a) whether a trade delegation from North Korea led by Mr. Kim Guk Lin, Director-General of Foreign Trade, North Korean Government has recently arrived in New Delhi at his personal invitation;

(b) if so, for what purpose;

(c) whether any agreement has been reached between the Government of India and the North Korean delegation for export of manganese ore from India to North Korea; and

(d) if so, whether Government have taken into account its implications as manganese ore is a war material and its exports might accentuate war in Vietnam?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) to (d). Yes, Sir. A Trade Delegation from the Democratic People's Republic of Korea led by Mr. Kim Sok Zin Director-General of Foreign Trade has arrived in New Delhi on 25th November, 1968 to discuss the possibility of

developing trade between the two countries. As a result of talks held during this visit, letters have been exchanged in regard to trade and payments arrangements for the coming two years. While no specific agreement has been concluded for the export of manganese ore to the Democratic People's Republic of Korea during these talks, this is one of the items included in the list of commodities available for export from India to that country. There are no restrictions on the export of manganese ore and indeed efforts are being made to step up the export of this commodity, among other things, by locating new markets.

Raipur Metal Products Pvt. Ltd.

4910. SHRI T. M. SHETH: Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that 'Actual Users' licences for stainless steel sheets and coils for the manufacture of Hospital wares were issued in favour of Raipur Metal Products Pvt. Ltd. (M. P.) for the periods October-March, 1962, April-September, 1968, October-February, 1962;

(b) if so, whether it is a fact that instead of manufacture of Hospital wares, the said Company sold away the imported stainless sheets and coils;

(c) whether it is a fact that an enquiry was made into this matter by an Officer of the Department of Industrial Development, who has found the allegations correct; and

(d) if so, whether any action has been taken against the defaulting company and if so, the nature of action taken and if not, the reasons therefor?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) to (d). The information is being collected and it will be laid on the Table of the House.

Surplus Staff in Foreign Traffic Accounts Office

4911. SHRI NAMBIAR:
SHRIMATI SUSEELA GOPALAN:
SHRI A. K. GOPALAN:

Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that the staff has been declared surplus in the Foreign Traffic Accounts Office of the Western Railway, Traffic Accounts Office of the Northern Railway, Delhi and Traffic Accounts Office of the Western Railway, Ajmer since the introduction of Simplification/Mechanisation; and

(b) if so, their number in each unit?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) and (b). The information is being collected and will be laid on the Table of the Sabha.

Copper Deposits in Agnigundala

4912. SHRI INDRAJIT GUPTA: Will the Minister of STEEL, MINES AND METALS be pleased to refer to the reply given to Unstarred Question No. 4488 on the 20th August, 1968 and state:

(a) how long it will take Hindustan Copper Limited, to complete the feasibility study of exploiting the copper and lead deposits at Agnigundala;

(b) the reasons for such prolonged delay;

(c) whether it is a fact that two foreign experts, Mr. Morgan and Mr. Royce, have been working for a long time as consultants for planning production at Khetri, Rakha, and Agnigundala; and

(d) if so, the terms of their contracts and the remuneration involved?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK): (a) and (b). The Hindustan Copper Ltd., has prepared a report in respect of Phase I of Bandalamottu Block of Agnigundala which is to be reviewed by a Technical Committee appointed for the purpose by the Company. The Company is also preparing a feasibility report in respect of Nallakonda Block. Meanwhile, detailed geological mapping and further diamond drilling is being done. There has been no delay in the matter.

(c) The services of Mr. W. D. Morgan were obtained by the National Mineral Development Corporation under the United Nations Development Programme Organisations. On formation of H.C.L., in November, 1967, his services were placed at the disposal of that Company. He remained with the Hindustan Copper Limited only for a brief period, till February, 1968. There has been no foreign expert named Mr. Royce with the Hindustan Copper Limited.

(d) The services of Mr. Morgan were obtained on the usual terms applicable to the foreign experts assigned under the United Nations Development Programme. The liability of the Government of India in such case is the local costs, such as office accommodation, office equipment, furnishing and supplies, stenographic, technical and Secretariat help, translation and interpreting services, if needed, locating adequate housing, local costs as may be charged by the U. N. in respect of the expert obtained, medical services and facilities to the expert and his family, internal transportation on duty.

The liability to pay salary and other allowances of the experts and the cost of their international travel and the transportation of their household effects to India and return is that of the U. N.

Art Silk Industry, Amritsar

4913. SHRI INDRAJIT GUPTA: Will the Minister of COMMERCE be pleased to state:

(a) whether Government are aware that the small-scale art-silk weaving industry at Amritsar is facing great hardships and closure due to very high and rising prices of Rayon yarn;

(b) whether it is also a fact that 70 per cent of the total output of Rayon yarn is controlled by one industrial house; and

(c) if so, the action proposed to be taken to safeguard the legitimate interests of the Art Silk weaving industry from undesirable profiteering by the spinners?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) Yes, Sir.

(b) No. Sir.

(c) On the question of rise in prices of art silk yarn a reference has been made to the Tariff Commission for an inquiry into the cost structure of the Man-Made Fibre/Yarn industry. The Commission is expected to complete the inquiry and submit its report by the end of April, 1969.

Java Motor Cycle Factory

4914. SHRI R. K. SINHA: Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that the Java Motor Cycle Factory near Mysore has been closed since the 30th November, 1968;

(b) if so, the reasons therefor; and

(c) whether steps are being taken to re-open the factory?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) Yes, Sir.

(b) According to the management, the workers started go-slow tactics on the 19th November, 1968 and there was practically no production for about ten days. The management, therefore, closed the factory on the 30th November, 1968.

(c) The factory was re-opened on the 16th December, 1968.

Gold deposits in Ananthapur

4915. SHRI R. K. SINHA: Will the Minister of STEEL, MINES AND METALS be pleased to state:

(a) whether it is a fact that fresh reserves of gold have been found near Ananthapur;

(b) if so, the estimated quantity available; and

(c) whether exploitation of the same on commercial basis has been planned?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK): (a) to (c). The information is being collected and will be placed on the Table of the House.

Ticketless Travel

4916. SHRI R. K. SINHA: Will the Minister of RAILWAYS be pleased to state:

(a) the number of persons caught by the Railways while travelling without ticket during the months of October and November this year;

(b) the amount realised from them; and

(c) the steps being taken to prevent ticketless travel ?

THE MINISTER OF RAILWAYS (SHRI C. M. POONACHA): (a) and (b). The number of persons detected travelling without tickets during October, 1968 was 8,15,848 and the amount realised from them was Rs. 28,19,532.

Information pertaining to November, 1968, is not yet available and is being collected and will be placed in the Table of the House in due course.

(c) Apart from normal ticket checking at stations and on trains, frequent intensive checks, including surprise checks by Flying Squads of Travelling Ticket Examiners and Railway Magistrates, are being made to minimise ticketless travel and other forms of irregular travel.

An educative campaign is also being conducted.

Supervision on ticket checking arrangements has also been tightened.

Machinery Making Plants

4917. SHRI SITARAM KESRI: Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that the capacity of each of four machinery making plants at Bhopal, Hyderabad, Hardwar and Tiruchirappally is under-utilised;

(b) if so, the estimated loss on account of under-utilisation; and

(c) the steps being taken to fully utilise capacity ?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) The capacity so far developed at the Hyderabad, Hardwar and Tiruchirappally units of Bharat Heavy Electricals Limited, is, at present being adequately utilised. The picture of orders during the Fourth Plan period is somewhat uncertain at this stage and would depend on the power development programme taken up during the Fourth Plan period. In the case of Heavy Electricals India Limited, Bhopal, adequate orders for utilisation of capacity during 1968-69 are available except in the case of switchgear and low-voltage capacitors. In the case of thermal generating plants, however, the position is uncertain during the period after 1970-71 and would depend on the overall power development programme in the Fourth Plan.

(b) It is not possible to estimate the loss on account of under-utilisation at this stage.

(c) The Heavy Electricals Plants are making efforts to obtain, the maximum orders possible by aggressive sales efforts. The undertakings are also considering new lines of production and diversification in various fields. The possibilities of exports to cover part of the likely capacity which would remain under-utilised during the Fourth Plan period are also being explored.

Export of Cotton Textiles

4918. SHRI SITARAM KESRI:
SHRI D. N. PATODIA:

Will the Minister of COMMERCE be pleased to state:

(a) whether it is a fact that there has been a short-fall in the export of cotton textiles in recent months;

(b) whether any inquiry has been held into the short-fall; and

(c) if so, findings thereof ?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) No. Sir. Exports of cotton textiles during January-November, 1968 have exceeded exports during the corresponding period of 1967,

(b) and (c) Do not arise.

Foreign Collaboration

4919. SHRI SITARAM KESRI: Will the Minister of COMMERCE be pleased to state:

(a) whether Government have sought relaxation of the restrictive clause in the foreign collaboration agreements; and

(b) if so, the reasons of the concerned foreign countries thereto ?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) Efforts are being made to persuade foreign collaborators either to delete or to liberalise the export restrictions that exist in certain foreign collaboration agreements for manufacture of products which appear to have an export potential.

(b) These efforts are still continuing.

Ancillary Industries around Bokaro Steel Plant

4920. SHRI S. K. TAPURIAH:
SHRI HIMATSINGKA:

Will the Minister of STEEL, MINES AND METALS be pleased to state:

(a) whether the Bokaro Steel Limited has submitted a detailed project report about the ancillary industries to be developed around Bokaro Steel Plant;

(b) if so, the salient features of the project report and nature and production capacity of the different industries proposed to be set up around the Plant; and

(c) Government's reaction to this scheme ?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK): (a) No, Sir. It is understood that the State Government of Bihar have set up a Committee for the development of ancillary industries around Bokaro Steel Plant, and the detailed studies in this regard are in progress.

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

Mining leases in Public and Private Sectors

4921. SHRI LOBO PRABHU: Will the Minister of STEEL, MINES AND

METALS be pleased to refer to the reply given to Unstarred Question No. 2255 on the 26th November, 1968 and state:

(a) the extent of mining leases in the private and public sectors and their percentage of utilization for coking and non-coking coal, separately;

(b) if the steel factories succeed in becoming self-sufficient, what will be the effect on the coking coal mined in the market collieries;

(c) whether the mines reduced production last year for want of demand; and

(d) the total production during each of the last two years ?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK): (a) There are about 790 working collieries in both the Sectors producing coking and non-coking coals. Of the above, 79 mines are under the public sector. The percentage of utilization cannot be determined as exploitation of a colliery is a continuous process.

(b) If TISCO and IISCO become self-sufficient in respect of their coking coal requirements, market collieries producing coking coal will be supplying to public sector Steel Plants and other metallurgical consumers whose demand for coal is expected to go up in the Fourth Plan.

(c) and (d). The total production of coal was 68.56 and 68.52 million tonnes during 1966-67 and 1967-68 respectively. Corresponding figures of coking coal production during these years were 16.58 and 16.12 million tonnes respectively. The fall in production of coal has been insignificant.

सीतापुर कालोनी में सफाई कर्मचारियों
(स्वीपरों) द्वारा हड़ताल

4922. श्री रामस्वरूप विद्यार्थी:
श्री शारदानन्द:

क्या रेलवे मंत्री यह बताने की कृपा करेंगे
कि :

(क) क्या यह सच है कि पूर्वोत्तर रेलवे की सीतापुर कालोनी में इन्स्पेक्टर ग्राफ बर्क्स के कहने पर सफाई कर्मचारियों ने 25 अगस्त,

1968 से सात दिन के लिए हड़ताल की थी; और

(ख) यदि हां, तो इस मामले में अब तक क्या कार्यवाही की गई है ?

रेलवे मंत्री (श्री चे० मु० पुनाचा) :

(क) कोई हड़ताल नहीं हुई थी। रिपोर्ट मिली है कि सफाई कर्मचारी इस डर से सफाई के काम पर नहीं पहुँचे कि कहीं रेलवे बस्ती के निवासी उन पर हमला न कर दें। बस्ती के निवासी पहले निर्माण निरीक्षक पर हमला कर चुके थे।

(ख) बस्ती के निवासियों द्वारा किए गए उपद्रव की रिपोर्ट पुलिस को कर दी गई है और एक शिकायत भी दर्ज कर दी गई है।

सूरतगढ़ स्टेशन (उत्तरी रेलवे) पर जलपान गृह

4923. श्री प० ला० बारूपाल : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यात्रियों की सुविधाओं के लिए उत्तर रेलवे के बीकानेर डिवीजन में सूरतगढ़ स्टेशन पर शाकाहारी और सामिष जलपान गृह बनाने का सरकार का विचार है;

(ख) यदि हां, तो यह कार्य कब तक पूरा हो जाएगा और यदि नहीं, तो इसके क्या कारण हैं; और

(ग) क्या इसके मंत्रालय को पता है कि सूरतगढ़ केन्द्रीय यंत्र-चालित कृषि प्रक्षेत्र है और वहाँ पर केवल भारतीय ही नहीं अपितु विदेशी लोग भी प्रक्षेत्र को देखने जाते हैं और इसलिए वहाँ पर इस प्रकार के जलपान गृह बनाने की आवश्यकता है ?

रेलवे मंत्री (श्री चे० मु० पुनाचा) :

(क) जी नहीं।

(ख) और (ग). सूरतगढ़ स्टेशन के मौजूदा खान-पान ठेकेदार सामान्य यात्री जनता की आवश्यकताओं को पर्याप्त रूप से पूरा कर रहे हैं। सूरतगढ़ स्थित केन्द्रीय यंत्र-

चालित कृषि फार्म को देखने के लिए आने वाले विदेशी यात्री सामान्यतः फार्म के प्रतिष्ठित-गृह का उपयोग करते हैं और उन्हें स्टेशन की खान-पान सेवा की आवश्यकता नहीं पड़ती। इसके अलावा, उनकी संख्या बहुत कम होती है। फार्म पर आने वाले दूसरे यात्रियों की आवश्यकताओं को पूरा करने के लिए स्टेशन पर और स्टेशन की इमारत के बाहर स्थित बहुत सी खान-पान स्थापनाओं में जो सुविधाएँ उपलब्ध हैं, वे पर्याप्त हैं।

इसलिए, सूरतगढ़ स्टेशन पर भोजनालय की व्यवस्था करने की जरूरत नहीं समझी गई।

हिन्दूमलकोट और श्रीगंगानगर के बीच नई रेलवे लाइन

4924. श्री प० ला० बारूपाल : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) उत्तर रेलवे में हिन्दूमलकोट और श्रीगंगानगर के बीच नई रेलवे लाइन बिछाने का कार्य कब तक पूरा हो जाएगा; और

(ख) इन दोनों स्थानों के बीच कितने और कहाँ-कहाँ पर रेलवे स्टेशन बनाने का विचार है ?

रेलवे मंत्री (श्री चे० मु० पुनाचा) :

(क) आशा है 1969 के अन्त तक यह लाइन पूरी हो जाएगी।

(ख) हिन्दूमलकोट और श्रीगंगानगर स्टेशनों के बीच निम्नलिखित 4 स्टेशन खोले जायेंगे:—

स्टेशन का नाम	स्टेशन की श्रेणी	हिन्दूमलकोट से दूरी (कि०मी० में)
1. भोकी	फ्लैग	7.19
2. शिवपुर	क्लासिग	12.19
3. कैलान	डी०के०साइडिंग	17.57
4. मोहनपुरा	"	21.71

कोलयात से फालोडी तक नई रेलवे लाइन

4925. श्री प० सा० बाळपाल : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उत्तर रेलवे में बीकानेर डिवीजन के कोलयात स्टेशन से जोधपुर डिवीजन के फालोडी स्टेशन तक इस क्षेत्र की सुरक्षा को ध्यान में रखते हुए नई लाइन बनाने/बिछाने का प्रस्ताव है; और

(ख) यदि हां, तो उपरोक्त योजना कब क्रियान्वित की जाएगी और इस पर कितनी राशि खर्च होने की सम्भावना है ?

रेलवे मंत्री (श्री चे० मु० पुनाचा) :

(क) जी नहीं ।

(ख) सवाल नहीं उठता ।

राजस्थान में जिप्सम की सप्लाई

4926. श्री प० सा० बाळपाल : क्या इस्पात, खान तथा धातु मंत्री यह बताने की कृपा करेंगे कि :

(क) राजस्थान से किन-किन राज्यों को तथा कितनी-कितनी मात्रा में जिप्सम की सप्लाई इस समय की जाती है;

(ख) इस समय जिप्सम का उपयोग किन-किन उद्योगों में किया जाता है; और

(ग) राजस्थान के किन-किन जिलों तथा क्षेत्रों में जिप्सम मिलता है ?

इस्पात, खान तथा धातु मंत्रालय में उप-मंत्री (श्री राम सेवक) : (क) राजस्थान से जिप्सम मुख्य रूप से बिहार, गुजरात, मध्य प्रदेश, उत्तर प्रदेश, हरयाणा, उड़ीसा और असम राज्यों को सप्लाई किया जाता है । सप्लाई के राज्य-वार प्रांकड़े उपलब्ध नहीं हैं ।

(ख) जिप्सम की खपत का 99 प्रतिशत भाग उर्वरक और सीमेंट उद्योगों में लगता है जबकि बाकी भाग प्लास्टर आफ पेरिस

उद्योग और कृषि उद्देश्यों द्वारा उपयोग में लाया जाता है ।

(ग) जिप्सम राजस्थान में बारमेर, बीकानेर, नागीर, पाली, श्रीगंगानगर, जोधपुर, जैसलमेर और भरतपुर जिलों में उपलब्ध है । राजस्थान में उत्पादन का मुख्य भाग पहले पांच जिलों में होता है ।

भोजपुरा रेलवे फाटक पर दुर्घटना

4927. श्री निहाल सिंह : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि भोजपुरा (वाराणसी) के समीप पूर्वी रेलवे के फाटक पर 15/16 अगस्त, 1968 को एक दुर्घटना हुई थी;

(ख) क्या यह भी सच है कि इस दुर्घटना में बस में बैठे कुछ यात्रियों को भी चोटें लगी थीं और उनमें से कुछ ने रेलवे प्रशासन से मुआवजा मांगा है;

(ग) रेलवे प्रशासन ने उन्हें मुआवजे की कितनी-कितनी राशि देना तय किया है; और

(घ) यदि नहीं, तो इसके क्या कारण हैं ?

रेलवे मंत्री (श्री चे० मु० पुनाचा) :

(क) सम्भवतः आशय उस दुर्घटना से है जिसमें 16-8-1968 को 0-20 बजे पूर्व रेलवे के सकलडीहा और कूचमन स्टेशनों के बीच चौकीदार वाले समपार फाटक नं० 102/बी पर एक खाली इंजन एक पब्लिक बस से टकरा गया था ।

(ख) जी हां ।

(ग) और (घ) . इस मामले में रेल प्रशासन को मुआवजा देना होगा या नहीं, इसका निर्णय और दावों का निपटारा पुलिस की अंतिम रिपोर्ट मिलने पर किया जाएगा । जिसकी प्रतीक्षा की जा रही है । पुलिस की रिपोर्ट यथासंभव शीघ्र प्राप्त करने का प्रयत्न किया जा रहा है ।

मुगलसराय में जी० टी० रोड पर पुल

4928. श्री निहाल सिंह : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि मुगलसराय (वाराणसी) में जी० टी० रोड के रेलवे पुल पर दो रास्ते हैं एक रेलगाड़ियों के लिए तथा दूसरा कारों, बसों, तांगों, रिक्शों तथा पैदल यात्रियों के लिए;

(ख) क्या यह भी सच है कि जब दोनों ओर से कारें एक दूसरे के ठीक सामने आती हैं तो पैदल यात्रियों के लिए अपने-आपको बचाना तक कठिन हो जाता है;

(ग) क्या सरकार इस पुल पर पैदल यात्रियों के लिए एक पृथक पुल बनाने का विचार कर रही है तो इस पर निर्माण कार्य कब तक शुरू हो जाएगा; और

(घ) यदि नहीं, तो इसके क्या कारण हैं ?

रेलवे मंत्री (श्री जे० मु० पुनाचा) :

(क) सम्भवतः माननीय सदस्य का आशय गंगा नदी के पुल से है जिसे मालवीय पुल कहते हैं। निचले डेक पर दो रेलवे लाइनें हैं और ऊपरी डेक पर सड़क है जिसके दोनों ओर पगडंडियां बनी हुई हैं।

(ख) से (घ)। इस तरह की कोई कठिनाई रेल प्राधिकारियों के नोटिस में नहीं आई है। जैसा कि ऊपर कहा गया है, सड़क ऊपरी डेक पर है और उसके दोनों ओर पगडंडियों की व्यवस्था है।

Steel Re-rolling Industry

4929. SHRI N. K. SOMANI: Will the Minister of STEEL, MINES AND METALS be pleased to state:

(a) the performance of exports by steel re-rollers in the years 1965-66 and 1966-67 and their target for 1968-69;

(b) how does the above compare with the

performance Tata Iron and Steel Company and Indian Iron and Steel Company;

(c) whether the supply of billets to the re-rollers is falling much short of their demand;

(d) whether the billets are being exported;

(e) whether the exports of the steel re-rollers and also their operations are adversely affected due to short supply and high price of billets; and

(f) the steps taken by Government to mitigate the difficulties faced by the re-rollers?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI RAM SEWAK): (a) and (b). Exports by steel re-rollers, Tatas and Indian Iron Steel during 1965-66, 1966-67, 1967-68 and targets for 1968-69 are given below:

	(Quantities in Tonnes)			
	1965-66	1966-67	1968-69	Targets
Re-rollers	66,709	134,403	219,215	250,000
TISCO	26,251	42,641	68,999	155,000
IISCO	4,341	32,329	127,328	55,000

(c) and (d). Shortage of billets has recently developed. Export of Billets was started last year when there was a glut in market and producers were carrying heavy unsold stocks with them.

(e) and (f). The requirements of billets for manufacture of products for export by re-rollers are met in full. Priority in supplies is also given for exports by re-rollers. The increase in price of billets since 31-7-68, has not adversely affected exports.

Shares of Indian Iron and Steel Co.

4930. SHRI INDRAJIT GUPTA: Will the Minister of INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS be pleased to refer to the Statement made on the 20th November, 1968 regarding the shares of Indian Iron and Steel Company and state:

(a) whether he has received any complaints to the effect that a block of several lakhs of shares of the Indian Iron and Steel Company is being held in 'Benami' by the management itself, contrary to the provisions of law;

(b) if so, whether any enquiry has been held or is proposed to be held into such complaints pertaining to the block known as 'Dalhousie Holdings Shares' ;

(c) the number and worth of such shares; and

(d) whether any Government action is called for in the shareholders' interests ?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): (a) Complaints have been received to the effect that the transfer by the Indian Iron and Steel Company Limited of 11 lakhs shares held by it is in the Steel Corporation of Bengal to M/s. Dalhousie Holdings Ltd. immediately prior to the amalgamation of the Indian Iron and Steel Company Ltd., and the Steel Corporation of Bengal Ltd., by law, is contrary to the provisions of law. It has also been alleged that the transfer was made to a company which was under the control and influence of the Managing Agents of Indian Iron and Steel Company Ltd. with a view to controlling and utilising the voting power in respect of these shares.

(b) This matter was agitated before the Calcutta High Court by some shareholders of Indian Iron & Steel Company Ltd. The Division Bench of that High Court had decided the points raised in appeal rejecting the contentions of the appellant in its judgment delivered in 1957.

(c) Eleven lakhs shares of the face value of Rs. 10/- each of the Steel Corporation of Bengal Ltd., were transferred to Dalhousie Holdings, which were exchanged for 8,80,000 equity shares of Rs. 10/- each of Indian Iron & Steel Company Ltd., on amalgamation. From time to time, the Indian Iron & Steel Company Ltd., issued rights and bonus shares along with which minus the shares sold by the transferee company, the present holding on this account is 33,69,200 equity shares of the face value of Rs. 10/- each.

The complainants have made various suggestions for action to be taken by Government in the shareholders' interest, and they are under examination.

Import of fruits from Afghanistan

4931. SHRI BHOLA NATH MASTER: Will the Minister of COMMERCE be pleased to state:

(a) whether the Government of Pakistan have not agreed to extend the existing arrangements for the import of fresh fruits from Afghanistan through Pakistan;

(b) whether fruits are now being imported via Iran and thus are costlier at present; and

(c) if so, the action which Government propose to take in the matter ?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) and (b). No, Sir.

(c) Does not arise.

कोक का उत्पादन

4932. श्री महाराज सिंह भारती : क्या इस्पात, खान तथा धातु मंत्री यह बताने की कृपा करेंगे कि :

(क) देश में कोयले से कुल कितना कोक तैयार किया जा रहा है, कोयला गैस से कौन से उत्पादों को तैयार किया जा रहा है और क्या समूचे भारत में कोक की भट्टियों से निकलने वाली गैस का प्रयोग किया जा रहा है;

(ख) क्या यह सच है कि अन्य देशों से केवल गैस का ही इतना लाभदायक ढंग से प्रयोग किया जाता है कि कोक को उससे एक उप-उत्पाद के रूप में प्राप्त कर लिया जाता है और यदि हां, तो इस बारे में सरकार द्वारा क्या कार्यवाही की जा रही है; और

(ग) क्या यह भी सच है कि सिन्दरी में उर्वरक, तारकोल तथा वेंजीन बनाने के लिए गैस का प्रयोग किया जा रहा है और तैयार कोक की 50 प्रतिशत लागत इससे कम हो जाती है ?

इस्पात, खान तथा धातु मंत्रालय में उप-मंत्री (श्री राम सेवक): (क) से (ग)।

सूचना एकत्रित की जा रही है और समा-पटल पर रख दी जाएगी।

Sale of Imported Cars to persons in Madhya Pradesh

4933. SHRI A. S. SAIGAL:
SHRI NITIRAJ SINGH:

Will the Minister of COMMERCE be pleased to state:

(a) the names of the persons in Madhya Pradesh who have purchased imported cars since the 1st April, 1967 the purposes for which the cars were purchased and the price charged; and

(b) whether any attempt was made to know if the said cars were being used for the purpose for which they were purchased?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI MOHD. SHAFI QURESHI): (a) and (b). Information is being collected and will be laid on the Table of the House.

12.21 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

CONVERSION OF BIRLA HOUSE INTO A NATIONAL MONUMENT

SHRI A. SREEDHARAN (Badagara): I call the attention of the Minister of Works, Housing and Supply to the following matter of urgent public importance and request that he may make a statement thereon:

The suggestion regarding taking over of Birla House by Government and its conversion into a national monument.

SHRI S. M. BANERJEE (Kanpur): We had sent a notice calling attention addressing it to the Prime Minister.

THE MINISTER OF WORKS, HOUSING AND SUPPLY (SHRI JAGANATH RAO): Government fully appreciate and share the sentiments and feelings of the House and the country regarding the sacred spot

in Birla House, New Delhi, where Mahatma Gandhi attained martyrdom on 30th January, 1948. Ever since his tragic assassination, the question of this place being taken over for conversion into a national memorial has been considered from time to time. The House is aware that the portion of the garden where Gandhiji used to hold his famous prayer meetings, including the Summer House, have been isolated from the main house and that the public have free access to this area to pay homage to Gandhiji's memory. It was for this reason that even in 1955 and earlier when the matter came up for consideration, the view was taken that it was not necessary to acquire the place. As Prime Minister Nehru pointed out at that time, the prayer ground was already functioning as a kind of sacred place and any one could go there.

Government are given to understand that the owners are willing to hand over the prayer ground to them. They are accordingly considering the question of taking over the ground and of instituting arrangements for the maintenance of the ground, including the hallowed spot, with due care, dignity and solemnity, and for the provision of adequate facilities to enable the visiting public to pay homage to Gandhiji's memory.

MR. SPEAKER: The call attention notices were in different shapes. Some were addressed to the Prime Minister and some to the Minister concerned. Some were about the fast of an hon. Member of this House. There I said 'No, it is not proper.' If the fast of an hon. Member were to form the subject of a call attention notice, then every day we will have a call attention only for fasting and nothing else. Therefore, I said it would not be proper to admit it.

SHRI HEM BARUA (Mangaldai): It is a cruel remark. Here is a Member of Parliament on fast to draw the attention of the Government to an important question.

MR. SPEAKER: I know. Let him hear me fully. It may be so. But apart from that the substance of the subject is important, that is, the memorial.

SHRI HEM BARUA: What about the life of a Member of Parliament?

MR. SPEAKER: I am still on my legs.

श्री गुणानन्द ठाकुर (सहरसा): अध्यक्ष महोदय, प्रश्न यह नहीं है . . .

MR. SPEAKER: आपके उठने से मुझे बैठना पड़ता है।

My point is that the substance of the subject is more important.

SHRI S. M. BANERJEE: The Prime-Minister should have replied.

MR. SPEAKER: No, the concerned Minister.

SHRI A. SREEDHARAN: I would like to express my gratitude to my esteemed colleague, Shri Shashi Bhushan, for having embarked on an indefinite fast to highlight this issue which is eternally sacred to our people . . .

SHRI J. B. KRIPALANI (Guna): I hope he will take it to the end.

SHRI A. SREEDHARAN: . . . and to activate the paralysed conscience of this ungrateful Government.

The martyrdom of Jesus Christ and the martyrdom of Mahatma Gandhi are the two most outstanding events of the supreme sacrifice in the history of mankind.

This happened 20 years ago. This Government, during the last 20 years, has done nothing; it is a matter of abject shame and disgrace that this Government has done nothing to construct a memorial.

MR. SPEAKER: Question please.

SHRI A. SREEDHARAN: They have failed to construct a memorial on the plea that this building and the site belong to the Birlas. When they take over the lands of poor people, two bighas and three bighas, without giving them notice. . .

SHRI PILOO MODY (Godhara): . . . or compensation.

SHRI A. SREEDHARAN: . . . they do not have the courage, nor the determination

to acquire this land, as is obvious from the statement made by the Minister.

The statement of the Minister is an epic in apology. He says:

" . . . the portion of the garden where Gandhiji used to hold his famous prayer meetings, including the Summer House, have been isolated from the main house and that the public have free access to this area to pay homage to Gandhiji's memory."

Any Government with a sense of gratitude would have mooted proposals to take over the entire house. They do not have the courage to take it over because they crawl in humility at the feet of the Birlas. The Prime Minister should have replied to this Calling Attention. She has no time for Mahatma Gandhi, she is more interested in political issues. I would like to point out that Birlas have no absolute right over this site because this site was leased out to the Birlas by the British Government. So there is no point in saying that we will take over only that place where Mahatma Gandhi's martyrdom took place. On the contrary, the Government should take over the entire building and build a temple of peace there because the world is fast realising that Mahatma Gandhi is the only alternative to the Atom Bomb. So I would like to ask the Minister whether the Government have under consideration any proposal to acquire the entire building. Do not negotiate with the Birlas. You are negotiating with the Princes for privy purses and you are again negotiating with the Birlas. I want to know if there is any proposal to acquire, to take over the entire building, declare it a public monument and then build a temple of peace in memory of the Father of the Nation.

SHRI JAGANATH RAO: This site where Birla House is now situated was leased to Sir Ghanshyam Das Birla in 1931 and later in 1962 it was mutated in the name of Madho Properties (P) Limited. It is not correct to say that the British Government leased it out. Even if it is leased out by British Government, how does the title to property go? The main question is: are we to take the entire property or those parts where Mahatma Gandhi used to hold his famous prayer

meetings and where he met with his martyrdom? This question has been agitating the mind of the public and the Government for the last 20 years. Therefore, Birlas have isolated that portion from the rest of the building and the public have access to it. The question is how we should improve both the site and the access to it. Whether it should be from behind from the Tughlak Road or from the 30th January Road side—all these questions are engaging the attention of the Government. Government will take over the site and improve it and see that it is properly maintained consistent with dignity.

श्री अमृत नाहाटा (वाड़मेर) :
अध्यक्ष महोदय, सबसे पहला तो मैं इस सदन के माननीय तथा बहादुर सदस्य श्री शशि भूषण का अभिनन्दन करना चाहता हूँ और बधाई देना चाहता हूँ, उन्होंने सारे देश का ध्यान एक बहुत ही महत्वपूर्ण प्रश्न की ओर खींचा है। . . .

SHRI PILOO MODY: That is more applause than Mahatma Gandhi ever got.

श्री अमृत नाहाटा : अभी मंत्री महोदय ने कहा कि पीछे का जो लॉन है, उसको हम ले रहे हैं, बिरला हाउस को लेने की जरूरत नहीं है। अध्यक्ष महोदय, दो साल से यह सरकार भेरे क्षेत्र में तीस हजार लोगों और एक लाख गायों को निकाल कर उनके गांव के गांव ले रही है और दो साल से मैं स्वयं सरदार स्वर्ण सिंहजी से कह रहा हूँ लेकिन उनके कानों पर जूँ तक नहीं रेंगती है। हजारों झुग्गी-झोंपड़ीवालों को उठाकर फेंक दिया जाता है, उनके रहने का कोई इन्तजाम नहीं होता है, लेकिन जब हम कहते हैं कि बिरला हाउस को एक्वायर कर लो, तो जैसे हम कोई पाप कर रहे हैं, जैसे गजब हो जायगा।

अध्यक्ष महोदय, महात्मा गांधी को गोली लान में लगी थी, लेकिन उन्होंने प्राण बिरला हाउस के एक कमरे में त्यागा था, जहां महात्मा गांधीजी ने अपनी देह को त्यागा, वह स्थान

भी हमारे लिए उतना ही महत्वपूर्ण है, उस पर सारी मानबता का अधिकार है, उस पर किसी एक आदमी का अधिकार नहीं हो सकता। दलील यह दी जाती है कि इसके साथ बिरलाजी के सेन्टीमेन्ट्स हैं, इसलिए वह मकान नहीं लेंगे। उनके सेन्टीमेन्ट्स के बारे में श्री कैम्पबेल जानसन ने, जो लार्ड माउन्टबेटन के प्रेस-एटेंची थे, अपनी किताब "मिशन विद माउन्टबेटन" के पेज 284 पर लिखा है, मैं उसे पढ़कर सुनाता हूँ . . . (व्यवधान) . .

MR. SPEAKER: This sort of running commentary is disturbing the proceedings of the House. We are not able to hear anything.

Without permission you put a question and you answer the question. Then where am I? May I appeal to all of you to let us go through it calmly. You must give serious attention to this.

श्री अमृत नाहाटा : महात्मा गांधी की हत्या के साथ जिन बातों का जिक्र यह कैम्पबेल साहब करते हैं वह इस प्रकार है :

"I have had the odd and almost eerie experience of returning to Birla House to have lunch with its fabulous owner, G. D. Birla. I had not been into the house since the night of the assassination. Now all that remained to recall to the visitor those hours of crowded confusion was the roping off of a small plot of ground in the back garden where the Mahatma had fallen, and where a commemorative stone is to be placed."

उसके आगे लिखते हैं :

"Throughout lunch the talk revolved round high finance and the prospectors of barter agreements between Pakistan and India. For the sake of argument, cotton, jute or food were disposed of or withheld. All this accent on brokerage I found in strange contrast to the scenes and sentiments in these very rooms a week ago."

[श्री भ्रमृत नाहाटा]

श्रीर भ्राज यह कहते हैं कि हमारे सेंटीमेंट हैं इसके साथ । महात्मा गांधी की हत्या हुए सात दिन भी नहीं हुए थे और सातवें दिन दावतें हो रही थीं, लेन देन की सौदेबाजी हो रही थी । कोई सेंटीमेंट नहीं है । भ्राज दिल्ली में कोई जगह नहीं है जहां सारे बच्चों को ले जाकर राष्ट्रपिता के जीवन के बारे में कुछ बताया जा सके । भ्राज तीन मूर्ति भवन एक तीर्थ स्थान बन चुका है और हम इतने कृपण और कृतघ्न हो गए हैं कि राष्ट्रपिता की यादगार में एक सुन्दर शानदार स्मारक भी नहीं बना सकते जहां उन्होंने देह त्याग किया । इसलिए मैं यह जानना चाहता हूं कि 1947 में जिस बिड़ला परिवार के असेट 40 करोड़ थे वह भ्राज बढ़कर 400 करोड़ के असेट हो गए हैं इसीलिए हम उसके छोटे से मकान को ऐक्वायर नहीं कर सकते ? मैं मांग करूंगा कि बिड़ला भवन को ऐक्वायर किया जाए ।

SHRI JAGANATH RAO: The hon. Member has tried to equate the question of removal of *Jhuggis* and *Jhopries* with the acquisition of the Birla House. As I submitted earlier, whether the whole house should be taken, is the real point. What has been separated from the main building. . . (Interruptions) Not the unwillingness on the part of the Government. The question is it proper to take over the whole house. The sanctity attached to the place where he used to hold the prayer meetings and where he was assassinated, that has been isolated and Government is considering the question of improving the site.

श्री स० भो० बनर्जी: अध्यक्ष महोदय, सबसे पहले तो मैं बघाई देना चाहता हूं अपने नीजवान साथी श्री शशि भूषणजी को जिन्होंने हिम्मत की कि जो सिद्धान्त कांग्रेसमैनों का था उसको सही तरीके से उन्होंने पूरा करने की कोशिश की । मैं यह जानना चाहता हूं माननीय मंत्रीजी से, और मेरी खुशकिस्मती है कि इस समय प्रधान मंत्री भी यहां मौजूद हैं, कि क्या यह बात सही है कि बिड़ला हाउस,

पूरा हाउस, वह जगह नहीं कि जहां पर वह प्रार्थना करते थे या जहां पर उनको गोली लगी, पूरा हाउस बिड़ला साहब देने के लिए तैयार थे यदि उसको प्रधान मंत्रीजी के रहने का स्थान बनना जाता । माननीय कमल नयन बजाज ने कहा था और जिसको दूसरे सदन में माननीय चन्द्र शेखर ने कोट किया था, एक आर्टिकिल मैंने पढ़ा था जो मा० कमल नयन बजाज का है, कि गोली उनके उस जगह जरूर लगी थी और 'हे राम' उन्होंने उस जगह कहा हो, लेकिन दम टूटा बिड़ला हाउस में । यदि यह बात सच है तो क्या प्रधान मंत्री जी बतायेंगे कि कहां पर उनका देहान्त हुआ था ? आखिरी सांस कहां टूटा ?

