

**LOK SABHA
DEBATES**

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**LOK SABHA SECRETARIAT
NEW DELHI**

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4761

LOK SABHA

Thursday, October 1, 1964/Asvina 9,
1886 (Saka)

The Lok Sabha met at Eleven of the
Clock

[Mr. Speaker in the Chair]

ORAL ANSWERS TO QUESTIONS

Employment Target for Fourth Plan

+
 { Shri S. M. Banerjee:
 Shri P. C. Borooh:
 Shri P. R. Chakraverti:
 *503. { Dr. L. M. Singhvi:
 Shri Bagri:
 Shri Balmiki:
 Dr. P. S. Deshmukh:
 Shri D. C. Sharma:

Will the Minister of Planning be
pleased to state:

(a) the employment target fixed
for the Fourth Five Year Plan; and

(b) the extent to which the em-
ployment and job creation targets
for the Third Plan period are expect-
ed to be achieved and the estimated
back-log with which the Fourth Plan
is expected to commence?

The Minister of Planning (Shri B.
R. Bhagat): (a) The Employment
target for the Fourth Plan is yet
under consideration.

(b) It is estimated that additional
employment of the order of about 13
million will have been created dur-
ing the Third Plan period. The
Fourth Plan may start with an un-
employment backlog of 12 million.

Shri S. M. Banerjee: May I know
whether the Government contem-
plates to start the scheme of giving
unemployment dole during the
Fourth Plan?

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Shri B. R. Bhagat: The Fourth
Plan is under preparation, and its
strategy, objectives and details be
known only when it is finalised.

Shri S. M. Banerjee: I would like
to know whether it is a fact that the
employment target which was en-
visaged in the Third Five Year Plan
has failed; if so, may I know what
steps Government propose to take to
see that the employment potentiali-
ties in the Fourth Plan increases?

Shri B. R. Bhagat: It has not fail-
ed. It was not realised fully.

Dr. L. M. Singhvi: To that extent
it has failed.

Shri B. R. Bhagat: It is not a fail-
ure. 13 million additional employ-
ment has been created. The Third
Plan provided a little more—16 to 17
million. But because the agricul-
tural or other targets could not be
realised, consequently, the employ-
ment target has suffered. Therefore,
it is not a failure.

Shri S. M. Banerjee: Sir, I want to
make a submission.

Mr. Speaker: He wants to know
what the Government is going to do
in the Fourth Plan to make up this
deficiency.

Shri S. M. Banerjee: Sir, in the
First Plan it was 8 million, in the
Second Plan it was 11 million and
now it is 13 million. They are creat-
ing an illusion in the mind of the un-
employed people. Let them be am-
bitious, but we only request that
them be have a realistic approach
with regard to this unemployment
position.

Dr. L. M. Singhvi: May I know
whether the Perspective Planning
Division of the Planning Commission
has gone into the question of the

added volume of unemployment backlog in each Plan in the country; if so, may I know what are the specific recommendations made by the Perspective Planning Division and the Planning Commission as a whole for solving and tackling this problem effectively so that at the end of the Fourth Plan there is no backlog and there is no unemployment problem to be solved? Is that a possibility?

Shri B. R. Bhagat: Various recommendations have been made by the Perspective Planning Division, the Labour Ministry, the Employment Division of the Planning Commission and so on, and the thinking going on is that in the Fourth Plan, as a result of the size and strategy of planned development giving more emphasis on employment, not only the backlog is to be wiped out but the additional labour force is also to be absorbed. That is the thinking going on. We will come to this House when the details are ready.

Dr. L. M. Singhvi: I wanted to know the specific suggestions made by this Division and he says that some thinking is going on.

Mr. Speaker: Should the recommendations made be disclosed now when decisions have not yet been taken? It is only in the formative stage yet.

Dr. L. M. Singhvi: Sir, I rise to a point of order. If it cannot be asked as to what suggestions have been made, how can we possibly assess or give directions to the Government in the formulation of the Plan?

Mr. Speaker: We will discuss that here.

श्री बागड़ी : योजना मंत्री क्या यह बतलाने की कृपा करेंगे कि इन तीनों योजनाओं में उद्योगों को कितना बढ़ावा मिला है ? अंग्रेजों के शासन काल में उद्योगों का कौन सा दर्जा था, अब क्या है और इस तीसरी योजना

के कामयाब हो जाने के बाद उद्योगों का कौन सा दर्जा हो जायेगा ?

श्री बा० रा० भगत : माननीय सदस्य उद्योगों की बाबत पूछ रहे हैं जबकि यह सवाल एम्प्लायमेंट का है और इसलिए उनका उद्योग का सवाल इससे सम्बन्धित नहीं है ।

श्री बागड़ी : अब प्लानिंग की जो योजना बनाते हैं तो वह उद्योगों के बारे में भी होती है और इस नाते मैं पूछना चाहता हूँ कि अंग्रेजी राज्य के अन्दर उद्योगों का नक्शा क्या था, अब क्या है और योजना के कामयाब हो जाने के बाद क्या नक्शा देश के उद्योगों का बनेगा ?

श्री बा० रा० भगत : जाहिर है कि देश में उद्योग काफी बढ़े हैं । यह सवाल एम्प्लायमेंट का है उद्योगों का नहीं है और उद्योगों की बाबत जानकारी प्राप्त करने के लिए माननीय सदस्य को अलग से सूचना देनी चाहिए ।

Shri D. C. Sharma: May I know if the Government is thinking of having any new labour-intensive schemes during the remaining period of the Third Plan and the Fourth Plan and, if so, what are they?

Shri B. R. Bhagat: So far as the remaining one and a half years of the Third Plan are concerned we are trying to intensify the activities so as to achieve the target which will generate employment, whether it is in the agricultural sector, or the rural works programme or the decentralised sector. So far as the Fourth Plan programme is concerned, as I said earlier, it is being examined so as to evolve a strategy of plan with greater emphasis on employment so as to absorb not only the backlog of unemployed people but also the new labour force. A clearer picture will emerge when the Fourth Plan is finalised.

Mr. Speaker: His question was whether there was any employment-intensive schemes.

Shri B. R. Bhagat: For the remaining period of the Third Plan, we are trying to implement more actively the employment generating schemes in the agricultural sector in the rural works programme. In the Fourth Plan, which of the sectors like rural works programme, decentralised sector or small scale industries sector should be expanded so as to absorb more people, all that is under examination.

Shri P. Venkatasubbaiah: May I know whether the hon. Minister is aware that while there is a backlog in employment, there is also dearth of labour, so far as the agricultural sector is concerned, with the result that agricultural production is very greatly hampered? If so, will it be co-ordinated with other sectors of planning.

Shri B. R. Bhagat: That is also true. These are structural gaps in the employment situation. While on the one hand in certain areas at certain times a large number of people are unemployed, at certain times, particularly during the agricultural operation there is shortage of labour. Both phenomena are going on simultaneously.

श्री श्रीकार साल बेरवा : पिछली योजना में सर्विसेज में शेड्यूल्ड कास्ट्स के लिए रिजर्वेशन का जो कोटा रखा गया था वह पूरा कर लिया गया है अथवा नहीं और अगर पूरा नहीं हो पाया है तो उस का क्या कारण है ?

श्री ब० रा० भगत : प्रनएम्प्लायमेंट में रिजर्व कोटा का क्या सवाल है ? प्रनएम्प्लायमेंट में तो सब के लिए है ।

Dr. Sarojini Mahishi: May I know on what basis the hon. Minister has calculated this backlog of unemployment for the Fourth Plan?

Shri B. R. Bhagat: First of all, we take into account the rate of growth in population. That gives the figure of additional labour force that is

created. We also find out the labour force in operation for the past twenty years and then find out the backlog.

Shri Bade: Is it a fact that according to the figures of the employment exchanges the number of educated unemployed is growing and there is no scheme for their employment in the Fourth Plan? Have you got any schemes for providing employment to educated college students in the Fourth Plan?

Mr. Speaker: This halting and slow process of putting a supplementary loses the whole charm of that thrust that must go straight into the Minister's chest.

Shri Bade: I was trying to find out whether they have any schemes....

Mr. Speaker: It must come out like an arrow. Otherwise, the whole charm is lost. They should be crisp, small and concise. They should suddenly get up and fling a supplementary like an arrow.

Shri Daji: But the difficulty is that the Ministers are not able to follow.....

Mr. Speaker: If the questions are straight, short and concise, I will certainly ask the Ministers also to give such answers. But if the question comes up haltingly and is general and vague the answer is also bound to be in that language. Now the Minister may answer the question of Shri Bade.

Shri D. C. Sharma: The supplementary has hit the Minister like an arrow.

Shri B. R. Bhagat: It is true that educated unemployment is a serious problem. We are trying to re-orientate the whole educational system so as to give them more vocational and technical training so as to absorb the whole or at least a part of the educated unemployed.

श्री अचल सिंह: तीसरी योजना में एक करोड़ आदमियों को काम देने का विचार किया गया था। वास्तव में कितने आदमियों को काम मिला ?

श्री ब० रा० भगत: एक करोड़ नहीं, बहुत आदमियों को काम दिया गया है।

Shri Ramanathan Chattiar: At the time of the formulation of the third Five Year Plan, it was stated that there would be an unemployment of 14 million and now, from the Minister's statement it is seen that it will be 12 million. Are we to understand that two million have been absorbed within the two years of the third Five Year Plan?

Shri B. R. Bhagat: No, Sir. I do not mean that. I said that actually the backlog has increased and not reduced.

Shri Hem Barua: May I know if it is not a fact that nearly half the jobs so far created in the third Plan have gone to swell our Parkinson's army, that is, to swell the number of Assistant Secretaries, Superintendents, Upper and Lower Division Clerks, etc., and may I know whether the Plan originally targeted for these unproductive jobs also?

Shri B. R. Bhagat: Maybe, some unproductive jobs—

Mr. Speaker: This question can be understood by a professor alone!

Shri B. R. Bhagat: The emphasis has been to create productive jobs, but in the process, some unproductive jobs might have been created.

Leave Facility for Industrial Workers

*504. **Shri S. M. Banerjee:** Will the Minister of Finance be pleased to state:

(a) whether it is a fact that the recommendation of the Pay Commission regarding leave facility for industrial workers has not yet been implemented; and

(b) if so, the reason for this abnormal delay?

The Minister of Planning (Shri B. R. Bhagat): (a) and (b). All recommendations of the Pay Commission regarding leave entitlement of industrial employees in Civil Departments, except those relating to earned leave and accumulation of earned leave, were accepted by Government. As the implementation of the recommendations relating to the rate of earning earned leave and accumulation thereof involved in some cases deliberalisation of the existing leave terms of industrial employees, it has been decided to have the views of the National Joint Council when it is set up before taking a decision.

Shri S. M. Banerjee: The Pay Commission report was submitted on 1st July, 1959, more than years ago. Whereas the recommendations were unanimous in nature, I would like to know why the Government has deviated from those recommendations and why they want to amend those recommendations?

Shri B. R. Bhagat: It is not true that all the recommendations have not been accepted. In this category concerning industrial employees of the Central Government, there were as many as seven recommendations. Six have been accepted; only in one case which concerns earned leave and accumulation of earned leave, the recommendations are in the nature of de-liberalisation, and if we accept the recommendations, the employees will be worse off, and that is why, it could not be accepted.

Shri S. M. Banerjee: I would like to know whether it is within the knowledge of the hon. Minister that all the civilian defence employees throughout the country, who are industrial employees, are to be benefited by this, and, if so, may I know whether it is not a fact that all the All-India Defence Employees' Federation made repeated requests that these

should be implemented immediately without further delay?

Shri B. R. Bhagat: That might have been so; I am not aware of that.

Shri S. M. Banerjee: Sir, may I seek your protection? This is the recommendation of the Pay Commission, and it seems that the Minister has not gone through it.

Mr. Speaker: If the recommendation was made by the workers, perhaps it must have been implemented.

Shri S. M. Banerjee: The hon. Minister stated that one of the recommendations would affect the workers adversely, though in some cases, as for example, the railway employees and others are accepting it.

Mr. Speaker: The hon. Minister has appreciated the implications.

श्री हुकम चन्द कछवाय : क्या मंत्री महोदय बताने की कृपा करेंगे कि मारे स्वर्गीय प्रधान मंत्री, श्री जवाहरलाल नेहरू, के जन्म-दिन, 14 नवम्बर की छुट्टी भी इन कारखानों में रखने का सरकार का विचार है ?

अध्यक्ष महोदय : यह सवाल यहाँ नहीं उठता है ।

Shri Daji: We would like to be told as to what the recommendations of the Pay Commission are, and what are the prevailing rules on the subject, so that one would be able to appreciate the deliberating effect?

Shri B. R. Bhagat: The provisions of the Factories Act are applicable to most of the industrial employees of the Central Government, and the Factories Act provide facilities for leave and other things. If you compare the terms under the Factories Act and the terms under the Pay Commission's recommendations,

you will find that the terms under the Factories Act in respect of these two matters, that is, earned leave and its accumulation, are more liberal than that. That is the reason why the Cabinet after considering that did not accept it because it would leave the employees worse off.

Shri Daji: On a point of order, Sir. My question was straight as an arrow, but it has been deflected. I wanted to know as to what were the existing terms and what was recommended by the Pay Commission so that we can judge it. I do not want a lecture; I want to know the number of days of earned leave.

Mr. Speaker: These are contained in accessible documents and should not, therefore, be asked for.

Shri Indrajit Gupta: I would like to know, if this matter is so clear as the Minister has stated, why he stated in his answer that it would be referred to the joint council whenever that joint council might come into existence in the distant future.

Shri B. R. Bhagat: Because the Government was absolutely clear, they took a decision taking all these things into consideration. But, as he said, some organisations might still agitate or think like that; therefore, this provision was made that when the joint council was formed this matter could be settled.

पाकिस्तान द्वारा देय घन

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* 505. { श्री म० ला० द्विवेदी :
श्रीमती सावित्री निगम :
श्री स० चं० सामन्त :
श्री सुबोध हंसदा :
श्री विद्याचरण शुक्ल :
श्री बिशानचन्द्र सेठ :

क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) विभाजन से अब तक पाकिस्तान सरकार द्वारा देय घन को वसूल करने के बारे

में भारत सरकार द्वारा क्या कदम उठाये जा रहे हैं; और

(ख) इस धन को वसूल करने के लिये अब तक क्या प्रयत्न किये गये हैं ?

योजना मंत्री (श्री ब० रा० भगत) : (क) और (ख). इस सवाल पर दोनों देशों में लम्बे अर्से से बातचीत चल रही है। लेकिन अभी तक कोई ऐसा हल नहीं निकल सका जिस पर दोनों सहमत हों।

श्री म० ला० द्विवेदी : मैं यह जानना चाहता हूँ कि इस समय तक कुल कितनी रकम पाकिस्तान पर चढ़ी हुई है, पाकिस्तान उस के सम्बन्ध में क्या हीला-हवाला दे रहा है और समझौता होने में क्या कठिनाइयाँ हैं।

श्री ब० रा० भगत : यह बात तो कई बार सदन में आ चुकी है। हम ने अभी एक डिमांड रखा है कि पाकिस्तान पर हमारी यह रकम वापस चाहिए। पाकिस्तान उस को नहीं मानता है। यह सारी तफ़्सील सदन के मामले आ चुकी हैं।

श्री म० ला० द्विवेदी : मैं ने यह पूछा है कि कुल कितनी रकम बाकी है।

अध्यक्ष महोदय : अगर यह सवाल पहले भी इस हाउस में आ चुका है, तो माननीय सदस्यों को पिछले जवाब को भी देखना चाहिए।

श्री म० ला० द्विवेदी : क्या विगत पांच छः महीने में इस विषय में कोई प्रयत्न किया गया है और क्या निकट भविष्य में इस का कोई प्रयत्न किया जायेगा; यदि हाँ, तो क्या ?

श्री ब० रा० भगत : भारत की तरफ से प्रयत्न करने का सवाल नहीं उठता। पिछली बार बातचीत हुई थी, जिस के बारे में एक बयान हमारे वित्त मंत्री ने रखा था। उस में कहा गया था कि पाकिस्तान सरकार भारत सरकार के वित्त मंत्री को निमंत्रण भेजेगी।

अब तक पाकिस्तान सरकार ने वह निमंत्रण नहीं भेजा है। उस की ओर से बातचीत की कोई चर्चा नहीं है। इस लिए हमारी तरफ से बातचीत करने का कोई सवाल नहीं है।

Shrimati Savitri Nigam: As you yourself are aware, Sir, the Indian Government and the Indian people are the sufferers; so, I would like to know whether in the present case the Pakistan Government is not forthcoming what the Indian Government is thinking of doing and whether any fresh communication is going to be sent in the near future.

Shri B. R. Bhagat: The latter part is a suggestion for action. In a matter like this, when these long protracted difference and difficulties are there, if it is to be settled through negotiations, one can only have patience.

श्री प्रकाशवीर शास्त्री : वित्त मंत्री जी ने कहा है कि पाकिस्तान के द्वारा इस सम्बन्ध में कुछ अडचनें पैदा की जा रही हैं। मैं यह जानना चाहता हूँ कि भारत सरकार द्वारा अनुमानित राशि कितनी है और पाकिस्तान अपनी कितनी राशि क्लेम करता है।

श्री ब० रा० भगत : ये आंकड़े तो दिये जा चुके हैं।

अध्यक्ष महोदय : अगर वे इतना वक्त हैं, तो बता दीजिये, क्योंकि पहले भी एक माननीय सदस्य ने यह सूचना मांगी थी।

श्री ब० रा० भगत : इस वक्त मेरे पास ये आंकड़े नहीं हैं।

Shri Ramanathan Chettiar: What is the total amount due from Pakistan, what is the amount of interest that is due from Pakistan and when was the last occasion when the Finance Ministers of Pakistan and India had discussed this matter?

Shri B. R. Bhagat: The matter was discussed during the early part of

1960 and then the Finance Minister made a statement in this House when it was said that we expected further invitation from the Pakistan Government to discuss this matter. Since then it has not come. There, for example, Pakistan raised a big, unrealistic figure of Rs. 900 crores on account of income tax arrears on the date of Partition as against our figures as a bargaining counter.

श्री यशपाल सिंह : क्या सरकार यह बता सकती है कि कब तक यह बातचीत चलेगी और अगर बातचीत से यह मसला तय नहीं हुआ, तो सरकार क्या कदम उठाने जा रही है ?

श्री ब० रा० भगत : यह तो नहीं कहा जा सकता है ।

अध्यक्ष महोदय : यह तो ज़िन्दगी के साथ चलेगा ।

श्री हुकम चन्द कछवाय : नकद पैसे के अलावा सोना चांदी और हीरों का कितना रिजर्व उनके पास रह गया है और उस में से अभी तक उन्होंने कितना लौटाया है ?

श्री ब० रा० भगत : अभी तक लौटाया कुछ नहीं है । सोने चांदी के जेवरों का तो सवाल नहीं है । कुछ रिजर्व बैंक के एसेट्स हैं, उस में सोने की बात आ सकती है, जेवर की कोई बात नहीं है ।

श्री हुकम चन्द कछवाय : कितना सोना लौटाया है ?

श्री ब० रा० भगत : इसके लिये सूचना चाहिये ।

Shri P. R. Chakraverti : May I know whether the Government has taken into account while estimating the amount of dues from Pakistan the valuable properties left by East Pakistan refugees squeezed out by Pakistan as a result of genocide?

Shri B. R. Bhagat : Our total claims are under various heads, not only

the immovable property but also the movable liabilities, pension liabilities and other things. All these have been totalled up.

Shri Shinkre : Have the Government in any manner connected the question of repayment of debt by Pakistan with the general question of easing of Indo-Pakistan relations thereby having not been very strict in their demand?

Shri B. R. Bhagat : Who have not been very strict?

Shri Shinkre : I am suggesting it.

Mr. Speaker : That suggestion might be taken into account.

श्री हुकम चन्द कछवाय : अध्यक्ष महोदय, वह जवाब दे रहे थे कि रिजर्व बैंक में कितना हमारा सोना रह गया है ?

अध्यक्ष महोदय : उन्होंने कहा है कि इस वक्त उनके पास इसकी सूचना नहीं है ।

श्री हुकम चन्द कछवाय : उनके पास है, वह कुछ कहने जा रह थे ।

अध्यक्ष महोदय : उनके पास नहीं है तो मैं निकलवा तो नहीं सकता हूँ ।

श्री जगदेव सिंह सिद्धान्ती : नहरी पानी का और बिजली का कितना रुपया पाकिस्तान की तरफ वाजिब है ?

श्री ब० रा० भगत : पानी का मामला तो दोनों देशों में तय हो गया है । और बिजली—

अध्यक्ष महोदय : तय हो गया तो कुछ रकम भी मिल गई या रकम वहीं रही और तय हो गया ?

श्री ब० रा० भगत : इसका लिए अलग से सूचना चाहिये ।

Shri Hem Barua : On the political plane, India's attitude towards Pakistan is one of meek submissiveness. May I know how far this political attitude has had its impact on finan-

cial matters, that is, in the collection of our legitimate dues from Pakistan?

Shri B. R. Bhagat: I do not accept the insinuation of the hon. Member. We are neither submissive nor unduly aggressive. We are very realistic in dealing with them.

Shri Shivaji Rao S. Deshmukh: May I know what is Government's estimate of the value of Pakistani assets in India, both private and State?

Shri B. R. Bhagat: According to us, our figure is very much less than the figure that they have claimed, that is, Rs. 900 crores. We have not given an exact figure because we know that once we give a figure like that, they will start from that point.

Mr. Speaker: How could it be less when our surplus evacuee property claims are Rs. 2000 crores and they have claimed only Rs. 900 crores? Rs. 2000 crores were simply for the excess that we had so far as the evacuee property was concerned.

Shri D. C. Sharma: It is an accepted principle of finance that debits are balanced against credits and credits are balanced against debits. Is it not a fact that though Pakistan owes us a lot of money, still we have been paying it money in terms of the Indus Water Treaty and why is it that the money in terms of the Indus water that we owe to them has not been credited to their accounts so far as this country is concerned?

Shri B. R. Bhagat: That Indus Water Treaty has been entered into separately. That has not been treated as a part of this.

Mr. Speaker: That is a fact that we have been paying them whatever they had to draw from us without having our claims adjusted in that. This is the question. Next Question.

दिल्ली बृहद् योजना

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* 506. { श्री प्रकाशबीर शास्त्री :
श्री यशपाल सिंह :

क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगे कि :

(क) दिल्ली की बृहद् योजना को अन्तिम रूप देने के बारे में और क्या प्रगति हुई है ;

(ख) दोनों पड़ोसी राज्यों में हुई बातचीत के क्या परिणाम निकले ; और

(ग) ये योजना क्रियान्विति के लिये कब तक तैयार हो जायेगी ?

स्वास्थ्य मंत्री (डा० सुशीला नायर) :

(क) दिल्ली वृहद् योजना को पहले ही अन्तिम रूप दिया जा चुका है और 1 सितम्बर, 1962 से यह लागू हो गई है ।

(ख) दिल्ली वृहद् योजना, जहाँ तक रिंग टाउन्स और नेशनल कैपिटल रीजन से उसका सम्बन्ध है, पंजाब और उत्तर प्रदेश सरकारों के प्रतिनिधियों से परामर्श करके ही तैयार की गई थी ।

(ग) यह वृहद् योजना पहले ही कार्यान्वित की जा रही है । आशा है सारी योजना प्रक्रम से लगभग 20 वर्षों में कार्यान्वित हो जायेगी ।

श्री प्रकाशबीर शास्त्री : उत्तर प्रदेश और पंजाब की राज्य सरकारों ने उनके जो भाग इस दिल्ली वृहद् योजना में सम्मिलित होंगे, इसके सम्बन्ध में पीछे कुछ आपत्तियाँ प्रकट की थी ? मैं जानना चाहता हूँ कि इन आपत्तियों के सम्बन्ध में भी कोई समाधान हुआ है अब तक अथवा नहीं ?

डा० सुशीला नायर : कोई विशेष आपत्ति नहीं थी । अभी यह सवाल ही नहीं आया है । आपको स्मरण होगा कि कुछ ऐसी

तजवीज थी कि एक स्टेचुटरी बाडी बने सारे एरिया का डिवेलेपमेंट करने के लिए । वह स्टेचुटरी बाडी तो बनी नहीं है । लेकिन एक कमेटी या बोर्ड बना है और जितना भी डिवेलेपमेंट हो रहा है अभी तक एक दूसरे के परामर्श से और सम्मति से ही हो रहा है ।

श्री प्रकाशवीर शास्त्री : मेरा प्रश्न दूसरा था । जो भाग उत्तर प्रदेश और पंजाब का वृहद् योजना में आने वाला है, उसके सम्बन्ध में उन्होंने जो आपत्तियां प्रकट की हैं, उनका कोई समाधान हुआ है अथवा नहीं ?

डा० सुशीला नायर : एरिया लेने की तो बात नहीं थी । किस प्रकार से यह विकास योजना बनाई जाए और किस प्रकार से उसको कार्यान्वित किया जाए, इस बारे में कुछ बातचीत हुई थी और मैंने निवेदन किया है कि सर्वसम्मति से अब तक काम किया गया है ।

श्री प्रकाशवीर शास्त्री : इस मास्टर प्लान के सम्बन्ध में अभी हाल में क्या कुछ ऐसी घटनायें घटी हैं या नहीं कि नई दिल्ली म्यूनिसिपल कमेटी ने कुछ आपत्तियां प्रकट की हैं, यदि हां तो किन किन के सम्बन्ध में ?

डा० सुशीला नायर : कुछ ऐसे मकानात वगैरह बने जां मास्टर प्लान में ठीक बैठते नहीं थे । उन्होंने इसके ऊपर आपत्ति की । भविष्य में मास्टर प्लान का अमल किया जाएगा, ऐसा उन्हें आश्वासन दिया जा चुका है ।

श्री प्रकाशवीर शास्त्री : मेरा प्रश्न स्पष्ट था । कुछ कह कर उस चीज को दबा देना ठीक नहीं है । कौन से मकान हैं, आया प्रधान मंत्री का नया हाउस है, अभी जो बन रहा है, उसके सम्बन्ध में भी आपत्ति की गई है ? स्पष्ट इसका उत्तर मिलना चाहिये ।

डा० सुशीला नायर : कुछ सरकारी मकानात हैं जिन के बारे में यह आपत्ति हुई है । उनकी लिस्ट मेरे पास नहीं है क्योंकि यह वृहद् योजना की बात थी, दिल्ली की विशेष बात नहीं थी ।

श्री यशपाल सिंह : क्या सरकार के ध्यान में यह बात आई है कि प्राइम मिनिस्टर साहब के हाउस में जो तबदीली की गई है, उसके लिए डिवेलेपमेंट आथोरिटी ने सख्त आबजैक्शन किये हैं, यदि हां तो उनके ऊपर सरकार ने क्या अमल किया है ?

डा० सुशीला नायर : मेरे पास ऐसी कोई खबर नहीं है ।

Shri Kapur Singh: May I know whether in the interests of proper implementation of the master plan, Government propose to join together all the affected areas into a single administrative unit?

डा० सुशीला नायर : ऐसा कोई इरादा नहीं है ।

Shri Kapur Singh: They do not want to implement the plan properly?

Shri Shiv Charan Gupta: May I know whether the development of the metropolitan area has been carried out according to the targets laid down in the Master Plan, and if not, what steps Government propose to take to ensure the same as it jeopardizes the development of the capital properly?

Dr. Sushila Nayar: To the best of my knowledge, the progress has been quite good. There has been some slackness in certain quarters, and efforts are being made to make it up.

श्री यू० सि० चौधरी : सरकार के उत्तर से पता लगता है कि मास्टर प्लान जैसा भी सरकार के सामने है और उसके अन्दर जैसी भी वर्तमान दिल्ली की भौगोलिक स्थिति है उसके अलावा उत्तर प्रदेश और पंजाब का भी कुछ इस में हिस्सा शामिल किया जा रहा है अथवा नहीं ?

डा० सुशीला नायर : एक योजना है दिल्ली के मास्टर प्लान की और उस पर तो

अमल हो रहा है। वह छप गई है और एक लीगल डाकुमेंट हो गई है। एक और तजवीज की गई थी कि दिल्ली कैपिटल रिजन में जिस में कुछ हिस्सा पंजाब और कुछ हिस्सा उत्तर प्रदेश का भी शामिल हो, उसका भी प्लांड तरीके से डिवेलेपमेंट किया जाए। यह जो बड़ी वृहद् योजना है उसके लिए कोई स्टेचुटरी बाडी अभी तक नहीं बनाई गई है लेकिन एक दूसरे की सलाह ले करके उसका प्लान बनाया गया है और अगर स्टेचुटरी बाडी भी होती तो भी उस योजना का इम्प्लेमेंटेशन तो रिसपैक्टिव स्टेट गवर्नमेंट्स के द्वारा ही होना था।

Shri Indrajit Gupta: With regard to the greater master plan which the hon. Minister has just now referred to, may I know whether she is aware of the fact that in that part of the adjoining area of Ghaziabad in U.P. which is supposed to be covered by this greater plan, land is being bought from peasants at Rs. 3 per square yard and offered for sale for lower income group housing projects at Rs. 12 to 14 per square yard, and if so, whether that is also envisaged in the greater plan?

Dr. Sushila Nayar: I am not aware of the exact details of what the hon. Member has stated, but I would not be surprised if increase in price takes place since it has taken place everywhere else because of the developmental charges.

Shri Kapur Singh: It is a matter of shame for the Government.

Dr. Sushila Nayar: Sir, Development of land costs money.

Shrimati Savitri Nigam: May I know how many times changes have been made in the demarcation of the industrial areas and the green belt, and when the plan for the industrial areas and the green belt is going to be finalised once and for all?

Dr. Sushila Nayar: The plans have been finalised. They are being gradually implemented

Shrimati Savitri Nigam: How many times were changes made?

Dr. Sushila Nayar: No changes have been made after the Master Plan has been formulated.

श्री रामेश्वरानन्द : मैं जानना चाहता हूँ कि इस वृहद् योजना में पंजाब और उत्तर प्रदेश का जो भाग लिया जा रहा है उस की सीमा कितनी है और उस से कितने गांव प्रभावित होंगे।

डा० सुशीला नायर : पंजाब का कुछ हिस्सा फरीदाबाद, बहादुरगढ़, रोहतक की तरफ और कुछ गुडगांव की तरफ, ऐसे तीन चार जिले हैं जिन पर असर हुआ पंजाब में, इस के साथ उत्तर प्रदेश में गाजियाबाद और लोनी पर भी असर होगा।

श्री रामेश्वरानन्द : सीमा क्या होगी।

अध्यक्ष महोदय : सीमा तो बाद में बनेगी।

National Consumer Service

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*507. { **Shri Yashpal Singh:**
Shri Rameshwar Tantia:
Shri Bishanchander Seth:
Shri B. P. Yadava:
Shri Dhaon:
Shri Indrajit Gupta:
Shri P. C. Borooah:

Will the Minister of Planning be pleased to state:

(a) whether it is a fact that the Planning Commission is considering a scheme regarding building up of an organization of National Consumers Service which will resist against hoarding, profiteering and adulteration in the county;

(b) if so, the main features of this scheme; and

(c) when this scheme is likely to be introduced?

The Minister of Planning (Shri B. R. Bhagat): (a) to (c). The National Consumer Service has been organised by a group of voluntary organi-

sations. It is being assisted by the Planning Commission. A statement giving the main features of the scheme and other required information is placed on the Table of the House.

Statement.

The National Consumer Service previously entitled as Non-Official Price Intelligence Service was started in early 1963 on a pilot basis in Delhi by a group of voluntary organisations. In February, 1964 a Working Group consisting of the representatives of the Planning Commission, Central Ministries concerned and the participating voluntary organisations drew up a comprehensive scheme.

2. The main object of the Service is to protect the interest of the consumer. Its main activities are:

- (i) to organise Consumers Councils at the national, state and district levels;
- (ii) to promote consumer co-operatives;
- (iii) to undertake research into consumer problems and studies relating to market intelligence, consumption patterns, hoarding, artificial scarcities, transport bottlenecks, licencing procedures, etc.; and
- (iv) to assist in the prevention of adulteration, exercising quality control and eradication of malpractices in weights and measures etc.

3. The Service is at present functioning mainly in Delhi. It has undertaken a few case studies on a number of subjects which concern the interest of the consumer. e.g. working of consumer co-operatives, food adulteration, profiteering or black-marketing in vegetables, sugar, cycle tyres and tubes, commercial vehicles and petrol and high speed diesel oil etc.

4. The Central Unit of the National Consumer Service in Delhi will also assist in organising State Units on the basis of the experience gained from the Delhi Pilot Project.

श्री यशपाल सिंह: प्राप के नोट से कुछ पता नहीं लग रहा है कि भ्रमलग भ्रमलग स्टैंड्स ने कितना कट्टीभूशन इस मामले में किया है और प्रापने उन्हें क्या इन्स्ट्रिक्टिव दिया है।

श्री डॉ० रा० भगत : प्राभी तो दिल्ली में ही चल रहा है। इरादा यह है कि दूसरे राज्यों में भी इसे चलाया जाये। जब वहाँ यह सविस्तर जायेगी तो राज्य सरकारों से मदद ली जायेगी।

श्री यशपाल सिंह : योजना कमीशन इसके ऊपर क्या खर्च कर रहा है। उसका इस मामले में क्या टारगेट है।

Shri B. R. Bhagat: In 1962-63, grants were given amounting to Rs. 2,500, in 1963-64 it was Rs. 16,500 and in 1964-65, an amount of Rs. 28,300 has been budgeted.

Shri Indrajit Gupta: From the statement, I find that though this Consumer Service was started by a group of voluntary organisations, the scheme has been drawn up by the Planning Commission with the representatives of the Central Ministries so that it is, I think, semi-official. Is the purpose of this Service simply to undertake these case studies mentioned here as a sort of academic exercise or do Government intend to take action on the basis of these findings?

Shri B. R. Bhagat: At present, these pilot studies have been undertaken and their reports will certainly be of use to the concerned departments. But the idea is to develop a consumers' forum so that they can also protect their interests when it develops into a good organisation. But that will take time.

Shri D. C. Sharma: In Delhi, I am told that a price resistance movement has been started under the blessings of our Prime Minister, and some Members of Parliament including myself are also members of it. What is the relationship of that movement with this

Consumers' Council, and is Government helping that movement?

Shri B. R. Bhagat: That will be a separate movement.

Shri S. M. Banerjee: One of the objects of this is to assist in the prevention of adulteration. If the consumers want to resist adulteration, high prices and so on, is Government likely to give him any protection or will it put him in prison for agitating against the same?

Mr. Speaker: That depends on the circumstances of each case. How can it be answered in a general way?

If they offer resistance, will Government assist him or put him in prison—how can it be answered?

Shri S. M. Banerjee: Kindly hear me. Now consumers want to resist adulteration, price rise etc....

Mr. Speaker: I have heard him. How can it be answered in a general manner?

Shri S. M. Banerjee: My question was whether the resistance by the consumers against high prices and adulteration would not be regarded as a crime, and whether they would be supported by Government, if it is a peaceful resistance.

Mr. Speaker: It depends on the form that the resistance takes. If one man goes and takes a lathi and resists?

Shri S. M. Banerjee: No question of lathi.

Mr. Speaker: Order, order. He has put a general question whether the resistance would be welcomed or put down.

श्री मन सिंह : इस आर्गनाइजेशन के उद्देश्य बड़े उपयोगी हैं। क्या सरकार राज्य सरकारों को निश्चित रूप से ऐसा आर्गनाइजेशन बनाने के लिये सुझाव दे रही है या दे

चुकी है। यदि उसने सुझाव दिया है तो उसकी क्या प्रतिक्रिया हुई है।

श्री ब० रा० भगत : जैसा मैंने कहा, अभी तो सिर्फ दिल्ली में इस आन्दोलन को चलाया जा रहा है। शीघ्र ही जो सेंट्रल आर्गनाइजेशन है कंज्यूमर सर्विस का वह राज्य सरकारों में भी इसको करेगा।

Mr. Speaker: Shrimati Renuka Ray.

Shrimati Renuka Ray: May I ask one question?

Mr. Speaker: Why should it be prefaced like this?

Shrimati Renuka Ray: I want to know which are the non-official organisations with which the Planning Commission is working for this National Consumer Service, and whether they include Central Government sponsored organisations which have no roots in the country.

Shri B. R. Bhagat: All this is provided in the statement.

Shrimati Renuka Ray: What are the names?

Shri P. Venkatasubbaiah: It has been stated that some of the functions of this Council are to assist in the prevention of adulteration, exercising quality control and eradication of malpractices in weights and measures etc. May I know whether this Council will be given any technical assistance, and will Government subsidise them by providing such technical assistance in the discharge of the duties that have been enunciated in the statement?

Shri B. R. Bhagat: So far, they have taken up several pilot projects in which they have got the assistance of the Ministries concerned, technical and other, but the main idea is to build up the consumers movement.

Shrimati Renuka Aay: The names are not included in the statement.

Mr. Speaker: When he says it is there, I have to believe him.

Shri Kapur Singh: We do not.

Mr. Speaker: When it comes from the Member also, I believe him. Then the Minister may say that he does not. I have to keep the balance on both sides.

Department of Company Law

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*508. { **Shri Yashpal Singh:**
 Shri Indrajit Gupta:

Will the Minister of Finance be pleased to state:

(a) whether the amounts realised as fees from various companies far exceed the expenditure incurred on the Department of Company Law

(b) if so, how the excess money is spent and for what purpose; and

(c) whether it is proposed to rationalise the fees payable by companies so that there may not be a big gap between the income and expenditure?

The Minister of Planning (Shri B. R. Bhagat): (a) Yes, Sir, since 1961-62.

(b) The excess money forms part of the general revenues of the Government of India.

(c) There is no proposal to revise the fees structure at present.

श्री यशपाल सिंह : क्या मैं यह जान सकता हूँ कि इसके ऊपर एस्टिमेट्स कमेटी ने अपनी सिफारिश दी है या नहीं। अगर दी है, तो उस पर कहीं तक अमल किया गया है।

श्री ब० रा० भगत : मुझे तो याद नहीं आता कि एस्टिमेट्स कमेटी ने इस पर कोई खास बात कही है।

अध्यक्ष महोदय : आप को भी तो मालूम होना चाहिये कि उसकी सिफारिशों पर अमल हुआ है या नहीं।

श्री यशपाल सिंह : मुझे तो पता है। लेकिन मिनिस्टर साहब को भी तो पता होना चाहिये।

अध्यक्ष महोदय : उनसे जान लेने की जरूरत नहीं है। जो चीज किताब में है उसको तो आप को भी जानना चाहिये।

श्री यशपाल सिंह : क्या मिनिस्टर साहब बतला सकेंगे कि नेशनलाइजेशन का जो प्रोग्राम है वह कब तक पूरा हो जायेगा। सरकार कब तक यह इरादा रखती है कि उसे पूरा कर ले।

श्री ब० रा० भगत : नेशनलाइजेशन का अभी तक कोई प्रोग्राम नहीं है। अभी जो फीस रक्खी गई है उसमें कटौती करने का कोई इरादा नहीं है।

Shri Indrajit Gupta: My name is there.

Mr. Speaker: I looked this side. He did not stand up. I am sorry.

Training of Teachers in Planning

*509. **Shri Surendra Pal Singh:** Will the Minister of Planning be pleased to state:

(a) whether the Planning Commission has drawn up a new scheme to train college and university teachers in planning and in execution of development programmes; and

(b) if so, the main outlines of this scheme and when it is likely to be implemented?

The Minister of Planning (Shri B. R. Bhagat): (a) The Planning Commission has suggested that through the Planning Forums, the University Teachers should participate more actively in the planning and execution of local schemes.

(b) The details of the scheme are being worked out by the Planning Commission in consultation with the University Grants Commission.

Shri Surendra Pal Singh: In view of the fact that these days practically all universities and colleges have more students on their hands than they can properly cope with, would it be advisable to overburden the university teachers with this extra-curricular work which might hamper their main task of teaching their subjects properly?

Shri B. R. Bhagat: This point has been considered by the University Grants Commission.

Shri Surendra Pal Singh: Have the financial implications of this training scheme been worked out and would the Central Government bear the entire cost of the scheme or would it be shared by some other parties such as State Governments, etc.?

Shri B. R. Bhagat: It has not reached that stage of consideration. All these will be considered.

श्री तुलसीदास जाधव: कालिज के टीचर्स को ट्रेन करना तै किया गया है, लेकिन इनके ट्रेनिंग का प्लानिग जिला परिषदों और राज्य सरकारों करेंगी। तो इन टीचर्स का क्या ताल्लुक रहेगा इन दोनों के साथ, इसके लिए क्या योजना है ?

श्री ब० रा० भगत: अभी सारे देश में कालिजों और विश्वविद्यालयों में प्लानिग फोरम चल रहे हैं और काफी जगह अच्छा काम कर रहे हैं। अभी तो इस पर विचार हो रहा है कि प्लान के एग्जीक्यूशन में इन प्लानिग फोरम्स से क्या सहायता ली जा सकती है। अभी यूनीवर्सिटी ग्रांट्स कमिशन और प्लानिग कमिशन सोच रही है। सारी बातों को सोच कर कोई रास्ता निकाला जाएगा।

Shri P. R. Chakraverti: How many planning forums have ben set up till now?

Shri B. R. Bhagat: I think the number of planning forums was 718 upto 1961. After that it was decentralised

and registration of planning forums was done by the universities.

Mr. Speaker: What a beautiful supplementary it was! Just the number. If the hon. Minister had the number he ought to have given. If he did not have it, he ought to have said: I want notice.

Mr. S. C. Samanta: Is it not a fact that at present university and college forums consist of students only and not of teachers?

Shri B. R. Bhagat: No; of teachers also.

श्री श्रींकार लाल बेरवा: मैं जानना चाहता हूँ कि क्या इस योजना में जो लड़कियों को फ्री एजुकेशन दी जाती है उसका स्तर बढ़ाने का विचार है ?

श्री ब० रा० भगत: यह लड़के लड़कियों का अलग अलग सवाल नहीं है, यह तो टीचर्स का सवाल है।

श्री श्रींकारलाल बेरवा: मेरा सवाल यह है कि जैसे अभी पांचवें दरजे तक लड़कियों को फ्री शिक्षा दी जाती है तो क्या आगे आठवीं तक या दसवीं तक इसको फ्री किया जाने वाला है ?

श्री ब० रा० भगत: यह तो प्लानिग फोरम्स से सहयोग लेने के बारे में सवाल है।

Raid by Customs in Varanasi

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- *510. {
 Shri P. R. Chakraverti;
 Shri P. C. Borooah;
 Shri Onkar Lal Berwa;
 Shri Vishwa Nath Pandey;
 Shri A. N. Vidyalkankar;
 Shri Guishan;
 Shri Bibhuti Mishra;
 Shri Bal Krishna Singh;
 Shri Bishwanath Roy;
 Shri Vishram Prasad;

Will the Minister of Finance be pleased to state:

(a) whether the houses of some foremen of the diesel locomotive-works at Maduadih, a suburb of Vara-

nasi, were raided by the Customs authorities in April, 1964;

(b) whether currency notes, worth several thousands of dollars, transistors and tape-recorders were found in boxes containing engines and other machinery coming from the A.B. Co. (American Locomotive Manufacturing Undertaking) collaborating with the diesel works; and

(c) whether a number of letters were also found in those residences revealing that the smuggling has been going on for the past couple of years?

The Minister of Planning (Shri B. R. Bhagat): (a) Yes, Sir. The house of one foreman was searched by the Customs on the 14th April, 1964;

(b) Some transistors, tape recorders and other consumer goods were found inside packages concealed in the cabs of some locomotives imported from the U.S.A.; there were no currency notes;

(c) No letters have been seized from the residence of the foreman searched on the 14th April, 1964. From documents seized from other persons, there is reason to believe that certain articles were being smuggled for some time past and the entire matter is under investigation.

Shri P. R. Chakraverti: May I know whether the Government has made an estimate of the total amount involved in this clandestine transaction?

Shri B. R. Bhagat: So far about Rs. 50,000.

Shri P. R. Chakraverti: What specific steps have been taken to see that this form of international smuggling does not occur again?

Shri B. R. Bhagat: In future? We learn by these experiences.

श्री श्रीकार लाल बेरवा : विदेशों से सामान लाने के लिए ती उच्चाधिकारी जाते हैं, लेकिन इस केस में जी० एस० को छोड़ कर फोरमैन को लाद दिया गया है। क्या फोरमैन के खिलाफ भी कोई सबूत है ?

श्री ब० रा० भगत : किसी को जबरदस्ती तो नहीं पकड़ा जा सकता अभी इनवेस्टीगेशन हो रहा है। यह तो नहीं हो सकता कि किसी को जबरदस्ती पकड़ लिया जाए।

श्री श्रीकार लाल बेरवा : क्या वह सामान खुद लाए हैं ?

श्री गुशालन : क्या जनरल मैनेजर को इस दोष में ससपेंड किया गया ?

श्री ब० रा० भगत : एसी कोई बात नहीं है।

श्री रामेश्वरानन्द : क्या कुछ करने का विचार है, या इन पढ़े लिखे लोगों को छोड़ने का विचार है।

अध्यक्ष महोदय : जब पढ़े लिखे लोगों का सवाल आता है तो स्वामी जी स्पीकर की इजाजत के बिना ही सवाल करने लगते हैं।

Shri A. P. Sharma: Is it true that apart from the foreman, some higher officials of the Diesel Locomotive Works are also involved and, if so, who are those officers? At the same time, the Minister has said that some documents have been seized from some persons; who are those other persons?

Shri B. R. Bhagat: A number of searches have been made. This matter is under investigation. If you want me to give the names of those persons, I can give them.

