

LOK SABHA DEBATES

1614

Third Series

Volume VI, 1962/1884 (Saka)

[August 6 to 18, 1962/Sravana 15 to 27, 1884 (Saka)]



SECOND SESSION, 1962/1884 (Saka)

(Vol. VI contains Nos. 1 to 10)

**LOK SABHA SECRETARIAT
NEW DELHI**

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N.B.—The sign + marked above the name of a member on questions which were orally answered indicates that the question was actually asked on the floor of the House by that Member.

LOK SABHA

Thursday, August 9, 1962/Sravana 18,
1884 (Saka).

The Lok Sabha met at Eleven of the
Clock

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO
QUESTIONS

Children's Film Society

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- *144. { Shri Harish Chandra
Mathur;
Shri K. Pattanyak;
Shri Yashpal Singh:

Will the Minister of Information and Broadcasting be pleased to state whether the affairs of the Children's Film Society have been enquired into and if so with what results?

The Deputy Minister in the Ministry of Information and Broadcasting (Shri Sham Nath): At the instance of the Children's Film Society three Government officers are examining different aspects of its working. Their reports are expected shortly.

Shri Harish Chandra Mathur: May I know if already certain weaknesses of this Society have come to the notice of the Government and if any interim steps have been taken to plug the loopholes?

Shri Sham Nath: Yes, Sir. We received certain complaints and certain allegations were made against the working of the Society and we wanted to take some steps. Before we did that, the Executive Council of the Children's Film Society itself asked

us to appoint three officers to go into the working of the society.

Shri Harish Chandra Mathur: May I know whether the Films Division, i.e. the departmental agency has also produced certain children's films and how they compare with the films produced by the Society? May I also know whether the suggestion that this should be taken over by the Films Division has been examined?

Shri Sham Nath: It is very difficult to say how the films produced by this Society stand in comparison to the films produced by the Films Division. I would require notice for that. As regards the suggestion which the hon. Member has made it will be considered.

Shri Vidya Charan Shukla: May I know whether three members of the Executive Committee of the Society gave the same reasons as were given by the Secretary of the Children's Films Society while tendering his resignation or the reasons were different?

Shri Sham Nath: It is a fact that Shri Mahendra Nath tendered his resignation and that was accepted by the Executive Council with effect from the date of expiry of six months' leave granted to him from 12th June, 1962. As regards the resignation of other Members, I am not aware of the reasons they gave for their resignation.

श्री यशपाल सिंह : क्या यह सच है कि इस सोसायटी में लाखों रुपए का गबन हुआ है और भ्रमर हुआ है, तो उस को वापस लेने के लिए सरकार क्या कार्रवाई कर रही है ?

श्री शामनाथ : यह तो सही है कि कुछ इस किस्म की शिकायतें गवर्नमेंट के पास आई हैं और इसी लिए यह एन्क्वायरी हो रही है। जब इस एन्क्वायरी का नतीजा सामने आ जायेगा, उस वक्त यह कहना मुमकिन होगा कि सोसायटी में कोई शकन हुआ है या नहीं।

श्री कि० पटनायक : क्या इस एन्क्वायरी में ऐसे लोगों का एविडेंस लिया जा रहा है, जो पहले इस सोसायटी में नौकर थे, लेकिन जो इस से तंग आ कर छोड़ कर चले गए थे ?

श्री शामनाथ : इस वक्त पोजीशन यह है कि जो प्रिलिमिनरी एन्क्वायरी हो रही है, उस में तीन आफिसरों काम कर रहे हैं, मसलन एकाउंट्स को मि० चारी देख रहे हैं, आफिसर के वकिंग को एक दूसरे आफिसर साहब देख रहे हैं और प्रोडक्शन एंड डिस्ट्रिब्यूशन यूनिट का वकिंग मि० राणाडे देख रहे हैं।

श्री कि० पटनायक : श्रीमान्, मेरा सवाल दूसरा था। मेरा सवाल तो यह था क्या इस एन्क्वायरी के सम्बन्ध में ऐसे लोगों का भी एविडेंस लिया जा रहा है, जो पहले इस सोसायटी में नौकर थे, लेकिन जो इस सोसायटी की गन्दगी से तंग आ कर इस्तीफा दे कर चले गए हैं, जैसे एक एकाउंटेंट और क्लर्क था।

श्री शामनाथ : इस वक्त आफिसरों एन्क्वायरी कर रहे हैं और उन की रिपोर्ट आने के बाद अगर जरूरी समझा जायेगा कि जो लोग इस सोसायटी में पहले काम करत थे, उन को बुला कर दर्याफ्त किया जाये, तो बैसे भी किया जायगा।

Economic Conference at Cairo

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Shri P. R. Chakraverti:
Shri Bishanchander Seth:
Shri S. B. Das:
Shri Subodh Hansda:
Shri Basumatari:
Shri S. C. Samanta:
Shri K. N. Tiwary:
Shri Bibhnti Mishra:
Shri Raghunath Singh:

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Shri Kolla Venkalah:
Shri Daji:
Shri Indrajit Gupta:
Shri Yashpal Singh:
Shrimati Maimoona Sultan:
Shri Nath Pai:
Maharajkumar Vijaya
Ananda:
Shri Hem Barua:
Shri Ram Ratan Gupta:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether India was one of the convenors of the Economic Conference held at Cairo;

(b) how many nations participated in it; and

(c) what were their main recommendations?

The Minister of International Trade in the Ministry of Commerce and Industry (Shri Manubhai Shah): (a) Yes, Sir.

(b) Thirty-six.

(c) The Conference unanimously adopted what is known as the "CAIRO DECLARATION OF DEVELOPING COUNTRIES" which is placed on the Table of the House. [Placed in Library. See No. LT-300/62].

Shri P. R. Chakraverti: Will the Government give us some idea of the main objective for which the conference has been convened?

Shri Manubhai Shah: The main purpose of the conference was to look into the economic problems of the developing countries, since they represent more than two-thirds or almost three-fourths of the whole world. In the recent decade, what is called the development decade of the United Nations, there has been a fall in the share in the world market of the developing countries from 25 per cent to 32 per cent. So, all the developing countries are feeling alarmed due to the economic, trade and commercial policies of the industrialised countries, and developing countries are losing both in price and in volume of the primary products which are exported to the developed countries.

Therefore, we resolved and issued this declaration taking into account all the economic problems of the underdeveloped countries.

I will particularly draw the attention of the House to paragraph 36 which is one of the most important paragraphs. It reads:

"At the same time, the Conference considers the establishment of an international compensatory financing system, a matter of great urgency and invites the International Monetary Fund to examine the undertaking of measures for a more effective balancing of payments of developing countries."

As the House knows, the primary products are going lower and lower in prices and industrialised countries are purchasing these products in a discriminatory manner at lower prices. Therefore, an international compensatory monetary device, which should be held as a buffer stock, of a certain amount of funds from which if there is any fall in the export earnings of developing countries the compensation should be paid has been suggested.

Shri P. R. Chakravarti: Is there any arrangement to set up a regular machinery to inter-link these less developed countries on the model of the ECM group?

Shri Manubhai Shah: That is what we really wanted to avoid, and it is to the great credit of this conference that the developing countries did not feel themselves frightened out to form a separate block or group or act as a little United Nations. We want to work within the frame-work of the United Nations and through the mutual co-operation of the industrialised countries and the developing countries.

Shri Nath Pai: Has any machinery been thought of or devised with a view to pursuing the laudable objectives which were common to all the participating countries?

Shri Manubhai Shah: Yes, Sir. I would draw the attention of the hon. Member to Chapter V of this declaration in which it is said that we mean to meet more often if necessary to take co-operative and concerted measures.

Mr. Speaker: Is it contained in the statement?

Shri Manubhai Shah: Yes.

Mr. Speaker: Then he need not repeat it.

Shri Manubhai Shah: I only wanted to draw the attention of the hon. Member to the fact that there will be more meetings of this conference and mutual problems, remedial measures and their implementation will be discussed from time to time.

Mr. Speaker: Why should the hon. Minister repeat it when he has already given it in the statement?

Shri Nath Pai: He was actually justified in saying that, Sir, because I asked if there is a permanent machinery to pursue the laudable objectives. They may meet from time to time. That is a contingency which is not foreseeable.

Mr. Speaker: The information he wants to give is given in the statement. I only wanted to point out that that need not be read.

Shri Nath Pai: It is not contained in the statement.

Shri Manubhai Shah: I was trying to explain the difference between his question and what is contained in the statement.

Shri S. C. Samanta: May I know the names of the countries that were invited but could not attend, and the reasons that they have given for not attending the conference?

Shri Manubhai Shah: Practically all the developing countries attended the conference. As a matter of fact, some of them, due to lack of time or early clearance from the Government,

could not come but expressed their desire to attend the conference at the next opportunity.

Shri Hem Barna: Is it a fact that some sort of an economic third-force was evolved in this conference to counteract the threat of groupings of developed countries?

Shri Manubhai Shah: No, Sir, that is precisely, as I said what we tried to avoid. But what we have resolved on the economic grouping is worth a deep study because that will mean remedial measures of a pragmatic nature in order to avoid the ill effects of this new common market.

Shri Sham Lai Saraf: Have the participating governments in this conference been able to find out a common ground to supply one another as consumers and suppliers—these very commodities which are falling in prices in the world market?

Shri Manubhai Shah: That is only one part, because we do not want only to throw the responsibility of development on the industrialised countries of the world. The major responsibility should rest within the orbit of the developing countries themselves both individually and collectively. So, there should be no discriminatory trade practices within the developing countries also for these commodities and in the price structure.

Shri Bhagwat Jha Azad: May I know whether India as a co-sponsor of this conference has drawn attention of the ECM towards the recommendation saying that their action will have a great impact on the general economic growth of all the under-developed countries?

Shri Manubhai Shah: Yes, Sir. As soon as the Conference was over, the Chairman was authorised to send the declaration not only to the United Nations but to all the regional market groupings and the Common Market.

Central Drug Recontrol Institute

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*146. { Shri D. C. Sharma:
Shri Shree Narayan Das:

Will the Minister of Commerce and Industry be pleased to state the up-to-date progress made in setting up a Central Drug Recontrol Institute to re-check the quality of drugs produced by the public sector units?

The Minister of Industry in the Ministry of Commerce and Industry (Shri Kanungo): The matter is still under consideration.

Shri D. C. Sharma: May I know when this consideration was undertaken? How long has this matter been under consideration?

Shri Kanungo: For about a few months. The consideration is between the different Ministries of the Government. Now we have to consult the CSIR. Since for the moment drug projects other than that of Hindustan Antibiotics have not come into production there is no hurry about it.

Shri D. C. Sharma: May I know at what level the whole consideration is taking place—at the Ministerial level or some committee has been appointed for this purpose?

Shri Kanungo: The consultation is between the Ministry of Commerce and Industry and the Ministry of Scientific Research and Cultural Affairs.

Repeal of Portuguese Laws in Goa

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*147. { Shri Indrajit Gupta:
Shri A. K. Gopalan:
Shri P. Kunhan:

Will the Prime Minister be pleased to refer to the reply given to Starred Question No. 1379 on the 11th June, 1962 and state:

(a) whether any final decision has been taken regarding repeal and

modification of Portuguese laws in Goa, Daman and Diu;

(b) which major enactments in force in other parts of India have not yet been extended to the former Portuguese territories and the reasons therefor; and

(c) whether emergency restrictions on holding public meetings, taking out of processions, etc. are still in force in the said territories?

The Deputy Minister in the Ministry of External Affairs (Shri Dinesh Singh): (a) and (b). The question of issue of a Regulation extending to Goa, Daman and Diu the essential enactments in force in the rest of India is engaging the attention of the Government.

(c) No, Sir.

Shri Indrajit Gupta: May I know how long Government propose to take to consider this question and whether Government is aware of the fact that all sections of public opinion in Goa are very strongly agitated over the question that the Portuguese laws and regulations should be ended as soon as possible.

Shri Dinesh Singh: This is under the consideration of the Government and we hope that this will be done very soon. The difficulty has been that it has become a question of extending a large number of laws which regulate our daily lives here. Also, we have to see how the Portuguese laws which are already there will be affecting them.

Shri Indrajit Gupta: May I know whether it is a fact that an influential group of people who formerly belonged to the All Provincial de Goa, otherwise known as the Heraldic group, are exerting their influence to see that all the Portuguese regulations are maintained?

Shri Dinesh Singh: We should not be subject to those influences.

Shri S. M. Banerjee: What are the

present laws which are operating there?

The Prime Minister and Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): I suppose it is a mixture. Most of the Portuguese laws are in force there subject to this condition that none of them should be opposed to the provisions of our Constitution. Since there are a large number of laws, the matter is being examined so that some of our specific laws should be applied there.

Recruitment of Goan Youths to Defence Services

*148. **Shri Bishanchander Seth:** Will the Prime Minister be pleased to state:

(a) whether it is a fact that Goan leaders have suggested to Government recruitment of Goan youths to the Defence Services; and

(b) if so, the reactions of Government in this regard?

The Deputy Minister in the Ministry of External Affairs (Shri Dinesh Singh): (a) and (b). No, Sir. The Government of India have received no such proposal or representation from Goan leaders or organizations. However, the Government have been recruiting Goan youths for the Defence Services.

श्री बिशनचन्द्र सेठ: गोआ की जो पोजिशन इस वकत है, चूक वहां पर बहुत से पुर्तगाल के स्पाइडर हैं, इस वास्ते जो आप वहां रिक्लूमेंट करा रहें हैं तो आपके सामने क्या यह कंमिडेशन है कि उस तरह के आदमी न दिये जायें जो आगे चल कर हमारे हितों को नुक्सान पहुंचायें? साथ ही साथ मैं यह भी जानना चाहता हूँ कि जो सिपाही आप वहां लेंगे, उनको उसी कंट्री में आप मिलायेंगे या हिन्दुस्तान में मिलायेंगे?

प्रधान मंत्री तथा बेंबेशिक कार्य मंत्री तथा अणुशक्ति मंत्री (श्री जवाहरलाल नेहरू) आपके पहले सवाल का जवाब यह है कि उक्त

किस्म का विचार हमारा बिल्कुल नहीं है जिस किस्म का आपका ईसाइयों के बारे में है। ईसाई मजहब हिन्दुस्तान का एक बहुत प्रसिद्ध मजहब है और बहुत फैला हुआ है...

श्री बिशनचन्द्र सेठ : स्याइज मैं ने कहा है।

श्री जवाहरलाल नेहरू : मैं समझा आपने ईसाई कहा है।

जो लोग वहां लिये जायेंगे, जाहिर है कि जहां भी सिपाही सर्व करते हैं वहां भेजे जायेंगे, फिर चाहे वे जिस बंग से भी लिये जायें। यह थोड़े ही है कि वहां के लिए उनको लिया जाए, सिवाय इसके कि कोई होम गार्डज वर्ग रह के लिए लिये जायें जो कि वहीं सर्व करेंगे।

Shri Hem Barua: May I know whether it is a fact that some 2,000 Goans who were in the Portuguese army have been disbanded and, if so, whether Government have considered the feasibility of absorbing the disbanded Goan soldiers in our defence services?

Shri Jawaharlal Nehru: I believe, they are being taken into the Police Force that is being organised. It may not be quite easy to take them in the Defence Services as such because the qualifications, training etc. are very different.

Minority Communities in India

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*149. { **Shri P. K. Deo:**
Shri Narendra Singh Mahida:

Will the **Prime Minister** be pleased to state:

(a) whether Government have taken note of speeches of the Pakistani Foreign Minister, Mr. Mohammad Ali, accusing India of ill-treatment to the minority communities;

(b) if so, whether any protest has been lodged with the Pakistan authorities; and

(c) if so, their reaction to such a protest?

The Deputy Minister in the Ministry of External Affairs (Shri Dinesh Singh): (a) Yes, Sir.

(b) and (c). Our High Commissioner in Pakistan called on Mr. Mohammad Ali Bogra, and the President of Pakistan on June 29, and July 8 respectively, and firmly controverted the suggestion that the minorities in India were being ill-treated

Shri P. K. Deo: Does the Government think it adequate that simply sending this protest will serve the purpose? They can refute it by a press statement that it is not so.

Mr. Speaker: That will be a matter for opinion.

Shri Narendra Singh Mahida: May I know whether minority communities are invited to clarify their position in India now and then, whenever there are complaints about their ill-treatment? I think the minority communities should be invited to make clarifying statements which would contradict their mal-treatment in India.

Mr. Speaker: That is a suggestion.

Shri Vidya Charan Shukla: May I know if the Government have taken any steps to counteract the effect of Pakistani propaganda, particularly in the Middle East, regarding the ill-treatment of the minorities in India?

Shri Dinesh Singh: Yes.

Shri Vidya Charan Shukla: What are those steps?

Mr. Speaker: Shri Jadhav.

श्री तुलसी दास जाधव : मैं जानना चाहता हूँ कि ऐसा कौन सा इन्स्टेंस हुआ है जिसमें माइनारिटी कम्युनिटी को तकलीफ हुई है और जिसको ले कर पाकिस्तान के फारेन मिनिस्टर को इस तरह का स्टेटमेंट देना पड़ा है ?

प्रधान मंत्री तथा बंबेईशक कार्य मंत्री तथा प्रज्जुशक्ति मंत्री (श्री जवाहरलाल नेहरू)

ऐसे बाकात हिन्दुस्तान में हुए हैं और उनको छिपाने से कोई फायदा नहीं है। लेकिन उससे यह नतीजा निकालना कि माइनोरिटी कम्युनिटी के साथ ज्यादाती हो रही है हिन्दुस्तान भर में यह बिल्कुल गलत है। छोटी मोटी बातें इधर उधर हुई हैं।

Closure of Powerlooms

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- *150. { Shri S. C. Samanta:
Shri Subodh Hansda:
Shri B. K. Das:
Shri M. L. Dwivedi:
Shri A. K. Gopalan:
Shri Umanath:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that a large number of powerlooms have closed down because of increased excise duty burden;

(b) if so, how many units have closed down already; and

(c) what steps Government propose to take so that the small units do not close down?

The Minister of International Trade in the Ministry of Commerce and Industry (Shri Manubhai Shah): (a) to (c). A statement is laid on the Table of the House.

STATEMENT

At the time of the announcement of the Budget proposals in May last, changing the structure of the Excise Duty on cloth produced on powerlooms, notices of closure were received from a number of units. Government however have no information with regard to the actual number of units which had closed down.

Certain changes in the proposal announced by the Finance Minister before the Budget was passed have afforded some relief. Units having between 50 and 300 looms are now allowed to pay duty at half the

standard rates up to February, 1963 and 3/4th of the standard rates during the year ending February, 1964.

Shri S. C. Samanta: The hon. Minister says that notices of closure were received from a number of units. May I know whether those notices have been withdrawn and whether fresh notices have come?

Shri Manubhai Shah: No, Sir; they were all withdrawn. They were more for demonstrating their opposition to the excise duty which was levied. As soon as the excise duty matter was finalised the notices were withdrawn.

Shri S. C. Samanta: May I know whether no powerloom unit was closed?

Shri Manubhai Shah: As far as our information is concerned, that is what precisely I have said in the answer, namely, that none of them was closed. They threatened to close.

Shri Subodh Hansda: From the statement I find that units upto 300 looms have been allowed a rebate of three-fourths of the standard rate till February, 1964. May I know whether this rebate will be allowed to continue?

Shri Manubhai Shah: No. We have given them due notice after proper consideration that the latitude or concession will extend upto December 1964 after which they must be on their own.

Shri B. K. Das: May I know whether after the concession has been announced any of these powerlooms have intimated their difficulties?

Shri Manubhai Shah: Their difficulties do continue, but as far as the excise duty is concerned, from the general trend of opinion and their working they seem to have accommodated themselves.

Shri Rameshwar Tantia: May I know whether it has come to the notice of the Government that some powerloom owners have subdivided their units to have the excise duty?

If so what steps the Government is taking to check this?

Shri Manubhai Shah: This is precisely, what we call, a sort of protection to the small-scale industries. But when a particular duty is levied on a unit which is considered economic, those which are marginal units do fragment themselves.

Mr. Speaker: Next question.

Shri Rameshwar Tantia: My question was....

Mr. Speaker: Order, order. Next question.

Quality Control on Exportable Goods

*151. **Shri Shree Narayan Das:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether the question of compulsory quality control of exportable goods has since been examined and decision taken;

(b) if so, the nature of decision taken; and

(c) whether any legislation in this regard is likely to be considered during the current session?

The Minister of International Trade in the Ministry of Commerce and Industry (Shri Manubhai Shah): (a) Yes, Sir.

(b) The Government propose to introduce legislation to provide for quality control and pre-shipment inspection on export goods. Selection of commodities for the compulsory quality control for exports and pre-shipment inspection will be done in due course in the phased programme.

An Export Inspection Advisory Council has been constituted for advising Government and for preparing operational programme for quality control and pre-shipment inspection on export goods.

(c) No, Sir.

Shri Shree Narayan Das: May I know whether, before setting up the

organisation, the opinion of those concerned will be taken?

Shri Manubhai Shah: Yes; that is our intention. Even before we have decided, this, we have consulted practically all the trade and business associations and we shall continue to do so as soon as the commodity list is finalised.

Shri Shree Narayan Das: May I know whether the Minister could give an idea of the nature of the organisation that would be required for the purpose?

Shri Manubhai Shah: It will be a three tier system. One will be at the apex level, the National Council, to lay down the operational programme. Then, we shall also encourage specialised agencies to carry out quality control tests and the various test houses for scientific assessment of the specifications. Also the third tier will be, wherever there are industrial complexes or trade complexes, trade and industry and the Federation of Chambers of Commerce and Industry, which is the apex body, will also initiate and encourage the establishment of test houses and control laboratories.

Shri A. P. Jain: The Mudaliar Committee has recommended that black-listing of exporters who either send sub-quality goods or under-weighted goods is one of the effective measures and Government has already been possessed of this power. May I know to what extent the power has been exercised during the last three years?

Shri Manubhai Shah: In several cases, we have black-listed. As a matter of fact, the power is really derived from the Import and Export Act itself. It was there even before the Mudaliar Committee had recommended. We have been black-listing. The real point is not the stoppage of blacklisting. As a matter of fact, that is the only major point on which we think the Mudaliar Committee has not done real justice to the export trade. Quality control has to be enforced both by promoting positive measures as well as negative penal

measures. Penal measures are being taken.

Shrimati Reau Chakravartty: Is it a fact that the Export Promotion Council is more or less dominated by mills and the exporters, inspite of making many complaints regarding bad quality, have not been heard even in the Export Promotion Council? I would like to know whether in the Export quality control committee or council which is proposed to be set up, they will take care to see that it will not be dominated by mill-owners?

Shri Manubhai Shah: These are two different distinct questions. In the Export Promotion council, as the hon. Lady Member pointed out, really speaking, we have issued instructions in the last two months that one-third of the Members must be necessarily merchant exporters, one-third manufacturing exporters and the rest will be allied interests and Government interests. That complaint of the merchant exporters has vanished. This is a National Council of experts on which it is not a question of representing one interest or the other. This is a promotional measure. If I may repeat, to see that the goods before they leave the shores of India are inspected and tested.

Barter Agreement with U.S.A.

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- *152. { Shri Rameshwar Tantia;
Shri Mohammad Elias;
Shri Yashpal Singh;

Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the State Trading Corporation has concluded a barter agreement with U.S. for the import of terylene fabrics against manganese ore exports;

(b) if so, what are the details of the agreement;

(c) how far such a deal will affect the general cloth position in the country; and

(d) what is the extent of saving in the foreign exchange as a result of the deal?

The Minister of International Trade in the Ministry of Commerce and Industry (Shri Manubhai Shah): (a) Yes, Sir, the import item is polyester fibre and tops (and not fabrics or cloth) which substitutes raw wool.

(b) The barter involves the export of manganese ore of various grades particularly the inferior grades to the value of £ 7,50,000 against import of approximately 700 tons of polyester fibre and tops.

(c) and (d). Polyester fibre will replace the imports of raw wool to that extent which would have otherwise taken place, and would save us free foreign exchange on import of wool to the extent of about Rs. 97 lakhs. The barter commodity was a very difficult item to sell and fetched considerably higher price than the international price for these ores.

Shri Rameshwar Tantia: May I know how far the substitution of terylene for cloth in this country has helped the common man to satisfy his needs because of the high price of terylene and if it is so, may I know what are the reasons for barter of terylene rather than other important material?

Shri Manubhai Shah: This is really substitution for wool which is much more expensive than terylene. Those who can afford to buy woollen fabric will find it cheaper to buy this.

Shri Rameshwar Tantia: We could have imported, I think more cotton or any other material than terylene. My question was, what was the need for making barter against terylene if we could have imported more important materials.

Shri Manubhai Shah: The hon. Member would appreciate that Rs. 9 crores worth of raw wool in any case is being imported in order to maintain at a very restricted level the present demand for wool cloth in the country. This has been imported over the last

50 or 100 years. It is really to substitute and save foreign exchange on this amount that this particular fibre has been substituted by a barter which has made saving of so much of foreign exchange.

Shri Heda: On the one side, the hon. Minister is saying that the import of terylene fibre will save foreign exchange by effecting a reduction in the import of raw wool. On the other side, he says that the consumption of terylene in India is increasing. So, may I know how the import of raw wool will be reduced by allowing this terylene, when the consumption of terylene is increasing?

Shri Manubhai Shah: I think that there is a misunderstanding. I did not say that the consumption of terylene is increasing. We are trying to manufacture terylene in this country entirely based on indigenous raw materials, so that all the foreign exchange that we today spend on inescapable imports of raw wool will be substituted, and to that extent, foreign exchange will be saved. This is the first step in that direction. We have already licensed a plant to make 5 million lbs. of terylene in this country based on various petroleum fractions.

Cost factors of Exportable Commodities

*153. **Shri P. C. Borooah:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether the Board of Trade has recently decided to undertake a study of the cost factors of the principal export industries and agricultural export commodities; and

(b) if so, what progress has been made in that direction so far?

The Minister of International Trade in the Ministry of Commerce and Industry (Shri Manubhai Shah): (a) Yes, Sir. The Board of Trade decided to set up a permanent committee to go into the question of cost structure.

(b) Action is being taken to constitute the Committee.

Shri P. C. Borooah: May I know which industries and commodities the Board of Trade will study, and whether a study group will be constituted commodity-wise or there will be one committee for all the exportable commodities?

Shri Manubhai Shah: This is an expert committee broadly concerned with the cost accounting and with an analysis of the reasons why Indian goods, particularly those which are playing an important part in the export trade, are priced out in the world market; and they will recommend by proper analysis in consultation with the various interests concerned what remedial measures we should institute at the management level, at the labour level, at the various licensing policy levels of Government, at the taxation policy level and so on, to bring down gradually the cost of production in this country.

Shri P. C. Borooah: May I know the industries which are mainly subject to this study, and whether in view of the persistent demands from different tea producing associations for studying the cost factor of tea, the cost structure of the tea industry is also going to be studied?

Shri Manubhai Shah: To begin with, we want to take up oil-seeds which are today priced out by 45 per cent. We also want to take up studies of the cost of sugar production. These are on the agricultural side. On the industrial side, we want to go into the cost structure of machine-tools and light engineering products which are today priced out by about 30 per cent, and also cotton textiles.

Shri Indrajit Gupta: May I know whether a separate committee has been set up to go into the cost structure of the jute industry which is the most important export industry, and if so, how far it has progressed?

Shri Manubhai Shah: We shall take up that also. First, we want to take

up those items where there is a great variation between the international price and the internal price. And I hope the hon. Member will accept that this does not apply so much to jute goods at present.

Shri Indrajit Gupta: My question was this. What has happened to that committee which was set up, namely the Srivastava committee?

Shri Manubhai Shah: That is not a committee on cost reduction programme. The Srivastava committee is for the entire jute industry and jute as an agricultural crop. That committee has practically completed its work, and will be submitting its report within a month or so.

Indian Diplomats in China

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- *155. { **Shri P. K. Deo:**
 { **Shri Hari Vishnu Kamath:**
 { **Shri Narendra Singh**
 { **Mahida:**
 { **Shrimati Malmoona Sultan:**
 { **Shri D. C. Sharma:**

Will the **Prime Minister** be pleased to state:

(a) whether the restrictions imposed by the Chinese Government on the movements and other activities of Indian diplomats in Peking as well as in Tibet have been further tightened up; and

(b) if so, the nature of the fresh measures introduced by the Government of China?

The Deputy Minister in the Ministry of External Affairs (Shri Dinesh Singh): (a) Existing restrictions on Indian diplomats in Peking and Tibet continue. They have not been tightened up further.

(b) Does not arise.

Shri P. K. Deo: In reply to a similar question yesterday in the Rajya Sabha....

Mr. Speaker: The hon. Member need not refer to that.

Shri P. K. Deo: We came to know that the usual restrictions are placed on the diplomatic activities of the various Embassies in China. May I know whether the usual restrictions are being imposed on the Indian Embassy or something more than that?

Shri Dinesh Singh: Does the hon. Member mean the Chinese Embassy here?

Mr. Speaker: The hon. Member means the Indian Embassy in Peking.

Shri P. K. Deo: Yes. I mean the Indian Embassy in Peking.

Mr. Speaker: The answer to that question has been given, namely that no further restrictions have been imposed.

Shri P. K. Deo: My question was different. At Peking, some restrictions have been imposed on the activities of the various Embassies. I want to know whether the restrictions imposed on the Indian Embassy at Peking are like the usual restrictions or something more than that.

The Prime Minister and Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): They are the same; it may be that occasionally, in practice, the interpretation might be slightly different, but the same restrictions are placed on all the foreign Embassies.

Shri P. K. Deo: In view of the restrictions imposed on the activities of the Indian Embassy in Peking, may I know whether Government are considering the question of having reciprocity in that regard, so far as their activities in India are concerned?

Mr. Speaker: I think that question has been answered already the other day.

Shri Jawaharlal Nehru: I have answered it already. The answer is 'No'. In order to have perfect reciprocity, we shall have to introduce all those restrictions on all the other Embassies here too.

Shri Narendra Singh Mahida: Is it a fact that at Lhasa our Indian Agent has been prohibited the use of a wireless transmission set?

Mr. Speaker: That has been answered.

Shri Nath Pal: Is it a fact that apart from the Prime Minister has been pleased to describe as 'usual restrictions', the Indian Ambassador and the staff in general are subjected to all sorts of discourtesies and indignities which are not quite usual in the diplomatic world?

Shri Jawaharlal Nehru: No, I would not say that. Occasions have happened in the past when some member of the Indian Embassy has been treated rather discourteously but it is not a usual occurrence.

Shri D. C. Sharma: Is it not a fact that the Embassies belonging to the communist countries are given preferential treatment over the Embassies which belong to the democratic countries in China?

Shri Jawaharlal Nehru: I do not know exactly what preference is shown, except that perhaps in some ways, in the matter of invitations etc. they may be getting more invitations. But the rules are the same for all.

Shri Tyagi: Could the Prime Minister be pleased to take this House into confidence and narrate to us in detail as to what types of restrictions are being applied against our Embassy or diplomats?

Mr. Speaker: Those details might be very long.

Shri Tyagi: The House must know what are the restrictions. It is not a question of the same restrictions being applied to us as to others. We do not know what the restrictions are.

Mr. Speaker: That need not necessarily be answered during Question Hour, if the details are very long.

Shri Tyagi: I want your ruling as to whether it is relevant or not.

Mr. Speaker: I said that if the details are long, they need not be given now.

Shri Tyagi: I submit to your ruling.

Mr. Speaker: It is not a particular thing that is asked.

Shri Tyagi: The restrictions are in question. I wanted to know what types of restrictions are there.

Shri Jawaharlal Nehru: I may just say that the principal restriction is of not being able to go beyond—I forget the exact distance—about 20 kilometres of the place or town without permission. There are some minor restrictions also, but this is the principal thing.

Shri Sonavane: Beyond writing diplomatic notes to the Peking Government, may I know what steps have already been taken and what steps are proposed to be taken to get these restrictions, which are extraordinary restrictions, removed?

Mr. Speaker: They apply not only to Indians but to all. If that is their policy, what particular steps could we take?

Shri Sonavane: What steps are being taken to get these restrictions removed beyond writing notes to Peking?

Shri Jawaharlal Nehru: No notes are written about it. This is a matter for the whole consular and diplomatic corps in Peking to consider. These apply to all of them, not to any one particular country only.

श्रीषधि संयंत्रों की स्थापना

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* १५६. { श्री भक्त दर्शन :
श्री भागवत झा झाजाव :
श्री रामेश्वर टांटिया :
श्री बिशनचन्द्र सेठ :

वृत्त बाणिज्य तथा उद्योग मंत्री ७ मई, १९६२ के तारांकित प्रश्न संख्या ४५३ के उत्तर के संबंध में यह बताने की कृपा करेंगे कि सोवियत रूस की सहायता से जो चार श्रीषधि

संयंत्र स्थापित किये जा रहे हैं, उनके बारे में इस बीच और क्या प्रगति हुई है ?

वाणिज्य तथा उद्योग मंत्रालय में उद्योग मंत्री (श्री कानूनगो) : एक विवरण सभा पटल पर रखा जाता है ।

A statement is laid on the Table of the House.

विवरण

हैदराबाद के निरुद्ध सनतनगर में संश्लिष्ट औषधि प्रायोजना के लिये सोवियत रूस के मेसर्स टेकनाएक्सपोर्ट के साथ एक संविदा किया जा चुका है। इस संविदा में संयंत्र और मशीनों का संभरण करने की की व्यवस्था है जिसमें भारत में सोवियत विशेषज्ञों की नियुक्ति, सोवियत रूस में भारतीय विशेषज्ञों को ट्रेनिंग संयंत्र की सीमा के अन्दर होने वाले कार्य की विस्तृत रूप-रेखा तैयार करने तथा कारखाने को खड़ा करने के खाके तैयार करना आदि शामिल है। फाइटो-केमिकल प्रायोजना के लिये उत्पादन कार्यक्रम तथा उसकी लागत निर्धारण संबंधी प्रश्नों पर अभी विचार किया जा रहा है। इनके बारे में अन्तिम निर्णय हो जाने के बाद ही इस प्रायोजना के लिये संयंत्र और मशीनों आदि के बारे में अन्तिम रूप से संविदा किया जा सकेगा ।

जिन तीन प्रायोजनाओं के बारे में संविदा किये जा चुके हैं, प्रत्येक प्रस्तावित बस्ती में रहने के लगभग २५० मकान बनाने के लिये टेंडर भी मांगे जा चुके हैं जिससे प्रायोजना के कर्मचारियों के लिये आवश्यक रहने की कुछ व्यवस्था की जा सके। रहने के लगभग १०० क्वार्टरों का निर्माण भी शुरू किया जा चुका है। इसके अलावा सोवियत टेक्नीशियनों के लिये फीन्ड होस्टल तथा आगन्तकों के लिये एक सर्किट हाउस का बनना भी शुरू हो चुका है। कुछ सड़कें भी बनाई जा रही हैं। आवश्यक संख्या में कर्मचारी तथा अधिकारी जिनमें टैक्निकल कर्मचारी भी शामिल हैं प्रायोजना स्थल पर पहुंच गये हैं और आशा है कि वर्ष-शतु के समाप्त होने ही निर्माण कार्य पूरी तेजी

से शुरू किया जा सकेगा ।

Mr. Speaker: Everybody can understand it when he said:

एक विवरण सभा पटल पर रखा जाता है
It need not be interpreted in English every time.

श्री भक्त वशन . श्रीमान्, इस विवरण को देखने से मालूम होता है कि पिछले तीन महीनों में इन कारखानों में कोई विशेष प्रगति नहीं हुई है, यानी लगभग वही बातें अब बतायी गयी हैं जो कि मई में बतलायी गयी थीं। मैं जानना चाहता हूँ कि इन कारखानों की स्थापना में और तेजी लाने के लिए क्या कोई विशेष कदम उठाए जा रहे हैं ?

श्री कानूनगो . इन तीन कारखानों में करीब ५० करोड़ रुपए का काम होगा। मशीनें बन रही हैं, मशीनें आ रही हैं और यहां पर जो जमीन का और मकान बनाने का काम है वह तेजी से चल रहा है ।

श्री भक्त वशन श्रीमान्, क्या कोई ऐसी व्यवस्था की गयी है कि हमारे भारतीय युवक स्वयं सोवियत रूस जाकर ट्रेनिंग प्राप्त करे और फिर यहां आ कर इस काम को जल्दी पूरा करने का प्रयत्न करें ?

श्री कानूनगो : उनको तालीम देने की व्यवस्था की जा रही है और वह तालीम ऐसी होगी कि उसको प्राप्त करने के बाद वह यहां आ कर काम करेंगे ।

Shri Bhagwat Jha Azad: According to the revised estimate, if any, what would be the annual production once the Sanatnagar plant goes into production?

Shri Kanungo: The production at Sanatnagar will be of the order of approximately Rs. 7.53 crores worth of goods.

Shri Rameshwar Tantia: What is our present import of these drugs, and how much will it be reduced after these factories go into production?

Shri Kanungo: I have not got the exact figures of the import of these particular drugs, but then the quantity produced ought to be enough unless by that time the demand has increased.

Shri Kumaran: In the statement it is said:

"The programme of production in regard to the Phyto-Chemical project and the cost economics thereof is still under consideration."

We have been hearing this disappointing answer for the last six months. In view of the fact that there is very great apprehension in the minds of the people of Kerala that they will not get this project, may I know whether Government will take early and effective steps in this matter?

Shri Kanungo: Yes, Sir. We are taking all the steps that are necessary, but this is a technical problem, and we have contracted to go in for a process which will be offered to us by the USSR. The process which we are discussing is not economic. So, our counterparts, the USSR authorities are now developing a process which may be more economic.

Hindu Minorities in Noakhali District of East Pakistan

*157. **Shri Tridib Kumar Chaudhuri:** Will the Prime Minister be pleased to state:

(a) whether the attention of Government has been drawn to press reports published in Calcutta giving news of the incidents directed against Hindu minorities at Chowmohani Bazar in the District of Noakhali in East Pakistan; and

(b) whether any enquiries have been made by Government from the Dy. High Commissioner of India at Dacca as to the veracity of these press reports?

The Deputy Minister in the Ministry of External Affairs (Shri Dinesh Singh): (a) Yes, Sir.

(b) Reports from our Deputy High Commissioner in Dacca have confirmed these incidents.

Shri Tridib Kumar Chaudhuri: May I know if the attention of the Government has been further drawn to the fact that these incidents are said to have occurred as a measure of reprisal by certain Pakistani seamen coming from Noakhali who have been discharged from the docks and marine service in Calcutta. Is there any truth in that report?

Shri Dinesh Singh: No, Sir. I do not know. I do not think there is any truth in what the hon. Member said.

Shri Tridib Kumar Chaudhuri: May I ask if the attention of the Government has been drawn to the press reports to which the question refers? The same press reports refer to the reports of alleged reprisals. Have the Government received any specific report from the Deputy High Commissioner at Dacca about this thing?

The Prime Minister and Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): We have no information on this subject, we have not heard about it, and it is not mentioned in any report that we have received.

Shri S. M. Banerjee: As these incidents are taking place not only in Noakhali but in many places in East Pakistan, I would like to know whether the Prime Minister will have a meeting with the President of Pakistan to discuss this matter once and for all.

Mr. Speaker: But the question is specific.

Shri S. M. Banerjee: I would like to know whether the Prime Minister is likely to have a talk with the President of Pakistan only on this issue.

Shri Jawaharlal Nehru: I have not quite clearly understood. Something about my meeting the President of Pakistan?

Mr. Speaker: And having a talk on this issue.

Shri Jawaharlal Nehru: There is no proposal at present of my meeting the President.

Shri D. C. Sharma: The Foreign Minister of Pakistan shouts about any small incident that takes place in India affecting the Muslim minority. How is it that when such incidents take place in Pakistan affecting the Hindu minority, our Ministry of External Affairs keeps silent?

Shri Jawaharlal Nehru: I do not quite understand what the hon. Member means. Our Missions keep silent?

Shri D. C. Sharma: Even when a small incident affecting the minorities in India takes place, the Foreign Minister of Pakistan shouts about it in the Assembly and everywhere. How is it that when such incidents take place in Pakistan affecting our minorities, our Ministry of External Affairs does not take any notice of them?

Shri Jawaharlal Nehru: I do not know what the hon. Member expects us to do. I hope any hon. Member of this hon. House does not shout unreasonably.

Shri Tyagi: It is a question of publicity. The hon. Prime Minister must realise that his publicity is lacking. It is not a question of shouting.

Shrimati Renu Chakravartty: May I know whether, when the Chief Secretaries of West Bengal and East Pakistan met recently in Wacca, this particular matter of the Chowmohani Bazar riots was gone into and the steps have been evolved to deal with this entire matter of incidents in the two countries?

Shri Jawaharlal Nehru: I have not seen the report of the meeting. But, presumably, some reference was made to it because of their talks.

Shri Tridib Kumar Chaudhuri: In regard to these incidents and similar other incidents which occurred in Pakistan last month and the month

before, may I know whether, apart from the Chief Secretaries' Conference, any exchanges have taken place between our Government and the Government of Pakistan and whether any specific policy mutually agreed upon has been reached?

Shri Dinesh Singh: Our Deputy High Commissioner in East Pakistan handed over a note to the Government and our High Commissioner in his talks with the President of Pakistan on the 8th July referred to these matters.

Shri Tridib Kumar Chaudhuri: What is the outcome? Apart from the reference, what has been the outcome; whether any protection.....

Mr. Speaker: If there had been some outcome that would have been conveyed just now. Probably, there was no outcome.

Shri Jawaharlal Nehru: Usually there is an agreement. There is no difference that protection should be given. On either side, they refer to some incidents happening on the other side and our people draw pointed, attention to what has happened on that side. It is agreed that every attempt should be made to give protection. The details have already been worked out previously on this kind of things. Broadly, the general policy is agreed upon. Whether it is given effect to or not is a different matter.

Export of "Bleeding Madras" Cloth to U.S.A.

*158. **Shri M. K. Kumaran:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that interest in the "Bleeding Madras" variety of cloth has gone up in the United States; and

(b) if so, whether any steps have been taken to sustain that interest and to build up a steady market there?

The Minister of International Trade in the Ministry of Commerce and In-

dustry (Shri Manubhai Shah): (a) Yes, Sir.

(b) Yes, Sir. The following among other steps have been taken:—

- (i) A quota system has been introduced for "Bleeding Madras" with a view to prevent unhealthy competition.
- (ii) The floor and ceiling prices have been fixed for "Bleeding Madras" with a view to stabilise the market and check speculation.
- (iii) Quality control of the fabrics is also enforced.

Shri M. K. Kumaran: May I know whether, in spite of the fact that there is increasing demand for this variety of the cloth in U.S.A., recently the export of this cloth has gone down?

Shri Manubhai Shah: It has gone up.

Shri Nambiar: May I know whether large stocks of handloom cloth are still waiting to be exported or disposed of and whether any special steps are being taken, apart from sending it to U.S.A. and other countries?

Shri Manubhai Shah: The U.S. market itself is not fully supplied; and the accumulation is of a rather temporary character and it is due to the inspection that we have now enforced because the U.S. market was being lost to us as sub-standard goods were going there. The stocks are being cleared quickly.

Tibetan Students sent to Denmark to study Agriculture

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*159. { **Shri P. Kunhan:**
 Shrimati Renu Chakravartty:

Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that 20 Tibetan students have been sent to Denmark to study agriculture;

(b) if so, who is bearing the expenses for their study; and

(c) how long they will be in Denmark and on their return how their experiences will be utilised?

The Deputy Minister in the Ministry of External Affairs (Shri Dinesh Singh): (a) Yes, Sir.

(b) Their travelling expenses were borne by the American Emergency Committee for Tibetan Relief and their maintenance and training expenses are being met by the Danish Committee for Tibetan Assistance.

(c) Their training period is 3 to 4 years. On their return, their experience can usefully be utilised in the agricultural settlements set up in India for permanent rehabilitation of Tibetan refugees.

Shri P. Kunhan: What is the reason for selecting only Tibetan students?

Mr. Speaker: Why only Tibetan students were selected?

Shri Jawaharlal Nehru: Because the fund is meant for Tibetan students only.

Shrimati Renu Chakravartty: Is it a fact that there is a whole department in the Ministry of Education at the Centre dealing with these Tibetan students—as a separate entity?