दूसरी चीज यह है कि हम इस सदन में बिड़ला हाउस के बारे में जब भी कुछ कहते हैं तो यह कहा जाता है कि बिड़ला परिवार का विशाल हृदय है और जो कुछ धन वह कमा रहे हैं वह सारे देश की सम्पत्ति है, अपने लिए कुछ नहीं कर रहे हैं । तो उनका हृदय परिवर्तन करने की कुछ कोशिश की गई 20 साल में ? उनको यह मकान देने में एतराज क्या है ?

श्री अटल बिहारी बाजपेयी (बलरामपुर): माननीय शशि भूषण कर रहे हैं हृदय परिवर्तन ।

श्री स० भो० बनर्जी: अगर वह कर लेंगे तो बहुत अच्छा है । लेकिन हृदय परिवर्तन उसका हो सकता है जिसके पास हृदय हो । इसलिए मैं प्रधान मंत्री जी से पूछना चाहता हूं और निवेदन करना चाहता हूं कि जहां पर महात्मा गांधी जी ने दम तोड़ा उस बिड़ला भवन को लेने की कोशिश क्या वह करेंगी ? क्योंकि भ्राज देश में हर एक भ्रादभी यही कहता है कि "यही हमारा नारा है, बिड़ला हाउस हमारा है ।"

An hon. Member of this House is on indefinite hunger-strike. I would urge upon the Prime Minister to say something about it. (Interruption)

SHRI JAGANATH RAO: My information is that Gandhiji breathed his last at the spot because of bullet wounds. That is my information, subject to correction. As I said, the same answer I have to repeat, there is no point in acquiring the whole Birla House. The sacred spot where Gandhiji died is to be maintained and improved and it will be taken care of.

कुछ सदस्य: प्रधान मंत्री जवाब दें तो ज्यादा अच्छा हो।

श्री हुकमचन्द कच्छबाय (उज्जैन): उनका प्राज मौन धारण है, बोलेंगी नहीं।

MR. SPEAKER: Order, order. He said that his information is that Gandhiji breathed his last at the spot where he was shot. That is what he said.

SHRI S. M. BANERJEE: Mr. Bajaj knows it. He is there.

SHRI KAMALNAYAN BAJAJ (Wardha): Since my name has been mentioned. . .

MR. SPEAKER: You have not been called.

SHRI KAMALNAYAN BAJAJ: I am only requesting you: I am not going to speak. It is only on personal explanation.

MR. SPEAKER: No please.

SHRI H. N. MUKERJEE (Calcutta North-East): Sir, on a point of order.

MR. SPEAKER: Point of order on the Calling Attention?

SHRI H. N. MUKERJEE: Point of order in regard to what was happening just now. Sir, you have your discretion. Now, there is in court such a thing as judicial presumption. I understand the Government of the day has also to be in possession of certain facts. The fact is in regard to Gandhiji dying inside Birla House where he was taken after he was shot at by an assassin which is known to the world. It should be known to the Government. That presumption, as in the case of judicial presumption, should be made

by Government. But here is a Member of the Government, Mr. Jaganath Rao, who says he does not know whether Gandhiji died inside the House or outside the House. Are we going to let the Government off when Government shows an utter sense of irresponsibility by not having this kind of judicial presumption? I want your ruling.

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

श्री नवल किशोर शर्मा (दौसा): अध्यक्ष महोदय, अभी बिड़ला हाउस के बारे में बहुत कुछ कहा गया। बिड़ला हाउस वह स्थान है जहाँ पर गांधी जी की हत्या की गई थी। उस स्थान की जो दुर्दशा है वह अपने आप में हृदय विदारक है। वहाँ पर गैलरीज में जो चित्र लगाए हुए हैं उन सबको देखने के बाद इस नतीजे पर पहुँचने के लिए मजबूर होना पड़ता है कि सरकार ने पिछले 20 सालों में उस स्थान की, जहाँ पर गांधी जी की हत्या की गई थी, देख-रेख की कोई व्यवस्था नहीं की। मैं आपसे निवेदन करना चाहता हूँ और आपके जरिए से मंत्री महोदय और प्रधान मंत्री से निवेदन करना चाहता हूँ कि गांधीजी की हत्या का वह स्थान ज्यादा पवित्र है, उन मकानों में जहाँ गांधीजी रहे या जहाँ गांधीजी का सम्बन्ध रहा उनसे बिरला हाउस का एक अलग स्थान होना चाहिए क्योंकि गांधीजी की जीवन-लीला वहाँ समाप्त हुई और यह स्थान भारत की राजधानी में है जहाँ कि देश के हजारों लोग उनके दर्शनों के लिए आते-जाते हैं। उस स्थान की जब यह दशा होती है तो हमको अफसोस होता है। ऐसी स्थिति में मैं आपके जरिए से मंत्री महोदय से पूछना चाहता हूँ कि क्या बिरला हाउस को लेने की दिशा में वे कदम उठायेंगे और चूँकि यह सबाल विवादास्पद है कि गांधीजी की मृत्यु कहाँ हुई इसलिए इस बारे में पहले जांच करेंगे और उसके पश्चात् यदि यह साबित हो कि गांधीजी की मृत्यु बिरला हाउस में हुई तो वे बिरला हाउस को लेने की दिशा में कदम उठावेंगे? साथ ही मैं यह भी पूछना चाहता हूँ कि जिस

[श्री नवल किशोर शर्मा]

हिस्से में गांधीजी की मृत्यु हुई, क्या उस हिस्से को गांधी शताब्दी तक अपने कब्जे में लेकर उसके लिए निश्चित तौर पर कोई योजना बनाकर, उसके इम्प्रूवमेंट की दिशा में कोई कारगर कदम उठाने का आश्वासन देंगे ? . . (व्यवधान) . . .

SHRI HEM BARUA: It is in a dilapidated condition. It is a grazing ground.

SHRI PILOO MODY: Absolute nonsense. It is a beautiful garden. (Interruptions).

SHRI JAGANATH RAO: I agree with the hon. member that the site where prayer meetings used to be held by Gandhiji and where he was shot has not been properly maintained. That is why, I said that Government are taking over the site to see that it is properly maintained, consistent with the dignity and halo attached to it. (Interruptions).

MR. SPEAKER: Papers to be laid.

12.42 hrs.

PAPERS LAID ON THE TABLE

ANNUAL REPORTS OF DEVELOPMENT COUNCILS AND COST ACCOUNTING RECORDS (TYRES AND TUBES) SECOND AMENDMENT RULES.

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI F. A. AHMED): I beg to lay on the Table:—

(1) A copy each of the Annual Reports of the following Development Councils for the year 1967-68, under sub-section (4) of section 7 of the Industries (Development and Regulation) Act, 1951:—

- (i) Development Council for Machine Tools Industry.
- (ii) Development Council for Sugar Industry.
- (iii) Development Council for Textile Machinery Industry.

[Placed in Library. See No. LT-2727/68].

(2) A copy of the Cost Accounting Records (Tyres and Tubes) Second Amendment Rules, 1968, published in Notification No. G.S.R. 2012 in Gazette of India dated the 16th November, 1968, under sub-section (2) of section 642 of the Companies Act, 1956. [Placed in Library. See No. LT-2728/68].

GOVT. REVIEW, ON AND ANNUAL REPORT OF, BHARAT ALUMINIUM COMPANY.

THE MINISTER OF STATE IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI P. C. SETHI): I beg to lay on the Table a copy each of the following papers under sub-section (1) of section 619A of the Companies Act, 1956:—

- (1) Review by the Government on the working of the Bharat Aluminium Company Limited, New Delhi, for the year 1967-68 (Hindi and English versions).
- (2) Annual Report of the Bharat Aluminium Company Limited, New Delhi, for the year 1967-68 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon (Hindi and English versions). [Placed in Library. See No. LT-2729/68].

CERTIFIED ACCOUNTS OF COIR BOARD AND NOTIFICATION RE: BENGAL NAGPUR COTTON MILLS

THE DEPUTY MINISTER IN THE MINISTRY OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS (SHRI BHANU PRAKASH SINGH): On behalf of Shri Mohd. Shafi Qureshi, I beg to lay on the Table—

- (1) A copy of the Certified Accounts of the Coir Board, Ernakulam, for the year 1967-68 and the Audit Report thereon, under sub-section (4) of section 17 of the Coir Industry Act, 1953. [Placed in Library. See No. LT-2730/68].
- (2) A copy of Notification No. S.O. 4205 published in Gazette of India dated the 22nd November, 1968, regarding management of the Bengal Nagpur Cotton Mills, Ltd.,

Rajnandgaon, under sub-section (2) of section 18A of the Industries (Development and Regulation) Act, 1951. [Placed in Library. See No. LT-2731/68].

12.44 hrs.

PUBLIC ACCOUNTS COMMITTEE

THIRTY-SEVENTH REPORT

SHRI DATTATRAYA KUNTE (Kolaba): I beg to present Thirty-seventh Report of the Public Accounts Committee on action taken by Government on the recommendations of the Committee contained in their Sixty-fifth Report (Third Lok Sabha) relating to the Ministry of Works, Housing and Supply (Department of Works and Housing) regarding undue benefit to a firm of Hoteliers.

STATEMENT *Re*: THIRD ASIAN MINISTERS' CONFERENCE ON ECONOMIC COOPERATION

MR. SPEAKER: The hon. Minister may lay the statement on the Table.

THE MINISTER OF COMMERCE (SHRI DINESH SINGH): Yes, Sir. I lay the statement on the Table. [Placed in Library. See No. LT-2732/68].

12.44½ hrs.

ESSENTIAL SERVICES MAINTENANCE BILL—*Contd.*

CLAUSE 2—*Contd.*

MR. SPEAKER: The work pending before the House is well known to hon. members. We will have to strain a little more and finish the pending work before Friday evening, because Saturday is a public holiday. On this Bill, we have taken three times more than the time allotted to it. We have still 1 hour and 10 minutes for the clause-by-clause consideration.

May I request the House to help me to finish the clauses by about 3.30 p.m. or so, so that we can take up the third reading, for which one hour has been allotted, and finish the whole Bill by about 4.30 p.m. or 5 p.m.? . . . (*Interruptions*) I am giving all the time that you are asking for. I am only appealing to you to finish it. We have got before us the financial Bills, extension of the President's proclamation in relation to Bihar and the Nagaland Bill which we must finish before we adjourn, because they cannot be postponed. So, I would appeal to hon. members not to insist on speaking at every opportunity. If they will excuse me I would say that there is repetition of points in the speeches. The same arguments are being advanced. Of course, the opposition is keen to din the same point of view to the official benches. Naturally, they would like to do it.

SHRI ATAL BEHARI VAJPAYEE (Balrampur): But they do not listen.

MR. SPEAKER: Therefore, you are wasting your breath. I would appeal to all hon. members to see that the work is finished as quickly as possible. I am sure that all of you are keen to finish the work by Friday evening and go back. Some of you are also anxious to go back because of the general elections which are taking place.

I would also like to say that the discussion on the Centre-State relations can be taken up on some other day. It is a continuation of the old debate for which I will fix up time on some other day. We will go through the official work for that one hour also so that as much can be finished as possible.

SHRI NAMBIAR (Tiruchurappalli): Since that Bill is very badly drafted, points of orders cannot be avoided. It has to be opposed from various angles. So, certain points of orders will have to be raised. They cannot be avoided.

MR. SPEAKER: Points of orders cannot be avoided. But, at the same time, I may warn you that if the whole work is not finished this week, we will have to continue next week also. What else can I do? That is all what I can do, if it is the pleasure of the House.

SHRI SURENDRANATH DWIVEDY (Kendrapara): I do not think there is any other day left in this session when the Centre-State relations discussion can be taken up. On the 18th, 19th and 20th there are other discussions. I do not know how it can be done.

MR. SPEAKER: I know that it is not possible. I considered that aspect also. If it is not possible now, I thought I will give time on some other occasion. It is a discussion which will not yield any result today. It was discussed for some time earlier. The discussion now will not give any tangible results. I do not think anything will come out now. Therefore, I thought some time lag would be necessary. So, we could discuss it even in February.

SHRI HEM BARUA (Mangaldai): We can take it up next week.

MR. SPEAKER: I do not know. If the work is not finished this week, we will be forced to meet next week also.

SHRIMATI SHARDA MUKERJEE (Ratnagiri): Is the House adjourning on the 20th or not?

MR. SPEAKER: Yes, if we have finished the work which is on the agenda. But that is a big "if". Because, the Financial Bills cannot be postponed. So also the extension of the proclamation of the President in relation to Bihar. That cannot be postponed because until the elections are over there will have to be President's Rule. Therefore, if these are not over now, we will have to continue to sit. But if the House co-operates with me, we can finish them in one day.

SHRI UMANATH (Pudukkottai): This Bill can be postponed.

MR. SPEAKER: Even if it has to be postponed, it has to be by a majority decision of the House; not by the Speaker.

SHRI NAMBIAR: When the general discussion of the Bill was going on, the Deputy-Speaker has promised us that at the consideration stage the various aspects can be brought forward.

MR. SPEAKER: I think he has spoken at least a dozen times.

SHRI NAMBIAR: We want to object to it at every level.

SHRI S. M. BANERJEE (Kanpur): Yesterday, when Shri Shukla declared the JCM proposal which is under consideration by government, a pertinent question was put to him by many of us. Even Shri Ranga, a senior Member, asked him whether he is prepared to accept any amendment or a embody that particular aspect in the Bill.

MR. SPEAKER: I clearly know that he said that it is not possible.

SHRI S. KUNDU (Balasore): Yesterday, I raised some constitutional points.

12.50 hrs.

[**MR. DEPUTY-SPEAKER** in the Chair]

MR. DEPUTY-SPEAKER: Yesterday before the House adjourned, certain points of order were raised on clause 2. I gave a patient hearing to all sides and the discussion on that was closed.

SHRI S. M. BANERJEE: He has not finished. He wanted to say something on Shri Misra's point of order.

MR. DEPUTY-SPEAKER: I am giving my ruling now.

SHRI S. M. BANERJEE: Without hearing us?

MR. DEPUTY-SPEAKER: I am not going to hear anyone now on the same point. He said that he wanted to say something new. That point was discussed threadbare yesterday. Shri Shantilal Shah, Shri Narayana Rao and everyone participated in it and the Minister has also replied to that. If there is a new point, you consider it after my ruling.

SHRI S. M. BANERJEE: I am not raising a point of order. If you are already convinced by his arguments, it is all right; we do not want to develop that point then. Are you convinced?

MR. DEPUTY-SPEAKER: This clause, clause 2, has given rise to many points of order and I have given very careful consideration to every aspect of the clause so that there may not be any room left for further points of order. That is my view.

SHRI NAMBIAR: We do not want to raise points of order; they come abruptly.

MR. DEPUTY-SPEAKER: Yours is a different case.

Hon. Members Shri Srinibas Misra, Shri D. K. Kunte and others have raised points of order yesterday regarding the constitutional validity of certain provisions contained in clause 2 of the Essential Services Maintenance Bill, 1968. In brief, the points made out by them are:—

- (i) the expression "essential service" is given a very wide meaning so as to cover many services which may not be quite essential;
- (ii) clause 2 (1) (a) (ii) covers transport services which are within the State field;
- (iii) it infringes upon the State field in regard to State service in violation of article 309; and
- (iv) it applies penal sanctions for strike without providing compensation for overtime work.

I have tried to summarise all the points.

SHRI S. M. BANERJEE: It infringes article 23 of the Constitution.

MR. DEPUTY-SPEAKER: I have carefully considered all these points and I feel that the constitutional objections cannot be sustained except in regard to point No. (ii) regarding transport services. My reasons are as follows:—

(a) Clause 2 specifies eight kinds of services which by their very nature are essential to the life of the community. There can be no doubt about this. The residuary clause (ix) empowers Parliament to declare other services, a strike in which, in the opinion of the Central Government, would prejudicially

affect the maintenance of any public utility service, the public safety or the maintenance of supplies and services necessary for the life of the community or would result in the infliction of grave hardship on the community etc. The clause contains adequate guiding principles or guidelines as has been pointed out by the Committee on Subordinate Legislation. Moreover, the notification is subject to the approval of Parliament within 40 days of its meeting. There are, therefore, adequate safeguards against arbitrary exercise of power of notification. It is true that this clause and in fact many other clauses would cover services not only of Central Government but even under the State Government or private parties. The test, however, is whether the service is connected with matters in respect of which Parliament is competent to make law and is essential to the life of the community. If that is so, then the Central Government should have power to prevent strike to save the community from hardship. This provision, therefore, does not constitute any infringement of State rights.

(b) As regards clause 2 (1) (a) (ii), it does cover transport services for carriage of passengers or goods by land or water which may not be necessarily within the Central field. To that extent, the clause transgresses upon the State field. Presumably, it is widely worded so as to cover those subjects in the Union territory. But (Shri Nambiar: A very wise 'but.') it is desirable to make the clause clear and precise by introducing a qualifying proviso *viz.* "so far as Parliament has power to make laws" in the same manner as is provided in sub-clause (ix).

(c) Regarding sub-clause (iv) "services connected with loading, unloading, etc. in any port", it may be mentioned that major ports are in the Union list and minor ports in the Concurrent list. Parliament is, therefore, competent to make laws in regard to these matters.

(d) As regards violation of Article 309, I have already pointed out that clause 2(1) (a) (ix) does not purport to regulate the conditions of service of State Government servants. It only prohibits strike in the essential services, whether run by the Central Government, State Government or private parties.

[Mr. Deputy-Speaker]

There is no infringement of State powers in this respect, so long as Parliament is competent to make law in regard to a particular undertaking, even though run by the State Government. In this respect, I may draw attention to the provisions of Art. 298 which empowers the State Government to undertake any trade, profession or business, but subject to the laws made by Parliament relating to the matter with respect to which Parliament is competent to make law.

(e) The provisions of clause 2 (1) (b) read with clause 8 providing for penal sanctions for strike do not override the provisions of the Factories Act or the Industrial Disputes Act relating to compensation for overtime work. What it prohibits is the strike and only to that extent overrides those Acts. In all other respects, the provisions of those Acts are unaffected.

SHRI S. M. BANERJEE: May I make a submission? I am not commenting on your ruling.

MR. DEPUTY-SPEAKER: Just wait.

I have given very careful thought to this. The time at our disposal is limited. We have spent a lot of time over it anticipating certain objections. In respect of one item, I have specifically stated that there is a little transgression. That, of course, they will have to take note of. What I would suggest now is that we must take into consideration the time at our disposal. The Speaker has already ruled that we must finish it by 4 O'Clock. Keeping that in view, instead of getting it guillotined. . .

SHRI NAMBIAR: Don't guillotine it.

MR. DEPUTY-SPEAKER: . . . what I would suggest is, so far as clause 2 is concerned, we will dispose it of. A lot of controversy has taken place, many points of order raised and all that. The main clauses are, namely, the last one giving the retrospective effect and another clause 3 on which you have got some amendments. These are the two important clauses on which we will concentrate attention. I think, that way, it will be a useful and fruitful debate. At the last stage, whatever you have got to say

about the Bill as a whole, I will exercise my discretion and extend the time by half an hour. But let us finish it before 4 O'Clock. So far as clause 2 is concerned let us guillotine all the amendments and finish it off and concentrate on those two main clauses.

SHRI S. M. BANERJEE: Sir, I welcome your ruling. I welcome any ruling that you give. I would only make a request to you. We have forgotten the first part of your ruling because it is such a long ruling. Let it be circulated to us and let the proviso as suggested by you be brought forward by the Minister. We can start the discussion on the Bill tomorrow. In the meantime, we can pass all these Supplementary Grants which is also an important and urgent business. It is an honest suggestion, not to block the Bill. I have no desire to block the Bill any more. We will do it in the Supreme Court. I would only request you to get the ruling circulated. Let the Minister also come forward with a proviso as suggested by you. Since you have dealt with all aspects of the points of order raised, we would beg of you to get it circulated. The heavens are not going to fall now. After all, the Parliament is sitting upto 20th. Let him bring forward the proviso. We do not know what we are passing.

13 hrs.

MR. DEPUTY-SPEAKER: You have heard the ruling, but you have not read it carefully. What I have said just now is that there is only one Clause where the ruling suggests some amendment. . . (*Interruptions*) It is not a question of being prepared. I have given my ruling. They will have to consider it. . .

SHRI NAMBIAR: We accept your ruling.

MR. DEPUTY-SPEAKER: Whether it is this side or that side, nobody will question it. What I suggest is this. As the Speaker said, let us finish this before 4 O'Clock. . .

SHRI NAMBIAR: We shall try as far as possible.

MR. DEPUTY-SPEAKER: Before 4 O'Clock, we must finish it. There is no question of postponing it.

SHRI UMANATH: Now you have given your ruling. You are quite right, Sir. There is no question of their agreeing or not agreeing. They have got to bring a consequential amendment on the basis of your ruling; they have to abide by that. The position is that they have yet to bring forward that consequential amendment. Then how do you say that we should finish before 4 O'Clock?

MR. DEPUTY-SPEAKER: During Lunch Hour, I shall ask them to examine.

SHRI UMANATH: So far as finishing by 4 O'Clock is concerned, that is not possible because clause-by-clause consideration has yet to start.

MR. DEPUTY-SPEAKER: The Speaker has laid down the time limit.

SHRI UMANATH: The time taken by the points of order should not be taken into account. Important Constitutional points of order have been raised; so, the time taken by those does not come within the time-limit; that time should not be included in this time-limit. The clause-by-clause consideration, the serious consideration, has yet to start. How do you say that we should finish by 4 O'Clock? (*Interruptions*)

MR. DEPUTY-SPEAKER: We must finish by 4 O'Clock.

We now adjourn for Lunch and meet again at 2.00 P.M.

13.03 hrs.

The Lok Sabha adjourned for Lunch till Fourteen of the Clock.

The Lok Sabha reassembled after Lunch at five minutes past Fourteen of the Clock.

[MR. DEPUTY-SPEAKER in the Chair]

SHRI SEZHIYAN (Kumbakonam): Sir, you were on your legs explaining that we should finish this by 4 O'Clock.

MR. DEPUTY-SPEAKER: I will come to it.

PERSONAL EXPLANATION BY MEMBER

श्री कमलनयन बजाज: उपाध्यक्ष महोदय, मैं अपने बारे में कुछ सफाई देना चाहता हूँ। माननीय सदस्य, श्री बनर्जी, ने आज सुबह बिड़ला हाउस के प्रकरण में मेरे नाम का उल्लेख किया और बताया कि मैंने प्रमूक प्रमूक बातें कही। एक तो उन्होंने यह बताया कि मैंने कहा कि श्री बिड़ला जी ने बिड़ला हाउस को गवर्नमेंट को देने के लिए कहा था। मैंने जो कुछ कहा था, और जो बात है, वह यह है कि श्री बिड़ला जी ने बिड़ला हाउस को लेट प्राइम मिनिस्टर, पंडित नेहरू को इस शर्त पर देना कुबूल किया था कि उसको हमेशा के लिए प्राइम मिनिस्टर का रेसिडेंस बना दिया जाए। सेठ बनश्यामदासजी बिड़ला से जब मेरी बात हुई, तो उन्होंने भी यह कुबूल किया कि उन्होंने इस तरह का प्राफ़र दिया है। पंडित जी से भी मेरी उस समय बात हुई थी। पंडित जी ने कहा कि हाँ, इस तरह से वह बात घाई है, लेकिन मैं तो वहाँ रह नहीं सकता हूँ; वहाँ तो मुझे नींद भी नहीं आ सकती है और मैंने उस बात को स्वीकार नहीं किया है।

उस समय मैं कुछ सोच में था। पंडित जी ने मुझ से पूछा कि क्या तुम्हें कोई भ्रमसोस है। उनके कहने का मतलब यह था कि चूंकि उन्होंने उस बात को स्वीकार नहीं किया, इसलिए क्या मुझे भ्रमसोस है। मैंने कहा कि पंडित जी, इस बात का भ्रमसोस नहीं है; मैं चाहता था कि प्राइम मिनिस्टर के रेसिडेंस और जहाँ पर महात्मा जी का शरीर गया है, उन दोनों में किसी तरह का विभाप नहीं होना चाहिए; वे दोनों बातें स्वतंत्र होनी चाहिए; इसको मिलाया गया है, यह मुझे ठीक नहीं लगा। इतनी बात पंडित जी से हुई थी।

दूसरी बात श्री बनर्जी ने यह कही कि मेरे कथनानुसार महात्मा जी को नींदी उस

[श्री कमलनयन बजाज]

स्थान पर लगी और उनका शरीर वहाँ पर गिरा, लेकिन उनके प्राण मकान में ले जाने के बाद गए। इसके बारे में स्थिति यह है। मैं उस समय दिल्ली में नहीं था। मेरी श्री देवदास गांधी और दूसरे लोगों से चर्चा हुई थी। यह बात आई थी कि महात्मा जी को मकान में लाए जाने के बाद जब डाक्टर लोग पहुँचे, तो उन्होंने कहा कि उनके प्राण चले गए। वे उसके बाद पहुँचे और उनका अन्दाज़ यह था कि गोली लगने के बाद स्पाट पर ही प्राण गए होंगे। लेकिन इर्द-गिर्द के और एटेंडेंट लोगों में से कुछ का यह कहना जरूर था कि वह जब वहाँ पर लाये गये, तो वे जिन्दा थे, उन को ऐसा आभास था। लेकिन उस समय सारी दुनिया को, सब लोगों को, इतना दुख था और इस तरह का वातावरण था कि किसी ने उसकी जांच-पड़ताल नहीं की और इसकी जरूरत भी नहीं समझी गई।

इस बारे में मेरा यह स्पष्टीकरण है।

14.08 hrs.

ESSENTIAL SERVICES MAINTENANCE
BILL—Contd.

MR. DEPUTY-SPEAKER: We shall now take up further clause-by-clause consideration of the Essential Services Maintenance Bill.

As I had suggested before we adjourned for lunch. . .

SHRI S. M. BANERJEE: Firstly, the amendment promised by Government has not been circulated. We do not know what that amendment is. . .

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA): That amendment is contained in your ruling, and that is binding on us; we are doing it. Where is the need for its circulation now? We have

already given it to the office. As soon as we got your ruling, we gave the notice.

MR. DEPUTY-SPEAKER: So far as the hon. Minister is concerned, it is perfectly all right.

SHRI S. M. BANERJEE: Kindly hear me. If Government want to move any new amendment, then we have also every right to move our amendments thereto, under the rules. So, why should we be deprived of that chance? Let us know what the amendment is.

MR. DEPUTY-SPEAKER: According to my ruling, Government have submitted the amendment, and it will be circulated in another five to ten minutes.

We have just got two more hours for this Bill. . .

SHRI S. M. BANERJEE: That cannot be the reason for debarring our amendments. . .

MR. DEPUTY-SPEAKER: If he does not want to follow the time-table, then his methods are there. What could I do?

SHRI S. M. BANERJEE: We have every right to move amendments.

MR. DEPUTY-SPEAKER: The amendment will be circulated in a few minutes, and after he gets the copy I shall give him time to submit his amendment. There is no question of his being deprived of that right.

SHRI S. M. JOSHI (Poona): We may give the amendment even tomorrow after considering it.

MR. DEPUTY-SPEAKER: What I had suggested was that the hon. Member should concentrate his attention on important points only. Otherwise, I must make it clear that I am going to guillotine everything.

SHRI UMANATH: We shall not allow guillotine, whatever may happen.

SHRI H. N. MUKERJEE: rose—

MR. DEPUTY-SPEAKER: Let Shri H. N. Mukerjee be reasonable. . .

SHRI H. N. MUKERJEE (Calcutta North-East): I am trying to be as reasonable as I can be. The Speaker gave us a certain time target. At that point of time, the Speaker had not known of your ruling which has brought about a certain change in the situation. Naturally, when we employ the provision of further ration of time in this House, how far that time should extend is not so very easy exactly to specify. I would try to remind you that you have already given a ruling earlier in regard to another matter that where certain amendments came to be adopted by Government in regard to their legislation, the third reading did not take place on the same day, but it took place the day after. You happen to have given that decision some days earlier when Shri George Fernandes had raised it.

Therefore, in view of certain amendments which are coming from the Government's side and also in view of the fact that each amendment has got to be digested by the House, I would submit that the third reading could only be held tomorrow and not earlier. If that is so, I do not see any reason why you should insist upon four O'Clock as being the time-limit at which point of time you would quillotine the whole thing. You can do anything and the majority can do anything if it wants according to parliamentary procedure, but certain proprieties have got to be observed. That is my submission.

MR. DEPUTY-SPEAKER: He is perfectly right when he mentions that I had given consent to hold over some Bill for the next day at one stage. But that rule gives discretion to the Chair. The hon. Member should remember that. Here, the amendment is a very simple one. In order to avoid encroachment on the State List, there is a very minor amendment. So, it would not be proper to keep it pending for a day more.

I am not concerned with the question of majority and minority when we are considering an important measure like this. What I am concerned with is that let us try to stick to a time-table, so that the maximum fire-power which hon. Members have in reserve could be concentrated on important issues, and lesser issues like points of order

on a particular clause etc. could be disposed of quickly. As I have pointed out already, clause 2 may be disposed of now, and clause 3 and the last clause which are important could be taken up. If Shri S. M. Banerjee and Shri Lobo Prabhu could combine on one amendment and they could concentrate on that, we could save time. Let us now dispose of all the amendments to clause 2 together. We shall go on now to clause 3. That is the next most important clause.

SHRI SHEO NARAIN (Basti): If every day they are going to raise points like this, then I move for closure, and you may take vote on it.

MR. DEPUTY-SPEAKER: I must make it clear to the hon. Member what the consequences would be, if I put it to vote. If the entire Opposition were to walk out, then what would happen? There was a ruling to this effect by the former President of the Legislative Assembly. . .

SHRI S. M. BANERJEE: I can bring that ruling of 1928.

MR. DEPUTY-SPEAKER: It would not be proper at this stage. Let us try to finish it in 2 hours, with good-will on both sides.

SHRI S. M. BANERJEE: After all, I can bring that ruling of that great man Shri Vithalbai Patel, the ruling of 1928. He has said that Parliament should be properly constituted. . .

SHRI LOBO PRABHU (Udipi): May I submit that we may proceed with the discussion? It is quite possible that we may finish in two hours? For, you have made it a rule that those who are moving their amendments should send slips to you. There are just very few amendments, and so I think it may be possible to finish in two hours.

SHRI S. M. BANERJEE: Parliament is sitting till the 20th instant. With due respect to you, I would like to point out that the amendment moved by Shri Vidya Charan Shukla is as follows. Are we not entitled under the rules to move counter amendments or new amendments? I would only beg of you to keep in mind one thing. This ruling party with its majority is going to pass this

[Shri S. M. Banerjee]

Bill. There is no doubt about it. But let us voice the feelings of the people. We have tabled as many as 273 amendments. My respected sister, Shrimati Sucheta Kripalani, after giving thought to it for four or five days has tabled an amendment. Do they want that we should walk out and they would pass this legislation? Let them pass this Bill, if they so want; we will walk out. Is that the sense of the House? I am surprised that the Speaker is being coerced by them.

SHRI S. KUNDU *rose*—

MR. DEPUTY-SPEAKER: No point of order on cl. 2 now. I have barred it completely.

SHRI NAMBIAR: It may come as and when it is necessary.

MR. DEPUTY-SPEAKER: A point of order means delay.

SHRI S. M. BANERJEE: Is that your ruling?

SHRI S. KUNDU: Let me have two minutes only.

MR. DEPUTY-SPEAKER: I am requesting you not to raise it.

SHRI S. M. BANERJEE: I am requesting you to give us a patient hearing. The Speaker has to be distinct and different from the Home Minister. There should be some difference between the Home Minister and the Speaker. I appeal to your sense of impartiality and justice. Do not be carried away by them.

MR. DEPUTY-SPEAKER: Is it fair to identify the Chair with anyone in the Treasury Benches?

SHRI S. M. BANERJEE: I apologise. But you should be the emblem of this House as a whole.

SHRI S. KUNDU (Balsore): you commanded me to sit down and I sat down. The other day I raised a particular point concerning the legislative Competence of the House. I am obliged to you that you took it up and pulled up the Government.

Now I am coming to another point of constitutional importance. I will take only two minutes. Kindly see Cl. 2 (b)—You must give me your undivided attention, so that you can dispose of it in no time. Now Government can under this Bill prohibit a strike. Kindly see the consequences. I refer to cl. 5:

“Any person who instigates or incites other persons to take part in, or otherwise acts in furtherance of, a strike which is illegal under this Act shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both”.

MR. DEPUTY-SPEAKER: We are on cl.2.

SHRI S. KUNDU: I am referring to the consequences of prohibition of strike. If any person abets or aids such illegal strike, he will be hauled up and punished with a fine of Rs. 1,000 and or imprisonment. The responsibility of prosecuting lies on Government if one violates it. I will draw your attention to what Jennings has said in regard to art. 14:

“The right to sue and be sued, the right to prosecute and be prosecuted for the same kind of action should be the same for all citizens of full age and understanding and without distinction of race, religion, wealth, social status and political influence”.

Here if I abet or aid an illegal strike, I will be charged and prosecuted and convicted. But if somebody else in the same circumstance locks out, nothing will be done to him. This is grossly discriminatory. There is no punishment prescribed for lock-out. A strike in an organisation has the same effect as a lock-out in that organisation. But here for a strike which is declared illegal I will be punished whereas for a lockout in the same establishment, nobody will be punished.

It violates article 14. I have quoted from page 261 of Bosu's commentary. The Government arbitrarily take away my right, but they do not say what will happen when somebody orders a lock-out. There is no

punishment, he goes scot-free. This is discrimination, a fraud committed on the Constitution. Therefore, I urge upon you fervently to see that this sort of practice is not permitted.

So far as other clauses are concerned I have got important points of order and I will raise them at that time. At the moment we are on clause 2. This sort of delegation of power has been termed as the new despotism and has been condemned by various Jurists. The British Parliament set up a committee to go into it which has said that this is perverse. Lord Harewood, the great constitutional expert has dealt with this in his book *The New Despotism*. Such despotic clauses are hidden inside the Bill which it is very difficult to discern. These are trends and indication of the new despotism practised under the Constitution. Therefore, I most respectfully submit that you may kindly give a ruling saying that this clause is *prima facie* illegal, unconstitutional and *ultra vires*. The Parliament should not be a forum to pass legislation which will not stand the scrutiny of the Courts and will be declared *ultra vires*. I hope you will uphold my point of order.

SHRI VIDYA CHARAN SHUKLA:
I beg to move:

Page 2, line 8:—

after "air", insert—

"with respect to which Parliament has power to make laws." (275)

MR. DEPUTY-SPEAKER: So far as delegation of power is concerned, the whole question was referred to the Committee on Subordinate Legislation and their report is before us. After that report I do not think any point of order arises. I know that delegation of power has assumed a despotic character, but knowing that full well once that report is before us, what can we do? That ends the matter.

SHRI SRINIBAS MISRA (Cutback): That report was only with regard to clause 2(ix) and 2(ii) and not with respect to clause 3. There is another delegation in clause 3.

SHRI R. D. BHANDARE (Bombay Central): I seek your permission to move my amendment to clause 1.

MR. DEPUTY-SPEAKER: When we come to clause 1, I will see. You may submit your amendment, I will look into it.

श्री कंबरलाल गुप्त (दिल्ली सदर) :
उपाध्यक्ष जी, आपकी आज्ञा से मैं क्लॉज 2 पर अपनी तरफ़ीमें 39, 41, 42 और 43 पेश करता हूँ. . .

MR. DEPUTY-SPEAKER: Your amendment has been moved yesterday. You have passed the chit.

SHRI KANWAR LAL GUPTA: I will speak only on those amendments and not any other amendments.

MR. DEPUTY-SPEAKER: Time is very limited.

SHRI UMANATH: You are very allergic to time, Sir.

श्री कंबरलाल गुप्त : उपाध्यक्ष जी, अभी मंत्री महोदय ने यह कहा कि यह जो बिल हमने सदन के सामने रखा है, इसका उद्देश्य एक ही है—देश के बिफेन्स और देश की सेफ्टी के लिए यह जरूरी है। उन्होंने इस बिल के स्टेटमेंट आफ प्रॉपोज़िशन एण्ड रीज़न्स में भी यही कहा है—

"It has always been the endeavour of Government to provide comprehensive and positive arrangements for the consideration of the legitimate problems and grievances of its employees."

