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LOK SABHA DEBATES

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FIFTH SESSION, 1963/1885 (Saka)

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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 the Member.

LOK SABHA

Friday, August 30, 1963/Bhadra 8,
1885 (Saka).

The Lok Sabha met at Eleven of the
Clock.

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Electricity for Small Scale Industries

*388. **Shri Yashpal Singh:** Will the Minister of Industry be pleased to state:

(a) the progress made in making available electricity at cheap rates for small scale industries in the community blocks; and

(b) when a final decision is expected to be taken in the matter?

The Minister of Industry (Shri Kanungo): (a) and (b). A statement is laid on the Table of the House.

STATEMENT

(a) and (b). Power subsidy is made available to all Small industrial units the maximum connected load of which does not exceed 20 H.P. Where the existing tariff is more than 9 nP. per unit, the excess should be met as subsidy provided the extent of such subsidy does not exceed 9 nP. per unit. The scheme has been introduced with slight modifications in the following States:—

1. Madras.
2. Maharashtra.
3. Gujarat.
4. Assam.

1009 (Ai) LSD—1.

5. Uttar Pradesh.

6. Rajasthan.

7. Tripura.

8. Madhya Pradesh.

9. Himachal Pradesh.

In Kerala the existing tariff is already lower than 9 nP. per unit. In Delhi and Pondicherry the existing tariff is 10 nP. per unit and no subsidy has been considered necessary.

The following States have also decided to introduce the scheme:—

1. Bihar.
2. Orissa.
3. Nagaland.

In the following States, the scheme has not yet been implemented:—

1. Andhra Pradesh.
2. West Bengal.
3. Punjab.
4. Manipur.

श्री यशपाल सिंह : अकेले उत्तर प्रदेश में ८०,००० से ज्यादा एप्लीकेशंस एसी हैं जिनमें कि ५ एच. पी. से कम डिमांड की गई है ?

उद्योग मंत्री (श्री कानूनगो) : यू० पी० गवर्नमेंट ने तय कर लिया है कि ६ नये पसे पर यूनिट से जितना ज्यादा होगा उस का खर्चा वह देगी। अब कितना देना मंजूर किया यह हम मालूम नहीं है।

Shri Yashpal Singh: What about the 30,000 applications?

Shri Kanungo: I am not aware of it. The Uttar Pradesh Government adopted the policy and they must be doing it.

श्री यशपाल सिंह : क्या यह सही नहीं है कि नई बिजली पदा किये बगैर इन डिमांड्स को मीट करना कतई नामुमकिन है ?

अध्यक्ष महोदय : अब माननीय सदस्य को तीसरा सवाल करने के लिये मेरी तरफ तबज्जह करनी चाहिये थी लेकिन आप ने इधर की तरफ रख ही नहीं किया और इसके पहले कि मैं माननीय सदस्य को उसकी इजाजत देता या न देता, उन्होंने सवाल कर डाला ।

श्री यशपाल सिंह : सवाल तो पहले से ही सम्बन्धित है । मेरी बिन्ती है कि अध्यक्ष महोदय इसका उत्तर दिलवा दें ।

अध्यक्ष महोदय : अच्छा जवाब दे दिया जाय ।

Shri Kanungo: The question is about the rates. The rates have been fixed by the Uttar Pradesh Government and those who come within that category will pay that rate only. If the power cannot be supplied to others, that is a different problem. There may be shortage of power or whatever it is. But when power is supplied it will be supplied at the concessional rate.

Shri Kapur Singh: May I know whether Government are aware that in the Punjab, the rating of electric power is governed by the principle of, 'making the consumer pay till it hurts', and, if so, may I know when, if ever Government propose to enforce the Socialist principle of "price not to exceed the broad-based cost index" in the Punjab?

Shri Kanungo: We are concerned here with the supply of power to small-scale industries of a certain category. The principle accepted by Punjab has been that they would...

Mr. Speaker: Punjab has not enforced it.

Shri Kanungo: I am sorry; Punjab is one of the States where the scheme has not been implemented.

Shri S. M. Banerjee: I want to know whether the industrialists of Uttar Pradesh both small and big, have requested the Central Government to see that the electricity rates which, according to them are higher, and which affect the growth of industries, should be taken up with the Uttar Pradesh Government....

Mr. Speaker: This is about the small-scale industries in the community blocks.

Shri S. M. Banerjee: The electricity rates are higher and so I want to know this. If you will kindly permit that question to be answered, I shall be grateful.

Mr. Speaker: Yes.

Shri Kanungo: The Uttar Pradesh Government has accepted the principle and is operating the principle of 9 nP. per unit for small-scale industries.

Dr. Ranen Sen: Is the Government aware that in Orissa, West Bengal and Assam, the electricity rates for the small-scale industries in the community blocks are higher and, if so, is there any contemplation or plan on the part of the Government to reduce the rates?

Shri Kanungo: This is not the case of community blocks. This is a case of industrial estates, and the Orissa Government has accepted the principle; they have decided to accept the principle but they have not made it operative. They will be doing it soon.

श्री विभूति मिश्र : क्या मंत्री जी को मालूम है कि उत्तर बिहार में साढ़े ७ आने पर यूनिट बिजली की दर चार्ज होती है, छोटे छोटे उद्योग वालों को साढ़े ७ आने की दर पर भी बिजली नहीं मिलती है इसलिये क्या सरकार उन छोट उद्योग वालों के लिये बिजली की दर घटाने का कोई इंतजाम करेगी ?

श्री कानूनगो : बिहार गवर्नमेंट ने इस सिद्धांत को मंजूर कर लिया है लेकिन उस पर अमल अभी तक शुरू नहीं किया है ।

श्री गुलशन : पंजाब में कस्बों और छोटे छोटे गांवों में जो लोग दस्तकारी का काम करते हैं उन के लिये बिजली का प्रबंध कब तक हो जायेगा ?

श्री कानूनगो : पंजाब ने इस को कबूल नहीं किया है ।

Shri Jashvant Mehta: May I know whether the Ministry of Industry has issued any instructions to the State Governments to introduce uniform rates in the community projects for the small-scale industries?

Shri Kanungo: No, Sir. It refers only to small-scale industries.

श्री सिद्धेश्वर प्रसाद : छोटे उद्योगों के लिये विभिन्न राज्यों में जो बिजली दी जाती है उस की दर किसी एक खास सिद्धांत के आधार पर निश्चिन्त होती है या उसका सिद्धांत अलग अलग राज्य के लिये अलग अलग होता है ?

श्री कानूनगो : मैंने कहा है कि स्मॉल स्केल इंडस्ट्रीज के लिये राज्यों में अलग अलग रेट्स हैं ।

Mr. Speaker: Next Question—Shri P. C. Borooh.

Shri P. C. Borooh: Question No. 389.

Mr. Speaker: If 390 can also be taken along with it conveniently, that may also be taken along with this.

Shri Kapur Singh: That is a different one.

Mr. Speaker: If it is a different one henceed not answer it. He may answer only Question No. 389.

Fertilizer Plants

+

- *389. { **Shri P. C. Borooh;**
Shri P. R. Chakraverti;
Shri Ram Harkh Yadav;
Shri Maheswar Naik;

Will the Minister of Steel and Heavy Industries be pleased to refer

to the reply given to Starred Question No. 650 on the 29th March, 1963 and state:

(a) the names of projects for which orders are yet to be placed and those for which orders have been placed after the 29th March, 1963; and

(b) other steps being taken to accelerate setting up of new fertilizer plants and expansion of the existing ones, so as to attain the targets laid down in the Third Plan as far as possible?

The Deputy Minister in the Ministry of Steel and Heavy Industries (Shri P. C. Sethi): (a) Orders for plant and machinery have not so far been placed for the following fertilizer projects:—

- (i) Vishakapatnam,
- (ii) Kothagudam.
- (iii) Hanumangarh,
- (iv) Tuticorin,
- (v) Mangalore,
- (vi) Durgapur,
- (vii) Gujarat,
- (viii) Madhya Pradesh.

Orders for the supply of plant and machinery for the Gorakhpur Fertilizer Project were placed in April, 1963.

(b) All possible help is being given to the private sector licensees to progress their projects. Steps are also being taken to expedite the public sector projects for which orders for plant and machinery have already been placed and to maximise production in the factories already in operation.

Shri P. C. Borooh: May I know whether any decision has been taken on the question of taking over those projects in the public sector for which licences were given in the private sector but have been unduly delayed; if so, what are the reasons for the same?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): We have been taking that step also

and, as the hon. Member knows, with regard to Madhya Pradesh the licence has been cancelled which was granted to a private party and it is being done in the public sector. Now we are also considering other projects which could be taken over in the public sector.

Shri P. C. Borooah: May I know what are the difficulties, if any, known to the Government for causing this delay in the installation of fertiliser plants in the private sector, and may I also know whether the Government has offered them foreign aid and assistance if sought for?

Shri C. Subramaniam: As it has already been stated, all possible help is being.....

Shri Ranga: The hon. Minister may speak a little loudly.

Shri C. Subramaniam: I do not know why you do not hear me at all.

Mr. Speaker: Voice from the north should be enough to reach the south.

Shri C. Subramaniam: I thought we were together in the south.

Sir, I was saying that all possible help is being given to the private sector to process all the projects. In spite of that they have not made much progress.

श्री प० ला० बाळुपाल : राजस्थान में हनुमानगढ़ में जो खाद का कारखाना स्थापित करने की योजना है उस में देर होने का क्या कारण है और यः कारखाना कब तक स्थापित हो जायेगा ?

श्री प्र० चं० सेठी : हनुमानगढ़ में स्थापित करने के लिये लाइसेंस दिया गया है लेकिन उसमें अभी कोई विशेष प्रगति नहीं हुई है। उस का कारण यह है कि एक तो नेफता की कीमत के बारे में कोई फैसला नहीं हो सका है और फिर उसके ट्रांसपोर्ट करने का सवाल भी सामने है। उस के बारे में रेलवेज से विचार विमर्श चल रहा है।

Dr. Gaitonde: May I know whether it is a fact that a fertiliser plant would be set up in Goa; if so, whether it will be in the private sector or in the public sector?

Shri C. Subramaniam: No decision has been taken, but there is a possibility of a fertiliser factory being set up in Goa.

श्री विभूति मिश्र : फर्टिलाइजर के कारखाने के लिये स्थान का चुनाव करने के लिये कौन से सिद्धांत रखे जाते हैं ?

श्री प्र० चं० सेठी : यह इस बात पर निर्भर करता है कि फर्टिलाइजर किन चीजों से उत्पादित होने वाला है।

श्री विभूति मिश्र : उसके लिए स्थान का चुनाव किस सिद्धांत पर किया जाता है ? जहां एग्रीकलचरल एरिया है वहां यह लगाया जाता है या इसके कोई और सिद्धांत है ?

श्री प्र० चं० सेठी : यह इस बात पर निर्भर करता है कि फर्टिलाइजर किस से बनने वाला है। मिसाल के तौर पर अगर फर्टिलाइजर कोयले से बनना है तो वह ऐसे स्थान पर लगाया जायगा जहां कि नजदीक कोयला मिलता है।

Shri C. Subramaniam: In this matter the experts have to decide the location.

Shri P. R. Chakraverti: May I know what will be the target of production both in the private sector and in the public sector for these proposed projects, and may I also know what the capital outlay will be?

Shri C. Subramaniam: Which proposed project?

Shri P. R. Chakraverti: The proposed projects that you have mentioned now.

Shri C. Subramaniam: Goa? As I said, no final decision has yet been taken with regard to Goa.

Shri P. R. Chakraverti: What will be the capital outlay and is there any foreign collaboration?

Shri C. Subramaniam: A final decision has not been taken, and those details are not available now.

Dr. Ramen Sen: Has the proposed fertiliser plant in Durgapur in the public sector been abandoned or is it still contemplated to be set up there?

Shri C. Subramaniam: Durgapur was not in the public sector. It was, with minority participation of the West Bengal Government, anticipated to be taken up, but they have given up that project now. Therefore, it will have to be considered whether it could be taken up by the Fertilizer Corporation.

Shri Mohsin: May I know whether the fertilizer plant proposed to be set up at Mangalore will be in the public sector or in the private sector and whether there will be any foreign collaboration for that?

Shri C. Subramaniam: It will be in the private sector with foreign collaboration. But, it has not made much progress.

Shri Tridib Kumar Chaudhuri: With regard to the Durgapur fertilizer project, may I know whether the West Bengal Government themselves have proposed to the Government of India to have the plan executed through the Fertilizer Corporation of India and, if so, at what stage the consideration of that proposal is

Shri C. Subramaniam: The West Bengal Government have written to us that it should be taken up by the Fertilizer Corporation of India. The matter is under consideration now.

Shri D. J. Naik: May I know the location of the fertilizer plant in Gujarat and also.....

Mr. Speaker: We cannot discuss the location of each plant in each State. It will take a very long time.

Shri Kapur Singh: I want to know whether these plants will be un-natrient or omnicompetent, producing all types of fertilizers whether based on nitrogen, phosphorus or Potassium.

Shri C. Subramaniam: In certain plants multi-purpose fertilizers are being produced—nitrogen as well as phosphorus.

Shri N. R. Laskar: May I know whether the Minister will be in a position to say that all the fertilizer plants will go into production during the Third Plan?

Shri C. Subramaniam: Yes, almost all the public sector projects will go into production during the Third Plan. But the Visaknapatnam and Kothagudam plants may go into production some time in the first year of the Fourth Plan.

Fertilizer Plant at Gorakhpur

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{ **Shri Surendra Pal Singh:**
Shri Bhagwat Jha Azad:
Shri Subodh Hansda:
 *390. { **Shri N. R. Laskar:**
Shri Sarjoo Pandey:
Shri P. K. Deo:
Shri Bhakt Darshan:

Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether it is a fact that Japan has made an offer to India to set up a fertilizer plant at Gorakhpur during the Third Plan period; and

(b) if so, the outlines of this offer and the Government of India's reactions thereto?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): (a) and (b). It was agreed between the Japanese and Indian Governments that the foreign exchange cost of the Gorakhpur Fertilizer Project be financed out of the Yen credits made available by Japan to India. Accordingly, the Fertilizer Corporation of India Limited who are in charge of the Project have recently awarded a

contract to a consortium of Japanese manufacturers for the supply of plant and equipment. A copy of the contract is available in the Parliament Library.

Shri Surendra Pal Singh: May I know whether it is a fact that the construction work of this important fertilizer plant is held up because of the agitation of the farmers in the locality whose land has been acquired for the setting up of this plant and, if so, whether it has been settled or is still pending?

Shri C. Subramaniam: There has been some sort of *satyagraha* against the acquisition of land. We have not yet got possession of the land.

Shri Surendra Pal Singh: Since it is going to be the biggest fertilizer plant, may I know whether it is going to produce all types of fertilizers?

Shri C. Subramaniam: It will produce urea. The difficulty is to get possession of the land. I hope I would get the co-operation of the hon. Members also to persuade the peasants to give up possession.

Shri Bhagwat Jha Azad: May I know whether the machinery for the plant to be obtained from abroad is arriving according to schedule and, if so, by what time we are likely to have production?

Shri C. Subramaniam: The plant is expected to go into production in 1965-66.

Shri Subodh Hansda: The hon. Minister has stated that this plant will be set up with yen credit. May I know whether the yen credit is over and above the credit that is available during the Third Plan?

Shri C. Subramaniam: It is part of the credit available during the Third Plan.

Shri Bhakt Darshan: As far as I know, it was on the express request of the Government of Uttar Pradesh

that this plant was located at Gorakhpur. May I know the type of help and co-operation offered by the State Government of Uttar Pradesh towards the setting up of this plant and actually given by them so far?

Shri C. Subramaniam: They have taken action to acquire the land under the Land Acquisition Act. Now they have to get possession and hand it over to the Fertilizer Corporation.

Shri R. S. Pandey: Since we have so many projects in hand to be completed, I want to know apart from Japan which are the countries which have expressed a desire to come to India's aid for building a fertilizer plant?

Shri C. Subramaniam: There are many other countries. For example, the Dutch have expressed their intention to come into the picture. Then there is America and some other countries.

Shri N. R. Laskar: On the completion of this plant will we reach the target fixed for the Third Five Year Plan?

Shri C. Subramaniam: I think, I have already stated that it will go into production some time in 1965-66.

Shri Kapur Singh: May I know whether Government have considered the desirability of procuring a fertilizer plant from Japan specially geared for production of urea for our expanding horticultural cultivation? Japan specialises in this kind of things.

Shri C. Subramaniam: This is from Japan. The Gorakhpur plant is to be obtained from Japan.

Shri Kapur Singh: But will it be a plant specially geared for the production of urea?

Shri C. Subramaniam: Yes.

International Fair at Budapest

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- *394. { Shri Subodh Hansda:
 Shri Warrior:
 Shri Vasudevan Nair:

Will the Minister of **International Trade** be pleased to state:

(a) whether India participated in the International fair at Budapest in May, 1963;

(b) if so, the main articles exhibited in the fair;

(c) the number of people who visited the Indian pavilion; and

(d) whether the Indian goods were appreciated by the people?

The Minister of International Trade (Shri Manubhai Shah): (a) Yes, Sir.

(b) A large variety of Indian goods were displayed at the Budapest Fair including traditional items like tea, coffee, textiles, handicrafts, coir and jute manufactures and non-traditional items such as engineering goods including slotting shaping and drilling machines, diesel engines, precision instruments, telephone equipments etc.

(c) During the Budapest Fair i.e. 17th May, 1963 to 27th May, 1963 over a million people visited the fair.

(d) Yes, Sir.

Shri Subodh Hansda: In view of the answer to part (d) of the question, may I know whether it has enabled us to get some orders for those articles exhibited in this exhibition?

Shri Manubhai Shah: That is obvious. Several orders are flowing in. As a matter of fact, orders worth Rs. 80 lakhs were booked there and then and more are flowing in.

Shri Subodh Hansda: What was the amount spent on this exhibition?

Shri Manubhai Shah: About Rs. 2,30,000/-.

श्री काशी राम गुप्त : हमारा जो सामान वहाँ पर बिका है, क्या वह उस मुल्क में नहीं बनता है, इसलिए बिका है, या हमारे माल को प्राइसिज और क्वालिटी उनके मुकाबिले में ज्यादा ठीक है, इसलिए बिका है ?

श्री मनुभाई शाह : कई एक चीजें ऐसी होती हैं, जो बनती हैं, लेकिन काफी मात्रा में नहीं बनती हैं। जो चीज उन को पसन्द आती है, उस को वे लेते ही हैं।

श्री राम सहाय पाण्डेय : मैं यह जानना चाहता हूँ कि इस प्रदर्शनी में कौन सी चीज प्रदर्शित की गई और ऐसी किन चीजों का आर्डर हम को मिला, जिन को हम सप्लाय करने में असमर्थ हैं।

श्री मनुभाई शाह : मैंने लिस्ट बताई है कि वहाँ पर कौन कौन सी चीजें प्रदर्शित की गई थीं। उन में काफी चीजें बेची गईं।

Shri S. C. Samanta: May I know whether Coir Board was represented at this Fair and, if so, what was the amount that accrued from the exhibition of coir?

Shri Manubhai Shah: Coir was very prominently displayed. As a matter of fact, that is one article which is displayed in all our exhibitions as floor covering. But separately the amount of money which coir fetched is not indicated. However, I can supply that to the hon. Member.

श्री कछवाय : मैं यह जानना चाहता हूँ कि जो चीजें वहाँ पर जित्त दाम में बेची गईं, क्या वे हमारे यहाँ महंगे दामों में बची जाती हैं।

श्री मनुभाई शाह : उन से कोई मुकाबला नहीं है। यह देखना होता है कि वहाँ पर और कहीं उन चीजों को कितने दाम पर बेचते हैं। यहाँ के दाम और वहाँ के दाम में कोई मुकाबला नहीं है।

Shri Heda: What are the commodities for which, we think, we will find a new market by this exhibition?

Shri Manubhai Shah: Manufactured articles, like, engineering products, slotting machines, radial drills, some electrical appliances, batteries, zip fasteners etc.

Shrimati Savitri Nigam: As it is a sort of an established fact that whenever our goods are seen in various fairs and exhibitions they are appreciated and bring a good return for us, may I know whether a permanent unit of exhibition is going to be established in the East European countries?

Shri Manubhai Shah: A permanent unit of exhibition is contra-indicated because we are moving; so, is the world moving. But this much is certain that we are now going to open showrooms in important countries. In Moscow we are going to have a very big showroom where all our products will be exhibited from time to time. Similarly we will try to open showrooms in other countries also.

श्री रा० स० तिवारी : अभी माननीय मंत्री जी ने बताया है कि इस अन्तर्राष्ट्रीय मेले में बहुतसी चीजों की मांग हुई है। मैं जानना चाहता हूँ कि उन में से कौन सी ऐसी चीजें हैं जो यहां कम पैदा होती हैं और क्या यह कोशिश की जा रही है कि उनका उत्पादन बढ़ाया जाये ताकि विदेशी मुद्रा हम को प्राप्त हो सके ?

श्री मनुभाई शाह : हमारे यहां तकरीबन सभी चीजों का घाटा है थोड़ी सी चीजों को छोड़ कर। हर एक चीज ज्यादा पैदा करने की जरूरत है।

Powerlooms in West Bengal

*397. { **Shri P. R. Chakraverti:**
Shri Sidheshwar Prasad:

Will the Minister of **International Trade** be pleased to state:

(a) whether it is a fact that 700 powerlooms in West Bengal have

been out of commission since March, last resulting in decreased production;

(b) whether Government have examined the question of unfair competition between bigger units and the smaller units that are exempted from payment of excise duties;

(c) whether Government have also examined the position of powerloom units having more than 50 looms, being treated at par regarding excise duties with composite mills; and

(d) when the Powerloom Enquiry Committee Report will be made available to the public?

The Minister of International Trade (Shri Manubhai Shah): (a) Yes, Sir.

(b) and (c). No, Sir. These questions are expected to be studied by the Powerloom Enquiry Committee under the Chairmanship of Shri Ashoka Mehta and any examination of these questions by Government will have to await the recommendations of the Committee.

(d) The Committee has already started its labours and the Report is expected by the end of December, 1963.

Shri P. R. Chakraverti: May I know whether the committee has submitted its interim report?

Shri Manubhai Shah: No; In joint consultation with the Government, that being a very important national subject, no interim report is to be submitted.

Shri P. R. Chakraverti: In view of the accepted policy of the Government that smaller units should also be encouraged to continue their production, how is it that this discrimination still exists?

Shri Manubhai Shah: There are several questions. We have circulated the questionnaire of the Ashoka Mehta Committee to all the hon. Members of the House and we will be grateful for the considered views of the hon. Members.

श्री काशी राम गुप्त : यह समस्या केवल वेस्ट बंगाल में है या और प्रदेशों में भी है ?

श्री मनुभाई शाह : सारे देश में यही चीज है। एक तरफ तो हम हैंडलूम बढ़ाना चाहते हैं और उसको प्रोटेक्ट करना चाहते हैं, दूसरी तरफ बहुत से प्रदेशों के अन्दर पावर लूम की भी बहुत मांग है। उधर मिल सेंक्टर है और साथ ही साथ खादी सेंक्टर है। इन चारों के बीच में काफी समन्वय आज तक हुआ है। अब नये सिलसिले में हम किस तरह से आगे बढ़ें, इसी बात को हमने पावरलूम कमेटी के सुपुर्द किया है।

Shri S. M. Banerjee: May I know whether it is a fact that the powerloom workers from West Bengal, Bombay and other places have submitted some memoranda to the Government of India and, if so, what is their specific demand and to what extent it is likely to be met.

Shri Manubhai Shah: The demand is: no taxes for anything; all taxes must be removed. To what extent the hon. House can afford to exempt all taxes, that everything must be supplied without sales tax and all that, are matters of national importance and the committee is going into them.

Dr. Kanen Sen: Has the Government of India received any deputation or memorandum from the trade union of workers working in the powerloom industry to the effect that because of these new duties, a large number of powerloom factories have been closed in West Bengal and a large number of workers have been thrown out of employment?

Shri Manubhai Shah: Directly, we have not received any, but the West Bengal Government must have received it, and they have been receiving it. The real point is that this is not a new duty. Those people were escaping the normal rigours of duty established by law. They are now

being found out and naturally the action is to be taken against them.

श्री अचल सिंह : क्या गवर्नमेंट नये पावर लूम को लाइसेंस दे रही है ?

श्री मनुभाई शाह : नहीं दे रही है अभी तो। नई कमेटी की जांच के बाद सरकार जो तय करेगी, वह सदन के सामने आयेगा।

Shri R. S. Pandey: Regarding this excise duty on powerlooms, I wanted to know whether any representation which was made by powerloom workers from Maharashtra has been received by the Government and, if so, what is their representation.

Mr. Speaker: This is about West Bengal. Next Question.

Small Scale Industry

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*398. { Shrimati Savitri Nigam:
 { Shri M. L. Dwivedi:

Will the Minister of Industry be pleased to state whether it is a fact that the small scale industry target for the Third Five Year Plan has not been progressing according to the scheduled plan in the various industrial estates?

The Minister of Industry (Shri Kanungo): So far approval has been accorded to 152 Industrial Estate schemes involving an outlay of nearly Rs. 10.75 crores against a Plan provision of Rs. 30.20 crores. Schemes are submitted by the State Governments to the Central Government for approval after the site has been acquired and lay-out plans have been prepared. The progress of schemes is, therefore, dependent on the completion of all preliminary work by State Governments. More recently the progress has been affected by the shortage of building materials, particularly of galvanised iron sheets as well as asbestos cement sheets, due to the emergency and of imported raw materials required by new industries in the Industrial Estates.

Shrimati Savitri Nigam: May I know what steps Government has taken to see that the progress is not retarded in this direction and that newly established industries get enough building materials to establish their industrial units?

Shri Kanungo: We are now concentrating upon supplying as much raw material as possible to the industries which are already in operation.

Shrimati Savitri Nigam: May I know whether Government have received any complaint regarding the lack of trained personnel, and if so, what steps Government are taking to train the personnel?

Shri Kanungo: There is no shortage of trained personnel.

Dr. Ranen Sen: Is it a fact that the small-scale industries in West Bengal have complained to the Government of India to the effect that proper marketing facilities for their output are not available in the country?

Shri Kanungo: No, that kind of complaint has not come, and no such complaint can come also, because there is no problem of marketing at all; the problem is one of production and of shortage of raw materials.

श्री अचल सिंह : रा मैटीरियल खास करके पिग आबरन न मिलने की वजह से स्माल स्केल इंडस्ट्रीज स्ट्राइव कर रही हैं। मैं जानना चाहता हूँ कि इसके लिए क्या इंतजाम किया जा रहा है ?

श्री कानूनगो : यही कहा है कि इस ओर हम लोग ज्यादा ध्यान दे रहे हैं। तकलीफ तो है ही।

श्री राम सहाय पाण्डेय : स्माल स्केल इंडस्ट्री के उत्पादन को ध्यान में रखते हुए क्या यह सच नहीं है कि हम टारगेट्स को इसलिए पूरा नहीं कर पाते हैं कि रा मैटीरियल वर्ग सप्लाई करने में हम असमर्थ हैं और तमाम इंडस्ट्रियल एस्टेट्स जो बनी हैं, उन में मशीनरी बेकार इसलिए पड़ी है कि रा

मैटीरियल नहीं है ? मैं जानना चाहता हूँ कि इसके लिए क्या उपाय किया जा रहा है ?

श्री कानूनगो : ये बन्द नहीं पड़ी हैं, लेकिन इनका पूरा इस्तेमाल नहीं कर सकते हैं रा मैटीरियल की शॉर्टेज की वजह से। इसीलिए मैंने कहा है कि इस पर हम ध्यान दे रहे हैं कि कैसे इम्पोर्टिड रा मैटीरियल हम ज्यादा सप्लाई कर सकते हैं और कितना कर सकते हैं।

Shri S. N. Chaturvedi: Is it not a fact that the non-availability of power is largely responsible for the non-attainment of targets in the small-scale industry sector and also the non-improvement of their productivity?

Shri Kanungo: I do not think so. That might be so in particular pockets.

Dr. Sarojini Mahishi: What are the criteria on which allocation of important raw materials is made to the different States?

Shri Kanungo: A certain year of consumption is taken, and if the quantity that is available is less, then *pro rata* reductions are made.

Shri Sonavane: May I know whether this shortage of raw materials is going to affect the industrial estates that are going to come up in the different States under the Third Five Year Plan?

Shri Kanungo: Obviously, those estates which are working now are suffering from shortages.

श्री यशपाल सिंह : क्या केन्द्रीय सरकार ने स्टेट सरकारों को अपनी पालिसी रिब्यू करने के लिए कहा है क्योंकि आजकल देखा जाता है कि बड़ी बड़ी मिलों की तरफ ही ज्यादा ध्यान दिया जाता है और स्माल स्केल इंडस्ट्रीज की तरफ बहुत थोड़ा ध्यान दिया जाता है ? क्या पालिसी रिब्यू करने की कोशिश की गई है ?

श्री कानूनगो : यह बात तो ठीक नहीं है कि स्टेट गवर्नमेंट्स ध्यान नहीं देती हैं। काफी वे ध्यान देती हैं। लेकिन जो अभाव है, जिन चीजों का अभाव है, वह अभाव तो सब पर लागू होता है।

Shri Mohammad Elias: May I know whether it is a fact that the small-scale industries are faced with tremendous difficulties in obtaining licences for bringing new machinery for developing their industries?

Shri Kanungo: It is true that there are difficulties. But our main priority in regard to the little foreign exchange that is available is to provide raw materials.

श्री काशी राम गुप्त : स्टेट्स में जो उद्योग पूरे हो चुके हैं, उनका उत्पादन भी क्या पूरा होने लगा है या नहीं? जो बाकी पड़े हैं, उनके कब तक पूरा होने की आशा की जाती है?

Shri Kanungo: I have said already that we are concentrating our attention on keeping the establishments which are already in operation in a running condition. About the new ones depending upon the projects which they manage and the raw materials which they require, we advise them to go slow.

Shri Kashi Ram Gupta: Do they produce fully?

Shri Kanungo: No.

Shri A. C. Guha: May I know whether Government have made proper allocation of foreign exchange for the procurement of machinery and raw material for the small-scale industries sector?

Shri Kanungo: There is some provision, but it is very inadequate.

Shrimati Savitri Nigam: May I know how far it is correct that administrative delays are one of the reasons for this slow progress, and if

so, what steps Government have taken to advise the State Governments to take immediate action to remove this drawback?

Shri Kanungo: I believe that administrative difficulties are not a major problem. The State Governments are quite prompt about it. The main problem is non-availability of foreign exchange.

Brake Lining for Motor Vehicles

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*400. { **Shri P. K. Deo:**
Shri Indrajit Gupta:

Will the Minister of Steel & Heavy Industries be pleased to state:

(a) whether there is any proposal to manufacture brake and clutch linings for motor vehicles in the country with Czechoslovakian co-operation;

(b) if so, the terms and conditions of the foreign collaboration; and

(c) the total annual requirement of these linings for the country?

The Deputy Minister in the Ministry of Steel & Heavy Industries (Shri P. C. Sethi): (a) Yes, Sir.

(b) The details of the scheme including the terms of collaboration are still to be finalized.

(c) The demand for brake linings is estimated at about 3,500 tonnes, per annum, by 1965-66.

Shri P. K. Deo: How much foreign exchange do we spend every year on the import of these brake linings?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): My impression is that we are not importing these items now. We are self-sufficient.

Shri P. K. Deo: If we are surplus, what is the point in seeking foreign collaboration?

Mr. Speaker: We will be able to export.

Shri P. K. Deo: Is that the intention?

Shri C. Subramaniam: This part-project is for the purpose of supplying the Calcutta Transport Corporation which is running very heavy vehicles and therefore, requires a particular type of brake linings.

Shri P. K. Deo: The Minister's reply is contradictory. He said that we are surplus in brake linings.

Shri C. Subramaniam: Not surplus.

Mr. Speaker: He said we are not importing. We are self-sufficient.

Dr. Ranen Sen: Are these being manufactured in automobile works in India or in some other industries?

Shri C. Subramaniam: In ancillary industries.

भारतीय उद्योग में ईंधन क्षमता

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†४०१. { श्री स० चं० सामन्त :
श्री सरजू पाण्डेय :
श्री ब० कु० दास :
श्री म० ला० द्विवेदी :
श्री प्र० चं० बरुआ :
श्री हिम्मत्सिंहका :

क्या उद्योग मंत्री २६ अप्रैल, १९६३ के तारांकित प्रश्न संख्या १०५५ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) भारतीय उद्योग की ईंधन क्षमता के बारे में ब्रिटिश दल द्वारा प्रस्तुत जो प्रतिवेदन सरकार के विचाराधीन था, क्या उस पर इस बीच कोई निर्णय कर लिया गया है; और

(ख) यदि हाँ, तो क्या निर्णय किया गया है ?

उद्योग मंत्री (श्री कानूनगो) : (क) जी, हाँ ।

(ख) सरकार ने देश में एक ईंधन क्षमता सेवा की स्थापना करने का काम

राष्ट्रीय उत्पादकता परिषद् को सौंपने का निश्चय किया है । परिषद् ने इस सेवा को चलाना स्वीकार कर लिया है ।

[(a) Yes, Sir.

(b) The Government have decided to entrust the establishment of a Fuel Efficiency Service in the country under the National Productivity Council. The Council has agreed to operate the service.]

Shri S. C. Samanta: What will be the constitution of this Fuel Efficiency Organisation?

Shri Kanungo: The Productivity Council will be in charge of it. They will engage consultants who will give advice about economy in existing plants.

Shri S. C. Samanta: Were other organisations dealing with fuels and expert individuals consulted before the views of the National Productivity Council were taken into consideration?

Shri Kanungo: It was not necessary. The views of the national fuel organisation or coal organisation were taken. But it is a clear case of the technique of effecting economy in existing equipments, and it requires specialised knowledge.

Shri B. K. Das: The idea is to save at least 25 per cent of fuel consumption. Will that be achieved by this step?

Shri Kanungo: It is not 'at least'. The maximum economy that can be expected is about 25 per cent. Where there are more efficient establishments, the economy might be less. The difficulty is to find proper persons to man the service.

Shri P. C. Borooah: Are Government going to establish a Fuel Efficiency Organisation? If so, what is the constitution of that organisation?

Shri Kanungo: That is the question I answered, that it has already been

established in the sense that the National Productivity Council is organising it. It has advertised for staff; when staff is available, it will offer its services.

Shrimati Savitri Nigam: May I know whether the consultants to be appointed by this Council are going to be foreign ones or Indian ones, and the terms of reference given to this committee?

Shri Kanungo: It is not a committee. The point is it is a service which has got to be offered, and they have advertised for competent engineers. When occasion arises, foreign consultants will be invited.

Shri P. R. Chakraverti: May I know how far the services of this centre the Fuel Research Institute, Dhanbad, have been utilised in this connection?

Shri Kanungo: The results of the efforts of this Institute will always be consulted.

Punjab Shawl Industry

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*403. { Shri Raghunath Singh.
Shri Bibhuti Mishra:

Will the Minister of International Trade be pleased to state:

(a) whether it is a fact that Punjab Shawl Industry is facing a serious crisis due to non-availability of woollen yarn at reasonable rate; and

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

The Minister of International Trade (Shri Manubhai Shah): (a) Due to the Emergency the entire woollen industry was geared for Defence Production and whatever stocks of wool tops were available were utilised for Defence requirements. It was not possible to give any quota of yarn for civilian production. In view of this, there was an all round shortage of woollen yarn and the shawl industry in Punjab was no exception.

(b) The woollen mills have since been permitted to utilise a part of their capacity for meeting civilian requirements and licences for the import of raw wool/wool tops have been issued to them. The shawl industry should be able to obtain its requirements from the Mills in the normal course.

श्री रघुनाथ सिंह : पंजाब में भी शाल इंडस्ट्री है और जम्मू काश्मीर में भी शाल इंडस्ट्री है जहां पर हाथ से काम किया जाता है और वह शाल हिन्दुस्तान के बाहर भी जाता है। तो मैं जानना चाहता हूँ कि पंजाब के जो शाल इंडस्ट्री वाले हैं उनको कितना कोटा इस साल दिया गया है, और क्या इस पर सरकार तबज्जह देगी ?

श्री मनुभाई शाह : यह तो मैंने बतलाया कि इस साल कोई कोटा दिया ही नहीं गया क्योंकि सारा ऊन आर्मी रिक्वायरमेंट के सम्बन्ध में दिया गया है। डिफेंस में कम्बलों के लिये, अंगोला शटिंग के लिये और ग्रेट कोट के लिये इतनी जरूरत थी कि शाल इंडस्ट्री को या किसी दूसरी इंडस्ट्री को कुछ दिया ही नहीं गया। लेकिन जो अगले छः महीने हैं उनमें सारी इंडस्ट्रीज को २ मिलियन पाउंड्स दिया जाने वाला है।

श्री रघुनाथ सिंह : अभी आपने कहा कि शाल इंडस्ट्री वालों को कोई कोटा नहीं दिया गया और सारा ऊन आर्मी के वास्ते ले लिया गया। मैं जानना चाहता हूँ कि आखिर यह जो शाल इंडस्ट्री वाले हैं वे काम क्या करेंगे ? इसका भी कोई इन्तजाम किया गया है ?

श्री मनुभाई शाह : बहुत से लोग जो डिफेंस की नई रिक्वायरमेंट्स हैं उन में चले गये। फिर सारे यार्न पर कंट्रोल नहीं है। कपड़े वाला जो यार्न है वह उनक मिल सकेगा।

श्री बिभूति मिश्र : जब हमारे देश में इस वूल की कमी है तब पंजाब, राजस्थान

और उसके आस पास के एरिया में वूल बढ़े इसके लिये सरकार क्या कोई इन्तजाम कर रही है ?

श्री मनुभाई शाह : यह तो निर्यात किये हुए वूल के सम्बन्ध में सवाल है यानी उस वूल के सम्बन्ध में जो कि बाहर से आता है । जो भारतीय वूल है वह इस काम में नहीं आता । उसकी केवल कार्पेट्स बनती हैं ।

Shri R. S. Pandey : May I know the total indigenous production of wool yarn in India, and how much we are importing from other countries?

Mr. Speaker: That is a different question.

Shrimati Savitri Nigam: When the mills were supplied a part of their quota of wool, why is it that the shawl weavers were not given anything at all?

Shri Manubhai Shah: The hon. Member has slightly misunderstood. All the quota given was for army requirements because of the sudden developments as we know.

Shrimati Savitri Nigam. These people also could make for the army.

Shri Manubhai Shah: All people could get such wool as they could use for their purposes, but defence requirements are especially for a particular type of wool, that is only for blankets, army coats and other things.

श्री रामेश्वरानन्द : उचित मूल्य पर ऊन न मिलने का मुख्य कारण उन पशुओं की कमी है । तो क्या सरकार इसका कोई यत्न कर रहा है कि उचित मूल्य पर ऊन मिलने लग और इन पशुओं की हानि न हो ?

श्री मनुभाई शाह : ऊन तो बहुत ज्यादा है लेकिन पशुओं की उत्पादकता बहुत कम है । हमारे यहां जितनी शीप हैं उनकी दुनिया में कहीं नहीं हैं, लेकिन वह शीप २ पाउंड से ज्यादा ऊन की नहीं हैं । हमारे

यहां की क्लाइमेट ऐसी नहीं है, इतनी ठंडी नहीं है, कि इतना ऊन निकले जो कि कपड़ों के काम में आ जाये ।

श्री काशी राम गुप्त : जो सारा उत्पादन फौज के लिये लिया जा रहा है वह बाजार भाव से लिया जा रहा है या कोई खास प्राइस है जो कि उससे कम है ?

श्री मनुभाई शाह : यह भाव तय किया गया है जिस हिसाब से उनको दिया जाता है जो कि वूल टाप के हिसाब से फिक्स किया गया है ।

Shri Kapur Singh: May I know whether the supplies of the fabulous pashmina wool used for making shawls in Kashmir and Punjab have now completely dried up owing to the Chinese action, and if so, if there is any hope of their re-availability or substitution?

Shri Manubhai Shah: That was exactly the main question. Even in pashmina wool, a little from Kulu valley and something from Darjeeling hills is being distributed. Over and above that in the present period we are trying to give two million pounds from the imported wool to the decentralised sector.

श्री कछवाय : मैं यह जानना चाहता हूँ कि जो भारत से ऊन ले जाते हैं क्या वह उचित भाव पर ले जाते हैं । और विदेशी ऊन के शाल किस भाव पर भारत के लोगों को बेचे जाते हैं और किस भाव पर विदेशों में बेचे जाते हैं ?

श्री मनुभाई शाह : यह ऊन हम नहीं खरीदते हैं । वाजार से वह खरीदा जाता है और जो यहां काम नहीं आ सकता वह एक्सपोर्ट होता है । उसका दाम इंटरनेशनल दाम होता है । यह सरकार द्वारा कंट्रोल्ड बिजनेस नहीं है ।

श्री गुलशन : क्या मैं जान सकता हूँ कि जो पंजाब राज्य में ऊन की कमी है उसको

पूरा करने के लिये केन्द्रीय सरकार ने कौनसी तजवीज पंजाब सरकार को दी है, और कौन कौन इमदाद करने के लिये सरकार विचार कर रही है ?

श्री मनुभाई शाह : जहाँ तक काम का ताल्लुक है पंजाब में और सारे हिन्दुस्तान में इतना काम आजकल ऊन का मिल रहा है कि जितना पहले कभी नहीं मिला । लेकिन तरीका बदल गया है । पहले सिविलियन रिक्वायरमेंट्स के लिए काम होता था आज वह फौजी रिक्वायरमेंट के लिए ज्यादा किया जा रहा है । काम तो बढ़ा है घटा नहीं है ।

Morris Cars

*407. **Shri Sinhasan Singh:** Will the Minister of **Steel and Heavy Industries** be pleased to state:

(a) the selling price of Morris cars in U.K. at present;

(b) the selling price of Hindustan cars (Ambassador) in India at present and their manufacturing cost; and

(c) whether the Hindustan cars are prototype of the Morris cars manufactured in U.K.?

The Deputy Minister in the Ministry of Steel and Heavy Industries (Shri P. C. Sethi): (a) Government have no information.

(b) The ex-factory retail selling price of the Hindustan "Ambassador" car is Rs. 13,732.73. Besides the manufacturer's margin of profit and dealer's commission, the selling price also includes the excise duty and surcharge on the car of Rs. 1491.73. The ex-factory manufacturing cost of the car has been estimated to be Rs. 10,314.

(c) Hindustan Ambassador cars have many features in common with Morris cars manufactured in U.K.

Shri Sinhasan Singh: Have Government no information about the selling price of Morris cars in England?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): Of the present selling price of Morris cars in U.K., we do not have information. Last year I find that it was selling at 816 pounds, Rs. 10,880.

Shri Heda: In view of the fact that steel prices in India are cheaper than in U.K. and the labour cost is also cheaper in India than in U.K., why should the same type of machine manufactured in U.K. cost Rs. 7,000 while here it costs Rs. 10,000?

Shri C. Subramaniam: The scale of production is very high and mass scale production techniques are adopted there but we are producing a smaller number here.

Shri Mohammad Elias: What is the total production of Hindustan cars (Ambassadors and Land masters) and what is the total production in the Morris factory in England? Here there are 6000 workers while in Morris factory also there are only this number of workers.

Shri C. Subramaniam: During 1961, the number of Ambassador cars produced was 11,000 and odd; in 1962, 13,000 and odd and in 1963, upto June 4541. I do not have the figures of production of Morris cars in England.

Shri S. M. Banerjee: Has Government checked the production cost of cars here or whatever Birals said have been accepted, and what steps have been taken to reduce the price of cars?

Shri C. Subramaniam: We do check up production costs through our own cost accountants and there is no question of their charging high prices compared to cost of production. We have as a matter of fact not given any increase with regard to cost of production in the last four or five years.

Dr. Ranen Sen: Is Government aware that there is a standing com-

plaint that Ambassador cars are sold in black market at Rs. 18,000-20,000?

Shri C. Subramaniam: Do not have any complaint before me.

श्री यशपाल सिंह : क्या मैं जान सकता हूँ कि ग्रेट ब्रिटेन से हिन्दुस्तान में आने वाली कारों पर ६ साढ़े ६ हजार रुपया इसलिए बढ़ जाता है कि हिन्दुस्तान में एक ही कनसर्न है जिसकी फुल मानापली है। यदि हाँ, तो क्या सरकार इस मानापली को दूर करने के लिए कुछ कोशिश कर रही है ?

Shri C. Subramaniam: There is no monopoly here. There are three producers—the Fiat Producers, the Standard Producers and the Ambassador Producers—and therefore they compete with each other.

Shri Tyagi: May I know what is the reason for the short production of these cars? The hon. Minister has just now stated that the full capacity is not being used. What is the reason and what is the percentage of indigenous components in these cars?

Shri C. Subramaniam: The main reason for the small production is the non-availability of foreign exchange to get the foreign components which are required. As far as the Ambassador is concerned, they have reached an indigenous content of 78.91 per cent, and it is expected before the end of this year that they would reach 90 per cent indigenous content.

Shri Sonavane: May I know what is the proportion of the profit of the concern compared to the total cost price of this car?

Shri C. Subramaniam: The manufacturing cost of the Ambassador car has been worked out to be Rs. 10,314, and at this rate, they are making only a very small profit per car, say, a few hundred rupees.

श्री काशीराम गुप्त : एम्बेसेडर कार में जो पेट्रोल खर्च होता है

(श्री सिंहासन सिंह खड़े हुए)

अध्यक्ष महोदय : श्री सिंहासन सिंह बार बार खड़े हो रहे हैं। उन्होंने एक सवाल किया, उसके बाद मैंने उनकी तरफ तो उस वक्त वह खड़े नहीं हुए। अब उनको बाद में खयाल आया है।

श्री काशीराम गुप्त : एम्बेसेडर कार में जो पेट्रोल खर्च होता है उसी प्रकार की मारिस कार में उससे कम खर्च होता है अथवा ज्यादा ?

इस्पात और भारी उद्योग मंत्रालय में उपसत्री (श्री प्र० च० सेठी) : कनजम्पशन के बारे में एम्बेसेडर और मारिस में कम्पेरीजन इस वक्त मेरे पास नहीं है।

श्री रामेश्वरानन्द : मैं जानना चाहता हूँ कि जिस तरह से ब्रिटेन आदि विदेशों से कारें यहाँ विक्रय के लिये आती हैं, क्या उसी तरह हमारे देश से भी कारें विभिन्न देशों को जाती हैं ?