Shri Daji: Is it a fact that a foreigner also is involved in this matter and, if so, who is that foreigner?

Shri B. R. Bhagat: Three foreigners have been arrested?

Shri Daji: Who are they? To which country do they belong?

Mr. Speaker: To what nationality do they belong? Have you got it?

Shri B. R. Bhagat: I have got the names.

Mr. Speaker: He can give them.

Shri B. R. Bhagat: One is Mr. S. C. Lodge, Chief Representative of Messrs. Alcove, in India, and the other is Mr. Schuster, American Service Engineer.

Shri A. P. Sharma: Sir, on a point of order. He has given the names of the foreigners. What is the difficulty in giving the names of the higher officials of that factory?

Shri B. R. Bhagat: These are the persons who have been arrested. Apart from that, searches have been made. If you want me to give the names, I can.

श्री रामेश्वरानन्द : इसका सम्बन्ध जनरल मैनेजर से रहा है, क्या उनकी भी तलाशी ली गयी, और नहीं तो क्या फोरमैन इस किस्म का काम कर सकता है यह बतलाया जाए ?

अध्यक्ष महोदय : आप यह बहस भी करते हैं कि फोरमैन यह काम कर सकता था या नहीं। इसका जवाब कौन दे ?

श्री रामेश्वरानन्द : इसका जवाब न दें, तो यह तो बतला दें कि जी० एम० की तलाशी हुई या नहीं।

अध्यक्ष महोदय : मैं आपसे यह उम्मीद नहीं करता था कि आप 'जी० एम०' कहेंगे।

श्री ब० रा० भगत : जिनकी तलाशी ली गयी उनमें जी० एम० डी० एल० डबल्यू० वाराणसी भी हैं।

Shri S. M. Banerjee: I would like to know whether it is a fact that this entire shady transaction was done to influence the officers of this locomotive workshop by those who were supplying equipment and, if so, whether a thorough enquiry will be made to unearth this conspiracy?

Shri B. R. Bhagat: These matters are all under investigation.

श्री गुलशन : क्या मैं जान सकता हूँ कि जो विदेशों से डीजिल इंजिनों का माल मंगाया

जाता है उसका सम्बन्ध छोट कर्मचारियों से भी होता है ?

श्री ब० रा० भगत : फोरमैन हैं और भी हैं, जी० एम० का नाम भी दिया है।

अध्यक्ष महोदय : तहकीकात हो रही है, जी० एम० की तलाशी भी ली गयी है।

श्री गुलशन : मैं यह जानना चाहता था कि बाहर से सामान मंगाने का अधिकार फोरमैन को है या नहीं।

श्री हुकम चन्द कछवाय : माननीय मन्त्री महोदय ने बताया कि फोरमैन पकड़ा गया, उसका नाम क्या है, और जो इसने काम किया है उसके सिलसिले में क्या ऊपर के भी कुछ अधिकारियों का नाम बताया है, कितने व्यक्तियों का नाम बताया है ?

अध्यक्ष महोदय : अभी तहकीकात हो रही है, यह सारी चीज यहाँ नहीं आ सकती।

श्री हुकम चन्द कछवाय : यह बता दें कि किस के इशारे पर यह काम हुआ, फोरमैन का नाम क्या है और ऊपर के अधिकारियों के नाम क्या हैं ?

अध्यक्ष महोदय : यह सब अभी नहीं बताया जा सकता।

श्री हुकम चन्द कछवाय : फोरमैन का नाम तो बता दें।

श्री ब० रा० भगत : पहले तलाशी ली गयी आर० सी० त्रिपाठी फोरमैन की।

Shri Joachim Alva: Arising out of this incident, as a high ranking industrial firm is involved, was there any occasion to refer this matter to the American Embassy or did the American Embassy make any enquiry after this incident?

The Minister of Finance (Shri T. T. Krishnamachari): These matters are under investigation. What are the detailed steps taken is largely a matter for the Investigation Officer. Until the investigation is completed, it is very

difficult to say who is responsible. The method and how the investigation is being conducted is not a matter within my knowledge, but it is in safe hands. All that we can say now is that the investigation is proceeding. If certain names are given now and it is proved later on that they had nothing to do with it, after the investigation, it will be extremely unfair.

Shri Bishwanath Roy: In view of the reply given just now by the hon. Minister, may I know whether besides the Indians and foreigners whose names have been mentioned in the reply there are some more persons involved in that transaction?

Shri T. T. Krishnamachari: That can only be known after the investigation is over.

State Banks

*511. **Shri Harish Chandra Mathur:** Will the Minister of Finance be pleased to state:

(a) the steps taken to make State Banks a better friend of small man as compared to other commercial banks;

(b) whether any assessment has been made of the steps so far taken; and

(c) the main features which distinguish the functioning of the State Banks from other Scheduled Banks?

The Minister of Planning (Shri B. R. Bhagat): (a) The State Bank of India and its subsidiaries offer to all their constituents the facilities and services which are normally provided by other commercial banks. The State Bank and its subsidiaries provide in addition free or easy remittance facilities, manage currency chests and small coin depots and conduct Government treasury business at places where there are no offices of the Reserve Bank. They also assist small-scale industrial units and co-operative societies, including apex cooperative and land mortgage banks, on liberal or concessional terms.

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(b) Yes. The branch expansion programmes and the development activities of the public sector banks are regularly reviewed from time to time.

(c) The State Bank and its subsidiaries, apart from undertaking treasury agency functions, are expected to finance development programmes which may be necessary in the broader national interest, meeting the losses or expenditure, if necessary, from an integration and development fund, which has been specially created for this purpose.

Shri Harish Chandra Mathur: May I know whether any directives have been issued to the State Bank management regarding certain social objectives which, out of the nationalisation, have got to be fulfilled; if so, what are those objectives and how they are being fulfilled?

Shri B. R. Bhagat: No specific directives so as to meet some social objectives have been issued. The State Bank being a public sector bank it has to subserve the public interest and the national economic policy. (Interruption).

Shri Harish Chandra Mathur: I asked, Sir, whether any social objectives were indicated. If no social objectives are indicated, I do not know how they are being fulfilled. There must have been certain social objectives.

Shri B. R. Bhagat: No directive about social objectives was issued to the State Bank.

श्री यशपाल सिंह: क्या सरकार ने जो इसमें डिफिकल्टीज हैं उनको दूर करने के लिए कोई एक डेफिनिट प्रोग्राम भी बनाया है या नहीं ?

श्री ब० रा० भगत: प्रोग्राम है और सब चालू हो रहा है ।

Shri Harish Chandra Mathur: Is it not a fact that all the other sche-

duled banks are prepared to undertake all the developmental activities and they are also prepared to help the small-scale industries exactly in the same manner as the State Bank is doing; if so, may I know whether the hon. Minister has any information that any scheduled bank has refused to do that and how it is that the State Bank is doing anything over and above the scheduled banks?

Shri B. R. Bhagat: The activities of the State Bank in regard to providing credit and other facilities to the small scale industries are much more than the combined activities of all the other commercial banks. In that respect the State Bank is doing much more than all the commercial banks combined together.

Shri Daji: I am not talking of the activities. I any specific facility given to the small industries by the State Bank which is not given by the other banks?

Shri B. R. Bhagat: That is what I said. If you take the outstanding balances against small industries, it is Rs. 14 crores, which is much more than what is advanced by the commercial banks.

Shri Daji: My question was about facilities.

Shri Harish Chandra Mathur: Let the Minister check up his facts before replying.

Mr. Speaker: Is any particular facility provided by this bank which is not provided by other banks?

The Minister of Finance (Shri T. T. Krishnamachari): It is very difficult to say what the other banks provide and do not provide. So far as the State Bank of India is concerned, if I take what my hon. friend Shri Mathur said in a general sort of way, an objection is laid on the State Bank that it should help small industries. If we take into account the amount of money lent to small industries, certainly it is not very large.

But we have asked the bank to go further ahead with this matter. In fact, we have not sent any directives as such. I remember having during my previous term and also this term met the Board informally. I do not know whether my predecessors did it but I expect to keep in touch with the Board and tell them what our objectives are. I addressed the Board some time back and I told them that the Government feel that there is a large amount of scope for additional work in regard to financing of small-scale industries and that mere opening of branches would not do unless the facilities are taken care of. We have also been thinking of starting an experiment of either the State Bank or any subsidiary of it going into the villages or groups of villages and trying to give some kind of monetary help to the people in the villages in the same way as it is done in the Western countries and keeping a direct link with the people. These matters are under consideration. I am most grateful to the hon. Members for drawing our attention to this matter. Specifically I cannot say now without verifying the fact whether there is any specific directive sent or not, but I have myself been there and I have spoken to the Board of Directors about the need for enlarging our facilities, making ourselves a service bank, which I think is rather very difficult at the moment.

Shri Morarka: May I know whether this bank gives any concession by way of charging a low rate of interest or insisting on a lower margin of security from the small-scale industries or small borrowers?

Shri T. T. Krishnamachari: I cannot say anything at the present moment in regard to the lower rate of interest, but I think the question of margin of safety should be sifted from the question of providing securities by the individuals. That is what we have been emphasising so that if a particular individual is reasonably good and our information

about him is to that effect, they do not ask for a security. The whole problem of banking in India is still in the old rut. Now we are giving money to a person who is credit-worthy. The other person may not be credit-worthy according to the existing standards; we have to transfer it from the money that he can provide or the security that he can provide by himself, just what is being done in other countries. We should probably go a long way to achieve it but I think we should make an attempt and the State Bank has been told about it.

Shri Basappa: May I know whether the State Bank has introduced a guarantee system of credit to the small entrepreneurs? If so, what is the nature of it and how far it has been successful?

Shri T. T. Krishnamachari: I am sorry, I am not in a position to answer this matter in detail unless I ask the State Bank to give me that information. I can tell you that some time back we did try this experiment of small-scale industries being given credit without the requisite type of normal guarantee. I know that in one place where 1,000 accounts were opened the failure amounted to about 5. So, the failures are not very many. But I cannot give any very definite answer unless I verify the position.

Shri A. P. Jain: May I know whether the State Bank of India is rendering any greater or larger service to processing and marketing of agricultural production as compared to ordinary commercial banks?

Shri T. T. Krishnamachari: I require notice.

Shri Harish Chandra Mathur: In the commercial banks, scheduled banks, the manager can take certain risks. Is the hon. Finance Minister

aware that in the State Bank the manager and the entire hierarchy, being considered as Government servants, feel it risky even in going to the extent to which the scheduled banks go? If it is a fact, what steps have been taken by the Government to see that the employees of the State Bank function in a way so as to fulfil that social objective rather than shrink back in their seats?

Shri T. T. Krishnamachari: The hon. Member has stated certain presumptions. I would not controvert them because I am not in a position either to affirm it or deny it. It just happens that in regard to the public sector enterprises that we start the people who are employed want the benefit of both the worlds. They want all the safeguards that people employed in the private sector get and they want all the safeguards that people employed in Government service get. That is our main difficulty; so, to make them feel in the same way as the private sector people do is a problem which we are trying to tackle. I have no doubt in my mind that in many branches of the State Bank the old rule still persists; but, I think, the younger people that are coming in could be made to take a slightly different view. In fact, I was recently in Hyderabad and I went and visited the school that we have for the State Bank officials. There were 40 young people there. It was very refreshing to talk to them because they had a certain amount of experience. But we have got a long way to go to reach the optimum standards that my hon. friend has in view.

Mr. Speaker: The Question Hour is over.

Swami Rameshwaranand rose—

अप्यस्य मन्त्रियः स्वामीजी को बैंक के रुपये से क्या इस्तेफा है?

12.00 hrs.

SHORT NOTICE QUESTIONS

दनस्पति मिलों का बन्द किया जाना

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S.N.Q. 8. { श्री हुकम चन्द कछराय :
श्री वी. चं. शर्मा :

क्या खाद्य तथा कृषि मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि गुजरात सरकार मूंगफली के निर्यात पर प्रतिबन्ध लगाये जाने के कारण उत्तर भारत की छः प्रमुख दनस्पति मिलें बन्द हो गयी हैं ;

(ख) क्या यह भी सच है कि गुजरात सरकार द्वारा प्रतिबन्ध लगाये जाने के फलस्वरूप तिल और सरसों के तेल की कीमतें काफी बढ़ गयी हैं जिससे भविष्य में शुद्ध घी के भाव पर भी असर पड़गा ; और

(ग) यदि हां, तो सरकार ने इस सम्बन्ध में क्या कार्यवाही की है कि उक्त मिलें बन्द न हों ?

The Minister of Food and Agriculture (Shri C. Subramaniam): (a) Four Vanaspati factories in North India have temporarily suspended production, two on the 13/14th of September and two on the 20/21st September for want of oil.

(b) The price of til oil in Delhi has remained fairly constant during recent months. There has, however, been some increase in the price of mustard oil due to the difficult supply position resulting from the shortfall in the current year's mustard crop.

(c) Export of groundnut and other edible oils has been banned. To augment the oil supplies available to the Vanaspati industry, import of 75,000

tonnes of soyabean oil from the U.S.A. under P.L. 480 is being negotiated.

श्री हुकम चन्द कछराय : क्या यह सही है कि सरकार के द्वारा निर्यात बन्द करने के कारण दूसरी चीजों पर भी असर पड़ा है और दिल्ली में ही घी के भाव में वृद्धि हुई है ?

Shri C. Subramaniam: As I have already stated, when we found the difficult supply position, we banned the export of groundnut oil. This is only a temporary phenomenon because by the 15th October the new crop will start arriving and then the situation is bound to improve.

Mr. Speaker: Has there really been an increase in the price of pure ghee as a consequence of this?

Shri C. Subramaniam: No, Sir; not much of an increase. According to the figures available with me, it is constant at Rs. 7.50 per kilo.

श्री बड़े : क्या यह सच है कि शासन ने अपने यहां आयल के उत्पादन का ध्यान न रखते हुए 22 हजार टन आयल बर्मा में भेजा है, जिसके कारण डकित हो गया है ?

Shri C. Subramaniam: Some export has taken place during this year and if that had been available naturally, to that extent the position would have been more favourable. But exports also have to take place for the purpose of earning some foreign exchange because there is pressure on foreign exchange also.

Shri Jashvant Mehta: May I know whether this year there has been a rise in prices of groundnut oil due to the export of oil and whether the Government will tell us that in future their policy will be to see that there is no wide disparity between the price which agriculturists receive and what the consumers pay and that the agriculturists get a remunerative price and the consumers also get it at a cheaper rate?

Shri C. Subramaniam: Nowadays, the market prices are very well paid.

lished and the producers are also becoming conscious of the price which they are entitled to get. In addition to that, the Government are trying to ensure that producers are able to get prices which they are entitled to taking into account the consumers' price.

Shri Jashvant Mehta: What about their future policy?

Mr. Speaker: The policy would be studied at some other time.

Shri P. Venkatasubbalah: May I know if the increase in price of vanaspati is not only due to the rise in the price of groundnut oil but also the monopolistic attitude of the vanaspati licence holders in not allowing the idle capacity to work and if that is so whether the Government is going to revise the policy and encourage such of the people who want to set up vanaspati factories?

Shri C. Subramaniam: Now, as a matter of fact, the vanaspati factories are not working to full capacity for want of oil. If oil is available, certainly they will work to the optimum capacity.

श्री रामेश्वरानन्द : अर्घ्यस्य महोदय, पहले बहुत बार कहा जा चुका है कि वनस्पति घी में कोई रंग मिलाया जाये। सरकार की ओर से यह उत्तर मिलता था कि ऐसा कोई रंग उपलब्ध नहीं है। इस समय वनस्पति घी में पीला रंग मिलाया जा रहा है। क्या मंत्री महोदय यह बताने की कृपा करेंगे कि पीला रंग किस लिये मिलाया जा रहा है ?

अर्घ्यस्य महोदय : माननीय सदस्य को बूझी होनी चाहिए कि उन का रंग मिलाया जा रहा है।

श्री दागड़ी : क्या सरकार का ध्यान इस तरफ़ गया है कि तिलहनों पर जो सट्टा चलता है, उस की वजह से ये कीमतें बढ़ रही हैं ?

Shri C. Subramaniam: With regard to speculation, that is why forward trading was banned during this crisis.

Now, in view of the better prospects, the forward trading has been allowed in the case of groundnut and groundnut oil because that will also have an influence on the price. As a matter of fact, after the forward trading has been opened, the prices have come down a little.

Shri P. R. Patel: I am of the opinion that there should be no zonal restrictions. However, even though the zonal restriction on groundnut oil was put by Gujarat State, it is not able to give more than 100 grams per head and is it a fact . . .

Mr. Speaker: Order, order; first a speech and then a question. He first stated his opinion; his opinion is not to come now.

Shri P. R. Patel: Even though there are restrictions on export, the distribution of oil in Gujarat is not more than 100 grams per head. Is that a fact?

Shri C. Subramaniam: If the hon. Member wants to inform the House that in spite of that prohibition of the export from Gujarat there is still scarcity, that is the information I have received.

Shri Shivaji Rao S. Deshmukh: Another factor contributing to the high cost of vanaspati is also adulteration before hydrogenation. Why does not the Government propose to stop it at the stage of purification of oil before hydrogenation?

Mr. Speaker: That is a suggestion.

Food Situation in Kerala

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S.N.Q. 9. { **Shri Maniyangadan:**
Shri Umanath:
Shri Imbichibava:
Shri Koya:
Shri P. Kunhan:
Shri S. M. Banerjee:

Will the Minister of Food and Agriculture be pleased to state:

(a) whether it has come to the notice of Government that there is an

acute shortage of rice and other food grains in several parts of Kerala;

(b) what is the quantity of rice that has been transported to Kerala from the other States in the Southern Zone during this month and the last month and what is the estimated requirement of that State;

(c) what quantity of rice has been supplied by the Central Government during this period to Kerala;

(d) what is the price of rice fixed in Kerala and what is the prevailing market price there;

(e) whether any restriction has been imposed by the Madras Government for inter-District transport of rice and whether this has in any way affected the food situation in Kerala; and

(f) the steps taken by Government to tide over the present situation?

The Minister of Food and Agriculture (Shri C. Subramaniam): (a) The Government are aware of the difficult rice supply position in Kerala. No scarcity of other food-grains has been reported.

(b) 76.0 thousand tonnes of rice and paddy were moved to Kerala on trade account by rail alone from Andhra Pradesh and Madras during July and August, 1964, as against 65.5 thousand tonnes moved during the corresponding period in 1963. Figures for September, 1964 are not yet available.

(c) 1,13,600 tonnes during July and August as against 60,800 tonnes supplied during the corresponding period in 1963.

(d) The prices of different varieties of rice have been fixed statutorily. The maximum retail prices vary from Rs. 68 to Rs. 90 per quintal.

(e) No, Sir.

(f) The quantum of issue of rice through fair price shops has been doubled. In addition, 17,000 tonnes

of coarse boiled rice has been released from Central stocks for sale through co-operatives. Steps have been taken to maintain the normal movement of rice from Andhra Pradesh and Madras States to Kerala.

Dr. L. M. Singhvi: I have already written to you that I might be permitted to raise a question in respect of short notice question No. 11 which is sought to be withdrawn . .

Mr. Speaker: First, let us take up those that are there and then come to that.

Shri Maniyangadan: From the answer given by the hon. Minister it is seen that this year more rice has been transported from Madras and Andhra Pradesh to Kerala than during the corresponding period last year. May I know the reason why there was so much shortage? I am asking this question mainly because of the fact that in spite of several raids made by the officers of the State Government they could not get hold of any appreciable quantity of rice.

Shri C. Subramaniam: I have received a communication from the Kerala Governor to the effect that the position is difficult; and we have taken some measures for allotting more rice to Kerala. But it is rather strange that in spite of the better production in 1963-64 and the increased movement of rice from the neighbouring States as compared to last year, the price has been behaving rather in a curious way. That shows that the trade has not been properly disciplined there.

Shri Maniyangadan: May I know whether any steps are being taken to assess whether all the rice that has been transported from Andhra Pradesh has reached Kerala or whether it has been utilised in the Madras State?

Shri C. Subramaniam: Once the rice has been booked from Andhra Pradesh to Kerala, it cannot be unloaded in between at Madras. The

complaint has been that it has been booked to Madras first and then from Madras to Kerala, because the price is not being maintained in Kerala. Therefore, the traders have all the inducement to move the rice to Kerala rather than to keep it in Madras.

Shri Koya: Is the hon. Minister aware of the fact that rice from Calicut and other places was taken to Mangalore in Mysore State?

Shri C. Subramaniam: I do not think that the Kerala rice moves to Mangalore. As a matter of fact, from the Central stocks we allotted some quantity to Mangalore, and that is moved. But that has nothing to do with Kerala rice.

Shri P. Kunhan: May I know whether Government are aware of the fact that despite the price control, rice is sold at Rs. 125 to 130 per bag, and if so, what steps are being taken in this regard?

Shri C. Subramaniam: I do not think that this figure is correct. But I do know that the reports are that the rice is selling at more than the controlled price, at about Rs. 10 more per quintal, but not to the extent to which the hon. Member has mentioned.

Shri S. M. Banerjee: May I know whether it is a fact that every year in the State of Kerala especially in some of the districts such scarcity conditions are experienced by the people, and if so, whether there is any scheme with the Government, long-term as well as short-term, to overcome this difficulty, and if so, the salient features thereof?

Shri C. Subramaniam: Taking into account the continuing difficult position in Kerala every year, we supply to almost every family a minimum quantity. That quantity has been doubled now, and during the more

critical period of June-July-August, four times the usual quantity was being supplied to each family.

Therefore, we have taken that into account. That is why an informal rationing exists there throughout the year.

Shri S. M. Banerjee: This is about the short-term. What about long-term measures, land reforms and other things to be done? Let him say something about that.

Mr. Speaker: For long-term measures, he wants time.

Shri Warrior: Is Government intending to send any wheat to make up the shortage there?

Shri C. Subramaniam: Unfortunately, there is resistance to wheat in Kerala. As a matter of fact, we tried it. But somehow in Kerala they prefer only rice.

Shrimati Renu Chakravarty: They cannot take wheat because of high prices.

दिल्ली बुध योजना

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श्री हुकन चन्द्र कडुनाय :

श्री यशपाल सिंह :

श्री बालमोकी :

श्री प० ल० बाबुपाल :

श्री माते :

श्री स० मो० बनर्जी :

श्री ऊटेया :

श्री श्रीकार लाल बेरवा :

श्री विश्वाम प्रसाद :

S.N.Q. 10.

श्री बागड़ी :

श्री काशीराम गुप्त :

श्री प्रकाशचौर शास्त्री :

श्री खेरप्पा :

श्री दी० चं० शर्मा :

डा० चं० भा० सिंह :

श्री हरि विष्णु कामत :

श्री सु० ला० वर्मा :

श्री प्र० के० देव :

श्री कपूर सिंह :

श्री बूटा सिंह :

श्री इन्द्रजीत गुप्त :

क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि दिल्ली दुग्ध योजना के अंतर्गत टोन्ड दूध के स्थान पर दूध का पाउडर बोल कर दिया जा रहा है;

(ख) यदि हां, तो क्या दूध लेने वालों को यह बात बता दी गई है;

(ग) क्या यह भी सच है कि कुछ दिन पहले टोन्ड दूध की बोतल में एक कीड़ा (टिट्टी) पाया गया और दिल्ली नगर निगम के एक सदस्य ने संबंधित अधिकारियों का ध्यान इस ओर दिलाया; और

(घ) क्या सरकार ने इस मामले की जांच की है, और यदि हां, तो उसके क्या परिणाम निकले ?

The Minister of Food and Agriculture (Shri C. Subramaniam): (a) No. Toned milk is prepared from fresh milk and reconstituted milk powder to ensure a pre-determined standard of fat and solids-not-fat content. This is the accepted practice for preparation of this type of milk not only in India but all over the world.

(b) Toned milk bottles carry seals which differ from seals on buffalo or cow milk. No other action for informing the customers is considered necessary.

(c) Unfortunately, yes.

(d) This has happened inspite of precautions taken by the Dairy. The D.M.S. authorities have looked into this. To reduce chances of anything like this happening, the D.M.S. has got a reputed firm to carry out anti-insect measures. As an additional precaution a stainless steel hood is

being provided to protect the bottles as they travel on the conveyer in the short distance between the bottle washing machine and bottling machine. This is expected to be fixed in within a few days. Government consider that these precautions ought to be sufficient. Everything possible is being done to prevent recurrence of this.

श्री हुकम चन्द कछवाय : क्या यह सही है कि कुछ दिनों से भैंस, गाय और टोंड दूध काफी मात्रा में कम लोगों को दिया जा रहा है, यदि हां तो इसका मूल कारण क्या है ?

Shri C. Subramaniam: The main cause is that there is less of production of milk throughout the country. I was having a meeting day before yesterday with the various users of milk in the Delhi area. In every dairy and every factory using milk, the availability has been reduced to about half. It is because of the floods and various other things which have affected the availability of fodder which has affected the health of cattle also. But the position is now improving everyday and I hope ere long it will be possible for us to supply cow and buffalo milk also.

श्री हुकम चन्द कछवाय : पिछली बार जब इस सदन में दिल्ली दूध योजना के सम्बन्ध में प्रश्न उठा था तो उस समय यह कहा गया था कि जो इसको चलाने वाले जो चेयरमैन हैं, डा० सिक्का, वह पहले कलकत्ता में काम करते थे और वहाँ से जब उन को हटाया गया तो वहाँ की सारी मशीनरी को वह खराब करके आये। मैं जानना चाहता हूँ कि क्या अब भी यही कारण तो नहीं है कि हटने पर ये सारी मशीनरी को खराब कर गये हैं, इसलिए दूध कम मिल रहा है ?

Shri C. Subramaniam: He has been now replaced and some other officer has taken charge of it. In addition to that, a team of experts reviewed the whole working of the DMS. They have submitted their report and day before yesterday the recommenda-

tions were reviewed, and action on the basis of the recommendations has also been initiated.

श्री यशपाल सिंह : जैसा कि इस सदन में पहले भी कई बार जिक्र हुआ है, जो दूध देहातों से, राजस्थान से और उत्तर प्रदेश से निलकता है वह 72 घंटे बाद हमारे घरों में पहुंचता है, और उस दूध में खटास और बदबू पैदा हो जाती है, उसके विटामिन ज मारे जाते हैं और दूध की लाश बाकी रह जाती है, क्या यह सही है ? यदि हां, तो क्या इंतजाम किया जा रहा है कि लोगों को ताजा दूध मिल सके ?

Shri C. Subramaniam : Nowadays, under modern conditions, milk properly processed can be kept even for a week or 15 days. Therefore, it is a question of adopting the proper processes, and it is only by adopting these things we are able to transfer milk from a long distance like Bikaner.

Shri S. M. Banerjee : I want to know whether there is improvement in the total supply of the Delhi Milk Scheme. Is it a fact that the supply has been reduced to half, half for the M.Ps. and quarter for the rest of the Delhi people? What steps have been taken to see that the supply is restored?

Shri C. Subramaniam : As I have already stated the question is of production of milk. Unfortunately, it has gone down everywhere, particularly due to the weather conditions and the flood conditions, but the situation is improving. Therefore, I am hoping it will be possible to restore it.

श्री रामेश्वरानन्द : अध्यक्ष महोदय, मेरा एक व्यवस्था का प्रश्न है ।

अध्यक्ष महोदय : बोलिये, आप का व्यवस्था का प्रश्न क्या है ।

श्री रामेश्वरानन्द : मेरा व्यवस्था का प्रश्न यह है कि इस देश के अन्दर दूध की कमी का मुख्य कारण कसाईखानों में गाय,

भैंस आदि का मरवाया जाना है । सरकार को इसके लिये यत्न करना चाहिये कि वध-शालाओं को बन्द करवाये । वधशालायें बन्द की जायेंगी तभी दूध मिल सकता है । लोक सभा में एक बूँध दूध नहीं मिलता है । जब ऐसी स्थिति है तब जनता को दूध कहां से मिल सकता है । इस के लिये मैं आप की व्यवस्था चाहता हूं ।

अध्यक्ष महोदय : अब इस व्यवस्था के प्रश्न का मैं क्या जवाब दूं । इस के लिये कौन सा रूल है, कौन सा कांस्टिट्यूशन है, जो मैं कुछ कह सकूं ।

श्री श्रीकार लाल बेरवा : कुछ दिन पहले मैंने अखबारों में यह पढ़ा था कि इस दूध की कमी को पूरा करने के लिये पांच हजार बकरियां मंगाई जायेंगी । मैं जानना चाहता हूं कि क्या वे बकरियां आ चुकी हैं ।

Shri C. Subramaniam : There is a goat programme also to meet the milk supply position.

Shrimati Renu Chakravartty : The hon. Minister has stated that the fall in the production of milk is due to the flood conditions and weather conditions. I would like to know whether it has been brought to the notice of the Minister that the situation in Bengal, where there is no flood, has been the same, and that there has been a marked fall in fresh milk, i.e., cow's milk and buffaloe's milk, and we are being forced to take toned milk? Is it because of over-dependence on P.L. 480 of this Government?

Mr. Speaker : She took us to Bengal, from there to supply and then returned to P.L. 480.

Shri C. Subramaniam : I was discussing this matter also with the milk experts. I do not know how far the information is correct, but they say that there is a cycle of production in milk also, and there has been decrease in the production of milk throughout the world. That is why there is a shortfall of milk powder also.

Shri Kapur Singh: I am curious to know how certain species of insects such as large grasshoppers manage to induct themselves into sealed Government milk bottles without proper authorisation.

Shri K. D. Malaviya: Does the Government really believe that there is any possibility of improvement in the situation in the next few weeks, months or years?

Shri C. Subramaniam: Certainly.

Shri Kapur Singh: There was no answer to my question.

Mr. Speaker: That was difficult to answer as to how, without authorisation, they could induct themselves into the bottles.

Shri Shivaji Rao S. Deshmukh: 'What is the experts' opinion given to the Minister, whether the cycle of deficiency of milk is only for the quadrupeds or bipeds also?

Mr. Speaker: Hon. Members should be more serious.

Shri Iqbal Singh: The real cause of shortage of milk supply is the high price of gram and fodder because they could not afford to give the full quantity of gram and fodder to the buffaloes. If so, what is the government doing about this?

Shri C. Subramaniam: That is a general question with regard to price of foodgrains.

Mr. Speaker: We shall take up next business now.

WRITTEN ANSWERS TO QUESTIONS

U.S. Businessmen's Conference in New York

{ **Shri Indrajit Gupta:**
Shri Yashraj Singh:
Shri Nambiar:

*512.

{ **Shri Laxmi Dass:**
Shri M. N. Swamy:
Dr. Saradish Roy:
Shri P. Kunhan:
Shri Kapur Singh:
Shri A. K. Gopalan:
Shri Imbichibava:

Will the Minister of Finance be pleased to state:

(a) whether Indian diplomats and officials were authorised by Government to attend a U.S. business men's conference held in New York from 8th to 10th June, 1964 on the subject of "Investing and operating in India";

(b) the assurances, if any, given at this conference on behalf of India; and

(c) whether such assurances have been consistent with Government's declared aims of combating monopolistic growth of private enterprise?

The Minister of Planning (Shri B. R. Bhagat): (a) The Minister (Economic) in the Embassy of India, Washington participated in a conference in New York on the 8th June, 1964 on "Investing and Operating in India" sponsored by the American Management Association.

(b) and (c). The speech of the Minister (Economic) was intended to explain the policies of the Government of India in regard to private foreign investment and did not relate to any specific assurances.

Road-Rail Co-ordination

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

Will the Minister of Planning be pleased to refer to the reply given to Starred Question No. 555 on the 12th March, 1964 and state:

(a) whether the memorandum submitted by Mr. M. R. Bonavia, British Transport Expert on road-rail coordination in India has since been considered by the Committee on Transport Policy and Coordination; and

(D) if so, the result thereof?

The Minister of Planning (Shri B. R. Bhagat): (a) and (b). The memorandum on Road-Rail Co-ordination in India submitted by Mr. M. R. Bonavia to the Committee on Transport Policy and Co-ordination has been considered by the Committee. The Report of the Committee, which is at present under preparation, is expected to take account of various suggestions made to it, including those contained in Mr. Bonavia's memorandum.

Coastal Engineering Research Centre

*514. { Shri A. V. Raghavan;
Shri Potlakkatt:

Will the Minister of Irrigation and Power be pleased to state:

(a) whether there is any proposal to constitute a Coastal Engineering Research Centre to provide technical services on coastal erosion on the model of the United States Beach Erosion Board; and

(b) if so, whether any decision has been taken in the above matter?

The Minister of Irrigation and Power (Dr. K. L. Rao): (a) and (b). Yes; Sir. Proposals for the setting up a Coastal Engineering Research Centre at the Central Water and Power Research Station, Poona, are under consideration.

Increased D.A. for Pensioners

*515. { Shri D. C. Sharma;
Shri Balgovind Verma:

Will the Minister of Finance be pleased to state:

(a) whether the question of raising the rate of dearness allowance for Pensioners to neutralise the rise in the cost living has been considered; and

(b) if so, the result thereof?

The Minister of Planning (Shri B. B. Bhagat): (a) Yes, Sir.

(b) Government have, as a measure of relief, sanctioned *ad hoc* increases to the low paid pensioners with effect from 1-10-1963.

Affairs of Shri Sriram Durga Prasad of Nagpur

*516. **Shri Hari Vishnu Karath:** Will the Minister of Finance be pleased to refer to the reply given to Starred Question No. 439 on the 5th March, 1964 regarding Affairs of Shri Sriram Durga Prasad of Nagpur and state:

(a) whether it is a fact that in the affidavit filed before the High Court (Nagpur Bench) by the Superintendent Customs and Central Excise Nagpur, it is stated, *inter alia*, that "I found documents indicating that the petitioner had resorted to dealings constituting breach of the Customs Regulations and the Regulations under the Foreign Exchange Regulations Act punishable under the Sea Customs Act, 1878, and/or the Customs Act, 1962. The documents, note-books and files which I came across also indicated that the petitioner had resorted to under-invoicing of export of mineral ores to the extent of millions of rupees, large scale purchase of gold to the tune of lakhs of rupees, unauthorised sale of foreign exchange involving lakhs of dollars (U.S.) to parties of whom some are persons known to be directly or indirectly involved in smuggling activities";

(b) if so, whether a copy of the said affidavit will be laid on the Table; and

(c) whether the investigation has been completed?

The Minister of Planning (Shri B. R. Bhagat): (a) Yes, Sir.

(b) Copies of five affidavits filed, four by the Superintendent Central Excise, and one by the Deputy Superintendent, Central Excise, Nagpur, in connection with various writ applications contested by Government in the Nagpur High Court are laid on the Table. [Placed in Library. See No. LT-3299/64]. Four of these contain the

passage referred to by the Hon'ble Member in Part (a) above.

(c) No, Sir.

Map of Kashmir in Encyclopaedia Britannica

*516-A { Shrimati Savitri Nigam:
Shri P. C. Borooah:
Shri P. R. Chakraverti:

Will the Minister of Finance be pleased to state:

(a) whether Government's attention has been drawn to maps in the 24th Volume of the Encyclopaedia Britannica 1964 (Red-Royaltex Binding) on pages 1, 4, 60, 65, 66 and 67 in which the Kashmir portion is not shown as part of India but impressed with black colour so much so that the entire outline of Kashmir is lost from the World Atlas;

(b) if so, whether Government have asked the publishers of the encyclopaedia to explain this discrepancy; and

(c) if so, what is their reply?

The Minister of Planning (Shri B. R. Bhagat): (a) to (c). The information is being collected and will be placed on the Table of the Sabha.

अनधिकृत रूप से बने हुए मकानों का गिराया जाना

*517. श्री किशन पटनायक : क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगी कि :

(क) क्या यह सच है कि दिल्ली विकास प्राधिकार के अधिकारी श्रीनिवासपुरी में अनधिकृत रूप से बने हुए मकानों को गिरा रहे हैं;

(ख) दिल्ली विकास प्राधिकार ने अब तक दिल्ली में कितने मकानों को गिराया है तथा अभी कितने मकान और गिराये जाने हैं;

(ग) क्या यह सच है कि गिराये गये मकानों में कुछ मकान ऐसे हैं जिनके मामले न्यायालय में लम्बित हैं; और

(घ) क्या मकानों को गिराने से पूर्व मकान मालिकों को मकान गिराने के बारे में पूर्व सूचना दी जाती है ?

स्वास्थ्य मंत्री (डा० सुशीला नायर) :

(क) जी हां ।

(ख) दिल्ली विकास प्राधिकार की सीमा में आने वाले विकास-क्षेत्रों में अब तक 36 मकान गिराये जा चुके हैं और 2394 अभी गिराये जाने हैं ।

(ग) मकानों के केवल वे भाग गिराये गये हैं जो न्यायालय के किसी रोकने के आदेश के अन्तर्गत नहीं आते ।

(घ) जी नहीं; अनधिकृत मकान दिल्ली विकास अधिनियम, 1957 के प्रावधानों के अनुसार गिराये जाते हैं ।

International Monetary Fund Conference

*518. Shri Alvares: Will the Minister of Finance be pleased to state:

(a) the main recommendations of the International Monetary Fund Conference held in Tokyo recently;

(b) India's share towards increased contribution; and

(c) whether India suggested a rescheduling of its debt payment and what is the implication of these proposals?

The Minister of Finance (Shri T. T. Krishnamachari): (a) Amongst the resolutions adopted at the annual Session of the International Monetary Fund at Tokyo recently, the more important ones related to the admission of Malawi to the membership of the Fund, approval of the Annual Report for 1964 and the budget for 1965 and the possibility of a general

adjustment of quotas. On the last-noted subject the resolution directed the Executive Directors to consider the question of adjusting the quotas and to submit an appropriate proposal to the Board of Governors at an early date;

(b) Since the question of adjustment of quotas is still to be studied by the Executive Directors it is yet premature to say what India's share would be out of any increase in quotas; and

(c) No, Sir. However, the Managing Director of the International Monetary Fund, in his opening statement referred to the heavy strain on developing economies resulting from the very large debt service payments due from them. The Indian statement supported the thesis that action should be taken to ameliorate such debt service strain.

Nagarjunasagar Project

*519. Shri P. Venkatasubbalah: Will the Minister of Irrigation and Power be pleased to state:

(a) whether Government propose to take over Nagarjunasagar Project as a Central Project;

(b) whether State Government have asked for additional financial assistance for the current year and for the remaining period of the Third Plan for speedy completion of the project; and

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

The Minister of Irrigation and Power (Dr. K. L. Rao): (a) No, Sir.

(b) Yes, Sir.

(c) The State Government have been asked to go ahead with the Project on the basis that an additional assistance of Rs. 4 crores will be provided in 1964-65. The additional requirements for 1965-66 will be considered during the ensuing Annual Plan discussions with the State.

Cholera

Shri Rameshwar Tantia:
Shri B. P. Yadava:
Shri Dhaon:
Shri Bishanchander Seth:
Shri P. C. Borooah:
*520. Shri P. B. Chakraverti:
Shri Shree Narayan Das:
Shri Onkar Lal Berwa:
Shri Veerappa:
Shri Ramachandra Ulaka:
Shri Dhuleshwar Meena:

Will the Minister of Health be pleased to state:

(a) whether it is a fact that her Ministry has issued a circular to all the States regarding the possible out-break of cholera in view of the high incidence at some places;

(b) whether it is also a fact that the Centre has offered technical and other help in the prevention of the disease; and

(c) how many States were affected and in how many States Centre has assisted; and

(d) what other measures were taken by the States as well as the Centre to prevent the out-break of cholera?

The Minister of Health (Dr. Sushila Nayar): (a) Yes, Sir.

(b) Yes, Sir.

(c) The following States reported large out-break of cholera during the period January, 1964 to August, 1964:-

1. Andhra Pradesh.
2. Madras.
3. Maharashtra.
4. Mysore.
5. West Bengal.

The States of Maharashtra and Gujarat have been helped by the Centre with the supply of cholera vaccine and medicines, etc. on their request. The Central Government did not receive any such request from other States.

(d) The measure taken by the States included notification of the disease, anti-cholera inoculations, early treatment and segregation of the

cases, improvement of sanitation, disinfection of excreta, antily measures, special masures in the areas where cholera occurred every year, chlorination of drinking water, use of disinfectants and sulphaguanidine, promulgation of Epidemic Disease Act and special anti-epidemic measures during fairs and festivals.

So far as the Central Government is concerned, an Epidemiological team from the All India Institute of Hygiene and Public Health, Calcutta had been deputed to Gujarat and Maharashtra to investigate the outbreak of cholera in these States and to give necessary technical guidance.

Investigation into the Affairs of Companies

*521. Shri Yashpal Singh: Will the Minister of Finance be pleased to state:

(a) the number of cases in which investigation were ordered by Government under sections 235, 237, 247 and 249 of the Companies Act and which are pending for more than three years;

(b) the main reasons for this; and

(c) the specific steps being taken to see that investigation does not take more than one year.

The Minister of Planning (Shri B. R. Bhagat): (a) None, Sir. However, one case of investigation under section 138(iv) of the Indian Companies Act 1913 which corresponds to section 235(c) of the Companies Act, 1956, is pending for over three years.

(b) Non-co-operative and dilatory tactics employed by the management in relation to the investigation.

(c) Legislative steps are being taken to enlarge the powers of the Inspectors. It is hoped with these amendments, the Government decision already taken that as far as possible only Departmental Officers would be appointed Inspectors and the constitution of the Company Law

Tribunal, would lead to an improvement in the position.

Chit Fund Companies in Delhi

Shri P. C. Borooah:
Shri Bishanchander Seth:
Shri Rameshwar Tania:
Shri R. P. Yadava:
Shri Dhaon:
Shri M. L. Dwivedi:
Shri S. C. Samanta:
Shrimati Savitri Nigam:
Shri Subodh Hansda:
Shri Vishram Prasad:
*522. Shri Jagdev Singh Siddhanti:
Shri Yashpal Singh:
Shri Prakash Vir Shastri:
Shri Mohan Swarup:
Shri Onkar Lal Berwa:
Shri Balgovind Verma:
Shri P. K. Deo:
Shri Shiv Charan Gupta:
Shri E. Madhusudan Rao:
Shri D. C. Sharma:

Will the Minister of Finance be pleased to state:

(a) whether following numerous complaints of malpractices in the operation of various Chit-funds in Delhi, the Madras Chit Funds Act, 1961 has been extended to the Union Territory of Delhi to deal with the complaints effectively; and

(b) if so, how many prosecutions have been launched under the Act in Delhi and in how many cases the persons concerned have been found guilty and convicted?

The Minister of Planning (Shri B. R. Bhagat): (a) Yes.

(b) No occasion has so far arisen for launching any prosecution under the Madras Chit Funds Act, 1961 as extended to the Union Territory of Delhi. Twelve cases have, however, been registered by the police authorities, on account of criminal breach of trust or other offences under the Indian Penal Code, after an investigation of the Complaints received between the 1st January, 1964 and the 31st August, 1964. The proceedings in respect of these 12 cases have not yet been completed. About 110 cases

relating to complaints received by the period are still being investigated.

Aid for Flood Control Measures

- *523. { Shri P. R. Chakraverti:
Shri K. N. Tiwary:
Shri P. C. Borooah:

Will the Minister of Irrigation and Power be pleased to state:

(a) whether Government have received representation from the States annually affected by floods, demanding 50 per cent subvention from the Centre for flood control measures;

(b) whether there is any proposal to levy a flood cess on the beneficiaries for meeting the cost of repairs and maintenance of flood protection works; and

(c) the steps taken for strengthening flood control organisation both at the State and the Central levels?

The Minister of Irrigation and Power (Dr. K. L. Rao): (a) No, Sir.

(b) The Ministry has from time to time addressed the State Governments for enacting legislation or levy of flood cess. Some State Governments have already enacted suitable legislations. This question is also being reviewed by a Committee of Ministers on Flood Control which was constituted in February, 1964.

(c) This has been referred for examination to the Committee of Ministers and steps necessary will be considered when their report is received.

Smuggling of Foreign Currency

- *524. { Shri Indrajit Gupta:
Shri Dhaon:
Shri Onkar Lal Berwa:
Shri B. P. Yadava:
Shri Rameshwar Tania:
Shri Bishanchandrar Sethi:
Shri P. R. Chakraverti:
Shri Mohan Swarup:

- { Shri Sham Lal Saaraf:
Shri Bagri:
Shri Ramachandera Ulaka:
Shri Dhuleshwar Meena:
Shri D. C. Sharma:

Will the Minister of Finance be pleased to state:

(a) whether the police have recently unearthed a vast ring of counterfeiters in bank drafts, travellers' cheques and passports, operating in various States;

(b) whether it is a fact that the gang concerned consists of South African Indians with their local accomplices in this country; and

(c) whether it is also a fact that large sums of foreign exchange are being smuggled out of India due to malpractices in the foreign tourist traffic?

The Minister of Planning (Shri B. R. Bhagat): (a) No Sir. However a few cases where counterfeit travellers' cheques were, or were attempted to be, encashed have come to light in the past. These cases are being handled by the different State Police authorities. In one such case a foreigner was convicted. Some cases are still under prosecution/investigation.

(b) Does not arise.

(c) No definite information is available.

Ghaggar Floods in Rajasthan

- *525. { Shri Harish Chandra Mathur:
D. L. M. Singhvi:
Shri Karni Singhji:
Shri P. L. Barupal:

Will the Minister of Irrigation and Power be pleased to state:

(a) the work done before monsoon to control Ghaggar floods in Rajasthan and that proposed to be done before next monsoon;

(b) the finances required and the steps taken to make these available; and

(c) how flood water can be utilised for increased production?