Shri Jawaharlal Nehru: I do not know how the Education Ministry deals with it. The External Affairs Ministry is broadly in charge. But, so far as education is concerned, they have asked the Education Ministry to look after it. So far as I know there is no special department. Somebody has to deal with it; and, probably, some official is there in charge.

Shri Hem Barua: May I know whether citizenship rights have been granted to the Tibetan refugees or they are treated as foreign nationals? If so, how can Government expect that the experience of these Tibetan students who have gone abroad and who will come back will be utilised for the benefit of the country?

Shri Jawaharlal Nehru: I am sorry I have not quite understood the hon. Member's question. This problem of Tibetan refugees has arisen and we are more particularly interested in their education, in the education of the younger people. Various agencies abroad have helped in this and have even taken away some people; we have agreed to that. There is, for instance, a children's village in Switzerland and about 20—30 Tibetan children with some of their parents have gone there.

Mr. Speaker: His question was this. Would they be Indian citizens or foreigners? If they are foreigners, how would they be absorbed in agricultural pursuits in India?

Shri Jawaharlal Nehru: I cannot say what they will be in future. At the present moment, they are not Indian nationals, whatever they might be.

Shri Hem Barua: My question was not properly understood. May I submit that these are foreign nationals and the Deputy Minister said that when they came back their experience might be utilised for our country. I asked how it can be binding on them since they are foreign nationals.

Mr. Speaker: Nobody has said that it would be binding upon them. Next question.

Small Scale Industries in Rural Areas

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- *160. { Shri Nambiar;
Shri Hem Raj;
Shri Kashi Ram Gupta;
Shri P. C. Barooah;
Shri Umanath:

Will the Minister of Planning be pleased to state:

(a) whether Planning Commission has prepared a scheme for intensive development of Small Industries in selected rural areas during Third Five Year Plan period;

(b) if so, the details thereof;

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(c) which are the areas selected in each State; and

(d) the allocation made to each State?

The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman):
(a) Yes, Sir.

(b) Details of the scheme are given in Part I, pages 1—11 of the printed brochure on 'Projects for intensive development of small industries in rural areas' issued by the Planning Commission in July 1962. Copies of the brochure have already been supplied to the Lok Sabha Secretariat for distribution among the Members.

(c) Selection of areas has not been finalised. Proposals from the State Governments are expected to reach the Planning Commission by the middle of August, 1962.

(d) Allocations will be made according to the number of projects. The basis of allocation for each project is explained in paragraph 12 on page 6 of the printed brochure referred to in (b) above.

Shri Nambiar: May I know whether there was a proposal to hold a conference of the State representatives and other interested parties in the month of July on 21 and 22nd and whether that conference took place and if so, with what results?

Shri C. R. Pattabhi Raman: There is already a committee of the Planning Commission working on it and all this has been done in consultation with the States and there will be further discussions with regard to this.

Shri Nambiar: May I know whether the State of Madras has sent any representation in regard to these matters and it was considered while considering the allocation of industries to States?

Shri C. R. Pattabhi Raman: I am unable to answer that question just now.

Shri Hem Raj: May I know whether the rural areas have been divided into categories under the scheme? May I

also know whether the areas which are very undeveloped will be taken up for establishment of these industries?

Shri C. R. Pattabhi Raman: You will find in the brochure, Sir, certain conditions which are laid down.

Mr. Speaker: If it is there in the brochure it need not be read.

श्री काशीराम गुप्त : मैं यह जानना चाहता हूँ कि इन इंडस्ट्रीज को चलाने का माध्यम को-ऑपरेटिव सोसायटीज होंगी अथवा पंचायत समितियाँ ।

Shri C. R. Pattabhi Raman: I have not followed the first part of the question.

Shri Kashi Ram Gupta: I wanted to know whether these industries will be run by co-operative societies or by the panchayat samitis?

Shri C. R. Pattabhi Raman: That will be as envisaged in the Plan. There are three tiers: firstly, Planning Commission in Delhi; secondly the State Committee, that is, the Standing Committee, including representatives of the Ministries, Khadi and Village Industries Commission and some other all India bodies. Thirdly, under the directions of the Industries Minister or the Chief Minister of the State, there will be a committee consisting of the chairman of the local panchayat zila parishad, panchayat samiti, and administrative technical personnel along with representatives of co-operative organisations. It has been suggested to the State Governments that as far as possible non-officials should be the chairmen of project committees.

Shri P. C. Borooah: While the Planning Commission is busy here...

Some Hon. Members: We do not hear; power failure.

Shri Frank Anthony: We have to put up with it every day.

Shri P. C. Borooah: While the Planning Commission is busy here in pre-

paring schemes for intensive development of small-scale industries in rural areas, may I know if the Government are aware that the small scale industries in Assam are on the verge of ruin owing to short supply of power and non-supply of raw materials, particularly, steel, and, if so, what do the Government propose to do?

Shri C. R. Pattabhi Raman: The supply of power is one of the main considerations envisaged in the scheme.

Shri Vidya Charan Shukla: Have the Government laid down any criteria for the selection of areas which will be taken up for intensive development of this kind and, if so, what are the criteria?

Shri C. R. Pattabhi Raman: It is contained in the brochure.

Mr. Speaker: Then it need not be repeated. The brochure was distributed yesterday at the counter and hon. Members should get all the information that is contained in it. Obviously they have not read it and therefore they are putting questions.

Shrimati Savitri Nigam: May I know whether some projects have been specially reserved for the backward areas in the various States?

Shri C. R. Pattabhi Raman: Certainly the backward areas in all the States are envisaged in the scheme.

Lansdowne Jute Mill, Calcutta

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*161. { Shri Indrajit Gupta;
Shri Mohammad Elias:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether the Lansdowne Jute Mill, Calcutta has been closed down;

(b) if so, the reasons for its closure;

(c) whether Government's prior approval was sought and given;

(d) the number of workers thrown out of employment;

(e) whether any complaints have been received of mismanagement and malpractices by the millowners;

(f) whether such complaints have been investigated; and

(g) whether Government have any intention of putting the mill back into operation?

The Minister of International Trade in the Ministry of Commerce and Industry (Shri Manubhai Shah): (a) and (e). No, Sir.

(b) to (d), (f) and (g). Do not arise.

Shri Indrajit Gupta: May I know whether it is not a fact that this company has notified its intention to close down the mill sometime after the 14th of this month?

Shri Manubhai Shah: It is true that they have notified that they will close it by November, 1962, and therefore we are trying to take steps whether the same machinery could be renovated or transferred to places where they could be worked. The rest will have to be scrapped.

Shri Indrajit Gupta: What is the reason given by this company for its intended closure and may I know whether it is not a fact that only recently a large amount of money was given as loan by the NIDC to this company and, if so, why this mill intends to close down?

Shri Manubhai Shah: As far as the information of our technical experts is concerned, this particular mill has passed the stage where any modernisation could be done either by changing the machinery or otherwise. All that can be done is, they can be replaced by a new mill, and that will be the purpose for which the new change will take place.

Shri Rameshwar Tantia: May I know whether it is a fact that by closing a jute mill and selling the working hours to another mill, the mill can still make a profit and, if so, whether the Government will make some rule to the effect that before

closing a mill, prior approval should be sought from the Government?

Shri Manubhai Shah: This is not the point at all, because the jute industry is now expanding as per a recent decision of the Government. Therefore, selling of time-hours is not the only way to make profit. If the mills were in working condition, they would have to do so. But technically the machines are all worn out.

Free Trade Zones

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Shri P. R. Chakraverti;
Shri Indrajit Gupta;
Shri P. Kunhan;
Shri Raghunath Singh;
Shri Daji;
*162. Shri M. K. Kumaran;
Shri A. K. Gopalan;
Shri A. V. Raghavan;
Shri R. N. Reddi;
Shri Rameshwar Tantia;
Shri Hem Barua;

Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government have examined the question of forming free Trade Zones at different ports on the model of Hamburg, Copenhagen, New York, San Francisco, Los Angeles and Colon for facilitating exports from India;

(b) whether the All India Manufacturers Organisation have suggested that four free Trade Zones on the East and West Coasts of India be set up; and

(c) if so, what are the reactions of Government in this regard?

The Minister of International Trade in the Ministry of Commerce and Industry (Shri Manubhai Shah): (a) Yes, Sir.

(b) Yes, Sir.

(c) The scheme of the Free Trade Zone at Kandla prepared by the Ministries of Transport and Communications and Commerce and Industry is

under the consideration of the Government.

The general question of pros and cons of free trade zones at different ports in the country is being examined by a Sub-Committee of the Board of Trade. There have been several representations from organisations of Trade and Industry on this subject.

Shri P. R. Chakraverti: May I know what are the advantages that are likely to accrue from the compliance of the suggestions made by the manufacturers' organisation in this matter?

Shri Manubhai Shah: That is precisely the scheme, but we have to examine very carefully the pros and cons. There are certain advantages for export promotion but there are disadvantages by way of smuggling and various other things. These are being carefully assessed and the balance of advantages and disadvantages will be taken into consideration before the Government take a decision on the matter.

Shri P. Kunhan: May I know whether the All-India Manufacturers' Organisation recommended to the Central Government the setting up of a free trade zone in the Cochin port?

Shri Manubhai Shah: Yes, Sir. They have recently represented to us that four ports should be selected in different parts of India—one in the north, one in the south, the third in the west and the fourth in the east in order to see that adequate free trade zone facilities are created in these ports. All these matters are under examination.

Shri H. M. Barua: May I know if it is a fact that there were representations made to the Government for making Goa and Pondicherry also as free trade zones?

Shri Manubhai Shah: They are also included in the recommendations of the Federation. Practically every port has represented that it should be in

free trade zone. But the Government have primarily to decide whether free trade zone activity, even in a restricted way, is worth trying in the circumstances of India at present or not. From that angle, this scheme has been prepared first for Kandla and that is precisely under consideration. The Board of Trade, at its recent meeting, appointed a committee presided over by Prof. Gadgil to examine the general question of free trade zones.

Shri Tyagi: May I know if Government have carefully examined the details as to what measures and precautions they have to take when these free trade zones are created against smuggling of goods and if so, will the Minister take the House into confidence?

Shri Manubhai Shah: Yes, Sir, at the appropriate time I shall tell the House what the final decision of the Government would be. I shall have occasion to lay before the House the report of the special officer as to what are the measures to be taken against smuggling, and what promotional assistance is to be given to see that it really helps to promote the export trade, if the decision is favourable. If the decision is not favourable, we shall say what are the reasons why we are abandoning it.

Shri Man Singh P. Patel: In view of the time taken by Government in deciding whether Kandla should be made into a free trade zone, may I know within what period Government would take a decision on this matter?

Shri Manubhai Shah: In a month or two.

श्री रघुनाथ सिंह : कांडला पोर्ट की स्कीम पांच-छः बरस से पेंडिंग है। क्या मैं जान सकता हूँ कि वह कितने बरस तक—पांच, दस, बीस, पच्चीस बरस—पेंडिंग रहेगी ?

श्री मन्भाई शाह : मैं ग्राहवासन देता हूँ कि दो महीने में इस बारे में इधर या उधर फ़ैसला जाहिर कर दिया जायगा।

Survey of Economic Conditions in Eastern U.P.

- *163. { **Shri P. K. Deo:**
Shri Narendra Singh Mahida:
Shri S. M. Banerjee:
Shri Ram Rattan Gupta:
Shri Sarjoo Pandey:

Will the Minister of Planning be pleased to state:

(a) whether any team has been sent by the Planning Commission to study the economic conditions of Eastern U.P.; and

(b) if so, their findings?

The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman):

(a) and (b). A proposal to undertake a study of social and economic conditions of three districts in Eastern Uttar Pradesh jointly by the Planning Commission and the Uttar Pradesh Government is under examination, but no decision has yet been taken.

Shri P. K. Deo: As there are equally economically backward areas in the country like eastern U.P., may I know whether Government is considering the question of enlarging the scope of investigation to other areas also?

Shri C. R. Pattabhi Raman: Yes, Sir; the Planning Commission is constantly endeavouring to do it.

Shri Narendra Singh Mahida: Is the Government only interested in surveying or is Government contemplating to give economic aid?

Shri C. R. Pattabhi Raman: As soon as the discussions are over, I take it that aid also will be a part of it.

Shri S. M. Banerjee: May I know whether the attention of the Minister has been drawn to the various speeches made by the Prime Minister regarding the bad economic condition of eastern U.P.? I want to know what immediate steps are being taken to see that the condition is improved in those districts?

Shri C. R. Pattabhi Raman: Yes, Sir; we are aware of the speech made by the Prime Minister.

Shri S. M. Banerjee: He may be aware, but what steps are being taken?

Shri C. R. Pattabhi Raman: About 15 districts are involved in eastern U.P. out of which a selection has to be made of some districts. We are just in the stage of discussion.

Shri Raghunath Singh: Question 165 is very important. It may be taken up.

श्री सरज पाण्डेय : माननीय मंत्री जी को पता है कि पूर्वी उत्तर प्रदेश को एक टीम जाने वाली है। क्या मैं जान सकता हूँ कि यह टीम कब तक वहाँ जायगी और पूर्वी उत्तर प्रदेश की हालत को सुधारने के लिए उस को कितनी एड दी जायगी और किन किन डिस्ट्रिक्ट्स को वह एड दी जायगी ?

Shri C. R. Pattabhi Raman: The team will go to eastern U.P. as soon as the discussions are over and the selection of the districts is made.

Administrative Reforms

- *164. { **Shri Harish Chandra Mathar:**
Shri Bhakt Darshan:
Shri Bhagwat Jha Azad:

Will the Minister of Planning be pleased to state:

(a) whether Shri V. T. Krishnamachari has completed his study of administrative reforms and submitted his report;

(b) the conclusions of the study and Government's reaction thereto; and

(c) whether a copy of the report would be laid on the Table?

The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman): (a) and (b). **Shri V. T.**

Krishnamachari has completed his study on questions relating to administrative personnel and administrative problems arising from the introduction of democratic institutions at the District and Block level. His report is expected to be received during the course of this month.

(c) Yes.

Mr. Speaker: A demand is being made that I should take up Question 165. It is in the name of Shri Hari Vishnu Kamath, but he is not present.

Shri Raghunath Singh: He is not present and therefore, we are making this request.

Mr. Speaker: If the Minister is prepared to answer, I can allow. When a question is called and the Member is not present, if the Minister thinks that it is of some public importance and he wants to answer it, then only I can allow it under the rules. Otherwise, not.

Shri Tyagi: I hope the Prime Minister himself might like to answer it.

Shri Nath Pai: Shri Kamath did not leave any written authority.....

Mr. Speaker: Written authority comes only after the whole list is exhausted.

Shri Nath Pai: You did not hear me, Sir. Shri Kamath did not leave any written authority but he requested that we should plead with you to take this up.

Mr. Speaker: That would come after the whole list is exhausted. Now it is for the Minister to say. If he thinks it is so important that he wants to answer, then alone I can take it up, otherwise not.

The Prime Minister and Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): What is it, Sir?

Mr. Speaker: Some hon. Members want that Question No. 165 should be taken up. The question is whether

the Chinese Government have intimated that they do not propose to appoint an Ambassador in India.

Shri Jawaharlal Nehru: No, Sir; they have not (*Interruptions*).

Mr. Speaker: The Question Hour is over.

Shri Nath Pai: Sir, you were kind enough to admit the question.

Mr. Speaker: After sixty minutes are over, no right accrues to the hon. Members to put supplementaries.

Shri Nath Pai: I was waiting to put a supplementary.

Mr. Speaker: I do not accuse him. But the Question Hour is over.

Shri Nath Pai: One supplementary would have been sufficient (*Interruptions*).

WRITTEN ANSWERS TO QUESTIONS

Indians detained in Portugal

*154. { **Dr. L. M. Singhvi:**
Shri D. C. Sharma:

Will the Prime Minister be pleased to state:

(a) whether any Indian nationals are still detained in Portugal; and

(b) if so, steps taken to obtain their release?

The Deputy Minister in the Ministry of External Affairs (Shri Dinesh Singh): (a) and (b). Five Indian nationals who were detained in Lisbon during December, 1961, have already been released. One Indian national Shri Ranade, who has been detained in Portugal since before the liberation of Goa, however, has not yet been set free. Press reports indicate that the Portuguese authorities have also arrested Shri Telo de Mascarenhas who had been residing in Lisbon since before the liberation. The Government of India are making all efforts to have these persons released.

Chinese Ambassador to India

*165. **Shri Hari Vishnu Kamath:**
Will the **Prime Minister** be pleased to state:

(a) whether the Chinese Government have intimated that they do not propose to appoint an Ambassador in India; and

(b) if so, the reasons therefor?

The Deputy Minister in the Ministry of External Affairs (Shri Dinesh Singh): (a) No, Sir.

(b) Does not arise.

केन्द्रीय सरकार के कर्मचारियों की १९६० की हड़ताल के सम्बन्ध में प्रतिवेदन

*१६६. { श्री भक्त दर्शन :
श्री भागवत झा आजाद :
श्री दो० चं० शर्मा :

क्या अम और रोजगार मंत्री २ मई, १९६२ के तारांकित प्रश्न संख्या ३४१ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि सन् १९६० की केन्द्रीय सरकार के कर्मचारियों की हड़ताल के बारे में प्रतिवेदन को अन्तिम रूप देने में क्या प्रगति हुई है ?

अम और रोजगार मंत्रालय में अम मंत्री (श्री हाथी) : श्री आर० एल० मेहता दूसरे और जरूरी कामों में व्यस्त रहे इसलिये इस रिपोर्ट को अन्तिम रूप नहीं दिया जा सका ।

Workers' strike in Marmagao

*167. { Shri Namblar:
Shri Nath Pal:
Shri Ram Ratan Gupta:
Shri Daji:
Shri Mohammad Elias:
Shri Raghunath Singh:

Will the **Prime Minister** be pleased to state:

(a) whether seven thousand workers of Marmagao Harbour went on an indefinite strike;

(b) if so, what were the demands of the workers; and

(c) whether the dispute has been settled?

The Deputy Minister in the Ministry of External Affairs (Shri Dinesh Singh): (a) Two hundred workers went on strike on the 30th June, 1962, and were later joined by some others.

(b) The workers demanded retention of temporary workers and grant of adequate wages to them, replacement of Portuguese laws by Indian laws, democratic elections in Goa and development of Marmagao and Panjim ports.

(c) Yes, Sir. The strike was called off on the 4th of July, 1962.

Overseas Purchase Organisations

*168. { Shri D. C. Sharma:
Shri Rameshwar Tantia:

Will the **Minister of Works, Housing and Supply** be pleased to state:

(a) the progress made so far in the proposal to rationalise Overseas Purchase Organisations; and

(b) the details thereof?

The Minister of Works, Housing and Supply (Shri Mehr Chand Khanna): (a) and (b). A statement is laid on the Table of the Sabha. [See Appendix I, annexure No. 38].

Squatter Families in Delhi

*169. { Shri P. R. Chakraverti:
Shri Rameshwar Tantia:
Shri Yashpal Singh:
Shri Surendra Pal Singh:

Will the **Minister of Works, Housing and Supply** be pleased to state:

(a) whether Government have made a survey of the squatter families in Delhi;

(b) if so, what is the latest figure according to the survey; and

(c) whether Government have finalised their policy of rehabilitation of these squatter families?

The Minister of Works, Housing and Supply (Shri Mehr Chand Khanna): (a) and (b). About 44,000 families were squatting on Government and public lands in Delhi|New Delhi according to a special census taken by the Delhi Administration in June-July 1960 under the Jhuggis and Jhopris Removal Scheme.

(c) Government's intention is to provide open developed plots to eligible families who were squatting on Government and Public lands in Delhi|New Delhi prior to the census in June-July 1960 to enable them to build their own houses on them. Families who squatted on land subsequent to this date are to be evicted without offering them alternative accommodation.

Law and Order situation in coal Mines

*170. { **Shri Indrajit Gupta:**
Shri P. R. Chakraverti:

Will the Minister of Labour and Employment be pleased to state:

(a) how far the law and order situation in coal mines has improved during the last three months since the Tripartite meeting was held in May, 1962;

(b) whether the Labour Unions affiliated to different All India Trade Organisations have responded favourably to the suggestion;

(c) whether the management has offered full co-operation in the joint efforts; and

(d) whether Government advised its Inspectorate to collect relevant information and contact labour unions for achieving the desired results?

The Minister of Labour in the Ministry of Labour and Employment (Shri Hathi): (a) The mining employers' and workers' Organisations have agreed that they would strive to

improve their relations within a period of six months. The position will be reviewed after the expiry of this period.

(b) Yes.

(c) Yes.

(d) This is being regularly done.

African Military High Command

*171. **Shri Hari Vishnu Kamath:** Will the Prime Minister be pleased to state:

(a) whether the Casablanca Powers have decided to set up an African Military High Command;

(b) whether Government have been apprised of the decision or any such proposal is in the offing; and

(c) if so, Government's reaction thereto?

The Deputy Minister in the Ministry of External Affairs (Shri Dinesh Singh): (a) and (b). No Sir; we have only seen newspaper reports to this effect.

(c) Does not arise.

Pilot Centre for Terracotta Pottery at Varanasi

346. **Shri Tan Singh:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that a pilot centre for Terracotta Pottery was opened in 1958 at Varanasi;

(b) the total expenditure incurred;

(c) the number of trainees trained so far at the centre; and

(d) the work undertaken by those trained after the training?

The Minister of Industry in the Ministry of Commerce and Industry (Shri Kanungo): (a) Yes. A Pilot Centre for Terracotta Pottery was set up at Varanasi on the 1st August, 1958.

(b) Rs. 44,867]-. The Centre was closed down on 30th September, 1960.

(c) Ten.

(d) It is understood that all the trainees have been absorbed in the craft.

हस्तकला उद्योग

३४७. श्री तन सिंह : क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) तृतीय पंचवर्षीय योजना के अन्तर्गत प्रत्येक राज्य को केन्द्रीय सरकार द्वारा हस्तकला उद्योग के लिये कितना अनुदान/ऋण देने का विचार है ;

(ख) द्वितीय पंचवर्षीय योजना के अन्तर्गत प्रत्येक राज्य को इस प्रकार का कितना अनुदान/ऋण दिया गया ; और

(ग) राजस्थान राज्य में तृतीय पंचवर्षीय योजना के अन्तर्गत दिया जाने वाला ऋण और अनुदान किन-किन हस्तकला उद्योगों के लिये है और कितना-कितना ?

वाणिज्य तथा उद्योग मंत्रालय में उद्योग मंत्री (श्री कानूनगो) : (क) तीसरी पंचवर्षीय योजना के अन्तर्गत हस्तकला के विकास के लिये विभिन्न राज्यों को आवंटित राशियां बताने वाला एक विवरण सभा पटल पर रखा गया है ? [वेलिये परिशिष्ट २ अनुबन्ध सख्या ३६] । इन आवंटनों में केन्द्र और राज्यों द्वारा किया जाने वाला खर्च भी शामिल है । केन्द्रीय सहायता और अनुदानों एवं ऋण का हिसाब वर्ष के अन्त में राज्य सरकारों द्वारा किये गये वास्तविक व्यय तथा उस वर्ष प्रमल में लाई गई योजनायें किस प्रकार की थीं, इनके आधार पर किया जाता है ।

(ख) एक विवरण सभा पटल पर रखा गया है [वेलिये परिशिष्ट १ अनुबन्ध सख्या ४०] ।

(: त र र : पंचवर्षीय योजना में

राजस्थान सरकार द्वारा हस्तकलाओं के विकास की जिन योजनाओं को कार्यान्वित करने का विचार है, उनमें हाथ से छपे सूती कपड़े, नक्काशीदार हाथी दांत की वस्तुएं, पीतल के कलात्मक बर्तन, मुनहरी पालिशदार बर्तन, ऊनी नमदों, मोटे ऊनी वस्त्रों और कालीनों, लकड़ी के खिलानों, बेंत और बांस की वस्तुएं बनाना, मिट्टी के बर्तन तथा संगमरमर की वस्तुएं बनाना शामिल हैं । इन योजनाओं के लिये निम्न प्रकार राशियां आवंटित की गई हैं :—

	(रु० लाख में)
१. दस्तकारी की वस्तुओं की विक्री	६.००
२. दस्तकारी की वस्तुओं पर किस्म चिह्नंकन	४.००
३. डिजाइन विस्तार केन्द्र	१०.००
४. दस्तकारियों के लिये सामान्य सुविधा केन्द्र	३.००
५. औद्योगिक संग्रहालय	१.००
योग	२४.००

Housing Schemes for Punjab

348. { Shri Hem Raj:
Shri Raghunath Singh:

Will the Minister of Works, Housing and Supply be pleased to state:

(a) the amount of money allotted to Punjab Government for the Third Five Year Plan for its various housing schemes;

(b) the amount granted for 1962-63;

(c) whether Punjab Government have asked for more money for the execution of its Third Five Year Plan Schemes; and

(d) if so, how much and the decision taken thereon?

The Minister of Works, Housing and Supply (Shri Mehr Chand Khanna): (a) A statement showing the required information is laid on the Table of the House. [See Appendix I, annexure No. 41].

(b) The allocations to be made to the State Governments for the year 1962-63 under various Development Heads including 'Housing' have not yet been finalised.

(c) and (d). Yes; Rs. 422 lakhs under various Housing Schemes. The extent to which the additional demand can be met will depend on the amount of funds that might become available from the Life Insurance Corporation or out of savings from the allocations to other States or from an increase in the Plan allocation for Housing, if that is found possible.

Export of Molasses

349. Shri Dasaratha Deb: Will the Minister of Commerce and Industry be pleased to state:

(a) the total quantity of molasses exported from India in 1961-62;

(b) how the figure compares with that of the preceding year;

(c) which parts of India export molasses;

(d) whether any difficulty was experienced in exporting molasses; and

(e) if so, nature of the difficulties and the steps taken to remove them?

The Minister of International Trade in the Ministry of Commerce and Industry (Shri Manubhai Shah): (a) and (b). The figures are as follows:

	Quantity (in '000 tonnes)	(Rs. in lakhs)
1960-51	28	20.24
1961-62	84	61.32

(c) Uttar Pradesh, Bihar, Andhra Pradesh, Maharashtra, Madras and Mysore.

(d) and (e). The main difficulties experienced were non-availability of storage facilities at the ports and tank wagons for movement from sugar mills to the ports. Storage facilities have now been constructed at Madras, Calcutta and Vizagapatam and it is expected that similar facilities will come into existence in Bombay also soon. Tank wagons are being allotted on priority basis.

Tibetan Refugees

350. Shri Dasaratha Deb: Will the Prime Minister be pleased to state:

(a) whether any scheme has been drawn to provide employment to the Tibetan refugees under Industries;

(b) if so, the details therefor;

(c) how many persons have so far been rehabilitated in Industries and where;

(d) whether any special fund has been created for providing industrial training to the Tibetan refugees; and

(e) if so, the yearly amount thereof?

The Prime Minister and Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): (a) Yes, Sir, 129 Tibetan Refugee boys have been given vocational training in batches at various Industrial Training Institutes and Centres.

(b) The training has been given in the following trades and crafts:

Carpentry	22
Blacksmithy	13
Fitting	29
Shoe Making	22
Pottery	10
Machine Shop	24
Electro-Plating	9

(c) 10 persons have been gainfully employed in Tibetan Refugee Camps and schools and 4 persons have been employed in Industrial establishments. Action to find employment for others is in hand.

(d) Government has been sanctioning funds for various training schemes from time to time.

(e) An expenditure of Rs. 2,01,203¹ has been incurred on the training of Tibetan Refugees upto 31.3.1962.

Export of Jute Goods

351. { Shri M. K. Kumaran:
Shri Raghunath Singh:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government have considered the effects of the proposed 15% power cut in Calcutta on production and export of jute goods; and

(b) what Government propose to do in the matter?

The Minister of International Trade in the Ministry of Commerce and Industry (Shri Manubhai Shah): (a) and (b). Yes, Sir. Efforts are being made to see that the extent of the power cut is reduced to the minimum in the case of export industries like jute, tea, textiles, engineering etc.

Survey of Atomic Minerals in Saurashtra and Kutch

352. Shri M. K. Kumaran: Will the Prime Minister be pleased to state:

(a) whether it is a fact that a survey of atomic minerals all over the Saurashtra and Kutch regions has been undertaken by the Geological Survey of India;

(b) whether the survey has been completed;

(c) whether any report thereon has been submitted to Government; and

(d) if so, the details thereof?

The Prime Minister and Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): (a) and (b). During the years 1960-61 and 1961-62, the Atomic Minerals Division of the Department of Atomic Energy carried out radiometric surveys for locating atomic minerals in some areas of the Saurashtra and Kutch region of Gujarat State, where there were geological indications of the occurrence of such minerals. The survey of these areas has not yet been completed.

(c) & (d). Periodical reports of the results of the surveys are prepared. The areas so far covered by radiometric surveys revealed concentrations of uranium which would justify economic exploitation.

Sale of Coffee Seeds

353. Shri M. K. Kumaran: Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that Sale Depots of the Coffee Board do not sell coffee seeds to consumers unless they take a stipulated quantity of an inferior variety of seeds also; and

(b) if so, whether Government approve of this undersirable practice?

The Minister of International Trade in the Ministry of Commerce and Industry (Shri Manubhai Shah): (a) No, Sir.

(b) Does not arise.

Tea Plantation Industry

354. { Shri A. K. Gopalan:
Shri P. C. Borooah:

Will the Minister of Labour and Employment be pleased to state:

(a) whether Government have accepted the recommendations of the Central Wage Board for the Tea Plantation Industry;

(b) if so, details of the recommendations; and

(c) whether these recommendations have been implemented?

The Minister of Labour in the Ministry of Labour and Employment (Shri Hathi): (a) Recommendations of the Board for interim increase in wages have been accepted by Government.

(b) Copies of the recommendations concerning interim wage increase in South India were placed on the Table of the Sabha on the 30th March, 1962. Copies of the Board's recommendations for grant of interim wage increase in Assam, West Bengal and Tripura, have been placed on the Table of the Sabha on the 7th August, 1962.

(c) Payments have started in South India. The Governments of Assam, West Bengal and the Tripura Administration have also been requested to secure early implementation and to send periodical progress reports.

All India Khadi and Village Industries Board

355. Shri A. K. Gopalan: Will the Minister of Commerce and Industry be pleased to state:

(a) whether any programme for betterment of the standard of living of the people in under-developed areas has been adopted by the All-India Khadi and Village Industries Board at its recent meeting; and

(b) if so, the details thereof?

The Minister of Industry in the Ministry of Commerce and Industry (Shri Kanungo): (a) No. Sir. In respect of such areas as may be declared backward and/or scheduled areas, however, the Khadi and Village Industries Commission has decided to intensify its activities by introducing special schemes, if necessary. Besides, certain additional assistance by suitably revising the normal patterns of assistance is also contemplated by the

Commission for the development of Khadi and village industries in the backward and Adivasi areas.

(b) Does not arise.

Slum Clearance in Rajasthan

356. Shri Karni Singhji: Will the Minister of Works, Housing and Supply be pleased to state:

(a) the total financial assistance given to Rajasthan Government by Centre for slum clearance during 1960-61 and 1961-62;

(b) whether the amount allotted by way of assistance has been fully utilized; and

(c) the amount allocated for slum clearance during the Third Five Year Plan?

The Minister of Works, Housing and Supply (Shri Mehr Chand Khanna):

(a) and (b). A statement giving the information is given below:

STATEMENT

Period	Central assistance allotted	Central assistance drawn	Expenditure incurred
(Figures in lakhs of Rupees)			
1960-61	8.44	2.05	2.73
1961-62	4.80	3.00	4.00

NOTE: 1—In accordance with the pattern of assistance prescribed under the Slum Clearance Scheme, three quarters of the total expenditure incurred is given as financial assistance by the Central Government, while the remaining one quarter is met by the State Government from their own resources.

2. The figures of central assistance drawn and the expenditure incurred for the year 1961-62 are provisional.

(c) The Central Government have agreed to give Rs. 30 lakhs as financial assistance for the scheme during the 3rd Five Year Plan period provided the Rajasthan Government contribute another Rs. 10 lakhs from their own resources.

Ambar Charkha in Tripura

357. **Shri Dasaratha Deb:** Will the Minister of Commerce and Industry be pleased to state:

(a) the total amount of money spent for traditional Khadi Ambar programme in Tripura, year-wise during the Second Plan period and in the 1st year of the Third Plan period;

(b) the total number of Ambar Charkhas in operation now;

(c) the total amount of yarn produced; and

(d) whether the production was considered satisfactory?

The Minister of Industry in the Ministry of Commerce and Industry (Shri Kanungo): (a) The amount spent on the Traditional and Ambar Khadi during the Second Plan period and 1st year of the 3rd Five Year Plan in Tripura is given below:—

Year	Amount
	Rs.
1956-57	11,127
1957-58	9,975
1958-59	33,190
1959-60	63,404
1960-61	28,724
1961-62	9,616
TOTAL	1,56,126

(b) 272.

(c) 138. mds

(d) Yes, Sir.

Green Tea Export to Afghanistan

358. **Shri Hem Raj:** Will the Minister of Commerce and Industry be

pleased to refer to the reply given to Unstarred Question No. 2920 on the 11th June, 1962 and state:

(a) the steps taken by Government for air lifting of green tea for export to Afghanistan; and

(b) how far they have effected the restoration of normal prices for the producers?

The Minister of International Trade in the Ministry of Commerce and Industry (Shri Manubhai Shah): (a) and (b). Exports of green tea to Afghanistan have shown an increase upto May 1962 compared to the corresponding period in previous years. Efforts are, however, being made to provide additional facilities for air lifting tea to Afghanistan. While there has been some drop in prices this year compared to last year, it cannot however be said that this is due to accumulation of stocks.

Inventions Promotion Scheme

359. **Shri D. C. Sharma:** Will the Minister of Commerce and Industry be pleased to state:

(a) the important inventions that were made under the Inventions Promotion Scheme, in 1962 so far;

(b) the cost involved on the scheme during the first half of 1962; and

(c) what are the more important inventions in respect of which studies are at present going on?

The Minister of Industry in the Ministry of Commerce and Industry (Shri Kanungo): (a) A list of important inventions which were promoted by the Inventions Promotion Board during the year 1962 (1st January to 31st July, 1962) is laid on the Table of the House [See Appendix I, annexure No. 42].

(b) Rs. 1,23,745.

(c) Some of the important inventions under study of the Board are given in the list laid on the Table of

the House. [See Appendix I, annexure No. 43].

Wage Boards

360. **Shri D. C. Sharma:** Will the Minister of Labour and Employment be pleased to state:

(a) how far the work of the Wage Boards of Iron, Steel, Tea and Jute Industries have progressed; and

(b) how long it will take for the "Wage Boards" to complete their work?

The Minister of Labour in the Ministry of Labour and Employment (Shri Hathi): (a) The Wage Board for iron and steel industry has issued its questionnaire. The Jute and Plantation Wage Boards are hearing the parties.

(b) It is not possible to say at this stage when the Wage Boards will be able to complete their work.

Shopping Centre in South Delhi

361. **Shri Basumatari:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether it is a fact that establishment of a big shopping centre at Kalkaji in South Delhi is under consideration of Government;

(b) if so, when it is likely to be taken up; and

(c) the details thereof?

The Minister of Works, Housing and Supply (Shri Mehr Chand Khanna): (a) to (c). The Department of Rehabilitation have no scheme for the establishment of a big shopping centre at Kalkaji. This Department has, however, a scheme for the establishment of a colony near Kalkaji for East Pakistan displaced persons who are gainfully employed in Delhi. The land for this colony is at present under development by the Central Public Works Department. The plan for this

colony inter alia provides for a shopping centre including commercial offices and public buildings.

Survey of Unemployment in Kerala

362. { **Shri A. K. Gopalan:**
Shri Imbichibava:

Will the Minister of Labour and Employment be pleased to refer to the reply given to Starred Question No. 344 on the 2nd May, 1962 and state:

(a) whether Government have received the report of the sample survey conducted by the Kerala Government on unemployment; and

(b) if so, the findings thereof?

The Minister of Labour in the Ministry of Labour and Employment (Shri Hathi): (a) No.

(b) Does not arise.

Tea Gardens in Palampur

363. **Shri S. M. Banerjee:** Will the Minister of Labour and Employment be pleased to state:

(a) whether it is a fact that the workers in tea gardens in Palampur (Kangra) are getting the lowest wages in India;

(b) if so, how their wages compare with workers in other tea gardens in the country;

(c) whether Plantation Act has not been implemented in the gardens at Palampur; and

(d) if so, what steps have been taken to get this Act implemented?

The Minister of Labour in the Ministry of Labour and Employment (Shri Hathi): (a) to (d). The information is being collected from the State Governments concerned and will be placed on the table of the Sabha.

केन्द्रीय लोक निर्माण विभाग में विकेन्द्रीकरण

३६४. { श्री म० ला० द्विवेदी :
श्री स० च० सामन्त :
श्री सुबोध हंसदा :

क्या निर्माण, आवास और संभरण मंत्री यह बताने की कृपा करेंगे कि :

(क) उन के इस आशय के वक्तव्य पर कि वे केन्द्रीय लोक निर्माण विभाग में अधिकारों के विकेन्द्रीकरण के पक्ष में हैं मंत्रालय की ओर से विभिन्न मंत्रालयों से जो टिप्पणियाँ मांगी गई थीं उन के सारांश क्या हैं ;

(ख) क्या निकट भविष्य में अलग-अलग क्षेत्रों के लिये अतिरिक्त मुख्य इंजीनियर नियुक्त करने की कोई सम्भावना है ;

(ग) यदि हां, तो कब तक ; और

(घ) यह प्रश्न कब से सरकार के विचाराधीन है और इस में निर्णय लेने में विलम्ब के क्या कारण हैं ?

निर्माण, आवास और संभरण मंत्री (श्री मेहर चन्द खन्ना) : (क) से (घ). इस विषय में सम्बन्धित मंत्रालयों से चर्चा की गई है, किन्तु अभी तक कोई अन्तिम निर्णय नहीं किया गया है ।

Sugar For Goa

365. Shri Bishanchander Seth: Will the Prime Minister be pleased to state:

(a) whether it is a fact that Government have agreed to release stocks of sugar to meet the local requirements in Goa; and

(b) if so, the quantity to be released and the price thereof?

The Prime Minister and Minister of External Affairs and Minister of

Atomic Energy (Shri Jawaharlal Nehru): (a) and (b). The merchants in Goa are free to purchase their requirements from any sugar factory in India as there is no control over price, distribution or movement of sugar in India.

Documentary Film on Mrs. Kennedy's Visit to India

366. { Shri P. K. Deo:
Shri Narendra Singh Mahida:

Will the Minister of Information and Broadcasting be pleased to state:

(a) whether any colour documentary film on Mrs. Kennedy's visit to this country has been prepared; and

(b) whether such a film was on show in the Berlin Film Festival lately?

The Deputy Minister in the Ministry of Information and Broadcasting (Shri Sham Nath): (a) Yes Sir.

(b) No, Sir. It is understood that another film entitled 'Invitation to India' produced by the United States Information Service on the same subject was entered by them in the Berlin Film Festival.

Wood Pulp for Paper Industry

{ Shri H. P. Chatterjee:
367. { Dr. Ranen Sen:
Shri Dinen Bhattacharya:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether imports of wood pulp for paper industry are eating up foreign exchange resources;

(b) whether we have trees cultivation of which can give us all the necessary wood pulp; and

(c) if so, what Government propose to do in the matter?

The Minister of Industry in the Ministry of Commerce and Industry (Shri Kanungo): (a) No, Sir; only about 7 per cent of the total pulp

consumed by the paper industry is being imported.

(b) and (c). There are certain species of trees such as Eucalyptus, salai, spruce and fir, etc. in the country which are suitable for manufacturing wood pulp and all possible steps are being taken to increase their plantation which can yield the quantity of pulp required to meet the demand of the Paper Industry as far as possible.

Loans from Rehabilitation Industries Corporation

368. { Shri B. K. Das:
Shri Subodh Hansda:
Shri S. C. Samanta:
Shri M. L. Dwivedi:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that industrial concerns receiving loan from the Rehabilitation Industries Corporation have not been able to employ the requisite number of displaced persons in their concerns as per terms of the loan; and

(b) if so, what are the reasons of such failure?

The Minister of Industry in the Ministry of Commerce and Industry (Shri Kanungo): (a) Out of the 17 industrial concerns who have so far received loans from Rehabilitation Industries Corporation, only 4 have not been able to employ the requisite number of displaced persons according to the terms of the loan.

(b) A statement is laid on the Table of the House. [See Appendix I annexure No. 44.]

Newsprint Factory in Kangra, Punjab

369. { Shri Subodh Hansda:
Shri S. C. Samanta:
Shri B. K. Das:
Shri M. L. Dwivedi:
Shri Narendra Singh Mahida:
Shri P. K. Deo:
Shri D. C. Sharma:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether any survey has been made about the forest wealth in the

Himalayan Beas Basin for assessing the availability of soft wood for the proposed newsprint factory in the Kangra District of Punjab;

(b) if so, the result of the survey;

(c) who conducted the survey; and

(d) whether proposed foreign collaborators also joined the survey?

The Minister of Industry in the Ministry of Commerce and Industry (Shri Kanungo): (a) to (d). Certain estimates of the availability of soft woods in the Himalayan Beas Basin have been made by the State Forest authorities. Besides, two Finnish experts were also invited to report on the availability of soft woods in this area. The results are encouraging. On these basis, a licence for the manufacture of newsprint in Punjab has been issued to a private party whose foreign collaborators also are likely to make another survey shortly.

Small Scale Industries Boards

370. { Shri Subodh Hansda:
Shri S. C. Samanta:
Shri B. K. Das:
Shri M. L. Dwivedi:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether the Small Scale Industries Boards have been constituted in all the States;

(b) the objects of setting up such boards; and

(c) how these boards will function?

The Minister of Industry in the Ministry of Commerce and Industry (Shri Kanungo): (a) Most of the states have constituted Small Scale and Handicrafts Boards. Some of the States have, however, set up Co-ordination Committees for Development of Handicrafts and Small Scale Industries.

(b) The Boards|Committees advise the State Governments on development of Handicrafts and Small Scale Industries, with particular reference to the following:

- (i) Introduction of better techniques and improved equipment;
- (ii) Procurement and distribution of raw materials, provision of Credit Facilities, technical assistance, marketing and training facilities etc;
- (iii) Scrutiny, implementation and review of State Government Scheme for production-cum-training centres, design centres and Pilot Project Centres etc.;
- (iv) Steps necessary for quality production of goods;
- (v) Development of Industrial Co-operatives; and
- (vi) Co-ordination of activities of various Departments for development of Cottage, Handicrafts and Small Scale Industries.

(c) The Board|Committees will function as advisory bodies and will also maintain liaison between the Central and State schemes.

Export of Engineering Goods

371. { Shri Subodh Hansda:
 { Shri S. C. Samanta:
 { Shri M. L. Dwivedi:
 { Shri B. K. Das:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that there was a huge shortfall in export of Engineering goods during the months January to April, 1962;

(b) if so, what was the total shortfall;

(c) what was the target of export; and

1376(Ai)LSD—3.

(d) why this shortfall was experienced?

The Minister of International Trade in the Ministry of Commerce and Industry (Shri Manubhai Shah): (a), (b) and (d). Exports of engineering goods during January to April 1962 were Rs. 2.98 crores as compared with Rs. 2.82 crores during the corresponding period of 1961.

(c) Rs. 15.75 crores for 1962-63.

Education in Goa

372. { Shri Shree Narayan Das:
 { Shri Prakash Vir Shastri:
 { Shri D. C. Sharma:

Will the Prime Minister be pleased to lay a statement on the Table showing:

(a) the important recommendations of the Committee which was appointed by Government to go into the matter of education in Goa; and

(b) which of these recommendations have been accepted and implemented?

The Prime Minister and Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): (a) and (b). The statements are laid on the Table of the House. Placed in Library. [See No. LT-309/62].

व्यापार बोर्ड

३७३. श्री प्रकाश वीर शास्त्री : क्या बाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) व्यापार बोर्ड के कार्य में अब तक और क्या प्रगति हुई है ;

(ख) क्या कुछ सिद्धान्त भी व्यापार बोर्ड ने निश्चित किये हैं और यदि हाँ तो वे क्या हैं ; और

(ग) व्यापार बोर्ड की अब तक कितनी बैठकें हो चुकी हैं ?