श्री प्र० च० सेठी : विदेशों को कोई गाड़ी यहाँ से नहीं जाती।

श्री विश्वाम प्रसाद : क्या मैं जान सकता हूँ कि भविष्य में कोई ऐसी संभावना है कि यहाँ कारों के दाम कम हों जिससे कि मिडिल क्लास के आदमी भी उनको खरीद सकें ?

श्री प्र० च० सेठी : जैसे जैसे यहाँ उत्पादन बढ़ेगा और इनडोजिनस कम्पोनेंट बढ़ेगा। वैसे वैसे उनकी कीमत कम होने की आशा है। हो सकता है कि इस साल के अन्त तक ६० परसेंट कम्पोनेंट यहाँ बनने लगे। और उत्पादन क्षमता बढ़ने पर कीमत कम हो सकती है।

Shri Brij Raj Singh Kotah: May I know whether, for these cars manufactured in India, the petrol gauges and speedometers are also made here or are they imported?

Shri C. Subramaniam: They are manufactured in India now.

श्री राम सहाय पांडेय : टोटल कम्पो-
नेंट हम कब तक बनाने लगेंगे ताकि [हमको
बाहर से न मंगाना पड़े ?

श्री प्र० चं० सेठी : जैसा मैंने कहा,
हम इस साल के अन्त तक ६० परसेंट बनाने
लगेंगे ।

अध्यक्ष महोदय : सारे कब तक बनने
लगेंगे ?

श्री प्र० चं० सेठी : इसकी अभी संभावना
नहीं है ।

श्री बागड़ी : क्या माननीय मंत्री
महोदय बताने की कृपा करेंगे कि ये जो
कम्पनियां हैं ये बिड़ला फैमिली की कम्पनियां
हैं और इस मानापली की वजह से कीमतें
वेगतर बढ़ी हैं । पहले इनके शेयर का जो
दाम १० रुपया था वह आज १०० रुपया है ।
जो इस उद्योग को इतना मुनाफा है उसको
देखते हुए क्या सरकार इसकी रोकथाम के
लिये कुछ करेगी ?

अध्यक्ष महोदय : यह तो बड़ा लम्बा
सवाल है ।

Shri Tridib Kumar Chaudhuri: May I know what would be the total number of cars to be produced in the Hindustan Factory—Ambassador and Hindustan cars—to bring the cost factor at par with the Morris Factory in Great Britain? Has any calculation been made?

Shri C. Subramaniam: I cannot immediately give the answer, but it is said that to adopt mass production techniques, the minimum production will have to be roundabout 100,000 cars.

Mr. Speaker: Shri Sinhasan Singh might put his second question.

Shri Sinhasan Singh: My question has been covered.

1004 (Ai) LSD—2.

Steel Production

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*408. {
Shri P. C. Borooh:
Shri Yashpal Singh:
Shri P. R. Chakraverti:
Shri P. K. Rao:
Shri Kapur Singh:
Shri Kesar Lal:
Shri Mohammad Elias:
Shri Warrior:

Will the Minister of **Steel and Heavy Industries** be pleased to refer to the reply given to Starred Question No. 856 on the 13th April, 1963 and state:

(a) whether the steering group which has been set up to formulate the Fourth Five-Year Plan for iron and steel, has since submitted its recommendations relating to the targets of steel production for the next plan and the break up between the public and private sector;

(b) if so, what are its recommendations;

(c) whether there is any proposal to set up more Steel Plants in the public sector; and

(d) if so, the number thereof?

The Deputy Minister in the Ministry of Steel and Heavy Industries (Shri P. C. Sethi): (a) Yes, Sir.

(b) to (d). The Steering Group has recommended a production target of 18 million tonnes of mild steel, 3 to 4 million tonnes of pig iron and a million tonnes of tool, alloy and special steels. In regard to mild steel, the production is to be achieved by the expansion of existing plants and by setting up two new plants, besides Bokaro. The private sector share in the expansion will be 2 million tonnes. The detailed planning for tool, alloy and special steels is yet to be done.

Shri P. C. Borooh: May I know whether the Third Five Year Plan target of 10 million tons of steel ingots is not going to be achieved; if so, what is the likely target that we are going to reach in the current Plan

period on which the Steering Group is working?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): As the hon. Member is aware, we took credit for production of 1 million ton ingots in Bokaro. That will not be materialising and, therefore, there will be a shortfall to that extent.

Shri Hari Vishnu Kamath: It will not materialise at all? What is the position?

Shri C. Subramaniam: It will not produce. Therefore, Sir, the assumption is that we will have an installed capacity of 9 million tons by the end of the Third Plan period and for the rest we will have to plan for installation during the Fourth Plan period.

Shri P. C. Borooah: May I know whether a final decision has been taken to set up coast-based medium and small size steel plants throughout the country in order to make up this production?

Shri C. Subramaniam: Sir, all this will be in the Fourth Plan and, as the House is aware, two areas are being explored for the purpose of locating steel plants during the Fourth Plan: one is in the Bailadilla in Vizag area and the other is in Hospet near Goa area—where exactly it will be located will be decided after receipt of the report.

श्री यशपाल सिंह : इस सदन में सरकार की तरफ से कहा गया था कि हमारे जहाजों के लिए जितनी स्टील प्लेट्स की जरूरत है, वे रूककेला में तैयार हो जायेंगी लेकिन उनका एक तिहाई भी अभी तक तैयार नहीं हुआ है तो इस डेफ़िशिएंसी को मेक अप करने के लिए सरकार क्या कर रही है ?

श्री प्र० चं० सेठी : जहां तक स्टील प्रोडक्ट्स प्ला सम्बन्ध है उस के लिए यह बोखारो लांट तैयार किया गया है और वहां इसका उत्पादन होगा ।

Shri P. R. Chakraverti: In view of the latest decision of the U.S. Congress and the cancellation of the proposed visit of the study team of the House Appropriation Committee of the U.S., does the Government expect to introduce the Bokaro project within the Third Plan or will it be extended to the Fourth Plan?

Shri C. Subramaniam: Sir, I hope to make a statement in regard to Bokaro sometime during next week. I, therefore, crave the patience of the hon. Members till then.

Shri Mohammad Elias: What is the target of production during the Fourth Five Year Plan in regard to plates, blooming mill and rolling stock?

Shri C. Subramaniam: I have given only the target production of 18 million tons of mild steel. A survey has been made with regard to the various categories which would be in demand. It is a big report and I would not be able to give the details now.

श्री विश्राम प्रसाद : मैं यः जानना चाहूंगा कि देश में आज जो लोहे की कमी है वह कमी कब तक पूरी हो जायेगी । आज लोहे को लेकर देश में जो ब्लैक मार्केटिंग चल रही है उसको कब तक सरकार खत्म करने का इरादा करती है ?

श्री प्र० चं० सेठी : लोहे की कमी को पूरा करने के लिए ही तो यः नये प्लांट्स स्थापित किये जा रहे हैं । देश में नये नये स्टील प्लांट्स इसी कमी को पूरा करने और इन्पात का उत्पादन अधिक करने के हेतु शुरू किये जा रहे हैं । लेकिन जैसे जैसे स्टील का उत्पादन बढ़ता जा रहा है उसकी मांग भी देश में अधिक होती जा रही है । अनुमान यह किया जाता है कि चतुर्थ पंच वर्षीय योजना काल में उसकी मांग करीब १८ या १९ मिलियन टन के हो जायेगी । उस बढ़ती जा रही और भविष्य में और भी अधिक बढ़ने वाली मांग को ध्यान में रख कर उसकी उत्पादन क्षमता को बढ़ाने का प्रयत्न किया जा रहा है ।

Shri S. M. Banerjee: I would like to know whether all the steel plants in the public sector are likely to be expanded; if so, may I know to what extent they will be expanded during the Fourth Plan in order to meet the growing demand for steel in the country?

Shri C. Subramaniam: As the hon. Member is aware, Bhilai is being expanded from 1 to 1.25 million tons during the Third Five Year Plan period. In the Fourth Plan the present proposal is to extend it to 3.25 million tons or even a little more. In Rourkela it has just now been extended from 1 million to 1.8 million tons. It is expected to be extended to 25 million tons during the Fourth Plan. In Durgapur it is now being extended from 1 million to 1.6 million tons. In the Fourth Plan, it is expected to be extended to 3 million tons.

Shrimati Savitri Nigam: What are our requirements of pig iron and what is the shortage? What steps are Government taking to see that the short supply of pig iron, which is creating a lot of difficulties to the small-scale industries, is removed?

Shri C. Subramaniam: Sir, I made a detailed statement on this subject only a few days ago.

Shri Hari Vishnu Kamath: With a view to stepping up the production of steel and achieving the intended target at least in the Fourth Plan, if not in the Third Plan itself, has the Government undertaken or is it going to undertake an intensive survey for more and richer iron ore deposits in the country?

Shri C. Subramaniam: Already, our present availability of iron ore is quite sufficient. Of course, we would be making surveys to find out new sources. But, even otherwise, the already located sources are sufficient enough.

Steel Factory in Kerala

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*409. {
 Shri A. V. Raghavan:
 Shri A. K. Gopalan:
 Shri Morarka:
 Shri Ravindra Varma:
 Shri Imbichibava:
 Dr. P. Srinivasan:
 Shri M. K. Kumaran:
 Shri Maniyanganadan:

Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether Government have examined the possibility of starting a steel factory in Kerala using the mineral sands of Chavara as the basic raw material; and

(b) if so, the result thereof?

The Deputy Minister in the Ministry of Steel and Heavy Industries (Shri P. C. Sethi): (a) and (b). The possibility of using the ilmenite sands of Kerala for production of iron and steel is being investigated by the Ministry's Consulting Engineers. Their report is awaited.

Shri A. V. Raghavan: How long will it take for the Government to arrive at their findings on this question?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): This is a new line of production, not only in India but in the whole world. Therefore, unless a complete investigation is made, it will not be possible to come to a conclusion. I am unable to indicate any period within which we will be able to take a decision.

Shri A. V. Raghavan: May I know whether the investigation has started?

Shri C. Subramaniam: Yes, Sir.

Shri Ravindra Varma: May I know whether the enquiry will be a departmental enquiry or any foreign experts from some foreign countries will also be invited to take part in the enquiry?

Shri C. Subramaniam: As I have already said, our consulting engineers are Dastur & Company. They are

making the investigation. Then, an expert attached to the Indian Institute of Technology, Madras is also carrying on investigations.

Shri Maniyangadan: May I know whether any assessment has been made regarding the quantity of ilmenite available in this country?

Shri C. Subramaniam: It has been estimated that in Kerala 200 to 250 million tons of ilmenite are available.

Shri K. C. Pant: May I know the iron ore content in these mineral sands?

Shri C. Subramaniam: 24 to 30 per cent.

Export of Lac

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- *110. { **Shri Ravindra Varma:**
Shri Subodh Hansda:
Shri Morarka:

Will the Minister of **International Trade** be pleased to state:

(a) whether it is a fact that there is a great lull in export of lac to foreign countries in recent years;

(b) whether this has affected the production also; and

(c) if so, the steps Government propose to take to improve both the production as well as the export?

The Minister of International Trade (Shri Manubhai Shah): (a) and (b). No, Sir.

(c). Does not arise.

Shri Ravindra Varma: Is it a fact that one of the reasons for the difficulties in the promotion of export of lac is the conflict of interests between the producers and the exporters and, if it is so, has the Government given any consideration to the possibility of setting up a machinery that will directly buy the lac from the producers and undertake to export it to foreign countries?

Shri Manubhai Shah: The real problem is the substitutes which are developing either for shellac or seedlac in the United States and other countries. There is no conflict of interest as such between the growers and the exporters. Even so, in order to support the prices, as the hon. Member rightly indicated, we have already stepped in and the State Trading Corporation is wanting to have a buffer stock.

Dr. Ranen Sen: Is it a fact that the West Bengal Government has approached the Central Government with a request that the Government of India should subsidise this industry in order that this industry can produce the essential shellac and seedlac that is required for the country and for export?

Shri Manubhai Shah: In the case of this industry, the West Bengal Government does not come into the picture directly, because it is produced in Madhya Pradesh, Bihar and some parts of Andhra Pradesh. Actually, only the processing industry is in West Bengal. Therefore, there has been no representation from that Government as such. But we are trying to see that larger and larger uses of shellac are explored so that we can use it here itself.

WRITTEN ANSWERS TO QUESTIONS

Production Capacity of Industries

- *391. { **Shri Warior:**
Shri Vasudevan Nair:
Shri M. N. Swamy:
Shri Harish Chandra Mathur:
Shri Himatsinghka:

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

(a) whether it is a fact that there is considerable idle production capacity in many industries at present;

(b) if so, the reasons therefor; and

(c) the action taken by Government to ensure full utilisation of the existing production capacity?

The Minister of Industry (Shri Kanungo): (a) to (c). Attention is invited to the answer given to Starred Question No. 177 on the 1st March, 1963.

Handloom Industry

*392. { **Shri A. K. Gopalan:**
 { **Shri U. M. Thengondar:**

Will the Minister of **International Trade** be pleased to state:

(a) the steps taken by Government to overcome the crisis in handloom industry due to the large accumulation of handloom fabrics;

(b) whether as a result of these steps, the situation has improved; and

(c) if so, to what extent?

The Minister of International Trade (Shri Manubhai Shah): (a) to (c). There is no such accumulation of handloom cloth at present.

Early this year there were reports that there was some accumulation of handloom cloth in various States. With a view to liquidate these stocks, Government announced an additional rebate of five naye paise per rupee on all retail sales for a period of one month. This enabled the handloom industry to dispose of the accumulated stocks and the situation improved within a short period. A statement was placed on the Table of the House in reply to Starred Question No. 552 on the 22nd March, 1963.

Steel Plates from U.K.

*393. **Shri D. C. Sharma:** Will the Minister of **Steel and Heavy Industries** be pleased to state:

(a) whether negotiations between Indian Officials and British Steel Industry Delegation for the purchase of Steel Plates from U.K. have been inconclusive because the prices quoted

by the U.K. delegation were much higher than the prevailing international rates;

(b) whether these purchases were to be made with the help of the loan provided by U.K. and the loan being tied India cannot utilise this money anywhere else; and

(c) if so, the steps proposed to be taken in the matter?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam):

(a) The negotiations with the representatives of the British Steel Corporation have been successfully concluded and orders for purchase of Steel Plates from U.K. have been placed on 22-8-1963.

(b) These purchases are being made under a Credit provided by the Government of the United Kingdom which is available for purchase only from U.K.

(c) Does not arise.

Glass Factory at Hyderabad

*395. **Shri Eswara Reddy:** Will the Minister of **Industry** be pleased to state:

(a) whether details regarding terms of collaboration for the setting up of a glass factory at Hyderabad with Hungarian collaboration have since been received and considered by Government; and

(b) if so, whether a licence for the same has been granted?

The Minister of Industry (Shri Kanungo): (a) and (b). The Andhra Pradesh Industrial Development Corporation Ltd., Hyderabad, who have been granted a licence under the Industries (Development and Regulation) Act, 1951, for the setting up of a composite glass factory at Hyderabad, have not so far submitted the terms of their foreign collaboration.

Manufacture of Special Steels and Alloys

*396. **Shri Sham Lal Saraf:** Will the Minister of Steel and Heavy Industries be pleased to state:

(a) the progress achieved so far in manufacturing 'Special Steels' and Alloys within the country;

(b) whether some foreign collaboration and advice has been sought in this behalf; and

(c) if so, how many such units have been set up and have started manufacturing items of the said type?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam):

(a) to (c). Government have licensed a capacity of about 600,000 tons of spring steels by 6 units and Stainless steels in the Public as well as Private Sector so far. The present production is about 53,000 tons per annum consisting mainly of 29,000 tons of spring steels by 6 units and 24,000 tons of electrical sheets which are being produced by Tisco. An ad-hoc Committee has been set up to explore ways and means of starting production of low Alloy Steels in existing units with minimum further investment in foreign exchange. The conversion of Mysore Iron and Steel Limited into an alloy steel plant has also been approved and terms of technical collaboration settled. The conversion programme is expected to commence by the first quarter of 1964 and ultimate capacity of 77,000 tons of finished Alloy Steels is likely to be reached by 1966-67. The contract for the Alloy Steel Plant at Durgapur in the Public Sector is likely to be signed with a Japanese consortium very shortly. Other units in the Private Sector are also likely to go into production by 1966-67. Government have so far approved technical collaboration in respect of 9 such units licensed for the manufacture of Alloy Steels and Special Steels besides the technical collaboration for the central Alloy Steel Plants of Durgapur. No

technical collaboration is envisaged in respect of 5 units licensed for the manufacture of Spring Steels and Alloy Steels Casting as the manufacture of these items does not require the application of skills not available in the country.

संसदीय उप-चुनाव

*३९६. **श्री प्रकाशवीर शास्त्री:** क्या विधि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या मई १९६३ में हुए संसदीय उप चुनावों में हुई अनियमितताओं के सम्बन्ध में निर्वाचन आयोग को कुछ शिकायतें मिली थीं;

(ख) यदि हां, तो वे कौसी थीं और कहां से प्राप्त हुई थीं; और

(ग) आयोग ने उस बारे में क्या कदम उठाये हैं ?

विधि मंत्री (श्री अ० कु० सेन) :

(क) उत्तर प्रदेश और गुजरात राज्यों के ४ संसदीय निर्वाचन क्षेत्रों में हुए उप-निर्वाचनों के सम्बन्ध में कुछ शिकायतें निर्वाचन आयोग को मिलीं ।

(ख) विभिन्न प्रकार के आरोप लगाये गये थे जैसे, अनाचार, प्रतिरूपण, अभित्रास, मतदाताओं को मत देने से रोकना, पुलिस की ज्यादतियां, प्रधानों और पंचों, प्राथमिक पाठशालाओं के शिक्षकों और विद्यार्थियों आदि द्वारा मतयाचना और प्रचार । शिकायतें बम्बई, नागपुर, जौनपुर, मरियाह, लखनऊ, नई दिल्ली, अमरोहा, सम्भल, कांठ, बिजनौर, बसेड़ा तागा, मुरादाबाद, फर्रुखाबाद, कन्नौज, छिबराऊ और सरायमीर से मिलीं ।

(ग) आरोपों की जांच की जा चुकी है और कुछ मामलों की बाबत पता लगा है कि वे निराधार और गलत थीं, अन्य मामलों की रिपोर्टों का इन्तजार किया जा रहा है ।

बरेली में कृत्रिम रबर का कारखाना

*४०२. { श्री मोहन स्वरूप :
श्री रामचन्द्र उलाका :
श्री धुसेश्वर मीना :

क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) बरेली के निकट कृत्रिम रबर के कारखाने के निर्माण में क्या प्रगति हुई है; और

(ख) इस में रबर का उत्पादन पूरी क्षमता से कब तक आरम्भ हो जाने की आशा है ?

उद्योग मंत्री (श्री कानून्गो) : (क) कारखाने का निर्माण हो चुका है और उसमें नियमित उत्पादन शुरू हो गया है ।

(ख) इस समय कारखाने की उत्पादन क्षमता २०,००० टन प्रति वर्ष है तथा १९६४ से आगे आशा है कि इस में अधिकतम उत्पादन ३०,००० टन प्रति वर्ष होने लगेगा ।

Wool

*404. **Shri R. Barua:** Will the Minister of **International Trade** be pleased to state:

(a) the annual requirement of wool in India; and

(b) the steps taken to step up wool production, improve shearing, grading and marketing methods?

The Minister of International Trade (Shri Manubhai Shah): (a) and (b). A statement is laid on the Table of the House. [Placed in Library, See No. LT-1609/63].

Production of Turbines and Generators

*405. **Shri D. D. Mantri:** Will the Minister of **Steel and Heavy Industries** be pleased to state:

(a) whether some more plants are being set up for the production of turbines and generators; and

(b) if so, when they are likely to be established?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): (a) and (b). In addition to the Heavy Electrical Equipment Factory, Bhopal, two more Plants, namely, the Heavy Electrical Equipment Plant at Hardwar and the Heavy Power Equipment Plant at Ramachandrapuram near Hyderabad are being set up for the manufacture of turbines and generators; the Hyderabad and the Hardwar plants are expected to be completed by 1965 and 1966, respectively.

Co-operative Handloom Units in Kerala

*406. { **Shri P. Kunhan:**
Shri Warrior:
Shri Vasudevan Nair:

Will the Minister of **International Trade** be pleased to state:

(a) whether the Kerala Government have submitted any proposals to establish eight handloom units in the State on a co-operative basis, exclusively for producing exportable varieties of handloom fabrics; and

(b) if so, the attitude of the Central Government thereto?

The Minister of International Trade (Shri Manubhai Shah): (a) and (b). The Kerala Government sent a proposal for the setting up of ten units with common weaving sheds for production of handloom fabrics for export. The proposal was accepted in principle. The detailed proposals from the Kerala Government are awaited.

Projects to be set up with Czech Aid

*411. { **Shri Mohan Swarup:**
Shri P. C. Borooah:

Will the Minister of **Steel and Heavy Industries** be pleased to state:

(a) whether three new contracts for the supply and delivery of

machines equipment and other material for three projects to be built with Czech collaboration were signed in New Delhi towards the end of May this year;

(b) if so, the terms of the contracts; and

(c) the phases of the projects to be covered by these contracts?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam):

(a) to (c). On the 30th May, 1963 three Contracts were signed with Messrs. Technoexport, Prague for the supply of machinery and equipment and for rendering technical co-operation in the establishment of three Czech. aided projects as follows:—

Name of Project	Value of Contract	Phase of Project covered by the Contract
I	2	3
	Rs.	
1. 3rd Stage of Foundry Forge Plant, Ranchi in Bihar State	32,263,074	3rd Stage.
2. Heavy Machine Tool Plant, Ranchi in Bihar State	30,924,741	1st Stage.
3. High Pressure Boiler Plant, Tiruchirapalli in Madras State	28,351,250	1st Stage.

The payments for the import of machinery and equipment will be covered by the Czech. Credit. Copies of the Contracts are available in the Parliament Library.

Exports to Ceylon

*412. { Shri Warior:
Shri Dinen Bhattacharya:
Shri Vasudevan Nair:

Will the Minister of **International Trade** be pleased to state:

(a) whether it is a fact that exports to Ceylon have declined recently;

(b) if so, the reasons therefor; and

(c) the steps taken by Government to step up our exports to Ceylon?

The Minister of International Trade (Shri Manubhai Shah): (a) Yes, Sir.

(b) The decline in our exports has been mainly due to the several import

control measures introduced in recent years by Ceylon, establishment of local industries and increases in certain import duties.

(c) A Trade Agreement and Special Trade Arrangement providing for export of certain commodities upto specified ceilings have been concluded with Ceylon. Periodical reviews are held to ensure implementation of the Trade Arrangement. Government of India have also agreed to supply capital goods to Ceylon on deferred payment basis.

Trade Agreement with Pakistan

*413. { Shri Sham Lal Saraf:
Shri Siddananjappa:
Shri P. R. Chakraverti:
Shri Sideswar Prasad:
Shri Ramshekhar Prasad Singh:
Shri S. C. Samanta:
Shri B. K. Das:
Shri M. L. Dwivedi:

Shri P. C. Borooh:
Dr. Mahadeva Prasad:
Shri Yashpal Singh:
Shri Shree Narayan Das:

Will the Minister of **International Trade** be pleased to state:

(a) whether there has been a move on the part of Pakistan to enter into a Trade Agreement afresh with this country; and

(b) when the last trade agreement with that country is terminating?

The Minister of International Trade (Shri Manubhai Shah): (a) and (b). The Indo-Pakistan Trade Agreement (1960-63) expired on the 20th August, 1963. A Trade Delegation from India has gone to Karachi on 21st August, 1963 to negotiate a new Trade Agreement with the Government of Pakistan.

Durgapur Steel Plant

*414. **Shri Raghunath Singh:** Will the Minister of **Steel and Heavy Industries** be pleased to state whether it is a fact that an order worth £ 7,000,000 for a blast furnace for Durgapur Plant has been given to a British firm?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): Order for a Blast Furnace for Durgapur Expansion has been placed by Hindustan Steel Limited on a British firm. The total value of the order is Rs. 50.81 million including Rs. 18.21 million in foreign exchange.

Textile Machinery Industry

*415. { **Shri P. C. Borooh:**
Shri P. R. Chakraverti:

Will the Minister of **Steel and Heavy Industries** be pleased to refer to the reply given to Starred Question No. 847 on the 13th April, 1963, and state:

(a) whether Government have since decided to set up an advisory committee on Textile Machinery Industry; and

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

The Minister of Steel and Heavy Industries (Shri C. Subramaniam):
 (a) Yes, Sir.

(b) The composition and terms of reference of the proposed Committee are under consideration.

Indian Companies

1176. **Shri Kolia Venkaiah:** Will the Minister of **Industry** be pleased to state the amount of paid-up capital and assets of Indian Companies in Plantation, Mining, Petroleum and Manufacturing Industries by the end of 1948, 1961 and 1962?

The Minister of Industry (Shri Kanungo): Two statements showing the paid-up capital and assets are laid on the Table of the House. [Placed in Library, See No. LT-1610/63.]

उत्तर प्रदेश में उप-चुनाव

११७७. श्री सिद्धेश्वर प्रसाद : क्या विधि मंत्री यह बताने की कृपा करेंगे कि :

(क) हाल में अमरोहा और फर्रुखाबाद में हुए संसदीय उप-चुनावों की व्यवस्था पर क्रमशः कुल कितना व्यय हुआ; और

(ख) किस दल के किस उम्मीदवार को क्रमशः कितने मत प्राप्त हुए ?

विधि मंत्रालय में उपमंत्री (श्री बिभुवेंद्र मिश्र) : (क) इस बारे में जानकारी इकट्ठी की जा रही है और यथा समय पटल पर रख दी जायेगी ।

(ख) १—अमरोहा संसदीय निर्वाचन क्षेत्र :

- | | |
|---|----------|
| १. श्री जे० बी० कृपलानी | |
| (स्वतंत्र) | १,२५,७२४ |
| २. श्री हाफिज मुहम्मद इब्राहीम (कांग्रेस) | ७५,२७६ |

३. श्री जबर सिंह (स्वतंत्र)	१०,८३२
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२—फर्रुखाबाद संसदीय निर्वाचन क्षेत्र

१. श्री राम मनोहर लोहिया (सोशलिस्ट)	१,०७,८१६
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४. श्री छेदी लाल साधी (स्वतंत्र)	५,४२२

Tea Production

1177. { **Shri Rama Chandra Mallick;**
Shri Onkar Lal Berwa:

Will the Minister of **International Trade** be pleased to state the present

total annual production of tea in the country and its annual requirements?

The Minister of International Trade (Shri Manubhai Shah): Production of tea in 1962 was 344.4 m.kg. while estimated internal consumption during 1962-63 was 130 m.kg.

Cement Quota for Orissa

1179. **Shri Ramachandra Ulaka:** Will the Minister of **Steel and Heavy Industries** be pleased to state:

(a) the amount of cement quota required by the State Government of Orissa during the period from April, 1963 to date;

(b) the quantity of cement allotted by Central Government to Orissa during the same period; and

(c) the quantity of cement actually supplied to Orissa during the same period?

The Deputy Minister in the Ministry of Steel and Heavy Industries (Shri P. C. Sethi): (a) to (c). The following figures indicate the quantities of cement demanded, allocated and supplied to Orissa under State Quota:

Period	Demand	Allotment In metric Tonnes	Despatches
April—September, 1963	5,36,838	75,835*	59,576† (upto 15th August, 1963)

*Includes 25,000 tonnes allocated as a special case in addition to normal quarterly allocation.

†Does not include despatches made from the Vijayawada factory from 1st August to 15th August, 1963.

Industrial Licenses for Rajasthan

1180. { **Shri Dhuleshwar Meena:**
Shri Ramachandra Ulaka:

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

(a) the number of applications for industrial licences received from Rajasthan during 1962-63; and

(b) how many of them were granted and how many were rejected?

The Minister of Industry (Shri Kanungo): (a) 53.

(b) 9 have been granted, and 26 rejected. The remaining applications are under consideration.

Development of Sericulture in Rajasthan

1181. { **Shri Dhuleshwar Meena:**
Shri Ramachandra Ulaka:

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

(a) the amount of grants and loans given to Rajasthan for development of sericulture during 1962-63; and

(b) the amount proposed to be given during 1963-64?

The Minister of Industry (Shri Kanungo): (a) Central assistance is given to the State Governments on the basis of expenditure incurred by them on approved plan schemes. As no expenditure had been reported by the Government of Rajasthan for the development of sericulture industry during 1962-63, no financial assistance was granted to the State Government in 1962-63.

(b) The outlay for 1963-64 is Rs. 10,000.

Khadi and Village Industries Board, Rajasthan

1182. { **Shri Dhuleshwar Meena:**
Shri Ramachandra Ulaka:

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

(a) the amount of Central grant given to Khadi and Village Industries Board in Rajasthan during 1962-63; and

(b) the total production and disbursement of traditional Khadi during the same period?

The Minister of Industry (Shri Kanungo): (a) Rs. 63.93 lakhs.

(b) Value of production: Rs. 32.88 lakhs.

Disbursement: Rs. 21.95 lakhs.

Non-Ferrous Metal

1183. **Shri Indrajit Gupta:** Will the Minister of **Industry** be pleased to state:

(a) whether it is a fact that distribution of non-ferrous metal commercial sheets has been transferred from his Ministry's Development Wing to the Directors of Industries of various States;

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

(c) whether this change has resulted in unfair discrimination against manufacturers of brass commercial sheets with an investment of less than Rs. 10 lakhs; and

(d) if so, whether Government propose to reconsider their decision so that small firms are spared the difficulty of getting their full quotas of raw material?

The Minister of Industry (Shri Kanungo): (a) to (d). With the declaration of emergency, to ensure better utilisation of the available foreign exchange for import of non-ferrous metals the use of imported non-ferrous metals for manufacture of utensils was sought to be discouraged by

reducing the allocation of non-ferrous metals to commercial sheet rollers. It was also decided that units manufacturing commercial non-ferrous metal sheets/circles and having fixed assets of less than Rs. 10 lakhs hitherto being looked after by the Directorate General of Technical Development should be transferred to State Governments for the purpose of supply of raw materials etc., out of the State Quota. Subsequently on receipt of representations from the units concerned it has been decided to retain such units on the list of Directorate General, Technical Development, for purposes of allocation of non-ferrous metals till the 31st March 1964. The State Governments have been asked to verify their fixed assets and their replies are awaited.

Nationalisation of Audit

1184. **Shri P. C. Borooah:** Will the Minister of **Industry** be pleased to state the Government's decision on the INTUC's demand for nationalisation of audit voiced at their 14th Annual Session held at Jaipur in May this year?

The Minister of Industry (Shri Kanungo): It is not clear as to what is meant by "nationalisation of audit" referred to in INTUC's resolution. If, however, the suggestion is that the auditors of all companies should be appointed by the Government, it may be stated that the question was carefully considered both by the Reviewing Committee appointed by Government and the Institute of Chartered Accountants a few years ago and Government adhere to the view that such a step is neither necessary nor desirable in the present stage of industrial and economic development of the country. Government as well as the Institute are, however, fully alive to the need for maintaining the independence of auditors and will take whatever suitable measures may be necessary to preserve it. It may be added that Section 233A of the Companies Act, 1956, already provides

for the appointment by the Government of a Special Auditor to audit the accounts of a company in certain circumstances mentioned therein, over and above the normal audit by the statutory auditor.

Export of Marine Products

1185. { **Shri Warrior:**
Shri Dinen Bhattacharya:
Shri Vasudevan Nair:
Shri M. N. Swamy:

Will the Minister of **International Trade** be pleased to state:

(a) whether there was a sharp decline in the export of marine products last year;

(b) if so, the reasons therefor; and

(c) the steps taken to step up their export?

The Minister of International Trade (Shri Manubhai Shah): (a) No, Sir.

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

India's Participation in International Fairs

1186. { **Shri Warrior:**
Shri Vasudevan Nair:

Will the Minister of **International Trade** be pleased to state:

(a) the number of international fairs in which India took part in 1963; and

(b) the result thereof?

The Minister of International Trade (Shri Manubhai Shah): (a) Six, so far.

(b) A statement is laid on the Table of the House. [Placed in Library. See No. LT-1611/63.]

Lemon Grass Oil

1187. { **Shri Vasudevan Nair:**
Shri Warrior:
Shri Maniyangadan:

Will the Minister of **International Trade** be pleased to state:

(a) whether the minimum price fixed for lemon grass oil has come into force;

(b) if not, when it is likely to come into force; and

(c) whether there is any proposal for the State Trading Corporation to enter the market and purchase lemon grass oil at the price fixed by Government?

The Minister of International Trade (Shri Manubhai Shah): (a) and (b). The prices of lemon grass oil were fixed with effect from the 1st April, 1963.

(c) The State Trading Corporation entered the market with effect from the 10th July, 1963 and have purchased lemon grass oil at the prices fixed.

Indian Rose Wood

1188. Shri Subodh Hansda: Will the Minister of International Trade be pleased to state:

(a) whether Italy is the principal market for Indian rose wood;

(b) whether importance was given only to export and not for cultivation and production;

(c) whether this has led to depletion of this fine wood in the forests; and

(d) if so, the steps being taken to conserve it?

The Minister of International Trade (Shri Manubhai Shah): (a) Yes, Sir.

(b) No, importance is not given only to export of rose wood but also to its cultivation and production. The exploitation and extraction of rose wood trees from forests is done on silvicultural consideration i.e., to improve the promising young growth by removal of old or defective trees. In the space so created, new trees come up by seed and root suckers and thus the proportion of rose wood in the forest is gradually and continually increased.

(c) No, it has not led to the depletion of rosewood. Since only mature

rosewood trees are at present felled, there is no question of depletion of this wood in the forests. On the country, the removal of mature rose wood trees helps younger growth to come.

(d) Does not arise in view of answer to (c) above.

Steel Products

1189. Shri Subodh Hansda: Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether it is a fact that the sale price of some of the items of all the three steel plants in Public Sector are less than 25 per cent. of the cost of production;

(b) if so, the amount of loss suffered by the Hindustan Steel Limited in 1962-63; and

(c) whether there is any indication of improvement in the gap of the cost of production and of sale?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): (a) No, Sir.

(b) Accounts for the year 1962-63 have not yet been finalised.

(c) Compared to 1962-63, the cost of production in 1963-64 is generally lower.

Duping of Indian Businessmen by a Brazilian Firm

1190. Shri Raghunath Singh: Will the Minister of International Trade be pleased to state whether it is a fact that a Brazilian firm had duped Indian businessmen engaged in the export of jari handloom goods, bangles, handicraft and curios during 1962-63?

The Minister of International Trade (Shri Manubhai Shah): In July this year, our Embassy in Brazil informed us that a Brazilian firm called Casa Indiana had ordered goods from Indian firms, informing them that import licences were either available or unnecessary. As a result goods exported

by over 30 Indian firms have been confiscated.

Having been informed by our Embassy, we issued notices warning firms in India against the Brazilian firm Casa Indiana. We have also sent letters to the affected Indian firms asking them for photostat copies of letters from Casa Indiana and other documents. The Brazilian Embassy in New Delhi is also taking interest in this case. It is expected that the Brazilian Government will take legal action against the firm. As regards Indian firms, it is expected that they will be faced with a choice of getting their goods back after paying postage, demurrage, etc., or having the goods auctioned in Brazil and the proceeds minus postage demurrage, etc., remitted to them.

Foreign Investments in India

1191. Dr. L. M. Singhvi: Will the Minister of Industry be pleased to state:

(a) the total quantum of foreign investments in India to date;

(b) whether a statement would be laid on the Table giving details thereof; and

(c) the measures being taken to augment the quantum of foreign investments in India and to improve and rationalise the pattern of foreign investments in India?

The Minister of Industry (Shri Kanungo): (a) and (b). A statement showing total foreign investment in India as at the end of 1960 is laid on the Table of the House. [Placed in Library. See No. LT-1612/63]. The figures for the period after 1960 are not yet available.

(c) Basically, the policy regarding foreign investments is to attract private foreign capital in those fields in which the country needs to develop in pursuance of the Plan targets. Therefore, while Government have been generally encouraging the investment of private capital in the coun-

try, this has necessarily had to be on a selective basis.

Illustrative lists of industries in which foreign capital would ordinarily be welcome have been indicated from time to time. These lists take into account the gaps in capacity which exist in relation to Plan targets.

The fields in which foreign capital is ordinarily not needed have also been listed. This list includes banking, insurance, trading and commercial activities and plantations. Private capital, foreign or Indian, as a rule, is not being allowed in the industries listed in Schedule 'A' of the Industrial Policy Resolution of 1956. In special circumstances, however, exceptions are made where, after careful consideration at the highest level, this is found to be in the public interest.

Once foreign capital has come in, it is treated in every respect at par with Indian capital.

Profits and dividends of foreign investors are allowed to be remitted abroad without any restriction. Approved investments, including any capital appreciation, are also allowed to be repatriated together with the accumulated profits.

There are certain tax concessions on dividends. In order to ensure that the benefit of tax concessions is actually retained by the foreign investor a series of double taxation agreements have been concluded with a number of countries. Fairly liberal tax exemptions have also been given to foreign technicians.

The Indian Investment Centre disseminates information on the economic, financial and industrial policies of Government, surveys foreign investment possibilities, advises potential foreign investors on investment opportunities in India and assists Indian entrepreneurs in securing foreign investment and foreign technical collaboration in joint venture enterprises on terms and conditions mutually advantageous.

Techno-Economic Survey

1192. { **Shrimati Savitri Nigam:**
Shri M. L. Dwivedi:

Will the Minister of **Industry** be pleased to refer to the reply given to Unstarred Question No. 2380 on the 26th April, 1963 and state:

(a) the special recommendations and conclusions drawn from the surveys of National Council of Applied Economic Research in Uttar Pradesh and the action taken thereon; and

(b) whether the surveys in Andaman and Nicobar Islands have been completed?

The Minister of Industry (Shri Kanungo): (a) The Report on the Techno-Economic Survey of Uttar Pradesh has not yet been finalised.

(b) No, Sir.

Cement Production

1193. **Shrimati Savitri Nigam:** Will the Minister of **Steel and Heavy Industries** be pleased to state: the increase of target of cement production, which was revised after the emergency was declared?

The Deputy Minister in the Ministry of Steel and Heavy Industries (Shri P. C. Sethi): The target of cement production (13.2 million tonnes) fixed for the Third Plan period, has not been revised so far.

Industrial Survey of Rajasthan

1194. **Dr. L. M. Singhvi:** Will the Minister of **Industry** be pleased to state:

(a) whether any district-wise industrial survey of Rajasthan is being carried out;

(b) if so, which districts have already been covered and with what result; and

(c) when the entire survey is expected to be completed?

The Minister of Industry (Shri Kanungo): (a) Yes, Sir.

(b) The following seven districts have so far been covered and the reports issued:—

- (1) Sikar.
- (2) Bharatpur.
- (3) Alwar.
- (4) Pali.
- (5) Bhilwara.
- (6) Udaipur.
- (7) Nagaur.

These reports broadly contain recommendations for expansion in the existing industries and suggestions for setting up new industries, based on the availability of various resources and the study of demand as indicated by trade pattern in and around the area. Implementation of the recommendations made in these reports is the responsibility of the State Government.

(c) The Central Small Industries Organisation undertakes district-wise surveys as and when specific requests from State Governments are received.

Carpet Factory in Rajasthan

1195. { **Dr. L. M. Singhvi;**
Shri Karni Singhji:

Will the Minister of **International Trade** be pleased to state:

(a) the quantity of raw carpet wool exported to foreign countries annually from Rajasthan area;

(b) whether Government have received any request for allowing the setting up of a carpet factory in Rajasthan; and

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

The Minister of International Trade (Shri Manubhai Shah): (a) Separate statistics of export of raw wool from Rajasthan area are not available.

(b) Yes, Sir.

(c) The matter is under consideration.

सिलाई मशीनों के पुर्जों

११६६. { श्री सरजू पाण्डेय :
श्रीमती सावित्री निगम :
श्री इन्द्रजीत गुप्त :
श्री रामचन्द्र उलाका :
श्री धुलेश्वर मीना :

क्या उद्योग मंत्री २६ अप्रैल, १९६३ के तारांकित प्रश्न संख्या १०५८ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) दक्षिण भारत की एक कम्पनी ने अमेरिकी सहायता से सिलाई मशीन के पुर्जे बनाने के लिये जो प्रार्थना-पत्र दिया था उसके सम्बन्ध में क्या निर्णय किया गया ; और

(ख) क्या सरकार ने मंजूरी दे दी है और यदि हाँ, तो उसका ब्योरा क्या है ?

उद्योग मंत्री (श्री कानूनगो) : (क) और (ख). प्रार्थना-पत्र पर अभी कोई निर्णय नहीं किया गया है। उस पर अभी विचार किया जा रहा है।

Bye-Elections in Kerala

1197. **Shri Koya**: Will the Minister of Law be pleased to state:

(a) whether Government have received any complaint about the interference of the Home Minister of Kerala in the bye-elections held in that State;

(b) whether the attention of Government has been drawn to a statement issued by the Praja Socialist Party candidate in Trivandrum stating that official vehicles were used both by Congress and Communist candidates during the bye-elections; and

(c) if so, whether any enquiry has been conducted about the allegations?

The Deputy Minister in the Ministry of Law (Shri Bibudhendra Misra):

(a) Shri A. K. Gopalan, M.P., sent complaints to the Prime Minister alleging that the Home Minister of Kerala had made free and fair election impossible in the recently held bye-election in Vazhoor assembly constituency, and made house to house visits for canvassing votes and asked supporters of independent candidate, Shri Sukumar Nair, to withdraw their support to him. It was also alleged that the Ministry had been using police verification against the Communist Party and its supporters, by denying them jobs and other Government aid.

(b) No such statement has come to the notice of the Government or the Election Commission.

(c) The complaints referred to at part (a) above were enquired into through the Chief Secretary, Kerala. It is reported that while the Home Minister had, no doubt, taken active part in the campaign for the Congress candidate, he had scrupulously avoided using his official position for the purpose. Not even the Government car which is supplied to the Ministers in the State was used by him in any part of the constituency. Neither Government machinery nor the official position of a Minister was used for the support of any candidate. The election was conducted in a free and fair manner.

Tea Export

1198. { Shrimati Jyotsna Chanda;
Shri Rama Chandra Mallick:

Will the Minister of International Trade be pleased to state:

(a) the quantity of tea exported annually during the last three years;

(b) the principal countries which are importing tea and the quantity imported by each of them; and

(c) the amount of foreign exchange earned by exporting tea during the last three years?

The Minister of International Trade (Shri Manubhai Shah): (a) to (c). A statement is laid on the Table of the House. [Placed in Library. See No. LT-1613|63].

Export of Paper

1199. { Shri Sham Lal Saraf:
Shri Siddananjappa:

Will the Minister of **International Trade** be pleased to state:

(a) whether some varieties of paper, now manufactured in India, are being exported to countries in Western Asia and Africa;

(b) whether the quality of this paper has been found superior when compared with that of most of the exporting countries of the world;

(c) whether our prices for the said paper have been found to be competitive; and

(d) if not, the steps being taken to make our prices acceptable to world markets?

The Minister of International Trade (Shri Manubhai Shah): (a) Yes, Sir. The cigarette and tissue papers are being exported and their exports to West Asian and African countries during 1962-63 were of the order of Rs. 35 lakhs.

(b) The quality of the above products is comparable with that of paper exported by other countries.

(c) No, Sir. Indian prices are higher as compared to prices offered by other competing countries.

(d) To make the products competitive in foreign markets, facilities by way of drawback of duties and import licences for raw materials are granted to exporters.

Grant of Licences

1200. **Shri S. M. Banerjee:** Will the Minister of **Industry** be pleased to state:

1004 (Ai) LSD—3.

(a) the capacities (industrial) licensed for big business houses of (i) Birlas (2) Tatas (3) Mafat Lal (4) Walchand (5) Siri Ram (6) Dalmia Jain (7) Bangur (8) Lalbhai (9) Kasturbhai in 1960, 1961 and 1962; and

(b) the basis on which these licences were granted?

The Minister of Industry (Shri Kanungo): (a) A statement containing the relevant information is attached. Information in respect of the Sahu-Jain Group of Companies for the year 1962 will be laid on the Table of the House. [Placed in Library. See No. LT-1614|63].

(b) Licences under the Industries (Development and Regulation) Act, 1951 are granted in accordance with the procedure laid down in the Registration and Licensing of Industrial Undertakings Rules, 1932, after taking into account the targets of production as laid down in the Five Year Plans, foreign exchange implications, availability of raw materials, power, and transport, prospects of foreign collaboration arrangements if any, and other relevant factors.

राजस्थान से ऊन का निर्यात

१२०१. श्री श्रीकारलाल बेरवा :
क्या अन्तर्राष्ट्रीय व्यापार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि राजस्थान से भेजी जाने वाली ऊन को छांट कर किस्म के अनुसार गांठों में बांधने की कोई व्यवस्था नहीं है ; और

(ख) यदि हां, तो इसके क्या कारण हैं ?

अन्तर्राष्ट्रीय व्यापार मंत्री (श्री मनुभाई शाह) : (क) जी नहीं । राजस्थान के दो महत्वपूर्ण ऊन केन्द्रों ब्यावर तथा बीकानेर और पाली, ककड़ी, आदि उप-केन्द्रों पर विभिन्न किस्मों तथा रंगों की ऊन को अलग-अलग गांठों में बांधने का इस समय प्रबन्ध है ।

(ख) प्रश्न ही नहीं उठता ।

Fertilizers

1202. Shri Ramachandra Ulaka: Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether any stocks of fertilizers have accumulated at present at the Nangal and Rourkela plants; and

(b) if so, the steps taken or being taken to clear up these stocks?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam):

(a) and (b). The stocks of Calcium Ammonium Nitrate at the Nangal and Rourkela Fertilizer Factories were as under:—

Factory	Stocks		Orders in hand for despatches
	Tonnes	Tonnes	
Nangal			
22-8-63	16,837	43,323	
Rourkela			
23-8-63	63,200	44,000	

The stocks at Nangal are not excessive and are fully covered by orders for despatches. In Rourkela also the stocks are mostly covered by orders for despatches. There have been movement difficulties due to inadequate supply of railway wagons and to the absence of a separate siding for the fertilizer factory. A direct siding link has now been established and will start functioning shortly. The question of allotment of adequate number of wagons has also been taken up with the Railways.