यह बहुत लाइबल रीज़न्स एण्ड प्रॉपोज़िशन उन्होंने सदन के सामने रखे हैं, लेकिन इनको पूरा करने के लिए जो बिल वे सदन के सामने लाए हैं और विनोदत: उसकी जो क्लॉज 2 है, उसमें इतनी स्वीपिंग पावर्स इस बिल के अन्धर उनको दी जा रही हैं—यदि यह बिल पास हो जायगा तो जो उद्देश्य उन्होंने इस बिल का रखा है, वह खत्म हो जायगा।

[श्री कंवरलाल गुप्त]

उन्होंने कहा है कि हम विन्डिक्टव एटी-ट्यूड नहीं लेना चाहते, उन्होंने यह भी कहा कि हम सोच रहे हैं कि कम्पलसरी प्राबिड्रेशन करें और उसके लिए अलग से बिल लाया जायगा। उधर से मेरे एक दोस्त ने यह भी कहा कि असल मक्सद 19 ता० की स्ट्राइक को रोकना था, अगर ता० 19 की स्ट्राइक को नहीं रोका जाता तो देश में क्रांति हो जाती। उपाध्यक्ष महोदय, अगर मंत्री महोदय का भी यही उद्देश्य है तो मैं पूछना चाहता हूँ कि टोकन स्ट्राइक क्यों हुई? इसका एक ही कारण था कि केन्द्रीय सरकार के कर्मचारी चाहते थे कि उनकी मांगों को प्राबिड्रेशन के पास भेज दिया जाय, सरकार ने उस समय इस बात को नहीं माना, लेकिन आज सरकार उसी बात को मानने जा रही है। उस वक्त उनकी मांगों की पूर्ति न होने के कारण उनको स्ट्राइक करनी पड़ी, लेकिन आज आप यह कहते हैं कि हम कम्पलसरी प्राबिड्रेशन की बात को मानते हैं, सरकार इस पर सोच रही है। अगर सरकार वास्तव में इसके बारे में सोच रही है तो मैं इसका स्वागत करता हूँ और मैं चाहता हूँ कि कम्पलसरी प्राबिड्रेशन की बात इसमें हो जाय, लेकिन अगर आप वास्तव में चाहते हैं तो आपको उसे इस बिल में ले घाना चाहिए था। अगर आप इसको ले आते तो फिर इस बिल की जरूरत ही नहीं रहती, यह बिल बेकार है। लेकिन जिस तरह से यह बिल लाया गया है, यह तो केन्द्रीय सरकार के कर्मचारियों की भावनाओं को उभारने का तरीका है। मैं आपसे पूछना चाहता हूँ कि आप क्यों बेकार उनको नाराज करते हैं, इन्स्टीगेट करते हैं—कुछ करने के लिए। अगर आप वास्तव में कम्पलसरी प्राबिड्रेशन चाहते हैं तो आप उसको कीजिए, लेकिन उसमें मैं एक तरकीब चाहता हूँ। कम्पलसरी प्राबिड्रेशन के अन्दर जो इण्डस्ट्रीयल डिस्प्यूट्स एक्ट की धारियाँ आती हैं, उनमें कम्पलसरी प्राबिड्रेशन नहीं होना चाहिए। इण्डस्ट्रीयल डिस्प्यूट्स एक्ट की

जो भी चीज इसमें होती है, उसका हिसाब-किताब इण्डस्ट्रीयल डिस्प्यूट्स एक्ट में होना चाहिए। आपने कहा है कि हम इस बिल को किस लिए लाए हैं—इसलिए लाए हैं कि केन्द्रीय सरकार के कर्मचारियों ने ता० 19 को हड़ताल की थी, लेकिन इसके अन्तर्गत क्लाज 2 में जो अधिकार आपने लिए हैं, ये तो बिलकुल स्वीपिंग पावर्स हैं। इसमें यह जरूरी नहीं है कि सरकारी कर्मचारी ही हों, इसमें तो जिसको भी यह सरकार एसेन्शाल सर्विस समझती है, उसको वह घोषित कर देगी और वहाँ पर पाबन्दी लग जायगी, कोई हड़ताल नहीं हो सकेगी। मैं आपकी आज्ञा से क्लाज 2 (9) को पढ़ना चाहता हूँ—

“any other service connected with matters with respect to which Parliament has power to make laws and which the Central Government being of opinion that strikes therein would prejudicially affect the maintenance of any public utility service, the public safety or the maintenance of supplies and services necessary for the life of the community or would result in the infliction of grave hardship on the community . . .”

इसके अन्दर अगर किसी बिस्कुट बनाने के कारखाने के अन्दर हड़ताल हो जाय तो मंत्री महोदय उसको एसेन्शाल सर्विस डिक्लेअर कर देंगे और कह देंगे कि बच्चों के लिए बिस्कुट जरूरी हैं, इससे कम्प्यूनिटी को हाई-शिप होती है और वह स्ट्राइक बँन हो जायगी। तो जो कुछ आप करना चाहते हों, जो कह रहे हों कि गवर्नमेंट सर्वेंट्स को स्ट्राइक नहीं करनी चाहिए, मैं मानता हूँ कि साधारण हालात में उनको स्ट्राइक नहीं करना चाहिए, लेकिन उनकी तकलीफों को दूर करने की भी तो कोई व्यवस्था होनी चाहिए। आपने कहा कि हम कम्पलसरी प्राबिड्रेशन चाहते हैं। मैंने उसका स्वागत किया। लेकिन जब तक कम्पलसरी प्राबिड्रेशन की बात आप बिल के अन्दर नहीं लाते तब तक यह बिल अधूरा है। इसके अन्दर

स्वीपिंग पावर्स आपने ले लीं। आप कहते हैं कि अगर कोई भ्रोवर टाइम करने के लिए मना करता है तो उसके खिलाफ कार्यवाही करेंगे। क्या आप लोगों को जरूरी खरीद गुलाम बनाना चाहते हैं? आपने दफ्तर का एक समय रखा है, उस समय के अन्दर कोई हड़ताल करता है, काम नहीं करता है तो उसके खिलाफ कार्यवाही की जाय। लेकिन दफ्तर के बाद अगर कोई भ्रोवर टाइम नहीं करता है तो उसको भी आप कहते हैं कि अगर काम नहीं करोगे जबरदस्ती तो उसको सजा दी जाएगी। यह प्रथा आठवीं और दसवीं सदी में तो चलती थी जब गुलामों को पैस से खरीदा जाता था। लेकिन यह आज के समय में नहीं हो सकता। इस देश में उपाध्यक्षजी, विधान पास करके कुछ मौलिक सिद्धान्त तय किए हमने, कुछ फंडामेंटल राइट्स हमने बनाए हैं जिनमें कुछ मौलिक अधिकार हर एक व्यक्ति को मिले हैं। और मुझे खुशी है कि 20 साल के प्रजातन्त्रीय राज्य में कुछ कन्वेंशन्स भी हमने डेवलप किए हैं, अच्छे डेवलप किए हैं, जो दुनिया में ऊंची निगाह से देखे जा सकते हैं। लेकिन क्या यह सरकार जो हमारा विधान है और जो 20 साल में कन्वेंशन्स हमने डेवलप किए हैं, उन सबके ऊपर गानी फेरना चाहती है। क्यों? मैं समझता हूँ इसलिए कि हाथी के दांत दिखाने के कुछ और हैं और खाने के कुछ और।

श्री शिव नारायण : लन्दन में आपने क्या किया उसको भी कहते चलो। वहां तो 11 महीने आपकी सरकार थी।

श्री कंबरलाल गुप्त : मेरा कहना था कि जो आप कह रहे हैं वह करना नहीं चाहते। आप कहना कुछ और चाहते हैं और करना कुछ और चाहते हैं क्योंकि आपके अन्दर काफ़ी कमजोरी भा गई है जिसके कारण मैं आप 20 साल के कन्वेंशन्स को खत्म करना चाहते हैं। आपको मान्य है कि बगीर इन

काले कानूनों के, बगीर मिलिटरी और पुलिस की सहायता के आप इन कुर्सियों पर बहुत ज्यादा देर तक नहीं रह सकते और इसीलिए आप ऐसे कानूनों का सहारा ले रहे हैं।

श्री शिव नारायण : नाज़ी सिस्टम में आप विश्वास करते हैं।

श्री कंबरलाल गुप्त : जब जनता का विश्वास हट गया तब से ये काले कानून देश में हम देख रहे हैं। तो ये जो स्वीपिंग पावर्स हैं ये देश को डिफ्टेरशिय की तरफ ले जा रही हैं। क्लॉज (2) में जो चीजें हैं इनको अगर आप देश की सेक्योरिटी के लिए, डिफेंस के लिए करें तो उचित है। आखिर इसकी जरूरत क्यों थी। 19 तारीख की हड़ताल के बाद इतनी जल्दी तो नहीं थी लाने की। जो आप कम्पलसरी प्राबिड्रेशन की बात कह रहे हैं उस पर भी विचार कर लेते और तब प्रगले सत्र में इसको लाते। दो, तीन महीने के अन्दर कोई जल्दी नहीं थी। लेकिन आप अच्छी-अच्छी बातें करके शुगर कोटेज पोइज़न पिक्स लोगों को खिलाना चाहते हैं। मीठी-मीठी बातें करते हैं और मन में कुछ और रहता है। पहले तो आप कहते हैं कि सूली पर चढ़ जाओ और बाद में अपील का राइट देखा जाएगा।

सरकार मानती है कि सरकारी कर्मचारियों की तकलीफें हैं, स्वयं प्रधान मंत्री ने स्वीकार किया कि कई दिक्कतें हैं। लेकिन यह मानते हुए भी उनकी दिक्कतें कैसे सुलझायेंगे यह नहीं बताया, उसकी कोई ब्यबस्था नहीं की। इसलिए मेरा कहना है कि इस तरह का विन्डिकटिव एटीट्यूड सरकार को नहीं लेना चाहिए, यद्यपि वह कहती यही है कि विन्डिकटिव एटीट्यूड हम नहीं लेते हैं। इन्प्रिब्ले में, पठानकोट में कांड करने के बाद मारे हुए की एक मात और मारो और हमेशा के लिए खत्म कर दो इस तरह की चीज सरकार करने या रही है जो मैं समझता हूँ कि देश के लिए बड़ी बातक होगी।

[श्री कंबर लाल गुप्त]

इस बिल के परिणाम बड़े फ़ार रीचिंग होने वाले हैं। देश में प्रजातन्त्र का गला घोटने के बराबर यह चीज होगी। इसलिए मैं मंत्री महोदय से कहूंगा कि पहले वह इस बिल को वापस ले लें और पूरी तरह से फिर विचार करके जो सरकारी कर्मचारियों की दिक्कतें हैं उनको किस तरह से दूर किया जाय उस पर विचार कर लें तब इस बिल को लायें। मेरा यह भी कहना है कि यह बिल सरकारी कर्मचारियों के भलाबा और किसी पर लागू नहीं होना चाहिए जहाँ इंडस्ट्रियल डिसप्यूट ऐक्ट लागू होता है वहाँ पर यह बिल लागू नहीं होना चाहिए। मेरा ख्याल है कि अगर कम्पलसरी ग्राबिटेशन की व्यवस्था सरकार करती है तो इस बिल के लाने की आवश्यकता ही नहीं रहेगी। क्योंकि सरकारी कर्मचारियों की मांग भी यही थी कि हमारे केसेज ग्राबिटेशन में जायें। लेकिन तब उसके जवाब में आपने उनको डंडा दिया। लेकिन आज आप खुद मानते हैं कि हम कम्पलसरी ग्राबिटेशन की बात सोच रहे हैं। इन शब्दों के साथ मैं मंत्री महोदय से कहूंगा कि यह बिल वापस ले लें।

SHRI C. K. BHATTACHARYYA (Raiganj): Sir, my amendment No. 222, seeks to add the following to the definition of 'strike' given in clause 2 (b):

"Provided that cessation of work brought about by physical obstruction, intimidation, threat of violence or humiliation shall not be regarded as 'strike'."

I say this because of my knowledge of what happened during strikes. Dutiful workers who want to join duty and to do the daily work allotted to them are shut out by the types of conduct I have referred to in my amendment—physical obstruction, intimidation, threat of violence and humiliation. My amendment particularly refers to women workers, who are put to a lot of difficulty. After that 19th September strike, some women workers who came to join duty . . .

SHRI NAMBIAR: That was at Indra-prastha Bhavan.

SHRI C. K. BHATTACHARYYA: I am talking of what happened in Treasury Building, Calcutta. When some women workers came to join duty, their colleagues, who work with them every day, brought ink pots and poured the entire ink over their heads and clothes and used language, which was most unworthy to be used, particularly with reference to women. In another strike in the secretariat, some women workers came for duty walking all the way—4 or 5 miles, because buses were not plying—but there was none in the secretariat to give them protection. They asked, if we are not given protection, how are we to work? I will give another instance. A woman worker was surrounded by her male colleagues and all of them spat upon her in Mao fashion. This was done in the secretariat. None of the higher officers and others came forward to give her protection.

Perhaps, Nobody was in a position to give her protection. That is why I suggest that when "strike" is defined, it should take note of persons who are kept out of work because of circumstances beyond their control and that they should not be regarded as strikers.

SHRI NAMBIAR: My amendments to clause (2) are 160, 161, 162 and 163. Clause (2) defines "Strike" and "essential services". Essential service is defined in such a way that everything under the sun comes as an essential service the moment a notification is issued by government. Nothing is left out in the orbit. The clause reads :

- (i) "any postal, telegraph or telephone service;
- (ii) any railway service or any other transport service for the carriage of passengers or goods by land, water or air;
- (iii) any service connected with the operation or maintenance of aerodromes, or with the operation, repair or maintenance of aircraft;
- (iv) any service connected with the loading, unloading, movement or storage of goods in any port;

- (v) any service connected with the clearance of goods or passengers through the customs or with the prevention of smuggling;
- (vi) any service in any mint or security press;
- (vii) any service in any defence establishment of the Government of India;
- (viii) any service in connection with the affairs of the Union, not being a service specified in any of the foregoing sub-clauses;"

As if all these clauses are not sufficient, there is another omnibus clause which, though well known to all, still I am reading to refresh their memory.

"(ix) any other service connected with matters with respect to which Parliament has power to make laws and which the Central Government being of opinion that strikes therein would prejudicially affect the maintenance of any public utility service, the public safety or the maintenance of supplies and services necessary for the life of the community or would result in the infliction of grave hardship on the community, may, by notification in the Official Gazette, declare to be an essential service for the purposes of this Act;"

Under this sub-clause, by a notification, government can declare any factory or installation under the sun, of course within the jurisdiction of the Indian Government only, to be an essential service. They are taking the power to declare anything in this country as an essential service. Of course, they say they are only seeking the approval of Parliament to give them that power. Yesterday the hon. Minister said "we are not banning strike; we are only taking the power to ban strike." In other words, it will be at their sweet will by a notification.

I am not suggesting the doing away with this section because then the whole life of this Bill will have gone away and you will

not accept it. Therefore, I am only suggesting that sub-clauses (vi) to (ix) may be deleted. Sub-clauses (i) to (v) may be all right, because one can understand treating railways and postal services as essential services. Of course, my frank opinion of the Bill is that it is unnecessary. I am deadily opposed to it. Therefore, so far as clause 2 is concerned, I would request that my amendments are accepted, so that at least some justice is done. Specially this omnibus provision, sub-clause (ix) talks nonsense and it should be removed.

Then I come to my next amendment, which is on the question of strike. Everybody knows what is meant by strike. Now, under this Bill, for the purpose of the Indian Parliament, strike means not only cessation of work but also refusal to work overtime. We must send a cable to the United Kingdom, the scholars and the dictionary-makers there, that an addition has been made and that strike means refusal to work overtime. This is the contribution which we make to the English literature through this Parliament.

Then, it says:

" "strike" means refusal to work overtime where such work is necessary for the maintenance of any essential service."

Anything, you may say, is necessary. We are sitting here till 7 O'clock. Our office staff may usually be sitting up to 5 O'clock, Anybody can say that because we are sitting till 7 O'clock, everybody in the Parliament building must also sit up to 7 O'clock. You can say so. If anybody does not sit up to 7 O'clock, you can say that it is necessary; you did not sit till 7 O'clock; you refused to work overtime; you come under the mischief of this Bill. That is possible.

SHRI S. M. BANERJEE: The Prime Minister will be the first victim.

SHRI NAMBIAR: They are reducing it to idiocy. This piece of legislation is nothing but idiotic, senseless, nonsense.

MR. DEPUTY-SPEAKER: If it is nonsense, how can you create sense by an amendment?

SHRI NAMBIAR: Delete it. That is my point. Through my first amendment I want to delete a portion of the definition of "Essential services" so that thereby it may look sensible. Now, from the definition of "strike" I want to delete the words:—

"refusal to work overtime where such work is necessary for the maintenance of any essential service:".

Then, another sub-clause I cannot understand. It is foolish. In this civilisation can this sort of a legislation be passed? You see the definition. It says:—

"any other conduct which is likely to result in, or results in, cessation or substantial retardation of work in any essential service."

Nonsense. What is this? Substantial retardation of any other work! I ask the Members on the Treasury Benches, "Do you not feel ashamed to put a stamp on this Bill?" Even for the sake of the Congress Party, which has got some reputation, do you not feel ashamed that such a legislation has been introduced in this House? Did you read it? I appeal to the hon. members, to their commonsense, to their good understanding. Did you see who drafted it? Is there any sense in this? It is absurd. Such a definition has been given! Therefore my submission is: Delete this portion of the definition of strike and of essential services. that is my prayer.

SHRI UMANATH: As per my amendments, sub-sub-clause (a) (i) to (iv) and (a) (ix) have got to be dropped. Of course, you have given your ruling that so far as those services connected with matters on which Parliament can enact a law are concerned, it is not a violation of the Constitutional rights of the States, but apart from the Constitutional aspect of it I would like to bring to your notice one thing.

After the new non-Congress governments have come into power there is a big controversy and a struggle going on between the Centre and the various State Governments on the question of protecting as much as possible even the restricted rights of autonomy that they are enjoying now. Now this particular sub-sub-clause (a) (ix), which enables them to declare an essential service on which

matter Parliament can enact laws, will again add to the strain between the Centre and the States.

I will tell you, why. For example about the Bidi industry Parliament had passed a law regulating the service conditions of Bidi workers in the entire country. State Legislatures can also pass a law regulating the service conditions because this is a concurrent subject. Parliament has got the power under Concurrent List, at least to improve matters further so that if State Governments have not given such better service conditions they can take them arising out of the legislation by Parliament. But it is not to retard or to bring about conflict. What will happen here? At present, the State Governments can declare certain services as essential services, the public utility services, as they call it. Certain industries may not be considered in the opinion of State Governments, State Legislatures, as public utility services. Certain industries they may consider as essential. Here, this Government, by an executive Order, can say that a particular industry is an essential service which the State Government, the State Legislature, may hold or might have held so far or continue to hold as not a public utility service. What will happen is this. A State Legislature may hold that a particular industry is not an essential service for whatever reasons that Legislature considers to be right. But by an executive order, not even by the Parliament passing a legislation here, by a notification, the Central Government, the Congress Government, can nullify the rights and powers of a State Government so far as the issue about the essentiality of the service or the public utility nature is concerned. By an executive Order of the Central Government, its use can be threatened. That will further accentuate the conflict between the Centre and the States.

Secondly, about the question of Emergency, yesterday, Mr. Shukla said that they are going to utilise this power only in conditions of Emergency. When we talk of certain words here, we talk of words under the Constitution.

The Constitution defines what Emergency is. There is no Emergency now. So far as the law goes, today there is no Emergency

in the country. When there is no Emergency in the country—he says, he will utilise this power only during Emergency—am I to understand from the Minister that this Bill, when passed, will be utilised only when the President declares Emergency in the country? He should explain that. Is there another Emergency within the Emergency foreseen by the Parliament? We cannot have two Emergencies. We cannot have one Emergency under the Constitution and another Emergency made by Mr. Shukla. The country can recognise Emergency only as foreseen or contemplated by the Constitution. So, I would like to know from the Minister whether he means that, after passing this Bill into an Act, he will utilise this power only when Emergency is declared by the President or as contemplated by the Constitution. If that is not so, there is no question of Emergency at all. This will be in violation of the Constitution. So, this is also a wrong proposition.

Thirdly, there is the question of collective bargaining. Yesterday, he was saying, "When we declare a service as essential and utilise this power, we are not affecting the right of the working class of collective bargaining." You know much better, I think. Before this Bill is passed or whatever happens, we would like you to take a few minutes to educate them. What is the basic foundation of the term "collective bargaining" for the workers? The foundation is the right to strike. That is the foundation on which the collective bargaining itself is brought about. Once that right to strike is cut off, there can be no collective bargaining anywhere in the world. That is how we understand and, I think, you also understand. He means, perhaps, the negotiations. That is what he means, perhaps, by collective bargaining.

SHRI N. SREEKANTAN NAIR (Quilon): That is begging.

SHRI UMANATH: This collective bargaining is the foundation of the right to strike. That is given there because, in the present-day society, both the worker and the capitalist are unequal. The capitalist, the employer, has got the property in his hand, that is, the means of living which he can use to

pressurise the worker to accept certain conditions. That the worker does not have. So, already the employer is placed at an advantageous position by virtue of his possessing the property, finance and everything with which he can compel the worker to accept certain conditions. So, the collective bargaining, the right to strike, is recognised. The only right, that is, the worker's property, is labour, nothing else.

He has no other property in the world. Just as the employer is given the right to utilise his property as he likes and the right under the Constitution to deny employment, the only property of the worker is his labour and he has got the right to deny his labour. That is the foundation of collective bargaining. I do not understand how Mr. Shukla says so easily that they have not affected, by this Bill, their collective bargaining. Perhaps he means, by collective bargaining, merely negotiation. Negotiation, without sanctioning for the workers the right to strike is no negotiation. So, that is also wrong.

Then I come to the question of overtime. Many hon. members have said that overtime is also brought within the purview of the definition of 'strike'. You have given a ruling that it would not affect the provisions so far as payment is concerned. Today the conflict in the field of industry on the question of overtime is this. Where an employer has to employ an additional four persons or two persons normally, what he does today is that, in order to get over his responsibility to employ two additional persons, he sees to it that the existing worker continues beyond eight hours, say, for two hours or four hours. In certain industries, certain workers, because of their poverty, are compelled to work even the second shift continuously, though it is violative of the law. Today the conflict on the question of overtime is this. At several places, the workers are refusing to do overtime. But the employers, under the present day conditions of economic crisis, in order to get away from the liability of employing additional labour force, make the workers do overtime which they refuse. If this provision is passed, what will happen is that the unfair labour practices that are going on will be legalised.

[Shri Umanath]

Then, it is said here in the Bill:

"...any other conduct which is likely to result in, or results in, cessation or substantial retardation of work...."

I will tell you what will happen. I will give you a simple instance. I am the Union President in the Cauvery Mills, Pudukkottai. There, an award has been passed by an arbitrator, which has revised workloads and also sanctions payment of Rs. 50 to each worker. These are the terms of the award; it is not appealable, because it is an arbitrator's award. Now the employer refuses to pay Rs. 50, but he says that the workers should do the workload prescribed by the award of the arbitrator. The workers say that the award as a whole should be implemented. Now the factory has been closed; it is a lock-out; they call it as cessation of work. The workers were doing their old work....

SHRI VIDYA CHARAN SHUKLA: What is the time-limit?

SHRI UMANATH: The time-limit is when I stop. (*Interruptions*)

SHRI VIDYA CHARAN SHUKLA: I was asking from the Chair.

SHRI N. SREEKANTAN NAIR: You cannot order the Chair. You are not a superman. (*Interruptions*)

SHRI VIDYA CHARAN SHUKLA: I have a right to enquire from the chair. I have an equal right as the other hon. members have.

SHRI N. SREEKANTAN NAIR: He can request something for himself. He cannot request him to control a member unnecessarily.

SHRI UMANATH: Now, as I was saying, what has the employer done? Because the workers continued to do the old workload he has called it a cessation of work and has put up a notice accordingly. What will happen is that the employer who violates the award of the arbitrator and declares a lock-out, will term it as a strike, and that will be

attracted here. All these unfair labour practices will be completely legalised by this.

My last amendment, which is also an important amendment, is this. It says:

"for lines 6 to 15, substitute—

"and approval of each House sought; if the notification is not approved by the votes of not less than two-thirds of the number of members present in each House, the notification shall be deemed to have been annulled with effect from the date when it was first issued."

This is an important thing which I have moved. Only for a Constitutional amendment, similar provisions are there—not a simple majority, but two-thirds majority. I have suggested this because here it involves a question of right; though in terms of the Constitution it is said that it is not a Fundamental Right, it is a right, not bestowed by those people or by anybody, but one which during times of the British, the worker shed their blood and won; it is a right won by the Working Class themselves. That is why I want that right to be put on par with the provisions of the Constitution. That is why I say, if they want to have a notification for certain service to be declared as essential service, that notification should be approved by both the Houses by two-thirds majority before it is treated as an Act.
15 hrs.

SOME HON MEMBERS *rose*—

MR. DEPUTY-SPEAKER: We have already reached 3 O' clock. Do you want me to apply the guillotine? I have given as much latitude as possible. When the hon. Speaker declared that this is the time, at that time you ought to have protested. You submitted to the time-schedule.

SHRI UMANATH: He said: 'I request you to finish it as early as possible.'

SHRI BENI SHANKER SHARMA: I have already moved my Amendment No. 234 and 236 yesterday. Now, I wish to move my amendment No. 237.

I move:

Page 2,—

omit lines 39 and 40. (237)

We have had enough discussion on this Bill. From what has been discussed on the Floor of this House, it is evident that Government is determined to see this Bill through at any cost. It is also clear that the Government is bent upon stifling and murdering democracy. But I will only request the hon. Minister to do it in a little human and humane way. I am now confining my remarks to my amendment No. 237. I want to delete lines 39 and 40. Lines 39 and 40 read as follows:

“(i) refusal to work overtime where such work is necessary for the maintenance of any essential service;”

This particular clause goes against the spirit of not only democracy but against the theory of utility. If a fireman or engineman, after performing his normal duty, is made to work overtime, that will only lead to disastrous results. Take another example of a pilot of a plane. He has already done his normal quota of work. But if he is made to work again overtime after 4 hours of screening the skies and the horizon, it will only lead to something very very disastrous. So, this overtime clause is redundant and superfluous and it should be deleted.

MR. DEPUTY-SPEAKER: Shri Viswambharan. Not here. Shri Jha.

श्री शिव चन्द्र झा (मधुबनी) : उपाध्यक्ष महोदय, क्लाज 2 में मेरे तीन संशोधन हैं। नम्बर 150, 151 और 152 हैं।

यह जो विधेयक है इसके बारे में कहा गया है कि यह काला विधेयक है, ड्रैकोनियन है, मास्टरस है, राक्षसी है। काफी कोशिश करने के बाद मंत्री महोदय माने हैं कि इसमें कुछ संशोधन किया जाए। यह सब आपकी बदीलत हो रहा है। कोशिश हो रही है कि इसका धंग भंग किया जाए, इसका राक्षसीपन दूर किया जाए....

SHRI RANDHIR SINGH (Rohtak): What is 'Rakshas'? It is unparliamentary, it must be expunged.

SHRI NAMBIAR: What is wrong with it ?

श्री निहाल सिंह (बन्दीली) : आप राक्षसी नहीं, यह बिल राक्षसी है। इस बिल को राक्षसी कहा गया है।

श्री शिव चन्द्र झा : यह गांधी जी के सिद्धांतों के खिलाफ है, नेहरू जी के खिलाफ है....

SHRI RANDHIR SINGH: Sir, you must tell him that he must behave.

I can also call him a decoit or a robber.

श्री निहाल सिंह : इस बिल को राक्षसी कहा गया है।

MR. DEPUTY-SPEAKER: The hon. Members raised a point of order. I am going to give my ruling. If we have to go to the mythology of the word 'rakshas' then we shall have to go very deep, because those who called another community as rakshasas were perhaps a little better civilised. So, one must look to the anthropological evolution of the word. Therefore, it is not good.

SHRI NAMBIAR: It only means devilish.

SHRI N. SREEKANTAN NAIR: We claim that the Dravidians were more civilised than the Aryans. My hon. friend does not understand Dravidian culture.

श्री शिव चन्द्र झा : क्लाज दो बहुत विबादग्रस्त बन गई हैं क्योंकि इसमें स्टेट्स के अधिकारों के हनन की भी बात पैदा हो जाती है और इस बिल को रिट्रोस्पेक्टिव इफेक्ट भी दिया जा रहा है। सरकार को मजबूर होकर इसमें संशोधन लाना पड़ा है भले ही उस संशोधन को माना जाए या न माना जाए।

क्लाज 2 (बी) में जहां यह लिखा गया है :

“strike” means the cessation of work by a body of persons employed in any essential service....”.

[श्री शिव चन्द्र झा]

उसके बाद मैंने यह इंसर्ट करने के लिए कहा है:

"with the approval of their any recognised trade union."

आप जानते ही हैं कि स्ट्राइक जो है वह हमारे जनतंत्र का एक अंग है, इंडस्ट्रियल डेमोक्रेसी जिसे कहते हैं, जो आम जनतंत्र है, उसका एक अंग है। यह जायज अधिकार भी है जो वर्कर को मिला हुआ है। इस अधिकार को हम चाहते हैं कि चालू रखा जाए। इस वास्ते मैं कहूंगा कि जहां कोई ट्रेड यूनियन नहीं है, रिकगनाइज्ड ट्रेड यूनियन नहीं है, वहां के लोग हड़ताल पर जायें तो वहां सरकार को अधिकार होना चाहिए कि वह चाहे तो उन पर रोक लगा सकती है। लेकिन जहां रिकगनाइज्ड ट्रेड यूनियन हो वहां अगर उसकी सहमति से काम को रोका जाता है तो उसका उनको अधिकार होना चाहिए। वहां स्ट्राइक का अधिकार देना एक लाजिमी बात है। जनतंत्र में उस पर रोक नहीं लगाई जा सकती है। उसको सरकार रोक नहीं सकती है।

दूसरा मेरा एमेंडमेंट 2 (बी) (1) के बारे में है। यह ओवर टाइम के बारे में है। इसमें यह कहा गया है:

"2(1) (b) (i): refusals to work overtime where such work is necessary for the maintenance of any essential service."

यह कहा गया है कि ओवर टाइम को भी ये हड़ताल में लेते हैं। यह बहुत खराब बात है। यह चीज बहुत दूर तक जनतंत्र को खारमे की ओर ले जा रही है। मान लो कहीं पर रिकगनाइज्ड ट्रेड यूनियन है और उसका मैनेजमेंट से या आफिस से या किसी उद्योग से कलैक्टिव बारगेनिंग का एग्रीमेंट है। अब वहां के जो मजदूर हैं वे थोड़ा अधिक काम कर सकते हैं। यदि ट्रेड यूनियन की एप्रूवल से ओवर टाइम करने की बात रखी जाए और उसके बाद भी अगर लोग उसको नहीं मानते हैं तो उस पर सरकार रोक लगा सकती है। ट्रेड यूनियन

की सहमति के बिना सरकार ओवर टाइम करने के लिए नहीं कह सकती है मजदूरों को। मैं चाहता हूँ कि इसको मान लिया जाए।

क्लाज 2 और पेज 3 में 1 से तीन लाइनें बहुत इलास्टिक हैं, बहुत वेग हैं, बहुत खतरनाक हैं। इनको उड़ा देना चाहिए।

श्री शिवचंडिका प्रसाद (जमशेदपुर) : अभी झा जी ने बताया कि ओवर टाइम कानून बना कर ओवर टाइम काम सरकारी कर्मचारियों से नहीं कराना चाहिए। हम लोग इस हाउस में छः बजे के बाद सात-आठ बजे तक और कभी-कभी नौ बजे रात तक बैठते हैं। जब हम देर तक बैठते हैं तो यहां जो स्टाफ है क्या उनको हट जाना चाहिए? उनके हट जाने से क्या काम सुचारू रूप से चल सकेगा। मैं चाहता हूँ कि माननीय सदस्य इसको जरा स्पष्ट करें।

श्री शिव चन्द्र झा : उपाध्यक्ष महोदय, मुझे आप मौका दें कि मैं इनका जवाब दूं।

श्री बिभूति मिश्र (मोतीहारी) : उपाध्यक्ष महोदय, पेज 2 के बी भाग में स्ट्राइक की जहां परिभाषा है वहां मैंने एक एमेंडमेंट दिया है कि परसंज के बाद यह जोड़ दिया जाए।

"at its own volition or at the instigation of any anti-social organisation secretly or openly."

इसमें इस बात की सफाई नहीं की गई है कि किस तरह से स्ट्राइक कराई गई हो। अगर कोई स्ट्राइक करने के लिए उत्साहित करे, अगर कोई उनको स्ट्राइक पर जाने के लिए इंस्टीगेट करे तो मैंने चाहा है कि स्ट्राइक कराने वाले को भी सजा होनी चाहिए, इंस्टीगेटर को भी सजा होनी चाहिए। हमारे ये जो भाई हैं ये कोई तो अपने-आपको सोशललिस्ट कहते हैं और कोई कम्युनिस्ट कहते हैं। चाइना में कल्चरल रेवोल्यूशन के कारण प्राइवशन कम हो गया। इसलिए इस समय माओ-त्से-तुंग लोगों को डबे से

पीट कर उनसे काम करा रहा है। (व्यवधान) यहाँ पर माधो-त्से-तुंग नहीं हैं, लेकिन उनके चेले चांटे तो हैं न। मैं उनसे कर्तृगा कि कल्चरल रेवोल्यूशन के बारे में एक किताब निकली है, वे उसको पढ़ें। हमारे देश में प्राइकशन गिर रहा है, क्योंकि स्ट्राइक आदि से प्राइकशन के काम में रुकावट डाली जाती है। प्राइकशन कम होने से ग्रन-एम्प्लायमेंट होती है। ये लोग उसके विरुद्ध आन्दोलन करते हैं और मांग करते हैं कि कर्मचारियों को काम से न हटाया जाए। प्रश्न यह है कि अगर किसी फैक्टरी में प्राइकशन गिर गया है, तो वह कर्मचारियों को कैसे रख सकती है। हम किसान हैं। अगर हमारे खेत में हल चलाने वाला मजदूर स्ट्राइक कर दे, तो अन्न पैदा नहीं होगा और अगर अन्न पैदा नहीं होगा, तो लोग क्या खायेंगे ?

ये लोग रशा और चाइना में जाकर देखें कि वहाँ पर किस तरह से काम कराया जाता है। वहाँ पर स्ट्राइक का नाम भी नहीं है। चूँकि हमारा देश एक डेमोक्रेसी है और यह सरकार सब पर समान रूप से विश्वास करती है, इसलिए ये लोग यहाँ पर ज्यादा हल्ला करते हैं।

मैं चाहता हूँ कि गृह मंत्री मेरे इस सुझाव को स्वीकार करें कि अगर कोई आदमी खुले तौर से या छिपे तौर से स्ट्राइक में साथ दे, तो उसको सजा मिलनी चाहिए।

मैंने ग्रन्य क्लाइड में इस आशय के संशोधन दिए हैं कि कर्मचारियों की वाजिब मांगों पर विचार करने की उचित व्यवस्था की जाए, ताकि भविष्य में स्ट्राइक की नीबत न घाए।

जहाँ कम्युनिस्ट लोगों का राज है, वहाँ पर ये खुद-मुक्तार होना चाहते हैं, लेकिन हमारे यहाँ डेमोक्रेसी में ऐसा नहीं हो सकता है।

MR. DEPUTY-SPEAKER: Now, Shri S. M. Banerjee.

SHRI SRINIBAS MISRA: We have also tabled amendments. Perhaps, if we are allowed to speak, the hon. Minister may accept some of them.

MR. DEPUTY-SPEAKER: The hon. Minister has studied every amendment. I shall ask him which he is accepting and I think he will say it when he replies. I am sure he has studied every word of it.

श्री शिकरे (पंजिम): उपाध्यक्ष महोदय, भ्रोवर टाइम की टाइम लिमिट के बारे में मेरा जो संशोधन है, शायद मंत्री महोदय उसको एक्सेप्ट करें।

SHRI K. RAMANI (Coimbatore): Yesterday, you had assured us that those who had moved amendments would be given time.

MR. DEPUTY-SPEAKER: The hon. Member will get his opportunity at the third reading stage.

SHRI K. RAMANI: How can I say something on the clauses at that time? Clause 2 is the most important clause on which we would like to say something. Would you allow me time at the third reading stage?

श्री एस० एम० जोशी: मेरा भी संशोधन है।

MR. DEPUTY-SPEAKER: Apart from other amendments, there is the question of time also. I cannot amend time and extend it to suit the hon. Member's convenience.

SHRI S. M. BANERJEE: Today is not the last day of this session. I know that Shri Y. B. Chavan will agree, though Shri Vidya Charan Shukla may try to hurry it up.

MR. DEPUTY-SPEAKER: Now, he shall proceed with the clause.

श्री एस० एम० जोशी: यह इतना महत्वपूर्ण बिल है। सदस्यों को अपने संशोधनों पर बोलने का अवसर देना चाहिए।

SHRI S. M. BANERJEE: I shall confine myself to amendments Nos. 67, 68, 69 and

[Shri S. M. Banerjee]

270. I shall not say much on the first three amendments because everybody has spoken on them. Much has been said on it and I support everything that has been said by my hon. friends Shri Nambiar and Shri Umanath. I shall confine my remarks to amendment No. 270. You know that in this House we have been raising right from the beginning certain constitutional points on this particular clause 2. Sweeping powers have been given to the Central Government by which, taking advantage of President's rule in West Bengal, Bihar, Punjab and U.P., they want to get through with this legislation and misuse those powers. Had there been State legislatures functioning in all the States, I am sure they would not have had the courage to do this without consulting the Chief Ministers of those States. It is most unfortunate, a tragedy and a sad commentary on our parliamentary democracy that we are passing a piece of legislation ignoring State Governments, taking advantage of President's rule in some States. I am sure the Chief Ministers, whether Congress or non-Congress, in West Bengal, U. P. or Bihar or Punjab where President's rule is in force would have not agreed to this. Government know that the Governors in those States cannot raise their voice because they have to find a job. They will have to go to another employment exchange to get a job. Therefore, they have to be under the guidance of the Home Minister.