वाणिज्य तथा उद्योग मंत्रालय में अन्तर्राष्ट्रीय व्यापार मंत्री (श्री मनुभाई शाह)

(क) से (ग). व्यापार बोर्ड की बैठक दो बार ६ जून, १९६२ और ६ जुलाई, १९६२ को हुई। बोर्ड ने निम्नलिखित विषयों पर चर्चा की :—

(१) बाह्य और आन्तरिक व्यापार में ईमानदारी।

(२) १९६२-६३ के लिये निर्यात योजना।

(३) राष्ट्रीय अर्थ व्यवस्था में निर्माता निर्यातकों, व्यापारी निर्यातकों और पुराने आयातकों का महत्व।

(४) निर्यात घरों की स्थापना।

(५) प्रोत्साहनों को सरल और उदार बनाना।

(६) उदार और बढ़ी हुई ऋण सुविधायें।

(७) किस्म नियंत्रण।

(८) जूट, रूई और सूती वस्त्रों के निर्यात की संभावनायें।

(९) लागत कम करने का कार्यक्रम।

(१०) निर्यात के क्षेत्र में किये गये अभूतपूर्व कार्य की सार्वजनिक प्रशंसा।

(११) अन्तर्राष्ट्रीय व्यापार इन्स्टीट्यूट की स्थापना।

(१२) मुक्त व्यापार खण्डों की स्थापना करना।

बोर्ड ने लागत कम करने की समस्याओं का अध्ययन करने के लिये एक स्थायी समिति बनाने का निश्चय किया है। बोर्ड ने (१) व्यापार में ईमानदारी (२) अन्तर्राष्ट्रीय व्यापार इन्स्टीट्यूट की स्थापना करने तथा (३) मुक्त व्यापार खण्डों पर विचार करने के लिये समितियाँ बनाई हैं। बोर्ड ने अपने

अध्यक्ष को एक ऐसी समिति बनाने का भी अधिकार दे दिया है जो निर्यात के क्षेत्र में किये गये अभूतपूर्व काम के लिये सार्वजनिक प्रशंसा करने की एक योजना तैयार करेगी। यह बोर्ड व्यापार बोर्ड की नियुक्ति संबंधी संकल्प में सरकार द्वारा निर्धारित निर्देश-पदों के अनुसार बाह्य और आन्तरिक व्यापार के विभिन्न पहलुओं पर भी सलाह देता है।

International Trading Conference

374 Shri Shree Narayan Das: Will the Prime Minister be pleased to state:

(a) whether the Secretary General of the U.N. has submitted his report to the Economic and Social Council regarding International Trading Conference in accordance with the resolution passed at the last session of the U.N. General Assembly asking him to ascertain the views of the Governments of the Member-countries in this regard; and

(b) if so, the consensus of opinion expressed?

The Prime Minister and Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): (a) Yes, Sir.

(b) A majority of nations is in favour of the Conference being held.

Violation of Cease-Fire Line

375. Shri Shree Narayan Das: Will the Prime Minister be pleased to state:

(a) the number of instances of breaches of cease-fire line by Pakistani forces during the last three months;

(b) whether the attention of the U.N. Observers was drawn to these breaches;

(c) whether they made any inquiry into such complaints; and

(d) if so, their findings and action taken in this regard?

The Prime Minister and Minister of External Affairs and Minister of

Atomic Energy (Shri Jawaharlal Nehru): (a) The total number of border-cease-fire line violations by Pakistani forces in Jammu and Kashmir during the last three months was 93.

(b) Complaints were lodged with the U.N. Field Observers in 79 cases.

(c) Yes Sir.

(d) The Chief Military Observer has awarded violations against Pakistan in 5 cases and dismissed 10 complaints. In 64 cases his awards are awaited.

Protests are being lodged with the Government of Pakistan on the strength of violations awarded by the Chief Military Observer against Pakistan.

ब्रिटेन को कपड़े का निर्यात

३७६. श्री म० ला० द्विवेदी: क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि:

(क) १९६१-६२ में भारत से ब्रिटेन को ऐसा कितना कपड़ा भेजा गया जिसे की रंगाई, छपाई अथवा अन्य प्रकार में तैयारी कर के वहां से पुनः निर्यात कर दिया गया; और

(ख) ब्रिटेन ने किन-किन देशों को इस कपड़े का निर्यात किया?

वाणिज्य तथा उद्योग मंत्रालय में अन्तर-राष्ट्रीय व्यापार मंत्री (श्री मनुभाई शाह):

(क) और (ख). ब्रिटेन से भारतीय कपड़े का कितने वास्तविक परिणाम में पुनः निर्यात किया गया, इसके बारे में सरकार को कोई जानकारी नहीं है। तो भी अनुमान है कि पुनः निर्यात कुल आयात का २० प्रतिशत हुआ होगा।

सामान के निर्यात के लिये प्रचार सामग्री

३७७. श्री म० ला० द्विवेदी: क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि:

(क) विदेशों में भारतीय वस्तुओं

खपत बढ़ाने के लिये जो सामग्री बांटी जाती है वह किन-किन भाषाओं में होती है;

(ख) इस सामग्री में अंग्रेजी की सामग्री का कितना अनुपात रहता है और उस पर १९६१-६२ में कितना व्यय किया गया; और

(ग) १९६१-६२ में प्रचार सामग्री को तैयार करने एवं उसके वितरण पर कुल कितना व्यय किया गया?

वाणिज्य तथा उद्योग मंत्रालय में अन्तर-राष्ट्रीय व्यापार मंत्री (श्री मनुभाई शाह):

(क) विदेश स्थित भारतीय मिशनों को निर्यात संवर्द्धन के लिये वाणिज्य प्रचार निदेशालय द्वारा जो प्रचार सामग्री भेजी जाती है वह केवल अंग्रेजी में होती है। मिशन विभिन्न भाषाओं जैसे फ्रांसीसी, जर्मन, स्पेनिश, इटालवी स्वीडिश, यूगोस्लावियायी, अरबी, फारसी, स्वाहिली, चीनी, इण्डोनेशियायी, बर्मी, नेपाली, मिटाली आदि में प्रकाशित होने वाले अपने-अपने बुलेटिनों में इस प्रचार सामग्री को शामिल कर लेते हैं। निर्यात संबंधी प्रचार प्रमुख विदेशी भाषाओं में आकाशवाणी के द्वारा भी किया जाता है।

(ख) अलग में उपलब्ध नहीं है।

(ग) वाणिज्य प्रचार निदेशालय (हिन्दी यूनिट को छोड़कर) पर १९६१-६२ में कुल ३,१४,००० रु० खर्च हुये।

Workers Registered with Employment Exchanges in Delhi

378. Shri P. C. Borooah: Will the Minister of Labour and Employment be pleased to state:

(a) the number of skilled and unskilled workers on the registers of the Employment Exchanges in Delhi who have not been able to secure employment since 1957 or earlier; and

(b) what steps are envisaged to secure them employment this year?

The Minister of Labour in the Ministry of Labour and Employment (Shri Hathi): (a) Skilled 128 and Unskilled 280.

(b) Cases of all those who could not be selected by the employers are being reviewed for advising the candidates to better their skills or to learn alternative trade in which there is greater scope.

Raw Materials to Small Scale Industries

379. { Shri Warior:
Shri Vasudevan Nair:

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether Government have ordered any study of the adverse affects of inadequate supplies of raw materials to small scale industries; and

(b) if so, the result thereof?

The Minister of Industry in the Ministry of Commerce and Industry (Shri Kanungo): (a) and (b). No such study has been made. However, Government is aware of the difficulties of small scale units in respect of raw materials especially those which are imported. This general shortage is mainly due to the increase demand due to expansion of existing units and the setting up of new units all over the country, combined with the difficult foreign exchange situation. The position will ease only when the foreign exchange situation improves.

Labour Welfare Scheme of Rubber Board

380. **Shri A. V. Raghavan:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) the number of students to whom stipends were granted under the Labour Welfare Scheme of the Rubber Board in 1960, 1961 and 1962;

(b) the courses for which the stipends have been granted; and

(c) the amount sanctioned for 1963?

The Minister of International Trade in the Ministry of Commerce and Industry (Shri Manubhai Shah): (a) 1960-61 459;

1961-62 780 and

1962-63 As the stipend for this year are still being granted, complete information will be available only after the close of the year.

(b) Higher Secondary, Pre-University, graduate and post-graduate courses in Arts and Sciences, Technical training and professional degrees and diplomas.

(c) No amount has so far been sanctioned for 1963-64 as the Rubber Board's budget for this year would be finalised only sometime in November-December, 1962. Out of the amount of Rs 1,00,000 provided for Labour Welfare in the Board's budget for 1962-63, a sum of Rs. 75,000 is proposed to be utilized by the Board for granting stipends to students.

Prices of Consumer Goods in Goa

381. { Shri A. V. Raghavan:
Shri Pottakkatt:

Will the **Prime Minister** be pleased to state:

(a) whether Government are aware of the fact that prices of consumer goods have risen sharply in Goa; and

(b) what steps Government propose to take in this regard?

The Prime Minister and Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): (a) and (b). There has been some seasonal increase in the prices of certain consumer goods. The prices are expected to return to normal after the monsoons.

Gwalior Rayon Manufacturing Co., Ltd.

382. **Shri P. Kunhan:** Will the Minister of **Works, Housing and Supply** be pleased to refer to the reply given

to Unstarred Question No. 1902 on the 24th May, 1962 and state:

(a) the reason for Gwalior Rayon Manufacturing Co., Ltd., not constructing any house under the subsidised industrial housing scheme; and

(b) what is the present position?

The Minister of Works, Housing and Supply (Shri Mehr Chand Khanna):

(a) and (b). The project was sanctioned by the Kerala Government in October, 1961. Of the 250 houses sanctioned, 116 houses are at various stages of construction, while construction of the remaining 134 houses is yet to be taken up.

Sulphuric Acid Plant at Alwaye

383. Shri P. Kunhan: Will the Minister of Commerce and Industry be pleased to state:

(a) whether any contract has been signed with Simon Carves Ltd., for setting up a Sulphuric Acid Plant at Alwaye;

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

(c) the output of the proposed plant; and

(d) what is the employment potential of the plant?

The Minister of Industry in the Ministry of Commerce and Industry (Shri Kanungo): (a) Yes, Sir.

(b) The contract includes supply of equipment for a total value of Rs. 32 lakhs (F.O.B.) U.K. port.

(c) The plant is expected to produce about 450 tons of sulphuric acid per day.

(d) The scheme envisages employment of about 50 persons including maintenance crew.

Gratuity Scheme in Mica Industry

{ Shri A. K. Gopalan:

384. { Shri Umanath:

{ Shri P. Kuhan:

Will the Minister of Labour and Employment be pleased to state:

(a) whether there exists any gratuity scheme in the mica industry; and

(b) if not, whether Government have any proposal to introduce such a scheme?

The Minister of Labour in the Ministry of Labour and Employment (Shri Hathi): (a) No Gratuity Scheme exists at present for the Mica Industry as a whole.

(b) The question of integrating the Provident Fund and Employees' State Insurance Schemes providing *inter alia* for invalidity retirement-cum-gratuity and survivorship pension as per recommendation of the Study Group on Social Security is under examination.

A.C.M.O. Office at Madras

385. { Shri A. K. Gopalan:
{ Shri Umanath:
{ Shri P. Kunhan:

Will the Minister of Commerce and Industry be pleased to state:

(a) the expenditure in running the Assistant Coffee Marketing Officer's Office at Madras; and

(b) how many tons of coffee are collected by this office?

The Minister of International Trade in the Ministry of Commerce and Industry (Shri Manubhai Shah): (a) 1960-61—Rs. 40,965 and 1961-62—Rs. 41,045.

(b) This office does not collect any coffee. It is mainly concerned with the Local Sales of Coffee in Madras, Guntur, Pool Sales at Vijayawada, and with the storage and distribution of imported chicory to allottees.

British India Corporation, Kanpur

{ Shri S. M. Manerjee:
387. { Shri Yashpal Singh:
{ Shri Prakash Vir Shastri:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether the management of M/s. B.I.C. Ltd., Cooper Allen of North

West Tannery Branches, Kanpur is being changed;

(b) if so, the reasons therefor;

(c) whether it is a fact that production of the concerns has gone down considerably during the past years; and

(d) the steps taken by Government in this regard?

The Minister of Industry in the Ministry of Commerce and Industry (Shri Kanungo): (a) and (b). Cooper Allen and North West Tannery is a unit of the British India Corporation Ltd., Kanpur. Since 23rd May 1958, the composition of the Board of Directors (Interim Committee of Management) of BIC Ltd., has been fixed from time to time by the High Court, Allahabad. In its appellate judgement delivered on 14th February, 1962 the High Court directed, inter alia, that the Interim Committee of Management should call a general meeting of the company in January 1963 to elect a Board of Directors which should come in office from 1st February, 1963. Recently some shareholders including Shri B. P. Bajoria filed an application before the High Court praying for a direction for calling an early general meeting of the shareholders for electing a new Board of Directors. The final hearing before the Court has already taken place and its orders are awaited.

(c) No, Sir. The production of Cooper Allen and North West Tannery Branch has not gone down since 1958.

(d) Does not arise.

श्रीद्योगिक क्षेत्र

३८८. श्री तन सिंह : क्या वाणिज्य तथा उद्योग मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या इस वर्ष चालीस प्राचीण श्रीद्योगिक क्षेत्र स्थापित करने का सरकार का विचार है ;

(ख) इन श्रीद्योगिक क्षेत्रों के क्या उद्देश्य हैं ;

(ग) केन्द्रीय सरकार तथा राज्य सरकारें क्रमशः इन क्षेत्रों के लिये क्या आर्थिक सहायता देने का विचार कर रही है ; और

(घ) ये क्षेत्र कहां-कहां स्थापित किये जा रहे हैं ?

वाणिज्य तथा उद्योग मंत्रालय में उद्योग मंत्री (श्री कानूनगो) : (क) से (घ). एक विवरण सदन पटल पर रखा जाता है। [देखिये परिशिष्ट १, अनुबन्ध संख्या ४५]

Coir Industry

389. Shri Dasaratha Deb: Will the Minister of Commerce and Industry be pleased to state:

(a) the amount of foreign exchange earned through the supply of coir goods during 1960-61 and 1961-62; and

(b) the steps that are being taken to encourage and develop this industry in the country?

The Minister of International Trade in the Ministry of Commerce and Industry (Shri Manubhai Shah): (a) The value of Coir, Coir yarn and coir products—all sorts—exported during 1960-61 and 1961-62 was Rs. 8,66,77,000 and Rs. 11,35,28,000 respectively.

(b) A statement is laid on the Table. [See Appendix I, annexure No. 46].

Price of Jute

390. Shri Dasaratha Deb: Will the Minister of Commerce and Industry be pleased to refer to the reply given to Unstarred Question No. 2907 on the 11th June, 1962 and state:

(a) the maximum and the minimum price of jute per maund which was made available to the producers in Tripura by the Buffer Stock Association; and

(b) whether the Buffer Stock Association had purchased jute at a higher

rate or at a rate which was generally offered by other businessmen in Tripura?

The Minister of International Trade in the Ministry of Commerce and Industry (Shri Manubhai Shah): (a) Tripura Jute was purchased by the Buffer Stock Association at prices ranging between Rs. 20.32 and Rs. 29.99 per maund.

(b) These purchases were by and large made at the ruling market prices.

Small Scale Industries Corporation in Tripura

391. Shri Dasaratha Deb: Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the Tripura Administration is constituting "The Tripura Small Scale Industries Corporation" in Tripura;

(b) if so, when it is likely to be formed;

(c) what would be the capital of the corporation to start with; and

(d) the details of the scheme, if any?

The Minister of Industry in the Ministry of Commerce and Industry (Shri Kanungo): (a) Yes Sir.

(b) The Corporation is likely to be formed after necessary formalities are completed.

(c) Share Capital: Rs. 10,00,000, Working Capital: Rs. 5,00,000.

(d) The object of the scheme is to render all possible assistance to the Small Scale Industrial Units from securing of raw materials upto disposal of finished products with a view to develop Small Scale Industries in Tripura with utmost speed.

अणुशक्ति केन्द्र

श्री भक्त वशान :
श्री भागवत झा प्राजाद :
श्री दी० चं० शर्मा :
श्री उमानाथ :
श्री रघुनाथ सिंह :
३९२. श्री प्र० च० बरुआ :
श्री प्र० के० देव :
श्री हेम बरुआ :
श्री मे० क० कुमारन :
श्री यशपाल सिंह :
डा० लक्ष्मीमल्ल सिंघवी :

क्या प्रधान मंत्री २४ मई, १९६२ के तारकित प्रश्न संख्या ६६७ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि हयात कमेटी ने दिल्ली-पंजाब राजस्थान उत्तर प्रदेश के क्षेत्र में अणुशक्ति उत्पादन केन्द्रों के लिये जिन दो स्थानों की सिफारिश की थी, उनके बारे में क्या निश्चय किया गया है ?

प्रधान मंत्री तथा वंदेशिक कार्य मंत्री तथा अणु शक्ति मंत्री (श्री जवाहरलाल नेहरू): अभी तक कोई आखिरी निश्चय नहीं किया गया है ।

Export of Jute to Germany

393. Shri Raghunath Singh: Will the Minister of Commerce and Industry be pleased to state whether it is a fact that West Germany is trying to cut jute import from India?

The Minister of International Trade in the Ministry of Commerce and Industry (Shri Manubhai Shah): Government are not aware of any such move by the West German Government.

उत्तर प्रदेश के सीमावर्ती जिलों का सामाजिक व आर्थिक सर्वेक्षण

३९४. श्री भक्त वशान : क्या योजना मंत्री २२ जून, १९६२ के तारकित प्रश्न

संख्या १६३७क के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) उत्तर प्रदेश के तिब्बत सीमावर्ती क्षेत्र के नये जिलों, चमौली, उत्तर काशी और पिथौरागढ़ का आर्थिक व सामाजिक सर्वेक्षण करने की जो परियोजना स्वीकार की गई थी उसमें अब तक क्या प्रगति हुई है ; और

(ख) उस सर्वेक्षण कार्य के कब तक पूरा हो जाने की आशा की जाती है ?

योजना, श्रम एवं रोजगार मंत्री (श्री नन्दा) : (क) तीन जिलों में से पिथौरागढ़ जिले का क्षेत्रीय सर्वेक्षण पूरा हो गया है और उत्तर काशी तथा चमौली जिलों का सर्वेक्षण जारी है ।

(ख) सर्वेक्षण का कार्य दो वर्षों की अवधि में पूरा होने की सम्भावना है ।

तिब्बत में निरूद्ध भारतीय राष्ट्रजन

३६५. श्री भक्त दर्शन : क्या प्रधान मंत्री १६ मार्च, १९६२ के तारांकित प्रश्न संख्या ६६ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि तिब्बत में चीनी अधिकारियों द्वारा पकड़े गये भारतीय राष्ट्रजनों तथा भारतीय संरक्षणाधीन व्यक्तियों को छड़ाने के लिए किए गए प्रयत्नों में और कहां तक सफलता मिली है ?

प्रधान मंत्री तथा वैदेशिक कार्य मंत्री तथा अणु शक्ति मंत्री (श्री जवाहरलाल नेहरू) : १६ मार्च, १९६२ को तारांकित प्रश्न संख्या ६६ का उत्तर दिये जाने के बाद से अब तक तिब्बत में चीनी अधिकारियों द्वारा हिरासत में रखे हुए भारतीयों और भारत-रक्षित लोगों को मुक्त कराने के सम्बन्ध में कोई भी प्रगति नहीं हुई है ।

ग्राम समाज के निबल ग्रंथों सम्बन्धी अध्ययन दल

३६६. श्री भक्त दर्शन : क्या योजना मंत्री २७ अप्रैल, १९६२ के अतारांकित प्रश्न

संख्या २२५ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि ग्राम समाज के निबल ग्रंथों की दशा का अध्ययन करके एक अध्ययन मण्डल ने जो प्रतिवेदन कुछ समय पहिले समर्पित किया था, उसकी विभिन्न सिफारिशों को कार्यान्वित करने की दिशा में क्या प्रगति हुई है ?

योजना, श्रम एवं रोजगार मंत्री (श्री नन्दा) : एक विवरण सदन पटल पर रखा जाता है । [देखिये परिशिष्ट १, अनुबन्ध संख्या ४७]

हिन्दुस्तान हाउसिंग फेक्टरी में घातक दुर्घटना

३६७. श्री भक्त दर्शन : क्या निर्माण, आवास और संभरण मंत्री २४ मई, १९६२ के तारांकित प्रश्न संख्या १००५ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) २४ अप्रैल, १९६२ को हिन्दुस्तान हाउसिंग फेक्टरी लिमिटेड, नई दिल्ली में एक श्रमिक की घातक दुर्घटना सम्बन्धी जांच का क्या परिणाम निकला ; और

(ख) उस परिणाम के अनुसार क्या कार्यवाही की गई है ?

निर्माण, आवास तथा संभरण मंत्री (श्री मेहरचन्द खन्ना) : (क) जांच अफसर इस परिणाम पर पहुंचा है कि उस मजदूर की मृत्यु किसी व्यक्ति के जान बूझ कर किये गये कार्य के कारण नहीं हुई अपितु एक दुर्घटना के फलस्वरूप हुई । यह दुर्घटना कुछ कर्मचारियों द्वारा, साथ ही मृत व्यक्ति द्वारा, अपने कर्तव्य का पालन करने में पर्याप्त सावधानी न बरतने के कारण हुई ।

(ख) प्रबन्धक वर्ग ने उन अफसरों से स्पष्टीकरण मांगे हैं, जिससे उनके विरुद्ध अनुशासनी कार्रवाई की जा सके । प्रबन्धक वर्ग ने इस प्रकार की दुर्घटनाओं की पुनरावृत्ति न होने देने के लिए जांच अफसर की सिफारिशों को कार्यान्वित करने के लिये, जहां तक सम्भव हुआ, उचित कार्रवाई भी की है ।

Children's Film Society

398. Shri M. K. Kumaran: Will the Minister of Information and Broadcasting be pleased to state:

(a) whether it is a fact that one of the objectives of the Children's Film Society is to exchange its productions with children's Film produced by other countries;

(b) if so, how many films have been so far exchanged; and

(c) if not, how is the failure accounted for?

The Deputy Minister in the Ministry of Information and Broadcasting (Shri Sham Nath): (a) Yes, Sir.

(b) None.

(c) The Society has not found it practicable to do so.

A.I.R. Station at Gauhati

399. Shrimati Jyotsna Chanda: Will the Minister of Information and Broadcasting be pleased to state:

(a) whether Government are aware of inadequacy of the Gauhati Station of the All India Radio to cater to the growing needs of and arranging transmission of programmes of varied linguistic and cultural groups of Southern Assam including Cachar, Mizo, district, Manipur and Tripura;

(b) whether there is at present no arrangements for broadcasts in Bengali language from the Gauhati station of A.I.R. although Bengali is one of the principal languages in Assam; and

(c) if so, the steps proposed to be taken to remove the difficulties?

The Deputy Minister in the Ministry of Information and Broadcasting (Shri Sham Nath): (a) to (c). The Gauhati Station of All India Radio does cater to a large extent to the listening interests of the varied cultural groups in Assam. Bengali music and spoken-word items are broadcast to a limited extent from

Gauhati. Programmes for Tripura are broadcast daily from All India Radio, Calcutta. The recently started Kueseong Station, which also puts out Bengali music and spoken-word items, will also cater to the needs of Bengali listeners in Assam and nearby areas.

Ambar Charkhas

400. Shri Kashi Ram Gupta: Will the Minister of Commerce and Industry be pleased to state:

(a) the number of Ambar-Charkhas that had been working in the country during 1959-60, 1960-61 and 1961-62 respectively;

(b) what has been the average daily production of hanks per Ambar-Charkha during the above mentioned period, year-wise and what has been the average daily earnings of a labourer on Ambar-Charkha during the same period; and

(c) what is the yearly yardage of Khadi produced from Ambar Charkha spinning during 1959-60, 1960-61 and 1961-62 respectively?

The Minister of Industry in the Ministry of Commerce and Industry (Shri Kanungo): (a) It is estimated that 1,92,967, 2,23,969 and 2,38,528 Ambar Charkhas were working in the country during the years 1959-60, 1960-61 and 1961-62 respectively.

(b) On the basis of the surveys conducted by the Khadi and Village Industries Commission during the above period, it is estimated that averages production of each Ambar Charkha has been 3 to 4 hanks per day and the average earnings 37 nP to 50 nP per spinner per day.

(c) 25.6 and 23.4 million square yds. during 1959-60 and 1960-61 respectively. As regards 1961-62, according to the information so far received 23.3 million sq. yds. of khadi were produced during that year from Ambar yarn.

Handlooms in Manipur

401. Shri Rishang Keishing: Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that Manipur has about 1 lakh and 75 thousand handlooms and for which yarn worth six to seven crores of rupees is annually imported from outside Manipur;

(b) whether it is a fact that 50,000 Spindles have been allotted for Manipur and Tripura; and

(c) if so, the arrangement made by the local Administration (Manipur) to establish a spinning mill to prepare yarn locally?

The Minister of International Trade in the Ministry of Commerce and Industry (Shri Manubhai Shah): (a) The number of handlooms in Manipur is 2,00,258. Value of yarn imported into Manipur is being ascertained from the Administration and will be laid on the Table of the House.

(b) Yes, Sir.

(c) Scheme for setting up a co-operative spinning mill in Manipur has been submitted to the All India Handloom by the Administration and it is under scrutiny.

Coir Fibre

402. Shri Natraja Pillai: Will the Minister of Commerce and Industry be pleased to state:

(a) whether the Coir Board has recommended extraction of coir fibre by machinery and production of rubberised fibres; and

(b) whether any State has taken steps to start any industry as suggested by the Board?

The Minister of International Trade in the Ministry of Commerce and Industry (Shri Manubhai Shah): (a) Yes, Sir.

(b) Yes, Sir. Steps have been taken to start defiering plants for manu-

facture of mattress|bristle fibre in Kerala, Madras, Andhra Pradesh and West Bengal States. One Plant for the production of rubberised coir products is under erection at Pettai in Tirunelveli District, Madras State.

Woollen Spindles

403. Shrimati Maimoona Sultan: Will the Minister of Commerce and Industry be pleased to state:

(a) whether there is a demand for allowing the conversion of woollen spindles into shoddy spindles; and

(b) if so, Government's decision in this regard?

The Minister of International Trade in the Ministry of Commerce and Industry (Shri Manubhai Shah): (a) and (b). There have been such suggestions from time to time. In view of the acute foreign exchange situation, government are not in a position to give any such permission.

Copper and Brass Products in Rajasthan

404. Shrimati Maimoona Sultan: Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government have issued a licence for an Indo-U.S. joint venture to produce copper and brass products at Kotah in Rajasthan;

(b) if so, the production capacity so licensed; and

(c) the terms of the agreement between the Indian and American firms concerned?

The Minister of Industry in the Ministry of Commerce and Industry (Shri Kanungo): (a) Yes, Sir.

(b) Tubes, rods and Sections—

Non-ferrous hollows—1200 tons per annum.

(ii) Non-ferrous Solids—600 tons per annum.

Copper printing rolls for printing machinery.—5,000 rolls per annum.

(c) Broadly, the terms are—

- (i) The American Company's participation will not exceed 33.13 per cent of the total equity capital.
- (ii) The American Company will be responsible for designing the plant and providing engineering services, know-how and technical assistance etc. in return for which they will receive the equivalent of a sum of Rs. 3,38,000 in U.S. Dollars.

U.N. Sponsored Conference of Economic Planning

405. **Shri Raghunath Singh:** Will the Prime Minister be pleased to state:

(a) whether it is a fact that U.N. is sponsoring a Conference in Geneva in August, 1962 in connection with economic planning; and

(b) if so, whether India is taking part in it?

The Prime Minister and Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): (a) and (b). The General Assembly of the U.N. adopted a resolution on planning for economic development at its last session. This resolution, *inter alia*, invited the Secretary General to prepare, with the assistance of a group of experts, a study summarizing the experience gained and the techniques in use in the planning of economic development by different countries. At the invitation of the Secretary General, Shri Tarlok Singh of the Planning Commission is attending this meeting of experts which is being held during the current month.

पंचकुड़ियां रोड, नई दिल्ली में क्वार्टरों का निर्माण

४०६. { श्री भक्त वशंत :
श्री प्र० चं० बल्लभा :

क्या निर्माण, आवास और संभरण मंत्री १६ मई, १९६२ के तारांकित प्रश्न संख्या ७४४ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) पंचकुड़ियां रोड, नई दिल्ली के चौथी श्रेणी के कर्मचारियों के क्वार्टरों को गिरा कर नये सिरे से बनाने का जो निश्चय किया गया था उसे कार्यान्वित करने में क्या प्रगति हुई है;

(ख) उस क्षेत्र में इस प्रकार के कुल कितने क्वार्टर थे;

(ग) उन में से कितने अब तक खाली कराये जा चुके हैं; और

(घ) उन क्वार्टरों से हटाये गये कर्मचारियों को किन अन्य स्थानों पर क्वार्टर दिये गये हैं और वहां उनके बच्चों की शिक्षा आदि के लिये क्या व्यवस्था की गई है ?

निर्माण, आवास तथा संभरण मंत्री (श्री मेहरचन्द खन्ना) : (क) से (घ). पंचकुड़ियां रोड क्षेत्र में चतुर्थ श्रेणी कर्मचारियों के लिए कुल ११५१ क्वार्टर हैं। शुरू में ६४४ क्वार्टरों को ढहाया जायेगा, जिससे उनके स्थान पर नये क्वार्टर बनाये जा सकें। ४५४ क्वार्टरों को, उनके निवासियों को रामकृष्णपुरम में स्थानान्तरित करके, खाली करा लिया गया है और बाकी १९० क्वार्टरों के निवासियों को भी शीघ्र ही दूसरी जगह निवास स्थान दे दिया जायेगा। क्वार्टरों को ढहाने का काम जल्दी ही आरम्भ किया जायेगा।

विद्यालय इत्यादि का रामकृष्णपुरम में प्रबन्ध कर दिया गया है।

Loan to Singareni Collieries for Constructing Quarters

407. **Shri R. N. Reddi:** Will the Minister of Labour and Employment be pleased to state:

(a) whether the Singareni Collieries Company has requested for an interest free loan of Rs. 1.50 crores for the construction of quarters from Housing Fund of Coal Mines Welfare Organisation;

(b) if so, whether it has been sanctioned; and

(c) if the reply to part (a) above be in the negative the reasons thereof?

The Minister of Labour in the Ministry of Labour and Employment (Shri Hathi): (a) No; but they asked the Coal Mines Welfare Organisation to bear the interest on the sum of Rs. 149.143 lakhs, which they propose to borrow for financing the construction of houses.

(b) and (c). It is not possible for the Fund to bear the interest charges, but the question of temporary transfer of funds from the Housing Account of one Coal-field to another, with a view to making additional funds available, where required, is under consideration.

Quarters for Multipurpose Institutes

408. **Shri R. N. Reddi:** Will the Minister of Labour and Employment be pleased to state:

(a) whether Government have approved and sanctioned the scheme of construction of residential quarters for the staff of Multipurpose Institute at Kothagudium, Bellampalli and Yellandev Coal Mines;

(b) if so, when the construction will commence; and

(c) when they are likely to be completed?

The Minister of Labour in the Ministry of Labour and Employment (Shri Hathi): (a) Not yet. The estimates are being scrutinised.

(b) Does not arise.

(c) Within about six months from the commencement of work.

Inspection and Repair of Old Bungalows

409. **Shri A. N. Vidyalkar:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether it is a fact that some-time ago a big lump of plaster from the ceiling of the Home Minister's House suddenly came down and fell on his bed and he had a very narrow escape from being seriously hit;

(b) whether it is a fact that similar incidents had been reported from other Ministers' and M.P.'s bungalows too, earlier than this;

(c) if so, what steps the Department had taken to inspect thoroughly the roofs and ceilings of old houses and to see that these were fit for safe habitation; and

(d) what is the procedure of periodical inspection and who was responsible for the negligence of duty in the case of the houses where such incidents had occurred?

The Minister of Works, Housing and Supply (Shri Mehr Chand Khanna): (a) A lump of plaster fell from the roof in one of the bed rooms of the Home Minister's house last month.

(b) There have been similar falls of plaster in other bungalows also at various times.

(c) and (d). All bungalows are inspected regularly by the officers of the Central Public Works Department and every attempt is made to keep them fit for habitation. The position, however, is that a number of bungalows are over 30 years old and have jack-arch roofs or re-inforced brick roofs which have outlived their life. Government have already approved major repairs including re-roofing of

these bungalows on the recommendations of a Committee of senior officers of the Central Public Works Department. These repairs are being carried out gradually as and when the bungalows are made available for the purpose.

Parbelia Colliery

410. **Shri Indrajit Gupta:** Will the Minister of Labour and Employment be pleased to state:

(a) whether coal ratings at the Parbelia Colliery, in Parulia District of West Bengal were dislocated on 20th July, 1962 due to a strike;

(b) whether the strike was due to rivalry for recognition between two unions, both of them affiliated to the Indian National Trade Union Congress; and

(c) Government's reaction in the matter?

The Minister of Labour in the Ministry of Labour and Employment (Shri Hathi): (a) Yes.

(b) The strike was launched by an INTUC-union as a protest against the dismissal of two workers by the management.

(c) Attempts are being made to get the strike called off soon.

Film Festival at London

411. **Shri Raghunath Singh:** Will the Minister of Information and Broadcasting be pleased to state whether a festival of Indian Films is being arranged in London by the Indian Film Society in the month of August 1962?

The Deputy Minister in the Ministry of Information and Broadcasting (Shri Sham Nath): Government are only aware of a newspaper report to that effect.

Residential Units for Central Government Employees

412. { **Shri P. C. Borooah:**
Maharajkumar Vijaya
Ananda:
Shri Ram Ratan Gupta:

Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether about 2,000 more residential units are proposed to be constructed shortly in Delhi and Bombay for the Central Government employees;

(b) if so, the category-wise break-up thereof; and

(c) when they will be ready?

The Minister of Works, Housing and Supply (Shri Mehr Chand Khanna):

(a) 1984 residential units in the general pool for Central Government employees have either been taken up recently or are being taken up for construction in Delhi and Bombay.

(b) The category-wise break-up of these units is as follows:—

	Delhi	Bombay
For officers drawing Rs. 500/- and above	146	96
For officers drawing less than Rs. 500/-	1462	32
Class IV staff	248	..
TOTAL	1856	128

(c) These units will be ready in phases according to the date of start and the period required for construction. The entire programme is expected to be completed within about 2 years.

सरकारी विज्ञापन

४१३. श्री कि० पटनायक : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या भारतीय भाषाओं के समाचार-पत्रों को सरकारी विज्ञापन देने के नियमों में कोई परिवर्तन होने जा रहा है; और

(ख) यदि हां, तो उनका व्यौरा क्या है ?

सूचना और प्रसारण मंत्रालय में उप-मंत्री (श्री शाम नाथ) : (क) और (ख). भारतीय भाषाओं के समाचार पत्रों को सरकारी विज्ञापन देने के लिए कोई औपचारिक नियम नहीं बनाये गये हैं ।

Rural Housing

414. { Shri Sivamurthi Swamy:
Shri R. S. Tiwary:
Shri D. C. Sharma:

Will the Minister of Works, Housing and Supply be pleased to state:

(a) how much amount has been actually spent for rural housing works in the country during the First and the Second Five Year Plans State-wise, if available;

(b) how much fund has been allotted in the Third Five Year Plan, State-wise; and

(c) how much amount has been allotted for 1962-63, State-wise?

The Minister of Works, Housing and Supply (Shri Mehr Chand Khanna): (a) and (b). A statement showing the Central assistance drawn by each State Government during the Second Plan period and the funds allotted to it for the Third Plan period, under the Village Housing Projects Scheme, is laid on the Table. [See Appendix I, annexure No. 48]. The Scheme was introduced only during the Second Plan period.

(c) The allocation of Central assistance to be made to State Governments for the current financial year under the various Schemes, including the Village Housing Projects Scheme, has not yet been determined.

रेडियो स्टेशन

४१५. श्री बागड़ी : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) भारत में कितने रेडियो स्टेशन हैं और उन में कितने कर्मचारी कार्य करते हैं; और

(ख) उन में कितने अनुसूचित जातियों के और कितने अनुसूचित आदिम जातियों के हैं ?

सूचना और प्रसारण मंत्रालय में उप-मंत्री (श्री शाम नाथ) : (क) और (ख). सूचना इकट्ठी की जा रही है और यथा समय सभा की मेज पर रख दी जायेगी ।

Wages of Hubli Co-operative Cotton Mill Workers

416. Shri Mohsin: Will the Minister of Labour and Employment be pleased to state:

(a) whether it has come to the notice of Government that the wages paid to workers in the Co-operative Cotton Mills Hubli (Mysore State) are extremely low as compared to the wages paid in any other textile Mill in the State;

(b) whether the recommendations of the Textile wage Board will be made applicable to Co-operative Cotton Textile Mills also?

The Minister of Labour in the Ministry of Labour and Employment (Shri Hathi): (a) Information regarding wages paid in individual mills is not available.

(b) The recommendations are already applicable to co-operative cotton textile mills unless they are

covered by para 7 of Government Resolution on the Board's Report.

Quarters in Aliganj, New Delhi

417. Shri P. C. Borooah: Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether some quarters meant for Class IV Government employees situated in Aliganj New Delhi were got vacated for repairs last year;

(b) if so, whether they have since been repaired;

(c) when the repair work was completed;

(d) whether they have not so far been allotted again; and

(e) if so, the reasons therefor?

The Minister of Works, Housing and Supply (Shri Mehr Chand Khanna):

(a) to (e). About 200 class IV quarters in Aliganj were got vacated for extensive repairs in 1961. Repairs to 111 quarters are nearing completion and they are expected to be handed over for allotment by the middle of September, 1962. Repairs to the remaining quarters are in progress.

Newsprint from Jute

418. Shri Raghunath Singh: Will the Minister of Commerce and Industry be pleased to state:

(a) whether the Jute Technological Research Institute, Calcutta is experimenting to produce newsprint or paper and varieties of other products from jute and jutesticks; and

(b) if so, at what stage the experiment is?

The Minister of Industry in the Ministry of Commerce and Industry (Shri Kanungo): (a) Yes, Sir.

(b) The experiment has been successful with regard to the manufacture of Box Board and Printing Paper on a commercial Scale. The Institute is also experimenting on the manufacture of Rayon Grade Pulp from Jute Sticks and the results are awaited.

Film on Removal of Untouchability

419. Shri D. C. Sharma: Will the Minister of Information and Broadcasting be pleased to state:

(a) the progress made so far in the scheme to produce a film for the removal of untouchability; and

(b) when it is likely to be ready for exhibition?

The Deputy Minister in the Ministry of Information and Broadcasting (Shri Sham Nath): (a) The Producer submitted the revised draft of the script in July, 1962. Government's comments thereon have been furnished to him, for preparation of the final script.

(b) It is not possible to give at this stage any indication when the film will be ready for exhibition.

Financial Aid to Punjab

420. Shri D. C. Sharma: Will the Minister of Planning be pleased to state:

(a) whether Government of Punjab have requested the Central Government for more financial aid during the Third Five Plan period;

(b) if so, what is their demand; and

(c) the actual amount sanctioned?

The Minister of Planning and Labour and Employment (Shri Nanda): (a) and (b). There was a request for an additional loan assistance of Rs. 2 crores for road development in hill areas.

(c) Since there is no provision for this programme at the Centre it has not been possible to sanction any amount.

Hospital under Employees' State Insurance Scheme in Punjab

421. Shri D. C. Sharma: Will the Minister of Labour and Employment be pleased to state:

(a) whether Government propose to construct any hospital in Punjab

during the Third Five Year Plan period for the industrial labourers under the Employees' State Insurance Scheme; and

(b) if so, the steps taken so far?

The Minister of Labour in the Ministry of Labour and Employment (Shri Hathi): (a) Yes.

(b)

Name of the Hospitals Annexes	Progress
(i) Amritsar— 125 bed General Hospital.	Land acquired, and plans and estimates approved.
(ii) Yamunanagar— 50 bed General Hospital.	Land acquired. Plans and estimates under scrutiny of State Government.
(iii) Faridabad —50 bed General Hospital.	Site finalised and possession expected shortly. Plans and estimates under scrutiny of State Government.
(iv) Faridabad —12 T.B. beds Annexe.	The annexe is proposed to be constructed in the Civil Hospital, Faridabad. Plans and estimates are under scrutiny.
(v) T.B. annexes (12 beds each) at Amritsar and Dharampur.	Construction in progress.
— 20 beds and estimates approved.	

Examination in Manager's Certificate of Competency

422. Shri Eswara Reddy: Will the Minister of Labour and Employment be pleased to state:

(a) whether there is any proposal to hold examination of second class manager's certificate of competency

in South India instead of only at Dhanbad;

(b) if so, whether there is any likelihood of holding the next examination in South India; and

(c) if the reply to part (a) above be in the negative the reason therefor?

The Minister of Labour in the Ministry of Labour and Employment (Shri Hathi): (a) No.

(b) Does not arise.

(c) Number of candidates appearing from South India is too small to justify the opening of a centre there.

12.02 hrs.

RE: POINT OF ORDER

Shri Bagri (Hissar): Sir, I rise to a point of order.

Mr. Speaker: Let us hear the point of order. Yesterday, Shrimati Renu Chakravarty advised that.

(Interruptions). मेरी बात सुन लीजिये। कल मुझे यह सलाह दी गई थी जो मुझे बहुत पसन्द आई कि जो साहब प्वाइंट ऑफ़ ऑर्डर रैज करना चाहते हैं वह फ़ौरन पहले यह बतायें कि किस रूल की उल्लंघना हुई है, किस रूल का वायवो-लेशन हुआ है या किस की पाबन्दी नहीं हो रही है और इसके बाद ही वह अपना प्वाइंट ऑफ़ ऑर्डर पेश करें।

Shri Hem Barua (Gauhati): Sir, may I submit on that score?

श्री प्रिय गुप्त (काटिहार) : डिप्टी मिनिस्टर या मिनिस्टर साहेब भी जब कहते हैं कि ऑर्डर बन्लिक इंटरैस्ट वे कोई बात नहीं बता सकते हैं, तो उनको भी कहा जाना चाहिए कि वे कोट करें कि किस रूल के बल पर उनको ऐसा कहने की पावर मिली हुई है।

अध्यक्ष महोदय : क्या कहना चाहते हैं आप ?

श्री प्रिय गुप्त : हम लोगों को जब रूल कोट करने के लिए कहा जाता है तो Let the hon. Ministers also be forced to quote the rules under which they take the protection of 'public interest'. It is camouflage.

Mr. Speaker: There is a rule, and the hon. Member knows it, that they could also say 'in the public interest'.

श्री प्रिय गुप्त : हम लोगों को आप बांध कर रखना चाहते हैं ।

अध्यक्ष महोदय बांध कर रखने की इसमें क्या बात है ।

श्री बागड़ी : मैं अज्ञ करना चाहता हूँ कि जब कोई कालिग एटेंशन नोटिस दिया जाए तो उसका आप की तरफ से तहरीरी जवाब आना चाहिए कि वह रिजैक्ट हो गया है । एक दफ्ता सदन में जब यह सवाल आया था तो आपने कहा था कि अगर दस बजे उसे दिया जाता करेगा तो उसका जवाब दिया जा सकेगा । मैंने कालिग एटेंशन नोटिस आपको दस बजे दे दिया था जो बर्फ खराब पकड़ी गई है, उसके बारे में यह था । लेकिन एक साहब आए और मुझे कह गए कि आपका कालिग एटेंशन डिस-एलाज हो गया है । कैसे हुआ है, क्यों हुआ है, इस का कोई ब्योरा नहीं है । मैं अज्ञ करना चाहता हूँ कि इस तरह के नोटिसस का तहरीरी जवाब आना चाहिए ।

श्री प्रिय गुप्त : लिख कर हो ।

अध्यक्ष महोदय : जवाब मिल गया है और अब मुझे कोई जवाब देने की जरूरत नहीं रह गई है । आर्डर आप की तरफ से मिल गए हैं ।

श्री प्रिय गुप्त : जबानी दिया गया है (Interruptions).

अध्यक्ष महोदय : मुझे बड़े अफसोस साथ कहना पड़ता है कि और सवाल मुझ कया जा रहा है और जवाब वहां दिया 1376 (A) LSD-4.

