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Tuesday, November, 26, 1985  
Agrahayana, 5, 1907 (Saka)

# LOK SABHA DEBATES (English Version)

**Fourth Session  
(Eighth Lok Sabha)**



*(Vol. X contains Nos. 1 to 10)*

**LOK SABHA SECRETARIAT  
NEW DELHI**

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**[Original English proceedings included in English Version and Original Hindi proceedings included in Hindi Version will be treated as authoritative and not the translation thereof.]**

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## LOK SABHA DEBATES

LOK SABHA

Tuesday, November 26, 1985/Agrahayana 5,  
1907 (Saka)

The Lok Sabha met at Eleven of  
the Clock.

[MR. SPEAKER in the Chair]

[English]

PROF. MADHU DANDAVATE :  
Many Ministers have quit the Government,  
Sir.

MR. SPEAKER : Is it the latest infor-  
mation ?

Shri Mohd. Mahfooj Ali Khan.

ORAL ANSWERS TO QUESTIONS

[English]

Highly Inflated Bills Issued by Delhi  
Electric Supply Undertaking

\*122. SHRI MOHD. MAHFOOJ ALI  
KHAN : Will the Minister of ENERGY be  
pleased to state :

(a) whether attention of Government  
has been drawn to the news item appearing  
in 'The Economic Times' of 6th September,  
1985 highlighting the difficulties being faced  
by the consumers because of the highly  
inflated bills issued by Delhi Electric Supply  
Undertaking, non-adjustment of the excess  
charged and payment of the bills under  
'duress'; and

(b) if so, the measures taken by Govern-  
ment to streamline the working of Delhi  
Electric Supply Undertaking to improve

the situation and to avoid unnecessary  
harassment to the consumer ?

THE MINISTER OF STATE IN THE  
DEPARTMENT OF POWER (SHRI ARIF  
MOHAMMAD KHAN) : (a) Yes, Sir.

(b) The measures taken by the Delhi  
Electric Supply Undertaking to provide a  
better service to the consumers include  
improvements in the computerised billing  
system; on-the-job training to the staff to  
improve the skills with a view to minimise  
and rectify errors in billing and collection of  
dues; expansion of time to enable consumers  
to pay their bills; and increase in the number  
of cash collection offices and points.

[Translation]

SHRI MOHD. MAHFOOZ ALI KHAN:  
As you have stated that the training in  
computer system would be imparted and it  
is being given also, it is a good step. But I  
would like to cite an example as to what  
extent the bills are inflated. Shri H. N.  
Bahuguna's bill for the last month was for  
Rs. 38,000, but when he got it corrected, it  
was re-billed for Rs. 4,000 only. Today, the  
consumer does not get any facility. He has  
to stand in long queues and the time allowed  
for making payment of the bills is too short.  
I want to know from the hon. Minister how  
long this highhandedness will continue ?

SHRI ARIF MOHAMMAD KHAN :  
Sir, today we have a large number of  
consumers and the Computer Billing System  
which the DESU have at present is not their  
own. They have hired the services of an  
agency. DESU will have its own Computer  
Billing System in the next 8 or 9 months.  
In the meantime, we are also imparting in-  
service training to the staff. Besides, a  
number of other measures are also being  
adopted to ensure that there is no wrong  
feeding in the computer. At present, there  
are 36 cash centres functioning in Delhi  
and apart from that 71 places are covered  
by mobile cash vans to avoid long queues  
at the cash centres.

**SHRI MOHD. MAHFOOZ ALI KHAN :**

In the first place a very short time is allowed for getting the bills corrected and on the other hand, excess amount is got deposited. When the consumers go there with the complaint, the adjustment of that amount is not done in the subsequent bill, which causes a lot of inconvenience to the common man. My request is that firstly the feeder system of the computer should function correctly, and the other thing is that your meter readers do not come for meter reading. They sit at home and prepare the bills with guess work, which causes a lot of inconvenience to the consumers.

**SHRI ARIF MOHAMMAD KHAN :**

Sir, our effort is to bring about improvements in the working. We shall give due weight to the suggestions made by the hon. Member.

[English]

**SHRI ANIL BASU :** Will the hon. Minister be pleased to give us the upto date total accumulated outstandings against DESU in respect of the NTPC, Badarpur? What are the measures contemplated to be taken to recover them and is the NTPC, Badarpur being treated at par with the others by DESU in such matters?

**SHRI ARIF MOHAMMAD KHAN :** The outstandings against DESU for the supply of power from Badarpur Thermal Station are Rs. 357.91 crores and from Singrauli Rs. 16.90 crores. We are writing to DESU to clear their dues. The NTPC is also in touch with them. They are persuading them to make these payments. Before 9 April, 85 electricity was being supplied to Delhi consumers at a relatively cheaper rate. After the revision of tariff rate from 9 April, 85 the payment position of DESU has improved and now they are making total payment to NTPC for the power supply.

**SHRI ANIL BASU :** Will NTPC treat other SEBs at par with DESU?

**SHRI ARIF MOHAMMAD KHAN :** I do not think it is proper to say that they should be treated at par because DESU is supplying electricity to the consumers of the national capital.

### Production/Import of Polio Vaccine

**\*125. SHRI C. MADHAV REDDI :** Will the Minister of INDUSTRY be pleased to state :

(a) the firms producing polio vaccine in the country and the annual output thereof;

(b) whether it is a fact that this vaccine is also being imported and if so, the annual import thereof and the countries from which it is imported;

(c) the cost per dose of the imported vaccine as compared to that of the indigenous vaccine;

(d) whether a licence is required for its import and if so, the criteria for sanctioning such licences; and

(e) whether Government have any control over fixing the price of vaccine, imported or indigenous, under the provisions of the Drugs Price Control Order, 1979?

THE MINISTER OF STATE IN THE DEPARTMENT OF CHEMICALS AND PETROCHEMICALS (SHRI R. K. JAICHANDRA SINGH) : (a) to (e). A Statement is given below.

### Statement

(a) Commercial production of Polio Vaccine Concentrate has not yet commenced in the country.

(b) To meet the requirement of the country, Polio Vaccine is being imported mostly as Concentrate. Sources of import are USSR, Belgium, Italy and France. The imported Concentrate is blended, diluted and ampouled in the country. To the extent information is available details of import are at Annexure.

(c) The price fixed for oral Polio Vaccine based on imported Concentrate is Rs. 0.461 per dose.

(d) Polio Vaccine is covered under the Open General Licence (OGL) of the Import Export Policy. However, under the Drugs and Cosmetics Act and the rules thereunder a licence is required for its import.

(e) Yes, Sir.

**Annexure**  
*Import of Polio Vaccines*

	1982-83 Qty. in Doses	CIF Value in Rupees	1983-84 Qty. in Doses	CIF Value in Rupees	1984-85 Qty. in Doses	CIF Value in Rupees
<b>Poliomyelitis</b>						
Vaccine (Oral)						
(a) Trivalent	30,66,000	5,83,576	1,68,750	59,459	72,52,280	21,69,975
(b) Mono	4,18,00,000	43,78,667	3,50,00,000	36,38,306	5,25,00,000	50,41,049

**SHRI CHINTA MOHAN :** Is there any proposal before the Government to issue industrial licence for the manufacture of vaccines of measles and harpes ?

**SHRI R. K. JAICHANDRA SINGH :** The question that is being asked is about the polio vaccine and not other vaccines.

**SHRI S. JAIPAL REDDY :** What is the total quantity of polio vaccine concentrate manufactured in the country ?

**SHRI R. K. JAICHANDRA SINGH :** We do not manufacture any quantity at the present moment. Everything is being imported. But we are trying through Bio Pharmaceutical Corporation Ltd. Haffkins to manufacture something.

**SHRI S. JAIPAL REDDY :** What has been the difficulty in starting manufacture of this vaccine ? What steps are being proposed for that ?

**SHRI R. K. JAICHANDRA SINGH :** The process has started. In the next year or so the production will start giving results. The Haffkins Bio Pharmaceutical Corporation Ltd. is looking after this.

**Amount allocated for N.T.P.C. Projects**

\*127. **SHRI G. BHOOPATHY :** Will the Minister of ENERGY be pleased to state :

(a) the amount allocated in the Seventh Five Year Plan for various National Thermal Power Corporation projects; and

(b) whether the Union Government are planning to raise funds from the public by

issue of bonds and by seeking assistance from international financial institutions ?

**THE MINISTER OF STATE IN THE DEPARTMENT OF POWER (SHRI ARIF MOHAMMAD KHAN) :** (a) The amount allocated for various projects of the National Thermal Power Corporation in the Seventh Plan is about Rs. 5,560 crores.

(b) Government have allowed NTPC to raise funds by issue of bonds/debentures. NTPC will also continue to seek assistance from international financial institutions.

[Translation]

**SHRI G. BHOOPATHY :** Mr. Speaker, Sir, it is all right so far as planning is concerned. The target for the Seventh Plan in respect of production of coal is 400 million tonnes, but you are transporting only one-fourth of this quantity. Instead of transporting the coal to the power stations, power houses should be set up at the points where coal is available and only power should be transmitted; power to the farmers should be supplied at subsidised rates. Are the Government considering such a proposal ?

**SHRI ARIF MOHAMMAD KHAN :** Sir, the basic concept behind the decision of setting up thermal power stations was not to transport coal and it is because of this that they are called pithead stations. The power stations being set up by the National Thermal Power Corporation are all super thermal power stations and these stations are being set up where coal mines are located.

The hon. Member has asked a question about subsidy. As the position stands now,

the local people who are affected or who sustain loss are given compensation; the Government have schemes to rehabilitate and compensate them but the Government have no scheme of subsidy for the present.

**SHRI G. BHOOPATHY :** Will the hon. Minister be pleased to state how much interest the Government are paying on debentures? Besides, I would also like to know whether there is any proposal under consideration of N.T.P.C. to set up power stations at Kothagudam and Belampalli in Andhra Pradesh where coal is available in large quantity?

**SHRI ARIF MOHAMMAD KHAN :** While presenting the last Finance Bill in the House the hon. Finance Minister had stated in regard to this scheme :

[English]

"These bonds can be issued by both existing as well as new corporate undertakings in the specified sectors. The maximum interest on these bonds which can be either cumulative or non-cumulative, is 14%. These bonds are not normally redeemable before the expiry of a period of seven years and would be of the face value of Rs. 500 or Rs. 1,000. The bonds would be eligible for tax benefits as well as for exemption from wealth-tax."

[Translation]

Apart from that, these institutions will raise Rs. 100 crores during the current financial year and N.T.P.C. has also been included therein.

[English]

**THE MINISTER OF ENERGY (SHRI VASANT SATHE) :** Excuse me, Sir. There is already a super thermal power station in Andhra Pradesh run by NTPC at Ramagundam. There is no proposal at present for any other site.

**SHRIMATI GEETA MUKHERJEE :** Sir, in view of the fact NTPC is trying to have thermal power stations right at the places where the supply of coal is guaranteed,

I would first like to know whether NTPC has any project in the Seventh Plan for the coal belt area of West Bengal, and secondly, what amount has been sanctioned for the thermal power station at Farakka and when will it be completed.

**SHRI ARIF MOHAMMAD KHAN :** Sir, since this question was about the amount which has been allocated to NTPC as an organisation, so I had given the answer that in West Bengal, Farakka station is already nearing completion. As regards the exact amount which has been allocated to Farakka in the current financial year, I will supply the details to the hon. Members.

**SHRIMATI GEETA MUKHERJEE :** Do they have any new project in the coal belt area? What about Mejhia?

**SHRI ARIF MOHAMMAD KHAN :** We do not have any new project in Mejhia.

(Interruptions)

**MR. SPEAKER :** That is all right Madam. It is nearing completion. This is what he has said.

**DR. KRUPASINDHU BHOI :** I must congratulate the people of the NTPC; but I also agree that there is room for improvement also. During the Sixth Five Year Plan our NTPC installed capacity was 20,000 megawatt, but we could not achieve the targeted goal. It was because there are so many anomalies. One of them is that the NTPC through the BHEL has given contract to different persons. They have taken much more time than it was envisaged. Moreover, the design parameter which they have supplied originally was not given. Now, according to the Seventh Five Year Plan our installed capacity should be much more than the last plan. In order to see that we meet our objective to have more installed capacity, I would like to know whether the Minister will look into the details of the indigenous design parameters and at the same time the import design parameters which can meet our geo-physical conditions.

**MR. SPEAKER :** You have got lost in the question.



DR. KRUPASINDHU BHOI : My question is about the anomaly in the design parameters. I want to know how they can be removed so that they can complete the project before time though the cost escalation is 25 per cent.

SHRI VASANT SATHE : We are thankful for the enlightenment.

DR. KRUPASINDHU BHOI : Sir, I have asked the question, since there are so many anomalies...

MR. SPEAKER : He stands enlightened.

DR. KRUPASINDHU BHOI : Will our dynamic Minister, Shri Vasant Sathe enlighten me on this subject and whether he will enumerate the anomalies ?

MR. SPEAKER : Please leave the poor question now.

DR. KRUPASINDHU BHOI : I want to know categorically from the hon. Minister, though there are escalation costs of 25 per cent, will his Ministry contract with the indigenous firms and also with the international firms so that our project and our installed capacity target is achieved in time ?

SHRI VASANT SATHE : All this will be done.

SHRI BHAGWANT JHA AZAD : The two thermal power stations at Farakka and Kahalgaon are to be catered to by the Rajmahal Coal Project at Lalmatia. One is nearing completion and the other is starting its construction at Kahalgaon. May I know whether the NTPC has expressed its apprehension that the Lalmatia project, which has to supply 20 million tonnes at the full capacity level to the thermal power stations will not be able to do it ? If that is so, what is the proposal before the Government to make Lalmatia viable to supply both to Kahalgaon and Farakka stations ?

SHRI ARIF MOHAMMAD KHAN : I do not have any information whether the NTPC has expressed apprehension that Lalmatia will not be able to supply coal to these stations. But when we have taken a decision to set up a super thermal power station there, here I may state that this

decision is also always taken in consultation with the Coal Department and the Planning Commission and that is done only after having tied up the coal linkage. After making all this investment in Kahalgaon, which we have already started, there is no question of coal not being supplied from Lalmatia to Kahalgaon.

SHRI BHAGWANT JHA AZAD : But it is a question of time to work out. My question is whether it would be possible to have them from the mines.

SHRI ARIF MOHAMMAD KHAN : Well, we will examine that question.

#### Delay in Completion of Hydel Power Projects

\*128. SHRI MOOL CHAND DAGA : Will the Minister of ENERGY be pleased to state :

(a) the names of the hydel power projects in the country which are delayed by over five years or more for completion and causing huge losses towards cost of construction, etc. and execution showing (i) the name of the project and the State where located, (ii) the original estimated cost and the expected cost on completion and (iii) the period of delay;

(b) the reasons for delay; and

(c) the steps taken to overcome the above factors and the results thereof ?

THE MINISTER OF STATE IN THE DEPARTMENT OF POWER (SHRI ARIF MOHAMMAD KHAN) : (a) A statement showing the hydel projects due for commissioning in the Seventh Plan period, which have been delayed by over five years, is given below.

(b) The main reasons of delay in completion of the projects relate to difficulties in land acquisition, change in the scope of the projects, delay in supply and non-sequential supply of equipment, paucity of funds, shortages of construction materials, labour problems, unexpected geological conditions encountered at the sites and design and engineering problems.

(c) The projects in the implementation of which there have been delays are, by and large, in the State Sector. The States have been advised to strengthen their project management organisations, employ modern monitoring techniques, intensify inspections, and ensure the timely availability of various inputs. In addition, expert teams of the Central Electricity Authority periodically visit the projects and assist in the identification and overcoming of constraints in implementation.

### Statement

*Details of hydro-electric projects likely to be commissioned during the Seventh Plan which are delayed by over five years or more*

Name of the Project and Capacity (MW)	Original Estimated Cost <u>Latest Estimated Cost (Rs. Crores)</u>	Original commissioning Schedule	Likely Commissioning Schedule
1	2	3	4
<b>CENTRAL SECTOR</b>			
1. Salal (3 × 115)	<u>55.15</u> 567.35	1974-75	1986-87
<b>STATE SECTOR</b>			
<i>Northern Region</i>			
<b>Himachal Pradesh</b>			
1. Andra (3 × 5.65)	<u>9.74</u> 30.00	1980-81	1986-87
2. Rongtong (4 × 0.5)	<u>2.81</u> 13.94	1980-81	1986-87
<b>WESTERN REGION</b>			
<b>Gujarat</b>			
1. Ukai LBC (2 × 2.5)	<u>3.05</u> 4.24	1979-80 1980-81	1986-87
2. Kadana PSS (2 × 60)	<u>24.58</u> 86.57	1978-79	1987-88 1988-89
<b>Maharashtra</b>			
1. Tillari (1 × 60)	<u>8.16</u> 58.48	1977-78	1985-86
<b>Common (M.P./Maharashtra)</b>			
1. Pench (2 × 80)	<u>28.28</u> 144.91	1978-79	1985-86 1986-87
<b>SOUTHERN REGION</b>			
<b>Kerala</b>			
1. Idamalayar (2 × 37.5)	<u>23.40</u> 88.97	1978-79	1985-86

1	2	3	4
<b>Tamil Nadu</b>			
1. Servalar (1 × 20)	<u>8.35</u> 30.43	1978-79	1985-86
2. Kadamparai PSS (4 × 100)	<u>35.12</u> 155.44	1978-79	1986-87 (100) 1987-88 (200) 1988-89 (100)
3. Lower Mettur (4 × 2 × 15)	<u>83.60</u> 147.00	1981-82	1986-87 (45) 1987-88 (60) 1988-87 (15)
<b>EASTERN REGION</b>			
<b>Orissa</b>			
1. Upper Kolab (3 × 80)	<u>51.39</u> 168.03	1980-81	1986-87 (80) 1987-88 (80) 1988-89 (80)
<b>West Bengal</b>			
1. Ramman St. II (4 × 12.5)	<u>24.20</u> 55.16	1982-83	1988-89 (25) 1989-90 (25)

[Translation]

**SHRI MOOL CHAND DAGA :** Mr. Speaker, Sir, I want to draw your attention towards two or three projects. Salal Project, which is in the Central Sector...

**MR. SPEAKER :** You put your question.

**SHRI MOOL CHAND DAGA :** Its original cost was Rs. 55.15 crores and the latest estimated cost as shown by you is Rs. 567.35 crores. Is it a misprint or is this figure correct? Earlier, it was a project involving an estimated cost of Rs. 55.15 crores, but now its estimated cost has risen to Rs. 567.35 crores. Has this figure of '5' been panted through oversight or is this figure absolutely correct?

**SHRI ARIF MOHAMMAD KHAN :** This is absolutely correct.

**SHRI MOOL CHAND DAGA :** Likewise, you can see that original cost in respect of Rongtong Project was Rs. 2.81 crores which has now risen to Rs. 13.94 crores.

[English]

**MR. SPEAKER :** Ask a question. Please do not read it.

[Translation]

**SHRI MOOL CHAND DAGA :** I am only putting the question. The cost of Salal Project has risen to Rs. 567 crores from Rs. 55 crores. Thus, it has increased by ten times. Therefore, will you please tell me when this scheme was approved, when did the work start and which were the items whose prices had risen since the work commenced? Please indicate item-wise rise in cost, as for example on labour, machinery, technical knowhow, geological survey etc. Please give component-wise break-up of this 5 to 10 times increase in the cost.

[English]

**SHRI S. JAIPAL REDDY :** The question is quite long enough!

[Translation]

**SHRI ARIF MOHAMMAD KHAN :** Sir, the concern expressed by the hon. Member Shri Dagaji is but natural and it was expected too because the figures given are correct. The revised cost of the Salal Project has risen manifold as compared to the original Estimates. This project was started by the Government of Jammu and

Kashmir in 1968; it was transferred to the Central Government in 1970 and thereafter National Hydro Power Corporation was set up in 1976. Sir, the figures of the project conceived originally in 1968 were not realistic. It was due to this reason that it was revised. This was a project drawn up by the State Government and it cannot be said from the technical angle that all the factors were duly taken into account.

This project was handed over to N.H.P.C. in 1976. It was then drawn up afresh. The geological problems which confronted the execution of the project were rather serious. Thus, it can be said that this is the only project of its kind in the entire world. For example, there was no provision of a tunnel in it.

[English]

SHRI S. JAIPAL REDDY : The answer proved to be longer !

MR. SPEAKER : Longer than the project !

[Translation]

SHRI ARIF MOHAMMAD KHAN : A 2.4 km. long tunnel has been constructed. The site of the power house has been shifted. A number of serious problems cropped up in the execution of this project leading to so much delay.

The hon. Member has also asked about other projects. Most of them are projects of the State Governments. They send their projects to the Central Electricity Authority to get clearance and after the projects are cleared they are unable to include these projects in their plans due to paucity of funds. If at all they manage to include them in their plans, they are unable to commence work on these projects or fail to keep up the schedule due to lack of resources. It is mainly because of lack of resources that the projects of the State Governments run behind schedule.

[English]

SHRI MOOL CHAND DAGA : Sir, has he answered my questions ? What question I have raised ? They are—

[Translation]

When was this project...

MR. SPEAKER : If all the Members would start asking like this...

(Interruptions)

[English]

SHRI MOOL CHAND DAGA : I want your protection.

MR. SPEAKER : I have given you protection. You are overriding, and wasting the time unnecessarily.

THE MINISTER OF ENERGY (SHRI VASANT SATHE) : Sir, I beg to state this. Kindly see, in the answer itself the dates were given. In 1968 it was prepared, in 1970 it was approved.

SHRI MOOL CHAND DAGA : What was the date of approval ?

SHRI VASANT SATHE : It was prepared in 1968 and in 1970 it was approved. Then it was transferred to the NHPC. What more dates do you want ?

SHRI MOOL CHAND DAGA : You have given the dates of commissioning. I am asked the date of approval.

(Interruptions)

[Translation]

SHRI ARIF MOHAMMAD KHAN : I shall intimate the exact dates to the hon. Member.

SHRI MOOL CHAND DAGA : I am only asking that you...

MR. SPEAKER : You just go on clinging to one question. How can we proceed if you go on asking for statistics like that ? You cannot do like that, there are other questions to be covered.

SHRI MOOL CHAND DAGA : All right. Here is my second supplementary. Will you kindly state the amount of loss suffered by us on the investment made in the plan projects which continue to linger on for ten to fifteen years ? You please tell us the economic loss of any one of these projects,

**SHRI ARIF MOHAMMAD KHAN :** Sir, it is very difficult to quantify the loss like that. But we had been doing a constant review in this regard. An appraisal is done both at the time of formulation of the Five Year Plan as also at the mid-term. At that time, this is kept in mind as to how many projects would start yielding benefits during that very five year plan; how many projects are such which can make headway. I have explained in detail in my reply about the projects included in the Seventh Five Year Plan. If you want, we shall get a specific study conducted in this regard.

[English]

**SHRI LAL DUHOMA :** Sir, there is an inordinately delayed hydel project know as Bairabi hydel project in Mizoram. It is a small project the national standard, but it is the biggest, the first and the only project of its kind for the region. The feasibility report has been given several years back. I have given a Question last time and it was replied that it was being scrutinised. It is being scrutinised for several years now. I would like to know from the hon. Minister, how long this "under scrutiny attitude" of the Government will continue ?

**SHRI ARIF MOHAMMAD KHAN :** This question does not relate to those projects which have not been given final clearance. In this project, may be some delay has taken place. But the proposal which has come from the State Government has to be examined not only from the angle of techno-economic feasibility but also from the angle of environment, forest etc. It may be that the C.A. has sent queries to the State Government and the department concerned. As soon as their comments are received, the project will be cleared.

**SHRI T. BASHER :** There are certain inter-State water disputes outstanding unresolved for long years.

**MR. SPEAKER :** I don't think, this is relevant to the Question. It is not pertaining to this Question.

**SHRI A. CHARLES :** Sir, the Idamalayar Hydel project in Kerala is comparatively a small project. Originally, it was proposed to be commissioned in 1978-

79. Now, the proposed date is 1985-86. Since the year 1985-86 is almost coming to a close, may I know from the Minister whether considerable progress has been made in the commissioning of this project and will the Minister ensure that it will be commissioned before the end of 1985-86 ?

**SHRI ARIF MOHAMMAD KHAN :** Sir, we hold periodic meeting with the State Governments to monitor the progress of the implementation of these projects. I have given the date for this project in my answer as 1985-86. Naturally, substantial progress has been made and in the review meeting, no change in the date has been pointed out. So, I hope that the project will be completed as per the scheduled date.

**SHRI THAMPAN THOMAS :** From the Statement given in the answer, it appears that from 1974 onwards, the construction of the projects is being delayed on account of several things. Has the Government examined how much agricultural production and industrial production are affected because of this delay ? Where there is delay or obstruction in commissioning of these projects and in view of the shortage of power supply, will the Government consider alternative methods, i.e. where the State Government has submitted its plans and schemes for the new projects, those projects should be given sanction on priority, for supply of power to those areas ? Idamalayar Hydel project is one example of such projects which are not commissioned due to various reasons. Kerala which is having surplus electricity is going to have deficit in electricity in this year because this is not commissioned and no new plans have been given. Will the Government consider this question ?

**SHRI ARIF MOHAMMAD KHAN :** To meet the energy requirements of the State is the responsibility of the concerned State Government. But we supplement their efforts. All these thermal power stations which have been set up by the National Thermal Power Corporation are supplying electricity to the States in the respective region. While planning, the emphasis is on meeting the energy requirement. The requirement is met not only from the hydel generation but also from thermal generation, Nuclear power

stations are also coming. There is a lot of stress on non-conventional energy sources.

So, an integrated view has to be taken and the overall requirement of electricity is being met.

[Translation]

#### Regional and National Grids

\*129. SHRI KALI PRASAD PANDEY : Will the Minister of ENERGY be pleased to state :

(a) the number of regional and national grids, State-wise;

(b) whether Government are paying special attention towards speedy establishment and operation of regional and national grids; and

(c) if so, since when and the result thereof ?

[English]

THE MINISTER OF STATE IN THE DEPARTMENT OF POWER (SHRI ARIF MOHAMMAD KHAN) : (a) There are five regional grids, namely Northern, Western, Southern, Eastern and North-Eastern comprising the power system of the different States, Union Territories and other power utilities of the regions. These regional grids would ultimately form a National Grid.

(b) Yes, Sir.

(c) The setting up of Regional Load Despatch Centres was taken up in the Seventies. As a result of various measures taken, the Northern, Western and North-Eastern Regional Grids are operating in an integrated manner. Southern and Eastern Grids are partially working. During 1984-85 the regional grid operations helped in the transfer of power from one State to the other.

[Translation]

SHRI KALI PRASAD PANDEY : Mr. Speaker, Sir, my first question was as to

what was the number of regional and national grids, State-wise. In reply to this, the hon. Minister has stated that there are five regional grids—Northern, Western, Southern, Eastern and North-Eastern, comprising the power systems of the different States, Union Territories and other power utilities of the regions and that these regional grids would ultimately form a national grid. I did not ask about the formation of the national grid. What I had asked was the number of regional and national grids, State-wise. No reply to this has been given. I would like to know the State-wise details in this regard.

SHRI ARIF MOHAMMAD KHAN : When these regional grids will be finally ready and will start functioning, they will themselves form national grid, the moment they start operating in an integrated manner. There is no proposal to set up a national grid separately.

SHRI KALI PRASAD PANDEY : I want to know that, as is clear from the reply given by the hon. Minister, there is no proposal to set up national grid separately... (Interruptions)

MR. SPEAKER : Clear or not clear ?

SHRI KALI PRASAD PANDEY : It is clear. Bihar figures nowhere in the matter of setting up of regional grids and their operation. Bihar has been ignored due to which regional grids in sufficient number have not been set up even districtwise. The functioning of old grids is urban-oriented whereas it should be rural-oriented with a view to facilitating the development of those living below the poverty line.

SHRI ARIF MOHAMMAD KHAN : Bihar falls in the Eastern Grid. A super thermal power station is being set up there by the National Thermal Power Corporation and, therefore, there is no question of ignoring Bihar. Bihar is included not only in the Eastern Grid but it is also linked with Uttar Pradesh. Sometimes, it so happens... (Interruptions) I am only speaking about electricity, nothing else. If Bihar needs electricity and U.P. has surplus, it can be

diverted to Bihar though U.P. and Bihar are not in the same grid. Apart from the Grid, Bihar has links with other States also.

SHRI KALI PRASAD PANDEY : I have asked that the old grids meet the needs of the urban areas, whereas the people living below the poverty line are living in the rural areas. What are your schemes for them. *(Interruptions)*

MR. SPEAKER : You can ask only two supplementaries. There is no time left now.

SHRI RAM PYARE PANIKA : Just now, the hon. Minister has stated that there is no proposal for setting up a national grid. You might remember that Rajyadhyaksha Committee had stated in their report that there were many areas in the country where thermal power stations could not be set up and there were also such areas where hydro-electric power could not be generated. Keeping all these things in view, the Government had decided to formulate a scheme to set up a national grid. But the hon. Minister has just now stated that only regional grids would do. Keeping in view the interests of the States, I want to know whether Government have abandoned that scheme ?

SHRI ARIF MOHAMMAD KHAN : It appears that I have not been able to make the hon. Member understand what I mean. What I have said is that when regional grids would be set up, the States falling under that region would be integrated through the regional grid and when the regional grids would be strengthened and start functioning fully in an integrated manner, these regional grids would themselves form a national grid. Therefore, there is no question of abandoning that scheme.

*[English]*

MR. SPEAKER : Shrimati Usha Choudhary...Not present. Shri Mohanbhai Patel...Not here. Shri Chintamani Jena...Not present. Shri Braja Mohan Mohanty...He is also not present. Shri H. N. Nanje Gowda...Not present. Shri C. P. Thakur.

SHRI C. P. THAKUR : Qn. No. 134.

MR. SPEAKER : Let us thank him for breaking the monotony.

THE MINISTER OF ENERGY (SHRI VASANT SATHE) *rose*.

SHRIMATI GEETA MUKHEKJEE : Why is he replying ?

MR. SPEAKER : He has been delegated the authority.

*(Interruptions)*

SHRI VASANT SATHE : I am replying on behalf of my colleague Shri Ram Niwas Mirdha.

*(Interruptions)*

SHRI S. JAIPAL REDDY : Changes take place in Government so fast that it is difficult for us to keep pace with them.

MR. SPEAKER : Please keep your mind alert.

#### Closing of Branch and Sub-Post Offices

\*134. SHRI C. P. THAKUR† :  
SHRI ZAINUL BASHER :

Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether it is a fact that in spite of the increasing demand in the country for opening more and more post offices, the Department has closed a large number of branch and sub-post offices;

(b) if so, the number of branch and sub-post offices closed during the last one year; and

(c) the reasons therefor ?

THE MINISTER OF ENERGY (SHRI VASANT SATHE) : (a) and (b). During the year 1-4-84 to 31-3-85, 37 sub-post offices and 41 branch post offices were closed. The number for the period 1-4-85 to 31-10-85 is 72 sub-post offices and 250 branch post offices. These figures are not large taking into account the fact that the total number of post offices in the country exceeds 1,44,000.

(c) Reasons for closure in each case are being ascertained and the information will be laid on the Table of the House.

SHRI C. P. THAKUR : Sir, the reply does not appear to be adequate because, suppose there are a large number of post offices in one district and there is no post office in another district, that does not serve the purpose of that district. Because the Minister of the concerned Department is not replying, I wanted to know from this Hon. Minister has many applications for opening post offices in Patna in Bihar are pending with the Government ?

SHRI VASANT SATHE : As far as Bihar is concerned, in this period no sub-post office or branch post office has been closed. So, so far as your region is concerned, you don't have to worry.

*(Interruptions)*

You have asked about closure, about opening I don't have the figures. If you ask a separate question I will supply the information.

SHRI V. S. KRISHNA IYER : One of the main reasons for the closure of the post offices is that many of the land lords don't like to rent out their buildings to P and T Department because the P and T Department is paying very very low rent. In view of that fact, will the Central Government prevail upon the State Governments to see that they earmark some of the sites for building post offices, so that they own their own buildings?

SHRI VASANT SATHE : We have no such complaints that for want of space post offices could not be opened. But the consideration that in the long run it will be advantageous for us to have our own premises is a matter for consideration.

DR. D. N. REDDY : When there is demand in the rural areas for opening of more branch post offices and in view of the Government's intention to develop the rural areas, is the Government justified in closing some of the existing sub-post offices ? Will the Hon. Minister give an assurance that no more sub-post offices will be closed till the reasons for the closure are placed before this House, as the Minister promised ?

SHRI VASANT SATHE : It is our desire always to open more post offices in the rural areas, in the inaccessible areas, so as to serve our population to the maximum extent. Even from the present figures, Sir, out of about 1,44,700 post offices, the urban area post offices are 15,325 whereas the rural area post offices are 1,29,373. Normally we have the criterion that within a radius of three kilometres in the rural areas if there is not post offices, the policy is to open a post office there.

*[Translation]*

SHRI MANVENDRA SINGH : Mr. Speaker, Sir, through you, I want to ask from the hon. Minister whether the Government are making any efforts to improve the standard of postmen, by revising their pay scales, because at present their standard is very poor.

SHRI VASANT SATHE : Sir, there is no such proposal before us at present, but we always pay attention towards the betterment of our employees.

*[English]*

MR. SPEAKER : Next question—

Shri Mukul Wasnik...

Shri Indrajit Gupta...

Then next question—

Shri Lakshman Mallick...

Shri Prakash V. Patil.

Rice in the prices of Non-levy Cement

\*136. SHRI PRAKASH V. PATIL :  
SHRI LAKSHMAN MALLICK :

Will the Minister of INDUSTRY be pleased to state :

(a) whether Government are aware of the sharp rise in the prices of non-levy cement;

(b) if so, whether Government have decided to import cement in order to stabilise the prices at reasonable levels; and



(c) if so, the details regarding the policy of Government in this regard ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) Non-levy Cement is free from price and distribution control. However, in the beginning of this year, there was an increase in the demand for non-levy cement due to increase in the tempo of construction activities particularly in important urban centres and also the anxiety of the people to complete the works before the onset of the monsoon resulting in a temporary spurt in prices of non-levy cement. The prices have started coming down from the month of August 1985 onwards.

(b) and (c). Against imports authorised in 1984-85, contracts have been entered into by the State Trading Corporation of India for import of 4 lakh tonnes, out of which, a quantity of 1.31 lakh tonnes has already been effected. No decision in regard to further imports to be authorised, if any, has been taken so far.

SHRI KAMAL NATH : Question No. 137.

THE MINISTER OF ENERGY (SHRI VASANT SATHE) *rose*.

SHRI KAMAL NATH : Has his portfolio been changed, Sir ?

MR. SPEAKER : Where were you ?

SHRI VASANT SATHE : You please bear with me for to-day.

MR. SPEAKER : Where you here or you have just come ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI NAWAL KISHORE SHARMA) : It is a lack of communication.

SHRI VASANT SATHE : I will fill that gap.

**Telephone Connections under New Special OYT Scheme**

\*137. SHRI KAMAL NATH† :  
DR. G. VIJAYA RAMA RAO :

Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether special OYT telephones will hence forth be given within a month on payment of Rs. 25,000;

(b) whether this decision will result in further delays in giving telephones to other categories; and

(c) whether this would also result in further delays in release of telephones in rural areas and specially for medical staff ?

THE MINISTER OF ENERGY (SHRI VASANT SATHE) : (a) No, Sir. There is no such scheme at present.

(b) and (c). Does not arise in view of part (a) above.

SHRI KAMAL NATH : The Minister has replied to the very first part of my question that there is no such scheme. But there was a newspaper report. Obviously it is a matter of great concern because the affluent people are always able to get telephones. I do not know the basis of such a scheme. But is such a scheme under consideration or under active consideration at all ?

MR. SPEAKER : He has said 'No'.

SHRI VASANT SATHE : We always keep on considering good ideas... (*Interruptions*).

SHRI KAMAL NATH : My whole question is based on communication. So I am asking him to communicate whether...

MR. SPEAKER : Has there been any communication gap between him and you ?

SHRI KAMAL NATH : On the floor of the House—Yes, but outside—No.

SHRI VASANT SATHE : If the hon. Member gives some ideas or suggestions or if they come from any other quarter and if we find that they are in national interest and they are in the interests of the consumer, we will always be open to good suggestions and even this suggestion will be considered.

SHRI BHAGWAT JHA AZAD : And that 'if' is very important.

MR. SPEAKER : Dr. G Vijaya Rama Rao...

Yes, Dr. V. Venkatesh.

DR. V. VENKATESH : I wanted to know whether the Government has got any scheme to provide STD facilities at all the district headquarters. Particularly, in my constituency of Kolar District which is a drought-prone area we have got a communication gap between the Government and my district. I want to know whether the Government is going to establish STD facilities at all the district headquarters of the country.

MR. SPEAKER : Naturally they would like to have.

SHRI VASANT SATHE : It is our general policy to cover maximum area with telephone facilities and your request for STD facility for Kolar I will pass on to my hon. colleague for his consideration.

THE PRIME MINISTER (SHRI RAJIV GANDHI) : Sir, while we will definitely do something for the communication and setting up the STD facility there is very little that we can do if his Government has lost communication with the people of his district.

PROF. MADHU DANAVATE : Sir, the hon. Member was talking about communication with the Centre.

#### Setting up of Bench of Allahabad High Court in Western U.P.

\*138. DR. A. K. PATEL † :  
SHRI C. JANGA REDDY :

Will the Minister of LAW AND JUSTICE be pleased to state :

(a) the recommendations made by the Jaswant Singh Commission about setting up of a bench of the Allahabad High Court in Western Uttar Pradesh and Government's reaction thereto; and

(b) the general policy of Government regarding opening of new benches of High Courts in various States ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE

(SHRI H. R. BHARDWAJ) : (a) and (b). The Report of the Jaswant Singh Commission is under consideration of the Government. The general policy regarding opening of new benches is also under consideration.

DR. A. K. PATEL : Mr. Speaker, Sir, the Jaswant Singh Commission was set-up somewhere in 1981 and its Report came somewhere in April 1985. Although seven to eight months have passed and no decision has been taken officially yet a news appeared in Indian Express that decision has been taken for a separate bench for Allahabad High Court. I would like to know whether Chief Minister stated somewhere or anywhere about this thing ?

SHRI H. R. BHARDWAJ : As I submitted in the other House I may also categorically state here that no decision has yet been taken in this regard. But we have provided in the Presidential Address itself that we are going to introduce vital judicial reforms in the country and we are looking into the distances of various High Courts from the people. If the distances are such vast and huge that they have to be reduced then we have to consider that aspect also.

With regard to providing more benches the Member will kindly remember that this has been a controversial issue with the Chief Justices not agreeing to this and then the members of the Bar agitating over it. This is not a question which we can decide in haste. We are in dialogue with the Chief Justices. We are also in dialogue with the Bar association. A decision will be taken consistent with the policy of the government to give justice at the door steps of the people and speedy justice.

DR. A. K. PATEL : I would like to know whether for Gujarat a separate bench somewhere in Saurashtra is recommended by this Commission ?

SHRI H. R. BHARDWAJ : As I submitted the Commission's report is under consideration and there are various suggestions which have been made and not only Allahabad the matter relating to North East, Gujarat, Karnataka, Andhra Pradesh and Tamil Nadu. Every aspect has to be examined. When I said that the question is under consideration it meant the very system

of administration of justice. So, there cannot be a decision in isolation. We have to take a decision when it is accepted on certain principles and in my humble view the principle should be that how we can take the justice nearer to the people and how we can make it more inexpensive. This is where the problem is bogged down. The members of the Bar in Allahabad have some different view whereas members in the western U.P. have some other view. We have to harmonise with them. We would not like to have any confrontation on this issue with anybody. We have been able to persuade the Chief Justices. That is a vital break-through. Earlier the Chief Justices themselves were opposing this idea. All the Chief Justices said administrative problem will crop up and they will not agree on the High Court going in different benches. Now, the Chief Justices themselves say that they can agree to it and we have to formulate with them.

#### Waiting List for L.P.G. Connections

\*139. SHRI ANANTA PRASAD  
SETHI† :  
SHRI RANJITSINGH  
GAEKWAD :

Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether the Union Government have announced their policy regarding the plan to wipe out the current waiting list of LPG connections in the country; and

(b) if so, the number in waiting list of LPG connections at present, State-wise ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI NAWAL KISHORE SHARMA) : (a) Persons in the waiting list are being released LPG connections in a phased manner under the annual customer enrolment programme in keeping with augmentation of bottling capacity, LPG availability, transportation facilities and other infrastructure.

(b) A statement is given below.

Statement	
<i>No. of persons on the waiting list as at end September, 85, for connection</i>	
States	
1. Andhra Pradesh	2,39,557
2. Assam	4,500
3. Bihar	55,450
4. Gujarat	5,02,593
5. Haryana	1,79,271
6. Rajasthan	1,51,600
7. J and K	42,980
8. Himachal Pradesh	12,500
9. Karnataka	40,580
10. Kerala	15,846
11. Madhya Pradesh	1,91,489
12. Orissa	31,350
13. Maharashtra	8,27,505
14. Punjab	1,82,317
15. Tamil Nadu	41,827
16. Uttar Pradesh	6,09,47
17. West Bengal	81,290
18. Manipur	600
19. Meghalaya	1,400
20. Sikkim	300
21. Tripura	1,300
Union Territories	
22. Chandigarh	61,114
23. Delhi	5,11,616
24. Goa, Daman and Diu	40,093
25. Dadra and Nagar Haveli	720
26. Mizoram	1,000
<hr/>	
38,27,945	

**SHRI ANANTA PRASAD SETHI :** There are lakhs and lakhs of people in the waiting list as on September, 1985. May I know from the hon. Minister how he propose to wipe out this list keeping in view the acute fuel shortage in India ?

**SHRI NAWAL KISHORE SHARMA :** With regard to the waiting list it cannot be said with certainty that the waiting list will be wiped out in a particular time, because while we are releasing a large number of new connections there is equally new registrations also. Therefore, the waiting list goes on increasing. However, with the present programme, we are likely to release about 16.5 lakhs or 17.5 lakhs in 1985-86. In 1986-87, about 16 lakhs, in 1987-88—21 lakhs, in 1988-89 — 21 lakhs and in 1989-90 —21 lakhs connections we will be releasing. With the present scale of new releases, the present waiting list would be wiped out within three years. But, as I said, new registrations are taking place and, therefore, equal number of persons in the new waiting list goes on.