What I have suggested in my amendment is that the Attorney General of India be asked to address the House to clarify some points raised on cl.2(1)(a)(ix) and 2(b)(i) of the Essential Services Maintenance Bill 1968. You know that 2(1) (a) (ix) is a sweeping power which you have very well covered in your own ruling. 2(b) (i) concerns overtime. On the question of overtime, I still feel it attracts art. 23 of the Constitution. Here there is provision to deal with refusal to work overtime and any other conduct which is likely to result in, or results in, cessation or substantial retardation of work in any essential service.

We are also working for the good of the country. Suppose they declare that Parliament is also an essential service. If we walk

out, we come within the mischief of this Bill. Those members who do not speak here, do not come in time will also be guilty of a stay-in strike or inciting others to strike. They will all come within the mischief of this Bill.

MR. DEPUTY-SPEAKER: You are forgetting on the floor of the House the privileges of MPs.

SHRI S. M. BANERJEE: I am not for undefined privileges. Privileges should be codified.

So my suggestion is that amendment No. 270 should be accepted by the House.

In the end, I would only say this. Some of the members clap. People clap for three different reasons. Some people clap when they see others clapping. Some people clap after understanding why others are clapping. Some others clap without understanding why others are clapping. They do not know what we are discussing.

I would only request the Home Minister to accept my amendment so that we can have the benefit of opinion of the Attorney General on these constitutional points. I do not want a reference to the Supreme Court. You have rejected that amendment. But let the Attorney General address the House.

MR. DEPUTY-SPEAKER: Shri Shukla.

SHRI ABDUL GHANI DAR (Gurgaon): On a point of order....

MR. DEPUTY-SPEAKER: I will give him an opportunity at the third reading. I promise he will be called.

SHRI SRINIBAS MISRA: There are a number of amendments on which I have to speak.

SHRI VIDYA CHARAN SHUKLA: There should be some order so that my reply is heard.

SHRI NAMBIAR: If it is a point of order, it has to be heard.

MR. DEPUTY-SPEAKER: We are already exceeding the time-limit.

SHRI VIDYA CHARAN SHUKLA: Shri K. L. Gupta and Shri B. S. Sharma said there was some doubt about whether one provision in this clause did not amount to forced labour; this was with reference to overtime. Several other members also referred to overtime. I will invite attention to the real clause which defines when overtime work would be necessary. The criticism would have been justified if overtime work was forced on workers without payment of their remuneration.

It is not as if in ordinary times overtime work would be necessary. It says:

"refusal to work overtime where such work is necessary for maintenance of any essential service".

You know that a service can be declared as essential only in emergent times, not as Mr. Umanath was interpreting that an emergency should be declared under the Constitution. Everybody knows the ordinary meaning of emergency, that is the sense in which I used the word. I was not discussing the constitutional emergency. We are discussing emergent times or situations when a threat is posed to the essential services. For instance, in an electric power house overtime work may be necessary and a body of workers under misguided leadership may say that they will not work beyond 5 O' Clock. If the power house closes down, the steel plants and many other essential services might close down, and there it might be necessary to say that overtime work will have to be done, and the overtime work will be with full remuneration. There is no question of denying payment for overtime work done or forcing anybody to do overtime work in normal times. There is no question of doing anything which goes against the interests of labour. This is for safeguarding the national security and to safeguard the national interests.

SHRI NAMBIAR: There cannot be an overtime strike alone. If there is a total strike, we can understand it.

SHRI VIDYA CHARAN SHUKLA: As far as the amendment moved by my hon. friend Shri C. K. Bhattacharyya is concerned, he has tried to give a further definition. His definition of strike will become so much

more complicated. I hope the hon. member will not press his amendment.

Shri Nambiar in his own flamboyant manner mentioned many things. He said everything under the Sun is an essential service. You have given your learned learning on this point. The Committee on Subordinate Legislation also went into it. I also quoted a High Court judgment. All these go to show that what is delegated here is not excessive, is not abnormal. After hearing all this, not from my mouth, but from neutral agencies like the Committee of this House, your own ruling and from the High Court, if he still wants to maintain his views, what can I say? Probably he wants to propagate his view whether any body accepts it or not, agrees with it or not. So, I do not want to take the time of the House to repeat all those arguments which you have yourself given in the ruling and in the Committee's report.

Shri Umanath is a very clever advocate of his viewpoint. He has been trying to twist matters. I have already explained there is no question of an emergency under the Constitution, it is only in relation to emergent times or situations.

He was mentioning about Centre-State relationship. On that you have made your observations, you have examined it and you have found there was no substance in his observation.

He said that we are taking away the right of collective bargaining by this Bill. I do not see where the right of collective bargaining is taken away. We are not even taking away the right of strike, which is a more fundamental right of the workers. There is no question of taking away any of the rights here. It is only a question of seeing that the national rights, people's rights, are established by the Government in times of emergency when there is necessity to maintain essential services, and no organized group of people under misguided political influence is able to sabotage the national effort or to create difficulties at a time when the nation really needs all these services. This judgement has to be left with the Government of the day. It is not that we are going to be here for all the time, for all the years to come in future. There would be responsible Govern-

[Shri Vidya Charan Shukla]

ment which will be responsible to this House and the judgment of the Government will have to be respected by the Nation and the Parliament. If the judgment is not respected, the Government will be thrown out by the Parliament.

SHRI SRINIBAS MISRA: The Minister said that the judgment of the Government will have to be respected by the Parliament. Sir, the Parliament has a right to overrule the judgment.

SHRI VIDYA CHARAN SHUKLA: What I said was that if the judgment of the Government is not accepted by the Parliament, the Government can be thrown out. But the Parliament is the ultimate arbiter of all these things. Here you doubt the *bona fides* of the Government, I cannot help it. You are at perfect liberty to have your own views. It is not the intention to either deny the right of strike or the right of collective bargaining by this measure. Our sole intention is to see that nobody is able to sabotage the essential services in times of emergency or sabotage it in a manner which will create difficulties for the nation.

Hon. Shri S. M. Banerjee raised that point about the Attorney General. I will again repeat that yourself, a Committee of this House as well as the High Court have given a verdict on this and I do not think it is necessary to call upon the Attorney General to give his opinion.

I oppose all these amendments and I would request the House to throw them out.

श्री अब्दुल गनी डार (गुडगांव) : मेरा प्वाइंट ऑफ ऑर्डर है। एक मिनट सुन लें।

पहली चीज तो यह है कि प्राइम मिनिस्टर से लेकर अब्दुल गनी डार तक सबकी जिन्दगी को खतरे में डालती है यह बात जो विभूति मिश्र ने कही कि पुलिस वाले और पार्लियामेंट के तमाम मुलाजिम, यह बाच एंड वाईट वाले और दूसरे जितने हैं उन सबके लिए हर रोज़ भय यह रहेगा कि सात बजे तक बैठें और दूसरी बात यह स्पीकर पर आती है कि स्पीकर इतना

अनडेमोक्रेट है कि पुलिस वालों को चपरसियों को छोटे मुलाजिमों को 8 घंटे के बजाय 10 घंटे, 12 घंटे हो जाते हैं और उनको ओवर टाइम उसका नहीं मिलता है, तो आप रूनिंग दीजिए कि क्या यह होम मिनिस्ट्री वालों का फर्ज नहीं है कि उन पुलिस वालों को जब वह ओवर टाइम बैठते हैं तो उसके लिए तनख्वाह दी जाय और इस सब के लिए आखिर कौन जिम्मेदार है ?

[شری عبدالغنی ڈار (گورگانو) :
سیرا پوائنٹ آت آر ڈر ہے۔ ایک
سنت سن لیں :—

پہلی چیز تو یہ ہے کہ پرائم
منسٹر سے لیکر عبدالغنی ڈار تک
سب کی زندگی کو خطرے میں
تالتی ہے یہ بات جو وبھوتی مشر نے
کہی کہ پولس وائے اور پارلیامینٹ
کے تمام ملازم یہ واج ایند وارن
والے اور دوسرے جتنے ہیں ان
سب کے لئے ہر روز یہ رہیگا کہ
سات بجے تک بیٹھیں اور دوسری
بات یہ سپیکر پر آتی ہے کہ سپیکر
اقنان ٹیمو کریٹ ہے کہ پولس
والوں کو چھرا سیوں کو چھوڑے
سلاز سون کو ۸ گھنٹے کے بجائے
۱۲ گھنٹے ہو جائے ہیں
اور ان کو اوور ٹائم اُس کانہیں ملتا
ہے تو آپ رولنگ دیجیئے کہ کیا
یہ ہوم منسٹری والوں کا فرض نہیں
ہے کہ ان پولس والوں کو جب وہ
اوور ٹائم بیٹھے ہیں تو اُس کے
لئے تنخواہ دی جائے اور اس سب
کے لئے آخیر کون (مہ دار ہے) —]

MR. DEPUTY SPEAKER: When they decided to sit longer hours it is a voluntary decision taken by the representatives of various groups. So it is not a question of over time and about the other thing the Lok Sabha Secretariat takes care in such cases where they are to sit overtime.

SHRI UMANATH: They may be paid overtime allowance.

SHRI VIDYA CHARAN SHUKLA: There is a Government amendment which I have moved and I would request the House to accept that. There is another amendment which Shri Mahida has moved in pursuance of the recommendation made by the Subordinate Legislation Committee. That amendment also I accept.

SHRI S. M. BANERJEE: Mr. Mahida's amendment and Mr. Shukla's amendment are not the same.

MR. DEPUTY-SPEAKER: Mr. Shukla has not moved it. Mr. Mahida has moved it.

Let us first dispose of your proposition. Are you pressing your amendment?

SHRI S. M. BANERJEE: I am pressing it.

SHRI SRINIBAS MISRA: On a point of order, Sir. Mr. Shukla has moved an amendment as per the recommendation of the Subordinate Legislation Committee. Mr. Mahida is moving the same amendment which is on behalf of the Subordinate Legislation Committee.

MR. DEPUTY-SPEAKER: Mr. Shukla has not moved. Mr. Mahida has moved an amendment which Government accepts.

SHRI N. SREEKANTAN NAIR: We have got it circulated in the name of Shri Shukla.

MR. DEPUTY-SPEAKER: You are making a mistake. This afternoon, that was moved by Shri Vidya Charan Shukla, the Minister of State in the Ministry of Home Affairs. *(Interruption)* Shri Mahida has moved an amendment on the basis of the report of the Committee on Subordinate Legislation. So, there is no confusion.

SHRI N. SREEKANTAN NAIR: When it has been moved, why should it be accepted in another Member's name? It is only just to give it a democratic grab. This is hypocrisy. *(Interruption)*

MR. DEPUTY-SPEAKER: Order, order. I shall now put amendment No. 270 of Shri Banerjee to the vote of the House. The question is:

"That the Attorney-General of India be asked to address the House to clarify some points raised on clause 2 (1) (a) (ix) and 2 (b) (i) of the Essential Services Maintenance Bill, 1968." (270)

The Lok Sabha divided:

Division No. 26] AYES [15.37 hrs.

Abraham, Shri K. M.
Adichan, Shri P. C.
Anbuezhian, Shri
Badrudduja, Shri
Banerjee, Shri S. M.
Basu, Shri Jyotirmoy
Biswas, Shri J. M.
Brij Bhushan Lal, Shri
Dar, Shri Abdul Ghani
Dhandapani, Shri
Fernandes, Shri George
Gopalan, Shri P.
Haldar, Shri K.
Jha, Shri Shiva Chandra
Joshi, Shri S. M.
Kalita, Shri Dhireswar
Kameshwar Singh, Shri
Krishnamoorthi, Shri V.
Kundu, Shri S.
Lakkappa, Shri K.
Mayavan, Shri
Meghachandra, Shri M.
Misra, Shri Srinibas
Molahu Prasad, Shri
Mukerjee, Shri H. N.
Nair, Shri N. Sreekantan
Nambiar, Shri
Nihal Singh, Shri
Patel, Shri J. H.
Patil, Shri N. R.
Rajaram, Shri
Ramani, Shri K.
Roy, Shri Chittaranjan
Saboo, Shri Shri Gopal
Satya Narain Singh, Shri
Sen, Shri Deven
Sen, Dr. Ranen
Sezhiyan, Shri
Shastri, Shri Sheopujan
Sreedharan, Shri A.
Umanath, Shri
Vajpayee, Shri Atal Bihari
Viswambaran, Shri P.

NOES

Achal Singh, Shri	Mukeerjee, Shrimati Sharda
Arumugam, Shri R. S.	Naidu, Shri Chengalraya
Azad, Shri Bhagwat Jha	Oraon, Shri Kartik
Bajaj, Shri Kamalnayan	Pahadia, Shri Jagannath
Bajpai, Shri Vidya Dhar	Palchouduri, Shrimati Ila
Barua, Shri Bedabrata	Pandey, Shri K. N.
Barupal, Shri P. J..	Pandey, Shri Vishwa Nath
Basumatari, Shri	Panigrahi, Shri Chintamani
Baswant, Shri	Parmar, Shri Bhaljibhai
Bhakt Darshan, Shri	Parthasarathy, Shri
Bhandare, Shri R. D.	Patel, Shri N. N.
Bhanu Prakash Singh, Shri	Patil, Shri Deorao
Bhattacharyya, Shri C. K.	Patil, Shri S. B.
Bist, Shri J. B. S.	Patil, Shri S. D.
Bohra, Shri Onkarlal	Poonacha, Shri C. M.
*Chakrapani, Shri C. K.	Pramanik, Shri J. N.
Chanda, Shri Anil K.	Prasad, Shri Y. A.
Chanda, Shrimati Jyotsna	Puri, Dr. Surya Prakash
Chaturvedi, Shri R. L.	Qureshi, Shri Mohd. Shaffi
Chaudhary, Shri Nitiraj Singh	Radhabai, Shrimati B.
Chavan, Shri D. R.	Raju, Shri D. B.
Chavan, Shri Y. B.	Ram Dhan, Shri
Choudhary, Shri Valmiki	Ram Dhani Das, Shri
Damani, Shri S. R.	Ram Subhag Singh, Dr.
Das, Shri N. T.	Rsm Swarup, Shri
Dass, Shri C.	Rana, Shri M. B.
Deoghare, Shri N. R.	Randhir Singh, Shri
Desai, Shri Morarji	Rane, Shri
Deshmukh Shri Shivajirao S.	Rao, Shri Jaganath
Dinesh Singh, Shri	Rao, Shri K. Narayan
Gajraj Singh Rao, Shri	Rao, Shri J. Ramapathi
Gandhi, Shrimati Indira	Rao, Shri Thirumala
Ganpat Sahai, Shri	Rao, Dr. V. K. R. V.
Gavit, Shri Tukaram	Raut, Shri Bhola
Ghosh, Shri Bimalkanti	Reddy, Shri G. S.
Hazarika, Shri J. N.	Reddy, Shri P. Antony
Himatsingka, Shri	Reddy, Shri Surendar
Iqbal Singh, Shri	Rohatgi, Shrimati Sushila
Jadhav, Shri V. N.	Roy, Shrimati Uma
Kinder Lal, Shri	Sadhu Ram, Shri
Kripalani, Shrimati Sucheta	Saha, Dr. S. K.
Krishna, Shri M. R.	Saigal, Shri A. S.
Krishnan, Shri G. Y.	Sapre, Shrimati Tara
Kushok Bakula, Shri	Sen, Shri Dwaipayan
Lalit Sen, Shri	Sen, Shri P. G.
Laskar, Shri N. R.	Shah, Shri Shantilal
Laxmi Bai, Shrimati	Shankaranand, Shri B.
Maharaj Singh, Shri	Sharma, Shri Madhoram
Mahishi, Dr. Sarojini	Shastri, Shri Biswanarayan
Mandal, Shri Yamuna Prasad	Sheo Narain, Shri
Mehta, Shri P. M.	Sheth, Shri T. M.
Minimata, Agam Dass Guru, Shrimati	Shinkre, Shri
Mishra, Shri Bibhuti	Shiv Chandika Prasad, Shri
Mishra, Shri G. S.	Shukla, Shri S. N.
Mrityunjay Prasad, Shri	Shukla, Shri Vidya Charan

* Wrongly voted for 'NOES'.

Siddheshwar Prasad, Shri
Singh, Shri D. N.
Snatak, Shri Nar Deo
Sudarsanam, Shri M.
Supakar, Shri Sradhakar
Surendra Pal Singh, Shri
Sursingh, Shri
Suryanarayana, Shri K.
Swaran Singh, Shri
Tiwary, Shri K. N.
Uikey, Shri M. G.
Ulaka, Shri Ramchandra
Verma, Shri Balgovind
Verma, Shri Prem Chand
Yadav, Shri Chandra Jeet

MR. DEPUTY-SPEAKER: The result* of the division is: Ayes 43, Noes 125.

The motion was negatived.

MR. DEPUTY-SPEAKER: There are 200 amendments and in order to save the time, lobbies need not be cleared again. I want the cooperation of hon. members.

SHRI ATAL BIHARI VAJPAYEE: Under the rules, lobbies will have to be cleared every time.

SHRI S. M. BANERJEE: Let this Bill be passed, but let us get some more time.

MR. DEPUTY-SPEAKER: Now I will put Mr. Mahida's amendment No. 262.

SHRI NARENDRA SINGH MAHIDA (Anand): There is a small correction, Sir. One comma and the word 'so' are missing. They will have to be added.

MR. DEPUTY-SPEAKER: It is a minor textual correction and it can be condoned. Please read that portion alone.

SHRI NARENDRA SINGH MAHIDA: The relevant portion will read thus:

“. . . if it is not in session, and shall cease to operate at the expiration of forty days from the date of its being so laid. . .”

A comma has been added after the words

“if it is not in session” and “so” has been added after the word “being” and before the word “laid”.

SHRI S. M. BANERJEE: How can you accept verbal amendments like that? This is Parliament, not works committee of a factory.

MR. DEPUTY-SPEAKER: This is an amendment incorporating the decision of the subordinate legislation committee.

SHRI S. M. BANERJEE: All right, Sir.

MR. DEPUTY-SPEAKER: I will now put this amendment. The question is:

Page 3,—

for lines 4 to 15, substitute—

“(2) Every notification issued under sub-clause (ix) of clause (a) of sub-section (I) shall be laid before each House of Parliament immediately after it is made if it is in session and on the first day of the commencement of the next session of the House if it is not in session, and shall cease to operate at the expiration of forty days from the date of its being so laid or from the re-assembly of Parliament, as the case may be, unless before the expiration of that period a resolution approving the issue of the notification is passed by both Houses, of Parliament.

*Explanation.—*Where the Houses of Parliament are summoned to re-assemble on different dates, the period of forty days shall be reckoned from the later of those dates.” (262)

The motion was adopted.

MR. DEPUTY-SPEAKER: Now I will put Mr. Shukla's amendment No. 275. The question is:

Page 2, line 8,—

after “air”, insert—

“with respect to which Parliament has power to make laws.” (275)

* The following Members also recorded their votes :

AYES: Sarvshri Sheopujan Shastri, C. K. Chakrapani and Shrimati Shakuntala Nayar.

The motion was adopted.

SHRI SRINIBAS MISRA: Amendment No. 222 may be put separately.

MR. DEPUTY-SPEAKER: Is he withdrawing it? Or, shall I put it to the vote? *(interruptions)*

SHRI S. M. BANERJEE: Sir, I rise on a point of order. This is very bad.

MR. DEPUTY-SPEAKER: I have only asked him to indicate. . . *(interruptions)*

SHRI C. K. BHATTACHARYYA: Sir, I want the leave of the House to withdraw my amendment. . . *(interruptions)*

MR. DEPUTY-SPEAKER: Has the hon. Member the leave of the House to withdraw his amendment No. 222 ?

SOME HON. MEMBERS: No.

MR. DEPUTY-SPEAKER: All right. I will put it to the vote.

SHRI N. SREEKANTAN NAIR: Sir, I rise on a point of order, not on this issue but on a different subject. There was a ruling in this House by the Speaker that after every voting the doors must be kept open and then closed for the second voting. Now that practice has been given the go-by by keeping the doors closed in between two divisions. If this is continued, we will force the doors open. . . *(interruption)*

MR. DEPUTY-SPEAKER: I will see to it that the doors are kept open. But whenever any fresh division is demanded I will have to see that the lobbies are cleared and the doors closed.

SHRI N. SREEKANTAN NAIR: In spite of the clear ruling of the Speaker, these people are keeping the doors closed.

MR. DEPUTY-SPEAKER: The question is:

"Page 3,—

after line 3, insert—

"Provided that cessation of work brought about by physical obstruction, intimidation, threat of

violence and humiliation shall not be regarded as 'strike'. " " (222)

The Lok Sabha divided:

AYES

Division No. 27]

[15.48 hrs.

Abraham Shri K. M.
Adichan, Shri P. C.
Banerjee Shri S. M.
Basu, Shri Jhotirmoy
Basu, Dr. Maitreyee
Biswas, Shri J. M.
Brij Bhushan Lal, Shri
Chakrapani, Shri C. K.
Dar, Shri Abdul Ghani
Dhandapani, Shri
Gopalan, Shri P.
Halidar, Shri K.
Jha, Shri Shiva Chandra
Joshi, Shri S. M.
Kalita, Shri Dhireswar
Kameshwar Singh, Shri
Kothari, Shri S. S.
Krishnamoorthi, Shri V.
Kundu, Shri S.
Kunte, Shri Dattatraya
Lakkappa, Shri K.
Meghachandra, Shri M.
Misra, Shri Srinibas
Molahu Prasad, Shri
Mukerjee, Shri HN
Nair, Shri N. Sreekantan
Nambiar, Shri
Nayar, Shrimati Shakuntala
Nihal Singh, Shri
Patel, Shri J. H.
Patil, Shri N. R.
Puri, Dr. Surya Prakash
Rajaram, Shri
* Reddy, Shri R. D.
Roy, Shri Chittaranjan
Saboo, Shri Shri Gopal
Satya Narain Singh, Shri
Sen, Shri Deven
Sen, Dr. Ranen
Sezhiyan, Shri
Sharma, Shri Beni Shanker
Shastri, Shri Sheopujan
Sreedharan, Shri A.
Thakur, Shri Gunanand
Umanath, Shri
Vajpayee, Shri A. B.
Viswambharan, Shri P.

* Wrongly voted for 'AYES'.

NOES

Achal Singh, Shri
 Arumugam, Shri R. S.
 Azad, Shri Bhagwat Jha
 Bajaj, Shri Kamalnayan
 Bajpai, Shri Vidya Dhar
 Barua, Shri Bedabrata
 Barupal, Shri P. L.
 Basumatari, Shri
 Baswant, Shri
 Bhagavati, Shri
 Bhakt Darshan, Shri
 Bhandare, Shri R. D.
 Bhanu Prakash Singh, Shri
 Bhattacharyya, Shri C. K.
 Bist, Shri J. B. S.
 Bohra, Shri Onkarlal
 Chanda, Shri Anil K.
 Chanda, Shrimati Jhotsna
 Chaturvedi, Shri R. L.
 Chaudhary, Shri Nitiraj Singh
 Chavan, Shri D. R.
 Chavan, Shri Y. B.
 Choudhary, Shri Valmiki
 Damani, Shri S. R.
 Das, Shri N. T.
 Dass, Shri C.
 Deoghare, Shri N. R.
 Desai, Shri Morarji
 Deshmukh, Shri Shivajirao S.
 Dinesh Singh, Shri
 Gajraj Singh Rao, Shri
 Ganpat Sahai, Shri
 Gavit, Shri Tukaram
 Ghosh, Shri Bimalkanti
 Ghosh, Shri Parimal
 Hazarika, Shri J. N.
 Himatsingka, Shri
 Iqbal Singh, Shri,
 Jadav, Shri V. N.
 Jagjiwan Ram, Shri
 Kinder Lal, Shri
 Kripalani, Shrimati Sucheta
 Krishna, Shri M. R.
 Krishnan, Shri G. Y.
 Kureel, Shri B. N.
 Kushok Bakulla, Shri
 Lalit Sen, Shri
 Laskar, Shri N. R.
 Laxmi Bai, Shrimati
 Lutfal Haque, Shri
 Maharaj Singh, Shri
 Mahida, Shri Narendra Singh
 Mandal, Shri Yamuna Prasad
 Mehta, Shri Asoka
 Mehta, Shri P. M.

Menon, Shri Govinda
 Minimata, Shrimati Agam Dass Guru
 Mishra, Shri Bibhuti
 Mishra, Shri G. S.
 Mrityunjay Prasad, Shri
 Mukerjee, Shrimati Sharda
 Naidu, Shri Chengalraya
 Oraon, Shri Kartik
 Pahadia, Shri Jagannath
 Palchoudhuri, Shrimati Ila
 Pandey, Shri K. N.
 Pandey, Shri Vishwa Nath
 Panigrahi, Shri Chintamani
 Paokai Haokip, Shri
 Parmar, Shri D. R.
 Parthasarathy, Shri
 Patel, Shri N. N.
 Patil, Shri Deorao
 Patil, Shri S. B.
 Patil, Shri S. D.
 Poonacha, Shri C. M.
 Pramanik, Shri J. N.
 Prasad, Shri Y. A.
 Radhabai, Shrimati B.
 Raj Deo Singh, Shri
 Raju, Shri D. B.
 Ram, Shri T.
 Ram Dhan, Shri
 Ram Dhani Das, Shri
 Ram Subhag Singh, Dr
 Ram Swarup, Shri
 Rana, Shri M. B
 Randhir Singh, Shri
 Rane, Shri
 Rao, Shri Jaganath
 Rao, Shri K. Narayana
 Rao, Shri J. Ramapathi
 Rao, Dr. V. K. R. V.
 Raut, Shri Bhola
 Reddi, Shri G. S.
 Reddy, Shri P. Antony
 Reddy, Shri Surendar
 Rohatgi, Shrimati Sushila
 Roy, Shrimati Uma
 Sadhu Ram, Shri
 Saha, Dr. S. K.
 Saigal, Shri A. S.
 Sapre, Shrimati Tara
 Sayeed, Shri P. M.
 Sen, Shri Dwaipayan
 Sen, Shri P. G.
 Shambhu Nath, Shri
 Shankaranand, Shri B.
 Sharma, Shri Madhoram
 Shastri, Shri B. N.

Sheo Narain, Shri
 Sheth, Shri T. M.
 Shinkre, Shri
 Shiv Chandika Prasad, Shri
 Shukla Shri S. N.
 Shukla, Shri Vidya Charan
 Siddheshwar Prasad, Shri
 Singh, Shri D. N.
 Snatak, Shri Nar Deo
 Supakar, Shri Sradhakar
 Surendra Pal Singh, Shri
 Sursingh, Shri
 Suryanarayana, Shri K.
 Swaran Singh, Shri
 Tiwary, Shri K. N.
 Uikey, Shri M. G.
 Ulaka, Shri Ramachandra
 Verma, Shri Balgovind
 Verma, Shri Prem Chand
 Vyas, Shri Ramesh Chandra
 Yadav, Shri Chandra Jeet

MR. DEPUTY-SPEAKER: The result* of that division is: Ayes: 47; Noes: 131.

The motion was negatived.

श्री अटल बिहारी वाजपेयी : उपाध्यक्ष महोदय, मेरा निवेदन यह है कि इस विधेयक पर चर्चा के लिए थोड़ा और अधिक समय मिलना चाहिए। जिस बेरहमी से हमारे संशोधनों का कत्ते ग्राम हो रहा है उससे हमारे दिल को बड़ा दर्द हो रहा है।

MR. DEPUTY-SPEAKER: Let this clause be over and then I shall allow you to make that plea.

Now I shall put all the other amendments to the vote of the House.

Amendments Nos 29 to 33, 41, 42, 48, 49, 83 to 93, 96 to 105, 113 to 119, 160, 162, 163, 180 to 182, 191, 192, 209, 218, 234, 236 and 237 were put and negatived.

MR. DEPUTY-SPEAKER: The question is:

"That clause 2, as amended, stand part of the Bill."

The Lok Sabha divided:

Division No. 28] AYES [15.51 hrs.

Achal Singh, Shri
 Arumugam, Shri R. S.
 Azad, Shri Bhagwat Jha
 Bajaj, Shri Kamalnayan
 Bajpai, Shri Vidya Dhar
 Barua, Shri Bedabrata
 Barupal, Shri P. L.
 Basumatari, Shri
 Baswant, Shri
 Bhagavati, Shri
 Bhakt Darshan, Shri
 Bhandare, Shri R. D.
 Bhanu Prakash Singh, Shri
 Bhattacharyya, Shri C. K.
 Bist, Shri J. B. S.
 Bohra, Shri Onkarlal
 Brij Bhushan Lal, Shri
 Chanda, Shri Anil K.
 Chanda, Shrimati Jyotsna
 Chaturvedi, Shri R. L.
 Chaudhary, Shri Nitiraj Singh
 Chavan, Shri D. R.
 Chavan, Shri Y. B.
 Choudhary, Shri Valmiki
 Damani, Shri S. R.
 Dar, Shri Abdul Ghani
 Das, Shri N. T.
 Dass, Shri C.
 Deoghare, Shri N. R.
 Desai, Shri Morarji
 Deshmukh, Shri Shivajirao S.
 Dinesh Singh, Shri
 Ering, Shri D.
 Gajraj Singh Rao, Shri
 Ganpat Sahai, Shri
 Gavit, Shri Tukaram
 Ghosh, Shri Parimal
 Hazarika, Shri J. N.
 Himatsingka, Shri
 Iqbal Singh, Shri
 Jadhav, Shri V. N.
 Jagjivan Ram, Shri
 Kesri, Shri Sitaram
 Kinder Lal, Shri
 Kripalani, Shrimati Sucheta
 Krishna, Shri M. R.
 Krishnan, Shri G. Y.
 Kureel, Shri B. N.
 Lalit Sen, Shri
 Laxmi Bai, Shrimati
 Lutfal Haque, Shri

* The following Members also recorded their votes:

AYES: Sarvshri Swami Bramhanandji and Sheopujan Shastri.
 NOES: Sarvshri Shantilal Shah and R. D. Reddy.

Maharaj Singh, Shri
 Mahida, Shri Narendra Singh
 Mahishi, Dr. Sarojini
 Mandal, Shri Yamuna Prasad
 Mehta, Shri Asoka
 Mehta, Shri P. M.
 Menon, Shri Govinda
 Minimata, Shrimati Agam Dass Guru
 Mishra, Shri Bibhuti
 Mishra, Shri G. S.
 Mrityunjay Prasad, Shri
 Mukerjee, Shrimati Sharda
 Murthy Shri B. S.
 Naidu, Shri Chengalraya
 Oraon, Shri Kartik
 Pahadia, Shri Jagannath
 Palchoudhuri, Shrimati Ila
 Pandey, Shri Vishwa Nath
 Panigrahi, Shri Chintamani
 Paokai Hackip, Shri
 Parmar, Shri D. R.
 Partap Singh, Shri
 Parthasarathy, Shri
 Patel, Shri N. N.
 Patil, Shri Deorao
 Patil, Shri S. B.
 Patil, Shri S. D.
 Poonacha, Shri C. M.
 Pramanik, Shri J. N.
 Prasad, Shri Y. A.
 Qureshi, Shri Mohd. Shaffi
 Radhabai, Shrimati B.
 Raj Deo Singh, Shri
 Raju, Shri D. B.
 Ram, Shri T.
 Ram Dhan, Shri
 Ram Dhani Das, Shri
 Ram Subhag Singh, Dr.
 Ram Swarup, Shri
 Rana, Shri M. B.
 Randhūr Singh, Shri
 Rane, Shri
 Rao, Shri Jaganath
 Rao, Shri K. Narayana
 Rao, Shri J. Ramapathi
 Rao, Shri Thirumala
 Rao, Dr. V. K. R. V.
 Raut, Shri Bhola
 Reddi, Shri G. S.
 Reddy, Shri P. Antony
 Reddy, Shri R. D.
 Reddy, Shri Surendar
 Rohatgi, Shrimati Sushila
 Roy, Shrimati Uma
 Sadhu Ram, Shri
 Saigal, Shri A. S.

Sapre, Shrimati Tara
 Sayeed, Shri P. M.
 Sen, Shri Dwaipayan
 Sen, Shri P. G.
 Shah, Shri Shantilal
 Shambhu Nath, Shri
 Shankaranand, Shri B.
 Sharma, Shri Madhoram
 Shastri, Shri B. N.
 Sheo Narain, Shri
 Sheth, Shri T. M.
 Shinkre, Shri
 Shiv Chandika Prasad, Shri
 Shukla, Shri S. N.
 Shukla, Shri Vidya Charan
 Siddheshwar Prasad, Shri
 Singh, Shri D. N.
 Snatak, Shri Nar Deo
 Supakar, Shri Sradhakar
 Surendra Pal Singh, Shri
 Sursingh, Shri
 Suryanarayana, Shri K.
 Swaran Singh, Shri
 Tiwary, Shri K. N.
 Uikey, Shri M. G.
 Ulaka, Shri Ramchandra
 Verma, Shri Balgovind
 Verma, Shri Prem Chand
 Vyas, Shri Ramesh Chandra
 Yadav, Shri Chandra Jeet

NOES

Abraham, Shri, K. M.
 Adichan, Shri, P. C.
 Badrudduja, Shri
 Banerjee, Shri S. M.
 Basu, Shri Jyotirmoy
 Basu, Dr. Maitreyee
 Biswas, Shri J. M.
 Chakrapani, Shri C. K.
 Dhandapani, Shri
 Gopalan, Shri P.
 Haldar, Shri K.
 Jha, Shri Shiva Chandra
 Joshi, Shri S. M.
 Kalita, Shri Dhireswar
 Kameshwar Singh, Shri
 Krishnamoorthi, Shri V.
 Kundu, Shri S.
 *Kushok Bakula, Shri
 Lakkappa, Shri K.
 Meghachandra, Shri M.
 Misra, Shri Srinibas
 Mohammad Ismail, Shri
 Molahu Prasad, Shri
 Muhammad Ismail, Shri M.

*Wrongly voted for "NOES".

Mukerjee, Shri H. N.
 Nair, Shri N. Sreekantan
 Nambiar, Shri
 Nayar, Shrimati Shankuntala
 Nihal Singh, Shri
 Patel, Shri J. H.
 Patil, Shri N. R.
 Puri, Dr. Surya Prakash
 Rajaram, Shri
 Reddy, Shri Eswara
 Roy, Shri Chittaranjan
 Saboo, Shri Shri Gopal
 Satya Narain Singh, Shri
 Sen, Shri Deven
 Sen, Dr. Ranen
 Sezhiyan, Shri
 Sharma, Shri Beni Shanker
 Sreedharan, Shri A.
 Thakur, Shri Gunanand
 Umanath, Shri
 Vajpayee, Shri A. B.
 Viswambharan, Shri P.

MR. DEPUTY-SPEAKER: The result* of the division is: Ayes: 137; Noes: 46.

The motion was adopted.

Clause 2, as amended, was added to the Bill.

MR. DEPUTY-SPEAKER: We now go to clause 3.

श्री छटल बिहारी बाजपेयी : उपाध्यक्ष महोदय, क्या आपने समय बढ़ाने के बारे में विचार किया है ? मेरी प्रार्थना है कि यह विधेयक विवादग्रस्त है, अभी केवल दो धारार्ये हुई हैं और अनेक धारार्ये बाकी हैं, हम लोग उन पर बोलना चाहेंगे, अपने विचार प्रकट करना चाहेंगे । . . . (व्यवधान) . . .

MR. DEPUTY-SPEAKER: Whatever time was allotted by the Business Advisory Committee is exhausted. We can extend it by one hour in our own discretion. That is the maximum. What I would suggest is that when we go to clauses, we may apply guillotine and dispose them of. At the final stage, we can have one hour.

SOME HON. MEMBERS: No, no.

श्री छटल बिहारी बाजपेयी : संशोधनों का कल्लेग्राम नहीं होने दिया जाएगा . . . (व्यवधान) . . .

मेरा निवेदन यह है कि आज आप क्लॉक बाई क्लॉक डिस्कशन करिए लेकिन थर्ड रीडिंग कल होनी चाहिए ।

SHRI VIDYA CHARAN SHUKLA: May I remind you that the hon. Speaker, when he was in the House, directed and set some time-limit? As you yourself observed, we have to work within the time-limit. In your discretion, you might, here and there, adjust the time. But the final time-limit has been set by the hon. Speaker. We have already spent about a week on this matter. Enough time has been given. It is an important measure. My submission to you is that the time-limit set by the Speaker should be adhered to.

SHRI H. N. MUKERJEE (Calcutta North East): Sir, we have the greatest respect for the Speaker. When he speaks, he speaks for the House. But it is the House which has the paramount authority. The proprieties of the House should be observed. Everytime a point of order has been raised, you have been very indulgent, and very rightly so, because in the Chair you are not there as a partisan and you cannot brush it off. You have always listened to the points of order raised. In the course of the discussion—believe us, it is a genuine discussion—genuine points have arisen; in the course of the discussion, the Opposition have fully been constrained to ask for divisions over and over again. All this is part of the proprieties of the House which should be observed. I am sure, if the Speaker were here, he would have taken note of the mood and the temper of the House. The House being paramount, with greatest respect to the Speaker—you are deputising for him for the time being—you gauge the feeling of the House and direct things accordingly. I feel there is considerable justice in Mr. Vajpayee's request. We cannot

* The following Members also recorded their votes:

AYES: Sarvshri Raj Deo Singh, Bimal Kanti Ghosh, Jaipal Singh, Kushok Bakula and Dr. S. K. Saha;

NOES: Sarvshri Sheopujan Shastri, K. Ramani and S. S. Kothari.

possibly stop it for all time to come as long as their minds do not change, their hearts do not change, and we have got to yield to them. But let us have a proper, full-dress discussion so that there is no misgiving left in the minds of the Opposition.