Manufacture of Special Steel

1203. Shri Himatsingka: Will the Minister of Steel and Heavy Industries be pleased to state:

(a) the progress made in regard to manufacture of special steel at Bhadravati; and

(b) the investment made so far?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): (a) Government have approved the scheme of the Mysore Iron and Steel Limited Bhadravati for the conversion of their works for the production of 77,000 tonnes per annum of alloy and special steels. The terms of technical collaboration agreement with Messrs Bohler Brothers of Austria have been approved and a credit from Austria is being negotiated. The Foreign Exchange cost of the plant and equipment is estimated to be Rs. 6.4 crores and is proposed to be arranged under the West German Credit. Confirmation from the West German authorities for the inclusion of this project under the West German Credit is awaited.

(b) No investment has so far been made specifically on the conversion scheme. The expenditure on mild steel expansion has been about Rs. 450 lakhs upto June, 1963. The facilities already provided for mild steel expansion together with the extra investment referred to above will be utilised for the manufacture of special steels.

Cotton from U.S.A.

1204. Shri Himatsingka: Will the Minister of International Trade be pleased to state:

(a) the quantity of cotton to be imported into India under P.L. 480 during 1963-64 and 1964-65; and

(b) the value of the same?

The Minister of International Trade (Shri Manubhai Shah): (a) and (b). Approximately 1,90,000 bales valued at Rs. 11.38 crores of cotton are expected to be imported during 1963-64 (September 1963 to August 1964) against the allocation so far made under P.L. 480. The quantity and value of cotton to be imported during 1964-65 will depend on the allocations

which the U.S. Authorities may make under P.L. 480 for that year.

Quality Control and Pre-shipment Inspection

1205. Shri Himatsingka: Will the Minister of International Trade be pleased to state:

(a) whether any representation has been received regarding withdrawal of pre-shipment inspection, quality control and fixation of prices in respect of export of cardamom and jute goods to Persian Gulf countries and Saudi Arabia; and

(b) the price fixed for cardamom in respect of exports to Persian Gulf countries and Saudi Arabia as well as to other countries?

The Minister of International Trade (Shri Manubhai Shah): (a) There was such a representation only in respect of cardamom. As jute goods are not subject to compulsory pre-shipment inspection, quality control and fixation of prices, the question of any representation does not arise.

(b) A statement is laid on the Table of the House. [*Placed in Library, See No. LT-1615/63.*]

Rubber Tyre Prices

1206. Shri Himatsingka: Will the Minister of Industry be pleased to state:

(a) whether rubber tyre manufacturers have represented to Government for an upward revision in prices of their products; and

(b) if so, the reasons therefor?

The Minister of Industry (Shri Kanungo): (a) Yes, Sir.

(b) The increase is sought on the ground of additional burden of customs/excise duties, freight and transport charges, Central sales tax, Emergency risk insurance, bank interest to cover additional excise financing and revised A.I.D. procedure.

Railway Freight Concession on Cotton Yarn

1207. Shri Himatsingka: Will the Minister of International Trade be pleased to state:

(a) whether any representation has been received by Government to extend the 25 per cent. concession on railway freight allowed on cotton textiles meant for export to cotton yarn also; and

(b) if so, the details thereof?

The Minister of International Trade (Shri Manubhai Shah): (a) The Cotton Textiles Export Promotion Council, Bombay, having received several representations from the trade in this regard, has recently taken up the matter direct with the Ministry of Railways (Railway Board).

(b) It has been represented to the Council that the concession of 25 per cent in railway freight rates recently allowed by the Railways for transport of Cotton Textiles meant for export should also be allowed in the case of Cotton yarn as there is no justification for this discriminatory distinction between cotton piecegoods and cotton yarn. Further in view of the highly competitive market conditions obtaining in foreign countries and the high manufacturing cost of cotton yarn in India, it has been pleaded that the railway freight concession should also be extended to cotton yarn.

Foreign Exchange for Machinery

1208. Shri Harish Chandra Mathur: Will the Minister of Industry be pleased to state the amount of foreign exchange made available to large scale industry and small scale industry separately during 1961-62, 1962-63 and 1963-64 for import of machinery and raw material?

The Minister of Industry (Shri Kanungo): The value of foreign exchange approvals in principle for the the import of capital equipment

by the private sector since 1st April 1961 amounts to Rs. 400 crores. Separate figures for large and small-scale industries are not readily available. In many instances, the approvals are subject to the negotiation of loans with financial agencies in India or abroad.

2. Information regarding foreign exchange made available to large-scale and small-scale industries separately for import of raw materials is not readily available.

Coffee Production

1209. Shri A. K. Gopalan: Will the Minister of **International Trade** be pleased to state:

(a) whether it is a fact that the production of coffee has declined in recent years;

(b) if so, to what extent and the reasons therefor; and

(c) the steps taken by Government to step up the production?

The Minister of International Trade (Shri Manubhai Shah): (a) and (b). Compared to the record production of 68,020 tonnes of coffee during the crop year 1960-61, production during the years 1961-62 and 1962-63 (according to the latest available estimates) was less by about 22,200 tonnes and 14,000 tonnes respectively. Production during the year 1960-61 was abnormally high and cannot be considered as a representative year for purposes of comparison. In the subsequent two years, unfavourable climatic conditions, viz., unprecedented rains in 1961-62 and drought conditions in the following year had an adverse effect on production.

(c) The following steps have been taken by the Coffee Board to step up the production of coffee:

- (i) Distribution of improved strains of coffee which are both high yielding and disease resistant;
- (ii) Tendering of advice regarding the control of coffee pests and

diseases through a system of Liaison Officers;

(iii) Demonstration regarding intensive methods of coffee cultivation; and

(iv) Grant of loans to coffee estates for intensive and extensive cultivation.

Besides, attempts are being made by the Government of Andhra Pradesh and the Andamans Administration to bring new areas under coffee.

Import of Wood

1210. Dr. L. M. Singhvi: Will the Minister of **International Trade** be pleased to state:

(a) whether it is a fact that considerable quantity of wood is being imported into the country every year;

(b) if so, the foreign exchange spent on this item during the last five years;

(c) whether the needs for such import have been increasing; and

(d) if so, the remedial measures proposed, if any?

The Minister of International Trade (Shri Manubhai Shah): (a) and (b). The value of imports of wood and timber during the last 5 years is given below:—

Year	Rs. in lakhs
1958-59	298.15
1959-60	583.09
1960-61	410.45
1961-62	229.51
1962-63	251.70

(c) The foreign exchange allocation for imports of wood and timber has been reduced during the recent years.

(d) Does not arise.

Excise Duty on Powerlooms

1211. { Shri U. M. Trivedi;
Shri Bade;

Will the Minister of **International Trade** be pleased to state:

(a) whether Government have received preliminary report of the Asoka Mehta Committee on Powerloom Industry; and

(b) whether Government have received representations for removal of excise duty on powerlooms?

The Minister of International Trade (Shri Manubhai Shah): (a) No, Sir.

(b) Yes, Sir.

All India Printers' Conference

1212. { **Shri Yashpal Singh:**
Shri Buta Singh:
Shri Narasimha Reddy:

Will the Minister of International Trade be pleased to state:

(a) whether the Eleventh All India Printers' Conference has urged Government to allot adequate foreign exchange for import of printing and allied machinery until such time the indigenous industry to manufacture printing machinery is developed; and

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

The Minister of International Trade (Shri Manubhai Shah): (a) Yes, Sir.

(b) The general cut of 50 per cent applied in the last import licensing period to Established Importers licences for printing machinery has been restored in the current import licensing period and the quota for this item has been allowed at 12½ per cent. In addition, a provision has been made for cash licensing of printing machinery to newspaper establishments and quality printers. Provision also exists for grant of licences for this item to other Actual Users, including Small Scale Industries, Government Departments, etc., for imports from rupee payment countries. Imports of printing machinery have thus been provided to the extent possible.

राज्य व्यापार निगम

१२१३. { **श्री कछवाय :**
श्री विश्वाम प्रसाद :
श्री बजरराज सिंह :

क्या अन्तर्राष्ट्रीय व्यापार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या राज्य व्यापार निगम, दिल्ली से जो इलेक्ट्रालिटिक कापर वायर बार्स बेचे जाते हैं वह कम वजन के होते हैं ;

(ख) क्या इस प्रकार की कोई शिकायत शासन को मिली है ; और

(ग) यदि हां, तो शासन ने क्या कदम उठाये हैं ?

अन्तर्राष्ट्रीय व्यापार मंत्री (श्री मनुभाई शाह): (क) और (ख). जी नहीं। नियत भागियों को कम वजन का माल मिलने की कुछ सूचनायें मिली थीं। परन्तु यह कमी या तो माल को लाने ले जाने में हो जाती है अथवा अन्य कारणों से। इस बारे में पार्टियों जो दावे करती हैं उनका निपटारा व्यापारी संविदा की शर्तों के आधार पर कर दिया जाता है पत्रों में इस आशय के कुछ समाचार प्रकाशित हुए हैं परन्तु इनकी भली प्रकार जांच कर ली गई और वे निराधार पाये गये हैं।

(ग) प्रश्न ही नहीं उठता।

Steel and Iron Industries

1214. **Shri Sivamurthi Swamy:** Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether any survey party has been appointed to study the favourable places to start steel and iron industries on large scale;

(b) if so, the findings of that party in respect of Sondur area in Bellary district, Mysore State; and

(c) in how many places the steel industry is being located?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam):

(a) The Hindustan Steel Limited and Messers M. N. Dastur and Co. (Pvt.) Limited are conducting feasibility studies for iron and steel plants in the Bailadilla-Vishakhapatnam and the Goa-Hospet areas respectively.

(b) Their reports are awaited.

(c) It is expected that two new steel plants will be set up in the Bailadilla-Vishakhapatnam and Goa-Hospet region in the Fourth Plan period. Decision in this regard is expected to be taken in early 1964, when the final recommendations of the Steering Group which has been set up to help the Government to formulate the Fourth Five Year Plan for iron and steel, are expected to be received.

Newsprint Factory

1215. { Shri Hem Raj:
Shri Daljit Singh:

Will the Minister of Industry be pleased to refer to the reply given to Unstarred Question No. 1081 on the 22nd March, 1963 and state:

(a) whether the Canadian collaborators of the Indian Company have finished their survey of Punjab and Himachal Pradesh for the assessment of the raw material for the setting up of the newsprint factory in Punjab; and

(b) if so, the result thereof?

The Minister of Industry (Shri Kanungo): (a) Not yet, Sir.

(b) Does not arise.

भारतीय शराब का निर्यात

१२१६. श्री श्रीकारलाल बेरवा :
क्या अन्तर्राष्ट्रीय व्यापार मंत्री यः बताने की कृपा करेंगे कि :

(क) क्या यः सच है कि विदेशों में भारतीय शराब की बहुत मांग है ;

(ख) यदि हां, तो १९६२ और १९६३ में अब तक कितनी शराब का निर्यात किया गया ; और

(ग) इससे कितनी विदेशी मुद्रा प्राप्त हुई ?

अन्तर्राष्ट्रीय व्यापार मंत्री (श्री मनु-भाई शाह) : (क) भारतीय शराब का निर्यात १९६१ तथा १९६२ में क्रमशः रु० ५,९५९ तथा रु० ३,३७३ का हुआ। १९६३ में जून तक कुल रु० १३ का निर्यात हुआ। इससे पता चलता है कि विदेशों में भारतीय शराब की बहुत ही कम मांग है।

(ख) १९६२ तथा १९६३ के पहले छः महीनों में क्रमशः १०१९ लीटर तथा १० लीटर शराब का निर्यात किया गया।

(ग) १९६२ में लगभग रु० ३,२६० के मूल्य की विदेशी मुद्रा कमाई गई किन्तु १९६३ के पहले छः महीनों में भारतीय शराब के निर्यात से कोई विदेशी मुद्रा नहीं कमाई गई।

Technical Director in Heavy Electricals

1217. { Shri Morarka:
Shri Ravindra Varma:

Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether the post of Technical Director in Heavy Electricals is lying vacant for about a year; and

(b) the reasons therefor?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): (a) Yes, Sir.

(b) For selection of a suitable officer. An officer has since been selected and the post is likely to be filled shortly.

Heavy Electricals, Bhopal

1218. { Shri Morarka:
Shri Ravindra Varma:

Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether the oxygen plant of the Heavy Electricals, Bhopal is not working to full capacity;

(b) if so, the reasons therefor; and

(c) the steps, if any, taken to work it to full capacity?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam):

(a) to (c). The capacity of the Oxygen Plant in the Heavy Electricals Factory, Bhopal, was designed to cater to the need of Blocks I (hydraulic turbines), II (generators and motors) and IV (Controlgear and switchgear) of the factory. As the construction of Blocks I and II has not yet been completed, it has not been possible to utilise the capacity of the Oxygen Plant fully; with their completion, the capacity of the Oxygen Plant will be utilised fully.

Cement Quota for Orissa

1219. { Shri Ramachandra Ulaka:
Shri Dhuleshwar Meena:

Will the Minister of Steel and Heavy Industry be pleased to state:

(a) whether it is a fact that cement quota to Orissa for 1963-64 has been cut down; and

(b) if so, the quantity reduced and the reasons therefor?

The Deputy Minister in the Ministry of Steel and Heavy Industries (Shri P. C. Sethi): (a) and (b). In order to meet large requirements of cement arising from the national emergency Government have had to impose a cut on the normal quarterly allocations of cement to States and Central Authorities. Against the normal quarterly allotment of 29,100 tonnes of cement under the State Quota the following allotment was made to Orissa Government:

Period	Quantity
April—June, 1963	24,735 Metric tonnes
July—September, 1963	26,100 Metric tonnes
Besides, 10,000 and 15,000 tonnes of cement were released to the State	

Government as a special case in addition to the above quantities during the two quarters respectively.

Glass Factory in Orissa

1220. { Shri Ramachandra Ulaka:
Shri Dhuleshwar Meena:

Will the Minister of Industry be pleased to state:

(a) whether any Glass Factory with foreign collaboration is proposed to be set up in Orissa during the Third Plan period; and

(b) if so, the details thereof?

The Minister of Industry (Shri Kanungo): (a) and (b). Government had received an application from a Calcutta party to set up a factory for the manufacture of electric incandescent lamps, fluorescent tubes and lamps and glass materials. A letter of intent has been issued to the party for the manufacture of G.L.S. lamps only and their particulars of foreign collaboration are awaited. The application for fluorescent tubes and lamps has been rejected, as these are on the banned list. As regards glass materials, complete details have not been furnished and the matter is still under examination.

Managing Agencies

1221. { Shri Ramachandra Ulaka:
Shri Dhuleshwar Meena:

Will the Minister of Industry be pleased to state in how many cases permission was granted and in how many cases refused for extending managing agencies under the Companies Act during 1962-63?

The Minister of Industry (Shri Kanungo): During the year ending 31st March, 1963, extension of the tenure of the existing managing agents was approved in 13 cases and rejected in 6 cases.

Drug Prices

1222. Shri Ram Harkh Yadav: Will the Minister of Industry be pleased to state:

(a) whether it is a fact that Government have decided to fix the prices of certain drugs; and

(b) if so, the reasons for adopting such a measure and the reaction of the druggists thereto?

The Minister of Industry (Shri Kanungo): (a) The question of fixation of prices of certain essential and basic drugs is under consideration of Government.

(b) The main reason for considering such a measure is to ensure that these drugs are made available to the consumers at reasonable prices. The druggists may be expected to cooperate in implementing this measure.

Export of Kuth

1223. Shri Hem Raj: Will the Minister of International Trade be pleased to state:

(a) the progress made for the export of Kuth of the Lahaul and Spiti District of Punjab to Malaya and other South East Asian countries; and

(b) whether any kuth has been exported so far and if so, the quantity thereof and its value?

The Minister of International Trade (Shri Manubhai Shah): (a) A proposal to canalise export of Kuth to Malaya, under a barter arrangement through the State Trading Corporation, is now at the stage of negotiation with the importers and the Government of Punjab.

(b) Yes, Sir. Export during 1962-63 was 10,351 Kgs. valued at Rs. 38,017.00.

H.M.T. Watches

1224. { **Shri P. C. Borooah;**
Shri Dhuleshwar Meena;
Shri Ramachandra Ulaka:

Will the Minister of Steel and Heavy Industries be pleased to state:

(a) the number of H.M.T. watches found to be defective during the period of guarantee and complaints for which have been lodged with that Undertaking during 1962-63 (month-wise);

(b) the number of such watches so for exchanged with new ones; and

(c) the nature of defects these watches have been found to possess and the action taken to remove such defects from future products and whether the assistance of some Swiss company has been sought for the purpose?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): (a) to (c). The information is being collected and will be laid on the Table of the House in due course.

रेशम

१२२५. श्री यु० सि० चौधरी :
 क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) भारत में गत वर्ष की अपेक्षा इस वर्ष कितना रेशम पैदा हुआ ;

(ख) सरकार रेशम की पैदावार बढ़ाने के लिये क्या तरीके अपना रही हैं ; और

(ग) १९६१-६२ में कितना रेशम विदेशों को भेजा गया अथवा विदेशों से अपने देश में मंगवाया गया ?

उद्योग मंत्री (श्री कानूनगो) : (क) भारत में १९६२ में कच्ची रेशम का उत्पादन १७.८० लाख कि० ग्रा० हुआ जब कि १९६१ में यह उत्पादन १६.५६ लाख कि० ग्रा० था। १९६३ में अब तक के उत्पादन के आंकड़े अभी उपलब्ध नहीं हैं।

(ख) तीसरी पंचवर्षीय योजना में रेशम उत्पादन उद्योग के विकास के लिये ७ करोड़ रु० की व्यवस्था की गयी है। इस समय विभिन्न राज्यों में रेशम उत्पादन

की १५७ योजनायें कार्यान्वित की जा रही है। ये योजनायें कच्ची रेशम का उत्पादन बढ़ाने, उसकी किस्म सुधारने तथा विभिन्न स्तरों पर उत्पादन लागत कम करने के लिये अपनाई गई हैं।

(ग) चूंकि देश में उत्पादन घरेलू आवश्यकता से कम होता है इस लिये कच्ची रेशम का निर्यात करने की अनुमति नहीं दी जाती। भारत में १९६१-६२ में १.३१ लाख कि० ग्रा० कच्ची रेशम आयात किया गया था।

Export of Sewing Machines

1226, Shri Vishram Prasad: Will the Minister of International Trade be pleased to state:

(a) whether an order for supply of 72,000 sewing machines has been received from West Germany;

(b) if so, the terms thereof; and

(c) the period during which the supply will be made?

The Minister of International Trade (Shri Manubhai Shah): (a) to (c). A leading Indian firm has already entered into a contract with a West German firm for export from India of sewing machines to West Germany at the rate of 1500 machines per month or 18,000 machines annually during 1963-64; 2,000 machines per month or 24,000 machines annually during 1964-65; and 2,500 machines per month or 30,000 machines annually during 1965-66. Thus the total supply during the 3 year contract would be 72,000 sewing machines.

Cement Factory in U.P.

1227, Dr. Mahadeva Prasad: Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether it is a fact that Government have sanctioned a licence for the setting up of a new cement factory at Chopan in Uttar Pradesh; and

(b) if so, the details thereof?

The Deputy Minister in the Ministry of Steel and Heavy Industries (Shri P. C. Sethi): (a) and (b). A letter of intent has been issued to the Director, U.P. Government Cement Factory, Churk, approving the U.P. Government's scheme to set up a new cement factory of annual capacity of 400,000 tonnes near Chopan in Uttar Pradesh. A formal permission will be issued after arrangements are made for the plant and equipment required for the proposed factory.

दिल्ली में हथकरघा बुनकरों की बस्ती

१२२८. { श्री कछवाय :
श्री बड़े :

क्या अन्तर्राष्ट्रीय व्यापार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या दिल्ली में हथकरघा बुनकरों के लिये एक बस्ती बनाने की योजना सरकार के विचाराधीन है ; और

(ख) यदि हां, तो सरकार का उसे कब तक क्रियान्वित करने का विचार है ?

अन्तर्राष्ट्रीय व्यापार मंत्री (श्री मनुभाई शाह) : (क) जी, नहीं।

(ख) प्रश्न हीं नहीं उठता।

अखिल भारतीय हथकरघा बुनकर कांग्रेस

१२२९. { श्री कछवाय :
श्री बड़े :

क्या अन्तर्राष्ट्रीय व्यापार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या अखिल भारतीय हथकरघा बुनकर कांग्रेस ने सरकार से अखिल भारतीय हथकरघा बोर्ड में प्रतिनिधित्व के लिए मांग की है ; और

(ख) यदि हां, तो उस पर क्या कार्यवाही की गई ?

अन्तर्राष्ट्रीय व्यापार मंत्री (श्री मनुभाई शाह) : (क) जी नहीं ।

(ख) प्रश्न ही नहीं उठता ।

Khadi Production in Andhra Pradesh

1230. **Shri E. Madhusudan Rao**: Will the Minister of Industry be pleased to state:

(a) whether it is a fact that there has been some decline in the production of Khadi products in Andhra Pradesh as compared to other States; and

(b) if so, the reasons therefor and the steps taken to increase the production of Khadi and Gramodyog products in the State?

The Minister of Industry (Shri Kanungo): (a) No; Sir.

(b) Does not arise.

Village Industries in Andhra Pradesh

1231. **Shri E. Madhusudan Rao**: Will the Minister of Industry be pleased to state the total grants given to Andhra Pradesh for the development of village industries in the State during 1963-64?

The Minister of Industry (Shri Kanungo): From April, 1963 to 15th August, 1963, Rs. 17.28 lakhs (Rs. 13.62 lakhs as grants and Rs. 3.66 lakhs as loans) were disbursed for the development of Khadi and Village Industries in Andhra Pradesh.

हिन्दी पत्रों के हिन्दी में उत्तर

१२३२. { श्री प्रकाशबीर शास्त्री :
श्री प० ला० बारूपाल :
श्री कछवाय :
श्री रामेश्वरामन्द :

क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि उनके मंत्रालय के विभिन्न अधीनस्थ कार्यालयों में हिन्दी में प्राप्त होने वाले पत्रों के हिन्दी में उत्तर देने की क्या

व्यवस्था की गई है अथवा करने का विचार है ?

उद्योग मंत्री (श्री कानूनगो) : जानकारी इकट्ठी की जा रही है और वह सदन की मेज पर रख दी जायगी ।

उत्तर प्रदेश में लघु उद्योग

१२३३. **श्री सरजू पाण्डेय** : क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि उत्तर प्रदेश के लघु उद्योगों को कच्चा माल न मिलने के कारण कठिनाई हो रही है ; और

(ख) यदि हां, तो उसे दूर करने के लिए क्या कार्यवाही की जा रही है ?

उद्योग मंत्री (श्री कानूनगो) :

(क) और (ख) कच्चे माल; विशेषकर लोहे और इस्पात तथा अलौह धातुओं की सामान्य कमी है । उपलब्ध माल का सारी राज्य सरकारों में सांभिक वितरण किया जाता है । भारत सरकार को इस बात की जानकारी नहीं है कि उत्तर प्रदेश के लघु उद्योगों को किन्हीं ऐसी विशेष कठिनाइयों का सामना करना पड़ रहा है जो दूसरे राज्यों में नहीं हैं । लघु उद्योगों की प्रमुख कठिनाई विस्तार के कारण बंद जाने वाली माँग तथा नए कारखानों की स्थापना करना है । विदेशी मुद्रा संबंधी स्थिति में सुधार हो जाने पर ही यह स्थिति सुधर सकेगी ।

केन्द्रीय अधिनियमों तथा विधायकियों का अनुवाद

१२३४. **श्री भक्त बंश** : क्या विधि मंत्री यह बताने की कृपा करेंगे कि केन्द्रीय अधिनियमों तथा नियमावलियों के हिन्दीअनुवाद करने तथा उन्हें प्रकाशित

करने के कार्य में अब तक क्या प्रगति हुई है ?

विधि मंत्रालय में उपमंत्री (श्री विभूषेन्द्र निम्न) : अब तक लगभग २५६ केन्द्रीय अधिनियमों का अनुवाद किया जा चुका है। इनमें से २१८ अधिनियम प्रकाशित कर दिये गये हैं १६ छप रहे हैं और २५ के अनुवाद को अन्तिम रूप दिया जा रहा है। इनमें संशोधन का अधिनियम सम्मिलित नहीं हैं। जहाँ तक नियमावतियों का प्रश्न है, विभिन्न मंत्रालयों और विभागों से अब तक ६८८ सैटों में से ७७ सैटों का अनुवाद करके उन्हें सम्बद्ध मंत्रालयों और विभागों को भेज दिया गया है। १३ सैटों के अनुवादों को अन्तिम रूप दिया जा रहा है।

विदेश यात्रा

१२३५. श्री भक्त दर्शन : क्या अन्तर्राष्ट्रीय व्यापार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि उन्होंने पिछले तीन महीनों में अनेक देशों की यात्रा की थी ;

(ख) यदि हां, तो क्या उन देशों के नाम, वहाँ ठहरने की अवधि व वहाँ किए गए मुख्य कार्यों पर प्रकाश डालने वाला एक विवरण सभा-पटल पर रखा जायेगा ; और

(ग) इन विदेश यात्राओं के क्या परिणाम निकले ?

अन्तर्राष्ट्रीय व्यापार मंत्री (श्री मनु-भाई शाह) : (क) से (ग) एक विवरण सभा पटल पर रखा जाता है। [पुस्तकालय में रखा गया देखिये संख्या अणु० टी०१६१८/६३]

Small Industries Service Institute, Silchar

1236. **Shri N. R. Laskar:** Will the Minister of Industry be pleased to refer to the reply given to Unstarred Question No. 1313 on the 29th March, 1963 and state:

(a) whether the housing difficulties to accommodate the proposed Small Industries Service Institute at Silchar has since been overcome; and

(b) if so, the measures taken for early establishment of the Institute at Silchar?

The Minister of Industry (Shri Kanungo): (a) and (b). In spite of best efforts it was not possible to get either land for construction of a building or a hired building at Silchar. The power supply at Silchar was also found to be D.C. against A.C. required for the Centre. It was, therefore, decided to shift the Centre to Tezpur but due to the National Emergency it was decided not to set up the Extension Centre at Tezpur. It has now been decided in consultation with the State Government, to transfer the machinery and equipment intended for Tezpur to the State Government for setting up an Extension Centre at Dheakajali Industrial Estate where good use of machinery and equipment would be made for common services to the units there.

Price of Cotton

1237. **Shri D. S. Patil:** Will the Minister of International Trade be pleased to state:

(a) the date when the minimum price of cotton to be fixed for this season will be announced; and

(b) the steps being taken by the Textile Commissioner for setting up of survey and buying centres in the for the benefit of the primary producers of cotton growing in rural areas?

The Minister of International Trade (Shri Manubhai Shah): (a) The anno-

uncement has been made already on the 20th April, 1963.

(b) Zonal Committee are being appointed in all cotton growing centres sufficiently in advance of the movement of crop.

should not be hindered in any way from freely exercising their religion;

(iv) Compensation should be paid to the relatives of those who lost their lives in the incident of the 8th of May; and

(v) There should be no reprisals against the Buddhist leaders involved in the incident.

12 hrs.

CALLING ATTENTION TO A
MATTER OF URGENT PUBLIC
IMPORTANCE

CONDITION OF BUDDHISTS IN SOUTH
VIET NAM

Shri Raghunath Singh (Varanasi): I call the attention of the Prime Minister to the following matter of urgent public importance and I request that he may make a statement thereon:

The condition of Buddhists in South Viet Nam.

The Prime Minister, Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): Sir, on the 8th May, 1963, which was Buddha Punrnima Day, an incident involving a gathering consisting mainly of Buddhists took place in Hue, a town in South Viet Nam, in which some people were killed. Since then the Buddhists who constitute nearly 80 per cent of the population of South Viet Nam have been agitating strongly for the removal of certain measures which they consider to be discriminatory. The demands that they placed before the South Viet Namiese authorities were as under:—

- (i) The international Buddhist Flag should be allowed to be flown in the same manner as in the past;
- (ii) There should be no discrimination in religious matters and the Ordinance which gives a privileged position to the Christians and the Chinese religious bodies should be rescinded;
- (iii) There should be freedom of worship and the Buddhists

Discussions then took place between the Buddhist leaders and the South Viet-Nameese authorities and agreement was reached restoring some of the privileges asked for by the Buddhists. According to the Buddhists, however, this agreement was not implemented by the various agencies of the Government. This led to further demonstrations.

A Buddhist monk publicly burnt himself on 11th June in Saigon. Since then four Buddhist monks and a nun also burnt themselves. There were demonstrations by other groups, including students, and the authorities are alleged to have used violence against them. Finally, the South Viet-Nameese Government proclaimed martial law on the 21st of August. Reports indicate that the Army and Police personnel entered the Pagodas and arrested a large number of priests and laymen. Many people are believed to have been killed and injured during these raids. Some high-ranking persons, including the Foreign Minister, have also resigned their offices and posts. Various Buddhist countries have expressed their distress at these tragic happenings in South Viet-Nam. The Prime Minister wrote a letter to the President of the Republic of South Viet-Nam at the time reports were received of the understanding reached between the Government and the Buddhist leaders in Viet-Nam and he expressed the hope that necessary follow-up action would be taken in a generous and liberal manner to remove any misunderstandings or fears that the Viet-Nameese Buddhists may have: The

permanent representative of India at the United Nations was also asked to mention the matter to the Secretary-General of the UN. In view of the frustration of the agreement reached between the Government and the Buddhists and in view of the latest developments including imposition of martial law, representatives of various countries, like, Ceylon, India and others, have been considering in New York the steps that should be taken to persuade the South Viet-Nam Government to obtain a satisfactory settlement of the Buddhists' grievances. Some of the suggestions made in this behalf are:—

(i) to convene a Special Session of the General Assembly of the UN.

(ii) to form a Sub-Committee of the Asian-African members of the UN to approach the Secretary-General to convey their concern to him and to request him to use his good offices for arriving at a satisfactory settlement, and

(iii) to convene a non-official meeting of the Buddhist members of the UN to consider the matter and suggest solutions.

These talks are still continuing.

The Government of India are deeply concerned at the reports of ill-treatment of the Buddhist leaders and others in South-Viet-Nam. This is principally a human rights problem and the Government of India are consulting other like-minded governments with a view to suggesting appropriate steps that should be taken so that the situation in Viet-Nam is improved and the fears and grievances of the Buddhist in that country are removed.

I might add that the Government of India are reluctant to say or do anything in regard to the internal affairs of an independent country. That is why we have avoided taking any action, but there is no doubt that the happenings in South Viet-Nam have greatly influenced large numbers of

peoples, specially in the Buddhist countries. Great concern has been shown in India, not only amongst the Buddhists in India but amongst others too and, therefore, the action we have taken—not the action—but the talks that we had have been with a view to finding some way to help in finding a solution of this problem without any interference on our side. I hope such a way will be found. The present situation is unfortunate and there is no doubt that Buddhists all over the world are greatly agitated over it.

The other day, the Foreign Minister of South Viet-Nam resigned his office. He asked for permission to come to India and visit the various places of Buddhist pilgrimage here. He was on his way to the airport, but was stopped on the way and not allowed to go there. It is surprising, in view of the fact that he got the permission. Later, however—a day or two later—he got that permission and in fact he arrived here in Delhi with his family last evening. His visit is, of course, not exactly a political visit. He has come here for a pilgrimage purpose as a Buddhist and we shall give him such facilities for that purpose as may be necessary. Meanwhile, as I have said, we are in contact with the Ceylon Government and other Governments represented at the UN in discussing what steps we can take in this matter to help the Government and the people concerned to arrive at a suitable settlement.

Shri Hari Vishnu Kamath (Hoshangabad) *rose*—

Mr. Speaker: Shri Raghunath Singh.

श्री रघुनाथ सिंह : मैं यह जानना चाहता हूँ कि सीलोन की सरकार ने जो यह सुझाव रखा है कि इस विषय में एशिया के थोड़े से देशों का सम्मेलन हो, उसके बारे में भारत सरकार की क्या राय है ?

श्री जवाहरलाल नेहरू : इस बारे में तो मैंने अभी कहा है कि हम ने कहा है कि अगर

[श्री जवाहर लाल नेहरू]

ऐसा कोई सम्मेलन हो, तो हम उस में शरीक होंगे और हमारे मुल्क के बुद्धिस्ट लोगों को उस में शरीक होने का पूरा मौका दिया जायेगा।

Shri Tridib Kumar Chaudhuri (Berhampur): Sir, I first want to bring to your notice that I was never informed....

Mr. Speaker: That information reached late. I am sorry. But we might proceed with it.

Shri Tridib Kumar Chaudhuri: Sir, this matter—we understand it appeared in the newspapers—is also being tackled by the United States Government, and the United States Ambassador in Saigon, Mr. Henry Cabbot Lodge, has met the Viet-Nam authorities several times and.....

Mr. Speaker: He may go to the question and not make a long statement.

Shri Tridib Kumar Chaudhuri: I want to know whether there has been any exchange of views between the United States Government and our Government with regard to the situation and what are the views of the United States Government in this regard?

Shri Jawaharlal Nehru: So far as I am aware, there has been no exchange of views directly with the Government. But there have been talks with the representatives of the United States Government and the United Nations, as there have been talks with the other representatives too. I cannot definitely say what views they hold as to what should be done. All that I can say is they are concerned about it and want to find some way out.

Shri Nath Pai: (Rajapur): While welcoming the interest that the Government of India have shown on this question of persecution of people on the basis of religion, and the instructions, that they have issued to our representative at the UN, may I know

whether the Government of India, in consonance with this policy, is considering the question of abandoning its silence towards the persecution of Buddhists in Tibet and will issue fresh instructions to support when that issue comes before the UN?

Mr. Speaker: That is a different thing altogether.

Shri Nath Pai: The question is one of religious persecution.

Mr. Speaker: Now, we are considering only the situation in Viet Nam.

Shri Nath Pai: I am sorry you do not allow it. It is very legitimate. In a neighbouring country of yours, there is religious persecution. I think that Government which have been rightly taking up this issue with the United Nations....

Mr. Speaker: That is a different case altogether.

Shri Nath Pai: After all, a policy cannot be put into compartments. I am sorry to interrupt, you, Mr. Speaker, and I never do that. But could we cut the policy into such slices, and say that there will be only one policy towards distant Viet Nam and another towards Tibet?

Mr. Speaker: We are not discussing policies now....

Shri Nath Pai: If the hon. Prime Minister has something to say will you restrain him, Sir?

Mr. Speaker: We are discussing the happenings in Viet Nam now. The hon. Member should realise that.

Shri Nath Pai: I do. But may I know if the hon. Prime Minister has to say something on this? If he does not want, then I have no avail; but we are equally concerned. I am agreeing with him. I am not embarrassing him regarding Viet Nam.

Mr. Speaker: I am also agreeing with him, and I am requesting the hon. Member to sit down.

Shri Nath Pai: If the hon. Prime Minister wants to say something, why should you restrain him?

Mr. Speaker: Order, order. **Shri Hem Barua.**

Shri Hem Barua (Gauhati): May I draw the attention of the hon. Prime Minister to the latest news report that Ceylon is convening a conference of Asian nations to discuss this problem, where Communist China is proposed to be represented, and if so, may I know whether it is a fact that the Government propose to tell Ceylon that our Government would not participate in the conference because of the representation allowed to Communist China that has massacred the Buddhists in Tibet?

Shri Jawaharlal Nehru: The first point is that I do not know, and I have had no information that such conference has been decided upon....

Shri Hem Barua: The names of the countries are also out.

Shri Jawaharlal Nehru: As far as I know, the idea was that Thailand should convene such a conference, no doubt, perhaps, at the initiative of the Ceylon Government; the idea is that Thailand might convene it; I have not had any information about it, nor do I know who is going to be invited.

As regards the hon. Members's proposal that we should make it clear that we shall not attend if....

Shri Hem Barua: Communist China is invited.

Shri Jawaharlal Nehru:...China is invited, I doubt if that will be desirable for us. We may have our conflict, as we have, with China, and we may disapprove strongly of what it has done. But the present purpose of this conference would be a different purpose. And if those sponsors of

the conference decide to invite some countries, it is very difficult for us to refuse, because thereby....

Shri Hem Barua: Will it not be a contradictory approach?

Mr. Speaker: Order, order.

Shri Jawaharlal Nehru: It is not contradictory.

Shri Ranga (Chittoor): They have invaded our country and yet we go to a conference with that country at another table.

Shri Jawaharlal Nehru: That is for the other countries to decide. It is for the sponsors of that conference to decide whom they will invite.

An Hon. Member: Do you not have a conscience?

Shri Jawaharlal Nehru: It is not a question of consent. We have told them previously that if it is decided upon, and if such a conference is held, any such conference of Buddhist countries, we shall attend, and we shall send representatives of Buddhists....

Shri Ranga: Is China a Buddhist country?

Shri Jawaharlal Nehru: I do not know.

Shri Ranga: It is a communist country.

Shri Jawaharlal Nehru: That fact was not mentioned to me about who is going to be invited, and who are going to be the sponsors. As I said, Thailand was at one time supposed to be the sponsor of such a conference. I do not know if it has been decided. For us to give any previous indication of what we shall do depends upon how circumstances are and what takes place. But, for me to say that we shall not attend, if something happens, is one thing, if it is something concerning us; but it is really obviously a matter concerning something else. And for us not to participate in such a conference of Buddhists would, I think, be rather harmful to that cause and not do us any good.

Shri Ranga: Will the Dalai Lama also be invited?

Shri Nath Pai: Will you allow me, Mr. Speaker, to put one question? The one question which I had asked was disallowed by you in your discretion. So, I shall now ask another question that can possibly be answered.

Mr. Speaker: The same question was put by another Member of his own party.

Shri Nath Pai: I never try to sidetrack your rulings. That has never been my practice. I am coming to an entirely different question. Normally, I have a right to ask a question...

Mr. Speaker: These are hypothetical questions. What will be the policy if China is invited, whether we will attend or not?—that was the question put by Shri Hem Barua.

Shri Nath Pai: In exercise of my right, I asked one question. That was disallowed. Now I am pleading with you to let me put my second question.

Mr. Speaker: If the one that he has put is disallowed, the Member forfeits the right to put another.

Shri S. M. Banerjee (Kanpur): Has the attention of the hon. Prime Minister been drawn to a news yesterday in one of the leading Hindi papers of UP that when the Afro-Asian countries wanted to discuss this matter informally, the Indian representative said that he had no instructions from his country—that is, from our country? I want to know when these instructions had been issued, what are the specific instructions and whether we toe the line with has been adopted by the Afro-Asian countries in this matter?

Shri Jawaharlal Nehru: These accounts that have been appearing in Newspapers—one, I believe, emanated from the ambassador from Colombo—were completely incorrect. We were surprised to see them. Instructions

have been sent almost from day to day or every other day to our representatives in New York, in the UN, about this matter. We have informed them about our deep concern about this; we have asked them to consult other representatives, of Buddhist and other Asian and African countries and others there, and to act in concert with them.

Shri Daji (Indore): In view of the known fact that the South Viet Nam Government is on very good relations with the USA and is dependent upon it, why is it that the Government has not thought it advisable to contact the Government of USA so that the matter may be expeditiously settled?

Shri Jawaharlal Nehru: I have already said that our representatives are in touch with their representatives in the UN. It is rather a difficult matter for governments to deal with. It is an internal matter of a country. It may be that the United States has more intimate relations with South Viet Nam and I am sure they are taking such steps as they think necessary. They have sent a Special Ambassador for this purpose there. We have not directly contacted the Government of the United States because we had no formal proposal to make, except to show our concern. Any step that has to be taken has to be more in co-ordination with the Buddhist countries as well as other countries, and with them we are keeping in contact.

Shri Hari Vishnu Kamath: If I heard the Prime Minister aright, he said that he wrote to the President of the Republic of South Viet Nam some days ago. Has there been a fruitful or useful or helpful response from the President of the Republic of South Viet Nam? And how do the Government propose to meet the charge of petrified silence with regard to the persecution of Buddhists in Tibet, while voicing such concern with regard to them in South Viet Nam whether in the UN or elsewhere?

Mr. Speaker: That would be a different thing. That charge can be met on some other occasion. The first part may be answered.

Shri Jawaharlal Nehru: We got a reply from the President of South Viet Nam, in answer to my letter to him. That letter, as we have stated, was sent when there was a report of an understanding. He referred to that understanding and he hoped that everything would be all right, that all these matters would be satisfactorily settled. . . .

Shri Hari Vishnu Kamath: Have there been further exchanges since then?

Shri Jawaharlal Nehru: As a matter of fact, they have not been settled satisfactorily. The objection of the Buddhists there is that although an agreement was arrived at, it was not implemented by the Government.

Mr. Speaker: Papers to be laid on the Table.

Shri Hem Barua: On a point of order, I want a clarification from you.

Mr. Speaker: Both simultaneously?

Shri Hem Barua: I am not really clear in my mind about one thing. We tabled a call attention motion some seven days ago—Shri Tridib Chaudhuri, myself, Shri Nath Pai, possibly Shri Kamath and there were other friends also. You, in your wisdom, disallowed that. Now, today a call attention notice in the name of Shri Raghunath Singh, the Secretary of the Congress Parliamentary Party, has been admitted, after this matter was raised in the Congress Parliamentary Party meeting. Since you have allowed it, it should have been in the name of Shri Tridib Kumar Chaudhuri, because he was the first, and we were with him. I cannot compromise these two positions. How has it happened like that?

Mr. Speaker: He cannot compromise these two things because he does not know the facts. I will request him to

look into the timings when these notices were received, and he will find that Shri Raghunath Singh's was the first to be received. If that be the fact, he has no charge to make. Then, he must satisfy himself.

Shri Raghunath Singh: May I say a word?

Mr. Speaker: Order, order, I have asked him to look into the timings.

12.21 hrs.

PAPERS LAID ON THE TABLE

STATEMENT SHOWING ACTION TAKEN BY GOVERNMENT ON ASSURANCES

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): Sir, I beg to lay on the Table the following statements showing the action taken by the Government on various assurances, promises and undertakings given by Ministers during the various sessions shown against each:—

- (i) **Supplementary Statement No. III—Fourth Session, 1963 (Third Lok Sabha).** [Placed in Library, See No. LT-1601/63].
- (ii) **Supplementary Statement No. VII—Third Session, 1962-63 (Third Lok Sabha).** [Placed in Library, see No. LT-1602/63]
- (iii) **Supplementary Statement No. IX—Second Session, 1962 (Third Lok Sabha).** [Placed in Library, see No. LT-1603/63]
- (iv) **Supplementary Statement No. XII—First Session, 1962. (Third Lok Sabha).** [Placed in Library, See No. LT-1604/63]
- (v) **Supplementary Statement No. XI—Fifteenth Session, 1961 (Second Lok Sabha).** [Placed in Library, see No. LT-1605/63.]

[Shri Satya Narayan Sinha]

(vi) Supplementary Statement No. XVIII—Eleventh Session, 1960 (Second Lok Sabha). [Placed in Library, see No. LT-1606/63]

Shri S. M. Banerjee (Kanpur): You remember, Sir, I said in this House a week back, when the hon. Minister announced the business for the next week, that an assurance was given in this House about the auditors' report on the Ruby and New Asiatic Insurance companies.

I would like to mention that on 6th May, 1963, the hon. Deputy Minister of Finance, Shri B. R. Bhagat, laid two papers on the Table, namely, the Solicitor-General's Report on the New Asiatic and Ruby Insurance Companies, and the Report of the Government Directors of the New Asiatic Insurance Co. On this Shri Daji raised a question at that, since the discussion on Dalmia Jain was going on, that we were interested in the auditors' report also being laid on the Table of the House. I do not want to read the whole thing.

Mr. Speaker: Is there an assurance?

Shri S. M. Banerjee: I am coming to that in a moment.

Mr. Speaker: Why should he not come to that straight? I do not want his views. Where is the assurance of the Government?

Shri S. M. Banerjee: I had said:

"My point is that when this document has already been circulated to all the hon. Members, what is there secret in it? It has been laid on the Table here and it is a public document. Therefore, the full document should be placed so that we may utilise this opportunity and demand an inquiry against the Birla concerns also. I think, the House will not be denied that."

Then you said:

"The Government may consider over it and then they can say about it"

Then the Prime Minister replied:

"We shall certainly give consideration to anything suggested by this House, but it is obvious that it is physically not possible to place this tomorrow on the Table."

Later, Shri Daji said:

"I agree with the hon. Prime Minister that it cannot be done immediately. But one copy can be placed in the Library and nominally it may be placed on the Table tomorrow.

And it continues:

"Mr. Speaker: Let Government consider it.

Shri Daji: Shall we get a copy of the documents placed just now, say by tomorrow morning?

Shri B. R. Bhagat: Normally we have to give 21 copies. Now to cyclostyle 140 pages of one and 126 pages of another is not possible. It is difficult."

My submission is only this, that they only objected to place the document on the ground that 140 pages could not be cyclostyled in such a short time. This may not be an assurance, this is a promise.

You again said:

"Can some copies of the documents placed on the Table just now be made available?"

I want your protection. Government do not want any discussion on that.

Mr. Speaker: Though I asked him twice, he has been only going into long elaborate and laboured arguments, and has not pointed out that there was any assurance on the part of Government. He might move in a different manner, not in this way.

NOTIFICATION UNDER RUBBER ACT.

The Minister of International Trade (Shri Manubhai Shah): I beg to lay on the Table a copy of the Rubber (Third Amendment) Rules, 1963 published in Notification No. G.S.R 1298 dated the 10th August, 1963, under sub-section (3) of section 25 of the Rubber Act, 1947. [Placed in Library see No. LT-1581/63]

REPORT OF THE STUDY TEAM ON PANCHAYATI RAJ FINANCES

The Deputy Minister in the Ministry of Community Development and Cooperation (Shri B. S. Murthy): I beg to lay on the Table a copy of Report of the Study Team on Panchayati Raj Finances, 1963 (Part I). [Placed in Library, see No. LT-1607/63]

TWENTY-FOURTH REPORT OF LAW COMMISSION

The Deputy Minister in the Ministry of Law (Shri Bibudhendra Mishra): Sir, I beg to lay on the Table a copy of Twenty-fourth Report of the Law Commission on the Commissions of Inquiry Act, 1952. [Placed in Library, see No. LT-1608/63]

12.25 hrs.