**SHRI ANANTA PRASAD SETHI :** The hon. Minister has stated about the wiping out of the waiting list for LPG connections to the individual persons. But I would like to know whether the hon. Minister is giving any preference to the backward areas in various States for giving LPG connection. If so, he may please state whether he would give preference to Orissa State where thousands of persons are still in the waiting list.

**SHRI NAWAL KISHORE SHARMA :** We have phased programme and according to the phased programme, we give allocations to each State. According to the allocation of each State, connections are released.

**SHRI VIJAY N. PATIL :** Sir, the people in the rural areas find it very difficult to get LPG connection and whether new agencies are given in bigger towns. I would like to know what the population norm is for opening new agency in small towns. Is it being revised so that the smaller towns can also be provided with this facility? This will enable the people in smaller towns to get LPG locally instead of their going to bigger towns.

**SHRI NAWAL KISHORE SHARMA :** Sir, in order to cater to the needs of the smaller towns, the criterion has already been revised and now according to the rules those towns which have a population of 20,000 or more, according to 1981 Census are provided with the distributorship in a phased manner.

[*Translation*]

#### Development of Plastic Industry

\*140. **SHRI VISHNU MODI :** Will the Minister of INDUSTRY be pleased to state :

(a) whether Government have received a memorandum from the Plastic Manufacturer Association;

(b) if so, the details thereof;

(c) whether Government have decided to give tax-concessions to ensure the development of plastic industry;

(d) if so, the details thereof; and

(e) if not, the reasons therefor ?

[*English*]

THE MINISTER OF STATE IN THE DEPARTMENT OF CHEMICALS AND PETROCHEMICALS (SHRI R. K. JAICHANDRA SINGH) : (a) and (b). Representations have been received from Plastic Manufacturers' Association from time to time for concessions on fiscal levies on plastics.

(c) to (e). Decisions in such matters are taken on merits.

[*Translation*]

**SHRI VISHNU MODI :** Mr. Speaker, Sir, the hon. Minister has replied that representations are received from time to time and decision on them is taken. I have specifically asked in my question whether the Government has decided to give concessions to the plastic industry so as to ensure its development and whether such a proposal is under consideration of the Government ?

[English]

THE MINISTER OF STATE IN THE DEPARTMENT OF CHEMICALS AND PETROCHEMICALS (SHRI R. K. JAICHANDRA SINGH) : It is true that the representatives of the Plastic manufacturers' Association met me and they placed a number of points and this is one of the points raised and the matter is getting consideration.

[Translation]

SHRI VISHNU MODI : Mr. Speaker, Sir, will the Government take an early decision in regard to tax concessions ?

[English]

SHRI R. K. JAICHANDRA SINGH : I have already replied to this question.

MR. SPEAKER : The Question List is over. I will go over the list again so that if any of the absent Members are present, they may put their questions. Now, Question No. 121—Shrimati Patel Ramaben Ramjibhai Mavani.

[Translation]

#### Power Crisis in Gujarat

\*121. SHRIMATI USHA THAKKAR on Behalf of SHRIMATI PATEL RAMABEN RAMJIBHAI MAVANT : Will the Minister of ENERGY be pleased to state :

(a) whether Government are aware that Gujarat has faced power crisis many a times during the past two years, as a result of which a number of industries and factories have been closed down, industries and business have received a setback and workers have been rendered jobless; and

(b) if so, the measures taken and proposed to be taken by the Union Government to supply adequate power to Gujarat from other States ?

[English]

THE MINISTER OF STATE IN THE DEPARTMENT OF POWER (SHRI ARIF

MOHAMMAD KHAN) : (a) and (b). By and large, Gujarat has been able to meet its energy requirements during the last two years. To further improve the power availability in Gujarat, and to bridge the gap between supply and peak demand, assistance has been provided to the State from the Central sector Korba super thermal Station and also from Maharashtra. According to the Gujarat Electricity Board, there has been no closure of factories or industries in the State on account of power cuts.

#### WRITTEN ANSWERS TO QUESTIONS

[English]

#### Foreign Collaboration with Automobile Companies

\*123. SHRI HUSSAIN DALWAI : Will the Minister of INDUSTRY be pleased to state :

(a) which of the Automobile Companies manufacturing cars in India have been allowed to switch over to their new manufacturing plants under foreign collaboration;

(b) whether only the technical know-how has been allowed to be imported or alongwith that some parts of the automobiles have been allowed to be imported; and

(c) what would be the total quantum of such foreign investments and how it has been agreed to be remitted to foreign countries ?

THE MINISTER OF INDUSTRY (SHRI NARAYAN DUTT TIWARI) :

(a) The proposals of M/s. Hindustan Motors Ltd. and M/s. Premier Automobiles Ltd. for foreign collaboration for manufacture of new models of passenger cars were approved sometime ago.

(b) Foreign collaborations normally envisage import of components for a limited period on a reducing scale according to the indigenisation programme approved by the Government. This facility has been extended to these cases also.

(c) These collaborations do not envisage any foreign investment.

**News Item Captioned "DESU Violating Centre's Directive"**

\*124. DR. G. S. RAJHANS : Will the Minister of ENERGY be pleased to state :

(a) whether attention of Government has been drawn to a news item captioned "DESU violating Centre's directive" appearing in 'Indian Express' of 5th October, 1985;

(b) if so, how much power DESU is taking from Bhakra Beas Management Board and since when;

(c) whether any final decision has been taken by Government in this regard; and

(d) if so, the details thereof ?

THE MINISTER OF STATE IN THE DEPARTMENT OF POWER (SHRI ARIF MOHAMMAD KHAN) : (a) Yes, Sir, Government's attention has been drawn to the news item.

(b) Delhi has no allocated share in the Bhakra Beas System. In the event of shortage, DESU draws power from the neighbouring systems, including Bhakra Beas, to meet the power requirement of the National Capital. During April to October, 1985, DESU had drawn on an average about 8.5 lakh units per day from BBMB.

(c) and (d). Government is taking steps to augment the power generating capacity in Delhi. The Inderprastha and Badarpur thermal stations are being renovated and an additional capacity of 315 MW is being installed.

[*Translation*]

**Setting up of Forest-based Industries in Amravati District in Maharashtra**

\*130. SHRIMATI USHA CHOUDHARY : Will the Minister of INDUSTRY be pleased to state :

(a) whether Government are aware that there are possibilities of setting up of forest-based industries in Amravati district in Maharashtra;

(b) whether any survey or study has been conducted in this regard; and

(c) the steps being taken to set up industries there soon ?

THE MINISTER OF INDUSTRY (SHRI NARAYAN DUTT TIWARI) : (a) and (b). Government of Maharashtra had appointed a study group to assess the scope of establishing forest-based industries in Vidharbha region (which includes Amravati District) and for promoting forest-based occupation in these areas. The report of the study group is under consideration of the State Government.

(c) Amravati District is covered under tee Centrally Sponsored Programme of District Industries Centre and necessary assistance is available to entrepreneurs for setting up industries.

[*English*]

**Allocation for oil exploration in Seventh Plan**

\*131. SHRI MOHANBHAI PATEL : SHRI CHINTAMANI JENA :

Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) the total amount allocated in the Seventh Five Year Plan for exploration of oil; and

(b) the total crude oil likely to be produced during the period ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI NAWAL KISHORE SHARMA) : (a) The approved outlay for ONGC and OIL for the Seventh Plan period is Rs. 9702.67 crores.

(b) The target for production of crude oil during the Seventh Five Year Plan is 159 million tonnes.

**Transfer of U.S. Technology**

\*132. SHRI BRAJAMOHAN MOHANTY : Will the Minister of INDUSTRY be pleased to state :

(a) how many cases of export licence requests and in which area, have been cleared by U.S.A. and how many other such requests are under review after 17th May, 1985 Agreement with U.S.A. for collaboration in advance technology;

(b) whether the technologies being so obtained are most up-to-date; and

(c) whether there is any stipulation in the agreement for further updating and for incorporation of the said technology in our own technological system; if so, the details thereof ?

THE MINISTER OF INDUSTRY (SHRI NARAYAN DUTT TIWARI) : (a) In November, 1984 the Government of India and the United States concluded a Memorandum of Understanding (MOU) on technology transfer. In May, 1985, the two Governments finalised the implementation Procedures of MOU. Following these developments, the US Government has issued export licences for more than 60 cases including computer systems ordered by Government, public sector, educational and private organisations. Both Governments are interested in promoting trade and collaboration in advanced technology.

(b) and (c). The technologies being obtained are advanced and appropriate in terms of our needs. The Government continuously examines the possibility of updating imported technologies as per our requirements.

#### Review of Working of D.G.T.D.

\*133. SHRI H. N. NANJE GOWDA : Will the Minister of INDUSTRY be pleased to state :

(a) whether Government have recently reviewed the working of the Directorate General of Technical Development (DGTD);

(b) if so, whether the acquisition of latest technology for planning the development of industries in the country has also been reviewed; and

(c) if so, the details thereof and the extent to which the entrepreneurs in the country will get proper advice ?

THE MINISTER OF INDUSTRY (SHRI NARAYAN DUTT TIWARI) : (a) Yes, Sir.

(b) and (c). This is an on-going exercise which is undertaken from time to time. In order to identify the needs, technology absorption exercises are being carried out. Entrepreneurs will be guided in the choice of technology through the Technology Date Bank which is proposed to be set up on National Level.

#### Changes in Companies Act and N.R.T.P. Act

\*135. SHRI MUKUL WASNIK :  
SHRI INDRAJIT GUPTA :

Will the Minister of INDUSTRY be pleased to state :

(a) whether there is a proposal under the consideration of Government to bring changes in the Companies Act and the MRTP Act; if so, the details thereof; and

(b) whether Government propose to hold talks with traders and industrialists in this regard ?

THE MINISTER OF INDUSTRY (SHRI NARAYAN DUTT TIWARI) : (a) The question of introducing certain amendments to Companies Act, 1956 is under consideration of Government but the proposals in this regard have not yet been finalised. Comprehensive and important amendments to M.R.T.P. Act were made by MRTP (Amendment) Act of 1982, 1984 and 1985. Further amendments, wherever necessary, will be considered at the appropriate time.

(b) Government does take into account any suggestion for amendment to the law received from time to time from Traders, Industrialists, Professionals and Others.

#### Bonus to Daily Rated Casual Workers of P and T Department at Patna

1271. SHRI RAMASHRAY PRASAD SINGH : Will the Minister of COMMUNICATIONS be pleased to state :

(a) the reasons for not paying bonus to daily rated casual workers of Posts and Telegraphs Department;

(b) whether at Patna such casual workers have launched a boycott week; and

(c) if so, the steps taken by Government to meet their grievances ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) The P and T Department has been paying Bonus to all casual labourers who have worked for at least 240 days for each year for 3 years or more, as per terms of agreement with the staff unions.

(b) No such boycott was launched in Patna.

(b) Does not arise in view of (a) above.

#### **Collaboration with USSR in the Field of Portable Solar Power Plants**

1272. SHRI K. S. RAO : Will the Minister of ENERGY be pleased to state :

(a) whether the programme for the development of portable solar power plants in collaboration with USSR scientists has been completed; and

(b) if so, the details thereof ?

THE MINISTER OF ENERGY (SHRI VASANT SATHE) : (a) No, Sir,

(b) Does not arise.

#### **Spurious and Sub-Standard parts of vehicles causing Accidents**

1273. SHRI MANIK REDDY : Will the Minister of INDUSTRY be pleased to state :

(a) whether apart from faulty designs of our vehicles, large number of spurious and sub-standard parts in the market lead to accidents;

(b) whether Government propose to suitably amend the Motor Vehicles Act, 1939 to meet new needs; and

(c) whether Government propose to ensure easy availability of standard parts at

correct prices by arranging sale through Super Bazars and other co-operative outlets and by setting up authorised public distribution centers to overcome the present profiteering and speculative practices in automobile spares market ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) Though sale of spurious and sub-standard automotive spare parts in the market has been brought to the notice of the Government, no specific incident has been reported which has resulted in accident due to spurious and sub-standard parts.

(b) Ministry of Transport will shortly be coming forward with a proposal to amend the Motor Vehicle Act to empower the Central Government to make rules for laying down standards and norms for automotive parts.

(c) With a view to discourage the sale and manufacture of spurious and sub-standard automotive parts Government have taken steps to augment the production of quality components through delicensing of the industry and also through modernisation and introduction of latest technology in this sector. Government have also extended certain fiscal concessions to the auto ancillary industry to encourage production of quality components.

#### **Illegal Coal mining in Bihar**

1274. SHRI SIMON TIGGA : Will the Minister of ENERGY be pleased to state :

(a) the action taken to stop illegal coal mining in Bihar;

(b) the action taken to stop exploitation of the coal miners by the labour Sardars; and

(c) the action initiated by Government to stop the system of sub-contract and petty contract in mining ?

THE MINISTER OF ENERGY (SHRI VASANT SATHE) : (a) The Coal Mines (Nationalisation) Act was amended in 1976



prohibiting any person other than those authorised by the Act, to carry on coal mining in India in any form and terminating all leases relating to winning or mining of coal granted in favour of private parties except those engaged in production of iron and steel. Illegal coal mining was also made a cognizable offence and is punishable with imprisonment for a term extending to three years and fine extending to Rs. 20,000. The Supreme Court in their judgements dated 11-4-1980 and 7-5-1980 have upheld the vires of these provisions.

After these judgements, illegal mining of coal has been curbed to a great extent. However, the coal belt is vast and certain persons at times violate the provisions of law and indulge in illegal extraction of coal sporadically and stealthily. The State Government and coal companies have been asked to take concerted action against the offenders. The State Government has already issued instructions to District authorities to take punitive and preventive action under the Act read with Indian Penal Code. The coal companies have also been directed to report to the authorities concerned as and when illegal extraction of coal is detected. Besides, the coal companies in conjunction with the State Government law enforcing authorities conduct regular raids to apprehend the offenders.

(b) Workers are recruited and paid directly by the companies and there is no system of engagement of labour Sardars for this purpose.

(c) Government have prohibited the engagement of contract labour in a large number of job categories and the coal companies are complying with the provisions of the Contract Labour (Regulation and Abolition) Act.

**Technological upgradation through  
Modernisation of Small  
Scale Sector**

1275. DR. B. L. SHAILESH : Will the Minister of INDUSTRY be pleased to state :

(a) whether a subsidy scheme to bring about technological upgradation through

modernisation of the small scale sector has been drawn up by the Development Commissioner, Small Scale Industries in his Ministry;

(b) if so, its salient features; and

(c) how it will be implemented for revamping small scale industries throughout the country ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) :  
(a) No, Sir.

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

[Translation]

**Power Generation Capacity of Power  
Station to be set up in  
Maharashtra**

1277. SHRI VILAS MUTTEMWAR : Will the Minister of ENERGY be pleased to state :

(a) whether it is proposed to double the power generation during the Seventh Five Year Plan;

(b) if so, the power generation capacity of the power stations to be set up in Maharashtra and the places in the State where these stations are proposed to be set up; and

(c) the amount proposed to be spent on these power stations ?

THE MINISTER OF STATE IN THE DEPARTMENT OF POWER (SHRI ARIF MOHAMMAD KHAN) : (a) The installed capacity in the country at the end of the Sixth Plan was about 42440 MW in utilities. A Capacity addition of 22245 MW is envisaged in the Seventh Plan period.

(b) and (c). Capacity addition envisaged in the Seventh Plan in Maharashtra together with the approved outlay are indicated in the Statement given below.

## Statement

S. No.	Scheme	Seventh Plan	
		Benefits (MW)	Approved Outlay (Rs. Lakhs)
1.	Bhira Tail Race (H)	80	2245
2.	Tillari (H)	60	657
3.	Pawana (H)	10	609
4.	Bhandardara (H)	10	3057
5.	Khadakwasala (H)	16	1330
6.	Bhatsa (H)	15	1140
7.	Chandrapur Extn. (T)	420	6172
8.	Uran Gas Extn. (T)	432	4470
9.	Khaperkheda Extn. (T)	420	34710
10.	Parli Unit-V (T)	210	17412
11.	Ujjani Pumped Storage (H)	12	1576
12.	Vaitarana Dam P. H. (H)	1.5	160
13.	Pench (H) 1/3 share	53	90

[English]

**Setting up of Telephone Exchange at Chandipur and Chaitanyapur in Midnapore District**

1278. SHRI SATYAGOPAL MISRA : Will the Minister of COMMUNICATIONS be pleased to state :

(a) the plan and programme of his Ministry to set up Telephone Exchanges at Chandipur (Nandigram P. S.) and Chaitanyapur (Sutehate P. S.) in the District of Midnapore, West Bengal; and

(b) when the works of these exchanges will be started and when these will be completed ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) and (b). There are plans, to open a 25 line exchange at Chandipur parented to Tamluk exchange and a 25 line exchange at Chaitanyapur parented to Haldia exchange.

The work of exchanges will commence on receipt of exchange units and other stores and is expected to be completed by 31st March, 1986.

**Steps to encourage Ancillary industries**

1279. SHRI R. M. BHOYE : Will the Minister of INDUSTRY be pleased to state :

(a) whether the Union Government are encouraging the ancillary industries in the country;

(b) if so, the steps being taken in this regard; and

(c) the public sector undertakings which are encouraging ancillary industries ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) Yes, Sir.

(b) The Govt. has taken a number of steps to promote ancillary industries in the

country. The Bureau of Public Enterprises had issued guidelines to all public sector enterprises (PSEs) for growth and development of ancillary industries PSEs have set up plant-level Committees headed by Chief Executive of the Plant with representatives of Small Industries Service Institute, Director of Industries, Small Industries Development Corporation, Financial Institutions and ancillary industries association as Members.

(c) 132 Central Public Sector units have supported small scale/ancillary units during 1983-84. The details of these units are available in the Chapter entitled "developing the ancillary sector—goals and achievements" given at pages 283-299 of the public sector enterprises survey—1983-84 Volume I placed on the Table of the House on 15th March, 1985.

#### Manufacture of Bagasse-based Paper and Pulp

1280. SHRI SANAT KUMAR MANDAL : Will the Minister of INDUSTRY be pleased to state :

(a) whether newsprint, pulp and other printing paper could be produced at a cheaper cost by using bagasse, a by-product of the sugar industry, which is abundant in the country;

(b) if so, the steps taken by Government to encourage paper production with bagasse;

(c) whether Government propose to produce the paper and pulp with bagasse

in their own plants under the Hindustan Paper Corporation Limited; and

(d) the particulars of the units licensed or being licensed in the private sector to undertake the manufacture of bagasse-based paper and pulp ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) :

(a) The cost of production of writing and printing paper using bagasse is generally cheaper as compared to other conventional forest based fibrous raw materials. However, the technology for manufacture of newsprint based on exclusive use of bagasse is not known. A process for manufacture of newsprint has been evolved by partial use of bagasse supplemented by conventional raw materials like wood, bamboo, etc.

(b) Government have announced a package of policy measures to encourage the utilisation of bagasse for manufacture of paper, with a view to substituting the use of bagasse as a fuel by coal, including exemption from excise duty for paper containing not less than seventy five per cent by weight of pulp made from bagasse.

(c) The Mandya National Paper Mills, located in the State of Karnataka and a subsidiary of Hindustan Paper Corporation is already using bagasse as the prime raw material for the manufacture of writing and printing paper. The Corporation is engaged in the preparation of a Detailed Project Report for setting up a bagasse based newsprint Project in Western U.P.

(d) A Statement is given below.

#### Statement

*Statement indicating the Units engaged in manufacture of writing and printing paper and units approved for manufacture of these items utilising bagasse as a raw material*

#### I. Units Engaged in Manufacture of Writing and Printing Paper :

S.No.	Name of the firm	Location	Capacity in tonnes per annum
1.	M/s. North Bihar Sugar Mills Ltd.	Baga, Naranpur District Champanan, Bihar	7,500
2.	M/s. Dutta Shetkari Sahkari Sakher Karkhan Ltd.	Kolapur, Maharashtra	6,600
3.	M/s. Sardar Sakhar Paper Mills Ltd., Surat.	Surat, Gujarat	4,900

**II. Units Approved for Manufacture of Writing and Printing Paper**

Sl. No.	Name of the firm	Location	Capacity in tonnes per annum
1.	M/s. Sanga Mher Bagh Sahakari Karkhana, Ahmednagar	Ahmednagar	15,000
2.	M/s. Shri Vithal Sahakari Sakhar Karkhana Ltd.	Solapur	4,500
3.	M/s. Kapangaan Sahakari Sakhar-Karkhana Ltd.	Ahmednagar	7,500
4.	M/s. Marathwada Shatakari Shahkari Kagad Karkhana Ltd.	Beed	9,900
5.	M/s. Belganga Papers and Pulp Mills Ltd.	Jalgaon	6,000
6.	M/s. Mula Sahakari Shakhar Karkhana	Ahmednagar	6,000
7.	M/s. Shri Bhagwati Sahakari Kilhapur Sakhar Karkhana Ltd.	Kolhapur	6,000
8.	M/s. Madurai Paper and Board	Satara	1,650
9.	M/s. Shri Satpuda Tapi Parisar Sakhar Karkhana	Parshotam	15,000
10.	M/s. Shri Dhyaneswai Sahakari Sakhar Karkhana Ltd.	Ahmednagar	6,000
11.	M/s. Sahyadri Sahakari Karkhana Ltd.	Satara	6,000
12.	M/s. Maharashtra Sugar Mills Ltd.	Ahmednagar	1,900
13.	M/s. Aurangabad Mills Ltd.	Aurangabad	7,500
14.	M/s. Shri Gurudeo Sahakari Kagad Utapadan	Osmanabad	1,500

**Umbhrat-Hazira Pipeline for Hazira Fertilizer Plant**

1281. SHRI AMARSINH RATHAWA :  
SHRI MOHANBHAI PATEL :

Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether the Umbhrat-Hazira pipeline project for supplying gas to Hazira Fertilizer Plant has been completed;

(b) whether work has been delayed for several months and resulted in losses worth several crores of rupees;

(c) if so, the reasons therefor; and

(d) when the gas will be supplied to Hazira Fertilizer Plant from Bombay High ?

THE MINISTER OF STATE OF THE  
MINISTRY OF PETROLEUM AND

NATURAL GAS (SHRI NAWAL KISHORE SHARMA) : (a) Yes, Sir.

(b) and (c). There was some slippage in the completion of the ONGC project for supply of gas to KRIBHCO Fertilizer Plant at Hazira, mainly due to :

- (i) Capsizing of two dredgers;
- (ii) Failure of a 200 tonnes Winch resulting in injuries to many and death of one person.
- (iii) Breakage of Winch rope.

(d) Gas supplies to KRIBHCO Plant have commenced from 16th September, 1985.

**Development of new products by Bengal Chemicals and Pharmaceuticals Ltd.**

1282. SHRI R. P. DAS : Will the Minister of INDUSTRY be pleased to state :

(a) whether it is a fact that the Research and Development Department of Bengal Chemicals and Pharmaceuticals Ltd., has not developed a single product since its taking over by Government;

(b) if not, the names of the products which have been developed so far;

(c) whether it is also a fact that production of some reputed items having high demand in the market has been stopped; and

(d) if so, the steps taken to correct this trend of production of this company ?

THE MINISTER OF STATE IN THE DEPARTMENT OF CHEMICALS AND PETROCHEMICALS (SHRI R. K. JAICHANDRA SINGH) : (a) No, Sir.

(b) Names of the products developed by the Research and Development Department of Bengal Chemicals and Pharmaceuticals Limited, since the take-over are given in the statement below.

(c) The Company did not stop the production of any item which is commercially viable.

(d) Does not arise.

**Statement**

1. Vibration (Modified formula)
2. Erythromycin Dry Syrup
3. Antacid-DMPS Tablet
4. Antacid-DMPS Suspension
5. Digestive Enzymes Elixir
6. Digestive Enzymes-DMPS capsules.
7. DPMS capsules
8. Anti Diarrhoeal Prepn.
9. Asvan with Honey base.
10. Enteric coated Erythromycin Tab (Non-standard and experimental tablets)
11. Citrasol Granules.
12. Herbal based hair tonic (Formulation for perfume is under progress)

**Monitoring of Items manufactured by Small Scale Units**

1283. SHRI MANVENDRA SINGH : Will the Minister of INDUSTRY be pleased to state :

(a) whether Government monitor production of various items manufactured by small scale units in the country;

(b) if so, what are the items for which production data is available;

(c) whether Government take this data into consideration while framing policies;

(d) if so, the cases of drugs in which this data has been used during the last three years; and

(e) if not, the reasons therefor ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) :

(a) and (b). Comprehensive production data on various items manufactured by small scale units are not available on regular basis. However, efforts have been made to collect production data regularly in respect of 20 important reserved items on sample basis.

List of these 20 items are given in the statement below.

(c) Yes, Sir.

(d) and (e). Does not arise.

### Statement

#### *List of 20 Important Reserved Items*

S.No.	Item
1.	Biscuits
2.	Indigenous type of footwear
3.	Wrapping paper
4.	Paints and Varnishes
5.	Soap
6.	Matches
7.	Optical Bleaching agents
8.	Steel Casting
9.	Steel Pipes and Tubes
10.	Bolts, Nuts and Rivets
11.	Diesel Engine Vehicular and stationary type
12.	Power Driven Pumps
13.	Air and Gas Compressors
14.	Machine tools
15.	Power Transformers
16.	Electrical motors
17.	Electrical fans
18.	Radio Receivers
19.	Pencils
20.	Zip Fasteners

### Shortage of 6-APA

1284. SHRI B. B. RAMAIAH : Will the Minister of INDUSTRY be pleased to state :

(a) whether Government are aware that there is shortage of 6-APA in the country;

(b) whether it is a fact that the canalising agency is neither supplying 6-APA nor issuing no objection certificate as per provisions of the Import Policy;

(c) the quantity, quarter-wise, till June, 1985 that has been supplied by the canalising agency to the actual users; and

(d) the steps taken by Government in the matter to remove this shortage ?

THE MINISTER OF STATE IN THE DEPARTMENT OF CHEMICALS AND PETROCHEMICALS (SHRI R. K. JAICHANRA SINGH) : (a) and (b). State Trading Corporation (STC) had some problems in tying up the imports of 6-APA but these problems have been resolved.

(c) The entire registered demand upto the quarter April-June, 1985 has been serviced by STC.

(d) STC has tied up adequate imports of 6-APA. The indigenous production is also being encouraged.

### Performance of State Road Transport Undertakings for Prize

1285. SHRI PRIYA RANJAN DAS MUNSI : Will the Minister of INDUSTRY be pleased to state :

(a) whether the expert committee-cum-jury constitution for selection of awardees for the National Productivity Award, instituted by the National Productivity Council for best performance in road transport sector had taken into consideration all aspects of the performance of all the State Road Transport Undertaking before taking a decision in the matter;

(b) if so, the details of the qualitative and quantitative factors relating to the performance of the different State Road Transport Undertakings which were taken into consideration;

(c) the performance of the State Road Transport Undertakings of West Bengal as compared to the performance of the State Road Transport Undertaking in other States which were taken into consideration by the experts; and

(d) the spheres in which the State Road Transport Undertaking of West Bengal is lagging behind ?

**THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) :**

(a) The Expert Committee-cum-Jury considered the performance of only those State Road Transport Undertakings who participated in the Scheme.

(b) Seven major factors taken into account for evaluation purposes for Productivity Awards on the Passenger Transport Sector are as follows :

- (i) Capacity Utilisation,
- (ii) Operating Performance,
- (iii) Energy Consumption,
- (iv) Materials Utilisation,
- (v) Manpower Utilisations,
- (vi) Inventory level,
- (vii) Quality of Service rendered.

The above factors are again sub-divided giving the proper weightage on the sub-factors like fleet utilisation, vehicle utilisation, operating costs etc.

(c) and (d). The Expert Committee-cum-jury was not expected to function as a review Committee of any individual transport undertaking. It would not also be in the public interest to ask a 'Jury' to give its assessment of the working of any individual undertaking studied for awarding a prize.

#### **Survey for Location of Chemical Industries in Public Sector and Private Sector**

**1286. SHRI SRIBALLAV PANIGRAHI :** Will the Minister of INDUSTRY be pleased to state :

(a) whether there is any proposal under the consideration of Government to formulate an action plan to undertake a survey of public sector and private sector industries in the chemicals and pharmaceuticals field located in the metropolitan cities and urban agglomeration; and

(b) if so, the details regarding the policy of Government in this regard ?

**THE MINISTER OF STATE IN THE DEPARTMENT OF CHEMICALS AND PETROCHEMICALS (SHRI R. K. JAICHANDRA SINGH) :** (a) and (b). An Inter-ministerial Group has been constituted to consider and review the measures required to be taken for control of hazards in the identified chemical, petro-chemicals and pharmaceuticals units and to evolve a suitable system of monitoring. This Group has further set up 6 expert teams to survey and inspect selected public sector and private sector units. On the basis of these inspections, detailed checklist of safety items would be drawn up for assisting the State authorities to make the inspection of such units more effective. This check-list would be reviewed periodically.

#### **Proposal from Private Sector for Generation of Power**

**1287. SHRI YASHWANTRAO GADAKH PATIL :** Will the Minister of ENERGY be pleased to state :

(a) whether there are any proposals from private sector for generation of power pending clearance by the Union Govt.;

(b) if so, the details thereof and the reasons for delay in the clearance; and

(c) the steps taken for speedy clearance of the proposals ?

**THE MINISTER OF STATE IN THE DEPARTMENT OF POWER (SHRI ARIF MOHAMMAD KHAN) :** (a) to (c). The generation and distribution of electricity have been reserved for development in the public sector. The development of units in the existing privately owned utilities as well as the installation of captive power plants in the private sector is also being allowed. Proposals for generation of power in the private sector are considered accordingly.

The proposal of M/s. Ahmedabad Electric Co. to instal another 110 MW unit has been techno-economically approved by the Central Electricity Authority recently in August, 1985. Proposals for setting up captive power plants in the private/joint sector can be taken up for techno-economic appraisal in accordance with Govt's policy, where necessary inputs,

such as availability of coal, have been tied up. State authorities are competent to permit installation of captive plants of upto 25 MW; consultation with the Central Electricity Authority is necessary where the capacity exceeds 25 MW.

[*Translation*]

**Setting up of Electronic Telephone Exchange at Biharsharif**

1288. SHRI VIJOY KUMAR YADAV : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether Government propose to set up an electronic telephone exchange in place of automatic exchange at Biharsharif in Bihar; and

(b) if so, the details in this regard ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) No, Sir.

(b) Does not arise in view of (a).

[*English*]

**Expansion and Development of Attirgal Telephone Exchange in Kerala**

1989. SHRI T. BASHEER : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether Government has taken any steps for the expansion and development of Attirgal Telephone Exchange in Kerala; and

(b) if so, the details thereof ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) and (b). Yes, Sir. Exchange equipment for expansion of the exchange from 300 to 600 lines has been allotted. The work will be taken up on receipt of equipment, during 7th plan.

**Upgradation of B.P.Os/E.D.S.Os to the Status of Sub-Post Offices**

1290. PROF. NARAIN CHAND PARASHAR : Will the Minister of

COMMUNICATIONS be pleased to state :

(a) whether any branch post offices/extra departmental sub-offices were upgraded to the status of departmental sub-post offices during the year 1984-85, after seeking relaxation of the ban imposed or the recruitment of new posts and any departmental sub-office upgraded to Head Office;

(b) if so, the number of such cases, and their names circle-wise (State-wise in the case of Multi-State Circles);

(c) whether any such cases have also been taken up for upgradation in the year 1985-86, especially where the State Government or other bodies have offered to bear the non-refundable contribution, so as not to impose any burden on the Department of Posts;

(d) if so, the number and names thereof, State-wise;

(e) if not, the reasons thereof ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) Yes Sir.

(b) One Chaniani in Uttar Pradesh and one Karhal in Madhya Pradesh.

(c) No sir.

(d) Does not arise.

(e) In NRC cases also, a certain amount of loss is absorbed by the Department. In view of the difficult resource position of the Department it is not considered appropriate to seek relaxation of the ban in such cases.

**Hexagon Scheme of Connecting Villages By Telecommunication Services**

1291. SHRI UTTAM RATHOD : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether the telecommunication Department had contemplated hexagon



scheme of connecting villages during the next five years.

(b) the progress of scheme in Parbhani and Nanded Districts in Maharashtra during the last one year; and

(c) whether the work on the scheme is going on satisfactorily ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) Yes, Sir.

(b) Target fixed for Parbhani and Nanded for the year 1984-85 was 7 and achievements for the same are 9.

(c) Yes, Sir.

#### Truck manufacturing Project at Durgapur

1292. SHRI PURNA CHANDRA MALIK : Will the Minister of INDUSTRY be pleased to state :

(a) the salient features of the proposed truck manufacturing project at Durgapur, West Bengal;

(b) when the project was scheduled to be taken up for construction; and

(c) the exact position with regard to this project ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) to (c). No such proposal has been received by the Central Government.

#### Orders received by M/s. Burn and Co. and Burn Standard Co.

1293. SHRI HANNAN MOLLAH : Will the Minister of INDUSTRY be pleased to state :

(a) the total volume of orders (in terms of tonnage and of rupees) received by the Burn and Company and the Burn Standard

Company since 1982 from different Union Government sources;

(b) the share of Indian Railways in these orders; and

(c) the total volume of orders (in terms of tonnage and of rupees) received by the small scale industries of Howrah since 1982 from different Union Government sources and the share of Indian Railways therein ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) (a) to (c). The information is being collected.

#### Machines purchased by B.C.C.L

1294. SHRI BASUDEB ACHARIA : Will the Minister of ENERGY be pleased to state :

(a) the total value of the machines purchased by the Bharat Coking Coal Limited in the last three years;

(b) the amount of foreign exchange involved therein;

(c) the capacity utilisation of the machines, with year-wise break-up;

(d) whether it is a fact unplanned mechanisation has curtailed employment and added to the capital cost but has not increased productivity; and

(e) if so, the steps taken in that regard ?

THE MINISTER OF ENERGY (SHRI VASANT SATHE) (a) and (b). The total value of the machines purchased by the Bharat Coking Coal Limited in the last three years *viz.*, 1982-83, 1983-84 and 1984-85 is about Rs. 158.52 crores. The amount of foreign exchange involved therein is about Rs. 10.96 crores.

(c) Year-wise capacity utilisation of Heavy Earth Moving Machinery for the last three years *viz.*, 1982-83, 1983-84 and 1984-85 is under :

Year	Installed capacity (MM <sup>3</sup> ) Per Year	Achieved (MM <sup>3</sup> )	Capacity Utilisation (Per-centage)
1982-83	20	15.05	75.10
1983-84	23	16.25	70.05
1984-85	26	20.00	77.00

(d) No, Sir. Mechanisation has been introduced on the basis of approved facility studies and to deal with difficult geominig conditions.

(e) Does not arise.

#### Supply of Second Cylinder to Consumers Living in Remote Places

1295. SHRI V. S. VIJAYA-RAGHAVAN : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether second cylinder is being supplied to LPG consumers in the metropolitan cities;

(b) whether Government are aware that consumers living away from towns in different States often have to wait for 15 days or more to get a refill; and

(c) if so, whether Government propose to provide this facility on a priority basis in such areas also ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI NAWAL KISHORE SHARMA) : (a) Yes, Sir.

(b) and (c). Supplies of LPG refills get delayed occasionally owing to problems in respect of bottling plant operations, transportation, industrial relations etc. Second cylinders are being generally released by the oil companies all over the country except in those markets where conversion to pin-type valves has not yet taken place.

#### Savor Commission on Extra Departmental Employees

1296. SHRI MULLAPPALLY RAMACHANDRAN : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether there is any request asking for extension of time of the Savor Commission on Extra Departmental Employees;

(b) whether Government have given any instructions to the Commission to base its report on findings after touring all the State; and

(c) if so, whether the Commission has complied with the same ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) Yes, Sir.

(b) No, Sir.

(c) Does not arise.

[Translation]

#### Supply of Underweight Cooking Gas Cylinder

1297. SHRI BANWARI LAL BAIRWA : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) the number of complaints regarding supply of underweight cooking gas cylinders received during 1984-85;

(b) the action taken thereon; and

(c) the arrangement made to ensure that all the cooking gas cylinders contain prescribed quantity of cooking gas ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI NAWAL KISHORE SHARMA) : (a) The number of complaints regarding supply of underweight cooking gas cylinders received during 1984-85, were 134.

(b) All complaints were duly investigated and based on the findings action was taken to provide compensation/free replacement of underweight cylinders to consumers.

(c) Strict check is maintained at all bottling plants to ensure correct weight before despatch of filled cylinders to distributors. The distributors as per standing instructions are to weigh each and every cylinder before effecting delivery of refills to consumers. However, to prevent pilferage/leakage Oil Industry have started using a seal made of heat-shrink plastic, in some markets.

[English]

#### Opening of new Coal Mines in West Bengal

1298. SHRI BHOLANATA SEN : Will the Minister of ENERGY be pleased to state :

(a) whether Coal India Limited has plans to make investment for opening new coal mines in West Bengal during the Seventh Five Year Plan period;

(b) if so, the details thereof;

(c) the progress in the matter; and

(d) the steps taken/proposed thereon ?

THE MINISTER OF ENERGY (SHRI VASANT SATHE) : (a) Yes, Sir.

(b) to (d). It is proposed to spend about Rs. 700 crores in West Bengal in developing coal mines during the 7th Five year Plan.

#### Extra Departmental Workers Retrenched in Postal Services of Andhra Pradesh

1299. SHRI C. SAMBU : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether more than two thousand Extra Departmental workers working in postal services of Andhra Circle have been retrenched;

(b) if so, the actual number of workers (Extra Departmental) retrenched in Andhra Pradesh Circle till date; and

(c) the steps taken to absorb those workers ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) No, Sir. Not more than 2000 ED employees have been retired in Andhra Pradesh Circle.

(b) Only 802 ED officials were removed due to abolition of posts consequent upon down gradation of EDSOs into EDBOs.

(c) So far 200 surplus ED officials have been absorbed in other available vacancies. All possible efforts are being taken to absorb the remaining officials in future ED vacancies.

#### Index for Industrial Production

1300. SHRIMATI INDUMATI BHATTACHARYYA : Will the Minister of INDUSTRY be pleased to state :

(a) whether Government have information about the annual rate of increase/decline in the index for industrial production in different States/Union Territories during the period between 1982-83 to 1984-85; and

(b) if so, the details thereof ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) and (b). C.S.O. does not compile State-wise Index of Industrial Production. However, based on the latest Annual Survey of Industries, a statement showing percentage growth rate in terms of value of output in different States and Union Territories during 1979-80, 1980-81 and 1981-82 is given below.

## Statement

*Percentage growth rate in value of output during 1979-80, 1980-81 and 1981-82 in States and Union Territories.*

Name of the State/Union Territory	Percentage growth rate in value of output during		
	1979-80 over 1978-79	1980-81 over 1979-80	1981-82 over 1980-81
1. Andhra Pradesh	+15.2	+17.9	+ 9.6
2. Assam	+ 5.8	— 3.5	+ 10.8
3. Bihar	+11.0	+10.6	+ 43.8
4. Gujarat	+20.5	+22.7	+ 16.0
5. Haryana	+32.0	+17.0	+ 27.0
6. Himachal Pradesh	+33.7	+19.9	+ 25.2
7. Jammu and Kashmir	+32.5	+ 5.9	+ 4.7
8. Karnataka	+12.9	+11.7	+ 16.5
9. Kerala	+18.3	+27.8	+ 15.8
10. Madhya Pradesh	+23.5	+16.2	+ 24.0
11. Maharashtra	+16.9	+16.3	+ 17.7
12. Manipur	+29.7*	+51.9*	+266.9
13. Maghalaya	+58.9	+65.4	— 12.4
14. Orissa	+14.3	+ 8.8	+ 27.5
15. Punjab	+24.6	+17.8	+ 24.0
16. Rajasthan	+22.0	+17.0	+ 19.1
17. Tamil Nadu	+19.1	+18.7	+ 20.3
18. Tripura	a.		+ 21.5
19. Uttar Pradesh	+11.2	+14.1	+ 47.4
20. West Bengal	+18.1	+16.9	+ 12.9
21. Andaman and Nicobar Islands	+15.9	+23.4	+ 21.2
22. Chandigarh	+34.2	+13.1	+ 14.8
23. Delhi	+28.2	+14.0	+ 7.7
24. Goa, Daman and Diu	— 2.6	+52.5	+ 21.1
25. Pondicherry	+16.3	+24.1	+ 18.6
<b>Total :</b>	<b>+17.8</b>	<b>+16.9</b>	<b>+ 20.6</b>

@ Included in Manipur.

\* Growth rates and value of output figures are for Manipur and Tripura put together as separate output figures for Tripura and Manipur are not available for 1979-80.

**Industrial Development of Kerala**

1301. SHRI K. MOHANDAS : Will the Minister of INDUSTRY be pleased to state :

(a) the rate of industrial development in Kerala during the past three years;

(b) whether the Union Government have invested in the industrial development of the State during the same period; and

(c) if so, the details thereof ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) CSO does not compile Statewise index of industrial production. However, based on the latest Annual Survey of Industries, the percentage growth rate in terms of value of out-put in Kerala was 18.3 during 1979-80 over 1978-79, 27.8 during 1980-81 over 1979-80 and 15.8 during 1981-82 over 1980-81.

(b) and (c). The quantum of investment in Central Public Enterprises situated in Kerala in terms of gross block is given below :

*Value of gross, capital work in progress unallocated expenditure during construction and other assets as on*

(Rupees in crores)

31.3.82	31.3.83	31.3.84
542.68	617.53	715.11

**Modernisation of Indian Telephone Industries at Rae Bareilly**

1302. SHRI DINESH SINGH : Will the Minister of COMMUNICATIONS be pleased to state the progress made in the modernisation of Indian Telephone Industries undertaking at Rae Bareilly ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : The Rae Bareilly Unit of Indian Telephone Industries Limited was set up initially for manufacture of strowger switching equipment. The Unit

is being expanded by setting up manufacturing capacity of 2 lakh lines of crossbar switching equipment per annum. The proposals for further modernisation of the existing product lines are likely to be taken up during the 8th Five Year Plan period.