The Minister of Irrigation and Power (Dr. K. L. Rao): (a) A 5 miles long bund upstream of Rajasthan syphon was completed before this year's monsoons. Also protective bunds for the important towns and villages affected by Ghaggar floods were completed. The State Government expect to complete about 15 miles length of the flood diversion channel below the syphon before the next monsoons, subject to the availability of required funds.

(b) The Ghaggar Flood Control Scheme was approved by the Technical Advisory Committee of the Planning Commission in October, 1963. Although the technical and economic feasibility of the scheme has since been accepted by the Ministry of Finance, sanction of funds is awaited.

(c) The flood waters can be utilized for increased agricultural production by (i) delivering regulated supplies from the diversion channel into the present Na'i bed, (ii) bye-passing flood flows to low-lying areas for the benefit of Kharif and Rabi crops, (iii) letting in supplies from Ghaggar into the Rajasthan Canal System during rabi when the latter get little or no supplies from Harike, and (iv) providing direct outlets in the banks of the diversion channel for irrigation purposes.

Labour Cooperatives in Rural Areas

*526. **Shri D. C. Sharma:** Will the Minister of Planning be pleased to state:

(a) whether the Central Advisory Committee for Agricultural Labour set up by the Planning Commission has recommended the formation of labour cooperatives in rural areas; and

(b) if so, the steps taken or proposed to be taken in this regard?

The Minister of Planning (Shri B. E. Bhagat): (a) Yes.

(b) The suggestion has been brought to the notice of the State Governments. Further action in this connection is under consideration.

Power Development of Regional Basis

*527. { **Shri Rameshwar Tantia:**
Shri Bishanchander Seth:
Shri B. P. Yadava:
Shri Dhaon:
Shri P. K. Deo:
Shri Surendra Pal Singh:

Will the Minister of Irrigation and Power be pleased to state:

(a) whether Government are considering a proposal that power development during the Fourth Plan should be on a regional basis rather than on State basis as at present;

(b) if so, the reasons for the same; and

(c) whether it is a fact that this proposal has been accepted by the Planning Commission?

The Minister of Irrigation and Power (Dr. K. L. Rao): (a) and (b), The Government of India have accepted the principle of planning for power development on a regional basis. The power development programme for the Fourth Plan is, however, being planned essentially state-wise; but it is expected that with the inter-connection of transmission lines and establishment of regional grids, the object of regional planning will be achieved and maximum benefits would accrue.

(c) Yes, Sir.

Contract System

*574. { **Shri P. B. Chakraverti:**
Shri Vishwa Nath Pandey:
Shri Bibhuti Mishra:
Shri K. N. Tiwary:

Shrimati Laxmibai:
 { **Shri Hari Vishnu Karanth:**
Shri Yashpal Singh:
Shri Buta Singh:

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

(a) whether a Committee consisting of Central Government officials and representatives of contractors is proposed to be set up to rationalise the procedures relating to tenders and payment for work done by contractors and to enquire into the mode of corruption in the Government contractor dealings;

(b) whether any basic qualifications for recognition of contractors have been prescribed; and

(c) when the Committee will submit its report?

The Minister of Works and Housing (Shri Mehr Chand Khanna): (a) Yes.

(b) The basic qualifications are laid down in the Rules for enlistment of contractors in the C.P.W.D.

(c) The Committee submitted its report on the 19th September, 1964.

Power Stations

*529. { **Shri P. C. Borooah:**
Shri P. R. Chakraverti:

Will the Minister of **Irrigation and Power** be pleased to state:

(a) whether Government propose to make a close study of the working of the power stations in the country;

(b) if so, whether any study group has been formed for the purpose; and

(c) what are its terms of reference?

The Minister of Irrigation and Power (Dr. K. L. Rao): (a) Yes, Sir.

(b) No Study Group has been set up; but the studies are being conducted by the Central Water and Power Commission.

1308 Ai) LSD—3.

(c) The object of the study is to formulate recommendations for improving the efficiency and economy of thermal power stations.

'C' Power Station

*530. **Shri D. C. Sharma:** Will the Minister of **Irrigation and Power** be pleased to state:

(a) whether the turbines of the 'C' Power Station, New Delhi are still subject to vibrations; and

(b) if so, the action taken or proposed to be taken in the matter?

The Minister of Irrigation and Power (Dr. K. L. Rao): (a) Yes, Sir.

(b) The machine is under guarantee for a period of three years, commencing from 10th September, 1963, the date on which it was commissioned. Vibrations were first noticed on 3rd March, 1964, about six months after commissioning. The machine was realigned by the engineers of the suppliers and started working satisfactorily from 10th April 1964; but vibrations were again noticed on the 17th August, 1964. The engineers of M/s Mitsubishi Shoji Kaisa Ltd, of Japan, the suppliers of the machine have since then been attending to make necessary adjustments to reduce the vibrations to the permissible limits.

T.B. Patients in Orissa

1617. **Shri Rama Chandra Mallick:** Will the Minister of **Health** be pleased to state:

(a) the number of T. B. patients at present in the State of Orissa as per the survey conducted by the National Council of Survey;

(b) the nature of assistance given by the Centre to the State Government of Orissa for the treatment of these T. B. patients; and

(c) the total sum of money sanctioned during the current financial year for these patients?

The Minister of Health (Dr. Sushila Nayari): (a) Orissa State was not included in the National Sample Survey of Tuberculosis. However, the number of T.B. patients in Orissa at present is estimated at 2,63,000.

(b) Under the National T. B. Control Programme, the Government of India assists the State Governments in respect of the following schemes:

- (i) B.C.G. Vaccination Campaign,
- (ii) Establishment of T. B. Clinics,
- (iii) Establishment of T. B. Demonstration & Training Centres;
- (iv) Establishment of Mobile X-Ray Units;
- (v) Establishment of T. B. Isolation beds; and
- (vi) Supply of anti-TB Drugs.

Central assistance at the rate of 75 per cent of the non-recurring expenditure and 50 per cent of the recurring expenditure is available to the States etc. in respect of the above mentioned schemes. The Central share on buildings is limited to 75 per cent of the following ceilings:

- (a) T. B. Clinics Rs. 95,000 per clinic;
- (b) T. B. Demonstration and Training Centres Rs. 2,25,000 per centre.

(c) As Central assistance for the Centrally-aided Schemes is released through 'Ways and Means Advances' for a group of schemes, the assistance released to Orissa so far for T. B. schemes alone is not known. However, anti-T.B. drugs worth Rs. 14,469.30 have so far been supplied in the current year to T.B. Clinics in Orissa besides one Mass Miniature Radiography Unit, one Refrigerator and one set of Laboratory equipment inclusive of Microscope. The Government

of Orissa have sanctioned a sum of Rs. 14.78 lakhs for the current financial year for the treatment of T. B. patients in Orissa.

Stream Gauging Equipment

1618. Shri Karni Singhji: Will the Minister of Irrigation and Power be pleased to state:

(a) whether our Engineers have taken to the use of the latest stream gauging equipment as are employed in the U.S.A. and other advanced countries for flood control and irrigation; and

(b) whether Government have considered the desirability of encouraging indigenous manufacture of such equipment in view of foreign exchange difficulties?

The Minister of Irrigation and Power (Dr. K. L. Rao): (a) Yes.

(b) A considerable amount of equipment is already being procured from indigenous sources. However, the matter is being specifically brought to the notice of the Ministry of Industry and Supply.

Ramanadhi Dam

1619. Shri M. P. Swamy: Will the Minister of Irrigation and Power be pleased to state:

(a) whether the Madras Government have sent the revised estimate for the construction of Ramanadhi Dam; and

(b) if so, whether technical sanction has been accorded to this scheme by the Central Government?

The Minister of Irrigation and Power (Dr. K. L. Rao): (a) No.

(b) Does not arise.

Board of Homoeopathic System of Medicine

1620. Dr. B. N. Singh: Will the Minister of Health be pleased to state:

(a) when the new Board of Homoeopathic System of Medicine, Delhi is likely to be constituted; and

(b) the qualifications, academic and professional laid down for the appointment of Chairman and Members to the said Board?

The Minister of Health (Dr. Sushila Nayar): (a) The new Board is likely to be constituted by November, 1965.

(b) According to the provisions of the Delhi Homoeopathic Act, 1956, the Board shall consist of nine members and shall be constituted in the following manner, namely:—

(i) six members, who have put in at least 10 year's practice in Homoeopathy, elected by the registered practitioners from amongst themselves;

(ii) One practitioner nominated by the State Government;

(iii) One member from the public having interest in Homoeopathy nominated by the State Government; and

(iv) the Director or an Assistant Director of Health Services, Delhi State, nominated by the State Government.

The State Government shall nominate one member of the Board as Chairman of the Board. The Vice-Chairman of the Board shall be elected by the Board from amongst its members.

Central Homoeopathic Advisory Committee

1621. Dr. B. N. Singh: Will the Minister of Health be pleased to state:

(a) the term of Office of the Central Homoeopathic Advisory Committee;

(b) when the next Committee is likely to be constituted;

(c) the authority which constitutes the said Committee; and

(d) the qualifications laid down for the nomination of members to this Committee?

The Minister of Health (Dr. Sushila Nayar): (a) The present Homoeopathic

Advisory Committee was constituted on the 23rd February 1962 to advise the Government of India on matters relating to the development of Homoeopathic system of medicine during the Third Five Year Plan.

(b) The present Committee can function in the remaining part of the Third Plan. No decision regarding its reconstitution has been taken.

(c) The Government of India in the Ministry of Health constitutes the Committee.

(d) No specific qualifications have been laid down.

Registration of Homoeopaths in Delhi

1622. Dr. B. N. Singh: Will the Minister of Health be pleased to state:

(a) whether it is a fact that some ineligible persons got themselves registered as Homoeopaths in Delhi and a complaint to this effect was made to the Chairman and Registrar of the Board of Homoeopathic System of Medicine, Delhi some time back;

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

(c) the number of qualified and unqualified Homoeopaths in Delhi who thus obtained registration; and

(d) qualifications, academic, age and experience laid down for being registered as Homoeopaths in Delhi?

The Minister of Health (Dr. Sushila Nayar): (a) and (b). No ineligible person has been found to have been registered in Delhi. A few complaints were received by the Chairman/Registrar, Board of Homoeopathic System of Medicine, Delhi, including fourteen cases of registration out of which ten were found to be incorrect and the remaining are under investigation.

(c) Does not arise.

(d) The qualifications prescribed for registration as detailed in paras 1, 2 and 3 in the Schedule to the Delhi Homoeopathic Act, 1956, are:

- (i) Homoeopaths who passed the final examination held by the Board of Homoeopathic Medicine, Delhi.
- (ii) Homocopaths who have passed an examination from the Homoeopathic Institution in the State or outside it, provided that for purposes of registration, such an institution is recognised by the State Government.
- (iii) Homoeopaths who have been practising as such wholetime for the last ten years at the time of the passing of the Act and are certified in the prescribed manner as fit persons for being registered as practitioners.

Explanation: A person shall not be deemed to be practising Homoeopathy wholetime if he is a salaried servant (otherwise than as an Homoeopath) of the State Government, the Central Government, Local Authority or a commercial or industrial undertaking or other establishment.

Eye Hospital

1623. Shri Ram Harkh Yadav: Will the Minister of Health be pleased to state:

(a) whether an Eye Hospital is proposed to be constructed in Delhi in memory of the late Shri Feroze Gandhi;

(b) if so, the details of the scheme and the location of the hospital; and

(c) the estimated expenditure on the hospital and the contribution of Government, if any?

The Minister of Health (Dr. Sushila Nayar): (a) There is no such proposal with the Government.

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

Private Medical College in Delhi

1624. Shri Ram Harkh Yadav: Will the Minister of Health be pleased to state:

(a) whether Government have sanctioned the opening of a private medical college in Delhi;

(b) if so, whether the said college would be affiliated to the Delhi University; and

(c) if so, the terms of recognition by the university?

The Minister of Health (Dr. Sushila Nayar): (a) No.

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

Cooperatives in Kerala for Goldsmiths

**1625. { Shri A. V. Raghavan:
Shri Pottekatt:**

Will the Minister of Finance be pleased to state:

(a) the number of co-operative societies registered in Kerala for providing employment to goldsmiths rendered unemployed as a result of the Gold Control Order; and

(b) the nature of financial assistance rendered to these societies by Government so far?

The Minister of Finance (Shri T. T. Krishnamahari): (a) Eight pilot and twelve other industrial cooperative societies have been registered so far;

(b) the pilot cooperative societies have been sanctioned working capital loan of Rs. 40,000 and grant of Rs. 583/- towards salary of paid secretaries. The industrial cooperative societies have been sanctioned working capital loan of Rs. 30,935/-.

Drinking Water Supply to Tellicherry and Mahe

1626. { **Shri A. V. Raghavan:**
Shri Pottekkatt:

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

(a) whether any proposals have been received from the Government of Kerala for providing drinking water supply to Tellicherry and Mahe; and

(b) if so, the decision taken thereon?

The Minister of Health (Dr. Sushila Nayar): (a) and (b). Only an abstract estimate of Rs. 23.50 lakhs forming a part of the Rs. 195 lakhs Scheme for Tellicherry, Mahe and Cannanore Comprehensive Water Supply Scheme was received from the Government of Kerala. As it was not susceptible of any check without the detailed report of the scheme and details of the different components, the State Government have been asked to furnish the full detailed engineering data of the comprehensive water supply scheme for scrutiny.

Basic Tax on Land in Kerala

1627. { **Shri A. V. Raghavan:**
Shri Pottekkatt:

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

(a) the arrears of basic tax on land outstanding on 1st September, 1964 in Kerala;

(b) the steps taken to collect the arrears of basic tax; and

(c) the amount paid to various panchayats as provided in the Kerala Panchayat Act so far?

The Minister of Finance (Shri T. T. Krishnamachari): (a) About Rs. 2.11 crores.

(b) Recovery has been ordered to be made in 2 equal instalments on Kist dates in the current year.

(c) Nil.

Kerala State Nurses Association

1628. { **Shri A. V. Raghavan:**
Shri Pottekkatt:

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

(a) whether the Government of Kerala have received any Memorandum from the State Nurses Association regarding their grievances; and

(b) if so, whether any action has been taken thereon?

The Minister of Health (Dr. Sushila Nayar): (a) Yes. The Government of Kerala have received two Memoranda from the State Nurses Association.

(b) The State Government have already issued orders on most of the points and the remaining few are under their consideration.

Water Scheme for Mohol Town, Maharashtra

1629. **Shri Sonavane:** Will the Minister of **Health** be pleased to state:

(a) whether any water scheme for Mohol town in Sholapur district (Maharashtra) has been received from the Maharashtra State for sanction; and

(b) if so, whether the scheme has been approved and if not, when it is likely to be approved?

The Minister of Health (Dr. Sushila Nayar): (a) Yes.

(b) The scheme in question is under scrutiny and is likely to be approved within a fortnight.

Production of Artificial Limbs

1630. **Shrimati Savitri Nigam:** Will the Minister of **Health** be pleased to state:

(a) whether Government have got any proposal under consideration to start production centre for artificial limbs in the North to save handicapped people from the trouble and the

expenses of going all the way to Poona to get artificial limbs;

(b) if so, at what stage it is?

The Minister of Health (Dr. Sushila Nayar): (a) There is a proposal to establish two centres for production of artificial limbs and orthopaedic appliances for the handicapped on a mass scale. One of the proposed Centres will be in the North.

(b) The proposal is under active consideration.

Ministers' Residences

1631. { **Shri Yashpal Singh:**
Shri Vishram Prasad:
Shri Indrajit Gupta:
Shri Bade:

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

(a) for how long the dependents of a Minister who dies in office can retain the residence occupied by them;

(b) whether any occasion has arisen where this rule has been violated and an objection is taken by the Auditor-General of India; and

(c) if so, what action was taken in the matter?

The Minister of Works and Housing (Shri Mehr Chand Khanna): (a) For fifteen days.

(b) In five cases extensions have been sanctioned, but as far as it can be ascertained, in none of these cases has any objection been raised by the Auditor-General of India.

(c) Does not arise.

L.I.C. Housing Scheme

1632. Shri S. M. Banerjee: Will the Minister of Finance be pleased to state:

(a) whether it has been suggested by some Anchalik Nagarik Parishad, Calcutta that the Life Insurance Corporation should finance the construction of houses in refugee colonies as

a means of providing some relief to the migrants from East Pakistan;

(b) if so, the reaction of Government thereto; and

(c) whether any scheme has been prepared by the Life Insurance Corporation to this effect?

The Minister of Finance (Shri T. T. Krishnamachari): (a) Yes.

(b) and (c). There are several difficulties in implementing the suggestion. The Life Insurance Corporation of India is a commercial organisation, and the loans, which it grants to its policy-holders for the construction of houses, are subject to several conditions which the refugees may not be able to satisfy. No action, so far as the Life Insurance Corporation is concerned, is, therefore, considered possible or necessary.

Charitable Hospitals

1633. Shrimati Savitri Nigam: Will the Minister of Health be pleased to state:

(a) whether Government have decided to give some financial aid to charitable hospitals in Delhi during the current year; and

(b) if so, the details thereof?

The Minister of Health (Dr. Sushila Nayar): (a) and (b). Under the scheme of grants to voluntary T.B. leprosy and other institutions the following financial assistance has been given so far, this year, to the institutions noted below:—

Name of the institution	Amount Sanctioned Purpose	
	1	2
Rs.		
(1) The Tara Devi Smarak Samiti, Shanker Market, New Delhi	30,000	Forpurchase of an X-ray machine

1	2	3
(2) The Yoga Institute for Psycho-Physical Therapy, Bhagwan Das Seva Sadan, Lajpat Nagar, New Delhi.	Rs. 1,000	For purchase of equipment.
(3) The Andhra Vanita Mandali, 2, Kushak Road, New Delhi	15,000	For purchase of equipment.

In addition the Delhi Administration have sanctioned a sum of Rs. 13,600 to Dr. Shroff's Eye Hospital, Delhi.

Exchange Value of Indian Rupee

1634. { Shri Vishram Prasad:
Shri Sham Lal Saraf:
Shri Krishnapal Singh:

Will the Minister of Finance be pleased to state:

(a) whether exchange value of Indian rupee currency is going down at an alarming rate;

(b) if so, the annual rate of depreciation; and

(c) the steps taken to stop the depreciation?

The Minister of Finance (Shri T. T. Krishnamachari): (a) No, Sir. The exchange value of the Indian rupee is based on the par value agreed with the international Monetary Fund, which has remained unchanged since September 1949. Fluctuations up to 1 per cent either way of the parity are permitted under the I.M.F. rules.

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

Construction of Houses under Master Plan

1635. **Shri D. C. Sharma:** Will the Minister of Health be pleased to state:

(a) whether the work on the Master Plan proposals for building houses in the capital has made very little

progress during the last three years; and

(b) if so, the reasons for the same and steps proposed to be taken in the matter?

The Minister of Health (Dr. Sushila Nayar): (a) and (b). The statement [Placed in Library, See No. LT-3300/64] will show that a substantial part of the target fixed in the Master Plan for Delhi for building houses has already been achieved.

Contraceptives

1636. { Shri Rameshwar Tantia:
Shri Bishancharnder Seth:
Shri B. P. Yadava:
Shri Dhaon:
Shri P. J. Naik:
Shri N. Rampure:
Shri Koya:

Will the Minister of Health be pleased to refer to the reply given to Starred Question No. 1252 on the 30th April, 1964 on family planning accessories and state:

(a) whether any decision in regard to the proposal to manufacture contraceptives in the public sector has been taken;

(b) if so, when and where the plant is likely to be set up; and

(c) the total estimated investment on the project?

The Minister of Health (Dr. Sushila Nayar): (a) to (c). The proposal to manufacture rubber contraceptives in the Public Sector is still under consideration of the Government of India.

Delhi Development Authority

1637. { Shri Yashpal Singh:
Shri Indrajit Gupta:
Shri Kapur Singh:

Will the Minister of Health be pleased to state:

(a) whether it is proposed to appoint a high-powered committee to review the working of the Delhi Development Authority as suggested

by the Public Accounts Committee in its 18th Report; and

(b) if so, by what time its personnel and terms of reference would be announced?

The Minister of Health (Dr. Sushila Nayar): (a) The Public Accounts Committee did not make any specific recommendation for the appointment of a high-powered committee to review the working of the Delhi Development Authority. They, however, suggested that Government might review the composition, powers, functions and responsibilities of the Delhi Development Authority and this is being done. Government are however of the view that after the amendment of the Delhi Development Act which was passed by Parliament in December, 1963, the Authority is functioning satisfactorily and has been clothed with sufficient powers for execution of the Master Plan which aims at the orderly development of Delhi.

With a view to streamlining the existing procedure and methods of work in the office of the Authority which could lead to economy and efficiency, it has also been proposed that an officer may be obtained from the O & M Division, Ministry of Home Affairs to advise. Necessary action in this direction is being taken.

(b) Does not arise.

Financial Assistance for Family Planning

1638. { **Shri Vishwanath Pandey:**
Shrimati Savitri Nigam:
Shri Yashpal Singh:

Will the Minister of Health be pleased to state:

(a) whether it is a fact that the Government of Maharashtra have accepted the proposal of the Union Government to start an intensive rural and urban family planning programme in the State;

(b) if so, the total amount of financial assistance given to the Maha-

rashtra Government by the Central Government; and

(c) when such scheme will be started in the State?

The Minister of Health (Dr. Sushila Nayar): (a) Yes.

(b) Grants-in-aid of Rs. 13.97 lakhs and Rs. 6.09 lakhs were sanctioned to the Maharashtra Government during 1962-63 and 1963-64 respectively for the execution of the family planning programme; and for the year 1964-65 an allocation of Rs. 26.26 lakhs has been made.

(c) The State Government has intimated that the intensive rural and urban family planning programme is already under execution in the State.

L.I.C. Building in New Delhi

1639. **Shri Surendra Pal Singh:** Will the Minister of Finance be pleased to state:

(a) whether it is a fact that the Life Insurance Corporation's proposal to construct its own 30 to 40 storey high building near Parliament Street and Janpath in New Delhi has met with certain objections from Delhi Development Authority and the New Delhi Municipal Committee and the former has sought the intervention of the Finance Ministry for the removal of those objections and obstacles; and

(b) if so, the steps, if any, taken by Government in this regard?

The Minister of Finance (Shri T. T. Krishnamachari): (a) No. It has been decided that the Life Insurance Corporation should be allowed to construct the building, and certain suggestions, which were made by the Delhi Development Authority, have been accepted.

(b) Does not arise.

Remittance of Money by Indians Abroad

1640. **Shri P. R. Chakraverti:** Will the Minister of Finance be pleased to state:

(a) whether it is a fact that most of the Indian workers in U.K. are

remitting money home regularly through unauthorised channels;

(b) the general practice of their remitting money to India; and

(c) the loss in foreign exchange resulting from clandestine practices resorted to by Indians abroad, in avoiding normal channel?

The Minister of Finance (Shri T. T. Krishnamachari): (a) to (c). There appears to be cases of unauthorised remittances of money from this quarter. The procedures followed in this respect are not known and for this reason it is not possible to estimate the loss of foreign exchange resulting from such clandestine practices.

ग्रामीण कार्य विभाग

1641. श्री श्रीकार लाल बेरवा : क्या योजना मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या केन्द्रीय सरकार योजना आयोग के ग्रामीण कार्य विभाग को सामुदायिक विकास मंत्रालय को सौंपने के बारे में विचार कर रही है ;

(ख) यदि हां, तो यह कब तक हो जायेगा ; और

(ग) इसके क्या कारण हैं ?

योजना मंत्री (श्री ब० रा० भगत):

(क) से (ग) ग्रामीण कार्य कार्यक्रम को, सामुदायिक वर्ग के अन्य ग्रामीण विकास कार्यक्रमों में सम्बन्ध करने में सुविधा प्रदान करने के उद्देश्य से, 1-9-1964 में प्रा. िण कार्य कार्यक्रमों की प्रशासकीय जिम्मेदारी योजना आयोग ने सामुदायिक विकास एवं सहकार मंत्रालय को सौंप दी थी। तदनुसार, योजना आयोग के ग्रामीण कार्य विभाग भी उक्त तिथि से उक्त मंत्रालय को सौंप दिया गया है।

Food Adulteration

1642. { Shri Kolla Venkaiah:
Shri Mohammad Elias:

Will the Minister of Health be pleased to state:

(a) whether the Calcutta Kirana (Spices) Merchants Association has

made any representation for amending the Prevention of Food Adulteration Act, regarding the chemical standards of the products in the absence of proper testing apparatus with the Food Inspectors; and

(b) if so, the action taken thereon?

The Minister of Health (Dr. Sushila Nayar): (a) and (b). The Association represented that standards of quality for whole spices laid down in the Prevention of Food Adulteration Rules, 1955 should be based on physical characteristics alone and that chemical tests prescribed under the Rules should be deleted.

The standards of quality for spices prescribed in the Rules have been examined by a sub-committee of the Central Committee for Food Standards. The recommendations of the sub-committee are under consideration.

Housing Scheme of L.I.C.

1643. { Shri P. K. Deo:
Shri Solanki:

Will the Minister of Finance be pleased to state:

(a) whether the new housing scheme of Life Insurance Corporation has made any progress;

(b) if so, how many policies have been issued so far and the amount of such policies; and

(c) the number of applications received from policy holders for grant of such loans?

The Minister of Finance (Shri T. T. Krishnamachari): (a) Yes.

(b) Apart from 512 existing policies of an assured value of Rs. 46.90 lakhs, 121 new policies, assuring a sum of 20.05 lakhs have been issued upto the 31st July, 1964, for being assigned in favour of the Life Insurance Corporation as security for the grant of loans under this scheme.

(c) 1,576 (upto 31st July, 1964).

Periyar Project

1644. Shri P. K. Deo: Will the Minister of Irrigation and Power be pleased to state:

(a) whether the Periyar Project has been commissioned;

(b) the main features of the project; and

(c) the cost involved and cost shared by the Centre and the State?

The Minister of Irrigation and Power (Dr. K. L. Rao): (a) The first Stage of the Periyar Project with 3 generating units of 35,000 kW each was completed in the Second Plan, in May, 1959. Stage II of the Project which envisages installation of a fourth generating unit of 35,000 kW is expected to be completed early in 1965.

(b) The scheme comprises a regulating reservoir with a capacity of 7.8 million cft. at the outlet of the existing irrigation tunnel leading from the irrigation reservoir of the Periyar River—about 40 miles South-East of Madurai town—and thence a second tunnel 4,180 ft. long, conveying the waters to penstock pipes leading to the Power House with 3 generating sets of 35,000 kW capacity each, already in commission since 1959 and a fourth similar unit under erection. A head of about 1,263 feet is available for power generation.

(c) The estimated cost of Stage I of the Periyar Scheme is Rs. 1,048 lakhs and that Stage II is Rs. 94 lakhs. The cost of the scheme is not being shared between the Centre and the State Government.

Assistance sought by West Bengal

1645. Shri P. K. Deo: Will the Minister of Finance be pleased to state:

(a) whether the West Bengal Government have asked for financial aid for the unexpected heavy expenditure due to last Calcutta riots; and

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

The Minister of Finance (Shri T. T. Krishnamachari): (a) Yes.

(b) The West Bengal Government have been paid a grant of Rs. one crore on an on account basis towards expenditure incurred on relief operations during the year 1963-64 including expenditure on relief operations in connection with the riots in Calcutta.

Heavy and Medium Industries in Punjab

1646. Shri Daljit Singh: Will the Minister of Planning be pleased to state:

(a) whether the Punjab Government have approached the Central Government for the allotment of more funds for the setting up of heavy and medium industries in Punjab during the Third Five Year Plan; and

(b) if so, the decision taken in this regard?

The Minister of Planning (Shri B. R. Bhagat): (a) Yes, Sir.

(b) The matter is under consideration.

Under-Invoicing and Over Invoicing by Firms

**1647. { Shri Ramachandra Ulaka:
Shri Dhuleshwar Meena:**

Will the Minister of Finance be pleased to refer the reply given to Starred Question No. 984 on the 9th April, 1964 and state:

(a) whether the scheme submitted to Government by the Director of Enforcement suggesting measures to check under invoicing of exports and over invoicing of imports has since been considered by Government; and

(b) if so, the result thereof?

The Minister of Finance (Shri T. T. Krishnamachari): (a) and (b). After considering the scheme, additional staff has been sanctioned to the Enforcement Directorate.

Subarnarekha River

1648. { **Shri Ramachandra Ulaka:**
Shri Dhuleshwar Meena:

Will the Minister of **Irrigation and Power** be pleased to refer to the reply given to Starred Question No. 544 on the 12th March, 1964 and state:

(a) whether the examination of Inter-State aspects of the scheme to harness the Subarnarekha River (Orissa) by the States of Orissa, Bihar and West Bengal has since been completed; and

(b) if so, the result thereof?

The Minister of Irrigation and Power (Dr. K. L. Rao): (a) Yes.

(b) An understanding has been reached, at Engineers level, on the apportionment of Subarnarekha waters.

Coal Transport Problem

1649. { **Shri Ramachandra Ulaka:**
Shri Dhuleshwar Meena:
Shri P. K. Deo:
Shri P. G. Sen:

Will the Minister of **Finance** be pleased to refer to the reply given to Unstarred Question No. 54 on the 28th May, 1964 and state:

(a) whether any final report on the coal transport problem has been submitted by the World Bank Team;

(b) if so, the details thereof; and

(c) the reaction of Government thereon?

The Minister of Finance (Shri T. T. Krishnamachari): (a) Yes, Sir.

(b) and (c). The Report is yet under consideration. The Report it-

self together with Government's reactions thereto will be placed before Parliament as early as possible.

Quarters to Employees of Railway Ministry

1650. **Shri Gulshan:** Will the Minister of **Works and Housing** be pleased to state:

(a) the total number of Lower Division Clerks and Upper Division Clerks working in the Ministry of Railways who have not so far been allotted Government quarters; and

(b) when they are likely to be allotted Government accommodation?

The Minister of Works and Housing (Shri Mehr Chand Khanna): (a) and (b). The Directorate of Estates do not maintain statistics by Ministries/Departments of officers employed in them. The Ministry of Railways have however, reported that 217 Lower Division Clerks and 62 Upper Division Clerks have not so far been allotted Government quarters. Allotments are not made Ministry/Department-wise. They are made according to the dates of priorities of the officers working in eligible offices. The Lower Division and Upper Division Clerks of the Ministry of Railways will be allotted Government accommodation in their turn. It is not possible to indicate any period because against over one lakh applicants for allotment of accommodation from the General Pool in Delhi, the number of available houses at present is only about 36,000.

Arrears of Income-tax

1651. **Shri Daljit Singh:** Will the Minister of **Finance** be pleased to state the total amount of Income Tax arrears as on the 30th June, 1964 in Punjab?

The Minister of Finance (Shri T. T. Krishnamachari): The total amount of Income Tax arrears in Punjab State as on the 30th June, 1964 amounted to Rs. 5.33 crores.

Revenue Collection in Punjab

1652. Shri Daljit Singh: Will the Minister of Finance be pleased to state the amount of revenue received from Central Excise from Punjab State during 1962 and 1963 (Circle-wise)?

The Minister of Finance (Shri T. T. Krishnamachari): The amount of revenue received from Central Excise from Punjab State during 1962-1963 (circle-wise) is furnished below:

	1962 Rs. (000)	1963 Rs. (000)
Amritsar	1,11,30	2,33,68
Gurdaspur	46,80	66,84
Chandigarh	1,73,55	2,00,74
Jullundur	1,38,34	1,33,98
Ludhiana	59,83	84,92
Rohtak .	1,01,49	1,20,34
Yamunagar	2,83,56	3,07,90
Gurgaon	2,48,84	3,95,46
TOTAL	11,63,71	15,43,86

Insurance-cum-Housing Scheme

1653. { **Shri Rama Chandra Mallick:**
Shri Mohan Swarup:
Shri Mohan Nayak:

Will the Minister of Health be pleased to state:

(a) whether it is a fact that about 400 flats are being built by the Delhi Development Authority under the pilot insurance-cum-housing scheme;

(b) the time by which these flats are expected to be ready;

(c) the total amount sanctioned for those 400 flats for construction works; and

(d) the total amount sanctioned for the entire project of construction works?

The Minister of Health (Dr. Sushila Nayar): (a) and (b). The Delhi

Development Authority has decided to take up the construction of 3,200 flats for disposal to the general public on hire-purchase basis linked with life insurance, during the financial year 1964-65. Out of these, 180 flats are already under construction and are expected to be completed by about the end of January, 1965.

Tenders for the construction of 1234 flats have been received recently and work on these is expected to be commenced shortly. These are expected to be completed by October, 1965.

Designs and estimates for the remaining flats are under preparation and their construction will be taken up by March, 1965.

(c) and (d). The total estimated cost of the entire project of 3,200 flats is about Rs. 432 lakhs.

T.B. Centres

1654. Shri Rama Chandra Mallick: Will the Minister of Health be pleased to state:

(a) the total amount sanctioned for the current financial year to supply medicines to the T.B. Centres by the Government of India;

(b) whether any additional amount was given or is proposed to be given for the T. B. patients among the refugees who have come from Pakistan, and

(c) the total amount given or proposed to be given to the Government of Orissa for those patients?

The Minister of Health (Dr. Sushila Nayar): (a) and (b). An amount of Rs. 50 lakhs has been provided during the current financial year for supplying anti-TB drugs to T.B. Clinics/T.B. Demonstration and Training Centres in the States/Union Territories. There is in addition an amount of Rs. 40,000 which has been sanctioned for supplying anti-T.B. drugs to displaced T.B. patients from

Pakistan under the scheme of assistance for such patients.

(c) No specific provision for supplying anti-T.B. drugs to displaced T.B. patients in Orissa has been made, but anti-T.B. drugs worth Rs. 14,469.30 have so far been supplied to the T.B. Clinics in Orissa for the treatment of T.B. patients.

Import of Cat-Gut

1655. Shri Indrajit Gupta: Will the Minister of Health be pleased to state:

(a) whether restrictions have been placed on the import of Cat-gut from abroad;

(b) if so, whether it is a fact that indigenous Cat-gut is considered unsuitable and positively dangerous for use in certain types of surgery; and

(c) the total annual expenditure on import of Cat-gut during 1963-64?

The Minister of Health (Dr. Sushila Nayar): (a) The import of Cat-gut has been controlled under the entry 93-94(e)IV of the Red Book (Surgical instruments, apparatus and appliances, not made mainly of rubber and also not made mainly of glass) and no new restrictions have been placed of late on the quantum of import of Cat-guts.

(b) Messrs Johnson & Johnson, Bombay are the only manufacturers of Cat-gut indigenously and there have been no complaints about the quality of Cat-gut manufactured by them except that Surgeons of Calcutta Hospitals are stated to have made a general complaint to the press regarding indigenous Cat-guts made by this firm stating that the product was not found to be of standard quality due to its unsatisfactory tensile strength, and delayed absorption causing suppuration. The product is being tested by the Central Drugs Laboratory.

(c) The import during 1963-64 has so far been to the tune of Rs. 2,30,861.

तपेदिक के अस्पताल

1656. श्री बीरप्पा : क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने दूसरी व तीसरी योजनाओं के दौरान राज्य सरकारों स्वयंसेवी संगठनों द्वारा स्थापित किये गये तपेदिक के अस्पतालों को सहायता-अनुदान देने का निश्चय किया है ;

(ख) यदि हां तो 1963-64 में कितनी सहायता दी गई और 1964-65 और 1965-66 में कितनी सहायता देने का विचार है ; और

(ग) मैसूर राज्य को कितनी सहायता देने का विचार है ?

स्वास्थ्य मंत्री (डा० सुशीला नायर) :

(क) राज्य सरकारों द्वारा स्थापित किये गये तपेदिक के अस्पतालों को सहाय्यानुदान देने की इस समय केन्द्रीय सरकार की कोई योजना नहीं है, तथापि स्वयंसेवी संस्थाओं को जिनमें तपेदिक के अस्पताल तथा ऐसे अस्पताल जिनमें तपेदिक के इलाज की सुविधायें प्राप्य हों, भी सम्मिलित हैं, उपकरणों की खरीद तथा छोटे मोटे कामों के लिये तदर्थ अनावर्ती अनुदान दिये जाते हैं। ये अनुदान स्वास्थ्य मंत्रालय द्वारा नियुक्त एक समिति की सिफारिश पर दिये जाते हैं। राज्य सरकारों के जरिये प्रस्तावों के प्राप्त होते ही उन पर विचार किया जाता है। कतिपय स्वयंसेवी तपेदिक की संस्थाओं को भी उनकी व्यवस्था के लिए अथवा गरीब विस्थापित क्षय रोगियों के लिए पलंगों के आरक्षण के निमित्त अनुदान दिये जाते हैं।

भारत सरकार स्वयंसेवी संगठनों द्वारा चलाये जाने वाले निम्नलिखित दो तपेदिक के अस्पतालों की व्यवस्था के लिए सहाय्यानुदान दे रही है :—

(1) भारतीय टी.बी. एसोसिएशन द्वारा चलाये जाने वाला मैद-

रौली क्षय रोग अस्पताल,
दिल्ली ; और

crease in incidence of diphtheria
since July last.

- (2) मिशन अधिकारियों द्वारा चलाये जाने वाला यूनियन मिशन क्षय रोग आरोग्याश्रम, मदनपल्ली में बच्चों का वार्ड।

(b) During July and August 1964, 2294 hospital admissions with 149 deaths from diphtheria were recorded.

(c) The following steps have been taken:

(ख) तपेदिक की स्वयंसेवी संस्थाओं, जिनमें मेहरोली क्षय रोग अस्पताल और यूनियन मिशन क्षय रोग आरोग्याश्रम, मदनपल्ली सम्मिलित हैं, को 1963-64 और 1964-65 (अगस्त, 1964 के अन्त तक) में दिये गये अनुदान इस प्रकार है :—

रूपये

1. 1963-64	12,96,482
2. 1964-65	5,65,764

1965-66 में दिये जाने वाले अनुदानों के प्रस्तावों पर यथासमय विचार किया जायेगा।

(ग) राज्य सरकारों अथवा स्थानिक निकायों द्वारा चलाई जाने वाली संस्थाओं को कोई अनुदान नहीं दिया जाता।

Diphtheria Cases in West Bengal

1657. **Shri Mohammad Elias:** Will the Minister of Health be pleased to state:

(a) whether it is a fact that Diphtheria has recently increased on a large scale in Calcutta and West Bengal;

(b) if so, how many cases have been reported in the hospitals till now; and

(c) the steps taken by Government to prevent it?

The Minister of Health (Dr. Sushila Nayar): (a) There has been an in-

1. There is a State Government scheme for immunisation of children by Triple Antigen since October, 1960, which provides immunity against diphtheria, tetanus and whooping cough through Immunisation Centres opened in different hospitals in Calcutta. Under this Scheme, each child is given three injections at an interval of 4-6 weeks at a cost of Re. 1 for the full course. The injection is, however, given free of cost to indigent cases.

2. The scheme has also been extended to areas outside Calcutta since November 1962 so as to open Immunisation Centres in Sadar Sub-divisional Hospitals and Health Centres in areas outside Calcutta.

3. 10,808 children have been immunised with Triple Antigen upto July 1964.

4. Another scheme is under contemplation of the State Government to immunise with Triple Antigen all susceptible school children in the age group of 5-10 years residing in Calcutta for the present. Under this scheme about 1.5 lakhs of students are to be immunised by three injections of Triple Antigen within three or four months from actual start of the scheme.

भूमिगत पानी के स्तर में वृद्धि

1658. श्री प्रकाश बीर शास्त्री : क्या निर्माण, तथा आवास मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि नई दिल्ली के कुछ भागों में भूमिगत पानी की सतह कुछ ऊंची हो गई है ;

(ख) किन किन क्षेत्रों में विशेष रूप से यह सतह ऊपर हुई है ; और

(ग) इसे रोकने के लिये क्या व्यवस्था की गई है ?

निर्माण और आवास मंत्री (श्री मेहर चन्द खन्ना) : (क) जी हाँ।

(ख) सफदरजंग, रेस कोर्स, सेण्ट्रल विस्ता, गोलफ लिंक, एकजीबीशन ग्राऊंड, इम्प्रप्रस्थ, कनाट प्लेस, चाणक्यपुरी और सत्य मार्ग क्षेत्र में सतह ऊंची हो गई है।

(ग) भूमिगत पानी को पर्म्पों के द्वारा बाहर निकाला जा रहा है और इसके लिए लगभग 300 ट्यूबवैल लगाये गये हैं।

Financial Position of Orissa

1659. **Shri Surendranath Dwivedy:** Will the Minister of **Finance** be pleased to state:

(a) whether Government have received any representation for taking action under Article 360 of the Constitution against the Government of Orissa; and

(b) whether after receipt of such representation any enquiry about the financial position of the State Government has been made?

The Minister of Finance (Shri T. T. Krishnamachari): (a) Yes, Sir.

(b) No, Sir.

Houses for Industrial Workers

1660. { **Shri Ram Harkh Yadav:**
Shri Baswant:

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

(a) whether Government propose to make it compulsory for the industrial employers to provide houses for workers; and

(b) if so, the details of the scheme?

The Minister of Works and Housing (Shri Mehr Chand Khanna): (a) and (b). The matter is under consideration.

Hemavati and Harangi Projects

1661. **Shri S. B. Patil:** Will the Minister of **Irrigation and Power** be pleased to state:

(a) whether Hemavati and Harangi Projects in Mysore State have been included in the Third Five Year Plan

(b) if so, whether these projects have been cleared by the Central Water and Power Commission; and

(c) if not, the reasons for the same?

The Minister of Irrigation and Power (Dr. K. L. Rao): (a) Yes.

(b) No.

(c) Revised Project Reports are still awaited from the State Government.

Gold Seized from Arab Nationals in Bombay

1662. { **Shri B. N. Kureel:**
Shri Vishwa Nath Pandey:

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

(a) whether the Bombay Customs authorities seized four hundred and thirty tolas of gold on or about the 22nd August, 1964 from two Arab nationals who arrived here by ship from Persian Gulf; and

(b) if so, the action Government propose to take in the matter?

The Minister of Finance (Shri T. T. Krishnamachari): (a) On 22nd August, 1964 the Bombay Customs authorities apprehended two Arab nationals who arrived from Persian Gulf Ports, each having one steel trunk. On examination, the trunks were found to have been painted with paint mixed with gold dust. On the basis of test of the samples of the paint scraped from the trunks, it is estimated that approximately 4,514 grams of gold dust is recoverable therefrom. In addition, 70 grams of gold were recovered from one of these passengers on search.

(b) Both the persons are being prosecuted in a court of law. This will be in addition to departmental adjudication.

Central Load Despatch Station

1663. Shri Mohammad Elias: Will the Minister of Irrigation and Power be pleased to state:

(a) whether it is a fact that the Damodar Valley Corporation decided to build a Central Load Despatch Station a few years ago;

(b) if so, whether the same has been completed;

(c) if not, the reasons therefor; and

(d) whether the usual procedures for inviting open bids for employment of Consulting Engineers Firm and procurement of equipment for completion of the scheme were followed?

The Minister of Irrigation and Power (Dr. K. L. Rao): (a) Yes.

(b) and (c). For putting the scheme through very specialised equipment has to be imported involving protracted negotiations with the tenderers and appointment of foreign consultants for advising the DVC on the selection of the equipment. With the synchronisation of the DVC Power System with Rihand and also

with the Durgapur Power Station of the West Bengal Government, certain additional telemetering and telecommunication equipments became necessary and a change in the frequency plan was called for to obviate any interference with other radio transmissions. All this has entailed time and it has not been possible to finalise the scheme yet.

(d) Yes.

Pong Dam

1664. Shri Hem Raj: Will the Minister of Irrigation and Power be pleased to state:

(a) whether any final estimate has been prepared of the number and names of the villages which will be submerged under water by the construction of the Pong Dam and Sutlej Beas Link Scheme on river Beas; and

(b) the final estimate of the population which will be displaced by their construction, State-wise and district-wise?

The Minister of Irrigation and Power (Dr. K. L. Rao): (a) Not yet.

(b) Does not arise.

Loans and Subsidies to Municipalities and Corporations

1665. Shrimati Renuka Barkataki: Will the Minister of Health be pleased to state:

(a) whether Government have any schemes under which loans and subsidies are made available to Municipalities and Corporations for developmental and other works;

(b) if so, the total amount that has been given as loans/subsidies during the Third Five Year Plan; and

(c) the names of the Municipalities and Corporations that have received such assistance and the amount paid to them?

The Minister of Health (Dr. Sushila Nayar): (a) The Government of

India give loans and subsidies to the Delhi Municipal Corporation and the New Delhi Municipal Committee for their developmental and other works. Such assistance is also given to the local bodies in the other Union Territories through the respective Administrations. Loans and subsidies to the local bodies in the States are given by the respective State Governments.

(b) and (c). A statement giving the information in so far as the local bodies in the Union Territories are concerned is laid on the Table of the House. [Placed in Library, See No. LT-3301/64]. Information in respect of other local bodies in the States is not readily available.

स्टाफ कारों

1666. श्री सिंहासन सिंह :
श्री ब्रजबासी लाल :

क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) केन्द्रीय सरकार के दिल्ली स्थित विभिन्न कार्यालयों में 1952 में कितनी स्टाफ कारें थीं और 1964 में उनकी संख्या कितनी हो गई है और उन का मंत्रालयवार ब्यौरा क्या है ;

(ख) क्या इन स्टाफ कारों को निजी काम में लाया जा सकता है और यदि हां, तो इस सम्बन्ध में क्या शर्तें निर्धारित की गई हैं ; और

(ग) विभिन्न मंत्रियों द्वारा स्टाफ कारों को निजी काम में लाये जाने के कारण वर्ष 1963-64 में कितनी राशि भुगतान की गई ?