SHRI UMANATH: It is not true to say, as Mr. Shukla has said, that the Speaker has set the final time-limit and that must be adhered to. The moment the Speaker said that, certain objections were raised from our seats and, ultimately, his last sentence was, "I appeal to you all to finish it as early as possible."

That was the final position taken by the Speaker, and not 4 O'Clock.

SHRI S. KUNDU: It is unfortunate that Mr. Shukla reminds you of what the Speaker said.

SHRI SHEO NARAIN: Mr. Banerjee also attended the meeting of the Business Advisory Committee. What is the value of the decision of the Business Advisory Committee, if they are not going to obey their own decision? How can the work of the House proceed if they are not going to obey their own decision?

MR. DEPUTY-SPEAKER: I would suggest this as a *via media*. If I were to say that we could proceed, just imagine what will happen when division is insisted on every amendment! There are 75 amendments. What I suggest is this. Let us finish this Bill before we adjourn today. Is it agreed? (*Interruptions*)

SHRI S. M. BANERJEE: Let us have the Third Reading tomorrow.

श्री अटल बिहारी वाजपेयी : इसमें कठिनाई क्या है? यहाँ रीडिंग क्लस कर दीजिए।

MR. DEPUTY-SPEAKER: Upto 6 O'Clock, we shall take up the clauses. I am appealing to both the sides. By 6 O'Clock we shall finish all the clauses and there will be one hour for final Reading. I am appealing to both the sides.

SHRI UMANATH: We appeal to Dr. Ram Subhag Singh to accept to have the Third Reading tomorrow. Allow us to talk before the murder is committed.

THE MINISTER OF PARLIAMEN- TARY AFFAIRS AND COMMUNICA- TIONS (DR. RAM SUBHAG SINGH): You were pleased to say that we should conclude by 4.30 P.M. I again bow to your ruling that it should be concluded by 6 P.M. We must adhere to that.

MR. DEPUTY-SPEAKER: Let us finish it today. Whatever the time, we are going to finish this Bill today. We should finish by 6 P.M.

SHRI UMANATH: We can have the Third Reading tomorrow. What will happen if we have it tomorrow? Dr. Ram Subhag Singh can tell us as to what programme is going to be upset by our having the Third Reading tomorrow?

श्री अटल बिहारी वाजपेयी : अच्छा, आप अभी चलिए। फिर देखा जायेगा 6 बजे कि क्या होता है।

MR. DEPUTY-SPEAKER: According to the order paper, we had only two hours. In my discretion I allowed one more hour. Why do you want to keep it pending? There are important matters coming up. . . (*Interruptions*)

SOME HON. MEMBERS: No, no.

MR. DEPUTY-SPEAKER: Now, let us proceed. We go to Clause 3.

Clause 3—(Power to prohibit strikes in certain employments)

SHRI DEVEN SEN (Asansol): I move:

Page 3, line 19,—

add at the end—

"on failure of the conciliation proceedings regarding the dispute or disputes concerned." (17)

Page 3,—

for lines 24 to 26, substitute—
"six months only." (18)

[Shri Deven Sen]

Page 3, line 25,—

for "six months" substitute—
"three months" (19)

Page 3, line 30,—

omit "whether before or" (20)

SHRI P. VISWAMBHARAN (Trivandrum): I move:

Page 3, line 24,—

for "six months" substitute—
"three months" (34)

Page 3, line 25,—

for "six months" substitute—
"two months" (35)

Page 3,—

omit lines 30 to 32. (36)

SHRI LOBO PRABHU: I move:

Page 3,—

after line 19, insert—

"Provided that no such order shall be passed if the strikers are acting under existing laws, to obtain redress for their grievances." (53)

SHRI S. M. BANERJEE: I move:

Page 3,—

for lines 16 to 19, substitute—

"3. (1) If the Central Government, after referring a dispute to arbitration, feels that in the public interest it is necessary or expedient it may, by a general order or a special order, prohibit strike in any essential service specified in the order." (70)

Page 3, line 29,—

add at the end—

"after the dispute is referred to arbitration;" (71)

Page 3, line 31,—

after "Order," insert—

"and after referring the dispute to arbitration" (72)

SHRI UMANATH: I move:

Page 3,—

for lines 18 and 19, substitute—

"Special order, prohibit strikes which take place without any cause, in any essential service specified in the order, provided the concurrence of the State Government or Governments concerned is obtained." (120)

Page 3,—

after line 19, insert—

"(1A) If in the public interest it is necessary or expedient so to do, the Central Government may, by general or special order prohibit lock-outs, direct or indirect retrenchment, lay-offs and closures in any essential service specified in the order." (121)

Page 3, line 21,—

omit "as the Central Government considers" (122)

Page 3,—

for lines 24 to 26, substitute—

"fifteen days only" (123)

Page 3, line 29,—

for "or remain on strike" substitute—
"on strike without giving two weeks notice" (124)

Page 3, line 30,—

for "or commenced, whether before or" substitute—
"without giving fourteen days prior notice" (125)

SHRI N. SREEKANTAN NAIR:

Page 3, line 17,—

after "may," insert—

"after referring the dispute for adjudication," (164)

SHRI SRINIBAS MISRA: I move:

Page 3, line 18,—

after "Order," insert—

"refer the disputes to arbitration and" (183)

Page 3, line 21,—
for "such" substitute—
 "the Official Gazette and in such other" (184)

Page 3, line 28,—
after "employed" insert—
 "under the Central Government" (186)

Page 3, line 31,—
after "persons" insert—
 "who are in the service of the Central Government" (187)

SHRI SHINKRE: I move:

Page 3, line 19,—
add at the end—
 "Provided that a sub-committee of the Cabinet consisting of the Ministers of Finance, Home, Railways, Communications and Shipping and Transport arrives to the conclusion that all the efforts envisaging conciliation of the dispute have failed." (193)

SHRI S. KUNDU: I move:

Page 3, line 21,—
for "best" substitute—
 "fit with due notice" (223)

Page 3, line 24,—
for "six months" substitute—
 "fifteen days" (224)

Page 3, line 25,—
for "six months" substitute
 "fifteen days" (225)

SHRI BENI SHANKER SHARMA: (Banka): I move:

Page 3, line 19,—
add at the end—
 "but before doing so, the Central Government shall exhaust all modes of conciliation to meet the reasonable demands of the employees." (239)

Page 3, line 24,—
for "six months" substitute
 "one month" (241)

SHRI S. M. BANERJEE: I move:

Page 3,—
for lines 16 to 19, substitute—
 "3. (1) If the Central Government, after referring a dispute to arbitration by mutual consent feels that in the public interest it is necessary or expedient it may, by a general Order or a special Order, prohibit strike in any essential service specified in the order." (263)

SHRI V. KRISHNAMOORTHY (Cuddalore): I move:

Page 3,—
for lines 16 to 19, substitute—
 "3. (1) If the Central Government after exhausting all possible negotiations with their workers union is satisfied that in the public interest it is necessary or expedient so to do may by general or special Order prohibit strikes in any essential service specified in the Order." (267)

SHRIMATI SUCHETA KRIPALANI (Gonda): I move:

Page 3, line 19,—
add at the end—
 "provided that an agreement through the Joint Consultative Machinery had not been reached and the dispute has not been referred to Arbitration." (268)

Page 3, line 31,—
after "Order" insert—
 "or during the pendency of the negotiations before the Joint Consultative Machinery or the arbitration proceeding and till the award is published." (269)

MR. DEPUTY-SPEAKER: Then, are the amendments standing in the name of Shri V. Krishnamoorthi, Shrimati Sucheta Kripalani and Shrimati Sharda Mukherjee, being moved?

16 hrs.

SHRI V. KRISHNAMOORTHÍ: Yes, I have moved.

SHRIMATI SUCHETA KRIPALANI: Yes, I have moved.

SHRIMATI SHARDA MUKHERJEE (Ratnagiri): Yes, I have moved.

MR. DEPUTY-SPEAKER: We will begin the Debate now. Shrimati Sucheta Kripalani. Please be very brief.

SHRI SRINIBAS MISRA: Sir, I rise on a point of order. . .

SHRI V. KRISHNAMOORTHÍ: In view of the amendment being moved by Shrimati Sucheta Kripalani and Shrimati Sharda Mukherjee, I want to know whether the Government is going to accept the amendments. It will be helpful to us in discussing all these things, if the Government could tell us about this. It is better if they spell out their intentions because they have been moved by the responsible members of the ruling party.

MR. DEPUTY-SPEAKER: Are you inclined to accept?

SHRI VIDYA CHARAN SHUKLA: No, we are not accepting.

SHRI SRINIBAS MISRA: There are certain matters which are provided in the constitution, which are directly violated here. The question whether a measure is reasonable restriction on the Fundamental Right, will be decided by the court. When they themselves spell out something which is against constitution, they cannot be allowed to do it under Clause 3. What does clause 3 say? It says:

'If the Central Government is, satisfied that in the public interest. . .'

Kindly mark that word, Public interest.

' . . . it is necessary or expedient to do so, it may, by general or special Order, prohibit strikes in any essential service specified in the Order.'

Right to strike is one of the fundamental right of expression. Right of association and right of expression are provided for in the constitution. They can give expression to the feeling of dissatisfaction regarding the conditions of service or whatever it is—that is, if they want to go on strike. That is a fundamental right. These things come under Article 19 (4) of the constitution. It is only for the purposes of 'public order' and 'morality' they can do this. Only for that purpose they can restrict this fundamental right. These are the only two justifications for such restrictions, namely, public order and morality. When they themselves admit that and they do not say now that it is in the interest of public order and morality, they have no right to put reasonable or any restrictions.

MR. DEPUTY-SPEAKER: On that point there was a big controversy. I have ruled it out. So far as right to strike is concerned it is not one of the fundamental rights. I have said it. The second point that you raised is about putting reasonable restrictions in the public interest. On those points the Chair is not competent to decide.

SHRI SRINIBAS MISRA: I am sorry, I have not made myself clear. For public order or morality, they can exercise that right. But they did not say that. If they had said that the provisions are in the interest of public order and morality, we could have discussed whether this comes under public order or morality. They simply say 'public interest.' The question is: Can they put restriction like this in matters not coming under public order and morality? Can we take that it comes under public interest? That is one point. The second point is this. They have taken the power to give notice to the strikers or people serving in the Central Services. They can give notice as they like.

They may hang it up somewhere. Or, this may be in the confidential box or in the Secretariat file of Mr. Shukla. They may say it will be sent to somebody somewhere and that will be proper notice. What I say is,

notice is notice. It has got the concept and the well established meaning. It must be published in the official gazette and something else is also called for. There was a question of delegation of power. This was referred to the Subordinate Legislation Committee.

MR. DEPUTY-SPEAKER: We have just one hour at our disposal (*Interruptions*). So far as the question of delegation is concerned, though this particular thing might not have been referred, the whole thing has been thoroughly examined. Now I am not going to refer it again to the Committee.

SHRI S. KUNDU: I am speaking from personal knowledge.

MR. DEPUTY-SPEAKER: If it violates any provision of the Constitution, I leave it to the Supreme Court to decide. Now let us proceed.

SHRI SRINIBAS MISRA: My second point is . . .

MR. DEPUTY-SPEAKER: No, no. Shrimati Sucheta Kripalani.

SHRI S. KUNDU: On a point of order. You were kind enough to give me opportunity to raise constitutional points before. . .

MR. DEPUTY-SPEAKER: This is not proper. As I have said already, as far as possible, I have gone through the process of disposing of points of order which could be disposed of by the Chair.

SHRI S. KUNDU: One minute would not take away much time.

MR. DEPUTY-SPEAKER: Others' time would be encroached upon.

SHRI S. KUNDU: You have been very much reasonable and you have exercised good judgment also. I am referring to cl.3(2) which says:

"An order made under sub-section (1) shall be published in such manner as the Central Government considers best calculated to bring it to the notice of the persons affected by the Order."

Government considers best calculated to bring it to the notice of the persons affected by the order—this is directly going to be hit by the Constitution as I will show by reading a short paragraph from *Dacey*:

"Thus what the rule of equality before the law means is that these powers of the public officers must be defined by law and the officers in the exercise of these powers must not be allowed to commit a wrong."

The arbitrary power which has always been given to these officers has been struck down as violation of equality before the law.

MR. DEPUTY-SPEAKER: I have already ruled on it. On the question of the arbitrary character of the power, there are two forums for this House. Whether the delegation is arbitrary or excessive has been examined. Beyond that, only the Supreme Court can decide. The Chair is not competent to do it.

SHRI S. KUNDU: You may say it is arbitrary. You may say whatever you like. . .

MR. DEPUTY-SPEAKER: He is taking away the time of the House. Shrimati Sucheta Kripalani.

SHRIMATI SUCHETA KRIPALANI (Gonda): Mine is a simple amendment to cl. 3 which is the most important part of the bill, the operative clause.

16.07 hrs.

[MR. SPEAKER *in the Chair*]

Why has this Bill been brought forward? Because of a peculiar situation that developed, particularly last September. Not only was there a token strike, but there was threat of even a bigger strike.

There are various reasons for the strike—I do not wish to go into them now because I do not wish to say things which will cause a lot of noise in the House. My point is that neither Government nor we are happy that this Bill has been brought forward. We would have been happier if the workers had been allowed to have their right unrestricted and they could carry on their activities as

[Shrimati Sucheta Kripalani]

well as carry on their negotiations with the Government or the employers in the normal way. But because of the peculiar situation that arose in September and because of the apprehension of the law and order being disturbed to a considerable extent in the country, Government thought it fit to pass the ordinance then and to bring this Bill now. We are, therefore, supporting it. In fact, I would like to say that Government have been constrained to bring this Bill because of the great play of politics in the trade union field from which politics should have been absent.

But I would like Government's power to ban strikes to be somewhat restrained. I do not want the Government to be free to ban a strike just on any small pretext. I want full play for the negotiating machinery which should go to its utmost length in its effort to see that a settlement is brought about. Failing that, Government should resort to arbitration.

Regarding arbitration, I know government servants feel that Governments are very sticky. In fact, that is held out as one of their grievances. I am glad that the hon. Minister of State has already made a statement that they are thinking of bringing about certain changes and bringing forward a comprehensive Bill which will take care of this complaint. As Shri Shantilal Shah said, Government should try to make use of the machinery of arbitration. As far as possible they should try to use this machinery so that the feeling is created that both sides have gone to the utmost length to bring about a settlement in a peaceful manner, and only after that some harsh measures have been taken from either side. Therefore, by my amendment I seek to add this proviso:

"provided that an agreement through the Joint Consultative Machinery had not been reached and the dispute has not been referred to Arbitration."

That means that all efforts have been made to settle it in the normal way and failing that the Government can ban a strike.

Partly as a consequence I have moved my amendment No. 269. After the words:

"any strike declared or commenced, whether before or after the issue of the Order,"

I want the following words to be added:

"or during the pendency of the negotiations before the Joint Consultative Machinery or the arbitration proceeding and till the award is published."

That means that the workers on their side will also not be impatient, will not be pressurised by certain political groups to break off negotiations in the middle and start a strike. Just as I want to restrain the Government from issuing an order of ban without having explored all the possible avenues of settlement, in the same manner I do not want the workers to be impatient and start a strike. They should on their part wait and see that all this procedure has been taken care of and a full effort has been made before they think of resorting to strike.

SHRIMATI SHARDA MUKERJEE: I have also moved the same amendment and so I would like to say a few words. I would like to submit that today the Government is the largest employer in the country. About two and a quarter lakhs of people are employed by the Government excluding the Armed Forces. The practice which prevails between the Government and its employees very much affects the practices which can prevail in the private sector. Therefore, it is necessary that while the Government feels more or less constrained to bring this Bill, an equal opportunity should be given to the workers to negotiate for their demands. Also I would like to mention that some amount of awareness, consciousness and responsibility needs to be created among the officers because as I said yesterday quite often a crisis or a situation can be stopped from developing if there is an attempt to understand the difficulties of the workers. Therefore, I would request the Minister to keep this in mind and see that this amendment is included in the comprehensive Bill that he has promised since he says it cannot be accepted straightaway.

SHRI ATAL BIHARI VAJPAYEE: Let him accept it here and now.

SHRI NAMBIAR: He can do it now itself.

श्री प्रदस बिहारी बाणपेयी : मैं धारा 3 का विरोध करने के लिए खड़ा हुआ हूँ। यह धारा हड़ताल के अधिकार पर पूर्ण प्रतिबन्ध लगाती है। जब मंत्री महोदय ने यह स्वीकार कर लिया है कि सरकार अनिवार्य मध्यस्थता के और पंच फैसले के लिए तैयार है तो फिर हड़ताल के अधिकार पर प्रतिबन्ध लगाने की आवश्यकता नहीं रह जाती है। लोग अगर हड़ताल के बिना अपनी मांगों के प्रति न्याय प्राप्त कर सकते हैं और किसी निष्पक्ष मध्यस्थ के द्वारा या पंच फैसले के द्वारा निर्णय हो सकता है तो फिर कर्मचारी हड़ताल पर जाने की आवश्यकता ही अनुभव नहीं करेंगे। मेरा निवेदन है कि सरकार गलती कर रही है कि वह दोनों चीजों को अलग कर रही है। इसी विधेयक में सरकार मध्यस्थता और पंच फैसले की बात कह सकती है। इससे कर्मचारियों को थोड़ा सा सन्तोष मिलेगा। हड़ताल के अधिकार को कोई छोड़ना नहीं चाहेगा। लेकिन हड़ताल के अधिकार पर प्रतिबन्ध लगाने के बजाय यह प्रयत्न होना चाहिए कि हम ऐसी परिस्थिति पैदा करें जिसमें हड़ताल करने की जरूरत ही न पड़े। उसका एक ही रास्ता है कि अनिवार्य मध्यस्थता होनी चाहिए। राज्य मंत्री यह समझाने में असमर्थ रहे हैं कि इस विधेयक में अनिवार्य मध्यस्थता या पंच फैसले की बात को शामिल करने में क्या आपत्ति है। आप अगर मरहम लगाना चाहते हैं घाव पर तो फिर नमक छिड़कने की जरूरत नहीं है। यह विधेयक अगर हड़ताली कर्मचारियों के खिलाफ कार्रवाई करने के लिए लाया जा रहा है तो उनके खिलाफ कार्रवाई विभागीय कार्रवाई हो सकती है। उसके लिए इस विधेयक की जरूरत नहीं पड़नी चाहिए। जब सरकार कम्पलसरी आर्बिट्रेशन सम्बन्धी विधेयक लेकर आए तब और बातों पर विचार किया जा सकता है।

इस धारा का हम विरोध कर रहे हैं।

श्री बेबेन सेन (भासनसोल) : धारा 3 में मेरी कई तरमीमें हैं। एक साथ उन सब को मैं पेश कर देता हूँ। पहली तरमीम नम्बर 15 है। इसमें मैंने कहा है कि एक से तीन तक लाइनों को प्रोमित कर दिया जाए।

एक मेरी तरमीम 19 नम्बर की है जिसमें मैंने कहा है कि छः महीने की जगह तीन महीने कर दिया जाय।

एक मेरी 20 नम्बर की तरमीम है जिसमें मैंने कहा है कि लाइन 30 में वैदर बिफोर प्रार, को प्रोमित कर दिया जाए।

21 नम्बर की अमेंडमेंट में मैंने यह कहा है कि छः महीने की जगह एक महीना लिखा जाए और दो सौ की जगह 25 रुपये लिखा जाए।

अध्यक्ष महोदय, आपको याद होगा कि 1960 में भी स्ट्राइक हुई है और वह इससे भी बड़े पैमाने पर हुई थी। मुझे याद है कि तब सिर्फ कलकत्ता में तेरह हजार प्रावमी ससपेंड हुए थे। लेकिन उस वक्त सरकार का रुख ऐसा कड़ा नहीं था जिस तरह से यह घाज कड़ा है। इसका कारण क्या था यह मैं आपको बतलाना चाहता हूँ। इसके कारण को मैंने पढ़ा है। मैं टाटा की स्पीच में से थोड़ा-सा पढ़कर आपको बतलाना चाहता हूँ—

MR. SPEAKER: Be brief.

श्री बेबेन सेन : 1960 में जब आर्बिट्रेशन खरम हुआ तो उसको कोई कानूनी रूप देने के लिए प्रयास नहीं किया गया। अब ऐसा प्रयास क्यों किया जा रहा है, इसका कारण मैं आपको बतलाना चाहता हूँ। यह इस स्पीच में है। इसका इससे बहुत ज्यादा सम्बन्ध है। इस बिल का सम्बन्ध घाने वाले जनरल इलैक्शन से है। इस स्पीच में उन्होंने कहा है:—

“Between now and the next General Elections in 1972 so overwhelming may be the disillusion of our voters that they may turn their faces totally away from

[Shri Deven Sen]

the procedures and practices of parliamentary democracy. Even if this does not happen, is it not likely that the trend which emerged in the last elections may be even more pronounced in 1972.

What then is the alternative? Might it not be a Presidential system of Federal Government in which a Chief Executive at the Centre and Executive Governors in the States are elected for a term of years, during which they are irremovable and free to govern through Cabinets of experts appointed by them and who may, but need not, include professional politicians?"

आने वाले इलेक्शन को देखते हुए जो शंकायें कैपिटलिज्म के लिए पैदा हुई हैं, उनसे बचने के लिए इस बिल को लाया गया है। कैपिटलिस्टों को और मोनोपोलिस्ट्स को चिन्ता है और उन्होंने सरकार के ज़रिए से इस बिल को यहां पेश करवाया है। नहीं तो आप देखें कि इसमें पांच बरस की जो लिमिट रखी गई है इसको रखने की क्या जरूरत थी? मंत्री महोदय स्वयं कहते हैं कि यह टैम्पोरेरी नेचर का है। अगर टैम्पोरेरी नेचर का है तो क्या इसको पांच साल के लिए रखा जाना चाहिए था? तब आपको चाहिए था कि आप इसको तीन महीने के लिए, पांच महीने के लिए या छः महीने के लिए रखते। अगर आपने ऐसा किया होता तब तो कहा जा सकता था कि यह टैम्पोरेरी है। लेकिन आपने इसको पांच बरस के लिए रखकर यह साबित कर दिया है कि टैम्पोरेरी नेचर का नहीं है। इस विधेयक में जो पांच बरस की अवधि रखी गई है, उससे मालूम होता है कि सरकार इसको अगले इलेक्शन तक लागू रखना चाहती है। वह अगले इलेक्शन में कांग्रेस के हितों की हिक़ाज़त के लिए इस विधेयक के ज़रिए मज़दूरों को दबा कर रखना चाहती है।

इन शब्दों के साथ मैं अपनी एमेंडमेंट्स पेश करता हूँ।

SOME HON. MEMBERS *rose*—

MR. SPEAKER: Order, order. The point is this. The hon. Member had been explaining this since the last four or five days. If, after all these four or five days, you could not convince them, I do not know whether within the next one hour, you are going to convince them. Anyway, this Bill will have to be passed, whatever be its shape and all that. (*Interruption*). At the cost of time, so much has been said. Let us finish it now. If they are convinced, let them change. I shall be only very happy if you could convince them so as to change it. But I am afraid that is not possible; four days have passed.

SHRI S. M. BANERJEE: Let us satisfy ourselves that we are doing justice to the working people in this country.

MR. SPEAKER: It is open to the Members to move amendments. I cannot block them. They can all speak, but the time is imposed by you upon yourselves. The recommendations of the Business Advisory Committee are approved by the House. Must we not follow it? Once, twice, thrice, the time has been extended. Let us conclude now.

SOME HON. MEMBERS *rose*—

MR. SPEAKER: I have been hearing all your suggestions. It is only with your co-operation that the Bill can be passed. I can assure you that much. Even if you want to block it by still one more day, what is the advantage?

SHRI H. N. MUKERJEE: Sir, most of the extra time taken was on account of the points of order. After all, this is a matter on which the Opposition feels very strongly and since Parliamentary methodology which is open to us is being utilised, I am sure you would not object. That is why we have been only asking for time, that we can continue with the discussion and have the third reading tomorrow. That was our last request to the Chair.

MR. SPEAKER: I know that I have absolutely no objection. Under Parliamentary democracy, you have the right to move amendments and speak on them. Nobody is trying to block it. But seven hours had been originally allotted, and it has become

20 hours now. It has taken four days. I do not want to hustle anything. They wanted to give more time and they have given the time. Let us have some finality somewhere. It will be anyway passed. (*Interruption*)

AN HON. MEMBER: Have it tomorrow.

MR. SPEAKER: Tomorrow, I have no objection. But remember one thing. The financial Bills are to be passed before we adjourn. And there is the motion on the President's rule in Bihar to be extended; that has to be passed. Then the Nagaland elections have to be carried out. At this rate you will have to sit on Monday, Tuesday and Wednesday also. But I thought that the whole House was anxious to go out for the elections. Otherwise, what is the hurry? But for these, we can have it tomorrow also; there is absolutely no difficulty. That is why I said we must finish it today.

SHRI S. M. BANERJEE: After our victory in Haryana, we are confident of victory in other States also.

SHRI SRINIBAS MISRA: We can throw out this Bill with their co-operation!

SHRI S. M. BANERJEE: Let us have the third reading tomorrow. We shall not ask more than that.

MR. SPEAKER: I know Mr. Banerjee wants it. Now, Shri Viswambharan.

SHRI P. VISWAMBHARAN (Trivandrum): Sir, sub-clause (4) of clause 3 seeks to give retrospective effect to the notification issued in this Act. This is very bad in law. Sub-clause (4) (b) says:

"(b) any strike declared or commenced, whether before or after the issue of the Order, by persons employed in any such service shall be illegal."

So, if somebody goes on strike before the order was issued, believing that it is a *bona fide* strike and he had a right to strike, the action of such people is also be treated as illegal here. The usual punishment meted out by this Government to its employees is suspension and dismissal for those workers who go on strike and beating and killing of em-

ployees who go to office for work, as in Indraprastha Estate. If that is the policy of Government, I wonder how this Government can beat people with retrospective effect. They want permission of this Parliament to punish employees with retrospective effect. This is highly objectionable and I oppose this clause.

SHRI V. KRISHNAMOORTHY (Cuddalore): Sir, after the announcement by the Minister of State yesterday that the joint consultative machinery and compulsory arbitration will be given a statutory basis, the entire opposition thought that he will bring forward an amendment and incorporate it in this Bill itself. But we are astonished that even after an amendment has been moved by Shrimati Kripalani and Shrimati Mukerjee, Government is not willing to accept the amendment moved by responsible members of their own party.

Under this clause, Government is taking power to ban strike. Collective bargaining is a fundamental right and they cannot place unreasonable restrictions without providing any other way. If Government wants to constitute a statutory machinery, unless that is connected with the provisions of this Bill the power given by clause 3(1) will be declared unconstitutional. That is why I have moved this amendment, which is not so harsh as that given by the hon. lady member. It says:

"If the Central Government, after exhausting all possible negotiations with their workers' union, is satisfied that in the public interest, it is necessary or expedient so to do, may by general or special order, prohibit strikes in any essential service specified in the order."

I am insisting on this amendment to safeguard the provision contained in clause 3 (1). Government cannot have this power without any machinery left to the workers. Now the minister says that he is not accepting the amendment of the hon. lady member. That shows his irresponsibility. That shows they are not prepared to implement their own promises. Yesterday they gave an assurance and today they are not incorporating it in the Bill.

[Shri V. Krishnamoorthi]

With these words, I request the hon. minister to accept my amendment.

SHRI LOBO PRABHU (Udipi): Sir, I think all our amendments amount to this that before Government takes this step of declaring a strike illegal, it will allow the course of its own laws. The objection may be that allowing the course of its own laws may precipitate a situation which may be harmful to the people. The minister is aware that I am not on the side of disorder. I am the first man against disorder. If I make a suggestion, I make it with a full sense of responsibility that it is necessary in the interests of the Government as of the opposition.

My amendment has the support of Shri S. M. Banerjee and Shri S. M. Joshi and it is a very simple amendment to the effect that where the Industrial Disputes Act applies, that should run its course to adjudicate. There is no time taken in this. Government can, at any time, refer a dispute for adjudication. In respect of the JCM there is already a provision which says that it should go to arbitration. If these things are allowed to take their course, there is no reason why, when there is failure, government should not declare the strike as illegal. Now, when government does not allow these things to take their course, then a situation arises where the constitution is defied. And where a situation arises where there is frustration, let me warn the government, and I am speaking from the side of order, where there is frustration, there is trouble. If you make the people of this country think that government is not going to allow any strike, you will see that the position is much worse than what it is. If you had taken the course of adjudication and arbitration, things would have been different. So, in the name of order, I would request that my simple amendment may be accepted. It says that the law, as it stands, should take its course before you declare a strike illegal. Then, there is no time lost, there is no situation precipitated which is harmful to the people.

श्री बेबी शंकर शर्मा : अध्यक्ष महोदय, अपनी जायज मांगों को पूरा कराने के लिए हड़ताल करना न तो अनैतिक है और न अनुचित। यह एक मानवीय अधिकार है जिसे

हम इस अधिनियम की धारा 3 से कर्मचारियों से छीन रहे हैं। माननीय राज्य मंत्रीजी ने कल सिद्धान्ततः इस बात को स्वीकार कर लिया था कि वह मध्यस्थता और समझौते के बाद ही कोई कड़ा कदम उठायेगा। मेरा जो संशोधन है वह केवल इतना ही कहता है :

"But, before doing so, the Central Government shall exhaust all modes of conciliation to meet the reasonable demands of the employees."

यह केवल एक थोड़ासा मलहम लगाने जैसा काम है। जैसा बाजपेयीजी ने अभी-अभी कहा था कि नमक न छिड़क कर कम-से-कम घाव पर मलहम लगावें तो वह मनुष्यता के अनुरूप होगा। मनुष्यता का तकाजा है कि आप इतने बड़े अधिकार को लोगों से छीनने के पहले उनकी जायज मांगों को पूरा करने के लिए जो कुछ भी समझौते का प्रयत्न हो सके उसको करने की कोशिश करें।

SHRI S. M. BANERJEE: I shall confine myself to amendment Nos. 70, 71, 72, 263 and 264. My amendments are very simple. Amendment No. 71 says, page 3, line 29 add at the end "after the dispute is referred to arbitration". Now they are taking away the right to strike, in supersession of the right which was guaranteed to us, to the trade unions and the working class in general under the Industrial Disputes Act, 1947. My amendment suggests that after the dispute is referred to arbitration, if they still want to go on strike, then alone the government has a right to ban the strike.

My amendment No. 72 says: Page 3, line 31, after "Order" insert "and after referring the dispute to arbitration".

My amendment No. 70 says: Page 3, for lines 16 to 19 substitute "If the Central Government, after referring a dispute to arbitration, feels that in the public interest it is necessary or expedient it may, by a general order or a special order, prohibit strike in any essential service specified in the order."

Then I come to my amendment No. 263, which says: Page 3, for lines 16 to 19 substitute the following :

The present sub-clause (1) is:

"If the Central Government is satisfied that in the public interest it is necessary or expedient so to do, it may, by general or special Order, prohibit strikes in any essential service specified in the Order,"
With my amendment it will read:—

"If the Central Government, after referring a dispute to arbitration by mutual consent, feel that in the public interest it is necessary or expedient so to do, it may, by general or special Order, prohibit strikes in any essential service specified in the Order."

That means, the Government has a right to ban strikes but they can only do so after arbitration. If they feel that by a particular strike there is loss to the community as such and in their own wisdom they think that the strike should be banned, they should have the right, though we are against the banning of strikes, but only after the matter is referred to arbitration or adjudication. Only then they should do it. The Minister has circulated one note which we have carefully read. That is a retrogressive step. It is worse than the JCM. If you read the constitution of the JCM and the other thing which they have brought forward, you will see the difference. Therefore, I plead that my amendment should be accepted.

SHRI UMANATH: I would restrict myself only to two amendments. My first amendment says that before a strike is prohibited by any Order by the Central Government, the concurrence of the State Government must be sought. This is a very important question. Specially after the Fourth General Elections, when non-Congress governments have come to power, conflicts between parties on questions of policy arise, because various parties contest elections on different policies. If without the concurrence of the State Government a strike is prohibited by the Central Government, what will happen? Take, for instance, the 19th September strike. Both the Kerala

Government and DMK Government in Madras on a question of policy do not consider mere participation in a strike as warranting any arrests—that is a matter of policy with both the parties concerned—whereas the Congress Party considers that the very participation must be banned. These fundamental differences are there. On the basis of difference in policies we get elected and constitute the government. If the Central Government bans the strike without concurrence of the State Government, what will happen is that the DMK Government will be compelled to carry out the Congress Party's decision, another party's decision, which is passed through the Central Government. So also the Kerala State Government. There are various parties there and they will be compelled to carry out against their wishes the Congress Party's decision. That is why I have given the first amendment.

The second amendment reads:

"If in the public interest it is necessary or expedient so to do, Central Government may, by general or special order prohibit lock-outs, direct or indirect retrenchment, lay offs, and closures in any essential service specified in the order."

That is an important amendment that I have moved. Apart from strikes, these things also must be prohibited. Earlier, in this very House when retrenchment in a foreign oil company was going on, you yourself know that there were several discussions. The Labour Minister, Shri Hathi, himself had felt and declared that the retrenchment was unjustified. But he said that they had no powers to prohibit retrenchment. So, when Government brings forward a Bill to prohibit strikes as a result of retrenchment and the Labour Minister himself had expressed his helplessness, this is the time that a prohibition of retrenchments can be provided.

So also reduction. This Bill is supposed to be for maintaining normal life and essential services. When the South India Mill-owners' Association had decided to cut production by 33.1/3 per cent and it affected the community because production was reduced. Shri Dinesh Singh himself expressed here that the reasons given by them were not just and that their decision itself was unfair,

[Shri Umanath]

But when we approached Shri Dinesh Singh to prohibit it, he said that they had no powers under the present Act. So they can take the power now to prohibit such reductions.

Lastly, the question of closures. So many mills are closed now and under the present Act the process is so voluminous and complicated that Government is not able to re-open any mill. The closure of mills is also affecting the life of the community. I seek to bring within the scope of this Bill such closures. The passing of this amendment does not mean that all closures will be banned, but when Government feel that the closure is affecting the life of the community and should be prohibited, this power will be there with them.

SHRI SRINIBAS MISRA: Mr. Speaker, Sir, I am only speaking on amendments Nos. 183, 184 and 187. These are according to what the Minister himself has admitted. In answer to our criticism, he has said that he does not want to extend this Act to State employees and he has also said that he is going to bring in some legislation to implement compulsory arbitration or to have some sort of an alternative machinery. My first amendment has the same effect as that of Mr. Banerjee's amendment. My amendment is to insert "refer the disputes to arbitration" and then prohibit strike if you want to do it simultaneously.

Then, they have taken the power to give notice in such manner as the Central Government may like. This is something contrary to the meaning of "public notice" in article 366 of the Constitution. The meaning of "public notice" is that it must be notified in the Gazette, India Gazette or Trade Gazette. There must be notification in the Gazette and in such other manner if they want to give more notice. My amendment proposes that it shall be published in the Official Gazette and in such other manner. This much only is an addition.

Then, in clause 3, sub-clause (4) says:

"no person employed in any essential service..." I want to add "no person employed under the Central Government" because

that is the assurance given by the hon. Minister that that is the meaning of the clause. If they want to say so, let it be made clear. As it is, the meaning is so vague that it embraces the State Government employees and the private sector. So, I want to add the words "no person employed under the Central Government." In (b) also, I want to add "who are in the service of the Central Government". These amendments are according to his pronouncements and may be accepted.

SHRI NAMBIAR: Sir, from clause 3 you will find that the whole scheme in clause 3 is to declare a strike as illegal. The whole process in clause 3 is how a strike is to be declared illegal. The moment the Government feels satisfied that in the public interest it is necessary to declare a particular strike as illegal, it issues an Order and notifies in its own way. But, as the Deputy-Speaker also agreed previously, one thing is completely absent, that is, as for labour, there is no responsibility on the part of the Government. After all, the workers go on strike for some grievances. There is a trade union and there is an agitation. He goes on strike. The moment that is known, the Government say, it is illegal. Between the declaration of the strike as illegal and the point when the employees go on strike, there must be an attempt to understand each other and come to a settlement. That is completely absent. Therefore, it is clear from the very reading of the Bill that this Bill is obnoxious and authoritarian. It does not give any reason, any chance, of settlement with the employees. My amendment No. 164 seeks to add the words "after referring the dispute for adjudication". We are not asking for the moon. We are not asking for the immediate grant of the redressal of the grievances. Even the machinery that is provided in the Industrial Disputes Act is absent. This Government is so autocrat that it wants power, power and more power, to declare everything as illegal and take the stick and beat persons as was done in Indraprastha Bhavan and in Pathankot and elsewhere. I am not exaggerating. If you kindly go through clause 3, you will find there is no alternative given. It is clear to any person who goes through the Bill, without knowing much of the law or the industrial disputes or anything, that it is a

partisan attitude. It is against the common interests of the employees. Therefore, if wisdom can have anything to do with the Treasury Benches, let it dawn at least now on them, even at this late hour. I would request the Minister to accept my amendment or that of Shrimati Sucheta Kripalani which will satisfy at least to some extent.

SHRI TENNETI VISWANATHAM (Visakhapatnam): I want to confine myself to three aspects: one is about the rule-making amendment given by the government itself, the second is about giving retrospective effect, and the third is what Mr. Nambiar has already said which I need not repeat.