**Demand for Levy Cement by States**

1303. SHRIMATI JAYANTI PATNAIK :  
SHRI SOMNATH RATH :  
SHRI T. BALA GOUD :  
SHRI GURUDAS KAMAT :  
SHRI MURLIDHAR MANE :

Will the Minister of INDUSTRY be pleased to state :

(a) the total quantum of levy cement demanded by different State Governments from the Union Government in 1984 and 1985;

(b) the total quantity of cement supplied by the Centre for supply through Public Distribution System in the above two years; and

(c) the details thereof ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) After the partial decontrol of cement w.e.f. 28-2-82, the allocation of levy cement for the States/UTs were fixed on the basis of certain principles. The demands of the States/UTs are not obtained at regular intervals. However, requests made by the State Governments/UT Administrations for increase in allocations are considered on merits. In addition to the regular quarterly allocations, additional ad-hoc allocations are made to the States/UTs on account of natural calamities etc. The total allocations made to all States/UTs during 1984 and 1985 are as under :

Years	Qty. (in MT) Basic allocation (Exd. I and P.)	Ad hoc Allocation	Total (in MT)
1984	78,14,500	3,91,660	82,06,160
1985	82,75,600	2,32,420	15,08,020

(b) and (c). The public distribution System has been adopted by the States/UTs through their concerned Departments and the quantum of cement to be distributed to eligible individuals/societies is decided by the States/UTs and allocated out of the bulk allocations of levy cement made by the Central Government. According to information available, a quantity of 25.26 lakh tonnes was despatched by the States/UTs during 1984 under the public sale category. During 1985 (up to September, 85) the quantity despatched under this category has been 16.08 lakh tonnes.

[*Translation*]

**Compensation to Farmers for taking Electricity Lines through Fields**

1304. SHRI KAMLA PRASAD RAWAT : Will the Minister of ENERGY be pleased to state :

(a) whether Government are aware that big electricity lines are taken through fields of farmers for erecting poles for these lines as a result of which they have to part with a big portion of their fields and the farmers are also not paid any compensation for it;

(b) if so, whether Government propose to make arrangements for payment of compensation that those farmers through whose fields big electricity lines have been taken;

(c) if so, when; and

(d) if not, the reasons therefor ?

THE MINISTER OF STATE IN THE DEPARTMENT OF POWER (SHRI ARIF MOHAMMAD KHAN) : (a) to (d). Section 19 of the Indian Electricity Act, 1910 provides that full compensation shall be paid for any damage, detriment or inconvenience caused by a licensee while carrying out works connected with supply of electricity, which includes laying of transmission lines.

[*English*]

**News Item Captioned "Drug Units against Caterorisation"**

1305. SHRI BANWARI LAL

PUROHIT : Will the Minister of INDUSTRY be pleased to state :

(a) whether attention of Governnt menhas been drawn to a news item captioned "Drug units against categorisation" appearing in the 'Indian Express' of 16 October, 1985;

(b) if so, the details of the representations received by Government from the two pharmaceutical industry associations;

(c) whether his Ministry has taken any final decision in the matter; and

(d) if so, the details thereof ?

THE MINISTER OF STATE IN THE DEPARTMENT OF CHEMICALS AND PETROCHEMICALS (SHRI R. K. JAICHANDRA SINGH) : (a) Yes, Sir.

(b) Government have been receiving representations from Drug Industry associations regarding different aspects of licensing and pricing. The Organisation of Pharmaceutical producers of India, and pharmaceutical and Allied Manufacturers and Distributors Association are of the opinion that all pharmaceutical companies in the country, irrespective of the level of foreign equity should be treated on par, so as to achieve national objectives. Indian Drugs Manufacturers Association, however, is of the opinion that companies with foreign equity should not be treated on par with the Indian companies.

(c) No, Sir.

(d) Does not arise.

**Dharna by Telephone Staff at Hyderabad**

1306. SHRI N. VENKATA RATNAM : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether Government are aware of the Dharna at Hyderabad by 3000 telephone staff on 25th October, 1985;

(b) if so, their demands; and

(c) the solution under contemplation of Government ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) No, Sir.

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

#### Programmes to Eliminate Restrictive Practices

1307. PROF. K. V. THOMAS : Will the Minister of INDUSTRY be pleased to state :

(a) whether there is any time-bound programme to eliminate all restrictive practices which hamper the profitability to public enterprises; and

(b) whether there is a complaint that there is no consistency and continuity in the Industrial Policy of Government, and the key people who determine policy and implement the policy are constantly changed which results in the downward growth of our industries ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) and (b). The details are being collected and a statement will be placed on the Table of the House.

#### Electronic Typewriter

1308. SHRI SATYENDRA NARAYAN SINHA : Will the Minister of INDUSTRY be pleased to state :

(a) whether Government consider that electronic typewriter is far more efficient than mechanical typewriter and should be encouraged as against mechanical typewriter;

(b) if so, whether steps have been taken to declare electronic typewriter as an electronics product;

(c) if not, the reasons thereof; and

(d) if answer to part (b) is in affirmative, the benefits consumers could expect from this declaration ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL

DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) Yes, Sir. Government have approved a large number of schemes, both in the large scale sector and small scale sector, for the manufacture of electronic typewriters. Recently, Government have also introduced a scheme of board banding in typewriter industry. This would enable the existing manufacturers of typewriters and the holders of letters of intent to get their industrial licences/approvals endorsed suitably to manufacture any typewriter within their overall approved capacity.

(b) to (d). "Typewriters" are included in entry 13(1) under the Head "Commercial Office and Household Equipment" of the First Schedule to the I (D and R) Act, 1951. These are, therefore, not covered under entry 5(8) "Electronic Equipment" under the First Schedule to the Industries (Development and Regulation) Act, 1951. Further, typewriters, whether manual, electric or electronic, being to the typewriter family. However, electronic typewriters are a technological improvement over the manual/electric typewriters. In case electronic typewriters which have computer compatibility *viz.* features like line edit facility, a minimum memory of 8 K Bytes and a computer interface port like RS-232 for connecting to computer these could be treated as computer peripheral item. The question of extending benefits of custom duty on imported components and parts and excise duty on the finished product is being considered. These concessions will bring down to around half the present price of electronic typewriters with the special features.

#### Cut in Plan Outlay for Petroleum Production

1309. SHRI VIJAY N. PATHL : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether the Planning Commission has decided to make a cut in plan outlay to Rs. 8,856 crores in the field of Petroleum production in the proposed Seventh Five Year Plan;

(b) whether the cut in Plan outlay would not hit the Petroleum output; and

(c) if so, how Government propose to tackle the likely shortage in Petroleum output due to slashing of financial allocation ?

**THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI NAWAL KISHORE SHARMA) :** (a) The approved outlay for the Seventh Plan for ONGC is Rs. 8752.67 crores and for OIL is Rs. 950 crores.

(b) and (c). The production targets of crude oil and natural gas for the Seventh Plan have not been reduced on account of the reduction in outlays.

#### **Re-drafting of Industrial Policy Resolution**

1311. **SHRI CHINTA MOHAN :** Will the Minister of INDUSTRY be pleased to state :

(a) whether President of the Federation of Indian Chambers of Commerce and Industry has made a call for re-drafting of the Industrial Policy Resolution in order to help the private industry in respect of competition with public sector, relaxation of MRTP limits and allowing private sector to enter earlier prohibited areas; and

(b) if so, Government's position in the matter ?

**THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) :** (a) It is understood that some such suggestions were made by the President of Federation of Indian Chambers of Commerce and Industry at a recent Press Conference.

(b) While Industrial Policy Resolution, 1956 provides the basic framework of the Government's industrial policy, the Government are examining, what particular items could be developed in the private sector, without diluting, in any way, the commanding heights of the public sector. Liberalisation and streamlining of Industrial Licensing Policy and Procedure is a continuous exercise and the suggestions made by the various agencies including those of FICCI are taken into account while considering further liberalisation in this regard.

#### **Inquiry into striking of names of Bengali voters from electoral rolls in Assam**

1312. **DR. SUDHIR ROY :** Will the Minister of LAW AND JUSTICE be pleased to state :

(a) whether the names of Bengali voters in Assam were being systematically struck off the electoral rolls in the recent enrolment of voters in the State;

(b) whether Election Commission had inquired into the preparation of voters' list after the Assam accord was reached; and

(c) if so, the findings of the Election Commission in this regard ?

**THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI H. R. BHARDWAJ) :** (a) to (c). The Election Commission had received representations from Bengali Associations in Assam alleging large scale deletion of names of Bengalis from electoral rolls. It is the assessment of the Commission that the rolls were prepared in accordance with the undertaking given to the Supreme Court and having regard to the statutory requirements governing preparation of electoral rolls and that no attempt was made to exclude any class or group of persons systematically. Keeping in view the spirit of the settlement reached between the Government and leaders of Assam movement, the Commission took additional steps. It extended the period for filling claims by eligible persons and objections against ineligible persons by 30 days upto 27-9-1985 in respect of all the 126 constituencies. It appointed Central Observers to observe and supervise the preparation of rolls. In particular, these Observers were required to watch the manner of disposal of claims and objections to ensure that they were disposed off in accordance with the law and the Commission's instructions. The rolls for all the constituencies were finally published on the 7th November, 1985.

#### **Maternity leave to Women Employees in P and T Department**

1313. **SHRI SURESH KURUP :**  
**SHRIMATI BIBHA GHOSH**  
**GOSWAMI :**

Will the Minister of COMMUNICATIONS be pleased to state :



(a) whether Government are aware of the Director General of Posts and Telegraphs directives to his General Managers not to grant maternity leave to women employees who have not changed their names after marriage or not submitted a marriage certificate along with their application for leave or if the applicant is and unmarried mother;

(b) if so, the reaction of Government in the matter;

(c) whether Employees State Insurance Act, 1948 and the Maternity Benefit Act, 1961 have provisions for any of the aforesaid demands; and

(d) if not, how the Director General of Posts and Telegraphs can insist on either of the same through his order or deny maternity leave to an unmarried mother ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) D.G. P and T (Department of Telecom) have not issued directions to its field units not to grant maternity leave to Women Employees who have not changed their names after marriage or not submitted a marriage certificate alongwith their application. The instructions have however, been issued to all the field units under the Department of Telecom., not to grant maternity leave to unmarried female Government servants.

(b) The Government has no reaction in view of (a) above.

(c) The Employees State Insurance Act and the Maternity Benefit Act, 1961 have no provisions on the aforesaid aspects.

(d) Though there is no mention in the rules that a female Government servant should be married in order to be entitled to maternity leave, it is obviously implied that she should be married. Accordingly, the orders at (a) above were issued.

#### Relief to Public Sector Enterprises

1314. SHRI AMAL DATTA : Will the Minister of INDUSTRY be pleased to state :

(a) whether relief has been given to public sector enterprises under the control

of his Ministry in terms of interest holiday, concessional loans, conversion of loan into equity, interest subsidy etc.; and

(b) if so, the names of the enterprises, nature of relief given, quantum etc.; year-wise details thereof ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) and (b). Details of relief given are as follows :

#### 1. National Instruments Ltd., Calcutta

An interest holiday on Govt. loans aggregating Rs. 14,38,27,829.50 outstanding on 31-3-1982, was granted for a period of five years from 1-4-1982. Memorandum was also granted for a period of five years from 1-4-1982 on repayment of instalments of the said loan.

#### 2. National Small Industries Corporation

The following interest subsidy was given during last 3 years :

1982-83	15,76,561.66
1983-84	22,79,862.70
1984-85	25,50,465.63

#### 3. Burn Standard Co. Ltd.

(a) Interest holiday on Govt. loans amounting to Rs. 5516.60 lakhs outstanding on 31-3-1981 was granted from 1-4-1981 to 31-3-1985.

(b) Cash loss incurred during 1981-82 decided to be financed by Government through a loan and interest thereon waived till 31-3-1985.

(c) Moratorium has been granted till 31-3-1985 on repayment of instalments of Government loans mentioned under (a) and (b) above.

#### 4. Braithwaite & Co.

(a) Interest holiday on Government loans amounting to Rs. 1873.80 lakhs outstanding on 31-3-1981 was granted from 1-4-1981 to 31-3-1985.

(b) Cash loss incurred by Company during 1981-82 was decided to be financed by Government through a loan and interest thereon waived till 31-3-1985.

(c) Moratorium has been granted till 31-3-1985 on repayment of instalments of Government loans mentioned under (a) and (b) above.

#### 5. Bharat Wagon & Engineering Co. Ltd.

(a) Interest holiday on Government loans amounting to Rs. 695.39 lakhs outstanding on 31-3-1984 was granted from 1-4-1984 to 31-3-1988.

(b) Moratorium was granted for one year *i.e.* 1984-85 on repayment of loan instalment and re-scheduling of payment of outstanding loans over a period of 10 years thereafter.

#### 6. Jessop & Co. Ltd.

(a) Interest holiday was granted on Government loans amounting to Rs. 45.73 crores outstanding on 31-3-1981 from 1-4-1982 to 31-3-1985.

(b) Cash loss incurred by the company during 1981-82 was decided to be financed by Government through a loan and interest thereon waived till 31-3-1985.

(c) Moratorium has been granted till 31-3-1985 on repayment of instalments of Government loans mentioned under (a) and (b) above.

#### 7. Bharat Pumps & Compressors Ltd.

(a) Loans amounting to Rs. 1295.35 lakhs outstanding on 31-3-1979 were consolidated and recovery thereof was decided to be made in 7 instalments starting from 1-4-1984.

(b) Interest holiday was granted on the above loans for a period of five years from 1-4-1979.

(c) Payment of accumulated interest of Rs. 195 lakhs payable by the company upto 31-3-1979 was deferred for five years from 1-4-1979.

#### 8. Heavy Engineering Corporation Ltd.

(a) Interest holiday on Government loans amounting to Rs. 147 crores was granted for four years from 1-4-1981.

(b) Arrears of interest amounting to Rs. 65 crores accrued upto 31-3-1981 were decided to be converted into a loan and interest holiday granted till 31-3-1985.

(c) Interest holiday was granted till 31-3-1985 in respect of assistance extended to the company to make good cash losses during 1981-82.

(d) Moratorium was granted till 31-3-1985 on repayment of instalments of loans mentioned at (a), (b) and (c) above.

#### 9. Mining & Allied Machinery Corporation Ltd.

(a) Interest holiday was granted on loans amounting to Rs. 48.93 crores outstanding on 31-3-1981 for a period of four years from 1-4-1981.

(b) Arrears of interest upto 31-3-1981 amounting to Rs. 21.66 crores were decided to be converted into a loan on which interest holiday was also granted till 31-3-1985.

(c) Interest holiday was also granted till 31-3-1985 on loans amounting to Rs. 18.50 crores sanctioned during 1981-82 and 1982-83 to meet cash losses and working capital requirements.

(d) Moratorium was granted till 31-3-1985 on repayment of instalments of loans referred to (a), (b) and (c) above.

**Requirement of Insulin**

1315. SHRI V. S. KRISHNA IYER : Will the Minister of INDUSTRY be pleased to state :

(a) how much Insulin is required to meet the requirements of the patients in the country on an average per quarter;

(b) whether the required quantity of Insulin is manufactured in the country;

(c) whether it is a fact that the requirement of one full quarter in a year is being imported every year; and

(d) if so, the steps being taken to ensure that Insulin is made available without any problem to the patients in the country ?

THE MINISTER OF STATE IN THE DEPARTMENT OF CHEMICALS AND PETROCHEMICALS (SHRI R. K. JAICHANDRA SINGH) : (a) Sixth Plan working Group on Drugs and Pharmaceuticals had estimated the demand of Insulin as under :

Year	Demand (MU)
1982-83	2300
1983-84	2530
1984-85	2780

(b) To a large extent, the country is self sufficient.

(c) No, Sir.

(d) In order to ensure investment, Insulin has been delicensed for non-FERA non MRTP companies. The MRTP Act also does not apply to investment in and production of Insulin.

**On-Going Power Projects in Manipur**

1316. SHRI N. TOMBI SINGH : Will the Minister of ENERGY be pleased to state :

(a) the names of the on-going power projects in Manipur and their progress;

(b) whether any survey for hydro-electric projects is in progress on the sources

of the Imphal and the Iril rivers in Manipur; and

(c) if so, the details thereof ?

THE MINISTER OF STATE IN THE DEPARTMENT OF POWER (SHRI ARIF MOHAMMAD KHAN) : (a) A Statement is given below.

(b) and (c). Information is awaited from the State authorities and will be laid on the Table of the House.

**Statement**

*The following hydro-electric schemes in Manipur are under construction*

Name of Scheme	I.C. (KW)	Likely date of commissioning
1. Lokchao	2 × 200	1986-87
2. Booning	2 × 500	1987-88
3. Gelnel	2 × 200	1987-88
4. Leimkhong St. III	2 × 500	1987-88
5. Keithelmanbi	2 × 200 + 2 × 100	1986-87
6. Khuga	3 × 500	Beyond VII Plan.

**Target for Bulk Drugs formulations and Imports Drugs Sixth Plan**

1317. SHRI P. KOLANDAIVELU : Will the Minister of INDUSTRY be pleased to state :

(a) the targets laid down for bulk drugs formulations and imports in pharmaceutical industry during the Sixth Five Year Plan;

(b) whether these targets have been achieved;

(c) the problems faced by the pharmaceutical industry in this regard; and

(d) what is Government's policy of growth in this field ?

THE MINISTER OF STATE IN THE DEPARTMENT OF CHEMICALS AND

**PETROCHEMICALS (SHRI R. K. JAICHANDRA SINGH) :** (a) Revised targets for the terminal year of the Sixth Plan (*i.e.* 1984-85) were at Rs. 500 crores for Bulk Drugs and Rs. 1950 crores for formulations. No targets for imports were fixed.

(b) No, Sir.

(c) and (d). Government is reviewing the existing drug policy and intend to come up with a new policy.

**U. K. Assistance for Wardha Valley Coal-Fields**

1318. **SHRI B. V. DESAI :** Will the Minister of ENERGY be pleased to state :

(a) whether India has sought assistance from U. K. for the preparation of the master plan for the Wardha Valley coal-fields;

(b) whether there is a proposal to consider broad terms and conditions for co-operation between the two countries by taking up coal mining projects in the third world countries;

(c) whether the issue was taken up during the Indo-U. K. Joint Steering Group meeting held in London in September, 1985;

(d) if so, the major decisions taken; and

(e) the steps being taken to help and assist India for the Wardha Valley coalfields ?

**THE MINISTER OF ENERGY (SHRI VASANT SATHE) :** (a) to (c). Yes, Sir.

(d) and (e). The steps being taken in respect of the proposals mentioned in the Question are as below :

**(i) Wardha Valley Coalfields :**

U. K. experts will visit India to assist the Central Mine Planning and Design Institute Ltd., a subsidiary of Coal India Limited, in drawing up priority projects in this coal-field for its development.

**(ii) Collaboration in the third world countries :**

The Government of India have approved a memorandum of agreement between British Mining Consultants Limited, a company associated with the National Coal Board of

U. K., and Central Mine Planning and Design Institute Limited, a subsidiary of Coal India Limited. This memorandum of agreement would enable them to offer joint consultancy services in the third world countries. It was agreed that each side would make possible opportunities known to the other.

**Discovery of Coal in Raigarh District of Madhya Pradesh**

1319. **SHRI A.J.V.B. MAHESWARA RAO :** Will the Minister of ENERGY be pleased to state :

(a) whether a survey conducted by the Geological Survey of India has revealed existence of rich deposits of coal in Raigarh district in Madhya Pradesh;

(b) if so, when Government propose to exploit this source; and

(c) the quantity of coal expected from this new find ?

**THE MINISTER OF ENERGY (SHRI VASANT SATHE) :** (a) to (c). Regional exploration by Geological Survey of India the Mand-Raigarh coalfields in Raigarh district of Madhya Pradesh has revealed, estimated coal resources of 2224 million tonnes. There is no programme to exploit these deposits during Seventh Plan period.

**United Kingdom's offer to share Technology with India**

1320. **SHRI MAHENDRA SINGH :** Will the Minister of INDUSTRY be pleased to state :

(a) whether in response to the measures recently announced by Government to liberalise import of technology, material and investments from abroad, Government of United Kingdom have offered to share latest technology to help in future development of India's industrial capabilities;

(b) if so, the response of the United Kingdom thereto;

(c) the response of British companies and private trade thereto; and

(d) the specific sectors in which the latest British technology is proposed to be harnessed ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) to (d). In the meeting of the Industrial Collaboration Sub-Committee of the Indo-British Economic Committee held in London on 11-13 September, 1985, it was agreed that in view of the recent liberalisation of Government of India's policies relating to import of technology and investment from abroad, efforts should be increased to bring the scope for mutually beneficial collaboration to the attention of a wider range of British Companies and active steps should be taken by the respective national agencies to establish and enhance direct contacts between complementary Indian and British companies. Potential areas of such contacts could include automotive products; tele-communications; electronics and software flexible manufacturing systems; anti-pollution measures; energy conservation and alternative energy sources, etc.

#### Expansion of Public Sector Operations

1321. SHRI AMAR ROYPRADHAN : Will the Minister of INDUSTRY be pleased to state :

(a) whether the Trade Union leaders have suggested the expansion of public sector operations for the generation of more employment in the country;

(b) if so, the details thereof; and

(c) the action so far taken in the matter ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) to (c). Irrespective of the suggestions from the Trade Union leaders, expansion of public sector operations in pursuance of the Industrial Policy Resolution of the Government, are being undertaken subject, of course, to resource constraints.

#### Low production of coal due to outdated Technology and Equipment

1322. SHRI Y.S. MAHAJAN : Will the Minister of ENERGY be pleased to state :

(a) whether the total production of coal in the country is low because of old outdated technology and equipment and existing management practices;

(b) if so, the plans prepared to up-date the technology and replace the existing old and outdated machinery and equipment;

(c) the steps Government are taking to improve the management practices;

(d) whether Government have made a comparative study of the economies of scale of open-cast mining and underground mining; and

(e) if so, the conclusions thereof ?

THE MINISTER OF ENERGY (SHRI VASANT SATHE) : (a) to (c). Coal production is planned by taking into consideration the demand of coal in various consuming sectors as assessed in consultation with the Planning Commission. The production of coal has generally been commensurate with the demand, except for coking coal where there has been marginal shortfall.

Updating of technology and management practices is a continuing process and these are determined by taking into consideration the specific requirements of each Company and projects. Modern high productive methods of mining have been introduced in opencast mines as well as in some selected underground projects. Many of the existing mines started before nationalisation, are also being reconstructed and modernised.

(d) and (e). Before deciding on the method of mining in a particular mining block, either by opencast or underground mining, detailed techno-economic analysis based on the characteristics and geological features of the coal deposits as well as various other technical considerations are carried out in each specific case. It is not possible to lay down any general guidelines in the matter.

#### Production and Export by Small Scale Sector

1323. SHRI SRIHARI RAO : Will the Minister of INDUSTRY be pleased to state :

(a) whether Government have carried out a survey about the goods being manufactured and exported by small scale sector;

(b) if so, the details thereof and the foreign exchange earned by the small scale sector; and

(c) the steps taken by Government to encourage the small scale sector by giving various incentives, etc. ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) Yes, Sir.

(b) A study on export potential of small scale industries products was carried out during the year 1983-84 which covered items *wz.*, Processed fruits and vegetables, sanitary fittings, sewing, machines, wooden furniture, leather gloves, leather footweares and components, PVC pipes, and sports goods.

The data regarding exports from small scale sector are not maintained separately by the Government, however, as per the details available from the various Export Promotion Councils etc., exports for the last three years were as under :

Year	Value of Exports (in crores)
1981-82	2,070.61
1982-83	2,096.92
1983-84	2,159.22

(c) The main incentives for encouraging the exports from small scale sector are as follows :

1. Lower prescribed minimum limit for grant of Export House Certificate.
2. Extra weightage is given to the FOB value of exports of selected products for grant of additional licences to Export Houses/Trading Houses.
3. A scheme of Entrepreneurs Merchant Exporters introduced during the year 1984-85 has been liberalised in the Import Policy, 1985-88.
4. Facilities continue to be available for import of proto-type upto Rs. 1 lakh in value not exceeding two in number automatically, import of capital goods through NSIC and State Small Industries

Corporations and grant of Import Licences for the restricted and limited permissible items to the new small scale industrial units set up in the backward areas or by professionals or by ex-servicemen or by persons belonging to Scheduled Castes and Tribes.

Cash assistance, REP Licences, duty drawback, duty free imports, MDA grant at 60% for trade delegations/sales-cum-study teams abroad, supply of steel at international prices, interest subsidy, raw material on priority basis formation of consortia at lower limit, fiscal and financial incentives, export consultancy services, conducting of training programmes on packaging for exports, participation in the overseas trade fairs and exhibitions, dissemination of information about foreign markets, organising export marketing courses and seminars etc. etc.

#### Gasification of Coal

1324. SHRIMATI MADHURI SINGH : Will the Minister of ENERGY be pleased to state :

(a) whether a technology to gasify coal had been evolved by a French firm;

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

(c) whether the same will be used in our country ?

THE MINISTER OF ENERGY (SHRI VASANT SATHE) : (a) and (b). According to available information U-Gas gasification process developed by Institute of Gas Technology of USA has been selected by Charbonnages de France (Cdf), the French National Coal Company, as its future coal gasification technology. In this process, washed coal reacts with steam and oxygen or air in fluidised bed at a temperature of about 1000°C to give a mixture of combustible gases.

(c) The adoption of the technology can be considered only after it is established on a commercial basis.

**Uniformity in Rules and Regulations regarding Pay and Allowances etc. in Public Sector Undertakings**

1325. SHRI M. RAGHUMA REDDY : Will the Minister of INDUSTRY be pleased to state :

(a) whether it is a fact that each Public Sector Undertaking frames its own rules and regulations for its employees with regard to their pay and allowances, etc.;

(b) if so, the reasons for not having uniform rules and regulations; and

(c) the steps being taken by Government in this direction ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) to (c). Under their Articles of Association or the Statutes creating the Public Sector Enterprises, they have powers to frame rules and regulations governing the pay and allowances, of their employees consistent with the policy directions, if any issued by Government. Uniform rules and regulations are not feasible on account of historical reasons, location of these units and the business in which they are engaged. However, attempts are made to rationalise the scales of pay and allowances at the time of periodical wage settlements.

**Non-implementation of provisions of Coal Mines Workers Welfare Act**

1326. SHRIMATI KISHORI SINHA : Will the Minister of ENERGY be pleased to state :

(a) whether there are any coal mines which are not implementing the provisions of the Coal Mines Labour Welfare Fund Act;

(b) if so, whether these mines have been prosecuted; and

(c) if so, the details thereof ?

THE MINISTER OF ENERGY (SHRI VASANT SATHE) : (a) to (c). The Coal Mines Labour Welfare Fund Act is administered by Coal Mines Labour Welfare Commissioner. As such, the question of

non-implementation of the provisions of that Act by Coal mines does not arise.

**Disparities between Maximum and Minimum Earnings of Employees of Public Sector Undertakings**

1327. SHRI HAROOBHAI MEHTA : SHRIMATI BIBHA GHOSH GOSWAMI :

Will the Minister of INDUSTRY be pleased to state :

(a) the minimum and maximum of pay packets paid to employees officers in public sector undertakings; and

(b) whether there is any proposal before Government to reduce the disparities between the maximum and minimum earnings of persons employed in public sector undertakings ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) Pay packets, besides basic pay and Dearness Allowance, may consist of many other fringe benefits which differ from undertaking to undertaking partly due to historical reasons and partly due to bilateral negotiations between the Management and trade union representatives in respect of unionised employees. Further the employees of the same Company having same scales of pay may have different pay packets depending upon the place of their posting. Thus, it is very difficult to quantify the maximum/maximum pay packets paid to the employees/officers of various Public Sector Undertakings.

(b) While, no specific proposal is under the consideration of the Government, the need to reduce the disparity is kept in view at the time of wage/pay revision.

[Translation]

**Power in Rural Areas of Delhi**

1328. SHRI BHARAT SINGH : Will the Minister of ENERGY be pleased to state :

(a) whether it is a fact that the villages in rural areas of Delhi which came under consolidation of land had been getting power since 1954 to 1983;

(b) whether power supply to these villages had been stopped since 1983 which has resulted in unemployment and closure of business etc. in rural areas; and

(c) the time by which persons allotted plots following consolidation of land will be supplied power?

THE MINISTER OF STATE IN THE DEPARTMENT OF POWER (SHRI ARIF MOHAMMAD KHAN) : (a) to (c). The information is being collected and will be laid on the Table of the House.

**Work on Contract Basis in N.T.P.C.  
Shakti Nagar and Hind Nagar,  
Beejpur U.P.**

1329. SHRI RAJ KUMAR RAI : Will the Minister of ENERGY be pleased to state :

(a) whether each work is got done on contract basis by National Thermal Power Corporation, Shakti Nagar and Hind Nagar, Beejpur in Uttar Pradesh;

(b) if so, the details of works got done on contract basis by these undertakings during the last three years;

(c) whether it is not possible to recruit regular staff for work of regular nature; and

(d) if not, the reasons therefor?

THE MINISTER OF STATE IN THE DEPARTMENT OF POWER (SHRI ARIF MOHAMMAD KHAN) : (a) to (d). While construction work of power projects is taken up by the National Thermal Power Corporation (NTPC) through contracts, the operational maintenance of functioning units is carried out departmentally.

In the last 3 years, 64 major contracts and 580 small-value contracts were awarded in respect of the Singrauli project at Shakti-nagar and 25 major contracts and 280 small-value contracts were awarded in respect of the Rihand Project at Hindnagar, Beejpur. For works of regular nature, manpower is employed on projects against permanent posts.

[English]

**Detection of sick Industries**

1330. SHRI AJIT KUMAR SAHA : Will the Minister of INDUSTRY be pleased to state :

(a) the number of companies which have so far reported their sickness to the relevant authorities with a view to rehabilitating the units of their own;

(b) whether Government propose to take up the responsibilities of detecting the sick and potentially sick companies; and

(c) the manner by which such timely detection of sickness could be carried out?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNA-CHALAM) : (a) to (c). Data on sick units are collected by the Reserve Bank of India as per the definition of sickness adopted by it. Banks and financial institutions are required to draw up rehabilitation schemes in respect of industrial units assisted by them which are potentially viable.

Government have introduced a special legislation in the Lok Sabha on 29.8.1985 viz. "The sick Industrial Companies (Special Provision) Bill, 1985", which provides *inter-alia* for timely detection of sick and potentially sick companies and, establishment of a quasi-judicial body to be designated as the Board for Industrial and Financial Reconstruction with powers to consider and suggest suitable measures for speedy rehabilitation of sick industrial units. In terms of the proposed legislation, the onus of reporting sickness in industrial units would be on these units themselves.

[Translation]

**Location of Oil Wells in Seventh Plan Period**

1331. PROF. NIRMALA KUMARI SHAKTAWAT : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) the names of the places which will have oil wells alongwith the number thereof during the Seventh Five Year Plan period indicating the expenditure involved thereon; and



(b) whether oil and LPG will be produced at such an economic cost that it would almost meet the domestic demand ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI NAWAL KISHORE SHARMA) : (a) ONGC and OIL propose to drill about 2200 wells during the Seventh Five Year Plan in the following areas/basins :

Gujarat

Kutch and Saurashtra

Assam

Arunachal Pradesh

Nagaland

Tripura

Krishna-Godavari

Cauvery

Bengal

Orissa

Rajasthan

Himalayan foothills and Ganga Valley

Gondwana

Vindhyan

Deccan Syncline

Bombay Offshore

Kutch Offshore

Kerala-Konkan

Andaman and North East Coast

The Seventh Plan outlay approved for the ONGC and OIL is Rs. 9702 crores.

(b) It is expected that oil and gas will be produced economically. Since exploration of oil is highly probabilistic in nature, it is not possible to indicate with certitude whether self-sufficiency would be achieved.

[English]

### Gas Exploration in H.P. and J and K

1332. SHRI K. RAMACHANDRA REDDY : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether Jwalamukhi in Himachal Pradesh and Saruinsar in Jammu and Kashmir have been identified as suitable for gas exploration;

(b) if so, whether drilling operations have already started there; and

(c) if so, the results achieved thereby ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI NAWAL KISHORE SHARMA) : (a) and (b). ONGC has drilled 4 wells in Jwalamukhi and one in Surinar. Some more locations have been identified for drilling in these areas.

(c) No commercial discovery of hydrocarbons has been made so far.

### Customer Services Centres in Telephone Department

1333. PROF. K. V. THOMAS : Will the Minister of COMMUNICATIONS be pleased to state :

(a) the number of customer services centres working in the Telephone Department;

(b) whether these are effectively functioning to help people; and

(c) if not, the steps taken to improve the working of these centres ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) The number of customer services centres working in the country is 223.

(b) Yes, Sir.

(c) Does not arise in view of the reply to part (b) above. However, constant watch is being kept on the working of these centres.

**Development of Khadi during Seventh Five Year Plan**

1334. SHRI CHITTA MAHATA : Will the Minister of INDUSTRY be pleased to state :

(a) whether Government are considering the development and promotion of Khadi in the country during the Seventh Five Year Plan period;

(b) if so, the details thereof; and

(c) if not, the reasons thereof ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) Yes, Sir.

(b) The production of Khadi is estimated to increase from 112 million sq.mts in 1984-85 to 180 million sq.mts in 1989-90. The value of khadi production is expected to increase from Rs. 161 crores in 1984-85 to Rs. 288 crores in 1989-90. An outlay of Rs. 150 crores has been provided for development of Khadi programme during the Seventh Plan period. The Government is also likely to provide about Rs. 220 crores by way of rebate on the sales of khadi, during the period. The level of employment in khadi is expected to increase from 14 lakh persons in 1984-85 to 20 lakh persons in 1989-90.

(c) Does not arise.

**Demand, Production and Import of L.P.G. Cylinders**

1335. PROF. P. J. KURIEN : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) total installed capacity of LPG cylinders in the country and the total demand of the same;

(b) whether the cylinders are still being imported;

(c) if so, the reasons for such import;

(d) whether licences are still being issued for setting up new units;

(e) if so, the details thereof; and

(f) the steps being taken to stop issuing fresh licences ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI NAWAL KISHORE SHARMA) : (a) The installed capacity for manufacture of LPG cylinders in the country presently is 1.46 crores against the oil industry's requirement of about 35 to 40 lakhs per annum.

(b) and (c). Apart from the balance quantity in terms of the contract with M/s. Mangels Mines of Brazil decided upon in 1983, no LPG cylinders are being imported.

(d) An industrial unit for manufacture of LPG cylinders does not require a licence under the Industries (Development and Regulation) Act, 1951.

(e) and (f). Do not arise.

**Report of B.I.C.P. on increase in tyre prices**

1336. SHRI K. RAMAMURTHY :  
SHRI SAIFUDDIN CHOWDHARY :

Will the Minister of INDUSTRY be pleased to state :

(a) whether the Bureau of Industrial Costs and Prices has made a study of the cost structure of tyre industry and submitted its report; and

(b) if so, the salient features of such a study ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) and (b). Yes, Sir. BICP was asked to examine the financial performance of tyre industry for 1982-83 and 1983-84, the cost structure of tyres and the reasonableness of price revisions. It was also asked to investigate manipulation of prices, if any, in the context of excise duty.

The main findings of the BICP study are summarised below :

- (i) Costs during the years 1980 to 1983 have shown an increasing trend under all 'Heads' of expenses *viz.* materials, labour and overheads, in most of the companies.
- (ii) Between August 1981 and April 1984, the impact of the price increase of all raw materials in tyres put together was not significant
- (iii) Taking conversion and selling costs, the comparison between total cost and price (Net Dealers Price) indicates a mixed picture.
- (iv) As a result of change-over from ad-valorem to specific rates of excise duties, the excise duties payable after 1-3-1984 are generally higher than those being paid earlier on basis of basic price.
- (v) Profitability of tyre companies has fluctuated during the four years period from 1980 to 1983 and, generally, there was a sharp deterioration in profitability in 1983 (relative to 1981 and 1982).
- (vi) A 12% post-tax return with an overall debt equity pattern of the industry of 1:1 and an average interest rate of 14% on debts, would require a return of about 21% on capital employed. Only MRF and JK achieved this level of return in 1983.
- (vii) Capacity utilisation of the industry declined to 78% in 1983 as against 98% achieved in 1980. The idle capacity cost may have led to an increase in unit cost of production and downward trend in profitability of the industry.
- (viii) The combined effect of duties on inputs (one stage) and on tyres, raises by 83% the estimated price with absolutely no taxes on inputs and on tyres.
- (ix) Government may consider whether it would be appropriate now to refer the issue of prices discounts,

and trade and distribution practices in the tyre industry to a probe by the MRTP Commission

#### Import of Intermediates required for Drug Industry

1337. PROF. MADHU DANDAVATE : Will the Minister of INDUSTRY be pleased to state :

(a) whether it is a fact that the State Trading Corporation has not been able to procure some of the key canalised intermediates required for the drug industry from world market;

(b) whether it is a fact that due to this some of the public sector pharmaceuticals are in idle state;

(c) if so, the details thereof; and

(d) the steps being taken to procure the canalised intermediates indigenously ?

THE MINISTER OF STATE IN THE DEPARTMENT OF CHEMICALS AND PETROCHEMICALS (SHRI R. K. JAICHANDRA SINGH) : (a) No, Sir. State Trading Corporation had some problems in procuring 6-APA, which have since been resolved.

(b) No, Sir.

(c) Does not arise.

(d) 6-APA, which is the only canalised intermediate, is being indigenously produced by M/s. IDPL, HAL and Max India. Recently M/s. Gujarat Lyka have started commercial production of this intermediate. These indigenus manufacturers are supplying their product for canalised distribution.

#### Implementation of Gas-Based Power Projects on HBJ Gas Pipeline

1338. SHRI ANAND SINGH : Will the Minister of ENERGY be pleased to state :

(a) whether the projected three gas-based power projects to be set up on the Hazira-Bijapur-Jagdishpur gas pipeline

have since been taken up for implementation; and

(b) if so, the progress so far made in regard to each project ?

THE MINISTER OF STATE IN THE DEPARTMENT OF POWER (SHRI ARIF MOHAMMAD KHAN) : (a) and (b). Project Reports in respect of the three gas-based Stations have been techno-economically appraised by the Central Electricity Authority. These project are now being considered for investment decision.

#### Setting up of Small Power Houses by Private Sector

1339. SHRI U. H. PATEL : Will the Minister of ENERGY be pleased to state :

(a) whether the Minister of Energy of Gujarat had stated in Rajkot that, in order to remove the shortage of power, the State Government was very much interested in setting up small power houses by private sector and would extend all possible assistance to it;

(b) if so, the details thereof; and

(c) the special assistance that will be provided by the Union Government to Gujarat Government and private sector for setting up such power houses ?

THE MINISTER OF STATE IN THE DEPARTMENT OF POWER (SHRI ARIF MOHAMMAD KHAN) : (a) and (b). According to information received from the Government of Gujarat, the Minister of State for Energy, Gujarat, during an informal meeting on 31-10-1985 with the Chamber of Commerce at Rajkot, welcomed the idea of setting up small captive plants (of about 5 to 10 MW) in Industrial Estates at various places in the State to supplement the efforts of private industrialists in meeting their power needs. The State Government do not envisage provision of any financial help for such plants.

(c) Permission to instal captive plants is accorded where the requirement of power is substantial and continuous and reliable power supply is necessary. The State Electricity Boards are empowered to give such permission if the capacity is upto 25 MW;

consultation with the Central Electricity Authority is necessary in cases where the proposed capacity is more than 25 MW. No special assistance is provided by the Central Government in such cases.

#### Reduction in Price of Cooking Gas

1340. SHRI K. KUNJAMBU : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether it is a fact that the cost of production of LPG cooking gas is practically negligible;

(b) if so, the relationship it has got with the price that is being charged from the consumers; and

(c) whether Government propose to reduce the price of cooking gas ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI NAWAL KISHORE SHARMA) : (a) No, Sir.

(b) Does not arise.

(c) No, Sir.

#### Implementation of Reservation Rules in Recruitment and Promotions in Engineering Projects (India) Ltd.

1341. SHRI ANADI CHARAN DAS : Will the Minister of INDUSTRY be pleased to state :

(a) whether reservation rules in recruitment and promotions are being implemented in Engineering Projects (India) Ltd.;

(b) the total strength of the employees of Engineering Projects (India) Ltd. and strength of Scheduled Caste and Scheduled Tribes employees in the organization as on 1 May 1985 in each group;

(c) the reasons for the shortfall, if any and the steps proposed to be taken to fill the backlog of reserved vacancies; and

(d) the number of posts de-reserved during the last three years ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) and (b). Yes, Sir.

The total strength of the employees and the strength of Scheduled Castes and Scheduled Tribes employees in the organisation as on 1-5-1985 are as under in each group :

Category	No. of employees		
	Total	SC	ST
Group A	501	60	7
Group B	186	28	3
Group C	198	37	7
Group D	20	5	—
	905	130	17

(c) The shortfall was due to non-availability of suitable candidates in spite of concerned efforts made by the company through relaxed standards.

(d) No. of posts de-reserved during last three years in each group :

	SC	ST
Group A	4	1
Group B	3	1
Group C	—	1
Group D	—	—
	7	3

#### Plan to Produce Solar Thermal Power

1342. SHRI BALASAHEB VIKHE PATIL : Will the Minister of ENERGY be pleased to state :

(a) whether Government are planning to produce solar-thermal power on mass scale;

(b) whether with the availability of funds, 20 per cent of country's energy needs can be met through renewable sources;

(c) if so, the present contribution of renewable sources to national energy needs; and

(d) the details of (a) above and when a decision will be taken in this regard ?