जा रहा है । अगर मेम्बर साहब इसको अपने जिम्मे ले लें तो (Interruptions). आप बोलते ही चले जायेंगे या मुझे भी कुछ कहने देंगे । क्या मुझे इतना भी अधिकार नहीं है कि मैं किसी मेम्बर को बोलते जाने से बन्द कर सकूँ ।

अगर दस बजे आ जाया करेगा तो मैं कोशिश करूंगा कि आपको उसका तहरीरी जवाब मिल जाया करे । अगर आज नहीं मिला है तो आइंदा जरूर तहरीरी जवाब आपको पहुंचा दिया करूंगा । बर्फ का काम पालिमेंट का नहीं है । इसकी चूकि म्यूनिसिपल कारपोरेशन पड़ताल करती है इस वास्ते इसको पालिमेंट में नहीं लाया जा सकता है । बर्फ १५० मन पकड़ी गई है, वह सवाल ऐसा नहीं है, जिस पर पालिमेंट का वक्त लगाया जाए ।

श्री बागड़ी : चूकि इसमें मिलावट हुई थी, इस वास्ते मैं इसको यहां रखना चाहता

अध्यक्ष महोदय : आर्डर आर्डर ।

Shri Hem Barua: May I submit something about your ruling on the point of order business, because you have made a reference to that and possibly you had me in your mind?

Mr. Speaker: I am very sorry. I assure him that I did not have the hon. Member in mind at that time. But, most probably, he always has me in his mind. So, I am thankful to him. Now we should proceed to the other business.

Shri Tyagi (Dehra Dun): Guilty conscience.

Mr. Speaker: I assure him that I had not the hon. Member in my mind. Therefore, he should be satisfied. I am perfectly satisfied with his behaviour. I have no complaint against him. We will now take up the next item. Papers to be laid on the Table.

12.06 hrs.

PAPERS LAID ON THE TABLE

COTTON CONTROL (AMENDMENT) ORDER, S.O. No. 2203 ISSUED UNDER THE INDUSTRIES (DEVELOPMENT AND REGULATION) ACT AND ANNUAL REPORT OF TEA BOARD

The Minister of International Trade in the Ministry of Commerce and Industry (Shri Manubhai Shah): I beg to lay on the Table a copy each of the following papers:—

(i) The Cotton Control (Amendment) Order, 1962 published in Notification No. GSR 888 dated the 29th June, 1962 under sub-section (6) of section 3 of the Essential Commodities Act, 1955. [Placed in Library, See No. LT-295/62].

(ii) S.O. No. 2203 dated the 16th July, 1962 issued under section 15 of the Industries (Development and Regulation) Act, 1951 [Placed in Library, See No. LT-296/62].

(iii) Annual Report of the Tea Board for the year 1959-60. [Placed in Library. See No. LT-297/62].

Shrimati Renu Chakravartty (Barrackpore): I just wanted to submit something. In the meeting of the Business Advisory Committee the Minister of Railways stated that he will make a statement in the House

Mr. Speaker: He is going to make a statement.

Shrimati Renu Chakravartty: But it is not in the agenda. That is why I raised it.

Mr. Speaker: It has been put in my list.

GRANT OF LOANS TO LICENSED SALT MANUFACTURES' (AMENDMENT) RULES

The Minister of Industry in the Ministry of Commerce and Industry (Shri Kanungo): I beg to lay on the Table a copy of the Grant of Loans to

Licensed Salt Manufacturers (Amendment) Rules, 1962 published in Notification No. GSR 1007 dated the 28th July, 1962, under sub-section (3) of section 6 of the Salt Cess Act, 1953. [Placed in Library, See No. LT-298/62.]

12.07½ hrs.

STATEMENT RE: RAILWAY
ACCIDENTS

The Minister of Railways (Shri Swaran Singh): In answer to Starred Question No. 87, replied on the 7th August 1962, information had been supplied to the House about the number of railway accidents that took place between 23rd June and 31st July 1962. Of these, 14 accidents involved casualties. After 31st July one more accident involving casualties has taken place at Hazaribag Road Railway Station on 3rd August 1962, thus making a total of 15 accidents involving casualties.

I lay on the Table of the House a statement showing the particulars of these 15 accidents together with their causes, figures of casualties and the action taken or proposed to be taken against the railway staff responsible. [Placed in Library, See No. LT-299/62.]

The remaining accidents mostly constitute derailments of goods trains and fires in trains involving no casualties and very little loss of property. In all such cases also regular enquiries are held by the railway administration, causes of accidents ascertained and suitable action taken, including punishment to the staff held responsible. I am laying that statement on the Table of the House.

Shrimati Renu Chakravartty (Barrackpore): I suggest that this may be circulated.

Mr. Speaker: Yes, this would be circulated to the Members so that they may study it.

Shri S. M. Banerjee (Kanpur): The other day when we gave notice of an adjournment motion the hon. Minister agreed to make a statement. Now that statement has been laid upon the Table, I would beg of you to fix some time for its discussion. Because, if we put any question, it is stated immediately that it is under investigation and so on. I would urge upon you to consider this because this is a serious matter agitating the minds of the public at large who have even demanded the resignation of the hon. Minister which he has not done.

Mr. Speaker: I will consider that.

12.8½ hrs.

BUSINESS OF THE HOUSE

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): Sir, as you are aware, the House disposed of the Hindu Adoption and Maintenance Bill and the Christian Marriages and Matrimonial Causes Bill in about 3½ hours yesterday against an allotment of 6½ hours approved by the House.

In the list of Business for today the Government have set down 8 hours business which would keep the House engaged for today and tomorrow in accordance with the allotment approved by the House. In case the House is able to dispose of the Business earlier, it can take up an additional item of business, namely, the discussion on the Report of the Study Team on Co-operative Training on a motion to be moved by Shri D. C. Sharma. This item would, therefore, be added as supplementary business in the list of business for tomorrow.

Shri Nambiar (Tiruchirapalli): I have to make a submission in this connection. In the Sub-Committee of the Business Advisory Committee we have chosen seven resolutions for discussion. So, unless and until we dispose of those seven motions, we cannot take another motion, which is not included in that seven. Otherwise, the recommendations of the

Business Advisory Committee and its Sub-Committee will have no value. So, according to the recommendation of the Sub-Committee of the Business Advisory Committee, those seven motions just get priority. Therefore, one of those seven may be taken up instead of the eighth one.

Shri Satya Narayan Sinha: I received the report only day before yesterday and because of the shortness of time we could not contact the Ministry concerned. I promise that all those seven motions which have been recommended by the Committee will be taken up. It is only an ad hoc arrangement; in case there is a collapse of business, it will be taken up.

Mr. Speaker: But the apprehension is justified because if this business which has not been recommended by the Sub-Committee that has been appointed is taken up, some of those resolutions that have been recommended by the Sub-Committee might be left out.

Shri Satya Narayan Sinha: I promise to take up all of them. On account of the shortage of time we could not contact the Ministry concerned. But this thing will come up only in case the business in the House collapses which, I hope, will not happen.

Shri Nath Pal (Rajapur): If that was his apprehension, he could certainly have picked up one of the seven recommended.

Mr. Speaker: That is what he said. He said that that recommendation was received only yesterday evening and because he had not seen it and because this had come up just now that the business might collapse, he has made ad hoc arrangements though he hopes that it would not collapse and there was no chance of its being taken up. As a precautionary measure he has provided for it.

श्री रामेश्वरानन्द (करनाल) : अध्यक्ष महोदय , मैं आपकी सेवा में निवेदन करना

[श्री रामेश्वरानन्द]

चाहता हूँ कि अभी मंत्री महोदय ने जो महत्वपूर्ण वक्तव्य दिया है, उस का हिन्दी अनुवाद भी होना चाहिये। यह इंग्लिस्तान नहीं है इस लिए केवल इंग्लिश वालों को सन्तुष्ट करने का यत्न नहीं किया जाना चाहिये। हम भी यहाँ बैठे हैं। यह भारत वर्ष है और इसकी भी कोई भाषा है।

अध्यक्ष महोदय : आप ने मुझ को एक लिए लिखा था कि उसका हिन्दी तर्जुमा हो, वह मैं ने कर दिया। इस को भी देख लिया जायेगा। The Hon. Law Minister.

श्री रामेश्वरानन्द : मुझे कई उत्तर नहीं मिला।

अध्यक्ष महोदय : जो उत्तर दिया जाता है, अगर आप उस को सुनते ही नहीं तो मेरी मजबूरी है, मैं क्या करूँ ?

श्री रामेश्वरानन्द : मैं सुनता क्यों नहीं हूँ ? बैठा ही इस लिए हूँ। मेरे कान बन्द थोड़े ही हैं ?

Houses consisting of 45 members, 30 from this House, namely:—

Dr. M. S. Aney, Shri Brij Basi Lal, Shri Brij Raj Singh-Kotah, Shri Chattar Singh, Shrimati Zohrabai Akbarbhai Chavda, Shri C. M. Chawdhary, Shri B. K. Dhaon, Shri N. R. Ghosh, Shri Abdul Ghani Goni, Shri Harish Chandra Heda, Shrimati Jamuna Devi, Shri Gulabrao Keshavrao Jedhe, Shri Yogendra Jha, Pandit Jwala Prasad Jyotishi, Shri Nihar Ranjan Laskar, Shri Masuriya Din, Shri David Munzani, Shri D. D. Puri, Shri A. V. Raghavan, Swami Rameshwaranand, Shri R. V. Reddiar, Shri A. T. Sarma, Shri S. M. Siddiah, Shri K. K. Singh, Shri Krishnapal Singh, Dr. L. M. Singhvi, Shri R. Umanath, Shri P. Venkatasubbaiah, Shri Asoke K. Sen and the Mover

and 15 from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the last day of the first week of the next session;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees will apply with such variations and modifications as the Speaker may make; and

that this House recommends to Rajya Sabha that Rajya Sabha do join the said Joint Committee . . .

Shri D. C. Sharma (Gurdaspur): Sir, will the hon. Minister kindly speak slowly? We are not following what he is saying.

Mr. Speaker: That is put down on the Order Paper, For that purpose

12.13 hrs.

SPECIFIC RELIEF BILL

Mr. Speaker: The hon. Law Minister.

The Minister of Law (Shri A. K. Sen): Sir, will you please allow the hon. Deputy Minister to move the motion?

Mr. Speaker: There is no harm in it. The hon. Deputy Minister.

The Deputy Minister in the Ministry of Law (Shri Bibudhendra Mishra): Sir, I beg to move:

"That the Bill to define and amend the law relating to certain kinds of specific relief be referred to a Joint Committee of the

he can consult that. For the rest of the speech I will ask him to go slowly.

Shri Bibhudhendra Mishra:

“ . . . and communicate to this House the names of members to be appointed by Rajya Sabha to the Joint Committee.”

The law of specific relief, that is, the Specific Relief Act has been in operation in India since 1877. This is a species by itself. It seeks to give to the claimant the very thing that he wants to get, not compensation but that to which he is entitled. It puts the defendant under an obligation to do the very thing for which he is obliged or not to do something. Sometimes, circumstances may arise in which it may become difficult for the defendant to do so. Therefore, by a method of trial and error the Court of Chancery has laid down certain principles and these principles have been codified in this Act. On the whole, as the Law Commission has put it, the Act has been working very well, but there is still scope for improvement. Improvements are of two types. Formal amendments: it is a matter of language. They want to improve the language of the statute. Also, at some places, they want to make the intention clear where there is some doubt about the intention as a result of conflict of decisions, so that the conflicts may be set at rest.

The report of the Law Commission was circulated to the State Governments and almost all the State Governments agreed generally with the principles there. At the outset, let me tell the House that this Bill seeks to incorporate the recommendations of the Law Commission except one, namely the amendment suggested to section 42 of the Specific Relief Act.

So far as the applicability of the Act is concerned, the Act does not extend to the territories formerly known as Scheduled Districts, corresponding to the present Scheduled and Tribal areas. The Law Commission sees no justification as to why the Act should not be made applicable to those areas, since the courts there, though the Act

is not applicable, apply the principles of justice, equity and good conscience. Moreover, the Transfer of Property Act which also contains some of the equitable principles is applicable to these areas. The tendency of modern legislation has been that all the Acts are made applicable to the Scheduled District areas. If any difficulty is experienced at any time, there are the provisions of the Fifth and Sixth Schedule of the Constitution under which the Government, by notification, can exclude the operation of the provisions of this Act. That power is always there. Hence, they are of the opinion that this Act should also be made applicable to the Scheduled areas.

One of the most important recommendations that the Law Commission has made is with regard to section 9. Section 9 relates to a suit for possession. When a person is dispossessed of his property, it provides a speedy and summary remedy. But, experience has shown that, though the object was that whatever may happen, the owner or title holder should not take the law into his own hands, this does not provide a speedy remedy at all. Since it has been found that in a suit for possession, the question of title also has to be gone into, it becomes a prolonged litigation and if there is a verdict in favour of the plaintiff, the defendant can again file a suit for recovery of possession on the basis of his title. That has led to multiplicity of proceedings. Therefore, they have suggested that this should be completely omitted. This suggestion has been accepted.

I will refer to another important amendment, that is Chapter VIII of the Specific Relief Act, that is, sections 45 to 51 should be omitted. You will find that this Chapter gives power to the three Presidency High Courts of India, to issue a writ of mandamus. After the coming into force of the Constitution, article 226, they feel that this is not necessary at all. It will be seen that the provisions in this Chapter VIII of the Specific Relief Act

[Shri Bibudhendra Mishra]

confer less power than has been given to the courts under article 226 of the Constitution. Then, again, they are of the opinion that sub-sections (f) and (g) of section 45 are inconsistent with and contrary to the provisions of article 226 of the Constitution. Sub-section (f) reads thus:

"Nothing in this section shall be deemed to authorize any High Court—

(f) to make any order binding on the Central Government or any State Government."

Sub-section (g) reads thus:

"(g) to make any order on any servant of the Government as such merely to enforce the satisfaction of a claim upon the Government."

The Law Commission feel that the courts should not be restrained from passing such orders, in view of article 226 of the Constitution, and, therefore, these sub-sections are *ultra vires* the Constitution.

Then, section 50 of the Act which was inserted by the Adaptation Order of 1950 nullifies the entire chapter altogether. It says:

"Nothing in this Chapter shall affect the power conferred on a High Court by clause (1) of article 226 of the Constitution."

So, for all these various reasons, they have suggested that since now writs are available in many forms besides mandamus, in the Constitution itself, this Chapter need not be retained, and hence it has been omitted.

Then, another important suggestion which they have made is that sub-section (d) of section 56 should be omitted as that is also *ultra vires* the Constitution. It reads thus:

"An injunction cannot be granted—

(d) to interfere with the public duties of any department of the Central Government or any State Government or with the sovereign acts of a Foreign Government;"

They say that this is inconsistent with the second proviso to article 361(1) of the Constitution. That proviso reads thus:

"Provided further that nothing in this clause shall be construed as restricting the right of any person to bring appropriate proceedings against the Government of India or the Government of a State."

The Law Commission have suggested that sub-section (d) of section 56 should be omitted, and that suggestion has been accepted.

Then, I come to section 42 which is one of the most important sections of the Specific Relief Act, about which the Law Commission have made some recommendations which have not been accepted. They are of the opinion that the proviso to section 42 should be deleted. I would read out the entire section. It is as follows:

"Any person entitled to any legal character, or to any right as to any property, may institute a suit against any person denying, or interested to deny, his title to such character or right, and the Court may in its discretion make therein a declaration that he is so entitled, and the plaintiff need not in such suit ask for any further relief."

Then, the proviso reads thus:

"Provided that no court shall make any such declaration where the plaintiff, being able to seek

further relief than a mere declaration of title, omits to do so."

Under the present provision as it stands, where a plaintiff is entitled to some other relief besides a declaration, that relief shall not be granted, and the suit will not be maintainable if along with the prayer for declaration, the relief also is not claimed. They say that there need not be a prayer for further relief, and a declaration is enough, and, therefore, this proviso should not be there. In this connection, I would like to point out that there is a similar provision also in the Civil Procedure Code in Order XI, Rule 3, which says that:

"If a person entitled to more than one relief in respect of the same cause of action omits, without the leave of the court, to sue for any such relief, he shall be debarred from suing afterwards in respect of the relief so omitted."

So, we find virtually the same provision in the Civil Procedure Code, and there is no suggestion by the Law Commission that this provision in the Civil Procedure Code should also be omitted. If the suggestion of the Law Commission is accepted, it would mean omitting this provision from the body of section 42 of the Specific Relief Act. It will work out in a very different way; whereas under the Civil Procedure Code, the parties would be asked to pray for further relief besides a declaration, under the Specific Relief Act, a suit will not fail because there has not been any further relief asked for. Therefore, this suggestion of the Law Commission or this recommendation of the Law Commission has not been accepted.

Further, they want that this section should apply to all legal rights and not to rights of property only. They are of the view that if it applies to all rights, when once a right is declared, probably, that will set all disputes at rest, and there will be no further dispute, because the parties

know what their rights are, and there will be less of cases in the courts. It is well known that besides a declaration, section 42 does not confer any other thing. Therefore, even if the right is declared, it does not debar a party from going to court. Here the pious wish that once a right is declared, the party may refrain from going to court may not work out and will result in a multiplicity of proceedings. Therefore, this has not been accepted.

These are, in short, the main recommendations that the Law Commission has made. I do not want to proceed to discuss the formal amendments of sections as this is going to a Joint Committee. With these words, I commend the motion to the acceptance of the House.

Mr. Speaker: Motion moved:

"That the Bill to define and amend the law relating to certain kinds of specific relief be referred to a Joint Committee of the Houses consisting of 45 members, 30 from this House, namely: Dr. M. S. Aney, Shri Brij Basi Lal, Shri Brij Raj Singh-Kotah, Shri Chattar Singh, Shrimati Zohrabai Akbarbhai Chavda, Shri C. M. Chawdhary, Shri B. K. Dhaon, Shri N. R. Ghosh, Shri Abdul Ghanj Goni, Shri Harish Chandra Heda, Shrimati Jamuna Devi, Shri Gulabrao Keshavrao Jedhe, Shri Yogendra Jha, Pandit Jwala Prasad Jyotishi, Shri Nihar Ranjan Lasker, Shri Masuriya Din, Shri Bibudhendra Misra, Shri David Munzni, Shri D. D. Puri, Shri A. V. Raghavan, Swami Rameshwaranand, Shri R. V. Reddiar, Shri A. T. Sarma, Shri S. M. Siddiah, Shri K. K. Singh, Shri Krishnapal Singh, Dr. L. M. Singhvi, Shri R. Umanath, Shri P. Venkatasubbaiah, and Shri Asoke K. Sen and 15 from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one third of the total number of members of the Joint Committee;

[Mr. Speaker]

that the Committee shall make a report to this House by the last day of the first week of the next session;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees will apply with such variations and modifications as the Speaker may make; and

that this House recommends to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of members to be appointed by Rajya Sabha to the Joint Committee."

Does any hon. Member from the Opposition wish to speak? Do I take it that no hon. Member from the Opposition wants to speak?—Shri Man Sinh P. Patel wants to speak.

Shri Man Sinh P. Patel (Mehsana): I welcome this measure. It eliminates so many sections which are redundant according to the suggestions of the Law Commission in their 9th Report. At the same time some new suggestions are also being accepted by the Government as per the Commission's Report.

First of all, I would draw the attention of the hon. House to the dissenting note of Dr. N. C. Sen Gupta regarding section 9, of the original Act. Section 9 in no case ought to have been omitted from this new Bill, because it gives a summary remedy to an owner whose property would otherwise be taken over by a trespasser. For this reason, I also think that the retention of section 9 in this new Bill also is absolutely necessary.

No doubt, the Deputy Minister has said that the Bill is going before a Joint Committee. I would only urge the Joint Committee to look into the dissenting note of Dr. N. C. Sen Gupta

No doubt, the majority decision is in favour of deleting section 9. But as I read section 9 of the original Act, it is worth keeping in the new enactment. Section 9 says:

"If any person is dispossessed without his consent of immovable property otherwise than in due course of law, he or any person claiming through him may, by suit recover possession thereof."

Normally litigation takes a very long time. There are appeals and appeals in different courts. If this section is deleted, the trespasser who has taken over possession by forceful means retains the property for that whole period during which the matter will be pending in the courts of law, which may sometimes extend to even 10 years. If the original owner has some remedy under section 9, the fruits of that possession can also be retained and enjoyed by him on seeking remedy in a court of law.

Two new clauses are being added to the law by the amending Bill, namely clauses 19 and 21. As far as I can see, clause 21 is a bit mysterious. It reads:

"Notwithstanding anything to the contrary contained in the Code of Civil Procedure, 1908, any person suing for the specific performance of a contract for the transfer of immovable property may, in an appropriate case, ask for—

(a) possession, or partition...."

Here, the words "in an appropriate case" are not necessary at all. There is already the word "may". So, when a petitioner or a plaintiff goes before a court of law, it should not be necessary for him to show that it is an appropriate case. It is always the inherent right of the court to take it up when it knows that there is a fit and proper case. Therefore, these words are not necessary.

Not only that. The discretion allowed to the courts will also sometimes be misunderstood. The cases in which the court may use its discretion are given in clause 19:

"(2) The following are cases in which the court may properly exercise discretion not to decree specific performance...."

Clause 19(1) states:

"(1) The jurisdiction to decree specific performance is discretionary, and the court is not bound to grant such relief merely because it is lawful to do so; but the discretion of the court is not arbitrary but sound and reasonable, guided by judicial principles and capable of correction by a court of appeal."

After this comes sub-clause (2), which contains three sub-divisions. Not only that, there are Explanations added. As I see it, the whole of clause 19(2) is redundant. Sub-sections (1), (3) and (4) of section 19 should be sufficient. The cases in which discretion should be used by the court should not be defined by the legislature, as it would lead to interpretations or meanings of the intentions of the legislature which will give scope to the courts to decide them, and it will thus invite unnecessary litigation on these points. Giving full discretion to the courts, then explaining that discretion by some rules and then further limiting them by certain Explanations will result in a very ambiguous legislation, so that different courts at different stages will take different views, and thus there will be an increase in litigation.

Now, coming to the drafting of the Bill, the Law Commission has left it to the official draftsmanship. I find so many redundant words still in this Bill which could have been avoided. The original Act was drafted in 1877. When the word "shall" is not to be used, the word "may" is used, and when "may" is used it is not necessary

to have words like "in an appropriate case". The meaning of expressions like "discretion of a judicial nature" or "sound principle of equity in law" have been established and everybody knows when a court should act. So, these words need not be used. As I understand it, there seems to be a lot of bad legal draftsmanship. So, undoubtedly, the hon. Law Minister who is eminent in his own practice, will see to it that certain words are not unnecessarily repeated here in 1962, the fifteenth year of our freedom.

The main object of this amending Bill, as I understand from the hon. Deputy Minister, is that multiplication of suits should be eliminated. Certain rights found in the existing Specific Relief Act are retained in the new Bill and the court is also empowered to allow certain pleas of defendants, so that unnecessary litigation may be avoided.

So far as the Specific Relief Act is concerned, it is a difficult proposition to a lawyer himself; and to a common man it is further difficult. The main spirit behind the Specific Relief Act should be that there should be faith created, in the common parlance of the business community. There should not be great hardship or embarrassment in taking to the process of law for the performance of an agreement enforceable under a contract. It should not be difficult for the owner who seeks to secure possession or to have a right established.

Certain explanations have been put under different sections. And, as I said previously, judicial discretion is sought to be restricted. We should leave a fairly wide scope for the exercise of the judicial discretion so that it may not lead to unnecessary litigation or unnecessary embarrassment to the person who prefers the process of law. It should not be denied simply because the law is not well drafted.

I welcome this Bill. I understand that previously also in 1960 a similar

[Shri Man Sinh P. Patel]

Bill was introduced. There have been so many reports of the Law Commission for new legislation but the new Bills are not coming in right earnest. Normally, Government should not take more than a year or two to bring in legislation after the Law Commission reports. I myself, a new member of the House, have received so many voluminous reports of the Law Commission. But new Bills according to the recommendations of the Commission are still not being introduced.

We know that after independence the whole atmosphere has changed and the spirit of the law is also being tried to be interpreted by the courts in a different manner. As my hon. friend explained, so many provisions of existing laws are redundant and contrary to the Constitution of India. So, codification and simplification of law should start as early as possible. I would be glad if new Bills or amending Bills are introduced in a short period after the reports of the Law Commission are issued.

Shri P. R. Patel (Patan): Mr. Speaker, Sir, I take this opportunity to offer my views on the Bill. I do not wish that the debate should collapse and I venture to express my views.

Mr. Speaker: If we were the American Congress I should have come down and put somebody else here.

Shri P. R. Patel: Sir, I practised on the civil side and I know the complications of this Specific Relief Act. There are doubts and doubts and contradictory decisions of the different High Courts. And, it is very good that the Law Commission had offered their views and the Bill is drafted mostly on the views expressed by the Law Commission. There was section 9 in the old Act: it has been removed by this Bill. It was a speedy remedy. There was that provision. It debars taking of possession of immovable property without the due course of law, without legal remedies. The only

thing that a man was required to prove is that he was in possession of the property within the last six months. There was no question of title or anything of that kind. If it was proved that a person was deprived of his property without the due process of law, then he must be given possession. I will give an example. Today I stay in flat No. 15: that is in my possession for the last six months. Somebody comes and throws out my packages and deprives me of the possession. What is the remedy for me? Should I go to a civil court and have a long procedure? It takes one year or two years or even ten years. Nobody likes to go to the mamlatdars' court because there is the revenue procedure and we know how it is done there and I do not want to criticise or offer my remarks on that. So, the remedy for me under section 9 would be there; I have to apply under that section that possession should be returned to me. That remedy is taken away by this Bill. I urge the Joint Committee to look into this and I am of the opinion that section 9, with some modifications, should be retained.

Most of the law here is what contracts could be enforced, what could not be enforced and in what cases compensation could be allowed. These are the three important things. Naturally there are the perpetual injunctions and temporary injunctions and so on. I would now refer to clause 11. It refers to specific performance of part of contract.

Now, clause 11(1) says:

"Except as otherwise herein-after provided in this section, the court shall not direct the specific performance of a part of a contract."

In sub-clause (2), it says:

"Where a party to a contract is unable to perform the whole of his part of it, but the part which must be left unperformed bears only a small proportion to the

whole in value and admits of compensation in money, the court, may, at the suit of either party, direct the specific performance of so much of the contract as can be performed, and award compensation in money for the deficiency."

It is a right proposition. So, if you see the spirit of sub-clause (2) and the spirit of sub-clause (3), you will hesitate to accept what is said in sub-clause (3) which reads as follows:

"Where a party to a contract is unable to perform the whole of his part of it, and the part which must be left unperformed either—

(a) forms a considerable part of the whole, though admitting of compensation in money; or

(b) does not admit of compensation in money;

he is not entitled to obtain a decree for specific performance; but the court may, at the suit of the other party, direct the party in default to perform specifically so much of his part of the contract as he can perform, if the other party—

(i) in a case falling under clause (a), pays or has paid the agreed consideration for the whole of the contract reduced by the consideration for the part which must be left unperformed and in a case falling under clause (b), the consideration for the whole of the contract without any abatement; and

(ii) in either case, relinquishes all claims to the performance of the remaining part of the contract and all right to compensation, either for the deficiency or for the loss or damage sustained by him through the default of the defendant."

So, the clause says that if the contract is such that the major part of it could be enforced, then specific relief

should be given and a compensation also should be paid. But if a major part could not be specifically enforced and the minor part could be enforced, in that case, the plaintiff must have paid the whole contractual amount, and then, if at all he persists to have a specific relief for the minor part enforced, he will have to relinquish his claim for compensation even for the major part.

Let us consider the section as it is. There are two properties. One is A and the other is B: the two are combined. The bigger part is A. If the specific relief for the bigger part could be enforced, that means A, B is a minor part of it. In that case, the defendant would be asked to perform the part of the contract. That is, he shall have to pass relief for the major part of the contract and for the part that he could not he has to pay compensation. So, if there is a small part, he has to pay compensation.

Here is another case. A man sells the property. A major part of it is such that it could not be enforced and the smaller part of it is such that it could be enforced. In that case, the law says that if you want a specific performance of the smaller or minor part, you must pay the whole amount and you must relinquish your right of compensation. You cannot ask for compensation. Is it a fair proposition? I would suggest that the Law Minister should devote some thought to it. In both of the cases, if a part of it could not be specifically enforced, the remedy should be one of compensation. Why should the person relinquish his right of compensation? I would urge this point to the hon. Minister and I wish that the Joint Committee that is going to be appointed looks into this matter.

Then I come to clause 12. There also, I am not happy with sub-clause (d).

Clause 12 says:

"Where a person contracts to sell or let certain immovable property having no title or only an imperfect title, the purchaser or

[Sri P. R. Patel]

lessee has the following rights, namely:

(d) where the vendor or lessor sues for specific performance of the contract and the suit is dismissed on the ground of his want of title or imperfect title, the defendant has a right to a return of his deposit...."

There is nothing wrong in it. If the vendor or lessor files a suit and if it is proved that he has no perfect title, in that case the deposit must be returned. But suppose the vendor or lessor is sued and it is found that he had imperfect title. Because of the imperfect title, specific performance would not be desirable, because nobody would like to have property with imperfect title. In that case, if he is sued, is there any remedy or anything in the law which would give authority to the court to award compensation or return of the deposit? The law is silent. As I understand the clauses in this Bill, the vendee does not get any compensation or does not get his deposit back if he files a suit and finds that the lessor and vendor had imperfect title. This matter should be looked into.

This is not the time to suggest any amendment. But it would be useful to the Joint Committee if I give my suggestion. I suggest that in clause 12, sub-clause (d) should be amended like this:

"Where the vendor or lessor sues for specific performance of the contract or is sued and the suit is dismissed on the ground of his want of title or imperfect title, the defendant or the plaintiff has a right to a return of his deposit and compensation."

I think these things should be put in this clause, so that the other side might also get justice.

There are other clauses. Clause 17 says:

"Where a plaintiff seeks specific performance of a contract in writing, to which the defendant sets up a variation, the plaintiff cannot obtain the performance sought, except with the variation so set up, in the following cases...."

I would request the Minister to read along with this, clause 25, which says that where due to a mutual mistake of the parties, a contract or other instrument in writing does not express their real intention, then either party may institute a suit to have the instrument rectified and so on. If an agreement is passed and if the other side says that it is not according to the terms thought of or there are some variations which are not in writing, in that case I would suggest that the party should file a suit under clause 25 and get the matter settled. Suppose this remedy is not availed of and the other side, in whose favour the agreement has been passed, goes to the court and proves the agreement, which is in writing. Under the Evidence Act, no doubt there are exceptions and when there is fraud or some mistake, some evidence may be given. But otherwise, oral evidence in such a case would rather prolong the case and cause harassment to the person. I am of opinion that the law should put an end to this. If there is any agreement in writing, other intentions could be shown by a document which is in writing. We know that oral evidence could be had for a cup of tea or some coins. The court will rely on two or three witnesses and come to the conclusion that the agreement is not valid and the man will lose. I think we should give protection to such persons too.

I hope the hon. Minister will consider these suggestions. I indulged myself in offering these views only in order that the debate may not collapse all of a sudden. I was not prepared at all. But I have practised on the civil side for some years and so, I could give some suggestions.

Mr. Speaker: He has fared quite well. Why should he admit that he has not studied it?

Shri U. M. Trivedi (Mandsaur): He has studied it very well and offered very substantive and constructive suggestions.

Mr. Speaker, Sir, I think I should welcome this Bill as it stands. Now, there are some flaws in it which are the result of the members of the Law Commission not ever having undergone the difficulties of the ordinary layman in the street. I have not understood the arguments advanced by the Law Commission for omitting the provisions of section 9 of the Specific Relief Act. It indeed provided a very speedy remedy, which was allowed under law, more so in these days when people have become used to take the law into their own hands and might is right these days than it used to be before. Section 9 of the Specific Relief Act contained a very healthy provision, which was many a time very useful to those who had not much money at their disposal. Section 9 says:

"If any person is dispossessed without his consent of immovable property otherwise than in due course of law, he or any person claiming through him may by suit recover possession thereof, notwithstanding any other title that may be set up in such a suit.

Nothing in this section shall bar any person from suing to establish his title to such property and to recover possession thereof".

The only advantage that one could get was in court fees. One had not to pay the full court fees for filing a suit under section 9.

13 hrs.

Secondly, it was not necessary to have any evidence of title in this case. It is true, as the Law Commission has said, that in some cases evidence

was recorded. But that was the mistake of the judiciary. If we go on appointing to the judicial offices persons with no experience, and boys who have just got out of the law colleges and who are not able to put down two sentences correctly or able to express their thoughts succinctly are made to assume the important powers of a civil judge or a district judge, they are bound to suffer. So the remedy does not lie in dropping this provision of law, but the remedy lies elsewhere. That we have not considered at all. I do not know whether we have yet formulated any rule of law or any Act or any provision in any Act whereby the judiciary is to be properly selected, properly trained and properly posted. The visitations of this sin are, therefore, put upon the heads of the litigants. The remedy ought not to be that this provision of law should be taken out from the statute-book.

Those of us who have the good fortune of practising at the Bar realise that often this has proved to be of great help to those poor persons who have just been driven out by mightier persons from their possessions. Sometimes, if the judge is quick and sensible, the remedy that is obtainable is very quick and immediate and also effective. This effective remedy is denied to them by virtue of this new provision by which section 9 is sought to be removed from this Act. You will remember, Sir, that this Specific Relief Act has been in force since 1877. This is a very old Act, and the principles then laid down on the grounds of equity, as obtaining in England, have stood the test up to date. None of these principles of law has been in any way deviated so far in any of the pronouncements that have been from time to time. I will therefore, say that it will be very wrong to take away the provision of section 9 of the Specific Relief Act.

Then, in one case we find that the Law Commission has tried to jump before the stile is reached in as much as no law as required to be framed

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or as contemplated to be framed under the provisions of article 226 of the Constitution has been framed anywhere in India. Rule-making powers have been vested on the High Courts and some High Courts—I have Orissa in mind—have framed the rules. Other High Courts have looked at the executive bodies and they have framed laws whereby a curb has been put upon the desire of the poor litigant, the poor sufferer, the poor downtrodden, to approach the High Court. One High Court requires a big amount as court fees for approaching the court. Another High Court says that so many rupees have to be deposited before the application can be heard. This is being followed by almost all the High Courts. The only exception, to my knowledge, is the Rajasthan High Court which still allows writ petitions to be filed without any obstacles. No law has been framed so far. Before that law is framed under article 226 of the Constitution which gives us the right of the various prerogative writs—*certiorari, quo warranto, mandamus* or prohibition—we say that since these powers are already there in the High Courts under article 226 we should drop the provisions of section 45 of the Act.

I would welcome the dropping of section 45. I do not like it. It has got certain limitations. Those limitations are not quite healthy in the present form of Government and in the present days when our fundamental rights have gone up and are followed by the people. I know that the fundamental rights I talk of are the fundamental rights conceived when the Constitution was framed which have now gone by the board and are merely a mirage. They are not the fundamental rights which one should aspire that they should remain on the statute-book. But whatever has remained is sufficient for the downtrodden to approach the High Court. But the legislature has not moved in any of the States to make a provision. This Par-

liament has also not moved in that direction. This Parliament is authorised to make a law under article 226. No law has been made by virtue of which these prerogative rights can be governed and the principles embodied under these prerogative rights can be obtained in the jurisdiction of equity. Therefore, as long as that was not done, this provision of law was quite a healthy provision of law which ought not to have been disturbed simply because the wise man who sat on the Law Commission thought it so.

Equally important, I would say, is this doing away with the provision of section 44 on the question of appointment of a receiver. There is a big gap between the ways of thinking of those who sit in the mofussil courts and those who sit in the cities. Among cities also, there is a big gap into the way of thinking of a man sitting in Bombay and an officer sitting in Delhi. Bombay has got a particular high tradition. It does not require long arguments to place matters before a judge however low he might be in the Maharashtra State. It is not so elsewhere. The difference between the appointment of a receiver before the suit and after the suit when the suit is still pending is not realised by several judges.

Mr. Speaker: By whom?

Shri U. M. Trivedi: By the members of the judiciary—I do not mean Judges of the High Court.

Mr. Speaker: Others also ought to be respected.

Shri U. M. Trivedi: They are also human beings and as human beings they do commit these mistakes. This is an everyday affair, that to get the appointment of a receiver you must have a very honest man sitting and presiding as a judge who will apply his mind properly. Otherwise, Sir, it is a discretionary order, and a discretionary order means the discretion of

a presiding officer in whatever way the wind blows. He decides for himself. With great respect to all them. Sir, I would say that difficulty is felt in this respect. When the question of appointing a receiver before an action, when the action is still pending, comes in, then it becomes still more difficult. Even if this Specific Relief Act allows it, it becomes a difficult problem, and it becomes still more difficult when one wants to convince a judge that a receiver can be appointed even through an executive process. Therefore, this question of appointment of a receiver ought to have been elaborated to a greater extent. Instead of doing that, section 44 is sought to be removed from the statute-book. I will, therefore, suggest that the provisions of section 44 must be fully elaborated upon and brought to the forefront rather than that the provisions of section 44 should be taken away from the statute.

13.10 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

Then I will come to clause 8 of this Bill. It is a new clause which says:

"Except as otherwise provided here in, where any relief is claimed under this Chapter in respect of a contract, the person against whom the relief is claimed may plead by way of defence any ground which is available to him under any law relating to contracts."

The Law Commission has stated on this point:

"In England and in America, one finds that the text-books on Specific Performance deal with the defences open under the law of contract as well as the defences available in equity Courts in proceedings to enforce a contract by way of specific performance. In India, the defences that are available under the law of contract, such as incapacity of parties,

the absence of a concluded contract, the uncertainty of the contract, coercion, fraud, misrepresentation, mistake, illegality, or want of authority to enter into the contract, have all been dealt with in the Contract Act. Further, it is provided by section 4(a) of the Specific Relief Act that an agreement which is not a valid contract under the Contract Act is not specifically enforceable.

Hence, a repetition, in the Specific Relief Act, of the defences available under the law of contract may be avoided by inserting in the Act a specific provision to the effect that all defences open under the law relating to contracts shall be open to a defendant in a suit for specific performance. We, therefore, propose to insert a new section to the above effect and to omit clause (a) of section 4 which becomes redundant."

I do not know why it has been put in clause 8 instead of retaining it in clause 4(a). Section 4(a) of the existing Act says:

"Except where it is herein otherwise expressly enacted, nothing in this Act shall be deemed—

- (a) to give any right to relief in respect of any agreement which is not a contract;
- (b) to deprive any person of any right to relief, other than specific performance, which he may have under any contract; . . ."

We have omitted that provision. After omitting it, what we say is that all the defences that are open under the Contract Act may be available to the party. Since litigation is already quite costly, to point out to a dishonest man that he has got so many defences available to him is just like giving a torch in the hands of a thief

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to plunder the house. If this specific provision is not made and if only the equitable provision that is already there is retained, attention to the defences under the Contract Act will not be brought to light unnecessarily for burdening litigation. At least in the mofussil we come across pleadings where, whether the point has been raised or not, the lawyers will plead that the contract is illegal, bad in law, vague in terms, obtained by inducement, influence and coercion etc. Whatever be the case, all these grounds will be pleaded, all the various defences that are available, without thinking for a moment whether all those pleadings were applicable to a particular case or not. Now by this clause 8 we are opening out a big vista whereby various defences will be taken and litigation will become lengthier than what it is today. On the contrary, I would suggest that on grounds of equity only equitable defences must be allowed in cases of specific performance and highly technical objections should not be allowed to prevail. It is a futile attempt on our part to put it down on the statute book the various defences which will open the eyes of those who are dishonest enough to refuse specific performance of contract which they have entered into and where it will not be necessary for a judge to enforce these contracts.

Coming to clause 9, which is old section 12, there has been a recasting of this provision. The Explanation is the same which was there in the old Act but what has happened is that all the illustrations which were very important and which form part of the Specific Relief Act have been omitted from the present Bill. When the provisions are practically kept in the same language except that there have been some verbal changes here and there, I don't see why these illustrations should have been dropped. These illustrations are very important. For example, for section 12(a), which reads:

"when the act agreed to be done is in the performance, wholly or partly, of a trust"

the illustration given is:

"A holds certain stock in trust for B. A wrongfully disposes of the stock. The law creates an obligation on A to restore the same quantity of stock to B, and B may enforce specific performance of this obligation."

What was wrong with this illustration? Why should it be dropped? In practically the whole of this Bill illustrations have been dropped. Illustrations are very important for the interpretation of the Specific Relief Act, particularly so when we have to deal with, as I have said before, judges who have just been appointed after becoming law graduates from law colleges.

Their knowledge of law is always meagre. No training is imparted to them and having not received any training they try to interpret the law with their own meagre knowledge of English also. Upto date we had all these laws in English and I do not know when the day will come when we will have these laws codified in Hindi. But whether it is in Hindi or in English, law is law and the interpretation of law will always be one of the features of all time to come. Therefore in order that the interpretation may not go wrong or against what was intended by the legislature it is always necessary that illustrations of all those laws which are possible of being interpreted in an ambiguous manner or of having two meanings are given. Illustrations are the only thing which can guide one in the proper manner about the meaning of a particular provision of law.

Now, as I was saying, the words "when the act agreed to be done is in the performance, wholly or partly, of a trust" in section 12 have been changed to "where the property is held by

the defended as the agent or trustee of the plaintiff" in clause 9(b)(ii) (b). Why has this become necessary? Why narrow down the very wide meaning that is available in section 12(a), namely:

"when the act agreed to be done is in the performance, wholly or partly, of a trust;"?

It might be an implied trust or it might be a constructive trust; it might be an express trust also. All those things are there. Instead of that we have come down to the position of having the words "as the agent or trustee of the plaintiff". Why should it be limited? I have not understood the argument behind this.

The Law Commission has said:

"Clause (a) of section 12 relates to an obligation arising out of a trust."

Now, this is their argument:

"Some jurists consider such an obligation as appertaining to the law of contracts but, in view of the definition of a trust in the Indian Trusts Act, such an obligation arises out of an executed contract. The relief by way of specific performance is, on the other hand, available only in respect of executory contracts, to which the other clauses of section 12 relate. It seems to us, therefore, appropriate to delete clause (a) from section 12 and to place all the provisions relating to trusts together in one section. The only references to trusts, so far as specific performance is concerned, are in sections 12(a) and 21(e). We propose to include both of them in a new section."

They have put it down in clause 9. They have made a change in section 21 also.

I know it will be very difficult for anyone to offer full criticism of this Specific Relief Bill. I understand that it is going to the Joint Committee.

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Mr. Deputy-Speaker: The motion is for reference of the Bill to the Joint Committee. We are discussing that motion.

Shri U. M. Trivedi: However, since I have offered some criticism, I will finish after saying something about section 21. Section 21 provides for contracts which cannot be specifically enforced. It starts by saying:

"The following contracts cannot be specifically enforced:—"

and then they have enumerated those contracts. About section 21 the Law Commission has said:

"Some of the clauses of section 21 require in our view amplification.

"Thus, while as a general rule, contracts to lend or mortgage are not specifically enforced, as they come under clause (a), there are certain exceptional cases where specific performance has been granted by the Courts upon the assumption that damages would not afford adequate relief in such cases, and these exceptions should be mentioned in the section itself, to make it comprehensive.

These exceptional cases are as follows:

1. Where a loan has been advanced either in whole or in part by the lender on a contract to execute a mortgage but the borrower refuses to execute the mortgage, specific performance of the contract can be obtained if the borrower is not willing to repay the loan at once. Where a part of the loan only has been advanced, the lender must be ready and willing to advance the remaining sum according to the agreements."

This section they have put down in clause 13.

Mr. Deputy-Speaker: Clause 21?

Shri U. M. Trivedi: Yes, Instead of putting clause (e) in section 21 where it was there.....

Mr. Deputy-Speaker: Clause 21 is different. It relates to power to grant relief.

Shri U. M. Trivedi: I am talking of section 21 of the original Act. Section 21 in the original Act has now been framed into clause 13 of the present Bill. About clause (a) of section 21 of the present Act the Law Commission has said:

"Where a loan has been advanced either in whole or in part by the lender on a contract to execute a mortgage but the borrower refuses to execute the mortgage, specific performance of the contract can be obtained if the borrower is not willing to repay the loan at once. Where a part of the loan only has been advanced, the lender must be ready and willing to advance the remaining sum according to the agreement.

Another such case is the specific performance of a contract to subscribe for debentures of a company. Though Section 122 of the Companies Act, 1956 provides for the specific performance of such a contract we think it would be expedient, for the sake of comprehensiveness, to make a provision in this Section."