STATEMENT RE. RESIGNATIONS FROM AND CHANGES IN THE COUNCIL OF MINISTERS

The Prime Minister and Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): Mr. Speaker, I am grateful for your permission to make a statement in regard to some resignations in the Government and some changes that are taking place in the Government. The facts leading to these resignations are somewhat unusual and it is difficult, perhaps not possible to find a precedent for this kind of procedure. Anyhow, six of our Cabinet Ministers have resigned: Shri Morarji Desai, Minister of Finance, Shri Jagjivan Ram, Minister of Communications, Shri Lal Bahadur Shastri, Minister of Home Affairs, Shri S. K. Patil, Minister of Food and Agriculture, Shri

Gopala Reddi, Minister for Information and Broadcasting and Dr Shri-mali, Minister of Education. I forwarded their resignations to the President and he has been pleased to accept them. He has also been pleased to accept my recommendation to him in regard to come of new Ministers taking the place of some of those who have resigned; not all. That is for Home Affairs Shri Gulzarial Nanda; for Finance, Shri T. T. Krishnamachari and for Food and Agriculture, Shri Swaran Singh. The actual change over will presumably take place in two or three days time; it has not actually taken place now. The President has said: 'when convenient' we shall arrange this accordingly.

As I have stated, rather unusual circumstances led to the resignation of some of our senior-most and most respected Members of this House and of the Government. I am not going to enter into the reasons why this happened. Some of them appeared in the public Press. It is with regret that I recommended, to the President that these resignations be accepted. In our Government it will make a big difference to do without senior and experienced members whose advice counted for so much. I would only add—I would repeat—this has nothing to do with any questions of policy that usually lead to resignations. The reasons were entirely different. However, I am glad that although they have resigned from these offices, they will continue as Members of this House and we shall continue to have the advantage of their advice and co-operation.

There are some vacancies caused by resignations which have not yet been filled for the moment. For the present some temporary arrangements will be made for Ministers who already hold charge of other portfolios to be in charge of these portfolios where vacancies have been caused. In the course of some little time more permanent arrangements will be made in regard to them. There is no ques-

[Shri Jawaharlal Nehru]

tion of my introducing the new Ministers to you, Sir, or to the House as they had been Ministers and they are well known to all of us.

Shri Hari Vishnu Kamath (Hoshangabad): Sir, on a point of order. I invite your attention to article 75 of the Constitution, clauses 2 and 3. The Prime Minister has been pleased to say that some unusual circumstances conspired to bring about this... (*Interruptions.*) These are words not used by him but words were used to this effect—resignation of half a dozen senior and respected Cabinet Ministers. We are sorry that circumstances have conspired to bring about this unfortunate development in the Cabinet, and I hope—and the House will hope—that those who will take their place will be equally competent.

Mr. Speaker: What is the point of order?

Shri Hari Vishnu Kamath: The point of order is this. Article 75(2) says as follows:

“The Ministers shall hold office during the pleasure of the President.”

Then, article 75(3) says:

“The Council of Ministers shall be collectively responsible to the House of the People”.

You will recollect that the House discussed a motion of no-confidence moved by my hon. colleague, Acharya Kripalani, and the House rejected that motion. Thereby it was decided by the House that the Council of Ministers enjoys the confidence of this House. Now, by a major reshuffle involving six Cabinet Ministers, a situation has been brought about which is tantamount to this: that it can be regarded that the Council of Ministers has lost the confidence of the House. Therefore, it was most proper and meet, in the spirit of the Constitution, for the Prime Minister to

tender the resignation of the Cabinet as a whole and then re-constitute the Cabinet; the Council of Ministers should have tendered the resignation—the Prime Minister himself and other members of the Council—to the President, and the President certainly might then have called upon the party again to re-elect a leader and then he should have formed the new Cabinet. That is the first point.

The second point is this. According to article 75(2), the Ministers shall hold office during the pleasure of the President; unfortunately for the Prime Minister, it is not during the pleasure of the Prime Minister. They will hold office during the pleasure of the President. Before the resignations were accepted by the President—perhaps yesterday evening or sometime yesterday, I do not know exactly when the major newspapers of the country, informed us and people in towns, bazars and the market-place knew through those papers, that the Prime Minister had received the resignations of these senior Ministers and that he had recommended to the AICC and the Working Committee, recommended to the party, that their resignations must be accepted. That means to say he on his part had accepted the resignations of the Ministers. It is wholly irregular and wholly unconstitutional. He should have, in the fitness of things, and if he has got a wholesome respect, allegiance, for the Constitution—I believe he has—forwarded the resignations to the President in the first place, and made any statement, whatever statement he wanted to make, in regard to them afterwards. But first he should have ascertained the opinion, the pleasure of the President with regard to those resignations and then only, under the Constitution, he was competent to make any further statement about the resignations submitted by the senior Cabinet Ministers. Therefore his earlier statement which was made with regard to the resignations is

wholly out of order and unconstitutional, and to rectify that, the only way open to him now is to tender the resignation of the Cabinet as a whole, and then the Cabinet could be reconstituted at an early date.

Mr. Speaker: The first point is that the acceptance of the resignation of six senior Cabinet Ministers has taken place, and the hon. Member argued that it is tantamount to the expression of no-confidence in the Council of Ministers. I can not follow that.

Shri Hari Vishnu Kamath: By themselves. (*Interruption*).

Mr. Speaker: If they resign, then is it a vote of confidence or want of confidence?

Shri Nath Pai (Rajapur): They have lost confidence in themselves.

Shri Hari Vishnu Kamath: They regard themselves as having lost the confidence of the House.

Mr. Speaker: If that is the view, of course now I appreciate the argument that they have lost confidence in themselves, but I am not concerned with that.

Shri Hari Vishnu Kamath: Confidence of the House.

Mr. Speaker: No, no. It should not be further argued. There is no expression by the House by which we can say that they have lost the confidence. Rather, that motion of no-confidence was rejected only a few days back, and the Council of Ministers had that confidence. Nothing more has happened after that.

The second point that the hon. Member has argued is this, namely, the manner in which it has been done and that the Prime Minister had no authority to do it, and it was for the President. Of course, that is what the Prime Minister has said: that he recommended it to the President and

the President has been pleased to accept the resignations.

Then, article 75(1) says as follows:

"The Prime Minister shall be appointed by the President and the other Ministers shall be appointed by the President on the advice of the Prime Minister."

What advice he gives, the acceptance of the resignation, etc., is of course between the President and the Prime Minister himself. And if the President thinks that everything has been in order, then I do not think that we have got any data here to say that the Constitutional provisions have not been complied with or something irregular has happened, and the hon. Member has not been able to point out anything which might be irregular or against the Constitution. So far as these provisions are concerned, there is nothing irregular. (*Interruption*).

Shri Hari Vishnu Kamath: On a point of clarification. Sir, I entirely agree with the ruling which you have just now given—that he had recommended them to the President. But may I point out, in all humility, that well before, a couple of days before, the Prime Minister is reported to have recommended the resignations for the acceptance of the President, all the newspapers of Delhi were thick with reports that the resignations had been accepted and also that the Minister of Works, Housing and Rehabilitation was busy finding out new accommodation for the Ministers who were going out. That should not have been allowed to happen.

Mr. Speaker: That is quite a different thing—whether the newspapers which carried the news ought to have done like that or not. If he raises it in a different motion, I will consider whether there is anything worthwhile on which we can take action—that they gave the news that the Prime

[Mr. Speaker]

Minister had accepted the resignations.

Shri Hari Vishnu Kamath: It was unauthorised.

Mr. Speaker: I cannot argue about the reports in the newspapers that the Prime Minister had accepted the resignations. When the Prime Minister states that he had made that recommendation to the President and the President has accepted it, how should I act on the report of the newspapers?

Shri Hari Vishnu Kamath: Please verify.

Mr. Speaker: Order, order. Shri Ranga.

Shri Ranga (Chittoor): May I seek a clarification? The hon. Prime Minister said that so far as the policies of the Government are concerned they remain the same and that only this adjustment is being made. But the House would remember that a few days earlier, our Communist friends expressed their want of confidence in two out of these six Ministers who have now resigned and whose resignations the Prime Minister has accepted. Does that mean that the Prime Minister has accepted, to that limited extent, the want of confidence expressed by the Communists? That is the first thing.

Another thing is this: I would like to know whether the six Ministers have lost their confidence in the Prime Minister or *vice versa*. Otherwise, why has this *tamasha* been enacted?

Shri Jawaharlal Nehru: I am rather surprised at some of the points raised by hon. Members opposite. The fact that there was a no-confidence motion against the Government, that it was fully discussed and then rejected, should make them realise that so far as this House is concerned it

had confidence and has confidence in the Government.

Shri Hari Vishnu Kamath: Why should they go then? (*Interruption*).

Mr. Speaker: Order, order.

Shri Jawaharlal Nehru: So far as some hon. Members belonging to the Communist party are concerned, they mentioned two of our Ministers and I was deeply pained at that. I thought it was rather improper. We were discussing policies of the Government and not individuals, and so far as the policies of those two hon. Members were concerned—the two Ministers—they were the policies of the Government, and therefore any action taken by me in recommending to the President has not only nothing to do with the no-confidence motion, but in fact, I was rather strengthened by the fact that the House has cleared this fact that the Government and all its members have the confidence of the House. It had nothing to do with policy. The step taken, as I said earlier, is rather unusual—the circumstances leading up to it. The hon. Member said “very”. The Congress is used to taking unusual and very unusual steps.

Shri Ranga: Dictatorial and totalitarian.

Shri Jawaharlal Nehru: That may be the hon. Member's opinion because he thinks too much of himself in dictatorial lines.

Some Hon. Members rose—

Mr. Speaker: What is it that Shri Banerjee wants to say?

Shri S. M. Banerjee: Sir, I only want to know, since the Prime Minister has already announced that these resignations have been accepted, as the session is on, whether the second list will also be announced here.

Mr. Speaker: How does he presume that?

डा० राम मनोहर लोहिया (फर्रुखाबाद) : प्रधान मंत्री ने कहा है कि यह इस्तीफ़ा नीति के कारण नहीं हुए हैं। जिन कारणों के लिए हुए हैं उन के लिए उन्होंने अखबारों की तरफ़ हमारा ध्यान खींचा है। अखबार बता रहे हैं कि यह इस्तीफ़ा त्याग भी हो सकता है और जबरदस्ती भी हो सकती है। यह मंत्री निकले हैं या निकाले गये हैं इस के बारे में अखबारों में कोई सफ़ाई नहीं दी है, तो क्या प्रधान मंत्री साहब यहां सफ़ाई देंगे कि स्थिति क्या है, निकले हैं या निकाले गये हैं।

अध्यक्ष महोदय : यह तो उन्होंने कह दिया। अब अखबारों से मेरा कोई सम्बन्ध नहीं है।

डा० राम मनोहर लोहिया : अध्यक्ष महोदय, मैं

अध्यक्ष महोदय : आर्डर, आर्डर।

डा० राम मनोहर लोहिया : प्रधान मंत्री ने अखबारों की तरफ़ हमारा ध्यान खींचा है और कहा है कि अखबारों से आपको कारण जान लेना चाहिए। सरकार इस मामले में बिलकुल मौन है। जहां तक अखबारों का सम्बन्ध है वह कहते हैं कि हो सकता है कि यह मंत्री निकले हैं फिर यह भी कहते हैं कि उनको निकाला गया है। इसलिए इस बारे में प्रधान मंत्री महोदय यहां पर कुछ सफ़ाई दे दें तो हम लोगों की बुद्धि का मामला कुछ आगे बढ़े।

श्री जवाहरलाल नेहरू : अपनी बुद्धि की सफ़ाई के लिए डा० लोहिया ने जो यह सवाल पूछा है उस का जवाब यह है कि सब इस्तीफ़े मेरे पास आये थे, खुशी से आये थे। मैंने किसी से भी इस्तीफ़ा देने के लिए नहीं कहा था। सिवाय इसके कि एक प्रस्ताव हुआ था आल इंडिया काँग्रेस कमेटी का। मेरी तरफ़ से किसी से इसके लिए नहीं कहा गया। वे सब इस्तीफ़े खुशी से आये थे और उन की

मंजूरी हुई तो एक मानी में उन की खुशी पूरी की गई।

डा० राम मनोहर लोहिया : एक मानी में, दूसरी मानी में क्या हुआ ?

श्री हरि विष्णु कामत : क्या आप ने खुद भी इस्तीफ़ा दिया था ?

Shri Nath Pai: Sir, I should like to crave your indulgence on two small points. The Prime Minister while replying to an earlier question was pleased to state that the House had rejected the motion of no-confidence in the Council of Ministers led by him and then he immediately said that for other reasons he had to take the step which he has taken. Are we, Sir, to infer that there is a party caucus which the Prime Minister, democrat as he is, thinks is above the judgment of the House? Because, you yourself said that the House expressed confidence and then you talked mysteriously of some steps of which we are not aware. Does it mean that there is a wisdom higher which you recognise than the wisdom of the House? If not, why do you claim that the House defeated the motion?

My second point is this. Regarding the reconstruction of the Ministry I should like to seek some factual information. What will be the scope of the Ministry of Finance; since your new nominee to that post is currently holding the Ministry of Economic and Defence Co-ordination, whether you are contemplating their amalgamation, and whether the same applies to the Ministry of Community Development vis-a-vis the Ministry of Food also The House should be told something about what you are planning now and then and we should not be left to the position that you tell it to the Working Committee and then the Press informs us.

Shri Jawaharlal Nehru: As regards the first matter raised by the hon.

[Shri Jawaharlal Nehru]

Member, he talked about a party caucus etc. Obviously, Parliament is supreme. But the hon. Member himself is a member of a party, group, and no doubt he consults them occasionally.

Shri Nath Pai: Always.

Shri Jawaharlal Nehru: That is the normal way of functioning of parties. Undoubtedly, I represent a party. I represent also, I hope, something wider and bigger than the party, (An hon. Member: Question). But I do represent a party, a very old party which has played a very important part and which is represented in this House by a very large number of Members.

Shri Hari Vishnu Kamath: Too old a party.

Shri Jawaharlal Nehru: And, we do consult each other and we will continue to consult each other as to what steps we should take in the normal course, in consultation with the President. Ultimately, it is for this House to decide whether I have done rightly or wrongly. We cannot convert this House or make it function as a party caucus as the hon. Member says it almost comes to that—that we bring such matters here which are normally considered by groups and parties themselves and as a result of that something is placed before the House for their approval.

Shri Hem Barua (Gauhati): That is the impression that we get.

Shri Nath Pai: You got an impressive vote of confidence which you claim was thundered in support by your party. Within seven days you bring in a wholesale reshuffle and that raises the question of what worth was this vote which you won.

Shri Jawaharlal Nehru: The hon. Member will remember that long before this vote of no confidence came before this House, a resolution was

passed by the All-India Congress Committee which gave the impetus to other things that followed. If this motion of no-confidence had not taken place then, probably, this action would have taken place earlier. Because of the motion of no-confidence it was postponed for further consideration immediately after that. The thing originated long before.

As for the second question—the hon. Member asked about the Finance Ministry and some other Ministries—those matters will be considered, in what manner they should continue, whether they should be amalgamated with others and all that. In the course of the next few days, as I mentioned, I propose to do that. For the moment I hope to make some temporary arrangements, and I will come and inform this House what other arrangements are made later.

12.47 hrs.

MESSAGE FROM RAJYA SABHA

Secretary: Sir, I have to report the following message received from the Secretary of Rajya Sabha:—

"In accordance with the provisions of sub-rule (6) of rule 162 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Appropriation (No. 4) Bill, 1963 which was passed by the Lok Sabha at its sitting held on the 20th August, 1963, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill."

12.48 hrs.

BUSINESS OF THE HOUSE

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): With your permission, Sir, I rise to announce that Government Business

in this House during the week commencing 2nd September, 1963, will consist of:—

(1) Discussion on the Tenth and Eleventh Reports of the Commissioner for Scheduled Castes and Scheduled Tribes for the years 1960-61 and 1961-62 on a motion to be moved by the Deputy Minister of Home Affairs.

(2) Further consideration and passing of the Public Premises (Eviction of Unauthorised Occupants) Amendment Bill, 1963.

(3) Consideration and passing of the following Bills, as passed by Rajya Sabha:—

The Industrial Employment (Standing Orders) Amendment Bill, 1963.

The East Punjab Ayurvedic and Unani Practitioners (Delhi Amendment) Bill, 1962.

(4) Consideration of a motion for reference of the Drugs and Cosmetics (Amendment) Bill, 1963 to a Joint Committee.

(5) Consideration and passing of the Dakshina Bharat Hindi Prachar Sabha Bill, 1963, as passed by Rajya Sabha.

(6) Discussion on the Annual Reports of the Indian Council for Cultural Relations for the years 1959-60, 1960-61 and 1961-62 on a motion to be moved by H. H. Maharaja Pratap Keshari Deo on Wednesday, the 4th September, at 3 P.M.

(7) Discussion on the Annual Report of the Life Insurance Corporation of India for the year ended 31st December, 1961, on a motion to be moved by Dr. L. M. Singhvi on Thursday, the 5th September.

(8) Discussion on abnormal rise in prices of food-grains and

the food policy of the Government of India on motions to be moved by Sarvashri S. M. Banerjee and Yashpal Singh on Thursday, the 5th September.

(9) Discussion on the distribution of national income to be raised by Dr. Ram Manohar Lohia on Friday, the 6th September after disposal of questions.

12.50 hrs

RE: TIMINGS OF LOK SABHA

Mr. Speaker: Dr. Lohia has written to me that he wants to raise some point regarding the sitting of the House and its timing. He may do so now.

✓ डा० राम मनोहर लोहिया (फर्रुखाबाद) : अध्यक्ष महोदय, मैं लोक सभा के समय के बारे में कुछ प्रश्न उठाना चाहता हूँ। लोक सभा का समय या तो सुबह ८ बजे से १२ बजे तक और साथ साथ ४ बजे से ७ या ८ बजे तक, नहीं तो ८ बजे से २ बजे तक और नहीं तो ४ या ५ बजे से ११ या १२ बजे तक हुआ करे। तीन सम्भावनायें मैंने बताई हैं और इन तीनों सम्भावनाओं में एक बात है कि दोपहर को लोक सभा न हुआ करे। उस के लिए मेरा कारण है कि हिन्दुस्तान की जलवायु दोपहर की लोक सभा के अनुकूल नहीं है। हम जो अपने समय के मामले में यूरोप वालों की नकल कर लिया करते हैं, जो कि हमारी जल वायु के अनुकूल नहीं है, उस की मैं आप को एक और मिसाल दिये देता हूँ। ११ बजे के समय यूरोप वाले अपना युद्ध विराम मनाया करते हैं। उस को देखते हुए हम ने भी अपने यहां शहीद दिवस ११ बजे मनाना शुरू कर दिया। मैं यह मानता हूँ कि यूरोप की अच्छे मामलों में समझ कर के नकल करना ठीक है, लेकिन जहां हमें अपनी खुद की बुद्धि का इस्तेमाल करना चाहिए, वहां नकल ठीक नहीं है, खास तौर से लोक सभा में, जहां पर कर्तव्य बड़ी गम्भीरता से चलता है और राग भी बहुत होता है।

[डा० राम मनोहर लोहिया]

जिस में असीम आनन्द और असीम तकलीफ हो, अगर ऐसी बैठक दोपहर के वक्त हो जाय करती है, तो उस के नतीजे कुछ खराब निकला करते हैं।

इसके साथ साथ मैं समझता हूँ कि अगर केवल शाम के वक्त ही लोक सभा सब विषयों पर विचार करें, तो ठीक होगा। मान लिया कि सुबह न रहे, तो केवल शाम—४ या ५ बजे से ले कर ११ या १२ बजे तक। अगर आप इजाजत दें, तो आप ने जो तर्क मुझे बताया था, वह यहां पर सदन को बताऊँ।— खैर, मैं नहीं बताऊंगा, लेकिन मैं अपनी तरफ से अपनी राय बताता हूँ कि जिन सदस्यों को शाम की लोक सभा पसन्द नहीं है, वे सदस्य आम तौर से ताश बगैरह ज्यादा पसन्द किया करते हैं। लेकिन मैं वताना चाहता हूँ कि अगर लोक सभा ठीक तरह से चले, तो शाम की लोक सभा बड़ी मज्जेदार हो सकती है। इस समय श्री मोरारजी देससाई यहां नहीं हैं। होते, तो मैं आप के जरियों से उन से एक सवाल पूछता कि क्या उन्होंने चान्दनी में कोई चेहरे देखे हैं। (Interruption)

अध्यक्ष महोदय : आर्डर आर्डर।

डा० राम मनोहर लोहिया : यूं जो लगते हैं उस से ज्यादा अच्छे लगते हैं।

अध्यक्ष महोदय : माननीय सदस्य इस सवाल की हद्द में रहें।

डा० राम मनोहर लोहिया : खैर, उस को छोड़ दीजिए। मैं उस तर्क को छोड़ देता हूँ, हालांकि मुझ पर एक जबदस्त लांछन लगाया गया है। मुझे उस से कोई मतलब नहीं है।

अध्यक्ष महोदय : माननीय सदस्य ने बता दिया है कि वह तीन समय तजवीज करते हैं।

डा० राम मनोहर लोहिया : उस के अलावा जो समय मैंने बताया है, उस में

उस समय से एक या दो घंटे ज्यादा होते हैं, जो कि आम तौर से अब मिलता है। वह इस लिए जरूरी है कि जब कभी प्रश्नोत्तर का सवाल उठा, तो आप ने अंग्रेजी की बात बताई कि वे एक घंटे में बीस सवाल पूछ लिया करते हैं। हमारी मुसीबत यह है कि हम एक ऐसी जुबान में सवाल-जवाब करते हैं, जो मंत्रियों को भी नहीं मालूम और हमें भी नहीं मालूम। इस लिए जरूरी हो गया कि या तो मंत्रियों के लिए अंग्रेजी सिखाने का स्कूल खोला जाय, . . .

अध्यक्ष महोदय : आर्डर, आर्डर। माननीय सदस्य दूसरी बहुत सी चीजों में जा रहे हैं। मैंने उन सब को उठाने के लिए यह मौका नहीं दिया है। उन्होंने कह दिया है कि वह तीन समय चाहते हैं।

डा० राम मनोहर लोहिया : तीन में से कोई एक।

अध्यक्ष महोदय : तो वह अब मेरी अर्ज सुन लें। अगर वह बैठें, तो मैं कहूँ।

डा० राम मनोहर लोहिया : अगर आप इजाजत दें, तो मैं सिर्फ एक बात कह कर बैठ जाता हूँ, नहीं तो, नहीं।

अध्यक्ष महोदय : कहिए।

डा० राम मनोहर लोहिया : जैसा कि मैंने कहा है, लोक सभा में एक तरफ गम्भीर कर्तव्य है और दूसरी तरफ एक असीम राग है—तकलीफ और आनन्द दोनों हैं। इस लिए लोक सभा की बैठकों से आदमी वैसे नहीं थका करता, जैसे समझिए पैसा कमाने से या किसी और काम से। तो यह हो सकता है कि और समय में तो लोग अपना धंधा चलाते रहें, मंत्री अपना काम करें और हम लोग जनता या मजदूरों का संगठन करें, वे सब काम चलाते रहें और शाम और रात के वक्त लोक सभा में गम्भीरता के साथ और आनन्द

के साथ अपने सब विषयों पर विचार करते रहें जिस से समय भी रहेगा और काम भी अच्छी तरह से हो जायगा और हम लोग आसानी से आठ घंटे अपने धंधे और चार, पांच, छः घंटे यह सब काम करते रहेंगे। तो यह तर्क मैं आपके सामने रखता हूँ।

संसद-कार्य मंत्री (श्री सत्यानारायण सिंह) : श्रीमन्, आप को मालूम ही होगा कि इस हाउस में यह शाम वाली बात तो नहीं, लेकिन दिन वाली बात का कई दफा ट्रायल हुआ १९४७ से १९५४ तक। दो मर्तबा हुआ। मेरे पास रिकार्ड है।

अध्यक्ष महोदय : शाम वाली तजवीजें तो आती रही हैं कामन साइड की तरफ से।

श्री सत्यानारायण सिंह : लेकिन उन पर कभी अमल नहीं हुआ। लेकिन जहां तक मुवतह वाली तजवीज का प्रश्न है, १९४७-४८ में कभी साढ़े आठ बजे शुरू किया, कभी साढ़े नौ बजे शुरू किया एक बज तक और कभी पौने ग्यारह बजे शुरू किया। आखिर में १९५४ में आप से पहले श्री मावलंकर के सामने विजिनेस एडवाइजरी कमेटी में यह बात पेश हुई, जिस में सब पार्टियों के सदस्य थे। वहां यह तय हुआ कि समय ११ बजे से ५ बजे तक ही हो सबजस्ट टु दि डिस्क्रिशन आफ दि स्पीकर, अर्थात् यदि स्पीकर चाहे तो उस में चेंज करे। हाउस के रूल में भी यही बात कहीं गई है।

Rule 12 of the Rules of Procedure of the Lok Sabha states:

"Sittings of the House shall, subject to the directions of the Speaker, ordinarily commence at 11.00 hours."

अभी तक यही स्थिति रही है और १९५४ से अभी तक किसी को कोई खास तक्लीफ नहीं हुई। माननीय सदस्य शायद यह समझते हैं कि इसमें सिर्फ मेम्बरों की सुविधा का ही सवाल

है। मैं निवेदन करना चाहता हूँ कि इस पार्लियामेंट का काम चलाने के लिए सब मिनिस्ट्रीज, आफिसिज और क्लार्क्स वगैरह सब को हमारे मुताबिक ही काम करना पड़ेगा। अगर समय बदलेगा, तो सिर्फ मेम्बरों के लिए ही नहीं जो कि मजदूरों का संगठन या दूसरे काम करना चाहते हैं, बल्कि आफिसिज में काम करने वाले लोगों को भी आना पड़ेगा। उन की सारी स्थिति उलट जायगी। हाँ, यह आप के और इस हाउस के अख्यार में है कि आप जो चाहें फंसला करें।

लेकिन ८ बज वाली बात सुन कर मैं कुछ हैरान हुआ। शायद माननीय सदस्य को मालूम है कि दिल्ली में तो जाड़ के महीनों में ७-४५ पर सूर्योदय होता है। इस लिए ८ बज तो और मुश्किल होगा। इस के अलावा यहां पर जाड़ की रात इलाहाबाद वगैरह से बहुत देरी ठंडी होती है।

डा० राम मनोहर लोहिया : अगर ठंडी रहे, तो अच्छा ही है।

श्री सत्यानारायण सिंह : यहां पर जनवरी के महीने में निकलना मुश्किल हो जाता है। इस लिए इन सब बातों को देख कर इस बारे में फंसला करना आप के और इस हाउस के अख्यार में है। इस के लिए रूल को बदलना होगा। आप जैसे चाहें कीजिए।

डा० राम मनोहर लोहिया : अगर आप इजाजत दें, तो मैं इस बारे में कुछ कहूँ।

अध्यक्ष महोदय : मेरा ख्याल है कि इस में ज्यादा बहस की गुंजायश नहीं है। मैं माननीय सदस्य की वाकफ्रियत के लिए यह कहना चाहता हूँ कि जब वह मेरे पास आये, तो मैं ने जरा मजाक में कहा था कि आप और मैं न जाते हों किसी क्लब वगैरह में, लेकिन दूसरे आदमियों की अपनी अपनी एन्जॉजमेंट होती हैं। किसी को क्लब में जाना होता है और किसी को कहीं और। इस में कई र्ज नहीं है जो आदमी पसन्द करते हैं, व जायें। लेकिन हम

[अध्यक्ष महोदय]

ने ये सब वक्त आजमा कर देखे हैं। हम ने सुबह ८ बजे, ९ बजे और १० बजे को भी आजमाया है और आखिर में यह हाउस इसी नतीजे पर पहुंचा है कि अगर ११ बजे का ही वक्त रखा जाये, तो ठीक है। यह किसी की नकल नहीं है और यूरोप के किसी मुल्क में ११ बजे हाउस शुरू नहीं होता है।

श्री नाथपाई (राजापुर) : वहां ढाई बजे शुरू होता है।

अध्यक्ष महोदय : माननीय सदस्य जो ढाई बजे की तजवीज करते हैं, अगर उस को मान लिया जाये, तो वह नकल करना होगा। अगर वह नकल से भागते हैं, तो वह य तजवीज न करें, क्योंकि वं तो नकल हो जायगी। अगर हम ढाई बजे बाद दोपहर करेंगे, तो व नकल है। वे रात को बैठते हैं। जहां तक जल-वायु का ताल्लुक है, हकीकत यह है कि मारी क्लाइमेट में शाम को बैठना बहुत मुश्किल हो जाता है। इस लिए बाहर की गर्मी से कुछ बचाव के लिए हम ने इस तरफ कर रखा है कि यहां कुछ अलाहदा वायु-मंडल रहे।

श्री बागड़ी (हिसार) : दोपहर का समय तो टालना चाहिए।

अध्यक्ष महोदय : अगर दस बजे करते हैं, तो बहुत से मेम्बर सा बान को एतराज होता है कि हम नहीं आ सकते। अगर हम ११ बजे शुरू करें, तो हम दोपहर को कैसे टाल सकते हैं? वह तो आयगी सिर पर और उस को बर्दाश्त करना पड़ेगा।

श्री बागड़ी : दोपहर को तो किसान घोर मजदूर भी आराम करते हैं।

श्री रा० शि० पाण्डेय (गुना) : आराम हराम है।

अध्यक्ष महोदय : मैं ने बहुत दफा १० बजे भी कर के देखा है, ९ बज भी कर के देखा है। इस हाउस ने उस को आजमाया है, लेकिन

वह चल नहीं सका है। रात वाली बात भी तजवीज की गई थी, लेकिन वह भी मन्जूर नहीं हुई। इस लिए अभी हम इस पर चलेंगे। वैसे यह हाउस की मर्जी है कि अगर किसी वक्त आबो-हवा, क्लाइमेट, की शिद्दत और सख्ती को देख कर वह समय को बदलना चाहे, तो वह उस का अपना अख्यार है। हम इस को देखते रहेंगे और अगर किसी वक्त जरूरत होगी, तो उस के मुताबिक तजवीज की जा सकती है।

13 hrs.

BUSINESS OF THE HOUSE

Shri Hari Vishnu Kamath (Hosangabad): Sir, I wish to invite your attention to the Lok Sabha Bulletin which was issued on the 1st August, just a week or ten days before the session opened. You will realise that the House will soon move inexorably into the fourth week of this week's session. Next week will be the fourth week. This is the third week and today is almost the mid-point of the session. The list of business according to this statement of the 1st August shows about 35 Bills—that statement too is not to be taken as exhaustive; that means, some other Bills may be introduced later on and taken up in addition to these Bills—and, in addition, other Government business, that is, non-legislative business. Now with the business that has been set forth today for next week, there is just one week left. The last week will be taken up, I believe, with the discussion of the international situation and planning. That will take all the five days, that is, three days for planning and two days for the other one.

Now, I revert to the topic which I used to raise in other sessions, that is, the defective planning of business. You are not at fault; do not be impatient; he is getting impatient. Every

session there is a Bulletin listing a large number of Bills, 30, 35, 40, 45 Bills. This time for this short session of six weeks 35 Bills plus other Bills were put down. I am sure, again a large number of them will be postponed for the next session. I submit that you will be so good as to—I may not say, hold the whiphand—take matters in your own hand and have very frequent and cordial consultation with the Government in this matter. This sort of business should stop. We have got tired of repeating this every session that it is bad planning.

May I request you also to consider what the first Speaker of the Lok Sabha said about eight or nine years ago that if Parliament has got to transact business efficiently, has got to be the mirror of national opinion and an effective instrument of the people's will, it should sit for not less than 7½ or 8 months in the year; otherwise, there are sometimes hazard, slipshod discussions and the legislative business is hustled. This should never happen in the supreme Parliament of the nation. You should consider whether Parliament which ought to be an effective instrument of the people's will should or should not sit for not less than eight months in the year.

Shri Daji (Indore): Sir, before you pass on to the next item on the agenda, I have to make some submission about this business for the next week, with your permission. The business has been read out but unfortunately again we have been placed in the position when we have to gather more from newspaper reports than from announcements in the House. I will not dilate upon it at length. I am referring to the proposed committee on public sector undertakings. In the last session we were informed that an informal meeting of the leaders of different parties and groups will be held to smooth out the impediment regarding the relation or representation of Lok Sabha and Rajya

Sabha. Nothing was done last session and this session also up till now nothing has been done. Now reports are going round that some settlement has been arrived at in the Congress Party or between the Government and the Lok Sabha and Rajya Sabha. We do not know about it. In the mean while more than one full year has run out. No committee for public sector undertakings has been formed yet. I would request you and through you the Government that least this session should be the last limit. Before the end of the session let us discuss it and let us have a committee on public undertakings.

Shri S. M. Banerjee (Kanpur): I am only going to refer to two points. Firstly, I am thankful to the hon. Minister for agreeing to have a discussion on prices. But we are also equally interested in having a discussion on the sugar problem which the country is facing. Secondly, there was a controversy about the distribution of national income, whether the minimum income is three annas or fifteen annas.

Shri Ranga (Chittoor): That is already here.

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): That I have announced.

Shri K. N. Pande (Hata): I had given notice of a motion for discussion of the sugar situation. That was my motion which was supported by Shri Banerjee also. I am very much thankful that he raised this question on the last two occasions. Last time the hon. Minister promised that he will talk to the hon. Food Minister in order to settle with him as to when the discussion should take place. May I know whether he has talked to the hon. Food Minister and whether any time is going to be given for the discussion of that motion?

Shri Satya Narayan Sinha: About the motion regarding sugar, my hon.

[Shri Satya Narayan Sinha]

friend, Shri Banerjee, and other hon. friends were insisting upon it. I would have rather most likely placed it next week but for this little upsetting. As you know, the hon. Minister of Food and Agriculture has resigned and we are going to make some arrangements. We hope to make some arrangement and would perhaps like to put it up before the House next week, if possible.

Mr. Speaker: The other things that have been said might also be considered. Some are for me and some for the hon. Minister.

Shri Satya Narayan Sinha: For Shri Kamath's information I might say that out of 14 Bills, nine have already been disposed of by this House and five Bills remain. We have given notice of some Bills but that is for the benefit of hon. Members because thereby they get time to prepare. I have already promised to the House that no Bill except emergent Bills—some exceptions are always there—will be taken up by the House unless those Bills are introduced in this House by the middle of the session. That should be quite enough. Why should they bother about other Bills that are there? If they get ready, it is for their benefit; it is more for their advantage.

Shri Hari Vishnu Kamath: Does he agree that Parliament should sit longer, for eight months in a year?

Mr. Speaker: That is not for me.

13.07 hrs.

PUBLIC PREMISES (EVICTION OF UNAUTHORISED OCCUPANTS) AMENDMENT BILL—Contd.

Mr. Speaker: The House will now take up further consideration of the following motion moved by Shri Mehr Chand Khanna on the 29th August, 1963, namely:—

“That the Bill further to amend the Public Premises (Eviction of Unauthorised Occupants) Act, 1958, be taken into consideration.”

Also, further consideration of amendment moved for reference of the Bill to Select Committee. Shri Shiv Charan Gupta was in possession of the floor; he may continue his speech.

Shri S. M. Banerjee (Kanpur): May I submit in this connection that time be extended?

Mr. Speaker: Let us proceed. We will see what happens. We have already spent one hour today.

Shri Shiv Charan Gupta (Delhi Sadar): Sir, it has been said that assurances given by Shri Gadgil have not been honoured. My hon. friend, Shri Kamath, complained that this Government is not looking after the interests of the poor although it is wedded to democracy and socialist order. If you look back upon the history of Delhi for the last 16 or 17 years, that is, after independence and the partition that followed it, it will be observed that about 50,000 to 60,000 units comprising houses, shops, plots costing about Rs. 20 crores were constructed in Delhi and allotted to displaced persons.

As far as the assurances of Shri Gadgil are concerned, it will be observed that not only the date of 15th August 1950 was honoured but this date was extended to 30th June 1952 and all those displaced persons who squatted before the 30th June 1952 were given alternative accommodation. Later on, the date in cases of unauthorised occupants of allottable property was extended to 31st December 1960. In fact, Delhi which assumed importance after independence as the capital of the free republic had to face the problem of rehabilitating lakhs of people who came to Delhi after partition either as displaced persons or later on from Punjab, UP and Rajasthan and that problem con-

tinues to grow in Delhi. In fact, all the displaced persons except a few had been rehabilitated according to the policy enunciated and announced by the Government from time to time.

Later on, some time in 1958, this question about the *jhuggi-jhonpri-wallas* or the shanty dwellers came to be discussed and it was decided that these people should be provided accommodation. A scheme of about Rs. 10 crores was formulated at that time and it was decided that all those people who were squatting before June-July 1960 whose number was about 43,857 which increased from 25,000 in 1959 were to be provided with alternative accommodation. In fact, the scheme of *jhuggi-jhonpri* dwellers is since then being implemented by the Government. Later on when some time back it was complained that some people have been left out in the census, the Government came forward to scrutinise their cases and the number has now increased to 50,000.

Now, Sir, if we look to all this history, it will be seen that not only the Gadgil assurance was honoured but the Government was continuously looking after the interests of all those people who were coming to Delhi and not finding shelter here and there. In this regard I have to mention one thing and that is for the consideration of the hon. Minister who has been holding the charge of displaced persons right from the beginning, first as the adviser and later on as the Minister and that is that the progress of housing *jhuggi-jhonpri* dwellers is not satisfactory. During the period June, 1961 and July, 1963—the scheme was approved in 1959 and the Government came forward to sanction about Rs. 10 crores but so far only about 7182 families have been rehabilitated. If we move with this speed, it will be observed that the scheme would take a longer time and I would urge upon the Government to see that in the interest of the poor people this

scheme is implemented without further delay. This matter deserves utmost consideration.

Now, as far as squatting is concerned, there are three types of squatters. I would urge upon the Minister of Works, Housing and Rehabilitation, although he is not directly concerned with so many other things but because he is piloting this things but because responsibility of the Government, whether it is under the Ministry of Works, Housing and Rehabilitation or any other Ministry, to tackle this problem in toto, not in part, and come forward to satisfy that certain amendments to the provisions of the main Act do not adversely affect the poor people. As I said, there are three types of squatters. One is: pucca built houses which was referred to by my hon. friend Shri Balmiki. I think the problem is confined to only about 356 families in about 5 or 6 pockets out of 50,000 displaced persons who came to Delhi. In those cases where, according to the Master Plan, the land is earmarked for residential purposes, the steps should be taken to regularise their colonies as has been done in the case of Moti Nagar, Rohtak Road and Ahata Kidara and where the land is not earmarked for residential purposes, a scheme should be worked out to rehabilitate them permanently. It is not a question of 100 or 200 families. These families remain in suspense for months and years and remain at the mercy of the administration and it is not good. In the same category, you will be surprised to know that there are hundreds of houses in Delhi which are existing for 40 or 50 years which have no legal title to the land. They used to get the leave renewed every year, but for some time their lease has not been renewed and that matter is hanging for a long time, with the result those people are in suspense and everyday some sort of notice goes to them.

The other category is: *jhuggi-jhonpri* dwellers. These are *kacha* houses. Some of them are on DDA

[Shri Shiv Charan Gupta]

land and some of them are on LDO land and other Government land. In some cases, damages are being charged and in some cases damages are not being charged. Damages are being charged in the case of those persons who have been squatting for the last 10 or 15 years and in the case of those persons who came later and who have been squatting for 6 or 7 years, the damages are not being charged. I submit this is what is being suggested in the Bill. I will read it out:

“10C(2) Any amount due to the Central Government from any person whether by way of arrears of rent or damages or costs shall, after the death of the person, be payable by his heirs or legal representatives, but their liability shall be limited to the extent of the assets of the deceased in their hands.

10D. If any person refuses or fails to pay the arrears of rent payable under sub-section (1) of section 7 or the damages payable under sub-section (2) of that section or costs awarded to the Central Government under sub-section (4A) of section 9 or any portion of such rent, damages or costs, within the time, if any, specified therefor in the order relating thereto, the estate officer may issue a certificate for the amount due to the Collector who shall proceed to recover the same as an arrears of land revenue.”

There are thousands of cases of these hut dwellers which are being assessed for damages for pre-1950 period and post-1950 period at different scales and arrears amount to thousands of rupees. I submit this to the consideration of the Government. They are poor persons with an income of Rs. 60 or Rs. 70 a month. How can you expect them to pay these arrears which were not collected by the Government? The responsibility is of the Government again. I want to emphasize this. Do you mean to say

they should be made to pay those arrears in ten years or fifteen years or twenty years? What is going to be their plight? I stand for regular recovery of arrears of damages or rent or whatever it is. But if due to the negligence of the Government, arrears amount to thousands of rupees and the poor people are compelled to pay those arrears, I fail to understand how can the poor persons pay. Therefore, particularly these cases of damages which have been referred here should be considered by the Government. I am sure the House will agree that this is going to affect the shanti dwellers or jhugi-jhoopriwalas and this is going to ruin their families.

The other point which I wanted to make is about this question of assessment damages. In these cases also a change is being sought to be made in this Bill by giving more powers to the estate officers. Now, in this case and also in the case of scrutiny of the eligibility of the squatters who are entitled to alternative accommodation, I would urge upon the Government to consider whether it is not possible to evolve a separate machinery other than what is in-charge of the execution of the scheme to determine the eligibility and also to determine whether the damages are being charge correctly and according to the policy of the Government. Unless that is done, these arbitrary powers with the estate officers are going to ruin these people because it is in the knowledge of everybody in Delhi that whenever these assessments are made, these assessments are not made on correct basis. It is not the estate officer who goes into the field and makes an assessment. It is a junior man who goes there and unless he is satisfied by different methods he is not going to consider their cases on merits. Therefore, this anomaly which has been created in Delhi and is also affecting proper assessment and finalisation of these cases must be given due consideration by the Government. Other-

wise, these people will be ruined again.

Thirdly, I want to point out this. Some people met me only this morning and they informed me that the land which has been developed by the Delhi Development Authority or by the Land Development Officer is also being affected by this provision although these lands have been transferred to them under certain agreements. If there is any infringement of any term of the agreement, action should be taken. I am for it. But to give summary powers and not to give them the facilities to represent their case properly and seek remedies is not proper. I think it is going to give arbitrary powers to the Government and the interests of these people are going to suffer because on minor grounds they are going to be penalised. If, what the Minister said in his opening remarks that this Bill relates to the Government land which is under occupation of squatters or unauthorised occupants, is correct and to that extent the purview of the Bill is limited, it is all right. But if it extends to these categories also, then I would urge upon the Government to consider this matter and give some thought to it and allow the Members of this House to give a thought to it and consider this matter in all its aspects and remedies for it, because if it is not done, this is going to create a very peculiar situation in Delhi and so many people will be put to a very great harassment. With these words, I conclude.

Mr. Speaker: Shri Amar Singh Saigal; Shri D. C. Sharma; Shri Panna Lal Barupal; Shri M. L. Dwivedi; Shri Ram Sewak Yadav. They have given their names. They are not present. They will forfeit their right to speak. Shrimati Savitri Nigam. I am coming to the Members who are present.

1004(Ai)LSD—5.