THE MINISTER OF ENERGY (SHRI VASANT SATHE) : (a) and (d). A 22 KW solar thermal power generation system is nearing completion at Salojipally village in Andhra Pradesh. The establishment of a 50 KW solar thermal power plant in Achheja village near Ghaziabad is also planned. The possibilities and economics of setting up additional power units, including megawatt size solar power stations are being studied. Meanwhile a large number of solar thermal systems and devices for applications such as water heating, drying, cooking, etc. are being installed in various parts of the country.

(b) Studies indicate that with adequate financial resources, supporting policy and specific measures, it may be possible to meet 20% of the country's energy needs through non-conventional renewable energy technologies by about the turn of the century.

(c) The estimated energy generation/saving from the significant renewable sources is given in the Statement below.

#### Statement

##### *Estimated Present Energy Generation/Saving From Principal Renewable Energy Sources (Excluding Conventional Hydro Power)*

1 2

3

1. Biogas

About 500 million cubic meters of biogas per annum equivalent to about 17 lakh tonnes of fuelwood per annum (valued at about Rs. 68 crores per annum plus fertilisers production valued at about 75 crores per annum).

1

2

3

- |    |                           |   |   |
|----|---------------------------|---|---|
| 2. | Solar Thermal Energy      | : | Energy saving equivalent to about 200 million KWh per year. |
| 3. | Solar Photovoltaic Energy | : | About 800,000 KWh of power generation per year.             |
| 4. | Wind Energy               | ; | About 2.5 million KWh generation and saving per year.       |

In addition about 133 million tonnes of fuelwood and 40 million tonnes of agricultural residues are estimated to be used annually for energy purposes in India according to the Working Group on Energy Policy (1979).

**Loss Due to Fire in Petrol Tanker in Bidar District, Karnataka**

1343. SHRI SUBHASH YADAV :  
 SHRI V. SOBHANADREE-  
 SWARA RAO :  
 SHRI DHARAM PAL SINGH  
 MALIK :  
 SHRI KALI PRASAD PANDEY :

Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether attention of Government has been drawn to the news item appearing in the Times of India of 2nd November, 1985 wherein it has been stated that more than 40 persons have been killed and 82 injured when a petrol tanker which fell into a ditch and caught fire and burst in Bihar District of Karnataka;

(b) if so, the estimated loss therefrom;

(c) whether inquiry into the matter has since been conducted;

(d) whether any relief has been given to the victims; and

(e) if so, the details thereof ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI NAWAL KISHORE SHARMA) : (a) Government have seen the news-item.

(b) Apart from the contractor's tank-truck which got burnt, there was loss of 14 KL of petrol. Besides, 71 persons have so far died while 33 injured persons are under treatment.

(c) Investigation by the police is in progress.

(d) and (e). While the State Government has announced the scale of relief of Rs. 5,000 to the next of kin of each person killed and Rs. 2,000 to those injured, Rs. 3 lakhs have been released and Rs. 75,500 have so far been paid.

**Nahan Foundry**

1344. SHRI K. D. SULTANPURI : Will the Minister of INDUSTRY be pleased to state :

(a) whether in view of the acute financial crisis being experienced by Nahan Foundry, Himachal Pradesh, has sent a proposal to the Union Government for taking over of the foundry;

(b) whether Members of Parliament from Himachal Pradesh have also represented to the Union Government for the same;

(c) if so, the reaction of Government to the proposal; and

(d) the time by which the foundry is likely to be taken over by the Union Government ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) and (b). Yes, Sir.

(c) and (d). The Union Government has not been able to agree to the proposal for the take-over of the Nahan Foundry, which is a State Government undertaking.

**Expenditure to be Incurred on Exploration of oil in Godavari-Krishna Basin**

1345. SHRI V. SOBHANADREESWARA RAO : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) the total amount proposed to be spent by Oil and Natural Gas Commission for oil exploration in the Seventh Five Year Plan period;

(b) the total amount proposed to be spent by Oil and Natural Gas Commission in "Godavari-Krishna Basin" during the Seventh Plan; and

(c) when pipeline will be laid for commercial use ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI NAWAL KISHORE SHARMA) : (a) The total approved outlay for Seventh Plan for ONGC is Rs. 8752.67 crores.

(b) The tentative allocation is about Rs. 387 crores.

(c) Since commercial viability of gas production is still to be established in the Krishna-Godavari basin, the ONGC do not propose to lay any major pipeline for transportation of gas.

**Recession in Refrigerator Industry**

1346. SHRI E. AYYAPU REDDY : Will the Minister of INDUSTRY be pleased to state :

(a) whether the refrigerator industry is facing recession on account of more than 50 per cent of the produced goods lying unsold with them;

(b) the approximate number of refrigerators in all the companies awaiting disposal in the market; and

(c) the steps taken by Government for ascertaining the reasons for this glut in the

market and remedial measures taken in this regard ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) to (c). The information is being collected and will be laid on the Table of the House.

**Supply of Gas at Concessional Rate for Ramgarh Thermal Plant, Rajasthan**

1347. SHRI VIRDHI CHANDER JAIN : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether the Oil and Natural Gas Commission has struck gas in Ghotaru and Manira Tiba area in Rajasthan during its drilling operations;

(b) if so, in what quantity;

(c) the Megawatt capacity of the thermal power plant that can be set up with the above gas;

(d) whether sanction for setting up this gas-based thermal plant at Ramgarh in Jaisalmer District has already been accorded;

(e) whether work on this mini thermal plant is held up for not getting gas at concessional rate;

(f) if so, whether gas will be supplied to Ramgarh Thermal Plant at concessional rate; and

(g) if so, by what time ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI NAWAL KISHORE SHARMA) : (a) to (c). Oil and Natural Gas Commission has discovered gas in Ghotaru and Manhara Tibba in Rajasthan during its drilling operations. The total gas reserves in Rajasthan state have provisionally been assessed at about 540 Million Cubic Metres. More wells, however, have to be drilled to assess the full potential and to establish commercial viability and to determine production plans, for various uses of this gas.

(d) The gas-based power project at Ramgarh, with an installed capacity of 3 MW, proposed by the Rajasthan State Electricity Board had been accepted by the Planning Commission for inclusion in the State's VI Five Year Plan.

(e) to (g). The issue of pricing of gas all over the country for various uses is under Government's consideration.

**Disparity in Investment by Union Government etc. in different Regions in the Country**

1348. SHRI ANANDA PATHAK : Will the Minister of INDUSTRY be pleased to state :

(a) what is the investment of the Union Government and public sector undertaking and financial institutions in the western Region in 1972-77 and 1978-83 periods *vis-a-vis* in Eastern and Central Regions during the same periods, regionwise details thereof;

(b) the reasons for disparities, if any; and

(c) the details of efforts made to bridge the gap ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) to (c). The statewise investment in Central Public Enterprises is available in the Public Enterprises Surveys of the respective years placed on the Table of the House every year.

As regards the investment of Union Government and Financial Institutions the information is not readily available regionwise and the efforts involved in collection of these voluminous information will not be commensurate with the benefits to be obtained therefrom. Further, the investment decisions are not based on considerations solely with a view to striking a Regional balance ignoring all techno-economic and other considerations.

**Declaration of Raigarh as "No" Industry District**

1349. KUMARI PUSHPA DEVI : Will the Minister of INDUSTRY be pleased to state :

(a) whether Raigarh district in Madhya Pradesh is a backward and no industry district;

(b) if so, the reasons why the above district has not been declared 'No Industry District'; and

(c) the steps taken to set up industry in that district ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) Raigarh District in Madhya Pradesh has been industrially backward and included in Category 'C'.

(b) Only the districts having no large or medium scale industry as in 1979-80 have been identified as 'No Industry Districts'. Raigarh Districts does not fulfil this criteria.

(c) Industrialisation of specific districts is primarily the responsibility of State Governments concerned. Central Government, however, supplements their efforts by providing various concessions/incentives for industries in identified backward areas. Entrepreneurs setting up industries in Raigarh District which is a Category 'C' district are entitled to preference in the grant of Licences, Central Investment subsidy @ 10% subject to a maximum of Rs. 10 Lakhs which is raised by 5% subject to a maximum of Rs. 15 Lakhs in case the industrial unit is certified as Nucleus Plant, Concessional Finance facilities, etc. as contained in the booklet "Incentives for Industries in backward Areas (Central Government and Central Financial Institutions) April, 1984" read with this Ministry Press Note No. 14/2/83-DBA-I dated 9-4-85, copies of which are available in Parliament Library.

**Transaction in U.S. Dollars for HBJ Gas Pipeline**

1350. SHRI S. JAIPAL REDDY : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether tender documents for the Hazira-Bijapur-Jagdishpur gas pipeline specify that transactions should be made in US dollars; and



(b) if so, the reasons therefor ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI NAWAL KISHORE SHARMA) : (a) No, Sir.

(b) Does not arise.

#### Deterioration of Telephone Service in Karnataka

1351. DR. V. VENKATESH : Will the Minister of COMMUNICATIONS be pleased to State :

(a) whether Government are aware that the telephone service throughout the country and particularly in Karnataka have deteriorated day by day;

(b) whether it is fact that the complaints from consumers have remained unattended for several weeks despite repeated requests made to the authorities; and

(c) the action Government propose to take in this regard ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) The telephone services are generally satisfactory in the country. There is no deterioration of telephone services in Karnataka in comparison to previous year.

(b) No Sir. The complaints are attended to promptly. The average duration for clearing the fault is 3 hours and 36 minutes.

(c) All necessary steps are taken to see that the services are maintained at a satisfactory level.

#### Packing industry

1352. SHRI P. R. KUMARA-MANGALAM : Will the Minister of INDUSTRY be pleased to state :

(a) whether packaging industry in the country continues to be in its infancy, traditional and outmoded, thereby retarding marketing both within and outside the country, especially in respect of liquids, semi-liquids and more so in the case of perishable products;

(b) whether our packaging is costly and sometimes more than the cost of contents; and

(c) whether the industry is proposed to be developed on scientific lines to ensure that use of paper and wood-based products is eliminated and/or reduced to the minimum in order to save our fast dwindling forests ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) :

(a) Along with the development of consumer industries, particularly drugs and pharmaceuticals, edible and mineral oils, food and confectionary items, agricultural products, tea, coffee, etc., the packaging industry in these areas is developing to service these industries. Significant modernisation of packaging has been witnessed especially in the last two or three years, in plastic packaging industry.

(b) The cost of packaging is high in the country on account of high cost of raw materials available for the industry.

(c) Efforts are being made to substitute or reduce the use of paper and wood for packing.

#### Involvement of Private Individuals and Firms in Selling Postal Stamps and Delivering Registered Letters

1353. SHRI K. P. UNNIKRISHANAN : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether a system has been introduced by which postage stamps are sold in shops and places other than post offices by private vendors and shopkeepers on commission basis;

(b) whether registered articles for delivery are also entrusted to individuals on contract;

(c) if so, the details of these arrangements and commission given to private vendors and parties;

(d) the other areas of postal operations in which the private individuals and firms are involved likewise; and

(e) the reasons for making these policy departures and its advantages ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) Yes, Sir.

(b) No Sir.

(c) The Scheme for sale of postage stamps and stationary through licensed agents has been introduced in stages since 1966. The commission payable under this scheme is 1½%. In addition, with effect from 16.8.85, a scheme of licensed postal agents has been introduced under which the licensed agent is authorised, among other things, to sell postage stamps and stationery. Under this scheme the commission payable for sale of postage stamps and stationery is 5% on such sale.

(d) On some mail routes, carriage of mails is entrusted to private contractors on the basis of subsidy/royalty.

(e) The new arrangement is only in respect of registration of letters and acceptance of letters/clearance of letter box through licensed postal agents. Under this arrangement postal facilities are made available to people in areas/localities which do not have a post office.

[*Translation*]

**Demand for setting up second bench in various States**

1354. SHRI SARFARAZ AHMAD : Will the Minister of LAW AND JUSTICE be pleased to state :

(a) the names of States demanding a second bench of High Court;

(b) the names of States for which Government have agreed to set up the second bench and the time by which and the names of places where second bench in such States is likely to be set up; and

(c) the names of the States whose demand for setting up of second bench has not been accepted and the reasons thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI H. R. BHARDWAJ) : (a) Apparently, the Hon'ble Member desires to know the names of States which have demanded new Benches, as some States already have a second Bench of the High Court.

The following States have demanded establishment of permanent Benches of their High Courts :

1. Uttar Pradesh Allahabad High Court.
  2. Manipur
  3. Meghalaya
  4. Nagaland
  5. Tripura
- } Gauhati High Court
6. Karnataka Karnataka High Court
  7. Madhya Pradesh Madhya Pradesh High Court
  8. Tamil Nadu Madras High Court

(b) and (c). These demands were referred to the Jaswant Singh Commission. The report of the Commission has been received and is engaging the attention of the Government of India.

**Delay in the Construction Work of Hydro-Electric Project at Suringarh, U. P.**

1355. SHRI HARISH RAWAT : Will the Minister of ENERGY be pleased to state :

(a) whether it is a fact that construction work of small hydro-electric project at Suringarh in Uttar Pradesh is lagging for behind the schedule;

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

(c) the remedial measures being taken in this regard ?

THE MINISTER OF STATE IN THE DEPARTMENT OF POWER (SHRI ARIF MOHAMMAD KHAN) : (a) to (c). Suringarh Hydro-electric Project (2 × 400 KW), being executed by Uttar Pradesh State Electricity Board, was originally scheduled to be commissioned during 1984-85. The project is now scheduled to be commissioned during 1986-87. The delay in execution is on account of geological problems and shortages of cement. The project authorities

are reviewing the position frequently to avoid any further delay.

**Consumption of Electricity in Agricultural Sector**

1356. DR. CHANDRA SHEKHAR TRIPATHI : Will the Minister of ENERGY be pleased to state :

(a) whether consumption of electricity in the agricultural sector is decreasing day by day;

(b) if so, whether Government have ascertained the cases thereof;

(c) if so, the details thereof; and

(d) if not, whether Government propose to take steps to increase its consumption ?

THE MINISTER OF STATE IN THE DEPARTMENT OF POWER (SHRI ARIF MOHAMMAD KHAN) : (a) : No Sir.

(b) to (d). Do not arise.

[English]

**Import of L.P.G. Cylinder from Brazil**

1357. PROF. RAMKRISHNA MORE : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether Government have procured 8 lakh LPG cylinders from Brazil despite adequate indigenous production capacity of LPG cylinder manufacturing units in the country; and

(b) if so, the justification for such import ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI NAWAL KISHORE SHARMA) : (a) and (b). Owing to recurring shortfall in availability of LPG cylinders from indigenous sources, it was decided to 1983 to import from Brazil.

**Short Fall in Oil Production in North Eastern Region**

1358. SHRIMATI GEETA MUKHERJEE : SHRI GURUDAS KAMAT :

Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether it is a fact that there has been a shortfall in oil production in the North-Eastern region during the first half of the year 1985-86; and

(b) if so, the details thereof and the measures being taken to make up the shortfall in production ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI NAWAL KISHORE SHARMA) : (a) and (b). As against the annual target of 5.53 million tonnes for the North-Eastern Region, the actual production of crude oil during the first half of 1985-86 has been 2.5 million tonnes.

Some of the steps being taken to make up the shortfall are :

(i) Increased development drilling.

(ii) Acceleration of workover efforts.

(iii) Putting more wells on gas lift by installation of additional pumps and compressors.

(iv) Increased pressure maintenance by water injection and gas injection.

**Construction of Domkhar (Main Power) Project in Leh and Parkachik Suru Power Project in Kargil District.**

1359. SHRI P. NAMGYAL : Will the Minister of ENERGY be pleased to state :

(a) whether the people of Ladakh region had been requesting the Union Government to examine and take up in Central Sector the Construction of Domkhar (Main) Power Project in Leh District and Parkachik Suru Power Project in Kargil District;

(b) if so, whether a team of experts is proposed to be deputed to examine the two projects; and

(c) if not, the reasons therefor ?

THE MINISTER OF STATE IN THE DEPARTMENT OF POWER (SHRI ARIF MOHAMMAD KHAN) : (a) to (c). A representation has been received regarding the Parkachik Suru Power Project. However, Government of J and K are yet to submit the revised project report of Domkhar HE Project and a proper project proposal in respect of Parkachik (Suru) Power Scheme. It is for the Government of J and K to send a team of experts to examine and formulate the schemes. If J and K authorities require any expert advice from Union Government, the same can be provided.

**Agreement with Organization of Arab Petroleum Exporting Countries for Oil Exploration**

1360. SHRI P.M. SAYEED :  
SHRI ANANTA PRASAD SETHI :  
SHRI R.M. BHOYE :

Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether India and the Organisation of Arab Petroleum Exporting countries have decided for providing close co-operation in the field of petroleum-chemical industrialisation, oil exploration and training of technical personnel of Arab oil producing countries; and

(b) if so, the details regarding the agreement arrived at in this regard alongwith the terms and conditions ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI NAWAL KISHORE SHARMA) : (a) and (b). The discussions between the Indian delegation and the OAPEC related to possible areas of cooperation between the member countries of the OAPEC and India, and the OAPEC institutions and the institutions in India in the following areas :

- (i) the utilisation of training capabilities available in India by the OAPEC member countries;
- (ii) utilisation of the research network established by the ONGC, EIL and IOC; and

- (iii) bilateral and multilateral co-operation between the National Oil companies with a view to promoting self-reliance.

It was agreed during the discussions that the cooperation between the OAPEC, its member countries and India would be strengthened further. This would result in a greater degree of self-reliance and cooperation amongst developing countries.

[*Translation*]

**Complaint against Dealers having both Petrol and Kerosene Agencies**

1361. SHRI K.N. PRADHAN : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) the number of petrol pumps in the country which have also given kerosene agencies; and

(b) the number of such dealers against which complaints have been received during the last one year and the action taken against them ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI NAWAL KISHORE SHARMA) : (a) The total number of Retail outlet (petrol/diesel) dealers in the country who have SKO/LDO agencies also is 1970.

(b) There were 40 dealers against whom complaints have been received or who were found to have indulged in various mal-practices by officers of the oil industry during regular/surprise inspections during the last one year. Corrective action as envisaged in the oil industry's Marketing Discipline guidelines has been taken against these dealers.

[*English*]

**Exploration of Oil in Krishna-Godavari Basin**

1362. SHRI S. M. BHATTAM : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether the Oil and Natural Gas Commission has withdrawn proposals for commercial production of gas in Krishna-Godavari basin;

(b) if so, the reasons therefor;

(c) whether it is a fact that 594 million tonnes of gas deposits are present in this basin;

(d) whether drilling operations were stopped due to restrictions imposed on carrying heavy equipment; and

(e) if so, the reasons therefor ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI NAWAL KISHORE HARMA) : (a) No, Sir.

(b) Does not arise.

(c) The in-place reserves of gas in this basin as on 1.1.85 are estimated at 6.3 million tonnes of oil equivalent of gas.

(d) and (e). No, Sir. There was some delay in the commencement of drilling at well No. Tatipaka-I as the road bridges were found to be weak and the rig could not be moved by road because of the restrictions imposed by State Government. The rig was later transported by ferry.

[*Translation*]

#### Issue of Commemorative Postal Stamps

1363. SHRI M. L. JHIKRAM : Will the Minister of COMMUNICATIONS be pleased to state :

(a) the criteria for issuing commemorative stamps;

(b) whether it is a fact that no commemorative stamps have been issued in respect of the famous and brave queen Durgawati of Garha Mandla and 'Madan Mahal' of Jabalpur built on a single rock;

(c) if so, the reasons for ignoring them so far; and

(d) the time by which commemorative stamps are likely to be issued in their memory ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) A philatelic Advisory Committee functions in the Department which advises the Government regarding issuance of commemorative/special postage stamps. Guidelines for issuance of such stamps are given in the statement below.

(b) Yes, Sir.

(c) As regards commemorative stamp on queen Durgawati, the proposal was considered by the PAC but was not recommended. So far as the stamp on 'Madan Mahal' is concerned, no such proposal appears to have been received in the Department in the recent past.

(d) In view of (c), does not arise.

#### Statement

##### *The Issue of Commemorative/Special Postage Stamp from 1981 Onwards*

- Proposals may be taken up well in advance, say about a year before the propose date of issue, to enable proper examination, designing, approval, announcement, printing and supply of stamps as part of a planned programme.
- A stamp commemorative a living personality may not ordinarily be issued.
- Not more than one stamp on a personality may be issued, save in exceptional cases. In such cases, the proposals may be considered by the Government on the recommendation of the Philatelic Advisory Committee.
- The personalities on whom commemorative stamps are issued may be of national or international importance and the occasion should be ordinarily birth centenary or 10th/25th/100th death anniversary. Commemorative stamps may be issued on the first death anniversary of the personality, only in very exceptional cases.

5. No stamp may ordinarily be issued commemorating an institution unless the occasion is its centenary.
6. Events of very important national or international character may only be considered for issue of stamps, occasions of lesser importance may be commemorated by providing special cancellation.
7. Commemorative/special stamps issued in a year may be about 40 and of these stamps on eminent personalities may be about 10.

[English]

**Effect of Liberalisation of Industrial Licensing Policy on Industrial Production**

1364. SHRI R. PRABHU : Will the Minister of INDUSTRY be pleased to state :

- (a) whether his Ministry has undertaken an assessment of the effect of liberalisation of industrial licensing policy on industrial production;
- (b) if so, the details thereof; and
- (c) the extent of increase in industrial production that has been brought about as a result of these policy changes ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) (a) and (b) : The scheme of liberalisation of industrial licensing policy and procedure recently announced has been well received by the industry. There has been a substantial increase in the number of letters of intent issued during the period January-October, 1985 as compared to the corresponding period of the previous year. The number of letters of intent issued during the period January-October, 1985 was 1196 as against 818 issued during the corresponding period of the previous year registering an increase of 46%. In addition 839 registration letters were also issued during the period May-October, 1985 under the scheme of registration of units pertaining to delicensed industries. A quick survey of 22 units conducted by the Associated Chambers of Commerce and Industry had

revealed investment intentions totalling roughly to Rs. 1750 crores, over the next three years, a large part of it is presumably attributable to the improved investment climate.

(c) The average index of industrial production during the period April to August, 1985 registered a rise of 6.3% over April to August, 1984.

**Productivity Consciousness in Industries**

1365. DR. PHULRENU GUHA : Will the Minister of INDUSTRY be pleased to state :

- (a) whether the National Productivity Council has taken steps to generate productivity consciousness in the industries;
- (b) if so, the details of the steps taken by the Council during the last three years and the results thereof; and
- (c) the steps proposed to streamline the network of National Productivity Council to improve its performance in the matter of promoting productivity consciousness in the country ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) to (c). With a view to generate productivity consciousness in all spheres of economic activities, particularly industry, agriculture and service sectors, the National Productivity Council has been organising seminars, workshops, training programmes and disseminating productivity information through publications, periodicals and audio-visual media etc. During the past 3 years, in addition to its own normal activities, the National Productivity Council has established industry-wise Productivity Boards for Seven major industry groups namely;

- (i) Power Generation, Transmission and Distribution Equipment,
- (ii) Industrial Machinery,
- (iii) Cement,
- (iv) Machine Tools,
- (v) Automobiles and Ancillaries,

(vi) Paper, Pulp and Allied Industries, and

(vii) Leather and Leather Goods.

and has also instituted industry level productivity awards for recognition of noteworthy performance in productivity improvement. It has also intensified its activities in the following areas of national endeavour :—

- (a) Energy Conservation,
- (b) Materials Management,
- (c) Maintenance Management,
- (d) Labour Management Relations,
- (e) Pollution Control,
- (f) Participative Management and Quality of Work life,
- (g) Productivity Improvement at Sectoral level through designing productivity measurement and monitoring models,
- (h) Productivity improvement at unit and shop floor level through in-depth surveys and implementation studies, and
- (i) Development of small Scale, Khadi and Village Industries.

The National Productivity Council has 75 Members and its Governing Body, 25 Members with equal representation from employers; employees and Government. Its activities are reviewed by the Council and the Governing Body and necessary directions are given from time to time for strengthening the network of productivity movement in the country.

#### S.T.D. Service between Delhi and Faizabad

1366. SHRI NIRMAL KHATRI : Will the Minister of COMMUNICATIONS be pleased to state :

(a) the date from which Government propose to introduce S.T.D. service between Delhi and Faizabad;

(b) whether his Ministry has received some complaints regarding technical defects in the present Faizabad-Delhi S.T.D. service; and

(c) if so, the reasons for these defects and the action being taken to remove them ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) STD service between Faizabad and Delhi is already available since August, 1984 via Kanpur TAX.

(b) Yes, Sir. Recently one complaint regarding poor functioning of the STD services from Faizabad to Delhi has been received.

(c) The main reasons for poor functioning of the STD services from Faizabad has been found to be the congestion due to inadequate number of circuits between Faizabad and Kanpur TAX. Augmentation of circuits has already been ordered.

More lines are being added between Kanpur TAX and stored programmed control electronic trunk automatic exchange at Delhi for improvement of the service.

#### Jobs in Khadi and Village Industries during Seventh Plan

1367. SHRI JAGANNATH PATNAIK : Will the Minister of INDUSTRY be pleased to state :

(a) whether Government have made any assessment regarding the jobs being made available in Khadi and Village Industries during the Seventh Five Year Plan period; and

(b) if so, the number of persons likely to secure jobs in Orissa and the total outlay made available through Planning Commission ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) :

(a) Yes, Sir. The target of employment during the Seventh Plan period (1985-90) has been fixed at 20 lakh persons under Khadi and 30 lakh persons under Village Industries.

(b) The information is being collected.

[*Translation*]

**Applicant for Telephone Connections  
in Vyara Telephone Exchange  
in Gujarat**

1368. SHRI C. D. GAMIT : Will the Minister of COMMUNICATIONS be pleased to state :

(a) The number of applicants for telephone connections still on waiting list in Vyara Telephone Exchange of Surat Telephone Division;

(b) the time since when these applicants are on the waiting list and the details thereof;

(c) the time by which these telephone connections are likely to be provided and the steps being taken therefor; and

(d) whether keeping in view the industrial development of Vyara, there is any scheme to provide more telephone facilities there, if so, the details thereof ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) The waiting list in Vyara Telephone Exchange of Surat Telephone District was 75 on 31.10.85.

(b) The earliest applicant on the waiting list is since 7.3.1983. The details of the waiting list under different categories is given below :

Oyt	Special	General	Total
9	6	60	75

(c) The present waiting list is likely to be cleared progressively by 1986-87. There is a proposal for replacing the existing 300 CBNM telephone exchange by 360 CBM telephone exchange and expanding it further in the 2nd stage.

(d) There is a proposal to replace Manual exchange by an Automatic Exchange during 7th Plan subject to availability of resources.

[*English*]

**Hydel Power Station in Kerala**

1369. DR. K.G. ADIYODI : Will the Minister of ENERGY be pleased to state :

(a) the names of hydel power stations in Kerala with rated capacity of each;

(b) the average capacity and percentage of utilisation (load factor) in each of the last three years, with cost of generation per unit; and

(c) the names of on-going projects with their estimated additional power generation and the time of completion of the same ?

THE MINISTER OF STATE IN THE DEPARTMENT OF POWER (SHRI ARIF MOHAMMAD KHAN) : (a) and (b). The names of the hydel power stations, in Karala, their capacity, energy generation potential, load factor and cost of generation are indicated in the statement given below.

(c) The names of the on going projects in Kerala with their estimated additional power generation and the expected date of commissioning as indicated by Kerala SEB are given below :

Name of the Station	Capacity (MW)	Energy (MU)	Target for Completion Month/Year
1	2	3	4
Idukki Stage-III	Water Diversion.	376	3/87
Sabirigiri Augmentation	Water Diversion	125	2/87



1	2	3	4
Idamalayar	75	320	I 5/86
			II 6/86
Idukki Stage-II	390	Peaking Station	I Commissioned in 10/85
			II 1/86
			III 6/86
Kallada	15	65	1987/88
Kakkad	50	262	5/89
Lower Periyar	180	493	I 1/90
			II 3/90
			III 5/90

**Statement**

Name of the Station	Installed Capacity (MW)	Energy Potential (MU)	Load Factor %			Cost of generation Paise/Kwh		
			1982-83	83-84	84-85	1982-83	83-84	84-85
Pallivasal	37.5	284	82.3	72.4	81.6			
Neriamangalam	45	237	48	64.6	73.5			
Sengulam	48	182	28.3	39.1	45.0			
Panniar	30	148	18.0	58.1	32.9			
Poringalkuthu	32	170	61.6	76.9	84.7			
Sholayar	54	233	56.3	66.3	58.7			
Kuttiyadi	75	248	31.9	38.2	41.5			
Sabarigiri	300	1213	40.8	32.4	52.3			
Idukki St. I	390	2015	67.9	42	56.7			
Total Kerala	1011.5	4730	60.6	51.2	57.5	6.95	8.153	Not fina- lised.

[Translation]

**Telephone Service through Microwave  
in Rajasthan**

1370. SHRI MANPHOOL SINGH CHAUDHARY: Will the Minister of COMMUNICATIONS be pleased to state:

(a) the names of the places in Rajasthan where telephones through microwave will start functioning during this year;

(b) the areas in which telephone lines will be connected through microwave;

(c) whether Government are aware that work on microwave line is going on very slowly; and

(d) the time by which Ganga Nagar, Suratgarh, Loonkaransar and Bikaner will be connected with Jaipur and Delhi through microwave line?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA): (a) The names of places whose telephone exchanges are likely to be connected through UHF/MW media during 1985-86 in Rajasthan are—Ajmer and Hanumangarh.

(b) A list of names of other places where telephone exchanges are proposed to be linked to national network using UHF/MW media, is given in the attached Annexure.

(c) Works on UHF/MW Projects are being reviewed regularly and progress is generally satisfactory except where specific problems may arise.

(d) Sriganganagar is connected to national network and has access to Jaipur and New Delhi via Bhatinda. Suratgarh, Bikaner are tentatively planned to have access through MW/UHF to Jaipur and Delhi by 1990 and 1987 respectively. Lookaransar is not planned for being connected to national network at present.

**Statement**

*List of the Stations Proposed to be  
Connected through UHF/Microwave  
Media in Rajasthan*

- 1.\* Bikaner
2. Jhunjhunu
3. Bhilwara
- 4.\* Chittorgarh
- 5.\* Udaipur
6. Dungarpur
7. Banswara
8. Tonk
9. Bundi
10. Sawaimadhapur
11. Jhalawar
12. Baran
13. Churu
14. Jalore
15. Sujangarh
16. Sardarsahar
17. Suratgarh

[English]

**Import of Oil from Saudi Arabia**

1371. SHRI SOMNATH RATH :  
SHRI RADHAKANTA DIGAL :

Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether Government have any proposal to increase the import oil from Saudi Arabia;

(b) if so, whether Government propose to review their present oil contract with that country;

(c) the quantum of increase proposed to be made in the import of oil from Saudi Arabia; and

(d) the details thereof?

\*These stations are having access by coaxial cable systems at present.

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI NAWAL KISHORE SHARMA) : (a) to (d). Contracts for supply crude oil on Government to Government basis are generally concluded on a year to year basis. The contracts for import of crude oil for the year 1986 from various countries including Saudi Arabia is still under the consideration of the Government of India.

#### Import of Machinery by Leasing Companies

1372. SHRI ANIL BASU : Will the Minister of INDUSTRY be pleased to state :

(a) the number of leasing companies operating in the country as on 15th October, 1985; and

(b) the number of companies which have been permitted to import machinery for the purpose of leasing to clients ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) Leasing activity is not shown separately in the Industrial classification of Joint Stock companies adopted by the Department of Company Affairs. It is not, therefore, possible to indicate the number of leasing companies operating in the country.

(b) The required information is being collected and will be laid on the Table of the House.

#### Development of Coal in Orissa

1373. SHRI MURLIDHAR MANE : Will the Minister of ENERGY be pleased to state :

(a) whether Government have a proposal to take some steps for the development of coal in the country during the Seventh Five Year Plan;

(b) if so, the schemes prepared therefor;

(c) the amount earmarked for that purpose;

(d) the specific steps proposed to be taken for the development coal in Orissa during the Seventh Plan period; and

(e) the details thereof ?

THE MINISTER OF ENERGY (SHRI VASANT SATHE) : (a) to (c). Yes, Sir. A coal production target of 226 million tonnes has been fixed for achievement by 1989-90. For this purpose, an outlay of Rs. 6700 crores has been provided in the Seventh Five Year Plan. The increase in coal production is to be achieved through reorganisation of some existing mines and by development of a number of new projects.

(d) and (e). It is proposed to increase production of coal from Talcher and Ib valley coalfields of Orissa from the present level of 5.44 million tonnes (1984-85) to 13.9 million tonnes per year by 1989-90. Bharatpur opencast and Jagannath expansion schemes in Talcher coalfield and Belpahar and Lajkura opencast mining projects in Ib valley coalfields have been approved. More projects will be taken up during the course of the Seventh Five Year Plan.

#### Waiting List for New Telephone Connections in the Country

1374. SHRI SRIKANTHA DATTA NARASIMHARAJA WADIYAR : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether Government are aware of the ever increasing demand for new telephone connections in the country and more particularly in the metropolitan cities;

(b) if so, the number of applicants in different cities in general and metropolitan cities in particular on the waiting list to get telephone connections as on 31st October, 1985; and

(c) the steps taken to clear the backlog ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) Yes, Sir.

(b) The information is given in the Statement below.

(c) The existing telephone exchanges are being expanded and the new ones being opened wherever feasible to provide telephone connections to the waiting applicants, subject to availability of resources.

Statement		
Sl. No.	Name of the city	Waiting List as on 31st Oct., 1985.
1	2	3
1.	Bombay Metro.	1,83,929
2.	Calcutta "	30,429
3.	Delhi "	1,56,281
4.	Madras "	35,597
	Total	4,06,236
5.	Abmedabad	34,486
6.	Bangalore	25,153
7.	Hyderabad	35,730
8.	Kanpur	8,756
9.	Pune	20,697
10.	Agra	3,862
11.	Allahabad	1,712
12.	Amritsar	6,468
13.	Baroda	14,399
14.	Calicut	3,662
15.	Chandigarh	12,213
16.	Coimbatore	7,864
17.	Ernakulam	7,648
18.	Gauhati	2,577
19.	Indore	9,258
20.	Jaipur	10,300
21.	Jullundur	6,669
22.	Lucknow	2,696
23.	Ludhiana	13,048
24.	Madurai	3,111
25.	Nagpur	8,294

1	2	3
26.	Patna	4,105
27.	Rajkot	8,344
28.	Surat	23,273
29.	Srivandrum	4,591
30.	Varanasi	2,881
31.	Vijayawada	4,270
	Total	2,86,067
	Grand Total	6,92,303

#### Development of Non-Conventional Energy Sources in Gujarat

1375. SHRI D. P. JADEJA : Will the Minister of ENERGY be pleased to state :

(a) whether Government have conducted any survey of the potential of Jamnagar district in Gujarat for the development of non-conventional energy sources;

(b) the details regarding development of "Wind-Power" and "Tidal Energy"; and

(c) the steps taken to develop these sources of energy in Jamnagar District in Gujarat ?

THE MINISTER OF ENERGY (SHRI VASANT SATHE) : (a) A Wind Survey project and investigations and studies for a tidal power project in the Gulf of Kachchh, are in progress.

(b) and (c). Wind Farm projects for the generation of over 1.5 MW electrical power and already under implementation at Kandla and Okha. Other similar wind electricity generation projects are also planned for this area. In respect of tidal power in the Gulf of Kachchh, decisions on implementation will be considered after the completion of the feasibility report.

#### Inquiry into Productivity of Industries

1376. SHRI SYED MASUDAL HOSSAIN : Will the Minister of INDUSTRY be pleased to state :

(a) whether it is a fact that his Ministry recently ordered an inquiry into productivity of Indian Industries;

(b) if so, the outcome of the said inquiry;

(c) the details of the follow-up action taken by Government on the said inquiry report; and

(d) if no follow-up action has been taken, the reasons therefor ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) No, Sir.

(b) to (d). Do not arise.

#### Progress of Self Employment Scheme

1377. SHRI V. TULSI RAM : Will the Minister of INDUSTRY be pleased to state :

(a) the progress achieved by the self-employment scheme as on 31 October, 1985;

(b) whether Government are considering some proposals for its further improvements;

(c) the number of unemployed in the country who were provided such employment during the last three years as on 31 October, 1985, State-wise details thereof;

(d) the number of applications received from Andhra Pradesh for the purpose, the

number out of them sanctioned, the number awaiting sanction;

(e) the total amount sanctioned/to be sanctioned; and

(f) the time by which all such applications will be cleared as on 31 October, 1985 ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) During 1983-84, the first year of the scheme against a target of 2.5 lakh ventures, 2.42 lakh beneficiaries were sanctioned loans amounting to Rs. 401.54 crores upto 31-3-1984 and during 1984-85, 2.29 lakh beneficiaries were sanctioned loans amounting to Rs. 429.52 crores upto 31-3-85. The achievement for the year 1985-86 will be known at the close of the financial year *i.e.* after March, 1986.

(b) The scheme has been continued without any modifications during 1985-86. Proposals for further improvement would be considered when a decision for continuation of the scheme in future is taken.

(c) Statement is enclosed showing progress of the Scheme during 1983-84 and 1984-85. The progress of 1985-86 Scheme will be known only after March, 1986.

(d) The number of applications sanctioned in A.P. during 1983-84 and 1984-85 are as under :

Year	Target	No. of applications recd. by DIC task forces in A P	No. of applications recommended to the banks by DIC task forces	No. of applications sanctioned by the banks	
				No.	Amount (Rs. lakhs)
1983-84	20,000	1,07,792	25,401	14,781	2,936.00
1984-85	15,100	82,447	28,401	13,084	2,733.92

(e) The total amount sanctioned by banks during 1983-84 in Andhra Pradesh was Rs. 2,936.00 lakhs and Rs. 2,733.92 lakhs in 1984-85.

(f) The duration of the operation of the Scheme is the financial year. The applications received during 1985-86 are expected to be disposed of by the end of 31st March, 1986.

**Statement**  
*Statement showing progress of Self-employment Scheme for Educated Unemployed Youth during 1983-84 and 1984-85  
as compiled on 21-11-1985*

Sl. No.	Name of the States/UTs	Targets for 1983-84	1983-84				1984-85				Amount of loan sanctioned by banks (Rs. lakhs)
			No. of cases recommended by DIC task force to banks	No. of cases sanctioned by banks	Amount of loan sanctioned by banks (Rs. lakhs)	Targets for 1984-85	No. of cases recommended by DIC task force to banks	No. of cases sanctioned by banks	Amount of loan sanctioned by banks (Rs. lakhs)		
1	2	3	4	5	6	7	8	9	10		
1.	Andhra Pradesh	20,000	25,401	14,781	2,936.00	15,100	28,401	13,084	2,733.92		
2.	Assam	6,700	10,944	8,021	1,540.44	8,200	10,271	7,642	1,629.91		
3.	Bihar	29,000	36,766	14,230	2,278.64	14,500	26,307	14,806	2,674.97		
4.	Gujarat	11,200	19,585	10,497	1,538.88	10,700	6,146	4,072	665.96		
5.	Haryana	5,300	9,682	6,199	998.99	6,300	8,258	5,478	957.45 (for 5452 cases)		
6.	Himachal Pradesh	2,000	6,126	2,465	449.69	2,500	2,897	2,156	448.49		
7.	Jammu and Kashmir	1,800	2,399	1,416	287.95 (for 1389 cases)	1,400	1,668	1,119	244.10		

	1	2	3	4	5	6	7	8	9	10
8. Karnataka	12,100	27,667	12,307	1,960.00	12,500	13,087	12,810	2,379.00		
9. Kerala	15,100	20,967	13,091	2,110.00	13,300	16,049	11,907	2,129.70		
10. Madhya Pradesh	17,500	39,243	18,786	2,857.80	19,100	31,966	18,065	3,404.38		
11. Maharashtra	20,800	52,009	24,579	4,024.28	25,000	40,432	18,667	3,109.28		
12. Manipur	1,000	1,462	991	179.82	1,200	1,013	994	227.50		
13. Meghalaya	400	632	353	75.09	400	313	313	62.92		
14. Nagaland	250	253	189	39.25	200	NR	269	58.60		
15. Orissa	8,600	9,722	6,823	1,368.62	7,000	8,320	7,599	1,703.65		
16. Punjab	6,700	15,856	9,047	1,689.60	12,000	24,549	12,212	2,443.00		
17. Rajasthan	10,000	23,414	15,054	2,365.30	15,000	22,178	15,382	2,898.57		
18. Sikkim	100	28	15	3.65	50	77	49	10.30		
19. Tamil Nadu	17,500	33,472	21,247	3,316.00	21,700	28,602	22,500	4,248.86		
20. Tripura	900	962	696	97.33	700	775	707	131.72		
21. Uttar Pradesh	36,000	47,585	36,857	5,382.85	37,600	56,248	34,400	5,981.21		

	1	2	3	4	5	6	7	8	9	10
22. West Bengal			25,500	41,967	23,680	4,481.92	24,100	38,256	23,101	4,533.21
23. A and N Islands			100	112	66	15.22	100	NR	101	23.68
24. Arunachal Pradesh			200	62	36	6.91	50	82	60	12.50
25. Chandigarh			500	599	325	56.50	300	468	300	62.00
26. Dadra and Nagar Haveli			100	174	54	10.71	100	72	68	13.42
27. Goa, Daman and Diu										
				D.I.C. was not in operation			300	431	337	81.62
28. Mizoram			200	199	196	42.61	200	709	202	32.12
29. Pondicherry			450	470	414	40.00	400	639	400	50.68
<b>Totals</b>			<b>2,50,000</b>	<b>4,27,738</b>	<b>2,42,405</b>	<b>40,154.05</b>	<b>25,0,000</b>	<b>3,68,214</b>	<b>2,28,800</b>	<b>42,952.72</b>



[*Translation*]**Setting up of Solar Energy Station in Allahabad, Uttar Pradesh**

1378. SHRI RAM PUJAN PATEL : Will the Minister of ENERGY be pleased to state :

(a) the names of the places where solar energy stations are proposed to be set up the number of such stations set up so far and the capacity of each of such stations;

(b) whether Government are considering the question of setting up of such a station in Allahabad also for the development of eastern region in Uttar Pradesh; and

(c) if so, whether any survey will be conducted in some part of the Phulpur parliamentary constituency where this station is proposed to be set up at a suitable place ?

