

(d) whether legislation validating these orders is likely to be introduced to cancel the effect of illegal promotions by the Income-Tax Department?

The Deputy Prime Minister and Minister of Finance (Shri Morarji Desai): (a) Yes, Sir.

(b) The implications of the judgment as to the claims of direct recruits vis-a-vis promotees as Class I are being examined in consultation with the Ministry of Law.

(c) Income-tax Officers and Assistant Commissioners of Income-tax are appointed under Section 5 of the Income-tax Act 1922/Section 117 of the Income-tax Act, 1961. The notifications appointing the officers and Assistant Commissioners were not challenged before the Supreme Court. Moreover the Income Tax Act does not make any distinction between Income-tax Officers, Class I and Class II. Their powers under the Income-tax Act are the same. The decision of the Supreme Court does not render invalid the orders passed by Income-tax Officers or Assistant Commissioners of Income-tax.

(d) Does not arise

Financial Relations between Centre and States

291. Shri Madhu Limaye:  
Dr. Ram Manohar Lohia:  
Shri S. M. Banerjee:  
Shri George Fernandes:  
Shri Surendranath Dwivedy:  
Shri Hem Barua:  
Shri Indrajit Gupta:  
Shri Prakash Vir Shastri:  
Shri Sidheshwar Prasad:  
Shri M. Sundararam:  
Shri Swell:  
Dr. Karai Singh:  
Shri Kikar Singh:  
Shri Kalya Birua:  
Shri A. Sreedharan:

Will the Minister of Finance be pleased to state:

(a) whether Government's attention has been drawn to the Kerala and Andhra Pradesh Chief Ministers' suggestion that the financial relations between the Centre and the States should be given a statutory basis;

(b) whether it is also a fact that this subject was discussed at the Chief Ministers' Conference held in Delhi in April, 1967; and

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

The Deputy Prime Minister and Minister of Finance (Shri Morarji Desai): (a) Government are aware of certain reports in the Press to this effect.

(b) and (c). The financial relations between the Centre and the States are already governed by the relevant Articles in the Constitution.

#### Liberalisation of Abortion Laws

292. Shri Madhu Limaye:  
Dr. Ram Manohar Lohia:  
Shri S. M. Banerjee:  
Shri George Fernandes:  
Shri Onkar Lal Berwa:  
Shri Liladhar Kotaki:  
Shri N. R. Laskar:  
Shri Sradhakur Supakar:  
Shri Mohan Swarup:  
Shri B. S. Sharma:  
Shri Yashpal Singh:  
Shri S. C. Samanta:  
Shri Ram Kishan Gupta:  
Shri Kanwar Lal Gupta:  
Shri Meetha Lal:  
Shri Sidheshwar Prasad:  
Shri Ramachandra Ulaka:  
Shri Dhuleshwar Meena:  
Shri K. Pradhani:  
Shri Heerji Bhai:  
Shri K. N. Pandey:  
Shri Dhirendranath:  
Shri Vishwa Nath Pandey:  
Shri Mohsin:  
Shri Prakash Vir Shastri:  
Shri Raghuvir Singh Shastri:  
Shri Nambhar:  
Shri A. B. Vajpayee:

Will the Minister of Health and Family Planning be pleased to state:

(a) whether Government propose to introduce legislation to give effect to the recommendations of the Shah Committee on liberalisation of abortion laws contained in the report; and

(b) if so, when and in what form?

The Deputy Minister in the Ministry of Health and Family Planning (Shri B. S. Murthy): (a) Yes.

(b) After receipt and consideration of the views of the State Governments on the report of the Committee, it is proposed to introduce a Bill seeking suitable amendments to the existing relevant provisions of the I.P.C.

**Nitro-Phosphate Plant at Trombay**

293. Shri P. Ramamurti;  
 Shri A. K. Gopalan;  
 Shri Baburno Patel;  
 Shri Madhu Limaye;  
 Shri Siddheshwar Prasad;  
 Shri S. M. Joshi;  
 Shri N. S. Sharma;  
 Shri Sharda Nand;  
 Shri Brij Bhushan Lal;  
 Shri Ram Singh Ayarwal;

Will the Minister of Petroleum and Chemicals be pleased to state:

(a) whether the Fertiliser Corporation of India have invited a German expert to examine the nitro-phosphate plant in its Trombay unit and make recommendations for improving its performance;

(b) if so, the reasons therefor;

(c) whether the foreign contractors have stated that the plant is permanently handicapped and that its performance would never be satisfactory, and

(d) if so, the action taken by Government to investigate into the matter and fix the responsibility for this state of affairs?

The Minister of State in the Ministry of Petroleum and Chemicals and of Planning and Social Welfare (Shri Raghuramaiah): (a) Yes.

(b) To examine the feasibility of upgrading the phosphatic content by the use of di-ammonium phosphate, triple-super phosphate or phosphoric acid so as to reach the rated capacity of the factory.

(c) The foreign contractor has agreed that it would not be possible to attain the rated capacity.

(d) The foreign contractor has expressed his willingness to explore methods for reaching the rated capacity by adopting alternative means. It has agreed to come to India for a technical discussion at the invitation of the Fertilizer Corporation of India. Meanwhile, the advice of a German Expert also has been obtained.

**Sindri Fertilisers**

294. Shri P. Ramamurti;  
 Shri A. K. Gopalan;

Will the Minister of Petroleum and Chemicals be pleased to state:

(a) whether there is a shortfall in the total production of Sindri Fertilisers;

(b) if so, the extent of the shortfall and the reasons therefor; and

(c) the steps taken to overcome the difficulties resulting in the shortfall?

The Minister of State in the Ministry of Petroleum and Chemicals and of Planning and Social Welfare (Shri Raghuramaiah): (a) Yes.

(b) As against the target of 53,500 tonnes of nitrogen in fertilizers, actual production was 90,068 tonnes, the shortfall thus being 3,432 tonnes. The shortfall was due to the additional sale of ammonia to the Indian Explosives Ltd., Gomia and the non-availability of proper quality of coking coals during the earlier parts of the year.

(c) Arrangements have been made with the Coal Controller for regular supplies of proper quality coking coals. Two lean gas producers have been commissioned in November, 1966. A naphtha gasification unit is being installed.