वित्त मंत्री (श्री तिमो तं कृष्णमा-
चारी) : (क) और (ग). आवश्यक सूचना विभिन्न मंत्रालयों/विभागों से इकट्ठी की जा रही है और जितनी जल्दी हो सकेगा उसे सभा की मेज पर रख दिया जायेगा।

1308(Ai)LSD—3.

(ख) नियमों में यह व्यवस्था है कि सरकारी काम से सम्बन्ध न रखने वाले निम्नांकित यात्राओं के लिए बरिष्ठ अधिकारियों द्वारा स्टाफ कारों का इस्तेमाल किया जा सकता है :

(१) निवास-स्थान और दफ्तर के बीच समय-समय पर यात्रायें ;
और

(२) जरूरी काम से अस्पताल जाना ?

मनोविनोद, सार्वजनिक मनोरंजन और पार्टियों के स्थानोंकी यात्राओं और सैर-सपाटों आदि के लिए या छुट्टी पर गये अधिकारियों द्वारा स्टाफ कारों का इस्तेमाल किये जाने की अनुमति नहीं है।

सरकारी काम को छोड़ दूसरे काम के लिए स्टाफ कार का इस्तेमाल करने पर 60 पैसे प्रति घंटे के रोक-प्रभार (डिटेंशन चार्ज) के अलावा बड़ी कारों के लिए 44 पैसे प्रति किलोमीटर और छोटी कारों के लिए 31 पैसे प्रति किलोमीटर के हिसाब से खर्च लिया जाता है। शोफर को दी जाने वाली अधिसमय भत्ते की रकम भी कार इस्तेमाल करने वाले अधिकारी से वसूल की जाती है।

Godavari and Krishna River Waters

1667. Shri Chandriki: Will the Minister of Irrigation and Power be pleased to state:

(a) whether Government have taken any steps in accordance with the Gulhati Commission Report to carry out survey and prepare a preliminary project report in about six months and establish the feasibility or otherwise and the scope of the proposed diversion of water from the river Godavari to Krishna; and

(b) if so, whether the Project report is ready and if not, the time required to get the report?

The Minister of Irrigation and Power (Dr. K. L. Rao): (a) and (b). The Central Water and Power Commission are now carrying out the necessary investigations and field surveys in connection with the diversion of the Godavari waters into the Krishna. The Project report is expected to be ready by about June, 1965.

Government's Stationery

1668. Shri E. Madhusudan Rao: Will the Minister of Works and Housing be pleased to state:

(a) whether it is a fact that the stationery supplied to the Government Offices is of inferior quality; and

(b) if so, the steps being taken in this regard?

The Minister of Works and Housing (Shri Mehr Chand Khanna): (a) No.

(b) Does not arise.

Kadana Dam Project

1669. Shri Jashvant Mehta: Will the Minister of Irrigation and Power be pleased to state:

(a) whether it is a fact that a settlement in regard to a dispute about Kadana Dam Project on Mahi river has been arrived at between Rajasthan and Gujarat States;

(b) if so, whether Central Water and Power Commission has given its clearance for the execution of this project; and

(c) if not, how the matter stands at present?

The Minister of Irrigation and Power (Dr. K. L. Rao): (a) Yes.

(b) and (c). The project is under examination in Central Water and Power Commission.

Water Supply Schemes for Kerala

1670. { Shri A. K. Gopalan:
Shri P. Kunhan:
Shri Imbichlava:

Will the Minister of Health be pleased to state:

(a) the amount sanctioned during the Third Plan for drinking water supply schemes in Kerala;

(b) the amount spent during the third year of the Third Five Year Plan; and

(c) the areas which have been covered under these schemes?

The Minister of Health (Dr. Sushila Nayar): (a) A sum of Rs. 407 lakhs for urban water supply schemes and Rs. 50 lakhs for rural water supply schemes has been provided in the Third Five Year Plan of the Kerala State. For village water supply schemes, there is no provision in the State Plan but allotments are sanctioned for implementing the schemes yearly by utilising Local Development funds.

(b) The following expenditure has been incurred during the third year of the Third Five Year Plan on urban and rural water supply schemes in Kerala:

(1) Urban Water Supply Schemes—Rs. 87.64 lakhs.

(2) Rural Water Supply Schemes—Rs. 13.14 lakhs.

(3) Village Water Supply Schemes—Rs. 14.17 lakhs.

(c) The areas covered by the schemes already under execution are as follows:—

(i) Urban schemes

2 Corporations—
(Trivandrum and Calicut).
1 Panchayat—
(Ottappalam).
12 Municipalities.

(ii) Rural water supply schemes—
93 villages.

(iii) Village water supply schemes—91 villages.

Arrests for Smuggling

1671. { Shri P. C. Borooah:
Shri P. R. Chakraverti:
Shrimati Savitri Nigam:

Will the Minister of Finance be pleased to state the number of foreigners and Indians arrested during the past one year for smuggling into India gold, diamonds, watches, transistors and arms and ammunition?

The Minister of Finance (Shri T. T. Krishnamachari): The information is being collected and will be placed on the Table of the Sabha.

Small-Pox Eradication Programme

1672. { Shri D. C. Sharma:
Shri P. Venkatasubbaiah:
Shri Ram Harkh Yadav:

Will the Minister of Health be pleased to state:

(a) whether the necessity of a comprehensive central legislation as part of the national programme for eradication of small-pox has been considered; and

(b) if so, the details thereof?

The Minister of Health (Dr. Sushila Nayar): (a) and (b). The need for enactment of a central legislation on small-pox has been considered many a time in the past. No action has been taken so far to undertake a central legislation on the subject as it was considered that the enforcement of the provisions of the Epidemic Diseases Act, 1897 would meet the requirements. The matter is, however, proposed to be considered again in the next meeting of the Central Council of Health.

खेतिहर मजदूरों को मकान बनाने के लिए
ऋण

1673. श्री बंजनाथ कुरील : क्या निर्माण और आवास मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या तृतीय पंचवर्षीय योजना के अन्तर्गत उत्तर प्रदेश में भूमिहीन खेतिहर मजदूरों को मकान बनाने की सहायता के लिए केन्द्रीय सरकार ने कोई धनराशि अलग निश्चित की है ; और

(ख) यदि हां, तो कितनी ?

निर्माण और आवास मंत्री (श्री मेहर चन्द खन्ना) : (क) और (ख). भूमिहीन खेतिहर मजदूरों के मकानों की जमीन के लिए राज्य सरकारों को कोई अलग से निधि नहीं दी गई है परन्तु ऐसी जमीनों के लिए राज्य सरकार अपने ग्राम आवास प्रायोजना योजना (विलेज हाउसिंग प्रोजेक्ट्स स्कीम) के अन्तर्गत बांटी गई (आवटित) वार्षिक निधि के एक तिहाई भाग का उपयोग कर सकती है। तृतीय पंचवर्षीय योजना में इस योजना के लिये उत्तर प्रदेश को 225 लाख रुपये बांटे गये हैं, फिर भी उन्होंने पंचवर्षीय योजना के प्रथम तीन वर्षों में केवल 14.56 लाख रुपये निकाले हैं और चालू वित्तीय वर्ष में 5 लाख रुपये की व्यवस्था रखी है।

योजना आयोग के सदस्यों को यात्रा भत्ता का भुगतान

1674. श्री हुकम चन्द कछवाय : क्या योजना मंत्री यह बताने की कृपा करेंगे कि योजना आयोग के सदस्यों को 1963-64 में कितना यात्रा भत्ता दिया गया ?

योजना मंत्री (श्री ब० रा० भगत) : एक विवरण सभा-पटल पर प्रस्तुत है :

विवरण

भ्रमा किया गया यात्रा भत्ता/दैनिक भत्ता	हवाई यात्राओं पर व्यय	उच्च अधिकारी अधिग्रहण यात्राओं पर व्यय	योग
₹०	₹०	₹०	₹०
9,791.85	30,399.00	21,665.60	61,856.45

योजना आयोग के अनुसन्धान कर्मचारी

1675. श्री हुकम चन्द कछवाय : क्या योजना मंत्री यह बताने की कृपा करेंगे कि :

(क) योजना आयोग में कुल कितने अनुसन्धान अधिकारी एवं वरिष्ठ अनुसन्धान अधिकारी हैं ;

(ख) इन में कितने केन्द्रीय लोक-सेवा आयोग की सिफारिश पर चुने गये हैं और कितने पदोन्नति द्वारा या सीधे भरती किए गए हैं ; और

(ग) इन में कितने अनुसूचित जातियों एवं अनुसूचित आदिम जातियों के हैं ?

योजना मंत्री (श्री ब० रा० भगत) :

(क) से (ग) एक विवरण सभा पटल पर प्रस्तुत है । [पुस्तकालय में रखा गया, देखिये संख्या LT—3302/64]

पुस्तकालयों का विकास

1676. { श्री हुकम चन्द कछवाय :
श्री विद्वनाथ पाण्डेय :

क्या योजना मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या चौथी पंचवर्षीय योजना के अन्तर्गत पुस्तकालयों के विकास के लिए कोई विशेषज्ञों का पैनल बनाया गया है ; और

(ख) यदि हां, तो उसके कौन-कौन से सदस्य हैं ?

योजना मंत्री (श्री ब० रा० भगत) :

(क) जी हां, चौथी योजना के अन्तर्गत पुस्तकालयों के विकास के सम्बन्ध में प्रस्ताव तैयार करने के लिए योजना आयोग ने पुस्तकालयों पर एक कार्यकारी दल गठित किया है ।

(ख) अपेक्षित सूचना का विवरण सभा पटल पर रखा गया है [पुस्तकालय में रखा गया, देखिये संख्या LT—3303/64]

Dambroo Hydro-Electric Project

1677. Shri Biren Dutta: Will the Minister of Irrigation and Power be pleased to state:

(a) whether the Dambroo Hydro-Electric Project of Tripura has been approved by Government;

(b) if so, the estimated cost thereof; and

(c) when it is expected to be completed?

The Minister of Irrigation and Power (Dr. K. L. Rao): (a) The Dambroo Hydro-Electric Project, also known as Gumti Hydro-Electric Project, in Tripura has been found acceptable by the Technical Advisory Committee of the Planning Commission, but sanction has not yet been issued

for implementation of the scheme as the project report is to be slightly modified.

(b) The estimate of cost will be known only after the present estimate of Rs. 314.22 lakhs, received from the Tripura Administration, is recast in the light of the observations made by the Technical Advisory Committee.

(c) Towards the end of Fourth Five Year Plan.

प्रत्यक्ष कर प्रशासन जांच समिति

1678. श्री प्रकाशबीर शास्त्री : क्या वित्त मंत्री प्रत्यक्ष कर प्रशासन जांच समिति की सिफारिशों के बारे में 10 सितम्बर, 1964 के अतारंकित प्रश्न संख्या 249 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) प्रत्यक्ष कर प्रशासन जांच समिति की रिपोर्ट के पैरा संख्या 8.89 में दी गयी सिफारिश पर क्या कार्यवाही की गई है ; और क्या उसे भी संघ लोक-सेवा आयोग को भेजा गया था ; और

(ख) इस सम्बन्ध में संघ लोक-सेवा आयोग ने क्या राय दी और उस पर क्या निर्णय किया गया ?

वित्त मंत्री (श्री ति० त० कृष्णमाचारी) :

(क) और (ख) प्रत्यक्ष कर प्रशासन जांच समिति की सिफारिश पूरी तरह से नहीं मानी गयी थी। निचली श्रेणी के लिपिकों (क्लर्कों) की पदोन्नति करके उन्हें उच्च-श्रेणी के लिपिक बनाने के बारे में उनकी सिफारिश बिल्कुल ही नहीं मानी गयी। जहां तक उच्च-श्रेणी के लिपिकों की पदोन्नति करके उन्हें निरीक्षक (इंस्पेक्टर) बनाने का सम्बन्ध है, समिति की सिफारिश संशोधित रूप में स्वीकार कर ली गयी थी जिसके अनुसार पदोन्नति करने के लिये व्यक्तियों की तालिका बनाते समय कर्मचारी की बरिष्ठता और उसके परीक्षा पास करने की तारीख को भी ध्यान में रखा

जाया करेगा। यह संशोधित सूत्र (फार्मूला) लागू कर दिया गया था, पर इसके लिए संघीय लोक-सेवा आयोग की सलाह नहीं ली गयी, क्योंकि ऐसा करना आवश्यक नहीं था। निरीक्षकों की पदोन्नति करके उन्हें द्वितीय श्रेणी (क्लास II) के प्राय-कर अधिकारी बनाने के सम्बन्ध में भी ऐसे ही सूत्र को अपनाने के प्रश्न पर विचार किया गया था और इस सम्बन्ध में एक प्रस्ताव संघीय लोक-सेवा आयोग के पास भेजा गया था। लेकिन संघीय लोक-सेवा आयोग ने ऐसे सूत्र के विरुद्ध राय दी और वह प्रस्ताव, इसी कारण रद्द कर दिया गया।

Estate Duty Levy Assessment in U.P.

1679. Shri Rananjal Singh: Will the Minister of Finance be pleased to state:

(a) the number of cases involving assessment of levy of Estate Duty in U.P. which are more than 2 years old and have not been settled till the 15th September, 1964; and

(b) what measures have been or are proposed to be taken to expedite settlement of these pending cases?

The Minister of Finance (Shri T. T. Krishnamachari): The required information is as under:

(a) 44 Cases.

(b) Instructions have been given to the assessing officers concerned to complete the cases pending over two years as early as possible.

कन्नौज में आयकर की वसूली

1680. {श्री० राम मनोहर लोहिया :
श्री राम सेबक यादव :

क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) फर्रुखाबाद जिले में स्थित कन्नौज कस्बे के निवासियों पर आय कर की वकाया राशि कतनी है ; और

(ख) बकाया कर की वसूली के लिये क्या कार्यवाही की गयी है ?

वित्त मंत्री (श्री ति० त० कृष्णमाचारी) :
(क) और (ख) मांगी गयी सूचना इकट्ठी की जा रही है और उसे जितनी जल्दी हो सकेगा सभा की मेज पर रख दिया जायेगा ।

Water Works of Nagpur Corporation

1681. **Shri Balkrishna Wasnik:** Will the Minister of Health be pleased to state:

(a) whether the Water Works of Nagpur Corporation are being handed over to the Central Public Health Engineering Institute at Nagpur; and

(b) if so, when?

The Minister of Health (Dr. Sushila Nayyar): (a) The State Government has reported that there is no such proposal under their consideration.

(b) Does not arise.

Annuity Deposit Scheme

1682. **Shri Lahri Singh:** Will the Minister of Finance be pleased to state:

(a) whether it is a fact that the Annuity Deposit Scheme will come into operation from 1st October, 1964;

(b) whether the officers covered by the Scheme are required to make the deposit for the year 1964-65 before the 28th February, 1965 that is to say, within five months of the coming into being of the scheme thus causing considerable hardship to them;

(c) whether for the purpose of calculating the total income under the Annuity Deposit Scheme, the Income-tax paid by the Central Government Officers as well as the Provident Fund Contributions made by them are not taken into account; and

(d) if so, the steps Government propose to take to mitigate the hardships which the implementation of

the scheme entails to a large body of Central Government Officers?

The Minister of Finance (Shri T. T. Krishnamachari): (a) Yes, Sir.

(b) No annuity deposit is required to be made in respect of salary income of the financial year 1963-64 assessable to tax for the assessment year 1964-65. An advance deposit in respect of salary income of the current financial year is required to be made in specified instalments, the last instalment being payable not later than 15th March, 1965.

(c) The annuity deposit is calculated with reference to the "adjusted total income". Income-tax paid and Provident Fund Contributions by a salaried employee are not deducted in arriving at the "adjusted total income".

(d) Government do not accept that the implementation of the scheme involves any hardship to a large body of Central Government Officers.

Drinking Water Supply in Rajasthan

1683. **Shri P. C. Borooah:** Will the Minister of Health be pleased to state:

(a) whether sometime past she visited the famine-affected areas of Bikaner and other such areas in Rajasthan to make a survey of the drinking water supply position there;

(b) if so, the observations made by her during the tour of the famine areas;

(c) the schemes, if any, drawn out by the Central Government or State Government to relieve these areas of acute drinking water scarcity, and the decisions taken thereon; and

(d) the Central assistance, if any, given for providing drinking water to these areas during the past famine period?

The Minister of Health (Dr. Sushila Nayyar): (a) Yes, I visited Rajasthan in April, 1964 to look into the problem

of drinking water supply in the scarcity areas of that State, particularly the border areas and Lunkaransar area in Bikaner District.

(b) It was observed that the water supply position in some of the areas was really very difficult.

(c) and (d). The following Rural Water Supply Schemes of Bikaner District have been approved during 1964 for implementation under the National Water Supply and Sanitation Programme under which 50 per cent grant-in-aid is given by the Centre:—

Name of the Scheme and Estimated cost.

1. Sinthal Water Supply Scheme, Rs. 1.68 lakhs
2. Kalu Water Supply Scheme, Rs. 1.62 lakhs
3. Kakra Water Supply Scheme, Rs. 1.13 lakhs
4. Chattargarh Water Supply Scheme, Rs. 0.21 lakhs
5. Surapura Water Supply Scheme, Rs. 1.00 lakhs.

A preliminary report on the composite water supply scheme covering the rural and urban areas in Bikaner District has been received recently from the State Government. The feasibility of the proposal is under scrutiny.

The Centre has agreed to provide additional assistance to the State Government to the extent of Rs. 63 lakhs for rural water supply schemes in Rajasthan.

Widening of Road Near Safdarjang

1683-A. Shri Yashpal Singh: Will the Minister of Health be pleased to state:

(a) whether her attention has been drawn to the inordinate delay in the completion of work on the widening of road connecting the Safdarjang Madarsa and Safdarjang Hospital, New Delhi; and

(b) if so, the action taken to accelerate the work?

The Minister of Health (Dr. Sushila Nayar): (a) The New Delhi Municipal Committee have reported that the delay in the completion of this work has been caused by such factors as—

- (i) shifting of sub-stations, staff quarters and tube-wells etc.
- (ii) difficulty in acquiring the required additional land.

The matter is being pursued by the Committee with the various authorities concerned and it is hoped that the work of widening the road would be completed by December, 1964.

12.28 hrs.

POINT OF ORDER

Dr. L. M. Singhvi (Jodhpur): Mr. Speaker, at this stage, I think I should be permitted to raise my point of order which relates to Short Notice Question No. 11.

Mr. Speaker: I am allowing him to raise it but then I should make it clear that simply because a Member has written to me that does not give him the right to raise that point. He should just ascertain whether I have given that consent or not.

Dr. L. M. Singhvi: How should I ascertain, Sir? I thought that this was the proper time to raise it.

Mr. Speaker: Therefore, he should stand up? It is not fair.

Dr. L. M. Singhvi: I am raising this point of order with your leave. I do so as a very painful duty. A Short Notice Question No. 11, relating to the medical treatment to the late Prime Minister, its sufficiency and appropriateness was admitted by you and the hon. Minister was notified and the Minister expressed her willingness and readiness and preparedness to answer that question. We were informed that the question will be called today after Short Notice Question No. 10. Now, we are being informed that the question is being withdrawn from the list. I would

[Dr. L. M. Singhvi]

invite your attention to rule No. 54 which is quite categorical and imperative and it is a rule which, if abridged in practice, may have far-reaching repercussions on the rights of Members to raise questions and indeed on the whole question of withdrawal of a matter which has been admitted to be answered in this House. Rule 54 which relates to short notice questions says:

"A question relating to a matter of public importance may be asked with notice shorter than ten clear days and if the Speaker is of opinion that the question is of an urgent character he may direct that an enquiry may be made from the Minister concerned if he is in a position to reply and, if so, on what date.

(2) If the Minister concerned agrees to reply, such questions shall be answered on a day to be indicated by him and shall be called immediately after the questions which have appeared on the list of questions for oral answer have been disposed of."

Sub-clause (3) goes further in respect of the rights of Members and says: "If the Minister is unable to answer". I want to underline the word 'unable'; it goes on to say:

"If the Minister is unable to answer the question at short notice and the Speaker is of opinion that the question is of sufficient public importance to be orally answered in the House, he may direct that the question be placed as the first question on the list of questions for the day on which it would be due for answer under Rule 33."

This question was admitted and you were pleased to inform the Minister and the Minister had accepted it and indicated her preparedness to answer this question and we were sent a copy of the short notice question which was to be raised today.

Now, I do not see under what rule and how such a question could be withdrawn from the list. My submission is that we do not ask questions to embarrass or to have Ministers from embarrassment. It is a clear question which should be allowed to be raised once it has been admitted. It would be a very bad precedent and it would be curtailing the rights of Members if a short notice question which is admitted was revoked or withdrawn.

Shri Hem Barua (Gauhati): Who has withdrawn this question?

Mr. Speaker: Myself.

Shri Hem Barua: On the advice of....

Mr. Speaker: It is not a question of advice. That is what I am going to submit. So far these last days are concerned, I have really allowed more than one short notice question. You will notice that we have spent about thirty minutes on three short notice questions. I had admitted that question and I thought that it should be answered. I had no objection to it. I had sent it to the Minister and she also agreed. But ultimately when this list was being published I found that there were already three short notice questions on the list. That was my difficulty. I thought that this question could be asked even in the next session. There was nothing so urgent about it. That is why I have not allowed it to be put on the list. There were three already. That was my difficulty. Otherwise, there is nothing else in that.

Dr. L. M. Singhvi: Without raising any question about what you have observed in respect of this, I would submit that there are a number of precedents in which three short-notice questions have been allowed before. Secondly, once a question has been allowed, it gives all kinds of impression as to why it is sought to be revoked, and thirdly, definite effort has been made on the part of

the Minister—I say this with a full sense of responsibility—to secure the withdrawal of this question with consent or without consent.

Mr. Speaker: I only want to say that because there were three questions already, I could not add one more to it.

Dr. L. M. Singhvi: Two questions only.

Shri Hari Vishnu Kamath (Hos-hangabad): Two questions.

Mr. Speaker: There are three questions. Three were already there and it was not possible to have another, and this is not a question that would lose its importance. If the Member gives notice again in the next session, I will allow that.

Dr. L. M. Singhvi: Why not on Saturday?

Mr. Speaker: There are three or four already put down. What should I do?

Shri Hari Vishnu Kamath: This was earlier.

Mr. Speaker: There were three for today. I do not know whether this was earlier or those were earlier. But we have fixed them. That is what I am explaining to the House.

Shri Hem Barua: There are talks in this city and in the country that the late Prime Minister did not get adequate medical facilities. If the reply is made, that would set everything at rest.

Mr. Speaker: They knew it many days ago; they could have raised it much earlier and they could have received the information. They could have done it even in a regular manner also; I have no objection to it. Why should I object? Even if I had any objection, I perhaps might have exercised my discretion.

Shri Bade (Khargone): The hon. Member has just now said that there was some correspondence between you and the Minister for withdrawing it. Is it a fact?

Mr. Speaker: There was no correspondence at all. But am I not entitled to hear anybody if I want to? The Minister can also come to me just as any other hon. Member. If an hon. Member comes to me, why should I refuse that I cannot hear?

श्री प्रकाशवीर शास्त्री (बिजनौर) :
 अध्यक्ष जी, आप के कार्यालय से जो पत्र मेरे पास भेजा गया है इस प्रश्न को स्वीकार करने के सम्बन्ध में, उसकी भाषा में आपको पढ़ कर सुनाए देता हूँ ताकि आप भ्रवगत हो सकें कि आप की सहमति भी इस में है। इसमें लिखा गया है :

“स्वास्थ्य मंत्री लोक सभा की गुरुवार, 1 अक्टूबर 1964, को होने वाली बैठक में प्रश्न का उत्तर देने के लिए तैयार हैं। उस बैठक में दिल्ली दुग्ध योजना के बारे में अल्प सूचना प्रश्न संख्या 10 के निपटाए जाने के बाद अध्यक्ष आप से इस प्रश्न को पढ़ने के लिए कहेंगे।”

आप का कार्यालय यह कहता है कि आप से सहमति ली जा चुकी है। इससे पहले भी तीन प्रश्न हैं और उस के बाद भी आप ने सहमति दी है। और यह लिखित पत्र जब आप के कार्यालय से आ चुका है, तो मेरा अनुमान है कि इस प्रश्न को इस अवसर पर यहाँ अवश्य ले लिया जाए, वरना एक गलत परम्परा का श्रीगणेश हो जाएगा।

अध्यक्ष महोदय : इस समय में नहीं ले सकता।

श्री प्रकाशवीर शास्त्री : तो शनिवार के लिए इस को स्थगित कर दें।

अध्यक्ष महोदय : मैं देखूंगा आया यह हो सकता है।

Shri Hem Barua: In the time taken up on this question, that matter could have been answered.

Mr. Speaker: What can I do, if he continues in that manner?

CALLING ATTENTION TO MATTERS
OF URGENT PUBLIC IMPORTANCEREPORTED LOOTING BY HOSTILE NAGAS IN
VILLAGES OF ASSAM

Shri Hem Barua (Gauhati): I call the attention of the Minister of Home Affairs to the following matter of urgent public importance and I request that he may make a statement thereon:

"The reported looting resorted to by hostile Nagas in some villages of Assam, particularly in North Cachar Hills."

The Minister of State in the Ministry of Home Affairs (Shri Hathi): Mr. Speaker, Sir, the statement which I desire to make runs to about five pages. If you so desire, I may lay it on the Table of the House.

Mr. Speaker: Shall we take it up at 5 O'clock?

Shri Hathi: I shall give a brief summary also now.

Mr. Speaker: Then tomorrow he can put the questions, but tomorrow, already there are so many things.

Shri Hem Barua: He is ready to give a summary now, Sir.

Shri Hathi: I know that we are running short of time. So, I will give a short summary orally also; the details contained in the statement have been received from the Assam State Government from whom the details were called for. In the month of August, there were two such incidents—raids by Naga hostiles—one on the 22nd and the other on the 25th. The villages involved were Cherroligaon, Gorjan and Chowdangpathar. During these raids they looted private property and also looted some Government property and set fire to some houses. It is estimated that the total loss of property as a result of these

raids was of the order of about a lakh of rupees.

Then in September, the hostiles were responsible for several raids between 15th and 22nd September. The villages involved were Saitap, Chhota Arkap, Mulko, Borobike, Purana Paise, Chhota Bike, Jeenam and Hangram in North Cachar Hills. In the course of these raids they looted cash and other articles including fire-arms—about 19 is the number of guns which is reported to have been taken away by them. They also kidnapped some village people, but as a result of the action taken by the Security Force, the hostiles appear to have escaped, crossing the Jiri river. The persons kidnapped had been released before they escaped.

To cover the bordering areas of Sibsagar, United Mikir and North Cachar Hills and Cachar District, the border intelligence set-up was reorganised for collection of advance intelligence regarding movements and activities of Naga hostiles. The police and the army have been carrying on intensive patrols to restore the morale and confidence of the people. The State Government is fully alive to the situation and necessary precautionary measures have been taken to prevent recurrence of these incidents. The situation now in this area is normal.

The Minister also laid a detailed statement on the Table of the House. [Placed in Library. See No. LT-3292/64].

Shri Hem Barua: May I know if the Government are aware of the fact that Mr. Phizo is at present in Dacca, East Pakistan, from where he is guiding these operations and the depredation on the Assam villages are caused by Naga hostiles returning from East Pakistan with arms and ammunition from Pakistan and instructions from Mr. Phizo?

Shri Hathi: If the hon. Member reads the statement, he will find that we have mentioned that—it appears

that these Nagas were returning from Pakistan. I have given a full report, and that information is also there.

Shri Hem Barua: He has not replied to the first part of my question.

Mr. Speaker: He agrees with you and he says that he has given the full statement!

Shri Hem Barua: I congratulate him for giving the facts, but at the same time, he has not told us one thing: whether the Government are aware of the fact that Mr. Phizo is at present in Dacca, East Pakistan.

Shri Hathi: What I have said is, we have got the detailed report from the Assam Government on these very incidents. We have mentioned in the statement that these Nagas are believed to be returning from Pakistan.

Mr. Speaker: About Phizo?

Shri Hathi: There is no information.

Shri S. M. Banerjee (Kanpur): May I know whether it is a fact that these attempts by some of the Naga hostiles who are still under the influence of Mr. Phizo or his other companions are part of the conspiracy to sabotage the peace talks between the Naga hostile leaders and the Government and, if so, what steps have been taken in this regard?

Shri Hathi: This was much earlier. (Interruption)

Shri Hem Barua: On a point of order. According to his statement, these incidents occurred between 15th and 22nd September when the suspension of operations was there.

Shri Hathi: I said some of these were in August.

Shri Hem Barua: Two in August; he is contradicting his own statement. Two incidents took place in August and—

Mr. Speaker: Order, order. Should he allow him to contradict himself and afterward, say that!

Shri Hathi: I have said that two incidents were in the month of August and the others were in September.

Shri S. M. Banerjee: Sir, my question is this. This incident took place in the month of September. This incident has taken place just at the time when the peace talks were going on. When there was a specific objection by the Naga hostile leaders to the inclusion of Shilu Ao, may I know whether it was a calculated move on the part of the Naga hostiles under the influence of Mr. Phizo who, it is said, is in East Pakistan, to sabotage the peace talks?

Shri Hathi: I have no information on that.

Shri Hem Barua: How could it synchronise with the peace talks...

Mr. Speaker: Order, order. He is going into arguments. He can only ask for information and not argue.

Shri Daji (Indore): The hon. Minister has given a negative reply to the question of my hon. friend, Shri Banerjee. I would like to know the dates of the two raids in September and whether during that time the negotiations were continuing or not?

Shri Hathi: The negative reply was that I have no information.

Shri Daji: About what?

Mr. Speaker: Can he give the dates in September?

Shri Hathi: In September it was from 15th to 22nd.

Shri Daji: Sir, the operative part of my question has not been answered.

Mr. Speaker: He has got the dates

Shri Daji: Whether they were near about the peace talks has not been said.

Mr. Speaker: He can just conclude from that.

Shri Hem Barua: Sir, I seek your guidance.

Mr. Speaker. My guidance is that he must resume his seat (*Interruption*).

Some Hon. Members rose—

Mr. Speaker: Shri Singhvi.

Shri Hem Barua: I think the Prime Minister wants to say something.

Mr. Speaker: I have called Shri Singhvi.

Dr. L. M. Singhvi (Jodhpur): May I know whether there was any intelligence apparatus in this part of the country giving advance information of these depredations and whether it is a fact that these depredations could be carried out with impunity because of the insufficiency of our security forces and their lack of mobility at that given time?

The Prime Minister and Minister of Atomic Energy (Shri Lal Bahadur Shastri): Sir, we have taken the necessary precautions and if there is trouble created by some section of the Nagas we will have to effectively deal with it. It is true that there have been these incidents round about the peace talks. But we have also to realise that there might be a certain section amongst the Nagas who are keen to see that these talks do not succeed, they fall through. So, we have not to play into their hands. If there is a reasonable approach from the side of the Nagas we will try to be as liberal as possible, but if they make impossible demands, of course, Government's attitude is absolutely clear and we will deal with it as we think it necessary.

Dr. L. M. Singhvi: Sir, my question has not been answered. In fairness, I must be permitted to elicit the information.

Mr. Speaker: Everyone says his question has not been answered.

Dr. L. M. Singhvi: It is always for you, Sir, to adjudicate, but it is

quite clear that my question related to the availability of advance information with the Government. Secondly, I wanted to know whether it was due to the fact that there was insufficient security forces and they had not sufficient mobility to take care of these depredations that these incidents happened. These were questions of a general nature.

Shri Lal Bahadur Shastri: Dr. Singhvi completely forgets as to what has been happening during the last eight or ten years. This is not a rare incident; a number of such incidents have been taking place and in spite of our security forces being there. We know many things about these incidents beforehand, but it is not always that we know each and every movement of underground Nagas. They had been indulging in some kind of guerilla tactics (*Interruption*). In guerilla tactics often the other party does not know as to what is going to happen. So in every case to expect that we will get advance notice or information it is not possible.

Shri Hem Barua: Sir, I rise to a point of order. This arises from what the Prime Minister has just now said. Here is an indirect attempt to condone the activities of the Naga hostiles when he says that the Government is not in a position to check the movement of the Naga hostiles and that the Naga hostiles have been conducting their guerilla movement for years—he said, for the last ten years. That shows how futile the so-called efforts made by the Government have been.

Mr. Speaker: What is the decision that I should give?

Shri Hem Barua: The decision is this. Here the Prime Minister.

Mr. Speaker: That decision he is giving himself.

Shri Hem Barua: I want your decision to this. I want to know whether it is not a fact that the Prime Minister in the course of his statement has simply exposed the

weakness of our Government in relation to the Naga hostiles?

Mr. Speaker: That also is a question that he is putting to me. He is not asking me to give any decision.

Shri Hem Barua: I want to know whether you concur with it (Interruptions).

श्री हुकम चन्द कश्यप (देवास) :
यह नागा विद्रोही 400, 400 और 500, 500 के जत्थों में पाकिस्तान ट्रेनिंग लेने के लिए जाते हैं और वहां से ट्रेनिंग लेकर लौटने के बाद उनके द्वारा यहां भारत में यह सारे उपद्रव किये जाते हैं तो क्या सीमा पर हमारे सैनिक ठोक प्रकार से तैनात किये जायेंगे ताकि इस तरह के लोग वहां पाकिस्तान में शिक्षा लेने के लिए न जा सकें और लौटने पर यह उपद्रव न कर सकें ?

श्री लाल बहादुर शास्त्री : मैं तो समझता था कि यह हमारे माननीय सदस्य अग्रगामी हैं और इसलिए यह आगे जाने वाले और आगे को बढ़ने वाले लोगों में से एक हैं लेकिन यह जो बातें ने कइ रहे हैं यह तो पीछे की हैं और इन पर यहां काफ़ी कुछ कहा जा चुका है। मैं समझता हूँ कि अब इन पर और अधिक कहने की जरूरत नहीं है।

श्री हुकम चन्द कश्यप : अध्यक्ष महोदय, मेरा ऐसा कहना है कि यह नागा विद्रोही लोग उधर पाकिस्तान में ट्रेनिंग लेने चले जाते हैं और वहां से शिक्षण प्राप्त करके लौटने पर भारत में उपद्रव करते हैं तो मैं जानना चाहता हूँ कि उन को रोकने के लिए यह सरकार क्या कर रही है ?

अध्यक्ष महोदय : वह तो उन्होंने कह दिया।

Shri Hem Barua: The suspension of operations has opened the flood-gates there. I am getting letters and telegrams from the affected people.

श्री बागड़ी (हिमाार) : क्या यह वाक्या नहीं है कि जब नागा बागियों ने हमला

किया था उस समय बातचीत एक तरह से टूट सी गई थी और अभी यह जो आखिरी हमला हुआ है उसमें भी देखा गया कि जैसे ही एकदम बातचीत चल पड़ी तो वह हमला भी बंद हो गया ? इस मुताबकत के पीछे अंदर क्या रहस्य है क्या इसे प्रधान मंत्री जी बतलाने की कृपा करेंगे ?

श्री लाल बहादुर शास्त्री : कभी कभी ऐसा भी संभव हो सकता है कि बागड़ी जी कोई बात झगड़े की करें, लेकिन हमारे और उन के बीच में बातचीत हो तो हमारे उन के बीच में वह झगड़ा उस उग्र रूप में मौजूद न रहे और उनके और हमारे बीच में कोई बात बन जाय। इसलिए उन्हें इसके लिए कोई बहुत ताज्जुब नहीं करना चाहिए ;

श्री बागड़ी : अध्यक्ष महोदय, मैं तो यही पूछा था कि हमला उस वक्त हुआ जब उन की बातचीत टूटी और फिर जब बातचीत दुबारा बनी तो उस वक्त फिर उन का हमला बंद हो गया, आखिर इन दोनों बातों में मुताबकत का रहस्य क्या है क्या प्रधान मंत्री महोदय इसे बतलाने की कोशिश करेंगे ?

अध्यक्ष महोदय : यही तो उन्होंने कहा कि कई ऐसे रहस्य आपस में हो सकते हैं जिनका कि इल्म तीसरे को नहीं हो सकता है। उन्होंने यह भी कहा कि बागड़ी जी और प्राइम मिनिस्टर के दरमियान कोई चीज हो तो उसका दूसरों को इल्म नहीं हो सकता है।

श्री बागड़ी : अब उनको और मुझे तो इल्म हो सकता है।

Shri Hem Barua: This is very much different from that. There must be difference between Shri Bagri and the Prime Minister, between the Prime Minister and myself and so on. Here the Naga hostiles are actively co-operating with our enemies, Pakistan and China. This is quite a different matter. We have the democratic right, but the Naga hostiles do not have the democratic right, the consti-

[Shri Hem Barua]

tutional right to co-operate with them and received arms and ammunitions from enemy countries like Pakistan and China. (*Interruptions*).

Mr. Speaker: Is there something more or can I proceed (*Interruption*). Order, order. There ought to be an end to this.

Shri Hem Barua: There is an end, Sir.

Shrimati Renuka Barkataki (Barteta): We are happy to know from the Prime Minister that the Government has taken necessary precautions. But I would like to know whether the Government is aware of the fact that after the withdrawal of our security forces and army from Assam-Nagaland border and Assam-Manipur border without making adequate police arrangements for the security of property and lives in the villages in those border areas, there has been some sort of a widespread feeling of panic and insecurity in the minds of the villagers and increasing recalcitrance on the part of the Naga hostiles.

Shri Lal Bahadur Shastri: So far as the security forces are concerned, they are there in Nagaland and on the borders. The responsibility of guarding our frontiers and borders is naturally that of the security forces. If there is any special difficulty, we are prepared to look into them. But I have no doubt that the security of that area and the people living there will be fully watched and we will see that no one is harassed and no incident takes place.

12.50 hrs.

RE. DEATH OF SCHOOL CHILDREN IN ANDHRA PRADESH BY TAKING CARE MID-DAY MEALS

Shri P. Venkatasubbaiah (Adoni): Sir, I would like to make a submission. Some days ago you were pleased to instruct the Education Minister to gather facts from the State Govern-

ment regarding the tragic death of so many school children in Andhra State. It is seen from the press reports that the Committee appointed to go into the matter has already submitted a report to the State Government. I would like to know whether we will get any information on the subject.

Mr. Speaker: The Education Minister is not present here in the House at the moment. So, it could not be taken up now.

CALLING ATTENTION TO A MATTER OF URGENT PUBLIC IMPORTANCE—Contd.

SUPREME COURT JUDGMENT *re*. U.P. LEGISLATIVE ASSEMBLY V. JUDGES OF THE ALLAHABAD HIGH COURT

Shri S. M. Banerjee: Sir, I call the attention of the Minister of Law to the opinion given by the Supreme Court in the case of U.P. Legislative Assembly *vs*. Judges of Allahabad High Court upholding the action of the judiciary.

The Minister of Law (Shri A. K. Sen): I do not really know what answer the hon. Member seeks to elicit from me excepting that I can only give in a summary form what the conclusions of the Supreme Court have been... (*Interruptions*).

Mr. Speaker: That must have been read by every one. What is it that Shri Banerjee wants to know?

Shri S. M. Banerjee: I want to know the reaction of the Government, because...

Mr. Speaker: It is too soon now.

Shri S. M. Banerjee: Kindly hear me. I would not have asked for this reply immediately but since on the 3rd the session is coming to an end, he should make a statement at least on the 3rd, because our privileges have been dashed to the ground...

Shri Frank Anthony (Nominated—Anglo-Indians): No, no.

Shri S. M. Banerjee: What is this "No, no"? Shri Gajendragadhkar has given the judgment. We want to know whether the Government contemplate amending the Constitution or codifying the privileges....

Mr. Speaker: Shri Banerjee should realise that it is too early for Government to give an opinion.

Shri Daji: Our session will end on the 3rd. (*Interruptions*).

Mr. Speaker: Order, order. So many Members are standing and speaking at the same time.

Shri S. M. Banerjee: May I submit one thing?

Mr. Speaker: I cannot allow him a speech. If he wants and puts a question, I will ask the Minister to reply to it.

Shri S. M. Banerjee: My fear is only this.

Mr. Speaker: I am not concerned with his fear at the moment. He might put his question.

Shri S. M. Banerjee: May I put my question?

Mr. Speaker: Yes, I have asked him thrice to put his question.

Shri S. M. Banerjee: I have never seen a calling attention notice being admitted without the Minister giving a reply. It has been admitted and yet the Minister is not prepared to make a statement.

Mr. Speaker: What is it that the Minister should say? The pronouncement has been read by every one. If he simply wants to know what the decision has been, the Minister can give it. Does he want the Minister to read it?

Shri S. M. Banerjee: Kindly hear me. I am not asking him to read the judgment. What is the position in U.P.? In the U.P. Legislative Assembly almost all the MLAs, excepting one, have clearly decided that the House was not bound by the verdict of the Supreme Court and that there

is going to be a meeting of Speakers of Legislatures convened by you, Sir.

Mr. Speaker: Is his question whether I am presiding? He asked me whether he could put a question. I asked him to put his question more than once.

Shri S. M. Banerjee: Is the Government aware that there is a move by the Members of the U.P. Legislative Assembly in consultation with the Speaker of Lok Sabha to convene a meeting, to be presided over by the Speaker of the Lok Sabha?

Mr. Speaker: How can Government say whether it is true or not? I am very sorry, such questions are asked—there is a news item that the Speaker has been consulted and, therefore, a question is asked of the Government whether the Speaker has been consulted.

Shri S. M. Banerjee: They are going to convene a meeting.

Mr. Speaker: They may do it.

Shri Mohammad Elias (Howrah): Sir, on a point of order.

Mr. Speaker: There is no point of order.

Shri Mohammad Elias: Why has this Calling Attention Notice been admitted?

Mr. Speaker: I have to say something on this?

Shri Mohammad Elias: Yes, you have to say something on this. If the Government has nothing to say, then why was this calling attention notice admitted? The calling attention notice is generally admitted in consultation with the Minister.

Shri Hari Vishnu Kamath (Hoshangabad): No, no.

Shri H. N. Mukerjee (Calcutta Central): Happily, the Lok Sabha, as represented by you, did not associate itself with the proceedings which took place before the Supreme Court. But it was on the initiative of the Presi-

[Shri H. N. Mukerjee]

dent's advisers that the Supreme Court had been asked to give its opinion in regard to this matter. The President's advisers being the Government, perhaps we have a right to know what exactly was in the mind of the Government at the time of sending it to the Supreme Court for this kind of advice and how they are going to proceed in view of what has happened and in view also of the feeling amongst legislators that their privileges should remain unaffected?

Mr. Speaker: That is a question which I can ask the Minister to reply.

Shri P. Venkatasubbaiah (Adoni): Mr. Speaker, may I...

Mr. Speaker: Let the first question be answered. Then we will see the next question.

Shri Frank Anthony: Before that, may I make a submission? (*Interruptions*).

An Hon. Member: Let the Minister answer the question first.

Mr. Speaker: Order, order. Why should there be such a row on this?

Shri K. D. Malaviya (Basti): Before that reply has come, another Member wanted....

Mr. Speaker: One question has been put by Shri Mukerjee which I have considered as in order. I have asked the Minister to reply to it. Let that reply come.

Shri Frank Anthony: Before a reply is given, may I....

Shri K. D. Malaviya: He must sit down.

Shri Frank Anthony: My question is this.

Shri K. D. Malaviya: Sir, is it not our right to point out what you have just now stated, that no Member has the right to interfere when you have asked the Minister to reply to a question?

Shri Frank Anthony: Sir, I am entirely in your hands.

Shri S. M. Banerjee: Sir, on a point of order.

Mr. Speaker: There is no point of order. Regarding Shri Frank Anthony, he is a senior advocate of the Supreme Court. Let us hear him.... (*Interruptions*).

Shri Frank Anthony rose—

Shri K. D. Malaviya: It is very unfair for another hon. Member to stand up or say something when you have asked the Minister to answer a particular question.... (*Interruptions*).

Mr. Speaker: Order, order. Will all hon. Members kindly sit down. I do not follow what the objection is. One question has been put and I have said it is in order. I am going to ask the Minister to reply to it. Why should there be impatience if Shri Frank Anthony wants to put in something for my guidance? (*Interruptions*).

Shri K. D. Malaviya: We want to hear the answer of the Minister.... (*Interruptions*).

Mr. Speaker: Order, order. Every one has to sit down when I am standing.

An Hon. Member: Including Shri Frank Anthony.

Shri Frank Anthony: I merely wanted to submit.... (*Interruptions*).

श्री बागड़ी : अध्यक्ष महोदय, एक व्यवस्था का प्रश्न है।

अध्यक्ष महोदय : नहीं, मानन्य सदस्य बैठ जायें। हम वक्त में व्यवस्था का प्रश्न सुनने के लिए तैयार नहीं हैं।

Shri Frank Anthony: It is not only premature.... (*Interruptions*).

Mr. Speaker: Let the Minister answer the question.

Shri A. K. Sen: Mr. Speaker, there were two questions asked by Shri

Mukerjee. The first was what impelled the Government to seek the opinion of the Supreme Court. The circumstances are fairly well-known. An unfortunate conflict has arisen over a certain committal proceeding in which the Speaker of the Uttar Pradesh Vidhan Sabha was personally involved and an order was made committing a gentleman for contempt of the Uttar Pradesh Vidhan Sabha. Certain proceedings were taken at the instance of that person before the Lucknow Bench of the Allahabad High Court. The Lucknow Bench entertained the petition and ordered interim relief for the person concerned. Thereupon, various other proceedings took place, both in the Allahabad High Court before a Full Bench and also in the Vidhan Sabha. This was such an unfortunate conflict, which touched the very core of our Constitution, as between two organs of Government, between which according to us there should be no conflict whatsoever, and the only course that the President thought was possible under the circumstances was to seek the opinion of the Supreme Court on the questions of law which were involved, namely, the jurisdictions respectively of the Vidhan Sabha and also of the High Court, or rather the judiciary. That also involved an interpretation of the role of the Supreme Court in the matter, the existence of the privileges which are enjoyable by the legislatures in the States and the Parliament here, as also the question as to how far the courts could invade the arena of the Parliament and the Legislatures as regards the interpretation and as regards the question of the existence of the privileges of the legislature.