श्रीमती सावित्री निगम (बांदा) :
अध्यक्ष महोदय, श्रीमान् मैं इस विधेयक का स्वागत करती हूँ

अध्यक्ष महोदय : अब सब साहिबान थोड़ा थोड़ा वक्त लेंगे। मैं ने सावित्री जी को इसलिए बुलाया है कि वे जाना चाहती हैं। वह बोल लें मगर वक्त थोड़ा लें।

श्रीमती सावित्री निगम : अनेक ही माननीय सदस्यों ने उन सब लोगों के साथ बड़ी सहानुभूति प्रकट की है जिन को, इस विधेयक के द्वारा कष्ट या कठिनाई होने की सम्भावना है। जहाँ तक, श्रीमान्, सहानुभूति का प्रश्न है, उसकी कमी न तो मेरे हृदय में है और मुझे विश्वास है कि मंत्री जी के हृदय में उन लोगों के प्रति सहानुभूति की कमी नहीं है। लेकिन बावजूद इस सहानुभूति के हमको यह देखना है कि इस प्रकार इस विधेयक के अभाव में एक बड़े सामाजिक हित में रुकावट पड़ी और किस प्रकार बड़ी संख्या में लोगों को हानि उठानी पड़ी।

[Mr. DEPUTY-SPEAKER in the Chair]

उन लोगों को जो किसी प्रकार भी गन्दी बस्तियों के काम से सम्बन्धित रहे हैं, मालूम है कि इस काम में इस विधेयक के अभाव में कितनी कठिनाई आयी है। इतनी रुकावट और किसी चीज ने पैदा नहीं की जितनी इस विधेयक के अभाव ने की। कभी कभी समाज के हित के लिए कुछ व्यक्तियों को त्याग करना पड़ता है। यदि कुछ व्यक्तियों के कष्ट से समाज का कल्याण होता हो तो यह सोच कर हमें अपनी सहानुभूति को भी थोड़ा नियंत्रित करना पड़ेगा।

झुगुगी झोंपड़ी स्कीम में जो देरी हो रही है हमको सोचना चाहिए कि उसका कारण क्या है, उसके दो बड़े कारण हैं। इस काम में देरी होने का एक बड़ा कारण तो यह था कि इस को कंट्रोल सेंट्रल गवर्नमेंट ने अपने हाथ से कोरपोरेशन को दे दिया और वहाँ यह

[श्रीमती सावित्री निगम]

काम झंझट में पड़ गया। और दूसरा कारण यह है कि यह विधेयक जो कि आज सदन के सामने है उस समय नहीं था। इसके न होने का नतीजा यह हुआ कि जब भी कोई जमीन लेने की बात होती तो लोग झट कोर्ट से जा कर इंजंक्शन ले आते। स्लम क्लियरेंस के काम के लिए और झुग्गी झोंपड़ी स्कीम के लिए जब कभी कोई योजना बनायी गयी, तो उसमें जमीन मिलने में जो कठिनाई आती थी उसका कारण यह था कि यह विधेयक नहीं था। जहाँ भी किसी जमीन को लेने के लिए सरकार या कारपोरेशन योजना बनाता था तुरन्त लोग कोर्ट में जाकर इंजंक्शन ले आते थे और नतीजा यह होता था कि बनी बनायी स्कीम खटाई में पड़ जाती थी।

गन्दी बस्तियों के सुधार की जो योजनाएं बनायी गयी थीं उनके साथ भारत सेवक संघ क्लोजली एसोशिएटेड था। लेकिन हमने देखा कि उन इमारतों को भी जब लेने की बात हुई जोकि टूटी हुई थीं, उन इमारतों को जब स्लम आथॉरिटी ने लेना चाहा, तो उनके मालिक, जो कि यह नहीं चाहते थे कि गरीबों को सुख से अच्छे मकानों में रहने का अधिकार मिल जाए और उनकी प्रापटी जाती रहे, अदालतों में गए और इंजंक्शन ले आए। इसलिए मैं इस सदन के माननीय सदस्यों से यह प्रार्थना करूंगी कि इस विधेयक की विशेषताओं की ओर ध्यान दें और इससे जो लाभ मिलने वाले हैं उनको नजरान्दाज न करें।

अभी जो माननीय सदस्य बोल रहे थे उन्होंने कुछ दिक्कतें बतलायीं। मैं उन पर प्रकाश नहीं डालना चाहती क्योंकि मेरे पास समय कम है। उन्होंने तीन कैटेगरी के लोग बतलाए हैं जिनको दिक्कत होगी। हमें ध्यान रखना चाहिए कि जन्मुइन लोगों को कष्ट न होने पाए। उन लोगों की जो दिक्कतें हैं उनको नजर में रखा जाए। लेकिन मैं यों पर यह भी कना चाहूंगी कि इस अनआथा-

राइज्ड आकुपेशन के कारण दिल्ली की बहुत सी अच्छी अच्छी योजनाएं और स्कीमें पूरी नहीं हो पा रही हैं और उनमें देरी होती जा रही है।

जो लोग पब्लिक प्रमिसेज में आ कर अनआथाराइज्ड तरीके से घर बना लेते हैं, उनको जब हटाया जाता है तो हम को बड़ा दुःख होता है। लेकिन आप बताएं कि इसका आदि और अन्त कहाँ है। जितने लोग बसाए जाएंगे उससे दूने लोग आते चले जाएंगे। इसलिए आवश्यकता है कि यह जो गांवों से शहरों में आ कर जहाँ तहाँ बस जाने की स्वतंत्रता हुई है इस पर प्रतिबन्ध लगाएं। हम जानते हैं कि इस इनफ्लक्स को यह विधेयक नहीं रोक सकेगा। लेकिन इससे उन तमाम लोगों को बड़ी राहत मिलेगी जो कि बरसों से पड़े हुए हैं और जिनको सरकार की ओर से कागज दे दिए गए हैं कि तुमको जमीन मिलेगी या बने बनाए मकान मिलेंगे। उन लोगों की भलाई के लिए हमको इस विधेयक का समर्थन करना चाहिए।

एक बात मैं इस सम्बन्ध में और कहना चाहूंगी। जिनके एरियर्स दस दस बारह बारह साल से रियलाइज नहीं हुए हैं हमें उनके प्रति थोड़ा मानवीय दृष्टिकोण अपनाना चाहिए। और कोई कम्प्रोमाइज की सूरत निकालनी चाहिए। उनका एरियर काफी कम करके रियलाइज किया जाए और उसको किस्तों में रियलाइज किया जाए यह मेरा सुझाव है।

मेरा सम्बन्ध थोड़ा गन्दी बस्तियों के सुधार से रहा है। जो मकान इन लोगों को बसाने के लिए बनाए गए उन में इनको बसाने में भी काफी दिक्कत होती है। झील करंजिया पर इनके लिए काफी मकान बनाए जो कि स्लम्स में रहते थे। हमने चाहा कि वे लोग वहाँ पर चले जाएं। शुरू में वे लोक वहाँ पर नहीं गए। इसका कारण यह था

कि उनको वहां आकुपेशन नहीं था। शहर में उनको छोटे छोटे काम, जैसे अंतों की मरम्मत करना या दूसरे घरेलू काम मिल जाते थे और उनको झील करोंजिया बहुत दूर पड़ता था। लेकिन जिस समय वे लोग राजी हुए कुछ लोगों को तो अफसरों ने मकान दे दिए थे और दूसरे लोगों ने नाजायज तरकीबों से उन मकानों को ले लिया था। इसलिए मैं मंत्री महोदय का ध्यान इस तरफ खींचना चाहती हूँ। मेरा सुझाव है कि इस झुग्गी झोंपड़ी स्कीम को सरकार को कारपोरेशन से अपने हाथ में लेकर पूरा करने की चेष्टा करनी चाहिए। और बजाय इसके कि इसको सिर्फ अपने अफसरों से ही पूरा कराया जाए, इसमें उन लोगों को भी एसोशिएट किया जाना चाहिए जिनके लिए यह स्कीम चलायी जा रही है ताकि वे भी समझें कि उनके लिए ये मकान बनाए जा रहे हैं और उनको इस स्कीम से पूरा लाभ हो सके। अगर ऐसा न किया गया तो वे लोग उन मकानों में जाने में दिक्कत करेंगे और उनको सबलैट आदि करेंगे। इसलिए आवश्यक है कि जिन लोगों के लिए यह मकान बनाए जाएं उनको भी उस काम के साथ एसोशिएट किया जाए और उनका संयोग लिया जाए और उनसे श्रमदान भी उनके लिए लिया जाए। अगर ऐसा किया गया तो यह झुग्गी झोंपड़ी स्कीम जल्दी इम्प्लीमेंट हो जाएगी और वे लोग उन मकानों में जा कर रहेंगे और असमाजिक तत्व और शोषणकर्ता उनमें नहीं घुस पाएंगे जो कि अभी घुस जाते हैं।

साथ ही मैं यह भी कहूंगी कि जिन लोगों को इविकट किया जाता है उनका सवाल भी बड़ा पेचीदा है। मेरा सुझाव है कि उनको अन्नान कर ही इविकट न कर दिया जाए। उनको पहले नोटिस दिया जाना चाहिए और हो सके तो उनको पुनर्वासित करने के लिए कोशिश की जानी चाहिए और उनको मकान दिलाने में मदद की जानी चाहिए और सामाजिक संस्थाओं और सरकारी अधिकारियों के द्वारा उनको

सहायता पहुंचायी जानी चाहिए। यह सही है कि इन लोगों ने गलत तरीके से सरकारी प्रेमिसेज में मकान बना लिए हैं लेकिन फिर भी ये लोग इसी देश के रहने वाले हैं, इसी भारत माता के सपूत हैं। यह कोशिश होनी चाहिए कि उनको इविकशन में कम से कम कठिनाई हो।

एक ओर मैं इस विधेयक का पूरा समर्थन करती हूँ और दूसरी ओर मैं करना चाहती हूँ कि इसके इम्प्लीमेंटेशन में बड़ी सावधानी बरती जानी चाहिए। मैं यह भी चाहती हूँ कि जहाँतक झुग्गी झोंपड़ी वालों का सम्बन्ध है और जहाँतक उन तीन कैटेगरीज के लोगों का सम्बन्ध है जिनका जिक्र माननीय सदस्य ने किया, उनको कठिनाई न हो इस बारे में भी पूरी सावधानी बरतनी चाहिए।

श्री स० मो० बनर्जी: उपाध्यक्ष महोदय, मैं इस विधेयक का विरोध करने के लिये खड़ा हुआ हूँ और इसके कुछ कारण हैं। जिनको दूसरे माननीय सदस्यों ने भी सदन के सामने रखा है। जो दिक्कतें बतायी गयी हैं उनको देखते हुए मैं यह समझता हूँ कि इस विधेयक को एक सिलेक्ट कमेटी के द्वारा किया जाये और वह सिलेक्ट कमेटी अगले सेशन के शुरू होने के पहले ही दिन अपनी रिपोर्ट पेश कर दे।

उपाध्यक्ष महोदय, मेरा यह संशोधन देने का मतलब केवल इतना ही था कि मैं सरकार का ध्यान इन लोगों की कठिनाइयों की ओर दिलाऊँ। हमारे पास अनेक संस्थाओं से कागजात आए हैं, चाहे वे पुरुषार्थी भाइयों की संस्थाएँ हों या झुग्गी झोंपड़ी वालों की संस्थाएँ हों, चाहे वे दिल्ली की हों या कलकत्ते या हिन्दुस्तान के किसी और जिले की हों। मैं समझता हूँ कि मंत्री जी के पास भी उनके मैमोरेण्डम आये होंगे। और उनमें उन्होंने उस आश्वासन का हवाला दिया है जो कि उन्हें गाडगिल साहब ने दिया था, उन लोगों को उन्होंने अपने आपको

[श्री स० मो० बनर्जी]

बसाया था। मैं उस और आपका ध्यान आकर्षित करना चाहता हूँ। सन् १९४८ में एक नारा हमारे हरदिल अजीज प्राइम मिनिस्टर ने दिया था और पुरुषार्थियों से कहा था तुम अपनी इच्छा से और अपनी मेहनत से जहाँ बस सकते हो बसने की कोशिश करो, और उसी के फलस्वरूप, उसी नारे की तरजुमानी में जो पुरुषार्थी भाई पंजाब से या पूर्वी बंगाल से आए थे उन्होंने अपने आपको बसाने की कोशिश की। वे दिल्ली में और दिल्ली के बाहर जो जमीन उनको मिली उस पर बस गए। उनसे कहा गया था कि जो जमीन तुम को मिल सकती हो और जो खाली हो उस पर बसने की कोशिश करो। लोग बसे।

मैं माननीय मंत्री जी से यह भी नहीं कता चाहता हूँ कि उन को बसाने की कोशिश नहीं की गई? बसाया उनको जरूर गया लेकिन बसते हुए घर को उजाड़ना आखिर यह कहाँ का इन्साफ है? गाडगिल एश्योरेंस क्या थे? आखिर गाडगिल एश्योरेंस के आधार पर एक कमेटी भी बनी था। उस कमेटी में कौन लोग थे? एक हाई पावर कमेटी थी जिसके कि चेयरमैन डिप्टी मिनिस्टर श्री ए० के० चंदा होते थे। उस कमेटी के मेम्बर्स श्रीमती मुचेता कृपलानी, स्वर्गीय पंडित ठाकुर दास भागव, और श्री जशपत राय कपूर थे। उन्होंने अपनी रिपोर्ट में कुछ सिफारिशों की थी कि उन लोगों को किस तरीके से बसाया जाय? मेरे पास यह मेमो-रेंडम सल्फ रिहैब्लिटेटेंट डी० पी० एसो-सियेशन की तरफ से आया है। कल उस में से कुछ चीजें पढ़ी भी गयी थी। उस में जो विश्वास दिलाये गये हैं उन की तरफ मैं मंत्री महोदय का ध्यान आकर्षित करना चाहता हूँ :-

"That the amount of *ex-gratia* payment is paid without further delay; that the value of the land

on no profit no loss basis is fixed satisfactorily, wherever necessary; that the procedure prescribed in the assurance should be strictly followed in regard to the constructions which have not yet been demolished; that wherever land in the locality from which constructions have been removed is still available, offer of allotment be made on no profit no loss basis to those persons who formerly had their structures there; and that in the allotment committee now functioning for this purpose, representatives of the displaced persons should also be associated".

अब यह जो विश्वास दिलाये गये थे क्या वाकई में उन पर अमल किया गया? यह एश्योरेंस जो कि गाडगिल एश्योरेंस या चंदा एश्योरेंस के नाम से मशहूर हैं क्या वाकई उनके ऊपर अमल किया गया और उनको सही तौर पर कैंरी आउट किया गया? जाँच है कि अगर ऐसा किया गया होता तो फिर हमारे वह पुरुषार्थी भाई जो कि पंजाब या बंगाल से लुट पिट और कट कर और परेशान होकर आये थे और जिनकी रहनुमाई करने का दावा माननीय मंत्री भी करते हैं वे दुबारा क्यों यह मेमोरेण्डम पेश करते?

मैं जानता हूँ कि जहाँ मैंने स्कुएटस का जिक्र किया, माननीय मंत्री इस सदन का ध्यान फौरन कुछ इलाकों की तरफ ले जायेंगे। वे कहेंगे कि क्या पुराने किले के लोगों को जमीन नहीं दी गई? उन की तरफ से पुराने किले के सवाल को उठाया जायेगा कि जब सरकार उस जगह को एक पार्टीकुलर विभाग के लिये चाहती है और उसके बदले उनको दूसरी जगह जमीन और फर की जाती है तो वे उसे लेने से इंकार कर देते हैं। लेकिन इस बारे में इस हाउस की याद ताजा करने के लिये बतलाना चाहता हूँ कि हमारे स्वर्गीय सदस्य पंडित ठाकुर दास भागव व लाला अचिन्त राम, इन दोनों माननीय सदस्यों ने पुराने किले के सवाल को इस

हाउस के सामने पूरी तफसील के साथ रखा था। उन्होंने बतलाया था कि अगर पुराने किले के लोग दूसरी जगह नहीं गये तो उसका क्या कारण था। उन्होंने बतलाया था कि जो विश्वास उन्हें दिलाया गया था वह पूरा नहीं किया गया और उसके बमुजब उनको आलटरनेटिव जमीन जैसी और जिस जगह मिलनी चाहिये थी वह नहीं दी गई और उनके इंकार का यह कारण था। मैं जानना चाहता हूँ कि आखिर यह प्रमेंड-मेंट बिल क्यों लाया गया है? इस बिल में क्या यह किया है :—

“The main features of the Bill are—(a) a person who, having been evicted from a public premises, reoccupies it without authority will be committing an offence; (b) no court or other authority shall have power to grant any injunction in respect of any action taken or proposed to be taken by or under the Act”.

अब इसके जरिये तो आप किसी आदमी का यह बुनियादी हक ही छीन ले रहे हैं कि वह ऐंजीक्यूटिव ऐक्शन के खिलाफ कचहरी में जा सके और इंसाफ मांग सके। कोर्ट से इसके खिलाफ इंक्वशन न ले सके, यह कहा का प्रजातन्त्र है? मैं दिल्ली की ही बात नहीं कह रहा हूँ। मीजो पहाड़ी में क्या हुआ था? पुरुषार्थियों ने मीजो हिल्स में सरकार से एक पैसा भी डोल का नहीं लिया और उन्होंने उस पथरीली और बंजर जमीन को बसाया। जब वहां पर हरियाले खेत नजर आने लगे तो उनको वहां से निकालने के लिए हाथी चलाया गया। हाथी की मार्फत उनको जबरदस्ती निकाला गया। उनका सवाल इस सदन के सामने आया था। अब मैं मंत्री महोदय से पूछना चाहूंगा कि अगर उस अत्याचार के खिलाफ कोई अदालत का दरवाजा खटखटाना चाहता है और इंक्वशन लेने जाता है तो क्या ऐसा करना नामुनासिब है? जनता को संविधान द्वारा कुछ मूल नागरिक अधिकार प्राप्त हैं और

उनको बरकरार रखवाने के लिये और जुल्म और तशहूद के खिलाफ कचहरी में जाना चाहती है और जिसका कि अधिकार उसे संविधान ने दिया हुआ है, आज इस प्रमेंडिंग बिल के द्वारा उस बुनियादी हक को भी छीनने की कोशिश की जा रही है? क्या वह हक छीनने की कोशिश नहीं की जा रही है

यह सब चाहते हैं कि स्कुएटिंग न हो लेकिन मैं पूछना चाहता हूँ कि आज स्कुएटिंग बने कौन हैं? क्या यह सही बात नहीं है कि इसी दिल्ली शहर में लगभग एक लाख के राजस्थानी और दूसरे मजदूर रहते हैं जो कि दूसरों के लिये तो मकान बनाते हैं लेकिन उनके खुद के लिये मकान नहीं हैं। क्या यह सही बात नहीं है कि राजघाट के पास कुछ साल पहले जो एक बहुत ही भयानक अग्नि-कांड हुआ था और जहां पर लोगों की झोपड़ीयों वगैरह सब जल गयी थीं, उस वक्त जब वह सवाल सदन के सामने आया तो हमारे प्रधान मंत्री जी ने कहा था कि आखिर वे क्यों बस क्यों गये? जब दूसरे सवाल पड़े तो उन्होंने कहा कि वहां उनको फिर से बसाने की कोशिश की जायगी? झुग्गी झोपड़ी वालों को क्या जाता है कि २५,००० मकान बनेंगे। हमारी आदरणीय बहन श्रीमती सावित्री निगम ने अपने भाषण में कहा कि स्लम्स की सफाई के काम को करने में बड़ी दिक्कत होती है। स्लम्स क्लियरेंस कमेटी जो कि श्री अशोक सेन की अध्यक्षता में बनी थी और उसने इस बारे में एक रिपोर्ट तैयार की थी, क्या सरकार ने उसको माना है? उसने कुछ सिफारिशें कीं। उसमें बतलाया गया था कि पांच शहरों में किस तरह से यह स्लम्स रिमूव किये जायें और सरकार उसमें क्या मदद दे। वे पांच शहर दिल्ली, कलकत्ता, मद्रास, कानपुर, और अहमदाबाद थे। इस तरह के यह पांच शहर थे। लेकिन उस स्लम्स क्लियरेंस की रिपोर्ट को आज तक सरकार ने मंजूर नहीं किया।

[श्री स० मो० दनर्जी]

उपाध्यक्ष महोदय, इस में दो तरह की सिफारिशें हैं। एक सिफारिश लॉग टर्म के लिये है और दूसरी सिफारिश शॉर्ट टर्म के लिये है। मेरी यह शिकायत है कि सरकार ने न तो लॉग टर्म और न शॉर्ट टर्म की ही सिफारिशों को मंजूर किया। अलबत्ता कुछ पैसा जरूर कारपोरेशंस के लिये मंजूर हुआ था चाहे कानपुर की हो, या कलकत्ते की हो, उनको यह कहा गया कि वह सब-सिडाइज्ड इंडस्ट्रियल हाउसिंग स्कीम के अन्तर्गत यह सस्ते मकान बनायें। जब इन रिपोर्टों को सरकार ने माना नहीं है तो क्या वह चाहती है कि लोग जबरदस्ती किसी मकान में आ जायें? क्या सरकार चाहती है कि लोग जबरदस्ती सड़कों को रोक लें? यह वे लोग हैं जिन के सिर पर कोई छत नहीं है। यह वह लोग हैं जिनके रिहायश के वास्ते सरकार रैन बसेरे बनाने की कोशिश कर रही है। यह वह लोग हैं जो कि फुटपाथ पर सोते हैं और रात को फुटपाथ पर सोते हुए सपना देखते हैं कि सरकार तीसरी पंच-वर्षीय योजना में कम से कम उनके वास्ते मकान दे देगी। आज उनकी यह हालत है। जब सरकार उनके लिये कुछ अभी तक खास नहीं कर सकी है और वे पुरुषार्थी अगर अपने आप बस गए चाहे वह किसी इलाके में गये हों, व बेचारे ४००—५०० गज जमीन में बस चुके हैं, अब उनको कहा जाता है कि तुम यहाँ से निकलो और यहाँ से हट कर तुम २५ गज में चले जाओ या ८० गज में चले जाओ, आखर यह क्वा का न्याय है?

मैं मंत्री महोदय से कहना चाहता हूँ कि वे अपने जवाब में यह न सोचें कि अगर नुक्ता-चीनी की जा रही है तो वह किसी दूसरे लक्ष्य से की जा रही है। आज एक मेमोरेण्डम में मैंने आपको बताया कि जिन पुरुषार्थियों ने अपने आप को बसाने की कोशिश की, उनकी तरफ से आया है।

अशोकनगर रेपयूजीज असोसियेशन ने भी कहा है कि हम झंडेवालान बस्ती में बसे हुए हैं। मैं चाहूंगा कि इस सदन की एक कमेटी झंडेवालान में बसे हुए लोगों के बारे में मौके पर जा कर जांच करे और अपनी रिपोर्ट दे। आज झंडेवलान का नाम बदल कर रानी झांसी रोड कर दिया गया है। झंडेवालान में अगर आप जा कर देखें कि लोग किस तरह से वहाँ पड़े हुए हैं तो ताज्जुब होगा कि वाकई यह क्या दिल्ली है नरक-कुंड है या क्या है? किस तरह से लोग वहाँ पर बसे हुए हैं? मैं जानता हूँ कि कोई भी विदेशी मेहमान जब यहाँ पर आता है चाहे वह विलायत की महारानी हों, खुश्चेव साहब हों या और कोई हों, चारों तरफ जो झुग्गी झोपड़ी बाल हैं उन को कहा जाता है कि यहाँ से हटने की कोशिश करो। कहीं ऐसा न हो कि हमारे विदेशी मेहमान की तुम लोगों पर नजर पड़ जाये। उन लोगों को हटा दिया जाता है ताकि हमारे विदेशी मेहमानों को खूबसूरत मकान तो नजर आयें लेकिन झुग्गी झोपड़ी नजर न आयें। यह तमाम चीज हो रही हैं। इस के बाद भी लोगों से कहा जाता है कि २५ गज जमीन में अपने आप को बसाने की कोशिश करें।

इस सदन में बार बार सवाल आया कि सियालदाह स्टेशन में पड़े हुए लोगों को दंड-कारण्य में बसाया जायगा और उन से जब वहाँ जाने को कहा जाता है तो वे जाने को राजी नहीं होते हैं। माननीय मंत्री इस बात को लेकर काफी नाराज भी हुए हैं कि यह तो इस तरह से पड़े रहने की उन की आदत हो चुकी है। सड़कों में लेटने की आदत हो चुकी है। बच्चों को सड़कों में खिलाने और लिटाने की आदत हो गई है लेकिन मैं कहना चाहता हूँ कि जिस शर्मनाक तरीके से वे वहाँ रहते हैं, अगर आप देखें कि सियालदाह स्टेशन में कौसी बुरी हालत में वे अपने बालबच्चों को

ले कर पड़ हुए हैं तो आप को सही स्थिति का पता लग जायेगा। आजतक सरकार वहाँ के इर्दगिर्द कुछ व्यवस्था नहीं कर सकी है। थोड़ी देर के लिये मान भी लिया जाय कि जन्हाँ ने वहाँ बस कर गलत काम किया लेकिन अगर ईमानदारी के साथ उन को किसी दूसरी जगह बसाने की माकूल व्यवस्था सरकार ने कर दी होती तो फिर यह स्कुएटर्स कौलिनीज आप को कलकत्ता, कानपुर आदि नगरों में देखने को नहीं मिलतीं। कलकत्ते में देख लीजिये चाहे कानपुर में देख लीजिये, जो मकान उन बेचारों ने अपनी मेहनत से बना लिये हैं उन को गिराया जा रहा है। मकान इस बेसिस पर डिमोलिश कर दिये जाते हैं कि वॉटर-कानूनी तौर पर बनाये गये थे। लेकिन मैं सदन को बतलाना चाहता हूँ कि अनथोराइज्ड अकुपेशन अनथोराइज्ड अकुपेशन बन जाता है अगर कारपोरेशन में सम्बन्धित व्यक्ति का जोर पहुँच जाय। अगर उन का कारपोरेशन में काफी जोर पहुँच जाय तो वह अनथोराइज्ड हो जायेगा वरना उन को वहाँ से हटा दिया जायेगा।

जो मकान बनाये गये हैं उन मकानों की लागत क्या है? खैर लागत को छोड़िये लेकिन आप देखिये कि एक मामूली मजदूर जिसे कि एक बस्ती से हटाया गया है उस को दूसरी जगह बसाने पर सरकार कहती है कि तुम इस का १९ रुपये किराया दो। दस रुपये से किराया शुरू हुआ। दस का पन्द्रह हुआ और अब पन्द्रह का १९ हो गया। नई कालोनी बेनाझावर में बन रूम टेनामेंट का १९ रुपये किराया है। अब आप ही हंसाफ कीजिये कि ८० रुपया महीना पाने वाला आज के दिन १९ रुपया किराया कैसे देगा?

लिताजा मैं चाहता हूँ कि यह बिल सिलैक्ट कमेटी में जाय। अगर मंत्री महोदय यह समझते हैं कि इस में देरी नहीं होनी चाहिये, जल्दी होनी चाहिये, तो सिलैक्ट कमेटी, दस, पन्द्रह, बीस दिन के अन्दर बैठ कर अपनी

रिपोर्ट दे सकती है, क्योंकि हम लोग २० सितम्बर तक तो यहाँ बैठे ही हुये हैं।

मैं मंत्री महोदय को यह कहना चाहता हूँ कि जब लेंड एक्वीजिशन बिल के बारे में इस सदन में झगड़ा हुआ और ऐसी आबो-हवा पैदा हो गई कि उस में संशोधन की जरूरत है, तो क्या माननीय मंत्री, पाटिल साहब, ने हाउस को यह नहीं कहा था कि सिलैक्ट कमेटी तो नहीं, लेकिन आई शैल कनसल्ट दि मेम्बर्ज अगर यह बिल सिलैक्ट कमेटी में नहीं जा सकता है कि मंत्री महोदय सदस्यों को कांफिडेंस में ले कर इस बारे में फैसला करें। हाँ, अगर यह बिल सिलैक्ट कमेटी में जायेगा, तो लोग शर्दादत दे सकेंगे, अपने मैमोरेण्डा सबमिट कर सकेंगे और बता सकेंगे कि उन की क्या क्या कठिनाइयाँ और मुसीबतें हैं।

मैं निवेदन करना चाहता हूँ कि यह बहुत बड़ा सवाल है। सवाल यह है कि क्या विकास के नाम पर लोगों को उजाड़ा जा सकता है, क्या विकास के नाम पर सर्वनाश हो सकता है। मैं समझता हूँ कि ऐसा नहीं हो सकता है कि डेवेलपमेंट और प्लानिंग के नाम पर बसते हुए घरों को उजाड़ दिया जाये, खास तौर से उन लोगों को उजाड़ दिया जाये, जो कि एक दफा लुट पिट कर आये हैं, जो देश के बंटवारे का नतीजा देख चुके हैं। मैं आप को बताना चाहता हूँ कि इसी दिल्ली शहर में तीस हजार आदमी ऐसे हैं, जो खाना-बदोशी करते हैं, जिन के लिये मकान नहीं है, किराये के मकान नहीं हैं और जिन के लिये रैन बसेरा खोल दिया गया है कि वे फ्रुट पाय पर लेटा करें। ऐसे वक्त में झुग्गी झौंपड़ी वालों को भी हटा देना उचित नहीं है। झुग्गी झौंपड़ी स्कीम अभी बनी नहीं है, मकान अभी बने नहीं हैं, लेकिन उन लोगों से कहा जा रहा है कि अभी आप जाइये, खुली हवा में रहिए, आप के लिए त्वादार मकान बनाए जायेंगे। कहाँ और कब बनाए जायेंगे? यह कहा जा रहा है कि अभी तो आप हवा

[श्री स० मो० बनर्जी]

खाइये, बाद में आप के लिए मकान बनाए जायेंगे। इस के अलावा उन मकानों का किराया इतना होगा कि उन के लिये मुश्किल हो जायेगी और वे उन को ले नहीं सकेंगे।

इसलिए मैं मंत्री महोदय को कहना चाहता हूँ कि ये जो मैमोरेन्डा आये हैं, चाहे वे पुराने किले की तरफ से आये हों, या अंधा मुगल या अशोक नगर की तरफ से, या दूसरे सैल्फ-रिहैबिलिटेड डिस्प्लेस्ड पर्सन्ज की तरफ से, उन को वह देखें। हम जानते हैं कि उन के पास ऐसा दिल है, जो पुरुषार्थी भाइयों के लिये और दलित लोगों के लिए रोया करता है। इसलिये मैं उन से दरख्वास्त करूँगा कि वह इस बारे में अच्छी तरह से सोचें और उन को इस बिल को सिलैक्ट कमेटी में भेजने में कोई एतराज नहीं होना चाहिये, क्योंकि आखिर कार सिलैक्ट कमेटी में हमारे मेम्बरज ही होंगे और इस में देरी भी नहीं होगी—दस पन्द्रह दिन में हम लोग रिपोर्ट दे सकते हैं।

दूसरी जो एमेंडमेंट्स हैं, उन के बारे में मैं नहीं कह सकता, क्योंकि सोमवार को मैं यहां नहीं रहूँगा। मैं कहना चाहता हूँ कि और भी एमेंडमेंट्स हैं, श्री सहगल की एमेंडमेंट है, कामत साहब की एमेंडमेंट है, उन्होंने ने क्यों एमेंडमेंट रख हैं कि फलां को अमीट कर दिया जाये? इसलिये कि वे सजते हैं कि अगर ओमिशन नहीं हुआ, तो इस का नाजायज फायदा उठाया जायेगा। अगर किसी आदमी का मकान गलत तरीके से गिराया जाये या उस को निकाला जाये, और उस को कचहरी में जा कर इन्जक्शन लेने का अधिकार न हुआ, तो वही हालत होगी कि जबरा मारे, रोने न दे। ऐसी हालत नहीं होनी चाहिये।

मैं सदन से अपील करूँगा कि वह पार्टी बेसिस पर नहीं, बल्कि एक हो कर यह सोचे कि जो लोग निकाले जायेंगे, वे एक पार्टी के मेम्बर नहीं होंगे, बल्कि वे हिन्दुस्तान के नाग-

रिक होंगे, जो कि देश की पार्टीशन के बाद लुट-मिट कर यहां आये है, वे लोग होंगे, जो कि दूसरों के मकान बनाते हैं, जिन्होंने अशोका होटल बनाया है, जिन्होंने बड़ी बड़ी बिल्डिंग्स बनाई हैं, लेकिन जिन के पास अपनी कोई बिल्डिंग नहीं है।

इन शब्दों के साथ मैं फिर अपील करूँगा कि इस बिल को सिलैक्ट कमेटी में भेजा जाये।

Shri Sinhasan Singh (Gorakhpur): Before you proceed further, I would like to raise a point of order.

From the Financial Memorandum it appears that if the Bill is passed, money will be drawn from the Consolidated Fund of India, and in view of that article 117 of the Constitution debar consideration of this Bill.

Article 117(3) says:

"A Bill which, if enacted and brought into operation, would involve expenditure from the Consolidated Fund of India shall not be passed by either House of Parliament unless the President has recommended to that House the consideration of the Bill".

I do not know if the recommendation of the President has been received. It is nowhere specified in the Bill.

Shri Hari Vishnu Kamath (Hosangabad): It is given in the Bulletin.

Shri Sinhasan Singh: If it is there, I have no objection.

Mr. Deputy-Speaker: The President's recommendation has been received and has been duly published. All the requirements of the Constitution have been complied with. There is no point of order.

It has been published in the Parliamentary Bulletin dated August 13th as under:

"The President, having been informed of the subject matter of the proposed Public Premises (Eviction of Unauthorised Occupants) Amendment Bill, 1963, recommends to the House under article 117(3) of the Constitution of India the consideration of the Bill".

श्री काशी राम गुप्त (अलवर) :
उपाध्यक्ष महोदय, पांच वर्ष पहले इस बिल का मूल विधेयक पास हुआ और पांच वर्ष के बाद ही उस में एक संशोधन लाने की आवश्यकता हो गई है। यह प्रकट करता है कि सरकार ने जो पहला कदम उठाया, वह सोच विचार कर नहीं उठाया—उस के आगामी परिणाम क्या होंगे, इस के बारे में वह ठीक ढंग से नहीं होच सकी। किन्तु मुझे लगता है कि जिस प्रकार से यह बिल लाया गया है, वह भी इतनी गहराई से सोच कर नहीं लाया गया है और इस का आगामी परिणाम यह होगा कि आगे चल कर शायद सरकार और संशोधन लाने का प्रयास करे।

वास्तव में यह जो कुछ भी खराबी हो रही है, उस का मूल कारण यह है कि भारत सरकार की गृह-निर्माण नीति। और दिल्ली में, जो कि देश की राजधानी है, वह नीति इतनी असफल हो, यः इस सरकार को शोभा नहीं देता है। मैं यह नहीं मानने वाला हूँ कि केवल माननीय श्री खन्ना इस के लिये जिम्मेदार हैं। यह तो ऐसी जटिल समस्या है, जिस के लिये सारी सरकार के प्रयास की आवश्यकता थी। लेकिन यह बिल उस प्रयास में केवल-माल मरहम-पट्टी कर सकता है और वह मरहम-पट्टी भी ऐसी कि फोड़ा अन्दर हो और बाहर से मरहम-पट्टी करने की कोशिश की जाये और वह मरहम-पट्टी भी ऐसे अनाड़ी लोगों के हाथ में दी जा रही है, दी हुई भी है, जो कि इस के जरिये से जनता में परेशानी ही पैदा करते हैं, न कि उस की भलाई करते हैं।

माननीय सदस्य, श्री वनर्जी, ने बहुत सी बातों पर प्रकाश डाला। यः केवल कानून की बात नहीं है। यह तो मानवता और कानून दोनों को ध्यान में रख कर कार्य करने की बात नहीं है। इस लिए यह किसी दलबन्दी की भी बात नहीं है यह कोई राजनीति की बात भी नहीं है। वास्तव में यह समस्या हल करने की बात है। मैं निवेदन करूंगा कि यह समस्या तभी वास्तव में हल हो सकती है, जब सरकार अपनी गृह-निर्माण नीति को बदले और राजधानी जैसी जगह में तो इस समस्या को तीन चार बरस में हल कर दे।

माननीय मंत्री जी कह सकते हैं कि सरकार फंड्स नहीं देती है, किन्तु न देने का कारण क्या है? कारण यह है कि ये जो हमारी योजनायें हैं, उन के भीतर ही यह त्रुटि मौजूद है। हमारी सरकार योजना बनाती है कि इतना प्रदेश सरकारों को दे दो, इतना गांव वालों को दे दो, जैसे वे आपस में समाजवाद का बंटवारा या गरीबी का बंटवारा कर रहे हों। यह कोई तरीका नहीं है। वास्तव में न तो आज यहां पूंजीवादी व्यवस्था से काम चलाया जा रहा है और न ही समाजवादी व्यवस्था से, बल्कि एक गोलमाल वाली व्यवस्था जिसे कहना चाहिये, उससे काम चलाया जा रहा है। अभी तक भी मंत्री महोदय यह नहीं बता सके हैं कि उनकी समस्या कितने रूपों में है और कितनी बड़ी है। झुग्गी झोंपड़ी वालों की समस्या, जो लोग मकानों में बँठे हैं, उनकी समस्या, पुरुषार्थी भाइयों की समस्या, राजस्थान के मजदूरों की समस्या इत्यादी कितनी ही समस्यायें हैं।

यह दैवयोग की बात है कि मुझ जसा आदमी जो बचपन से पुरानी दिल्ली में रहा है और जो दिल्ली को जानता है, वह कुछ हद तक इन समस्यायों की जानकारी रख सकता है। लेकिन इस सदन के दूसरे माननीय सदस्य जो बाहर से आते हैं, उनको इन समस्यायों का ज्ञान उस रूप में नहीं है, जिस रूप में होना चाहिये। इसका एक कारण

[श्री काशी राम गुप्त]

यह भी हो सकता है कि सरकार ने कभी विस्तार से इस प्रकार के प्रकाशन उनके सामने नहीं रखे हैं जिन से पता लगे कि बस्तविकता क्या है। कभी माननीय मंत्री जी ने यह भी कोशिश नहीं की है कि इस सदन के माननीय सदस्यों को ले जा करके कुछ इलाकों को दिखायें ताकि वे भी इन समस्याओं के बारे में अनुभव प्राप्त कर सकें और जान सकें कि वास्तव में समस्या क्या है और उसके बारे में सही सही जानकारी हासिल कर सकें और राय बना सकें। केवल इस कानून को पास करने मात्र से काम नहीं चल सकता है।

इस में लिखा है कि इंजंक्शन कोर्ट न दे सकेगी। एपीलांट कोर्ट का फैसला होने के बाद शायद यही बात होगी। एपीलांट कोर्ट अगर न दे सके तो एपीलांट कोर्ट का कोई मंशा नहीं रखा जाता है। एपीलांट कोर्ट के बाद यदि वह है तो क्या है, किस कारण से है, इसको आप देखें। जो मूल प्रश्न है वह यह है कि वह आदमी क्यों इंजंक्शन चाहता है। क्या उसकी जो समस्या है वह व्यक्तिगत है या सामूहिक है, क्या एक आश्रित व्यक्ति की समस्या है या बहुत से व्यक्तियों की समस्या है। अगर सामूहिक समस्या होगी तो इंजंक्शन न मिलने का कोई प्रश्न पैदा नहीं होता है। मैं समझता हूँ कि इन सब बातों का एक ही इलाज है और वह यह है कि पूरी योजना चार या पांच साल में बना कर और आग जो समस्याएँ खड़ी हो सकती हैं उनको देख कर मास्टर प्लान को ठीक करके, इसको हल किया जाए। अगर ऐसा नहीं किया जाता है तो आज जो अप्टाचार फैला हुआ है, वह बढ़ ही सकता है, घट नहीं सकता है। इन अनधिकृत व्यक्तियों के मामले में मैंने देखा है कि लोग कहते हैं कि हम १९६० से बैठे हैं और जब कोई इन्स्पेक्टर देखने के लिए आता है तो उसकी जेब में अगर दस रुपये भर दिए जाते हैं तो वह कह

देता है कि बैठ रहो और तीन महीने के बाद जब दूसरा इन्स्पेक्टर आता है और वह बीस रुपये मांगता है तो अगर बीस रुपये उसकी जेब में डाल दिये जाते हैं तब — तो वह जाता है कि बैठ रहो — और अगर नहीं डाले जाते हैं तो कह देता है कि भाग जाओ, कल ही बैठे हो, या आज आयो हो। कितने ही उदाहरण मौजूद हैं जिन में यह समस्या सामने आई है। नई दिल्ली में भी यही समस्या है। एक इन्स्पेक्टर आता है और कहता है कि १९६० के बैठे हुए हो और दूसरा आता है तो वह उनको निकाल देता है। हमारे यहाँ क्या रिकार्ड हैं, क्या प्रमाण हैं, उसके बारे में इस सदन को कोई जानकारी नहीं है। किस प्रकार के प्रमाणों को सरकार मानती है, किस को अधिकृत कहती है और किस को अनधिकृत इसका कुछ पता नहीं है। कुछ तो ऐसे लोगों की समस्या हो सकती है जिन्होंने मकान बना लिये हैं और जो मकानों में बैठे हुए हैं और कुछ ऐसे लोगों की समस्या है जो केवल जमीन धरे बैठे हैं। उनकी दूसरे ही ढंग की समस्या है। कुछ दुकानों में बैठे हैं और उनकी तीसरे ही ढंग की समस्या है। मैं नहीं जानता कि उनको रेगुलराइज कर दिया गया है या नहीं। चांदनी चौक में कूचा नटवा में हमारे कुछ व्यापारी शरणार्थी भाई हैं। उन के सिरों पर हमेशा ही तलवार लटकती रहती थी। रोजाना उनको नोटिस आते रहते थे निकाल देने के। अब कुछ दिनों से खामोशी है। उन्होंने कहा था कि आपने इतने बड़े रेलवे स्टेशन को कम्पनी बाग का हिस्सा दे दिया है जिस की जरूरत नहीं थी। वहाँ पर बीस फुट चौड़ी सड़क बना कर के इधर उधर कुछ कर दिया जाता तो उनकी समस्या हल हो सकती थी। वे लोग वहाँ बस सकते थे। वहाँ पर जो सड़की सी गली है और बड़ी भीड़ भाड़ रहती है और लोग परेशान रहते हैं, उनकी वह समस्या भी हल हो सकती थी। न मालूम किस तरह से भारत

सरकार का प्लान चलता है, लोगों की रोज-मर्रा की तकलीफ को नहीं देखा जाता है, लोगों को भीड़-भाड़ से जो तकलीफ होती है, उसको नहीं देखा जाता है। मनमाने ढंग से सब काम होते हैं।

मैं समझता हूँ कि दिल्ली की समस्या केवल कानून बना देने से ही हल नहीं हो सकती है। अगर इंजकशन भी हटा देंगे तब भी समस्या हल नहीं होगी। इससे अनाचार फैलेगा, भ्रष्टाचार फैलेगा। अगर इस समस्या को हल करना है तो इस का एक ही तरीका है। आप भारत सरकार पर जोर दे कर गृह निर्माण योजना विस्तृत रूप में बना कर इस सदन के सामने लायें और उसको इस सदन को मंजूरी दिलायें। यह सदन दिल्ली के लिए सीधे जिम्मेदार है, यह सरकार सीधे जिम्मेदार है। इसलिए दिल्ली की योजना खटाई में पड़ी रहे, ठीक नहीं है। दिल्ली में हालत यह है कि लोग बरसों से बिलबिला रहे हैं और अगर यही हाल रहा तो वह बिलबिलाते रहेंगे। एसी हालत में समाजवाद का नारा लगा देने मात्र से या बड़ी समस्याओं को हम हल करेंगे, इसका नारा लगा देने मात्र से कुछ नहीं हो सकता है। गला फाड़ फाड़ करके आप कहते हैं और हमारे प्रधान मंत्री जी भी कहते हैं, कि हम बहुत प्रगति कर चुके हैं बहुत सी बातों में। लेकिन आप देखें कि आप की नाक के नीचे इस दिल्ली शहर में ही स्लम क्लियरेंस नहीं हो पा रहा है।

हमारी समस्यायें जो दिल्ली की हैं, वे क्यों हल नहीं हो पा रही हैं, इस पर आप विचार करें। दिल्ली की सरकार जो है, वह चूँ चूँ का मुरब्बा है। उसके अन्दर सब आर्थोरिटीज का दखल है। हेल्थ वालों का है, वर्क्स एंड हाउसिंग का है, कारपोरेशन का है, ट्रस्ट का है, पता नहीं कितनों का है। बहुत से जोड़ आप ने बिठाये हैं। उस में पता ही नहीं चलता है कि किस की आर्थोरिटी है। जब तक सब कामों के लिए एक अधिकार

प्राप्त डिपार्टमेंट न हो तब तक काम नहीं चल सकता है। जब तक सब काम एक क हाथ में न हों, तब तक काम नहीं चल सकता है। किसी के हाथ में कुछ, दूसरे के हाथ में कुछ दूसरा और तीसरे के हाथ में कुछ तीसरा हो, तो काम कैसे चल सकता है।

यह जो बिल लाया गया है, मैं निवेदन करूँगा कि इस की धाराओं से बहुत कुछ असहमति प्रकट नहीं की जा सकती है, बहुत ज्यादा विवाद की बात इस में नहीं है। लेकिन इसको सिलेक्ट कमेटी के सुपुर्द कर दिया जाना चाहिये और यदि इस रास्ते में कोई अड़चन है तो विस्तार से चर्चा जो सम्बन्धित लोग हैं, उन से की जाना चाि यें ताकि वे लोग अपनी बात आपको समझा सकें। अगर ऐसा नहीं किया गया तो दिक्कत का सामना आपको करना पड़ेगा और लोग समझेंगे कि आप हमारे ऊपर अत्याचार करने के लिए एक काला कानून लाद दिया गया है। आप का मंशा यह नहीं है।

मैंने जो इंजकशन वाली बात उठाई है, उस पर आप को गम्भीरता से विचार करना चाहिये। साथ ही साथ आपको देखना चाहिये कि कहीं ऐसा न हो कि दो साल के बाद फिर नया संशोधन लाने की आपको ज़रूरत पड़े और जो सारा समस्या है, वह ज्यों की त्यों बनी रहे। इसकी पृष्ठभूमि को देखते हुए जो संशोधन किये गए हैं, उनका जो मंशा है उनको पूरा करने के लिए योजना जो है, उसको ठीक तरह से लागू करना होगा और गृह-निर्माण का काम जल्दी से जल्दी कैसे राजधानी के लिये पूरा किया जाये इसको आपको देखना होगा, इसको पूरा करने का प्रयास करना होगा।

श्री यशपाल सिंह (कैराना) :
उपाध्यक्ष महोदय अभी यह कंसीड की गई है कि मेरे दिल में माननीय मंत्री जी से ज्यादा पुरुषार्थियों का दर्द है। इन गरीब लोगों के लिये मेरे दिल में कई भावनायें हैं।

[श्री यशपाल सिंह]

मैं तो थोड़ी सी सजेशन ही देना चाहता हूँ। इस बिल के अन्दर जो थोड़ी सी डिक्टेटरशिप है, उस को हटा दिया जाना चाहिये। हमारा कांस्टीट्यूशन इसलिये चल रहा है कि ज्यूडिशरी इसकी गाजियन है। ज्यूडिशरी को हमने मौका दिया है कि वह हमारे मामलात को तय करे। अब तक हम को इजाजत थी ४५ दिन की। लेकिन नये बिल के में कहा गया है :—

“for the words ‘forty-five days’, the words “thirty days” shall be substituted;”.

मेरे जैसे आदमी जो यहां बैठते हैं, उनके लिए इससे बहुत मुश्किल पैदा हो जायगी। मैंने इलाहाबाद हाई कोर्ट से कागजात मंगायें हैं और तीन महीने लिखे हुए हो गए हैं, अभी तक कागजात नहीं आए हैं। एक अच्छे से अच्छा वकील जो एक हजार रुपया रोज लेता है, उसके जरिये मैंने यह करवाया है। एक मामूली आदमी, एक शरणार्थी भाई, एक गरीब आदमी पंद्रह दिन में या एक महीने में किस तरह से कागजात को हासिल कर लेगा इस पर आप विचार करें। मेरी प्रार्थना है कि बज्रय तीस दिन के वही साठ दिन रख जायें जो कि आम तौर से कायदा हमारा है।

मेरा यह भी क ना है कि कोई आर्डर, कोई रूल ऐसा नहीं होना चाहिये जिस की अपील की इजाजत न हो। अपील की इजाजत न होगी तो लालसनस फौल जायेगी। हमारे माननीय मंत्री जी ने रात के दो दो बजे तक जग कर शरणार्थियों के मसले को हल किया है। जिस मसले के बारे में कहा जाता था कि यह हल होना नामुम्किन है, उसको मुम्किन करके उन्होंने दिखाया है। उनके दिल में गरीबों के लिए दर्द है। इससे मैं ईकार नहीं कर सकता हूँ। दण्डकारण्य न्यायाधीश को हल करके उन्होंने दिखाया

था। लेकिन मैं कहना चाहता हूँ कि इस बिल में जो डिक्टेटरशिप है, उस डिक्टेटरशिप को दूर किया जाए।

इसमें कहा गया है :—

‘Any magistrate convicting a person under sub-section (1) may make an order for evicting that person summarily and he shall be liable to such eviction without prejudice to any action that may be taken against him under this Act’.