THE MINISTER OF ENERGY (SHRI VASANT SATHE) : (a) to (c). Solar energy has started being used for low and medium grade heat applications as well as low electric power applications. A number of such installations are operating already in many parts of the country including Allahabad. Larger size solar power stations are in the research and development stage.

[*English*]**Shifting of Establishments of IOC, BPL and HPL from Cochin**

1379. SHRI P. A. ANTONY : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether there is any proposal to shift the establishments of Indian Oil, Bharat Petroleum and Hindustan Petroleum in Cochin to nearby Ambalamedu for safety and better conveniences; and

(b) if so, when and the action taken in this regard ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI NAWAL KISHORE SHARMA) : (a) No, Sir.

(b) Does not arise.

**Linking Satna in Madhya Pradesh with Rest of India By S.T.D.**

1381. SHRI AZIZ QUARESHI : Will the Minister of COMMUNICATIONS be pleased to state :

(a) the progress made in the work to link Satna in Madhya Pradesh by STD with the rest of India; and

(b) the total expenditure incurred in the above mentioned work from 1st January 1985 to 31st October 1985 ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) Switching equipment has been installed. Transmission equipment is under installation.

(b) The expenditure incurred from 1st January 1985 to 31st October 1985 is being collected and will be furnished as soon as possible.

**Installation of Bio-Gas Plants in Varanasi**

1382. SHRI MOHANBHAI PATEL : Will the Minister of ENERGY be pleased to state :

(a) whether a French team has visited varanasi in regard to installing a bio-gas plant that will be most modern in terms of sewage handling facilities;

(b) if so, whether it will also help to reduce pollution in the Ganga; and

(c) whether Government propose to instal such bio-gas plants in other cities also which are located on the river banks ?

THE MINISTER OF ENERGY (SHRI VASANT SATHE) : (a) Yes, Sir.

(b) Yes, Sir.

(c) Yes, Sir.

**Posts of Professionals in the Bureau of Public Enterprises**

1383. SHRI MANIK REDDY : Will the Minister of INDUSTRY be pleased to state :

(a) whether it is a fact that his Ministry is considering to abolish the posts of professionals in the Bureau of Public Enterprises; and

(b) if so, the reasons therefor and objectives in view; and the details in this regard?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) :

(a) and (b). A Group of Secretaries under the Chairmanship of the Cabinet Secretary had been constituted to review all plan and Non-Plan expenditure incurred by various Ministries/Departments on various activities. The Group have examined the expenditure pattern of Ministries/Departments, including Bureau of Public Enterprises, with a view to effecting economy. The Government have not yet taken a decision in the matter.

#### Progress of Drilling Work undertaken by ONGC

1384. DR. B.L. SHAIKESH : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) the progress made and results achieved in the areas already being explored by the Oil and Natural Gas Commission;

(b) in which of these areas drilling work is in progress; and

(c) whether any signs of viability of these drilling areas for commercial exploration are in sight?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI NAWAL KISHORE SHARMA) : (a) During the VI Plan the ONGC drilled 335 exploratory wells and established 894 million tonnes of geological reserves of oil and oil equivalent of gas.

(b) Exploratory drilling is in progress in the following basins :

1. Cambay
2. Kutch
3. Rajasthan

4. Upper Assam
  5. Assam Arakan fold belt
  6. West Bengal
  7. Krishna-Godavari
  8. Cauvery
  9. Andaman and
  10. Western Offshore.
- (c) Yes, Sir.

#### Change in Pricing Policy for Energy Sector

1385. DR. B.H. SHAIKESH : Will the Minister of ENERGY be pleased to state :

(a) whether the Planning Commission has suggested a drastic change in the pricing policy for the energy sector; and

(b) if so, the broad features of the integrated pricing policy for the energy sector during the Seventh Five Year Plan?

THE MINISTER OF STATE IN THE DEPARTMENT OF POWER (SHRI ARIF MOHAMMAD KHAN) : (a) and (b). Planning Commission, in their draft Seventh Plan document, have referred to the need for formulation of an integrated energy pricing structure so as to reflect not only the true costs of energy to the economy but also help ensure the financial viability of the energy industries.

#### Thermal Power Projects Under Construction in Madhya Pradesh

1386. DR. KRUPASINDHU BHOI : Will the Minister of ENERGY be pleased to state :

(a) the number of Thermal Power Projects working at present in the country, State-wise;

(b) the number of new thermal power projects which are to be set up in the country in the coming years and the number of projects under construction; and

(c) the number and names of Thermal Power Projects which are under construction in Madhya Pradesh and the time by which these projects will be completed?

THE MINISTER OF STATE IN THE DEPARTMENT OF POWER (SHRI ARIF MOHAMMAD KHAN) : (a) Number of thermal power stations under operation in various States is indicated in the statement given below.

(b) 64 new thermal schemes have so

far been approved for implementation in the coming years. These projects are under various states of implementation.

(c) The thermal schemes under execution in Madhya Pradesh under the State and Central Sector are :

Name of the Schemes	Capacity (MW)	Commissioning schedule as assessed by the Planning Commission
<b>State Sector</b>		
1. Korba (W) Extn.	1 × 210 Unit-4	1985-86
2. Birsinghpur (Sanjay Gandhi)	2 × 210 Unit-1 Unit-2	1989-90 Beyond 7th Plan.
<b>Central Sector</b>		
1. Korba STPS St. I	1 × 500 Unit-4	1987-88
2. Korba STPS St. II	2 × 500 Unit-5 Unit-6	1989-90 1989-90
3. Vindhyachal	6 × 210 Unit-1 Unit-2 to 6	1987-88 Subsequent units at interval of six months.

Statement		1	2
Name of State/ U.T.	No. of Thermal Power Stations (Including Different Stages of same station as one) Utilities only		
1	2		
1. Delhi	2	7. Gujarat	7
2. Haryana	2	8. Madhya Pradesh	4
3. Jammu and Kashmir	1	9. Maharashtra	9
4. Rajasthan	1	10. Andhra Pradesh	4
5. Punjab	2	11. Tamil Nadu	3
6. Uttar Pradesh	5	12. Bihar	3
		13. D.V.C.	3
		14. Orissa	1
		15. West Bengal	7
		16. Assam	5
		17. Karnataka	1
		18. Central	6

**Conversion of Yen-Rupee arrangement to dollar-rupee with Japan for Maruti**

1387. SHRI MANIK REDDY : Will the Minister of INDUSTRY be pleased to state :

(a) whether due to Yen-Rupee value auto components imports for Japanese India projects are at a standstill (Economic Times, dated 18 October, 1985);

(b) if so, the corrective steps Government propose to take in this regard; and

(c) whether it is proposed to urge Japan to convert Yen-Rupee arrangement into Dollar-Rupee arrangement for Maruti or evolve some other stable arrangement to protect India's interest and promote trade between the two countries ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) :

(a) No, Sir.

(b) Does not arise.

(c) No, Sir.

**Import of Bulk Drugs**

1388. SHRI MANIK REDDY :  
SHRI M. RAGHUMA REDDY :

Will the Minister of INDUSTRY be pleased to state :

(a) the total value of imports of bulk drugs in 1983-84;

(b) the percentage of this amount imported by wholly-owned Indian companies; and

(c) the foreign exchange involved on the import by wholly-owned Indian companies ?

THE MINISTER OF STATE IN THE DEPARTMENT OF CHEMICALS AND PETROCHEMICALS (SHRI R. K. JAICHANDRA SINGH) : (a) Rs. 123.06 crores.

(b) and (c). Sector-wise details in imports are not being maintained of this Ministry.

**Price Fixation of Betnovit Ointment**

1389. SHRI VISHNU MODI : Will the Minister of INDUSTRY be pleased to state :

(a) whether it is a fact that the price of Betnovit ointment has not been fixed by his Ministry although the product falls under price control;

(b) whether it is also a fact that this product is being sold at a very high price; and

(c) the price fixed for this ointment and the price at which the same is being sold ?

THE MINISTER OF STATE IN THE DEPARTMENT OF CHEMICALS AND PETROCHEMICALS (SHRI R. K. JAICHANDRA SINGH) : (a) The price of Betnovate Ointment has not been fixed under the Drugs (Prices Control) Order, 1979, because of Court stay order.

(b) and (c). M/s. Glaxo Labs. is selling Betnovate Ointment at the prices approved under the Drugs (Prices Control) Order, 1970 by virtue of the stay granted by the Delhi High Court against the price fixed for Betamethasone 17 Valerate, the bulk drug concerned and proposed fixation of prices of formulations based on the said bulk drug. The maximum retail price including Excise Duty for Betnovate 15 gm. Tube prevailing under the Drugs (Prices Control) Order, 1970 is Rs. 10.43.

**Sales Turnover of Phexin Capsules**

1390. SHRI VISHNU MODI : Will the Minister of INDUSTRY be pleased to state :

(a) whether it is a fact that Phexin capsules are being sold at very high prices;

(b) whether it is also a fact that this is an essential Medicine and the therapeutic indication is covered under price control;

(c) the price fixed for these capsules and the name of the company marketing the drug; and

(d) the sales turn-over of this product and the total sales turn over of the company by whom this product was marketed during 1984-85 ?

THE MINISTER OF STATE IN THE DEPARTMENT OF CHEMICALS AND PETROCHEMICALS (SHRI R. K. JAICHANDRA SINGH): (a) to (c). Phexin capsules which contain Cephalexin are manufactured by M/s. Capsulation Services and are marketed by M/s. Glaxo Laboratories India Ltd. These capsules are covered under Category-III of Drugs (Prices Control) Order, 1979 for the purpose of prices control. When M/s. Capsulation Services introduced Phexin capsules, they were exempt from price control as their sales turnover was less than Rs. 50 lakhs.

(d) Details would have to be called for.

#### Delay in Exploration of Oil in South Bassein

1391. SHRI C. JANGA REDDY :  
DR. A. K. PATEL :

Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether it is a fact that the South Bassein 'giant' gas field was discovered in 1977 but it will be made use of around 1987;

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

(c) the details of the plans for the infrastructure to use this gas; and

(d) the estimated output in its first year of production ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI NAWAL KISHORE SHARMA): (a) and (b). The first exploratory wells drilled in South Bassein field in 1976 indicated the presence of oil and gas and there were no traces of Hydrogensulphide ( $H_2S$ ). However wells drilled in Panna in 1982 indicated the presence of  $H_2S$ ; as Panna and Bassein are twin structures having fluid continuity, presence of  $H_2S$  in Panna field led to the possibility of Bassein Gas being sour. This was confirmed in 1983 and therefore it has been decided to set up a gas sweetening plant at Hazira for removal of  $H_2S$ , in order to render this gas fit for use.

(c) Apart from the construction of the gas sweetening and sulphur recovery plants, a 1730 km long pipeline is proposed to be laid to transport this gas, after it is brought onshore, to eventually meet the feedstock requirements of eight fertilizer plants and fuel requirements of two gas-based power plants being set up along the pipeline; it is also proposed to extract LPG from this gas at appropriate locations along the pipeline.

(d) the estimated output of gas in its first year of production is in the order of 10 Million Cubic Metres per day (MMCMD); it is proposed to increase this to 20 MMCMD in subsequent years.

[Translation]

#### Purchase of land and floor area by BHEL in Asian Games village, Delhi

1392. SHRI C. JANGA REDDY :  
DR. A.K. PATEL :

Will the Minister of INDUSTRY be pleased to state :

(a) whether it is a fact that Bharat Heavy Electricals Limited has purchased land at the rate of Rs. 4000 per sq. metre and the floor area at the rate of Rs. 4,549 per sq. metre in Asian Games Village, for their reception room and administration wing;

(b) if so, the details of advertisements given and tenders invited for purchase of cheaper land and rooms in Delhi at competitive rates;

(c) whether any commission was also paid for this purchase of about rupees ten crores and if so, how much and to whom; and

(d) the amount so far spent on the above mentioned work ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM):

(a) Yes, Sir.

(b) The buildings in Asian Games Village were purchased by BHEL from Delhi Development Authority on a negotiated basis.

(c) No, Sir.

(d) BHEL has paid Rs. 10.3 crores to DDA for these buildings.

[English]

**Relaxation of Ban on New Posts in Public Sector Enterprises**

1393. SHRI SANAT KUMAR MANDAL : Will the Minister of INDUSTRY be pleased to state :

(a) whether the Department of Public Enterprises has relaxed or removed the existing ban on new posts in the public sector enterprises under the administrative control of the various Ministries of Government;

(b) if so, whether a copy of the Notification regarding relaxing or lifting the existing ban issued in this behalf is proposed to be laid on the Table of the House; and

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

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) :

(a) Yes Sir. The earlier restriction imposed on the creation/filling up of posts by the public enterprises has been relaxed.

(b) The relaxation was communicated through an executive instruction and not through a Notification and thus the question of placing a copy of the Notification on the Table of the House does not arise.

(c) In view of (a) above, the question does not arise.

**Issue of Licences for Production of Bulk Drugs**

1394. SHRI MANVENDRA SINGH : Will the Minister of INDUSTRY be pleased to state :

(a) the parameters of economy that are taken into account while issuing licences/registrations for production of bulk drugs from basic stages vis-a-vis international prices;

(b) whether it is a fact that foreign companies having equity not more than 40 per cent are producing bulk drugs at a higher price than that being produced by their parent companies abroad;

(c) what are the items and price difference of such items produced by them in our country; and

(d) the reaction of Government thereto ?

THE MINISTER OF STATE IN THE DEPARTMENT OF CHEMICALS AND PETROCHEMICALS (SHRI R. K. JAICHANDRA SINGH) : (a) to (d). Similar information has already been furnished vide Lok Sabha Unstarred Question No. 1138 dated 30th July, 1985.

**Procurement of rural Kits by Indian Drugs and Pharmaceutical Limited**

1395. SHRI MANVENDRA SINGH : Will the Minister of INDUSTRY be pleased to state :

(a) the orders received by Indian Drugs and Pharmaceuticals Limited for supply of rural kits during the last three years, details thereof, State-wise and year-wise;

(b) the names, quantities and price that has been paid to suppliers from whom they have procured/got supplied to the various State Governments;

(c) the reasons why the Government could not procure these rural kits directly from the small suppliers; and

(d) there action of Government thereto ?

THE MINISTER OF STATE IN THE DEPARTMENT OF CHEMICALS AND PETROCHEMICALS (SHRI R. K. JAICHANDRA SINGH) : (a) A Statement is given below. (Statement-I)

(b) A Statement is given below. (Statement-II)

(c) and (d). Orders for supply of rural kits were placed by State Governments on IDPL at their discretion.

## Statement-I

States	Total Business Procured during 1982-83	Total Business procured during 1983-84	Total Business procured 1984-85
Uttar Pradesh	62941 Kits	46940 Kits	76335 Kits
Rajasthan	—	1150 "	400 "
Dadar and Nagar Haveli	—	100 "	—
Sikkim	—	812 "	1092 "
Karnataka	—	8146 "	14070 "
Madhya Pradesh	—	33312 "	—
Himachal Pradesh	—	4000 "	9037 "
Delhi	1000 Kits	800 "	500 "
Haryana	—	—	20157 "
Bihar	—	240 "	660 "
Andhra Pradesh	—	—	28684 "
Tripura	—	—	470 "
Chandigarh	30140 "	—	—
Total :	94081 "	95500	151405 "

## Statement-II

Name of firm	Qty.	Price paid (Rs./lakhs)
1	2	3
<b>1982-83</b>		
1. M/s. Shivalick Drug, Hardwar	62,953	56.03
2. M/s. Nestor Pharmace- uticals Pvt. Ltd. Faridabad.	29,057	25.21
	<u>92,010</u>	<u>81.24</u>

1	2	3
<b>1983-84</b>		
1. M/s. Shivalick Drug, Hardwar	55999 } 30717 }	56.33 30.99
2. M/s. Nester Pharmaceu- ticals Pvt. Ltd., Faridabad	34041	33.99
3. M/s. Arora Pharmaceu- ticals (P) Ltd., New Delhi	4001 <hr/> 124758 <hr/>	3.99 <hr/> 124.98 <hr/>
<b>1984-85</b>		
1. M/s. Shivalick Drug, Hardwar	33918	43.41
2. M/s. Nester Pharmaceuticals (Pvt.) Ltd. Faridabad	58378	74.72
3. M/s. Arora Pharmaceuticals (Pvt.) Ltd. New Delhi.	15662 <hr/> 107958 <hr/>	20.05 <hr/> 138.18 <hr/>

**Grant of Industrial Licences**

1396. SHRI B.B. RAMAIAH : Will the Minister of INDUSTRY be pleased to state :

(a) whether it is fact that while sanctioning industrial licences for drugs, Government have been continuously approving the in-built excess capacities;

(b) if so, the details of industrial licences that have been granted and have been given excess capacity regularisation with/without fresh investment during the last three years;

(c) the details of these units, the products produced by them, the original sanctioned capacities and excess capacities regularised, and reason for regularisation of excess capacity in the absence of complete production date of small scale units; and

(d) the reaction of Government in the matter ?

**THE MINISTER OF STATE IN THE DEPARTMENT OF CHEMICALS AND**

**PETROCHEMICALS (SHRI R. K. JAICHANDRA SINGH) :** (a) No, Sir. Industrial Licences are issued based on the provisions of the 1978 Drug Policy/Licencing Policy.

(b) to (d). Do not arise.

**Closure of coal mines**

1397. SHRI CHINTAMANI JENA : Will the Minister of ENERGY be pleased to state :

(a) whether certain coal mines are likely to be closed down as these mines have been rendered uneconomical;

(b) if so, the details thereof; and

(c) the steps being taken to rehabilitate the workers working in those mines ?

**THE MINISTER OF ENERGY (SHRI VASANT SATHE) :** (a) No, Sir.

(b) and (c). Question does not arise.



[Translation]

**Gas Agency at Bihar Sharif, Bihar**

1398. SHRI VIJOY KUMAR YADAV : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether there is only one cooking gas agency at Bihar Sharif in Nalanda district of Bihar;

(b) whether the consumers are facing a lot of inconvenience in getting gas cylinders and have to pay more price therefor;

(c) if so, whether Government propose to increase the number of cooking gas agencies at Bihar Sharif; and

(d) if so, the time by which these are likely to be opened ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI NAWAL KISHORE SHARMA) : (a) Yes, Sir.

(b) While there has lately been delay in refill supplies owing to operational reasons, there have not been complaints about overcharging.

(c) and (d). IOC has advertised on October 12, 1985 inviting applications for a new distributorship. Considering the various steps like selection procedure are statutory formalities which precede the commissioning of an LPG distributorship, it does not seem feasible to indicate by which time the proposed one will be commissioned.

**Swaran Rekha Power Project in Bihar**

1399. SHRI VIJOY KUMAR YADAV : Will the Minister of ENERGY be pleased to state :

(a) whether the work on Swaran Rekha Power Project in Bihar has been started;

(b) if so, the details in this regard and the time by which this project is likely to be completed;

(c) the quantum of power proposed to be supplied to Bihar from this project; and

(d) the time by which the supply is likely to be started ?

THE MINISTER OF STATE IN THE DEPARTMENT OF POWER (SHRI ARIF MOHAMMAD KHAN) : (a) to (d). The Subernarekha Multi-purpose Project, downstream of the existing Subernarekha Hydro-electric Project (130 MW), is presently under construction and *inter-alia* involves construction of Chandil Dam across the Subernarekha river. The project report of Chandil Dam Power Project (2 × 4 MW) was received in Central Electricity Authority during April, 1985 and is under examination. As per the project report, the annual energy generation is estimated at 36.33 Gwh. The project can be considered for implementation, only after its techno-economic viability is established.

[English]

**Opening of Petrol/Diesel Outlets and Gas Agencies in Himachal Pradesh and Punjab**

1401. PROF. NARAIN CHAND PARASHAR : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) the names of the places in Himachal Pradesh and Punjab, district-wise, for which the advertisements for the opening of (i) petrol/diesel outlets and (ii) Gas agencies have been issued during the years 1983-84 and 1984-85 and April to October, 1985;

(b) the names of such places among them, where the outlets/agencies have since been opened;

(c) the likely date by which the remaining outlets/agencies would be allotted;

(d) whether there are any cases still pending for such allotment for over (i) five years (ii) there years; and

(e) if so, the details thereof and the reasons therefor ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI NAWAL KISHORE SHARMA) : (a) During the years 1983-84, 1984-85 and April-October, 85, the oil companies have advertised for

development of 17 and 96 locations for Retail outlets and 15 and 84 locations for LPG distributorships in Himachal Pradesh and Punjab respectively. District-wise information in this regard is too voluminous and is not readily forthcoming.

(b) The required information is given in the statement below.

(c) In view of the various steps to be

taken preceding the commissioning of Retail Outlets/distributorships, it would not be feasible to indicate a time limit.

(d) and (e). There is one case pending over 5 years and 15 cases over 3 years for the allotment of Retail Outlets. The main reason of delay in finalisation of these cases is due to either poor response to the advertisement or non availability of suitable candidates.

#### Statement

Name of the State	Locations at which agencies/ distributorships commissioned		Locations for which Letters of Intent has been issued	
	Retail Outlet	LPG	Retail Outlet	LPG
1	2	3	4	5
Himachal Pradesh	Ghumarvin	Dharamsala	Sirkaghat	Simla(2)
		Kulu	Swarghat	Kasauli
		Bilaspur	Karsog	Solan
		Parwanoo	Bhota	Dalhousie
			Badsar	Palampur
			Kalamb	Poontasahib
				Hamirpur
				Sundar Nagar
Punjab	Dharamkot	Jagraon	Talwandi	Malerkotla
	Sehensra	Faziilka	Patiala	Jalandhar
	Chahal	Khanna	Patran	Firozpur
	Sahoke	Ludhiana(5)	Bhogpur	Malout
	Ughi	Amritsar(5)	Bassipathana	Sirhind
	Partappura	Kapurthala(2)	Kanjla	Kothapura
	Pathnakot	Bhatinda(2)	Attari Nihal-	Patiala
	Sahauli	Nabha	singhwala	Samana
	Kapurthala	Moga	Harpura	Nangal
	Malsian	Sangrur	Faridkot	Jalandhar(2)
	Bassian Jorhan	Rajpura(2)	Mandi Gobind-	Dhuri
	Sultanpur	Muktasar	garh	Sunam
	Nakodar	Gobindgarh	Samana (Bhav-	Tudhiana
	Khadauri	Patiala(5)	anigarh Rd.)	Taran Taran

1	2	3	4	5
	Darapur	Banga	Parjian Khurd	Pathaokot
	Samadh Bhai	Nawan Shahr	Barapind	Hoshiarpur
	Mukutsar	Kotkapura	Malwan Kadim	Abohar
	Dhade	Mansa	Panj grahin	Sasnagar
	Teono	Rampuraphul	(Fatehgarh)	
	Kot-Ise-Khan	Jalandhar(3)	Sandwan	
	Jalandhar		Panshata	
	(Kapurthala Rd)		Mehtabgarh	
	Talwan		Sheikhpura	
	Gulzarpur		Ghanauli	
			Bhundari	
			Uba-Birri- Dhilwan	
			Killi Nihal- Singhwala	
			Garndwal	
			Majitha	
			Umranganal	
			Nandgarh	
			Bhnakhandi	
			Makhu	
			Bela	
			Mullanpur	
			Pathankot	
			(Dalhousie by pass)	
			Didwindi	
			Mulowal	
			Jalandhar-Nakodar Road	
			Bagga Purana	
			Lassara Adda	
			Saran Amanat Khan	

\*The number shown in brackets is the number of dealerships at the station.

**Introduction of Scheme for Licensed  
Postal Agentes**

1402. PROF. NARAIN CHAND PARASHAR : Will the Minister of COMMUNICATIONS be pleased to state :

(a) the date on which the Department of Posts has introduced the scheme for Licensed Postal Agentes;

(b) the names of the places, circle-wise, (State-wise in case of multi-State circles) where such Agents have been appointed in rural, Semi-urban and urban areas;

(c) whether the scheme is proposed to be speeded up in view of the ban on the recruitment to new posts and consequently on the opening of new Branch Offices so as to cater to the needs of genuine cases;

(d) if so, the nature of the speeding up proposed in this regard; and

(e) if not, the reasons therefor ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) The scheme has been introduced with effect from 16-8-85;

(b) The information is being collected and will be laid on the Table of the House.

(c) No, Sir.

(d) Does not arise.

(e) The scheme of licensed Postal Agents is to be introduced in areas where according to the assessment made by the divisional superintendents of Post Offices, the said facility is required. It is not linked with the ban on recruitment to new posts and consequent non-opinion of post offices.

**Introduction of Store and Forward  
Telegraph System**

1403. PROF. NARAIN CHAND PARASHAR : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether the store and forward

telegraph (SFT) system has been introduced in the country so as to curtail transitional delays and quicken transmission of telegraph traffic;

(b) if so, the names of stations, circle-wise, at which the systems have been installed alongwith the dates on which these were installed;

(c) whether the system is proposed to be extended in a phased manner so as to cover the entire country;

(d) if so, the names of stations at which the system would be introduced during the Seventh Five Year Plan and the current Annual Plan (1985-86) separately; and

(e) whether any priority is proposed to be given to hill station states regions in view of importance of communication to such areas and the nature of priority ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) Yes Sir, SFT Systems have been introduced in the country so as to curtail transit delays and quicken transmission of Telegraph Traffic.

(b) The information is submitted as per the statement given below.

(c) Yes Sir.

(d) It is proposed to instal such systems at Varanasi, Lucknow, Bhopal, Cuttack and Siliguri and during current annual plan (1985-86)—first year of the Seventh Five Year Plan. During Remaining four year of the Seventh Five Year Plan, it is proposed to introduce such SFT Systems at about 25 more stations. For this purpose, 8 stations have been identified tentatively based on traffic analysis for installation of such systems. These stations are Indore, Jabalpur, Chandigarh, Jammu, Rajkot, Vadodara, Nagpur and Pune. Remaining Stations are being identified.

(e) Hill stations and Telegraph Offices in such areas will be linked to the SFT systems as terminals wherever the Traffic justifies.

## Statement

S.No.	Name of Circle	Station where SFT System is Working	Date of Commission
1.	Andhra Circle	1. Hyderabad	30-7-82
		2. Vijayawada	16-4-85
2.	Bihar	1. Patna	28-5-83
3.	Delhi	1. New Delhi 1st System	27-1-83
		2nd System	30-3-83
		3rd System	27-12-83
4.	Gujarat	1. Ahmedabad	9-6-83
5.	Kerala	1. Ernakulam 1st System	9-10-83
		2nd System	17-6-85
6.	Karnataka	1. Bangalore	30-7-84
7.	Maharashtra	1. Bombay 1st System	18-5-83
		2nd System	15-9-83
		3rd System	27-5-84
8.	North-East	1. Gauhati	9-1-85
9.	Rajasthan	1. Jaipur	24-5-83
10.	Tamil Nadu	1. Madras 1st System	2-4-82
		2nd System	28-3-84
		2. Madurai	30-4-84
		3. Coimbatore	28-5-84
		4. Tiruchirapalli	19-7-85
11.	Uttar Pradesh	1. Agra	30-3-84
12.	West Bengal	1. Calcutta 1st System	1-4-83
		2nd System	13-9-83

**Production of Drugs/Formulations in Excess of Permitted Capacities**

1404. SHRI VISHNU MODI : Will the Minister of INDUSTRY be pleased to state :

(a) the names of the Drug Companies whose capacities have been regularised after verification of authorisation of plant and machinery along with full details of each case;

(b) whether certain companies have produced drugs and formulations more than their permitted capacities after installation of plant and machinery unauthorisedly;

(c) if so, the names of those companies along with names of products and the details of capacities regularised;

(d) the names of the companies whose requests for re-endorsement and regularisation of capacities have been rejected due to

unauthorised installation of plant and machinery;

(e) whether any action has been taken under Industries (Development and Regulation) Act against those companies which installed unauthorised plant and machinery; and

(f) if so, the details of action taken against each company?

THE MINISTER OF STATE IN THE DEPARTMENT OF CHEMICALS AND PETROCHEMICALS (SHRI R. K. JAI-CHANDRA SINGH) : (a) Recognition of installed capacity under 1980 Scheme has not been allowed to any company inspected by the Technical Team.

(b) to (d). No final view has been taken on the reports of Technical Team which visited the plants of 10 Companies.

(e) and (f). Do not arise.

**Fire in Second Unit of Thermal Power Station of Damodar Valley Corporation**

1405. SHRI SANAT KUMAR MANDAL :  
SHRI SUBHASH YADAV :  
SHRI DHARAM PAL SINGH  
MALIK :

Will the Minister of ENERGY be pleased to state :

(a) whether the second unit of the Thermal Power Station of Damodar Valley Corporation was heavily damaged on 23 October, 1985 as a result of a fire which lasted for four hours causing extensive damage;

(b) if so, whether the Union Government have sent an expert team from the Central Electricity Authority to assess the damage to the 2 × 55 MW units of the D.V.C.;

(c) the outcome of the assessment made by the experts team besides assessing the damage and the suggestions made by it for rehabilitation and replacement of these old units; and

(d) the arrangements made to ensure additional power supply to West Bengal till these units are repaired or replaced?

THE MINISTER OF STATE IN THE DEPARTMENT OF POWER (SHRI ARI<sup>E</sup> MOHAMMAD KHAN) : (a) Yes, Sir.

(b) and (c). A team including representatives of Central Electricity Authority visited the site for on-the-spot inspection. A Committee has been constituted to enquire into the incident and *inter-alia* make recommendations regarding rehabilitation and replacement of these units.

(d) As an immediate measure, some assistance was arranged from the Northern Power Grid and West Bengal State Electricity Board for the DVC. With the recent commissioning of certain new units in West Bengal, the State Electricity Board is presently assisting D.V.C.

**Expansion of Solar Energy Utilisation Programme**

1406. SHRIMATI JAYANTI PATNAIK : Will the Minister of ENERGY be pleased to state :

(a) whether Government have taken steps for the expansion of solar-energy utilisation programme;

(b) if so, the amount provided by the Union Government to different State to popularise the above scheme in 1984-85;

(c) the amount allocated to different States to implement this programme in the current financial year; and

(d) the details thereof?

THE MINISTER OF ENERGY (SHRI VASANT SATHE) : (a) to (d). Yes, Madam. Among the steps are intensification of research and development, demonstration of systems for various applications and subsidised supply of devices and systems for actual use by individuals and organisations. Under the subsidy scheme being operated since April 1984 in respect of solar thermal systems, support has been provided to large number of water heating systems, timber kilns, solar drying units, solar stills etc. Solar cookers are also being popularised through subsidies and awareness promotion activities.

In the area of solar photovoltaic technology, about 100 water pumping systems have been supplied to individual farmers at nominal prices under a Special Project. Support has also been extended to some State Government agencies for installation of photovoltaic systems such as street lights, water pumping systems, etc. for demonstration.

Amounts provided by Union Government to different States and Union Territories during 1984-85 for supporting solar energy programmes are given in the Statement below, these amounts corresponded to the projects taken up and progress by the different States. Support will be similarly continued in the current year based on progress, subject to the financial resources available.

#### Statement

*Amount released to various states and Union Territories during 1984-85 for promoting Utilisation of Solar Energy*

S. No.	State/Union Territory	Amount Released (Rs. in lakhs)
1.	Andhra Pradesh	9.27
2.	Bihar	1.46
3.	Delhi	25.73
4.	Gujarat	98.31
5.	Haryana	20.28
6.	Himachal Pradesh	5.40
7.	Jammu and Kashmir	3.15
8.	Karnataka	10.44
9.	Kerala	3.50
10.	Madhya Pradesh	108.51
11.	Maharashtra	6.47
12.	Punjab	30.23
13.	Rajasthan	7.56
14.	Tamil Nadu	16.90
15.	Uttar Pradesh	137.44
16.	Orissa	13.74
<b>Total</b>		<b>498.39</b>

#### Allocation of Funds for Promotion of Non-Conventional Energy Sources

1407. SHRIMATI JAYANTI PATNAIK : Will the Minister of ENERGY be pleased to state :

(a) the amount allocated for different States for the promotion of non-conventional energy sources during the last three years;

(b) the steps taken by different States in this regard; and

(c) the amount spent by each State for the promotion of non-conventional energy sources during the last three years ?

THE MINISTER OF ENERGY (SHRI VASANT SATHE) : (a) Before 1985-86, there was no separate working group in the Planning Commission for discussing and recommending allocations for non-conventional energy programmes for State Plans. A separate Working Group has been framed for Annual Plan 1985-86 onwards and the Planning Commission has started recommending specific outlays for different States in the State Plans for the promotion of non-conventional energy sources. However, the Central Government has been giving subsidies and financial assistance to the States for the promotion of non-conventional energy sources.

(b) Among the steps taken by the State Governments to promote the use of non-conventional energy sources are : (i) some State Governments are giving additional subsidies for certain non-conventional energy systems and devices over and above the central subsidy; (ii) non-conventional energy systems and devices are exempt from the State Sales Tax and Octroi duty in a number of States; (iii) The States have set up independent nodal agencies or have designated a specific department of the State Government as the nodal department for implementing programmes relating to non-conventional energy sources and for better liaison and coordination with the Central Government; (iv) The State Governments have also streamlined the administrative machinery for organising training courses and for arranging loans from Banks for the users of non-conventional energy devices; (v) The State Governments are now, from 1985-86

formulating specific proposals in this area for discussion and approval in the Planning Commission.

(c) Central funds released/utilized to the different States/Union Territories for the purpose of promotion of non-conventional energy sources during the last 3 years are shown in the enclosed statement. In addition, research and development activities and field demonstrations have been undertaken by the Central Government in different States. For this activity separate state-wise allocation is not made and the projects are set up keeping in view the various relevant factors.

#### Statement

*Statement showing the central funds released to State Governments during the last three years (1982-83 to 1984-85).*

S. No.	States	Amount released (Rs. in lakhs)
1	2	3
1.	Andhra Pradesh	820.25
2.	Assam	20.10
3.	Bihar	154.86
4.	Gujarat	509.45
5.	Haryana	279.08
6.	Himachal Pradesh	129.50
7.	Jammu and Kashmir	17.89
8.	Karnataka	381.33
9.	Kerala	58.14
10.	Madhya Pradesh	458.03
11.	Maharashtra	2051.20
12.	Manipur	0.87
13.	Meghalaya	1.10
14.	Nagaland	—
15.	Orissa	130.07
16.	Punjab	218.33
17.	Rajasthan	416.86
18.	Sikkim	0.31
19.	Tamil Nadu	529.33

1	2	3
20.	Tripura	0.45
21.	Uttar Pradesh	1188.46
22.	West Bengal	151.31
23.	Total Staets :	7516.92
24.	U.Ts. and Others	101.17
Grand Total (23+24)		7618.09

[Translation]

#### Leakage of Gas in Cochin

1408. SHRI SHANTI DHARIWAL :  
SHRI B. V. DESAI :

Will the Minister of INDUSTRY be pleased to state :

(a) whether attention of Government has been drawn to the news item captioned "Cochin mein gas risnese 200 bimar" (200 persons fell ill due to gas leakage in Cochin) appearing in "Nav Bharat Times" dated 14 September, 1985;

(b) if so, the action taken by Government so far in connection with the said incident which occurred due to leakage of Hexachlorocyclopentadiene;

(c) whether Government propose to frame any rules to take special precautions in the transportation of liquids which are injurious to health; and

(d) if so, when and if not, the reasons therefor ?

THE MINISTER OF STATE IN THE DEPARTMENT OF CHEMICALS AND PETROCHEMICALS (SHRI R. K. JAICHANDRA SINGH) : (a) Yes, Sir.

(b) M/s. Hindustan Insecticides Limited have reported that they have decided to receive supplies of HCCP from abroad only in Cochin port and transport these under technical supervision to avoid recurrence of similar incidents.



(c) and (d). A suitably empowered body namely, Hazardous Substances Central Board (HSCB) is proposed to be created which will take policy decisions with regard to import, manufacture, handling and disposal of hazardous substance.

[English]

**Dangerous Condition of Edamalayar Dam (Kerala)**

1409. SHRI THAMPAN THOMAS : Will the Minister of ENERGY be pleased to state :

(a) whether it is a fact that Edamalayar Dam in Kerala is in a dangerous state and there is very likelihood of its bursting;

(b) whether serious complaints have been made to Government about these conditions;

(c) if so, whether Government have taken any steps to enquire into the state of this Dam; and

(d) if so, the results thereof?

THE MINISTER OF STATE IN THE DEPARTMENT OF POWER (SHRI ARIF MOHAMMAD KHAN) : (a) to (d). Leakage in the Power Tunnel through cracks in the lining was noticed in July, 1985. On a request from the Chairman, Kerala State Electricity Board, a team of officers from Central Water Commission, Central Electricity Authority and Geological Survey of India visited the project site. The team has given suggestions to the State Electricity Board for taking necessary remedial action. The State Government has, however, assured that Idamalayar Dam is in sound condition and there is no danger at all. The State Government has also decided to conduct a judicial enquiry by a High Court Judge into the reasons for the leak etc.

**Soft Loans to States for Power Projects**

1410. SHRI K. S. RAO : Will the Minister of ENERGY be pleased to state :

(a) whether there is any proposal with Government to arrange soft loans to the States for construction of power projects;

(b) if so, the details thereof;

(c) whether there are any restrictions on States in getting loans from private organisations or Governments of foreign countries if they agree for barter payments; and

(d) whether there are any such instances of taking loans so far ?

THE MINISTER OF STATE IN THE DEPARTMENT OF POWER (SHRI ARIF MOHAMMAD KHAN) : (a) No, Sir.

(b) Does not arise.

(c) All external commercial assistance is negotiated by Government of India.

(d) No, Sir.

**Coal Slurry Pipeline Project in Gujarat**

1411. SHRI RANJIT SINGH GAEKWAD : Will the Minister of ENERGY be pleased to state :

(a) whether Government of Gujarat had submitted a project for coal slurry pipeline to improve transportation of coal to the power projects in the State;

(b) if so, for how long the project is pending clearance with the Union Government; and

(c) the reasons for delay in giving clearance to the State ?

THE MINISTER OF ENERGY (SHRI VASANT SATHE) : (a) to (c). In 1981 the Government of Gujarat made a request to the Planning Commission for taking up a slurry transportation project in Gujarat State in the Central Sector. The State Government was informed that action in the matter would be taken after the Working Group appointed by the Government of India submitted its final report. Arising out of the deliberations of the Working Group, a Group under the chairmanship of Secretary, Department of Coal was constituted to advise on the preparation of a Feasibility Report for establishing a short distance demonstration pipeline for coal slurry transportation in India, connecting a coal source to a power plant. Following the Group's decision a demonstration slurry pipeline project from New Majri Opencast

mine to Chandrapur thermal power station of Maharashtra State Electricity Board is being taken up. The viability of coal slurry transportation in the country can be established based on the outcome of this demonstration project.

**Safety of Workers in Collieries of  
B.C.C.L. Dhanbad, Bihar**

1412. DR. G. S. RAJHANS : Will the Minister of ENERGY be pleased to state :

(a) whether Government are aware that the workers engaged in collieries of Bharat Coking Coal Limited, Dhanbad, Bihar are unsafe;

(b) if so, the number of workers died in the collieries of Bharat Coking Coal Limited during the last one year;

(c) the main cause of such accidents;

(d) the details of the compensation paid by Government to the next of the kin; and

(e) the steps contemplated by Government to safeguard the interest of the workers engaged in collieries of Bharat Coking Coal Limited, Bihar ?

THE MINISTER OF ENERGY (SHRI VASANT SATHE) : (a) to (d). The workers engaged in collieries of Bharat Coking Coal Limited are not unsafe. However, coal mining industry is a hazardous industry and as such possibility of accidents cannot altogether be ruled out. During 1984 there had been 28 fatalities. The main causes of these accidents were roof fall and rope haulage. An amount of Rs. 8,57,046 has, so far, been paid to the dependents of the deceased.

(e) To minimise accidents steps have been taken to improve the roof support system and to provide safe travelling roadways, separate from haulage roads.

**Mining of coal at Bandargaon in  
Maharashtra**

1413. SHRI VILLAS MUTTEMWAR : Will the Minister of ENERGY be pleased to state :

(a) the quantum of coal in million tonnes that has been permitted to be mined at Bandargaon in Maharashtra indicating the total coal available there;

(b) the time by which the said mining work is proposed to be started and the number of persons likely to get employment alongwith the percentage of local people likely to be provided jobs; and

(c) the time by which compensation is likely to be paid to those persons whose land will be acquired for this purpose indicating the rate of compensation and the details of the policy formulated by Government to give them jobs ?

THE MINISTER OF ENERGY (SHRI VASANT SATHE) : (a) to (c). Bander coalfield situated in Chimur Tehsil of Chandrapur District of Maharashtra was regionally explored by Director General Mines of Maharashtra. A reserve of 90 m. tonnes has been estimated in six seams in an area of 7.6 sq.k.m. No permission has been granted for mining of coal in these coalfields. The coalfields are located in an isolated patch located 60/65 kms. away from current mining areas. Detailed prospecting with a view to ascertaining the mining feasibility of this block has been taken up and the Central Mine Planning and Design Institute Limited are taking action for starting drilling in this area. Development of this mine has been included in the Seventh Five Year Plan. Number of jobs to be provided depends upon the overall employment potential of the project. No project has yet been conceived and hence question of land acquisition and payment of compensation does not arise.

[*Translation*]

**Parity in the Royalty of Crude  
Oil and Coal**

1414. SHRI MOHD. MAHFOOJ ALI KHAN : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether some of the State Governments have demanded parity in the crude oil royalty and coal royalty;

(b) if so, whether Government have acceded to the demand of these States;

(c) if so, the rate of royalty decided for crude oil and for coal separately; and

(d) if not, the reasons therefor ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI NAWAL KISHORE SHARMA) : (a) No, Sir.

(b) to (d). Do not arise.