13 hrs.

Shri Frank Anthony: No question of invasion.

Shri A. K. Sen: Either it is supervision or invasion. (*Interruption*). Let us not quarrel over words, because even in forensic language it may be proved as invasion of the court into areas which are claimed to

be the exclusive privileges of the legislature. There is no moral turpitude involved in the expression—just as the executive sometimes invades the arena of the individual.

Now, that conflict could only be resolved, according to the Government, by a reference to the Supreme Court and by an interpretation of the respective spheres of the judiciary and the legislatures and Parliament as regards this very important question of privilege, including the power to commit a person for contempt of the legislature.

Of the five questions that were referred, four were specific and the fifth was of a general nature. The Supreme Court has answered all the five questions, and all in favour of the judiciary. (*An Hon. Member:* Naturally!) I agree with some hon. Members who have said that there have been certain reports in the papers suggesting as if some Members have expressed a view that they were not bound by the opinion of the Supreme Court.

Shri Raghunath Singh (Varanasi): We are a sovereign body; the Parliament is sovereign.

Shri A. K. Sen: Well, instead of criticising anyone, I personally feel that a restrained attitude, both by members of the legislature as also by members of the judiciary, would be the best course possible.

Shri S. M. Banerjee: Are you going to advise the U.P. Legislative Assembly?

Shri A. K. Sen: They have their own Law Minister, and they have their own legal advisers, and I am not going to advise any one voluntarily. (*Interruption*). I shall be only at the service of you, Sir, and the House.

Therefore, Sir, in my submission the Supreme Court has given its verdict.....

Shri Hanumanthaiya (Bangalore City): Opinion.

Shri A. K. Sen: It is a verdict.

Shri Hanumanthaiya: There is a difference between opinion and verdict. I am very sorry to say, it can never be a verdict.

Mr. Speaker: Order, order.

Shri A. K. Sen: Technically it is not a verdict, but in substance it is, because whenever a dispute goes to any court....

Shri Hanumanthaiya: It is not a question of....

Mr. Speaker: It cannot be resolved in this manner. Let us hear him.

Shri Hanumanthaiya: When the Law Minister uses an incorrect phraseology committing this House, we cannot allow it to go. Kindly hear me for one minute.

Mr. Speaker: When Mr. Anthony stood up there was objection that he should not be heard.

Shri Frank Anthony: Exactly, when I wanted to place before the House something which would have put the whole thing in perspective.

Shri A. K. Sen: Technically the opinion of the Supreme Court is not a verdict, just as the Privy Council's opinion is an opinion to His Majesty the King.

Shri Daji: No, no, there is no parallel here.

Shri Hanumanthaiya: Sir, you may kindly give me a minute later and I will show how the Law Minister is wrong. *(Interruption)*.

Mr. Speaker: I do not follow what the House wants now. Does it want a discussion?

Shri Daji: Yes, Sir, it is very important. *(Interruptions)*.

Mr. Speaker: Order, order. What is the reaction of the Government in this respect, if the House wants a discussion on it?

Shri Lal Bahadur Shastri: Sir, the legal implications, of course, will be

better understood by the Law Minister and others who are legal people here, experts. But may I say a word, that this is a very important occasion, and important judgment? We cannot come to any conclusion so soon over it and in a hurry. I have had talks even with the Chief Minister of Uttar Pradesh, and my advice has been that this matter, all its implications, should be very carefully examined before we take up any particular attitude. I would, therefore, Sir, request that time should be given to us—to the Government as well as to the State Governments—and then we would be in a position to come to a definite conclusion. I do not think it could be discussed on the 3rd. If there is anything, perhaps it may have to be discussed or a statement made by the Government during the next session.

Shri S. M. Banerjee: A special session is being convened in U.P.

Mr. Speaker: There is one thing I have to bring to the notice of the hon. Prime Minister and the Leader of the House. As soon as this was announced, the Members of the Legislatures, and more specially the presiding officers, have felt very much perturbed over it. And if we do not give them any guidance, probably they might express themselves in such manner that might not be conducive to the atmosphere. As has been said by Mr. Banerjee, already that Legislature has said: we will fight, we will not wait, or we will do this or we will do that. If other Legislatures also begin to say like that, or they call a meeting of the presiding officers.... *(Interruption)* and then they pass any resolutions or do certain things, that would not be fair. Therefore, from the Central Government some guidance or something must be given so that there might not be any atmosphere which might just injure us or harm the interests which we hold so very dear in order to see that harmony between the different wings is maintained.

Shri Lal Bahadur Shastri: It is what has appeared in the newspapers,

and from the press reports it seems that the Speaker of the Uttar Pradesh Assembly has only said that the matter is under the consideration of the Privileges Committee which was set up. One of the Members—the name is not mentioned in the paper, but it is said that one of the Members—has said that “we are not prepared to accept the opinion given by the Supreme Court”.

However, with due apologies, the Speakers who hold such eminent position cannot jump to conclusions so quickly over these matters. They are men, I mean they hold such responsible position that they would also like to give thought to it. It may take even a few days. But I would only like to add that we can give advice, we will of course give advice, to the State Governments, and if it is necessary we can also give advice to the Speakers....

Shri Hari Vishnu Kamath: How can you advise the Speakers?

Shri Lal Bahadur Shastri: We cannot do it; therefore I myself was rather careful about it. But to the State Governments, as I said, we can certainly give them advice. But the present advice would only be to wait in patience at least for a week or so. This matter has to be carefully examined. I suggested to the Chief Minister of Uttar Pradesh that they should not come to a quick decision or any conclusion. I am prepared, I said, we will meet here if necessary and discuss these matters.

So, Sir, my request is that we should be given some time. We would be most willing to advise the State Governments after consulting them. Even the Law Minister, he will also deal with this matter as he thinks fit.

Shri S. M. Banerjee: What about our views?

Shri Harish Chandra Mathur (Jalore): Mr. Speaker, as I wrote to you....

Shri A. K. Sen: Sir, I have not finished yet. I had a few words to add when you called upon me.

What I was going to say was that undoubtedly the opinion of the Supreme Court will have the effect of causing a deep erosion into the privileges as we have known them to be and recognised them to be from the precedents of the House of Commons in England. The effect of it will have to be studied, as the hon Prime Minister said, with very great care. We will have to see how much of the erosion would have to be repaired, if at all, for the purpose of allowing us to function here and allowing you, most of all, to conduct the proceedings of the House and your counterparts in the legislatures to do so. That is not a matter which we can decide all of a sudden. But the fact is—let us be quite frank about it—that the Supreme Court judgment has caused a very great erosion into the privileges.

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): Invasion.

Shri A. K. Sen: I am not using that expression because of Shri Frank Anthony.

Shri Harish Chandra Mathur: In this regard when I wrote to you this morning I had clearly stated in my letter—and I hold the same opinion now—that I do feel—I will not go into the merits of the case whatsoever—that we owe a responsibility to ourselves and to the country in this matter and we cannot ignore the ramifications and the implications of this judgment which is of a very historical nature. I will not even go to the extent to which the hon. Law Minister has gone in spelling out the implications and of saying whether our rights have been corroded or not; but we do feel deeply concerned regarding the proceedings which have got to follow and what our own rights are. Therefore, at the present moment I am only concerned with what is going to be our line of action.

[Shri Harish Chandra Mathur]

The hon. Prime Minister has asked for a week's time. But Parliament will go out of the session on the 3rd and then we will not be able to meet; but it is the duty of this Parliament—and the Members very reasonably feel exercised—to chalk out a line of action which we are going to follow, whether we are going to consign this matter to the Privileges Committee of this House or whether we are going to discuss this matter.

An Hon. Member: The whole House should consider it.

Shri Harish Chandra Mathur: It is very necessary that all the leaders of the Opposition, the legal luminaries and the Leader of the House must immediately go into a meeting, as a matter of fact. They must decide upon a future line of action which will be acceptable to this House. This House may not express any opinion but this House must decide by the 3rd as to what is going to be the line of action which this House and the Members of Parliament are going to adopt.

Shri Shivaji Rao S. Deshmukh (Parbhani): May I draw your kind attention to the fact that yourself and this House are more or less a party to this decision because we were served with a notice by the Supreme Court and we had decided to abide by the judgment.....

Some Hon. Members: No, no.

Shri Shivaji Rao S. Deshmukh: I do not say that we have decided to abide by the judgment.

Some Hon. Members: No, no.

Mr. Speaker: Order, order. That is very sad. If we cannot conduct ourselves in an orderly manner then, perhaps, the Supreme Court shall have to decide how we should conduct ourselves.

Shri Shivaji Rao S. Deshmukh: What I meant to convey was simply this that when we decided not to file

a formal appearance, we had at least expressed a desire to put our implicit faith in the verdict of the Supreme Court.

Some Hon. Members: No, no.

Shri Shivaji Rao S. Deshmukh: The only course which, I suggest, is open to this House is immediately to establish a special committee under the Speaker's direction to go into the whole question and suggest whatever remedial measures it can by way of amending the Constitution or by way of certain measures which are essential because to consign the matter to the Privileges Committee, when the privileges have in fact been wiped out, would be doing a distinct discourtesy to the Privileges Committee.

Mr. Speaker: I have heard him; but I must repudiate his statement that we submitted to the jurisdiction of the Supreme Court.

Shri Vidya Charan Shukla (Mahasamund): Looking to the importance and implications of this question may I suggest that we extend the session by a day or two and discuss this matter before we disperse finally so that we can decide upon the course of action to be followed.

Shri Frank Anthony: I merely wanted to endorse the plea made by the Leader of the House. I also am exercised by the judgment but that is no reason for my entering a precipitate opinion which might be considered to be irresponsible and gratuitous reflection on the supreme judiciary of this country. All I want to say is this that I do not agree with the way the Law Minister has put it. It is wrong—that is my first impression—for anyone, however strongly we may feel, I do not think that we can say so now absolutely, to say that this is in any way an erosion of our privileges. The Supreme Court has made this very clear. They have merely said that this is not a question of a conflict between the legislature and the judiciary. They have

said, "We were asked and we were bound to interpret the Constitution which is sovereign and we have interpreted it. We have accorded primacy to the Constitution". In my humble opinion, quite rightly, they have accorded primacy to the fundamental right of the citizen.

Some Hon. Members: No, no.

Shri Frank Anthony: What they have said is that your privileges must submit to article 32 of the Constitution which keeps paramount the fundamental right of the citizen. That is all that they have said.

An Hon. Member: We do not agree with that.

Shri J. B. Kripalani (Amroha): You remember, Sir, that I had suggested on that day that we might sit on Friday. Though it is Gandhiji's birthday, I do not remember any occasion on which Gandhiji took rest. Our late Prime Minister also said that we must work. I think, it will be a very good example. There are many interesting questions in this session. If we sit tomorrow, nothing will be lost. I am sure, Gandhiji's soul will be happy if we worked tomorrow.

Shri P. K. Deo (Kalahandi): There are no two opinions that a matter of this importance should be discussed in this House. It has agitated the mind of everybody. Until and unless our privileges are clarified, it is very difficult for us to function. So, I submit that at least this matter may be referred to the Privileges Committee.

Some Hon. Members: No, no.

Shri P. K. Deo: Let it be known that we are anxious to get our privileges defined.

Shri Hanumanthaiya: Sir, I agree with the hon. Prime Minister that we should not get excited over this matter. We must consider this question with great restraint. It is not the question of legislature *versus* the courts. We are evolving the Constitution to function and its practices and we must so evolve them as to

see that there is harmonious working of all organs of government. What I suggest is this. The Privileges Committee is constituted for a particular purpose with restricted scope, that is, for considering various questions that arise in this House. This is an unusual question. You are the custodian of the rights and the dignity of this House. The hon. Prime Minister is the Leader of the House. He is not merely the leader of the party but according to constitutional practice, he is the Leader of the House. So, I make this suggestion that both of you think together and evolve a formula for procedure. I am not asking for a decision on the subject matter. I am requesting both of you to formulate a procedure so that we can take a decision ultimately through that procedure as early as possible. The time asked for by the hon. Prime Minister is only one week. It is very reasonable and we agree to it. All that I suggest is that you take into confidence the leaders of the Opposition parties and the Leader of the House and evolve a procedure; otherwise, as some of my hon. friends said, this question is going to be discussed and is being discussed in a controversial manner throughout India and in every legislature. So, it is up to you, as the Speaker of the Lok Sabha—as I said once in my speech, this House is the repository and the representative of the sovereignty of the people of India—to take that responsibility and give guidance to the whole country.

Shri H. N. Mukerjee rose—

Shri Thirumala Rao (Kakinada): Sir, I require a minute.

Mr. Speaker: There are so many Members. If I allow him, why not allow others also?

Shri Thirumala Rao: I want to draw the attention of the House to one point that has not been mentioned at all.

Mr. Speaker: I am requesting the hon. Members to listen to me first and then if they want to continue, they might continue.

[Mr. Speaker]

It is very unfortunate that such a situation has arisen. We have, as we ought to have, always respected all the observations that have been made by the Supreme Court and we assure the country that we will continue to do that because unless that is done, this democracy cannot work.

It has been stressed therein that we are not sovereign, that the Constitution is sovereign. Nobody has ever doubted it. But the Constitution is sovereign not only for the legislature but it is also sovereign for the judiciary. Whatever rights have been given to one wing must be respected by the other also. If any interpretation is put on a provision of the Constitution which really, as has been said by the Law Minister, is likely to invade into the province of another wing, that would be rather unfortunate for the country and would create complications. I am not commenting on the judgment that has been given. Mr. Anthony has argued that they have only interpreted the Constitution and done nothing further, that, so far as it stands, they have said that this is the interpretation that can be put on it. But what the intention of the Constituent Assembly was would be clear by four lines which I shall read now. Mr. Ambedkar had said:

"For instance, under the House of Commons rules and privileges, it is open to Parliament to convict any citizen for contempt of Parliament and when such privilege is exercised, the jurisdiction of the court is ousted."

That is an important privilege that was intended. . . .

Shri Shinkre (Marmagoa): May I submit. . . .

Some Hon. Members: Sit down.

Shri S. M. Banerjee: Either you allow us to have a discussion. . . .

Some Hon. Members: Listen to the Speaker first.

Mr. Speaker: I do not understand what objection Mr. Banerjee has. He was just taking up and advocating the privileges of the Parliament and now he just criticises. I do not understand it. I am only saying what the intention of the Constituent Assembly at that time was. Whether that intention has been expressed adequately in the Constitution or not, whether the words used are not adequate to express that intention, is a different thing altogether. And it would be for this House or for the Government to decide whether the intention that was really in the minds of the Constitution makers has adequately been conveyed and if according to the present construction put by the Supreme Court it has not been so done in the words that have been used, then the Government or this House shall have to think whether the Constitution is to be amended. This is what I am saying. If the Constituent Assembly has not been able to express them in suitable words and the Supreme Court has found it difficult just to interpret it in the manner that was just conceived by our Constitution makers, then it is for us now and this Government to consider and come to a conclusion whether really there is a need to amend the Constitution.

I only read one line from May's:

"The power of commitment is truly described as the key-stone of parliamentary privilege."

If that power is not there, then the authority and the dignity of the Parliament is gone. It is on that account that I am appealing to the Government that they must give their serious consideration to the interpretation that has been put; whether it is a dictum or decision or advice, or whatever it is, it has its own significance and implications and we have to look into it. Therefore, it was that I brought to the notice of the Prime Minister that the Government has to consider it very seriously.

Shri H. N. Mukerjee 7082—

Some Hon. Members: No, no.

Mr. Speaker: Would it not be better that we stop here? Would it not be advisable if we stop here?

13.24 hrs.

PAPERS LAID ON THE TABLE

ANNUAL REPORT OF ALL INDIA INSTITUTE OF MEDICAL SCIENCES FOR THE YEAR 1963-64.

The Minister of Works and Housing (Shri Mehr Chand Khanna): Sir, on behalf of Dr. Sushila Nayar, I beg to lay on the Table a copy of Annual Report of the All India Institute of Medical Sciences, New Delhi, for the year 1963-64 under section 19 of the All India Institute of Medical Sciences Act, 1956. [Placed in Library. See No. LT-3293/64]

श्री मौर्य (अलीगढ़) : सूचना के आधार पर एक निवेदन है कि देश के कोने कोने से बम्बई से, मद्रास से, मद्रास से, मैसूर से, उत्तर प्रदेश से, पंजाब से, राजस्थान से, मध्य प्रदेश से, हिमाचल प्रदेश से तथा अन्य दूर-दूर के स्थानों से शोधित समाज के लोग पार्लियामेंट के बाहर भारी संख्या में अपनी मांगें प्रस्तुत करने के लिए एकत्र हैं। मेरा निवेदन है कि माननीय अध्यक्ष इस सदन के कुछ सदस्यों को उनसे मिलने के लिए बाहर भेजने की कृपा करें।

अध्यक्ष महोदय : आप बैठ जाएं, अभी तक ऐसा कर्मा नहीं किया गया। यहाँ इतनी मुश्किल है, अन्दर की बात ही नहीं संभाल सकते, बाहर की बात का तो सवाल ही पैदा नहीं होता।

PAPERS LAID ON THE TABLE— Contd.

NOTIFICATION No. G.S.R. 1329 UNDER CENTRAL EXCISE DUTIES EXPORT DRAWBACK (GENERAL) RULES, 1960 ETC.

The Minister of Planning (Shri B. R. Bhagat): I beg to lay on the Table—

(i) a copy of Notification No. G.S.R. 1329 dated the 19th Sep-

tember, 1964, making certain further amendment to the Customs and Central Excise Duties Export Drawback (General) Rules, 1960, under section 159 of the Customs Act, 1962 and section 39 of the Central Excises and Salt Act, 1944. [Placed in Library. See No. LT-3294/64].

(ii) a copy each of the following Notifications under section 159 of the Customs Act, 1962:—

(a) G.S.R. 1330 dated the 19th September, 1964.

(b) G.S.R. 1401 dated the 24th September, 1964.
[Placed in Library. See No. LT-3295/64].

(iii) a copy of Notification No. 10/64 dated the 19th September, 1964, making certain amendments to the General Regulations of the Industrial Finance Corporation of India, under sub-section (3) of section 43 of the Industrial Finance Corporation Act, 1948. [Placed in Library. See No. LT-3296/64].

(iv) a copy of Annual Report of the Agricultural Refinance Corporation for the year 1963-64 along with the Audited Accounts, under sub-section (2) of section 32 of the Agricultural Refinance Corporation Act, 1963. [Placed in Library. See No. LT-3297/64].

OPINIONS ON BILL

Shri Shree Narayan Das (Darbhanga): Sir, I beg to lay on the Table Paper No. II to the Bill further to amend the Constitution of India which was circulated for the purpose of eliciting opinion thereon by the direction of the House on the 22nd November, 1963.

13.26 hrs.

MESSAGES FROM RAJYA SABHA

Secretary: Sir, I have to report the following messages received from the Secretary of Rajya Sabha:—

(i) 'In accordance with the provisions of sub-rule (6) of rule

[Secretary]

186 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the High Court Judges (Conditions of Service) Amendment Bill, 1964, which was passed by the Lok Sabha at its sitting held on the 24th September, 1964, 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.'

(ii) 'In accordance with the provisions of sub-rule (6) of rule 186 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Appropriation (No. 5) Bill, 1964, which was passed by the Lok Sabha at its sitting held on the 24th September, 1964, 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.'

(iii) 'In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 29th September, 1964, agreed without any amendment to the Representation of the People (Amendment) Bill, 1964, which was passed by the Lok Sabha at its sitting held on the 22nd September, 1964.'

13.26 hrs.

PRESIDENT'S ASSENT TO BILL

Secretary: Sir, I lay on the Table the Salaries and Allowances of Members of Parliament (Amendment) Bill, 1964 passed by the Houses of Parliament during the current Session and assented to by the President since a report was last made to the House on the 7th September, 1964.

PUBLIC ACCOUNTS COMMITTEE

TWENTY-SEVENTH REPORT

Shri Morarka (Jhunjhunu): I beg to present the Twenty-seventh Report of the Public Accounts Committee on Audit Report (Civil) on Revenue Receipts, 1964.

STATEMENT RE: SUPREME COURT JUDGEMENT RELATING TO NATIONALISATION OF BUS ROUTES IN KURNOOL DISTRICT

Mr. Speaker: Shri Asoke K. Sen.

Shri S. M. Banerjee (Kanpur): Sir, before he makes a statement, I have to submit something. This is a judgment of 27th January, 1964. . . .

Mr. Speaker: Let him make a statement.

Shri S. M. Banerjee: Before he makes a statement, I want to say something. Something was mentioned during the debate and the Prime Minister was asked to read the judgment. After reading the judgment, what was the necessity of making the statement? Is he going to defend the Minister or what?

Mr. Speaker: Of course, that he has done. I have just called him; I am just asking him. Unless he stands up and says something, how can you ask something about it?

Shri S. M. Banerjee: The very fact that it is on the order paper. . . .

Mr. Speaker: No notice should be taken of whatever appears on the order paper unless it is brought to the notice of the House.

The Minister of Law and Social Security (Shri A. K. Sen): Mr. Speaker, Sir,

Mr. Speaker: How long is that statement?

Shri A. K. Sen: It is about seven pages.

Mr. Speaker: Then, it might be laid on the Table of the House.

Shri S. M. Banerjee: I have got a copy of the judgment which has been circulated to us by some district committee of Kurnool in Andhra Pradesh. I want to know whether the hon. Law Minister is defending the Minister of Steel and Mines. That is the simple thing which he should answer.

Shri A. K. Sen: I lay the statement on the Table of the House.

Shri S. M. Banerjee: During the course of the discussion on the no-confidence motion, some of the Members of this House had mentioned about the Supreme Court judgment in which certain *mala fide* intentions were attributed to a particular ex-Chief Minister of Andhra Pradesh who is now . . .

Mr. Speaker: What does he want? Does he want that the statement must be read out or does he want anything else?

Shri S. M. Banerjee: I want that we should be allowed to put questions.

Mr. Speaker: The statement has been laid on the Table of the House. The hon. Member can read it and then I shall see whether questions should be allowed.

Shri Hari Vishnu Kamath (Hoshangabad): Irrespective of what is contained in the statement, may I ask for one clarification? Considering the fact that soon after the Supreme Court's verdict, the Minister, at that time the Chief Minister of Andhra Pradesh, accepted the same by implication and bowed out of office so immediately; it was a good act that he did at that time. But what happened then in the interregnum between that date and the date of his appointment in the Union Council of Ministers, to absolve him? Was the period of three months or whatever it was considered sufficient *prayaschitta* or expiation to wash away his guilt?

Mr. Speaker: That statement should be read first. What Government have

stated should be seen first, and then we shall see whether questions should be put.

Shri Hari Vishnu Kamath: Shri N. Sanjiva Reddy himself accepted the verdict and bowed out of office . . .

Mr. Speaker: I also know it.

Shri Hari Vishnu Kamath: Therefore, by implication, he accepted the judgment against him.

Shri A. K. Sen: This is exactly what we have said in the last paragraph of the statement. It reads thus:

"Shri Sanjiva Reddy has set up a fine standard of public conduct by resigning from his office of Chief Minister of Andhra Pradesh, immediately after the judgment of the Supreme Court, though his version of the facts was not available to the Supreme Court under the circumstances mentioned above. The judgment of the Supreme Court is, no doubt, entitled to our highest respect, but it must be read in the context of the facts and in relation to the evidence which were before the Supreme Court. After studying all the facts and the version of Shri Sanjiva Reddy, which was not before the Supreme Court, Government is satisfied that the allegations made in the aforesaid petitions cannot be held against Shri Sanjiva Reddy."

Mr. Speaker: When I asked hon. Members to wait and first read the judgment and the statement in order to be able to understand the position, they were impatient . . .

Shri S. M. Banerjee: The judgment is here with me. Thousands of copies have been circulated.

Mr. Speaker: The statement laid on the Table of the House has also to be read out.

Shri S. M. Banerjee: You should not be angry with us. Kindly give us an opportunity . . . There is no need to be angry with us. I am only telling

[Shri S. M. Banerjee]

ou that this particular judgment has been circulated to us already. There is also the statement which has been laid on the Table of the House by the hon. Law Minister. For the last fifteen days, continuously we have been getting copies of the judgment with comments. What the Minister of Steel and Mines had stated in the State Assembly has also been quoted. After reading all that, we were of the opinion when we read today's Order Paper that the hon. Law Minister would come forward with a clear statement; we wanted to know whether he was going to make another statement like the Prime Minister that there was nothing wrong with Shri N. Sanjiva Reddy. It may be that nothing may be wrong. But what is the use of making such a statement, if we are not going to be allowed to put questions?

Mr. Speaker: I do not know what the use is. I cannot give him the answer to that question. If he says that I am getting angry he should not have persisted again and again in asking questions, especially when I had already asked him to resume his seat.

Shri Hem Barua (Gauhati): May I draw the attention of the hon. Law Minister to these observations of the Supreme Court?

Shri A. K. Sen: May I first lay the statement on the Table of the House?

Shrimati Renu Chakravarty (Barrackpore): What Shri N. Sanjiva Reddy has given you as his version should also be laid on the Table of the House.

Shri Hem Barua: May I draw the attention of the hon. Law Minister to the following observations made by the Supreme Court, namely:

"We are, therefore, constrained to hold that the allegations that the Chief Minister was motivated by bias and personal ill-will against the appellants, stands un rebutted.".....

Shrimati Yashoda Reddy (Kurnool): Even before reading the statement, what is the fun in putting questions like this? It may be that the very fact is being explained by the hon. Minister. . .

Mr. Speaker: Is it intended that I should allow questions on this statement just now?

Shri Hem Barua: I would seek a clarification. . .

Mr. Speaker: The hon. Member may listen to me first. We ought to be clear in regard to the procedure that we are going to follow. If it is intended that a few questions should be allowed now, then I would not allow any further discussion to take place afterwards, but I shall allow a few questions just now. But if it is the desire that the statement laid on the Table just now must be studied first and then an opportunity given to put questions, then I shall allow an opportunity afterwards.

Shri S. M. Banerjee: May I submit.....

Mr. Speaker: The Hon. Member would not allow me also to speak . . .

Shri S. M. Banerjee: I am sorry.

Mr. Speaker: When I am speaking, why should the hon. Member stand up again and again?

I should know what the desire of the Members is.

Shri Hem Barua: My desire is this. In the course of the no-confidence motion debate, the hon. Prime Minister said that Shri N. Sanjiva Reddy did not rebutt the observations made by the Supreme Court. He did not submit an affidavit also. My point is this. At that time, the Prime Minister said that he had not read the judgement then. I want to draw the attention of the Prime Minister to the observations made by the Supreme Court; if you allow me, I shall draw his attention, but if you do not allow me, I shall not draw. At the same time, I would like to ask this question.

Mr. Speaker: I am only putting it to the Members that if they want to put questions just now, they may tell me and I shall allow them to put a few questions. Or, if they want any other opportunity after reading the statement, I shall allow that.

Shri Hem Barua: I shall put the question today. . .

Mr. Speaker: It is not just one individual who has to decide this. I have to take the desire of the other Members also.

Shri S. M. Banerjee: We have come to know that there have been certain letters exchanged between the Law Minister or the Prime Minister and Shri N. Sanjiva Reddy. If the copies of those letters also are laid on the Table of the House, it will be easier for us.

Shri A. K. Sen: There were no letters.

Shri Hem Barua: May I draw the attention of the hon. Law Minister to the observations made by the Supreme Court, namely:—

“We are, therefore, constrained to hold that the allegations that the Chief Minister was motivated by bias and personal ill-will against the appellants, stands un-rebutted.”.

The judgment of the Supreme Court also says that the allegations against the Chief Minister were made with particularity and detail.

In this context, may I know whether the hon. Law Minister or the Prime Minister think even now that Shri N. Sanjiva Reddy did not rebutt the observations made by the Supreme Court because he felt that he was innocent or because he suffered from some guilty conscience because he knew that no amount of affidavits could rebutt those allegations?

Shri Sinhasan Singh (Gorakhpur): On a point of order. The hon. Law Minister was about to read out his statement, but because it was

a long one, it was laid on the Table of the House. We have not read it yet. Meanwhile, we find that hon. Members have started putting questions. You have just now stated that we shall put questions only after we have read the statement. But without knowing what is contained in the statement, hon. Members are going on with their questions.

Shri Hem Barua: May I submit that I made it clear that my question was directed at what the Prime Minister had said the other day?

Shrimati Yashoda Reddy: Shri Kamath had said that Shri N. Sanjiva Reddy had accepted the judgment. I would like to ask the hon. Law Minister. . . .

Mr. Speaker: I thought that she was going to raise some point of order.

Shrimati Yashoda Reddy: I want to know whether he had accepted the judgment at all, because even before the judgement came and even before he knew what it was, he had resigned; so, that could not mean that he had accepted it.

Secondly, when legal opinion was taken, it was said that it was not binding on him morally or legally, and, thirdly, there was no technical bar also against the Minister concerned.

I would like to know also what the constitutional propriety is, whether the Prime Minister has no right to choose his Cabinet colleagues or whether the Opposition or anybody else should be allowed to have a say as to who should be in the Cabinet. I would like to know from the hon. Law Minister what the constitutional propriety is.

Shri Hem Barua: There is a moral bar, according to the Prime Minister. The Prime Minister had said the other day that the conduct of a Chief Minister should be above board and no finger should be pointed at him. That was what he said. That is why we want to know whether such a person

[Shri Hem Barua]

could be taken into the Union Cabinet or not.

Shri A. P. Jain (Tunkur): On a point of order. We have not seen the statement yet. Whether the whole of the Opposition wants to put questions today is not a material point, because even if you and the whole of the Opposition agree, the rest of the House does not know what is contained in the statement. So, unless the statement is either read out or we are given an opportunity of reading it, I submit with great respect that no Member of the Opposition, and for that matter, no other Member should be allowed to put any question, because we cannot comprehend the question.

Shri S. M. Banerjee: On a point of order. . .

Shri A. K. Sen: By this time, I would have finished reading out the statement.

Mr. Speaker: But the hon. Members did not allow that. I am surprised at this. One point of order has been raised, and I find that another hon. Member raises another point of order. Is it a point of order on the point of order?

Shri S. M. Banerjee: It is really a point of order, and it is this. When the Law Minister laid the statement on the Table of the House, he also read out a portion of it, which actually invited such questions. Is it not open to the Members to ask questions on the basis of the substance of whatever has been read out by the hon. Minister?

Mr. Speaker: I have made it clear that I can give only one opportunity; either have it today or on some other occasion.

Some Hon. Members: Some other occasion, not today. (*Interruptions*).

Mr. Speaker: Order, order.

I cannot allow a double opportunity. I cannot give two occasions.

Therefore, I asked twice and the Members on that side did not at that time object to questions being put now. I did not hear even one Member objecting when I was asking whether I should allow an opportunity today or have it on some other occasion. It would have been a reasonable thing if Members had read the statement and then come up with questions. That was what I was suggesting. But then there was insistence that they must put the questions now.

Shri Khadilkar (Khed): Only one Member.

Some Hon. Members rose—

अध्यक्ष महोदय : जब मैं ने कहा कि माननीय सदस्य पहले स्टेटमेंट को पढ़ लें और सवाल पूछने का मौका बाद में मिल जायेगा तो कई मन्बर साहबान खड़े हो गए, रुकावट डालने लगे, मुझे बोलने नहीं दिया और कई प्वायंट्स आफ आर्डर उठाए गए।

श्री बड़े (खरगोन) : वे तो केवल यह चाहते हैं कि उन को प्रश्न पूछने का अवसर दे दिया जाये।

अध्यक्ष महोदय : अब हाउस की डिजाइर क्या है कि स्टेटमेंट पढ़ने के बाद अब मौका दिया जाये या बाद में ?

Shri P. K. Deo (Kalahandi): The statement may be circulated.

Shri Vidya Charan Shukla (Mahasamund): Questions should be asked now rather than postpone it. We have gone through the matter.

Some Hon. Members: No, no.

Shri A. K. Sen: May I say that if questions are to be put later, we may rather have them today because the Prime Minister will be leaving tomorrow?—I would have read the statement by now.

Mr. Speaker: There are different views. Even the Congress Party is

not united on this. I have no objection. Shri Hem Barua's question may be answered.

Shri C. K. Bhattacharyya (Rai-ganj): We are prepared to go through it today because the Opposition has already had a chance of having a dig at our Minister. They will have another chance if you give them a separate opportunity. Let this matter be finished today and let us not allow the agony to continue.

Mr. Speaker: There were points of order from your side to the effect that questions should not be allowed today.

Shri C. K. Bhattacharyya: No, Sir. That was because the Opposition acted most irrationally.

श्री सननानी (जम्मू तथा काश्मीर) :
आपोजीशन वाले इतने सवाल पूछ चुके हैं, कि अब उनको और सवाल पूछने की जरूरत नहीं है।

श्री प्रकाशवीर शास्त्री (बिजनौर) :
अध्यक्ष महोदय, एक बीच का रास्ता यह हो सकता है कि आज सायंकाल चार बजे प्रश्नों का अवसर दे दिया जाये।

Mr. Speaker: Let Shri Hem Barua's question be answered.

Shri A. K. Sen: That is quoted at page 6 of my statement itself.

Shri Hem Barua: Reply to the question.

Shri A. K. Sen: Since the Prime Minister is leaving tomorrow, questions may be put today. I shall read the statement quickly and then questions may be asked and answered.

Mr. Speaker: It is already quarter to two of the clock.

Shri A. K. Sen: I shall take only 6-7 minutes.

Road transport services in the nine districts of the old Hy-

derabad State, known as Telengana Area, and which now form part of the State of Andhra Pradesh, were run by the Road Transport Department of the Government of Hyderabad State and after its integration with the State of Andhra Pradesh, by the Road Transport Department of the State of Andhra Pradesh. Andhra Pradesh State Road Transport Corporation, hereinafter referred to as "the Corporation", was established on 11th January, 1958. It took over the management of road transport services, which were run previously by the Road Transport Department of the Government of Andhra Pradesh. On the date of establishment of the Corporation the position was that in the Telengana Area, i.e. in 9 districts, road transport services were already nationalised, while in the Andhra area, i.e. in the remaining 11 districts of the State of Andhra Pradesh, private operators were running road transport services, by plying their own buses on various routes. It was then decided to nationalise the passenger transport services in the Andhra area according to a phased programme. The Corporation first took over road transport services on various routes in the districts of Krishna, West Godavari and Guntur.

Thereafter, in exercise of the powers conferred by section 68-C of the Motor Vehicles Act, 1939 (Central Act 4 of 1939), as amended by the Motor Vehicles (Amendment) Act, 1956, the Corporation prepared and published in the Andhra Pradesh Gazette, dated 29th November, 1962, three schemes for the nationalisation of road transport services in certain parts of Kurnool District. The notification invited objections from the public and the parties affected by the public to file their objections within a specified period. About 45 objections were received by the Government of Andhra Pradesh. After considering the objections, the Government of Andhra Pradesh issued notices to the objectors informing them that their objections would be heard by the Ministry of Transport, Andhra Pradesh

[Shri A. K. Sen]

(who was the statutory authority for this purpose), on the 11th and 12th January, 1963, at the time and place mentioned in the notices. At the hearing of the objections the objectors appeared by their advocates and the Corporation was also represented by its officials and legal advisers. The transport Minister duly considered the objections raised and approved the three schemes by three orders, namely, G.O. Nos. 292, 293 and 294 of the Home (Transport-IV) Department dated 12th February, 1963. The first order covered 34 routes, the second order covered 17 routes and the third order 13 routes—all in the district of Kurnool. The approved schemes were thereafter published in Part II of the Andhra Pradesh Gazette (Extraordinary) dated 13th February, 1963. The schemes provided for nationalisation of these routes and for the issue of permits for the routes covered by the schemes in favour of the Corporation. Thereafter about 22 petitioners, who were all operators of buses on various routes covered by the said schemes, filed several petitions before the Andhra Pradesh High Court under article 226 of the Constitution praying, *inter alia*, for the issue of appropriate writs or orders for quashing the said three orders of the Transport Minister of Andhra Pradesh. Various grounds were taken in the petitions, only one of which is relevant for the present purpose, namely, that the said schemes were vitiated by reasons of the fact that the then Chief Minister of Andhra Pradesh, Shri Sanjiva Reddy, actuated by *mala fides* and extraneous considerations, prevailed upon the Corporation to initiate the said schemes and upon the Transport Minister to approve of them. In some of the petitions, charges were made against the Chief Minister personally as having brought about the said schemes actuated by grudge and malice against the bus operators in the areas concerned, whereas in the other petitions insinuations were made against the so-called group of the Chief Minister and the Public Works Minister of the State of

Andhra Pradesh as having been responsible for the initiation of the said schemes and their approval. The substance of the allegations against the Chief Minister was that some bus operators in the District of Kurnool had worked in the last General Elections against the so-called group of the Chief Minister, and several candidates belonging to that group were defeated and that the Chief Minister became annoyed as a result thereof and caused the Corporation to initiate the schemes and the Transport Minister to approve the same.

The Chief Executive Officer of the Corporation and the Transport Minister, Shri B. V. Gurumoorthy, had filed affidavits denying the allegations that the said schemes were initiated and approved at the instance of the Chief Minister. The Second Secretary of the Andhra Pradesh Government, Shri S. A. Iyengar, ICS, and Shri K. Ramamoorthy, Assistant Secretary of the Andhra Pradesh Government in the Home (Transport) Department, Hyderabad, also filed affidavits denying the allegation. No affidavit was however, filed by the Chief Minister on legal advice.

The Andhra Pradesh High Court in its judgment held that they had no hesitation in accepting the statement of the Chief Executive Officer of the Corporation. They observed:

“there is no truth in the allegations that he had carried the mandate of the Chief Minister in according his approval to the schemes.....”

They further observed:

“Accepting the affidavit filed on behalf of the Corporation and by the Transport Minister, we hold that the charge of *mala fides* levelled against the Chief Minister is wholly baseless and unfounded”.

Dealing with the question as to whether the Chief Minister should have filed an affidavit denying the charges against him the High Court held “in

the instant case, it was a Corporation that had initiated the schemes and it was the Transport Minister who had approved of them. So far as these matters are concerned, it is the Corporation and the Transport Minister that have to state the correct position and they have filed affidavits". In interpreting an earlier decision of the Supreme Court the High Court held that it was not a case where the Chief Minister alone was in a position to enlighten the court. In the affidavit filed by Shri S. A. Iyengar on behalf of the State of Andhra Pradesh, he definitely stated that the Government of Andhra Pradesh was advised that the allegations were such that it was for the Corporation and for the Transport Minister to deal with the allegations that they acted at the instance of the Chief Minister and that the Government was advised that it was not necessary for the Chief Minister himself to file an affidavit. He said also that he was instructed and authorised by the Chief Minister to state that the allegations of *mala fides* against him were false and mischievous. The legal advice given to the Government of Andhra Pradesh and the Chief Minister was based on the same interpretation of the law as was expressed in the judgment of the Andhra Pradesh High Court mentioned above. Dealing with the affidavits, which contained the allegations about *mala fides* against the Chief Minister, the Andhra Pradesh High Court observed as follows:—

"The inherent inconsistency between the allegations made by the deponent of the affidavit in the main writ petition and the deponent of the affidavit in the other writ petition, itself furnishes positive proof of the unreliable character of the case of *mala fides*, pleaded by the petitioners."

"There is one more important fact which is wholly destructive of the charge of *mala fides* levelled against the Chief Minister. The learned counsel for the petitioners themselves have given us instances, showing that some only of the

sector routes of the 2nd and 3rd petitioners have been taken over. They have in fact complained of discrimination on the basis that while some of their routes have been taken over, some have been excluded from the scope of the proposed schemes. If this is a fact, the charge of *mala fides* cannot very well be sustained. If some of the routes of the petitioners who, it is alleged, are ranged against the Chief Minister in the political arena, have been excluded from the ambit of the schemes, that itself is sufficient to show that the charge of *mala fides* has not been substantiated".

The Andhra Pradesh High Court rejected all the other grounds on which the petitions were filed and dismissed the petitions.

Against the judgment of the Andhra Pradesh High Court an appeal was filed in the Supreme Court. The Supreme Court delivered its judgment on the 27th January, 1964. The whole judgment of the Supreme Court is based on the finding that the Corporation, which was to form its opinion independently, was influenced by the wishes of the Chief Minister expressed in a conference held by him with the Corporation and its officials on the 19th April, 1962. What I mean by this is this, that the law is that if a statutory body is to form an opinion—in this case, the Corporation—and the statutory body is to approve of the scheme, then they alone must decide, and they cannot be dictated to by others. This is the point which Mr. Justice Ayyangar is referring to. Ayyangar J., who delivered the judgment of the court, observed as follows:—

"On the evidence placed in the case we are satisfied that it was as a result of the conference of April 19, 1962, and in order to give effect to the wishes of the Chief Minister expressed there that the schemes now impugned were formulated by the Corporation."

Here the finding says nothing about *mala fides*. All that they say is that

[Shri A. K. Sen]

the wishes of the Chief Minister were given effect to. It is on this finding that the Supreme Court concluded as follows:—

“Our conclusion, therefore, is that the impugned schemes are vitiated by the fact that they were not in conformity with the requirements of section 68C.”

There is no finding in the judgement of the Supreme Court that the allegations of *mala fides* against the Chief Minister were correct. In fact, the judgment states, “if the Chief Minister is impelled by motives of personal ill-will against the road transport operators in the western part of the Kurnool...” It says “if”. As regards the allegation that the Transport Minister was influenced by the Chief Minister, the judgment states as follows:—

“In regard to this, however, two matters have to be remembered. The first is that there is nothing on the record to show that the Chief Minister influenced his colleague and beyond the fact that both the Chief Minister as well as the Transport Minister are members of the same Council of Ministers, there is nothing to indicate that the Chief Minister influenced the Transport Minister. The other matter is that the Transport Minister has stated on oath that in considering the objections and approving the schemes he was uninfluenced by the Chief Minister. We, therefore, consider that there is no basis for holding that the Transport Minister's approval of the schemes does not satisfy the requirements of the law”.

The judgment says:—

(This is what Shri Hem Barua quoted).

“There has been no denial by the Chief Minister, nor an affidavit by any person who claims or can claim to know personally about the truth about these allegations. The Secretary to the

Home Department—one Mr. S. A. Iyengar has filed the Counter-affidavit in which the allegations we have set out earlier have been formally denied. He says, ‘I have been expressly instructed and authorised by the Hon'able the Chief Minister to state that the allegations suggesting personal animus and giving mandate are false and mischievous and have been deliberately made to create an atmosphere of sympathy.’ The learned Advocate-General did not suggest that the Court could act upon this second-hand denial on behalf of the Chief Minister, as the statement by Shri S. A. Iyengar is merely hearsay. (This is the finding) We are, therefore, constrained to hold that the allegations that the Chief Minister was motivated by bias and personal ill-will against the appellants, stands un rebutted.”

The judgment of the Supreme Court further observed that the affidavit of the Transport Minister did not have the effect of denying the allegations made in the petition. The Transport Minister had, however, stated definitely that he did not make the orders under the dictation of the Chief Minister and that the proper facts were set out in his own orders and he denied all allegations contrary there. In the orders he stated that the allegations of bias and *mala fides* of the Government of Andhra Pradesh were false and mischievous. In fact, the Andhra Pradesh High Court regarded the Transport Minister's denial in his affidavit as sufficient.

In these circumstances and in view of the opinion of the High Court of Andhra Pradesh it cannot be seriously suggested that the view taken by the Legal Advisers of the Andhra Pradesh Government that an affidavit of the Chief Minister was not called for was wholly erroneous. The

Supreme Court judgment only states that the allegations of bias and personal ill-will against the Chief Minister, stand-un-rebutted. This cannot certainly be urged as a conclusive finding on the truth of the allegations themselves.

The Government has gone through the records, the petitions, the affidavits, the counter-affidavits, the proceedings before the Transport Minister and the orders of the Transport Minister. The Government has also ascertained the facts from Shri Sanjiva Reddy, the absence of whose affidavit appears to have weighed with the Supreme Court. The Government is satisfied that the allegations of bias and ill-will against the Chief Minister cannot be accepted as proved.

Shri Sanjiva Reddy has set up a fine standard of public conduct by resigning from his office of Chief Minister of Andhra Pradesh, immediately after the judgment of the Supreme Court, though his version of the facts was not available to the Supreme Court under the circumstances mentioned above. The judgment of the Supreme Court, is no doubt, entitled to our highest respect, but it must read in the context of the facts and in relation to the evidence which were before the Supreme Court. After studying all the facts and the version of Shri Sanjiva Reddy, which was not before the Supreme Court, Government is satisfied that the allegations made in the aforesaid petitions cannot be held against Shri Sanjiva Reddy.

Shri Hem Barua: Then, the question that I put stands. I put a specific question, and I quoted the observations of the Supreme Court judgment, and those are the observations that the Minister has also quoted. I just wanted to know why it is that these allegations were not rebutted. Is it simply because the legal advisers of the Chief Minister advised otherwise, or is it because he suffered from a certain guilty con-

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science that no amount of affidavits would be able to rebut the allegations made before the court?

Shri A. K. Sen: As is clear, there was an earlier judgment in the case of Shri Pratap Singh Kairon....

Shri Hem Barua: I wanted to refer to him myself. I am glad you have done it.