फांसी के मुल्जिम को भी यह मौका दिया जाता है कि वह उसकी दाद फरियाद करे। अगर बाल बराबर भी शक हो जाता है तो हमारी सुप्रीम कोर्ट का यह एक कस्टम है कि उस शक का फायदा मुल्जिम को दिया जाता है। लेकिन यहां सारी ताकत जो है, मैजिस्ट्रेट को, एस्टेट आफिसर को सौंप दी गई है, उसके हाथ में केन्द्रित कर दी गई है। मसले के इस पहलू पर गौर किया जाना चाहिये और जो लोग इस तरह से घर से बेघर हैं, उनका इंतजाम किया जाना चाहिये।

14 hrs.

एक बात जो शुरू से मैं करता आया हूँ, उसको समझा नहीं गया है और न ही सरकार ने समझने की कोशिश की है और न ही उसके लीडर्स ने समझने की कोशिश की है, यह है कि यह मसला इंजीनियर्स से तय होगा, पार्लिमेंटियर्स से तय नहीं हो सकता है, जलूसों से तय नहीं हो सकता है, डमंस्ट्रेशंस से तय नहीं हो सकता है, जलसों से तय नहीं हो सकता है। यह कंस्ट्रिक्टव वर्क से ही तय होगा। जो काम करने वाले लोग होंगे वह लोग इस मसले को हल करेंगे। अगर हम यह सोचते हों कि हम खामख्वाह हुल्लड़ कर के इस मसले को हल कर लेंगे तो ऐसा हाजिज नहीं हो सकता। इस के लिये सारे बेशक के सहयोग

की जरूरत है। मैं ने शुरू शुरू में सब से पहले यहाँ आ कर कहा था कि जितने ही दिल्ली जैसे बड़े बड़े शहरों में, मद्रास में, कलकत्ते में मकानात बनोगे उतने ही गांव उजड़ते चले जायेंगे। जिन गांवों के लिये गांधी जी ने अपनी लाइफ डेडिकेट कर दी थी, जिन देहातों के लिये रवीवद्रनाथ टैगोर ने सुन्दर साहित्य का सुजन किया था वह गांव उजड़ते चले जायेंगे। पढ़े लिखे लोग, रुपये वाले लोग शहरों में बसते जायेंगे और गांव उजड़ते चले जायेंगे। गन्दगी दूर नहीं होगी। इसलिये जरूरत इस बात की है कि नये इलाके लिये जायें। अभी यहाँ पर लाखों एकड़ जमीन एसी पड़ी है जिसे हम ले सकते हैं। लाखों एकड़ जमीन फरीदाबाद के पास पड़ी है। अगर सरकार चाहे तो उस में सुन्दर बस्तियां बस सकती हैं, चमन खिल सकते हैं। यह जो इस बिल में गन्ध आ रही है डिक्टेटरशिप की वह हमारे माननीय मिनिस्टर साहब के शायाने शान नहीं है। उन्होंने जिस उदारता से, और दरियादिली से काम किया है यह उस के अनुकूल नहीं है। मैं जानता हूँ कि फिजिशियन्स ने, वड़े-वड़े डाक्टर साहबान ने यह कहा कि मेहर चन्द खन्ना साहब, रात को १० बज के बाद मत जगो। लेकिन रात के २-२ बज तक जग कर उन्होंने इस पहाड़ जैसे मसले को हल किया। अपनी हेल्थ की कीमत के ऊपर, अपनी हेल्थ को इन्नोर कर के, इस मसले को हल किया। जो कुछ रड़ गया है वह बहुत थोड़ा सा है। अगर आप मुझे इजाजत दें तो मैं श्री महावीर स्वामी की एक उक्ति सुना दूँ जो कि बिल्कुल उन के ऊपर चरितार्थ होती है। भगवान महावीर स्वामी ने कहा :

“तिष्णो सि अण्णवं महम्,
कि पुणचिह्णसि तीरमागओ ।
अभितुर पारं गमित्तये समयम्,
गोयम मा पमायये ॥”

तुम ने इतने बड़े समुद्र को पार कर लिया लेकिन छोटे से नाले के ऊपर आ कर अटक ये हो। इसी तरह से यह बहुत छोटा सा

मसला है। इस मसले पर दरियादिली से गौर किया जाय तो यह हल हो सकता है। इस आदरणीय सदन में हमारे माननीय मंत्री जी ने श्री मेहर चन्द खन्ना ने वादा किया था कि मैं इस मसले को हल करूँगा और यही भी कहा था कि जल्दी से जल्दी हल करूँगा। उस वायदे को सुन कर मैं ने खुद किसी डिमास्ट्रेशन में हिस्सा नहीं लिया, किसी जुलूस में हिस्सा नहीं लिया क्योंकि मैं जानता हूँ कि लाइक प्रोड्यूसेज लाइक। मैं जानता हूँ कि विश्वास से विश्वास पैदा होता है, एतबार से एतबार पैदा होता है, एतमाद से एतमाद पैदा होता है। बहत्मीनानी से कोई मसला हल नहीं हो सकता। मैं मेहर चन्द खन्ना की काबिलियत को जानता हूँ, उन की दरियादिली और जाफिशानी को जानता हूँ। गरीब पुरुषार्थी भाइयों के लिये उन के दिल में दर्द है। जिस दरियादिली, जिस मोहब्बत और जिस फर्ज के साथ उन्होंने अपने कर्तव्य को पूरा किया है, वह बेमिसाल है और हमें उम्मीद है कि यह मसला हल होकर रहेगा। यह मसला पार्लियामेंट के साथ में न दिया जाय, इंजीनियर्स के हाथ में दिया जाय। कंस्ट्रिक्टव वर्क किया जाय, नारेबाजी और हुल्लड़बाजी न की जाय। मैं देखता हूँ कि १५ गज और ५० गज की बात यहाँ होती है। भारत माता ने इतनी जमीन दी है कि अगर एक अरब आदमी भी आ कर बस जायें तो भी दिक्कत न होगी क्योंकि जितने ज्यादा आदमी आयें उतना ही देश तरक्की करेगा। जरूरत इस बात की है कि जो जमीन बेकार पड़ी है वह सुन्दर बस्ती में परिवर्तित की जाय जिन जमीनों को हम देखते हैं कि किसी के काम नहीं आ रही हैं, पत्थरों और कंकड़ों के ढेर वहाँ पड़ हुए हैं वहाँ पर लोगों को जमीन दो। मैं आप के द्वारा पोलिटिकल पार्टीज से भी अर्ज करता हूँ कि कम से कम एक साल का मौका तो वे मिनिस्टर साहब को दें ताकि वे अपनी काबिलियत से इस मसले को हल करें। हम उस में पूर्ण सहयोग देंगे और मसला हल हो कर रहेगा।

[श्री यशपाल सिंह]

मैं इस बिल की तार्ईद करता हूँ। अगर व्यक्ति अपने स्वार्थ को बलिदान न करे तो समाज का निर्माण नहीं हो सकता। मुझे खुद मुसीबत उठानी पड़ेगी। मैं झांपड़ी वाला हूँ, बहुत छोटे किसानों में से हूँ, लेकिन मुझे मुसीबत उठानी पड़ेगी। आज जो भावनायें पैदा हो रही हैं उन को मिटाना होगा। एक टैक्सी वाले ने मुझ से कहा कि मुझे किराये की जरूरत नहीं है, मेरा चालान बचा दो। तो मैं ने कहा कि मैं हाथ जोड़ता हूँ। मैं तो कहता हूँ कि जो गलत रास्ते पर चलता है उस का चालान होना चाहिये। आज देश के अन्दर यह भावना हो रही है। मैं आज कहेता हूँ कि नारेबाजी से काम मत करो, हुल्लड़बाजी से काम मत करो, आज कस्ट्रिक्टव वर्क करना होगा। जो संशोधन मैं ने पेश किये हैं और उन के अन्दर कहा है कि इस डिक्टेटरशिप को खत्म किया जाय और इस में गुंजाइश दी जाय कि मैं जुडीशियरी में जा कर अपील कर सकूँ, मैं उन की तार्ईद करता हूँ।

श्री सिंहासन सिंह : उपाध्यक्ष महोदय, मेरे पूर्व वक्ता ने कहा है कि पांच वर्ष के अन्दर ही इस विधेयक के संशोधन की आवश्यकता पड़ी। इस के जो कारण बतलाये गये हैं उस में बतलाया गया है कि चूंकि सन् १९५८ के विधेयक में त्रुटियां थीं इस कारण यः कानून सफल नहीं हो सका। त्रुटियों को दूर करने के लिये जो तर्क दिये गये उन में कोई खास बात तो दिखलाई नहीं पड़ती। उस में एक ही बात है कि सिविल कोर्ट को या किसी अदालत को कोई इंजंक्शन लेने का अधिकार नहीं रहेगा। अपील की जो मियाद थी वः भी २० के बजाय १५ दिन कर दी गई। ४५ दिन को घटा कर ३० दिन कर दिया गया। इस के अन्दर एक बात है कि अगर कोई आदमी एक्टिव हो गया है और वः दुबारा जमीन पर कब्जा कर ले तो उस को अपराध मान कर उसे सजा दी जायेगी। चार कारण दिये गये हैं। हमारे सामने कोई आंकड़े नहीं हैं कि यः अवस्था

क्यों आई और सन् १९५८ से ले कर आज कितने ऐसे व्यक्ति उन में से निकले जो कि फिर आ कर जबर्दस्ती बस गये हों और उन को आप निकाल नहीं पाये। कितने मुकदमे दाखिल हुए दीवानी अदालतों में जिन की वजह से आप के काम में रुकावट पड़ी। यः सब जानकारी मेरे पास नहीं है, आप के पास आंकड़े होंगे। उसी तरह से अपील की मियाद ज्यादा देने की वजह से क्या दिक्कतें हुईं। वह अपील भी आप के यहां करने को थी, हम ने आंकड़े कोई दीवानी या फीजदारी अदालत के अन्दर अपील के नहीं चाहे। उन में क्या दिक्कतें हुईं जिस के कारण संशोधन आप को लाना पड़ा। यह कोई ऐसा कारण नहीं दिखलाई पड़ता जिस के कारण पांच वर्षों के अन्दर आप इस संशोधन विधेयक को लाने की सोचते।

मैं मंत्री महोदय से इतना कहना चाहता हूँ कि अनधिकृत आदमी जो बसते हैं वः किस तरह से बसते हैं। जो जमीन खाली पड़ी होती है सड़कों के किनारे, सरकार की जमीनों पर आदमी निडर हो कर जा कर बस जाता है। इस की तह में कोई बात तो जरूर होगी। यह ऐसी कोई बात नहीं है जिस को कानून के जरिये ठीक किया जा सके। ऐसा कभी नहीं हो सकता है कि हम कानून के जरिये सब दिक्कतों को दूर कर दें। कानून सख्त से सख्त बनायें लेकिन अगर उस का पालन नहीं करते तो शायद वः काम बनने वाला नहीं है। रेलवे के अन्दर आप देखते होंगे कि प ले चैन पुलिंग के लिये ५० ६० जूमना होता था। उस वक्त चैन पुलिंग की संख्या बहुत कम थी। उस की संख्या कब बढ़ी ? जब हम ने उस ५० ६० के जूमनि को परिवर्तित कर दिया २५० ६० जूमनि में और ३ महीने की सजा में। अब रेलों में लिखा हुआ है ३ महीने की सजा और २५० ६० जूमना। अगर हम लोग आंकड़े उठा कर देखें तो शायद यः पायेंगे कि चैन पुलिंग की संख्या अब कई गुनी हो गई है।

तो घासन सूत्र में कहीं कमी है, कानूनों की लागू करने में कोई कमी है जिस के कारण बावजूद इस के कि हम कानून सख्त बनाते जा रहे हैं गाड़ी ढीली चलती जा रही है। इस की तरफ ध्यान देने की जरूरत है। इस तरमीम के हो जाने से आप उन बसे हुए लोगों को अधिक जोर से उजाड़ देंगे। मुझे कुछ डर सा लगता है, जैसा कि श्री काशी राम जी ने कहा, कि कहीं फिर ऐसी नौबत न आ जाय कि इस की पुनरावृत्ति हो और आप फिर इस कानून को अमेंड करें।

अगर कारणों के अन्दर आप जायें तो आप देखेंगे कि अभी तक कहा जाता था कि नीचे के स्तर पर कुछ गड़बड़ियाँ हैं जिस की वजह से ऐसा होता था लेकिन अब ऊपर के स्तर की बातें होने लगी हैं। यह बात अपनी जगह पर है। यदि आप देखेंगे कि आदमी क्यों आ कर सरकारी जमीनों पर बस जाते हैं तो पायेंगे कि कोई बाहर से आता है तो देखता है कि रहने के लिये जगह नहीं है। सड़कों में सोने के बाद कहीं जा कर बैठा तो आप के जो सरकारी मुलाजिम हैं, छोटे बड़े, उन की स्वीकृति ले कर बैठता है, उन से पूछ कर बसता है। कुछ दे दिला कर वहाँ बसता है। कागज में तो वह अनआथराइज्ड है लेकिन ऐक्शन में वह आथराइज्ड है। अगर आप की जमीन में अनआथराइज्ड बैठा है तो आप की इतनी बड़ी विशाल सेना है जो कि घूमती रहती है। एक दिन बैठा, दो दिन बैठा, दस दिन बैठा, एक महीने, दो महीने बैठा। क्या आप देख नहीं पाते हैं कि वह आथराइज्ड है या अनआथराइज्ड है? सालों से वहाँ बैठा हुआ है। जैसा मेरे एक पूर्व वक्ता ने बतलाया, पक्के मकान बना लिये गये हैं उन जगहों पर। पक्के मकान बनाने के लिये सीमेंट लिया, लोहा लिया, सभी कंट्रोल के आर्टिकल हैं, उस मकान बनाने के नाते लिया, फिर भी कागज में वह अनआथराइज्ड है। मैं आप के जरिये से माननीय मंत्री जी का ध्यान अपने गोरखपुर

की तरफ ले जाना चाहता हूँ। वहाँ पर टाउन हाल है, पब्लिक प्लेस है, सरकारी जमीन है। वहाँ पर एक भाई ने दुकान बना ली। उस टाउन हाल के एक हिस्से में कचहरी क्लब है। उस के प्रेजिडेंट कलेक्टर हैं और सेक्रेटरी सिटी मैजिस्ट्रेट। उस कचहरी क्लब ने भी उस भाई को उस जमीन में से कुछ जमीन मकान बनाने के लिये दी। कचहरी क्लब वह जमीन लिए हुए है टाउन हाल से, केवल खेलने के लिए। लेकिन इकरारनामे के खिलाफ रुपया ले कर कचहरी क्लब के नाम पर उस भाई को दुकान बनाने के लिए जमीन दी। गोरखपुर कंट्रोल्ड टाउन है और उस के लिए एक प्रेस्क्राइब्ड आथराइटी है। वहाँ पर म्युनिसिपैलिटी की आज्ञा के बगैर कोई मकान नहीं बन सकता। लेकिन उस जमीन पर इमारत बनना शुरू हो गया। कुछ लोग मेरे पास आए और उन्होंने ने कहा कि यह तो टाउन हाल की वजह है जिस पर लोग घूमने जाते हैं, वहाँ दुकानें बनने लगीं यही ठीक नहीं है। मैं ने कलेक्टर को फोन किया। कलेक्टर ने कहा कि हम पता लगायेंगे कि क्या हो रहा है। लेकिन वह पता लगाते रहे और मकान बनता रहा। सिटी मैजिस्ट्रेट को मैं ने कहा कि क्या हो रहा है। उन्होंने ने कहा कि यह बिल्कुल अनआथराइज्ड बनाया जा रहा है, गिराया जायेगा। एक तरफ तो कलेक्टर और सिटी मैजिस्ट्रेट उस क्लब के प्रेसीडेंट और सेक्रेटरी होने के नाते उस आदमी को दुकान बनाने की इजाजत देते हैं और दूसरी तरफ, चूँकि वह कंट्रोल्ड टाउन है और वहाँ पर प्रेस्क्राइब्ड आथराइटी है, इसलिए कहते हैं कि यह काम अनआथराइज्ड है।

गोरखपुर में इम्प्रूवमेंट ट्रस्ट है और उस की कमेटी का मैं सदस्य हूँ। मैं ने सवाल उठाया कि शहर में यह अनआथराइज्ड इमारत कैसे बन रही है तो कहा गया कि इस को गिराया जायेगा। मेरे इंटरव्यू लेने

[श्री सिंहासन सिंह]

के कारण बहुत दिनों के बाद यह निर्णय किया गया कि इमारत को गिराया जाय। उस वक्त कचरी बन्द होने को थी। उस आदमी ने प्रेस्काइब्ड आथॉरिटी के खिलाफ सिविल कोर्ट में दावा कर दिया। मैं ने कहा कि उस ने दावा कर दिया है तो कहा गया कि उस में कुछ नहीं होगा और कचहरी खुलते ही उसे ठीक कर दिया जायगा। आप को सुन कर हैरत होगी कि उस आदमी को सिविल कोर्ट से इंजंक्शन मिल गया और सरकार की ओर से उस की जवाबदेही तक नहीं हुई। कारण यह था कि सरकारी वकील कागज मांगता था तो नहीं मिलते थे। तो इस प्रकार गोल माल चलता है। यह गोलमाल अधिकारी चलाते हैं। उन को जब तक आप ठीक नहीं करेंगे, जिन के हाथों में शासन सत्ता है, जब तक आप उन को ठीक नहीं करेंगे तब तक काम ठीक नहीं चलेगा। आज जो कांग्रेस पार्टी ने प्रस्ताव पास किया है और जो चर्चा चल रही है, उस का कारण भी यही है कि सरकारी कर्मचारियों के गोलमाल करने के कारण जनता में असंतोष है। उन को आप कंट्रोल नहीं कर पा रहे हैं। इसीलिए कर्प्शन नहीं रुक पा रहा है। अगर कोई अफसर पकड़ा जाता है तो पचासों सिफारिशें आप के पास आती हैं और आप का कलम चलना रुक जाता है और आप कोई कार्रवाई नहीं कर पाते। इस देश में सुधार तभी होगा जब आप अधिकारियों को ठीक करेंगे।

आप अधिकारियों को अधिकार देते हैं कि एरियर्स को मालगुजारी के बकाया की तरफ वसूल करें, यानी अगर बाप मर जाय तो उस के बेटे या पोते से वसूल किया जाय। लेकिन मेरा कहना है कि इस किराए का बकाया ही क्यों पड़ता है। अगर बकाया न पड़े तो य. नौबत ही क्यों आवे। होता यह है कि जब वसूल करने वाला जाता है तो उस को एक-दो रुपया दे दिया जाता है और वह

वसूल नहीं करता। और इस तरह बकाया पड़ जाता है। एक आदमी को महीने में पांच रुपया देना आसान है, लेकिन जब वह १२ महीने में साठ रुपया हो जाता है तो उस को कठिनाई हो जाती है। तो मेरा अनुरोध है कि कानून के जरिए हम राहत नहीं दे सकते। राहत देने के लिए आप को अपनी मशीनरी को ठीक करना होगा। वह बीली है, उस को ठीक कीजिए। गांधी ने रोते हुए अपनी प्रार्थना सभा के प्रवचन में कहा था कि जब तक दिल्ली में एक तरफ ऊंची ऊंची अट्टालिकाएं रहेंगी और दूसरी तरफ गरीब लोगों को झोंपड़ों में भी रहने को जगह नहीं मिलेगी, तब तक देश का कल्याण होने वाला नहीं है। आज १५ बरस हो गये वही स्थिति आज भी है, वह ठीक नहीं की जा सकी। आज भी आप उन लोगों को अच्छी जगह नहीं दे सके। पता नहीं वह दिन कब आयगा कि जब हम देखेंगे कि दिल्ली में कोई रास्ते में नहीं पड़ा है और कोई बेघर नहीं है। आप ने सुना होगा कि लखनऊ में, जोकि उत्तर प्रदेश की राजधानी है, एक ट्रक ड्राइवर सड़क के किनारे सोते आदमियों पर ट्रक चला ले गया और १२ आदमी मारे गए। आप इस तरफ ध्यान दें तो बहुत काम हो सकता है।

इन शब्दों के साथ मैं कहूंगा कि बिल तो आ गया है तो पास होगा ही चाहे कोई कितना भी विरोध करे। लेकिन मेरा निवेदन है कि जो शब्द मैंने कहे हैं उन पर ध्यान दिया जाय। अगर आप अपनी मशीनरी को ठीक करें तो य. नौबत ही न आवे। और अगर आप के अफसर ढीले रहेंगे तो यह नौबत आती ही रहेगी और हम सदन का रुपया खराब करते रहेंगे।

Dr. M. S. Aney (Nagpur): Mr. Deputy-Speaker, Sir, this is a Bill on which one finds it difficult to make up one's mind. Members have been presented with what may be called a

"conflict of duties". Those who have brought the Bill have given very good reasons as to why a Bill of this kind is needed. We have been all along saying that the present situation in this city as well as in other big cities is undesirable and that the slums must be destroyed. We have also been saying that new township should be planned. These things have been demanded by the people.

The ideal which we have placed before us requires that our towns should be replanned properly and scientifically. It is said that such plans are already ready. The Master Plan for Delhi is ready. That plan has been prepared because of the constant demand not only from the Members of this House but from the people of the country as a whole. The people have been saying that there are many slum areas, all these ugly slums must go away and the towns must be properly planned so that their further growth may be convenient and of a nature which would help in their prosperity. They say the plans are ready.

The hon. Minister who has been in charge of this affairs has had a very creditable record. For the last 15 years he has been dealing with problems of this kind, and one cannot say that there has been any neglect on his part or want of sympathy on his part in dealing with these problems promptly. Yet we find that he is coming before this House with a Bill certain portions of which strike us as somewhat extraordinary, because here he is making a provision that almost all the remedies which are open to the people as citizens of this country for redress of their grievances are to be denied. Three or four remedies like a man's right to go to a court and get proper justice done etc., are to be taken away or curtailed as far as this Bill is concerned. That is considered to be one of the essential provisions contained in this Bill.

Sir, Members of this House, when they approach this Bill, find themselves divided into two groups. There is one kind of people who are full of sympathy for the suffering and the distressed irrespective of any other consideration. There is the other kind who do not think so much of the suffering etc., but who only think of the Master Plan, improvement of the city and so on. The Bill which is before us is really the Public Premises Eviction of Unauthorised Occupants (Amendment) Bill. It is true that those who are in difficulty and distress must have priority, must have prior claim for receiving attention from all reasonable persons, not only Members of Parliament but also others in the country, but, nonetheless, there is the question of equity which you have to do to all the people in the country. The law of equity lays down one broad principle and it is this. Those who want equity must do equity. That is the general rule. This Bill is for the eviction of the unauthorised occupants, who are just trespassers. Government want to arm themselves with more powers to deal with these unauthorised occupants. If we are satisfied that the occupation is unauthorised, then there should be no feeling of sympathy for them in case Government deal with them in an arbitrary manner, because they have no right to live there, no justification to live there and their request to live there is wholly unreasonable. But, then, there is one difficulty here. How can we prove that those persons who are occupying those places are really unauthorised occupants now? One thing is quite clear. If they are in fact unauthorised occupants, then, in my opinion, they have no right to request for any kind of equity at all. In such cases, Government should be enabled to take recourse to law and the provisions of the law should in that case be adequate and rigorous. There should be no question of sentiment or showing sympathy in dealing with such unauthorised occupants, because they have no right to get equity. The question of equity arises when at-

[Dr. M. S. Aney]

tempts are being made to show that those whom Government consider as unauthorised occupants cannot now properly and truly be called unauthorised occupants. This system or institution of unauthorised occupants has grown up under circumstances in which it would be difficult to call them really unauthorised occupants. That is how the case has been presented here by some friends here. In case some of these people are occupying premises unauthorised by law, we can find out who the original owner was and how those premises have come under the occupation of those unauthorised occupants who are now occupying them. Some proof of that kind can be given. I hope the hon. Minister will consider this suggestion.

Another point which I want to bring to the notice of the House is this. In fact, it was referred to by many hon. Members here. Those people who were in occupation of those premises have made further additions or construction. Nobody stopped them. They were allowed to build big buildings without let or hindrance. That amounts to connivance on the part of the authorities, whose duty it was to stop them. That by itself has given those people some kind of favourable position to demand that they should not be rudely and arbitrarily dealt with.

In law there is a principle called the principle of estoppel. If you allow or permit or give opportunity to occupy Government premises to some people, if you allow them to live there for some time and even make some additions or alterations, that by itself gives them some right to occupy such premises and after a period of time, you are not allowed by the court of law to question the action of those unauthorised persons in occupying those premises. In my opinion, in a case of this kind, if in the presence of, or within the knowledge of, the lawful authority illegal

occupation and other connected things were done and no protest was made and no attempt was made to stop them from doing it can the authorities now come forward and say that they are unauthorised occupants today and, therefore, they deserve no mercy or equity? I hope my hon. friend, Shri Mehr Chand Khanna, would explain the position in his reply and say how it can be done.

The suggestion which my hon. friend, Shri Banerjee, has made that the matter may be referred to a Select Committee of some Members of this House with the request that it may present its report soon is a good one. In that case, it is quite possible that the measure could not be passed in this session and will have to be postponed. Then, it can be taken up in the next session. It does not matter. What is the object of this Bill? The object is to carry out the programme of the Master Plan. That has to be done. But, at the same time, Government should not be exposed to the charge that it is rude in dealing with people and it acts in an arbitrary manner and creates difficulties, particularly when we are in a state of emergency.

Under these circumstances, a *via media* has to be found out. If some such mechanism is created where the Members of the House can meet together, consider the problem in all its various aspects and come to some understanding as regards the position of these illegal or unauthorised occupants, then the conclusions drawn or arrived at by that committee can be incorporated in the Bill and the Bill can be passed into an Act in the next session, which will mean only a delay of few months.

Government should not forget that a member representing this Government, Shri Gadgil was here in this House, when these questions were raised and he gave a long list of

concessions as a minister which are now being treated as assurances given by the Government. It must be found out whether the present Bill is in conformity with those assurances and whether at least an attempt has been made to try to implement some of the assurances which were given on the floor of the House years ago. These are matters for consideration. I know very well that the hon. Minister is very considerate in dealing with the problem; we know only too well the extraordinary patience that he has displayed in dealing with the question of displaced persons from Pakistan. At the same time, I am sure he will appreciate the sweet reasonableness of the demand that some opportunity should be given to the members of this House to understand the problem properly and to come to some kind of understanding and divide principles on the basis of which the Bill can be improved upon so as to make it acceptable to all and beneficial to all. With these few remarks, I support the motion given notice of by Shri Banerjee, if he has moved it.

श्री भू० ना० मंडल (सहरसा) :
 उपाध्यक्ष महोदय, आज हाउस में पब्लिक प्रीमिसेज (इविकशन ऑफ अनएथोराइज्ड आकुपेट्स) एक्ट, १९५८ को अमैंड करने के हेतु अमैंडमेंट बिल पेश है। अभी उस एक्ट को पाम किये थोड़े ही दिन हुए हैं लेकिन उस को अमैंड करने के लिए यह संशोधन विधायक लाने की सरकार ने ज़रूरत मसूस की।

जो एक्ट पास हुआ था वह ऐसे ढंग का एक्ट था जोकि पास नहीं होना चाहिए था लेकिन उस एक्ट को और भी खराब और सख्त बनाने के लिए आज यह संशोधन विधायक हाउस के सम्मुख लाया गया है। मैं इस अमैंडमेंट बिल का विरोध करता हूँ। इस के साथ ही चाहता हूँ कि वह एक्ट जिस को कि वह इस तरह से अमैंड करना चाहते और यह अमैंडिंग बिल, इन सारी बातों

पर विचार करने के लिए वापिस कर लें। मैं ऐसा इसलिए कहता हूँ कि हिन्दुस्तान में जो अभी संविधान चल रहा है और उस संविधान की जो मंशा है उस के खिलाफ वह मूल ऐक्ट पास किया गया है और यह अमैंडिंग बिल भी उस के खिलाफ लाया गया है।

इस देश में बसने वाले हर एक आदमी के लिए उस के आदास की व्यवस्था होना आवश्यक है। आदमी को लाइफ की जो नैसेसिटीज़ हैं उन नैसेसिटीज़ में एक नैसेसिटी शैलर की भी है। उस के रहने के लिए जगह चाहिए, यह जीवन की एक बुनियादी आवश्यकता है और यह एक नैचुरल नैसेसिटी है जिस का कि समुचित प्रबन्ध एक जनतंत्रीय व्यवस्था में होना ही चाहिए। उस जनतंत्र में जिस का कि संविधान के मुताबिक सारा कामकाज चल रहा है, लोगों के रहने की समुचित व्यवस्था नितान्त आवश्यक है।

संविधान की यह मंशा हमेशा रही है कि इस देश का रहने वाला व्यक्ति जहाँ भी चाहे वह जा सकता है। जहाँ भी चाहे वहाँ जा कर वह अपना कारोबार कर सकता है। अब अगर कोई गरीब आदमी कहीं बाहर से आ कर दिल्ली में रह जाता है और वह बेचारा गरीब आदमी यह समझता है कि यहाँ दिल्ली में रह कर कुछ काम धंधा कर सकता है और अपनी जीविकोपार्जन कर सकता है..

Mr. Deputy-Speaker: The hon. Member will continue his speech when official business is taken up the next day. Now we will take up non-official business.

14.30 hrs.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

TWENTY-FORTH REPORT

Shri Hem Raj (Kangra): Sir, I beg

[Shri Hem Raj]

to move:

"That this House agrees with the Twenty-fourth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 28th August, 1963."

Mr. Deputy-Speaker: The question is.

"That this House agrees with the Twenty-fourth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 28th August, 1963."

The motion was adopted.

14.31 hrs.

CONSTITUTION (AMENDMENT)
BILL

(Amendment of article 368)—contd.
by Shri Hari Vishnu Kamath.

Mr. Deputy-Speaker: The House will now proceed with the further consideration of the following motion moved by Shri Hari Vishnu Kamath on the 16th August, 1963:

"That the Bill further to amend the Constitution of India be taken into consideration."

Fifty-five minutes are left. Shri R. S. Pandey was on his legs. Is he here?—No. Does anybody else want to speak? I will give five minutes each. The Minister will have to be given some time and Shri Kamath will have to be given some time for reply.

Shri B. K. Das.

Shri B. K. Das (Contai): Mr. Deputy-Speaker, Sir, Mr. Kamath was one of the Constitution-makers and so he has rightly put the spirit of the Constitution in the Statement of Objects and Reasons. He says, "While the Constitution must not be regarded as a rigid, sacrosanct document,

yet its amendment should not be resorted to lightly". But he himself wants, by his proposed amendment, to make it very rigid.

Shri Hari Vishnu Kamath (Hosangabad): Not at all.

Shri B. K. Das: In ordinary Bills, if the quorum is present in the House and a majority of that quorum—it may be, say, twenty-six—passes a Bill, that is enough. But in the case of an amendment of the Constitution a majority of two-thirds of the Members present and voting is necessary and further a majority of the total membership is necessary for passing such an amendment.

I think the Constitution-makers were fully aware that in order that there may not be any rigidity and in order that the amendment is not passed very light-heartedly there should be some provision, and they very rightly laid down this provision. And if we look to the House today, when Mr. Kamath wants his amendment to be passed, we do not find this two-thirds majority of the total membership, of the House present here, nor is there a three-fourths majority voting in favour of his amendment. So it is impossible even for him to have the consent of the House to pass this Bill. I think Mr. Kamath has given us enough opportunity, and reasons also, for opposing his Bill. So I think that he should not press for the amendment that he has brought, and the provision, as it is, is enough for wisely considering any amendment of the Constitution that may be coming before us. With these few words, I oppose the Bill.

श्री यशपाल सिंह (कैराना) : उपाध्यक्ष महोदय, जब हम यह कहते हैं कि हमारा कांस्टीट्यूशन सेक्रिड, पवित्र और पाकतराई है, तो उस में जल्दी जल्दी चेंज करने से उस की पवित्रता के ऊपर लांछन आता है। ऐसा होता है कि जब सुप्रीम कोर्ट या हाई कोर्ट

मैजारिटी पार्टी के डिसिजन के खिलाफ जजमेंट दे देते हैं, तो मैजारिटी पार्टी उस वक्त यह चाहती है कि हाउस को फौरन बुला कर कांस्टीट्यूशन में एमेंडमेंट कर लिया जाय। ऐसा कभी नहीं होना चाहिये। जब हम अपने कांस्टीट्यूशन को पवित्र मानते हैं, तो हमें उस के साथ खिलवाड़ नहीं करना चाहिये। हम कहते हैं कि हम कांस्टीट्यूशन के प्रति वफादार रहेंगे। तो जिस के प्रति हम वफादार हैं, उसी को काट काट कर और उस में संशोधन कर के हम उस को विकृत करते हैं।

जरूरत इस बात की है कि मैजारिटी पार्टी अपने आप को कांस्टीट्यूशन के मुताबिक फिट करे। जहां वह देखती है कि कांस्टीट्यूशन हमारी मर्जी के खिलाफ जा रहा है, वहीं बैठ कर वह अपनी मैजारिटी के बल पर कांस्टीट्यूशन में संशोधन कर लेती है। यह संख्या-सुर है। यह संख्या-सुर बहुत दिनों तक नहीं रह सकेगा। हमें अपने देश के संविधान के प्रति वफादार रहना पड़ेगा और अगर सौ साल में, पचास साल में, कोई संकट आ गया, तो कोई मामूली बर्ड इधर से उधर कर दिया। वे भी देश हैं, जिन का कांस्टीट्यूशन अनरिटेन है, लेकिन वे उस के प्रति वफादार हैं। एक हम हैं कि मैजारिटी पार्टी के खिलाफ कोई बात हुई, उस के इन्स्ट्रुट और हित के खिलाफ कोई खराबी होती दिखाई दी, तो उसी वक्त कांस्टीट्यूशन में संशोधन कर दिया। एक दो दफा नहीं, सोलह दफा संशोधन हो चुका है।

यह बात ऐसी है कि जैसे मोची ने मेरे लिए जूता बनाया है और जूता मेरे पैर में फिट नहीं करता, तो बजाए इस के कि मैं जूते को छोटा बड़ा करवाऊं, मैं अपने पैर को कटवा दूँ। यह तो पैर को कटवाने के बराबर है। चाहिए तो यह कि जूते को छोटा बड़ा किया जाये, ताकि वह पैर को फिट करे, लेकिन उल्टा होता है और कांग्रेस पार्टी, मैजारिटी पार्टी, कहती है कि पैर कटवाओ,

कि जूता सही हो। यह बात एकदम गलत है।

माननीय सदस्य, श्री हरि विष्णु कामत, ने जो प्रस्ताव सदन के सामने रखा है, मैं उस स्वागत करता हूँ और इस के लिए उन को हार्दिक बधाई देता हूँ। भगवान् ने उन्हें उन्हें बहुत सद्बुद्धि दी है और मैं आशा करता हूँ कि जिस तरह उन्होंने अब तक हमारा पथ-प्रदर्शन किया है, उसी तरह आगे भी करते रहेंगे। अगर हम ने अपने देश को चलाना है, तो कांस्टीट्यूशन को पवित्र मान कर चलना पड़ेगा। एक तरफ तो हम कहते हैं कि हमारा संविधान गंगा के जल की तरह, वेद की तरह, गीता की तरह और दूसरे मजहबी ग्रन्थों की तरह पवित्र है और दूसरी तरफ जहां हमारी नाक पर मक्खी बैठी, जहां हमारे इन्स्ट्रुट को को ठेस पहुंची, जहां हमारा मुफाद टकराता हो, वहां फौरन संविधान में संशोधन कर लिया। मैं तो समझता हूँ कि यह टू थर्डज कम है, और ज्यादा होना चाहिए और कम से कम अस्सी परसेंट सदस्य ही कांस्टीट्यूशन में कोई संशोधन कर सकें और वह भी किसी धर्म संकट के समय, जब संकट का काल हो, उस से पहले नहीं।

अगर देश को प्रगति करनी है, तो यहां पर डिसिप्लिन कायम रखनी होगी। अगर राष्ट्रीय डिसिप्लिन टूट जायगी, तो देश नहीं चल सकता है। हमारा राष्ट्रीय अनुशासन हमारा यह संविधान है। एक तरफ तो यह कहा जाता है कि हम इसको काश्मीर पर भी लागू करेंगे और दूसरी तरफ हम खद इस संविधान के मुताबिक काम नहीं करते। जहां बेरूबारी का मसला आया, किसी ट्रांसपोर्ट को छीनने का मसला आया, किसी की जमींदारी को हड़पने का मसला आया, किसी धार्मिक संस्था की जमीन को लेने का मसला आया, उसी वक्त हर उस मसले को

[श्री यशपाल सिंह]

हल करने के लिए मँजारिटी के बल पर संविधान में संशोधन कर लेते हैं। यह अमेंडमेंट नहीं होनी चाहिए, क्योंकि यह अन-डेमोक्रेटिक है।

हम में यह भावना भी होनी चाहिए कि हम इस हाउस में जिस काम के लिए भेजे गये हैं, हम वह काम करें। हम में से ज्यादातर लोग ऐसे हैं, कि जब कि जनता ने हमको चुन कर इसलिए भेजा है कि हम पार्लियामेंट में बैठ कर देश की सेवा करें, लेकिन हम या तो क्लबों में रहते हैं या गुलछरें उड़ाते हैं, या चांदनी चौक या कनाट प्लेस, या बम्बई या कलकत्ता में समय गुजारते हैं। जो ड्यूटी हमको दी गई है उसको हम पूरा नहीं करते हैं। अगर हम अपने देश के प्रति वफादार हैं, तो जो ड्यूटी हमको दी गई है, हम उसको पूरा करें। मँजारिटी पार्टी ने यह तो अच्छा किया हुआ है कि चाहे उनके ३३ फ्री सदी मेम्बर आयें, चाहे ४० फ्री सदी मेम्बर आयें और चाहे २५ फ्री सदी मेम्बर आयें, वे बैठ कर जब चाहें संविधान में संशोधन कर लें।

इसलिए माननीय सदस्य, श्री हरि विष्णु कामत, ने जो बिल सदन के सामने रखा है, उसके लिए मैं उनको बधाई देता हूँ। उन्होंने हमारा जो पथ-प्रदर्शन किया है, उसके लिए हम अनुग्रहीत हैं। मैं उनकी तजवीज का सौ फ्री सदी समर्थन करता हूँ। मैं सरकार से भी अनुरोध करता हूँ कि वह अपनी मँजारिटी के बल पर अपने संविधान को विखंडित न करे।

Mr. Deputy-Speaker: The Law Minister.

Shri Hari Vishnu Kamath: Mr. Hem Raj stood up.

Mr. Deputy-Speaker: How much time does the hon. Minister require?

The Minister of Law (Shri A. K. Sen): Not very long; not more than twenty minutes.

Mr. Deputy-Speaker: Then I will give an opportunity to one more Member. Mr. Hem Raj.

श्री हेम राज : (कांगड़ा) : उपाध्यक्ष महोदय, जो बिल माननीय सदस्य, श्री कामत, ने पेश किया है, उसका विरोध करने के लिए मैं खड़ा हुआ हूँ। जब वह कांस्टीट्यूएंट एसेम्बली के मेम्बर थे, तो उन्होंने इस विषय में अपने विचार कांस्टीट्यूएंट एसेम्बली में रखे थे। कांस्टीट्यूएंट एसेम्बली ने मँजारिटी से उसको पास किया था। तो मेरी समझ में नहीं आता कि आज उनको कहां से यह विचार आया कि जो सुझाव उन्होंने आज से ग्यारह बारह साल पहले पेश किया था, और बहुत विचार के बाद पेश किया था, उसको आज बदल दिया जाये। आज यह आग्युमेंट दिया जाता है कि विधान इतना पवित्र है कि उसमें किसी प्रकार की तब्दीली नहीं हो सकती। यशपाल सिंह जी ने एक उसके लिए मिसाल पेश की है। उन्होंने कहा है कि जूता जो है, वह पैर के बराबर कर लिया जाये। मैं कहना चाहता हूँ कि बच्चा जैसे जैसे बड़ा होता है, वैसे वैसे उसका जूता भी बदलता रहता है, जूते का नाप भी बदलता रहता है। जब वह बड़ा हो जाता है तो उसके लिए बड़े जूते की जरूरत पड़ जाती है। यह जो मिसाल उन्होंने दी यह कोई अच्छी मिसाल नहीं थी।

हमने जो विधान बनाया है, उसमें हमने कहा है कि हम एक वेलफेयर स्टेट हैं और वेलफेयर स्टेट हम यहां कायम करना चाहते हैं। हमने इसी पार्लियामेंट में एक रेजोल्यूशन पास किया था कि हिन्दुस्तान में वेलफेयर स्टेट की स्थापना होगी, हमारे देश में जो समाज कायम होगा, वह सोशलिस्टिक पैटर्न का होगा। उस समाज को कायम करने के लिए यहां हमारे सामने

जो जो दिक्कतें पेश होती हैं, उनको हमें दूर करना होगा। चाहे ये दिक्कतें जमीन के मुताल्लिक हों, जायदाद के मुताल्लिक हों, प्राइवेट प्रापर्टी के मुताल्लिक हों उनको दूर करना होगा। बहुत सी इनके बारे में तरमीमें मंजूर भी हुई हैं। जो कुछ भी हम कर रहे हैं, समय के अनुसार कर रहे हैं। समय का यह तकाजा है कि प्राइवेट प्रापर्टी जो है, वह उतनी ही एक आदमी के पास रहनी चाहिये, जितनी से उसका गुजारा हो सके न कि इतनी कि वह एक बड़ी जायदाद बना ले।

एक तरफ यह कहा जाता है कि गरीबों के पास ज्यादा से ज्यादा आमदनी होनी चाहिये दूसरी तरफ हमारे यशपाल सिंह जी की तरफ से कहा जाता है कि लोगों के पास जितनी जायदादें हैं, उनको किसी तरह से भी टच न किया जाये, उनको बिल्कुल भी न छुआ जाय। मैं समझता हूँ कि अगर...

Shri Yashpal Singh: We have already given every inch of our landed property.

श्री हेम राज : बहुत अच्छा आपने किया है। मिसाल आपने कायम कर दी है। तब जब कोई संशोधन होता है तो उसका विरोध आप क्यों करते हैं।

उनके दिमाग में यह है कि रोज तबदीली की जाती है। मैं कहना चाहता हूँ कि जो तबदीलियां की जा रही हैं वे उसी रेजोल्यूशन को ध्यान में रखते हुए की जा रही हैं जो कि हमने इस हाउस में पास किया था और जिसमें हमने कहा था कि सोशलिस्टिक पैटर्न की सोसाइटी की स्थापना हम अपने देश में करेंगे।

आप इस पर भी विचार करें कि यह निश्चयपूर्वक नहीं कहा जा सकता है कि

मेशा ही इतनी बड़ी मैजारिटी किसी भी पार्टी की बनी रहेगी। दो तिहाई मैजारिटी भी लाने के लिए, इतने सदस्यों को इकट्ठा करने के लिए भी आप जानते हैं कि कितनी मुश्किल पेश आती है। अगर तीन चौथाई कर दिया जाय तो हो सकता है कि इतनी मैजारिटी कभी भी किसी पार्टी की न हो सके।

हमारे यशपाल सिंह जी ने क्लबों का जिक्र किया है। मैं समझता हूँ कि क्लबों में बैठने के लिए कोई यहां नहीं आता है। वह अपनी पार्टी को देख लें। इस तरह की बात कह कर वह आनरेबल मेम्बरों पर कटाक्ष कर रहे हैं। अपने आपको तो बहुत बेहतर समझना और दूसरों को वैसा न समझना ठीक नहीं है.....

Shri Yashpal Singh: I attend every minute of it. I am the first to enter the Hall and the last to leave it.

14.44 hrs.

श्री हेम राज : बाकी जो यहां आए हैं, टाइम वेस्ट करने के लिए आए हैं, यह नहीं कहा जा सकता है। आपके ये शब्द कि वे यहां नहीं बैठते हैं, ठीक नहीं थे। सब कोई न कोई काम करते हैं और वह भी ऐसा काम जो कि पार्लियामेंट का काम है। ऐसी बात नहीं है कि वे कोई काम नहीं करते हैं। काम सभी करते हैं।

यह जो दो तिहाई मैजारिटी रखी गई थी, यह बड़े सोच विचार के बाद ही रखी गई थी। हो सकता है कि कल को एक दो पार्टियां बड़ी नपी तुली आ जायें। तब आप देखेंगे कि दो तिहाई मैजारिटी को भी इकट्ठा करना, उन सब को एक विचारधारा पर लाना, कितना मुश्किल हो जाता है। उसके रास्ते में बहुत सी दिक्कतें पेश आ सकती हैं। इसलिए मैं समझता हूँ कि कांस्टीट्यूट असीम्बली ने जो इसके बारे में राय कायम की थी, वह मही और दुरस्त राय कायम की

[श्री हेम राज]

श्री और जो बिल आपने इस हाउस के सामने इस वक्त पेश किया है, वह कोई बहुत ज्यादा फलदायक नहीं हो सकता है।

इन शब्दों के साथ मैं इसका विरोध करता हूँ।

Shri A. K. Sen: Mr. Deputy-Speaker, Sir. I have failed to realise, with due respect to Shri Kamath, what the purpose of this amendment is excepting to make difficult any changes in the Constitution which in the process of its working may be found necessary. He has not pointed out a single amendment—we have up till now got 16 amendments—which according to him was unnecessary or was forced upon with the heavy majority that the Government Party has had since the beginning of the Constitution.

The theoretical discussion of the relative virtues of a rigid as opposed to a flexible Constitution need not be gone into for the purpose of this debate because at the time when the Constituent Assembly was discussing this relevant article there were several alternative drafts. At one point of time it was urged that the process of amending it might be made more rigid and difficult by making a reference to the States obligatory in all cases. It was then that certain amendments were moved which took the shape of the present article 368. Shri Kamath knows the history of it very well because he took quite an active part in the acceptance of this article in its present form.

I cannot resist the temptation of reading out the argument which then fell from the mouth of Shri Kamath in support of a more flexible constitution and the necessity of amending the Constitution as and when occasion or necessity may arise. He said, if I may read his speech—this is from Volume IX, Part III of the Consti-

tuent Assembly Debates, page 1650—

“I was glad to find an amendment in the name of Pandit Jawaharlal Nehru, number 3268”.