[*English*]

**Representation of Petroleum and Natural Gas Employes Federation in Gujarat**

1415. SHRIMATI PATEL RAMABEN RAMJIBHAI MAVANI : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether the managements have received a charter of demands from the Unions, Associations and Federations of the employees and officers of petroleum and natural gas in Gujarat as well as from other parts of the country during 1-1-1984 to 31-10-1985;

(b) if so, the details thereof;

(c) the action taken thereon by each management; and

(d) the outcome thereof ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI NAWAL KISHORE SHARMA) : (a) to (d). The information is being collected and will be laid on the Table of the Sabha.

**Proposal to establish motor industry in Gujarat in collaboration with Volkswagon of West Germany**

1416. SHRIMATI PATEL RAMABEN RAMJIBHAI MAVANI :  
SHRI U. H. PATEL :

Will the Minister of INDUSTRY be pleased to state :

(a) whether there are any proposals from Mehta Group of Industries to establish a motor industry in Gujarat with the collabo-

ration of 'Volkswagon' of Federal Republic of Germany;

(b) if so, the plans, projects and estimates thereof;

(c) when the said project is likely to be constructed and completed; and

(d) the facilities which will be offered and given to Gujarat Government and the above group to establish the same in the backward areas ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) :  
(a) No, Sir.

(b) to (d). Do not arise.

**New Technology Replacing Underground Cable System**

1417. SHRI HUSSAIN DALWAI : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether keeping in view the problems of repairing underground cable system of telecommunication, Government propose to introduce some new technology to replace age-old underground cable system;

(b) if so, the details of the new technology; and

(c) if not, the effective measures Government propose to take for improving the working of telephone system.

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) Yes, Sir.

(b) In the larger cities the cables are proposed to be laid in specially constructed ducts. Use of jelly filled cables is also being adopted.

(c) Does not apply.

**Restructuring of Directorate General of Technical Development**

1418. DR. G. S. RAJHANS : Will the Minister of INDUSTRY be pleased to state :

(a) whether the National Alliance of Young Entrepreneurs (NAYE) has urged Government to restructure the Directorate General of Technical Development (DGTD);

(b) if so, the contents of the representation submitted by NAYE to Government; and

(c) whether Government have examined the representation and if so, the reaction of Government thereto ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) :  
(a) Yes, Sir.

(b) The contents of the representation submitted by NAYE mainly relate to re-orienting the Directorate General of Technical Development to respond to the new development culture propounded by the Government rather than functioning as a regulatory body with very little stress on development of technology.

(c) A Rationalisation Committee constituted in August, 1985, reviewed and suggested rationalisation of functional structure of the Directorate General of Technical Development. Based on the recommendations of this Committee suitable steps have been taken to restructure the Organisation.

#### **Promotion Opportunities for Extra-Departmental Employees in Posts and Telegraphs**

1419. SHRI C. MADHAV REDDI : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether Government are aware that extra-Departmental employees in the Posts and Telegraphs are stagnating and have not been promoted for the last 10-15 years;

(b) whether Government have received representation from such employees;

(c) whether members of Parliament have also written to him in this regard; and

(d) if so, the details thereof and Government's reaction thereto ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS

(SHRI RAM NIWAS MIRDHA) : (a) EDAs are part-time employees of the Department who are appointed when sanctioning of regular departmental posts on work load basis is not justified. Their duty ranges from two to five hours. They are covered by a separate set of rules known as EDAs (Conduct and Service) Rules, 1964 and are not treated at par with regular Government servants. Their remuneration is calculated on the basis of workload subject to a certain minimum and maximum. They are not generally liable to be transferred from one post to another. Unlike regular Government servants, they are free to take up other avocations in life to supplement their income derived from the Department.

They are eligible for absorption in the Departmental cadres of Postman/Group D on the basis of a departmental examination subject to certain conditions. Hence the question of their stagnation in one post does not arise.

(b) to (d). A number of representations of EDAs have been received from time to time individually as well as through service unions. Some Members of Parliament had also been raising questions in Rajya Sabha as well as in Lok Sabha and the Government had been replying to the same. Some of the Members of Parliament had been writing to the Sanchar Mantri and they have been repeatedly apprised of Government's policy in this regard.

As already announced in Rajya Sabha on 25th March, 85 the House is aware that a One-man Enquiry Committee has already been appointed by the Government. Which considering all the problems of EDAs. The recommendation of the Committee when received will be considered by the Government.

#### **Progress of Rural Electrification**

1420. SHRI C. MADHAV REDDI : Will the Minister of ENERGY be pleased to state :

(a) the progress made in rural electrification during Sixth Five Year Plan, State-wise;

(b) the provision made in the Seventh Five Year Plan for rural electrification, state-wise;

(c) the progress of rural electrification in each State during 1983-84 and 1984-85;

(d) whether during 1984-85 some tribal areas besides some Scheduled Caste bastis were also covered by electrification programme; and

(e) if so, the details thereof and the provision made in 1985-86 for rural electrification, especially for the tribal areas and scheduled caste bastis ?

THE MINISTER OF STATE IN THE DEPARTMENT OF POWER (SHRI ARIF MOHAMMAD KHAN) : (a) Progress made in rural electrification during Sixth Five Year Plan, State-wise, is given in the enclosed Statement I.

(b) The outlays provided, Statewise, for rural electrification in the Seventh Plan period are indicated in attached Statement II.

(c) Progress of rural electrification, State-wise, during 1983-84 and 1984-85 is given in Statements III and IV.

(d) and (e). Out of a total of 21,776 villages electrified during 1984-85, 4200 villages were situated in tribal areas. In addition, street lighting facility was extended to localities inhabited by Harijans in 10,678 villages. 11,817 Harijan Bastis were also electrified under Rural Electrification schemes sanctioned by the REC.

During 1985-86, it is targetted to electrify 20,648 villages and energies 3,95,783 pumpsets/tubewells on an All-India basis, which will include Tribal areas and Scheduled Caste Bastis. 642 Tribal villages and 1352 Harijan Bastis have been electrified upto September, 1985, during the year under the schemes financed by the Rural Electrification Corporation.

#### Statement-I

*State-wise achievements in respect of villags electrification and pumpset/tubewell energisation during the Sixth Plan (1980-85)*

S. No.	Name of the State	Villages Electrified	Pumpset/tubewells energised
1		3	4
1.	Andhra Pradesh	6,419	2,41,818
2.	Assam	7,580	1,058
3.	Bihar	13,952	39,774
4.	Gujarat	5,268	89,534
5.	Haryana	(*)	68,535
6.	Himachal Pradesh	5,693	691
7.	Jammu and Kashmir	1,153	370
8.	Kerala	(*)	53,949
9.	Karnataka	6,401	1,50,906
10.	Madhya Pradesh	18,425	1,88,388
11.	Maharashtra	7,761	3,37,882
12.	Manipur	280	29

1	2	3	4
13.	Meghalaya	716	9
14.	Nagaland	360	—
15.	Orissa	6,531	17,044
16.	Punjab	(*)	1,44,009
17.	Rajasthan	5,945	92,052
18.	Sikkim	136	—
19.	Tamil Nadu	150	1,46,329
20.	Tripura	1,099	696
21.	Uttar Pradesh	24,498	1,47,415
22.	West Bengal	6,338	15,424
<b>Total</b>		<b>1,18,705</b>	<b>17,35,912</b>

(\*)—Cent percent electrification of villages already achieved.

#### Statement-II

##### *Rural Electrification Outlay during the 7th Five Year Plan, Statewise*

S. No.	State	Plan Outlay (Rs. in crores)
1	2	3
1.	Andhra Pradesh	105.55
2.	Assam	145.00
3.	Bihar	181.71
4.	Gujarat	72.40
5.	Haryana	67.81
6.	Himachal Pradesh	36.38
7.	Jammu and Kashmir	33.50
8.	Karnataka	52.74
9.	Kerala	19.47
10.	Madhya Pradesh	221.13

1	2	3
11.	Maharashtra	263.36
12.	Manipur	20.60
13.	Meghalaya	24.00
14.	Nagaland	12.00
15.	Orissa	107.38
16.	Punjab	54.29
17.	Rajasthan	121.00
18.	Sikkim	10.79
19.	Tamil Nadu	81.18
20.	Tripura	15.00
21.	Uttar Pradesh	284.53
22.	West Bengal	162.13
<b>Total</b>		<b>2,091.95</b>

**Statement-III**

*Statewise achievements in respect of electrification of villages and energisation of pumpsets/tubewells for the year 1983-84.*

S. No.	Name of the State	Villages Electrified	Pumpsets/tubewells energised
1		3	4
1.	Andhra Pradesh	1,000	46,424
2.	Assam	2,014	290
3.	Bihar	3,607	6,570
4.	Gujarat	900	12,001
5.	Haryana	(*)	9,461
6.	Himachal Pradesh	870	138
7.	Jammu and Kashmir	315	91
8.	Karnataka	927	37,688
9.	Kerala	(*)	6,665

1	2	3	4
10. Madhya Pradesh		3,939	37,255
11. Maharashtra		1,447	68,155
12. Manipur		105	15
13. Meghalaya		141	—
14. Nagaland		65	—
15. Orissa		1,240	3,491
16. Punjab		(*)	47,545
17. Rajasthan		1,255	12,739
18. Sikkim		42	—
19. Tamil Nadu		37	17,589
20. Tripura		205	67
21. Uttar Pradesh		4,662	23,740
22. West Bengal		726	4,234
<b>Total</b>		23,497	3,34,158

(\*)—Cent per cent electrification of villages has already been achieved.

#### Statement-IV

*State-wise achievements in respect of electrification of villages and energisation of pumpsets/tubewells for the year 1984-85*

S. No.	State	Villages electrified	Pumpsets/tubewells energised
1	2	3	4
1.	Andhra Pradesh	1,193	60,561
2.	Assam	2,251	351
3.	Bihar	603	4,410
4.	Gujarat	1,205	18,625
5.	Haryana	(*)	10,452
6.	Himachal Pradesh	950	106
7.	Jammu and Kashmir	176	91



1	2	3	4
8. Karnataka		1,425	45,413
9. Kerala		(*)	13,999
10. Madhya Pradesh		3,698	37,441
11. Maharashtra		1,194	76,556
12. Manipur		70	12
13. Meghalaya		124	3
14. Nagaland		100	—
15. Orissa		1,242	3,611
16. Punjab		(*)	25,459
17. Rajasthan		1,211	18,159
18. Sikkim		35	—
19. Tamil Nadu		27	50,950
20. Tripura		160	19
21. Uttar Pradesh		5,046	24,631
22. West Bengal		881	7,768
<b>Total</b>		21,591	3,98,617

(\*)—Cent percent electrification of villages already achieved.

[*Translation*]

**Action Plans by District Industries Centres**

1421. SHRI MOOL CHAND DAGA : Will the Minister of INDUSTRY be pleased to state :

(a) whether it was the first task of all the District Industries Centres set up so far to chalk out Action Plans;

(b) if so, the number of District Industries Centres which have prepared Action Plans and the essential points included in these plans;

(c) whether in many of these District Industries Centres, Action Plans have been

prepared arbitrarily without conducting any survey; and

(d) whether any such Action Plan was prepared for Pali District of Rajasthan; if so, the number of artisans benefited thereby and how ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) :  
(a) Yes, Sir, it was one of the first tasks.

(b) All the DICs have prepared Action Plans. However they were instructed in June 1983 to up-date their Action Plans after conducting proper surveys. 150 DICs have since up-dated their Action Plans which contain information about the resources,

infrastructure, industry status, of the district and brief analysis of the industries having scope for development in the district, special infrastructure needed, work programmes and profiles etc.

(c) No Sir. The DICs have been instructed to prepare Action Plans after proper surveys of the district.

(d) The DIC Pali of Rajasthan State has prepared Action Plan. The number of artisans benefited in Pali District during 1983-84 and 1984-85 are as under :

Item	Year	
	1983-84	1984-85
1. No. of New Units Established.		
(i) Artisans	27	270
(ii) S.S.I.	188	263
(iii) Total	215	533
2. Credit assistance provided by financial institutions (Rs. in lakhs)	101.91	187.98
3. Employment generated (No. of Persons)	1260	1568

[English]

#### Introduction of different Techniques into the Telephone System

1422. SARI MOOL CHAND DAGA : Will the Minister of COMMUNICATIONS be pleased to state :

(a) the particulars of telephone exchange equipment techniques brought into use through import and development during the last decade;

(b) whether the use of different techniques into the telephone system in the Department has resulted in the deterioration of day to day maintenance of these systems;

(c) the steps taken in this regard;

(d) the number of officers who have been deputed for training abroad so far indicating the names of the countries; and

(e) the number of staff upto grade III who have been trained in such changed system to maintain these systems before these were brought into commission ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) The telephone systems, which were imported and brought into use during the last decade are as follows :

- (i) C-400 Japanese Crossbar system imported from Japan,
- (ii) Fetex 100 L Analogue Electronic exchange system imported from Japan,
- (iii) EIO B digital electronic exchange system imported from France,
- (iv) PRX containerised electronic exchange system imported from Holland,
- (v) Electronic trunk automatic exchanges (TAX) imported from Japan.

(b) and (c). No, Sir. The imported systems have been working very well. There has been adequate training of staff in installation and maintenance in the works of the suppliers as also in Training Centres of the Department of Telecommunications in India.

(d) The number of officers, who were trained abroad is 219. The break up is as below :

France	145
Swedon	1
GDR	1
UK	12
Nether land	21
Japan	36
West Germany	1
Norway	2

(e) The number of staff trained is 2278 so far.

[*Translation*]

**Acts Not Enforced**

1423. SHRI MOOL CHAND DAGA : Will the Minister of LAW AND JUSTICE be pleased to state :

(a) the number of the Acts passed by Parliament which have not come into force so far;

(b) when these Acts were passed;

(c) whether a list of those Acts will be laid on the Table of the House; and

(d) the reasons for not enforcing them ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ) : (a) to (d). Information is being collected and will be laid on the Table of the House.

**Basis on which Kerosene Supply is Allocated to States**

1424. SHRI MOOL CHAND DAGA : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) the total requirement of kerosene in metric tons in the country during the last three years, year-wise and the quantity of kerosene consumed by the villagers, urban people and industries, separately;

(b) the basis on which kerosene is distributed to States and whether any criteria has been fixed therefor;

(c) whether Government have issued any guidelines on the basis of which kerosene could be made available to the consumers at reasonable rate and if so, whether the Department has ever evaluated the work done in this regard and if not, the reasons therefor; and

(d) the rate at which kerosene is supplied by the Union Government to States for distribution and the rate at which it is supplied to the consumers ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI NAWAL KISHORE SHARMA) : (a) to (d). The requirement of kerosene of States/Union Territories is assessed by allowing a 5% growth over the allocation made during the corresponding period of the previous year on a four-month-block basis. Besides the regular allocations, additional ad-hoc releases are also made to meet specific situations like flood, drought, cyclone, shortage of LPG, soft coke, etc. Kerosene sold by the companies in the last three years was as follows :

(Figures in Metric Tonnes)

Year	Sales
1982-83	5122806
1983-84	5400272
1984-85	5852184

Data relating to consumption of kerosene by villagers, urban residents and industries, is not maintained separately.

While the allocation of kerosene is made by this Ministry and movement thereof is looked after by the oil companies, retail distribution is in the charge of the States/Union Territories who, from time to time, have been advised to ensure its equitable distribution. Availability and distribution of kerosene is periodically reviewed at meetings between Ministries concerned of the Government and officers of the States/Union Territories.

The retail selling price of kerosene is fixed and enforced by the respective State Governments under the provisions of the Kerosene (Fixation of Ceiling Prices) Order, 1979, based on the ex-storage ceiling selling price determined by the Ministry of Petroleum and Natural Gas and with due regard to the other elements like freight, sales tax, octroi etc. While the current ex-storage price of kerosene is Rs. 1821.93 per KL, its retail price varies at different locations owing to the above factors. The retail selling price of kerosene prevailing as on the 1st April, 1985 in some cities was as under :

	(Rs./litre)
Bombay	2.03
Calcutta	2.12
Delhi	2.11
Madras	2.08
Kanpur	2.25

[*English*]

**Improvement in the Distribution System of Electricity**

1425. SHRI KALI PRASAD PANDEY : Will the Minister of ENERGY be pleased to state :

(a) whether the distribution system of electricity is extremely defective which has adversely affected the generating capacity of various power houses; and

(b) if so, whether Government propose to take concrete action for improving the distribution system of electricity ?

THE MINISTER OF STATE IN THE DEPARTMENT OF POWER (SHRI ARIF MOHAMMAD KHAN) : (a) While it is necessary to improve the reliability of the transmission and distribution systems in the country, the existing arrangement is by and large adequate to transmit and distribute the power from the various generating stations.

(b) Efforts are being made to ensure that adequate funds are provided to create sufficient transmission and distribution facilities and to ensure their timely completion through vigorous monitoring. Measures are also being taken to implement system improvement projects and install HT and LT capacitors within the availability of resources.

[*Translation*]

**Demands of P and T Employees**

1426. SHRI KALI PRASAD PANDEY : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether employees of Posts and Telegraphs Department had staged dharna

and organised rallies throughout the country outside their offices on 27th September, 1985 in which demands were made for 30 days bonus, extra bonus, separate consolidation allowances for KD, R.T.P. employees and casual workers every year;

(b) if so, the decision taken by Government so far in this regard and the details of the facilities which have been agreed to by Government and the time by which these facilities will be provided; and

(c) the demands in the acceptance of which difficulties are being faced and the details of those difficulties ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) There was no dharna or rallies on 27 September, 1985 except in Ahmedabad.

(b) and (c). Productivity Linked bonus for 29 days emoluments was announced on 27-9-1985 based on staff productivity index. Casual labour and E.D. employees are also covered under the scheme and the formula for determining the number of days wages with reference to the productivity achieved is the same. RTP employees are not covered under the scheme. No proposal for granting further facilities in this regard is contemplated at present.

[*English*]

**Special Concessions and Incentives for Telephone Connections**

1427. SHRIMATI USHA CHOUDHARY : Will the Minister of COMMUNICATIONS be pleased to state :

(a) what are special concessions and incentives given for telephone connections in semi-urban, rural areas and villages in regard to payment of advance tariff; and

(b) their impact on revenue from tariff ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) Presumably the reference of the Hon'ble Member is about the advance deposit for registration of telephone connections, which is as under :

## (i) 'Own Your Telephone' category

*Capacity of Exchanges system*

10,000 lines and above	1,000 lines and above but below 10,000 lines	Below 1,000 lines
Amount of deposit Rs. 8,000	Rs. 6,000	Rs. 5,000

## (ii) 'General' and 'Special' categories

*Type and capacity of Exchanges system*

Metered Exchanges			Flat Rate Exchange			
10,000 lines and above	Below 10,000 lines	Over 100 lines	Under 100 lines	Manual over 20 lines providing restricted hours of service	Manual 20 lines providing restricted hours of service	
Amount of deposit	Rs. 1000	Rs. 800	Rs. 1000	Rs. 100	Rs. 100	Rs. 100

(b) The amount of advance deposit is not treated as revenue and therefore it has no impact on revenue.

**Setting up of an All-India Power Corporation**

1428. SHRI MOHANBHAI PATEL :  
SHRI CHINTAMANI JENA :

Will the Minister of ENERGY be pleased to state :

(a) whether Government propose to set up an All-India Power Corporation in the country;

(b) if so, when and the main functions of the Corporation; and

(c) how far it will be helpful in solving the power problem in the country ?

THE MINISTER OF STATE IN THE DEPARTMENT OF POWER (SHRI ARIF MOHAMMAD KHAN) : (a) to (c). There is no proposal before Government to set up an All India Power Corporation. However, a proposal to set up a Power Finance Corporation is under Government's consideration.

**Power Requirement and Power Production**

1429. SHRI MOHANBHAI PATEL :  
SHRI AMARSINH RATHAWA :

Will the Minister of ENERGY be pleased to state :

(a) the approximate annual power requirement of the country at present;

(b) the total production of power at present;

(c) the percentage of power shortage in the country;

(d) the measures taken to meet the gap; and

(e) the names of the States which are facing power crisis and the measures taken to solve their problem ?

THE MINISTER OF STATE IN THE DEPARTMENT OF POWER (SHRI ARIF MOHAMMAD KHAN) : (a) to (c). The anticipated energy requirement of the country for the year 1985-86 is 181 billion units against which the anticipated energy generation is likely to be 170 billion units. The energy shortage in the country is expected to be about 6.0%.

(d) Measures being taken to increase power generation and power availability include expediting commissioning of the on-going projects and improving the performance of thermal power stations. In order to bridge the remaining gap between demand and supply, power cuts/restrictions are also resorted to by various State Governments.

(e) During October, 1985, Delhi and Himachal Pradesh in the Northern Region, Madhya Pradesh in the Western Region; Andhra Pradesh and Kerala in the Southern Region were able to meet their energy requirements, by and large, fully. Haryana, Punjab, Rajasthan, Gujarat, Maharashtra, West Bengal and North-Eastern region faced marginal energy shortage of the order of 5 per cent. The shortages in U. P. and Tamil Nadu were of the order of 10%,

whereas Karnataka, Bihar and J and K faced shortages of the order of 20%. To the extent possible, assistance is being arranged from power surplus States to power deficit States.

#### **Encouragement to Khadi and Village Industries in Orissa**

1430. SHRI ANANTA PRASAD SETHI : Will the Minister of INDUSTRY be pleased to state :

(a) whether khadi and village industries in Orissa are in a sorry state due to inadequate encouragement from different voluntary agencies and the State Government;

(b) whether it is a fact that the khadi industry could not establish its roots mainly because the State Government and other agencies did not properly utilise the abundant raw material available in the State;

(c) whether the rural artisans have never been sent out to other parts of the country for gaining experience and learning new techniques;

(d) whether the Union Government have sought any report in this regard; and

(e) if so, the details thereof ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) The production and employment of khadi and village industries in Orissa during the last three years has been of the following order :

	Khadi		Village Industries	
	Production (Rs. crores)	Employment (Lakh Persons)	Production (Rs. Crores)	Employment (Lakh persons)
1981-82	0.51	0.07	9.89	1.18
1982-83	0.60	0.06	9.51	0.83
1983-84	0.49	0.04	11.40	1.00

It will be seen that the fluctuations are not very significant.

(b) Does not arise.

(c) The Khadi and Village Industries Commission has opened a training centre at Bhubaneswar to train the local artisans in improved techniques of spinning and weaving.

Rural artisans are deputed to undertake training in other parts of the country for courses for which facilities are not available in the State.

(d) and (e). Do not arise.

**Production of Erythromycin and Doxycycline by IDPL**

1431. SHRI VISHNU MODI : Will the Minister of INDUSTRY be pleased to state :

(a) whether it is a fact that the Indian Drugs and Pharmaceuticals Limited has been licenced to produce Erythromycin and Doxycycline, two essential life-saving drugs;

(b) if so, the capacity of each drug for which licence was issued;

(c) when IDPL commenced the production of these drugs and the production each year from the year of commencement of each drug;

(d) the installed capacity of each drug; and

(e) the original value of plant and machinery installed for the production of each drug by this public sector undertaking ?

THE MINISTER OF STATE IN THE DEPARTMENT OF CHEMICALS AND PETROCHEMICALS (SHRI R. K. JAICHANDRA SINGH) : (a) Yes, Sir.

(b), (d) and (e). The details are as under :

Name of drug	Licensed capacity (tonnes)	Installed capacity (tonnes)	Original value of plant and machinery (Rs./Lakhs)
Erythromycin	36	36	205.48
Doxycycline	5	5	71.89

(c) Production of Erythromycin was commenced during 1980-81 and that of Doxycycline during 1979-10. Yearwise production is as under :

(Unit : MT)

Year	Erythromycin	Doxycycline
1979-80	—	1.15
1980-81	3.6	2.21
1981-82	3.3	0.61
1982-83	—	0.014
1983-84	1.1	—
1984-85	—	—

**New Telephone Exchange in J. P. Nagar, Bangalore**

1432. SHRI V. S. KRISHNA IYER :

Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether there is any proposal to start a new telephone exchange in J. P. Nagar, Bangalore in view of the fact that it is one of the biggest extensions in Bangalore city having six phases; and

(b) whether the existing Jayanagar telephone exchange is not able to cope with the demands of the above new extension ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) No, Sir.

(b) The existing Jayanagar telephone exchange is already working to maximum capacity and hence a bigger telephone exchange of 5000-lines is being installed at Jayanagar itself as replacement in the new building constructed in the same compound, which will service the J. P. Nagar telephone demands also.

**Conversion of Telephone Exchanges  
into Electronic Exchanges in  
Bangalore City**

1433. SHRI V. S. KRISHNA IYER :  
Will the Minister of COMMUNICATIONS  
be pleased to state :

(a) the number of electronic telephone  
exchanges in Bangalore city;

(b) whether there is any proposal to  
convert the existing exchanges into electronic  
exchanges; and

(c) if so, the telephone exchanges which  
are proposed to be converted into electronic  
exchanges ?

THE MINISTER OF STATE OF THE  
MINISTRY OF COMMUNICATIONS  
(SHRI RAM NIWAS MIRDHA) : (a) Nil.

(b) Yes, Sir, as and when the existing  
exchange equipments complete their useful  
life.

(c) 7000 lines of Bangalore Central and  
2000 lines of Peenya will be replaced by  
electronic exchanges during the 7th Plan  
period.

[*Translation*]

**Gas Pipeline in Agra**

1434. SHRI V. S. KRISHNA IYER  
Will the Minister of PETROLEUM AND  
NATURAL GAS be pleased to state :

(a) whether there is any proposal to put  
up a gas pipeline in Agra; and

(b) if so, whether industries in that  
region will have adequate gas supply to  
switch over from use of coal, which is  
necessary for protection of Taj and other  
monuments ?

THE MINISTER OF STATE OF THE  
MINISTRY OF PETROLEUM AND  
NATURAL GAS (SHRI NAWAL  
KISHORE SHARMA) : (a) No, Sir.

(b) Does not arise.

[*English*]

**Views of Government of West Bengal  
on setting up an All India Power  
Corporation**

1435. SHRI BHOLANATH SEN : Will  
the Minister of ENERGY be pleased to  
state :

(a) whether Government of West Bengal  
have communicated to the Union Govern-  
ment the views of the State Govern-  
ment to set up an All-India Power Corporation more  
or less on the same pattern as the Rural  
Electrification Corporation;

(b) if so, the views of the State Govern-  
ment thereon;

(c) the reasons, if the proposal has not  
been welcomed by the State Government;  
and

(d) the contemplation of the Union  
Government in the matter ?

THE MINISTER OF STATE IN THE  
DEPARTMENT OF POWER (SHRI ARIF  
MOHAMMAD KHAN) : (a) There is no  
proposal under Government's consideration  
to set up an All India Power Corporation.

(b) to (d). Do not arise.

**Selection of Chief Executives and  
Directors in Public Sector  
Enterprises**

1436. SHRI BHOLANATH SEN :  
SHRI AMAL DATTA :  
PROF. RAMKRISHNA MORE :

Will the Minister of INDUSTRY be  
pleased to state :

(a) whether some posts of Chief  
Executives and Directors are lying vacant in  
some public sector enterprises;

(b) if so, the details thereof;

(c) since when these posts are lying  
vacant and the reasons for delay in filling  
these posts;

(d) the steps taken/proposed to fill up  
these vacant posts; and



(e) the number of candidates selected for such posts by the Public Enterprises Selection Board (PESB) whose appointments are awaiting clearance of the parent Ministries ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) to (c). On the basis of available information, the details are given in the statement below.

(d) Necessary recruitment action has already been initiated in regard to the existing vacancies. Officiating arrangements have been made so that the work of these enterprises does not suffer.

(e) The number of candidates selected by the Public Enterprises Selection Board for such posts whose appointments are awaiting clearance of the parent Ministries is 44.

#### Statement

*Vacancies of Chief Executives\* (Full Time Chairman/Managing Director) and Functional Directors\* in Central Public Enterprises as on Date*

Sl. No.	Name of post/enterprise	Date of vacancy
1		3

#### Chief Executives

1. Damodar Cement and Slags Ltd.	20-9-83
2. North Eastern Regional Agriculture Marketing Corpn.	30-9-84
3. North Eastern Electric Power Corpn.	1-5-85
4. Metal Scrap Trade Corpn.	1-4-85
5. National Textile Corporation (Delhi, Punjab and Rajasthan) Ltd.	7-5-84
6. Tungabhadra Steel Products	15-4-85
7. Modern Food Industries Ltd.	24-6-85
8. Tea Trading Corporation	15-4-85
9. National Textile Corporation (West Bengal, Bihar and Orissa)	1-9-85
10. Fertilizer Corporation of India	16-7-85
11. National Fertilizers Ltd.	1-10-85
12. Engineers India Ltd.	1-6-84
13. Hindustan Copper Ltd.	1-10-85
14. Mining and Allied Machinery Corpn.	4-10-85
15. Hospital Services Consultancy Corpn. Ltd.	New post.
16. Rural Electrification Corpn.	14-6-85

1	2	3
17.	Cotton Corporation of India.	1-6-85
18.	Rajasthan Drugs and Pharmaceuticals Ltd.	1-1-85
19.	Maharashtra Antibiotics Ltd.	12-4-85
20.	Delhi Transport Corporation	5-7-84
21.	International Airports Authority of India	19-10-84
22.	Andaman and Nicobar Islands Forests and Plantation Development Corporation	29-5-85
23.	Nagaland Pulp and Paper Co.	9-6-85
24.	National Projects Construction Corpn.	2-3-85
25.	Hindustan Zinc Ltd.	30-10-85
26.	Hindustan Antibiotics Ltd.	18-1-85
27.	Bharat Process and Mechanical Engineers Ltd.	1-9-85
28.	State Farms Corporation Ltd.	13-6-85
29.	Bengal Chemicals and Pharmaceuticals Ltd.	21-1-85
30.	Indian Roads Construction Corporation	2-1-85
31.	Belmer Lawrie and Co.	1-10-85
32.	State Trading Corporation	1-8-85
33.	Bharat Heavy Electricals Ltd.	15-11-85

#### Functional Directors

1.	Director (Personnel), National Hydro-electric Power Corpn.	24-6-85
2.	Director (Medical Services), Hospital Services Consultancy Corpn. of India.	New Post.
3.	Director (Personnel), Andrew Yule and Co.	9-7-84
4.	Director (Commercial) and Marketing Services), Bharat Electronics Ltd.	20-2-85
5.	Director (Purchase and Sales), Cotton Corpn.	22-8-84
6.	Director (Production), Kudremukh Iron Ore Co. Ltd.	1-8-85
7.	Director (Operations), Hindustan Copper Ltd.	30-3-85
8.	Director (Field Engineering), Computer Maintenance Corpn.	1-7-85

1	2	3
9.	Director (Marketing), Mining and Allied Machinery Corpn.	1-9-83
10.	Director (Technical), Electronics Trade and Technology Development Corpn.	10-11-84
11.	Executive Director (Liner and Passenger Services), Shipping Corporation of India	17-4-85
12.	Director (Personnel), Neyveli Lignite Corpn	1-5-85
13.	Director (Commercial), Mazagon Dock Ltd.	30-6-85
14.	Director (Shipbuilding), Garden Reach Shipbuilders and Engineers Ltd.	27-12-83
15.	Director (Finance), Braithwaite and Co.	30-8-85
16.	Director (Finance), National Mineral Development	1-4-85
17.	Director (Finance), Garden Reach Shipbuilders and Engineers Ltd.	1-10-85
18.	Director (Personnel), Cement Corpn. of India.	9-10-85
19.	Managing Director (MIG Complex), Hindustan Aeronautics Ltd.	9-8-85
20.	Director (Finance), Hindustan Fertilizer Corpn.	8-7-85
21.	Director (Personnel), Bongaigaon Refinery and Petrochemicals Ltd.	8-4-85
22.	Director (Finance), Electronics Trade and Technology Dev. Corpn.	1-10-85
23.	Member (Engg.), International Airports Authority of India	3-11-85
24.	Executive Director, Shipping Corpn.	28-10-85
25.	Director (Systems and Projects), Instrumentation Ltd.	1-3-85
26.	Executive Director (Marketing), State Trading Corpn.	20-10-85
27.	Director (Civil), National Projects Constn. Corpn.	10-11-85
28.	Director (Personnel), Heavy Engineering Corpn.	1-1-84
29.	Director (Finance), Fertilizers and Chemicals Travancore Ltd.	1-12-84

\*This does not include the vacancies which are kept in abeyance.

The recommendations of the Public Enterprises Selection Board (PESB) are propessed by the administrative Ministry/Department concerned and appointments are made only with the approval of the Appointments Committee of the Cabinet. Delays occur where persons selected take time or fail to join; or in cases where persons with specialised skills have to be spotted.

**Extent of increase in Sale of Liquefied Petroleum Gas**

1437. SHRI BHOLANATH SEN : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state the extent to which the sale of Liquefied Petroleum Gas (LPG) has increased during the past three years ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI NAWAL KISHORE SHARMA) : There has been an increase of about 58% in the sale of LPG during 1984-85 as compared to 1982-83. The year-wise details are as follows

Year	Sale of LPG
1982-83	601,000 MT
1983-84	746,000 MT
1984-85	950,000 MT

**Reduction in the Price of 6 APA**

1438. SHRI BHOLANATH SEN : Will the Minister of INDUSTRY be pleased to state :

(a) whether the selling price of Rs. 1677 per kg. fixed for Ampicillin Trihydrate is based on the pooled price of Rs. 1230 per kg. for 6 APA;

(b) whether the actual selling price of Ampicillin Trihydrate in the markets of Delhi and Bombay is around Rs. 1425 per kg.;

(c) the total expenditure of Government during the last two years on payment of subsidy for indigenously produced 6-APA and the justification for such payments;

(d) the demand as compared to production of 6 APA and Ampicillin Trihydrate; and

(e) whether in view of availability of Ampicillin Trihydrate at Rs. 1425 per kg., Government have any proposal to reduce the price of 6 APA ?

THE MINISTER OF STATE IN THE DEPARTMENT OF CHEMICALS AND PETROCHEMICALS (SHRI R. K. JAICHANDRA SINGH) : (a) Yes, Sir.

(b) Manufacturers are free to sell Ampicillin Trihydrate at price not exceeding the maximum sale price of Rs. 1677 per kg. fixed for the drug.

(c) The present system of pricing of 6-APA contemplates a retention price of Rs. 2100 for domestic production and a pooled price of Rs. 1230 per kg. and a payment of subsidy of Rs. 870 per kg. on domestic sale of 6-APA produced in the country. During the year 1983-84 and 1984-85, IDPL, HAL, Max and Alembic were paid Rs. 186.12 lakh as subsidy *inter alia* for domestic production of 6-APA.

(d) Production of Ampicillin Trihydrate in the country is adequate to meet the demand. Demand of 6-APA has to be met partially from domestic production and partially from imports.

(e) Prices are constantly under review.

**Increase in the Prices of Drugs due to Overvaluation**

1439. SHRI MANVENDRA SINGH : Will the Minister of INDUSTRY be pleased to state :

(a) whether it is a fact that the industrial licences granted by Government have been overvalued in Capital which has ultimately led to increase in prices of drugs;

(b) if so, the reasons therefor; and

(c) if not, the reaction of Government the relation to production of drugs and drug intermediates *vis-a-vis* capital invested by small scale sector units, such as Ampicillin, Sulpha Methoxazole, Trimethoprim, Pyrazinamide, 6 APA etc. ?

THE MINISTER OF STATE IN THE DEPARTMENT OF CHEMICALS AND PETROCHEMICALS (SHRI R. K. JAICHANDRA SINGH) : (a) No such specific instance has come to the notice of the Government.

(b) Does not arise.

(c) As production processes, efficiencies and overheads of different units need not be identical, costs of production vary.

**Decontrol Category of items under Drugs Price Control Order**

1440. SHRI MANVENDRA SINGH : Will the Minister of INDUSTRY be pleased to state :

(a) the reasons for having a decontrol category of items under the Drugs Price Control Order;

(b) whether it is a fact that majority of the items in the decontrol category have a mark-up of more than 500 per cent;

(c) if so, how Government justify it; and

(d) if not, how Government deny that the decontrol category has not led to the exploitation of the consumer ?

THE MINISTER OF STATE IN THE DEPARTMENT OF CHEMICALS AND PETROCHEMICALS (SHRI R. K. JAICHANDRA SINGH) : (a), (c) and (d). The scheme of price control under Drugs (Prices Control) Order, 1979 contemplated manufacturers setting off higher margin in price decontrol Category of formulations against lower mark up in the price control categories of formulations. Implementation of the Drugs (Price Control) Order, 1979 has helped moderate the price of medicines.

(b) As these products are price decontrolled, details of mark up are not available.

**Acceptance of Tender for H.B.J. Pipeline**

1441. SHRI RANJITSINGH GAEKWAD : SHRI DHARAM PAL SINGH MALIK : SHRI JAGANNATA PATTAIAK : SHRI MAHENDRA SINGH :

Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether Government have received any firm tenders for construction of the Hazira-Bijapur-Jagdispur (HBJ) Pipeline;

(b) if so, whether the tender has been finalised;

(c) the name of the firm whose tender has been accepted and the amount awarded for the tender; and

(d) if not, the latest position thereof ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI NAWAL KISHORE SHARMA) : (a) Yes, Sir.

(b) to (d). The evaluation of bids received is in process.

**Setting up of a Commission on judicial Reforms**

1442. SHRI RANJITSINGH GAEKWAD : SHRI KALI PRASAD PANDEY :

Will the Minister of LAW AND JUSTICE be pleased to state :

(a) whether the proposal regarding setting up of a Commission on judicial reforms is under active consideration of Government;

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

(c) the names of the members of the proposed Commission ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI H. R. BHARDWAJ) : (a) The Government has decided to set up a Commission on Judicial Reforms.

(b) necessary action is being taken to formally set up the Commission.

(c) This will be a one-man Commission and name of the Chairman has not been finalised, so far.

**Letters of Intent and Industrial Licences issued in Gujarat**

1443. SHRI RANJITSINGH GAEKWAD : Will the Minister of INDUSTRY be pleased to state

whether majority of the industrial licences issued in Gujarat during 1983-June 1985 relate to chemicals engineering and electronic industries?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) :

A statement showing Scheduled Industry-wise break-up of number of letters of intent and industrial licences granted during 1983, 1984 and January-June, 1985 for setting up of units in the state of Gujarat is given below.

**Statement**

*Statement showing Scheduled Industry-wise break-up of total numbers of letters of intent/ industrial licences granted during 1983, 1984 and January-June 1985 for setting up of units in the State of Gujarat.*

Sl. No.	Scheduled Industry	Number of Letters of Intent granted	Number of Industrial Licences granted
1	2	3	4
1.	Metallurgical Industries	25	34
2.	Prime Movers (other than Electrical Generators)	2	1
3.	Electrical Equipments	50	36
4.	Telecommunications	17	5
5.	Transportation	13	5
6.	Industrial Machinery	22	16
7.	Machine Tools	1	3
8.	Earth Moving Machinery	1	—
9.	Misc., Mech. and Engineering Industries	21	9
10.	Commercial, Office and Household Equipments	—	1
11.	Industrial Instruments	2	2
12.	Scientific Instruments	1	1
13.	Fertilizers	1	1
14.	Chemicals (other than fertilizers)	66	43
15.	Drugs and Pharmaceuticals	33	16
16.	Textiles (including those dyed printed or otherwise processed)	15	22

1	2	3	4
17. Paper and Pulp including paper products		2	2
18. Sugar		1	5
19. Food Processing Industries		4	5
20. Veg. Oils and Vanaspati		9	8
21. Soaps, Cosmetics and Toilet preparations		3	2
22. Rubber Goods		2	1
23. Leather, Leather Goods and Pickers		3	—
24. Glue and Gelatin		1	—
25. Glass		3	1
26. Ceramics		5	3
27. Cement and Gypsum products		9	10
28. Misc. Industries		—	1
	Total :	312	233

#### Utilisation of Drugs Price Equalisation Fund

1444. SHRI K. RAMACHANDRA REDDY : Will the Minister of INDUSTRY be pleased to state :

(a) the details of the Drugs Price Equalisation Fund and the purpose for which this fund has been set up;

(b) whether it is a fact that this fund was created in 1979 at the time of Drugs Price Control Order, 1979; and

(c) if so, the amount so far collected till 31 October, 1985 and how the fund has been utilized ?

THE MINISTER OF STATE IN THE DEPARTMENT OF CHEMICALS AND PETROCHEMICALS (SHRI R. K. JAICHANDRA SINGH) : (a) and (b). The purpose for which Drug Prices Equalisation

Account has been set up is explained in Paragraph 17 of the Drugs (Prices Control) Order, 1979.

(c) Till the end of 31st October, 1985 a sum of Rs. 884.97 lakhs was collected into the account and out of this amount a sum of Rs. 753.85 lakhs was reimbursed to the manufacturers in accordance with the provisions of the Drugs (Prices Control) Order, 1979.

#### Drugs Marketed by Indian Drugs and Pharmaceuticals Limited

1445. SHRI K. RAMACHANDRA REDDY : Will the Minister of INDUSTRY be pleased to state :

(a) the details of drugs marketed by Indian Drugs and Pharmaceuticals Limited; and

(b) the number of these drugs being marketed through trade Channels, and the number of drugs through institution sale *i.e.*, by supplying to hospitals, etc. ?

THE MINISTER OF STATE IN THE DEPARTMENT OF CHEMICALS AND PETROCHEMICALS (SHRI R. K. JAICHANDRA SINGH) : (a) and (b). IDPL is marketing 54 bulk drugs through trade channels. 133 formulations, and 18 veterinary drugs are being sold to institutions, and through trade channels. 30 formulations and 3 veterinary drugs are sold to institutions only.

#### Cut in Administrative Expenditure of Public Sector Undertakings

1446. PROF. P. J. KURIEN : Will the Minister of INDUSTRY be pleased to state :

(a) whether the public sector undertakings have been asked to cut down their administrative expenditure;

(b) if so, the details thereof; and

(c) whether Government expect substantial improvement in the financial position of these undertakings by this step ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) to (c). Yes, Sir. The public enterprises have been advised by the Government to :

(a) observe utmost economy in revenue expenditure and restrict miscellaneous expenditure on entertainment guest houses, travel etc. to the barest minimum,

(b) explore the possibility of reducing non-essential items of operational, expenses without affecting the revenue potential, productivity and profits, and

(c) to review closely provisions for pay and allowances and travelling allowances for possible economy.