Shri A. K. Sen:....in which the Supreme Court laid down the principle as to when the Chief Minister must file an affidavit, and the principle in that case—it is quoted by the Andhra Pradesh High Court itself—that when none but the Chief Minister could throw light on the matters involved, then it was necessary and obligatory on the Chief Minister to file his own affidavit. In this particular case, the allegations were that the State Transport Corporation initiated the schemes at the instance of the Chief Minister that the Transport Minister had approved of the schemes at the instance of the Chief Minister, and therefore it was the legal advice of the Andhra Pradesh Government that since allegations were that these two statutory bodies were influenced by him, they could deny and deal with the allegations. It was stated on behalf of Andhra Pradesh by Shri S. A. Iyengar that they had been advised that as these allegations concerned the two statutory authorities they were alone competent to deal with the allegations, that they were advised that it was not necessary for the Chief Minister personally to file an affidavit. That submission found acceptance with the Andhra Pradesh High Court. Therefore, one High Court has followed that principle. How can it be said that the advice which the Chief Minister received was erroneous.

14 hrs.

श्री प्रकाश वीर शास्त्री: अध्यक्ष महोदय,
प्रधान मन्त्री जी को स्मरण होगा कि पंजाब के
मुख्य मन्त्री सरदार प्रताप सिंह कैरो, अथवा

[श्री प्रकाशबोर शास्त्री]

इसी प्रकार के कुछ अन्य मन्त्रियों के सम्बन्ध में जब इस प्रकार के केसेज इस सदन में किसी भी प्रसंग में आये थे तब पहले के प्रधान मन्त्री इस बात पर बहुत बल दिया करते थे कि कानूनी पक्ष के अतिरिक्त भी एक पक्ष होता है, जिस को कहते हैं नैतिक पक्ष। नैतिक पक्ष का बहुत मूल्य होता है। मेरा अनुमान है कि श्री संजीव रेड्डी ने जो इस्तीफा दिया था वह नैतिक पक्ष को ही अधिक ध्यान में रख कर दिया था। जब नैतिक पक्ष को ध्यान में रख कर वे राज्य सरकार के इतने बड़े उत्तरदायित्व के पद से हट सकते हैं, तो उसी नैतिक पक्ष को केन्द्रीय सरकार की इस मन्त्रि परिषद् को बनाते समय क्यों नहीं ध्यान में रक्खा गया।

प्रधान मंत्री तथा अणु शक्ति मंत्री (श्री लाल बहादुर शास्त्री) : नैतिक पक्ष की बात तो ध्यान में हमेशा ही रखनी चाहिये। लेकिन माननीय सदस्य को यह भी ध्यान में रखना चाहिये कि जहाँ कोई टैकनिकल बात हो बड़े महत्व की बात, चाहे वह नैतिकता की हो, मोरैलिटी की हो, न हो, जहाँ कोई मारल टर्म्पिट्यूड की बात न हो, जहाँ सिर्फ टैकनिकल सवाल हैं कि ऐफिडेविट दाखिल हुआ या नहीं हुआ, जिस सिलसिले में आंध्र प्रदेश के हाई कोर्ट ने भी कहा कि ऐफिडेविट दाखिल होना जरूरी नहीं है क्योंकि ट्रांसपोर्ट मिनिस्टर ने और दूसरे लोगों ने ऐफिडेविट दाखिल कर दिया है, वहाँ इस तरह की आपत्ति नहीं हो सकती यह मसला सिर्फ यहीं तक सीमित है, इससे आगे बढ़ाने की गुंजाइश नहीं है कि ऐफिडेविट दाखिल हुआ या नहीं। अगर इसके बाद भी सुप्रीम कोर्ट ने यह कहा कि संजीव रेड्डी साहब को ऐफिडेविट दाखिल करना ही चाहिये था, तो इस सम्बन्ध में सुप्रीम कोर्ट का केवल यही फैसला है, यही कहना है कि चूँकि उन्होंने ऐफिडेविट दाखिल नहीं किया इसलिये जो शिकायतें रक्खी गईं, जो आरोप लगाये गये वह ज्यों के त्यों रह जाते हैं।

ऐसी स्थिति में बात इतनी रहती है कि रिबटल नहीं हुआ। ऐफिडेविट दाखिल नहीं हुआ। क्यों नहीं हुआ इसका जवाब ला मिनिस्टर साहब ने पूरी तरह से दे दिया है। अगर नैतिकता का कुछ सवाल था, जिस पर संजीव रेड्डी जी ने इस्तीफा दिया, तो उसके माने यह नहीं होते कि हमेशा के लिये उनके लिये गवर्नमेंट में आने का रास्ता और दरवाजा बन्द हो गया। मैं रेलवे मिनिस्टर था। मैंने किसी की गलती से, या अपनी गलती से या कमी से, इस्तीफा दिया, तो इसके माने यह नहीं थे...

श्री प्रकाशबोर शास्त्री : वह बात यहां लागू नहीं होती।

श्री लाल बहादुर शास्त्री : पहले मुझे जवाब दे लेने दीजिये बाद में सवाल कीजियेगा। मैं यह कहता हूँ कि जहाँ टैकनिकल गलती थी, जो उनकी गलती थी, उसका उन्होंने माफ़ूल जवाब दिया। उनका जवाब यह था कि उन्होंने एक अनयूजुअल स्टेप लिया कि मैं वहाँ से हट जाता हूँ, इस्तीफा देता हूँ। मैंने उसका स्वागत किया। हर एक ने उसका स्वागत किया। लेकिन चूँकि यह बात पहली बार उठी थी, उसके कानूनी पहलू को जो जजमेंट सुप्रीम कोर्ट ने दिया था, मैंने पढ़ा। मैंने समझा कि इसके कानूनी पहलू पर ला मिनिस्टर साहब बहुत मुनासिब धादमी हैं जो उसका ठीक जवाब दे सकते हैं। मैं ऐसा समझता हूँ कि जो पोलिटिकल फैसला मेरा हुआ उसके सम्बन्ध में उन्होंने माफ़ूल जवाब दिया। एक मिनिस्टर ने हाई ट्रिडिशन सेट अप किया और कहा कि अगर सुप्रीम कोर्ट टैकनिकल ढंग पर हमारी बात नहीं मानता तो मैं हट जाता हूँ। वे उस पद से हटे। उसके बाद मैं नहीं समझता कि कोई बाधा या रुकावट है कि मैं उन्हें सेंट्रल कैबिनेट में शामिल न करूँ।

Shri P. K. Deo: Sir, the Law Minister's statement is based on the ver-

sion of Shri Sanjiva Reddy. This House has not got a copy of that version. So, before we put any further question....

Mr. Speaker: That has been read out just now.

Shri P. K. Deo: No, Sir; it is not his version that had been read out. Government has got a copy of his version but we do not know what is it. We request that we may be given a copy of that version or he should himself make a statement.

Shri Lahri Singh (Rohtak): The Supreme Court has taken a decision and has passed these remarks after considering the affidavits of the Transport Minister that in view of this fact this allegation cannot be rebutted by any other man and he must be held guilty.... (*Interruptions.*)

Shri Narasimha Reddy (Rajampet): I wish to ask the Law Minister with reference to two points. First he quoted extensively from the judgment of the High Court which disbelieved the allegations of *mala fides* of the Chief Minister and he praised the high standard of public conduct established by the ex-Chief Minister, Mr. N. Sanjiva Reddy. A very relevant portion of the judgment of the Supreme Court has been left out completely from the statement of the Law Minister. The Supreme Court says:

"The learned Judges of the High Court have recalled the allegations contained in the affidavits which we have set out earlier on grounds and for reasons which do not appeal to us. As the learned Advocate General did not seek to support those grounds and that reasoning we do not consider it necessary to set them out or deal with them."

That is to say, the Supreme Court has dismissed all the grounds on which the High Court proceeded. (*Interruptions.*)

Mr. Speaker: What is the question?

It is only ten lines, Sir. They further say:

"If the reasons given by the learned Judges of the High Court be put aside, the position resolves itself into this that allegations with particularity and detail have been made in the petition. We are here having in mind the allegations we have enumerated and categorised earlier as objective facts."

This is what, Sir, the Supreme Court says:

"As to these there is no denial at all of them, not even by the Transport Minister who, though he filed an affidavit, confined himself to the allegations regarding his having been dictated to by the Chief Minister when he approved the schemes though it is obvious they are capable of denial and if need be with the same particularity with which they have been made in the petition."

Mr. Speaker: Is he going to read the whole judgment here?

Shri Narasimha Reddy: There are only three sentences more.

"The learned Judges of the High Court have not rejected the allegations regarding the objective facts on the ground of their patent improbability or absurdity nor did the learned Advocate General make any submission on these lines."

The next observation is the most important.

Mr. Speaker: If he knows that it was the most important, he ought to have read it first.

Shri Narasimha Reddy: The Supreme Court says:

"The next question is as regards the inference to be drawn from these facts which in the absence of their denial have to be taken as true."

[Shri Narasimha Redy]

Sir, this is what the Supreme Court has said.

Mr. Speaker: What does he say? This is what the Supreme Court has said.

Shri Narasimha Reddy: The hon. Law Minister quoted extensively from the judgment of the High Court in order to show to this House the lack of *malafides* on behalf of the Chief Minister which the sentences which I have read out from the judgment of the Supreme Court counteract.

Then there is the next point about the 'high' standard of public conduct.

Mr. Speaker: We are not here now to have it discussed regularly in the sense that one might allow speeches be made for 10 to 15 minutes. I only allowed some questions. The hon. Member read so extensively. If he wants to formulate a question, he might put the question now.

Shri Narasimha Reddy: The question is with regard to the setting up of high standards of public conduct. The Chief Minister. Shri Sanjiva Reddy, attended the meeting of the National Defence Council in the first week of November, 1962 wherein a resolution was passed that no nationalisation of buses should take place in future. He attended the meeting and he was party to that resolution. Hardly 28 days afterwards, even before the ink with which that resolution was written was dry, the scheme of nationalisation of bus transport in Kurmool district was published on the 29th November. (Interruption).

An Hon. Member: What is the question.

Shri Narasimha Reddy: The question is coming. The question is whether a person who has, with such brazen and unabashed effrontery flouted the resolutions of so important a body as the National Council of Defence, can be a useful appendage to the Cabinet or will be a noxious

weight dragging down the Government for all time. (Interruption).

Mr. Speaker: I must appeal to the House that we are not here to decide who is to be appointed Minister or not. It is for the Prime Minister to appoint his Cabinet.

Shri Narasimha Reddy: He referred to public standards. That is why I raised it. .. (Interruption.)

Mr. Speaker: Order, order.

An Hon. Member: He must withdraw.

Mr. Speaker: It is for the Prime Minister to take into his Cabinet those persons whom he thinks would suit or would be proper or would be honest, as the hon. Member has said; it is for him to decide and not for this House to decide. Once he is appointed, the only remedy that this House has got is that it might move a vote of no-confidence.

An Hon. Member: They did it. (Interruption.)

Mr. Speaker: That is a different thing—whether they moved it or not. But even on a particular question, that is the only remedy. It is not the time now when the character of any one person can be discussed and extensive speeches made at this moment. It is the Prime Minister's business to appoint the Members of his Cabinet; even if he were to appoint an unsuitable person also to the Cabinet, the remedy is that this House might remove the Government itself.

श्री हुकम चन्द कछवाय (देवास) : यह परम्परा चलत है ।

Shri H. N. Mukerjee (Calcutta Central): Arising out of your observations which you have been pleased to make. I take it that you allowed the Calling Attention Notice and an answer has been given in order to find out whether there is justification on the part of the Government to have taken a step, namely, the inclusion of a particular gentleman as Minister. Now, the Govern-

ment has tried to justify it and in the course of the question he was trying to point out how the Supreme Court judgment includes certain observations which go against the idea of justification. That is why that could be asked. I know our only remedy is to have a no-confidence motion passed and all that. Mr. Shastri has been good enough to say that he has observed certain canons, certain norms of behaviour. He knows that justice should not only be done but it should also appear that justice is being done. But if he thinks, if he is convinced, in his heart of hearts if he believes, that his colleagues are all right, I cannot stop him. But it does not appear that he has chosen his colleagues with any sense of justice. (Interruption.)

Mr. Speaker: Order, order. Shri Mukerjee has supported all that I was said he supports me and I agree with him. But in spite of what might be said or what has been said, if Mr. Shastri thinks that Shri Sanjiva Reddy is the proper person to be included, then, this is not the time to discuss whether it is just or not.

Shri U. M. Trivedi (Mansaur): The House is entitled to know whether the appointment of Mr. Reddy—whatever may be the position—fits in with the norms laid down by the hon. Prime Minister in the House. That is all the point which I wanted to make.

Shri Vidya Charan Shukla (Mahasamud): The hon. Member Shri Narasimha Reddy has used certain expressions while speaking—words such as 'noxious appendage' in relation to an hon. Member of this House. I think they are not proper parliamentary expressions. May I request you to bestow your kind attention to those words and if you think those words to be unparliamentary. I request that they should be expunged from the proceedings.

Shri S. M. Banerjee: What is there to be expunged (Interruption.)

Mr. Speaker: Order, order.

Shri H. N. Mukerjee: Why is the Congress party so untalented? Nobody can speak.

Shri Hanumanthaiya (Bangalore city): We could speak only, we can now ask questions. Otherwise, I can give him as good an answer.

Mr. Speaker: Order, order. The difficulty is that I am not good at English and, whatever I consider is not fair, I am told that it is refined English! Therefore, I am really in a handicap, but I do not think that any expunction is necessary. If I really think that anything is objectionable, I do not point it out, as did object once—I stood up to say that this is not the way in which such criticism can be offered. Now, I have already made my observation that it is for the Prime Minister to choose his Cabinet and therefore one Member should not be picked up in this manner just because a statement has been made by him. I have allowed a few questions for the sake of information.

Shri S. M. Banerjee: That is exactly what we want.

Mr. Speaker: Shri Banerjee always wants everything: but the difficulty is that whenever I am standing, Shri Banerjee also must stand up and interrupt me!

श्री विश्राम प्रसाद (लालगंज) : मैं जानना चाहता हूँ . . .

श्री क० ना० तिवारी (बगहा) : प्वाइंट ऑफ़ ऑर्डर । मुझे यह आपत्ति है कि जब भी कोई दो चार घादमी मिल कर किसी मिनिस्टर के बारे में या किसी के सम्बन्ध में नोटिस दें तो क्या उस पर गवर्नमेंट स्टेटमेंट देने लगेगी और उस पर सवाल एलाउ किए जायेंगे ?

प्रध्वंस महोदय : आप रोज देखते हैं कि जब कोई स्टेटमेंट होता है तो ब्लैरिफिकेशन के लिए कुछ सवालों की इजाजत दी जाती है ।

[**अध्यक्ष महोदय**]

अगर आज कोई एक्सेप्शन किया जा रहा हो तो आप प्वाइंट ऑफ ऑर्डर ला सकते हैं। हर एक स्टेटमेंट के बाद हम कुछ सबालों की इजाजत देते हैं।

श्री बागड़ी (हिसार) : अध्यक्ष महोदय, माननीय सदस्य ने कहा "कोई आदमी"। ये तो "कोई आदमी" नहीं है, सदन के सदस्य हैं।

Shri P. R. Chakravarti (Dhanbad): Can anyone on this side also insist on getting information?

Shri Joachim Alva (Kanara): I have also been standing.

Shri P. R. Chakravarti: Instead of looking at that side, please just cast a glance on this side also.

श्री विश्राम प्रसाद : प्रधान मन्त्री ने कहा था कि चीफ मिनिस्टर का मोरल एवम रिप्रोच होना चाहिए। पिछली दफा जब सवाल पूछा गया था तो प्रधान मन्त्री ने सुप्रीम कोर्ट का जजमेंट भी नहीं पढ़ा था और रेड्डी साहब की नियुक्ति जून में हो गयी। मैं जानना चाहता हूँ कि प्रधान मन्त्री ने बिना सुप्रीम कोर्ट का जजमेंट पढ़े उनको जून में कैसे नियुक्त कर दिया।

अध्यक्ष महोदय : अगर उनकी राय में वह एवम रिप्रोच हैं तो उन्होंने उनको रख लिया। इसमें बहस का सवाल कहाँ है।

श्री विश्राम प्रसाद : क्या सुप्रीम कोर्ट का जजमेंट भी कोई चीज नहीं है।

श्री बड़े : इस स्टेटमेंट से मालूम होता है और रेड्डी साहब ने अपने बयान में भी कहा है कि एडवोकेट जनरल ने उनको एफीडेविट फाइल करने की सलाह नहीं दी लेकिन उनका जो स्टेटमेंट है उसमें लिखा है :

"I only wish to add that I did not dissuade or discourage the Chief Minister from filing an affidavit."

और इसी कारण उन्होंने रिजाइन कर दिया, क्या यह सही बात है ?

Shri C. K. Bhattacharyya: Sir, may I put a question?

Mr. Speaker: Let this be answered.

Shri C. K. Bhattacharyya: What is the paper from which the hon. Member is reading? Where did he get the statement of the Advocate-General?

Shri S. M. Banerjee: It is with the Prime Minister. One of the Advocates of the Supreme Court is in jail. (*Interruption*).

Mr. Speaker: Order, order. When the hon. Member, Shri Banerjee, in spite of being asked again and again, does not comply with my request, then the only remedy left to me would be that he would not be able to catch my eye.

Shri S. M. Banerjee: In this particular case, Sir, the hon. Member, Shri Bhattacharyya, I am sure, did not catch your eye. Sir, the whole thing is out of emotion that certain questions are put. We have put this question from this side. I can assure you, Sir, if this is your verdict that I am disturbing the proceedings of the House, I shall leave the House and when you ask me to be here I shall come in. But kindly allow me to say that Shri Bhattacharyya never caught your eye, like a *purohit* he is standing everywhere and delivering judgments. Sir, I shall always abide by your ruling. (*Interruptions*).

Shri C. K. Bhattacharyya: At least I want to make one protest. I do not stand up everywhere and at everytime. As I am not as elusive as Shri Banerjee is. I have not got the energy to jump up as Shri Banerjee does.

Shri S. M. Banerjee: Take vitamin tablets.

Mr. Speaker: I must convey to Shri Banerjee that always he defies my directions or my request or my orders and then he always adds "most respectfully, Sir", "I do not mean any insult, Sir", "I might be heard, Sir", "I will obey your orders, Sir" and so on. These words are always there as a preface to those behaviours, and that is rather a greater affront to me. If he were to behave only in that way and had not said those words, perhaps I could tolerate it still further. But always he adds those words "most respectfully I am doing this", "I do not mean any disrespect to you" and so on. Any attitude, Shri Banerjee, is judged by the behaviour that you exhibit and not only by the words. Therefore, every time I have felt in this way that I have been insulted, humiliated. I have been asking again and again..... (*Interruptions.*) Order, order. I am just conveying my feelings to a certain hon. Member. Why should others.....

Shri S. M. Banerjee: Sir, by me you are humiliated? I am really sorry. (*Interruptions.*) Sir, this will go into the records, that I have humiliated you. I do not want that to happen.

An hon. Member: Sir, has he caught your eye now?

Shri S. M. Banerjee: Sir, I have done it in the discharge of my duty. If I am vocal, if I am active, that is not my crime. If I have done anything for which you have taken objection, I can assure you, Sir, that I shall always abide by your order, by your judgment. I shall not put any question. I shall leave all calling attention notices. Sir, I labour hard, I work 24 hours for Parliament and then I table the questions and calling attention notices. I am not like many of those who simply come and go. (*Interruptions.*)

Shri Koya (Kozhikode): Sir, I rise to a point of order. You said, Sir, that you were insulted and humiliated. That should not go in to the records. If the Speaker says that he had been insulted or humiliated, it means he is helpless. That should not go into the records.

Mr. Speaker: I have not expunged any other thing, therefore I will not expunge this also.

Shri P. R. Chakraverti: Sir, consistent with the rhythmical plays of nature, when the small expanse of water tries to reach the wider expanse in the sea, is it not in the fitness of things that Shri Sanjiva Reddy prefers to relinquish his office in Andhra and come over here. (*Interruptions.*)

Shri Shivaji Rao S. Deshmukh (Parbhani): Sir, my point of order should be listened to.

Mr. Speaker: Shall we spend the whole day in these things?

Shri Shivaji Rao S. Deshmukh: Sir, my point of order arises from this fact that what is before the House is the statement of the Law Minister and what is not before the House is the conduct of the Prime Minister because the conduct of the Prime Minister has already been subjected to a close scrutiny by this House by way of a No-confidence Motion. Once that motion has been turned down, is it in order to direct queries or questions which tantamount to disapprove or approve the conduct of the Prime Minister?

Mr. Speaker: I have already expressed myself on this matter.

Some hon. Members rose—

Mr. Speaker: Order, order. Let us proceed with the next business.

14.26 hrs.

DISCUSSION RE FLOOD SITUATION IN THE COUNTRY—Contd.

Mr. Speaker: The House will continue further discussion on the flood situation in the country. The hon. Minister may continue his speech.

The Minister of Irrigation and Power (Dr. K. L. Rao): Mr. Speaker, Sir, I would like to thank all hon. Members of this House who have participated in the discussion on the flood situation in the country, and given very valuable suggestions. I will briefly deal with the various points that they have raised; if I do not discuss any of the points today, I shall be supplying them with the information in the form of a note later on.

14.27 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

One question that has dominated the discussion, which has been asked by most of the Members is, why is it that these floods are occurring every year and why is it that in spite of 17 years of independence flood control has not been done. I shall first address myself to answering these questions.

Now, India is one of those few countries of the world which is blessed with plentiful supplies of rainfall. The average rainfall of India is about 44.5 inches. That means the entire country of 806 million acres will be covered, if the rainfall would have been spread throughout the country, with nearly three feet depth of water. If total water is calculated, it comes to something like 300 million acre feet which is nearly four hundred times what is contained in the single Bhakra Dam. Such a large amount of water is flowing through our very precious and numerous rivers. Again, I should mention that of this rainfall only 45 per cent flows through our rivers. Even so, it is a very large amount. These rivers, large and very numerous, spread all over the country, are subject to variations of rainfall and

concentration. These are two peculiar factors that we have got to remember when we are discussing this subject of floods in this country. Added to that the fact that there has been considerable development in this country by the formation of roads, by the formation of railways and so on, which naturally prevent the free flow of the water, go to make up the larger intensity of flow in the rivers with the result that floods are inevitable. In a large country like ours which has got a plentiful supply of water, it is inevitable.

The other remark that Shri Yashpal Singh made was this. He said that these floods must be predictable. He also said that in Japan earthquakes are predicted one hour before they occur. This, I submit, is not correct. Any amount of research is being done in Japan, it is true, in order to predict earthquakes one hour before they occur. But so far they have not succeeded. It remains only a research problem. The forecasting of floods is much more reliable and it can be done to a greater degree of accuracy than it is possible for earthquakes, by the recent developments in USA, namely, the sending of satellites which are set in motion and which are going round the world from where television pictures are received and information is conveyed. We have got one such receiving station in Bombay set up this year. Through these findings it will be possible to predict to a certain degree the amount of rainfall that may occur. In this regard, we are planning in the Fourth Plan to set up 10 radar stations in the East Coast and the West Coast to predict well in advance the presence of the rainfall, the depressions, their movement and the possible rains that may occur in different places.

What I want to submit is this. All these advances are in the form of research problems. More than all that, all these could only give an idea as to what will be the type of rain-

fall that will occur over a region. For example, the meteorologist can say rain will occur in the whole of East Punjab or in the South East or South West coast. They cannot pinpoint the locality. It is very difficult, if not impossible. For example, in Andhra Pradesh during the last three or four days many tragic things have happened. There the meteorologists have indicated that there was a depression in the Bay of Bengal and there was going to be rainfall for the next two days. They predicted it on the 26th September and they did say there is going to be rain but they were not able to say where it is going to concentrate itself. What actually happened was due to intensive rainfall in a concentrated way in a small portion of Guntur, Krishna, Vizag and Mehboobanagar and great amount of damage has been done.

I am referring to this specially because the Speaker has asked me to say a few words on this in connection with a call attention notice given by a large number of hon. Members, including Shri P. Venkatasubbaiah. I have received telegrams on this subject from the Chief Minister of Andhra. I do not think I should read out all of them except to say that he says that in living memory no such flood has occurred. It was a very unfortunate and very great disaster as a result of which nearly 100 to 200 lives were lost. We do not know the exact figures. In Macherla there was a breach of the small irrigation tank because of very heavy concentrated rainfall and it was not possible to contain the water. This breach occurred in the early hours of the morning with the result that there was great suffering and loss of life. Similarly, the Nagarjunasagar bridge or its eight spans have collapsed with the result that communication from that region has been cutoff. The hon. Minister of Food and Agriculture and myself are going tomorrow morning to visit those areas.

What I want to submit is this. With all the forecasting, with all the

scientific knowledge, we cannot say where exactly the rainfall is going to be concentrated; that is the defect, the difficulty, in rain forecasting, as for example the intensities that we noticed peculiarly this year.

The second point that has got to be considered is why these floods are not reduced. It is absolutely necessary that the suffering and damage caused by these floods must be minimised. That is accepted by all of us. We shall do our best. In pursuance of this, the Government of India has started a national policy of flood control only ten years back, in 1954. Before that, this subject has been dealt with only by the States. It was only in 1954 that the Government of India thought and decided that we should have a co-ordinated effort for the control of floods and damages resulting therefrom.

In regard to this one of the most reliable and one of the best ways of controlling floods, if we can afford the money and if there be favourable topographical features is the construction of dams. Shri Bagri was saying that dams were of no use. It is not so. On the other hand, if we can have detention reservoirs, if we can construct them, they will give complete protection against floods. For example, the Cauveri river was causing a lot of damage in Tanjore and Trichy districts before but after the construction of Krishnarajasagar and Mettur dam, the river is completely under control and, therefore, there is no fear of the floods for despair there. Similarly, by the construction of the Bhakra Dam the floods in Sutlej have been completely eliminated. In fact, the Punjab Government has very rightly started the reclamation of the Sutlej basin. They are trying to reclaim land because it is no longer necessary for there will not be so much flow of water and there is no necessity for such wide waterways. Similarly, in the Damodar valley after the construction of dams at Panchet and Maithon flood damage has become very much less.

[Dr. K. L. Rao]

In fact, one of the complaints is there is not sufficient water for flushing the lower Damodar near Hubli. Similarly, the Hirakud dam on the Mahanadi and many other dams we have constructed could afford a large amount of protection from floods. Those are the good works that we have done during the last ten years.

Then again, we have constructed nearly 4,000 miles of embankment which have protected large areas and saved from inundation as much as 14,000 sq. miles of our country.

Similarly, we are protecting against erosion nearly 65 towns, most of them important towns. The Dibrugarh town in Assam would have gone into the Brahmaputra long ago but for the fact that timely action was taken and about Rs. 2½ crores were spent for preventing erosion. Therefore, there is no use of saying that no work has been done.

Similarly, with regard to the raising of villages. Shri Sinhasan Singh has very correctly stated that what we are doing requires modification, requires improvement. I agree with him entirely. We have attended to the work of raising of the villages and raising of houses. We have raised nearly 4,400, villages and that has saved quite a lot of life and property. The raising of the villages is not something new. It is very interesting to note what Lord Buddha had 2,500 years ago said in Dharmapada. He said: "by effort earnestness, discipline and self-control let a wise man make for himself an island which no flood can overwhelm". I am intrigued by this great saying of Lord Buddha. So, these floods were existing not only for the last 10 or 15 years but for the last 2,500 years. He mentioned protection by island. He said that there should be an island which no flood can overwhelm. We are doing exactly the same thing. We are raising the villages to a higher ground.

Shri D. C. Sharma (Gurganoah):
Sir, may I point out that you are

bringing down a spiritual thing to a material field?

Dr. K. L. Rao: No, Sir. I am not yielding. As hon. Members have very correctly stated, the villages must be raised and that is precisely what we are doing. I have requested the UP Chief Engineer and UP authorities to do this. It will be a great improvement; there is no doubt about it. We have done wonderfully well in this respect.

Then, in regard to Kosi embankment Shri Yogendra Jha said that because of the construction of the Kosi embankment, the river has been put back, it is attacking the Western embankment to prevent which we have to spend some crores of rupees. They are real facts. But the only thing is that we have not put the river on that side; the river has gone that side. It is quite correct that it is attacking the western embankment. In fact, that is the main trouble with Kosi. It moves towards the west. During the last 75 years it has moved 75 miles towards the west. If only the western embankment had not been built, the most fertile area between Darbhanga and the present embankment would have been subjected to complete devastation and the whole area would have been a vast sea of sand and destruction because the Kosi would have gone there. Therefore, the river is pressing on the western embankment. It is quite correct. The river is going towards that side because the land is sloping towards that side. The very object of the Kosi control work is to prevent the river from going that side and we have delayed it quite successfully for the last ten years. Though the river would be fighting, we have to fight it back. It is only by a vigilant fight that the rivers can be held back in their proper places.

What I want to submit is, even though these various works have been done, Government want to do much more in respect of flood control. But for that we must have data. If we have to take some concerted measures, we must first collect the data. When we began this work there were no data for our rivers. Even now it is insufficient. But we have some data by which we are now emboldened to plan out so many schemes. I shall give one instance: we have made out an aerial photograph of 43,000 square miles. It is a large area, it is nearly as much as the whole country of West Germany. While dealing with our country we have to do things in a very big way. So many photographs have been made and they are all ready. They are of immense assistance to us to locate the places, the focal point at which we will get the silt due to soil erosion. The photographs are of great importance in drawing flood control works on our river systems.

From 1954 to 1964 we have done a tremendous amount of work. And the amount of money we have spent so far is about Rs. 120 crores. We must remember, it has been roughly estimated that for effecting a major dent, if we want to make a dent on these flood damages, if we want to achieve a substantial reduction of the damages, we should spend anything like a thousand crores. So, we have made this start. We must realise the limited nature of our finances. If we had more finances we could have done more work.

Take for instance—I want to give just an illustration—the United States of America. Why I am taking that country is because the rivers in the United States have got the same amount of water as in the Indian rivers—1340 million acre feet. Ours is the same, the river systems are similar. On the Mississippi which corresponds to our Ganga, on that river alone they had spent by 1954 as much as Rs. 2,000 crores by way of flood control. And a

very interesting fact is that in 1955 they had another flood and that caused a damage of Rs. 300 crores, and 279 lives were lost.

What I want to submit is that it is nothing peculiar to India; it is there all over the world, whenever there is plentiful water with a large number of rivers. The occurrence of floods every year is nothing unusual. They are not going to disappear. All that we should try to do is to reduce the flood damages, and with the finances that we have got we should try to do our best.

It is here that the co-operation of hon. Members is essential. We should try to frame out our schemes and select those projects which will yield the maximum benefits. The amount of money that is being thought of being provided in the Fourth Plan is something like Rs. 150 crores. How to make use of that money in order to achieve the maximum benefits by way of prevention of flood damages, is what we have to think of.

There is one aspect I should submit at this stage to which hon. Members may probably pay some attention, and it is this. This problem of flood control is getting more and more attention in the press and generally in our debates, because we are overlooking one fact. And that is that people, due to pressure of population or other reasons, are going and living in flood plains, in areas where people should not live. For example, in Delhi there is level called 672 feet which we will be hearing every now and then, at the Jumna bridge. 672 feet corresponds to a discharge in the river, which is only one-third of the maximum. And that discharge comes every year for a number of days. And still there are 39 villages which are below that level.

Shri Iqbal Singh (Ferozepur): Has the Government provided them some accommodation?

Dr. K. L. Rao: I have drawn the attention of the Delhi Administration last year and advised them that these villages must be evacuated.

Shri P. Venkatasubbiah (Adoni): When did they come up?

Dr. K. L. Rao: They just come up whenever there is no water in the river; they just put up the villages. What is the meaning of our saying that we must have flood control? How can we have flood control for these villages? I am not talking of villages located below the maximum discharge. If they are below the maximum discharge, one can understand it; it comes once in a way, once in four or five years and one takes a risk. But their villages are below the level of 672 feet, a level to which every year the water must come—not only will come but must come. If you don't have waters and the floods in the rivers, we will be simply lost, we will be subject to drought conditions. We don't want that year in which there will be no water in our rivers.

One instance I have given. Similar instances exist all over the country. There are areas where the normal flow of the river is there, and people go and put up villages and then say "protect us from this flood". And that is one of the subjects on which hon. Members should ponder.

श्री बागड़ी (हिंसार): इसका कारण क्या है? लोग वहाँ जा कर बंते क्यों हैं?

Mr. Deputy-Speaker: Order, order.

Dr. K. L. Rao: I am very happy that we hold our annual discussion on this flood problem because it gives us an opportunity to analyse the year's experiences. For example, this year's experiences have been entirely different from what they had been before. And thereby it is, indeed, very valuable, the flood discussion which took place yesterday. We should have

every year such a discussion, and it is of great assistance to me in order to clarify the ideas on the subject.

Then the other subject on which many Members expressed certain points was with regard to incompleteness of the data on flood damages that I had submitted in the statement. I want to submit that we are still in the flood season, the waters are still there, and we do not know to what extent there have been damages and to what extent buildings have fallen and are unsafe and so on. We cannot expect estimate of damages so soon. The officers in various States are engaged in running about in connection with relief measures and various works by which they want to drain out the water. And therefore I do not expect any correct or even any kind of statement from the States. It takes some time. Therefore, whatever figures I have submitted are what I have obtained from the States. If some figures are not here or there it is not a mistake of the States at all in the flood season it is not possible to obtain quick and correct estimates of damages.

There is another point about water-logging. One of the hon. Members from Punjab said . . .

श्री बागड़ी: आपने दायत से तो यह पता चलता है कि जिन्होंने आंकड़े नहीं दिए वे काम कर रहे हैं और जिन्होंने आंकड़े दे दिए हैं वे काम नहीं कर रहे हैं।

Mr. Deputy-Speaker: Order, order.

Dr. K. L. Rao: One of the hon. Members from Punjab said that the water-logging is 40 lakhs of acres; very extensive.

Shri Iqbal Singh: Yes, I said,

Dr. K. L. Rao: Yes, it is necessary that we have some very clear ideas about water logging. What exactly do we mean by water-logging? It depends upon the definition of water-logging.

In Punjab it is defined as the area in which the water is between zero and five feet below the ground level in the month of October. Water-logging, we feel, is that area where this water level is between zero and five feet in the month of June.

Shri Iqbal Singh: 40 lakhs of acres have gone out of production in Punjab, and there is no dispute about this.

Dr. K. L. Rao: 40 lakhs acres is correct. From the statement, water-logging is between zero and five feet in the month of October. But that is not the criterion which is generally acceptable. The criterion that is more acceptable is the one in the month of June, before the floods. In that case that land is unfit for any kind of agricultural production either in the first season or in the second season, whereas in October quite a large area will have water table high. But even in spite of this, in Punjab, the authorities told me that due to the drains that have been constructed already, this year the water-logged has come down to 26 lakh acres.

And the hon. Member from Kotah has very correctly stated . . .

Shri Sheo Narain (Bansi): What is the remedy for it? How to solve it?

Dr. K. L. Rao. . . . that there has been more water-logging in the Chambal project.

That is quite correct.

Shri Brij Raj Singh-Kotah (Jhalawar): I am from Jhalawar.

Dr. K. L. Rao: But he is the Maharajkumar of Kotah. He said very correctly that there has been water-logging in some of the areas of the new Chambal irrigation project. There is often confusion about water-logging I have seen even some hon. Members saying when some low places are filled up with water that it is water-logging.

It is not so. Water-logged area means that area which is unfit for cultivation in any season. Judged by that, there are very few places in the country where water-logging is there. However, we do not want to leave even one acre of land not sown and I do not say that the problem is not there. The problem is there and we should tackle this problem. The way to tackle this problem is by investigating by drainage, by pumping out the water from underground, by extensive rural electrification and by encouraging pumping, which Shri Iqbal Singh has suggested, and by canal lining. All these works are necessary. I do not say that water-logging is not there in Punjab but the area that has been mentioned is not such an alarming figure as has been stated.

Another point which a large number of hon. Members have made is about the appointment of a high-power commission in order to go over this flood problem. I have been taken up with this idea. There is a considerable force and value in that suggestion. But the only thing is that this being a technical subject, there was a committee, what is called a high level committee of engineers, which went into the question of drawing up a sort of a plan of action for tackling this flood problem in the various States. That was done way back in 1956 or 1958. That plan is there and the various States are following up those plans and modifying those plans, for it must be remembered that flood control works are not like designing the projects of irrigation or power. They change as the circumstances change. There is a large amount of uncertainty about the river and its behaviour. Therefore these flood projects get changed from time to time.

After that, at the beginning of this year, in the month of February, a Ministers Committee had been appointed by the Ministry of Irrigation and Power to go into this question very thoroughly. That Committee consists of Ministers in charge of

[Dr. K. L. Rao]

flood control in the various States and representatives of the various Ministries, Finance and so on. The committee has been asked to look after these items. Its terms of reference are:—

“To review and assess the action taken so far by the Central and State Governments in respect of the national flood policy outlined in 1954 with a view to indicate to what extent the various flood control measures have been effective and what further remains to be done in different States in the 4th, 5th and subsequent plans;

To suggest ways and means for financing flood control schemes;

To examine the existing pattern of and suggest modifications and improvements to flood control organisation in the States and at the Centre and inter-State levels like the River Commission;

To examine and recommend policy in respect of flood warning and forecasting, flood plain zoning and flood insurance.”

Its report is expected to come by the end of this year.

Therefore I was just thinking that probably it is better that we wait till this report is received and then I shall have the privilege of inviting the hon. Members. We shall discuss once again what should be the terms of reference and how we should constitute a committee which will be a great service in respect of this problem. As I submitted, hon. Members' suggestions were quite good in that respect but what I have been thinking about is the exact way in which we should go about, specially in view of the fact that this Ministers' Committee's report is going to come out. Probably it is better that we wait for two or three months

by which time the report will be received.

I shall now come to some of the specific problems which have been raised by hon. Members. The hon. Member, Shri Kotoki, has said very correctly that the problem of Brahmaputra erosion is one that is worrying them and that the Centre must take over the flood control works on the Brahmaputra. It is true that in the case of the Brahmaputra the most serious problem is really erosion. In the case of a mighty river like that it is not so much inundation. Inundation can be prevented by the formation of banks on both sides which has been done and can be done. But the main problem is erosion. The river has got a width of ten miles; still, the river for unknown reasons just comes and attacks at a very good place, fertile places and just destroys them. To tackle this problem is very difficult because it is very costly, according to the present known methods.

This year I inspected the Brahmaputra Valley and there I found that the Majuli Island, which is excellent agriculturally and is very rich, is being subjected to erosion; in fact, it is losing all its importance. Therefore the prevention of erosion of the Brahmaputra is one of the subjects which has been engaging very close attention of mine. Of course, this problem has been under consideration all over the world. A huge number of enquiries are working on this problem of erosion by the Mississippi in U.S.A. I have just been trying to find out what steps we should take in order to come to grips effectively with this problem of overcoming this erosion in the Brahmaputra with, of course, the least amount of money possible.

The other question was by Shri. Sharma with regard to the formation of the banks on the Gandak River

between Chitoright and Pimprighat. He said that the gap is there. There is a bank on the other side with no embankment on one side and there is a tendency for the floods to come more and more on that side. That is quite correct. We are taking steps for it. The Bihar Government has already suggested an embankment and that has been approved also. It will be taken up in the Fourth Plan. Because of lack of funds it has not been included earlier.

The hon. Member from UP, I think, Shri Prakash Vir Shastri, mentioned about the erosion in Bijnor and the damages that are occurring in the Bijnor District. There are two rivers, the Ganga and the Ramganga, which do a lot of damage to that area. Fortunately, we are already engaged with the construction of dam on the Ramganga and once that is constructed there will be no more water from the Ramganga; it will be completely controlled, and the district will get considerable relief from this erosion.

Then, in eastern UP, Azamgarh and Basti and other districts are subject to a lot of suffering on account of these floods. This year it has not been so bad probably because of the construction of the Nepal bund and because the Rapti did not join the other rivers and give us trouble this year, but most often it does and we are very much concerned with how to reduce these flood damages in eastern UP, that is one of the very serious problems. This Rapti River rises in the territory of Nepal and any control measures that we have got to take have got to be in that region. That is our chief difficulty. If it was Indian territory, we could have constructed a dam and the water would have been brought completely under control.

Shri Sheo Narain: Will you kindly do one thing? If tanks are dug in all the villages, we can control it.

Dr. K. L. Rao: I will be very thankful if the hon. Member sends me a note on that. Then I shall look into that with great care and examine the problem.

Then, I think hon. Member, Sri Musafir, said that in Amritsar there has been a lot of damage. But I understand from the Punjab authorities that there are only two Tehsils, namely, the Patti and Khilehian Tehsils, which are subject to inundation and now they are completely free of water because all this water has disappeared due to the construction of the drains.

15.00 hrs.

Then, some hon. Members have mentioned about the Ghaghar river in Rajasthan. It is entirely true that the Ghaghar river is giving a lot of trouble and the earlier we control it—the flood control schemes are there—the better it is for the country. Though the necessary technical clearance has been given, we are awaiting the financial allocation before undertaking works on that river.

Finally, I come to the area which has been the most troublesome area this year and that is the area of Rajasthan, Delhi, Punjab and U.P. It is here that we have got a considerable amount of trouble particularly on the Ujjani side and the contiguous Bindwasa-Najafgarh area. It is these two areas that have given a great amount of anxiety and has caused the largest amount of concentrated damage of all the various flood damages that have occurred this year. It is due to the fact that the rainfall in Delhi and these areas has been the largest that has ever been recorded. Subject to the statistical analysis, it is found that this type of floods that have occurred here are such that occur with frequency of once in 500 years, that is, the floods of this type one could expect once in 500 years. Therefore, there is no wonder that when such a heavy type of flood comes in which insuffi-

[Dr. K. L. Rao]

cient drainage outlet a lot of trouble has arisen.

Now, this drain of Ujjani-Govardhan passes through three States, the Punjab, Rajasthan and U.P. Another interesting point here is that the entire damage caused to extensions is due to the water of a very insignificant quantity, only 500 cusecs. 500 cusecs is a very small quantity. Take for example, Bhakra canal which carries as much as 12,000 cusecs of water. The work on the drain was not done fully. There was no drain before. Now we hope to have one. The Punjab has constructed the portion of drain in their territory; the drains in other two States have not been provided. Therefore, there is no outlet. So, this water though small in quantity, has filled up all these places and caused the damage. The damage has been the maximum in Rajasthan. I am very sorry that a very fertile land in the Pahari Kaman area is under water; The crops there are under water. We are trying our best to get out of this difficult situation. Then, the adjacent one is the Bindwasa-Najafgarh area. Here, Dhasa bund has now become world famous. By the very name of it, the States are very excited about it, I want to submit here that we must have clear facts on this point, Dhasa bund and so on. This year we have got a very large volume of water. Before I come to the question of Dhasa bund. I want to give a complete picture. This year, we have got a very large volume of water from an area where people were fighting for water. Before, the control of Sahbi Nadi was objected by Punjab saying, "We want water for irrigation". But this year, they are refusing a large amount of water saying, "You shut up that water" because water is causing suffering which nobody wants. Sahbi Nadi is one of those rivers which is completely neglected. We never knew about its importance. In fact, I was given to understand that it would bring in

only 400 cusecs. It has not gone to something like 8000 cusecs. That being the case, we have got to realise the fact that here is situation where a large amount of water has come in. Secondly, it is very important to remember that in the Punjab territory, the link drains have been cut right from Bindwasa right upto Delhi border with the result that the water is flowing down. Now, for example, Sahbi Nadi is flowing out with little water. We are letting out something like more than 1000 cusecs from Dhasa bund. But still the upstream is going down by an inch every day. That is because a large amount of water from Punjab area is being drained out on account of the existence of drains. Therefore, it is very necessary for us to remember this fact that the natural drainage has been interfered to a certain extent. I do not say, it is wrong or anything of that kind. So, when we are discussing about this Dhasa bund, there is no necessity to get excited about it. This Dhasa bund is not a big dam like Bhakra. A very small quantity of water is stored. Water is four or five times more in the down-stream than in the upstream. All that the Dhasa bund is doing is just trying to regulate the outflow of water. Otherwise, all the water would have come in a rush to Delhi. The only outlet is Najafgarh drain. For some reason or other, while everybody realises the importance of that drain, the work on that has been rather not so satisfactory as it should have been. For years, it was not done. It is only last year that some considerable amount of work was done with the result that this drain is carrying about 2000 cusecs of water now whereas it carried 500 cusecs of water last year. If it were an ordinary year, that would have been quite sufficient. Unfortunately, this year there has been a very heavy rainfall, a heavy water collection. So the water-way in Najafgarh drain is not sufficient. We are trying to do our best with the assistance of Punjab to get the equipment

from there and try to make it carry more water. If we succeed in doing this quickly, we can achieve good results. There is not much of engineering work in that. If we only get draglines and so on, if we can push out more earth out of this drain, then it will be possible for us to drain out water completely from Punjab and substantially from areas in the Delhi territory, at least by the 15th November when the rabi crop can be sown. But it depends upon the progress that we can make with reference to the procurement of machinery. The Punjab Chief Minister has very kindly consented to give the equipment. We are expecting the equipment. I am not satisfied with the rate at which we are getting this equipment. What is going on slowly. If we can get another 4 or 5 draglines on the spot then the whole work can be completed in a month's time. In the meanwhile, of course, the water is going but then the water will go much faster.

श्री बागड़ी : ये मशीनें कहाँ से आनी

Dr. K. L. Rao: These machines are coming from Punjab. They have got 2½ cubic yard draglines. They are big ones. We have asked the Punjab Chief Minister to give us on loan. They are coming from the various neighbouring areas of the Punjab territory.