Now, I find that this provision, as has been suggested by the Law Commission, is not put down under (a). Instead of that, the explanation that has been given is given in clause 13 (3):

"Notwithstanding anything contained in clause (a) or clause (c) or clause (d) of sub-section (1), the court may enforce specific performance in the following cases:

(a) where the suit is for the enforcement of a contract.

(ii) to execute a mortgage or furnish any other security for securing the repayment of any loan which the borrower is willing to repay at once;

Provided that where only a part of the loan has been advanced the lender is willing to advance the remaining part of the loan in terms of the contract;"

Now, instead of decreeing the amount that has been given, the court will enforce execution of a mortgage deed. That is to say, the court may enforce specific performance to execute a mortgage or furnish any other security for securing repayment. How will the court be able to enforce such an order? Suppose the property does not belong to him, which he has agreed to sell or which he has agreed to mortgage or he finds there is a defect in it. How will the court order execution of such a mortgage? The law as it stood was quite all right. Although it is true that defences were available in particular cases, to make it a necessary and essential condition in the law, everybody would like to have his pound of flesh and say, he must be asked to execute. What will he execute? How will he execute? That would create multiplicity of proceedings. Suits will arise out of other suits. Under these circumstances, the explanation which has been very wisely put by the Law Commission is not very helpful. To make any change in this law is not called for.

I will take up the other clause:

"Where the suit is for,—

- (i) the execution of a formal deed of partnership, the parties having commenced to carry on the business of the partnership; or
- (ii) for the purchase of a share of a partner in a firm.

I am sorry; I will have to read it again;

"Notwithstanding anything contained in clause (a) or clause (c) or clause (d) of sub-section (1), the court may enforce specific performance in the following cases:

(b) where the suit is for,—

(i) the execution of a formal deed of partnership, the parties having commenced to carry on the business of the partnership;"

That will create very great hardship to parties. Supposing partners have started working and have taken up some business, is there any binding force that a man must continue to remain a partner? Our law itself provides that nobody can be compelled to work against his will. You can damnify a man. We can put damages against him. We can penalise him. But, we cannot force him to remain a partner. Where even at the beginning a man realises, if I continue in this partnership; I will suffer immense loss and I may have to undergo insolvency, if a man realises and visualises that this partnership is not going to be a profitable proposition, the man cannot be compelled that the partnership must be entered into under this provision. The original provision was:

"a contract which runs into such minute or numerous details, or which is so dependent on the personal qualifications or volition of the parties, or otherwise from its nature is such, that the court cannot enforce specific performance of its material terms;"

That was a very healthy thing. Today, we are taking a retrograde step. We have got in our Constitution fundamental rights to associate or not to associate with people whom we like or do not like. We have freedom of association and the right to carry on our business in any manner that we

may like. One is not to be compelled to labour. One thing is there. Suppose I am a working partner, I have entered into a contract that I will be your working partner, and I cannot work, will I be compelled to be a working partner with that man? That is what is contemplated by this. In their over-anxiety to be more equitable, they have overstepped the limits. The Law Commission's recommendations on this are not acceptable and should not be accepted.

I think, within the short time at my disposal, I have covered some points. This is going to a Joint Committee. I will, therefore, urge that the joint Committee will do well in taking all the available opinion, particularly from those who come from the mofussils rather than from those who come from the cities on this question of specific performance, and then formulate the law as it should be, and they need not be guided by the consideration that the report has been made by the very wise law lords of the Law Commission.

✓ Srimati Sarojini Mahishi (Dhanwar North): Mr. Deputy-Speaker, I would like to congratulate the Law Minister, not so much far having introduced this Bill, but for having reduced the number of sections in this particular Act. The original Act consisted of a still greater number of sections and the Bill that has been introduced now consists of a smaller number of sections comparatively. I hope they will not follow the example of the American Constitution which, originally, was described as a coach and four, but which subsequently was developed into a heavy train with a number of bogies. At the very outset, I would like to congratulate the Law Minister for this.

Specific relief was a creation of equity. It was the outcome of the principles of equity, good conscience and justice. Also the necessity was there. Common law could not give remedy or adequate remedy. The

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petitioner had to approach the Chancery division and it was the Chancery division who tried to dispose of those cases. The result was, we had equity courts also. This equity jurisdiction is based on certain principles. For the time being, we had to follow those principles that were being followed in the Equity courts in England. Subsequently, we had the Judicature Acts in India and they tried to amalgamate the common law and equity courts. It is now one and the same judicial body that is disposing of cases arising out of equity principles and also common law cases. Therefore, a number of Acts have come into force: the Contract Act, the Indian Succession Act, Arbitration Act, and Trust Act. All these are to be amended. We find it a necessity to amend or rather introduce a new Bill in connection with specific relief also. That is, in the old Act, many of the sections have to be repeal or the old Act has to be replaced by a new Act. That is a necessity now. Especially after Independence, we have now our own Constitution. The Constitution gives a number of remedies to the citizen irrespective of caste, creed, or place of birth. We find that certain Acts which have gone out of use or which are not applicable under the existing circumstances are to be amended. In cases where some of the sections of the Indian Specific Relief Act were not in consonance with some of the sections of the Indian Contract Act, Indian Trusts Act and the Indian Arbitration Act, all these are being modified to be in full consonance with the different sections of these Acts.

In clause 2(c) of the present Bill I find that the word 'trust' has been defined as under:

"'trust' has the same meaning as in section 3 of the Indian Trusts Act, 1882, and includes an obligation in the nature of a trust within the meaning of Chapter IX of that Act;"

The Opposition Member, Shri U. M. Trivedi criticised this definition and said that the nature of the trust, namely whether it is expressed or implied trust or constructive trust, has not been fully defined. I must say that that very defect has been remedied. The existing Specific Relief Act does not contain any full description of these words, but in the present Bill, the definition has been modified in such a way as to resemble the definition given in the Indian Trusts Act itself. Therefore, this definition has been inserted with a view to remedy the defect in the existing Act.

Similarly, we find that a number of new sections have been added, and a number of existing sections have been amended, and certain sections have been modified as well. That is how we find that in the new Specific Relief Bill which has been introduced, an attempt has been made to come up to the existing circumstances, and to come up to the changing values in society today. Especially, if we go through the judgements and the case law given by the eminent judges of the different High Courts in India, which, as one hon. Member has pointed out, are in many cases of a contradictory nature, we shall find it necessary that some of the existing sections should be amended. That means that those sections are to be changed again. That is quite true. Even now, we cannot say, and no guarantee can be given that there shall be a uniform interpretation of the different sections of this Act. In a living generation, amongst living people, when the values go on changing, the interpretation also may change according to the locality, according to the usages and according to the conventions. No lawmaker can make a law so as to encompass all emergencies that might spring up in future. Therefore, it is but natural that we have come to a stage now when the Specific Relief Act that was passed in the year 1877 has to be amended.

Under clause 8, except as otherwise provided herein, the defendant has been given all the defences that are available to him under the Contract Act. This provision ought to have been included in clause 4 only. I am unable to understand why a separate clause has been inserted for this purpose, namely clause 8, especially when this provision has existed in section 4 of the existing Specific Relief Act. As Shri U. M. Trivedi has also said, it ought to have been included in clause 4 itself.

But I do not agree with my hon. friend when he says that many intelligent lawyers will try to take undue advantage of this particular clause or try to exploit the ignorance of their clients. I do not know whether this particular clause alone will be responsible for that. With due respect to the eminent lawyers of the land, I may say that there may be certain lawyers who, by making an exhibition or a show of volumes of books may make money from their clients. But those things alone will not go to help or support the lawyer.

Anyway, the Specific Relief Bill as it has been introduced has been abridged in the sense that the number of sections has been reduced. So, this particular provision in clause 8 could as well have been included in clause 4.

Under section 9 of the existing Act, there is provision for some speedy remedy to a person in immediate possession of land or to a person who is in possession of a particular property for a period of six months immediately preceding the introduction of the suit. But that speedy remedy is no longer given under the Bill that has been introduced now, because the speedy remedy is lost. Formerly, the person who is in immediate possession of the land would have been allowed to retain possession of that property, and the other party would have to establish his title to the immovable property. But, now, of course, the whole thing has been removed; there-

fore, the person in immediate possession of the land has been deprived of this particular remedy. I hope that the Joint Committee will consider this point again.

As regards clause 13, a new sub-clause has been added in this Bill. I welcome this provision. Taking into account the changing circumstances of the country, this particular provision has been newly added. It reads thus:

"Notwithstanding anything contained in clause (a) or clause (c) or clause (d) of sub-section (1), the court may enforce specific performance in the following cases:

- (a) where the suit is for the enforcement of a contract,—
 - (i) to execute a mortgage or furnish any other security for securing the repayment of any loan which the borrower is not willing to repay at once:.....
 - (ii) to take up and pay for any debentures of a company;
- (b) where the suit is for,—
 - (i) the execution of a formal deed of partnership, the parties having commenced to carry on the business of the partnership.....".

This provision has been made to cover such exceptional cases. It may be that such cases might not have sprung up in the times gone by, but now according to the circumstances that exist, and especially in view of the case law that has come up, we find that in certain exceptional cases, the court can order specific performance, even though such ordering of specific performance is within the discretion of the court.

In regard to clause 21, I must say that in order to avoid multiplicity of suits, a person who sues for specific performance may also claim for the

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possession or partition and separate possession of the property, in addition to such performance, even though the claim to possession cannot be made unless a decree for the specific performance is made earlier.

Sub-clause (1) (b) of clause 21 reads thus:

"any other relief to which he may be entitled including the refund of any earnest money or deposit paid or made to him in case his claim for specific performance is refused."

That means that money may be refunded, and the person has to make a claim for the same; in case he does not place his claim for the refund of money, in case his suit is not entertained, in case the plaintiff has not claimed any such relief in the plaint, the court, shall, at any stage of the proceeding, allow him to amend the plaint on such terms as may be just for including a claim for such relief. That is what the proviso provides. therefore, in case the court finds that it is quite essential to give such relief, it can subsequently allow him to amend the plaint. Thus, the court of equity gave specific relief in a number of ways, by ordering specific performance or by giving some preventive relief also. In this way, in order to avoid multiplicity of suits, a very effective remedy has been given in clause 21.

Clause 40 lays down the conditions under which an injunction cannot be granted. The words that are to be found in this clause are essentially those found in section 56 of the existing Act. Instead of the words 'staying the proceedings', the words 'to restrain any person from prosecuting a judicial proceeding' etc. have been used here. This means that injunction is a remedy against a litigant, under the particular provision here. That is why we find that injunction to stop the proceedings has not been provided for here.

So far as section 42 giving relief by way of declaratory decree is concerned, I find that this particular provision has been retained, even though there was want of support for it from the Law Commission. Of course, there may be parties who may be satisfied only with the declaration of a particular decree; and if the rights of the party to a particular property are declared, the further remedy may be sought after by the parties themselves. Therefore, the provision for declaratory decree has been retained in the present Bill.

As regards section 45 in the present Act, which gives the right of *mandamus*, that has been dropped in this Bill, and the Deputy Minister has explained that this right of *mandamus* has been dropped in view of the rights given under article 226 of our Constitution. Moreover, it is one of the principles of law, and it is included in the Specific Relief Act also, that where there are equally effective remedies, this may not be sought for by the particular plaintiff or petitioner. We find that article 226 of our Constitution encompasses a good number of such cases of writ applications which can be filed for getting such grievances redressed or for getting remedies. I do not know whether article 226 is wider in this sense than article 32 which gives all the rights to the Supreme Court, because anything in the nature of a writ is also included in article 226(1) but not in article 32. I do not know what exactly this addition indicates. But articles 32 and 226 do confer all these powers upon the Supreme Court and the High Courts respectively and a citizen has been given the fundamental right to approach the Supreme Court or the High Courts. Therefore, I do not think that this particular section of the present Specific Relief Act is essential in this particular Bill. Under the Constitution, the citizen has been given all the rights, including the

writs of *habeas corpus*, *mandamus*, *quo warranto*, prohibition, *certiorari* etc.; therefore, through anyone of these writs, he can sue for his rights, and the writ applications will be entertained, and when the applications are entertained, immediately setting aside all other cases, the court has to attend necessarily to the writ application received from the petitioner. Therefore, in those cases, effective and speedy remedy can be had under the Constitution either under article 226 or under article 32 of the Constitution. So, I do not think that section 45 of the existing Specific Relief Act is essential again.

With all this, I may say that the Specific Relief Bill which has been introduced has got a very wider outlook, and all those new changes that have been introduced by reason of the amendments that have taken place in the Contract Act and such other enactments have been incorporated in the different sections included here. Members of the Opposition criticised the deletion of section 9 on the ground that a speedy remedy is denied. I am for inclusion of section 9 in the Bill, but at the same time, I may say that not only in this case but in all civil proceedings justice is delayed to a great extent.

The theory 'justice delayed is justice denied' is strictly translated into action. If I may be excused, I may relate a very short story in this connection. A particular religious body which had the right of worship in a particular religious institution was in possession of an elephant. They used to put a lengthwise mark on the forehead of the elephant. Then another party which used to get the right of worship in the succeeding year used to put a breadthwise mark on the forehead of the elephant. Now, the party putting the breadthwise mark on the forehead of the elephant insisted that all the while the mark on the forehead should be the breadthwise mark. It filed a suit against the other party for this purpose. The decision

given in the district court was that there should be a breadthwise mark on the forehead of the elephant. The other party appealed to the High Court which gave the decision that the mark should be a lengthwise one. The first party then went in appeal to the Federal Court and that Court gave the judgment that there should be a lengthwise mark upon a breadthwise mark on the forehead of the elephant. By this time, the elephant was no longer on earth. This is, after all, only a story. But this illustrates how justice delayed is justice denied.

I do not think that section 9 alone is responsible for this delay. What is more important is that there should be a remedy for redressal of grievances of the petitioner or plaintiff within a reasonable time. A remedy coming after a long time, when the causes or circumstances that demanded that particular remedy are no more in existence, is no remedy at all.

Therefore, I welcome the introduction of this Bill and I hope the Joint Committee will consider it at leisure and will give us a very studied Report.

Shri Gauri Shanker (Fatehpur): I look at this Bill with a mixed feeling. I cannot understand how this Bill will solve once for all the problem of multiplicity of cases and other things.

Section 9 has been deleted in the Bill. It was giving a speedy remedy to a person dispossessed of his property. He could get it in a miscellaneous case in a shorter period. The only argument put forward by the Law Commission, which has been supported by the Deputy Minister, for its deletion is that it has been done to avoid multiplicity of proceedings. But there are so many other circumstances where we are still continuing with such sort of multiplicity of cases. There is a recent amendment of section 145 Cr. P.C. where the issue of possession is referred to a munsif for decision. The same munsif is called upon to decide whether 'A' is in possession or whether 'B' is in possession.

[Shri Gauri Shanker]

That finding of the munsif is only a summary finding. If a regular suit is filed before the court of the same munsif, he is required to give a separate finding on the same issue as between 'A' and 'B' on the same subject-matter. This is an example of multiplicity of suits.

Again, there are rent cases, cases filed for realising arrears of rent. The issue is not decided. We have to file a separate suit for that.

As a matter of fact, the entire framework of the law which we are having at present is very complicated and there is multiplicity of proceedings everywhere. There is, of course, expensive litigation. There is the question of time also. For years together one has to wait for the final decision.

So this particular enactment is correlated with other enactments like the Contract Act, Arbitration Act and other civil enactments. Unless there is a complete overhaul, a complete recasting, of all those provisions and enactments, we cannot say that we are bringing about simplicity of procedure avoiding multiplicity, excessive expenses and such other things.

Here was a simple civil remedy open to a person under section 9. If he was dispossessed, he could bring in a suit for possession, and he could very easily get the remedy. Now that section is proposed to be deleted. I have to submit that this would create a great hardship, because if a regular suit is contemplated, naturally it would take a longer time and if it were to go up to the Supreme Court, the man might have to wait for twelve years or even more, whereas he could very easily get redress under this section. Of course, the criminal courts also cannot give any remedy, if he is dispossessed in that manner. Under these circumstances, I think section 9 should not be deleted but should find a place in the Bill.

Coming to the new clause 8, it is stated in the Notes on clauses:

"In India, the defences that are available under the law of contract such as incapacity of parties, absence of a concluded contract, the uncertainty of the contract, coercion, fraud, mis-representation, mistake, illegality or want of authority are all dealt with under the Contract Act. Clause 8 prescribes in a compendious way all the defences that are open to a defendant; and incidentally makes the existing section 4(a), which has now been omitted, all the more unnecessary".

This particular clause adds new items of defence to a defendant. This will make the matter still more complicated. Litigation will be more expensive and more complicated and this will entail more time as well to get the remedy. Previously, it was not open to the defendant to plead all these defences. On the one hand, it is said that section 9 is being deleted to avoid multiplicity of suits. But present clause which has been introduced makes things more complicated which will mean more expense and more time for coming to a decision.

In the same context, I have to point to clause 11 of the Bill.

The Note on clause 11 reads:

"Sections 14 to 17 deal with claims for specific relief of a part of a contract and section 13 enshrines a principle generally applicable to cases falling within section 14 to 17. All these sections have now been grouped together. But one important change which has been made in sub-clause (3) is that when the part which must be unperformed forms a considerable portion of the whole but admits of compensation in money, the plaintiff is allowed a proportionate abatement of the consid-

ration when he is to relinquish all claims to further performance or any further compensation for the breach. In this respect the existing position is inequitable."

The clause itself reads as under:

"(1) Except as otherwise hereinafter provided in this section, the court shall not direct the specific performance of a part of a contract.

"(2) Where a party to a contract is unable to perform the whole of his part of it, but the part which must be left unperformed bears only a small proportion to the whole in value and admits of compensation in money, the court may, at the suit of either party, direct the specific performance of so much of the contract as can be performed, and award compensation in money for the deficiency.

"(3) Where a party to a contract is unable to perform the whole of his part of it, and the part which must be left unperformed either—

(a) forms a considerable part of the whole, though admitting of compensation in money; or

(b) does not admit of compensation in money;

he is not entitled to obtain a decree for specific performance; but the court may, at the suit of the other party, direct the party in default to perform specifically so much of his part of the contract as he can perform, if the other party—

(i) in a case . . .".

This will create a hardship to the plaintiff as he has to relinquish the other part of his consideration and claim in a case where only a part

performance has been used, where a considerable portion of the specific performance is indicated. I do not think there is sense in asking a person who brings a suit under this provision to relinquish his claim for no fault of his. This will create hardship instead of giving relief to the person coming to the court.

I would point out that it has been suggested in the recommendation of the Law Commission, and the hon. Deputy Minister has also referred to it in his speech, that this enactment is meant to avoid multiplicity of suits and to simplify the law. I do not know how certain things which were quite redundant in the old Act still find a place in this new Bill and have not been deleted. For example, I come to clauses 35 and 36. Clause 35 reads:

"Preventive relief is granted at the discretion of the court by injunction, temporary or perpetual."

Then clause 36 defines temporary and perpetual injunctions. I would submit that there is a specific provision in the C.P.C. with regard to temporary and perpetual injunctions. Order No. 39 is there, and the remedy is also there, and that is a parent Act. I do not find any sense in retaining such things here. The remedy is there, the defence is there, and full details are given in the C.P.C. Order No. 39. So, what is the use of retaining those things here again? If you are going to simplify this particular law by bringing this amending Bill, then you have to see that such redundant things do not find a place and are deleted, as you have done in respect of section 9 and in other cases.

Clause 5 of the Bill is clear. It says:

"A person entitled to the possession of specific immovable property may recover it in the manner provided by the Code of Civil Procedure, 1908."

[Shri Gauri Shanker]

So, this amending Bill also guarantees the remedies which were already open in accordance with the provisions of the Civil Procedure Code. If there is a specific provision already in that enactment, what is the necessity of keeping it here also? It will only mean that you are continuing with certain redundant clauses in respect of which remedy is open in other enactments as well.

In the same manner, clause 8 reads:

"Except as otherwise provided herein, where any relief is claimed under this Chapter in respect of a contract, the person against whom the relief is claimed may plead by way of defence any ground which is available to him under any law relating to contracts".

My submission is this, that if certain provisions of the Contract Act, the Transfer of Property Act, the Arbitration Act etc., are still there and have not been repealed, and if you provide in this Bill the remedies open in those enactments, I think that would not be very congenial, because then there will be a sort of conflict as regards the remedies open to a person in accordance with the Contract Act and under this law, as the same subject matter is being decided in accordance with this particular law. I submit that it would be proper if, in accordance with the recommendation made by the Law Commission relating to all existing enactments of course dealing with the civil side, they are all taken together and co-related to each other, then there can be a simplification of the law, avoidance of multiplicity of suits and complications and delays in getting justice.

The Specific Relief Act has been there since 1878; it is very comprehensive and very detailed provisions have been made in it. Attempts are being made in this amending Bill to delete certain provisions of that Act

and to include certain new provisions, but I do not find any simplification achieved by that. So, Sir, I would appeal through you to the Members of the Joint Committee to look into these provisions, keep in view the recommendations of the Law Commission, and simplify the law once and for all, so that we can give speedy justice to the person who needs it. That would be fair. But simply deleting certain old provisions and including certain new provisions will not mean simplification and will not provide speedy justice.

There is clause 14. It reads:—

"Except as otherwise provided by this Chapter, the specific performance of a contract may be obtained by—

(a) any party thereto;

(b) the representative in interest or the principal, of any party thereto;

Provided that where the learning, skill, solvency or any personal quality of such party is a material ingredient in the contract or where the contract provides that his interest shall not be assigned, his representative in interest or his principal shall not be entitled to specific performance of the contract, unless such party has already performed his part of the contract, or the performance thereof by his representative in interest, or his principal, has been accepted by the other party."

After that, a change has been introduced in sub-clauses (c), (d), (e) and (f). In the Notes on Clauses, it is said:—

"sub-clauses (c), (d), (e) and (f) could be substituted by a simple provision providing that a third party to a contract who is entitled to a benefit thereunder

or has an interest therein may sue on the contract subject to certain limitations. This substitution would, however, have to await a suitable amendment being made in this behalf in the Contract Act, and the clauses have been reproduced as they stand for the time being."

The Law Minister has actually felt the difficulty that relief cannot be given to a third party unless such an amendment is undertaken in the Contract Act. In the same manner, there are so many other clauses or sections also in the Specific Relief Act which are co-related to so many other enactments, and unless the complicated things in those other enactments are also done away with, these changes will not give any relief to the third party.

Section 42 of the existing Act finds a place in this Bill. I welcome that. That provision could not be done away with because it is a very important section. Section 42 has been retained, in spite of the recommendation of the Law Commission, and, in the same manner I would suggest that section 9 should also have been retained.

There should be an attempt to simplify the entire network of this enactment and the law court procedure. Towards that, steps should be taken in right earnest. The members of the Joint Committee should keep in view the fact that certain amendments have been undertaken and that certain existing provisions have been retained only just to avoid multiplicity of proceedings or all sorts of complications and to secure speedy justice. Then, and then only, can the remedy be given. Otherwise, as has been just now suggested by the hon. lady Member, justice delayed is justice denied. In civil litigation, especially, we find that when a suit is brought or even contemplated there is always the idea that there will be long delay in getting actual justice. That idea has to

be done away with. Serious thought should be given to the parallel provisions in the Contract Act, the Transfer of Property Act, or the Arbitration Act. They should also be changed in accordance with the changes sought to be introduced by this amending Bill in the Specific Relief Act. Then and then only can some relief be given to the litigants; otherwise, it would be quite meaningless.

I would, therefore, request the Members of the Joint Committee to give serious thought to this because this is a very important piece of legislation which relates directly to civil remedies.

Shri R. Barua (Jorhat): At the very outset, Sir, I would congratulate the Law Ministry for quickly bringing forward the necessary legislation as recommended by the Law Commission. So far as the discussion of this particular Bill is concerned, I will just confine myself to one or two aspects.

Regarding section 9 of the existing Act, I am completely in agreement with the framers of the Bill. Section 9 of the Specific Relief Act was of a summary nature and it was not appealable. The result was that it did no good to the litigant. Whether a man succeeds or fails, he has got to seek his remedy elsewhere. A title suit has got to be filed and some other acts have to be done. Therefore, section 9 of the Act was an unnecessary appendage. It did not do any good to the litigant but simply added to unnecessary litigation. So, it is in the fitness of things that the framers of the Bill have omitted this provision. The Law Commission had also suggested that.

There are several other provisions for speedy relief. A person dispossessed of property can get possession under the Criminal Procedure Code within 2 months of dispossession. And, under the original Specific Relief Act, under section 9, a man has to go to court within 6 months. So, there is not very much of difference between

[Shri R. Barua]

the provision under the Criminal Procedure Code and section 9 of the Specific Relief Act. Under section 9 there is no provision for appeal. There is only revision to the High Court and that is a very expensive process.

Besides, if a man succeeds his troubles do not end there. The other party can come out with a title suit and proceed with that. So, instead of giving false hope, it is good that that section is abolished. Once for all title has got to be settled and possession has to be deduced from title. There should be the normal procedure of filing a suit for declaration of title and the rest of it. Therefore, I am completely at one with the Law Ministry that this section 9 should be omitted.

The Law Ministry by introducing clause 13 of the present Bill have expanded section 21 of the original Act, in which it was rightly said that the following contract cannot be specifically enforced:—

"a contract made by or on behalf of a corporation or public company created for special purposes, or by the promoters of such company, which is in excess of its powers;"

If a partnership firm did not agree to function it is absolutely useless to invoke the aid of law court to enforce it. The Partnership Act is a comprehensive Act and it deals with the disputes that may arise between the partners: for the purpose of the partnership Act no document is necessary. Two partners can join together and share in the profit and loss; they have only to register it with the registrar. If they do not want it there can be provision for winding up proceedings; they can go for the dissolution of the partnership. But there is a new provision here which says that notwithstanding anything contained... the court may enforce specific performance in the following cases, namely, where the suit is for the execution of a formal deed of partnership, the parties hav-

ing commenced to carry on the business of the partnership. If this provision is incorporated in this Bill it will bring people into unnecessary harassment. The Partnership Act is complete and it is there. So, the Joint Committee should remove these items from clause 13 of the Bill. If partners of a firm decided not to function, they will not begin to function simply because there is a court order that the partnership deed is to be executed. That is something extraordinary.

My last submission is with regard to the omission of illustrations. That is not very happy because generally these illustrations in different Acts are given in the light of the sections that the legislators make and are helpful in interpreting the sections in the context and circumstances of the case.

I am completely in agreement to omit section 9. The provision in clause 13 with regard to partnership should be abolished. I support the Bill.

Shri Bibudhendra Mishra: Mr. Deputy Speaker, Sir, most of the speakers are in favour of retention of section 9 of this Act. The other arguments that have been advanced have all been fully discussed by the Law Commission. I do not want to repeat them. A decree under section 9 does not confer any title. Assuming that it is a speedy remedy, as has been said, a person dispossessed can always file suit for recovery of possession on the basis of his title. Anyway, whether it is speedy or not it would undoubtedly result in a multiplicity of proceedings. Shri Trivedi accused the judiciary and said that the Act did not work well because fresh graduates are taken from the colleges and appointed as district judges. He is practising lawyer. I do not know if there is any place in India where it has so happened. I do not want to comment on it any further.

Reference has been made to section 145 of the Criminal Procedure Code and it is said that even though the

proceeding is taken under section 145 of the Cr P.C., the matter has to be referred to the civil court. But the distinction has to be remembered. Proceeding under section 145 is a preventive one. It is necessary to arm the magistrates with some sort of a power in order to maintain peace, maintain law and order. They are not entitled to determine the title. But unless they can pass some order about possession pending determination of title by competent civil courts, it will be difficult for the Government to maintain law and order.

Shri Gauri Shanker: Under section 145 the decision on possession is referred to the munsif court. I was referring to that position of the munsif courts which makes for duplication.

Shri A. K. Sen: Under 145 no title is decided. Only possession is decided. What harm is there in a munsif deciding it? How is it relevant for discussion on section 9?

Shri Gauri Shanker: It is relevant. The same munsif is required to decide two times. First, the issue of possession is referred and then with regard to the same subject-matter between the same parties the same munsif has to decide again. That was my point that there was duplication.

Shri Bibudhendra Mishra: The insertion of new clause 8 has been assailed; we cannot understand the logic behind it. When it is provided here what defences are open to a defendant, it is said that it is like giving torch in the hands of a thief. It is curious logic. If they are not specifically mentioned as part of the Act, I do not think these defences will be open in suits under the Specific Relief Act.

It has been said that chapter VIII, sections 45 to 51, should not have been omitted. I have already replied to it. That was the time when the powers were conferred only on three High Courts, when the Constitution was not there. Now, we have a Constitution

and all the High Courts issue writs, not of mandamus only. It was also pointed out that section 45(f) and (g) are contrary to article 226 of the Constitution. By the adaptation order, section 50 was inserted it nullifies the entire chapter VIII. In view of all this, it was thought proper to omit this chapter.

About illustrations, the Law Commission has recommended that there should be no illustrations, not only here, but recently in the Limitations Bill also, because it does not help in the growth of equitable jurisprudence. Sometimes, when the courts see the illustration, they have a tendency to stick to it so much, within its 'four walls, so that the growth of equitable jurisprudence becomes difficult. Anyhow, the matter is going to the Joint Committee. The Joint Committee will have an opportunity of going through it again, and it will come again before the House.

I am thankful to the hon. Members for the views expressed which I am certain will be considered by the Joint Committee.

With these words I commend the motion for adoption by the House.

Mr. Deputy-Speaker: The question is:—

"That the Bill to define and amend the law relating to certain kinds of specific relief be referred to a Joint Committee of the Houses consisting of 45 members, 30 from this House, namely:—

Dr. M. S. Aney, Shri Brij Basi Lal, Shri Brij Raj Singh-Kotah, Shri Chattar Singh, Shrimati Zohrabai Akbarbhai Chavda, Shri C. M. Chawdhary, Shri B. K. Dhaon, Shri N. R. Ghosh, Shri Abdul Ghani Goni, Shri Harish Chandra Heda, Shrimati Jamuna Devi, Shri Gulabrao Keshavrao Jedhe, Shri Yogendra Jha, Pandit Jwala Prasad Jyotishi, Shri Nihar Ranjan Laskar, Shri Masuriya Din, Shri Bibudhendra Misra, Shri

[Mr. Deputy Speaker]

David Munzni, Shri D. D. Puri, Shri A. V. Raghavan, Swami Rameshwaranand, Shri R. V. Reddiar, Shri A. T. Sarma, Shri S. M. Siddiah, Shri K. K. Singh, Shri Krishnapal Singh, Dr. L. M. Singhvi, Shri R. Umanath, Shri P. Venkatasubbaiah, and Shri Asoke K. Sen

and 15 from the Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the last day of the first week of the next session;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees will apply with such variations and modifications as the Speaker may make; and

that this House recommends to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of members to be appointed by Rajya Sabha to the Joint Committee."

The motion was adopted.

14.32 hrs.

STATEMENT RE : MANUFACTURE OF SMALL CAR

Mr. Deputy-Speaker: Shri C. Subramaniam. He has to make a statement—I am sorry, that will come afterwards. Now, the next Bill.

The Minister of Law Shri (A. K. Sen): May I suggest, Sir, that Shri Subramaniam may be released? He may be allowed to make the statement.

Mr. Deputy-Speaker: I am told that the procedure is that it cannot be taken up in the middle.

Shri A. K. Sen: Subject to the Chair's discretion.

Mr. Deputy-Speaker: That is what the Speaker has said.

Shri Indrajit Gupta (Calcutta South West): May we know the subject-matter of the statement? It is not in the Order Paper.

Mr. Deputy-Speaker: It is regarding the small car in the public sector.

Shri S. M. Banerjee (Kanpur): That is a very good statement. He might be allowed to make it.

Shri Gauri Shanker (Fatehpur): He should not be allowed to make the statement at this stage.

Mr. Deputy-Speaker: There is no harm. He may make the statement just now.

Shri S. M. Banerjee: Are we getting the car?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): Mr. Speaker, Sir, several times in past session of both Houses of Parliament, and already in the current session, Members have asked questions about the project for the manufacture of a small car. Interest has been shown in regard to this project by the general public also. The matter has required thought and consideration and has been under examination by Government for some time. Yesterday the question was discussed by Cabinet and a decision was taken. I am, therefore, now in a position to make a statement on the subject and take the earliest possible opportunity to do so in view of the interest in the subject so widely expressed.

The *ad hoc* Committee on the automobile industry set up in 1959 enquired, among other issues, into the need for a low cost car and the possibilities of its production in India. Government, in their resolution dated September 6, 1960, on the report, decided to appoint an expert committee to examine the feasibility of producing, in the country, a car which would

be available to the major body of consumers at around Rs. 6,500, inclusive of all charges. Government decided, further, that if the expert committee's finding was that such production is feasible, the project will be undertaken in the public sector. An expert committee was accordingly appointed. In its report submitted in June 1961, the committee expressed the view that it was possible to produce a car at about Rs. 5,100 ex-factory at a level of production of 50,000 cars a year and at about Rs. 6,150 ex-factory at a level of production of 20,000 a year, in both cases exclusive of Excise duty. After examining in detail the proposals received in respect of the manufacture of five different models of cars, the Committee recommended that the "Dauphine" model of the Government Corporation of Renault Factories in France answered best our requirements both technical and on economic grounds.

Protracted negotiations were thereupon undertaken with the Renault Corporation and proposals were worked out whereby it was envisaged that production of the Dauphine at the rate of 20,000 cars a year would be established in 3½ years after comprehensive agreement was signed and land made available. Manufacture would commence with an indigenous content of 50 per cent and would be raised to 90 per cent in three years. The volume of production would also be increased after the commencement of production. An effort was to be made to earn the foreign exchange needed for interest payments, capital repayments and engineering fees by exporting about 11 per cent of the production of the factory. In this we would have the active cooperation of the Renault Corporation. An effort was also to be made to pay for the component and other material imported in the first years by the export to France of goods in type and volume different from usual and traditional exports to that country. It would be only right to say that the Renault Corporation worked hard with us and went a long

way towards meeting our difficulties. A word of acknowledgment of their effort is well-merited.

The matter, when worked up in this form with Renault was sent up to other Ministries interested in this question and to the Planning Commission with a view to eliciting their views and submitting the matter to Cabinet.

The main reasons leading to the Government's decision on the subject are broadly as follows:—

(1) In the context of our current economic situation both in regard to internal and external resources, the question is not whether the project is a good or sound one on merits but what its priority should be. Although the small car project had been approved by Government in principle before the Third Five Year Plan was finalised, it had not been found possible to include the project in the Plan because projects which were then judged to be of a higher priority added up to a larger figure than the resources in terms of rupees and foreign exchange which we could foresee. The position has not improved since. If anything, conditions have become more difficult. Consequently, the small car project cannot be moved up in any list of priorities.

(2) The priority in the field of automobiles should, for some time to come, be definitely and over-whelmingly in favour of the manufacture of commercial vehicles which will provide the base for the transport of goods and for public passenger transport.

(3) Although resources, particularly external resources, for this project appear to be in sight, the expectations in regard to exports of cars abroad and of non-traditional goods to France are not absolutely certain; and, in the latter case, would impose a strain on our export surpluses which, on considerations of the priority of the project, it would be difficult to justify.

[Shri C. Subramaniam]

(4) Although the credit offered for the project might be outside the French Government credits available to India under the Aid to India Consortium arrangements, the size of present and future credits available to us from all sources would be based on the lenders' judgment of our overall capacity to make interest payments and payments on account of capital repayment. On this reckoning, any outgoings, whether in terms of foreign exchange, or in terms of goods on account of the small car project, would be a debit against our overall capacity to make payments.

I should like to recall further that the immediate implementation of the project would involve not only money resources—of which we are short enough, in all conscience, especially in terms of foreign exchange—but also physical resources like building materials, steel (for production), power and transport. These are all in short supply and I do not see that we can expend any of these on what is, after all, not a project meriting high priority in our present situation.

For all the reasons which I have stated earlier, Government have decided that the small car project cannot be taken up for implementation just now and that the consideration of the project will have to be deferred. We may well have to defer consideration until we can see more propitious conditions at least in prospect in the directions to which I have referred.

Shri Indrajit Gupta: May I seek one clarification? Am I to take it that the shelving of this project means, or does not mean, that the other project of the low-cost car about which we were told yesterday by the Defence Ministry is to be pursued? Because, after all, the foreign exchange difficulties are common for all Ministries. Does it mean that this project has been given up in favour of the low-cost car project of the Hindustan Aircraft factory?

Shri C. Subramaniam: That is a

different thing and the question might be put to the Defence Ministry.

Shri Surendranath Dwivedy (Kendrapara): This is a Cabinet decision. Another Ministry is contemplating to have this car. The question is whether the Cabinet, while taking a decision on this project, took into consideration that aspect of the matter.

Mr. Deputy-Speaker: He might table a separate question about it. There is ample time for it.

Shri Birendra Bahadur Singh (Rajnandgaon): This is an important statement and so copies of it must be distributed to hon. Members.

Mr. Deputy-Speaker: It will be distributed to hon. Members.

Shri S. M. Banerjee: On a point of clarification. Since the hon. Minister himself has mentioned that the Cabinet has taken a decision, what we are interested to know is this: whether the Cabinet, while taking a decision to shelve this particular project, took note of the low-cost car project of the Hindustan Aircraft factory, or they did not take that fact into consideration at all. I want to know the answer.

Shri C. Subramaniam: I have mentioned the decision of the Cabinet with respect to this project. If any other project comes up for consideration of the Cabinet it will be considered on its merits.

Shri Sham Lal Saraf (Jammu and Kashmir): May I know whether—

Mr. Deputy-Speaker: This cannot be converted into a Question Hour.

Shri Sham Lal Saraf: One point of clarification.

Mr. Deputy-Speaker: He can table a question. The House will now take up the next item. Shri Bibudhendra Mishra.

14.42 hrs.

ADMINISTRATORS-GENERAL BILL

The Deputy Minister in the Ministry of Law (Shri Bibudhendra Mishra): On behalf of Shri A. K. Sen, I beg to move:

"That the Bill to consolidate and amend the law relating to the office and duties of Administrator-General be referred to a Select Committee consisting of Shri Bhagwat Jha 'Azad', Shri S. M. Banerjee, Shri R. G. Dubey, Shri M. L. Dwivedi, Shri Kashi Ram Gupta, Shri Shiv Charan Gupta, Shri J. N. Hazarika, Sardar Iqbal Singh, Shri Hari Vishnu Kamath, Shri Cherian J. Kappen, Shri R. K. Khadilkar, Shri P. Kunhan, Shri Lahri Singh, Shri Lalit Sen, Shri Inder J. Malhotra, Shri T. Manaen, Shri Jaswantraj Mehta, Shri Bakar Ali Mirza, Shri Bibudhendra Misra, Shri Mohan Nayak, Shri Ghan-shyam Lal Oza, Shri R. S. Pandey, Shri Ram Singh, Shri Hari Charan Soy, Shri M. P. Swamy, Shri Krishna Deo Tripathi, Shri Tula Ram, Shri Ram Sewak Yadav, Shri Bhisma Prasad Yadava, and Shri Asoke K. Sen, with instructions to report by the last day of the first week of the next session."

The law on the Administrator-General relates back to the year 1869, and I may tell the House that this law came into force on a political reason altogether. It was for political reasons that it came into force. It was created to cater to the interests of the British mercantile interests that were working here in India.

As you will see, the main purpose of the Act was in case there was the death of any persons, their property would be protected; if an application is not made immediately for taking out a probate or letters of administration, then the Administrator-General on behalf of the deceased takes up the property for management. That was the idea under which this was done.

1376(A) LSD—6.

Subsequently, under the Act of 1913, provision was made that every State should have an Administrator-General. But then they had a limited capacity. They were only capable of dealing with property less than Rs. 2,000. So, that was the origin of the Act.

For the purposes of the Act, a distinction has been made. There are two classes of persons—exempted persons and non-exempted persons. I will read out the definition of exempted persons and it is only in the interests of the non-exempted persons that this law was enacted. Section 2, sub-section (2) of the Act says:

"'Exempted person' means an Indian Christian, a Hindu, a Muhammadan, Parsee or Buddhist or a person exempted under section 332 of the Indian Succession Act, 1865 from the operation of this Act."

So, the Indian Christians, Hindus, Muhammadans, Parsees and Buddhists were the persons who came under the definition of exempted persons under the Act.

Then I would refer to the important sections which are sections 9, 10 and 11. Section 9 deals with the protection of estates of non-exempted persons only. Under this section, if a non-exempted person dies leaving an estate, with assets exceeding Rs. 2,000 in value, and no one applies within one month of the death of such person, the Administrator-General of the State in which the estate is situated would take proceedings within a reasonable time to obtain from the high court letters of administration of the estate. Therefore, as I have already said, section 9, which permits the Administrator-General for taking out a letter of administration on behalf of the deceased in case an application for a probate or letter of administration is not made within one month's time, is applicable to non-exempted persons only, and non-exempted persons in that context were the Englishmen then.

[Shri Bibudhendra Mishra]

Then I will refer to sections 10 and 11. This Act applies to properties situated in the presidency towns alone: they are, Calcutta, Bombay and Madras. This applies not to non-exempted persons but also to other persons. I will just say where the snag is. Under section 10, the Administrator-General, on his own application or on the application of any person interested may be directed by the high court to apply for letters of administration if there is an apprehended danger of misappropriation, deterioration or waste of the assets. The Administrator-General may be directed to collect and hold the assets pending the determination of the right of succession or administration in relation such assets. The court may grant letters of administration unless the application is in respect of an exempted person and the court is satisfied that such a grant is necessary for the protection of his assets. That is the scheme of the Act.

These are the most important sections which govern under what circumstances the Administrator-General can take over the property of the deceased person or under what circumstances the high court can make or pass an order directing him to take the property and not allow it to be wasted or deteriorated. You will find that the preponderance was in favour of the Englishmen then in India.

The view of the Law Commission was that this office is a good one and that the principle should be extended to the entire country and that there should be no distinction between one class of persons and another; that the definition of the exempted persons should be omitted from the Act and all persons in India should be treated on the same basis. Secondly, they said that there should not be a provision that property situated in the presidency towns—Calcutta, Bombay and Madras—will have some preference over the property situated in another place. They wanted that all these provisions should go.

I will now briefly refer to the paragraph in the Law Commission's report on the point. It says:

"We are of the opinion that since the object of the Administrator-General's Act is essentially to protect the property of a deceased person from being misappropriated or wasted, the availability of the protection should not be made dependent on such consideration as whether the person is an exempted person or not or whether the property is situated in one place or the other. In the changed context of the present set-up of States and the constitutional provisions as to uniformity of laws and equality of treatment, such distinctions are not only out of tune with the present conditions, but also liable to be attacked as discriminatory."

"It is high time that we freed the law relating to Administrator-General from the anomalous distinctions between Presidency towns and Muffassil which owe their origin to historical reasons, as also from the discrimination in favour of the so-called "non-exempted" persons which has its origin in political consideration, and determined its content solely with reference to the need for protection and due administration of estates of deceased persons. We accordingly recommend that sections 9, 20 and 11 should be redrafted with a view to securing the advantages of these provisions to all cases in which the same are necessary."

The Law Commission have recommended that all these anomalies should be removed and they have said that the main purpose should be to look after the properties of deceased persons. They have said:

"The apprehension of danger of misappropriation, deterioration or

waste of the assets or the desirability of taking proceedings for protection of the estate should be the main consideration for the Administrator-General to intervene."

That is their main recommendation.

I have not referred to the minor amendments as to what the powers and qualifications of the Administrator-General and the Deputy Administrator-General should be. I will refer to another clause 21, in which it has been stated that the probate or letters of administration issued by the High Court of Jammu and Kashmir in favour of the Administrator-General of that State should be respected in the States of the Union. Similarly, on the basis of reciprocity, they have said that they will also insert a provision in their law to the effect that any probate or letters of administration issued by different High Courts in India will also be respected in their State. So, on this basis of reciprocity, a provision has to be included in the Act and that is provided in clause 21.

Under section 54 of the Act, the District Judge had a duty to report to the Administrator-General the death of a non-exempted person immediately after the death and take over that property for proper management till it was taken over by the Administrator-General or anybody else entitled under the law. Now the Law Commission has recommended that this is not necessary and hence section 54 is being omitted.