With regard to rule-making powers, it is good that some advance has been made on account of the recommendation of the Committee on Subordinate Legislation. But this is not enough. The rule should first be laid before Parliament and it should come into effect only after Parliament gives its sanction for it. I may draw your attention to the procedure called the 'affirmative procedure' of making rules. I am quoting from May's Parliamentary practice:

"In certain cases where the Crown is empowered to act by order in council, the statute requires that the draft order in council shall be laid before both Houses of Parliament and that the order in council shall not be made unless both Houses present addresses to the Crown praying for the order to be made."

This is not merely a general rule. In such important pieces of legislation as Military Manoeuvres Orders in Council, Military Manoeuvres Act, 1897, there is a similar clause and such a provision has been made; then also in the case of use of the exceptional statutory formula of the Statutory Orders (Special Procedure) Act, 1945. I am referring to the English practice. It is not as if the Opposition is asking for something which is not already there. In the General Clauses Act, you have got the procedure relating to previous publication; under section 15 of the General Clauses Act, we have got that provision. But the argument of the Government is different. The Government says is

that the very purpose of having the power would be lost if they were to wait for Parliament's sanction. But, I believe, in a democracy, while the Government should have all the powers that are necessary, there must also be certain limitations. So, the rules must be laid before the Parliament as per the affirmative procedure. It was contemplated in 1897. The General Clauses Act is there.

My second point is with regard to retrospective effect. It cannot declare punishments with retrospective effect. 'Article 20 of the Constitution prohibits it.' Once they say 'retrospective effect' and declare a strike as illegal with retrospective effect, it means that it involves also retrospective punishment. Therefore, it offends the Constitution. Perhaps the Minister will be able to see it a little later.

There is one amendment which I wanted to move but unfortunately I was a little late in coming here and, therefore, could not move it. It is this. When the union gives notice of the strike, they should not use the provisions of this Act to render it illegal; after the union gives notice of strike, this Act should not be applied.

SHRI NAMBIAR: Hereafter there will be no notice. The strike will start all of a sudden; the trains will stop suddenly . . . (Interruptions)

MR. SPEAKER: Mr. Viswanatham was doing much better . . .

SHRI NAMBIAR: I am saying what will be the result of this.

SHRI TENNETI VISWANATHAM: What we have been saying is this. Under the existing law, a union has got the right to strike. It gives notice. After receiving the notice, just as they did in the case of 19th September strike, the Government should not use the power under this Act and declare it illegal. This is not merely illegal but it becomes an unethical practice on the part of a democratic government.

SHRI R. D. BHANDARE: I had no mind to intervene in the debate, but Mr. Umanath repeated his arguments regarding three points: one is the lock-out; the second is closure of mills; and the third is retrench-

[Shri R. D. Bhandare]

ment. I do not think, the Government, when it declares any particular service as essential to the normal life of the community, will be foolish enough to declare a lock-out.

Mr. Speaker, Sir, such arguments have been advanced by a number of my hon. friends on my right who think that this is a legislation meant for getting power to declare a lock-out. (Interruption)

SHRI NAMBIAR: The hon. Member has not caught the point. He is too late to catch it.

SHRI S. M. BANERJEE: During the 19th September strike they declared lock-out in the Cordite Factory at Aravankadu.

SHRI R. D. BHANDARE: When a pariticular industry is declared to be essential service, could the Government, in its wisdom, declare a lock-out? That is the point. (Interruption) If the Cordite Factory is closed there is no necessity for Government to declare it as essential service.

SHRI NAMBIAR: It must be opened in order to declare so. It must be opened. That is the point.

SHRI R. D. BHANDARE: Of course it can declare. My third point is this, regarding the Services, and retrenchment. If the Government declares any service as essential how could there be any retrenchment in that service which is absolutely essential for the life of the community? And, Sir, I want to say something regarding the retrospective effect. My learned friend who is a practising lawyer will appreciate this. Retrospective effect cannot be stretched to an action which was not a crime at a particular time when that action had taken place. Here is a case where the action was already considered to be an offence under the Ordinance. It is only transferred and comes under this Act. That is the only point.

श्री शिंदरे: अध्यक्षजी, मेरा संशोधन है 23 नम्बर का। हो सकता है कि यह इतना महत्वपूर्ण न हो, लेकिन है प्रथम पूर्ण क्योंकि वह बहुत ही व्यवहारपूर्ण है क्योंकि वह

प्राधारित है जो घटनायें घटीं 19 सितम्बर के बाद। प्राप जानते होंगे जब 19 सितम्बर के बाद सरकारी कर्मचारियों के बारे में सरकार की नीति कैसी रहनी चाहिए, नर्म नीति रहनी चाहिए या प्रखर नीति रहनी चाहिए, इसके बारे में कैबिनेट में भी फ़ैसला नहीं हो सकता था क्योंकि उस टाइम में हमारी प्राइम मिनिस्टर तो बाहर गयीं थीं और यहां गृह मंत्री थे, डिप्टी प्राइम मिनिस्टर भी थे, वह भी नहीं कर सकते थे। तो ऐसा हुआ कि उनके भ्राने के बाद ही गवर्नमेंट ने अपनी पोलिसी डिक्लेयर की सरकारी कर्मचारियों के बारे में। लेकिन मैं समझता हूँ कि गवर्नमेंट की हर एक पोलिसी जो रहती है, वह अध्यादेश के बारे में हो या महत्वपूर्ण विधेयक के बारे में हो, वह कैबिनेट के नीचे रहती है। लेकिन यहां इम्प्रेशन तैयार किया जाता है कि वह नीति अध्यादेश के बारे में जो है वह गृह मंत्रीजी की है। हमने देखा कि गृह मंत्रीजी जब तक कोई विधेयक यहां लाते तो कहा जाता है कि वह डिक्टेटर हैं, शाइलोक हैं, यह कानून ऐसा है, वैसा है। लेकिन यह जानने के बाद भी कि वह नीति केन्द्रीय सरकार की है कैबिनेट की है, ऐसा इम्प्रेशन जनता में न हो कि केवल गृह मंत्री जी की ही नीति थी। इसलिए डिक्टेटर न माना जाय उनको। यह माना जाय कि वह नीति एक की नहीं, पंचमुखी नीति है। मराठी में एक कहावत है "पांचामुखी परमेश्वर"। फाइनेंस, होम, रेलवेज, कम्युनिकेशन, शिपिंग ऐंड ट्रांसपोर्ट, यही मिनिस्ट्रीज हैं जिनके बारे में प्रमुखतः यह विधेयक है और इन्हीं में स्ट्राइक होती है।

SHRI VIDYA CHARAN SHUKLA: I will take very little time because many points made are repeated.

SHRI NAMBIAR: Because his mind is closed.

SHRI VIDYA CHARAN SHUKLA: A useful suggestion has been made by Shrimati Sucheta Kripalani and Shrimati Sharda Mukerjee, backed by several other members,

that some provision should be made in the Bill which will enable the workers to exhaust all the forums available to them before a strike is resorted to and before Government are also forced to resort to the unpleasant duty of banning a strike or declaring it illegal. There are a few difficulties in accepting the amendment right way and I shall explain them. That was why I said in the beginning that it may not be possible for Government to accept the amendment, although we agree in principle as far as this particular matter is concerned.

As long as the joint consultative machinery is not put on a statutory basis, any reference to the JCM in this particular Act is likely to create all kinds of complications. It has to be legally defined and put on a statutory basis. Until that is done, it may not be conducive to the aim hon. Members have in mind.

The second reason is that under its scheme, the Act is limited. It corresponds more or less to the Ordinance promulgated. I have already indicated to the House that we wish to bring forward a comprehensive and positive Bill which will include many things, and I can assure hon. Members that we shall give our most serious consideration to the suggestions made here by members, particularly Shrimati Sucheta Kripalani and Shrimati Sharda Mukerjee. We shall examine the suggestions made here and see how it can be incorporated in that comprehensive measure. This meets the points of many other hon. Members who also raised it.

SHRI S. M. BANERJEE: What is the objection to accepting No. 263?

SHRI VIDYA CHARAN SHUKLA: Shri Vajpayee is not here. He also asked—why separate the two things? We do not want to separate. Therefore, we want to combine them in the comprehensive measure which will come in due course of time. This measure is temporary.

SHRI SEZHIYAN (Kumba Konam): Will the comprehensive Bill come next session?

SHRI VIDYA CHARAN SHUKLA: A charge was made by Shri Deven Sen for whom we have all respect. He said this is being brought forward to help Government in the elections. Political considerations are not in our mind in this respect. I want to refute any such suggestion strongly. The House very well knows how this matter originated. Originally neither the Ordinance nor the Bill was contemplated. How these came about, how our hands were forced is very well known to the House.

SHRI S. M. BANERJEE: Seven workers have been arrested under the Ordinance in the Aravangadu factory even today.

SHRI VIDYA CHARAN SHUKLA: As regards the Industrial Disputes Act, I have already touched upon that aspect. There are several processes which have to be gone through before we come to the stage where a strike can be declared illegal or against national security.

The main point here is that we wish to keep this Act as a temporary measure until the main legislation comes.

SHRI LOBO PRABHU: How many Acts does he want?

SHRI VIDYA CHARAN SHUKLA: Only one. That is why we have kept it temporary. That is why I am unable to accept the amendments.

SHRI S. M. BANERJEE: Our amendments are also temporary; let him accept them.

SHRI VIDYA CHARAN SHUKLA: Shri Srinibas Misra raised the question of the State Government employees being affected by this. Yesterday I clarified categorically that they would not be affected by this.

SHRI SRINIBAS MISRA: Then accept the amendment.

SHRI VIDYA CHARAN SHUKLA: There is a possibility that employees of private sector companies and factories may have to be included in the notification that might be issued. If there are essential services like oil refineries or power houses which work under private control, in a time of

[Shri Vidya Charan Shukla]

emergency, they cannot be excluded. As long as they are considered essential for public security and essential for safeguarding national interests, it may have to be done. Because of the reasons I have given, it is not possible for us to accept the amendments.

SHRI SRINIBAS MISRA: What about the Gazette Notification?

SHRI UMANATH: What about the amendment moved by me that lock-outs and lay-offs which also affect production should be brought within the purview of this Bill?

SHRI VIDYA CHARAN SHUKLA: May I invite attention to Sections 22 and 23 of the Industrial Disputes Act which prohibit both strikes and lock-outs if they are considered to be a public utility? And public utility is defined in Section 2 of that Act. The first Schedule of the Act also enumerates the particular industries.

About the concurrence of the State Governments I would humbly suggest that since this matter does not touch upon the State Government employees. . .

SHRI UMANATH: State Governments' policies on the question of strikes.

SHRI VIDYA CHARAN SHUKLA: According to the Constitution the State Governments are obliged to implement and put into effect any law passed by Parliament. Any law passed by Lok Sabha also goes to the Rajya Sabha which is a representative of the State Assemblies, and so it is assumed that it has the concurrence of everybody. So I do not think there is any need or justification for consulting the State Governments. There might be several aspects which come before the House which in one way or other may require the State Governments to take action under Central laws. If we start this practice of getting the concurrence of the State Government it will be completely impossible to conduct any business in this House.

SHRI H. N. MUKERJEE: I do not think the Minister clearly answered Mr. Umanath's point. I am sorry if I am a little dense in regard to this matter. He made a very specific

point about discrimination as between employers and employees and he referred to certain examples where employers not only in the oil industry but also in the textile industry and elsewhere had behaved in a manner where Government had pleaded inability to take any step. In spite of the Industrial Disputes Act which has a lot of provisions in regard to employees, Government is having this special measure, temporary or otherwise we do not know, but why is it then that discrimination against the employees and in favour of the employers who behave in an anti-social manner in essential matters, is being pursued?

SHRI S. M. BANERJEE: The hon. Minister in his reply has said that he would embody the substance of the amendment brought by Shrimati Sharda Mukerjee and Shrimati Sucheta Kripalani when he brings a comprehensive legislation. It means that in principle he agrees that there should be a machinery for industrial relations. What is his specific objection to my amendment No. 263 which wants to substitute the following words:

"If the Central Government, after referring a dispute to arbitration by mutual consent feels that in the public interest it is necessary or expedient it may, by a general Order or a special Order, prohibit strike in any essential service specified in the order."

SHRI VIDYA CHARAN SHUKLA: Regarding the clarification which is sought by Shri Mukerjee I will again try to repeat and further clarify what I said: I would draw the attention of the House to the provisions of the Industrial Disputes Act, 1947. There in clauses 32 and 33 it is mentioned that a strike as well as a lock-out in public utility concerns can be banned by the Government by order. I also mentioned that 'public utility' has been defined in Section 2 and also the First Schedule of the Act gives the description of 'public utility'. Here there is no discrimination between strike and lock-out. Both can be banned here. That is why this Bill which primarily concerns the Central Government employees, incidentally embraces a field of certain other utilities which may be under private control but which may be very necessary for running the essential

services in the country. There are situations as you know where there are certain public utilities which are at present in private ownership. In certain conceivable situations it may be necessary to declare that also as 'essential'. Beyond that this Bill primarily concerns the Central Government employees. That is why all these things in the Industrial Disputes Act have not been repeated here.

SHRI SRINIBAS MISRA: After a strike has taken place you have taken the power to give notice in such a way as you will. . .

SHRI VIDYA CHARAN SHUKLA: The hon. Member is probably referring to sub-section 4 (b) of Section 3. Here this is again a repetition of the provision in the Industrial Disputes Act which says any strike commenced whether before or after the issue of the order by the persons employed in such services shall be illegal. This is the exact provision which is here. This has not been declared as illegal or anything wrong. Here the meaning is very clear.

MR. SPEAKER: I will now put all the amendments to the vote of the House.

SHRI LOBO PRABHU: He has not answered my point.

SHRI S. M. BANERJEE: I want to divide the House on amendment No. 263.

SHRI UMANATH: Also amendments 120 and 121.

SHRI VIDYA CHARAN SHUKLA: His point is that the process indicated in the Industrial Disputes Act should be gone through before any strike is declared illegal. I have replied to that in a general way when I was dealing with the amendments of Shrimati Sharda Mukerjee and Shrimati Sucheta Kripalani. We will consider this matter when we are framing the new Bill. At that time this matter would be considered.

MR. SPEAKER: Now I will put all the amendments except 263, 120 and 121 to the vote of the House.

Amendments Nos. 17 to 20, 34 to 36, 53, 70 to 72, 122 to 125, 164, 183, 184, 186, 187, 193, 223 to 225, 239, 241, 267, 268 and 269 were put and negatived.

MR. SPEAKER: The question is—

Page 3, for lines 16 to 19, substitute—

"3. (1) If the Central Government, after referring a dispute to arbitration by mutual consent feels that in the public interest it is necessary or expedient it may, by a general Order or a special Order, prohibit strike in any essential service specified in the order." (263)

The Lok Sabha divided:

AYES

Division No. 29]

[17.13 hrs.

Abraham, Shri K. M.
Banerjee, Shri S. M.
Basu, Dr. Maitreyee
Berwa, Shri Onkar Lal
Biswas, Shri J. M.
Chauhan, Shri Bharat Singh
Dwivedy, Shri Surendranath
Gupta, Shri Kanwar Lal
Halder, Shri K.
Jha, Shri Bhogendra
Jha, Shri Shiva Chandra
Kameshwar Singh, Shri
Kandappan, Shri S.
Khan, Shri Ghayoor Ali
Khan, Shri Latafat Ali
Krishnamoorthi, Shri V.
Kundu, Shri S.
Meghachandra, Shri M.
Misra, Shri Srinibas
Mohammad Ismail, Shri
Mukerjee, Shri H. N.
Nambiar, Shri
Patel, Shri J. H.
Patil, Shri N. R.
Puri, Dr. Surya Prakash
Rajaram, Shri
Sambhali, Shri Ishaq
Sen, Shri Deven
Sezhiyan, Shri
Sharma, Shri Beni Shankar
Sharma, Shri Ram Avtar
Sreedharan, Shri A.
Umanath, Shri
Viswambharan, Shri P.
Viswanatham Shri Tenneti

NOES

Achal Singh, Shri
 Aga, Shri Ahmad
 Ahmed, Shri F. A.
 Arumugam, Shri R. S.
 Azad, Shri Bhagwat Jha
 Bajpai, Shri Vidya Dhar
 Barua, Shri Bedabrata
 Basumatari, Shri
 Baswant, Shri
 Bhagavati, Shri
 Bhandare, Shri R. D.
 Bhanu Prakash Singh, Shri
 Buta Singh, Shri
 Chanda, Shri Anil K.
 Chanda, Shrimati Joytana
 Chatterji, Shri Krishna Kumar
 Chaturvedi, Shri R. L.
 Chaudhary, Shri Nitiraj Singh
 Chavan, Shri D. R.
 Chavan, Shri Y. B.
 Choudhary, Shri Valmiki
 Damani, Shri S. R.
 Das, Shri N. T.
 Dass, Shri C.
 Deoghare, Shri N. R.
 Desai, Shri Morarji
 Deshmukh, Shri Shivajirao S.
 Dhillon, Shri G. S.
 Dinesh Singh, Shri
 Dwivedi, Shri Nageshwar
 Ering, Shri D.
 Gajraj Singh Rao, Shri
 Ganpat Sahai, Shri
 Gavitt, Shri Tukaram
 Ghosh, Shri Bimalkanti
 Ghosh, Shri Parimal
 Hazarika, Shri J. N.
 Heerji Bhai, Shri
 Jadhav, Shri V. N.
 Jagriwan Ram, Shri
 Kamala Kumari, Kumari
 Karan Singh, Dr.
 Kesri, Shri Sitaram
 Kinder Lal, Shri
 Kripalani, Shrimati Sucheta
 Krishna, Shri M. R.
 Krishnan, Shri G. Y.
 Kureel, Shri B. N.
 Laskar, Shri N. R.
 Laxmi Bai, Shrimati
 Lutfal Haque, Shri
 Maharaj Singh, Shri
 Mahida, Shri Narendra Singh
 Mahishi, Dr. Sarojini
 Mandal, Shri Yamuna Prasad
 Master, Shri Bholu Nath

Mehta, Shri Asoka
 Mehta, Shri P. M.
 Menon, Shri Govinda
 Mirza, Shri Bakar Ali
 Mishra, Shri Bibhuti
 Mishra, Shri G. S.
 Mohammad Yusuf, Shri
 Mrityunjay Prasad, Shri
 Naidu, Shri Chengalraya
 Oraon, Shri Kartik
 Pahadia, Shri Jagannath
 Palchoudhuri, Shrimati Ila
 Panigrahi, Shri Chintamani
 Paokai Haokip, Shri
 Parmar, Shri D. R.
 Partap Singh, Shri
 Parthasarathy, Shri
 Patel, Shri N. N.
 Patil, Shri Deorao
 Patil, Shri S. B.
 Patil, Shri S. D.
 Poonacha, Shri C. M.
 Pramanik, Shri J. N.
 Prasad, Shri Y. A.
 Radhabai, Shrimati B.
 Raju, Shri D. B.
 Ram Dhani Das, Shri
 Ram Subhag Singh, Dr.
 Randhir Singh, Shri
 Rane, Shri
 Rao, Shri K. Narayana
 Rao, Shri J. Ramapathi
 Rao, Shri Thirumala
 Reddy, Shri Surendar
 Reddy, Shrimati Sudha V.
 Rohatgi, Shrimati Sushila
 Roy, Shrimati Uma
 Sadhu Ram, Shri
 Saha, Dr. S. K.
 Saigal, Shri A. S.
 Saleem, Shri M. Yunus
 Sapre, Shrimati Tara
 Sayyad Ali, Shri
 Sen, Shri A. K.
 Sen, Shri Dwaipayana
 Sen, Shri P. G.
 Shah, Shri Shantilal
 Sharma, Shri Madhoram
 Sharma, Shri Naval Kishore
 Shastri, Shri B. N.
 Shastri, Shri Ramanand
 Sheo Narain, Shri
 Sher Singh, Shri
 Shinkre, Shri
 Shiv Chandika Prasad, Shri
 Shukla, Shri Vidya Charan

Siddheshwar Prasad, Shri
Snatak, Shri Nar Deo
Solanki, Shri S. M.
Supakar, Shri Sradhakar
Sursingh, Shri
Suryanarayana, Shri K.
Swaran Singh, Shri
Tiwary, Shri D. N.
Uikey, Shri M. G.
Verma, Shri Prem Chand
Vyas, Shri Ramesh Chandra

MR. SPEAKER: The result* of the division is: Ayes: 35; Noes: 123.

The motion was negatived.

MR. SPEAKER: I shall now put amendment Nos. 120 and 121 to the vote of the House. The question is:

SHRI UMANATH: I want a division on these amendments.

MR. SPEAKER: You want a division again on this? After 35 for and 123 against, you want a division on this?

SHRI UMANATH: Yes, Sir. Let it go on record clearly that Government is not in favour of bringing lock-out within the ambit of this law.

MR. SPEAKER: All right. I cannot prevent your right. The question is:

Page 3, for lines 18 and 19 substitute—

"Special order, prohibit strikes which take place without any cause, in any essential service specified in the order, provided the concurrence of the State Government or Governments concerned is obtained." (120)

Page 3, after line 19, insert—

"(1A) If in the public interest it is necessary or expedient so to do, the Central Government may, by general or special order prohibit lock-outs, direct or indirect retrenchment, lay-offs and clo-

tures in any essential service specified in the order." (121)

The Lok Sabha divided:

AYES

Division No. 30)

[17.15 hrs.

Abraham, Shri K. M.
Banerjee, Shri S. M.
Basu, Dr. Maitreyee
Biswas, Shri J. M.
Dwivedy, Shri Surendranath
Gupta, Shri Kanwar Lal
Halder, Shri K.
Jha, Shri Bhogendra
Jha, Shri Shiva Chandra
Kameshwar Singh, Shri
Kandappan, Shri S.
Khan, Shri Ghayoor Ali
Khan, Shri Latafat Ali
Kikar Singh, Shri
Krishnamoorthi, Shri V.
Kundu, Shri S.
Lakkappa, Shri K.
Meghachandra, Shri M.
Misra, Shri Srinibas
Mukerjee, Shri H. N.
Nambiar, Shri
Patel, Shri J. H.
Patil, Shri N. R.
Puri, Dr. Surya Prakash
Rajaram Shri
Sambhali, Shri Ishaq
Sen, Shri Deven
Sezhiyan, Shri
Sreedharan, Shri A.
Umanath, Shri
Viswambharan, Shri P.
Viswanatham, Shri Ten...

NOES

Achal Singh, Shri
Aga, Shri Ahmad
Ahmed, Shri F. A.
Arumugam, Shri R. S.
Azad, Shri Bhagwat Jha
Bajpai, Shri Vidya Dhar
Barua, Shri Bedabrata
Basumatari, Shri
Baswant, Shri
Bhagavati, Shri

* The following Members also recorded their votes:

AYES: Sarvshri K. Lakkappa, K. Ramani and S. S. Kothari;
NOES: Shri R. D. Reddy.

Bhandare, Shri R. D.
 Bhanu Prakash Singh, Shri
 Buta Singh, Shri
 Chanda, Shri Anil K.
 Chanda, Shrimati Jyotsna
 Chatterji, Shri Krishna Kumar
 Chaturvedi, Shri R. L.
 Chaudhary, Shri Nitiraj Singh
 Chavan, Shri D. R.
 Chavan, Shri Y. B.
 Choudhary, Shri Valmiki
 Damani, Shri S. R.
 Das, Shri N. T.
 Dass, Shri C.
 Deoghare, Shri N. R.
 Desai, Shri Morarji
 Deshmukh, Shri Shivajirao S.
 Dhillon, Shri G. S.
 Dinesh Singh, Shri
 Divivedi, Shri Nageshwar
 Dwivedy, Shri Surendranath
 Ering, Shri D.
 Gajraj Singh Rao, Shri
 Ganpat Sahai, Shri
 Gavit, Shri Tukaram
 Ghosh, Shri Bimalkanti
 Ghosh, Shri parimal
 Hazarika, Shri J. N.
 Heerji Bhai, Shri
 Jadhav, Shri V. N.
 Jagjiwan Ram, Shri
 Kamala Kumari, Kumari
 Karan Singh, Dr.
 Kesri, Shri Sitaram
 Kinder Lal, Shri
 Kripalani, Shrimati Sucheta
 Krishna, Shri M. R.
 Krishnan, Shri G. Y.
 Kureel, Shri B. N.
 Laskar, Shri N. R.
 Laxmi Bai, Shrimati
 Lutfal Haque, Shri
 Maharaj Singh, Shri
 Mahida, Shri Narendra Singh
 Mahishi, Dr. Sarojini
 Mandal, Shri Yamuna Prasad
 Master, Shri Bhola Nath
 Mehta, Shri Asoka
 Mehta, Shri P. M.
 Menon, Shri Govinda
 Mirza, Shri Bakar Ali
 Mishra, Shri Bibhuti
 Mishra, Shri G. S.
 Mohammad Yusuf, Shri
 Mrityunjay Prasad, Shri
 Naidu, Shri Chengalraya
 Oraon, Shri Kartik

Pahadia, Shri Jagannath
 Palchoudhuri, Shrimati Ila
 Panigrahi, Shri Chintamani
 Paokai Haokip, Shri
 Parmar, Shri D. R.
 Partap Singh, Shri
 Parthasarathy, Shri
 Patel, Shri N. N.
 Patil, Shri Deorao
 Patil, Shri S. D.
 Poonacha, Shri C. M.
 Pramanik, Shri J. N.
 Prasad, Shri Y. A.
 Radhabai, Shrimati B.
 Raju, Shri D. B.
 Ram Dhani Das, Shri
 Ram Subhag Singh, Dr.
 Randhir Singh, Shri
 Rane, Shri
 Rao, Shri K. Narayana
 Rao, Shri J. Ramapathi
 Rao, Shri Thirumala
 Reddy, Shri R. D.
 Reddy, Shri Surendar
 Reddy, Shrimati Sudha V.
 Roy, Shrimati Uma
 Sadhu Ram, Shri
 Saha, Dr. S. K.
 Saigal, Shri A. S.
 Saleem, Shri M. Yunus
 Sapre, Shrimati Tara
 Sayyad Ali, Shri
 Sen, Shri A. K.
 Sen, Shri Dwaipayan
 Sen, Shri P. G.
 Shah, Shri Shantilal
 Sharma, Shri Madhoram
 Sharma, Shri Naval Kishore
 Shastri, Shri B. N.
 Shastri, Shri Ramanand
 Sheo Narain, Shri
 Sher Singh, Shri
 Shinkre, Shri
 Shiv Chandika Prasad, Shri
 Shukla, Shri Vidya Charan
 Siddheshwar Prasad, Shri
 Snatak, Shri Nar Deo
 Solanki, Shri S. M.
 Supakar, Shri Sradhakar
 Swaram Singh, Shri
 Tiwary, Shri D. N.
 Uikey, Shri M. G.
 Verma, Shri Prem Chand
 Vyas, Shri Ramesh Chandra

MR. SPEAKER: The result* of the division is: Ayes: 32; Noes: 121.

The motion was negated.

MR. SPEAKER: The question is:

"That clause 3 stand part of the Bill".

The Lok Sabha divided:

AYES

Division No. 31]

[17.19 hrs.

Achal Singh, Shri
Aga, Shri Ahmad
Ahmed, Shri F. A.
Arumugam, Shri R. S.
Azad, Shri Bhagwat Jha
Bajpai, Shri Vidya Dhar
Barua, Shri Bedabrata
Basumatari, Shri
Baswant, Shri
Bhagavati, Shri
Bhandare, Shri R. D.
Bhanu Prakash Singh, Shri
Buta Singh, Shri
Chanda, Shri Anil K.
Chanda, Shrimati Jyotsna
Chatterji, Shri Krishna Kumar
Chaturvedi, Shri R. L.
Chaudhary, Shri Nitiraj Singh
Chavan, Shri D. R.
Chavan, Shri Y. B.
Choudhary, Shri Valmiki
Damani, Shri S. R.
Das, Shri N. T.
Dass, Shri C.
Deoghare, Shri N. R.
Desai, Shri Morarji
Deshmukh, Shri Shivajirao S.
Dhillon, Shri G. S.
Dinesh Singh, Shri
Dwivedi, Shri Nageshwar
Ering, Shri D.
Gajraj Singh Rao, Shri
Ganpat Sahai, Shri
Gavit, Shri Tukaram
Ghosh, Shri Bimalkanti
Ghosh, Shri Parimal
Hazarika, Shri J. N.
Heerji Bhai, Shri
Jadhav, Shri V. N.
Jaggiwan Ram, Shri
Kamala Kumari, Kumari

Karan Singh, Dr.
Kesri, Shri Sitaram
Kinder Lal, Shri
Kripalani, Shrimati Sucheta
Krishna, Shri M. R.
Krishnan, Shri G. Y.
Kureel, Shri B. N.
Laskar, Shri N. R.
Laxmi Bai, Shrimati
Lutfal Haque, Shri
Maharaj Singh, Shri
Mahida, Shri Narendra Singh
Mahishi, Dr. Sarojini
Mandal, Shri Yamuna Prasad
Master, Shri Bhola Nath
Mehta, Shri Asoka
Mehta, Shri P. M.
Menon, Shri Govinda
Minimata, Shrimati Agam Dass Guru
Mirza, Shri Bakar Ali
Mishra, Shri Bibhuti
Mishra, Shri G. S.
**Misra, Shri Srinibas
Mohammad Yusuf, Shri
Mrityunjay Prasad, Shri
Naidu, Shri Chengalraya
Oraon, Shri Kartik
Pahadia, Shri Jagannath
Palchoudhuri, Shrimati Ila
Panigrahi, Shri Chintamani
Paokai Haokip, Shri
Parmar, Shri D. R.
Partap Singh, Shri
Parthasarathy, Shri
Patel, Shri N. N.
Patil, Shri Deorao
Patil, Shri S. B.
Patil, Shri S. D.
Poonacha, Shri C. M.
Pramanik, Shri J. N.
Prasad, Shri Y. A.
Radhabai, Shrimati B.
Raju, Shri D. B.
Ram Dhan, Shri
Ram Dhani Das, Shri
Ram Subhag Singh, Dr.
Ram Swarup, Shri
Randhir Singh, Shri
Rane, Shri
Rao, Shri K. Narayana
Rao, Shri J. Ramapathi

* The following Members also recorded their votes:

AYES: Sarvahri K. Ramani and Mohammad Ismail;

NOES: Sarvahri S. B. Patil and Sursingh.

** Wrongly voted for 'AYES'.

Rao, Shri Thirumala
 Reddy, Shri R. D.
 Reddy, Shri Surendar
 Reddy, Shrimati Sudha V.
 Rohatgi, Shrimati Sushila
 Roy, Shrimati Uma
 Sadhu Ram, Shri
 Saha, Dr. S. K.
 Saigal, Shri A. S.
 Saleem, Shri M. Yunus
 Sapre, Shrimati Tara
 Sayyad Ali, Shri
 Sen, Shri A. K.
 Sen, Shri Dwaipayan
 Sen, Shri P. G.
 Shah, Shri Shantilal
 Sharma, Shri Madhoram
 Sharma, Shri Naval Kishore
 Sharma, Shri Ram Avtar
 Shastri, Shri B. N.
 Shastri, Shri Ramanand
 Sheo Narain, Shri
 Sher Singh, Shri
 Shiv Chandika Prasad, Shri
 Shukla, Shri Vidya Charan
 Siddheshwar Prasad, Shri
 Snatak, Shri Nar Deo
 Solanki, Shri S. M.
 Supakar, Shri Sradhakar
 Sursingh, Shri
 Suryanarayana, Shri K.
 Swaran Singh, Shri
 Tiwary, Shri D. N.
 Uikey, Shri M. G.
 Verma, Shri Prem Chand
 Viswanatham, Shri Tenneti
 Vyas, Shri Ramesh Chandra

NOES

Abraham, Shri K. M.
 Banerjee, Shri S. M.
 Basu, Dr. Maitreyee
 Biswas, Shri J. M.
 Chauhan, Shri Bharat Singh
 Dwivedy, Shri Surendranath
 Gupta, Shri Kanwar Lal
 Halidar, Shri K.
 Jha, Shri Bhogendra
 Jha, Shri S. C.
 Kameshwar Singh, Shri

Kandappan, Shri S.
 Khan, Shri Ghayoor Ali
 Khan, Shri Latafat Ali
 Kikar Singh, Shri
 Kothari, Shri S. S.
 Krishnamoorthi, Shri V.
 Kundu, Shri S.
 Meghachandra, Shri M.
 Mukerjee, Shri H. N.
 Nambiar, Shri
 Patel, Shri J. H.
 Patil, Shri N. R.
 Puri, Dr. Surya Prakash
 Rajaram, Shri
 Sambhali, Shri Ishaq
 Sen, Shri Deven
 Sezhiyan, Shri
 Sharma, Shri Beni Shanker
 Sreedharan, Shri A.
 Umanath, Shri
 Viswambharan, Shri P.
 Viswanatham, Shri Tenneti

MR. SPEAKER: The result* of the division is: Ayes: 129; Noes: 33.

The motion was adopted.

Clause 3 was added to the Bill.

Clause 4— (Penalty for illegal strikes)

SHRI DEVEN SEN: I move:

Page 3, line 36,—

(i) for "six months" substitute—
 "one month"

(ii) for "two hundred" substitute
 "twentyfive".

SHRI S. M. BANERJEE: I move:

Page 3, line 36,—

for "six months" substitute "six
 days" (73)

Page 3, line 36,—

for "two hundred" substitute "ten"(74)

Page 3,—

after line 37, insert—

"Provided that this shall not result
 in termination of his service
 if he is a Government employee

* The following Members also recorded their votes:—

AYES: Shri Shinkre;

NOES: Sarvashri Samar Guha, K. Ramani, Mohammad Ismail, A. Dipa, Shri Gopal Saboo and Srinibas Misra,

or employed in any other undertaking declared essential service under this Act." (75)

SHRI K. RAMANI: I move:

Page 3, lines 35 and 36,—

omit "with imprisonment for a term which may extend to six months, or" (94)

Page 3, line 36,—

omit ", or with both" (95)

SHRI UMANATH: I move:

Page 3, line 36,—

omit "hundred" (127)

Page 3, line 37,—

omit "or with both" (128)

Page 3,—

after line 37, *insert*—

"(2) Any employer, whether in private or public sector industries, who commences or continues a lock-out which is unjust or illegal under Industrial Disputes Act, 1947 or refuses to desist from retrenchment, or resort to lay off and closures or refuses to implement awards given by the Industrial Tribunals or by Arbitrators appointed under Industrial Disputes Act, 1947 or refuses to implement agreements signed under Industrial Disputes Act, 1947 or refuses to pay wages or delays payment of wages and thus violates Payment of Wages statutes, shall be punishable with imprisonment for a term which may extend to ten years but shall not be less than five years." (129)

SHRI SHIVA CHANDRA JHA: I move:

Page 3, line 35,—

after "punishable" *insert*—

"after due enquiry" (153)

SHRI NAMBIAR: I move:

Page 3, line 36,—

(i) *for* "six months" *substitute*—
"one month"

(i:) *for* "two hundred" *substitute*—
"ten" (165)

SHRI SRINIBAS MISRA: I move:

Page 3,—

after line 37, *insert*—

"Provided that in a prosecution under this section, it shall be a good defence for the accused to prove that the grounds for the strike are reasonable, that attempts to resolve the dispute through arbitration or industrial adjudication have failed and that at least three weeks notice of the impending strike had been served on such authorities as may be prescribed by rules made by the Central Government in that behalf." (188)

SHRI SHINKRE: I move:

Page 3, lines 36 and 37,—

omit ", or with fine which may extend to two hundred rupees, or with both" (195)

SHRI BENI SHANKER SHARMA: I move:

Page 3, line 36,—

for "six months", *substitute*—
"six weeks" (242)

SHRI V. KRISHNAMOORTHY: I move:

Page 3,—

for clause 4, *substitute*—

"4. Any person who intentionally commences a strike which is declared illegal under this Act or goes or remains on or otherwise takes part voluntarily in any such strike, but does not include a person who merely abstains from work, shall be departmentally punishable entailing dismissal after due enquiry." (271)

SHRI SRINIBAS MISRA: I rise on a point of order on clauses 4, 5 and 6, all of them with the same argument.

MR. SPEAKER: He may confine himself to clause 4.

SHRI SRINIBAS MISRA: In clause 4 there is a provision that people should be punished under this Act and that they should be sent to the prisons of the State. Now, "prison" is a State subject and any money spent on a State subject will come from the Consolidated Fund of the State.

MR. SPEAKER: That point was raised once.

SHRI SRINIBAS MISRA: That was only regarding the Financial Memorandum. Here I am referring to article 266 (3).

MR. SPEAKER: It was raised already.

SHRI SRINIBAS MISRA: That was only regarding the Financial Memorandum.

MR. SPEAKER: The same points of orders are raised on every clause. I am convinced about it. Of course, I cannot say 'No' to raising a point of order. But I am really sorry that on every clause there is some point of order. Since he is an hon. Member of this House, I will have to permit him. But I am convinced that there is no point of order. Still, if he wants to say something, he may say so.

SHRI SRINIBAS MISRA: If that is your attitude, I will sit down.

MR. SPEAKER: I would advise him, I would request him to sit down because the same point of order has been raised earlier twice or thrice.

SHRI SRINIBAS MISRA: Earlier the point was whether a Financial Memorandum should accompany the Bill or not. This is something different. Article 266(3) says:

"No moneys out of the Consolidated Fund of India or the Consolidated Fund of a State shall be appropriated except in accordance with law and for the purposes and in the manner provided in this Constitution."

So, who will spend it? Then, article 283(2) says:

"The custody of the Consolidated Fund of a State and the Contingency Fund of a State, the payments of moneys into such Funds, the withdrawal of moneys therefrom. . . shall be regulated by law made by the Legislature of the State, and, until provision in that behalf is so made, shall be regulated by rules made by the Governor of the State."