Then, Sir, I come to drain No. 8. It has given a lot of trouble this year. Here again, it is partly because of incomplete work. That drain was designed to carry 6000 cusecs of water but unfortunately it was done only for 4000 cusecs. The further work is going to be done this year. It was not completed last year. Therefore, that was not able to carry the water and that resulted in a number of breaches, inconvenience, suffering and so on.

Apart from that, some Members have said that the alignment has to be examined. I quite agree that we have got to see how far any changes in the

alignment are necessary, whether any improvements can be done, and so on. That, of course, we will examine. I have tried to cover some of the points made by some hon. Members. I once again thank the hon. Members for their very kind participation in the debate. While we abhor the suffering of our fellow countrymen we are limited in our work by funds. We have got to bear in mind that the flood control is one of those fields where hundred per cent of elimination is not possible. We are trying to do our best with the limited finances that are available. As regards flood control measures, I must repeat that we are very active and we are trying to stretch our activities to as great an extent as possible, subject to the limitations of finance, which are there in all developing countries, because there are other sectors where the need is more pressing. Nevertheless, we are doing fairly well on the subject.

I am most thankful to the hon. Members for the very excellent co-operation they have been giving and the excellent suggestions that they have made. I would request hon. Members to send me their suggestions from time to time, and I shall have them examined. After all, in flood control local information and acquaintance with local conditions is more important. In drawing up drainage schemes, local knowledge is more important than knowledge from outside. From that point of view, I would say that I shall be very thankful to the hon. Members for giving me advice and giving me information on the flood control measures, what they think must be taken up first and so on. On the whole, I should say that we are doing fairly well in the field of flood control.

Some Hon. Members rose—

श्री बागड़ी : उपाध्यक्ष महोदय

Mr. Deputy-Speaker: We have had a full discussion already. There can be no more questions now. We have got also other business.

श्री बागड़ी : मैंने मोशन रक्खा है मुझे केवल एक सवाल मन्त्री महोदय से पूछ लेने दिया जाय ।

Mr. Deputy-Speaker: Shri Bagri has no right of reply. बाकी सबाल पूछ लें ।

श्री बागड़ी : मैं मन्त्री महोदय ने जो बयान दिया उसके अन्दर यह दो बातें नहीं बताई और मैं चाहूंगा कि वे कृपया इन दो बातों पर भी रोशनी डाल दें । एक बात तो यह है कि जब बाढ़ आती है तब अक्सर देखा गया है कि नौकाओं और पानी निकालने की मशीनों की कमी हो जाती है । अब बाढ़ इस देश में तकरीबन हर साल ही आया करती है इसलिए क्या मन्त्री महोदय इसकी व्यवस्था करवायेंगे कि यह नौकाएं और पानी निकालने आदि की मशीनों का पहले से ही समुचित प्रबन्ध देश के विभिन्न भागों में हो ? दूसरी बात यह है कि मन्त्री जी ने अपने बयान में जवाब में यह नहीं बतलाया कि बाढ़ पीड़ित लोगों को हमने आरजी तौर पर मदद देने का सुझाव दिया है, बीज, तकाबी और खाद आदि देने की बात कही है उस पर उन्होंने कोई रोशनी नहीं डाली है कि किस प्रकार से उन्हें यह सब मदद दी जायेगी ?

Dr. M. S. Aney (Nagpur): I also would like to put one question, because the point that I had raised has not been touched by the hon. Minister.

Shri Lahri Singh (Rohtak): I also would like to put a very important question . . .

Dr. K. L. Rao: I have not answered the point mentioned by the hon. Member because that pertains to the Home Ministry. The question of relief measures pertains to that Ministry. Nevertheless, these are very important measures, such as the provision of boats and the consideration of what assistance we should give to the suf-

ferers and so on. I think that when we constitute this committee of the Members of Parliament, that would be a very fit subject to take up at their meeting so that we could discuss the various aspects and arrive at some policy decisions.

Shri P. Venkatasubbaiah: Yesterday, there were floods and cyclone and rain in Andhra Pradesh

Mr. Deputy-Speaker: The hon. Minister has mentioned about it.

Shri P. Venkatasubbaiah: I want to put a question on that.

Mr. Deputy-Speaker: I am sorry. We have got other business now.

Shri P. Venkatasubbaiah: I wanted a little more clarification from the hon. Minister.

श्री रामेश्वरानन्द (करनाल) : उपाध्यक्ष महोदय, मैं मन्त्री जी से केवल एक बात पूछना चाहता हूँ . . .

Mr. Deputy-Speaker: Order, order. Now, Shri Sanjivayya.

15.1 hrs.

INDUSTRIAL DISPUTES (AMENDMENT) BILL

The Minister of Labour and Employment (Shri D. Sanjivayya): I beg to move:

"That the Bill further to amend the Industrial Disputes Act, 1947, as passed by Rajya Sabha, be taken into consideration."

As the House is aware, in the matter of labour legislation, the Labour Ministry has been following a policy of placing all important proposals before tripartite consultative bodies like the Indian Labour Conference, the Standing Labour Committee, etc. The im-

portance of the procedure was stressed in the First Five Year Plan which laid down that where agreements were reached at tripartite conferences they should be embodied in legislation and where agreements could not be secured on any contentious matter, government would take decisions. The major provisions of this Bill which seek to make certain changes in the Industrial Disputes Act, 1947, were discussed at various tripartite meetings like the Indian Labour Conference and the Standing Labour Committee from 1958 onwards. I am glad to say that there are no important provisions in the Bill on which Government have taken unilateral decisions.

The existing adjudication consists of a three-tier machinery of original jurisdiction, namely the labour court, industrial tribunal and national tribunal, manned by personnel of appropriate qualifications. Under the existing provisions of the Act which relate to the qualifications for the presiding officers of labour courts and industrial tribunals, a person who is eligible for appointment as the presiding officer of an industrial tribunal may not necessarily be eligible for appointment as a presiding officer of a labour court. It was often found that when an existing industrial tribunal could easily handle the work of a labour court in an area, it could not be entrusted with that work as the presiding officer concerned was not eligible for such appointment. It became anomalous that an officer who is qualified for a higher post should not be eligible for a lower post. It is now proposed to provide that a person who is qualified to be appointed as a presiding officer of an industrial tribunal shall also be qualified for appointment as a presiding officer of a labour court. This is the object of clause 3 of the Bill and it will enable Government to utilise him for both the appointments in the interests of economy whenever found convenient.

Section 7A of the Act lays down the qualifications for appointment as the

presiding officer of an industrial tribunal. One of the qualifications is that the person has held the office of the chairman or any other member of the labour appellate tribunal. The labour appellate tribunal was abolished in 1956, and there will hardly be any person who would have worked in the labour appellate tribunal and yet be eligible and available for appointment to the industrial tribunal. As for the serving or retired judges of High Courts, difficulty is being experienced by State Governments in utilising their services also on industrial tribunals. The State Governments have, therefore, been pressing for the relaxation of the qualifications. The 16th session of the Indian Labour Conference agreed to the serving or retired district judges being made eligible for these appointments. Many of the State Governments have accordingly amended this section in its application to their States enabling appointment of district and sessions judges to these posts. It is now proposed to provide for appointment of a serving or retired district judge or additional district judge of not less than three years' standing as a presiding officer of an industrial tribunal. This has been given effect to in clause 4 of the Bill.

As already mentioned, some of the State Governments have relaxed the qualifications of the presiding officers by amendment of the Act in its application to the States concerned, and appointed presiding officers under that. When the Bill is passed, such presiding officers as do not satisfy the qualifications under the Act would not be competent to hold the post. But the officers have already gained much experience in industrial adjudication.

Shri Hari Vishnu Kamath (Hoshangabad): On a point of order. When the Labour Minister is labouring so hard, I think we should have quorum in the House.

Mr. Deputy-Speaker: The bell is being rung—

[Mr. Deputy-Speaker]

Now, there is quorum. The hon. Minister may continue his speech.

Shri D. Sanjivayya: I am grateful to Shri Kamath because this has given me an opportunity to see that my speech is heard by more Members than it was at the time he raised this matter.

It may not be advisable to dispense with their valuable services at this stage. It is therefore proposed to have a provision under clause 24 so that such officers may continue to hold office till such time as the appropriate government may determine from time to time.

Some important amendments are proposed to be made to the provisions which exist at present for voluntary reference of disputes by parties to arbitration. The existing provision is based upon Government's policy as laid down in the First Five Year Plan and was included in the Act in 1956. The question of encouraging voluntary arbitration has always been engaging principle of voluntary arbitration for principle of voluntary arbitration. The settlement of industrial disputes was stressed further in 1958 in the form of an obligation under the Code of Discipline in Industry. Clause (iv), Part II of the Code of Discipline provides that the management and unions shall settle all future differences, disputes and grievances by mutual negotiations, conciliation and voluntary arbitration. The Industrial Truce Resolution of November 1962 also, apart from reiterating the need for having recourse to voluntary arbitration in the resolution of all industrial disputes, lays particular emphasis on settlement of all complaints of dismissal, discharge, victimisation and retrenchment of individual workers through voluntary arbitration. I am glad to say that employers and workers are resorting to arbitration for settlement of their disputes more than ever before. In the central sphere, while arbitrations were less than ten during 1959 to 1962 each year, since

November 1962 to August 1964, 262 arbitration agreements have been entered into. The following amendments included in the Bill are steps further to encourage resort to arbitration by the parties:

- (1) Appointment of an umpire in case of difference of opinion between an even number of arbitrators, if appointed;
- (2) To prohibit strikes and lock-outs during the pendency of arbitration proceedings when the reference to arbitration is made by a majority of each party;
- (3) The conditions of service etc., applicable to workmen should remain unchanged during the pendency of arbitration proceedings also; and
- (4) The arbitration award should have the same status as the award of an industrial tribunal provided the appropriate government is satisfied that the parties to the arbitration agreement represent the majority of each party.

All these proposals have already been thrashed in the tripartite meetings of the Standing Labour Committee and the Indian Labour Conference.

Some time ago, the Supreme Court held that notice to terminate an award can be given by a group of workmen acting collectively either through their union or otherwise, and it is not necessary that such a group or union should represent the majority of workmen bound by the award. In order to prevent any irresponsible or dissatisfied group of workmen from terminating the settlement or an award without any regard for the effect of such termination on the entire body of the other workmen, it is proposed to amend the Act so that only a majority of workmen bound by a settlement or an award should have

the right to terminate the settlement or an award in the prescribed manner.

Section 25FFF of the Act provides for payment of compensation, in case of closing down of undertakings, to every workman who has been in continuous service for not less than one year in that industry immediately before such closure. Under the proviso to sub-section (1), compensation not exceeding three months' average pay is payable to workmen on termination of services in case of closures due to unavoidable circumstances beyond the control of the employer. The 'Explanation' states that closure by reasons merely of financial difficulties or accumulation of stocks shall not be deemed to be due to unavoidable circumstances beyond the control of the employer. In the case of industries carried on under a lease or licence, the employer is aware of the fact when the lease or licence would expire. Closures due to such expiry of lease or licence, though unavoidable, could be foreseen well in advance by the employer. It is therefore proposed to amend the 'Explanation' so that closure by reason merely of expiry of the period of lease or licence, will also not be deemed as unavoidable circumstances beyond the control of the employer. In other words, the ceiling limit of three months' average pay as compensation will not apply, but full compensation would be payable to the workmen concerned. It has been deemed necessary that some time should be given to the undertakings to shoulder this liability. It is, therefore, proposed to provide that only those undertakings the period of whose lease or licence expires on or after the 1st April, 1967, should be brought within the scope of the amendment.

Section 33C of this Act deals with the procedure for recovery of money due to a workman from an employer under a settlement or an award, etc.

Shri Hari Vishnu Kamath: I think the counting taken was wrong. It was less than 40 Members present.

His own party does not give him quorum. It is rather pitiable. He is making a very interesting speech.

Mr. Deputy-Speaker: The bell is being rung again—Now there is quorum.

Within 15 minutes the bell had to be rung for a second time. I wish hon. Members will keep quorum.

Shri D. Sanjivayya: As I was saying, section 33C of this Act deals with the procedure for recovery of money due to a workman from an employer under a settlement or an award etc. We are taking this opportunity to amend this Act by making provision for any person authorised by the workman or in case of death, by his heirs or assignee to make application for recovery of the money due to him. Provision is also being made that the decision of the Labour Court on the application will go direct to the appropriate government which can make the recovery. As at present, the workman has again to approach the Government for recovery along with a certified copy of the decision of the Labour Court.

The Government of India were approached by some State Governments and other sources from time to time for declaring certain industries other than those specified in the First Schedule as public utility service. The Industrial Truce Resolution adopted at the Joint Meeting of Employers and Workers on November, 3, 1962, also made a similar recommendation. It is proposed to confer power on the appropriate Government to amend the First Schedule by adding to it any other industry.

The Air Transport industry is at present included in the First Schedule to the Act and can be declared as a public utility service under sub-clause (vi) of cl. (n) of sec. 2 of the Act for periods not exceeding six months at a time.

Shri Hari Vishnu Kamath: The Minister should occasionally take his eyes off the script.

Shri U. M. Trivedi: (Mandsaur): He is entitled to read it.

Shri D. Sanjivayya: The State Governments are the appropriate Governments in respect of this industry. As it is not included among the permanent public utility services, the State Governments have, at the instance of the Central Government, been specifying this industry as a public utility service after every six months. It is now proposed to specify this industry as a public utility service permanently.

Opportunity is being taken to amend the Act in respect of certain other matters which are of a clarificatory and formal nature.

Members may feel that instead of such piecemeal amendments to the Act, a consolidated Bill may be brought forward on industrial relations. The House will be interested to know that the whole field of industrial relations has been discussed in the Indian Labour Conferences held at Nainital in 1958 and at Madras in 1959. The Labour Relations Policy is also laid down in the Five Year Plans. The consensus of opinion is in favour of the existing Act with suitable amendments to make it work satisfactorily and efficiently and to meet certain specific needs. Hence this Bill.

With these remarks, I commend the Bill for the consideration of the House.

Mr. Deputy-Speaker: Motion moved:

"That the Bill further to amend the Industrial Disputes Act, 1947, as passed by Rajya Sabha, be taken into consideration."

Four hours have been allotted for this Bill. There are a number of amendments. So, we may have three

hours for general discussion and one hour for the amendments.

Shri Hari Vishnu Kamath: I find that on Saturday we have the discussion on the report of the Backward Classes Commission. So, will this go to the next session, or will that go to the next session? Only 2½ hours will be available.

Mr. Deputy-Speaker: There is also the Prevention of Food Adulteration (Amendment) Bill. Within the time available, whatever we can do, we will do.

Shri Hari Vishnu Kamath: How long are we sitting today?

Mr. Deputy-Speaker: Till 5 O' Clock. After that, there is half-hour discussion.

Shri Hari Vishnu Kamath: I would like to know whether this will be pushed over to the next session or that.

Shri Daji (Indore): Both. My information is that discussion on the report of the Backward Classes Commission will be taken up on Saturday.

Mr. Deputy-Speaker: The Order Paper will come to you.

So, we will have three hours for general discussion and one hour for amendments.

Shri Warior (Trichur): The Minister wants to say something.

Shri D. Sanjivayya: I only wanted to say that this is a Bill which has already been passed by the Rajya Sabha. So, I think it is desirable that we should pass this Bill during this session.

Shri A. P. Sharma: (Buxar): This Bill should take less time, because it is based on agreed decisions of the tripartite conference.

Mr. Deputy-Speaker: The Order Paper will intimate which will be taken up.

Shri Hari Vishnu Kamath: Leave it to the Order Paper.

Dr. Ranen Sen (Calcutta East): The Industrial Disputes Act is one of the most important pieces of legislation on which the industrial relations of our country rests. Therefore, a thorough scrutiny of the amendment is merited, and serious consideration is needed to go through the amendments suggested by the Government.

The need for an amendment of the Industrial Disputes Act, as the Labour Minister has stated, has been felt for a pretty long time by all trade unions irrespective of affiliations.

In 1958, in the 17th Standing Labour Committee meeting held in Bombay, a tripartite sub-Committee was set up to go through the Industrial Disputes Act and suggest amendments in the Act. That sub-committee sat in 1959 sometime in January or February, and in July all the amendments suggested by it were agreed to by all the parties concerned, but since then no amendment worth the name was brought forth by Government. As a result, the long-standing grievances of the trade union movement have continued to accumulate for the last five or six years, and Government did not pay any heed to the demands of the trade unions irrespective of affiliations, for proper amendments.

The amendments brought forward by the Government unfortunately, do not touch the fringe of the problem that the labour movement today faces. Meanwhile, a very important thing, for example, that has happened is that the Supreme Court has given a judgement that the Industrial Disputes Act will not apply to the employees of universities and colleges, and they are thus debarred from getting the benefits of the Act. This is a matter which was considered by the trade unions throughout India.

Letters were written and many representations were also sent to the Labour Ministry by the respective organisations and the people affected by the judgment, but as yet no amendment has been brought forward to cover these thousands of employees. This is unfortunate.

As the principal Act stands and operates today, it is loaded against the working class, to say the least. The provisions of the Act have become a handle, unfortunately, in many ways to the employers and the workers have to suffer.

For example, there is the question of the definition of lay-off which is a very important matter. The Government, by now, should have come out with a proper definition of lay-off and amendment of sections 25(c) and 25(g), but they have paid no attention to it, and even in this Bill we do not find a single line about it. This matter was brought before the Government, but they have not moved in this respect.

Take the question of retrenchment. In the principal Act you will find that certain people, though they might have worked for 20 or 25 years in a factory, are debarred from getting retrenchment benefit if they are ill continuously or for a long time. There have been thousands of such instances in the country, but the Government have not paid any attention to it.

Again, the latest amendment of section 33 of the Act has played havoc on the workers. This has been a handle to the employers to sack employees right and left. Simply the tribunal is informed that they are going to take action against the employees, and they are finished. I know that this matter has been brought to the notice of the Government by the INTUC, AITUC, Hindu Mazdoor Sabha, by all trade unions, whether they are affiliated to a central organisation or not, and the amending Bill before us should have taken care of all these representations.

[Dr. Benen Sen]

The Labour Minister says that all these amendments have been brought forward on the basis of certain discussions that have taken place since 1958. I was present in the Nainital conference as a delegate of the AITUC. One of the recommendations was about norms of wages. That has not been taken into consideration. So, to say that these amendments have been brought forward in accordance with the wishes of the labour conference is far from being true.

The amendment to section 33(c) is good in some respects, I must admit. But that also does not give full protection to the worker. I will give one example to illustrate it. There was a dispute between the Hindustan Motors of Birhas who are very powerful and their workmen which went upto the Supreme Court, which gave a verdict. The employer said that the verdict of the Supreme Court must be interpreted in a particular way about the recovery of certain money. The West Bengal Government waited for six or seven months without giving an opinion though the Union brought it to the notice of the Government. Ultimately West Bengal Government came to the conclusion that the interpretation given by the union was correct but they said: what can we do? You apply under section 33(c) for recovery of that money. What was needed was to find out the attendance of each worker to make any computation. Now, only the company union may have access to the company records. So, the other union was not able to do it. I hope this amendment which we have brought forward would authorise the union to make applications on behalf of a number of workers, so that it can have access to the registers and books of the employers. For two years it continued like this and ultimately the Government of West Bengal said: "Well, let it go before a tribunal for clarification". The lower tribunal took two years to give a decision; the Supreme Court took another three

years; two more years passed after Supreme Court and now the tribunal for the clarification will take another year—in all eight years, and that too for settling only one issue. Therefore, I say that this amendment does not sufficiently cover the needs of the situation.

I am not going to take a long time, Sir, I wish to say that the Labour Ministries' attitude in the States and in the Centre unfortunately goes in favour of the employers mostly. In the Indian Labour Conference as well as in this House, Members irrespective of party affiliations brought up the question of bonus commission's recommendations. Our friend Mr. Sharma was there; I was there at Bangalore Conference. Unanimously, the labour representatives demanded that there should be no watering down of the recommendations of the bonus commission. Everybody, from Mr. Ramanujam to Mr. Sharma said so. But the Minister and the Deputy Minister were non-committal. To appease the objection from a single person who happened to be a representative of employers, to appease the employers, the recommendations of the other seven persons were given a go-bye. I do not know how long the workers will have faith in the labour departments. The attitude of the Government shows a total neglect towards the interest of the workers. Their attitude to labour is one of callousness. Though in Parliament and outside, Government representatives say that labour is the most important factor in our society; this is their attitude.

Another big development that is taking place inside the country, and a new situation has come up. Labour does not get any protection under the Industrial Disputes Act. In all important offices, labour saving machinery are being introduced, highly mechanised, computing machines which renders a large number of workers surplus. It started in the petroleum industry two years back; as a result of

this in Calcutta and Bombay accounting offices will operate with twenty or even ten per cent. of the present complement of staff and 80-90 per cent of people will be rendered surplus and thrown out. This machine is making inroads in LIC and soon we will find it coming to banks and other places and thousands of middle-class people will be thrown out. During the question hour today, Mr. B. R. Bhagat was saying that in the Fourth Plan all efforts will be made so that the backlog of unemployment can be overcome and new employments created. Is this the way to do it? If the labour department remains deaf to these things, as it had been during the last two years, the working class will have no faith in that department.

Therefore, I suggest that this amending Bill should be withdrawn or allowed to lapse and they should bring a proper, comprehensive and thorough amending Bill so that the demands of the working class could be covered and their grievances rectified. Such an amending Bill should be in favour of the workers and not in favour of the employers. I will say a few words later on, Sir, on the amendments.

Shri A. P. Sharma: Mr. Deputy-Speaker, Sir, I support the official amendment Bill moved by the Government. Although I have also moved two amendments, I naturally differ with my friend Dr. Ranen Sen when he says that the Bill does not make any improvement over the present Industrial Disputes Act. I do not know how he is unable to appreciate some of the amendments proposed in this Bill by which the position of workers will definitely improve.

Till now there were difficulties before the Government to find out arbitrators and it is only because of these difficulties that a change has been proposed and the conditions relaxed to the extent that a district judge or an additional district judge who has served for three years can also be a presiding officer. It is a

definite improvement over the present Act.

Then, there is the definition of the continuous workers. It has not been defined till now. In the Indian Railways there has been no definition whatsoever and there were about four lakhs of workers continuously working and they were known as casual workers. Whenever these workers were about to complete and fulfil certain conditions of service on account of which they become entitled for certain benefits, they are not allowed to complete that period. Therefore, I would suggest that whereas the Government has definitely made an improvement by defining the words "continuous service", they should also see that in their own departments, the industries owned by the Government, apart from their desire that private employers should do these rules are made applicable and are strictly applied. In that respect, the Government departments should not be allowed to escape the provisions of the law only because they are the Government. As a matter of fact, they should be treated at par with private employment. As a matter of fact, they be dealt with equally.

My hon. friend Shri Ranen Sen in the course of his speech also said that most of the amendments brought in by the Government are based on the conclusions arrived at at the tripartite conferences held at various places. He has said something about the Bonus Commission and he has also quoted that at the last Indian Labour Conference at Bangalore, the Indian National Trade Union Congress and their representatives objected to any modification that was likely to be made by the Government in the majority recommendations of the Bonus Commission. Consistent with that stand of the Indian National Trade Union Congress, we protested against the decision of the Government, and I want to congratulate the Government that when it was pointed out the Government changed their decision, and according to the present

[Shri A. P. Sharma]

decision, not only the minimum bonus is guaranteed to the workers, where there was no bonus system at all, but at the same time, where the workers were getting bonus at a higher rate, that is also going to be protected.

So far as the Indian National Trade Union Congress is concerned, we do protest against the decision of the Government if it is not in the interests of the workers. But we definitely do not like to find fault with everything that the Government does. As a matter of fact, my friend Dr. Ranen Sen said that we protested against the modification that the Government made in the recommendations of the majority members of the Bonus Commission, but we have now changed our stand. We appealed to the workers not to respond to their *Bharat Bund* call on this issue only because, whenever certain things which are reasonable are pointed out—whether it is by the INTUC or whether it is by his organisation or any other organisation—and when the Government accepts them, there is no reason to say that the Government is unreasonable, and there is no reason to continue to protest when the things are also in our favour.

With these words, I support this Bill. I have tabled two amendments and when I get the chance, I shall speak on those amendments.

Shri Oza (Surendranagar): Mr Deputy-Speaker, Sir, the House will agree with me that we are dealing with one of the most important pieces of legislation so far as labour relations are concerned. In my opinion it is going to assume more importance in view of the simple fact that we have adopted in our Planning in which we want to shift our working population from the primary sector of agriculture to the secondary sector of industries. So, more and more people will be covered by this piece of legislation.

We have been spending a lot on industrial development in our country. We are laying a foundation for the future rapid industrial development so that more and more people may find employment in various industries that may come up. But looking to the amount of investment, do we find that we have created a commensurate potential for employment in this sector? If you look to the figures you will find that in 1950, 30,94,000 people were finding employment in factories. After 12 years of heavy investment in this sector what do we find? Hardly a million more people have found employment in industries. From 30.04 the figure has hardly reached 41.22. That means about 1,00,28,000 people have found employment in our industrial sector.

Why is it so? To my mind, along with the employment in the existing industries, the plants that are already working, the employment potential is going down for various reasons. Because of the rationalisation, imperceptible and perceptible, less and less people are being employed in our industries. What are the reasons? One reason may be that previously, because there was not much of labour legislation, factories used to employ labour indiscriminately. In some cases it may be that because the wages have gone up, because the dearness allowance has gone up, because the working conditions have been improved, the factories are finding the burden greater and greater. Therefore, with or without tears, rationalisation is going on in this country. If we take a census of the various industries or factories, we will find that the potential of labour is going down in this country.

Another reason, according to my humble opinion, is that trade unionism has not developed in this country as it ought to. It is ridden with politics. I do not find fault with any particular political party. But by and large we see in this country that trade unionism has not developed only in the interest of the workers who are em-

ployed in the factories, but it is sometimes utilised for political purposes, with the result that the economic interests of the workers are not safeguarded to the extent to which they should have been safeguarded. In so many cases we find that the labour is not getting a fair deal which they ought to have got. I am sure that with so many schemes which the Labour Ministry has sponsored, workers' training and all these things, more and more healthy trends will develop in our trade union activities also.

Looking to the piece of legislation that we are dealing with, speaking in abstract, one may not agree with so many of the provisions that are brought in, because I am also one who believes that collective bargaining should be encouraged in the labour field. But looking to the present condition that is prevailing in India, particularly in the industrial sector, because of the weak trade union movement and because of many things prevailing in this country, the Government is absolutely justified in having this sort of legislation providing for both compulsory and voluntary arbitration. Because of the emergency we want to step up production. We have undertaken a plan where production should keep pace with so many other things. Unless we have got a machinery for compulsory and voluntary arbitration, I think our production will suffer. Therefore, on practical grounds it is a good piece of legislation and requires to be enforced with meticulous care and attention.

I find that we have got so many machineries provided in this legislation, but it is my practical experience that whatever we may put in the statute, unless the personnel which is to implement it is also properly groomed properly trained, and when they are recruited proper care is taken, I do not think we will be able to implement this legislation as effectively and in the true spirit as we envisage. It is my experience that conciliation officers who have got imagination, who have got vision and a missionary spirit, are successful.

16 hrs.

But there are officers who are recruited as conciliation officers who just collect the parties together and tell them "well, gentlemen, the law requires that I should call you together, the law requires that I should discuss the dispute with you and make a report" and then send a report that conciliation has failed. They feel that they have done their duty. So far as conciliation proceedings are concerned, that is not a correct approach. If the conciliation officers taken upon themselves the task in great earnestness, I am sure so many conciliation proceedings will be successful. But, unfortunately, as I said, in the recruitment of conciliation officers we do not pay as much attention to this aspect as it is necessary. I am sure the Government will press upon the recruiting agencies, both here as well as in the States to see that proper type of personnel is recruited.

What is the best way of creating good industrial relations in this country? Can we for all times to come lay blame on the Government machinery alone or on the employees. To my mind, the employers have also to play a very important and effective role in this respect. We have seen that so many employers are not changing their outlook at all. They are living in the past, an age which has gone by. Instead of adopting an attitude which our developing economy requires, they live in the past age. I am of the opinion that they should pay greater attention to good working conditions in the factory which are now completely and absolutely neglected. We have come across so many cases where the factories do not provide good working conditions. If good working conditions are provided within the factory and if the personnel management is very vigilant, so many small pinpricks can be avoided. But we find that so many employers are absolutely indifferent to this aspect. They just do not care to study the working conditions of labour. They do not care to know how they are treated

[Shri Oza]

inside and outside the factory. With good working conditions and with good personnel management, it is my experience that so many minor troubles and major conflicts could be avoided. I am sure that with so much propaganda going on by the Industries Ministry and the Labour Ministry, the employers would be persuaded to adopt a new outlook by which all these things can be attended to so that in times to come it will lead to better productivity and the better productivity will lead to better wages. That is the only way of creating an atmosphere in which along with good production we can have better wages also in this country.

16.03 hrs.

[Dr. SAROJINI MAHISHI in the Chair.]

I have moved several amendments to the Bill. I think I will come to them when I speak on the amendments. For the time being, I will rest content with the general observations that I have made. By and large, I welcome the legislation as it has been brought forth, I am sure Government will adopt the amendments which I have moved, because in my humble opinion the clauses that have been brought forward are defective in certain respects, and are likely to create some complications. That is all that I want to submit at this stage.

Shri Daji: The Government has brought forward this Bill to amend the Industrial Disputes Act, an act which we originally passed in 1947 and has seen many amendments. There have been so many amendments to this Act that one is actually lost in the process of finding out what the position of law was at a given time. That is why we have been demanding a fresh look, firstly at the whole approach, and secondly also to better codify even the existing provisions.

In this Act, there is a clause (2a), another clause 2(aa) and yet another clause 2(aaa). Then, in section 25, there is 25A, 25B, 25F, 25FF and 25 FFF. Such a provision in an Act does not show proper codification. And that is the position in the Industrial Disputes Act. What has happened is the Act was enacted in 1947 and as time passed on, as pressure was brought from the employer or the employee, whichever pressure happened to be more dominating at a given time, an amendment was moved and passed as 25F. Then a contrary pressure was brought, and 25FF was passed. This resulted in another countervailing pressure, and so 25FFF was passed. The result is utter confusion in this Act. I can go into details, because I am conversant with every section and every word of it as it was enacted and practised and interpreted by different courts, both as a trade unionist and as a lawyer. And therefore I can tell you with the greatest confidence that this Act requires a second look.

It is not only from this point of view that a second look is required. The hon. Minister said that the Members may demand a comprehensive Bill, it is coming, it is not coming, we are discussing, the Tripartite Labour Committee found that this is serving the purpose and so on, I do not agree with it. What I say is, the Industrial Disputes Act, that is an Act to govern the industrial relations, has to have a definite, positive approach. My first quarrel with this Industrial Disputes Act is that it has no positive content. It is like a cricket umpire code; rather, it is not only like a cricket umpire code, it is like the code of the impire in the American free-style bout wrestling bout, trying only to prevent a hit below the belt or a hit this side or that, and allowing the battling wrestlers to battle on.

That, I submit, is the most unscientific, improper, unsocialistic approach to industrial relations. A correct industrial relations Act should not merely lay down the "do's and

don'ts" should not merely step in and prevent matters coming to a head, but should provide a machinery, not an *ad hoc* machinery but a built-in machinery, for fair and quick resolution of disputes. It is not a correct approach to allow disputes to arise and then hold the contestants at arm's length and then say, wait we will do. That, submit, is not a correct, positive approach to industrial relations in any country, particularly in a country which is building on five year plans.

For the success of the plan, the finding of financial resources is as important as the finding of proper manpower resources that can man our big, giant industrial combines and workshops. The difference between an intelligent industrial worker and a slave-driven cotton plantations worker of the South American States is this, that whereas the slave-driven worker uses only his two hands, the intelligent industrial worker uses not only his hands but his heart and head. That is the difference. You can drive the workers into a factory and you can hold them to the machines by declaring strikes illegal. But unless they put their hearts to the machine, the machine won't yield the full yield. And that is very wrong planning.

Therefore, any industrial relations machinery has to have a built-in machinery where disputes can be resolved fairly and quickly. Unless there is that built-in machinery it is incomplete.

From the very origin of the Industrial Disputes Act in 1947, the state of industrial relations in 1947, the state of trade union development in 1947 when we enacted the Act originally, and the social conscience about labour employer theory in 1947, was much different from what it has now come to stay in 1964.

Therefore, when in each session you bring forward an amendment in an *ad hoc* manner, you try to graft some-

thing. But can you graft a mango plant on a *babul* tree? If you do that, the result will be a hybrid product; therefore, we have 25F, 25FF and 25FFF. That is the reason why you cannot do it. Therefore, a completely new look at the industrial relations machinery codifying it in a proper manner, which is at least able to consolidate the gains that labour has been able to make through your industrial labour conferences, codes and other things that you have laid down, is a must.

Here, I think, my hon. friend, Shri Sharma should have addressed himself to this. He has not done justice either to himself or to the organisation which he represents. I say most regretfully that the approach, the attitude of Government to labour is most step-motherly. I am putting it in very respected manner. It is most step-motherly. The whole Industrial Disputes Act—I can go section by section and clause by clause to show what Dr. Ranen Sen has said in a very mild way—is loaded against the employees. That is the least that could be said. I can prove this point clause by clause, but I do not want to go into that for the present.

But let me point out one thing. When the national emergency was declared, employers and employees accepted an industrial truce. The employers said, "We will behave well". The employees said, "We will work more." The Government said, "We will hold the price line." When the Government failed to hold the price line and the matter was raised in the tripartite meeting by which the hon. Minister always swears, it was decided on the 5th August, 1963, more than one year and two months ago from this day, that in every factory in which there are more than 300 workers fair price shops shall be opened. Why was it decided? Because from every part of the country, from every trade union, whether it was affiliated to the INTUC, or to the AITUC or to the HMS or whether it was not affiliated, workers

[Shri Daji]

were rising in a crest of protest saying that they agreed to the industrial truce during the national emergency and pledged themselves to production in the interest of the nation but the result has been, "We produce and perish." They take the produce and fatten themselves. That was not the spirit of industrial truce. The Government accepted it. As a result of this the workers did not take the extreme step to enforce their rights.

What is the result? Even now, fourteen months after that, shops have not been opened. In the last tripartite meeting the hon. Minister was forced to say that if the employers go on behaving as they have been behaving, the Government may be enforced to introduce a statutory provision whereby these shops will be forced upon employers employing more than 300 workers. I looked into every page of this, every line of it I read. That threat which was held out during the tripartite conference still remains in the pocket of the hon. Minister. I am sure, the employers knew it even when the threat was held out to them, "Let the Labour Minister threaten, the Finance Minister will veto it and the result will be nothing; labour representatives will come again to another tripartite conference, again shout for it and we will have plenty of time." That is the only meaning of it. Today in the state of affairs obtaining in the country employers can easily run away with whatever they do without anyone doing anything to them. That is the impression which they have got and which workers also have got. The result is that your professions of socialism and claims of holding the balance even does not deceive anyone. This is only a small case. I will give you many other examples.

There are concerns which have misappropriated the deductions of provident fund to the tune of lakhs of rupees. Only one textile mill belonging to a very important industrialist of Kanpur has misappropriated Rs. 10

lakhs of the workers and that is the money which he has deducted every month from the workers' pay for depositing in the provident fund and the ESI scheme. That has been used away by that employer. The total has come to Rs. 10 lakhs and that employer still lives in a big bungalow and moves in a big car. But I put it to the House what will happen to a clerk who is caught misappropriating one single rupee from the Government accounts? He will be handcuffed, paraded and sent to the jail. But the employer who misappropriates Rs. 10 lakhs cannot be punished.

Mr. Chairman: The Hon. Member's time is up.

Shri Daji: I have just begun. I have not yet come to the provisions of the Bill at all.

Mr. Chairman: The hon. Member has already taken 14 minutes.

Shri Daji: I will take more than one hour.

Mr. Chairman: There are other Members also who want to speak.

Shri Daji: We are not completing it today.

Mr. Chairman: The hon. Member should try to conclude with three or four minutes.

Shri Daji: It is impossible.

Madam, the general approach, I feel, is such that the Government is not acting properly for the labour. Now, what is new in this Bill? Mr. Sharma said that Dr. Ranen Sen had lost sight of certain provisions of the Bill. I do not want to lose sight of certain provisions. Certain provisions which you have introduced are really good and I am one with them; particularly the new amendment moved by the hon. Minister is good enough. That

will be helpful to the labour. I would have thanked you but I will not thank you because it was long over due. Small mercies and late mercies are never to be thanked for. But what about these two provisions which are crucial to the Bill? I could see one good clause here or there. As I said already, some provisions are good and I am in agreement with the Government. But I oppose these two main provisions and not only I oppose but I am convinced that if the hon. Minister has a really cool and dispassionate look at them, the Minister will be convinced that by this measure the Government is putting its foot in the veritable hornet's nest and the result will be catastrophe. The first provision which I want to attack is going to plunge the country into industrial disorder the magnitude of which is not being understood and realised. It is going to force the workers to go on illegal strikes again and again even though they are imprisoned or detained. It is a clause which prevents any honourable termination of an award or an agreement. The Supreme Court has upheld it that once an agreement has run its course—not in between—a group of employees can give notice of termination and on giving notice of termination, certain legal procedures open out. The Government may step in and stop them and refer it to an adjudication, whatever it is. They can try to make out that if a majority of workers have entered into an agreement, any five workers can stand up and terminate it. That is not the position of law. What happens when they give a notice of termination? The Government can step in and refer the matter to any local adjudication and no consequences will follow. But now what do you demand? You demand that the award or the agreement can be terminated only by a majority of workers. The first difficulty will be to determine what the majority is. The word 'Government' has been used. But the word 'Government' is a very omnibus word and you will have to define the officer who has to decide it. Then, how will

he decide a majority? Your procedure of code of discipline will not help you because that procedure is restricted only to membership of different trade unions. Supposing in a particular given undertaking there are three trade unions who altogether do not have a majority, how are you going to decide it? That is the crux of the problem. That is why even the INTUC representative Mr. Sharma and I think some others including Dr. Melkote—I am not speaking in a partisan manner; I am speaking purely from the practical interests of the labour and industry—have given amendments that let the power of termination of award or agreement rests at least with the registered union, that being a responsible body. When you say that it should be by any group of persons representing the majority, you are putting an impossible thing. There may be many undertakings or industries where the majority can be easily determined, but there may be also industries or undertakings where the majority may not be so clear, and no single group may have a unilateral majority following. If you are putting in this condition, then it would mean that no authorised body would be legally entitled to terminate an award or agreement. Supposing the majority is not very clear or open or supposing ten or 20 per cent of the workers get purchased by the employer, how are you going to decide the majority? This virtually means, therefore, that once an agreement or award is binding, it will go on binding the workers for all times to come till we come to a stage when a clear majority is there which can give a notice of terminating the award or contract. Such a thing is unheard of.

It will create more problems than what it seeks to solve. The problem set out is the termination of an award or agreement irresponsibly by a group of workers. As I have pointed out already, even if they give a notice of termination, Government can imme-

[Shri Daji]

diately step in, and adequate provisions already exist under which Government can step in to cure this hypothetical irresponsibility. But we find that Government are introducing a much more irresponsible provision and taking upon themselves the right and the duty, the very onerous duty, of first of all deciding which group has the majority, and secondly, in case there is no majority, of clamping upon the workers for all times to come an award or agreement once entered into.

What will be the result of that? Suppose an award has run its course, and it has ceased to be useful, and the workers are restive. The award has run its course for one year, and then for another year, let us say, and the second year is also over. Then what will happen? There can be no notice of termination of the award or agreement, because there is no clear majority. But the workers are restive. What will be the result? I do not want to mince words. If you do not give the workers the legal and proper forum for speedy redressal of their grievances, they are bound to take the law into their own hands. Ordinances did not prevent the Central Government employees from going on strike. Ordinances have never prevented illegal strikes. What can really prevent strikes, lock-outs and industrial unrest is not the passing of measures but the creation of a machinery whereby the grievances can be redressed in a proper manner and a better manner than by direct action. Unless such a machinery is provided for, it is futile to expect industrial peace by bringing forward such amendments as will really create more problems than they seek to solve.

What has been our experience in the past? Government are here taking upon themselves the duty and the very onerous responsibility of deciding which group has the majority. Leave

aside the question of deciding the majority in these cases. Even in the case of industrial relations legislation, in certain States like Maharashtra, Gujrat and Madhya Pradesh, or in regard to the code of discipline of the Central Government, where the Government machinery has been called upon to decide which union has 25 per cent membership,—not 50 per cent membership, but 25 per cent membership—what has been the result? In a factory employing not more than 400 workers, it takes more than one year for the registrar of trade unions to decide the matter. Then, there is provision for appeal also. The appeal takes more than one year to decide. So even in a small factory employing only 400 people, it does not take less than two years to decide which union has more than 25 per cent membership. When that is the case even for 25 per cent membership how are you going to decide about 50 per cent membership?

I would submit that the whole amendment is against the scheme of Government's own code of discipline. The code of discipline says that even unions with 25 per cent membership can be representative of the workers, and it can enter into agreements and enter into collective bargaining on behalf of all the workers. But while a union with 25 per cent membership can become a representative or recognised union capable of bargaining on behalf of all the employees, we find that they cannot however, move for terminating an award or agreement, because under the law that you are now seeking to enact, a union will require 50 per cent membership before it can do so. Even a representative union which can enter into an agreement and enter into collective bargaining is denied of the right to give notice of termination of the agreement. That is an incredulous and contradictory position into which you are landing yourselves by enacting this legislation.

Mr. Chairman: The hon. Member should try to conclude now.

Shri Daji: When Government themselves look at it more closely they will find that they are fettering the workers by making these amendments. Perhaps, the idea has been to stop some irresponsible workers. But the result is going to be the biggest ever fetter enacted by Parliament, against the workers' interests. Unknowingly and unconsciously, the hon. Minister and the Government have fallen into the trap of some wooden-headed bureaucrat who has always dealt with labour, sitting in the secretariat at Delhi in an air-conditioned room, and who does not know the A,B,C, or the first letters of industrial legislation either in India or in any country in the world, for, such a provision is unparalleled, atrocious and tramples underground the very concept of collective bargaining which the working classes of India have won from unwilling employers. This is an attempt to negate the very essence of trade unionism, to bypass the trade unions registered under the Act, and to completely fetter the workers from changing their conditions legally.

I warn this Government, I solemnly warn this Government—and let this warning from this House go out into the country—that if any amendment is passed which bars the workers from legally changing their conditions of service in this unfair manner, the result cannot be industrial peace but continuous and permanent industrial strife; that will be what you are legislating for through this measure.

Then another point. We have accepted arbitration. I am a party to it. I attended the Madras tripartite conference on behalf of the AITUC. I have got reports. Unfortunately, I am not being given sufficient time to deal with each of the points I wanted to make. I have a volume to substantiate my position. Who has violated the arbitration clause?

An Hon. Member: Employers.

1308(Ai) LS—8.

Shri Daji: Again and again the employers. Why did we accept arbitration? Because we believe that as far as possible adjudication should be avoided and disputes between employers and workers should be resolved in a peaceful manner by talking across the table. But even they of the INTUC and even the British labour movement have been extremely suspicious and skeptical when arbitration is sought to be made compulsory. There is a difference between adjudication and compulsory arbitration. We accept compulsory adjudication under certain conditions for maintaining industrial peace because adjudication is by a Judge under rules laid down, under evidence known how to be recorded. And it is appealable. It is something definite and positive. We know that at least some sort of justice will be done. But that is not so in arbitration. There is no appeal, no proper rules laid down. Therefore, we have always insisted: arbitration voluntary, adjudication compulsory. If Government desires that a particular dispute should go to adjudication, Government has ample power under sec. 10. Why should arbitration be applied to all? How will Government decide whether it affects the majority or how the majority will like it?

The concept of compulsory arbitration is a concept which we have fought. This is a concept against which ourselves and Nandaji fought the British Government. We have fought it not from today but from 1928. From that time the Indian working class, whether belonging to the INTUC or the AITUC has fought it. We have fought the British imperialists against this concept, but that clause is being now smuggled into this industrial Disputes Act through the backdoor.

An hon. Member: Very bad.

Shri Daji: This is most surprising. Whoever gave Government this sanction? No one. If ever some compulsion is required in the matter of arbitration, it is required in respect of the employers who refuse to go to arbitration. They want to involve us in liti-

[Shri Daji]

gation in the High Courts and the Supreme Court, which we cannot afford. We are all for voluntary arbitration. But certainly compulsory arbitration militates against the very spirit of trade unionism, it militates against the spirit of workers' freedom.

Am I to understand that the Congress wedded to socialism is bringing in a Bill on compulsory arbitration forcing on workers willy-nilly binding them to the award? Willy-nilly. Is this the way in which they are proceeding in the matter? If this is the way, then no one can hope for industrial peace to be maintained.

I am pained that I have to say all these bitter words. Once and for all I have to make this clear. We want to co-operate. We want to work the economy. We want the Plan to succeed. We want to take a fair share in it. We want the country to prosper. We want the greater glory of our motherland. But if such measures are introduced which fetter us, which bind us hand and foot and place us at the mercy of the employers and petty officials of Government.

Mr. Chairman: I would request the hon. Member to co-operate with me and conclude.

Shrimati Renu Chakravartty (Barrackpore): There are not many Members to speak.

Shri Daji: If this is Government's attitude, I give this solemn warning: the working class will not be ready to accept this amendment tamely and this Bill will usher in an era of continuous strife, industrial unrest and struggle for which the responsibility shall lie entirely on the Government. Therefore, in the circumstances, I feel that the time is running out. In any case, the Bill cannot be enacted in this session. I appeal to the Government to call a round-table meeting. Let us thrash it out. If I have misunderstood anything, let me

understand it, but I am sure most of the points have been misunderstood by the Government, wrongly aided by the wooden-headed bureaucracy, more than half of whom are in sympathy with the employers and not the employees. Let us scrap this, and bring forward a real Bill which will help the workers and the country to march forward to socialism.