The existing ban on creation and filling up of posts has however been partially lifted and the public enterprises have been authorised, keeping in view the need for economy, to create and fill up posts only with the prior approval of their Boards of Directors in exceptional circumstances such as commissioning of a new project, expansion of existing activities, statutory requirements or diversification of activities. These new posts/vacancies are to be created and filled in by the public enterprises only when they have exhausted all other avenues for utilising the existing manpower through proper channel, training and deployment. The administrative Ministries would also be keeping watch over implementation of these measures. The measures are expected to improve the financial position of the undertakings only to a limited extent.

#### STD Facilities at Pathanamthitta in Kerala

1447. PROF. P. J. KURIEN : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether STD facilities are being provided at Pathanamthitta in Kerala;

(b) the progress made so far in this regard; and

(c) the time by which the facilities are likely to be provided ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) Yes, Sir.

(b) and (c). The work is under execution and the STD facility is likely to be provided during the 7th Plan period.

#### Non-Inclusion of Fenbendazole in Drug Price Control Order

1448. SHRI VILAS MUTTEMWAR : Will the Minister of INDUSTRY be pleased to state :

(a) whether formulations based on Anthelmintes group drugs are under price control;



(b) whether fenbendazole has not been included in Drugs Price Control Order whereas Mabendazole has been included; and

(c) if so, the reasons therefor ?

THE MINISTER OF STATE IN THE DEPARTMENT OF CHEMICALS AND PETROCHEMICALS (SHRI R. K. JAICHANDRA SINGH) : (a) Yes, Sir.

(b) and (c). After M/s. Hoechst commenced the production of Fenbendazole, they submitted an application for price fixation. As the price applied for was not significantly different from the landed cost of the imports and as there was no other manufacturer of the bulk drug, it was decided not to list this bulk drug under Drugs (Prices Control) Order, 1979. Mebendazole is included in the Drugs (Prices Control) Order, 1979.

[*Translation*]

#### Excessive Telephone Bills

1449. SHRI VILAS MUTTEMWAR :  
DR. CHANDRA SHEKHAR  
TRIPATHI :

Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether attention of Government has been drawn to a news item captioned 'galti kare computer saza bhugte upbhokta' (consumers to pay for computer's mistake) appearing in 'Jansatta' of 19 October, 1985;

(b) if so, the names of exchanges where such types of mistakes regarding excessive wrong telephone billing have occurred so far;

(c) the difficulties being faced by Government in providing relief to consumers by rectifying such mistakes immediately;

(d) whether consumers whose connections have been disconnected on this basis are likely to be given connections immediately without charging any penalty; and

(e) if not, the reasons therefor ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) Yes, Sir.

(b) Out of a total of over 1,46,000 computerised bills issued by Delhi Telephones during October, 1985 wrong billing in 63 cases relating to Okhla and Nehru Place Exchanges has come to notice.

(c) As soon as information about wrong billing was received by the Deptt. of Telecom. action was initiated to revise the bill and provide due relief to the affected subscribers.

(d) None of the telephones has been disconnected for non-payment of wrong bills.

(e) Does not arise in view of 'd' above.

[*English*]

#### De-Control of Molasses

1450. SHRI K. RAMAMURTHY :  
Will the Minister of INDUSTRY be pleased to state :

(a) whether the All India Alcohol-based Industries Association has represented to Government about the serious repercussions on the industry if any step is taken to de-control the molasses;

(b) if so, the action taken thereon;

(c) the annual quantum of alcohol being produced in a year; and

(d) the quantum of alcohol being supplied to the alcohol-based industries, alongwith the information about the total annual requirement of alcohol by those industries ?

THE MINISTER OF STATE IN THE DEPARTMENT OF CHEMICALS AND PETROCHEMICALS (SHRI R. K. JAICHANDRA SINGH) : (a) Yes, Sir.

(b) The policy on molasses would be decided after due consideration of the impact on alcohol-based industries.

(c) At the time of last meeting of the Central Molasses Board on 16-3-1985, the production of alcohol during current alcohol year 1984-85 (December, 1984-November, 1985) was assessed as 6000 lakh litres.

(d) As the estimated availability of alcohol was short of its demand, it was decided to adopt the norms of equating the demand of potable alcohol to the 1982-83 consumption level and for industrial use allowing a 10% increase over the 1983-84 consumption level. On that basis, the demand of alcohol for industrial use was worked out to about 3000 lakh litres against the projected demand of 4420 lakh litres for the current alcohol year. In order to improve the availability of alcohol for industrial use, duty free import of denatured spirit has also been permitted during the year to actual users.

**Self-Sufficiency in Production of Synthetic Rubber**

1451. SHRI K. RAMAMURTHY :

Will the Minister of INDUSTRY be pleased to state :

(a) the details of capacity utilisation of indigenous synthetic rubber plants;

(b) whether the under-utilisation of installed capacity in these synthetic rubber plants is due to the fact that the rubber industries are allowed to import under O.G.L., synthetic rubber from countries like South Korea, Japan and Taiwan; and

(c) if so, the steps proposed to be taken for achieving self-sufficiency in the production of synthetic rubber within the country ?

THE MINISTER OF STATE IN THE DEPARTMENT OF CHEMICALS AND PETROCHEMICALS (SHRI R. K. JAICHANDRA SINGH) : (a) The details of capacity utilisation of synthetic rubber plants during April-September 1985 is as follows :

Name of the Unit	Capacity (tonnes/annum)	Production during April-September
(i) M/s. Synthetic and Chemicals Ltd.	30,000	12,700
(ii) M/s. Indian Petrochemicals Corpon. Limited	20,000	*5,800

\*Less production mainly due to equipment, power and raw material problems.

(b) The import of synthetic rubber is mainly due to the fact that indigenous production is not adequate to meet the demand.

(c) Two letters of intent have been issued to set up two grass root plants for a capacity of 40,000 tonnes/annum each.

**Plans for Improvement in Telecommunication**

1452. SHRI SRIHARI RAO :  
SHRI PRAKASH V. PATEL :  
PROF. NARAIN CHAND  
PARASHAR :

Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether with a view to improving telecommunication in the country, Government have plans to connect district headquarters to State capitals by at least one reliable media like ultra high frequency system (UHF)/Microwave/coaxial satellite during the Seventh Five Year Plan;

(b) the details of cost involved;

(c) whether it is the policy of Government to digitalize telecommunication network in the country and whether it is part of action being taken to improve telecommunication; and

(d) if so, the details of action proposed during the first year of the Seventh Plan *i.e.* 1985-86 ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) Yes, Sir. This plan has been commenced from 6th Five Year Plan onwards.

(b) The Seventh Plan provides for approximately Rs. 900 Crores for providing Transmission media which covers the cost to connect District Headquarters to State Capitals.

(c) Yes, Sir.

(d) During the 7th Plan, it is proposed to commission 71,000 lines of Digital Exchanges and 100 Kms of digital Microwave systems.

#### Excessive Bills for Telephones

1453. SHRI SRIHARI RAO : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether he is aware that telephone subscribers are put to lot of inconvenience and botheration due to excessive billing and also due to wrong numbers;

(b) if so, the number of cases of wrong billing/wrong numbers during the last six months as compared to the corresponding period of last year; and

(c) the steps taken by Government to eliminate inconvenience to the subscribers ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) Yes, Sir. We are aware of the fact that a few subscribers complain of excess billing but their percentage with reference to the number of bills issued is very small say less than 1%. Incidence of wrong calls in telephone system is also very low *i.e.* 0.52% on an average.

(b) The number of cases of Excess billing during the last six months as compared to the corresponding period of last year is furnished below. As regards wrong numbers it is not possible to separate them from the total number of matured calls.

Period	No. of Excess Billing Complaints
1. April 84 to September 84	46490
2. April 85 to September 85	44885

(c) Excess billing could be due to the following reasons :

- (i) Clerical errors in computation or transcription of meter readings or punching errors.
- (ii) Technical faults.
  - (i) To avoid clerical errors instructions have already been issued to all the units to ensure proper care in billing and to rectify the mistake if any, immediately and issue a revised bill to the subscriber wherever necessary. Moreover to eliminate mistakes in computation the work of telephone billing and accounting has been computerised in the Metro Districts of Bombay, Calcutta, Delhi and Madras.
  - (ii) As far as technical faults are concerned the following steps have been taken :
    - (i) Introduction of positive battery metering in crossbar exchanges.
    - (ii) Provision of automatic switch over of day and night tariffs.
    - (iii) Reduction of forced release period on called subscriber held conditions from 1 to 2 minutes to 10 to 20 seconds in case of subscriber's dialled trunk calls.
    - (iv) Introduction of 500 mills seconds delay in trunk automatic exchanges for recognition of called subscriber answer condition, and
    - (v) Routine testing of subscriber's meter.

To safeguard the interest of subscribers and to prevent mischievous elements from tampering with the meter of line the following additional measures have been taken :

- (a) Sealing of meters.
- (b) Locking of meter rooms.
- (c) Restriction of entry into M.D.F. Room (Main Distribution Frame Room).
- (d) Raising of distribution points.
- (e) Locking of distribution points.

print/display correct number on the visiting cards, letter-head and sign-boards etc.

(vii) It is always a good habit for every subscriber to keep personal updated list of frequently called telephone numbers.

(viii) Recipient of large number of calls like public utility services, Railway stations, Bus stand, Domestic Gas Agency should also advertise their changed numbers a few times in addition Telephone Department normally does.

As regards wrong number calls the following measures have been/are being taken in order to minimise the cases of wrong numbers :

- (i) Dial of telephone instruments is checked once in six months as a part of telephone subscriber inspection of subscribers premises.
- (ii) Vigorous inspection of subscribers fittings including telephone instruments.
- (iii) Due to the fault of telephone exchanges, equipment causing wrong numbers are functionally checked through automatic routers of weekly cycle to minimise this problem.
- (iv) To improve the insulation of subscribers line, progressive use of jelly filled cable in the distribution network and pressurisation of underground cable with dry air will overcome this problem.
- (v) To overcome human error in dialling instructions for correct dialling are printed in Telephone Directory, slides are also given in cinema houses to educate the public for correct dialling.
- (vi) Subscribers, whose numbers are changed should inform their changed number as many of the persons as possible with whom they are interested. Also subscribers must

#### **Increase in Capacity of Oil Refineries**

1454. SHRI SRIHARI RAO : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) the names of the oil refineries in the country at present and their annual installed capacity;

(b) whether they are able to meet country's requirements;

(c) if not, whether Government are considering proposals to increase the capacity of all these refineries; and

(d) if so, the details thereof ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI NAWAL KISHORE SHARMA) : (a) A statement is given below.

(b) Though the gross refining capacity is more than the total demand, they are not meeting fully the demand of certain products.

(c) and (d). The proposals include expansion/debottlenecking of the refineries at Mathura, Koyali and Bongaigaon.

## Statement

(in million metric tonnes)

S. No.	Name of Refinery and Location	Installed capacity as on 1-4-85
1.	Bharat Petroleum Corporation Ltd., Bombay	6.00
2.	Hindustan Petroleum Corporation Ltd., Bombay	3.50
3.	Cochin Refineries Limited, Cochin	4.50
4.	Hindustan Petroleum Corporation Ltd., Visakapatnam	4.50
5.	Madras Refineries Ltd., Madras	5.60
6.	Bongaigaon Refinery and Petrochemicals Ltd., Bongaigaon (Assam)	1.00
7.	Indian Oil Corporation Ltd., Haldia	2.50
8.	Indian Oil Corporation Ltd., Barauni	3.30
9.	Indian Oil Corporation Ltd., Gauhati	0.85
10.	Indian Oil Corporation Ltd., Digboi (Assam)	0.50
11.	Indian Oil Corporation Ltd., Koyali	7.30
12.	Indian Oil Corporation Ltd., Mathura	6.00
		45.55

**Post Offices with Telegram and Telephone Facilities in Villages in Sindhudurg District Maharashtra**

1455. PROF. MADHU DANDEVATE : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether there has been a demand from some villages for post offices attached with telegram and telephone facilities in the Sindhudurg District of Maharashtra;

(b) if so, the details thereof; and

(c) the steps taken to meet the demand ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) Yes, Sir.

(b) Fourteen requests have been received for providing such facility in Sindhudurg District. Five villages namely Madhyashiwadi, Dauoli, Sukawad, Adivare and Pandur have been provided with telecommunication facility. The telecommunication facility at the other villages namely Tenalkatte, Savdav, Hatade, Narangra, Peulwada, Walaval, Patgaon, Gavane are under examinations.

(c) The cases are processed depending on financial and material resources.

**Proposal to bifurcate Coal companies**

1456. PROF. MADHU DANDEVATE : Will the Minister of ENERGY be pleased to state :

(a) whether there is a proposal to bifurcate the coal companies;

(b) whether the present two companies; namely Western Coalfields and Central Coalfields are being amalgamated; and

(c) if so, the details thereof?

THE MINISTER OF ENERGY (SHRI VASANT SATHE) : (a) to (c). In view of the projected increase in production and investment contemplated for Central Coalfields Limited and Western Coalfields Limited, the extensive geographical areas over which these two companies operate, technical and communication problems etc., Government of India have approved formation of two new companies as subsidiaries of Coal India Limited, by splitting the existing Central Coalfields Limited and Western Coalfields Limited, from the date on which they are incorporated under the Companies Act, 1956. One company will be called the Northern Coalfields Limited, with headquarters at Singrauli (M.P.) and will cover the Singrauli Division of the existing Central Coalfields Limited as its areas of

operation. The other company will be called the South Eastern Coalfields Limited with headquarters at Bilaspur (M.P.).

#### Setting up of Mini/Micro Hydel Units in Kerala

1457. SHRI K. KUNJAMBU :  
SHRI V.S. VIJAYARAGHAVAN :

Will the Minister of ENERGY be pleased to state :

(a) whether any proposal has come from Kerala for setting up of mini/micro hydel units;

(b) if so, the details thereof; and

(c) the decision taken thereon?

THE MINISTER OF STATE IN THE DEPARTMENT OF POWER (SHRI ARIF MOHAMMAD KHAN) : (a) to (c). Yes Sir, Details are given in the statement below.

#### Statement

S. No.	Name of the Mini/Micro Hydel Schemes	Installed Capacity (MW)	Estimated Cost (Rs. lakhs)	Decision taken
1.	Muvathupuzha	1 × 6	780.2	Scheme have been recommended to the Planning Commission for inclusion in the State Plan.
2.	Malampuzha	1 × 2.5	294.6	
3.	Madupatty	1 × 2	292.3	
4.	Chimoni	1 × 2.5	313.72	

#### Achievement in the Development of Non-Conventional Energy Sources

1458. SHRI K. KUNJAMBU : Will the Minister of ENERGY be pleased to state :

(a) the achievement in the development of non-conventional energy sources so far; and

(b) the specific steps being taken to make these sources economically viable?

THE MINISTER OF ENERGY (SHRI VASANT SATHE) : (a) and (b). Biogas, improved chulhas of different models and a range of solar thermal energy devices have been developed and extended to the stage where they are now being widely utilised in different parts of the country and this usage

is increasing steadily. These technologies are already proving to be economically viable in several locations taking into account the incentives given by the Government. In addition, solar photovoltaic technology has been developed for direct conversion of sunlight to electricity and many solar photovoltaic systems have actually started being used for providing power for televisions, street lighting, community lighting, drinking water supply and telecommunication in villages, particularly in remote and backward areas. These devices are already economical for certain small power applications in remote areas compared with conventional energy alternatives. Wind pumps have also been developed and more than 1000 are in operation for demonstration and field trial purposes. Wind electric fans are under

implementation for substantial production of electricity. Gasifiers for producing fuel and power from agricultural waste, wood and wood waste have also been developed and are under going field trial and demonstration. In addition, research and development in different areas of non-conventional energy sources has been intensified for further reducing costs of various bio-energy, solar energy, wind energy and hydro energy technologies.

**Increase in Capacity Utilisation of  
Electricity Generating Units  
in States**

1459. SHRI K. KUNJAMBU : Will the Minister of ENERGY be pleased to state :

(a) whether there has been any increase in the capacity utilisation of electricity generating units in different States;

(b) if so, the details of capacity utilisation of different units during the past three years; and

(c) the steps being taken to remove the impediments in the way of higher capacity utilisation ?

THE MINISTER OF STATE IN THE DEPARTMENT OF POWER (SHRI ARIF MOHAMMAD KHAN) : (a) and (b). Plant Load Factor is not a parameter for judging the performance of the hydro power stations

since their capacity utilisation mainly depends on design potential and water availability. For thermal power stations in the country, the Plant Load Factor was 49.4 per cent in 1982-83, 47.9 per cent in 1983-85 and 50.1 per cent in 1984-85. Stationwise details about Plant Load Factor during 1982-83, 1983-84 and 1984-85 are indicated in the statement below.

(c) In order to improve the performance of thermal power stations, a number of measures have been taken, including :

- (1) Assistance to SEBs/Power Stations for undertaking plant betterment programmes.
- (2) Assistance to SEBs/Power Stations for procurement of requisite quality and quantity of coal and also spare parts from indigenous and foreign sources.
- (3) Visit of task forces and roving teams to identify weak areas requiring improvement and preparation of time bound programmes for rectification.
- (4) Training of engineers and operation and maintenance personnel.
- (5) Implementation of a Centrally sponsored Renovation and Modernisation Scheme for thermal stations, with central loan assistance.

**Statement**

*Thermal Plant Load Factor during 1982-83 to 1984-85*

State/Station	Plant Load Factor (%)		
	1982-83	1983-84	1984-85
1	2	3	4
<b>Delhi</b>			
Badarpur	49.1	48.7	47.8
I.P. Station	53.0	50.2	61.7
Rajghat	31.0	23.2	30.6
<b>Haryana</b>			
Faridabad Extn,	28.3	27.9	27.9
Panipat	35.9	32.6	39.7
Others	26.8	46.3	42.6

1	2	3	4
<b>J &amp; K</b>			
Kalakote	1.0	1.5	0
<b>Rajasthan</b>			
Kota	—	72.3	57.2
<b>Punjab</b>			
Bhatinda	51.0	57.0	61.9
Ropar	—	—	79.4
<b>Uttar Pradesh</b>			
Obra	43.4	35.7	29.7
Harduaganj B	34.6	36.3	34.1
Harduaganj C	33.8	35.8	25.1
Harduaganj A	24.7	20.5	32.0
Panki	50.8	46.8	48.8
RPH (Kanpur)	20.4	24.5	24.8
Others	9.0	7.6	24.9
Singrauli STPS	64.2	55.7	59.3
<b>Gujarat</b>			
Dhuvaran (T)	75.3	69.1	66.2
Dhuvaran (GT)	18.2	—	—
Ukai	58.3	49.6	50.5
Gandhinagar	41.5	63.1	39.8
Wanakbori	46.4	48.1	59.2
Utran	69.6	64.4	59.7
Others	4.2	12.4	9.9
A.E. Co. (Pvt.)	63.7	77.3	71.3
Sabarmati (Pvt.)	77.4	73.2	71.4
<b>Madhya Pradesh</b>			
Satpura	61.6	52.4	48.5
Korba I	50.7	55.3	55.1
Korba II	65.2	64.7	44.3
Korba III	61.5	35.8	56.2
Korba West	—	64.8	47.2



1	2	3	4
Amarkantak	46.7	59.2	65.9
Korba STPS	—	62.1	52.2
<b>Maharashtra</b>			
Nasik	46.1	51.1	51.9
Koradi	55.8	44.0	36.0
Khaperkheda	25.1	28.2	18.6
Paras	53.1	43.9	34.4
Bhusawal	30.1	47.0	45.7
Parli	75.3	69.9	74.2
Chandrapur	—	—	45.2
Uran (GT)	56.9	75.6	61.6
Others	53.9	46.8	27.9
Trombay (Pvt.)	75.1	75.1	65.7
Chola (Rlys)	34.2	45.8	49.1
<b>Andhra Pradesh</b>			
Kothagudem A	49.9	58.2	58.9
Kothagudem B	27.0	24.2	32.1
Kothagudem C	27.1	28.5	38.2
Ramagundem B	77.4	72.7	50.4
Nellore	28.9	55.4	44.5
Vijayawada	79.1	84.2	77.4
Others	13.7	3.7	1.7
Ramagundem STPS	—	—	57.4
<b>Karnataka</b>			
Raichur	—	(Commissioned on 29-3-1985)	
<b>Tamil Nadu</b>			
Ennore	37.6	27.9	36.2
Basin Bridge	27.0	14.1	14.2
Tuticorin	53.0	50.5	62.0
Neyveli	73.0	74.2	77.2
<b>Bihar</b>			
Patratu	40.5	34.3	33.0
Barauni	30.2	26.3	21.3

1	2	3	4
<b>D.V.C.</b>			
Chandrapura	50.5	54.3	52.8
Durgapur	46.2	35.0	40.3
Bokaro	51.3	54.0	51.0
<b>Orissa</b>			
Talcher	35.2	33.3	32.2
<b>West Bengal</b>			
Bandel	57.5	44.9	48.4
Santaldih	30.5	27.4	24.7
Gouripur	17.5	11.8	12.2
Gas Turbines	21.7	—	—
CESC (Pvt.)	57.6	50.2	45.6
Titagarh	—	60.9	71.3
DPL	36.0	30.3	28.7
<b>Assam</b>			
Namrup	37.3	38.5	38.2
Chandrapur	41.9	49.7	35.0
Bongaigaon	15.4	19.5	15.9
Lakwa G.T.	65.4	47.1	37.8
Others	48.9	48.8	36.4

**Commissioning of different Units of  
N.T.P.C. Unit of Farakka**

- (b) the details thereof; and  
(c) the reasons for delay ?

1460. SHRI SATYAGOPAL MISRA :  
Will the Minister of ENERGY be pleased to  
state :

(a) the plan and programme of commis-  
sioning different units of National Thermal  
Power Corporation unit of Farakka;

THE MINISTER OF STATE IN THE  
DEPARTMENT OF POWER (SHRI ARIF  
MOHAMMAD KHAN) : (a) to (c). The  
approved shedule and the present, anticipa-  
ted programme of commissioning of the units  
of the Farakka Super Thermal Power  
Project are as given below :

Unit/Capacity	Schedule approved by Government	Presently anticipated schedule
Units-I (200 MW)	May, 1985	January, 1986
Unit-II (200 MW)	Nov., 1985	June, 1986
Unit-III (200 MW)	May, 1986	Dec., 1986
Unit-IV (500 MW)	1990-91	1990-91
Unit-V (500 MW)	1991-92	1991-92

The delay is mainly due to labour problems and difficulties in acquisition of land in Bihar and West Bengal. The State Governments concerned have been asked to provide necessary assistance to the project authorities and progress of the project is being closely monitored.

#### **Upgradation of Technology in Small Scale Industries**

1461. SHRI BALASAHEB VIKHE PATIL : Will the Minister of INDUSTRY be pleased to state :

(a) whether a working group on upgradation of technology appointed by Government had suggested to evolve urgently an incentive scheme which will help small scale industries to modernise their plants and keep pace with improved technology;

(b) if so, whether Government have accepted this suggestion; and

(c) if so, the follow up action contemplated in this regard ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) :

(a) Yes, Sir.

(b) and (c). The matter is under examination.

#### **Compensation to Public Sector Undertakings for Increase in Cost**

1462. SHRI BALASAHEB VIKHE PATIL : Will the Minister of INDUSTRY be pleased to state :

(a) whether the Planning Commission has suggested that the Public Sector Undertakings should not be wholly compensated for increase in costs through administrative price hike but part of the rise in cost should be covered through productivity cost;

(b) if so, the action taken by Government to implement the suggestion;

(c) whether any working plan has been drawn up by Government in this regard; and

(d) if so, the details thereof ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) to (d). The details are being collected and a statement will be placed on the Table of the House.

#### **Conversion of Delhi and Bombay Telephones into Corporation**

1463. SHRIMATI KISHORI SINHA : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether any further progress has been made for the conversion of Bombay and Delhi Telephone administrations into Corporations;

(b) whether there are projects of such Corporations obtaining loans from within and outside the country; and

(c) whether there is any programme to ensure that at least in metropolitan areas, the waiting list for telephones, is wiped out by 1990 ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) No Sir.

(b) The proposal envisages raising of resources.

(c) No Sir.

#### **Introduction of Labour participation in Colliery managements**

1464. SHRIMATI KISHORI SINHA : SHRI NARAYAN CHOUBEY :

Will the Minister of ENERGY be pleased to state :

(a) whether he had announced on October 29, 1985 that labour participation in colliery managements would be introduced soon;

(b) if so, at what levels of management participation is being introduced;

(c) whether the trade unions in the coal mines have been consulted; and

(d) if so, their reaction and how would the labour representatives be selected for participatory functions ?

THE MINISTER OF ENERGY (SHRI VASANT SATHE) : (a) Yes, Sir.

(b) To begin with, the scheme will be introduced at the Unit level (*i.e.* colliery level) and other levels will be covered gradually in phases.

(c) Yes, Sir.

(d) Every unionised worker will indicate, by secret ballot, the union which should represent him in the participative forums. The ballot will be conducted by the Chief Labour Commissioner (Central). The Unions which secure 10% or more of the votes of the unionised workers will nominate their representatives in proportion to the votes secured by them. No craft union or union based on caste or community will be covered by the Scheme. Only the employees will be entitled to be nominated at the colliery level. The procedure is based on the consensus reached at a meeting with the Trade Unions.

#### Introduction of Supercritical Boiler Technology in Power Generation

1465. SHRIMATI KISHORI SINHA : Will the Minister of ENERGY be pleased to state :

(a) whether there is any proposal to introduce supercritical boiler technology in power generation plants of 500 MW;

(b) if so, whether any collaboration in this sector is being considered; and

(c) if not, whether Government propose to improve efficiency of 500 MW power generation in the absence of supercritical boilers ?

THE MINISTER OF STATE IN THE DEPARTMENT OF POWER (SHRI ARIF MOHAMMAD KHAN) : (a) Yes, Sir.

(b) Does not arise.

(c) Technological improvement is an on going process and efforts to improve the efficiency are constantly being made.

#### Clearing of projects in coal and power sectors by Ministry of Environment and Forests

1466. SHRI SUBHASH YADAV :  
SHRI V. SOBHANADREE-  
SWARA RAO :  
SHRI DHARAM PAL SINGH  
MALIK :

Will the Minister of ENERGY be pleased to state :

(a) whether attention of Government has been drawn to the news item appearing in "The Economic Times" of the 31st October, 1985 wherein it has been stated that there has been a great problem for projects in coal and power sectors due to the refusal of Ministry of Environment and Forests to give clearance to those projects;

(b) whether the Committee of Secretaries appointed for the purpose has taken any decision in this regard to get the clearance for acquisition of land;

(c) the number of such projects in each State which are not getting land to set up projects; and

(d) the reaction of Union Government thereto ?

THE MINISTER OF ENERGY (SHRI VASANT SATHE) : (a), (b) and (d). Yes, Sir. A Group was constituted to examine various issues related to acquisition of land and to suggest measures to be adopted for dealing with various kinds of problems encountered in acquisition of land for major projects. The report of this Group has been received. This report has been considered by the Committee of Secretaries, who have recommended issuance of detailed guidelines in this regard.

(c) In coal sector 18 coal projects are facing difficulty due to delay in the acquisition of land. The statewise position being as follows :

West Bengal	1
Bihar	9
Madhya Pradesh	5
Orissa	2
Maharashtra	1
	<hr/>
	18
	<hr/>

In the power sector, the implementation of 25 projects is held up. The statewise details are given below :

West Bengal	1
Madhya Pradesh	2
Maharashtra	2
Uttar Pradesh	6
Kerala	2
Rajasthan	1
Himachal Pradesh	3
Karnataka/Goa	1
Orissa	1
Jammu and Kashmir	2
Sikkim	1
Arunachal Pradesh	2
Punjab	1
	<hr/>
	25
	<hr/>

**Releasing of Land for Petroleum Projects  
by Ministry of Environment  
and Forests**

1467. SHRI SUBHASH YADAV :  
SHRI V. SOBHANADREESWARA  
RAO :  
SHRI DHARAM PAL SINGH  
MALIK :

Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether attention of Government has been drawn to the news item appearing in 'The Economics Times' of 31st October, 1985 wherein it has been stated that there has been a great problem for projects in Petroleum Sectors due to the refusal of Ministry of Environment and Forests to give clearance to these projects;

(b) whether the Committee of Secretaries appointed for the purpose have taken any decision in this regard to get the clearance for acquisition of land;

(c) the number of such projects in each State which are not getting land to set up projects; and

(d) the reaction of Union Government thereto ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI NAWAL KISHORE SHARMA) : (a) Yes, Sir.

(b) to (d). Based on the recommendations of a Working Group constituted to study the problems being experienced by various authorities in getting clearances for acquisition of forests lands, instructions were issued by the Government for simplification of procedures for acquiring forest land. The requirements of the Petroleum Sector for such lands are being cleared under the simplified procedures.

**Modernisation of Cement Industry**

1468. SHRI SUBHASH YADAV : Will the Minister of INDUSTRY be pleased to state :

(a) whether there is any proposal under consideration of Government to modernise cement industry in private and public sectors to boost the cement production;

(b) if so, the details thereof;

(c) the funds allocated for the purpose; and

(d) how far it will reduce the prices of cement ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) and (b). Government has been encouraging modernisation programmes in the cement industry such as (i) conversion of manufacturing process from wet/semi wet to dry/semi dry (ii) energy conservation measures (iii) installation of pre-heater and precalcinator (iv) installation of pollution control

devices (v) setting up of captive power units to meet about 40% of power requirements during period of power cuts (vi) modernisation of quarry operation (vii) crushing of raw material (viii) grinding of cement (ix) installation of rotary packing plants and (x) quality control equipments, etc.

(c) Funds are not directly allocated by the Government for this purpose. The individual units finance their modernisation programmes through their internal resources, assistance from public financial institutions, etc. Units in public sector like Cement Corporation of India Limited may, however, receive funds from Government through annual budgetary allocations.

(d) It is not possible to estimate the reduction in the prices of cement consequent on the implementation of the modernisation programmes, as cost of production depends on several other factors, such as, cost of inputs, level of wages, etc.

#### **Criteria for Allotting Diesel/Petrol Pumps and Gas Agencies to SC/ST Candidates**

1469. SHRI K. D. SULTANPURI : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) the number of advertisements issued during the last three years for allotment of diesel/petrol pump stations and gas agencies and the places which were earmarked especially for allotment to SC and ST candidates; and

(b) the criteria fixed for earmarking a particular site as reserved for SC/ST or unreserved ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI NAWAL KISHORE SHARMA) : (a) The information is being collected and will be laid on the Table of the Sabha.

(b) There is an overall reservation of 25% in each year's Marketing plan of the oil industry, for members of the Scheduled Castes/Scheduled Tribes according to a 100 point Roster. The criterion generally adopted is that the

locations falling within reserved Assembly/Parliamentary constituencies or in areas predominantly populated by these communities are earmarked for them so as to achieve the target of reservation.

#### **Scheme to revitalise Coir Industry**

1470. SHRI T. BASHEER : Will the Minister of INDUSTRY be pleased to state :

(a) whether any scheme is being envisaged to revitalise coir industry in the Seventh Five Year Plan; and

(b) if so, the details thereof ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) Yes, Sir. An outlay of Rs. 17.84 crores has been provided for the development of coir industry in the Seventh Five Year Plan also.

(b) The main thrust of the Seventh Five Year Plan is no support for cooperativisation of coir industry for which a provision of Rs. 7.00 crores exists in the Plan. Under the scheme, assistance will be provided for share capital contribution of members, purchase of capital equipment, land and work-sheds, managerial, subsidy etc. Suitable provisions exist for other schemes for research and development to upgrade the technology and productivity, diversify production, marketing assistance including exports, welfare measures for coir workers, etc. Another major thrust area in the Seventh Plan is the development of brown fibre sector in the coconut producing States other than Kerala such as Karnataka, Tamil Nadu, Andhra Pradesh, Orissa, etc.

#### **Trucks manufactured by Tata and Ashok Leyland**

1471. SHRI E. AYYAPU REDDY : Will the Minister of INDUSTRY be pleased to state :

(a) the total number of trucks manufactured by Tata Mercedes and Ashok Leyland during the years 1983-84 and 1984-85;

(b) the excise duty realised on the above mentioned trucks and Vehicles;

(c) whether it is a fact that Tata Mercedes and Ashok Leyland and not able to find market for more than 40 per cent of trucks and vehicles; and

(d) if so, the reaction of Government thereon ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) The total No. of trucks manufactured by these companies during period is as under :

	1983-84	1984-85
M/s. Ashok Leyland	7133	6902
M/s. TELCO	*46590	*47353
*(including bus Chassis)		
(Rs. in crores)		
(b) M/s. Ashok Leyland	13.57	11.53
M/s. TELCO	71.51	72.43

(c) and (d). The capacity utilisation is in the range of 70-75 per cent. The manufacturers are exploring the possibility of diversifying their product-mix to improve capacity utilisation.

#### Capital Goods Industry

1472. SHRI E. AYYAPU REDDY : Will the Minister of INDUSTRY be pleased to state :

(a) whether India's capital goods industries have been steadily losing their toe-hold in foreign markets and also their grip over the domestic market;

(b) whether the capital goods industries are adversely affected by the tariff rates and higher cost of raw material and the intermediate goods produced in India;

(c) whether technological obsolescence of this industry is also responsible for the inability of the capital goods industry to make headway in foreign markets; and

(d) the initiative taken by Government to update the capital goods industry ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) to (d). There is recession in the capital goods industry. As a result, capital goods industry even in the developed world is facing problems of capacity utilisation. Indian capital goods industry is, therefore, faced with stiff international competition. Government have taken various measures to strengthen the competitiveness of the industry by liberalising import of technology, streamlining policies and procedures for import of raw materials and rationalising tariff structure.

#### Setting up Mini Telephone Exchanges

1473. SHRI E. AYYAPU REDDY :  
SHRI S. M. BHATTAM :

Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether Government are considering a proposal to set up mini-electronic telephone exchanges in the country;

(b) to so, the details of the proposals and financial element involved;

(c) whether the necessary material for the exchanges has to be imported;

(d) if so, the details of the same and the amount of foreign exchange involved; and

(e) the places at which these exchanges are proposed to be set up in 1985-86, State-wise details thereof ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) Yes Sir.

(b) The details are given in the statement I below.

(c) 90 lines small automatic exchanges are indigenous; others are to be imported;

(d) The equipment for 68 exchanges is to be imported at a total cost equivalent to approx. Rs. 7.8 crores. For the implementation of integrated digital network, equipments for 4 secondary areas would be obtained from Norway at a cost of approx. Rs. 8 crores. For the remaining secondary areas, initial requirement is proposed to be met by imports. This is under examination. Efforts are also being made to set up indigenous production.

(e) The information is given in the Statement-II below.

### Statement-I

#### *Details of Proposals and Financial Element Involved*

1. Setting up of 68 electronic exchanges of 400, 600 lines capacity each at different locations of the country at a total cost of approx. Rs. 34.27 crores. The exchanges would be installed at District Headquarters and other large towns.

2. To implement integrated development network scheme in 15 secondary areas involving setting up of digital electronic exchanges and radio links at a total cost of about Rs. 100 crores. The implementation would be taken up subject to availability of equipment.

3. Setting up of 100 numbers of electronic small automatic exchanges of 9 line capacity in rural areas of different States in the country cost of the equipment being approximately Rs. 24 lakhs.

### Statement-II

Sl. No.	Name of Place	Name of State	No. of lines
1.	Kelpetta	Kerala	600 lines
2.	Dhar	Madhya Pradesh	400 lines
3.	Dhenekenal	Orissa	600 lines
4.	Dungarpur	Rajasthan	400 lines
5.	Mokokchung	North East	512 lines
6.	Tuensang	North East	256 lines

### Circlewise Allotment of 9 Line Electronic Saxes

1.	Andhra	—	24
2.	Gujarat	—	1
3.	Jammu and Kashmir	—	2
4.	Karnataka	—	15
5.	Madhya Pradesh	—	3
6.	Maharashtra	—	15
7.	North West	—	2
8.	Orissa	—	2
9.	Rajasthan	—	11
10.	Tamil Nadu	—	20
11.	Uttar Pradesh	—	3
12.	West Bengal	—	2

The places at which these exchanges are proposed to be set up are yet to be identified.



**Construction of a 400 MW Thermal Power Plant in Rajasthan**

1474. SHRI VIRDHI CHANDER JAIN : Will the Minister of ENERGY be pleased to state :

(a) whether Rajasthan is deficient in respect of power;

(b) whether Government propose to utilise Bombay High gas which is being planned to be conveyed through Rajasthan to Uttar Pradesh near Banswara and Sawai Madhopur to construct a 400 MW Thermal Power Plant there; and

(c) whether Government of Rajasthan have sent the project report in this regard to the Central Electricity Authority for approval ?

THE MINISTER OF STATE IN THE DEPARTMENT OF POWER (SHRI ARIF MOHAMMAD KHAN) : (a) During the period April-October, 1985, the shortage of power in Rajasthan was 5.1%.

(b) and (c). It is proposed to set up a gas-based Station, with cap a city of about 370 MW, in Rajasthan in the Seventh Plan. The Project is envisaged for implementation by the National Thermal Power Corporation in the Central Sector.

**Proposed Amendments to Companies Act, 1956**

1475. SHRI SANAT KUMAR MANDAL :  
SHRI SATYENDRA NARAYAN SINHA :

Will the Minister of INDUSTRY be pleased to state :

(a) whether Government propose to bring forward any legislation to amend the Companies Act, 1956 with a view to enhance the remuneration of the Managing Directors and top managers in the corporate sector and also to raise the existing limit of remuneration, including perquisites, from Rs. 3,000 to Rs. 5,000 per month for purposes of enlistment of names of individuals in the Annual Reports of the Companies;

(b) if so, the broad details of the proposed amendments; and

(c) the considerations which have weighed with Government to provide for such changes when the Company Executives in the private sector are already the highest paid people with all perks etc,

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) In view of recommendations of the High-Powered Expert Committee on Companies and M.R.T.P. Acts (Sachar Committee) and several representations received, Government is considering certain amendments to the Companies Act. Proposals in this behalf have not yet been finalised.

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

**Setting up of New Synthetic Fibre Units**

1476. SHRI SANAT KUMAR MANDAL : Will the Minister of INDUSTRY be pleased to state :

(a) whether the recent broad-banding of licences granted to the producers of synthetic fibres has provided an opportunity to the existing and new units to formulate expansion plans and embark upon new projects involving heavy outlay;

(b) if so, the particulars of both private and public sector units which have been licensed for setting up new units or expanding their capacity, the capacity sanctioned and when these are likely to go into production;

(c) which of these units have been allowed the import of TPA (Terephthalic Acid) instead of using the indigenous DMT; and

(d) the steps taken by Government to ensure that the benefit to the consumers by a rise in fibre prices by these producers is not whittled down in any case ?

THE MINISTER OF STATE IN THE DEPARTMENT OF CHEMICALS AND PETROCHEMICALS (SHRI R. K. JAICHANDRA SINGH) : (a) As per the

policy, the broad-banding in synthetic fibre industry and synthetic filament yarn will be permitted only within the existing approved capacity. Under this policy, the existing units will be allowed to manufacture all synthetic fibres *viz.* polyester filament yarn, nylon filament yarn, polypropylene filament yarn including industrial yarn/tyre cord within the existing approved capacity.

(b) Does not arise.

(c) Purified Terephthalic Acid (PTA) and Dimethyl Terephthal Acid (DMT) are alternative raw materials for manufacture of polyester. The existing units use either PTA or DMT depending upon the facilities available in the plant.

(d) Measures to keep the prices of synthetic fibres at a reasonable level are constantly under review.

[*Translation*]

**Permission to start work in Coal Mines in Bihar**

1477. SHRI VIJOY KUMAR YADAV :  
SHRI RAMASHRAY PRASAD  
SINGH :

Will the Minister of ENERGY be pleased to state :

(a) whether it is a fact that Government of Bihar have sought permission to start work in seven coalmines of Bihar;

(b) if so, the details of the request made by the State Government; and

(c) the reaction of Government thereto ?

THE MINISTER OF ENERGY (SHRI VASANT SATHE) : (a) to (c). The Government of Bihar have sought permission under section 5(2) of the Mines and Minerals (Regulation and Development) Act, 1957 to work the following eight areas (Collieries) through Bihar State Mineral Development Corporation :

**District Hazaribagh**

1. Pure Sirka
2. Lehri Tongri
3. Hesalong
4. Bundu

**District Giridih**

5. New Dugda
6. Central Dugda and Fast Ghntway
7. Lalgarh

**District Palamau**

8. Lohanda-Lohandi

As these are not 'isolated small pockets' but are adjacent to the mines of Coal India Limited and will be covered by future plans of operation of Coal India Limited, the Central Government have not agreed to the grant of mining leases for the eight areas in favour of Bihar State Mineral Development Corporation.

**Supply of Drinking Water to Posts and Telegraphs Department Colony at Kali Bari Marg, New Delhi**

1478. SHRI RAJ KUMAR RAI : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether Posts and Telegraphs Department Colony at Kali Bari Marg, New Delhi is suffering from acute shortage of drinking water and the administration is not paying any head to this problem;

(b) whether Government propose to install a tube-well to solve the drinking water problem;

(c) if so, the time by which it will be installed; and

(d) if not, the action being taken by Government for providing timely and regular supply of drinking water ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) to (d). The required information is being collected and will be laid on the Table of the House.

**Opening of Petrol Pumps in Balia, Gazipur Jauhpur and Gorakhpur Districts of U.P.**

1479. SHRI RAJ KUMAR RAI : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) The number of petrol pumps proposed to be set up in Azamgarh, Ballia, Ghazipur, Jaunpur and Gorakhpur districts of Uttar Pradesh during the years 1985-86 and 1986-87;

(b) the names of the places where the petrol pumps are proposed to be set up; and

(c) whether applications have been invited for allotting the petrol pumps ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI NAWAL KISHORE SHARMA) : (a) and (b). The Oil Industry has included the following locations for development of Retail Outlets (petrol/diesel) in its Marketing Plan for 1985-86. The industry's Marketing Plan for 1986-87 has not yet been finalised.