So, no withdrawal will be allowed except by an Act of the State Legislature. Then I come to article 203(2), which says:

"So much of the said estimates as relates to other expenditure shall be submitted in the form of demands for grants to the Legislative Assembly, and the Legislative Assembly shall have power to assent, or to refuse to assent, to any demand, or to assent to any demand subject to a reduction of the amount specified therein."

Further, article 204(3) says:

"Subject to the provisions of articles 205 and 206, no money shall be withdrawn from the Consolidated Fund of the State except under appropriation made by law passed in accordance with the provisions of this article."

Here we have seen that about 12,000 government employees has to be arrested. If such a huge expenditure is put on the shoulders of a State, the State exchequer, it will strain the relations between the Centre and the States.

MR. SPEAKER: That is an argument against the clause, that the States will be forced to spend money on the detention of these people. But it is not a point of order. I cannot understand how a point of order can be raised about it.

SHRI SRINIBAS MISRA: Can we in this House pass laws and ask the State Exchequer to pay for the implementation of it?

MR. SPEAKER: If there is any flaw in the clause, this House has the right to reject it. But it is not a point of order.

श्री देवेन सेन : अध्यक्ष महोदय, मुझे दुख के साथ कहना पड़ता है कि मजदूर जमात को हिन्दुस्तान में ये लोग चैन से नहीं रहने देंगे। उसके सामने कोई रास्ता नहीं रह गया है चैन से जिन्दगी बसर करने का। हम लोग आशा नहीं करते थे कि कांग्रेस के शासनकाल में इस तरह का कानून बनाया जाएगा। इसको बनाने का अर्थ है समुच्चय मजदूर वर्ग के हक को छीन लेना। इस सम्बन्ध में मैं आपके सामने रोलेट एक्ट के जमाने की बात को पेश करना चाहता हूँ। हम लोगों के दिल में बहुत बेचैनी है और मैं चाहता हूँ कि इसको समझा जाए। रोलेट एक्ट के जमाने की बातों को हम पढ़ा करते थे। उस वक्त तीन-चार हमारे महानुभावों ने उसके सम्बन्ध में जो कुछ कहा था उसको मैं आपको पढ़कर सुनाना चाहता हूँ। इसके सम्बन्ध में श्री वी० जे० पटेल ने कहा था :

“The remedy, I submit, does not lie in repressive measures, but I am strongly of the opinion that the remedy lies in the removal of standing grievances which bring revolutionary crime into existence.”

यह उनका भाषण था। उसके बाद श्री कामिनी कुमार चन्दा ने कहा था :

“Unless the root cause is removed, can you possibly put down by mere repressive measures this movement ?”

श्री एम० ए० जिन्ना साहब ने कहा था :

“Are you going to deal with these crimes independently and in spite of the people.?”

इसी प्रकार से दूसरे महानुभावों ने भी उस वक्त भाषण दिए थे, जिनको आप कंजर्वेटिव कहते हैं या जिनको प्रोग्रेसिव आप कहते हैं, उन सभी ने इसी तरह के तब विचार व्यक्त किए थे।

हमारे मुल्क की बदकिस्मती है कि हमारा जो मंत्रि मंडल यहाँ बना हुआ है उसका कोई

भी प्रभाव आम जनता पर नहीं है। ऐसी बात नहीं है कि ये लोग बोट लेकर घोर जीत कर नहीं आए हैं। लेकिन प्रभाव इनका जनता पर नहीं है। जो लेबर मिनिस्टर हैं उनका लेबर पर कोई प्रभाव नहीं है। इस वास्ते वह कानून के जरिए से लेबर को शासित करना चाहते हैं। हमारे जो रेलवे मिनिस्टर हैं उनका रेलवे मजदूरों पर कोई प्रभाव नहीं है। हमारे जो होम मिनिस्टर हैं उनका न पुलिस पर न ही अपने कर्मचारियों पर कोई प्रभाव है। यह हमारे मुल्क की बदकिस्मती है। हमारे देश का जो पहले मंत्रिमंडल था कांग्रेस का और जिसका नेतृत्व पंडित नेहरू और सरदार पटेल किया करते थे और मौलाना आज़ाद किया करते थे उनका प्रभाव लोगों पर था। उनको कानून के सहारे ही मुल्क को चलाने की जरूरत नहीं पड़ती थी। लेकिन आज के हमारे मंत्रिमंडल को कानून के सहारे ही मुल्क को चलाने की आवश्यकता अनुभव होती है और यह इसी कारण से कि इसका जनता पर कोई प्रभाव नहीं है।

हमारी बदकिस्मती है कि हम लोग दबाए जा रहे हैं और हम लोगों के रास्ते में मुश्किलें पैदा की जा रही हैं।

SHRI S. M. BANERJEE: Sir, of my amendments Nos. 73, 74 and 75, I shall stress on No. 75 only at present, through which I want the following to be added at the end of the clause:—

“Provided that this shall not result in termination of his service if he is a Government employe or employed in any other undertaking declared essential service under this Act.”

About 8,000 employes are facing charges in various courts, 2,600 only in Delhi. They are suspended today and they have been arrested under sections 4 and 5 of the Essential Services Maintenance Ordinance and under section 188 IPC. But we are not discussing section 188 IPC; we are discussing only this. Now, suppose, they are convicted even for a day. In that case, the local management

[Shri S. M. Banerjee]

or the authority will have the discretion to take him back or not. Suppose, he is merely fined or warned or is convicted till the rising of the court. In that case I want that there should be a provision; there should be a saving clause. Either Government should give an assurance that nobody's services will be terminated if he is convicted—some assurance should come from the hon. Minister—or this saving clause should be added to it.

SHRI UMANATH: Sir, I will restrict myself only to one amendment among so many, namely, No. 129, which reads:—

“Any employer, whether in private or public sector industries, who commences or continues a lock-out which is unjust or illegal under Industrial Disputes Act, 1947 or refuses to desist from retrenchment, or resort to lay off and closures or refuses to implement awards given by the Industrial Tribunals or by Arbitrators appointed under Industrial Disputes Act, 1947 or refuses to implement agreements signed under Industrial Disputes Act, 1947 or refuses to pay wages or delays payment of wages and thus violates Payment of Wages statutes, shall be punishable with imprisonment for a term which may extend to ten years but shall not be less than five years.”

That is the crux of my amendment.

The hon. Minister, while replying when I was attempting to bring lock-outs etc. within the ambit of this Act, pointed out that there were provisions prohibiting that in the ID Act. Since he has not accepted that amendment, my request to him through this amendment is at least to accept this enhancement of punishment of employers who declare lock-outs or violate Payment of Wages Act and other Acts.

Now, under the Payment of Wages Act, they are supposed to pay wages. In Coimbatore district alone, in respect of about 20 mills, the managements have refused to pay monthly wages for 3 months, 4 months and all that. There are penal provisions in the Payment of Wages Act. But the State Governments, irrespective of parties, have found that

despite the existing penalties, they are unable to force the employers to pay wages. So much so, what happens is that the mill runs and they do not have the wages. About the lock-outs, we find the similar experience. That is why my request to the Minister will be that, now, you have refused to accept lock-outs and other things to be brought under the ambit, at least, you accept the enhancement of the punishment upto 10 years, not less than 5 years. One of the main causes for the strike is that they are not paid wages. At least, let the Government consider that.

श्री शिव चन्द्र झा : अध्यक्ष महोदय, मेरे संशोधन संख्या 153 का आशय यह है कि इस क्लॉज के अनुसार किसी व्यक्ति को स्ट्राइक शुरू करने या उसमें भाग लेने के आरोप में सजा देने से पहले उसके सम्बन्ध में उचित जांच की जाए। मेरा संशोधन यह है कि शब्द “पनिशेबल” के बाद शब्द “आप्टर ड्यू एनक्वायरी” जोड़ दिए जायें।

आप जानते हैं कि यह विधेयक कितना खतरनाक है। यह विधेयक जनतंत्र के खिलाफ है और इसके अधीन सरकार इमर्जेंसी पावर प्राप्त करने जा रही है। सरकार की ओर से कहा गया है कि यह विधेयक केवल पब्लिक सेक्टर पर ही नहीं, बल्कि प्राइवेट सेक्टर पर भी लागू होगा। इसका अर्थ यह है कि देश की सारी अर्थ-व्यवस्था सरकार अपने चंगुल में ले लेगी। इससे मजदूरों के फंडामेंटल राइट्स पर आघात होगा। इसलिए यह आवश्यक है कि उनको राहत पहुंचाने के लिए कुछ गुंजाइश रखी जाए। यदि मजदूर हड़ताल करते हैं, तो यह पता लगाने के लिए उचित जांच, ड्यू एनक्वायरी, की जाए कि क्या उन्होंने ट्रेड यूनियन की इजाजत लेकर और इंडस्ट्रियल डिसपुट्स एक्ट में उल्लिखित ड्यू प्रासेस के अनुसार हड़ताल की है। यदि एनक्वायरी से पता चले कि उन्होंने ड्यू प्रासेस के अनुसार हड़ताल की है, तो उन्हें सजा नहीं मिलनी चाहिए। इसलिए इस बारे में उचित जांच, ड्यू एनक्वायरी, की व्यवस्था करना बहुत आवश्यक है।

SHRI NAMBIAR: Sir, this clause is a penalty clause for illegal strikes. Anybody who goes on strike shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to two hundred rupees or with both.

The hon. Minister may say, "I have only put six months, not five years just like the period of the Act." This is too much. Then, as was pointed out, the strike is defined as refusal to work overtime also. If the quantum of work is reduced, then the go-slow is also classified as strike for which he is to go jail for six months. What is the time for which he can be outside the jail? For most part of his life, he will be in jail only. It looks very ridiculous. Therefore, you must remove the penalty clause. If you want it, you can make it only fine. There are the people outside who would read what you are putting in the Bill and passing it. Don't make it so absurd.

SHRI V. KRISHNAMOORTHY: It is an ordinary procedure of criminal law that before you convict a person, his guilty mind should be proved first. Clause 4 says:

"Any person who commences a strike which is illegal under this Act or goes or remains on, or otherwise takes part in, any such strike. . ."

This does not protect the honest and loyal workers. Normally, in a strike, only a few people take interest. But the innocent persons who want to work are not allowed to work in the offices. Even, in their houses, they are confined. It is not their fault. It is the fault of somebody else. For that, they should not be dismissed and punished with imprisonment and fine. When some workers are kept under house-arrest by some other union leaders, is it fair on the part of the Government to convict them and dismiss them for their mere absence from duty? That is why I say the guilty mind of the worker should be proved before he is convicted.

That is why I have moved my Substitute clause which says:

"4. Any person who intentionally commences a strike which is declared illegal under this Act or goes or remains

on or otherwise takes part voluntarily in any such strike, but does not include a person who merely abstains from work, shall be departmentally punishable entailing dismissal after due enquiry."

This Government is not going to gain anything by sending them into the jail. The mere fact that there will be dismissal from service, is more than enough. They will have to meet all these expenses from the Consolidated Fund for the jail expenses. So, dismissal after due enquiry, seems to be better. I think the hon. Minister will be in a position to accept my amendment.

SHRI SRINIBAS MISRA: I have got amendment No. 188 which says:

after line 37, insert—

"Provided that in a prosecution under this section, it shall be a good defence for the accused to prove that the grounds for the strike are reasonable, that attempts to resolve the dispute through arbitration or industrial adjudication have failed and that at least three weeks notice of the impending strike had been served on such authorities as may be prescribed by rules made by the Central Government in that behalf."

I want to add that proviso to Clause 4. I know what they will say. . .

SHRI K. RAMANI: I have got amendment No. 94 which says:

Page 3, lines 35 and 36—

omit "with imprisonment for a term which may extend to six months, or"

My next amendment, amendment No. 95 says:

Page 3, line 36,—

omit, "or with both"

If my amendment is accepted, then the words 'with imprisonment for a term which may extend to 6 months,' will not be there. This penalty clause is a very harsh one. That

[Shri K. Ramanji]

means, they want to send the workers to jail. That is what is happening. Even today under the Industrial Disputes Act if there is illegal strike, seven days' wages can be cut. There is no need for further punishment, as that itself is a very harsh punishment for a worker. The next point that I would mention is this. Even if the Government empowers itself like this to punish the workers they cannot punish them, I will quote one example. Under the Government of India, in the Ministry of Defence, there is a factory under that Ministry, in the Nilgiri district in Madras State. That is called the Cordite Factory at Aravankadu. There what happened was this. On the 19th September, the entire workers went on strike. Because of that, when they came back, they did not open the factory. They declared a lock out. They were under the impression that because of this Ordinance, promulgated by the President, the entire workers must be guilty and they must be punished. How can they open the factory and punish? Therefore, they thought, let us not open the factory. Now, after this experience, if this kind of power is conferred upon the authorities, what will they do? They will punish all the 4,000 workers in that factory and send them to jail. Then, from where will the hon. Minister get people for work? These are all efficient and trained workers who are engaged in defence production. This Clause itself is a foolish one. Let them accept my amendment.

SHRI NAMBIAR: Let them make the factory a prison. Sir, for six months, let the factory be converted into a prison and they can keep the workers there. . .

MR. SPEAKER: I will make you the Jailor.

SHRI NAMBIAR: Yes, I will be the Jailor.

श्री शिंकरे : जो संशोधन मैंने पेश किया है उसका समर्थन मैं हूँ मैनितेरियन ग्राउन्ड्स पर कर रहा हूँ क्योंकि बात यह है अप टू सिक्स मंथ्स सजा हो सकती है, वह तो जो गुनहगार है उसके लिए मिलनी ही चाहिए। लेकिन जब फाइन का प्रश्न आता है

तो वह सजा उनके जो कुटुम्बी हैं उनके लिए दी जाय इसलिए होती है क्योंकि वह तो जेल में चला जाता है और फाइन भरने का प्रश्न तो कुटुम्बी जनों पर आता है। इसलिए मैं हूँ मैनितेरियन ग्राउन्ड्स पर ऐसा कहूँगा कि:

"or with fine which may extend to two hundred rupees, or with both".

यह नहीं होना चाहिए।

SHRI S. M. BANERJEE: When the Opposition members met the Prime Minister, she said that the cases would be reviewed and justice done. But nothing has been done.

SHRI VIDYA CHARAN SHUKLA: Most of the amendments moved by hon. Members have the effect of taking away the penal provisions of this clause. One amendment moved by Shri Srinibas Misra suggests that it shall be a good defence for the accused to prove that the grounds for strike are reasonable etc. His main contention is that this is provided for victimisation of workers, which is not true at all. It is only a deterrent punishment which is prescribed for a defaulter. Therefore, the amendment cannot be accepted.

Shri Umanath again repeated his earlier suggestion through his amendment that the defaulting employers must also be punished. We have no objection.

SHRI UMANATH: Punishment must be enhanced. There is provision already for punishment.

SHRI VIDYA CHARAN SHUKLA: But there is no such provision in this Bill. So how can it be enhanced? The point he is agitating is in some other Act. So the amendment to that does not lie here.

SHRI NAMBIAR: If he had accepted the previous amendment, that would have been possible here.

SHRI VIDYA CHARAN SHUKLA: Shri Krishnamoorthy had a fear that loyal workers would be punished. Our experience is not so. Notices of termination of service

to about 42,000 employees who because of some mistake or misapprehension did not attend office on that particular day, have been withdrawn. Such people were not punished even though they were not present on that day.

SHRI V. KRISHNAMOORTHY: He has not answered my point. I will cite an instance. In the Pondicherry Telephone Exchange, on the 17th, 23 persons had quit work for five minutes. But they have been charge-sheeted and suspended. This is victimisation.

SHRI VIDYA CHARAN SHUKLA: I do not deny that there might be individual cases where injustice might have been done. But we are getting representations and are examining them. We are not closing our minds. Wherever injustice has been done, we are setting it right.

I do not accept any of the amendments.

SHRI S. M. BANERJEE: He has not said anything about one thing. Is he prepared to give an assurance on the basis of the assurance given to us by the Prime Minister on the 19th November that the cases would be reviewed and justice done? Or are those people going to lose their jobs and get convicted? Does he assure us that no departmental action will be taken against them?

MR. SPEAKER: It is a general question, not an amendment.

SHRI S. M. BANERJEE: It is in the amendment. I have moved where I have inserted a proviso. They want this Act to be retrospective from 13 September. So what is his answer to that?

MR. SPEAKER: He has answered about other problems. My fear is that even the other point that has been raised that the third reading might be gone through tomorrow cannot be agreed to.

Shall I put all amendments together to vote?

SHRI S. M. BANERJEE: No. 75 may be put separately.

MR. SPEAKER: I shall now put all amendments excepting No. 75 to the vote of the House.

Amendments Nos. 21, 73, 74, 94, 95, 127 to 129, 153, 165, 188, 195, 242 and 271 were put and negatived.

MR. SPEAKER: I put Amendment No. 75 to the vote of the House.

Amendment No. 75 was put and negatived.

MR. SPEAKER: The question is:

"That Clause 4 stand part of the Bill."

The Lok Sabha divided:

AYES

Division No. 32]

17.50 hrs.

Achal Singh, Shri
Arumugam, Shri R. S.
Azad, Shri Bhagwat Jha
Barua, Shri Bedabrata
Basumatari, Shri
Baswant, Shri
*Berwa, Shri Onkarlal
Bhagat, Shri B. R.
Bhagwati, Shri
Bhakt Darshan, Shri
Bhandare, Shri R. D.
Bhanu Prakash Singh, Shri
Buta Singh, Shri
Chanda, Shri Anil K.
Chatterji, Shri Krishna Kumar
Chaturvedi, Shri R. L.
Chaudhary, Shri Nitiraj Singh
Chavan, Shri Y. B.
Choudhary, Shri Valmiki
Das, Shri N. T.
Dass, Shri C.
Deoghare, Shri N. R.
Desai, Shri Morarji
Dhillon, Shri G. S.
Dinesh Singh, Shri
Dwivedi, Shri Nageshwar
Ering, Shri D.
Gajraj Singh Rao, Shri
Ganpat Sahai, Shri
Gavit, Shri Tukaram
Ghosh, Shri Parimal
Govind Das, Dr.

Hazarika, Shri J. N.
 Himatsingka, Shri
 Jadhav, Shri V. N.
 Kamala Kumari, Kumari
 Karan Singh, Dr.
 Kesri, Shri Sitaram
 Kinder Lal, Shri
 Krishna, Shri M. R.
 Kureel, Shri B. N.
 Laskar, Shri N. R.
 Laxmi Bai, Shrimati
 Maharaj Singh, Shri
 Mahida, Shri Narendra Singh
 Mahishi, Dr. Sarojini
 Mandal, Shri Yamuna Prasad
 Marandi, Shri
 Master, Shri Bhola Nath
 Mehta, Shri P. M.
 Menon, Shri Govinda
 Mishra, Shri Bibhuti
 Mishra, Shri G. S.
 Mrityunjay Prasad, Shri
 Mukerjee, Shrimati Sharda
 Naidu, Shri Chengalraya
 Pahadia, Shri Jagannath
 Palchoudhri, Shrimati Ila
 Panigrahi, Shri Chintamani
 Paokai Haokip, Shri
 Parmar, Shri D. R.
 Partap Singh, Shri
 Parthasarathy, Shri
 Patel, Shri N. N.
 Patil, Shri Deorao
 Poonacha, Shri C. M.
 Pramanik, Shri J. N.
 Radhabai, Shrimati B.
 Ram Dhan, Shri
 Ram Dhani Das, Shri
 Ram Subhag Singh, Dr.
 Ram Swarup, Shri
 Rane, Shri
 Rao, Shri K. Narayana
 Rao, Shri Muthyal
 Reddy, Shri R. D.
 Reddy, Shrimati Sudha
 Rohatgi, Shrimati Shushila
 Roy, Shrimati Uma
 Sadhu Ram, Shri
 Saha, Dr. S. K.
 Saigal, Shri A. S.

Sapre, Shrimati Tara
 Sen, Shri Dwaipayana
 Sen, Shri P. G.
 Shah, Shri Shantilal
 Sharma, Shri Madhoram
 Sharma, Shri Nawal Kishore
 Shastri, Shri B. N.
 Shastri, Shri Ramanand
 Sheo Narain, Shri
 Shinkre, Shri
 Shiv Chandika Prasad, Shri
 Shukla, Shri Vidya Charan
 Snatak, Shri Nar Deo
 Solanki, Shri S. M.
 Supakar, Shri Sradhakar
 Suryanarayana, Shri K.
 Swaran Singh, Shri
 Uikey, Shri M. G.
 Vyas, Shri Ramesh Chandra

NOES

Abraham, Shri K. M.
 Banerjee, Shri S. M.
 Basu, Dr. Maitreyee
 Biswas, Shri J. M.
 Devgun, Shri Hardayal
 Gupta, Shri Kanwar Lal
 Jha, Shri Shiv Chandra
 Kandappan, Shri S.
 Krishnamoorthi, Shri V.
 Kundu, Shri S.
 Lakkappa, Shri K.
 Meghachandra, Shri M.
 Misra, Shri Srinibas
 Mukerjee, Shri H. N.
 Nambiar, Shri
 Patel, Shri J. H.
 Puri, Dr. Surya Prakash
 Ram Charan, Shri
 Ramani, Shri K.
 Sen, Shri Deven
 Sezhiyan, Shri
 Umanath, Shri
 Viswambharan, Shri P.

MR. SPEAKER: The result* of the division is: Ayes: 101; Noes: 23;

The motion was adopted.

Clause 4 was added to the Bill.

* The following Members also recorded their Vote:—

AYES: Sarvashri Sher Singh, S. R. Damani, S. D. Patil, Bimalkanti Ghosh, and Shrimati Jotsna chanda.

NOES: Sarvashri Kikar Singh and Mohammad Ismail, and Onkarlal Berwa.

Clause 5— (*Penalty for instigation, etc.*)

MR. SPEAKER: Do all the hon. members want to move all the amendments? Probably an agreed amendment can be moved.

SHRI S. M. BANERJEE: This is about instigation.

SHRI KANWAR LAL GUPTA: I move:

Page 3, lines 38 and 39,—

for instigates, or incites other persons to take part in, or otherwise acts in furtherance of, a strike which is illegal",

substitute—

"5. actively helps the strike which is illegal" (46)

SHRI S. M. BANERJEE: I move:

Page 3, line 40,—

omit "for a term" (76)

Page 4, line 1,—

for "one year" *substitute* "ten days" (77)

Page 4, line 2,—

for "one thousand" *substitute* "fifty" (78)

Page 4,—

after line 2, *insert*,—

"Provided that this shall not result in termination of his service if he is a Government employee or employed in any other undertaking declared essential service under this Act." (79)

SHRI UMANATH: I move:

Page 3, line 40,—

omit "shall be punishable with imprisonment for a term" (130)

Page 4, line 1,—

omit "which may extend to one year, or" (131)

Page 4,—

for line 2, *substitute*—
"two rupees" (132)

Page 4,—

after line 2, *insert*—

"(2) If any conduct of any managerial personnel in public or private sector, or any policy decision, has provoked the workers into a strike which is illegal under this Act, the managerial personnel responsible or the personnel responsible for the policy decision shall be liable to imprisonment for a term not less than ten years but not exceeding fifteen years imprisonment" (133)

SHRI SHIVA CHANDRA JHA: I move:

Page 3, line 38,—

after "person" *insert*—

"not allowed by the recognised Trade Union" (154)

Page 3, line 40,—

after "punishable" *insert*—

"after due enquiry" (155)

SHRI NAMBIAR: I move:

Page 4, line 1,—

for "one year" *substitute*—
"one month" (166)

Page 4, line 2,—

for "thousand" *substitute*—
"hundred" (167)

SHRI S. M. BANERJEE: I have given amendments 76, 77, 78 and 79. But in order to help you maintain order in this House I will only confine my speech to amendment 79.

My amendment is:

"Page 4,—

after line 2, *insert*—

"Provided that this shall not result in termination of his service if he is a Government employee or employed in any other undertaking declared essential service under this Act."

My submission is this. I have explained—the hon. Home Minister is fortunately here—

[Shri S. M. Banerjee]

that the services of about 4000 temporary employees have been terminated after giving them one month pay on the ground that they instigated. These temporary employees have not been a chance to defend their case in any way. As I mentioned yesterday, even Nathuram Godse was a given a chance to defend his case after he murdered Gandhiji, but these 4000 employees are not given any chance. Against about 8000 employees there are charges of instigation. You do not give them a chance to defend their case. I would request the hon. Home Minister who is fortunately here to give some assurance.

My proviso is:

"Provided that this shall not result in termination of his service if he is a Government employee or employed in any other undertaking declared essential service under this Act."

In connection with the September 19th strike, in Delhi itself people were arrested on the 17th and 18th. I would only request you, Sir, to convey my feeling to the hon. Home Minister who is very seriously reading the provisions of the Bill unlike Shri Vidya Charan Shukla. Let him apply his mind. We want some assurance. On the 19th November the Prime Minister convened a meeting of all the political leaders where a number of Congress members like Shri Thirumal Rao were present. The Home Minister was there. The Deputy Prime Minister was there. We pleaded with them and he in his wisdom said that cases of injustice will be reviewed. What happened? They did not wait and they showed their strength that all the Opposition together cannot do anything. A reasonable suggestion has been given in the amendment that it should not result in termination of the services. That is an appeal to him. I would like him to say so. I want to know his mind whether he agrees and whether he sticks to his own promise.

श्री कंबर लाल गुप्ता (दिल्ली-सदर) :
अध्यक्ष महोदय, मेरा संशोधन यह है कि पेज

3 के लाइन 38 और 39 में लिखा हुआ है—

"instigates, or incites other persons to take part in, or otherwise acts in furtherance of, a strike which is illegal."

मैं चाहता हूँ कि इसकी जगह यह सन्तीचूट किया जाय—

"instigates, or incites other persons to take part in, or otherwise acts in furtherance of, a strike which is illegal."

अध्यक्ष महोदय, मेरा संशोधन बहुत ही रीजनेबिल है, जो व्यक्ति स्ट्राइक के साथ एक्टिवली एसोशिएट करता हो उसके खिलाफ कार्यवाही करें—तो बात समझ में आ सकती है, लेकिन इस क्लॉज में तो आपने स्वीपिंग पारवर्ज ले ली हैं—यह ठीक नहीं है। गृह मंत्री महोदय मुझ से इतिफाक करेंगे कि अभी भी जो लोग पकड़े हुए हैं या सस्पेंडेड हैं यह हटा दिए गए हैं या जिनके खिलाफ मुकदमा चलाया जा रहा है, उनमें ऐसे लोगों की काफी बड़ी संख्या है जिन्होंने एक्टिवली एसोशिएट नहीं किया था। पोस्ट आफिसिज में जिन लोगों ने कुछ नहीं किया, जो दफ्तरों में बैठे हुए थे, उनके खिलाफ भी कार्यवाही की गई है। मैं पिछले सप्ताह त्रिपुरा और मणिपुर गया था, वहां मुझे पता लगा कि ता० 19 के कई दिनों बाद उन लोगों को पकड़ा गया, जब उन्हें यह पता लगा कि सब जगहों पर कुछ न कुछ लोगों को पकड़ा गया है, हमने किसी को नहीं पकड़ा है। मैं चाहूंगा कि इस प्रकार के जो केसेज हैं, उन पर आप विचार करें और जो एशोरेंस आपने दी थी, आप बतायें कि जब तक आपने क्या कार्यवाही की है, खासतौर से ऐसे लोगों के खिलाफ कुछ न किया जाय, जो एक्टिवली इसमें नहीं थे।

SHRI UMANATH: I shall restrict myself to one amendment. My amendment is:

"After line 2, insert—

(2) If any conduct of any managerial personnel in public or private

sector, or any policy decision, has provoked the workers into a strike which is illegal under this Act, the managerial personnel responsible or the personnel responsible for the policy decision shall be liable to imprisonment for a term not less than ten years but not exceeding fifteen years imprisonment."

Since this clause deals with punishment for instigation of any illegal strike I am including provocative acts which lead to an illegal strike. This is not a new thing that I have brought here. In the Tripartite Conference on the code of discipline this was agreed to by the Central Government as well as all the employees and the trade unions. There, a particular provision is made that if the conduct of the managerial personnel which is provocative has led to a strike, then there must be an enquiry, and the managerial personnel should be punished. Since that has no statutory standing, and since this is a particular clause in the code of discipline which was accepted by the Central Government themselves, now that instigation has been brought in, provocation may also be brought in. I have only added a policy decision which provokes a strike which may be declared as illegal, because the Central Government is involved and they take many policy decisions which lead the workers to go on illegal strikes.

श्री शिवचन्द्र झा : अध्यक्ष महोदय, क्लॉज 5 में "परसन" शब्द के बाद मैं चाहता हूँ कि निम्न शब्द जोड़ दिए जाय—

"not allowed by the recognised Trade Union"

आप जानते हैं कि बावजूद हमारे विरोध से यह सरकार इस बिल को पास करने जा रही है। यह बात आप मान लें और सारा देश इस बात को मान रहा है कि इस बिल के पास होने के बावजूद हड़ताल होगी, अपनी मांगों की पूर्ति के लिए मजदूर आवाज उठावेंगे। ऐसी हालत में जो हमारी ट्रेड यूनियन होंगी, वे हड़ताल को बलायेंगे और हमारे इण्डस्ट्रियल डिस्प्यूट्स

एक्ट के मुताबिक ऐसे लोगों को सजा नहीं मिलनी चाहिए। लेकिन कुछ आदमी ऐसे भी होते हैं जो एजेन्ट-प्रोवोकेटर्स होते हैं, जो किसी ट्रेड यूनियन से एफिलिएटेड नहीं होते हैं, वे भी लोगों को उकसाते हैं, ऐसे लोगों को सजा दी जानी चाहिए, इसीलिए मैंने यह संशोधन रखा है। ट्रेड यूनियन के लोग अगर हड़ताल कराते हैं तो उनको सजा नहीं मिलनी चाहिए, लेकिन जो एजेन्ट-प्रोवोकेटर्स होते हैं अगर वे लोगों को उकसाते हैं तो उनको सजा मिलनी चाहिए।

मेरा दूसरा संशोधन यह है कि आप कोई भी सजा दें, लेकिन पहले उसकी एन्वयरी कर लें, क्योंकि इसके अन्दर कई तरह के कारण हो सकते हैं, कहीं ऐसा न हो कि किसी को बिना किसी कारण के सजा हो जाये।

SHRI NAMBIAR: Sir, my submission is this. This is only a penal provision. This is something like gagging. The point is, those who take part in the strike will get a punishment of six months' imprisonment and those trade unions and office-bearers of the union who are at the helm of affairs to conduct the affairs and decide on a strike are to get a punishment of one year's imprisonment. See the absurdity of the whole thing. The trade union decides upon a strike. After all, the trade union has got a certain function to do. Otherwise, a trade union, has no meaning. The trade union takes up a cause and then decides that there must be a strike, and the strike is decided upon. Immediately the ban comes by a notification. Therefore, whatever act is done by the trade union becomes punishable; the trade union office-bearer is naturally a person who may not be a worker there, but he is treated as an inciter and so he gets a punishment of imprisonment for one year and a fine of Rs. 1,000.

MR. SPEAKER: What is your amendment?

SHRI NAMBIAR: My amendments are Nos. 166 and 167. It is a symbolic, token amendment. Instead of one year, make it one month. I cannot say that instead of one

[Shri Nambiar]

year, it should be nothing at all. Then it will be a negation. So, my submission is that this is not only a denial of the right to strike, but this is gagging the whole talking even of the strike. "Shut your mouth": that was the order made only by Hitler in Germany. In India, a new Hitler is being born.

MR. SPEAKER: Now, you are taking more time.

SHRI NAMBIAR: Sir, let me complete my say. My submission is that this sort of gagging and preventing completely, this sort of penalising and punishment, will not take us forward. Therefore, I say this. The hon. Home Minister, Shri Chavan, and the hon. Deputy Prime Minister, Shri Morarji Desai, who wanted to frighten the employees must understand that their frightening will create a revulsion; it will lead to repercussions. Please do not try that. It is not good. At least withdraw this clause.

18 hrs.

SHRI SRINIBAS MISRA: In view of the futility of moving amendments, in order to record my distrust at the attitude shown by the Government, I am not moving my amendment.

SHRI VIDYA CHARAN SHUKLA: Sir, it is not necessary to reply to the general charges because almost the same points have been made again. It is not that the Government does not have a sympathetic attitude towards the employees. We are very sympathetic and we are dealing with them in a proper manner. We do not want to frighten the employees. We only want to frighten those people who want to import politics into the services.

MR. SPEAKER: I will now put the amendments to vote.

SHRI S. M. BANERJEE: Amendment No. 79 may be put separately, Sir.

MR. SPEAKER: All right. I will now put amendment No. 79 of Mr. Banerjee to vote.

Amendment No. 79 was put and negatived.

MR. SPEAKER: I will now put all the other amendments to vote.

Amendments Nos. 46, 77, 78, 130 to 133, 154, 155, 166 and 167 were put and negatived.

MR. SPEAKER: The question is:

"That clause 5 stand part of the Bill".

The Lok Sabha divided

Division No. 33] AYES [18.06 hrs.

Achal Singh, Shri
Arumugam, Shri R. S.
Barua, Shri Bedabrata
Basumatari, Shri
Baswant, Shri
Bhagat, Shri B. R.
Bhagavati, Shri
Bhakt Darshan, Shri
Bhandare, Shri R. D.
Bhanu Prakash Singh, Shri
Buta Singh, Shri
Chanda, Shri Anil K.
Chanda, Shrimati Jyotsna
Chatterji, Shri Krishna Kumar
Chaturvedi, Shri R. L.
Chaudhary, Shri Nitiraj Singh
Chavan, Shri Y. B.
Das, Shri N. T.
Dass, Shri C.
Deoghare, Shri N. R.
Desai, Shri Morarji
Dhillon, Shri G. S.
Dwivedi, Shri Nageshwar
Ganpat Sahai, Shri
Gavit, Shri Tukaram
Ghosh, Shri Bimalkanti
Ghosh, Shri Parimal
Hazarika, Shri J. N.
Himatsingka, Shri
Jadhav, Shri V. N.
Kamala Kumari, Kumari
Karan Singh, Dr.
Kesri, Shri Sitaram
Kinder Lal, Shri
Krishna, Shri M. R.
Kureel, Shri B. N.
Laxmi Bai, Shrimati
Lutfal Haque, Shri
Maharaj Singh, Shri
Mahida, Shri Narendra Singh

Mandal, Shri Yamuna Prasad
 Master, Shri Bhola Nath
 Mehta, Shri P. M.
 Menon, Shri Govinda
 Mirza, Shri Bakar Ali
 Mishra, Shri Bibhuti
 Mishra, Shri G. S.
 Mrityunjay Prasad, Shri
 Mukerjee, Shrimati Sharda
 Pahadia, Shri Jagannath
 Panigrahi, Shri Chintamani
 Paokai Haokip, Shri
 Parmar, Shri D. R.
 Partap Singh, Shri
 Parthasarathy, Shri
 Patel, Shri N. N.
 Patil, Shri Deorao
 Patil, Shri S. D.
 Poonacha, Shri C. M.
 Pramanik, Shri J. N.
 Radhabai, Shrimati B.
 Ram Dhan, Shri
 Ram Dhani Das, Shri
 Ram Subhag Singh, Dr.
 Ram Swarup, Shri
 Rana, Shri M. B.
 Rane, Shri
 Rao, Shri K. Narayana
 Rao, Shri Muthyal
 Rao, Shri Thirumala
 Rao, Dr. V. K. R. V.
 Raut, Shri Bhola
 Reddy, Shri R. D.
 Reddy, Shrimati Sudha V.
 Roy, Shrimati Uma
 Sadhu Ram, Shri
 Saha, Dr. S. K.
 Saigal, Shri A. S.
 Sapre, Shrimati Tara
 Sen, Shri Dwaipayana
 Sen, Shri P. G.
 Shah, Shri Shantilal
 Sharma, Shri Naval Kishore
 Shastri, Shri B. N.
 Shastri, Shri Ramanand
 Sheo Narain, Shri
 Sher Singh, Shri
 Shinkre, Shri
 Shiv Chandika Prasad, Shri
 Shukla, Shri Vidya Charan
 Snatak, Shri Nar Deo
 Solanki, Shri S. M.

Supakar, Shri Sradhakar
 Suryanarayana, Shri K.
 Swaran Singh, Shri
 Tiwary, Shri D. N.
 Uikey, Shri M. G.
 Vyas, Shri Ramesh Chandra

NOES

Abraham, Shri K. M.
 Banerjee, Shri S. M.
 Basu, Dr. Maitreyee
 Berwa, Shri Onkar Lal
 Dar, Shri Abdul Ghani
 Dwivedy, Shri Surendranath
 Jha, Shri Shiva Chandra
 Joshi, Shri S. M.
 Krishnamoorthi, Shri V.
 Kundu, Shri S.
 Meghachandra, Shri M.
 Misra, Shri Srinibas
 Mohammad Ismail, Shri
 Mukerjee, Shri H. N.
 Nambiar, Shri
 Patel, Shri J. H.
 Sen, Shri Deven
 Sezhiyan, Shri
 Umanath, Shri
 Viswambharan, Shri P.

MR. SPEAKER: The result* of the division is: Ayes 98; Noes 20.

The motion was adopted.

Clause 5 was added to the Bill.

MR. SPEAKER: Before we take up clauses 6, 7 and 8, I would like to make one appeal to the hon. Members. Even though Dr. Ram Subhag Singh is very unhappy that we are extending it too far, I would accept the suggestion of the opposition and allow them one hour for third reading tomorrow provided we are able to finish all the clauses today by 7 O'Clock.