That is the amendment which brought in the present article 368.

Shri Hari Vishnu Kamath: But that was not moved by Pandit Jawaharlal Nehru.

Shri A. K. Sen: It was not moved; but that was the amendment which was ultimately accepted. It was moved by somebody else. But Shri Kamath with his sharp memory remembers that that amendment was exactly article 368 amending the interim resolution which was brought from the Constitution Sub-Committee of which Pandit Jawaharlal Nehru was the Chairman. He says:—

“I am sorry that it has not been moved. I hoped that it would be moved.”

Since it was not moved by Pandit Jawaharlal Nehru, Shri Kamath was very sorry and he urged that it should be moved. It was moved subsequently. Then he says:

“If that had been moved, much of the objections to the rigidity of the Constitution might have been out of place. But that amendment, which to my mind was an important one, considering the translation through which we are passing today, to which my honourable Friends, Dr. Deshmukh and Mr. Brajeshwar Prasad also made reference, if it had been moved by Pandit Jawaharlal Nehru or by the Drafting Committee and accepted by the House, all the trouble that I foresee might have been obviated. That amendment, I suppose, is not going to be moved. Neither has it been incorporated in the draft of the article presented to the House today by Dr. Ambedkar.”

Dr. Ambedkar presented the more rigid draft.

Then, he said:

"Some of my friends have pointed out that if the Constitution is not flexible, if it does not respond to social change, dangers inherent in such a Constitution, I feel, Sir, that this observation is well founded. If the Constitution holds up, blocks, the future progress of our country, I dare say that the progress which has been thus retarded will be achieved by a violent revolution: revolution will take the place of evolution."

Is that the reason why the hon. Member wants the element of rigidity being there?

Shri Hari Vishnu Kamath: I said that for social change or in the national interest, not in the party interest.

Shri A. K. Sen: He said that if the Constitution is rendered rigid then the only course open to people to effect necessary social and economic changes is by recourse to revolution. So, by trying to make the Constitution more rigid, is the hon. Member seeking to pave the way for a speedy advent of the revolution? Then I can understand the purpose.

Shri Hari Vishnu Kamath: I am sorry, you are identifying party interest with social change.

Shri A. K. Sen: I am not; I hope, I am not. I am only trying to find out the reason which prompted the hon. Member for trying to bring in rigidity in our Constitution which after long debate and on the good advice of Shri Kamath then was not accepted and a more flexible method of amending the Constitution was adopted. I have not been able to discover the reason which has now made a change in the hon. Member's

opinion. I am only making a guess; it may be right or wrong. Was it not the speed of revolution, which the hon. Member is looking at, as a reason for bringing about greater rigidity in our Constitution? Otherwise, I feel no necessity, because the reasoning which he then urged still remains valid today and nothing has happened in the course of these 12 or 13 years of the working of the Constitution which has cast any doubt on the soundness of the reasons then put forward by Mr. Kamath. I wholly associate myself with the reasons then propounded by Mr. Kamath and I am not ashamed to repeat them and quote him verbatim as I have done in support of my stand and the stand of the Government to oppose this amending Bill. I may humbly say that nothing has been said by Mr. Kamath or those who supported him to convince either the Government or the House of the necessity of making an otherwise flexible Constitution a rigid one.

We have achieved tremendous changes in the last 13 years, not only in the matter of bringing about changes in governmental structures in the States and in the Centre but also in initiating a series of welfare legislations aimed at the object of expropriating on payment of reasonable compensation, vested interests in land and various other matters. We have also initiated important legislation seeking to bring about a unified plan for the economic development of the whole country. The purpose of the legislation cannot be doubted, nor can the impact of the legislation be doubted whatever doubts may be cast about the persons implementing these very about measures designed to bring about speedy changes in our economic and social structure. These important measures should have been impossible to put through if we could not, in the process of the working of the Constitution, amend the Constitution from time to time for the purpose of allowing these laws to be passed as valid laws, because many of these

[Shri A. K. Sen]

laws in the beginning were declared invalid as conflicting with the fundamental rights, particular laws which had the effect of acquiring land and other things. The speed with which these changes were accepted by Parliament and the laws were put through and vast changes brought about in the whole structure of land holdings in this country as also the speed with which the Parliament acted in changing the Constitution for the purpose of bringing about greater national integration (and standing in the way of cessionist activities, disintegrating activities, are tributes to the soundness of the reasons put forward by Mr. Kamath during the Constituent Assembly debates which certainly convinced the Constituent Assembly then in a large measure in accepting the form of article 368 as it is now. Nothing has happened during the 13 years which has shaken the foundations on which our whole constitutional structure were laid and were conceived to stand in a more flexible way so that it will be responding more easily to social and economic changes as they occur from time to time as they must in a dynamic society. Therefore, in my submission the present Bill is rather misconceived. No valid reasons have been shown as to why such an important provision of our Constitution should change which was accepted after such a mature and long deliberation. If I may return the accusation with which the hon. Member had treated me that I was approaching it from the party point of view, I think Mr. Kamath feels that the Opposition will continue to be so slender in the future. I do not take such a pessimistic view because I am a believer in the existence of a very strong Opposition which in my submission is the protection against the vagaries of parliamentary democracy. I do not take as much a pessimistic view about the feebleness of our Opposition as some hon. Members opposite might be taking.

Shri Hari Vishnu Kamath: No; we don't.

Shri A. K. Sen: Therefore, in my submission, their view is pessimistic and if the Opposition becomes healthier and vigorous in future, the necessity for such an amendment stands condemned all the more. Therefore, I would humbly request the House to vote against the acceptance of the Bill.

Shri Hari Vishnu Kamath: Mr. Deputy-Speaker, Sir, I am deeply grateful to my hon. colleagues on this side as well as on the other side of the House, no less than to the Minister of Law, who if I may venture to state, has perhaps delivered his last speech as the Law Minister in this House; we will have the pleasure of hearing him on other matters in the coming months and years of this Lok Sabha. (*Interruption*).

Dr. Ranen Sen (Calcutta East): Is this the second instalment of the list? (*Interruption*).

Shri C. K. Bhattacharyya (Raiganj): Why not Mr. Kamath become an astrologer?

Shri Hari Vishnu Kamath: I leave that to you. Bhatta and Acharya together must make a good astrologer.

Shri C. K. Bhattacharyya: We are hereditary astrologers.

Shri Hari Vishnu Kamath: Hereditary, of course.

Now, many arguments, pro and contra, have been levelled against the amendment Bill which I moved for consideration about a fortnight ago. But I am sorry to say that those hon. Members, colleagues of mine, including the Minister, who have opposed the Bill have rather glibly sought to charge me with what I said in the Constituent Assembly. I admit that I made those statements in the Constituent Assembly, but I also wish to state, in all humility, that I said

something more. I will not charge those friends with having resorted to *suppressio veri suggestio falsi*. But I wish they had also stated that I had moved an amendment that every Constitution (Amendment) Bill must be before the people for at least six months before it is taken up in the House. On that assumption, on that ground, I had supported the proposal of the Drafting Committee. I had moved an amendment, but unfortunately that amendment was rejected.

Then, my hon. friend on this side of the House, the spokesman from the Communist Party, Shri Sarjoo Pandey. I am sorry to say, misunderstood the scope of this Bill or the exact import of this Bill. He rightly said—I agree with him—

जनता के अधिकार ख़ाने जाने चाहिये
Those were the words he

used when he spoke on the Bill last time. As a matter of fact, what I seek through this Bill is to ensure that the people's rights are fully, completely and adequately safeguarded. Has any Hon. Member in this House, who has opposed this Bill, done that on the ground that it makes the amendment of the Constitution too rigid? Does he assert and can he dare to state that when national interests are concerned, when real progressive social change is contemplated, any Member of this House, this august Parliament, this national Parliament, whether on this side or on that side, will be so bereft of patriotism, will be so bereft of love for his people that he will vote for such a change or such an amendment? Whether it is brought by a Member on this side of the House or the other side, any Bill amending the Constitution for social change, for genuine social change, or in the national interest will command the support not merely of half, not merely of 50 per cent or two-thirds of the House, but of the entire House, hundred per cent of the House.

15 hrs.

But my opposition to the present procedure, which has been borne out

by my experience of the working of the Constitution and the amending process of the Constitution during the last thirteen years has been this. It may be that the majority of the Bills that were brought forward were for genuine social change, and if you will observe the voting, and if you will know how the voting went on in this House, every such bill got either cent per cent majority or cent per cent vote of the House or at least 80 per cent or 90 per cent vote of the House. My contention is, and I still hold to that view, that the Constitution should not be too rigid, a view which I propounded in the Constituent Assembly. It should not be a sacrosanct document. But it is also essential in the national interest, in social interest and for social change, for genuine social change, that the Constitution should not be amended and should not be taken up for amendment too lightly merely because party interest dictates it or because the Prime Minister wants something to be done. And the Prime Minister is more and more arrogating to himself the entire party powers and the entire party interests, and he thinks he is the custodian of the party interests. Perhaps, it is only one step further when he will start thinking and nursing the illusion that party interests are identical with national interests, God forbid.

I was asked by some Congress colleagues last time to point out which of the amending Acts were not in the national interest during the past thirteen years. I shall not burden the House and you, Sir, with a detailed list of the various provisions of some of these Bills, because some of the Bills, or at least one or two Bills, were a motley crowd, were motley Bills, a jumble of so many amendments, and so many articles were amended together. When the Law Minister is here, may I remind him—perhaps, he has forgotten; it was an Act of 1960, I believe, that is, of

[Shri Hari Vishnu Kamath]

about three years ago; public memory is short but I am sure the hon. Law Minister's memory is not short, he has got a keen memory—that the ninth amendment Bill sought to place the seal of approval on an anti-national act committed by the Prime Minister? I have no hesitation in saying that this House put the seal of approval on that anti-national act. I was not at that time a Member of the House, but I was deeply pained, when I read the proceedings. The Bill had been referred to the Supreme Court by the President for their advisory opinion, and afterwards, just because the Prime Minister had committed himself to the Government of Pakistan and he said that it had to be honoured, and the party had made it a party issue or an issue of prestige, the Prime Minister's prestige—and I believe I am stating the truth, because I was informed of it by some reliable friends; I was myself not present—the House had to put its seal of approval on that measure; and on that occasion when that amending Bill was before the House and the vote was taken, the Law Minister Shri A. K. Sen was absent from the House. And it was stated in the papers that he had got special permission from the party to obtain, and to be absent from the House, because it would have been inconvenient for him and embarrassing for him if he had voted for a Bill of that kind, to go and face his constituents in Calcutta; he could not have faced his constituents in Calcutta and in Bengal, if he had voted for a measure like that, that is, in favour of that measure. Was this Bill not in the party interest? Was this Bill not in the Prime Minister's interest? Was this Bill not for saving his own personal or individual prestige? It was contrary to national interest. No social change was involved in that. It was a treacherous Bill. I charge the Government with treachery on that issue, and just because they had made a commitment to Pakistan, therefore, we were asked to honour it. What is the Prime

Minister's word, after all? What is the value of the Prime Minister's word? What is his promise, compared to the welfare of thousands of people who were uprooted from the Berubari Union? Is this the way the hon. Minister looks at social change? Is this the way, the ignominious manner in which they approach this question of national interest? The ninth amendment Bill was ignoble, unpatriotic and anti-national. And if a provision like the one I have sought to move had been there, I am sure that with the entire Opposition against it, and perhaps, some Members of the Congress Party also abstaining—I do not know how many had followed in the footsteps of the Law Minister and abstained from the House—that Bill would not have been carried, and that Bill would not have disgraced the statute-book today.

Then, take one of the latest Acts, the Constitution (Fifteenth) Amendment Act. Take the provision of that Bill which raised the retirement age of High Court judges. What national interest was there involved in that? What social change was involved in that?

Certainly, I have pleaded in the Constituent Assembly that the Constitution should not be rigid; it should not bar social change; it should not bar amendments in the national interest. But, certainly, the hon. Law Minister can tell me even now—I pause for an answer—whether by raising the retirement age of High Court judges, any great national interest was being served, and any social change was being brought about. I charge that that amendment was brought forward purely for personal interest.....

Shri A. K. Sen: The Law Commission recommended it.

Shri Hari Vishnu Kamath: Just because they had some judges in view who were reaching the age of sixty

and whose services were to be continued, there was some sort of collusion between ** and the Government; that 'You amend the Constitution, and let these judges continue, and let their services not be dispensed with so early.'

Shri A. K. Sen: It is not fair to drag ** in this manner into this discussion. It is very unfair. Let this be expunged. I would appeal to the hon. Member who is one of the senior Members of the House not to drag ** into this.

Mr. Deputy-Speaker: The hon. Member may please withdraw it.

Shri Hari Vishnu Kamath: I am not going to withdraw it. You may do whatever you like . . .

Mr. Deputy-Speaker: That will be expunged.

Shri Hari Vishnu Kamath: For, I said that even then.

Mr. Deputy-Speaker: The hon. Member should not bring in ** and say that there was some collusion and all that.

Shri Hari Vishnu Kamath: The other provision of that amending Bill was for the amendment of article 311. What was that for? What was that for but to serve the ends of the party, in so far as the decision of the party was concerned,—to serve party-politics, just to enforce a party decision? The entire Opposition, I am glad to say, opposed that amendment on May Day, it was May Day by sheer coincidence. The entire Opposition, including my Communist friends voted against that amendment of article 311 in that Bill.

I am glad the hon. Minister has declared his optimistic faith in the

development of a bigger, stronger and more vigorous opposition. I share his optimism. I am not a pessimist either. I am sure that in the coming years, the Opposition will not merely become bigger, but it will become so big one day as to force you out, as to force you out of your places on the Treasury Benches. Even in that case, when that happens, the provisions of my amending Bill will be helpful; even in that context, it will be necessary, and perhaps more necessary, and I am sure they will plead for it then, when they sit on this side, they will vote for it and they will urge that such an amendment should be made.

But today anyway, so far as this Parliament is concerned, it is very necessary that the Constitution should not be treated too lightly as a mere scrap of paper to be amended by the party at its own sweet will and pleasure. The whims and caprices of the party should not be exalted into national interests or the need for social change.

I would now like to answer one or two arguments which have been raised in the course of the debate.

My hon. friend, Shri Sinhasan Singh,—he is not here—said that by seeking to amend article 368, I am only trying to dam or check the progress of the nation, प्रगति को रोक रहे हैं। राष्ट्रिय प्रगति को रोक रहे हैं। That was what he said. I do not know. Semantics must undergo a change. There has been a lot of semantic confusion so far as the debate on this Bill is concerned. I fail to see how if the House adopts this Bill, *pragati* or social progress or national progress will be arrested or checked. As a matter of fact, I just now pointed out that all the Bills for amending the Constitution that were for genuine social change, in the national interest, secured not merely a 50 per cent major-

**Expunged as ordered by the Chair.

[Shri Hari Vishnu Kamath]

rity of the total membership, and not merely a two-thirds majority of those present and voting, but in many cases, as happened in the case of the 16th amendment Bill, there was a hundred per cent majority—300 Members present and 300 voting for the Bill.

How then can they—either the Law Minister or my hon. friend, Shri Hem Raj or anyone else—charge me with trying to make the Constitution too rigid for social change? They asked me to point out the Bills. I have pointed out the Bills which were for social change, which were against the national interest, which were traitorous and treacherous. Can they now tell me which Bills we on this side of the House resisted which were for genuine social change, which were in the national interest absolutely? Can they point out even one such Bill which we opposed?—They are dumb. Their tongues are tied, because they have nothing to say, no argument to advance. I still wait for an answer from either of the two Ministers, the 'transitional Minister or the Deputy Minister.—No one answers. I ask, which of the 16 Bills which were for genuine social change did we oppose?—None speaks. Let the hon. Minister speak.

Mr. Deputy-Speaker: He has to yield.

Shri Hari Vishnu Kamath: I shall yield.

Shri A. K. Sen: We are used not to interrupt.

Shri Hari Vishnu Kamath: I see. Very good. Take shelter behind that. I plead with you and the House that the reasons for which I have brought forward this Bill have not been refuted or rebutted by any Member on that side or on this side—I am sorry to make this reference also to the communist friend

who opposed it. They have not been answered or rebutted even in the feeblest measure in this House.

I assert that even now it is not too late in the day. I hope even now better counsels will prevail, reason will prevail and that prejudice, pride and prestige will not come into the picture. I hope discretion and better sense will prevail. I hope that in amending the constitution real national interest, genuine social change will be promoted, not party interest, not the Prime Minister's prestige. All these latter considerations must be swept clean, must be swept away. If my hon. colleagues bring to bear such an attitude upon this Bill, I have no hesitation whatsoever in saying that, to whichever party they may belong, they will support this Bill wholeheartedly.

I commend the Bill for the acceptance of the House.

Mr. Deputy-Speaker: As this is a Bill to amend the Constitution, under rule 157 the voting shall have to be by division. Let the lobbies be cleared.—

The question is:

"That the Bill further to amend the Constitution of India be taken into consideration".

The Lok Sabha divided:

Shri E. Madhusudan Rao (Mahababad) rose—

Mr. Deputy-Speaker: Are there any corrections to 'Ayes'?

Shri Bateswar Singh (Giridih): Yes. My vote has not been recorded. I am for 'Ayes'.

Mr. Deputy-Speaker: Any corrections to 'Noes'?

The Parliamentary Secretary to the Minister of Education (Shri M. R. Krishna): My vote was not recorded. I voted for 'Noes'.

Shrimati Shyam Kumari Devi rose—

Mr. Deputy-Speaker: One to be added to 'Ayes' and 2 to 'Noes'.

AYES

Division No. 3]

15.18 Hrs.

Aney, Dr. M. S.
Banerjee, Shri S. M.
Barua, Shri Hem
Barua, Shri R.
Basant Kunwari, Shrimati
Bateshwar Singh, Shri
Ghosh, Shri P. K.
Gupta, Shri Priya
Jha, Shri Yogendra
Kachavaiya, Shri
Kamath, Shri Hari Vishnu
Kapur Singh, Shri

Kar, Shri Prabhat
Krishnapal Singh, Shri
Mandal, Shri B. N.
Masani Shri, M. R.
Mate, Shri
Mehta, Shri Jashvant
Misra, Dr. U
Nath Pai, Shri
Rajyalazmi, Shrimati
Ram Singh, Shri
Ranga, Shri

Reddy, Shri Narasimha
Sen, Dr. Ranen
Sezhiyan, Shri
Shashank Manjari, Shrimati
Singh, Shri Y. D.
Swamy, Shri Sivamurthi
Utija, Shri
Verma, Shri S. L.
Vishram Prasad, Shri
Yadav, Shri Ram Sewak
Yashpal Singh, Shri

NOES

Akkamma Devi, Shrimati
Alva, Shri A. S.
Arunachalam, Shri
Barkataki, Shrimati Renuka
Barupal, Shri P. L.
Basappa, Shri
Besra, Shri
Bhanja Deo, Shri L. N.
Bhattacharyya, Shri C. K.
Borooh, Shri P. C.
Brajeshwar Prasad, Shri
Chanda, Shrimati Jyotsna
Chandraskhar, Shrimati
Chaturvedi, Shri S. N.
Chaudhry, Shri C. L.
Chaudhuri, Shri D. S.
Daljit Singh, Shri
Das, Shri B. K.
Dasappa, Shri
Dass, Shri G.
Desai, Shri Morarji
Dinesh Singh, Shri
Gupta, Shri Ram Ratan
Hansda, Shri Subodh
Heda, Shri
Hem Raj, Shri
Jamunadevi, Shrimati
Joytishi, Shri J. P.
Kindar Lal, Shri

Kirpa, Shankar, Shri
Krishna, Shri M. R.
Lakhan Das, Shri
Lakshmikanthamma, Shrimati
Lalit Sen, Shri
Laskar, Shri N. R.
Laxmi Bai, Shrimati
Mahadeo Prasad, Shri
Mahadeva Prasad, Dr.
Mahishi, Shrimati Sarojini
Manaen, Shri
Mandal, Dr. P.
Maniyangan, Shri
Marandi, Shri
Matcharaju, Shri
Mehrotra, Shri Brij Bihari
Melkote, Dr.
Mengi, Shri Gopal Datt
Mishra, Shri Bibhuti
Mishra, Shri Bibudhendra
Mohsin, Shri
Munzni, Shri David
Naik, Shri D. J.
Nallakoya, Shri
Panna Lal, Shri
Patel, Shri P. R.
Raguhunath Singh, Shri
Raja, Shri G. R.
Rajdeo Singh, Shri

Raju, Dr. D. S.
Ram Sewak, Shri
Ramakrishnan, Shri P. R.
Rao, Shri Ramapathi
Rattan Lal, Shri
Roy, Shri Bishwanath
Sadhu Ram, Shri
Saha, Dr. S. K.
Saigal, Shri A. S.
Samanta, Shri S. C.
Satyabhama Devi, Shrimati
Sen, Shri A. K.
Sen, Shri P. G.
Siddananappa, Shri
Sidheshwar Prasad, Shri
Singha, Shri G. K.
Sinha, Shrimati Ramdulari
Sinha, Shrimati Tarkeshwari
Sinhasan Singh, Shri
Sumat Prasad, Shri
Shyam Kumari Devi, Shrimati
Tiwary, Shri D. N.
Tiwary, Shri K. N.
Uikey, Shri
Vecrappa, Shri
Virbhadra Singh, Shri
Wadiwa, Shri
Yadab, Shri N. P.
Yadav, Shri Ram Harakh

Mr. Deputy-Speaker: The result of the division is: Ayes 34; Noes 87. The 'Noes' have it; the 'Noes' have it. It requires 256 to make a majority of the total membership. The motion is not carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting. So the motion is lost.

The motion was negatived.

Shri Hari Vishnu Kamath: It is a moral victory; we have got one-third of the votes.

15.20 hrs.

INDUSTRIAL DISPUTES (AMENDMENT) BILL

(Amendment of section 33) by Shri C. K. Bhattacharyya

Shri C. K. Bhattacharyya (Raiganj): I beg to move:

"That the Bill further to amend the Industrial Disputes Act, 1947, be taken into consideration".

In moving for the consideration of this Bill, I have to refer to the history and structure of the section, amend-

[Shri C. K. Bhattacharya]

ment of which I want to bring about by my Bill, that is section 33 of the Industrial Disputes Act. This section has had a chequered history. In the original Act, this section was very brief. It provided that no employer should, during the pendency of any proceedings against a worker before a Conciliation Officer or a Board or a Tribunal, take any step to alter the circumstances to the prejudice of the worker or to discharge or dismiss or punish him in any other way without getting the express permission of the authority hearing the dispute in writing.

15.21 hrs.

[DR. SAROJINI MAHISHI *in the Chair*]

Of course, an exception was made for misconduct not connected with the dispute.

Then the section was amended in 1950 (Act 48 of 1950). This amendment widened the scope of the section and put further restrictions on the authority of the employer to take steps against the workers. For taking disciplinary measures against workers during the pendency of proceedings, the amended section made it incumbent on the employer to get the permission of the court or the authority in any case.

Up to this, the amendment was in the interests of the workers, it operated in the interests of the workers. But then an amendment was brought in 1956 which completely changed the object, and it is that part of the section which I want to tackle now. This amendment by Act 56 of 1956 practically reversed the position. By this amendment the workers were divided into three groups, those connected with the dispute, those not connected with the dispute, and protected workers. Apparently, workers connected with the dispute would not be very many, and protected workers, according to the provision itself, are very few. So, workers not connected with the dispute are the majority.

In the case of workers connected with the dispute, the provision for getting express permission in writing was retained, as also in the case of protected workers, but for the larger section of workers not connected with the dispute, the new sub-section (2) was introduced, which provided that the employer could take action and then seek the approval of the authority hearing the dispute. In this way, a complete change was brought about in the purpose of the section itself, a loophole was created through which the employer could take action against the workers without securing the permission of the Conciliation Officer or the Board or the Tribunal beforehand. The protection guaranteed to the workers by the section before the amendment was taken away. That is why I have brought my Bill.

The new sub-section (2) introduced in section 33 provides that the employer is free to take any action he likes only by paying a month's wages, and then submitting an application to the hearing authority for the approval of the action that he has taken. This has altered the position to the prejudice of the workers and unless clarified or amended will continue to remain so. This is about the history of the amendments of the section. Now I request you to see the structure of the section itself.

I have already referred to the three groups into which workers have been divided. In regard to workers connected with the dispute and protected workers, the permission of the hearing authority has to be taken first and action can be taken only afterwards, while in the case of those coming under sub-section (2) action can be taken first and approval sought afterwards. This is a gross discrimination and puts workers in a hopeless position of helplessness. I am not much concerned with the labour movement as some of my friends in this House are, nor am I an expert in labour laws, but . . .

Shri Prabhat Kar (Hooghly): But you have raised a very good point.

Shri C. K. Bhattacharyya: on going through the section, it struck me that it was a case of injustice which required to be remedied. That is why I have brought this Bill, and I hope that the hon. Members will accept it and give the workers the relief that they require.

We must see the difference in meaning between the words permission and approval. Permission means authority, authority of the body hearing the case, without whose permission action cannot be taken. Approval means doing something in a routine manner, just like a departmental head drafting an order and placing it before the superior officer for approval, expecting that in a routine way it would be approved. The bringing in of the word "approval" instead of the word "permission" in sub-section (2) makes all the difference.

Why not put "permission" in sub-section (2) as well? If the word "permission" is used in sub-sections (1) and (3), why was the word "approval" brought in sub-section (2)? That means, here the authority of the Tribunal or the Conciliation Officer or the Board dealing with the dispute is made light of, is lessened, and the powers of the employer in dealing with these workers are extended. That is the intention of using the word "approval". That is how sub-section (2) makes the position rather helpless for the worker. Sub-section 5, to which my Bill relates, aggravates the position. If sub-section 2 opens a loophole, sub-section 5 widens it. I want to plug that loophole so that at least some remedy may be given to the workers for protecting themselves against injustice that may be inflicted on them by their employers. I may be asked: why do you not make your Bill wide enough to apply to all workers under all the sub-sections? That is a pertinent question. I had myself contemplated that a provision like this could

be made applicable to all the workers coming under sub-sections 1, 2 and 3. But I find that workers coming under sub-sections 1 and 3 have got some protection because in their cases the employer has to seek the permission of the tribunal before taking any action whereas for those coming under sub-section 2 there is no such protection. If the Government is kind enough to widen my provision and make it applicable to all the groups of workers, I shall be the happiest man on earth.

I shall now come to the Bill. Sub-section 5 reads as follows:

"Where an employer makes an application to a conciliation officer, Board, Labour Court, Tribunal or National Tribunal under the proviso to sub-section (2) for approval of the action taken by him, the authority concerned shall, without delay, hear such application and pass, as expeditiously as possible, such order in relation thereto as it deems fit."

This is rather vague and requires clarification. It ends with this clause "as it deems fit". It is a loophole through which the authority concerned may pass any order it likes. It requires clarification and I have, therefore, said in the Statement of Object's and Reasons:

"The scope of this section is very much limited. Under sub-section 5 of this section, the authority, to whom an application for approval of the action is made is simply to hear such application and pass an order as expeditiously as possible and may give its approval of the action taken by the employer if a *prima facie* case has been made out. The merits of the case and the quantum of punishment are not decided in these proceedings."

The court is not authorised to say whether the employer had any real ground to take this step and inflict the punishment and whether the punishment awarded is excessive or not. So, the workman has to raise an indus-

[Shri C. K. Bhattacharyya.]

trial dispute in order to challenge the action taken against him by the employer. This involves financial liabilities for the workman. Besides, the approval of the employer's action by the authority prejudices the case of the workman. In the midst of a dispute, an employer takes some action against a worker. If the court gives its approval to the step taken by the employer, that itself prejudices the case of the worker for getting justice in the final hearing of the case. That is why I suggest that in the very process of the hearing provided for under section 33, the entire merits of the case should be taken into consideration and the Tribunal or the Board or the Officer should give him a final verdict. This will avoid multiplicity of proceedings. Otherwise, firstly there will be proceedings under section 33. Then the worker will have to go to the Government to get permission for raising the industrial dispute. If permission is granted, then practically for the same matter proceedings start again. There is thus avoidable delay in giving redress and the workers will not get redress in proper time. The workers will have to incur heavy financial expenditure in pursuing matters twice for the same dispute. These financial liabilities are becoming at times prohibitive for the poor workers and thus justice is not given to them. My Bill seeks to remedy this situation.

In some cases the Supreme Court has held that the labour authority exercising jurisdiction under section 33 exercises not administrative but judicial jurisdiction. One of the fundamental principles of jurisprudence is that there should be no multiplicity of proceedings and I take my stand on that. If proceedings under section 33 are held to be judicial proceedings, as is held by the Court, why should not this very fundamental principle of jurisprudence be applied to them? The multiplicity of proceedings should be avoided.

As I have stated, they will require the permission of the Government for

a reference, and that permission may or may not be available and they may be shut out altogether. So, my amendment provides for it—that is, “as if it were a dispute referred to or is pending before the court.” By the introduction of this clause I have brought into the proceedings under section 33 the entire procedure which may be applied to the Industrial Disputes Act in hearing a substantive case. If section 33A is scrutinised, you will find that the same procedure is provided. I wonder why what can be provided in section 33A should not be provided in the other section. If there is a contravention of section 33, then it is provided under section 33A that in the same proceedings, the authority hearing a dispute may go into the merits of the dispute and the quantum of punishment and other things. Why not the same procedure be adopted in section 33 for the poor workers?

I have attempted to extend the jurisdiction of the tribunal not only to consider the intermediate step taken by the employer but also to decide on the substantive dispute between the employer and the workmen with regard to the step taken. As I have stated, under the present provisions, the labour court or tribunal has no authority to go into the merits of the case. I want to provide for that by the introduction of the clause “as if it were a dispute referred to the court.”

About the jurisdiction under section 33, I have found some case laws in which they say that the only jurisdiction is to find out whether a *prima facie* case has been made out by the employer for meting out punishment or whether the employer has acted *mala fide*. They have no authority to go into the merits of the case. This is the finding of the court, and in fact this finding of the court has made it too difficult for workers to come under section 33 for leave from the court for bringing in the entire matter of the dispute. That is why I have tried to widen the jurisdiction and the

authority of the court and provide for cases being decided on merits and avoid multiplicity of proceedings and also avoid prejudicing the cause of the workers. I have also tried to get prompt and quick disposal of the cases and relieve the workers from the financial liability in going through the same proceedings more than once.

Mr. Chairman: Motion moved:

“That the Bill further to amend the Industrial Disputes Act, 1947 be taken into consideration.”

The time allotted for the discussion is one and a half hours.

Shri S. M. Banerjee (Kanpur): I rise to support the Bill, and I must congratulate my hon. friend Shri C. K. Bhattacharyya for bringing in this amending Bill. While referring to the particular clause of this Bill, I would like to take this opportunity for inviting the attention of the hon. Minister to some other difficulties also. Apart from the difficulty which has been very well expressed by my hon. friend Shri C. K. Bhattacharyya in his long speech, another difficulty which the workers have to face is that the cases are not referred. Here is my hon. friend Dr. U. Misra. He can inform the House or explain that there are nearly 400 cases of workers in Jamshedpur. What happened? Even those cases were not referred for arbitration or conciliation. They were summarily dismissed, discharged from service or removed from service. They approached the Government of Bihar and the Central Government. They only wanted that these cases should be referred. But these cases were not referred. I have the same experience in Uttar Pradesh. I have referred to the Labour Ministry several cases of workers now working in Kanpur. In J.K. Rayons in Kanpur a strike took place. The strike was declared illegal etc., whatever the case may be. 100 workers were removed from service and their services were terminated. It went before the Conciliation Board. The Conciliation Officer, I am told, has recommended to the State

Government that a reference should be made, but still the reference has not been given and the workers are forced to take some drastic decision which may not be liked in the country during these days of emergency. In another case, 14 workers of a sugar factory in Bahari in Uttar Pradesh have been discharged from service. We have been demanding from the Central Government and also from the State Labour Ministry that these cases should be referred, but no reference has been given.

These are really serious matters of the Industrial Disputes Act where the various provisions of the Act if they are amended to suit the convenience of the workers—I use the word “convenience because a worker cannot possibly approach a court of law or go up to the Supreme Court whereas the employer can—it will help them. Naturally, the only advantage for them is the conciliation machinery and after that, after the proceedings there are concluded, a reference is given.

Now, what is happening in respect of other cases? This particular thing has been referred to by my hon. friend, Shri Bhattacharyya. We are also trying to bring certain other amendments so that the whole thing can be brought to the notice of this House and this matter may be solved. I would like to know from the hon. Labour Ministers who are here as to what is their experience about the trade unions. I put this question specially to Shri Malviya. What is his experience about the whole thing? Why is it that such an amendment was not brought by the Government themselves? Why should they not bring in a comprehensive amendment amending the various clauses of the Industrial Disputes Act? What is the delay?

Is it not a fact that a promise was made as long as 1958 or 1959, if I am not mistaken, that there will be such a legislation? Is it not a fact that in the recent Indian Labour Conference Shri Nanda declared that he would like to get those cases where references are not given? People have submitted

[Shri S. M. Banerjee]

those cases. I should like to mention here that these workers are genuinely suffering for no fault of theirs. They want simply that the matter should be referred and nothing more. Let the law take its course. Let the matter be decided either against or in their favour. But at least it should be referred. Why should they be gagged, why should there be strangulation of justice at the initial stage?

Sir, while supporting this Bill I would also mention that I have mentioned these things just for the information of the House and I request that the hon. Minister while replying to the debate may kindly throw light on them.

Dr. Ranen Sen (Calcutta East): Madam Chairman, I rise to support the Amendment Bill moved by Shri Bhattacharyya. Shri Bhattacharyya has narrated as to how section 33 of the Industrial Disputes Act was amended from time to time in such a way that the workers have become the worst sufferers. In 1958, in the Standing Committee for Labour, which was presided over by Shri Nanda, a resolution was accepted by the Government of India to bring in suitable amendments to the Industrial Disputes Act so that these anomalies, difficulties and contradictions to the interests of the workers are removed. I was present in the Standing Labour Committee meeting at Bombay in 1958. In that meeting, a tripartite sub-committee was formed which was to draft these amendments. Now, five years have passed. Still, Government has not thought it fit to bring in a comprehensive legislation to amend the Industrial Disputes Act. On the other hand, as Shri Bhattacharyya has stated, gradually this particular section, which is a very important section in the Industrial Disputes Act, has been amended so as to create difficulties for the workers.

Coming to the actual amendment, what has been our experience? Shri Banerjee has asked the Deputy Minister of Labour, Shri Malviya to think

over the whole matter and examine it in the light of his own experience when he was working in the trade union movement. Our experience has been that this section 33, particularly sub-section (5), has gone more or less against the interests of the workers. I will explain how it happened by means of an example. In 1959 or 1960 there was a Textile Tribunal in West Bengal. During the course of the proceedings in the Tribunal, nearly 800 workers were dismissed under sub-section (2) of section 33 of the Industrial Disputes Act and so long as the Textile Tribunal went on there was no hearing at all of the dismissal cases. On the other hand, somehow or other, the Tribunal gave its approval to the action taken by the employer. Later on, under section 33A, an attempt was made to place the matter before the Industrial Tribunal but, unfortunately, somehow or other, the Government of West Bengal did not consider it fit to refer the case to the Industrial Tribunal.

Now, in these days of emergency, we find that the employers are taking recourse to sub-sections (2) and (5) of section 33 indiscriminately and many State Governments, including the Government of West Bengal, refuse to send these cases to the tribunal under section 33. Therefore, this sub-section, as amended by Shri Bhattacharyya is very welcome. I think the whole thing has been considered in a limited way; perhaps, there was some difficulty for him. Anyway, I think it is in the fit-of things that Shri Bhattacharyya has moved it. Since the hon. Deputy Minister is present here, I think he should have no compunctions in accepting it; he should not oppose it. On the other hand, it should be the duty of the Government to accept such amendment when they themselves have not brought forth such an amendment.

Lastly, I want to say that it is high time for the Government of India, especially the Ministry of Labour, to go through the entire Industrial Disputes Act and bring in suitable amendments to the various sections and sub-

sections which go against the interests of the workers.

Shri K. N. Pande (Hata): Madam Chairman, I am very happy that this Bill has been brought before the House by our friend, Shri Bhattacharyya. This Bill is very important from the point of view of the workers. I do not know the reaction of the Ministry to this Bill, but I think it is time when they should consider the matter seriously so that the workers may be helped in every possible way. Now, what is the background in which this Bill has been brought before the House?

Originally this privilege was given to the employee. If there was any proceeding lying with any court no workers could be dismissed or discharged without the permission of a board or the court. But as the clause was amended later on the result has been that the court has now become a stamping authority. The employer takes action against the worker and goes before the court for permission. What the court does is that it simply says, "We give permission to discharge the worker." They cannot deny that. The amended clause has caused such a result that the workers have been put to innumerable difficulties.

As you know, when there is any dispute the managers or the managing directors fight the cases at the cost of the companies. Had they been required to spend the money from their own pockets, such cases would not have arisen. But simply because they fight the cases at the cost of the company, they go upto the Supreme Court. What happens at the moment is this. Suppose, a workers does not commit any mistake but the employer wants to take action against him then he chargesheet him and dismisses him. Then he submits an application to the court for approval of his action. Then what happens? After the permission is obtained from the court, that poor fellow has again to go to the Conciliation Board and the Conciliation Board

has to recommend to the Government whether the case should be referred to the Tribunal for consideration or not. In case the Conciliation Board is also of opinion that the case is such that it should be referred to any tribunal, the case may go to the same tribunal from where the permission was sought by the employer. This is the funny part of the story.

If by experience we realise that we have committed some wrong in the past, we should remedy it. What does the Bill say? The Bill says that if permission is sought by the employer from the court to dismiss or discharge the workman, the court should go into the merits of the case and the case should be decided on merit so that this multiplication of proceedings may not take place. This is simply to avoid this procedure and, I think, even if the Government have any difficulty in agreeing with the wording of the Bill, the substance is such that it should be accepted.

There is great discontentment throughout the country among the workers and I think the time has come when this clause should be amended to enable the employee to seek a remedy from the court from where permission is sought by the employer. Or, in case the employer wants further litigation, the employee should also be given the expenses from the company to fight the case upto the Supreme Court. If that happens, litigation will come down. My appeal to the Ministry is that in case they find any difficulty in agreeing with this Bill at this moment, they should at least accept the substance or the principle involved in this Bill and they should try to bring in an amendment themselves including so many things that are required to be brought in order to simplify the procedure or the proceedings under the Industrial Disputes Act and try to help the workers to the extent that they can. There is a lot of discontentment on other issues too and this will further aggravate the position if it is allowed to continue.

[Shri K. N. Pande]

With these words I support the Bill and request the hon. Minister to consider over the matter seriously and take proper action so that a remedy be provided in favour of the workers and they may be protected from the clutches of those employers who are determined to dismiss a man who is a trade unionist or who has organised labour in order to protect the interests of labour.

16 hrs.

Shri Prabhat Kar: Madam Chairman, I support this Bill which has been moved by Shri Bhattacharyya. I would draw the attention of the House to the importance of section 33 of the Industrial Disputes Act. Under section 23 of the Industrial Disputes Act, no employer can lock out a factory and no workman can go on strike during the pendency of the tribunal's proceedings. Section 33 is a guarantee to the workmen that during the pendency of the tribunal's proceedings, as he was debarred from going on strike, *status quo* will be maintained. There are various ways so far as the employers are concerned. The lock-out is not the only means of keeping the workers out. They can victimise the workers individually, suspending them, charge-sheeting them, dismissing them, discharging them and all that. But so far as workers are concerned, there is only one right that they have got and that is to go on strike which is prohibited under section 23 of the Industrial Disputes Act. That is why, section 33 made it incumbent on the employer that during the pendency of the tribunal's proceedings, there should not be any change in the conditions of service.

Now, I would just remind the Labour Minister as to how this amendment came in 1950. In 1950, a tribunal consisting of three High Court judges, Shri K. C. Sen, Justice Chandrashekhara Iyer who became a judge of the Supreme Court also, and Justice J. N. Mazumdar who became the Chairman

of the Labour Appellate Tribunal, was sitting over the Bank Disputes tribunal, on an all-India basis, in Bombay. During the pendency of the tribunal proceedings, hundreds of applications came and it became impossible for that tribunal to proceed any further, and as a result of that, the judges at that time made a reference to the Government that unless the Act is amended, it is not possible to proceed any further. During the pendency of the tribunal, section 33A came into operation, that is, no action can be taken without the written permission from the tribunal. Now, in 1956, this amendment had been taken away and again the right was given to the employers to take action and then to seek an approval from the tribunal. As I said in the beginning, section 33 is a guarantee to the workers that during the pendency of the tribunal's proceedings they cannot take any action. It was incumbent that the guarantee should be foolproof. Now, this Bill which Shri Bhattacharyya has brought forward deals only with sub-section 5. He has said, "I wish it had been wide enough, but it is a limited one". To what extent has it come? Now, according to sub-section 5, if a permission is sought from the tribunal, the tribunal has no jurisdiction to go into the merit of the case. Even though the merits may be in favour of the employees, it may be that the management had taken a strong action. As was rightly said by Mr. Kashi Nath Pande, it is a stamping authority of the action of the management. When the tribunal went into the merits it found that the action taken was wrong. The case was taken to the Supreme Court and the Supreme Court came to the conclusion that under sub-section 5, they cannot go into the merits of the case unless certain *mala fides* have been charged and found to be there. Naturally, today, it has happened that the management has got the full authority to take any action during the pendency of tribunal's proceedings when the workers are prohibited from going on strike.

16.05 hrs.

[MR. SPEAKER in the Chair]

That is why, whenever a tribunal is proceeding with the general case, we find hundreds of cases of dismissal because at that time the employers are forbidden to take any action against the workers. Under section 33(5) the tribunal cannot go into the merits of the case. Today, therefore, the most important thing is the need to amend section 33; as has been pointed out already by my hon. friend Dr. Ranen Sen, section 33 is one of the sections which requires to be amended, and I believe that Government were also thinking on those lines. Naturally, I would have expected Government to come forward with an amendment of section 33. My hon. friend Shri C. K. Bhattacharyya has in all modesty said that he has not worked as a member of the working classes, but, still, after having studied the implications of this, he has brought forward this amending Bill. We are thankful to him for having brought this matter up before the House, because this is very important, and, naturally, the Labour Ministry must consider this aspect of the matter.

Dr. Ranen Sen: And accept the amendment.

Shri Prabhat Kar: There is no doubt that they should accept it. I think that reference has been made to this, particularly by my hon. friend Shri R. K. Malviya who himself has been a trade union leader, and he has got a full understanding of the implications of section 33 as it stands today and he knows very well how far it is helpful to the workers. During the pendency of any proceeding before a tribunal, when we have taken away the right of the workers, the only right which they have, to go on strike, it is essential that there should be fool-proof guarantee that the employers cannot take any action against the workers without proper permis-

sion from the tribunal, and without the tribunal being given the right to go into the details of the case so as to consider the whole matter and then give its judgment. So, it is essential that this amendment should be accepted.

Apart from the fact that section 33 as a whole should be amended to restore the old position that prevailed after the amendment of 1950, when section 33A was brought in, it is very necessary that section 33 (5) also should be amended. Section 33A was brought in 1950, because it was found that during the pendency of a proceeding before a tribunal, the employers always used to take action against the workers and take advantage of the fact that they could not agitate on that issue. The maintenance of industrial peace during the pendency of the proceeding before the tribunal has been one of the important factors, and it has been one of the basic principles of the Industrial Disputes Act, and that was why section 33A was brought in. What was the reason for again amending that section and adding sub-sections (1) to (5) thus taking away the rights of the workers to go before the tribunal and place their case against the management so that the management cannot vindictively take action against the trade union workers or leaders during the pendency of the proceeding before the tribunal, taking advantage of the fact that at that time the workmen are forbidden to take any action because then under section 24 the strike will be declared illegal and under sections 26 and 27 other penal measures also will follow?

That is why these provisions require amendment. I would request the Labour Minister to consider this matter, and accept the amendment which has been brought forward. As Shri K. N. Pande has said, if there are certain wordings which have to be changed, they should be changed, but the principle of this amending Bill should be accepted, and furthermore,

[Shri Prabhat Kar]

there should be an overall amendment of section 33 of the Industrial Disputes Act with a view to safeguarding the interests of the workers during the pendency of any proceeding before a tribunal.