Mr. Chairman: Shri Trivedi I would request hon. Members to co-operate with me and take only 10 to 12 minutes, so that more Members can be accommodated.

Shri U. M. Trivedi: So far as I am concerned, I do not think it will be necessary for you to ring the bell.

From what Shri Daji has said, it appears that there is some controversy. In such measures, where there are controversies, it is always better that they should be brought before the House after reference to a Joint Committee. It is now too late for me to suggest it because the Upper House has already passed it, but then it is not a very wise step. Government should take stock of it. If they bring forward an amendment, it does not mean that the amendment must be passed simply because they have brought it forward. If it goes to the Select Committee, all the fuss that can be raised in this House can be decided in the committee stage.

Then, I will draw your attention to Clause 3 which affects me most. With my little experience at the Bar, I have found that Judges who are appointed in the labour courts, either as the tribunal or as a presiding officer, are either inexperienced or fossils, fossilised people who have absolutely no energy left in them. I cannot understand the mentality behind the suggestion that is being made that he may be a person who is or has been a Judge of

the High Court. If he is a Judge of the High Court, you are not going to give him a salary which is commensurate with the salary that he is already drawing as a Judge. So, you will wait for him to retire. When he retires, you will tempt him with an offer to come there.

Two wrongs are being done by the Government by this method. The time has now been reached in our country when we must cry a halt to this evil practice of appointing a Judge of the High Court to any remunerative post in any part of India. He must be completely shut off from it. He has enjoyed a certain position, he must not be lowered from that position, he should not be allowed to have a temptation, he should not be noticed by people that he has been hankering for a job.

I have seen Judges themselves make recommendations, and then wait to fill the post. They go on dragging on and do not make the appointment of a fit person to the post, and as soon as they retire even as Chief Justice, they get the very post for which they were making the recommendation. The result is that these Judges have a tendency always to side with the Government in disputes in which Government is a party. Government does not merely watch the proceedings, in one way or other they are affected by any strikes or any disputes that arise in industry.

It is harmful to the country, harmful to industry, harmful to the strikers and the employers, these strikes are not liked by anybody, disputes are also not liked by anybody, but they do arise. Things are not as we want them to be. Naturally, therefore, it is very reasonable that the Government should consider this proposition whether or not there should be a special judicial recruitment to be carried out by the Government of India at a different level, rather than attracting District Judges, retired District Judges, High Court Judges and

retired High Court Judges to come into that employment.

And who is going to appoint them? It is the State Governments. And in every writ petition that is being filed before the High Court it is the Government which is a party to the proceedings. Government always aspires that the decisions should be made according to their sweet will and pleasure. The temptation is always there before the judges who are on the eve of their retirement and it is they that do the greater wrong. I do not for a moment suggest that each one of them is like that. But there are judges and judges and we cannot deprive a man of his human nature which is inherent in him. It is that nature which tempts him to do things which he should not do.

I am sorry I missed one point. Even the explanatory clause suggests that people are not forthcoming in sufficient numbers. Why not a new service be constituted? Why deprive younger men of home appointments and provide mere fossils, a man who is completely tired. A retired judge will now be 62 years of age and not 55. Why call him and not a young man of 25? That is also doing some harm to the country in the shape of depriving employment to young people. I suggest that the present method of recruiting a presiding officer to a labour court or tribunal must be given up by the Government.

I now come to clause 6 on compulsory arbitration. There are some arguments advanced by some labour leaders that they want a dispute should go on for all times to come.

Shri A. P. Sharma: Some of them are sitting behind you.

Shri U. M. Trivedi: They want no end to it because they will be leaders only then. There is nothing wrong in compulsory arbitration. It also is suggestive of the democratic principle of the rule by majority. What is wrong there? If a majority decides to have arbitration, then let them have arbitration? Why should the minority be

[Shri U. M. Trivedi]

asked to be a stumbling block in solving any dispute? I say, therefore, that unless something radically wrong is pointed out about this clause, this clause is not bad; it is not an impediment to the conclusion of the arbitration proceedings.

My predecessor was very vehement about clause 10 and said that it should not be there. Looking dispassionately, I should say that Government has not done much wrong in putting this clause. There is no provision that a minority of a particular percentage should be there. Therefore, even if there is one man or two men and they make up their mind and want a termination of the award, it can always be done; he can give notice of it. Why should two men dictate to 2,000? Determination of majority is not such a difficult question; it can be solved. A register may be kept and their note may be taken. Some method can be evolved. It should not mean that because of the absence of a method to do it, it should be left to the hands of a few to dictate terms to the great majority. On the one side it may be said that there may be persons who may be bought off. There is nothing wrong in buying off whole majority. If 99 persons can be bought off, it is better to be bought off than to be one person who claims not to be bought off. What guarantee is there that the man cannot be bought off? Perhaps the employer might be interested himself in preventing the award and himself getting the award terminated. He may put up 10 persons and create trouble for all the rest of them. So, the thing can be argued both ways. I should say that the amendment, as has been suggested, is not wrong.

Even today, what I am feeling after giving it a reading is this: these amendments by themselves are of such a far-reaching nature that this House, although it may pass the Bill, has not got sufficient time to study them. The various pros and cons of these amendments ought to have been

discussed at very great length in a Select Committee. The Government should take a lesson from this: that in future, whenever such controversial measures of this nature are brought before the House, they should not rush them by the backdoor by putting them up through the Rajya Sabha and getting them passed and then getting them down our throat here. I would, therefore, suggest that whenever such a controversial measure is to be brought it must go to the Select Committee, and full discussion of the Bill must be had so that hon. Members who have got their heart in legislative business may be able to study all aspect of the various amendments are being suggested and may be able to express their view intelligently and reasonably.

With these few remarks I commend this Bill.

Shri A. N. Vidyalankar (Hoshiarpur): Sir, I feel that this Bill is entirely non-controversial. The proposals put are the result of the tripartite conference where the representatives of the workers, the employers and of the Government agreed to certain measures. All the three parties agreed. I do not know why Shri Trivedi has introduced an element of controversy and why he thought that this measure ought to have gone to the Select Committee. I thought that it was an absolutely non-controversial measure and that he would not import heat into it.

Then, Shri Daji has imported heat into it. He has tried to say and has said something, or at least the major part of his speech was not relevant to this Bill. It was a general discussion and a general condemnation of the Government. For instance, he said that this Bill and the whole Government policy were wrong: that the policy with regard to the industrial disputes has harmed or hurt the workers' cause, and the Government has no positive policy and all that.

That was not very relevant, because, his own criticism later on indicated that the Government has got a positive policy. He may or may not agree with that policy, but this Bill embodies that policy.

He said that he could prove clause by clause and word by word that the Industrial Disputes Act is a measure that hurts the workers' cause. He challenged it. I am prepared to accept his challenge, and I can also prove clause by clause and word by word that how this Bill removes many of the impediments which the workers in their daily lives and in the factories have been facing. He stated that the Government has a step-motherly attitude. That is not so. As a result of these measures—the Industrial Disputes Act and such other Acts—in the course of the past many years, the Government has built up a labour code. It has embodied the workers' rights in these measures. If you compare what the workers have got as a result of the various conventions and laws and Acts, you will find that the workers have made very great progress and gained much, so far as the policy is concerned. I may agree that in the case of the administration, it is loose. Especially in the States the administration is very loose, and the purpose of the various Acts is not being served properly. It is not because our Government does not want it. It is not because our Government does not have a positive policy. But as I said, it is because at various places our administration, especially in the States, is loose.

Shri Daji also referred to clause 10. I was really amazed how he was trying to distort and misrepresent things. Shri Daji said that we were suppressing the workers when we say that unless the majority of workers agree the termination of an award is not possible. In clause 10 it is said:

"No notice given under sub-section (2) or sub-section (6) shall have effect, unless it is given by a party representing the

majority of persons bound by the settlement or award, as the case may be."

It does not say "majority of workers", it only refers to the majority of that section of workers or that union which was a party to the settlement. It is clearly understandable. It is absolutely just that if a union of workers enter into some settlement and naturally, if a few workers, say, seven or ten workers, send a notice of termination of the award such termination should not be possible. It is not just, it is not fair. Therefore, the majority of workers who entered into the settlement should agree and send the notice. What Shri Daji said is a distortion, a misrepresentation of things. I am really amazed that an eminent lawyer like Shri Daji should fail to read the words that are clearly stated here.

So far as this Bill is concerned, I also agree that there should have been a comprehensive measure. Of course, these are measures that have been suggested. I want that there should be some comprehensive measure. There are many difficulties that we daily face in the course of administration of this Bill. I see that the workers continue to represent to the Government about those defects that have come to our notice in the course of the administration of the law. There are many defects. I do not want to take the time of the House at the present moment. They need rectification. I would suggest that the Ministry should take up this task with regard to the Industrial Disputes Act and other things. Shri Daji and many other Members suggested that these measures require improvement and rectification of defects.

Sometime back the hon. Minister said that each individual worker would be permitted to approach the courts to get their grievances redressed. That has not come yet. There are other things also. In clause 19 you have laid down the procedure

[Shri A. N. Vidyalkankar]

how the amount that is due to the workers as a result of an award or arbitration would be determined. The difficulty at present is that the award is given and thereafter the amount is determined by the proper authorities. But then the realisation becomes difficult. I know of cases where the dues of lakhs and lakhs of workers have not been realised. The realisation is left to the revenue officers of the State. These revenue officers sometimes cannot dare to go to big people, big factory owners. They are just paid Rs. 3, 4 or 5 and they write that the notice could not be served. Of course, this happens in every case under civil procedure. But in the case of workers large amounts of arrears are not paid. The court has awarded some arrears of pay amounting to several hundred rupees but it is not paid for a year or sometimes for years together. If you try to collect statistics about the money due to workers which is in arrears you will know the real state of affairs. Therefore, I would suggest that the courts and tribunals should be given the power of revenue officers so that they could attach property and realise the money. At present it is not possible and that is the biggest grievance and the biggest hurdle in the proper operation of this law.

Then, some hon. Members referred to the introduction of automation in certain offices. I am told that certain machines are being imported by LIC in which two operators can do the work of 500 workers. There is apprehension that many workers will be retrenched because of automation and that will create unemployment. Government have agreed that modern methods will be introduced provided there will be no unemployment or retrenchment. I am not against modern methods or devices. If they are introduced for saving money or for economy, well and good. But if they are going to be introduced at the cost of workers, that is not justified.

The workers will strongly resist that attempt.

I hope these suggestions will be kept in mind by the Labour Ministry and they will soon come before this House with a new and comprehensive Bill in order to remove the defects that have been pointed out here.

Shri V. B. Gandhi (Bombay Central South): This is an important piece of legislation that is coming before the House. We are thankful to Shri Sanjivayya for the very lucid speech that he gave, a speech that was very much to the point. I was also impressed by the well-reasoned argument that was given in the other House by Shri Malviya.

This Bill seeks to make certain changes in the Industrial Disputes Act, 1947. A Bill of this kind is necessary and it has not come any too soon. Of course, on that score I do not propose to blame the Ministry for we all know how the exigencies of business in this House sometimes make it difficult to keep to the time schedule. So many Ministries try to bring in their Bills at the same time in a short session of Parliament.

It is very necessary that we remember that in this Bill and on this subject it is not necessary to take a sectional view or to look at it from the point of view of a sectional interest.

The Minister has done very well in giving us a categorical statement that no unilateral decisions have been taken and embodied in this Bill, that in this Bill have been embodied only those decisions which were taken on a tripartite basis in the meetings of the Indian Labour Conference and the Standing Labour Committee.

Much has been made of the claim that this Bill should have been made more comprehensive and should have been presented in a more consolidated

shape. But we must remember in this connection that the first thing is that this is a social legislation, and in any kind of social legislation problems change, new problems arise and demand new solutions; and it is certainly not the wiser way to deal with legislation of this kind by waiting and holding up progress, saying that a more consolidated measure can be brought in. Besides, there is another disadvantage. In an effort to bring about consolidation, we are also in danger of bringing in rigidity and unchangeability in our outlook. It is not a very desirable feature of the situation. Sometimes I am tempted to feel proud that we in this country are developing our labour movement along independent lines. We have been trying to solve our problems in our own way and based on policies in keeping with the genius of the people. We have never allowed ourselves to forget that in this kind of legislation of labour matters we have to deal with people who have an adult franchise. Every man has a vote, and that fact has been kept constantly in mind in every effort we make.

Mahatma Gandhi had seen the necessity and the wisdom of taking interest very early in the labour movement and the welfare of the workers. And, as we all know, Nandaji has spent a whole life-time in building up the labour movement, through years. As a result of these efforts we have been able to evolve a labour movement which is non-political and non-partisan. We have been able to give a good answer to the other parties, with this new form of labour movement, the other bodies who have always had or have mostly had a communist-dominated union.

Mr. Chairman: The hon. Member's time is up.

17 hrs.

Shri V. B. Gandhi: Shall I continue?

Mr. Chairman: If he wants to conclude in a minute or two, I have no objection.

Some hon. Members: Let him continue tomorrow.

Shri V. B. Gandhi: May I have some time tomorrow? I would require some more time.

Mr. Chairman: He would like to continue on the 3rd?

Shri V. B. Gandhi: Yes.

Mr. Chairman: That is all right.

COMMITTEE ON ABSENCE OF MEMBERS

TENTH REPORT

Shri Khadilkar (Khed): Madam, I beg to present the Tenth Report of the Committee on Absence of Members from the sittings of the House.

17.01 hrs.

PROPOSALS FOR STREAMLINING OF WORK OF I. & B. MINISTRY*

Mr. Chairman: Now, the House shall take up the half-an-hour discussion. **Shri Nath Pai.**

Shri Nath Pai (Rajapur): Mr. Chairman, the Minister of Information and Broadcasting in the statement which she made had, among other things, this to say to the question which was asked of her about the working of the Ministry which she has been currently heading. She said:—

“The problem (basically) before us is..... of so revitalising the entire Ministry as to enable its different organisations not only to keep more closely in touch

*Half-an-Hour Discussion.

[Shri Nath Pai]

with the demands of the people, but also to be more alive to the newest ideas and methods and to the needs of our changing times.

While various shortcomings and deficiencies have been pointed out in Parliament as well as outside in the working of almost all the organisations of this Ministry, criticism in the main has been concentrated on the functioning of A.I.R. and its programmes. The Ministry is grateful for the helpful suggestions that have been made."

It was a fortnight statement, a courageous statement, a candid statement and the Minister deserves congratulations for having made a departure from the usual stand that Ministers take whenever their departments are under fire, under criticism. Rather than strike the posture that nothing whatever is wrong with her department and her Ministry except the fermented imagination of critics, she boldly accepted that there is much that is wrong, that needs to be looked into. Further, she said that she would be glad if she is helped in the process of putting this very vital organ of the Government of India into order.

I was a little encouraged in my effort to raise this because for a very long period of time one had been reading in practically every important journal in the country criticism, both signed and unsigned, and some of our best columnists were expressing their anxiety about the way the AIR had been functioning over a period of time.

My second encouragement came from the fact that when I raised this question, senior leaders of the ruling party like my distinguished friend, Shri Hanumanthaiya, Shri Harish Chandra Mathur and many others,

very readily agreed that we should try to raise such a discussion. I do not know if you do not call him senior or you are embarrassed by the fact that he signed this for this discussion. The Deputy Chief Whip is laughing and therefore I raised it.

In the very beginning I should like to say that during the very short time at my disposal I should like to concentrate my criticism on some salient aspects which show that there is much that we can do to improve the standards of the service the All India Radio has been giving to the country.

First and foremost, I do not know if it has been properly realised by those who run the All India Radio what a unique, mighty, powerful instrument it is of fostering what we have all been trying to achieve but not succeeding, what has been eluding the fingers of all of us, namely, national integration, the sense of unity, raising the cultural standards of our people, creating a new awakening and even to a great extent promoting education. There is no medium so important, so vital, as this that is available to a modern society. And yet when one looks at the long sad chapter beginning with 1927 to 1964, one is alarmed at the many opportunities that have been so miserably lost. I do not know what part the All India Radio plays in our life. The B.B.C. in Britain, for its cultural life, intellectual life and political life, is the main stream of life. How apart, how different, how remote, is the All India Radio from our life. It in no way reflects our life; it in no way shapes our life, moulds our life; it plays no part in our life and we have no part in the life of our All India Radio. It is called AIR—it is truly in the air most of the time; it has not after all these 45 years been able to strike roots in the soil of this country. It remains, supremely in the air. In a country like ours, where literacy is so limited, where the total circulation

of newspapers is 5½ million, we can reach the remotest corner of our country, we can meet and come in contact with the dumbest of our fellow countrymen through the medium of the radio, give him the message of new India, bring him nearer to this capital which is far away from the Garo hills, from the remote parts of Andhra desh or Coorg hills where the people live. This was the one instrument which an imaginative mind could have grasped with both hands and tried to use it as a new power that has been made available to us by science and technology. Unfortunately, that has not been so.

Madam, I was a bit distressed when I came here and a friend asked me whether the criticism has been inspired by this or that. I have never condescended in my life in espousing a cause at the behest of anybody unless I deeply feel that it is a cause which needs to be raised on the highest forum of this country. But I would also like to say that when I am convinced, neither maligning campaign nor this kind of intimidation of which I got a taste when I came here, will deter me from raising my voice in the highest forum of our country, my Parliament.

Here is one of our noted journalists, Mr. George Varghese who belongs to no party and who is regarded as an objective critic of all that is happening in our country. This is what he has to say about the way the All India Radio functions:

"The radio immediately, probably, is the best hope but not All India Radio in its present form. A.I.R. is as dull and bureaucratised as the post office....".

I think, post offices sometimes are a bit more alive and responsive to our people than generally what the A.I.R. is. It is in sheer boredom that I turn to All India Radio and before I listen to it for five minutes, unless there are some good Hindi comments which

normally are delivered in melodious voice and very competently—I like to improve my Hindi and it brings to me the charm, the beauty and the majesty of Hindi—when I listen my own language in which the bulletin is read out, I get simply shocked and I get pain in my neck when I see the artificial, the theatrical way in which the Marathi language, the language of Jnaneshwar is used. I can never listen to it. Accidentally, while trying to get something better there, sometimes I get trapped into listening of that bulletin. And what an outrage of my language! I think of those whose mother-tongue is Marathi. The Hindi people are more lucky. They have chosen able people and I think they do the job ably. I like most of that though I cannot competently say about all. I do not regard myself as competent to pass criticism about that.

Then, he further says:

"In this, therefore, neither talent nor imagination is lacking but they are not given any but the most limited outlet. Initiative is severely restricted by the very structure and concept of All India Radio as a department of the Government, an official mouth-piece, non-controversial except when crudely propagandist and unconcerned with listeners response and subject to constant interference and pressures from people who know nothing about broadcasting."

When I see George Varghese or Frank Moris or Chanchal Sarkar or people of that calibre and standard and objectivity raising their voice, it becomes necessary that we do not deceive ourselves that since an assurance has come from the Minister, all is right—I do not mean the present Minister, but her worthy predecessors, a distinguished line of Ministers who preceded her and who repeatedly assured that we are doing well. What is the comparison, and what is

[Shri Nath Pai]

the standard that we should have. As I said, here was a certain vital instrument which could have been turned to great use during the transitional period of our life, but every opportunity you give is missed.

I shall take one example. There was this great tragedy which befell our country, namely the Chinese invasion. It was a tragedy, and it was a challenge. How did AIR rise to the occasion? Six days after the invasion, the first challenge to India's sovereignty and freedom, here was the main instrument of communication, of information, for awakening the people and raising their morale and welding them into one team to fight this monstrous challenge to our survival and existence, coming out with a feature. Of course, news was given. Somebody said during those days that, from journals to Generals, if anyone who wanted to know what was happening in NEFA or Ladakh, he had only to turn to Radio Peking. What a sad commentary on the working of AIR?

I know, of course, that they had a handicap, and I would not hold the AIR responsible for what is not its field of activity. The briefing was done, I am told, by the Defence Ministry at 6 P.M., and from 6 P.M. till the next morning six o'clock, for the agonised nation, every moment wanting to know how the jawans were faring, what was happening to holding the line, whether it was being stabilised, whether the enemy was coming forward ruthlessly and so on, there was no guidance, no information, and no piece of news from AIR. Here was a challenge to our existence, but this was how the main instrument of Government served the country.

I remember how it can quickly degenerate from being an independent body which it is supposed to be to being a mouth-piece of the ruling party. During the strike of 1960, Dr. Keskar was the then presiding deity of the AIR. We, who were the victims of the propaganda thought 'Was it the gentle spirit of Dr. Keskar, in

every way, a gentleman, or some notorious doctor who had presided on the radio of another country?', for during the strike, so monstrous was the distortion, completely ignoring all tenets that it was to serve the people and not any party, and it did everything to distort and discredit the motives behind the strike and mislead the public opinion.

17.13 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

Then came another test of the AIR's function, its efficiency and its imagination, and the kind of calibre which it throws into action when it is called upon to serve the people. That was on the 27th May, when a shocked nation learnt of the demise of free India's first Prime Minister. It is a sordid affair. There is no major national journal which has not taken note of it. I am not interested in going into the gruesome details of it, because it is a sad chapter. But better service could have been rendered, because it was not only a passing but at the same time we were called upon to create a new India immediately; when there was the shadow of death hanging, there was the dawn of a new India to be welcomed, because India had to continue; a Jawaharlal Nehru is not born every day nor does he die every day. But how was the nation served on this occasion?

All that you heard on AIR for long hours, when with tears in their eyes and a choke in their hearts, people were glued to their sets throughout the country, was only some doleful music, and all the time an announcement that the President was going to speak. Within an hour and a half of the assassination of the Father of the Nation, Sardar Patel and Pandit Jawaharlal Nehru were giving comfort to the nation and calling upon the nation to stand united. That was an assassination, and the whole nation was taken by surprise. I am not a critic, and I shall give due credit where credit is due. This happened

on the occasion of Gandhiji's assassination. But here you find that from 1.55 P.M. till 8.30 P.M., the nation was only told that the President was going to speak immediately, but for unknown reasons he did not speak till 8.30 P.M. The reason was simple. Not even the most elementary precautions had been taken. Since we knew that this catastrophe was one day or the other going to come, AIR ought to have been prepared, because beloved as Jawaharlal Nehru was, he was mortal, and its impact on the people's mind ought to have been anticipated and precautionary measures taken to foresee what would be the impact, if things were not properly relayed in an hour like that. But nothing happened. The President came on the air at 8.30 A.M. when even something worse happened. The AIR, the one instrument for stabilising the morale of the people and for enabling them to see a new leaf, and asking them to hold steadfast in spite of their mourning and sorrow, went off the air at 3.30 P.M. and was off the air for two long hours. Off the air for two long hours! We thought that this was in respect, for which it ought to have gone off the air for two long minutes. But it went off for two hours. The statement that has been made in reply to the question that it was not two hours but half an hour is totally wrong. Is this the way of functioning? Is this the way of rising to the occasion?

The next day's covering—was it any kind of a credit to All India Radio? Apart from the gross inaccuracies in describing the funeral procession what did we find? A Funeral procession is a sad thing. The only way of standing before death is, as our forefathers have told us, standing in all simple dignity before death—no sentimentality, no exaggeration, no drama before the face of death.

“जातस्य हि ध्रुवो मृतर्ध्रुवं जन्म मृतस्य च”

But here was something that seemed

different, almost vulgarising the death of the greatest Indian after Gandhiji.

Shri Thirumala Rao (Kakinada): All these points have been replied to on the floor of the House. What is the purpose of this eloquence then?

Mr. Deputy-Speaker: His time is up.

Shri Nath Pai: I do not know what is annoying Shri Thirumala Rao. It has not been replied. I am having this before me. It has not been replied to. He might have been satisfied. I have every right to ask for satisfaction why it was done in that way. Why Indians were referred to as 'swarms of flies'. He may be proud that Indians were called 'swarms of flies' on the All India Radio. I am not. I am ashamed, and I think Jawaharlal would have been embarrassed to know that the Indians who came to pour their devotion on him were referred to as 'swarms of flies'.

May I know what are the standards in dealing with the 13,000 unfortunate staff artists? How are appointments made? We have 13,000 staff artists; 2,000 of them staff artists, the others casual. Is there any method adopted? The late Shri Lal, when he was Secretary of this Ministry, had laid down a method. We have some very good staff artists. I feel proud of the way some of them who announce our bulletins do the job. But after 13 years what security of office have they got? They have to depend upon the mercy of one official or another for the extension of their tenure of office. Young artists have to go. What is their right?

Mr. Deputy-Speaker: This is a half-hour discussion. He should wind up.

Shri Nath Pai: I know, It is customary for the Member who raises it to take such time. I will conclude in another two minutes.

Mr. Deputy-Speaker: There are other Members who have given notice

[Mr. Deputy Speaker]

for asking questions. The Minister has then to reply.

Shri Nath Pai: I will take two minutes to formulate these questions and then it will be possible for the Minister to reply.

May I know if there is any standard about audition? Formerly there used to be an independent committee about those who read the bulletins? This independent committee has been dismissed. I do not know why. A departmental committee is there now. Is this fair, that in a matter like audition we depend exclusively upon the departmental committee?

The same about appointments. Appointments are left to the discretion of a few individuals. I am not against any particular individual. I am interested in having my All India Radio as a serviceable instrument of the people of India, that it is used to further those national ends to which made an earlier reference.

I would also ask whether the Minister thinks that these allegations are true. I feel distressed to repeat them, which I asked in my question whether the All India Radio, as one journal says here, is a 'federation of cliques, groups and intrigues.' The radio and television have to be carried in a great delicacy and with imagination, without any kind of spirit but the spirit of camaraderie and teamwork. If it is not there, it cannot work.

Mr. Deputy-Speaker: He should conclude.

Shri Nath Pai: I would ask whether in the light of this—I should have liked to say many more things—the Minister will carry out her promise, and the hopes which she has held out—I hope she does not take the facile attitude that the hon. Member who thought it his duty to interrupt me

took; she herself said that much is wrong and it needs to be looked into—whether in the light of all this, this inquiry will not be a departmental inquiry, it will not be the usual white-wash, but she, in pursuance of her promise which she made that new horizons exist, much can be done in the limits, will really try to convert All India Radio into an instrument for forging a new nation.

Shri Vidyacharan Shukla (Mahasamund): May I put a question?

Mr. Deputy-Speaker: Three people have already given previous intimation.

Shri Vidyacharan Shukla: I have also sent my notice.

Shrimati Renu Chakravartty (Barackpore): Our names we have sent. I hope you have received.

Mr. Deputy-Speaker: I have got only three names. Shrimati Savitri Nigam, Shri Prakash Vir Shastri, Shri D. C. Sharma.

Shri Hanumanthaiya (Bangalore City): We have signed.

Mr. Deputy-Speaker: There are 15 chits.

Shri Hanumanthaiya: No. The original motion is signed by us.

Mr. Deputy-Speaker: I have got 15 chits after the discussion began.

Shri Hem Barua (Gauhati): I sent before that.

Mr. Deputy-Speaker: I will allow about half a dozen Members, not more than that. Otherwise, it ceases to be a half-hour discussion.

Shrimati Renu Chakravartty: What can we do?

Mr. Deputy-Speaker: I am sorry. We have to stick to the rules.

Shrimati Renu Chakravarty: But we must be allowed to put a question.

Shri Hanumanthaiya: What about the people who have signed the original motion? You are reading names sent subsequently.

Mr. Deputy-Speaker: I will call one by one. I will give ten minutes for questions, as many as possible.

Shri Harish Chandra Mathur (Jalore): Let us first clear the position. We do not want any extra privilege to ask a question. The question is that certain Members associated themselves in asking for this discussion. The names of the Members who have asked for it are there. Those people have got to be called first, and then those who have given further notice under the rules are to be called.

Mr. Deputy-Speaker: I will read the rule:

"There shall be no formal motion before the House nor voting. The member who has given notice may make a short statement and the Minister concerned shall reply shortly."

Here, the Member who has given notice is S^ri Nath Pai, and others have supported him. They may not get a chance to ask questions. Any Member who has previously intimated the Speaker under rule 55(5) may be permitted to ask a question for the purpose of further elucidation.

Shri Hanumanthaiya: Even according to your interpretation.... (*Inter-ruptions*)

Mr. Deputy-Speaker: They have signed the notices. That will only support the motion for discussion.

Shri Hanumanthaiya: No.

Mr. Deputy-Speaker: I will give a chance to six or eight persons, but I cannot give a chance to all, because then it will cease to be a half-hour discussion.

Shri Hem Barua: I sent in my name. I cannot understand how the notice sent to you can be missing in the way. We gave it.

Mr. Deputy-Speaker: I will go on till 5.30 with questions.

Shrimati Savitri Nigam (Banda): I would like to know two things from the hon. Minister.

Mr. Deputy-Speaker: Only one question.

Shrimati Savitri Nigam: First of all, I would like to have a little clarification about this streamlining business.

Mr. Deputy-Speaker: What is your question? Please put your question.

Shrimati Savitri Nigam: I am going to put the question. I want to know what the hon. Minister means by streamlining. Does she mean that the AIR should be developed according to the needs of the times, according to changing circumstances and changing times, or does she mean that there is something definitely wrong which should be rectified. First of all, I would like to know this.

Mr. Deputy-Speaker: Only one question. I am not allowing a second.

Shrimati Savitri Nigam: This is another part of the question.

Mr. Deputy-Speaker: No.

श्री प्रकशवीर शास्त्री (विजनीर) :
"उपाध्यक्ष महोदय, मैं आप के द्वारा सूचना एवं प्रसारण मन्त्री महोदय से एक बात जानना चाहता हूँ, इसी प्रसंग में जैसा कि श्री श्री नाथ पाई ने अपने भाषण में कहा कि लगभग सारे भारत में 13,000 स्टाफ़ आर्टिस्ट्स इस प्रकार के हैं जिनको नौकरी करते करते 13 साल व्यतीत हो गये लेकिन अभी तक उनको अपने जीवन के सम्बन्ध में कोई स्थायित्व इस विभाग की ओर से नहीं दिया गया है तो क्या यह आपके विभाग की ओर से उनके सम्बन्ध में

[श्री प्रकाशवीर शास्त्री]

कोई अनुकूल निर्णय नहीं लिया गया अथवा उनको घोर से कोई अनुकूल रिपोर्ट नहीं आई ? या फिर मन्त्री स्तर पर इस सम्बन्ध में कोई निर्णय नहीं लिया गया है ? आखिर क्या कठिनाई है जो अब तक 13,000 लोगों का भाग्य बीच में ही अटका हुआ है ।

Shri D. C. Sharma (Gurdaspur): May I know if the statement made by Mr. Nath Pai with regard to the reporting of the tragic loss to the nation in the death of our late Prime Minister is correct? I want a categorical statement from the Minister whether the allegations he has made are correct or not and how the All India Radio reported this very tragic thing which happened to our nation.

Shrimati Renu Chakravarty: May I know whether this is one department in the Government where the Director-General is supreme and he can administratively appoint people upto salaries of Rs. 1200 without reference to the UPSC and he is the boss of a highly technical department like the News Services Division or the External Services Division, whether and if it is a fact that these charges of nepotism and incompetence against the Director General have really led to deterioration in the work of the AIR

Shri Hem Barua: This House has been suggesting times without number that the All India Radio be converted into a full-fledged autonomous corporation on the lines of the BBC. May I know whether Government have given any thought in that direction?

Dr. L. M. Singhvi (Jodhpur): We would like to know whether there are any interim measures before the full fledged report of the commission to be appointed is available and whether the idea of appointing a commission for a full-fledged enquiry into the working of this Ministry is still before the Government and before when it is to be finalised and when its

report will be published and what would be its terms of reference.

Shri Harish Chandra Mathur: May I know what personal experience of the hon. Minister prompted her to make the stimulating reply under reference and what is her broad approach to bring about improvements?

Shri Hanumanthaiya: Will the hon. Minister be pleased to tell us the time allotted to Karnatic music in the All India Radio according to the rules? I am told that it is one-third of the time in the national programme and that is not adhered to and the time allotted is not being given. Secondly why in the Delhi Station of the All India Radio most of the time it is Hindi and North Indian music and Karnatic music is not given its due importance?

Shri Vidyacharan Shukla: We have heard reports that there is a move, official as well as non-official, to restrict to scope of the proposed enquiry into the affairs of the All India Radio and these reports have been circulating for some time and it would be very good if the hon. Minister gives clarification about the scope, terms of reference, etc. of the committee which is going to enquire into the affairs of the All India Radio.

श्री सु० वि० चौधरी (महेन्द्रगढ़): प्रश्न: आध घंटे की इस बहस के ऊपर बोलते हुए मेरे साथी श्री नाथ पाई ने आल इंडिया रेडियो के हिन्दी प्रोग्राम की काफी प्रशंसा की है। मैं उनसे पूर्ण सहमत हूँ। मैं हिन्दी का ही प्रोग्राम सुनने वाला हूँ और इस नाते यह दावे के साथ कह सकता हूँ कि यह जो इस पर इलजाम लगाया गया है, एक तो पंडित मेहरू के सारे के सारे प्रोग्राम का पूरी तरह से कवर न करने का और जब यह इमरजेंसी आई तो उस वक्त से उसके द्वारा ठीक से काम न करने का, यह सरासर गलत इलजाम है। एक हिन्दी

रेडियो प्रोग्राम सुनने के नाते बतौर एक श्रंता के मेरा तजुर्बा है कि जो सर्विस इस हिन्दी विभाग की ओर से रेडियो पर दी जा रही है कोई भी वैसी स्थिति में दूसरा रेडियो नहीं दे सकता है। उसके द्वाग बहुत ही अच्छा काम किया जा रहा है। मैं इस बारे में विशेष तौर से मन्त्री महोदया से जानना चाहूँगा कि इस बारे में उनका क्या तजुर्बा है वे जरा इसे संक्षेप में बतलाने की कृपा करें।

श्री हुकम चन्द कछत्राय (देवास) : पिछली बार बजट सेशन में रेडियो की पूरक मांगों पर बहस के दौरान यह जिक्र आया था कि रेडियो विभाग के अन्दर कुछ पाकिस्तानी जसूस काम करते हैं और यह बात भी सहा है कि रेडियो द्वाग रूस समयक प्रचार ज्यादा किया जाता है, तो मैं जानना चाहना हूँ कि क्या यह बातें सही हैं ?

Shri Khadiikar (Khed): May I know from the hon. Minister whether it is a fact that the Central Hall pass of the News Director of AIR is withdrawn? Shri Nath Pai just now described that AIR is a sensitive instrument which is supposed to reflect the rhythm of social progress in this country. If the News Director is not to keep in touch with the people's representatives, how would it affect the presentation of news by A.I.R.? What has happened to this order—has it been withdrawn or does it still continue?

Shri Ramanathan Chettiar (Karur): May I know whether it has been brought to the notice of the hon. Minister that the present Director-General, to cover up his inefficiency, has got his own lobby to do propaganda and, in case it has not been brought already to her notice, may I know whether she will enquire into it?

Shri Shivaji Rao S. Deshmukh (Parbhani): May I know from the hon. Minister whether, in her appreciative efforts to clean—

Mr. Deputy-Speaker: Order, order. I did not call the hon. Member. I am sorry. There is no time.

श्री श्रीकार लाल बैरा (कोटा) : हुम्ने भी नोटिस दिया है।

Shri Bade (Khargone): On a point of order. The Speaker or whoever is presiding is also bound by the rules. In the rules, it is prescribed that if notice is given before the discussion begins, that Member who had given notice should be given a chance. I was the first one to send a chit along with some other colleagues. If I am not given a chance, how can others be given?

Mr. Deputy-Speaker: I have exceeded the time by 15 minutes. It is not possible to give chance to everybody who sends a chit.

The Minister of Information and Broadcasting (Shrimati Indira Gandhi): Mr. Deputy-Speaker, Sir, Shri Nath Pai has delivered a very eloquent and moving speech. If he will allow me to say so, it was not correct in all its aspects. Most of the questions he has asked were answered to the best of our ability in the statement which I had placed on the Table of the House. As the hon. Member has himself pointed out, in that statement, I admitted that much could be done to improve AIR as well as other sections of the Ministry. But perfection is a state which few of us, if any at all, can hope to attain. I know that none of the sections of my Ministry will ever say that they are perfect; no matter what we do, how much we do, there is always room for more to be done and for greater perfection.

Having said that—Shri Nath Pai himself has read out from my statement—I do believe that there is room for improvement, and we are going into this matter very, very thoroughly, and that is why it has taken a little more time than we had anticipated. I shall first deal with some of the particular questions. The question of staff

[Shrimati Indira Gandhi]

artistes has been mentioned. The number of staff artistes working there are 1,800 and not 13,000.

Shri Nath Pai: That may be the number of staff artistes, but there are 9,000 to 11,000 casual artistes.

Shrimati Indira Gandhi: More decisions are adopted by the Committee in which non-officials are included. There were various committees of enquiry. There was one departmental enquiry sometime ago, which made some recommendations, and many of those recommendations have already been implemented. It is also true that all the staff artistes were not satisfied with the Committee or its recommendations, because they were not represented on the Committee itself although they were sent for and their viewpoint was taken. I have myself agreed to meet all those who are now dissatisfied and to see what complaints they have and as far as possible we shall try to meet those complaints.

With regard to the allegations which have been made regarding the way in which the funeral was dealt with, I am sure you will appreciate, I was not in a position to hear these programmes myself and, therefore, I cannot express my personal opinion. These matters are very much a question of one's personal taste. Views have been expressed even in this very short time both for and against the programme, as hon. Members have noticed. This is the state even in the public. There are a large number of people who appreciate the programme and there are people who do not like the way that it was done. But it was also, I think, Members should appreciate, in extremely difficult conditions that the AIR was functioning, because due to enormous crowds they were not able to get through everywhere they wanted to go, they were not able to get the people they wanted for commentary and there were many other difficulties in their way.

With regard to the President's programme, this was entirely up to the President when he will speak. As messages were received of the speech they were announced.

Shri Nath Pai: The President was ready with his speech at three o'clock.

Shrimati Indira Gandhi: I am glad Shri Nath Pai has his own spies there. What information the Ministry got finally they had to relay; they were not listening round the corners....

Shri Hanumanthaiya: The gentleman who gave the running commentary on the funeral procession was the most inefficient man I have ever come across.

Shri Thirumala Rao: It has got Press appreciation all over the world.

Shri Hanumanthaiya: I am extremely sorry. He did not mention the arrival of Mr. Dean Rusk and Shri Chavan in a helicopter.

Mr. Deputy-Speaker: Order, order. The hon. Minister has not yielded.

Shri Hanumanthaiya: She has yielded, Sir.

Mr. Deputy-Speaker: She has yielded to me, not to Shri Hanumanthaiya.

Shri Thirumala Rao: This sort of personal things should not be brought before the House. Shri DeMello is considered to be one of the best men in the world. Our friend here is saying that he is the most inefficient man. I am not here to defend anybody....

Mr. Deputy-Speaker: Order, order. The hon. Member cannot make a speech now.

Shri Hanumanthaiya: It seems as though he is interested in him personally.

Shri Thirumala Rao: He received the national award only recently:

Mr. Deputy-Speaker: Order, order.

Shrimati Indira Gandhi: I do agree that it is not fair to mention people by name, especially officials, who are not in a position to answer themselves here.

Shri Hanumanthaiya: I only want to say one thing on a point of personal explanation. He has made that allegation.

Mr. Deputy-Speaker: Order, order. You cannot go on at this rate.

Shri Hanumanthaiya: I will give only one instance by way of personal explanation. When Mr. Dean Rusk and Mr. Chavan our Defence Minister came in a helicopter, that very important item was not mentioned by this great man for whom he has great admiration. (*Interruption*).

Mr. Deputy-Speaker: Order, order. The Minister must be allowed to continue her speech.

Shrimati Indira Gandhi: I had already admitted right at the beginning that we are not claiming to be perfect or that no mistakes were made. I said that right at the beginning and I had have said it several times publicly, privately and in every possible way.

Shri Nath Pai: Should they be so imperfect?

Shrimati Indira Gandhi: Some charges about nepotism and so on were made. I do not believe in this kind of general charge. If the hon. Member has any specific case in view. I think he should intimate it to me and I will certainly look into it.

As far as the Director General's right of appointing people is concerned, he can appoint people who have a fee up to Rs. 500 only.

Shrimati Renu Chakravartty: Without referring to the UPSC?

1308 (A) LSD—8.

Shri Nath Pai: Any Committee to assist him?

Shrimati Indira Gandhi: Yes. Committees have been appointed to assist him.

Then, I am afraid, I do not have the exact amount of time that was devoted to Karnatic music. But we do have Karnatic music in regular broadcasts, in the National Programme and also in Vividh Bharati.

I am sorry, I have no information of what happened in the other House regarding spies from Pakistan, but I can assure the hon. Member that there is no Russian propaganda being carried on by AIR, or indeed propaganda for any other country.

श्री हुकम चन्द कछवाय : यह होता था, हुआ है ।

Mr. Deputy-Speaker: Order, order. We cannot proceed in this manner.

Shrimati Indira Gandhi: The most important question which Shri Nath Pai and some others have raised is with regard to the Committee of Enquiry which I have talked about myself. As I said, it is taking a little long time because we want to do a thorough job. We are in communication with experts who are advising us how to proceed with it. We hope that this matter will get under way very soon. I had hoped that such a committee could report in three months, but I am told that it would not be possible and the time that is suggested is six months. We have not yet finalized either the names or the terms of reference, but we do want this to be, as I have myself stated on the floor of the House, as thorough as possible and we want to work at two levels: that is, to tell us the things which we can do immediately while they are thinking of bigger changes which may take more time. With regard to the question whether there should be a corporation or not, this is something which

[Shrimati Indira Gandhi]

has got to be considered at the Cabinet level, although this Committee may give its views on this.

Shri Hem Barua (Gauhati): Have you suggested to the Cabinet the idea of a corporation?

Shrimati Indira Gandhi: It depends upon what view the Committee takes. I personally do not think that just having a corporation will necessarily improve anything, because it is a question of having the right person in the right place, and that will be just as well in the present circumstances as in a corporation.

Shri Hem Barua: But you do not have the right people at the right places now.

Shrimati Indira Gandhi: We will make an attempt to do so.

Having said all this, I must also put another fact before the Members, which is this, that all the departments of the Ministry are working under a very difficult circumstance, which is lack of resources, lack of finance. At every stage we are told to cut down at a time when I personally feel that the Ministry should expand. By expansion I do not mean the personnel necessarily.

Shri Hem Barua: Are we to understand that the Finance Minister is not co-operating?

Shrimati Indira Gandhi: Most of the discontent of the staff artistes are about their emoluments. We cannot increase them until we have larger funds at our disposal. With regard to staff artistes, there are two kinds—regular artistes and artistes engaged on contracts. As far as regular staff are concerned, their emoluments and conditions of service were reviewed by the Second Pay Commission and they are governed by the same rules and procedures as are applicable to all other Government servants.

Dr. Sarojini Mahishi (Dharwar North): But they are not treated as Government servants.

Shrimati Indira Gandhi: Even the non-regular artistes have the usual benefits like medical aid, allotment of government residential accommodation, ordinary and maternity leave, travelling allowance and so on.

Shrimati Renu Chakravarty: What is the number?

Shrimati Indira Gandhi: I do not have separate numbers for them. I am sorry. I can supply them later.

Shri Hem Barua: But you do not allow them to engage in trade union activities.

Shrimati Indira Gandhi: They have no associations.

If hon. Members want any other information, I could let them have it later on. I do not have the figures with me. But I want to assure them, as I have done barely a week ago, that though we were thinking of forming this Committee, as I said, nothing has been finalized yet. But we are in touch with experts, and we certainly hope that this work will soon be under way.

But it is not fair to compare the A.I.R. with the B.B.C. The B.B.C. is not only a very big organisation with enormous funds at its disposal; it functions in a very small country. Here in India we are a vast country with many official languages—very many other languages which are not recognised, but which have to be recognised for our purposes.

Shri Hem Barua: Can that be an excuse for inefficiency?

Shrimati Indira Gandhi: We have many programmes in tribal dialects and so on. Programmes have to be beamed at quite different levels. Shri Nath Pai found some of the programmes boring; but we have had reports from experts, not only Indian

experts but people who come from the U.N. and other places, that our radio forums are working exceedingly well, that the village people are taking great interest in them, and that there is a demand for more of them. And we are certainly trying to extend the service. There are already 8,555 of them, whereas in 1959 there were, I think, only about 400—385 or something like that.

And there are farmers' forums and many other rural programmes. I think those are the most important programmes.

Another thing, a weakness which I have seen and which has been mentioned by the committee headed by Shri Vidyalkar, is the lack of co-ordination with some of the other Ministries. That is, that even those programmes which are effective are then blocked, because the information that the villager wants immediately afterwards is not available, whether on family planning or where to get better seed or something which has to be followed up in that particular district or in that particular region. We are also working on that, and we

hope that all these deficiencies will be removed soon.

I only hope that the hon. Members will show a little patience and that they will not attribute personal motives to anybody in this thing. Very many suggestions are coming, and we are all trying to work together to do a better job. It does not help if all kinds of motives are attributed to the people who are working there. That is not conducive either to greater unity or better working.

Shri Hem Barua: Nobody has done that.

Shrimati Indira Gandhi: Well, there were suggestions made.

Shri Nath Pai: Not by me.

Mr. Deputy-Speaker: The House now stands adjourned till 11 A.M. on Saturday.

17.48 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Saturday, October 3, 1964/Asvina 11, 1886 (Saka).