Clause 6.—Penalty for giving financial aid to illegal strikes.

SHRI SRINIBAS MISRA: As a protest, I am not moving my amendment.

MR. SPEAKER: I wish Shri Banerjee could also say that.

* The following Members also recorded their votes:

NOES: Sarvshri K. Lakkappa, K. Ramani and J. M. Biswas.

SHRI SHIVA CHANDRA JHA: I beg to move:

Page 4, line 3,—

after "supplies" insert—

"without the approval of the recognised Trade Union," (156)

Page 4, line 5,—

after "punishable" insert—

"after due enquiry" (157)

अध्यक्ष महोदय, पहले सेन्टेन्स में "any person who knowingly expends or supplies" यहाँ पर "supplies" के बाद में मैं जोड़ना चाहता हूँ "without the approval of the recognised trade union"

अध्यक्ष महोदय, यह मानी हुई बात है कि हड़ताल होगी। ट्रेड यूनियन वाले उसमें मदद करेंगे। लेकिन ट्रेड यूनियन की इजाजत के बगैर अगर कोई पैसा देता है और हड़ताल कराता है तो सरकार उसको सजा दे सकती है।

और इसी क्लॉज में पांचवी लाइन में जो शब्द 'punishable' है उसके बाद मेरे तीन शब्द हैं 'after due enquiry' सरकार इन्क्वायरी करा ले और तब सजा दे।

SHRI NAMBIAR: I beg to move:

Page 4, line 6,—

(i) for "one year" substitute—
"two months"

(ii) for "thousand" substitute—
"hundred" (168)

SHRI S. KUNDU: I beg to move:

Page 4, line 3 and 4,—

omit "in furtherance or support of a strike" (228)

SHRI BENI SHANKER SHARMA: I beg to move:

Page 4, line 4,—

after "strike" insert—

"except under duress or coercion" (243)

SHRI NAMBIAR: My amendment No. is 168. In my opinion, this penal provision is not proper and it must be deleted in toto. If that is not possible, I want to move my amendment to reduce the rigours of it. Let us see what the clause says:

"Any person who knowingly expends or supplies any money in furtherance or support of a strike which is illegal under this Act shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both."

As some hon. Members were saying yesterday, suppose some person comes to your residence in his private capacity and takes away Rs. 100 from you for some strike, or some such thing, you will come within the mischief of this section and you can be arrested without warrant, because it is a cognisable offence. What word could I use to describe this clause except 'ridiculous'? I think the ruling party is living in an imaginary world. They want to have all the powers with them because they think all around them are enemies. The ruling party is getting completely isolated from the bulk of the working class. Some fear complex is working in the mind of the government. They seem to be suffering from some phobia. It would be in their own interests to remove this phobia. Now they are in a miserable condition. That is all what I can say.

SHRI UMANATH: Wash your brains.

SHRI S. KUNDU: Mr. Speaker, Sir, my amendment suggests the deletion of the words "in furtherance or support of a strike" occurring after the words:—

"Any person who knowingly expends or supplies any money."

I just want to bring home certain things. This is a provision which makes even direct or indirect support to a strike punishable. Call a strike it is declared illegal, "furtherance of a strike" could also be interpreted to mean when you call a strike. Suppose, before it is declared illegal you have given any money or donation. Then you will also be hauled up and it will be considered that you have furthered the process of strike. Therefore

nobody will be free unless this particular clause is withdrawn.

It shows how power-drunk the Treasury Benches are. They are completely mad and power drunk. They do not know that the right of association or right to organise lead one to the logical conclusion that some sort of donation should be given. How can you forbid giving a donation and then say under article 19 you have a fundamental right to organise and form unions and associations? My first charge would be that this violated article 19, fundamental rights.

Then, this word "furtherance" will also book everybody, even their INTUC union people who would have given money before the strike was declared illegal, because that would amount to furtherance of the strike. They will also be hauled up. I think, sense will dawn on them at least even at this late hour of 6.15 in the evening. I think, they have no such thing as good sense, humanity and conscience. We only appeal that let them scrutinise these things and carefully look into it. At least, if they drop these words, "in furtherance or support of a strike," it will help to a large extent. Let them not be so much power-drunk and not look at the trade union movement with a jaundiced eye. I would request them and appeal to them to accept this amendment. I hope, they will do it.

श्री वेणी शंकर शर्मा : अध्यक्ष महोदय, हड़तालियों को हड़ताल करने में वही लोग साधारणतया मदद देंगे जो उनसे सहानुभूति रखते हैं। लेकिन बहुत बार ऐसा भी देखा गया है कि जिनकी हड़ताल और हड़तालियों के साथ कोई सहानुभूति नहीं है, उन्हें भी जोर जबर्दस्ती से या दबाव के कारण कुछ डोनेशन्स देने पड़ते हैं। इसी बात को दृष्टि में रखते हुए मैंने एक छोटा-सा संशोधन रखा है जो कि निम्न प्रकार से है :

Page 4, line 4,—

after "strike" insert—

"except under duress or coercion."

मैं समझता हूँ मंत्री महोदय इस बात को

मान लेंगे कि कम से कम जिन लोगों को जोर जबर्दस्ती या दबाव के कारण हड़तालियों का साथ देना पड़ जाता है, उन्हें अपने विरुद्ध न करें। वे लोग तो आपके साथ हैं, उनको हड़तालियों के साथ न होने दें।

SHRI S. M. BANERJEE: Sir, I wish to point out to the hon. Minister that it is a very sweeping power in the hands of Government. Suppose, a strike is going on for 30 days, 40 days or 80 days. It happened in Kanpur in 1955 when there was a 85-day old strike when I was dismissed from service and there was a future ban on my employment. Somebody wants to help the innocent children of the striking workers—no child has possibly gone on strike; they are innocent children—who are starving. Suppose, some doctors want to give them medical aid, condensed milk or milk powder. Even that will come under the mischief of this clause. So, I request the hon. Minister to put in some proviso so that the families, the wives and children and so on, of the striking workers will not be punishable.

SHRI VIDYA CHARAN SHUKLA: Sir, the effect of the amendments moved take away the teeth of this particular clause. The point that I would like to bring before the House is that it says after the strike is declared illegal and, then, if some aid is given, it will become actionable under the law, not payment made before the strike is declared illegal.

Secondly, the Government does not take any power to punish anybody under this clause. The case will go to the court of law. The court of law will see everything. After examining the justice or otherwise of the whole thing, they can come to any conclusion, whether a particular person is guilty under the clause or not. So, there is no force in the amendments moved and I am not in a position to accept any of them.

MR. SPEAKER: I put all the amendments to the vote of the House.

Amendments Nos. 156, 157, 168, 228 and 243 were put and negatived.

18.18 hrs.

[Mr. DEPUTY-SPEAKER in the Chair]

MR. DEPUTY-SPEAKER: The question is:

"That clause 6 stand part of the Bill."

The Lok Sabha divided:

AYES

Division No. 34]

[18.20 hrs.

Ahmed, Shri F. A.
 Arumugam, Shri R. S.
 Barua, Shri Bedabrata
 Basumatari, Shri
 Baswant, Shri
 Bhagat, Shri B. R.
 Bhagavati, Shri
 Bhandare, Shri R. D.
 Bhanu Prakash Singh, Shri
 Buta Singh, Shri
 Chanda, Shri Anil K.
 Chanda, Shrimati Jyotsna
 Chatterji, Shri Krishna Kumar
 Chaturvedi, Shri R. L.
 Chaudhary, Shri Nitiraj Singh
 Das, Shri N. T.
 Dass, Shri C.
 Deoghare, Shri N. R.
 Dhillon, Shri G. S.
 Dwivedi, Shri Nageshwar
 Gavit, Shri Tukaram
 Ghosh, Shri Bimalkanti
 Ghosh, Shri Parimal
 Himatsingka, Shri
 Kamala Kumari, Kumari
 Kinder Lal, Shri
 Krishna, Shri M. R.
 Kureel, Shri B. N.
 Laxmi Bai, Shrimati
 Maharaj Singh, Shri
 Mahida, Shri Narendra Singh
 Mandal, Shri Yamuna Prasad
 Master, Shri Bhola Nath
 Mehta, Shri P. M.
 Menon, Shri Govinda
 Mirza, Shri Bakar Ali
 Mishra, Shri G. S.
 Mohammad Yusuf, Shri
 Mukerjee, Shrimati Sharda
 Nahata, Shri Amrit
 Pahadia, Shri Jagannath

Palchoudhuri, Shrimati Ila
 Panigrahi, Shri Chintamani
 Paokai Haokip, Shri
 Parmar, Shri D. R.
 Partap Singh, Shri
 Parthasarathy, Shri
 Patel, Shri N. N.
 Patil, Shri Deorao
 Patil, Shri S. D.
 Poonacha, Shri C. M.
 Pramanik, Shri J. N.
 Radhabai, Shrimati B.
 Ram Dhan, Shri
 Ram Dhani Das, Shri
 Ram Subhag Singh, Dr.
 Ram Swarup, Shri
 Rana, Shri M. B.
 Rane, Shri
 Rao, Shri K. Narayana
 Rao, Shri Muthyal
 Rao, Shri Thirumala
 Raut, Shri Bhola
 Reddy, Shri R. D.
 Roy, Shrimati Uma
 Sadhu Ram, Shri
 Saha, Dr. S. K.
 Saigal, Shri A. S.
 Sayeed, Shri P. M.
 Sayyad Ali, Shri
 Sen, Shri Dwaipayan
 Sen, Shri P. G.
 Sharma, Shri Naval Kishore
 Sheo Narain, Shri
 Shinkre, Shri
 Shiv Chandika Prasad, Shri
 Shukla, Shri Vidya Charan
 Snatak, Shri Nar Deo
 Supakar, Shri Sradhakar
 Suryanarayana, Shri K.
 Swaran Singh, Shri
 Uikey, Shri M. G.
 Vyas, Shri Ramesh Chandra

NOES

Abraham, Shri K. M.
 Banerjee, Shri S. M.
 Basu, Dr. Maitreyee
 Biswas, Shri J. M.
 Dwivedy, Shri Surendranath
 Gupta, Shri Kanwar Lal
 Jha, Shri Shiva Chandra
 Joshi, Shri S. M.
 Krishnamoorthi, Shri V.
 Kundu, Shri S.

Lakkappa, Shri K.
Misra, Shri Srinibas
Mukerjee, Shri H. N.
Nambiar, Shri
Patel, Shri J. H.
Sambhali, Shri Ishaq
Sen, Shri Devan
Sezhiyan Shri
Umanath, Shri
Viswambharan. Shri P.

MR. DEPUTY-SPEAKER: The result* of the division is: Ayes 83; Noes 20.

The motion was adopted.

Clause 6 was added to the Bill.

Clause 7—(Power to arrest without warrant).

MR. DEPUTY SPEAKER: The House will now consider *Clause 7*. The amendments will be moved now.

SHRI DEVEN SEN: I move:

Page 4, line 9,—
for "without warrant" substitute—
"with a warrant duly signed by a
magistrate" (26)

SHRI P. VISWAMBHARAN: I move:

Page 4, line 9,—
omit "without warrant" (37)

SHRI KANWAR LAL GUPTA: I move:

Page 4, line 9,—
for "any police officer" substitute—
"Superintendent of Police" (47)

SHRI SHIVA CHANDRA JHA: I move:

Page 4, line 9,—
after "may" insert—
"not" (158)

SHRI SHINKRE: I move:

Page 4, line 9,—
for "any police officer" substitute—
"any Gazetted police officer" (204)

SHRI V. KRISHNAMOORTHY: I move:

Page 4,—

for lines 9 to 11, substitute—

"Procedure, 1898, any Inspector of Police after a written request to the Head of the Department may arrest without a warrant any person who is reasonably suspected of having intentionally committed any offence under this Act." (273)

SHRI KANWAR LAL GUPTA: Mr. Deputy-Speaker, Sir, Clause 7 says as follows:

"Notwithstanding anything contained in the Code of Criminal Procedure, 1898, any police officer may arrest without warrant any person who is reasonably suspected of having committed any offence under this Act."

इस क्लॉज के अन्दर एक कांस्टेबुल को भी अधिकार दिया गया है कि वह बगैर वारंट के किसी को भी गिरफ्तार कर सकता है। मेरा संशोधन यह है कि कांस्टेबुल के बजाय सुपरिन्टेंडेंट आफ पुलिस होना चाहिए जो कि रीजनेबिली अपनी पावर्स को एक्सरसाइज कर सके यह देखने के लिए कि प्राया उस प्रादमी ने प्रीफेंस कमिट किया है या नहीं किया है। जब आप एक स्वीपिंग पावर दे रहे हैं अगर कोई हड़ताल करने वाला प्रादमी हड़ताल पर बैठा है और कोई डाक्टर भी उसको जाकर दवाई देगा तो वह भी फरदरेस के अन्दर पकड़ा जा सकता है और जो उसे दान प्रादि देगा वह भी पकड़ा जा सकता है। जो एवैट करेगा वह भी पकड़ा जा सकता है। हर एक तरह के लोगों को आप गिरफ्तार कर सकते हैं और वह भी बगैर वारंट के आप गिरफ्तार करना चाहते हैं, जब आप बगैर वारंट के इस तरीके से किसी भी व्यक्ति को गिरफ्तार कर सकते हैं तो यह काम एक सिपाही के जिम्मे बानना उचित नहीं होगा क्योंकि जाहिर है

*The following Members also recorded their votes:
AYES: Shri Shaantilal Shah;
NOES: Shri K. Ramani.

[Shri Kanwar Lal Gupta]

कि एक कांस्टेबुल को अगर यह पावर्स दी गई तो वह इन्हें अच्छी तरह से इस्तेमाल करने में अपना डिस्क्रिशन नहीं काम में ला सकता है। यह आप बगैर वारंट के गिरफ्तारी करने की पावर ले रहे हैं जो कि प्रायः लेनी नहीं चाहिए और इसलिए यह जरूरी हो जाता है कि उस पावर को इस्तेमाल करने के लिए कोई जिम्मेदार आदमी हो।

मालूम ऐसा होता है कि यह जो बिल बनाया गया है वह सरकार द्वारा एक फस्ट्रे-शन में बनाया गया है। सरकार को इतना फस्ट्रे-शन मालूम होता है कि वह इस तरीके से भ्रंघाघुंघ पावर्स ले रही है रीजनेबुल और अनरीजनेबुल और उन तमाम पावर्स से अपने को ब्रांड करके वर्कर्स को कसना चाहती है मेरा कहना है कि सरकार को एक ऐसा इम्प्रेसन नहीं देना चाहिए। अगर बगैर वारंट के आपको किसी को गिरफ्तार करना है तो कोई उसके लिए अच्छा व जिम्मेदार अफसर होना चाहिए। इसलिए मैंने अपने संशोधन के जरिए चाहा है कि कांस्टेबुल के बजाय सुपरिनटेंडेंट आफ पुलिस को यह बगैर वारंट के गिरफ्तारी करने का अधिकार देना चाहिए।

SHRI V. KRISHNAMOORTHY: The Police should not be given unlimited powers, as has been stated also by my hon. friend Shri Kanwar Lal Gupta. The constable can arrest, even without a warrant, a gazetted officer, working under the Government of India. In order to give protection against such misuse by the Police, in order that it may be used properly, we have given an amendment. Our amendment says:

Page 4,

for lines 9 to 11, substitute—

“Procedure 1898, any Inspector of Police after a written request to the Head of the Department may arrest without a warrant any person who is reasonably suspected of having intentionally committed any offence under this Act.”

This is a very reasonable suggestion and I hope the hon. Minister will accept it.

SHRI VIDYA CHARAN SHUKLA: This particular clause repeats what has been described in the Cr. P. C. under cognisable offence. The wording is the same. The hon. Member need not have any apprehension about it.

MR. DEPUTY-SPEAKER: I shall put all the amendments together to vote.

Amendments Nos. 26, 37, 47, 158, 204 and 273 were put and negatived.

MR. DEPUTY-SPEAKER: The question is:

“That clause 7 stand part of the Bill.”

The motion was adopted.

Clause 7 was added to the Bill.

Clause 8.—(Act to override other laws)

SHRI S. M. JOSHI: I beg to move:

Page 4,

after line 15, insert—

“Provided that the machinery for conciliation and adjudication set out in the said Act or under any other scheme like the Joint Consultative Machinery is fully utilised.” (274)

SHRI SRINIBAS MISRA: My last point of order for the day. This clause says that any Order issued under this Act shall have effect notwithstanding anything inconsistent therewith contained in the Industrial Disputes Act 1947 or in any other law for the time being in force. This House has power to make a law which will prevail in case any other law passed by this House inconsistent with it. But can this House give power to Government to make an order to amend, nullify or modify another Act of this House? This is abdication of power.

MR. DEPUTY-SPEAKER: I have dealt with it not very exhaustively but partially in my ruling this morning.

श्री एस० एम० जोशी : उपाध्यक्ष महोदय, क्लोज़ नम्बर 8 पर जो मैं संशोधन नम्बर 274 पेश करना चाहता हूँ वह एक कसौटी संशोधन है क्योंकि जब यह विधेयक भ्रामा था तो मैंने यह बतलाया था कि उद्देश्य और कारण जो यहां पर दिए हुए हैं उनमें साफ यह लिखा है कि सरकार का प्रयास सदा यह रहा है कि वह अपने कर्मचारियों की वैध समस्याओं और शिकायतों पर विचार के लिए व्यापक और सकारात्मक इंतजाम करे ।

अभी हमने यह देखा कि सकारात्मक जो चीज है वह इसमें में कहीं नहीं पाता हूँ । इसलिए मेरा यह कहना है कि अगर इनकी नियत ठीक है तो इसकी कसौटी यह है कि मेरा जो संशोधन है जिसमें कि मैंने क्लोज़ 8 में लाइन 15 के बाद यह इंसर्ट करना चाहा है :

“Provided that the machinery for conciliation and adjudication set out in the said Act or under any other scheme like the Joint Consultative Machinery is fully utilised.”

अगर वाकई सरकार का यह दावा है कि हम लोगों के स्ट्राइक करने का अधिकार छीनना नहीं चाहती तो फिर मेरे इस प्रोवाइड (परन्तु) वाले वाक्य को उसमें जोड़ने में कोई उज्र नहीं होना चाहिए । इसलिए मैं मंत्री महोदय से अपील करूंगा कि अगर वाकई वह यह अधिकार नहीं छीनना चाहते हैं तो फिर मेरे संशोधन को वह स्वीकार कर लें ।

MR. DEPUTY-SPEAKER: I shall now put amendment No. 274 to vote.

Amendment No. 274 was put and negatived.

MR. DEPUTY-SPEAKER: The question is:

“That clause 8 stand part of the Bill.”

The motion was adopted.

Clause 8 was added to the Bill.

Clause 9— (Repeal and saving)

SHRI DEVEN SEN: I beg to move:

Page 4, line 21,—

for “September” substitute—
“December.” (27)

Page 4, line 19,—

after “Ordinance” insert—
“provided such action is not repugnant to Industrial Disputes Act, 1947.” (205)

SHRI P. VISWAMBHARAN: I beg to move:

Page 4,—

omit lines 18 to 21. (38)

Sub-clause (2) of clause 9 seeks the approval of this House for all the barbarous and cruel action taken by Government, in accordance with the ordinance issued earlier. We cannot approve of any of the actions taken by this Government according to that ordinance. By implication the Government asks us to give our approval to the firings at Pathankot, Bikaner etc., and the killing and lathi charge at Indraprastha Bhavan, and it also demands of us to give our approval to the action taken against thousands of Government employees. We cannot give our approval to these actions. So, my amendment seeks to delete that sub-clause altogether.

SHRI S. M. BANERJEE: Shylock wants his pound of flesh and he is having it. That is the real purpose of this Bill.

AN HON. MEMBER: You are repeating it.

SHRI S. M. BANERJEE: I will repeat it throughout my life, inside or outside Parliament, I will not compromise.

Sub-clause (1) of Clause 9 repeals the Essential Services, Maintenance Ordinance, 1968 but then sub-clause (2) has been added which states:

“Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act, as if

[Shri S. M. Banerjee]

this Act had come into force on the 13th day of September, 1968."

There is a Joint Committee which is considering the Torts Bill. Both the present and ex-Attorney Generals who appeared before that Committee have stated that you cannot have retrospective effect for normal legislation. Only in the case of martial law, if you have committed certain acts under the martial law, which can only happen in a dictatorship or when people go Fascist—and this Government is moving towards Fascism—you can do it. Under the normal law, under normal conditions in the country, even if there is an emergency, should you have this provision?

Today they want to punish those 12,000 employees—4,000 temporary employees and the 8,000 employees who have been suspended, and they want to legalise their illegal acts which they have resorted to, for instance, in Pathankot where they killed six people. They shot ladies, they beat ladies, they cane-charged ladies, and those ladies, our sisters and daughters, showed their bodies to the Prime Minister, but she was not moved. They killed people in Gauhati, in Bikaner, they murdered a man in Indraprastha, and they want to legalise all these things.

They have a majority, they can do it, but I thought this Government had some conscience. Last time in 1960 when the Bill was brought Pandit Govind Ballabh Pant was the Home Minister and Pandit Jawaharlal Nehru was the Prime Minister, and as I said in the past, see what this country's calibre has been reduced to, from Mahatma Gandhi to Indira Gandhi, from Subhash Chandra Bose to Atulya Ghosh, from Bhagat Singh to Ram Subhag Singh. If that is the calibre of the country, I know they cannot preserve democracy in this country, parliamentary democracy as long as they are in power. That is why I oppose this clause and I still request the hon. Minister to accept my amendment. A fear is lurking in his mind. The ordinance has the same force as the Act. Law will take its own course, but he wants to legalise an illegal Act. They may pass it with their majority but I can assure him that this particular Bill, when it is passed, will be torn to pieces in every

street and in 1972 we will see that their majority is reduced. (Interruptions)

SHRI NAMBIAR: They will be thrown out in the streets.

SHRI S. M. BANERJEE: Ram Rattan Gupta, an industrial magnate of Kanpur who is the financial supporter to Mr. C. B. Gupta has not paid salaries, bonus and other allowances to the workers but this Government of hypocrites has no guts to take action against him.

SHRI NAMBIAR: I oppose this clause tooth and nail, because, as Mr. Banerjee stated, it is to give retrospective effect to the action that they have taken from 1st September. As the statistics now show there more than 2,000 employees thrown out of job in the Railways and 4,500 employees are under suspension. 4,500 employees are under prosecution. Similar number is there in the Posts and Telegraphs and other Departments also in Delhi. Right under the very nose of the hon. Minister there is prosecution going on against 2,500 employees. Special shamianas have been put up. Magistrates are appointed and standing in queue system they are delivering the judicial judgments. Nothing of that sort. It is something like people going there for inoculation. No charge sheet is given. It is a mockery of law. All these illegalities are being perpetrated for terrorising the workers of this country, not only the Central Government employees. This clause 9 is brought to legalise this illegal action. Therefore, in all fairness, in the name of justice, this clause must be given up. If they have decided to ban strikes and if they are going to get any benefit out of that, let them do it but victimisation with retrospective effect through prosecution is a thing which cannot be tolerated.

I visited Pathankot. A gruesome tragedy has happened there, men and women were beaten. I visited the hospital and I wrote a letter to the Home Minister to take action. No judicial enquiry was given. There should be a judicial inquiry into all these incidents.

With these words I oppose this clause.

श्री एस० एम० जोशी (पूना) : उपा-
ध्यक्ष महोदय, इस विधेयक की नर्ती धारा सबसे

खराब है। जब मैंने पहले इस विधेयक को पढ़ा, तो मैं इस परिणाम पर पहुंचा कि जैसे बिच्छू की दुम में उसका डंक होता है, उसी तरह इस विधेयक की प्राक्खिरी क्लॉज ही इस विधेयक के डंक के समान है। जिन लोगों ने मध्यादेश को तोड़ा था, उनको सजा दिलाने के लिए यह धारा बनाई गई है और इस विधेयक के प्रावधानों को रिट्रास्पेक्टिव इफेक्ट दिया जा रहा है। अगर उन लोगों को सजा देना ही है, तो क्या सरकार के पास दूसरे जरिए नहीं हैं?— हैं। जिन लोगों ने हिसात्मक काम किया हो या फ्रिमिनल इन्टिमिडेशन का काम किया हो, अर्थात् घमकी वगैरह दी हो, तो उनको फ़ौजदारी कानून के मातहत सजा दी जा सकती है। अगर किसी आदमी को नौकरी से हटाना है तो सरकार वह काम डिपार्टमेंटली कर सकती है। अगर यह जो कानून लाया गया और बार-बार हम लोगों से पूछा जाता है कि हम लोग विक्टिमाइजेशन कहां चलाते हैं तो मैं इसका जवाब दे रहा हूँ कि विक्टिमाइजेशन के यही माने हैं कि जब सजा देने के दूसरे जरिए आपके पास मौजूद हैं तो आप इसको रेट्रो-स्पेक्टिव करके हमारे मजदूरों को कोर्ट में ले जाना चाहते हैं और फ़ौजदारी कानून के मातहत उनको सजा दिलाना चाहते हैं, उनको जेल भेजना चाहते हैं, उनके ऊपर जर्माना करना चाहते हैं। और इनकी यह नीति है कि उनको नौकरी पर रखें या न रखें। इसलिए इनके जो अफसर लोग हैं या मिनिस्टर लोग हैं इनके पैर वह छुएं जाकर और इनकी खुशामद करें, यह इनकी भावना है। इसलिए बदले की भावना से और प्रतिशोध की भावना से यह किया जा रहा है। 1960 में इस तरह का मध्यादेश धाया था लेकिन ऐसा कानून बनाने की उनको जरूरत नहीं महसूस हुई थी। अगर मंत्री महोदय का यह एप्योरेंस है, सच्चे दिल से, वह यह कहते हैं कि कोई प्रालटनेट अर्रेंजमेंट करने जा रहे हैं तो फिर इस मध्यादेश की जरूरत क्या थी? मध्यादेश की जरूरत केवल इतनी ही थी कि यह बिच्छू

की दुम है और इसमें से जो प्रतिशोध की भावना है, बदले की भावना है, उसके आधार पर मैं इसका विरोध करता हूँ।

SHRI R. D. BHANDARE: Clause 9 is only a consequential clause. It is consequential. So far as the workers are concerned, I sympathise with them, and again I would appeal to the Government that the action taken against the workers or the employees may be withdrawn, and the others may be treated leniently. So far as the legal position is concerned, whatever position is obtainable under the ordinance, when the ordinance is under consideration—

SHRI NAMBIAR: It is like *Komutti Sakshi*—like the evidence of the South Indian bania which is completely non-committal.

SHRI R. D. BHANDARE: Sir, when this ordinance is brought on the Statute Book, it is but natural that the statute arises and originates from the ordinance, and the action taken according to the ordinance has to be legalised saying that the action is taken under the statute itself. It is a matter of construction. When those hon. Members are vehemently opposing it, it shows their ignorance of the law or of the construction of the law. The principles of legislation are followed *in toto*. When the ordinance ripens into law, the law prevails and action is taken according to that.

SHRI NAMBIAR: He must be promoted as Law Minister. There is going to be a vacancy of Law Minister.

SHRI R. D. BHANDARE: Therefore, I sympathise with the workers. again I maintain and I advance the plea that they must be treated very leniently. But so far as the other arguments are concerned they should not be excused for ignorance of the law.

SHRI S. KUNDU: Clause 9 is one of the most abnoxious clauses in the entire Bill. It is very difficult to separate one from the other. It is most abnoxious for two reasons. Firstly, it negates anything that Parliament is going to do. In the Joint Committee the

[Shri S. Kundu]

Bill on liability on torts is pending. They are debating it and they are trying to find out a solution. But, here in the Bill, they want to say that there should be retrospective immunity for all that they have done during the period of the ordinance. For all these illegalities which the Government have committed during this period of the ordinance, if suits for damages are filed, the entire treasury of the Government of India would be attached. The entire resources, *i.e.*, sum of Rs. 3,000 crores would be attached for all the acts of murder, illegalities, horror and killings that had been indulged in. They want to legalise the acts of omissions and commissions by this clause. This is the way of dictators. Dictators do not care for the will of the people. They go on murdering and killing the people and indulge in rampage. They care two hoots for the will of the people. Like that, here are the modern dictators who in the name of democracy go on passing orders to the police to fire, go on shooting, and order the military to shoot and to everything. And they want we give this Bill retrospective effect for all these acts. This is highly illegal.

I would appeal to them through you. Let us make certain conventions. This matter of liability in torts is now under consideration of the Joint Select Committee. Let them find out suitable remedies. Even in an emergency it is constitutionally forbidden to provide this retrospective immunity. I would make a request to the Law Minister and the Home Minister who says "no" always. I do not want to be unnecessarily harsh, but I am not able to check it. I would request him to wait for the report of this committee. By passing this clause, you are damaging the name of democracy and tarnishing the image of democracy. I would request him to delete this clause.

SHRI UMANATH: Sir, this clause is to legalise all past acts. Let us work out what will be the result of that. All the arrests and prosecutions that are going on under the ordinance will be legalised. 8,000 arrests and prosecutions have been made throughout the country, out of which 7,000 are restricted to four States—Punjab, Haryana, Delhi and Rajasthan. Only 1,000 prosecutions are

distributed among other States. I congratulate the UJ Government on refusing to arrest any person for participating in the strike, notwithstanding the threats of toppling and dismissal which went out from here from Mr. Chavan and the Government of India. The Kerala Government is to be congratulated for standing by the employees and refusing to bow down to these threats. In fact, Mr. E. M. S. Namboodiripad said, even if it means our Government losing power, we will lose power rather than victimise the employees. Similarly, the DMK Government in Madras also said that for mere participation in the strike, it will not arrest anyone.

There is another thing. If the police do not arrest, if the head of a department sends a list to the police, those people mentioned in the list are arrested. Now, certain heads of departments have sent lists and certain others have not. Even in the same city, in one department, the head has sent a list and they are arrested; but in another department, the head has not sent a list and they are not arrested. Now if this clause is passed and if those prosecutions are legalised, there is going to be a blatant, upon discrimination, which is not tolerated on grounds of social justice or natural justice or by the Constitution. It is for the Government to decide whether they are going to perpetrate this atrocity on its employees. The Prime Minister said the other day, "We are as much interested in our employees as you are." Now this will be the test whether they consider them to be their employees. I want to know whether the Government is going to perpetrate this atrocity on the employees.

I know their game. Their game is to legalise the prosecutions get, convictions and concentrate on the most militant and leading elements among the trade union office-bearers. All the convicted employees will be at the mercy of the Government. Government will say, "We will deal with them leniently" and then concentrate on the leading elements. They want to victimise the leading elements, dismiss them and jail them once for all, so that permanently the Central Government employees' movement may be crushed. But if they think that by a victimising the leading elements, they can crush the Central Government employees' move-

ment, the reverse will take place. This Government of bandits and looters will be crushed in the streets through the country.

SHRI VIDYA CHARAN SHUKLA: The legal position of the clause has been explained by the hon. Member, Shri Bhandare. It is very clear that no retrospective effect is being given. Even under the General Clauses Act this effect could have been given. It is only by way of abundant caution this clause has been put here.

It is very wrong to say that the government wants to victimise or discriminate against the government employees as far as this particular clause is concerned. If the government employees have suffered, or a few of them have lost their jobs, the responsibility must lie entirely on the shoulders of those people who. . . (*Interruptions*)

SHRI UMANATH: You deliberately victimised them. . .

SHRI VIDYA CHARAN SHUKLA: It is these people who have created all the trouble for the government employees. . . (*Interruptions*)

SHRI V. KRISHNAMOORTHY: Our Prime Minister has taken the responsibility and said that she would consider their cases and withdraw prosecution.

MR. DEPUTY SPEAKER: If there is any assurance given by the Prime Minister, it will stand.

SHRI VIDYA CHARAN SHUKLA: As I have already pointed out, that is a different matter. Shri Umanath was pleased to use very strong words on the slightest pretext.

SHRI UMANATH: Tomorrow I will use still stronger words during the third reading. Outside you are going to face a worse position.

SHRI VIDYA CHARAN SHUKLA: Perhaps, their guilty conscience impels them to act like this. If they think by this action they can re-establish their lost leadership among the government employees, I must say that they are mistaken. The Government

employees are not fools. They know who are their friends and who are their enemies. They know it well. So, better leave the matter to them. Let them decide who is working for their benefit and who is working for their destruction. That is already clear to them. Therefore, no amount of speech-making is going to affect that position. . . (*Interruptions*). Those persons who have done wrong will be punished under the law and those persons who have not done anything wrong shall not be punished. I am not able to accept any of the amendments.

MR. DEPUTY-SPEAKER: I will now put amendment Nos. 27, 38 and 205 to the vote of the House.

Amendments Nos. 27, 38 and 205 were put and negatived.

MR. DEPUTY-SPEAKER: The question is:

"That clause 9 stand part of the Bill." Those in favour of it may say 'Aye'.

SOME HON. MEMBERS: Aye.

MR. DEPUTY-SPEAKER: Those against it may say 'No'.

SOME HON. MEMBERS: No.

MR. DEPUTY-SPEAKER: I think the 'Ayes' have it.

SOME HON. MEMBERS: No the 'Noes' have it.

MR. DEPUTY-SPEAKER: All right. Let the lobbies be cleared. The Lobbies have been cleared. I shall put it again. The question is:

"That clause 9 stand part of the Bill." Those in favour will kindly say 'Aye'.

SEVERAL HON. MEMBERS: Aye.

MR. DEPUTY-SPEAKER: Those against will kindly say 'No'.

SOME HON. MEMBERS: No.

MR. DEPUTY-SPEAKER: I think, the 'Ayes' have it; the 'Ayes' have it.

[Mr. Deputy Speaker]

The motion was adopted.

Clause 9 was added to the Bill.

SHRI A. S. SAIGAL (Bilaspur): Sir, the 'Ayes' have it; it should be recorded. We want a division on this. . . (*Interruption*)

SOME HON. MEMBERS: Shame, shame.

MR. DEPUTY-SPEAKER: Are you challenging the result? I said, "The 'Ayes' have it." . . (*Interruption*)

Now we go to clause 1. I am going to guillotine them. . . (*Interruption*)

SHRI NAMBIAR: Sir, I have got amendments to clause 1.

SHRI A. S. SAIGAL: Sir, it must be recorded. . . (*Interruption*)

MR. DEPUTY-SPEAKER: Does he challenge the result? Then I can give a division. He does not challenge it. So, what can I do ?

SHRI A. S. SAIGAL: We can also challenge it, when they can challenge it. . . (*Interruption*)

SHRI NAMBIAR: We want to make them dance.

Clause 1—(Short title, extent and duration.)

MR. DEPUTY-SPEAKER: As I have said, I will apply guillotine at 7 O' Clock.

SHRI NAMBIAR: There are two minutes, Sir.

MR. DEPUTY-SPEAKER: If you want to say something on it, I may permit you but I am not permitting you to move any amendment. . . (*Interruption*). I am going to put it to vote as it is. But if you want to make any observation, I can permit one of you. One minute, one amendment.

SHRI UMANATH: Sir, my amendment is that for "Essential Services Maintenance Act, 1968" it should be called "Suppression of Trade Union Rights Act, 1968." On the

whole after so many clauses that have been passed, so many pleadings that have been done by us and so many points that we have argued, the Government and the Minister were not able to meet any single point that has been raised. So it is obvious that the entire Bill is meant for suppressing trade union rights and not for protecting essential services. That is why my amendment says that this Act must be called the Black Act the Suppression of Trade Union Rights Act, 1968. . . (*Interruption*)

MR. DEPUTY-SPEAKER: I will put the clause to vote.

SHRI VIDYA CHARAN SHUKLA rose—

SHRI NAMBIAR: Sir, time is there. One minute is still there.

MR. DEPUTY-SPEAKER: The Minister has to reply. In fairness he must be given an opportunity.

SHRI VIDYA CHARAN SHUKLA: Sir, I only want to say that I wish to accept the amendment of Shri Shinkre, No. 190. 19 hrs.

MR. DEPUTY-SPEAKER: There is Amendment No. 190 by Shri Shinkre. . . (*Interruptions*)

SHRI UMANATH: What is the procedure? You prevented others from moving their amendments. Now you are asking Mr. Shinkre to move his amendment because it is accepted by Government. You must allow other amendments also. This is very bad.

MR. DEPUTY-SPEAKER: As I said earlier, I will apply guillotine at 7 O'Clock. Shri Shinkre.

SHRI SHINKRE: I beg to move:

"Page 1, line 9,—

for "five years" substitute

"three years" (190)

MR. DEPUTY-SPEAKER: The Minister had intimated the office properly in time. It is being accepted by Government. Now,

I put Amendment No. 190 to the vote of the House. The question is:

"Page 1, line 9,—
for "five years" substitute
"three years" (190)

The motion was adopted.

MR. DEPUTY-SPEAKER: The question is:

"Clause 1, as amended, stand part of the Bill."

The motion was adopted.

*Clause 1, as amended, was added to the Bill.
The Enacting Formula and the Title
were added to the Bill.*

SHRI UMANATH: You did not allow amendments to be moved saying that you will apply guillotine at 7 O'Clock sharp. It is already four minutes past 7 O'Clock. You should not pass the Bill like this.

SHRI VIDYA CHARAN SHUKLA:
I beg to move:

"That the Bill, as amended, be passed."

MR. DEPUTY-SPEAKER: Now the House stands adjourned to meet again tomorrow at 11 A.M.

19.04 hrs.

*The Lok Sabha then adjourned till
Eleven of the Clock on Wednesday, December
18, 1968/Agrahayana 27, 1890 (Saka)*