I have stated the essence of the recommendations and the main principle. Others are only corollaries of it. The Bill is also going to a Select Committee. Before I conclude, I would only refer briefly to another point raised at the time of introduction of the Bill. The short-heading is "Administrators-General Act", but in the body of the Bill the word "Administrator-General"—singular—has been used. Therefore, Shri Kamath who has

always an eye on grammar—he is not here—was very much annoyed and he thought it was a discrepancy. I would point out that the scheme is that every State should have one Administrator-General. That being the position, the word "Administrators-General" has been used in the short heading. Formerly, it was the Administrator-General's Act, but the Law Commission said that this is bad English and to bring it in conformity with the expression Official Trustees Act, the heading should be Administrators-General Act.

In the body of the Bill, the singular has been used because—I will refer to clause 5, which says:

"The Administrator-General shall be a corporation sole by the name of the Administrator-General of the State for which he is appointed, and, as such Administrator-General, shall have perpetual succession and an official seal, and may sue and be sued in his corporate name."

Since that is the provision in the Act, since the words "office of the Administrator-General" have been used in the body of the section, the singular has been used. In the short heading the plural has been used because the scheme is to have one Administrator-General for each State and there will be so many Administrators-General in the Union. This is all I have to say.

Mr. Deputy-Speaker: Does anybody want to speak? None.

The question is:

"That the Bill to consolidate and amend the law relating to the office and duties of Administrator-General be referred to a Select Committee consisting of—Shri Bhagwat Jha 'Azad', Shri S. M. Banerjee, Shri R. G. Dubey, Shri M. L. Dwivedi, Shri Kashim Ram Gupta, Shri Shiv Charan Gupta, Shri J. N. Hazarika, Sardar Iqbal Singh, Shri Hari Vishnu Kamath, Shri Cherian J. Kappen, Shri

[Mr. Deputy Speaker]

R. K. Khadiolkar, Shri P. Kunhan, Shri Lahri Singh, Shri Lalit Sen, Shri Inder J. Malhotra, Shri T. Manaen, Shri Jaswantraj Mehta, Shri Bakar Ali Mirza, Shri Bibudhendra Misra, Shri Mohan Nayak, Shri Ghanshyamlal Oza, Shri R. S. Pandey, Shri Ram Singh, Shri Hari Charan Soy, Shri M. P. Swamy, Shri Krishna Deo Tripathi, Shri Tula Ram, Shri Ram Sewak Yadav, Shri Bhisma Prasad Yadava and Shri Asoke K. Sen with instructions to report by the last day of the first week of the next session."

The motion was adopted.

Mr. Deputy-Speaker: The House will now take up the discussion on matter of urgent public importance. Shri Bishanchander Seth,

DISCUSSION RE. BREAKDOWN OF POWER SUPPLY IN DELHI

श्री बिशनचंद्र सेठ (एटा) : आदरणीय उपाध्यक्ष महोदय, इलेक्ट्रिसिटी के सम्बन्ध में बहुत समय से हमारे सदन में अनेक प्रकार की बातें आती रही हैं और मुझे यह कहने में संकोच नहीं है कि सरकार के सामने समय समय पर अनेक प्रकार के सुझाव रखे गए और जो कष्ट जनता के थे वे भी सामने लाए गए। लेकिन दुर्भाग्य है कि हमारी केन्द्रीय सरकार, देश की राजधानी जैसे महत्वपूर्ण स्थान में भी आज बिजली और पानी जैसी जीवन की दैनिक आवश्यकताओं का उचित प्रबन्ध नहीं कर पा

मैं कभी कभी यह सोचने लगता हूँ कि सामान्य जीवन के दिनों में, जब कि हमारे देश के सामने कोई भी महत्वपूर्ण समस्या नहीं है, हमारा देश सामान्य स्थिति में चल रहा

है, पानी और बिजली जैसे महत्वपूर्ण विषय का हमारी सरकार प्रबन्ध करने में अपनी असमर्थता अनुभव कर रही है। ईश्वर न करे कि देश के सामने कोई महत्वपूर्ण क्लेश आ जाए, तब हमारी क्या स्थिति होगी यह बड़ा महत्वपूर्ण विषय है इसे सोच कर मरें दिमाग में बड़ी उलझन और परेशानी पैदा होती है।

मैं आपसे बताना चाहता हूँ

14.59 hrs.

[MR. SPEAKER in the chair]

कि आज मे कुछ दिन पहले समाचारपत्रों में छपा था, उनी का रेफरेंस देना चाहता हूँ

अध्यक्ष महोदय : एक मिनट के लिए आप मुझे इजाजत दें सेठ साहब तो बेहतर होगा। इस बहस में बहुत से माननीय सदस्य हिस्सा लेना चाहते हैं। मैं समझता हूँ कि कोई टाइम लिमिट मुकर्रर कर दी जाए तो अच्छा होगा। आप को मूव करने के लिए १५ मिनट काफी होंगे ?

श्री बिशनचंद्र सेठ : मैं तो ऐसा मानता हूँ कि इस पर ज्यादा बोलने वाले लोग नहीं हैं।

अध्यक्ष महोदय : मुझे इतला मिली है कि काफी हैं। क्या मैं जान सकता हूँ कि कौन साहब इस में हिस्सा लेना चाहते हैं ?

(कुछ माननीय सदस्य अपनी जगहों पर खड़े हुए)

६ या दस हो गये और मुमकिन है शायद एक आध और कोई आ जाये इसलिए आप २० मिनट ले लीजिए और बाकी माननीय सदस्य १५ मिनट का समय लें।

श्री बिशनचंद्र सेठ : ठीक है जैसी आप की आज्ञा।

श्री प्रिय गुप्त (कटिहार) : जैसा आप ने कहा है वैसा ही होगा ।

बिशनचन्द्र सेठ : मैं यह निवेदन कर रहा था कि पहली अगस्त के हिन्दुस्तान टाइम्स में यह खबर छपी थी कि दिल्ली कारपोरेशन की मीटिंग में बिजली के जनरल मैनेजर ने इस बात को खास तरीके से पेश किया कि हमारे जेनेरेटर्स इतने पुराने हो गये हैं कि जितनी ताकत उन के जरिये से बननी चाहिये वह नहीं बन रही है । अगर उन को चलाया गया तो वह और रिस्की हो जायेंगे और अगर जरा ओवरलोड किया गया तो और भी ज्यादा दिक्कत आयेगी । इसी के साथ साथ ५ अगस्त के हिन्दुस्तान टाइम्स में पुनः इसी चीज के सम्बन्ध में एक बड़ा लम्बा चौड़ा स्टेटमेंट निकला । मैं आप को यहां पर यह बतलाना चाहता हूँ कि ५ तारीख वाली भूचना में एक बड़े मजाक की बात कही गई है । उस में दिल्ली इलेक्ट्रिक मण्डलई कम्पनी वालों ने अपने सारे चार्ज, पंजाब वालों पर डाले हैं और उन्होंने कहा है कि इस के लिये खतावार पंजाब की इलेक्ट्रिक मण्डलई कम्पनी है । दूसरी ओर पंजाब वालों ने इस के लिये मारा का सारा उत्तरदायित्व दिल्ली वालों पर डाला है । यह कन्फ्यूजन हमारे सामने है ।

दिल्ली जोकि हमारे देश की राजधानी है और जहां कि विभिन्न देशों के राजदूत रहते हैं वहां का सारा प्रबन्ध ऐसा होना चाहिये जिस पर गर्व किया जा सके क्योंकि केन्द्र की राजधानी होने को खातिर दिल्ली की ओर सब की नजर रहती है । दिल्ली में अनेकों देशों के बड़े बड़े लोग आया करते हैं और सामान्य जीवन की आवश्यकतायें जैसे पानी और बिजली आदि का भी जब हम समुचित प्रबन्ध नहीं कर पाते हैं तो उस का उन सभी पर एक खराब असर पड़ता है और वह हमारे देश के बारे में कोई अच्छी राये कायम नहीं कर सकते हैं ।

मैं इसी के सम्बन्ध में आप से निवेदन करना चाहूंगा कि सरकार की ओर से जो स्टेटमेंट आज टेबल पर रक्खा गया उस में स्पष्ट अंकित है कि अक्टूबर १९६१ में सब स्टेशन फेल हुआ था । उस में यह लिखा है कि जो जेनेरेटर या जो मशीन फेल हुई उस की नामल लाइफ ३५ साल की थी परन्तु वह सात वर्ष के अन्दर दो बार फेल हुए । मैं यह पूछना चाहता हूँ कि जब अक्टूबर मन् १९६१ में यह चीज केन्द्रीय सरकार के समक्ष लाई गई और आज उस बात को दस महीने होने को आये तो क्या हमारे देश के शासन प्रबन्ध में इतनी अधिक ढिलाई है कि एक बात और एक समाचार जोकि केन्द्रीय नगर में बिजली की इतनी बड़ी समस्या पैदा कर रहा है उस को सफलतापूर्वक हल करने के लिये इस दस महीने की लम्बी अवधि में भी कोई कार्यक्रम निर्धारित नहीं हुआ ? अगर इसी प्रकार की परिस्थिति हमारे देश में बनी रही तो कैसे हम लोगों के हृदय में यह विश्वास पैदा होगा कि हम किसी भी प्राबलम को सफलतापूर्वक हल कर सकेंगे ? जबकि हम जीवन की दो महत्वपूर्ण आवश्यकतायें बिजली और पानी का भी समुचित प्रबन्ध करने में असफल रहते हैं तो इस का बड़ा प्रतिकूल प्रभाव देश की जनता पर पड़ने वाला है और उस को हमारी क्षमता में कोई भी विश्वास नहीं रह जायेगा ।

मैं यहां पर निवेदन करना चाहूंगा कि अखबारों में कलकत्ते में बिजली की शॉर्टेज के सम्बन्ध में काफी छप रहा है । मैं अभी चंद दिन पहले मथुरा और आगरा गया था । मथुरा जैसा बड़ा नगर जहां कि आजकल श्रावण के दिनों में लाखों आदमी देश के विभिन्न भागों से वहां पर नित्य-प्रति पहुंचते हैं बिजली की स्थिति यह है कि किसी भी आदमी को यह मालूम नहीं कि बिजली किस समय और कितनी देर के लिये चली जायेगी ? दो रोज मथुरा रहने

[श्री बिशनचन्द्र सेठ]

के बाद मैं आगरा गया। वही मथुरा वाला किस्सा आगरा में भी मैं ने देखा। अब आगरा में अपने नगर शाहजहांपुर की बात कहूँ तो वहाँ तो हालत यह है कि यह पता ही नहीं रहता कि बिजली आयेगी अथवा नहीं या आज शाम को बिजली आयेगी या गुल रहेगी। सारे देश में यह बिजली की प्राबलम है लेकिन तो भी खेद का विषय है कि हम अपने देश की इम महत्वपूर्ण दैनिक आवश्यकता के सम्बन्ध में कितने उदासीन हैं। इस को हल करने के लिये हमारे सामने कोई मशीनें नहीं आती। नये नये प्रकार के रोज प्रोजेक्ट बनते हैं और अनेकों वॉप में दुनिया भर में उस की चर्चा चल रही थी कि हम अपने देश में एक ऐसी मोटर कार बनाने जा रहे हैं जिस को सामान्य स्थिति के लोग इस्तेमाल कर सकेंगे परन्तु आज पता लगा कि वह सारी की सारी भावनायें शंक्क कर दी गई। अनेक कारण हैं उन कारणों की ओर मैं नहीं जाना चाहता लेकिन मैं यह जरूर कहना चाहता हूँ कि सरकार के प्रति देश की जनता के मन में विश्वास की लहर अभी पैदा हो सकती है जबकि हम जो भी निर्णय करें जो भी चीज सरकार की ओर से समाचारपत्रों में प्रकाशित हो उस को पूरा किया जाये। आज हमारे देश की जैसी स्थिति हो रही है उस में एक निर्णय करने के बाद पता नहीं लगता है कि कल को उस का क्या परिवर्तित रूप आयेगा।

मैं ने आगरा और शाहजहांपुर के सम्बन्ध में इसलिये चर्चा कर दी कि मैं अभी चार दिन पहले वहाँ गया था। इन के अलावा अनेक अन्य शहर जहाँ भी मैं गया हूँ वहाँ पर कहीं भी मैं ने बिजली की संतोषजनक व्यवस्था नहीं देखी। करीब करीब सारे देश में यह परिस्थिति है और कहीं भी लोगों को इस का विश्वास नहीं है कि उन की बिजली बराबर काम रहेगी। यह परिस्थिति कब से आई मैं इस का एक विशेष

उल्लेख आप की सेवा में करना चाहता हूँ। जब से हाइड्रो इलेक्ट्रिक हमारे देश में आई हमें यह पता नहीं लगता कि हाइड्रो इलेक्ट्रिक कब बन्द हो जायेगी। एक रेंज के बन्द होने से केवल एक नगर की ही बिजली नहीं बन्द होती बल्कि उस रेंज में जितने भी नगर पड़ते हैं सब में बिजली गुल हो जाती है।

मैं अपने नगर शाहजहांपुर के सम्बन्ध में निवेदन करना चाहता हूँ। शाहजहांपुर, पीलीभोन और बरेली

अध्यक्ष महोदय बहुत जोर आप शाहजहांपुर पर न दें बल्कि दिल्ली के बारे में कहें।

श्री बिशनचन्द्र सेठ : श्रीमान्, मैं शाहजहांपुर का रहने वाला हूँ और वहीं पर अपनी शेष उम्र भी व्यतीत करनी है। अब यह तो संयोग की बात है कि लोकसभा में चुन कर कुछ समय के लिये मैं दिल्ली में आ गया हूँ।

अध्यक्ष महोदय : माननीय सदस्य ने जो मोगन दिया है वह दिल्ली के बारे में है।

श्री बिशनचन्द्र सेठ : मैं उसी के बारे में अर्ज कर रहा हूँ। मैं अन्य नगरों की बात इसलिये चर्चा कर रहा था कि वहाँ पर भी यह बिजली का संकट है और इसलिये वह भी इस से सम्बन्धित होने है। सारे देश में यह बिजली का संकट मौजूद है। मैं उस पर विस्तार से नहीं बोलना चाहता लेकिन केवल मैं यह बतलाना चाहता था कि आज एक्वुएली पोजीशन क्या है ?

खैर मैं आप से यह निवेदन कर रहा था कि एक सरकिट जब खराब होता है तो केवल एक नगर की ही नहीं बल्कि उस सरकिट के अन्तर्गत जितनी भी ८, १२ या

१५ नगर पड़ते हैं उन सब में बिजली ठप्प हो जाती है। दैनिक जीवन की आवश्यकतायें जिन का कि सीधा सम्बन्ध केन्द्रीय सरकार से है जनता को वह आवश्यक सुविधायें जब मुलभ नहीं हो पातीं साथ ही उन को हल करने की ओर जो सरकार की उदासीनता बरती जाती है तो इस का बाहर के देशों पर कोई अछ्छा असर नहीं पड़ता। आज की अन्तर्राष्ट्रीय स्थिति में जिस में एक ओर चीन हमारे सिर पर सवार है और दूसरी ओर पाकिस्तान जिस तरह से हमारी ओर शत्रुता भरी आंख से ताक रहा है वह हम सब को पता है। क्या हमारी इन कमजोरियों को देखने के बाद हमारे पड़ोसी राज्य यह नहीं सोचेंगे कि जिन देश का शासन अपने दैनिक जीवन की आवश्यकतायें जैसे बिजली और पानी का प्रबन्ध नहीं कर सकता वह अन्तर्राष्ट्रीय युद्ध के समय क्या कर सकेगा ? यह एक बड़ा महत्वपूर्ण सवाल हमारे सामने है।

मैं यहां दिल्ली के सम्बन्ध में ही निवेदन करना चाहता हूँ जिस के लिये माननीय अध्यक्ष ने मुझे कहा है। दिल्ली के सम्बन्ध में एक सबकमेटी बनाई गई जोकि इस बात पर चर्चा करेगी कि हमारे देश की राजधानी दिल्ली में जो बिजली की कमी है उस का क्या कारण है। मैं बड़े भ्रदव के साथ कहना चाहता हूँ कि केवल कांग्रेस वालों ने ही इस देश का ठेका नहीं लिया बल्कि अन्य लोग भी जोकि देश में रहने हैं वह भी इस देश के हित के लिये चिंतित हैं और उस में अपना योग देना चाहते हैं। मैं निवेदन करना चाहता हूँ कि उस कमेटी में सरकारी भ्रफसरों के अलावा जो गैर-सरकारी व्यक्ति लिये गये हैं उन में एक भी नौन कांग्रेसी शामिल नहीं किया गया है। मैं यह गुजारिश नहीं करूंगा कि उस में बिशनचन्द्र सेठ को रक्खा जाये लेकिन इतना भ्रवश्य कहना चाहूंगा कि आप उस कमेटी में भ्रपोजीशन के भ्रादमियों को भी रक्खें,

उन का सहयोग भी भ्रामंत्रित करें ताकि ईमानदारी के साथ यह बात साफ हो सके कि दरभ्रसल किस का कसूर है। भ्रभी तो उस में एक ही कुन्बे के लोग जमा हैं दरभ्रसल सच बात क्या है यह तो भ्रगवान ही जाने सत्य बात हमारे सामने भ्रायोगो भी या नहीं ? मैं भ्राप की सेवा में यह निवेदन करना चाहता हूँ कि यह बड़ा महत्वपूर्ण विषय है। इसे केवल बिजली और पानी तक ही सीमित मत रक्खिये। हमारे सामने देश की रक्खा का प्रश्न है। भ्रगर हम ने अपने दैनिक जीवन की आवश्यकताओं की पूर्ण करने में भी इस प्रकार भ्रसमर्थता प्रकट की तो इस का क्या नतीजा निकलेगा यह भ्राप को बतनाने की आवश्यकता नहीं है कि उस का बहुत प्रतिकूल प्रभाव पड़ने वाला है। जो परिस्थिनियां चल रही हैं और जिन प्रकार का देश में वातावरण चल रहा है उस के लिये एक बड़े संगठन की देश को आवश्यकता है। उस संगठन के श्रीगणेश ए० बी० सो० डी० में जब बिजली गायब हो जाये तो और संगठन हम क्या करेंगे ?

मैं भ्राप के सामने एक और निवेदन करना चाहता भी आवश्यक समझता हूँ। मैं अन्य किसी देश के सम्बन्ध में नहीं जानता, लेकिन हमारे देश में एक दुर्भाग्य है। पड़ोसी राज्यों की ओर से हमारे सामने जो खतरें हैं, उनके साथ ही साथ करांड़ों पंचमांगी हमारे में बैठे हैं। भ्रगर भ्राज हमारे देश में कोई इस प्रकार की परिस्थिति का निर्माण हुआ कि हम को किसी अन्तर्राष्ट्रीय संकट का सामना करना पड़ा, तो नतीजा यह होगा कि हमारे देश के रहने वाले कुछ लोग पानी, बिजली, रेल और नहरों भ्रादि को खत्म कर देंगे। प्रश्न यह है कि उस भ्रवस्था में हम किम तरह संसार की छोटी या बड़ी सहाई का सामना कर सकेंगे। इस लिये यह नितांत आवश्यक है कि हमारे देश के कम्प्यूनिक्सेन्स, सुरक्षा और दैनिक जीवन सम्बन्धी साधनों के बारे

[श्री बिगनचन्द्र सेठ]

में केन्द्रीय सरकार जब प्रांतीय सरकारों को बड़ी सावधानी के साथ अपना कार्यक्रम बनाना चाहिये ।

इन शब्दों के साथ मैं अपने भाषण को बीस मिनट के बजाये पन्द्रह मिनट में ही समाप्त कर अपना आमन ग्रहण करता हूँ ।

अध्यक्ष महोदय : इस में मुझे हीसला हो गया है कि हर एक मंत्रर दस मिनट में खत्म कर सकता है । माननीय सदस्य, श्री बागड़ी, चाहते हैं कि चूक उन्होंने जल्दी जाना है, इस लिये उन को पहले मौका दिया जाय । श्री बागड़ी ।

श्री बागड़ी (हिमार) : स्पीकर साहब, आज बिजली के संकट पर, जो कि बिजली बन कर आज भारत के दिल दिल्ली पर पड़ा है, सदन में जो चर्चा का मौका मिला है, उस में हम ने बड़ी गम्भीरता के साथ सोचना है कि आया यह संकट प्राकृतिक संकट है, ईश्वरीय देन है या यह संकट किसी की गलती या हिमाकत या भोलेपन से हुआ है या यह संकट बेईमानी में और शक्ति के दुरुपयोग से हुआ है ।

अगर यह संकट ईश्वरीय देन है, तब तो उस के ऊपर किसी का क्या चारा चलता है सिवा इस के कि इस मदन के जरिये भारत-वासियों और दिल्ली-वासियों के दिल को मजबूत किया जाये । अगर यह संकट ईश्वरीय देन नहीं है, बल्कि हमारे कर्मचारियों और हाकिमों की बकूफी और ना-अहलियत से हुआ है, तो फिर उस के बारे में ऐसा प्रबन्ध किया जा सकता है कि ऐसे ना-अहल, बेवकूफ और गैर-जिम्मेदार आदमियों को हटा कर आगे के लिये अक्लमंद और अहलियत रखने वाले आदमियों के हाथ में यह काम दिया जाये । अगर यह संकट बेईमानी की बिना पर और देश के साथ गद्दारी के कारण हुआ है, तो ऐसे बेईमान और गद्दारों को

सख्त से सख्त सजा देनी चाहिये, ताकि आइन्दा वे देश के काज को नुकसान न पहुंचा सकें ।

पहला प्रश्न यह है कि क्या यह संकट ईश्वरीय देन है । क्या यह संकट आसमानी बादलों के टकराव से दिल्ली पर पड़ा है ? पंजाब के इलैक्ट्रिसिटी बोर्ड और दिल्ली कारपोरेशन की इलैक्ट्रिसिटी सप्लाई ग्रंटर-टेकिंग के बादलों के टकरा जाने से तो यह संकट नहीं पड़ा है । मैं निवेदन करना चाहता हूँ कि यह संकट ईश्वरीय देन नहीं है । यह संकट या हमारी गलतियों की देन है, या सरकार की वेईमानियों की देन है, या जनता के साथ बेवफाई की देन है ।

अब मैं आपके सामने अर्ज करना चाहता हूँ कि मार्ग दिल्ली का बिजली का खर्च ६३ हजार किनोवाट है, जिस में से ४८ हजार किनोवाट बिजली रोहतक रोड के ट्रांसफार्मर से मुयम्मर होती है । उस ट्रांसफार्मर में नांगन की बिजली मिलती है और उस के जल जाने से यह संकट पैदा हुआ है । उस ट्रांसफार्मर के जलने में २३ या २४ हजार किनोवाट बिजली मिलनी बन्द हो गई है, जिस से दिल्ली में यह संकट पैदा हो गया है? सवाल यह है कि यह ट्रांसफार्मर क्यों जल गया, कैसे जल गया और अगर जल गया, तो फौरी तौर पर उस का रद्दो-बदल क्यों नहीं हुआ, उस की जगह पर दूसरा ट्रांसफार्मर क्यों नहीं लगाया गया । मैं यह निवेदन करना चाहता हूँ कि ट्रांसफार्मर कोई भगवान नहीं है कि उस को तब्दील नहीं किया जा सकता है । खुदा और भगवान तो ऐसा है उस को फौरी तौर पर नहीं बदला जा सकता है, वरना हिन्दुस्तान क्या दुनिया की किस्मत को बदलने वाले मिनटों में बदल जाते हैं, किसी देश का प्रेजिडेंट या सरकार मिनटों में बदल जाती है । मैं समझता हूँ कि मशीनों के युग एक मशीन को खुदा समझ कर दूसरी मशीन को तैयार न रखना ना-अहलियत है ।

जिस ट्रांसफार्मर की उम्र पैंतीस साल की होगी—हमारे माननीय मिनिस्टर साहब मे शायद आधी या एक तिहाई—, वह अगरे सात साल में मर सकता है, खत्म हो सकता है और इस बात का विश्वास नहीं कि वह पैंतीस साल तक चलेगा, तो हमारे काबिल अफसर, हमारे ईमानदार हुकमरान किस दिलेरी के साथ कह सकते हैं कि विजली पैदा करने वाला वह ट्रांसफार्मर कितनी देर तक जिन्दा रहेगा और वह किस वक्त मर नहीं जायेगा और इस लिये उस के रद्दोबदल के लिये तरीके क्यों नहीं अख्तियार किये गये ?

मिफं गलती ही नहीं, उसके साथ धोखा भी किया गया। उनी ट्रांसफार्मर को रिपेयर के लिये गलत पुर्जों का आर्डर दिया गया। तहकीकात करने पर पता लबा कि वे औजार गलत हैं और आज भारत सरकार, जनतन्त्र की सरकार जनता के पैसों को पानी की तरह बहाने वाले पापी लोगों के खिलाफ कोई कदम न उठा कर खुद उस पाप की भागी बन रही है। यह कोई छिपा हुआ बात नहीं है—यह गाराह-ए-अम की बात है, जो कि नमाम प्रेम में आ चुकी है।

इस देश में ज्योतिषी और पंडित महा-हर हुआ करते थे, जो कि ज्योतिष और पंडितारी के नामे विवाह और निकाह के दिन बताया करने थे और मृत्यु का दिन भी बता दिया करते थे। लेकिन हमारी सरकार के पंडित बड़े भारी ज्योतिषी हैं। उन्होंने मौत और जिन्दगी दोनों एक दिन बता दिये। पिछले अक्टूबर की २६ तारीख को ट्रांसफार्मर जला और इस जुलाई की २६ तारीख को उस ट्रांसफार्मर की रिपेयर के लिये पुर्जों का इम्पोर्ट लाइसेंस मिलना है।

जब इस बात का जिन कारपोरेशन में आया, तो वहां पर एक मेम्बर ने कहा कि जब एक बड़े भारी मिल का एक ट्रांसफार्मर जल गया, तो दो हफ्ते में उस के इम्पोर्ट

लाइसेंस की मन्जूरी आ गई, लेकिन तब मेयर साहब ने बड़े अन्दाज में कहा कि आप जानते हैं कि इस देश में प्राईवेट सेक्टर का काम चलने की कितनी जरूरत है। मैं भ्रज करूंगा कि यहीं सब में बड़ी बेईमानी है। इस बेईमानी को सरकार बेशक दबा दे, लेकिन अगर बिजली के महकमों में कोई कल है, कोई डकैती है, इन्सानियत पर कोई जब किया गया है, तो हमसे बड़ा कत्ल और जब नहीं हो सकता है। अगर बिजली के कत्ल की सजा फांसी हो, तो उन हाकिमों की जगह आज फांसी है। अगर इस जुमं और डकैती की सजा जेलखाना हो, तो मिनिस्टरो और जिम्मेदार हाकिमों की जगह जेलखाना है।

श्री फ्रैंक एन्गनी : बहुत शेमफुल है।

श्री बागड़ी : मैं भ्रज करूंगा कि मैं नहीं कहता, बरमला मेयर कहता है कि दो हफ्ते किम तरह गुजार दिये—बेईमानी के तरीके में गुजार दिये। कितना नुकसान हुआ कोम का ! अंक के मुनाबिक इस देश में महापुरुष आये, ऋषि-मुनि आये, पीर पैगम्बर और वली-मल्लाह आये और हाकिम-वक्त की हुकूमत के खिलाफ आवाज उठाने वाले भी आये। ऐसा दौर भी आया कि उन आवाजों को सुन कर भी अनसुना किया गया, जिसका नतीजा देश में बहुत बुरा हुआ। जो शक्ति आज सत्तारूढ़ है, वह बेईमानी को भी ईमानदारी का नाम दे कर छिपा लेगी ; गुनाह, पाप और गद्दारी को देश-भक्ति का नाम दे कर छिपा लेगी लेकिन वक्त और इतिहास उन गद्दारों को नहीं बख्सेगे, जिन्होंने आज भारत के दिन इस दिल्ली पर इतना गहरा जखम किया है, इसका इतना नुकसान किया है। क्या वे यह सजाक ममसते हैं ? या पांच पैस की अलेक-मार्केटिंग करने के लिये किम को पकड़ते हैं ? मार्चिस वाले को। एक रुपया रिफबल लेने के लिये किम को पकड़ते हैं ? पुलिस के मियाही को। क्यों नहीं पकड़े जाने ये मिनिस्टर लोग, जिनकी हुकूमत में अष्टाचार

[श्री बागड़ी]

चलता है ? पिछले अक्टूबर में ट्रांसफार्मर जला और उसके पुर्जों का इम्पोर्ट करने की मंजूरी मिली इस जुलाई में। वहां का इंजीनियर मितल अभी तक इंजीनियर है। वह उसके इंचार्ज हैं। वह कहते हैं कि पंजाब गवर्नमेंट को कुछ न कहें। दो मृतियां बैठ करके, यह पचहत्तर सिंह और पंजाब के चौतीस सिंह जो कि चौतीस वांट से जीते हैं, उन्होंने फोटो खिचवा दिया और कह दिया कि अब तो हंगामी हालात के अन्दर सब कुछ कर देंगे, उनसे मैं पूछना चाहता हूँ कि वह कहाँ गया थे जब अक्टूबर के अन्दर यह ट्रांसफार्मर जला था-----

अध्यक्ष महोदय : अब तक तो मैंने आपको नहीं टोका, लेकिन अब टोकना जरूर। इस पार्लियामेंट में कम से कम यह जाहिर तो होना चाहिये कि आप दूसरों को यकीन कराने की दलीलों में कोशिश कर रहे हैं। आप अपनी बात को जितनी भी शक्ति के साथ कहें मुझे कोई एतराज नहीं है। शायद मैं भी कई बातों में आप से इतिफाक करता हूँ। मगर आप उस आदमी के बारे में कोई बात न कहें जिसका जबाब देने का मौका न मिल सकता हो। आप किसी का नाम लेकर कोई बात न कहें, यह यहाँ का रूल है, पार्लियामेंट का रूल है।

श्री बागड़ी : जॉ इसके अंदर कंसर्ड हैं, जॉ इसके लिये जिम्मेवार हैं -----

अध्यक्ष महोदय : आप महकमों को कहते चले जायें और जो चाहें आप कहते चले जायें, लेकिन कोई नाम न लें।

श्री बागड़ी : चौतीस नम्बरिया में नहीं कहूंगा।

अध्यक्ष महोदय : चौतीस नम्बर और तेतीस नम्बर का यह सवाल नहीं है। नाम आप नहीं ले सकते हैं उसका जिसको अक्सर नहीं मिलेगा कि वह अपनी डिफेंस दे सके।

श्री बागड़ी : मैं अर्ज करना चाहता हूँ कि पंजाब गवर्नमेंट तो कहती है कि यह

इन्वारी बोर्ड आप नहीं बना सकते हैं। यह सरदार प्रताप सिंह कैरो का स्टेटमेंट है। वहां कहते हैं कि यह पंजाब से ताल्लुक चीज रखती है। और दिल्ली में बाबा बक्षितर सिंह अपना बोर्ड बनाने को तैयार हैं। जब इन्वयारी की बात होती है तब तो उसके वे रजामन्द हों जायेंगे लेकिन जब फांसी की बात होगी तो दोनों में से कोई भी तैयार नहीं -----

अध्यक्ष महोदय : जिनको फांसी मिलेगी वे देखेंगे। मगर आप महकमा बिजली को, कारपोरेशन को कांसेत् चले जायें, पंजाब गवर्नमेंट को कांसेत् चले जायें, मिनिस्ट्री को कांसेत् चले जायें, मुझे कोई एतराज नहीं है। आप कारपोरेशन की जो कमेटी हैं, उसको कांसेत्, मुझे कोई एतराज नहीं है। मगर नाम ले कर आपको किसी के बारे में कुछ नहीं कहना चाहिये।

श्री त्यागी (देहरादून) : कांसेत् की इजाजत तो मिल गई है।

श्री बागड़ी : अगर आप लोग खुश हैं इस बात में कि इसी तरीके से देश की दौलत लूटनी जाए और आप गीत गाते चले जायें, तो आप लोग जल्दी ही देश को ले डूबेंगे।

अध्यक्ष महोदय : आपको कोई ऐसा रिफ्लैक्शन नहीं करना चाहिये कि दूसरे इस बात के लिये खुश हैं। दूसरे मम्बज पर आपको किसी तरह का रिफ्लैक्शन नहीं करना चाहिये और यह नहीं कहना चाहिये कि वे खुश हैं।

श्री बागड़ी : स्पीकर साहब, मैं कहना चाहता हूँ कि यह एक गम्भीर बात है। कितना ही देश का नुकसान हुआ है। यह मामूली बात नहीं है। अगर देश के साथ इस तरह की गद्दारी और बेईमानी की जा सकती है तो फिर देश के अन्दर और कौन सा बरा काम है

को किया नहीं जा सकता है। तब तो कोई भी काम किया जा सकता है।

इसलिए, स्पीकर साहब, मैं कहना चाहता हूँ कि इसके खिलाफ सल्टी से कदम उठाया जाए। मैं यह बात इसलिए नहीं कह रहा हूँ कि हमारा किसी के प्रति द्वेष है, इसलिए नहीं कह रहा हूँ कि हम चाहते हैं कि किसी को सजा हो ही जाए लेकिन इसलिए कह रहा हूँ कि देश का अग्र भविष्य आपको बनाना है तो जो गुनाहगार हैं उनको उन गुनाहों की सजा मिलनी ही चाहिये। इसीलिये मैं इसको तीन हिस्सों में बांटा है। पहली बात तो यह है कि अग्र यह चीज एक्सिडेंटल है, बुद्धि की देन है, तब तो किसी का इस पर वश नहो हो सकता है। अग्र यह किसी की नाप्रतलियत की वजह से हुआ है तो उसको आप बदलो और अग्र बेईमानी की वजह से हुआ है तो बेईमानों को आप सजा दो।

स्पीकर साहब, इसमें टः का कितना नुकसान हुआ है इनका अंदाजा भी प्राप्त लगा सकते हैं। कितनी ही एयर-कंडीशनिंग मशीनें, इसकी वजह से खराब हो गई हैं, कितने ही रेफ्रिजरेटर खराब हो गये हैं, छोटी मोटी मशीनें बारबार बीच में बिजली के जाने से खराब हो गई हैं, कल कारखानों को इसकी वजह से हजारों लाखों की हानि उठानी पड़ी है, कितने ही मजदूर इसकी वजह से बेकार हो गये हैं और आम जनता को कितने ही दुःख और तकलीफ का सामना करना पड़ा है। यह सब कुछ हुआ है और अब इस सब का क्या नतीजा हुआ है, इसका अंदाजा हर कोई बड़ी आसानी से लगा सकता है। हां यह बात दूसरी है कि परसों से पहले हम साउथ एबेन्सू में इस बिजली रूप की संकट की वैतरणी नदी से गाय की पूंछ पकड़ कर तैरते रहे हैं और हमारी बिजली तो कटी नहीं और हमारे कनेक्शन में कोई फर्क नहीं आया था। शायद यह इसलिये हुआ कि प्राइम मिनिस्टर साहब की कोठी साथ लगनी है और उनके तथा मिनिस्टर के साथ साथ हम भी बच गए

अध्यक्ष महोदय : शायद वहां बिजली इसलिये नहीं गई कि बागड़ी जी रहते हैं। यहां तो कटती रही है, बागड़ी जी की नहीं कटी।

श्री बागड़ी : ऐसी बात नहीं है।

मैं अज्ञ करना चाहता हूँ कि मैंने तकलीफ का अंदाजा सिर्फ अखबारों को देख कर ही लगाया था। कितना ही सिनेमाज की नुकसान हुआ, इंडस्ट्रीज को नुकसान हुआ, मशीनरी को नुकसान पहुंचा। मैं अन्त में एक सजेशन मिनिस्टर साहब की सेवा में रखना चाहता हूँ। यह जो इनक्वायरी होनी है यह किसी मुख्य मंत्री के बोर्ड द्वारा नहीं होनी चाहिये, इलैक्ट्रिसिटी का जो बोर्ड है, उसके जरिये नहीं होनी चाहिये, इसको आपको खुद करवाना चाहिये और यह ज्यूडीशल इनक्वायरी होनी चाहिये जिन्होंने देश के साथ धोखा किया है, देश के साथ अन्याय किया है, देश को नुकसान पहुंचाया है देश के धन के साथ बड़ा मीरा भ्रष्टाचार किया है, उनको ज्यूडीशल इनक्वायरी करवा कर मुजरिम गरदाना जाए, जेल में डाला जाए। उन लोगों ने बहुत बड़ा भ्रष्टाचारी कार्य किया है और बहुत ज्यादा जनता को मुसीबत में डाला है। मैं मिनिस्टर साहब से अज्ञ करना चाहता हूँ कि अग्र देश पर बिजली का संकट आया तो जिस तरह से चपडामसी के घर पर वह आया, उसी तरह से प्राइम मिनिस्टर के घर पर भी आना चाहिये, मिनिस्टर के घरों पर भी आना चाहिये। अग्र वहां पर एयर-कंडीशनज चलते रहे तो पंडित जी को पता नहीं चलेगा कि यह बिजली फेल हो गई है। उस वक्त तक उनको पता नहीं चल सकता है जब तक उनका अपना स्विच बन्द नहीं होगा। उनका स्विच तब बन्द हुआ होगा जब सारे देश में हुंगायः बच गया था।

इन शब्दों के साथ मैं कहना चाहता हूँ कि जिन्होंने देश की सम्पत्ति को नुकसान पहुंचाया है, जिन्होंने बेईमानी की है, जिन्होंने भ्रष्टाचार किया है, उनके खिलाफ ज्यूडीशल

[श्री बागड़ी]

इनकापिरी करवा कर सख्त कार्यवाई की जानी चाहिये, उनको सख्त सजा दी जानी चाहिये ताकि इस तरह के तत्व कौमी मफाद को आईदा नुस्तान न पहुँचा सकें ।

Dr. K. L. Rao (Vijayawada): Mr. Speaker, Sir, shortages of any kind are always irksome. If they are planned, or if they are known before, it is easy to tide over them. But when it comes all of a sudden, as it happened in the case of the Delhi electric supply, it causes a considerable amount of inconvenience and human unhappiness. But it serves the purpose of depicting the deficiencies and the defects of a system. The present failure affords us an opportunity to look into the problem of electrification of the Delhi State.

Delhi derives its power from two sources. Approximately half the power comes from the thermal power station at Delhi and half the power comes from the distant Bhakra Dam project which is about 200 miles away. The load demand of Delhi is also of a different pattern from what generally obtains, for example in the city of Madras. Madras is about the size of Delhi but it has got about two-thirds of the power demand in Delhi.

There are two conspicuous features of the load pattern in Delhi which should be recognised. The first is that it has got an appreciable amount of air-conditioning incorporated in it. Secondly, in this great city, the Capital of our country, we are playing host to a large number of foreigners. Therefore we should assure them on all occasions unrestricted or unfailing source of electrical energy. These two requirements we must keep in view when we are discussing the question of the shortage of power.

It is a very interesting statistical coincidence that we are putting into pipes from the Wazirabad Barrage on the Yamuna the same amount of water in millions of gallons per day—it is about 94—as we are putting power into the wires of our power

system; that also is about the same, that is, 94 megawatts. In respect of both water and power we have got shortages. In respect of these two, we have got to have a certain fundamental policy, or we must have a certain fundamental concept. Take, for example, the water supply of Delhi. Delhi is an ancient city which has been built on the banks of a very great river, Yamuna, a river which has a perennial water supply. Its minimum discharge on any day is 4,000 cusecs. Normally, therefore, there must be plenty of water even in the leanest day in the Yamuna for satisfying the needs of Delhi which, on a future day, will consume only about 400 cusecs. What happened was, some years back, Punjab and the U.P. have constructed a barrage across this river about 150 miles away from Delhi at Taje-wala and diverted all the water, with the result that Delhi, the drinking water for which is the first charge on the river has been forgotten and we are now finding it very difficult to find a substitute for this water. The water requirements to make up the shortage for three months is very small, what we call 3000 million cubic feet. Even this small quantity we are finding it difficult to make up because this fundamental concept has not been accepted, namely, that Delhi city must form the first charge on the States of Punjab and U.P. which are the contiguous States for supplying water and power. Apart from the fact that Delhi's drinking water must have been the first charge on the Yamuna river, the natural resources that must be developed for the benefit of Delhi are located in these two States. Therefore, we should take a definite policy decision—I am not talking financially; finances, of course, the Centre has got to bear—that from the point of view of supply of water and power to Delhi city, it must be the prime responsibility of the States of Punjab and U.P. which are the contiguous ones to this great city of Delhi. It has not been accepted or at least

well understood. In its absence endless meetings are taking place at which no decisions are taken and the problems confronting Delhi remain unsolved.

Delhi city presents, in respect of electricity, a picture of un-coordinated planning. For example, there is Bhakra power supply to us; there is thermal power supply to us. But, they are not connected together. That is to say, areas which are served in the Delhi city by the thermal station, except for a small portion, cannot be served by Bhakra power. Really what they do in all great cities is to provide a ring feeder to which all the lines from different sources of supply are connected so that it would be possible to change over in a case of emergency from one to the other. That has not been done at Delhi. Also there must be stand-by capacity in the line. That is to say, when we get power from Bhakra, it should not be for half the load in Delhi city, but the line must be capable of having full load capacity. It is only then that in cases of emergency, we can switch on to the Bhakra line or either way. Therefore, there should be full capacity, emergency capacity in the line.

Thirdly, we should have connected the U.P. grid. We have in the Ganga and the Sarada quite a large amount of secondary power; especially in the monsoon months, we have plenty of water in the Ganga and Sarada rivers. We have got only to turn the wheels with water to produce the power for a few months, at least for the monsoon months, for nearly 6 months in a year. That power could have been fed into the lines which are only twenty miles from Delhi. If the connections to Delhi had been constructed, we should have overcome the deficiency from which we are at present suffering. These are instances I have just mentioned to show how there is not a co-ordinated planning in the system of Delhi electric supply system.

Coming down to the very immediate problem, the unfortunate occurrence that have taken place in Roh-

tak, it is very mysterious that two transformers which must have served very robustly for a number of years, must have failed in succession, in the course of one year. A Transformer is an equipment where there is no motion, there is no rotation, no movement of any kind whatsoever. It only consists of three limbs on which the coils are wound three different coils, insulated one from the other. It is a very robust equipment and it should not fail. It is surprising that one machine failed ten months back and another machine failed now. The reasons for this, of course, the committee that has been appointed will go into thoroughly and try to find out why or how this happened, who has tested this, or why the testing has not been done, who is responsible for the purchase and how this kind of defective material has been put in this very vital link between Bhakra and Delhi.

It is not so much with the above that I am concerned now. When the first transformer failed 10 months back, what were we doing all these months? Why was it not put right? We have not taken any energetic steps for that. That is a serious matter. That is one thing I am not able to understand. Similarly, a proposal was approved to put in another 30,000 kw. by way of extension to the existing thermal power station. To place an order for this, we have taken 1½ to 2 years.

These are some of the instances which indicate that we should have an organisation which is different from what we are having in the Delhi Electric Supply Undertaking. The Delhi Electric Supply Undertaking is more or less a department of the Corporation. That won't do. What we should have is a better organisation, something like a State Electricity Board, with a technical man at the head. I am emphatic about it that there should be an Electrical engineer in charge of the undertaking. If the whole generation and distribution of power in Delhi is put in charge of such a State authority, working not

[Dr. K. L. Rao]

under the Corporation, but directly under the Ministry of Irrigation and Power,—I am sure such kind of shortages and difficulties will not occur in this great capital city.

There is another reason why we should take this step immediately. That reason is vital. At present, the amount of power that we are utilising is about 94,000 kw. both from thermal and Bhakra. I am certain that in another 10 years, this load is going to be 500,000 or half a million kw. That is a big power. It cannot be managed by an organisation of the present type. It is very necessary that we should have an organisation which I have indicated earlier.

There is also another important matter which we should remember in this connection. We should not commit the blunder of raising this power supply by means of thermal power stations. Delhi is located nearly 1000 miles away from the coal fields. To transport all the coal here is not economical. More than that, we have got the mighty Himalayas, the treasure house of electric power right within a distance of 200 miles. You have got a number of beautiful schemes in the Himalayas: for example, on the tributaries of the Yamuna or the Tons, or on the tributaries of the Ganga, like the Topovan project on the Dowlingana or on the Bhagirathi. There are so many tributaries of the Ganga on which we can develop projects, by the mere run of the streams. All that need to be done is, merely to put in a small barrage and take the water down. There is a fall of 2000 feet, or even more than what we get in the Western Ghats. Out of the fall of 2000 feet, we can generate enough power, sufficient for the Delhi city. Therefore, Delhi city must be linked up with a perpetual source of power, hydro power and not with thermal stations. Of course, I can cite a number of cities where similar developments have taken place. For example, there is the city of Seattle in the north-west corner of the U.S.A.