श्री रामसेवक यादव (बाराबंकी) :
उपाध्यक्ष महोदय, जो विधेयक हमारे भट्टा-
चार्य जी ने पेश किया है, मैं उसका समर्थन
करने के लिए खड़ा हुआ हूँ। इस तरह के
विधेयक को सरकार को स्वयं इस सदन में
लाना चाहिये या और अगर सरकार नहीं
ला सकती है तो उसको इसे मान लेना चाहिये।

जब माननीय बनर्जी साहब बोल रहे
थे और साथ ही साथ हमारे माननीय सदस्य
श्री काशीनाथ पाण्डेय बोल रहे थे, उस वक्त
मैंने देखा कि मालवीय जी उनके तकों को
समझ रहे थे और सहमति में सिर हिला रहे
थे और उससे मुझे कुछ ऐसा आभास मिला
कि शायद वह विधेयक को स्वीकार कर
लें।

मुझे मजदूरों के दुखों की ऊपरी जानकारी
है। वास्तव में उनकी क्या क्या तकलीफें
हैं, क्या क्या दुःख हैं, इसको नहीं जानता
हूँ और न ही मेरा कोई सम्बन्ध उससे है
क्योंकि मैंने उनके बीच में काम नहीं किया है
और न ही करता हूँ। फिर भी जो धारा
३३ की उपधारा ५ है अगर उसके अनुसार
देखा जाय, साधारण दृष्टि से, कानून की
दृष्टि से, तो यह साफ हो जाता है कि जो
उपधारा है वह मजदूर लोगों के हित में न हो
कर उनके खिलाफ जाती है। मजदूर और
मालिक, मजदूर और कारखानेदार, इन
दोनों में कारखानेदार ही मजबूत होता है।
इसलिये अगर किसी को कानून का संरक्षण
दिया जाय तो मजदूर को दिया जाना चाहिये
न कि उसके विपरीत कारखानेदार को।
इस धारा ३३ की उपधारा ५ में हम देखते

हैं कि इतना जबदस्त अधिकार दे दिया जाता
है कि अगर कारखानेदार या मालिक किसी
मजदूर को निकालना चाहे तो वह केवल
प्रार्थना पत्र देगा और ट्राइब्यूनल के सामने
केवल उसको स्वीकार करने के अलावा
और कोई चारा नहीं रह जाता। इसका
सीधा अर्थ यह होता है कि मजदूर के
साथ अन्याय होगा। उसके साथ जो अन्याय
होता है अगर उसको दूर करने के लिये वह
अदालत की तरफ बढ़े तो उसमें पैसा खर्च
होता है जिसके लिये यह तैयार नहीं हो
सकता क्योंकि उसकी आर्थिक स्थिति ऐसी
है। यह सारी चीजें इसमें आती हैं और
उसका दुरुपयोग होगा ही, जैसा कि मजदूरों
में काम करने वाले सदस्यों ने बतलाया।
इसलिये माननीय चपल कान्त भट्टाचार्य का
ध्यान इस ओर गया और उन्होंने संशोधन
रख दिया। इस संशोधन से जो आर्टिकुलरी
अधिकार अदालत को मिल जाता था और
जिसका दुरुपयोग कारखानेदार और मालिक
करते थे वह दूर हो जाता है। इसलिये
मैं माननीय मंत्री महोदय से निवेदन करूंगा
कि वे इस संशोधन को, जो कि दुखिया और
कमजोर लोगों के हित में है, मान लें।

अगर इस समय इस विधेयक को स्वीकार
करने में उन्हें कोई दिक्कत हो तो मैं ज्यादा
आगे बढ़ने की बात तो नहीं करता, लेकिन आगे
वाले सेशन में, जो कि नवम्बर या दिसम्बर
में होगा उसमें जो मारा इंडस्ट्रियल डिस्प्यूट्स
एक्ट है उसमें जहाँ जहाँ इस प्रकार के संशो-
धनों की आवश्यकता हो, उन धाराओं के
सम्बन्ध में जो कि मजदूरों के हित में न हों,
उनके खिलाफ जाती हों, जो कि उनके तजुबे
में सामने आई हों, उन खामियों को दूर करने
के लिये संशोधन विधेयक लायें। अगर इस
को स्वीकार करने की मंशा न हो या फिर
इसमें देर लगने की सम्भावना हो, तो फिल-
हाल जो संशोधन सुझाया गया है उसी को
वे स्वीकार कर लें। इससे मजदूरों को बड़ी
राहत मिलेगी।

अन्त में मैं माननीय मन्त्री महोदय से यह निवेदन फिर करता हूँ कि वे इस संशोधन को मान लें। अगर उसमें कोई दिक्कत हो तो नवम्बर दिसम्बर सेशन कोई व्यापक विधेयक रख कर इस संशोधन को मान लें।

दूसरा निवेदन मेरा श्री चपलकान्त भट्टा-चार्य जी से है कि अगर मन्त्री महोदय इन दोनों निवेदनों को आज से स्वीकार करने में कुछ अड़चन महसूस करते हों, उन्हें कुछ परेशानी हो तो श्री भट्टाचार्य जी इस विधेयक को वापस न लें, यह न कहें कि इस शर्त के साथ वापस लेता हूँ।

श्री कछवाय (देवास) : उपाध्यक्ष महोदय, मैं इस सम्बन्ध में इस लिये ज्यादा जोर से बोलना चाहता हूँ कि मैं स्वयम् एक मजदूर हूँ और मिल में काम करता हूँ और जानता हूँ कि किस प्रकार से मजदूरों के साथ बरताव होता है, किसी भी केस को कोर्ट में ले जाने के लिये जब मजदूर जाता है तब उसको कितना खर्च करना पड़ता है और उसकी स्थिति क्या होती है। मिल मालिक किसी प्रकार से उनके वकीलों के द्वारा उस केस को तोड़ मरोड़ कर झूठे गवाह पेश करके, छोटे मजदूर को हरा कर विजय प्राप्त करते हैं, यह सब मुझे मालूम है। इस सम्बन्ध में मेरा इतना ही कहना है कि यह जो बिल आया है उसके अनुसार मजदूरों को ज्यादा से ज्यादा सहूलियत दी जावे और ऐसी स्थिति पैदा न हो कि मजदूर कोर्ट में जाकर केस लड़ें। वहाँ हमारे मजदूरों के दलाल भी बैठे होते हैं जो शासक दल की यूनिशन चलाते हैं, अर्थात् इन्टक के लोग। वे लोग किस प्रकार से मजदूरों को बर्गला कर, अपना स्वार्थ सिद्ध करके अपनी नेतागिरी कायम रखने के लिये मिल मालिकों से सांठ गांठ करके, किस प्रकार से पैसा लेकर मजदूरों के साथ जो कुछ नहीं होना चाहिये वह करते हैं? उसको किसी प्रकार से मना कर, कुछ पैसे का लालच दिलवा कर, उससे कबूल करवा लेते हैं कि मैंने गुनाह किया, मैं अपना केस वापस लेता हूँ और उसके बाद उद्योग जगह को

तोड़ कर उस स्थान पर उस अमदमी को न रख कर मिल मालिक और मजदूरों में समझौता करा कर कते हैं कि ऐसा करो।

श्री काशी नाथ पांडे : ऐसे केसेज कितने हैं आपके पास। मैं चाहता हूँ कि कुछ के नाम आप इस हाउस में दें, मैं उनकी इन्क्वायरी करवाना चाहता हूँ जिन केसेज को इन्टक ने किया है। आप बिल्कुल नहीं जानते कि यह बिल क्या है, आप वैसे ही इस पर बोल रहे हैं।

श्री कछवाय : मैं आपको एक नहीं हजारों केस दे सकता हूँ मध्य प्रदेश में। मैंने पिछली बार गृह मन्त्री और प्रधान मन्त्री को पत्र दिया था उसमें मैंने साफ कहा है कि मध्य प्रदेश में इन्टक के कुछ कार्यकर्ता आज से कुछ साल पहले पड़ोस से आटा उधार मांग कर खाते थे लेकिन आज वे लाख लाख रुपयों की बिल्डिंग बना कर बैठे हैं। इससे साफ सिद्ध होता है यह लोग मिल मालिकों से मिल कर मजदूरों के साथ किस प्रकार की ज्यादती करते हैं, किस प्रकार से उनसे समझौता करते हैं। मैं एक नहीं अनेकों उदाहरण दे सकता हूँ। उज्जैन, वालियर, भोपाल, देवास, इन्दौर के बहुत से उदाहरण मेरे सामने हैं।

Shri K. N. Pande: What he is saying is not relevant. He has taken another subject.

श्री कछवाय : इससे साफ जाहिर होता है कि किस प्रकार से मिल मालिकों के साथ समझौता करके वे पैसा खाते हैं। इसका सबूत आप देख सकते हैं। (Interruptions).

श्री काशी नाथ पांडे : आप गलत बात मत कीजिये इस हाउस में।

श्री कछवाय : मैं सिद्ध करके बतला सकता हूँ कि इस प्रकार की हरकतें इन्टक के लोग करते हैं।

श्री काशी नाथ पांडे : मैं चाहता हूँ कि आप सबूत दें।

श्री कछवाय: आप मुझ पर दावा कीजिये तो मैं सबूत दूंगा कि इस प्रकार की हरकतें वहां पर लोग करते हैं या नहीं। आपको जो जोश आ रहा है वह बिल्कुल सही है, जब किसी को खरी बात कही जाती है तो उसे मिचें लगती हैं। आपने शायद कोई बिल्डिंग बना कर रक्खा होगा, मिल मालिकों से समझौता करके कुछ पैसा खाया होगा। आपको बुरा लगना दिखावा भर है, अन्दर क्या है, मैं अच्छी तरह से जानता हूँ। आप मजदूर नहीं बने, मजदूर बनते तो आप उस की आत्मा को पहचानते और देखते कि किस प्रकार मजदूरों के साथ इन्टक द्वारा हरकतें की जाती हैं। एक नहीं अनेक प्रान्तों में हरकतें चल रही हैं। मिल मालिकों से मिल कर समझौते किये जाते हैं और हमारे इन्टक के कार्यकर्ता करते हैं। मैं इस बात को यहां पर ज्यादा खोलना नहीं चाहता। उनका जो काम है वह केवल यह कि उनके दफ्तर में बैठ कर टेलीफोन से बातें करना, चाय उड़ाना और ताश खेलना। अन्दर अन्दर बुरे बुरे काम करना इन दफ्तरों में ही उनका काम रह गया है। मैं कहना चाहता हूँ कि अगर उनका सारा चित्र देखना है तो मुझे दो, चार, छः रोज का समय दें। मैं पूरे मध्य प्रदेश में दिखला कर बतला सकता हूँ। मैं बतला सकता हूँ कि उन के कार्यालय से १२, १२, १३, १३ बाटल्स शराब की पकड़ी गई है। ऐसे इन्टक के कार्यकर्ता और मजदूरों के प्रतिनिधि हैं जो मजदूरों की दुहाई देते हैं और बापू का नाम लेकर यूनियन चलाते हैं। उन लोगों की यह हालत है। यह बोलें कितनी ही पकड़ी गई है। इस प्रकार की हरकतें मध्य प्रदेश में हो रही हैं। आप मेरे साथ मध्य प्रदेश चलें तो मैं आप को दिखलाऊँ।

Shri Priya Gupta (Katihar) rose—

Mr. Deputy-Speaker: The hon. Member was not here when his name was called.

Shri Priya Gupta: I took special permission from the Chair.

Mr. Deputy-Speaker: I will give him five minutes.

Shri Priya Gupta: I believe the object of the Bill cannot be fulfilled until it is categorically provided in the Bill that the Tribunal has the power to sit on the appeal workman and decide the dispute on merits, on reopening of the whole question. I know, I feel and I believe so, I am using three verbs, because, right from the date of independence we have been marking a trend of changed approach to labour by Government.

The amendment of article 311 curtailment rights of Labour was brought soon after we had attained independence, but fortunately the spirit of our fight against subjugation still remained, and the House did not allow the amendment. But, unfortunately, after the Avadi Congress session, when our Government pledged itself to the socialistic pattern of society, article 311 has been amended, and the rights of labourers have been snatched away.

Similarly, certain rights had been enshrined in the Industrial Disputes Act, and as time went on, our Government has snatched away those rights gradually. We know the fate of such amendments protecting rights of labourers sought in the Bills being brought by Members of the Opposition. We try our utmost to feel the pulse of the people so that what we say may be accepted by Government. We are waiting for the day when the Labour Ministry, by the initiative of the people, would take action. Unfortunately, a Congress Member has moved this Bill. I hope the Labour Minister will kindly look into it and do the needful. While on this subject, I must refer to the things that happened in the Indian Explosives Factory. When the entire matter was pending before the competent authority, action was taken against some workers in the name of other items like service contract, misconduct etc. Workers were victimised. Temporary workers were called in by the management and threatened into giving statements in the desired form to help management in the said dispute.

They said they would terminate their services. There are different terms: termination, dismissal, removal and discharge. For purposes of Industrial Disputes Act, only one thing is there: penal action for removing a man from service. You may call it termination, removal or discharge. The other way of squeezing out the labourers is by way of retrenchment. When we find senior men removed from the establishments and junior men kept there, we deem it is a violation of the provisions of the Industrial Disputes Act. When it is not retrenchment, it is only penal action whatever name one may give to it. I have written letters to Nandaji about Gouria Explosive Factory irregularities but I have not been favoured with any favourable reply or clarification.

Then there are different standing orders in different establishments. I am glad when the Labour Minister says that they are going to make it uniform. I do not know when they will do it. I hope the organised labour and the major labour unions will be consulted as to how these standing orders should be compiled.

Lastly, the present law provides that the tribunals can only see the procedures but not go into the facts or say whether the standing orders are correct and so on. I submit to the Labour Minister that in these days of emergency the labourers must be taken into confidence. The time has come when the labourers must be protected better than they were before and we should not snatch away their rights, especially when the Government is pledged to socialistic pattern of society.

The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman): Mr. Deputy-Speaker, I wish at the outset to say that we are very much beholden to what has fallen from so many leaders in the labour field and we are fortunate that very useful suggestions are coming from all sections of the House. I wish to assure the hon. Members that it is not that

we are wanting in sympathy with the purport of the amendment. It may interest the hon. Members to know that my esteemed colleague Shri Malaviya himself, as a private Member, brought a Bill in the other House. So, generally it is not as if we are not aware of these lacunae in the various sections of the Industrial Disputes Act. We are constantly keeping them in mind, and we are endeavouring to bring sooner than later a comprehensive Bill as we have already stated quite often.

I may, at the outset, give the position so far as this particular amendment is concerned. But before I do so, I may with your leave state that we have evolved a procedure of a tripartite conference. We refer all these matters to the tripartite conference and get their views, because we have our own bias in these matters. We want to see that industrial peace is maintained, particularly so during this emergency. We also seek the co-operation of all the parties always and that has been the method.

The position today is this. Section 33(2) of the Industrial Disputes Act provides that if during the pendency of proceedings in respect of an industrial dispute, any workman commits any misconduct not connected with the dispute, the employer can take action against him under the relevant standing orders. He has also to get his action approved by the conciliation officer, board or labour court or tribunal or other authority before which the proceedings are pending. Under sub-section (5) of the same section, the tribunal or the authority concerned is required to hear such an application for approval of the action, and pass as expeditiously as possible such orders as they deem fit. This has been tested in the Supreme Court as has been stated by the hon. Members.

This case has been referred to in the Labour Law Journal, 1959, Volume II, page 666. The case in question is Punjab National Bank, Ltd., vs. their workmen. I will give only the substance of it from the head-

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notes. The court, speaking through Mr. Justice Gajendragadkar, who is a great authority on labour matters, has actually stated as follows:

"But it is significant that even if the requisite permission is granted to the employer under S. 33 that would not be the end of the matter. It is not as if the permission granted under S. 33 validates the order of dismissal. It merely removes the ban; and so the validity of the order of dismissal still can be, and often is, challenged by the union by raising an industrial dispute in that behalf. In the case of S. 33 the removal of the ban merely enables the employer to make an order of dismissal and thus avoid incurring the penalty imposed by S.31(1). But if an industrial dispute is raised on such dismissal, the order of dismissal passed even with the requisite permission obtained under S. 33 has to face the scrutiny of the tribunal."

That is the position, as hon. Members are aware.

The hon. Shri C. K. Bhattacharyya, with this usual clarity and erudition, has stated in his speech the objects of the Bill. The Statement of Objects and Reasons also contain what the scope of section 33 is. It is not as if section 33(a) is lost sight of. Section 33(a) deals with the contravention of the provisions of section 33 and hence the courts or the tribunals are expected to adjudicate upon the points in dispute. It is not open to the tribunal to consider whether the proposed order of the employer was not proper or adequate or whether it erred on the side of excessive severity. This is from the judgment to which I referred to. I do not want to keep the House longer on the judgement than is necessary.

It is also true that if the appropriate Government are satisfied with the merits of the case they can refer the dispute for adjudication. Shri C. K. Bhattacharyya's intention is that this

adjudication should be available to the workmen even at the stage when the tribunal is considering the application of the employer under section 33(2). That is the real position. He wants that the worker should not be required to suffer delay and duplication of proceedings and consequent financial liabilities.

We have also had the observations of the distinguished labour leader, Shri K. N. Pande. He also feels that the approval of the action of the employer by the relevant authority under section 33 may prejudice the worker's case if there is a subsequent reference to adjudication. In these matters, as the House is aware, we try to get the opinion of the State Governments also.

I do not want to keep the House very long enumerating what the various States have said, but I shall give briefly some of the arguments advanced against the Bill by some States. Practically all the States have given their opinion. It would appear that the problem has not manifested itself in any acute form in the State sphere. The substance of the arguments advanced by them is that the entrusting of the Conciliation Officers and Boards with duties of adjudication proceedings may prejudice their role as Conciliators. I want to pass over this objection. This is an objection for what it is worth. It is not as if we are blind to it. We ourselves are trying to evolve a procedure. It may be that in course of time, as I said in the beginning, there may be a comprehensive amendment so far as this is concerned.

Secondly, some of the States feel that the proposed amendment would defeat the very purpose of the Bill inasmuch as the disposal of applications for dismissal or discharge will be delayed if the merits of the disputes have to be adjudicated upon. Some of them felt that it would not be appropriate to treat every application filed under section 33 as if it were a dispute referred to a Tribunal for adjudication,

when, in fact, there may not be any real dispute at all. Then, they feel that the proposed amendment would unnecessarily disturb the present scheme of the Act, depriving the employer of an important right and lengthen the period of his disability. Finally, they say, that it would not be also proper to confer powers of adjudication on Conciliation Officers who have no judicial experience.

Sir, for what it is worth, I thought I must take the House into confidence and refer to some of the objections raised by the various State Governments.

Even though we had not circulated this elaborately to the employers' or workers' organisations, a number of them have sent in identical representations with regard to this, and there are some in which they have indicated their opposition to the Bill. Naturally, the employers have opposed the amendment.

Dr. Ranen Sen: Which are the trade unions that have opposed this amendment Bill?

Shri C. R. Pattabhi Raman: It would not be fair if I say that the trade unions have opposed this, and therefore I am guarded in my statement. I was very cautious in saying that some workers' organisations have expressed their opinions. It is not necessary for me to refer to any one in particular. By and large, I agree, the employers seem to be objecting to this—not all, but some of them—and also some of the workers organisations.

Then, in the 19th session of the Indian Labour Conference held at Bangalore in October, 1961, the Indian National Trade Union Congress brought forward a similar proposal. In support of the proposed amendment they stated that under the existing provisions of the Act, workers were facing the following disadvantages. In fairness to the Indian National Trade Union Congress I want to say that the disadvantages they stated were:

- (i) Resort to two sets of proceedings in order to decide the cases on merits—first under section 33 for a *prima facie* case and then by way of a regular industrial dispute to get the cases adjudicated on merits;
- (ii) delay in getting relief;
- (iii) high cost of litigation; and
- (iv) prejudice caused to the merits of the workmen's case by the Tribunal's approval of the employer's action.

So far as the worker's side is concerned, which is always present in our mind, with regard to the provision in the Act it was said that which involved two proceedings causing considerable delay in getting any relief—first, a *prima facie* examination by the authority, and the second, adjudication of the dispute raised by the workman (subsequent to his dismissal) for getting him reinstated. I do not want to keep the House very long stating the employers' case, but they were of the view that the protection under section 33 was only to see that the management does not act in a *mala fide* way and take advantage in victimising a worker. It was mentioned that where the Tribunal found that there was no *prima facie* case for the employer to dismiss the workman, the later was taken back. The existing protection and the Code of Discipline were, it was pointed out, adequate to safeguard the interests of the workers. The Code of Discipline, if I may say so with respect, has earned the approval all over the country. On the question whether in the code of discipline there were adequate safeguards for the interests of the workers, after some discussion it was decided to place the matter before the next session of the Standing Labour Committee for further consideration. Actually, the matter has placed before the Standing Labour Conference and the Standing Committee and it was decided to defer the matter for a further tripartite meeting. What they wanted was, some

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sort of comprehensive legislation which will bear the stamp of approval from all parties concerned. Even otherwise, the moment we feel that the time has come, I can assure hon. Members, we will see to it that it is not unduly delayed. It is not the intention of Government to bring in the tripartite procedure just to delay the whole thing. I am sure hon. Members will agree with me that it is not the intention of the Labour Ministry to see that some sort of ruse is taken advantage of to delay matters. No; far from it. Industrial peace is very important.

Shri Prabhat Kar: You were referring to the unanimous decisions of the conference. So far as the organisations of workers are concerned, I think they have made their position clear that they want an amendment of section 33. Naturally, employers will object to it. But what is the attitude of the Government?

Shri C. R. Pattabhi Raman: As I was saying, the hon. Member is always thinking of a comprehensive legislation. It will not be unduly delayed. But the fact remains that we have a set procedure. Tripartite means not only the Central Government and the State Governments but also the employers and employees. Now the public sector has also come in, which is a new factor. Now, for the first time, public sector companies are taking part in tripartite conferences. Therefore, we are trying to beat out some sort of arrangement which will be accepted warm-heartedly by all sections. We will not unduly delay matters merely because there is no agreement. I can assure hon. Members that we are constantly keeping this in mind. In genuine cases there is a liberal interpretation given and they are always considered for reference for adjudication. Therefore, I am sorry, I am not able to accept the Bill proposed by Shri Bhattacharyya.

Shri Prabhat Kar: Not even the substance of it? Do you agree with the purpose for which this Bill has been introduced even though you may not accept the amendment as it is?

Shri C. R. Pattabhi Raman: As I have already indicated, it is not a question of agreeing with the purpose of this Bill. It is a piece-meal legislation for the amendment of section 33 alone. For that reason, I am unable to accept it.

Since a reference was made to the Jamshedpur case, I do not want to appear that I omitted to refer to that. That was not considered by the State Government to be a fit case for reference to adjudication because there were cases of violence and it was an illegal strike. That was the position or stand taken by the State Government.

Shri C. K. Bhattacharyya: Mr. Speaker, I am much re-assured by the statement of the hon. Deputy Minister that his colleague in the Ministry, the other Deputy Minister, had brought a Bill to this effect in the other House of Parliament, to the same effect as my Bill.

An Hon. Member: When he was not a Minister.

Shri C. K. Bhattacharyya: This re-assures me to think that the Bill which the hon. Deputy Minister, Shri Malviya, found tasteful to him before he was raised to the Ministry would be equally tasteful to him in his ministerial metamorphosis. But, since he has not replied to the debate....

Mr. Speaker: Tastes also change with metamorphosis.

Shri C. K. Bhattacharyya: Sir, I am grateful to you for the reminder. But it does not change so quickly in the human world.

The hon. Deputy Minister who replied to the debate, I believe when he was stating about the opinions of different States on such a matter, quoted the opinion of some States which had stated that the power for dispensing with these procedures should not be vested in conciliation officers as not having much judicial experience. I hope, I have heard him rightly. If that is so, the objection that I would raise is more fundamental.

Section 33 invests the conciliation officers with the power to deal with these proceedings where an employer makes an application to a conciliation officer, conciliation board, labour court tribunal or a national tribunal. The conciliation officer is placed in the same status as the Board, labour court, tribunal or even a national tribunal. It does not lie in the mouth of any State now to say that a conciliation officer should be debarred on the ground that he has no judicial experience. If a State raises such an objection, that objection should not be given any quarter and should be dismissed on the very face of it.

Not only that, the hon. Deputy Minister was quoting some cases. I find in this book the opinion quoted from some law cases in which it is stated:—

“An Industrial Tribunal acts judicially in exercising its powers under section 33 of the Industrial Disputes Act, 1947 and therefore those powers must be exercised in conformity with the general and fundamental principles on which all judicial acts are to be performed.....”

It is on this observation of the highest court in the land that I have taken my stand in bringing forward this amendment and it would break my heart to think that the government of the day or the hon. Minister who represents it in this matter would not give equal consideration to this

observation of the court which I have given.

I shall refer to one more argument in my favour. I shall request the hon. Deputy Minister to refer to section 22 of the Act. In section 22 of the Act it provides:—

“No person employed in a public utility service shall go on strike in breach of contract—

* * *

during the pendency of any conciliation proceedings before a conciliation officer and seven days after the conclusion of such proceedings.”

Shri Prabhat Kar: Section 23 makes it general, that is, for all.

Shri C. K. Bhattacharyya: My contention is that when workers are debarred by law from going on strike because some proceedings are pending before the courts, not only during the proceedings but seven days after that. Why should not the law make the same procedure applicable to the employers and debar them from taking any step whatever during the pendency of the proceedings in a court? These are my contentions and these, I believe, are sound enough to carry conviction to any ministry and any government.

Mr. Speaker: Except his own.

Shri C. K. Bhattacharyya: I hope to carry them with me.

Mr. Speaker: All right; let us see.

Shri C. K. Bhattacharyya: I have pointed out that there is discrimination between the use of the word ‘permission’ in two sub-sections and in the use of the word ‘approval’ in another sub-section. To this point the hon. Deputy Minister has not given any reply. Why should this discrimination be there? Why should not all the sub-sections provide that no action should be taken without getting permission from the court? Why should there be that in two cases permission will have to be taken prior to taking any action by the em-

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ployer while in another case action is to be taken first and approval of the court is to be sought afterwards? The point at question rather appears to be incongruous in the section. No explanation has been given. I wish the hon. Deputy Minister in the Labour Ministry will think over it. Now, I believe, that is the rule of the day—these tripartite meetings—and in such meetings no love is lost. So, let tripartite meetings be held. The suggestion that I have made in the amendment proposed by me may be put before such a meeting so that suitable amendment might come from the Government itself and the section be amended in a way to make it look just and reasonable, not favouring any particular group, between employer and employee.

Shri Prabhat Kar: Take that assurance from the Minister.

Shri K. N. Pande: Sir, may I say something?

Mr. Speaker: Does it boil down to that suggestion or it is something else?

Shri K. N. Pande: No, Sir. I want to put this thing for the consideration of the Labour Minister. The hon. Minister during the course of his speech referred to a standing committee. I always happen to attend that. There is no opposition from the side of the States. Generally, this is not applicable. Generally, their cases are not going to the court. Originally, this position was there in the Industrial Disputes Act. So, if we go to the original position, there is no harm in it. At least, he will convey our message to the Labour Minister for considering that.

Mr. Speaker: Shall I put the question to the vote of the House?

Shri C. K. Bhattacharyya: The Deputy Labour Minister nodded his head when I suggested that it should be put before the tripartite meeting. So, I take it in my favour.

Shri C. R. Pattabhi Raman: Oh, yes.

Shri Prabhat Kar: Take the assurance from the Minister.

Shri C. K. Bhattacharyya: The Minister, I believe, has given some assurance to me that he will put it before the tripartite meeting so that it could be put into effect.

Dr. Ranen Sen: Does he accept it in principle?

Mr. Speaker: Does the hon. Member want the permission of the House to withdraw the Bill?

Some Hon. Members: No, Sir.

Mr. Speaker: Then I have to put it to the House.

Shri C. K. Bhattacharyya: On the assurance of the Minister, I withdraw it.

Mr. Speaker: Has he the permission of the House to withdraw the Bill?

Several Hon. Members: Yes.

Some Hon. Members: No.

Mr. Speaker: If there is even one voice against, I have to put it to the House.

The question is:

"That leave be granted to Shri C. K. Bhattacharyya to withdraw the Bill further to amend the Industrial Disputes Act, 1947."

Those in favour, may kindly say 'Aye'.

Several Hon. Members: Aye

Mr. Speaker: Those against may kindly say 'No'.

Some Hon. Members: No.

Mr. Speaker: The 'Ayes' have it, the...

Some Hon. Members: The 'Noes' have it.

Mr. Speaker: May I ask those hon. Members who are against to stand in their places. They are five only. They are not so serious.

Dr. Ranen Sen: We are serious.

Mr. Speaker: Do you want a division?

Dr. Ranen Sen: Yes.

Mr. Speaker: That is what I was asking. Let the lobby be cleared.

Shri Tyagi (Dehra Dun): Are we expected to say 'Yes' or 'No'?

Mr. Speaker: Should I tell him? It is not the American Senate where the Speaker can canvas.

Now, the lobby has been cleared. I shall now put the motion to vote.

Shri C. K. Bhattacharyya wants leave of the House to withdraw his Bill.

The question is:

"That leave be granted to Shri C. K. Bhattacharyya to withdraw the Bill 'further to amend the Industrial Disputes Act, 1947'."

The Lok Sabha divided:

श्री महादेव प्रसाद (वांसगांव) :
अध्यक्ष महोदय. मेरे वोट का रंग सफेद था
गया है। मैं "आयेज" पर वोट करना
चाहता हूँ।

Shri C. K. Bhattacharyya: The light on my table is not burning.

Mr. Speaker: He wanted to vote for 'Ayes'?

Shri C. K. Bhattacharyya: Yes.

AYES

[16.53 hrs.]

Akkamma Devi, Shrimati
Alva, Shri Joachim
Aney, Dr. M.S.
Barupal, Shri P.L.
Basappa, Shri
Basumatari, Shri
Bhattacharyya, Shri C.K.
Brahm Prakash, Shri
Brajeshwar Prasad, Shri
Chanda, Shrimati Jyotana
Chandrasekhar, Shrimati
Chaudhry, Shri C.L.
Chaudhuri, Shrimati Kamala
Chuni Lal, Shri
Daljit Singh, Shri
Das, Dr. M.M.
Das, Shri B.K.
Dasappa, Shri
Dass, Shri G.
Desai, Shri Morarji
Gackwad, Shri Fatehsinhrao
Hajarnavis, Shri
Hem Raj, Shri
Jamir, Shri S.G.
Jamunadevi, Shrimati

Kanungo, Shri
Kedaria, Shri C.M.
Kindar Lal, Shri
Kripa Shankar, Shri
Lalit Sen, Shri
Laskar, Shri N.R.
Laxmi Bai, Shrimati
Mahadeo Prasad, Shri
Masuriya Din, Shri
Mehrotra, Shri Brij Bihari
Melkote, Dr.
Mengi, Shri Gopal Datt
Mirza, Shri Bakar Ali
Mohsin, Shri
Murti, Shri M.S.
Nayar, Dr. Suahila
Nehru, Shri Jawaharlal
Niranjan Lal, Shri
Pandey, Shri K.N.
Pandey, Shri Vishwa Nath
Panna Lal, Shri
Pant, Shri K.C.
Patel, Shri P.R.
Patil, Shri S.B.

[Division No. 4

Pattabhi Raman, Shri C.R.
Raghunath Singh, Shri
Ram Sewak, Shri
Rao, Dr. K.L.
Rao, Shri Krishnamoorthi
Rao, Shri Ramapathi
Rao, Shri Thirumala
Roy, Shri Bishwanath
Sadhu Ram, Shri
Sen, Shri P.G.
Shastri, Shri Lal Bahadur
Shree Narayan Das, Shri
Siddananappa, Shri
Sidheshwar Prasad, Shri
Sinha, Shri Satya Naryan
Sinha, Shrimati Ramdulari
Sinha, Shrimati Tarkeshwari
Sinha, Shri
Sonevane, Shri
Tiwary, Shri K.N.
Tula Ram, Shri
Tyagi, Shri
Varma, Shri Ravindra
Wasnik, Shri Balkrishna
Yadav, Shri N. P.

NOES

Chaudhuri, Shri Tridib Kumar	Misra, Dr. U.	Shastri, Shri Prakash Vir
Elias, Shri M.	Pottekkatt, Shri	Swamy, Shri Sivamurthy
Kachchavaiya, Shri	Raghavan, Shri A.V.	Yadav, Shri R.S.
Kapur Singh, Shri	Sen, Dr. Ranen	
Kar, Shri Prathat		

Mr. Speaker: The result of the division is as follows:

Ayes: 74; Noes: 12

The 'Ayes' have it, 'the 'Ayes' have it.

The motion was adopted.

Mr. Speaker: The motion is adopted and leave is granted. Now, the hon. Member may withdraw the Bill.

Shri C. K. Bhattacharyya: I withdraw the Bill.

16.55 hrs.

COMPANIES (AMENDMENT) BILL
(Amendment of sections 15, 30 etc.)
by Shri P. L. Barupal

श्री ५० ला० वारूपाल (गंगानगर) :
अध्यक्ष महोदय, मैं प्रस्ताव करता हूँ :

“कि कम्पनीज ऐक्ट, १९५६ में
आगे संशोधन करने वाले बिल पर
विचार किया जाये।”

आजकल नई कम्पनियों के शेर अर बहुत निकले हैं जो कि छोटे-छोटे दस दस रुपये के होते हैं जिनको ग्रामीण लोग खरीद सकते हैं। लेकिन जो कम्पनीज ऐक्ट है उसके अंग्रेजी में होने के कारण वे लोग उसको समझते नहीं हैं इसलिये उसके नफे के और कानून के सम्बन्ध में उनको किसी बात का ज्ञान नहीं होता है। इसलिये मैं समझता हूँ कि अगर कम्पनी ऐक्ट को हिन्दी में भी छपा जाय तो जो लोग अंग्रेजी नहीं जानते वे उसको समझ सकेंगे। यः ऐक्ट बहुत बड़ा है और अंग्रेजी में है। मैं स्वयम् अंग्रेजी नहीं जानता इसलिये मैं इसको ज्यादा समझ नहीं पा रहा हूँ। इसके सम्बन्ध में जो कठिनाइयाँ उत्पन्न होती हैं उनको देखते

हुए मैं कुछ सुझाव देना चाहता हूँ और कहना चाहता हूँ कि इसकी धारायें यह और होनी चाहियें :

- (१) प्रत्येक पब्लिक कम्पनी अपने अनु-च्छेद और ज्ञापन। आर्टिकल और मेमोरेन्डम। अंग्रेजी के साथ साथ हिन्दी में अवश्य छपायें।
- (२) मैनेजिंग एजेन्सी तथा विक्रय एजेन्सी इत्यादि जैसी महत्वपूर्ण दस्तावेजों को भी हिन्दी में तैयार होना चाहिये।
- (३) कम्पनियों के नाम और पते उनके पत्रों पर अंग्रेजी के साथ साथ हिन्दी में भी लिखे होने चाहियें।
- (४) वार्षिक आय व्यय (बैलेन्स शीट), डायरेक्टरों की रिपोर्ट, आडिट रिपोर्ट इत्यादि अंग्रेजी के साथ साथ हिन्दी में छपनी चाहिएं।
- (५) शेयर पत्र के विवरण अंग्रेजी के साथ साथ हिन्दी में भी छपने चाहियें।

बड़े दुःख के साथ कहना पड़ता है कि मैं यहां पर आज बार-बार वर्षों से हूँ, लेकिन मुझे कोई भी बिल हिन्दी में देखने को नहीं मिला। जब तक हम हिन्दी भाषी लोग बिल को अच्छी तरह से समझ न लें, देख न लें, तब तक हमको बड़ी कठिनाई होती है। कि किस प्रकार से अपने विचार आपके सामने रखें और किस प्रकार अपने सुझाव दें? अगर कोई ऐक्ट या बिल हिन्दी में तैयार होते तो हम भी थोड़ा बहुत उनको समझ पाते और यः मः सूस करते कि हमारा सःयोग भी लिया जा रहा है।

आज स्थिति यह नहीं है कि हिन्दी भाषी जो लोग हैं क्या उनमें अक्ल नहीं होती या अंग्रेजी जानने वाले समझदार होते हैं उतने समझदार हिन्दी भाषी नहीं होते। अगर बिल हिन्दी में आते तो हम भी अपनी बुद्धि के अनुसार उसमें जो खामी पाते, जिस धारा से जनता को लाभ न पहुँचता, उसका संशोधन करने के लिये अनुरोध करते। लेकिन अफसोस की बात है कि इतने वर्ष हो जाने पर भी, बार बार हमारे कहने पर भी हिन्दी में विधायक नहीं आते हैं जिससे हिन्दी भाषी लोगों का बहुत नुकसान होता है। अंग्रेजी जानने वालों का नुकसान नहीं होता है, नुकसान तो केवल हिन्दी वालों का होता है। कोई भी आज हमसे पूछे कि क्या कानून यहाँ बनते हैं, उस कानून के बनने से किसानों का मजदूरों का और मिडिल-मैनो का लाभ होता है या नहीं, तो हम क्या जवाब दें? कारण यह है कि सारी यहाँ की कार्रवाई तो अंग्रेजी में होती है।

इसलिये मैं अर्ज करता हूँ कि जो सुझाव मैं ने दिये हैं उन पर सदन गम्भीरता पूर्वक विचार करे ताकि भविष्य में जो भी कानून बनें, जो भी एक्ट बनें, इस सदन के अन्दर जो भी बिल आयें, वे हिन्दी में आयें। हिन्दी हमारी राष्ट्रभाषा है, यहाँ हम अपने संविधान में मान चुके हैं। लेकिन राष्ट्रभाषा होते हुए भी हिन्दी की उपेक्षा की जाय, हिन्दी के राष्ट्रभाषा होते हुए भी यहाँ हिन्दी में कानून न बनें यह बड़े दुःख की बात है और यहाँ हमारे संविधान की अवहेलना है। मैं समझता था कि हम हिन्दी वाले यहाँ कुछ तरक्की करेंगे लेकिन मैं मसूस करता हूँ कि बजाय हमारे आगे बढ़ने के हम हिन्दी वालों को ही अंग्रेजी वालों के पैर पकड़ने पड़ते हैं क्योंकि हम हिन्दी में पत्र लिखते हैं तो उनका जवाब भी नहीं आता है।

अध्यक्ष महोदय : यहाँ पर आम सवाल हिन्दी का नहीं है। सवाल उसका है जो कि आप कम्पनी ला के ऊपर संशोधन ला रहे हैं।

श्री प० ला० बाबूपाल : मैं उस कम्पनी एक्ट के सम्बन्ध में ही कर्ता हूँ। मैं आपसे निवेदन करता था कि कम्पनी एक्ट के संशोधन के लिये मैं ने जो विधेयक यहाँ रक्खा है, उसमें जो हमारे दूसरे जानकार लोग हैं वे मेरी मदद करेंगे और इसमें जो खामियाँ रह गई हैं उनको निकालने में वे सहायता करेंगे। मैं उम्मीद करता हूँ कि वे कम्पनी एक्ट को हिन्दी में छपवाने के लिये भी जोर देकर कहेंगे।

Mr. Speaker: Motion moved:

"That the Bill further to amend the Companies Act, 1956, be taken into consideration".

मिनिस्टर।

कुछ माननीय सदस्य : खड़े हुए।

अध्यक्ष महोदय : मैंने तो आप लोगों की तरफ देखा था लेकिन आप में से कोई उठा नहीं।

श्री सिंहासन सिंह : (गोरखपुर) : हम लोग घड़ी की तरफ देख रहे थे कि समय हो गया है।

श्री यशपाल सिंह (कैराना) : मेरा ख्याल था कि आप "यस" या "नो" के लिए कर्तारहे हैं।

अध्यक्ष महोदय : मैं शायद ऐसी जबान में नहीं बोला था जो कि आप न समझते हों। अब यहाँ आगे जारी रहेगा।

Discussion on this Bill will continue on the next day.

17 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Monday, September 2, 1963/Bhadra 11, 1885 (Saka).

[Friday, August 30, 1963/Bhadra 8, 1885 (Saka)]

ORAL ANSWERS TO QUESTIONS		COLUMNS	WRITTEN ANSWERS TO QUESTIONS—contd.		COLUMNS
S.Q. No.	Subject		U.S.Q. No.		
388	Electricity for Small Scale Industries	3517—21	1176	Indian companies	3566
389	Fertilizer plants	3521—26	1177	Bye-elections in Uttar Pradesh	3566—67
390	Fertilizer plant at Gorakhpur	3526—28	1178	Tea production	3567—68
394	International Fair at Budapest	3529—31	1179	Cement quota for Orissa	3568
397	Powerlooms in West Bengal	3531—34	1180	Industrial licences for Rajasthan	3569
398	Small Scale Industry	3534—38	1181	Development of sericulture in Rajasthan	3569
400	Brake lining for motor vehicles	3538—39	1182	Khadi and Village Industries Board, Rajasthan	3570
401	Fuel efficiency in Indian industry	3539—41	1183	Non-ferrous metal	3570—71
403	Punjab Shawl Industry	3541—45	1184	Nationalisation of audit	3571—72
407	Morris cars	3545—49	1185	Export of marine products	3572
408	Steel production	3550—53	1186	India's participation in International Fairs	3572
409	Steel factory in Kerala	3554—55	1187	Lemon grass oil	3572—73
410	Export of lac	3555—56	1188	Indian rose wood	3573—74
WRITTEN ANSWERS TO QUESTIONS 3556—3603			1189	Steel products	3574
S.Q. No.			1190	Duping of Indian businessmen by a Brazilian firm	3574—75
391	Production capacity of industries	3536—57	1191	Foreign investments in India	3575—76
392	Handloom industry	3557	1192	Techno-Economic Survey	3577
393	Steel Plates from U.K.	3557—58	1193	Cement production	3577
395	Glass factory at Hyderabad	3558	1194	Industrial Survey of Rajasthan	3577—78
396	Manufacture of special steels and Alloys	3559—60	1195	Carpet factory in Rajasthan	3578—79
399	Parliamentary bye-elections	3560	1196	Sewing Machine Components	3579
402	Synthetic Rubber Factory at Bareilly	3561	1197	Bye-elections in Kerala	3579—80
404	Wool	3561	1198	Tea export	3580—81
405	Production of turbines and generators	3561—62	1199	Export of paper	3581
406	Co-operative Handloom Units in Kerala	3562	1200	Grant of licences	3581—82
411	Projects to be set up with Czech aid	3562—63	1201	Export of wool from Rajasthan	3582—83
412	Exports to Ceylon	3563—64	1202	Fertilizers	3583
413	Trade agreement with Pakistan	3564—65	1203	Manufacture of special steel	3583—84
414	Durgapur Steel Plant	3565	1204	Cotton from U.S.A.	3584—85
415	Textile Machinery Industry	3565—66	1205	Quality control and pre-shipment inspection	3585
			1206	Rubber tyre prices	3585
			1207	Railway freight concession on cotton yarn	3586
			1208	Foreign exchange for machinery	3586—87

**WRITTEN ANSWERS TO
QUESTIONS—contd.**

U.S.Q. No.	Subject	COLUMNS
1209	Coffee production . . .	3587-88
1210	Import of wood . . .	3588
1211	Excise duty on powerlooms	3588-89
1212	All India Printers' Conference . . .	3589
1213	State Trading Corporation	3590
1214	Steel and iron industries	3590-91
1215	Newsprint factory . . .	3591
1216	Export of Indian liquor	3591-92
1217	Technical Director in Heavy Electricals . . .	3592
1218	Heavy Electricals, Bhopal	3592-93
1219	Coment quota for Orissa	3593-94
1220	Glass factory in Orissa . . .	3594
1221	Managing agencies . . .	3594
1222	Drug prices . . .	3595
1223	Export of Kuth . . .	3595
1224	H.M.T. watches . . .	3595-96
1225	Silk . . .	3596-97
1226	Export of sewing machines	3597
1227	Cement factory in U.P.	3597-98
1228	Handloom weavers' colony in Delhi . . .	3598
1229	All India Handloom Weavers' Congress . . .	3598-99
1230	Khadi production in Andhra Pradesh . . .	3599
1231	Village industries in Andhra Pradesh . . .	3599
1232	Replies in Hindi to Hindi letters . . .	3599-3600
1233	Small industries in Uttar Pradesh . . .	3600
1234	Translation of Central Acts and Manuals . . .	3600-01
1235	Visit to foreign countries	3601
1236	Small Industries Service Institute, Silchar . . .	3602
1237	Price of cotton . . .	3602-03

**CALLING ATTENTION TO
MATTER OF URGENT
PUBLIC IMPORTANCE** 3603-12

Shri Raghunath Singh called the attention of the Prime Minister to the ill-treatment of Buddhists in South Vietnam.

The Prime Minister (Shri Jawaharlal Nehru) made a statement in regard thereto.

**PAPERS LAID ON THE
TABLE** . . . 3612-17
COLUMNS

- (i) The following statement showing the action taken by the Government on various assurances, promises and undertakings given by Ministers during the various sessions shown against each :—
- (i) Supplementary Statement No. III—Fourth Session, 1963 (Third Lok Sabha)
- (ii) Supplementary Statement No. VII—Third Session, 1962-63 (Third Lok Sabha)
- (iii) Supplementary Statement No. IX—Second Session, 1962 (Third Lok Sabha)
- (iv) Supplementary Statement No. XII—First Session, 1962 (Third Lok Sabha)
- (v) Supplementary Statement No. XI—Fifteenth Session, 1961 (Second Lok Sabha)
- (vi) Supplementary Statement No. XVIII—Eleventh Session 1960 (Second Lok Sabha)
- (2) A copy of the Rubber (Third Amendment) Rules, 1963 published in Notification No. G.S.R. 1298 dated the 10th August, 1963, under sub-section (3) of section 25 of the Rubber Act, 1947
- (3) A copy of Report of the Study Team on Panchayati Raj Finances, 1963 (Part I)
- (4) A copy of Twenty-fourth Report of the Law Commission on the Commissions of Inquiry Act, 1952.

**STATEMENT BY PRIME
MINISTER—** . . . 367-8

The Prime Minister (Shri Jawaharlal Nehru) made a statement regarding resignations from the Council of Ministers and consequent change in the portfolios of certain Ministers.

	COLUMNS		COLUMNS
MESSAGE FROM RAJYA SABHA	3628	PRIVATE MEMBER BILL NEGATIVED—	
Secretary reported a message from Rajya Sabha that Rajya Sabha had no recommendations to make to Lok Sabha in regard to the Appropriation (No. 4) Bill, 1963, passed by Lok Sabha on the 20th August, 1963.		House divided, Ayes : 34; Noes 87 and accordingly the motion was negatived.	
BILL UNDER CONSIDERATION	3639-82	PRIVATE MEMBER'S BILL WITHDRAWN	3606-43
Discussion on the motion to consider the Public Premises (Eviction of Unauthorised Occupants) Amendment Bill, and the amendment thereto for reference of the Bill to a Select Committee, continued. The discussion was not concluded.		Shri C.K. Bhattacharyya moved that the Industrial Disputes (Amendment) Bill, (Amendment of section 33), be taken into consideration. Shri Bhattacharyya also replied to the debate. On the motion to withdraw the Bill, the House divided, Ayes 74 Noes 12. Accordingly the motion was adopted and the Bill was withdrawn.	
REPORT OF COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS ADOPTED	3682-83	PRIVATE MEMBER'S BILL UNDER CONSIDERATION	3743-46
Twenty-fourth Report was adopted.		Shri P.L. Barupal moved for consideration of the Companies (Amendment) Bill (Amendment of sections 15, 30 etc.) The discussion was not concluded.	
PRIVATE MEMBERS' BILL NEGATIVED	3683-3706	AGENDA FOR MONDAY, SEPTEMBER 2, 1963, BHADRA 11, 1885 (SAKA)	
Discussion on the motion to consider the Constitution (Amendment) Bill, (Amendment of article 368), moved by Shri Hari Vishnu Kamath on 16-8-63, was resumed. Shri Kamath replied to the debate. On the motion for consideration of the Bill, the		Further consideration of the Public Premises (Eviction of unauthorised Occupants) Amendment Bill, and passing thereof; and discussion on the motion re : Reports of Commissioner for Scheduled Castes and Scheduled Tribes	