That city is located similarly within 200 miles from the mountains. What they have done is this. There is plenty of coal and oil also within easy reach. They have not resorted to these fuels. They have constructed the Ross dam under very difficult conditions and all the generated power is supplied to the city of Seattle. The Delhi power supply must come from hydro power stations and not from thermal stations.

We must take this opportunity to scrap the thermal station that we have in Delhi. We have got in Delhi a thermal station which is highly inefficient. That is to say, we have got units of 12 megawatts. At the present day, science has advanced to this extent that we have got units of 100 megawatts and 700 megawatts each. To have a small unit of 12 megawatts and to run it at low pressure is very bad and uneconomic. Because, we are consuming coal at the rate of twice which we should have consumed for the same amount of power. In other words, a train load we are taking a day, of 1000 tons, whereas it should have been 1000 tons every alternate day. So, that, when we are planning on comprehensive scale we should so plan that we scrap the present plant. There are so many places in India which require thermal power. We can place it near the coal fields. We should take an early opportunity for that. Of course, the thermal station can be a stand-by. But, let it be a more efficient plant because we are far away from the coal fields. Therefore, in this picture of planning, we have got a big duty to do to Delhi. That is to say, we have got to plan out for the future; it is not a distant future, but it is a near future for which we have to plan; in another ten years, we shall be faced with half a million kw. of power requirement. There are many buildings today where no air-conditioning has been installed, because we do not have enough power. So many tall and high buildings have been constructed with a lot of provision of air-condi-

tioning facilities, but none of them is being provided, because we are famine stricken in regard to power, though we have got ample opportunity for developing power.

Therefore, I submit that this shortage that has occurred now should be taken as a lesson. It is a thing where we should try and now itself plan out a good organisation and see that we get the benefit thereof.

Then, I come to the question of tiding over the present difficulty. There are only two or three methods for it. One is this, and, of course, they are already taking that up; there is a 220 k.v line coming from Bhakra; that should be expedited as early as possible. There is also necessity for us to search all round India and find out if there is any transformer available. We must be ready with those things. What we are now trying to do is to take one limb from one sick equipment and put it on another. And by the 25th of August, it may just happen again that still that does not work, and so, this kind of shedding must go on for ever. Therefore, we should anticipate things and be prepared with these things, and we should be ready by getting some transformer from some other place. We should also expedite the 200,00 k.w. line from Bhakra, as I pointed out earlier.

There is one other important factor that we should remember and that is a very vital need of the hour, and that is that we should take steps to produce our own equipment in this country. It is one of the very saddest things that we are not able to produce a transformer in this country. The transformer is a very simple equipment and we are unable to manufacture that in this country. We have got to purchase from other countries. What is the use of the Bhopal factory and other factories on which we are spending so much of money? We should expedite and put in work round the clock for all the twenty-four hours of the day and manufacture this equipment; and we must

quicken the pace of production of this equipment in this country. That is a very vital need of the country today. We have put power as the first item on the agenda for national development, and we should take immediate steps to ensure smooth fulfilment of this purpose. I should only say that the lesson of Delhi should be the lesson for India.

Shri Frank Anthony (Nominated—Anglo-Indians): I find it difficult to speak with my usual restraint in this discussion. My hon. friend who has spoken before me has spoken obviously with specialised knowledge. He has tried to rationalise what has been euphemistically described as a power crisis. But in the final analysis, this is not only a power crisis; in my respectful view, it is a crisis of the administration, and I do not think that I am exaggerating when I say that since the killings, there has been no more shameful breakdown of the administration in Delhi.

My hon friend who just spoke perhaps, in spite of himself, underlined inefficiency. In spite of himself, he underlined the obvious negligence. And it would appear to be not only a long but a sordid story, a man-made crisis and after the crisis supervened extraordinary callousness, almost criminal indifference to what the people in Delhi have had to put up with. It would appear that those in the seats of power have not been affected, or if they have been affected, they have been affected very little. I do not know whether these cuts, and this shedding of power has affected their rarefied living. I am just wondering whether those in the seats of power have any conception of what it has cost the people of Delhi, whether they realise that trade, industry and business have been largely crippled, that tens of thousands of daily paidworkers have been thrown out of work, not to speak of the little children who have had to swelter because they have never known from day to day what your so-called schedule has been; I wonder

[Shri Frank Anthony]

whether they realise the millions of difficulties and sufferings which have not found expression or publicity.

What really disturbs me is that this is a sort of omen of what is happening in the administration throughout the country. It is a disturbing omen, not only of negligence, not only of incorrigible ineptitude, but above all, of sheer nervelessness in the administration. I do not want to go away from the subject, but it is symptomatic of what is taking place largely in the administration throughout the country. Ineptitude precipitates a crisis; when the crisis supervenes, the civilian officials are not able to face up to it. This is what is happening in other parts of the country too. I am only illustrating it. There is negligence leading to civil commotion, civil commotion in which the police, if they do not join in the looting and murder of minorities stand by; and in the final analysis, the military have to be called in, because the military today represents the only segment of the administration in which the people still continue to have any confidence. I am only sorry that when there was this shameful breakdown of the administration, we did not call in the military. I am quite certain that instead of all the excuses and all the alibis that are band to be trotted out, if this has been handed over to the military, within a week we would not have continued to suffer from ordeal that we are still undergoing.

The facts have already been detailed. As I said, the sordid story stands out blatantly. There were two transformers; obviously, one must be a stand-by to another. One failed in October. I do not know, but one of the reasons in the press was that suddenly the Government, which if it has made any progress, has made a rake's progress, which has never bothered about spending and wasting crores, not to speak of lakhs, suddenly became overcome by qualms of conscience about spending Rs 1.80 lakhs on this stand-by trans-

former. I fail really to understand this position. Here was a stand-by transformer representing literally the power-life-line to the capital, and they dawdled about spending Rs. 1.80 lakhs on this stand-by transformer. Then, what happened? And they dragged their feet typically. One of the less moronic officials—apparently the whole hierarchy was moronic—took about a week to discover that there was a transformer available in Nangal. I want to ask the question. When you had this breakdown of the administration—it was not a power crisis—could you not have found out whether any other transformer was available anywhere else in the country? Could you not have imported one? Somebody said that it was so heavy that you would have had to have a special ship. I do not quite know. I was talking to some Air Force chaps, and they said that some of their planes could carry not one but five transformers. Surely, it was a crisis which was serious enough, oppressive enough, to warrant our going to beg, borrow or steal a transformer and from somewhere in the first three or four days, the schedule was advertised, and to some extent, the administration adhered to it. But since then, in fact, today, in my own place, I have had an un-scheduled cut for five hours.

Shri Nath Pai (Rajapur): We have also had it.

Shri Frank Anthony: I do not know; I am not quarrelling with the Prime Minister. He has a heavy schedule. But many of us have as heavy and probably a more brutally heavy schedule, and unlike some of the Members on the Treasury Benches, we have to earn an honest living, and earning an honest living means working to a brutally heavy schedule. Whether all the Ministers or Deputy Ministers do not work may not matter; some people say that if they do not work, the administration may improve; some others say that if they are taken off the working

list, the most it can do is to add a little to the unemployment problem but not very much.

What has happened since this breakdown? It is utter and complete chaos. One day, I phoned the New Delhi Municipality, and the man said 'Your office will have power cut from 1 to 4 p.m.! So, I told my staff to come in at 8 a.m. They came and they had barely settled down to work, and the cut was from 8 to 11 a.m. In my public school, where I cater to a thousand little children, they told us that the cut would be from 1 p.m. to 4 p.m. and we asked the children to come to school from 9 a.m. to 1 p.m. One that particular day, they came at 9 a.m., and the cut was from 9 a.m. to 1 p.m.! It is utter and complete and absolute chaos. When the Chinese have not moved one plane, one gun, one Chinaman against us, Delhi today is in the condition of a conquered city completely chaotic, with a complete breakdown of the administration. I say it is a classic example of an increasingly ramshackle-demoralised administration collapsing under the weight of its own inertia and sheer ineptitude. At one time, when I was younger, very few people could equal me in my capacity for vitriol. But today I am bereft of adequate words to describe what has happened to the people of Delhi.

Mr. Speaker: He is mistaken there. He still maintains the same vigour and vitality.

Shri Frank Anthony: It is a national characteristic. We are nothing if we are not mealy-mouthed hypocrites. It is almost a national characteristic. So we have made an offering to this national characteristic. We have set up an Inquiry Committee. And look at the history of this Inquiry Committee. The Inquiry Committee was set up. One of the members—I will not name him—was a person who was in the middle of this very crisis. If any cul-

pability is going to be fixed, it will be fixed squarely on him.

Then, of course, we get this rather unseemly sorry spectacle of a conflict between the Centre and the State Government as to which subject this is. Is this a State subject or is this a Union subject? I will not argue that because as a lawyer I could say that this is very much a Union subject, and you should have told the Punjab Government. It is presumptuous on your part to tell us that it is not a State subject because electricity is in the Concurrent List' and Delhi is a Union territory. If a grave emergency like this occurs, it is the ineluctable duty of the Centre to assume the responsibility. If incidentally you do say something about the Rohtak power, it is only incidental. Then even if you have two distinct entries, if you have the power to legislate with regard to one, then, according to the doctrine of pith of substance, even if you incidentally trench on the other, it is not improper. Here incidentally you may even find the Chief Engineer guilty. It does not matter. I was surprised at the susceptibilities of people.

I do not know what is going to happen with this Inquiry Committee. But I have grave doubts whether anything will come out of it except a great deal of white-washing for the Government. But I want to ask this question. When you have an ordinary railway accident, when one person is killed, all the people directly responsible are suspended. Why did you not suspend all the people who were directly responsible? Not the Chief Minister. Suspension does not mean prejudging of their guilt. It is done with regard to every railway accident. If the inquiry exonerates them, they are reinstated. As I say this is a reflection of the complete inertia and criminal complacency of the Government. Not one person has been suspended. And I have grave doubts about this. After all, the engineers are a privileged fraternity. If they have not got friends among the Ministers, they have friends

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at least among Deputy Ministers. So nothing is going to happen.

The point that grieves me is this. It is not only a reflection on the administration, our capacity to administer the country in peacetime, but I am really grieved by this and feel hurt and resentful. When I drink with some foreigners—I have some foreign friends here—I find we have become the laughing stock of the foreigners in this country.

Shrimati Renu Chakravarty (Barrackpore): After the forceful speech of my hon. friend, Shri Frank Anthony, I would like to add my voice to condemn the administrative breakdown. There is one good thing about this debate, because it is now focussing attention on the power crisis, a man-made crisis, right throughout the country. It is only because Ministers and Members of Parliament are suffering today in the city of Delhi that they will now be prepared to understand to what extent big cities like Calcutta and the entire industrial belt in West Bengal and Bihar have been suffering for the last one year. We tried to raise this matter in the House last year but got a most unsatisfactory reply from the Minister. Unfortunately, I must say, this House did not take this matter seriously at all. We had expected all sections of the House to rise to the occasion and have the matter pinned down, because what has happened in Delhi today is what has been happening for one whole year now in the States of West Bengal and Bihar.

One of the most important things in these matters is planning. Planning without power—what is that planning worth? What has happened to the Bihar—Bengal coal belt? Today they say that the whole thing is going to stop unless absolute, top number one priority is given for the supply of power to the West Bengal-Bihar coal belt. Are you able to do it? What has happened there? It is the same thing that has happened here in Delhi. There

has been a conflict as to the entire question of this DVC, whether it is capable of supplying power as well as looking after flood control measures and irrigation supply channels. It has also been a problem as to how much of it has to be supplied through private companies like the Calcutta Electric Supply Corporation. The same thing, breakdown of generators, happened there last year. All the transformers of the Calcutta Electric Supply Corporation, which was getting cheap DVC power and selling it to the people at a much higher rate, broke down together with the transformers both at Bokaro and Durgapur. In this very House, we raised this question as to why it happened. One of the reasons which was adduced by certain technical people was that the generators were bought from West Germany and they were not supposed to be good, they were not the ones that were technically efficient. Who bought them? Why were they bought? Nothing has been done to pin down responsibility.

Today when we come to consider the Delhi power crisis, we find the same thing. We are told that the life of a transformer is 35 years. Our hon. friend, Dr. K. L. Rao, has told us that these are sturdy machines. Then how is it that they go out of order in seven years? Who is responsible for it? Why has it happened?

This is really a very sorry state of affairs. The administration goes and buys these things from abroad. It is not a question of import only. Once you import them, you find that they are not functioning properly. Who ordered it? Is it the best? Has it been put to use in the proper manner? Nobody cares. We say, 'bring in spares.' Certainly, we should have spares. But why is it that the original ones both at Bokaro and Durgapur as well as in Delhi did not function properly? I am told that the Delhi ones are British. How is it that they did not work well? Have we tackled that? Have

we found out whether they have been used in the right way? All these things, I find, are being duplicated from end to end.

Not only that. Look at the dilatory tactics. What has happened in the case of West Bengal has again happened in the case of Delhi. The Delhi transformer went out of action in October. We are told that import licence was got in July. In West Bengal, when the Third Plan was being formulated, as regards power, we were reaching a stage of acute crisis. After six months the Sachdev Committee Report comes. Now after another six months nothing is done. Here is an article written in the *Statesman* at that time. Now a year has passed and still we do not know what has been done to supply the extremely urgent needs of this section of India which is going to supply coal, steel and alloy tool steel to all the big industries

Here also we are worried about the foreigners, and about air-conditioners working in the capital. I am not so much worried about that. Let the foreigners see what we are. I am not worried about that. What I am worried about is the running of our industries, our own work. The Prime Minister always tells us that workers do not work. You do not give proper basic wages to the workers. The wages are kept so low. Yet they are told to increase production and get incentive bonus. Everyday for the last so many months, all our mills have been staggered. They have to work round the clock. Workers have to work every day in the week. There is not one day in the week when they can have a holiday. In spite of this, the basic wages are low. They do not get production bonus; they do not get incentive bonus. This is the situation to which we have reduced ourselves. Not only that. See how beautiful the planning has been. May be it is the same here, but I know a little more about West Bengal. They say after the breakdown in West Bengal that the turbines had reached

before the boilers, when actually the boilers had to reach first, and they were kept waiting till the boilers came. Is this planning? The Sachdev Committee Report has pointed out that this is the state of affairs.

16 hrs.

Shri Tyagi: Where did it happen?

Shrimati Renu Chakravartty: In Chandrapura in West Bengal. This is what the report says:

"Meanwhile, work in connection with the West Bengal Government's thermal station at Bandel got off to a good start recently, and the DVC's power station at Chandrapura (with two generators of 125 mW each to start with) is making rapid progress. At Chandrapura, for which the DVC will receive a DLF loan, work on the boilers is almost complete. Curiously, turbines, which have to be installed after the boilers, have reached the plant site before the boilers."

So, this is what has happened. When there is a breakdown of a transformer, it takes us eight months to get another. When we need the boiler, we get the turbine, when we need the turbine we get the boiler. If this is not inefficiency or madness or, shall we say, sabotage, what is it?

What Shri Anthony says is quite right. What is the use of these enquiry committees where you put in those very people who are actually responsible for this state of affairs?

In West Bengal, what has happened? A situation has been created in which every day we have to go to the U.P. Government and beg them for more power from Rihand, to Bihar for increasing DVC power allocation. Bihar has to come to Bengal. There is no over-all policy regarding priority, as to the sector which will be fed first, nothing has been done.

In this situation, the Jaldhaka hydro project in North Bengal has also not been sanctioned. I entirely agree

[Shrimati Renu Chakravartty]

with Dr. Rao, though I am not a technical person, but having been associated with the family which 30 years ago brought into being the hydro-electric project to feed Shillong, I know something about it, and my father used to say that hydro-electric power is the cheapest form of power, and we have plenty of that, but this project has been cut out by the Planning Commission.

So, what is the planning, what are we doing? Now we are told that Rihand would give us enough, and so the Jaldhaka project has been given up, we cannot get that hydro-electric project.

May I inform the hon. Minister and the other Members of the House that in the big city of Calcutta, with a population of 7 million, every day we have power cuts, but it has not come to the forefront because people are not interested except when something happens in Delhi. This is the position. So, I beg of this House as well as the Government to note that this is a point on which we indict the Ministry, the Planning Commission and not only the administration. I am not going to allow the Planning Commission and the Ministry to get away with it. For a year we have been asking the Ministry for a satisfactory reply, but we have got none. Let them tell us whether they have been able to settle their differences with the State, work out a general policy; let them tell us that this is the priority that they have set out and this is the plan they are going to execute.

Power is the first essential of planning, and unless we can give that power, we have no right whatsoever to talk in the name of planning or to advise the workers to produce more saying that everything depends upon production. We cannot say that planning depends upon exports and exports on more production.

So, this entire matter has to be gone into. It is not just a question of getting a turbine from here or there. That is a comparatively small matter, but this entire matter must be taken up

with the greatest seriousness by all the Members and Parliament and we must see to it that those responsible for this failure, dilatoriness and sabotage are brought to book.

Shri Nambiar (Tiruchirapali): He is a powerful person speaking on power.

Shri Tyagi: He is going to shed power.

Shri Hanumanthaiya (Bangalore city): I am much beholden to the hon. Members who pay me some compliments.

Some Members who spoke in Hindi accused us of always praising the Ministers and making them work in the fashion they have done, but I can assure them that that accusation is wholly inapplicable in this case. So far as the failure of power and its consequences are concerned, all those who are in this House are of one mind. If I understand it correctly, even the hon. Ministers who, for the time being, have the opportunity of administering the Ministry, are also not happy. It may be that inefficiency, as Shri Anthony vehemently described, has dogged our footsteps; it may be, Dr. Rao described, improper planning and want of vision has landed us in the situation in which we find ourselves today.

Many a time I have noticed on the Treasury Benches want of co-ordination between one Ministry and another. On such a discussion as this, a very important discussion, particularly the Minister in charge of Planning should have been present. A discussion may pertain to one Ministry technically, but it has repercussions on other Ministries. But the other Ministers do not take the necessary trouble of turning up and listening to the Members, and of getting into the mood and feelings of the Members. That is the first requirement that ought to be fulfilled by the concerned Ministers. If the Planning Minister

was here, he would certainly note in his mind at least how deficient the planning is.

We come from far off places. Not only in electricity, but in many respects the picture of Delhi for us is a picture of deficiency—in the matter of discipline, in the matter of orderliness, in the matter of efficiency, and I might say, in the matter of honesty also. People come here, wander in the Secretariat, and spend a hundred or two hundred rupees a day in hotels. If people can spend money so lavishly in a city, that is proof enough that there is something wrong in such a city and such a situation. It is not any particular individual that is to blame. It is the system. I am speaking not as a technical man, but as a man who is interested in the administration.

One more lacuna in planning has been the fact that they did not envisage the growth of Delhi. They planned the production of electricity, but they allowed Delhi to grow so enormously and so hugely that the problem has become insoluble not only in the matter of electric supply, but also in the matter of housing, water supply and other respects. The people who have been put in charge of planning—no argument whatever is required to prove it—have not been equal to the occasion. They might have been equal to what is called the requirement of favouritism so far as continuance in their respective posts concerned, but they have not proved before the country and before the House that they were up to the mark so far as planning and vision are concerned.

In this note which has been drafted by the Ministry, they have said almost innocently:

"Foreign Embassies and others who have their own generating plants as stand-by have been requested to commission them and reduce the consumption from the general system."

If foreign Embassies have been continuously in doubt about the efficiency of the Delhi administration or any other administration, regarding the continuous and efficient supply of power, it is a permanent disgrace on that administration. Instead of feeling ashamed of such a situation, to ask them to supply power is like the eternal begging bowl going round the world for aid—financial aid, food aid, grain aid and now electricity aid.

The other day, one of the hon. Ministers, Shri Krishna Menon said that we are a sovereign and self-respecting nation. Maybe, we are sovereign; everybody may accept it. But whether we are a self-respecting nation, I want the hon. Ministers to coolly think over it and see whether we deserve this compliment with this kind of planning, with this inefficiency and irresponsibility.

In the Delhi Administration, whether it is the Central Administration or whether it is the Corporation administration, there is evident deficiency, not only in efficiency as I say but also in responsibility.

I offer a suggestion with all the seriousness that I am capable of. So far as the essential services are concerned, the supply of water and electricity etc., any failure or any mistake must not be looked at in the usual sense of dismissal or disciplinary action. It must be considered as a penal offence. It is only then that our lethargic officers or others concerned will wake up to the situation. Whether it is a railway accident or whether it is the failure of electricity, it must be made an offence under the Penal Code. The situation has deteriorated to such an extent that there is no other lesser remedy.

Shri Rao said that this crisis, what is called the burning of the transformer came suddenly. I have made a little enquiry. It is not true. It was there for a long time, almost a year ago. That is what people told me—and it has to be taken for what it is

[Shri Hanumanthaiya]

worth because I have no personal knowledge. The generator was so over-worked that water was being thrown over it to keep it cool. It went on for a number of days. In spite of that the concerned engineers and the higher authorities did not wake up. The transformer was giving visible proof that it will break down any time. It was by this manual method of throwing water on it that it was being maintained. To say that this power crisis came suddenly and accidentally is not true.

So far as the committee that has been appointed by the Government of India to enquire into it is concerned, I beg of my hon. friends not to be prejudiced without knowing the situation. It may be that each one of us has a good opinion or a bad opinion of individuals. We are not concerned with any group politics or party politics, we think that the particular gentleman referred to by one or two members has had the administrative experience of the place. He knows everything from beginning to end and let us give some credit to him as we give to ourselves. He is also an hon. Member of this House as his critics. He would be discharging his duties as patriotically and honestly as the two critics who have made allegations against him. Therefore, we must always proceed according to the legal maximum that a man cannot be said to be guilty unless he is proved to be guilty. We cannot be said to be guilty unless he is proved to be guilty. We cannot presume a man to be guilty.

Therefore, this committee which has been appointed will, I hope, be able to give an impartial report. More than that it has to make suggestions. And, I hope one of the suggestions would be to make that in a failure or accident of this kind who ever is responsible is criminally responsible, that is, he must be hauled up before a court of law for the death of persons or for other inconveniences caused.

Shri Narendra Singh Mahida (Anand): Mr. Speaker, Sir, may I humbly suggest that power brings trouble and corruption? This is electrical power and it has disturbed the civilised people in our capital. We are able today to find the errors of Government. Normally, Government teaches us lessons on what to do and what not to do. But, today, we are in a position to find out the errors of Government. I am glad our urban people have found out how uncomfortable it is without electricity.

We in the South Avenue were not much troubled with this power crisis. But since last two days we have also personally suffered inconvenience. And, day before yesterday, when I went out for a hair-cut, I had to move about in Connaught Circus for two hours because no hair-cutting saloon could take me in. They could not work without light. (*Interruption*). If my hon. friends on the Treasury Benches were to have a vote of confidence from Delhi city, till this power crisis is on, I am sure they will not get in full.

Mr. Speaker: Without that experience, probably, the hon. Member might not have chosen to speak today.

श्री त्यागी : जनाब की तो हजामत हुई नहीं, चल पड़े मिनिस्टर साहब की हजामत करने ।

Shri Narendra Singh Mahida: I have seen government officers and clerks in the North Block recently. (*Interruption*). They had to remove their coats and shirts and keep all the doors and windows open to remain cool. I am sure the government officials will agree with us—privately, of course—(*Interruption*). When reprimand the Government.

Wherever, there is machinery, there is bound to be trouble. But in the case of an important city like ours, which is the capital of the country, incidents are taken notice of by the whole country. This major power

failure is a very shameful affair, not for the Government alone but for us Indians as a whole, that we cannot manage even a small affair like the electric supply to this capital. It is a bad reflection on our State of affairs and I must bring it to the notice of the House that merely expressing our views here is not sufficient. We should very severely reprimand the Government; we should do more than that, to show what poor consideration they have given to this supply of electricity.

Even in my town of Baroda the supply is dual; one from the Surat thermal station and the other from the Ahmedabad thermal station. We always have an alternate power supply. I am really very surprised that our worthy Planning Commission or other government officials have never thought of a dual supply for a large city like the capital of India. There must be and there should be a stand-by supply to the city whereby the conveniences of the people are managed efficiently and well.

I agree with Shri Frank Anthony about the foreigners, whom I have met during the last two days and they have laughed and joked in a very humorous way, of course at this power crisis. One can see their feelings towards these inconveniences. We are a civilised people living in this city and are in full enjoyment of air conditioners and fans and we are disturbed when they do not work. But in the rural parts where there is no electricity I think people are happier because they have not enjoyed these facilities; they are doing without them. That shows the progress of civilisation and how human beings are unable to put up with little difficulties here and there. I am not reflecting. I am just pointing out that the major part of the country is a rural area; it is not affected by the presence or absence of electricity. If the Government comes with all humility and says that this is a *bona fide* mistake of a particular officer or of breakdown of some machines, we shall put up with these things and

request the Government to put in order the transformer or whatever parts are damaged. A small transformer can be brought from any other part of the country or even imported under very special circumstances. I know that the committee of enquiry has been appointed and it will submit its report by the end of this month. The officials of the power supply departments have assured that they would be able to work the transformer by the 25th instant; I think it will synchronise with the submission of the report. Till then nothing will be done and I do not know what I should say further in the matter except to complain very bitterly not only as a Member of Parliament but as a civilised Indian that such a state of affairs exists in the capital. We must improve our affairs and put things right.

Shri Shiv Charan Gupta (Delhi Sadar): Mr. Speaker, in the first instance I was rather reluctant to speak on this subject.

Mr. Speaker: Why has he shed that reluctance?

Shri Shiv Charan Gupta: But today there was a further breakdown of electricity in the City and my patience was also exhausted. Shri Frank Anthony said that there were five hours of shedding today. That was not accidental. But there was another breakdown in the power supply.

Shri Frank Anthony: Unsheduled.

Shri Ansar Harvani (Bisauli): Has the Minister any information about it?

Shri Shiv Charan Gupta: I do not know. This is due to lack of sufficient water in river Jumna. I think it is a very serious matter that people here should suffer on account of accidents to the transformers and now on account of insufficient water in river Jumna.

Shrimati Renu Chakravartty: Why? This is a thermal supply.

Shri Shiv Charan Gupta: What is surprising is that every year some difficulty arises from river Jumna during this season because we have to take water for cooling the boilers to and for certain other purposes also. The Delhi Electricity Supply Undertaking say that people at Tejawala headworks do not consider this point and sufficient water is not available. On account of this state of affairs, life in the city is already paralysed. Small businessmen, manufacturers and workers working from morning till evening are faced with a lot of difficulties and now we are faced with another problem. We may say that in the last fifteen years electric generating capacity has been increased from 30,000 to 94,000 kws. In place of 29,000 we have two lakh electric connections in Delhi; that in every Plan due attention had been given to power supply in Delhi and to the country. But all this will be of no use if these are not supported by the administration. There are genuine and honest and sincere officers. But we should not forget that there are so many internal rings and cliques in the administration; they spoil the whole thing. If the Government does not take into account all these factors there will be more trouble. We are suffering from shortage of water supply also. Even if water is available in Jumna and if Punjab releases water, water will not be available on 1st, 2nd and subsequent flows because the distribution mains are not sufficient. When you want pipes for laying these mains, the manufacturers say they have no stocks of the G. I. pipes. Today there is trouble from Punjab; next day there is some internal trouble. We are having accidents in Delhi. During the last four or five months, there has not been one day when there was not a break-down of electricity in the city. Sometimes it is due to old distribution lines; sometimes it is due to excess or unauthorised load drawn by some anti-social

elements in the city. Thousands of kws. are used without any authorisa-

tion in Delhi. Honest people and law abiding citizens suffer on account of some cliques among some people. Instead of 3 H. P. load sanctioned, they are utilising 30 H. P. load. Things are going on like that.

Then there is the question of maintenance. I will tell you one incident. Last year there were accidents in the city and I found that such and such a man was responsible. That man was pulled up. The next day things were all right. What does it show? It shows that all is not well with our administration. If we are not able to correct it, we will be faced with many difficulties. I agree with Dr. Rao that we should not entirely depend upon the generating capacity of the DESU or the supply from Punjab. Delhi is the capital of the country and electricity is the lifeline of the whole country, much more so, of the capital. Therefore, it should be connected with the adjoining State so that whenever there is any breakdown of power in the capital, the city is not affected and the supply remains normal. So, I would submit that whereas this enquiry committee is going on into the causes of the breakdown, a high-power committee should be appointed by the Government to ensure that electricity in Delhi is always available and by such accidents—may be sometimes these are due to fifth columnists.—the normal life is not disturbed.

Of course, Dr. Rao said something about the transformer and I agree with him. One of the transformers was burnt out on the 26th July. But you will be surprised that a "Hungarian" transformer came from Nangal, but the officers did not instal that transformer. Well, I do not know whether there is some purpose behind it—but I definitely say that his is a very serious matter.

Shri Nambiar: Red.

Shri Shiv Charan Gupta: If that transformer had been installed by now the electric supply would have been

normal in Delhi. I want to submit one more point. It was reported in the papers that one transformer was burnt in October last and there was a long correspondence with the Government of India. The Government of India did not issue an import permit for the purchase of spare-parts. That is a sad commentary on our work. At the same time, these electrical goods, transformers and other machinery, are imported and there are well-known manufacturers. There is a doubt in the mind of the people that here is a clique in which high officers are involved with these manufacturers, with some anti-social motive.

Shrimati Renu Chakravarty: That is absolutely correct.

Shri Shiv Charan Gupta: I do not want to say more on this subject. But I would urge upon the enquiry committee, because it is manned by highly respected people, that they should go thoroughly into this matter and see that all those persons who are at fault are taken to task. I wish to submit that we have to take adequate steps in this direction; more particularly because of our differences with China, more particularly because of our differences with Pakistan, such accidents should not be repeated in the capital. I am not saying this because I represent a part of Delhi, but I say this because I feel that if this is the state of affairs in the capital, the impression that it will create would be bad. What impression will it create in the mind of those people with whom we are not on friendly terms and who are challenging our sovereignty? Therefore, I submit that we should take the necessary steps, and the Government should move immediately in the matter and take proper steps so that there is no repetition of these accidents.

Shri Priya Gupta: I am very happy that a crisis in power supply is occurring incessantly in Delhi. It is just as a woman feels happy after the births of her child which makes her forget the labour pain. This is a pointed to the national leaders, a

pointer to the whole country to ponder over. The time has come when they should think when the advanced planning of this country is based fundamentally on electricity, whether the Government has planned to make that amount of electricity available to the citizens as is required by them. We have been advancing the argument and have been trying towards the replacement of the steam locomotives by electric engines. We have been replacing the prime movers with electric movers and have been doing similar things as well. But all of a sudden we find that electricity itself is failing short, as if earth is going away from under our feet. We do not know how we will proceed with the work of planning important projects without electricity, given priority.

A cry came from West Bengal and Bihar. That reminds me of a story. A nurse was supervising the children's ward in the hospital. She found a child crying. The reason was not known to her. So many things were given to the child instead of milk, thinking that the child would keep quiet and it will be all right and not knowing fully well why the child was crying and what it needed! Similarly, when the cry came from Bihar and West Bengal due to the power crisis, some jugglery was shown to them with charts and figures—*samjhota*—to keep them quiet. Unfortunately the cry there could not reach in a magnified way the ears of the people here who run the show of Government. They could not be understood.

I would make this submission. Transformers are not generators. Transformers simply carry the energy and distribute it either by stepping up the voltage or stepping down the voltage. The point at issue is whether this Delhi Electric Supply Undertaking is actually in shortage of energy required for the consumer load. If the energy is ample, for this temporary stoppage of electrical energy on the ground that the transformer has gone wrong, the authorities have to be cen-

[Shri Priya Gupta]

sured much more, because it is only a question of getting it repaired or getting it replaced.

I would recall one aspect here. There was, in the British days, before we achieved Independence, an office called the Electrical Commissioner to the Government of India or something like that. That organisation went into the details of the installed capacity of the generators in each power house all over India; it warned in advance, two years ahead sometimes, that the power will be shut down if the authority concerned does not attend to the power plant which needed attention, or if it did not replace the power units in time. They used to give advance notice. Whenever a load was given connection, whenever a licence was to be granted to a particular company, the first criterion was to see what the spare load was, what was the total consumer load, what was the plant load factor, what was the station load factor, what was the power factor and what was the peak load and when they required the peak load. Before giving power to the power-driven factories, etc., the criterion was whether or not the plant would meet the general domestic needs of the consumers.

When the workers in electricity concerns go on strike, the Government will just say, "You cannot strike; it is a public utility concern. You cannot strike work like this, then the hospitals will suffer." If it is such an important issue. There must have been cases where, owing to the failure of electricity in hospitals, in the operation room, the condition of people suffering from strangulated hernia, complicated labour cases etc. became serious. Owing to negligence of the Electric Supply Co. people concerned, havoc is created in operation rooms of hospitals. I do not mean the Willingdon Hospital but other smaller hospitals. I do not know what functions have been entrusted to the decentralised units of Electrical Com-

missioner's Office dealing with the electric supply—units which are now to take care of these things, to look into the details of the power plants, their condition and anticipated loads, the orders to be made and quantity to be supplied, replacement of the sets and other things.

Since I am the consumer, it does not mean that I should always remain at the sweet will of the company, whether it be a company run in the private sector or a company owned by the Government of India, depending upon the company for supply of electricity. Again, the companies cannot at their sweet will, stop the supply to the consumer. Though it may be an accident, it cannot take a very long period for rectification. The responsibility for such accidents should be fixed and the Electricity Act provides for it.

We have heard that there is *jagda* (dispute) between the Punjab Government and the Delhi Administration as to who will pay the electricity duty. A final decision could not be arrived at earlier as to what particular quantity of energy is to be made available to the DESU for supplying electricity to the consumers. We want to know why there has been this delay and why the Central Government—the Ministry of Irrigation and Power—did not intervene because it was a public utility service and give an early decision. If the rated capacity of the supplying plant was not in proportion, as required under the provisions of the law, why was the Government sitting idle? They must have checked up that if this is your consumer load, this must be your rated capacity installed in the power House and this must be your spare capacity. It is equally true of the generating plant and of the distributing plant, the transformer.

Without making any insinuation on them, I want to know whether the

purchase department, who procure transformers and other power units, were technically satisfied that this unit was quite all right and would serve our purpose. This is the only unfortunate chapter I can quote. In the railway administration also, we have seen many kinds of equipment which are purchased दो दिन के बाद निकम्मा and they become useless after some-time. After all, who is responsible for the purchase of these wrong things?

I have got nothing more to add except that the time has come when the Government, if it feels that the total generating capacity anticipated after the finalisation of the third and fourth Five Year Plans cannot be coped up by the present rated capacity or installed capacity of this country, taking all power houses—thermal, hydro-electric, oil, etc.—together, should find out as a first measure what steps should be taken in advance to cope with the portion of the capital, including the foreign exchange needed, to make good the deficiency in power for the third and fourth Plans.

This is not a thing to be looked over with ordinary consideration. This must be given serious consideration. I am happy—I repeat once again, I am happy—that this crisis happened under the nose of the Prime Minister and under the nose of the treasury benches. We forget our difficulties and our pain, but we are happy that it is a pointer to the administration that the time has come to ponder over the difficulties that we have to face if the power crisis is not removed.

Shri Ansar Harvani: Sir, never before in the history of this House perhaps there has been more unanimity in denouncing the administration for its inefficiency and incompetence than in dealing with the power crisis in Delhi. It has been a matter of shame for the entire nation, the way the entire problem has been tackled by the Ministry, by the Delhi Corporation and by the Delhi Electricity Supply Undertaking. It is a

matter of same for all of us that in the capital of this country there has been continuous breakdown of power not only for the last few weeks, but for years and years, it has been repeating and we have done nothing to remove that.

In every country, specially in under-developed countries, the problem of electric power is the most important problem which has got to be tackled by the Government. In every country, especially in every under-developed country, the problem of electric power is handed over to the most dynamic hands, but in our country, it has been handed over to such hands about whose dynamism, I think my silence will be more eloquent than my speech and therefore, I am not referring to it.

There has been breakdown since October. They say that they have been trying to get transformers from here and there. But I have my own information that throughout the length and breadth of India, there are thousands of transformers which are lying idle. If the administration had the vision and the will to do it, they could have brought it from any part of the country. It is none of the concern of the electricity consumers of this country, it is none of the concern of the ordinary citizen of Delhi, from where the power is brought. It is none of the concern of the suffering humanity of the city of Delhi from where electricity has to be brought. It is the duty of the Government, it is the duty of the Ministry of Irrigation and Power to go from State to State, to beg, borrow or steal and provide electricity. I am really ashamed about the complacency of the Ministry of Irrigation and Power. They have been sitting silent over it.

You know it very well, Sir, that many years ago there was a plan to build up a thermal plant in Delhi. The scheme was approved and experts were brought. We are very fond of inviting experts from all over

[Shri Ansar Harvani]

the world. Sometimes Germans come, sometimes Italians come, sometimes Japanese come. Even Hungarians come here, who were much more backward than ourselves before freedom, and we depend upon them for building up our electric plant. From time to time we keep on taking their advice. We give them our hospitality. But till today the thermal plant has not come into operation. I would like to know from the hon. Minister for Irrigation and Power why there is this delay. If that plant had been completed Delhi would not have had this catastrophe.

Sir, the time has come when this House, when the great Prime Minister of this country, who is very keen about electric power and who considers that the life-line of the country is electricity, should probe into the whole problem. The time has come when those people, from top to bottom, who are suspected or who are found to be responsible for this break-down, should be suspended. There should be no consideration of friendship; there should be no consideration of caste, there should be no consideration of community; there should be no consideration of religion. Anybody who is found responsible for this catastrophe should be sacked here and now. That is the message of this House to the Prime Minister.

Sir, much has been said by my hon friend, Shri Frank Anthony. Much has also been said by my hon. friend, Dr. K. L. Rao. Therefore, I do not want to take much time of the House. But, in conclusion, I would only appeal to the Prime Minister to pay his personal attention to all that has happened in Delhi, because this shows that if in the same way as the power crisis in Delhi has been tackled we tackle the problems in the whole of India, the future of India is doomed, the future of power in India is doomed, the future of our Plan is doomed.

श्री प्रकाशवीर शास्त्री (बिजनौर) : अध्यक्ष महोदय, भारत की राजधानी होने के नाते दिल्ली का महत्व अन्य शहरों की अपेक्षा कुछ विशेष है और इसलिये दिल्ली में जब इस प्रकार की कठिनाइयां उत्पन्न होती हैं तो उन पर ध्यान भी विशेष रूप से दिया जाता है। सरदार पटेल जिन समय भारत के गृह मंत्री थे उस समय उनकी यह हादिक अभिलाषा थी कि दिल्ली में किसी प्रकार की भी कोई कठिनाई किसी क्षण भी उत्पन्न न हो और इसके लिये वह बराबर प्रयत्नशील भी रहे। लेकिन हमारा दुर्भाग्य है कि पिछले दो, तीन वर्षों से राजधानी में तरह तरह की कठिनाइयां उत्पन्न हो रही हैं। अभी शायद एक डेढ़ साल भी व्यतीत नहीं होता कि जब पानी की इसी प्रकार की कठिनाई दिल्ली में उत्पन्न हुई थी और इस सदन को अपनी कार्रवाई स्थगित कर उस पर विचार करना पड़ा था। आज फिर उसी प्रकार की एक समस्या इस सदन में विचार के लिये प्रस्तुत है कि दिल्ली में बिजली की कमी के कारण काफी कठिनाइयां उत्पन्न हो रही हैं। मैं समझता हूँ कि यह चेतावनी है न केवल राजधानी के नागरिकों के लिये अपितु सारे देश के लिये।

इस बिजली की कठिनाई के कारण जो आर्थिक हानि दिल्ली निवासियों को उठानी पड़ी है उसके मोटे मोटे आंकड़े जो मेरे पास अपनी जानकारी के सूत्रों के आधार पर उपलब्ध हो सके हैं वह मैं आपको देना चाहता हूँ। दिल्ली इलेक्ट्रिक सप्लाय अथॉरिटी को अब तक १० लाख रुपयेकी हानि इस बिजली की कमी के कारण हो चुकी है। कारपोरेशन जो इलेक्ट्रिसिटी का टैक्स लेती है उसको बिजली के अभाव में १ लाख २० हजार रुपये की हानि उठानी पड़ेगी। अभी पीछे एक समाचारपत्र में यह प्रकाशित हुआ कि एम्बर कंडिशनर्स और रेफीजरेटर्स जो लोग इस्तेमाल करते हैं और जिसमें कि २०० बाल्ट्स पावर की बिजली प्रयुक्त होनी चाहिये उसकी

मात्रा कम होने के कारण १६० वाल्ट्स बिजली ही मिल सकी जिसके कारण उनका कहना है कि २६ जुलाई तक २०० यंत्र इस प्रकार के खराब हो चुके हैं और जिन पर कि ५० रुपये से लेकर १००० रुपये तक उनके ठीक करने पर खर्च करना पड़ेगा ।

इसी तरह नजफगढ़ की एक बड़ी फैंकटरी के मालिकों ने अपना वक्तव्य देते हुए कहा कि पावर फेलयोर से हमको करीब २००० रुपये प्रति घंटे की हानि है । ३० जुलाई को उस कम्पनी के मालिकों ने यह वक्तव्य दिया कि इस समय तक ५० घंटे की हानि हो चुकी है जिससे कि करीब १ लाख रुपये का नुकसान यह इस समय तक उठा चुके हैं ।

इसी प्रकार दिल्ली फैंकटरी ओनर्स एसोसिएशन के प्रेसीडेंट श्री भास्कर ने भी अपना एक वक्तव्य दिया है । जो कोल्ड स्टोरेज दिल्ली में है बिजली की सप्लाई बन्द हो जाने के कारण उनमें लाखों रुपये के फल सड़ गये हैं । यह कुछ मोटे मोटे आंकड़े हैं जिनकी कि जानकारी उपलब्ध हो सकी है । लेकिन इनके अलावा और भी हानि लोगों को हुई है । फैंकटरी ओनर्स एसोसिएशन के प्रेसीडेंट ने कहा है कि हमने जो आर्डर्स ले रखे थे उनको कंसिल करना पड़ा क्योंकि बिजली की सप्लाई समय पर उपलब्ध न हो सकने के कारण हम उनको पूरा नहीं कर सकते थे । मेरा अपना अनुमान है कि इन १५ दिनों में करीब १ या डेढ़ करोड़ रुपये की हानि दिल्ली शहर को आर्थिक दृष्टि से हुई ।

इस सम्बन्ध में मैं यह भी निवेदन करना चाहता हूँ कि बिजली की यह समस्या जो इस देश की राजधानी से सम्बन्ध रखती है और जिसके लिये विदेशों से स्पेयर पार्ट्स मंगाने के लिये लाइसेंस के लिये गवर्नमेंट को आवेदन-पत्र दिया गया । अभी कल-परसों की बात है कि दिल्ली कारपोरेशन में इसकी चर्चा आई और एक सदस्य ने कहा कि जब दिल्ली की एक प्राइवेट मिल को, जिसको इसी प्रकार

के स्पेयर पार्ट्स की जरूरत थी, पन्द्रह दिन में लाइसेंस मिल गया, तो यह क्या बात है कि इसके लिये लाइसेंस नहीं मिला । इसके उत्तर में कारपोरेशन के मेयर साहब ने कहा कि यह सवाल तो पार्लियामेंट में पूछने का है, आप कारपोरेशन में हमसे सवाल क्यों पूछ रहे हैं ? मैं चाहता हूँ कि विद्युत मंत्री महोदय अपने वक्तव्य में—अगर उनको इस एक वर्ष की अवधि में जानकारी प्राप्त हो चुकी हो—कृपया इस स्थिति का स्पष्टीकरण करें कि क्यों इस विषय में लाइसेंस मिलने में देर हुई, जिसके कारण दिल्ली के नागरिकों को इस प्रकार की हानि का सामना करना पड़ा ।

इस विषय में एक प्रश्न यह भी सामने आता है कि जब इस प्रकार की बड़ी बड़ी मशीनें बाहर से मंगाई जाती हैं और एक छोटा सा पुर्जा खराब होने की वजह से बहुत बड़ी हानि उठानी पड़ सकती है, तो क्यों नहीं मशीन खरीदते समय ही उसके लिये स्पेयर पार्ट्स और अधिक ले लिये जायें, ताकि अगर कभी ऐसी कठिनाई में फंसना पड़े जैसी आज है तो उस समय उनको इस्तेमाल किया जा सके ।

प्रायः यह देखा गया है कि ट्रांसफार्मर की आयु पैंतीस वर्ष के लगभग होती है लेकिन यह ट्रांसफार्मर सात आठ वर्ष में ही खराब हो गया । क्या सरकार ने यह जानने की कोशिश की है कि जब सात आठ वर्ष में ही यह ट्रांसफार्मर अपनी आयु समाप्त कर बैठा, तो जिनसे ये सफार्मर खरीदे गये थे, क्या उनसे कोई गारण्टी ली गई थी यदि कोई गारण्टी ली गई थी, तो क्या सरकार के साथ इस प्रकार का धोखा त नहीं हुआ कि नये ट्रांसफार्मर के नाम पर पुराने ट्रांसफार्मर रखरीद लिये गये और उन पर देश का पैसा बर्बाद किया गया ? ये तमाम बातें इस समस्या के सम्बन्ध में सामने आती हैं और मस्तिष्क में प्रश्न उत्पन्न करती हैं ।

लेकिन मैं आप के द्वारा सदन को इस से भी बड़ी दुखभरी जानकारी देना चाहता हूँ ।

[श्री प्रकाशनीर शास्त्री

अभी कल-परसों विद्युत् मंत्री ने अपने वक्तव्य में बताया कि पंजाब से हम को जो बिजली लेनी पड़ती है, उस के अतिरिक्त दिल्ली इलैक्ट्रिसिटी सप्लाई अंडरटेकिंग यहां पर ४५,८०० किलोवाट बिजली तैयार करती है। लेकिन मैं अपनी जानकारी के आधार पर कहना चाहता हूँ कि यहां पर जो डीजल से चलने वाले जेनीरेटर हैं, उन को भी कुछ स्पेयर पार्ट्स की जरूरत है। उन्होंने लाइसेंस के लिए एप्लाई किया है, लेकिन अभी तक उन को भी लाइसेंस नहीं मिल पाये हैं, जिस का परिणाम यह हो रहा है कि उन पुर्जों के अभाव में वे जेनीरेटर केवल तेरह हजार किलोवाट बिजली पैदा कर रहे हैं, जब कि वह बीस हजार किलोवाट बिजली पैदा कर सकते हैं। आप इससे अनुमान लगा सकते हैं कि सिर्फ रोहतकरोड के ट्रांसफार्मर की समस्या नहीं है, बल्कि यह समस्या दूसरे जेनीरेटरों के साथ भी है। प्रश्न यह है कि क्या सरकार ऐसी तमाम स्थितियों का सामना करने के लिए एकसामान्य नीति बना कर उस के अनुसार कार्य करने के लिए तैयार नहीं है।

विद्युत् मंत्री महोदय ने अपने वक्तव्य में सदन को वह आश्वासन दिया था कि कल से बिजली बन्द रहने के घंटों में कमी होना शुरू हो जायगा, लेकिन उस के एक दिन बाद यानी ८ अगस्त को बिजली बन्द रहने के घंटों में वृद्धि हो गई। कल पटेलनगर में साढ़े चार घंटे बिजली बन्द रही और मालीवाड़ा में छः घंटे बिजली बन्द रही। माननीय मंत्री सदन को आश्वासन देते हैं कि बिजली बन्द होने के घंटों में कमी होती चली जायगी, लेकिन उन की और बढ़ती होती चली जा रही है।

मैं आप के द्वारा सरकार को यह भी कहना चाहता हूँ कि जिस समय भारत सरकार ने कहा कि हम इस मामले की जांच करेंगे, तो पंजाब सरकार ने कहा कि चूँकि वह ट्रांसफार्मर उन के एरिया में पड़ता है, इस

लिए भारत सरकार द्वारा जांच कराये जाने पर हमारी मान-हानि होगी और इस लिए हम स्वयं इस सम्बन्ध में जांच करेंगे। पंजाब सरकार ने जांच का आश्वासन तो दिया, लेकिन उस ने जो टर्मज़ ऑफ़ रेफ़रेंस तय किये हैं, उन में इतना तो है कि इस बात की जांच की जायगी कि वह ट्रांसफार्मर कैसे जला, लेकिन उस के लिए जिम्मेदार कौन है, इस के सम्बन्ध में कोई मुद्दा उस में तय नहीं किया गया है। मैं चाहता हूँ कि इस बात की भी जांच की जानी चाहिए कि इस की जिम्मेदारी किस की है, जिस की गलती की वजह से इतनी बड़ी हानि का सामना करना पड़ा।

अपने वक्तव्य को उपसंहार की ओर ले जाते हुए मैं यह भी पूछना चाहूँगा कि आखिर केन्द्रीय सरकार देहली राजधानी को भाखरा-नंगल की बिजली पर कब तक निर्भर रखेगी। जैसी भूमिकायें आज देश में तैयार होने लगी हैं, जिस प्रकार आज केन्द्र और राज्यों में खिचाव शुरू हो गया है, उन को दृष्टि में रखते हुए भविष्य में किसी समय ऐसी परिस्थिति भी उत्पन्न हो सकती है कि पंजाब राज्य देहली को बिजली देना बन्द कर दे। उस समय राजधानी के सामने नये सिरे से समस्या उत्पन्न होगी। क्यों न केन्द्रीय सरकार अपने पैरों पर खड़े होने के लिए ऐसी व्यवस्था करे कि वह बिजली के विषय में स्वावलम्बी स्थिति में हो जाये ?

जो यह घटना घटी है, उस के लिए सेंट्रल गवर्नमेंट यह कहती है कि कार्पोरेशन जिम्मेदार है और कार्पोरेशन कहती है कि पंजाब गवर्नमेंट जिम्मेदार है। आज आपस में जो यह ताल-मेल नहीं बैठ रहा है, यह अवस्था कब तक जारी रहेगी ? आखिर कब तक एक दूसरे पर आज जिम्मेदारी टालने की कोशिश की जाती रहेगी ? इस लिए आवश्यकता इस बात की भी है कि एक हार्ड-पावर बोर्ड बनाया जाये, जो दिल्ली की विद्युत् समस्या को अपने तौर

पर हल करे और किसी पर उस को निर्भर न करना पड़े ।

अन्त में मैं यह कहना चाहता हूँ कि प्रायः यह देखा गया है कि जब इस प्रकार की घटनायें होती हैं, तो जांच कमीशन बैठाने दिये जाते हैं । जांच कमीशन महीनों तक जांच करते हैं और उस पर लाखों रुपये व्यय होते हैं और अन्त में परिणाम यह होता है कि "खोदा पहाड़ और निकली चुहिया" । कह दिया जाता है कि चपरासी का कुसूर था अथवा इंजीनियर अपने समय पर ड्यूटी पर नहीं पहुंचा था, इसलिए ट्रांसफार्मर जल गया । ढिलवां में हमारे पौने दो करोड़ रुपये के स्लीपर जल गये, लेकिन जांच के परिणामस्वरूप एक चपरासी को बरखास्त कर दिया गया । हम देखते हैं कि बड़े बड़े रेल के एक्सिडेंट होते हैं और उन के बारे में कह दिया जाता है कि सिग्नल ठीक नहीं दिया गया था । मैं चाहता हूँ कि पार्लियामेंट को आज यह तय करना चाहिए कि जो इस प्रकार की भयंकर दुर्घटनायें होती हैं, जो कि सारे देश के लिए चुनौती होती हैं, उन की जिम्मेदारी केवल इंजीनियरों और आफिसरों पर न डाली जाये बल्कि अब वह समय आ गया है कि मिनिस्ट्रों को भी इस जिम्मेदारी से मुक्त न किया जाय और उन पर भी जिम्मेदारी डाली जानी चाहिए, और उन से भी जवाब तलब किये जायें ।

श्री स० मो० बनर्जी (कानपुर) : अध्यक्ष महोदय, दिल्ली की बिजली समस्या के बारे में मेरे दूसरे मित्रों ने जो विचार प्रकट किये हैं, मैं उन से सहमत हूँ । अभी ६ अगस्त को हिन्दुस्तान टाइम्स के एडिटोरियल में, जिस का शीर्षक था "कैपिटल शेम", यह लिखा था कि अगर इस प्रकार की स्थिति किसी दूसरी जगह होती, तो लोग विरोध की भावना प्रकट कर के न रह जाते, बल्कि वे इस बात की मांग करते कि मंत्रि-मंडल को चाहिए कि वह इस्तीफा दे दे ।

मुझे अच्छी तरह से याद है कि जब दिल्ली में पानी की कमी हुई, जब हमारे छोटे छोटे बच्चे पानी के लिए तड़प तड़प कर बेहाल हो रहे थे, तो इसी सदन में यह विश्वास दिलाया गया था, खास कर हमारे प्रधान मंत्री जी की तरफ से, कि ऐसी हालत फिर नहीं होगी । उस वक्त कहा गया कि दिल्ली एडमिनिस्ट्रेशन को मालूम नहीं था कि जमनाजी अपना रख बदल रही है और उन को कम से कम दस साल के बाद अचानक मालूम हुआ कि जमना जी अब अपना रख बदल रही है और उस रख को ठीक करने के लिए बाद में एक कमीशन का निर्माण हुआ । मैं इस बात से बिल्कुल सहमत हूँ कि देश में कमीशन बैठता है, बैठने के बाद लेटता है और लेटने के बाद सो जाता है और उस को जगाने के लिए एक आन्दोलन करना पड़ता है । इस लिए मैं समझता हूँ कि यह देखते हुए कि जिम्मेदारी एक दूसरे पर धोपी जा रही है, पंजाब सरकार यह कहती है कि इस मामले की जांच हम करेंगे और दिल्ली एडमिनिस्ट्रेशन अपनी जिम्मेदारी को टालना चाहती है, जुडिशल एन्क्वायरी की मांग बिल्कुल ठीक और मुनासिब है ।

मेरे एक मित्र ने हंसते हुए मुझ से पूछा कि आखिर बिजली का यह संकट क्यों पैदा हुआ है, तो मैं ने भी हंसते हुए कहा कि मालूम होता है कि हमारी पावरफुल सरकार शायद पावरलैस होती जा रही है, या ऐसा है कि शायद पावर-ड्रंक सरकार दूसरे को पावर सप्लाई करने में असमर्थ है । मैं समझता हूँ कि इस के बारे में पूरे तरीके से जांच होनी चाहिए ।

ट्रांसफार्मर जल चुका पिछले अक्टूबर में और उस के लिए स्पेयर पार्ट्स के इम्पोर्ट लाइसेन्स की मंजूरी दी गई जुलाई में । हम देखते हैं कि जब किसी मामूली सरमायादार को इम्पोर्ट लाइसेन्स की जरूरत होती है, तो किसी ग्रंड सैक्रेटरी या डिप्टी सैक्रेटरी से

[श्री स० मो० बनर्जी]

बात न कर के वह मंत्री महोदय के पास जा कर ला सकता है, लेकिन जहाँ पर लोगों की रोज-मर्रा की जिन्दगी का सवाल है, तो इम्पोर्ट लाइसेन्स मिलने में इतनी दिक्कत बताई जा रही है। इस बात का सवाल नहीं है कि आज लोगों को फ्रैन की आदत हो गई है, लेकिन सवाल यह है कि विद्यार्थियों का क्या होगा। मैं खुद जानता हूँ कि पांच बजे जाने के बाद जब सात बजे हमारे स्टैनोग्राफ़र आते हैं, तो मालूम होता है कि बिजली चली गई और उस के बाद वह आठ या नौ बजे आती है। मैं समझता हूँ कि नार्थ एवेन्यू और साउथ एवेन्यू के लोग भाग्यवान् हैं, क्योंकि वे पार्लियामेंट के सदस्य हैं, इस लिए वहाँ पर बिजली थोड़ी देर के लिए जाती है, सिर्फ़ घंटे भर की तकलीफ़ होती है। (Interruptions). घंटे दो घंटे बिजली बन्द रहती है।

Shri Bhagwat Jha Azad (Bhagalpur): Four hours daily.

श्री स० मो० बनर्जी : ऐसा होगा, लेकिन जहाँ तक मैं जानता हूँ, दोपहर को एक घंटा और शाम को एक घंटा बिजली बन्द रहती है। (Interruptions). लेकिन दूसरे इलाकों में, जहाँ पार्लियामेंट के मेम्बर नहीं रहते हैं, आप जा कर देखें, तो वहाँ के लोग कहेंगे कि घंटों का कुछ हिसाब ही नहीं है। लोग कहते हैं कि चूँकि यह बड़ा सीरियस आइसिस है, इस वजह से छः घंटे कुछ नहीं हैं, हमें तो सरकार को बघाई देनी चाहिए कि हमेशा के लिए, बिजली बन्द नहीं की जाती है। यह उन को तसकीन दी जाती है, वह उनको तसल्ली दी जाती है। इसलिए मैं समझता हूँ कि यह सिर्फ़ ज्यूडीशल इनव्वायरी का सवाल नहीं है। मैं समझता हूँ कि अगर यह मसला हल नहीं हुआ, अगर इसकी जिम्मेवारी ठीक तौर से उन पर नहीं डाली गई जोकि दिल्ली एडमिनिस्ट्रेशन को चलाने वाले हैं तो बहुत ही खराब बात होगी। और भी जगह देश में इस तरह के वाक़ात हुए हैं। डी० वी० सी० में इस तरह से फेल्योर हुआ था और

उस वक्त मैं कलकत्ता में था। इसके फेल होने सेफ़्फ़ी जिन्दगी वहाँ पर लोगों की हो गई यह मैं यहाँ बयान करना नहीं चाहता। मैं समझता हूँ कि अगर अच्छी तरह से इसको देखा जाये तो आप इस नतीजे पर पहुँचे बिना नहीं रह सकेंगे कि जो लोग इंचार्ज हैं, उन को इस्तीफा देने के लिए कहा जाना चाहिये। लेकिन मुझे खतरा यह मालूम देता है कि जिस तरह से ट्रेन दुर्घटनाओं पर बहस हुई थी, उसके बाद से जिस तरह से दुर्घटनायें बढ़ने लग गई थीं, उसी तरह से इस बहस के बाद भी कहीं ऐसा न हो कि जहाँ आज दो घंटे या तीन घंटे के लिए बिजली जाती है, वहाँ वह चार घंटे के लिए जाने लग जाये। अफ़सर बहसों का ऐसा ही नतीजा निकला करता है।

17 hrs.

जो अफ़सर होते हैं वे समझते हैं कि जब पार्लियामेंट में बहस होगी तो जो ब्रीफ़ उन्होंने मिनिस्ट्रज़ को दिया है, उसका वे पढ़ेंगे और बाद में जब मिनिस्ट्र साहब बाहर आयेंगे तो उन को बघाई दे देंगे और कह देंगे कि आप ने हमारी जान बचा ली है। लेकिन उस के बाद जो होता है वह हम ही जानते हैं। दे ट्रीट अस विद वैंजीएस। उस के बाद वे समझते हैं कि पावर क्रिसिस और डिबलेप हो।

मैं रूलिंग पार्टी के मित्रों से कहना चाहता हूँ कि कांग्रेस में जो एक क्रिसिस हो रहा है, वह कम से कम देश भर में तो आप पैदा न होने दें और अगर ऐसा होता है तो यह बड़ी खराब बात होगी। क्रिसिस रिडन देश चल नहीं सकता है। आप रूल इलैक्ट्रिफिकेशन करने जा रहे हैं। जो हालत बिजली की आज है अगर वह तब हुई तो बहुत बुरा होगा। मैं चाहता हूँ कि आज की डिसकशन को सिर्फ़ बहस न समझा जाए, बल्कि नो-कॉन्फिडेंस या संशर समझा जाय। आज की परिस्थिति में आप को चाहिये कि उन लोगों को आप ससपेंड करें

जो इस के लिये जिम्मेदार हैं। एसा न हो कि बाद में आप को अचानक मालूम हो जाय कि एक और चूहा घुस गया था इसलिये ट्रांसफार्मिंग जल गया और ऐसी परिस्थितियां पैदा हो गयीं। मैं चाहता हूँ कि हाई पावर्ड कमीशन नहीं बल्कि जुडीशल इन्वेंटरी हो ताकि लोग जा कर वहां गवाही दे सकें।

सिच्चाई और विद्युत मंत्री (हाफिज मुहम्मद इब्राहिम) : जनाब स्पीकर साहब, इस से पहले कि जो बहस यहां हुई है उस के बारे में कुछ अर्ज करूं, मैं एक बात कहना चाहता हूँ। हर साल जमना में पानी खुस्क होता रहता है। वकतन फवकतन एसा होता रहता है। इस के नतीजे के तौर पर एसा भी वक्त आता है जब वह ज्यादा खुस्क हो जाता है और पावर हाउस को चलाने के लिये जितने पानी की जरूरत होती है उतना पानी नहीं मिलता और उतनी जनरेशन हो नहीं सकती। आज अगर इस तरह की चीज पैदा हो तो उस के लिये यह इंतजाम हो गया है कि उत्तर प्रदेश के इंजीनियर जो आखला में रहते हैं, उन्होंने ने कह दिया है कि हम उस जगह को साफ कर के और पानी को रवां कर देगे और दिक्कत वाका नहीं होगी और एसा नहीं होगा कि इस किस्म की तकलीफ हो।

जहां तक इस मुवाहिसे का ताल्लुक है, मैं उन सब मैम्बरज का बहुत बहुत शुक्रिया अदा करता हूँ जिन्होंने इस में हिस्सा लिया है। मैं समझता हूँ कि इस से मुझ को और मेरे उन साथियों को जो इस काम को करते हैं, बड़ा सबक हासिल करने का मौका मिला है। मैं आप को यकीन दिलाता हूँ कि हम इस बात की कोशिश करेंगे कि आप ने जो सबक दिया है, उस को याद रखें और जो बातें आप ने कहीं हैं उन पर अमल करें। मैं समझता हूँ कि बहस में कुछ बातें ऐसी कही गई हैं जो गलतफहमी पर मबनी थीं। मैं मानता हूँ कि कुछ बातें ऐसी भी कही गई हैं जो सही थीं। मगर उन के साथ साथ कुछ ऐसी भी कह दी गई हैं जो गलतफहमी पर मबनी थीं।

1376(Ai) LSD—8.

श्री भागवत झा आजाद : जैसे ?

हाफिज मुहम्मद इब्राहिम : अभी उन पर आता हूँ, सन्न रखिये।

जितनी भी तकरीरें मैंने सुनी हैं, उनमें से एक बात निकलती है। मैम्बर साहिबान की तरफ से कहा गया है कि यह दिल्ली वालों की करतूत है हालांकि उन की यह बिल्कुल भी करतूत नहीं है, कतई भी नहीं है। मैं एक दूकान से चीज खरीदता हूँ और दूकानदार मुझ को देता है और मेरे घर पहुंचते ही या रास्ते में अगर वह चीज खराब हो जाती तो यह किस की जिम्मेदारी होगी ? इस बात का फंसला करना मुश्किल नहीं होना चाये यही पोजीशन हमारी है। मैं कहना चाहता हूँ कि जितनी बिजली यहां इस्तेमाल होती है उस में से आधी बिजली तो भाखड़ा नंगन से आती है। वह पंजाब गवर्नमेंट का है.

Shri Hanumanthaiya : Since some of us are not able to follow the language of the hon. Minister, may I request him to speak in English? (Interruptions).

Mr. Speaker : Order, order. It is for the hon. Minister to choose any language that he likes.

Haifz Mohammed Ibrahim : I am very sorry. I would have started in English, but I have already started in Hindi, and, therefore, I request my hon. friends to allow me to continue and to finish my speech in Hindi. I am sorry that I cannot act on the advice of my hon. friend at the present moment.

मैं अर्ज कर रहा था कि वह बिजली भाखड़ा में बनती है और वहां से ट्रांसमिशन लाइन्ज से यहां तक आती है। ट्रांसमिशन लाइन्ज भाखड़ा की हैं। जितने उन में कल पुर्जे लगे हुए हैं वे सब पंजाब के हैं। पंजाब उन का मालिक है, उसी ने उन को लगाया है, उसी ने उन को खरीदा है और जो इंजीनियर हैं, वे भी उन्हीं के हैं।

श्री स० मो० बनर्जी : आप ने जो रुपया दिया है उस का क्या हुआ ।

हाफिज मुहम्मद इब्राहीम : इस के साथ ही साथ जो ट्रांसफार्मर खराब हुआ है, वह भी उन्हीं का है। यहां पर दिल्ली में जो लोग काम करते हैं, उन का उस से कोई ताल्लुक नहीं है। इन हालात में मैं कैसे कह सकता हूँ कि दिल्ली में जो काम करने वाले हैं, उन्हीं ने किसी किस्म की खराबी को है। किस तरह से मैं उन पर किसी किस्म का इलजाम लगा सकता हूँ और कैसे कह सकता हूँ कि वे इलजाम के काबिल हैं। मैं समझता हूँ कि उन के ऊपर उस का इलजाम नहीं है। उन्हें तो यही देखना है कि पंजाब के उस ट्रांसफार्मर को क्या हुआ।

अभी आपने सुना कि ट्रांसफार्मर सात साल हुए खरीदा गया था और ट्रांसफार्मर की उम्र ३५ बरस या ३० बरस की होती है। वाका ऐसा हुआ है कि वह सात बरस के भ्रन्दर ही खराब हो गया। क्यों खराब हुआ, इस को आज कोई शकस नहीं बता सकता है। यह टैक्नीकल चीज है और टैक्नीकल भ्रादमी ही इस को वजह बता सकता है। टैक्नीकल भ्रादमी जो बुला लीजिये और वह जब तक पूरी तहकीका नहीं कर लेगा, पक्का तौर पर उस वक्त तक कतरईन नहीं कह सकेगा कि क्या बात हुई और इस का क्या काज रहा अब उस के लिये कमेटी बिठाई गई है।

अब जहां तक कमेटी बिठाने का ताल्लुक है वह काम भी उन्हीं का था, पंजाब गवर्नमेंट का था। उन्हीं ने वह कमेटी बिठा दी है और यह काम उस के मुपुदं कर दिया है कि वह बताये कि इस का क्या सबब था, कैसे यह खराबी हुई। अब इस खराबी के बारे में कमेटी रिपोर्ट देगी और मालूम हो जायगा कि क्या वजह हुई और कौन जिम्मेवार है।

जहां तक बिजली की शैडिंग का ताल्लुक है, यह ठीक है कि लोगों को तकलीफ हो रही है और यह भी ठीक है कि तीन तीन

घंटे बिजली बन्द रहती है, चार चार घंटे बन्द रहती है। इस को निसबत मैं भ्रजं करना चाहता हूँ कि यह जो कटौती हुई है यह बीस तारीख से बिल्कुल खत्म हो जायेगी, ऐसी तक्कय की जाती है। ट्रांसफार्मर भी लग जायेगा और मौजूदा तकलीफ भी दूर कर दी जायेगी। अब सवाल पैदा होता है कि हमारी स्वाहिश के खिलाफ ऐसा क्यों हुआ ? दुनिया में हमारी स्वाहिश के खिलाफ कोई भी बात न हो, वह मुम्किन नहीं है। हां यह बात दुस्त है कि हम जान बूझ कर करें तो हम उस के गुनाहगार हैं। लेकिन कुछ बातें होती हैं, कुछ तकलीफ इंसान पर आती है, जिन को उस को भुगतना पड़ता है। उस तकलीफ की वजह से मैं किसी पर गलत इलजाम लगा दूँ, वह कैसे हो सकता है और न ही यह बात मेरी समझ में आती है। किसी पर भी स्वाह-म-स्वाह इलजाम नहीं लगाया जा सकता है। अगर इस का इलजाम आ सकता है तो पंजाब पर ही आ सकता है

एक माननीय सदस्य : पंजाब हिन्दुस्तान में है या बाहर ?

हाफिज मुहम्मद इब्राहीम : पंजाब हिन्दुस्तान में है, इस को मैं मानता हूँ। चूंकि यू० पी० भी हिन्दुस्तान में है, मद्रास भी है, पंजाब भी है, सभी सूबे हैं, तो क्या उस का मतलब यह है कि एक सूबे का भ्रादमी अगर गुनाह करता है, तो मैं कह दूँ कि उस के कान पकड़ लो? जहां का भ्रादमी जो कुसूर करे वह उस की सजा पायेगा। क्या इस के यह माने हैं कि हिन्दुस्तान जो है उस के भ्रन्दर से भ्रादमियत बिल्कुल निकल गई है? भ्रादमी रहते हैं, जगह जगह पर, और वे काम करते हैं। उन से गलती भी होती है, सही बात भी होती है। इस से वह नतीजे निकालने जोकि यहां निकाले जा रहे हैं, बिल्कुल गलत बात है। यह तो खैर इतनी बड़ी बात नहीं है जिस के लिये यह समझा जाय कि और कुछ होना चाहिये। इस के लिये यही हो सकता था,

और जो कुछ इस के लिये होना चाहिये था वह हो गया है। कमेटी बनाई गई है, वह मालूम करेगी।

इस के बाद मैं अर्ज करूँ . . .

Shri S. M. Banerjee: On a point of order. Many hon. Members, from this side as well as from the other, have demanded a judicial inquiry and so on. But in the speech of the hon. Minister, he says:

‘इल्जाम किस पर है और किस पर नहीं है’

This clearly means that this is no inquiry but just an eye-wash. I would only request the hon. Minister not to say such things or use these words. Otherwise, there will be no inquiry worth the name.

Mr. Speaker: Is he now satisfied that he has made out a point of order?

Shri S. M. Banerjee: No, Sir. My point of order is only this, whether the Minister should use these words, casting doubts on the genuineness of the inquiry.

Mr. Speaker: The hon. Minister might proceed.

हाफिज मुहम्मद इब्राहीम : जुडिशल एन्वयरी और एन्वयरी बाई एग्जिक्यूटिव यह दो चीज तो हैं, लेकिन इस बात में तमीज करनी होती है कि किस मौके पर और किस लिहाज से जुडिशल एन्वयरी होनी चाहिये और किस मौके पर एग्जिक्यूटिव के जरिये से एन्वयरी होनी चाहिये। कोई जुडिशल प्रान्ब्लेम इस के अन्दर नहीं है। कोई चीज फलां से टूट गई, इस के लिये सुप्रीम कोर्ट का जज बलाया जा, वह आ कर तहकीकात करे कि यह कैसे टूट गई, यह कैसे हो सकता है? हज़ूर वाला, हिन्दी का एक मसला है :

“जिस का काम उसी को साजे”।

दूसरा हिस्सा क्या है? मुझे वह याद नहीं रहा। बहरहाल जो चीज जिस के काबिल होती है उसी से कराई जानी चाहिये। इसलिये यह काम कमेटी के सुपुर्द किया गया। अब उन को बेईमान हम समझें, उन पर ऐतबार न करें, अगर इस तरह से होता है, तो मैं समझता हूँ कि हिन्दुस्तान में किसी मौके पर किसी के ऊपर ऐतबार नहीं किया जा सकता। सारी सर्विसेज को ही खराब समझ लिया गया है। साहब, बेऐतबारी तो उस के मुताल्लिक हो सकती है जिस के मुताल्लिक बेऐतबारी साबित हो गई हो। आप ने बेईमानी देखी तो है नहीं, लेकिन सोचते हैं कि चूँकि आदमी है इसलिये बेईमानी करेगा ही। पहले से यह तय कर लिया गया है कि आदमी है, बेईमानी जरूर करेगा। इस प्रिजिम्शन के ऊपर कि चूँकि आदमी है इसलिये बेईमानी करेगा जरूर, उस में बेईमानी करने का मादा है जरूर, यह गलत है। यह चीज नहीं चल सकती।

श्री त्यागी : उसे तो बिजली ने जलाया है। वह बिजली की गर्मी से जला है, किसी आदमी ने नहीं जलाया।

हाफिज मुहम्मद इब्राहीम : आप खुद अपनी बात फरमाते हैं, मुझे आगे नहीं चलने देते। इस तरह से कैसे काम चलेगा ?

अध्यक्ष महोदय : मिनिस्टर साहब को आगे चलने दिया जाये . . .

हाफिज मुहम्मद इब्राहीम : लोड शोडिंग के बारे में मैं ने अर्ज कर दिया कि वह गड़बड़ी २० तारीख तक खत्म हो जायेगी।
(Interruptions).

इस से पहले जो ट्रांसफार्मर खराब हुआ उस की वाबत मैं अर्ज नहीं करना चाहता। लेकिन उस की निस्वत मैं ने यही लोगों को फरमाते सुना कि फलां वक्त हुआ था और इतने अर्से के बाद उस का लाइसेंस दिया गया। बात तो यह सही है और वक्त होता तो मैं उस के बारे में बतलाता। उस की कुछ तफसील है मेरे

[हाफिज मुहम्मद इब्राहीम]

पास। वह सब मैं आप को दिखा देता। उस से आप को मालूम हो जाता कि यहां की किसी मिनिस्ट्री का उस में कोई कुसूर नहीं है। जहां तक उस की एजेन्सी का बास्ता है, उस एजेन्सी की निस्वत भी उन तहरीरों में जो यहां हैं, कोई बात लिखी हुई नहीं है और न किसी से उस में देर हुई है। अगर कोई बात हुई तो उन्हीं से हुई। पंजाब वालों का ही ट्रांसफार्मर था और उसी लाइन में सब कुछ हुआ जो यहां भाखरा की बिजली को ला रहा है। जो भी खराबी थी वह वहीं पर हुई। यहां सेन्टर में किसी से कोई खराबी नहीं हुई।

श्री त्यागी : एक ऐतिहासिक यह किया गया है कि इम्पोर्ट लाइसेंस मंजूर करने में आप की गवर्नमेंट ने देर की है। हम का क्या जवाब है ?

हाफिज मुहम्मद इब्राहीम : शूर वाला, नहीं की है।

श्री त्यागी : यानी देर नहीं की है ? जिस दिन ऐप्लाइ किया उसी दिन मिल गया ?

हाफिज मुहम्मद इब्राहीम : हां, महीने दो महीने हमने नहीं लगाये।
(Interruptions).

श्री शं० शा० मोरे (पूना) : पंजाब गवर्नमेंट ने ऐप्लीकेशन करने में देर लगा दी।

हाफिज मुहम्मद इब्राहीम : यह बात भी है। इस में यह तक नहीं लिखा है कि
(Interruptions).

श्री गौरी शंकर (पतेहपुर) : मुझे यह अज्ञ करना है कि यह जो धरेलू बातें होती हैं उस से कुछ सुनाई नहीं देता।

अध्यक्ष महोदय : इसी लिए मैं ख्याल कर रहा हूँ कि मैं चला जाऊँ यहाँ से।

हाफिज मुहम्मद इब्राहीम : हर जगह जिम्मेदारी का जिक्र है यहां, जिम्मेदारी का, रिस्पॉसिबिलिटी का, और कुछ मेरे दोस्तों का ख्याल यह है कि शायद सेंडल जो मिनिस्ट्री है इरिगेशन एंड पावर की, वह इस के लिए जिम्मेदार है। मैं बड़े अदब से अज्ञ करता हूँ, हुजूर से, कि बदकिस्मती से

अध्यक्ष महोदय : हाफिज साहब तो बुजुर्ग हैं, हाथ तो मैं जोड़ता हूँ। वह क्यों जोड़ें ? यहां डिमोक्रेसी में न कोई हुजूर है और न किसी को हाथ जोड़ना चाहिये।

संसद् कार्य मंत्री (श्री सत्य नारयण सिंह) : यह "सर" का ट्रांसलेशन है।

हाफिज मुहम्मद इब्राहीम : यह तो हमारे हिन्दुस्तान की तहजीब की बहुत पुरानी चीज है जो कि बुजुर्गों से चली आई है और हमारे तमाम जिस्म में छाई हुई है। मैं ने उसी में परवरिश पाई है। यह कोई बदतमीजी नहीं है, किसी के खिलाफ कोई बात नहीं है, बल्कि अदब है, रिस्पेक्ट है जो एक आदमी अदा करता है बड़े आदमी को। वह साइन है, एक्स्प्रेसन है बाहर की दुनिया की तरफ, जिस में दुनियां समझती है कि उसने अदब से बात की है इस में ऐसी कोई बात नहीं है जिस के लिए समझा जाये कि वह गलत है, अगर मैं उनको ऐड्रेस करता हूँ "हुजूर" कह कर। आज कल तो लोगों ने हुजूर के लफ्ज को छोड़ना शुरू कर दिया है। मैं इस से वाकिफ हूँ। लेकिन मैं तो ६०, ६५ बरस का आदमी हूँ और मैं ने तालीम पाई थी इस बात की।

Shri Frank Anthony: Before this dissolves itself into a farce, may I ask, with your permission, two questions? When did the Centre come in when the breakdown occurred? Why did not the Centre take steps to get a transformer, to import it? Secondly, why are we still undergoing chaotic conditions? Every day there is a

change with regard to the scheduled and unscheduled cuts. Please reply to these two matters.

हाफिज मुहम्मद इब्राहीम : मैं समझता हूँ कि जो साहिबान बिजली इस्तेमाल करते हैं उनको इस किस्म के तजर्बे हुए होंगे और वह इस बात को समझ लेंगे ।

जहाँ तक शोडिंग का सवाल है, जिस हिस्से में शोडिंग होता है उसमें जितना लोड होना चाहिए उससे लोग ज्यादा लोड ले लेते हैं । जो वहाँ के बिजली इस्तेमाल करने वाले हैं वे ज्यादा बिजली ले लेते हैं ।

अध्यक्ष महोदय : मिनिस्टर साहब मेरी तरफ मुखातिब हों तो ज्यादा बेहतर होगा । उन्होंने दो सवाल किये हैं । एक तो यह कि सेंटर इस वक्त आया और दखल देने लगा, तो पहले सेंटर ने दखल क्यों नहीं दिया । और दूसरा सवाल यह था कि जब शोडिंग का शिड्यूल बनाया जाता है तो उसके मुताबिक शोडिंग क्यों नहीं किया जाता । जो वक्त बतलाया जाता है उससे दूसरे वक्त में बिजली बन्द कर दी जाती है जिससे लोगों को तकलीफ होती है । ये सवाल एंथनी साहब ने किये हैं ।

हाफिज मुहम्मद इब्राहीम : मैं समझता हूँ कि मैं लेजिस्लेचर में बोल रहा हूँ और वह भी हिन्दुस्तान के लेजिस्लेचर में बोल रहा हूँ जहाँ इस बात को गालिबन साफ कहने की जरूरत नहीं है । यहाँ सब ने कांस्टीट्यूशन को देखा है और उसको अच्छे तरीके से जानते हैं । इलेक्ट्रिसिटी स्टेट्स का सबजेक्ट हूँ और प्रेक्टिकली तमाम स्टेट्स इस मामले में आजाद हैं । जहाँ तक सेंटर का ताल्लुक है उससे किसी स्टेट के ऊपर किसी किस्म की क्वाबट नहीं पंदा होती ।

Shri Priya Gupta: On a point of order, Sir. The Indian Electricity Act and Rules have got provisions that the Centre can intervene in such cases of breakdown as it is covered under the provisions of the Law of

the Land. So, under that it is a Central subject now.

हाफिज मुहम्मद इब्राहीम : मैं अर्ज करूँ कि जो वह फरमाते हैं वह कहीं नहीं लिखा है । लेकिन लिखा न होने के बावजूद हम इंटरवीन करते हैं, वह एक अलग बात है । मैं तो इस वक्त यह अर्ज कर रहा हूँ कि जहाँ तक कांस्टीट्यूशनल और लीगल जिम्मेदारी का सवाल है वह मेरी नहीं है । मुझे तो कोई अख्तियार नहीं है । मैं उसके अन्दर दखल नहीं दे सकता । मैं उनके साथ मुहब्बत से, इखलाक से बरताव करता हूँ, तो वह मेरी बात सुनते हैं । यह अगल बात है । लेकिन जहाँ तक कानूनी जिम्मेदारी का सवाल है, मैं इसमें दखल नहीं दे सकता ।

दिल्ली के बारे में बजली का जो कानून है वह मेरे पास है । उसको मेरे दोस्त देख लें । यह काम कारपोरेशन के जिम्मे है । उसने इसके लिए एक कमेटी बनायी है और उस कमेटी के लिए साफ साफ लिखा है इस कानून में जोकि उसको क्या क्या करना है और क्या क्या नहीं करना है । मैं इन मामलों में जो ज़वाब देता हूँ उसकी एक वजह है । जब पंत जी के पास होम मिनिस्ट्री थी तो उनकी यह राय थी कि दिल्ली की बिजली के बारे में जो सवालात हों उनका जवाब मेरी मिनिस्ट्री दे दिया करे । इस बिना पर हमारी तरफ से जवाब दिए जाते हैं वरना मुझे मिनिस्टर की हैसियत से यहाँ की बिजली से कोई वास्ता नहीं है । मैं उसमें कुछ नहीं कर सकता । लेकिन इसके मानी यह नहीं है कि मुझ से जो कुछ हो सकता है वह मैं न करूँ । मैं तो वह कर ही रहा हूँ इस मामले में भी और आगे भी जो मामले आएँ उनमें भी करता रहूँगा । लेकिन वह दूसरी बात है । लेकिन यहाँ कुछ ऐसा महसूस किया जा रहा है कि जिन आदमियों की यह कांस्टीट्यूशनल जिम्मेदारी है उस को वे पूरा नहीं कर रहे हैं । यह बात गलत है और इसी लिए मुझ को यह बताना पड़ा कि यह मामला पंजाब का है और

[हाफिज़ मुहम्मद इब्राहीम]

दिल्ली को इससे कोई वास्ता नहीं। हाँ इससे लोगों को जो तकलीफ़ हुई उससे हर इन्सान को तकलीफ़ होगी। लेकिन ऐसा किसी ऐसे घादमी के कुसूर से नहीं हुआ जिसकी जिम्मेदारी थी और उसको उसने पूरा नहीं किया। मैं पहले अर्ज कर चुका हूँ, उसको दुहराने की जरूरत नहीं है।

Shri N. Sreekantan Nair (Quilon): Is it in order for a Minister to give his entire reply in Hindi when there are members like me who do not understand a word of Hindi. I would like to know whether I would be given at least a summary or not.

Some Hon. Members: No, no.

Shri Hanumanthaiya: When other Members who know Hindi become intolerant towards some of us, who for no fault of ours do not know Hindi, is it the proper psychology to encourage Rashtra Bhasha? I protest against this psychology of many of my hon. friends who say: no, no, whenever an hon. Member really and sincerely wants to understand what the hon. Minister says. Is this the way of receiving and accommodating all the people of India and integrating them? . . . (Interruptions.)

Hafiz Mohammad Ibrahim: Unfortunately, the position is that there are so many also in this House who do not understand English at all.

Mr. Speaker: After the hon. Minister has completed his reply in Hindi he may give a gist of it in English also.

श्रीमती जयार्वेन शाह (प्रमरेली) :
मिनिस्टर साहब जरा जोर से बोले ताकि जो हिन्दी समझ सकते हैं वह तो समझ लें। मैं जहाँ बैठी थी वहाँ से कुछ सुन नहीं सकती थी। लेकिन यहाँ आने पर भी समझने में तकलीफ़ होती है। वह जरा जोर से बोलें।

अध्यक्ष महोदय : मैं हाफिज़ साहब से दरखास्त करूँगा कि वह अपना बयान बजाए बाएँ के दाएँ करें। या मैं मिनिस्टर फार पार्लियामेंट एफ़ेयर्स से दरखास्त करूँगा कि वह दाएँ को चले जाएँ।

Hafiz Mohammad Ibrahim: I was saying that as far as responsibility for electricity is concerned, the Centre has no responsibility. This probably is known to the Members of Parliament or of the assemblies. . . . (Interruptions.) as far as Delhi is concerned, according to the law that has been made electricity has been entrusted and given to the Corporation which has formed a committee for that purpose, which runs the whole thing. Personally, as a Minister I have nothing to do. Under a private arrangement it was settled that as far as parliamentary questions are concerned, the Irrigation and Power Ministry may give the replies to the questions and nothing more. . . . (An Hon. Member: Then why discuss it here?) That is the position as far as Delhi is concerned.

Shri Frank Anthony: It is not a fact that electricity is in the Concurrent List?

Hafiz Mohammad Ibrahim: Yes. What does it mean? He may discuss that with me separately. If he wants to discuss it he must first explain what he understands from the word 'concurrent'. I will explain it.

Mr. Speaker: Is the speech concluded.

Hafiz Mohammad Ibrahim: Yes, Sir.

Mr. Speaker: Then the House stands adjourned.

17.30 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Friday, August 10, 1962, Shrawana 19, 1884 (Saka).

[Thursday, August 9, 1962, Sravana 18, 1884 (Saka)]

		COLUMNS			COLUMNS
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147	Repeal of Portuguese Laws in Goa	818—20	170	Law and order situation in coal mines	857-58
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152	Barter Agreement with U.S.A.	827—29	348	Housing Schemes for Punjab	860-61
153	Cost factors of exportable commodities	829—31	349	Export of molasses	861-62
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156	Establishment of drug plants	834—37	351	Export of jute goods	863
157	Hindu minorities in Noakhali district of East Pakistan	837—40	352	Survey of Atomic minerals in Saurashtra and Kutch	863-64
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160	Small Scale Industries in rural areas	843—46	355	All India Khadi and Village Industries Board	865-66
161	Landsdowne Jute Mill, Calcutta	846—48	356	Slum clearance in Rajasthan	866-67
162	Free Trade Zones	848—50	357	Ambar Charkha in Tripura	867
163	Survey of economic conditions in Eastern U.P.	851-52	358	Green tea export to Afghanistan	867-68
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154	Indian detained in Portugal	854	362	Survey of unemployment in Kerala	870
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166	Report on Central Government Servants' Strike, 1960	855	364	Decentralization in C.P.W.D.	871
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370	Small Scale Industries Boards	874-75
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372	Education in Goa	876
373	Board of Trade	876-78
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378	Workers registered with Employment Exchanges in Delhi	880-81
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387	British India Corporation, Kanpur	884-85
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406	Construction of quarters on Panchkuin Road, New Delhi	896
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PAPERS LAID ON THE
TABLE—

909-10

(1) A copy each of the following papers :—

(i) The Cotton Control (Amendment) Order, 1962 published in Notification No. G.S.R. 888 dated the 29th June,

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1962 under sub-section (6) of section 3 of the Essential Commodities Act, 1955.

(ii) S.O. No. 2203 dated the 16th July, 1962 issued under section 15 of the Industries (Development and Regulation) Act, 1951.

(iii) Annual Report of the Tea Board for the year 1959-60.

(2) A copy of the Grant of Loans to Licensed Salt Manufacturers' (Amendment) Rules, 1962 published in Notification No. G.S.R. 1007 dated the 28th July, 1962, under sub-section (3) of section 6 of the Salt Cess Act, 1953.

(3) A statement containing particulars of 15 train accidents involving casualties which occurred during the period from 23rd June to 3rd August, 1962 and showing the action taken or proposed to be taken against the railway staff.

STATEMENTS BY MINISTERS

910-11,
965-70

(i) The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha) announced that a discussion on the Report of the Study Team on Cooperative Training may take place on Friday, the 10th August, 1962.

(ii) The Minister of Steel and Heavy Industries (Shri C. Subramaniam) made a statement regarding the manufacture of small car.

MOTION TO REFER BILL
JOINT COMMITTEE
ADOPTED.

913-65

The Deputy Minister in the Ministry of Law (Shri Bibudhendra Mishra) moved that the Specific Relief Bill be referred to a Joint Committee. The motion was adopted.

BILL REFERRED TO
SELECT COMMITTEE

971-77

The Deputy Minister of Law (Shri Bibudhendra Mishra) moved that the Administrators-General Bill referred to a Select Committee. The motion was adopted.

DISCUSSION ON MATTER
OF URGENT PUBLIC IM-
PORTANCE

977-1046

Shri Bishanchander Seth raised a discussion on the breakdown of power supply in Delhi

The Minister of Irrigation and Power (Hafiz Mohammad Ibrahim) replied to the debate and the discussion was concluded.

AGENDA FOR FRIDAY,
AUGUST, 10, 1962/SRA-
VANA 19, 1884 (SAKA)

Discussion on the motion re : Report of Study Team on Cooperative Training : and consideration of Private Members' Resolutions.