Name of the district	Name of the location
Azamgarh	Bhitariganj (Billarganj); Bhabanshtan, Kighung, Maharajgang, Sarai Meer.
Ballia	Nil
Ghazipur	Nil
Jaunpur	Naopedwan Bazar, Mariahu- Shitalganj Rd.
Gorakhpur	Pakhandi Jungle, Ghugli, Mithora, Pipiganj, Thudhi Bari, Purandar Pur, Khajni, Pali.

(c) Out of the above 14 locations, industry has already invited applications in respect of 4 locations. The applications for the remaining locations will be invited shortly.

**Construction of Houses in Azamgarh for  
Employees Working in P and T  
Department**

1480. SHRI RAJ KUMAR RAI : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether Government accommodation is not available to employees working in Posts and Telegraphs Department in Azamgarh district, U.P.;

(b) if so, the reasons therefor;

(c) whether Government propose to construct houses for them there during the next three years; and

(d) if so, whether the land has been acquired and if not, the reasons therefor ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) No Sir. One number type I and 2 nos. type II quarters are available.

(b) More quarters could not be provided due to non-availability of land.

(c) Yes, Sir subject to availability of land.

(d) Suitable land is being searched. The District Authorities have also been approached for this purpose.

**Modernisation of Thekma Telephone  
Exchange of Azamgarh District**

1481. SHRI RAJ KUMAR RAI : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether sanction has been accorded for the modernisation of Thekma Telephone Exchange in Azamgarh district in Uttar Pradesh; and

(b) if so, the time by which modernisation of this telephone exchange will be completed ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) No, Sir. However there is a proposal to replace the existing exchange unit by a new one of the same type.

(b) Does not arise in view of (a) above.

[English]

**Indianisation of top Management of Industries with Foreign Share Holdings**

1482. SHRI S. JAIPAL REDDY : Will the Minister of INDUSTRY be pleased to state :

(a) the steps being taken to Indianise top management of industries with substantial foreign share holdings; and

(b) the name of non-FERA companies that still continue to have foreign chief executives ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) and (b). The appointment of non-whole-time Directors is made by its shareholders in terms of the Articles of Association and Section 255 of the Companies Act, 1956. No approval of the Central Government is required for this purpose. The Central Government, however, approves the appointment of and remuneration to the Managing Director/Whole-time Director/Manager of a public company or a private company, which is a subsidiary of a public company, under Sections 269, 198/309, 388 and 637AA. Normally, companies having more than 40 percent foreign equity holding (FERA-Companies) may be allowed to have expatriates as Whole-time Directors in proportion to the foreign equity holding. Besides, the Central Government keeps certain other factors in view such as, nature of activity in the company and level of technical knowhow involved. In the case of companies having foreign equity participation of less than 40 percent (non-FERA Companies), the appointment of expatriate Whole-time Director is evaluated taking into account the facts whether a specific provision exists in Articles of Association of a company or in the collaboration agreement for appointment of such expatriate as a Whole-time Director; whether the appointment will facilitate induction of high level technology resulting in import substitution and/or export promotion and whether the activity in the company is related to production of life saving drugs. Generally speaking the policy is to discourage appointment of expatriate Wholetime Directors in companies

in which foreign equity holding is in minority and the activity in the company does not involve sophisticated technical knowhow. No survey of Non-FERA Companies that continue to have expatriates of Chief Executives/Whole-time Directors has been done.

**Import of machining line by Maruti Company**

1483. SHRI S. JAIPAL REDDY :  
SHRI C. P. THAKUR :  
DR. A. K. PATEL :  
SHRI C. JANGA REDDY :

Will the Minister of INDUSTRY be pleased to state :

(a) whether the Director General, Technical Development recommended that the machining line for Maruti Company be entrusted to HMT-led consortium; and

(b) whether Maruti Company has imported machining line disregarding the advise of DGTD at a cost of about Rs. 200 crores ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) and (b). In view of the commitment to indigenise the car to 95 within the stipulated period, Maruti Udyog Limited cannot wait for indigenous development of the machining lines and as such has arranged imports at a cost of about Rs. 16 crores.

**Discontinuance of Home Delivery of L.P.G. in Kerala**

1484. SHRI K. P. UNNIKRISHAN : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether LPG agents in many towns in Kerala are discontinuing home delivery of the cooking gas;

(b) whether the Oil companies have permitted this departure from earlier procedure;

(c) whether commission of LPG agents would be proportionately reduced;

(d) if not, the advantage of this new system; and

(e) whether home delivery is being discontinued all over the country as in Kerala ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI NAWAL KISHORE SHARMA) : (a) to (e). While home delivery of LPG refills continues to be the general rule, a cash-and-carry scheme has been introduced by the oil companies on an experimental basis in certain markets in the country, including in Kerala. Customers who opt for this scheme get a rebate of Rs. 1 per cylinder which goes out of the dealers commission.

**Taking over of losing industries which obtained loans from Financial Institutions**

1485. SHRI THAMPAN THOMAS : Will the Minister of INDUSTRY be pleased to state :

(a) whether there is any proposal to take over all those industries which have obtained loans/advances from the national financial institutions and which are losing concerns and are in default of over 50 per cent of the loans/losing advances to the Government;

(b) whether Government have issued guidelines to national financial institutions for taking over such sick/losing industries for default of loans or advances given to these industries; and

(c) if so, the details thereof ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) :

(a) No, Sir.

(b) No, Sir.

(c) Does not arise.

**Memorandum by All India Tyre dealers Federations**

1486. SHRI BANWARI LAL PUROHIT : Will the Minister of INDUSTRY be pleased to state :

(a) whether the All India Tyre Dealers' Federation has submitted a memorandum to Government for setting up a high level committee comprising manufacturers, dealers; consumers' representatives and officials of the concerned Government departments to monitor production and distributions of tyres and tubes in the country;

(b) if so, full details of the memorandum;

(c) whether the Union Government have taken any decision thereon;

(d) if so, the details thereof; and

(e) if not when a decision is likely to be taken ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) :

(a) Yes, Sir.

(b) The Federation have drawn the attention of the Government to various problems of the tyre industry like increase in cost, shortage of specific varieties and certain unfair practices being resorted to by the tyre manufacturing companies and have suggested some remedial measures. The Federation have also suggested the setting up of a high level committee to monitor the production and distribution of tyres.

(c) to (e). There is no control on prices or distribution of tyres. However, various expert committees have already gone into these aspects and action is being taken on their recommendations. The Development Council for Tyres and Tubes in which all the concerned interests, including consumers, are represented, also periodically reviews production, distribution and prices of tyres. Government, therefore, do not consider it necessary to constitute a Committee as suggested by the Federation.

**Instructions to State Governments to make Thermal Power Units Efficient**

1487. SHRI BANWARI LAL PUROHIT : Will the Minister of ENERGY be pleased to state :

(a) whether his Ministry has recently called for making the existing thermal power units efficient irrespective of their being in the Central or State sectors;

(b) if so, whether any instructions have been issued to the State Governments in this regard;

(c) if so, the details thereof; and

(d) when a final report has been called for by the Union Government from State Governments in this regard?

THE MINISTER OF STATE IN THE DEPARTMENT OF POWER (SHRI ARIF MOHAMMAD KHAN) : (a) to (d). Interaction between the Ministry of Energy, State Governments and Electricity Boards and the major power equipment manufacturers is taking place on a continuous basis to improve the performance of thermal power stations. The Ministry of Energy have been requesting the SEBs from time to time to take measures for optimum utilisation of the existing thermal power capacity. The need for improving the thermal generation and thermal performance was also stressed in the recently held State Power Ministers' Conference on 3rd and 4th November, 1985. The State Governments/SEBs have been asked to improve the performance of thermal power stations by carrying out renovation and modernisation programmes, by improving the operation and maintenance practices in the power stations, by giving training to the operation and maintenance personnel and by adopting modern management practices. Improving the performance of thermal power stations is a continuous exercise.

#### Setting up of Mini Cement Plants

1488. SHRI BANWARI LAL PUROHIT : Will the Minister of INDUSTRY be pleased to state :

(a) whether attention of Government has been drawn to a news item captioned "Rethinking on mini cement plants" appearing in "The Hindustan Times" of 16 September, 1985;

(b) if so, the number of applications pending with his Ministry for setting up of the mini cement plants and since when; and

(c) the hinderances in the way of Government in granting licences for setting up of new mini cement plants ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) Yes, Sir.

(b) Six applications are pending and the earliest of them was received in September, 1985.

(c) According to the criteria followed. Mini Cement Plants upto 100/200 tonnes per day capacity may be allowed to be set up, on merits of each case, in areas which are based on deposits of limestone which cannot sustain large cement plants. A certificate to this effect from the State Government concerned is obtained. Plants based on Vertical Shaft Kiln Technology are generally encouraged. In view of the above decision on the applications for licence can be taken only after the relevant information alongwith recommendations of State Govt. are available.

#### Leakage of Hydrochloric Acid at IPCL Plant

1489. SHRI V. S. MAHAJAN : Will the Minister of INDUSTRY be pleased to state :

(a) whether a number of workers were affected due to leakage of hydrochloric acid at a plant of the Indian Petro-chemicals Corporation Ltd. (IPCL);

(b) whether Government have enquired into the causes of this leakage;

(c) whether the leakage was due to negligence or carelessness of some of the employees of the Corporation;

(d) the action taken against them; and

(e) the steps Government propose to take to check recurrence of such mishaps ?

THE MINISTER OF STATE IN THE DEPARTMENT OF CHEMICALS AND PETROCHEMICALS (SHRI R. K. JAICHANDRA SINGH) : (a) In all, 14

persons were affected due to leakage of hydrochloric acid at IPCL's plant. 12 persons were discharged after first-aid and 2 persons were kept in hospital for observation and were discharged after two days.

(b) Yes, Sir. The leakage was due to some technical problems.

(c) No, Sir.

(d) Does not arise.

(e) Following steps have been taken to avoid recurrence of such events in future :

1. The fire water control valve for vent scrubber has been provided with a remote switch in Control Room.
2. The power supply system for vent scrubber circulation pumps has been modified.
3. An alarm has been provided in the Control Room for indicating failure of vent scrubber circulation.
4. Additional safety equipments have been provided.

#### **Collaboration to Share Know-How with Qatar**

1490. SHRI Y. S. MAHAJAN : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether India has agreed to share its know-how with Qatar in the development of their north field gas resources;

(b) whether the terms and conditions of the collaboration have been finalised;

(c) if so, the details thereof; and

(d) the benefits that will accrue to India by this collaboration ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI NAWAL KISHORE SHARMA) : (a) No, Sir.

There is no such agreement between India and Qatar.

(b) to (d). Do not arise.

#### **Setting up of Telecommunication Network to Link up Delhi and Bombay with Frankfurt**

1491. SHRI Y. S. MAHAJAN : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether the West German Government have offered to set up a telecommunication network to link Delhi, Bombay with Frankfurt in Germany; and

(b) if so, the terms and conditions of such an offer and the advantages of such a linkage of India ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) No Sir. The West German Government have, however, showed an interest in extending some additional telecommunication services *viz.* TELEFAX etc., to India.

(b) Does not arise.

#### **Offer by West Germany for setting up Second Electronic Switching System Factory**

1492. SHRI Y. S. MAHAJAN : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether the West German Government have given a proposal for establishing the second Electronic Switching System Factory for digital electronic exchanges;

(b) if so, the terms and conditions of such an offer; and

(c) whether a comparative study has been made of the German technology vis-a-vis existing technology taken from France for setting up an Electronic Switching System factory by Indian Telephone Industries at Gonda, in Uttar Pradesh ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) No, Sir.

(b) Does not apply.

(c) No, Sir.

[*Translation*]

**Profits earned by cement corporation  
of India**

1493. SHRI HARISH RAWAT : Will the Minister of INDUSTRY be pleased to state :

(a) the amount of profit earned by the Cement Corporation of India during 1983-84 and 1984-85;

(b) whether the profits of this Corporation have decreased in spite of increase in the production during the previous years; and

(c) if so, the steps taken by his Ministry to improve performance of the Corporation ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) The net profit earned by Cement Corporation of India Limited during 1983-84 and 1984-85 is as under :

1983-84	—	Rs. 741.23 lakhs
1984-85	—	Rs. 77.29 lakhs (Provisional)

(b) Yes, Sir.

(c) A number of steps are being taken to improve the profitability of the Corporation through optimum utilization of existing capacities, incorporation of precalcinators for conversion from wet process to dry process of manufacture, augmentation of captive generating capacity, replacement and renewal of machneries, rehabilitation of Charkhi Dadri Unit, increase in productivity per employee etc. The reduction in levy quota of cement introduced by the Government with effect from 4th June, 1985 is also expected to improve the profitability of the Corporation. The performance of the Corporation is constantly monitored by the Ministry of Industry.

**Setting up of UHF Centres in Uttar Pradesh**

1494. SHRI HARISH RAWAT : Will the Minister of COMMUNICATIONS be pleased to state :

(a) the names of district headquarters in Uttar Pradesh where it is proposed to start construction work of UHF Centres in the current financial year;

(b) whether it is a fact that in some cities like Pithoragarh, construction of UHF Centres is not being started despite availability of land since long; and

(c) if so, the names of cities in Uttar Pradesh Circle where land has already been made available for UHF Centre and the time by which construction work is likely to be started there ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) It is proposed to start civil construction for UHF Centres at the following District Headquarters during the current financial year :

Ajamgarh, Basti, Deoria, Lakhimpur, Narender Nagar and Pithoragarh.

(b) No, Sir. Land at Pithoragarh for UHF has been acquired only a month back and we hope to start construction during this current financial year.

(c) Does not apply.

**Setting up of Electronic Telephone Exchange in Ranikhet and Pithoragarh in Uttar Pradesh**

1495. SHRI HARISH RAWAT : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether land has been made available to set up electronic telephone exchanges in Ranikhet and Pithoragarh cities in Uttar Pradesh;

(b) if not, the reasons therefor;

(c) whether it is a fact that the proposal of the Department for acquiring land



in excess of the land required for the setting up of electronic exchanges at these places is also a hurdle in the availability of land; and

(d) if so, the time by which land is likely to be made available at these places ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) Land has been offered by the District authorities Pithoragarh and its possession is expected to be taken shortly. For Ranikhet no land is available at present.

(b) Defence authorities have been approached for the allotment of land at Ranikhet. They have agreed but concurrence of Army Hq. is still awaited.

(c) No, Sir. The land which has been asked, is the minimum required for the telecommunication services.

(d) Does not apply.

#### **Budget allocation for Oil Exploration**

1496. SHRI R. M. BHOYE : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state the percentage of the total budget allocation spent on starting new oil and gas projects in the country at present ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI NAWAL KISHORE SHARMA) : The total plan allocation for 1985-86 on oil exploration and development is Rs. 2630 crores. Against this, percentage of amounts spent, upto end of October 1985, on starting new oil and gas projects, is 0.40%.

#### **Amenities to Judges discussed at Chief Justices' Conference**

1497. SHRI C. JANGA REDDY :  
DR. A. K. PATEL :

Will the Minister of LAW AND JUSTICE be pleased to state :

(a) the main recommendations of the conference of Chief Justice held in the beginning of this year;

(b) whether they have drawn the attention of Government to the need of giving them dignified status, adequate family pension, daily allowance, furnishing expenses, immediate allotment of accommodation to the transferee judges, travelling facility for their respective State, reimbursement of medical charges and permission to hoist national flag on their car, etc.;

(c) the decision and action taken by Government on each of these recommendations; and

(d) the details of recommendations accepted and of those rejected by Government so far and estimated annual expenditure involved in accepting the demands ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI H. R. BHARDWAJ) : (a) to (d). The registry of the Supreme Court had forwarded to the Government the minutes of the Chief Justices' Conference held in Delhi in February, 1985 which cover the following subjects :

- (i) Constitution of All India Judicial Service.
- (ii) Setting up of vigilance Cells under the exclusive control and supervision of the Chief Justice of the respective High Courts.
- (iii) Appointment of Chief Justices from outside the State.
- (iv) Setting up of High Court Benches in different regions of the respective States.
- (v) Conditions of Service of High Court Judges which includes :
  - (1) Official Status and Position of Judges.
  - (2) Financial Powers of Chief Justices.
  - (3) Pension and Family Pension.

- (4) Conveyance Allowance, Sumptuary Allowance, House allowance, Furnishing Allowance, Daily Allowance, Electricity Allowance and Transfer Allowance.
- (5) Medical re-imbusement of medical fees and expenses of private doctors.
- (6) Travelling facilities.
- (7) Hospitality.
- (8) Security.
- (9) Flying the Flag—on their cars.
- (10) Carry forward of earned leave.

The above recommendations are receiving the attention of the Government.

[English]

#### Award of Contract for Pipes by Gas Authority of India

1498. SHRI MOHD. MAHFOOJ ALI KHAN : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether despite the fact that an Indian shipping company offerend very competitive rates, the Gas Authority of India has recently entered into a contract with a foreign shipping firm to bring 400,000 tonnes of pipes from Brazil, Europe and Japan;

(b) if so, the reasons for awarding the contract to a foreign shipping firm when the Indian shipping company offered competitive rates; and

(c) the reaction of Government thereto ?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI NAWAL KISHORE SHARMA) : (a) to (c). Taking into account the terms of credits available from OECF (Japan) KFW (FRG) and Italy, which cover freight also, the total freight quoted by line pipe suppliers works out to US \$ 13.71 million when discounted to net present value as against \$ 21.81 million of Transchart. Thus, there is a saving of about

US \$ 8.20 million (about Rs. 10 crores) by going in for shipment by suppliers.

In view of the above facts GAIL was permitted by the Government to enter into C and F contracts with the line pipe suppliers for import of 4.14 lakhs tonnes of pipes, for the HBJ gas pipeline prjoect. For the 26,500 tonnes of 18" pipes from Brazil, which is not covered by credit, GAIL has entered into FOB contract with the line pipe supplier and freight agreement with Transchart.

#### Setting up of separate High Court for North Eastern Region

1499. SHRI N. TOMBI SINGH : Will the Minister of LAW AND JUSTICE be pleased to state :

(a) whether the Prime Minister has expressed in favour of separate High Courts in the smaller States in North Eastern region at the recent conference of State Ministers held in the capital; and

(b) if so, the progress made in this regard ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI H. R. BHARDWAJ) : (a) In his address to the Conference of the Chief Justices of High Courts and Chief Ministers and Law Ministers of States on 31-8-85, the Prime Minister favoured the formation of separate High Courts for each of the North Eastern States, subject to its feasibility and practicability being considered.

(b) The matter is engaging the attention of the Govt. of India in consultation with the concerned State authorities.

#### Use of Computers to Streamline Telephone Service

1500. SHRIMATI KISHORI SINHA : Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether computers are being used to streamline many of the seVICES in Delhi and other metropolitan telephone areas;

(b) whether services like directory enquiry would improve due to this computerisation; and

(c) whether there is any proposal to provide subscribers with Video Display Units to obtain such special services information and do away with publication of telephone directories ?

THE MINISTER OF STATE OF THE MINISTRY OF COMMUNICATIONS (SHRI RAM NIWAS MIRDHA) : (a) Some applications have been computerised in the metropolitan telephone districts by hiring computer time or on service bureau basis. In house computers are expected to be commissioned in the metropolitan telephone districts during the next year.

(b) Yes Sir.

(c) Not at present.

[*Translation*]

**CBI Investigation into fake Certificates  
in New Delhi Khadi Gramodyog  
Bhawan**

1501. SHRIMATI VIDYAVATI CHATURVEDI : Will the Minister of INDUSTRY be pleased to refer to the reply given to the Unstarred Question No. 5563 on 8th May 1985 regarding registration of a case of fake certificate in Khadi Gramodhog Bhawan, New Delhi by CBI and state :

(a) the date on which Central Bureau of Investigation registered bogus certificate case of the Khadi Gramodyog Bhawan, New Delhi; and

(b) the time by which inquiry into this case is likely to be completed and the case is likely to be filed in the court ?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) : (a) CBI GOW Delhi Branch registered case RC. 8/85-Delhi on 31-1-85 on the allegation of submission of forged educational certificate.

(b) After investigation the case was closed on 25-7-85 for lack of evidence.

12.00 hrs.

**STATEMENT BY PRIME MINISTER  
Re : HIS FOREIGN VISITS**

[*English*]

THE PRIME MINISTER (SHRI RAJIV GANDHI) : During the Parliament recess, I visited Bhutan from 29th September to 1st October and Britain, Cuba, Netherlands and the Soviet Union from the 14th to 27th October. I attended the Commonwealth Heads of Government Meeting in the Bahamas from the 16th to 21st October and the 40th anniversary of the United Nations in New York from the 21st to 24th October. I also participated in the celebrations of the 15th anniversary of Oman's National Day on the 18th November.

I was touched by the overwhelming welcome that I received from His Majesty's Government and from the people of Bhutan. I accepted on behalf of my mother, the Druk Wangyal, Bhutan's highest award. My visit has greatly strengthened our existing excellent relations with Bhutan.

We have long historical and cordial relations with Britain. The cooperation between our countries has brought mutual benefit to both. I had very useful talks with Mrs. Margaret Thatcher and her cabinet colleagues. I explained to her our concerns arising from the anti-Indian extremist activity from British territory, the imbalance in our economic exchanges and the consular and immigration problems faced by our nationals. I believe that my visit has led to a better comprehension of our concerns.

The situation in South Africa was the focus of attention at the Commonwealth Summit in the Bahamas. Consistent with our position, we called for comprehensive mandatory sanctions. The Commonwealth Accord on South Africa was adopted. We would have preferred a stronger statement, but the Accord represents a step forward. For the first time it commits Britain to specific closely monitored economic measures against South Africa. A group of eminent persons is being appointed to monitor the effective implementation and impact of the measures and to assist in a political dialogue with South Africa, including the genuine

representatives of the black people. We have nominated Sardar Swaran Singh on this group. The CHOGM also adopted a Declaration on World Order which was essentially based on a draft submitted by the India delegation.

Besides addressing the United Nations General Assembly on October 24, I also addressed special meetings of the non-aligned group and of the Special Committee Against Apartheid. Both in the Bahams and in New York, I took the opportunity of separate meeting with a large number of Heads of State and Government and had useful discussions with them on bilateral and international issues. We also held a meeting in New York of the leaders of the six countries which had jointly launched the Delhi Declaration for nuclear disarmament. We sent an appeal to President Reagon and General Secretary Gorbachev, text of which is laid on the Table of the House.

[Placed in Library. See No. Lt-1493-A'85]

In was the first Indian Prime Minister to visit Cuba. Indiraji had accepted President Castro's invitation but unfortunately could not undertake the visit. My discussions with President Castro on issues of bilateral and international interest were most useful. President Castro has heroically guided his people along the path of national reconstruction. We were deeply impressed with the visible progress Cuba has achieved under his leadership. I accepted, on behalf of my mother, the Jose Marti Award, posthumously bestowed on her by the Government of Cuba as a tribute to her stature as a world leader. I was deeply moved by the mass send off that I was given by the population of Havana.

A visit to the Netherlands by an Indian Prime Minister was overdue. Our relations are close and cordial. I had very useful talks with Prime Minister Lubbers. We appreciate Netherlands' very positive stand towards the developing countries and North-South dialogue.

I paid a brief visit to the USSR on the return journey to Delhi. I had an extensive and very useful exchange of views with General Secretary Gorbachev which carried

forward the discussion that I had held during my visit there in May this year. We are in continual touch on matters of common interest.

My visit to Oman was in response to a personal and cordial invitation from His Majesty Sultan Quboos. From early times India and Oman have had friendly contacts in the fields of commerce and culture. There are about a quarter of a million Indian nationals working in Oman in different sectors of the economy. There are promising possibilities of further expansion of our relations with Oman.

To night I shall be leaving for visits to Vietnam and Japan. Our relations with both these countries are close. I am confident that these visits will be as fruitful as those which I have undertaken so far.

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PROF. MADHU DANDAVATE (Rajapur) : Mr. Speaker, Sir, please allow me a minute's submission. One of the leaders of the working class movement, working for the liberation of bonded labour, Shri Agnivesh's passport has been taken away because he put forward before the United Nations Human Rights Commission, the anti-bonded labour case.

*(Interruptions)*

MR. SPEAKER : He can take the matter to the courts. He can challenge it in the courts.

PROF. MADHU DANDAVATE : This is a very serious matter. Those who are working in the working class movement, if they are going to be punished and penalised by taking away their passports...*(Interruptions)*.

MR. SPEAKER : I cannot say anything Professor Sahib. There might be other reasons.

PROF. MADHU DANDAVATE : India is not a totalitarian country. It is a free society. Therefore, it is highly objectionable...

*(Interruptions)\**

MR. SPEAKER : Not allowed. Professor Sahib, there are courts. There have been cases of this nature earlier also. I do not know the facts of this case. I cannot do anything about this. The law courts are there. The Supreme Court is there.

(Interruptions)\*

MR. SPEAKER : I cannot allow...The Law Minister would like to say something. Listen to him.

SHRI S. JAIPAL REDDY (Mahbubnagar) : Let me make one submission.

MR. SPEAKER : There is no question of any submission. This is not a subject for discussion. The Law Minister wants to say something. Please listen to him.

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI H. R. BHARDWAJ) : So far as impounding of passports is concerned, it is justiciable. I would like to remind Prof. Madhu Dandavate that they spared nobody when the Janata Government was in power and everybody's passport was impounded. Do you remember it ? This is a matter which can be decided justiciably by a court. Why should we discuss it unnecessarily ?

(Interruptions)\*

MR. SPEAKER : Law is for all and whether he is a lawyer or a worker or business magnate, law does not differentiate.

(Interruptions)\*

MR. SPEAKER : No distinction.

(Interruptions)\*

MR. SPEAKER : Not allowed. I cannot allow individual cases like this.

(Interruptions)\*

MR. SPEAKER : Look here. I never said 'any smuggler' or any 'leader'. I only said 'the citizen of India'. I do not differentiate between man and man. If he is a guilty person, he will be punished.

(Interruptions)\*

MR. SPEAKER : Do not put words in my mouth.

(Interruptions)\*

THE MINISTER OF PARLIAMENTARY AFFAIRS AND TOURISM (SHRI H. K. L. BHAGAT) : I would like to know from Prof. Madhu Dandavate why was my Passport impounded ? I just want to ask him. There was no charge against me. Absolutely nothing.

(Interruptions)\*

MR. SPEAKER : Prof. why are you putting words in my mouth ?

(Interruptions)\*

MR. SPEAKER : If he is a guilty person, he will be punished. How can he say ? It is a juridical matter; it will be decided by the Court of Justice. Don't try to put words in my mouth. Nothing doing.

(Interruptions)

MR. SPEAKER : No question at all. Let him go to the Court, it will be decided.

(Interruptions)\*\*

MR. SPEAKER : I have not allowed any person. I have not decried anyone. I have not decried any person.

(Interruptions)

MR. SPEAKER : Shri Agnivesh, for me, he is an honourable person. Not allowed. Irrelevant.

(Interruptions)\*

MR. SPEAKER : Not allowed. I do not concur with you. He can take up the case. There have been individual cases also. They can be taken up.

(Interruptions)\*

MR. SPEAKER : I cannot say that man is guilty or not. That can be decided by the Court.

(Interruptions)\*

MR. SPEAKER : He is simply the citizen of India; for me no leader of otherwise.

(Interruptions)

MR. SPEAKER : Now papers to be laid.

12.12 hrs.

PAPERS LAID ON THE TABLE

[English]

**Paraffin Wax (Supply, Distribution and Price Fixation) Amendment Order, 1985**

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI NAWAL KISHORE SHARMA) : I beg to lay on the Table a copy of the Paraffin Wax (Supply, Distribution and Price Fixation) Amendment Order, 1985 (Hindi and English versions) published in Notification No. G.S.R. 808 (E) in Gazette of India dated the 25th October, 1985 under sub-section (6) of section 8 of the Essential Commodities Act, 1956.

[Placed in Library. See No. LT-1488/85].

MR. SPEAKER : One minute, the Law Minister wants to say something.

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI H. R. BHARDWAJ) : Sir, I may inform the House that the Passport has not been impounded. It has been sent for renewal and this is under consideration and examination. Swami Agnivesh has made some charges against the Government and he has been called by the External Affairs Ministry to discuss with him.

(Interruptions)\*

[Translation]

SHRI BALASAHEB VIKHE PATIL (Kopergaon) : Mr. Speaker, Sir, an M.L.A. of Maharashtra has been murdered in Delhi, but no action has been taken so far in this matter. I request you that this matter should be inquired into.

(Interruptions)\*

[English]

MR. SPEAKER : I have allowed him. I think you can give something in writing.

(Interruptions)\*

\*Not recorded.

MR. SPEAKER : I have allowed the hon. Member of the House.

(Interruptions)\*

THE MINISTER OF PARLIAMENTARY AFFAIRS AND TOURISM (SHRI H.K.L. BHAGAT) : The Minister of Law has already said that the matter is under consideration. The Passport has not been impounded. I want to remain Prof. Madhu Dandavate; that when they were in power not that we should do the same thing, we are not doing the same thing—the Passports of a number of persons including mind were impounded without any reason.

(Interruptions)\*

SHRI S. JAIPAL REDDY : You have not allowed me to say anything.

(Interruptions)\*

MR. SPEAKER : Not a single word of his will go on record.

(Interruptions)\*

SHRI BALASAHEB VIKHE PATEL : An MLA of Maharashtra was murdered on the 20th evening in Kasturba Marg and no investigation has been done.

[Translation]

MR. SPEAKER : Please give in writing.

(Interruptions)

[English]

MR. SPEAKER : Individual cases, I cannot allow. That does not go on record.

(Interruptions)\*

SHRI BASUDEB ACHARIA : What about the Privilege Motion against the Telegraph Newspaper ?

MR. SPEAKER : This thing you have raised yesterday and today also, you have given a Privilege Motion on that.

(Interruptions)

MR. SPEAKER : Please sit down. Order please...

Under rule 229, when a Member is arrested on a criminal charge or for a criminal offence or is sentenced to imprisonment by a court and is detained under an executive order, the committing Judge, Magistrate or executive authority, as the case may be, must immediately intimate such fact to the Speaker indicating the reasons for the arrest, detention or conviction, as the case may be, as also the place of detection or imprisonment of the Member, in a prescribed form.

[*Translation*]

I have not received. I have got an unsigned paper.

[*English*]

This is the unsigned paper which I got only...

SOME HON. MEMBERS : What is written ?

MR. SPEAKER : It is about the arrest of one Mr. So-and-so.

PROF. MADHU DANDAVATE : Has the police officer not signed ?

MR. SPEAKER : No one has signed... It is about one Mr. So-and-so.

SHRI BHAGWAT JHA AZAD (Bhagalpur) : Why should you take note of it ?

MR. SPEAKER : That is what I say. That is the only communication.

PROF. MADHU DANDAVATE : It should be expunged from the records. No reference to any anonymous thing.

MR. SPEAKER : For me, no hon. Member has been arrested so far...

(*Interruptions*)

[*Translation*]

Please sit down. You have made a mention in it. You have made a reference to the Chief Minister also. You have not

done so, Shri Madhav Reddi has said that the Chief Minister has also stated.

[*English*]

But I do not know. I will have to ask the newspaper people also.

[*Translation*]

Newspapers serve as a very good link for us.

[*English*]

They are our voice.

[*Translation*]

I have great respect for them but had the press reporters sitting there ascertained it, neither they nor I would have been put to trouble because this matter concerns a gentleman. It is not known whether he is right or wrong. If he is wrong, he will be arrested and if he is right, he will be acquitted. But it does not behove to act like this without ascertaining the facts. It neither behoves the newspapers nor us.

[*English*]

So, I will ask the concerned newspaper man to elicit what he has in mind, and why he has done it.

SHRI S. JAIPAL REDDY : I will not contradict you, Sir. I agree.

[*Translation*]

MR. SPEAKER : I am only saying that action will be taken according to the provisions of the law. I appeal to you and to them also to act in a proper way. Without ascertaining the facts and without being satisfied, such action should not be taken against anybody. We should act judiciously.

[*English*]

Now Mr. Reddy. I have called Mr. Reddy.

SHRI S. JAIPAL REDDY : Sir, you were good enough to quote rule 229. I think

you did the right thing. I have tabled a privilege Motion on the basis of rule 229. According to a news item that was published in "The Telegraph", the Chief Minister told them...

[*Translation*]

MR. SPEAKER : I have clarified. Is there anything more to say ?

[*English*]

SHRI S. JAIPAL REDDY : The Chief Minister's statement is there. The Police Commissioner was guilty of dereliction of duty.

MR. SPEAKER : That is, if there is anything. I do not take anything for granted. Nothing is taken for granted.

SHRI S. JAIPAL REDDY : Therefore, there is need to refer the issue to the Chief Minister of West Bengal. I, therefore, tabled a privileges motion against the Police Commissioner.

[*Translation*]

MR. SPEAKER : Why ? The police has not arrested.

[*English*]

How can you do it ? I do not take it that anybody has been arrested.

SHRI S. JAIPAL REDDY : The Chief Minister of West Bengal has told the Pressmen...

[*Translation*]

MR. SPEAKER : Mr. Reddy, you are jumping. We do not know what the Chief Minister had said.

[*English*]

I will have to ascertain.

Now Papers to be Laid—Mr. Arif Mohammad Khan.

12.15 hrs.

PAPERS LAID ON THE TABLE—Contd.

**Notifications under Indian  
Electricity Act, 1910**

[*English*]

THE MINISTER OF STATE IN THE DEPARTMENT OF POWER (SHRI ARIF MOHAMMAD KHAN) : I beg to lay on the Table a copy each of the following. Notifications (Hindi and English versions) under sub-section (3) of section 38 of the Indian Electricity Act, 1910 :

- (1) The Indian Electricity (Amendment) Rules, 1985 published in Notification No. G.S.R. 732 in Gazette of India dated the 3rd August, 1985 together with an explanatory statement.
- (2) The Indian Electricity (Amendment) Rules, 1985 published in Notification No. G.S.R. 843 in Gazette of India dated the 7th September, 1985 together with an explanatory statement.
- (3) The Indian Electricity (Amendment) Rules, 1985 published in Notification No. G.S.R. 844 in Gazette of India dated the 7th September, 1985 together with an explanatory statement.

[Placed in Library. See No, LT-1489/85]

SHRIMATI GEETA MUKHERJEE (Panskura) : It has been reported in the Press the Law Ministry has recommended to the Cabinet Sub-Committee to wind up the work of the judicial enquiry committee that was set up after the gas tragedy at the Bhopal factory of Union Carbide. This is a very serious matter.

MR. SPEAKER : I do not know; I will find out.

SHRIMATI GEETA MUKHERJEE. The news item has come out. I have given a Calling Attention Motion.



SHRI HANNAN MOLLAH : Mr. Janardhana Poojary is organizing a Bank Mela. It is politically motivated. It is a misuse of Government power. He is giving loan to people of Congress (I) which is a political Party.

MR. SPEAKER. I have sent you the reply. There is nothing wrong in it. You can send me another Motion.

Now Shri Janardhana Poojary—Papers Laid.

**Notifications under Income Tax Act, 1961, Customs Act, 1962, Customs Tariff Act, 1975**

THE MINISTER OF FINANCE (SHRI VISHWANATH PRATAP SINGH) : On behalf of Shri Janardhana Poojary, I beg to lay on the Table—

- (1) A copy of the Income-tax (Seventh Amendment) Rules, 1985 (Hindi and English versions) published in Notification No. S.O. 838 (E) in Gazette of India dated the 19th November, 1985 together with an explanatory memorandum under section 296 of the Income tax Act, 1961.

[Placed in Library. See No. LT-1490/85]

- (2) A copy each of the following Notifications (Hindi and English versions) under section 159 of the Customs Act, 1962 :

- (i) G.S.R. 831 (E) published in Gazette of India dated the 6th November, 1985 together with an explanatory memorandum making certain amendment to Notification Nos. 268/84-Customs dated the 30th October, 1984, 74/85-Customs and 75/85-Customs dated 17th March, 1985 so as to extend the time limit upto the 31st December, 1985 for attaining the norms of fuel efficiency for the purposes of import duty concessions relating to fuel efficient commercial vehicles.

- (ii) G.S.R. 846 (E) published in Gazette of India dated the 15th November, 1985 together with an explanatory memorandum regarding revised rate of exchange for conversion of Russian Rouble into Indian currency or *vice-versa* in supersession of Notification No. 293-Customs dated the 12th September, 1985.

[Placed in Library. See No. LT-1491/85]

- (3) A copy each of the following Notifications (Hindi and English versions) under section 10 of the Customs Tariff Act, 1975 :

- (i) The Customs Tariff (Identification, Assessment and Collection of Duty or Additional Duty on Bounty-fed Articles and for Determination of Injury) Rules, 1985 published in Notification No. G.S.R. 704 (E) in Gazette of India dated the 2nd September 1985, together with an explanatory memorandum.

- (ii) The Customs Tariff (Identification, Assessment and Collection of Duty or Additional Duty on Dumped Articles and for Determination of Injury) Rules, 1985 published in Notification No. G.S.R. 705 (E) in Gazette of India dated the 2nd September, 1985 together with an explanatory memorandum.

[Placed in Library. See No. LT-1492/85]

- (4) A copy each of the following Notifications (Hindi and English versions) issued under the Central Excise Rules, 1944 :

- (i) G.S.R. 835 (E) published in Gazette of India dated the 11th November, 1985 together with an explanatory memorandum regarding exemption to types, tubes and flaps manufactured by certain small scale units from the duty of excise in excess of 50 per cent.

- (ii) G.S.R. 844 (E) published in Gazette of India dated the 15th October, 1985 together with an explanatory memorandum making certain amendment to Notification No. 204/83-CE dated the 1st August, 1983 so as to exclude mill scale of iron or steel from the purview of the exemption as provided under the latter notification.
- (iii) G.S.R. 845 (E) published in Gazette of India dated the 15th November, 1985 together with an explanatory memorandum regarding exemption to mill scale from the duty of excise in excess of 12 per cent *ad valorem*.
- (iv) G.S.R. 847 (E) published in Gazette of India dated the 15th November, 1985 together with an explanatory memorandum seeking to provide full exemption from excise duty on carbon dioxide not conforming to I.S.I specifications produced in a factory or a distillery and intended to be supplied for use in a bottling plant for the manufacture of carbon dioxide conforming to I.S.I specifications on which the duty of excise is paid before its removal from the bottling plant.
- (v) G.S.R. 850 (E) published in Gazette of India dated the 15th November, 1985 together with and explanatory memorandum specifying the Madras Export Processing Zone and FALTA Export Processing Zone as 'Free Trade Zones'.
- (vi) G.S.R. 851 (E) published in Gazette of India dated the 15th November, 1985 together with an explanatory memorandum regarding exemption to excisable goods when brought into Madras Export Processing Zone being free trade zone from the factories of their manufacture or warehouses situated in other parts of India for use by the industries located in the Zone for the production of goods or in connection with production of goods intended solely for the export from the whole of the duty of excise and additional duty of excise leviable thereon.
- (vii) G.S.R. 852 (E) published in Gazette of India dated the 15th November, 1985 together with an explanatory memorandum regarding exemption to excisable goods when brought in FALTA Export Processing Zone from the factories of their manufacture or warehouses situated in other parts of India for use by the industries located in the zone for the production of goods or in connection with production of goods intended solely for the export from the whole of the duty of excise and additional duty of excise leviable thereon.

[Placed in Library. See No. LT-1493/85]

**Review of the working of and Annual Report of National Bicycle Corporation of India Ltd., Bombay for the year 1982-83 and statement for delay in laying these reports.**

**THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM) :**  
I beg to lay on the Table :

- (1) A copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619-A of the Companies Act, 1956 :

- (i) Review by the Government on the working of the National Bicycle Corporation of India Limited, Bombay, for the year 1982-83.

(ii) Annual Report of the National Bicycle Corporation of India Limited, Bombay, for the year 1982-83 along with Audited Accounts and the comments of the Comptroller and Auditor General thereon.

[English]

MR. SPEAKER : Not allowed. Whatever this gentleman says will not go on record.

(Interruptions)\*\*

(2) A statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (1) above.

[Translation]

MR. SPEAKER : Mahfooj Ali Sahib, this has not happened for the first time today. Please have your seat.

(Interruptions)\*\*

[Placed in Library. See No. LT-1494/84]

12.20 hrs.

[English]

MESSAGE FROM RAJYA SABHA

MR. SPEAKER : We cannot do it at this juncture.

[English]

(Interruptions)\*\*

SECRETARY-GENERAL : Sir, I have to report the following message received from the Secretary-General of Rajya Sabha :

MR. SPEAKER : I cannot do anything at this juncture.

(Interruptions)\*\*

"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 25th November, 1985, agreed without any amendment to the Lighthouse (Amendment) Bill, 1985, which was passed by the Lok Sabha at its sitting held on the 26th August, 1985."

MR. SPEAKER : I would like you to withdraw from the House.

SHRI MOHD. MAHFOOJ ALI KHAN : I am ready. (Interruptions)\*\*

MR. SPEAKER : You cannot take the law into your own hands.

(Interruptions)\*\*

[Translation]

MR. SPEAKER : Please sit calmly. This is how it happens. This is how everything has been decided.

AN HON. MEMBER : It is a sectional holiday.

MR. SPEAKER : What is this ?

[English]

We have a set programme. Sit down.

[Translation]

Everything is done after due consideration.

(Interruptions)\*\*

SHRI MOHD. MAHFOOJ ALI KHAN : I am very sorry to say that about the prophet Mohammad...

12.21 hrs.

COMMITTEE ON PRIVATE MEMBERS  
BILLS AND RESOLUTIONS

Seventh Report

[English]

SHRI M. THAMBI DURAI (Dharmapuri) : I beg to present the Seventh Report (Hindi and English versions) of the Committee on Private Members Bills and Resolutions.

SUPPLEMENTARY DEMANDS FOR  
GRANTS (GENERAL), 1985-86

[English]

THE MINISTER OF FINANCE (SHRI VISHWANATH PRATAP SINGH) : I beg to present a statement (Hindi and English versions) showing Second Supplementary Demands for Grants in respect of the Budget (General) for 1985-86.

[Placed in Library. See No. LT-1508/85]

MR. SPEAKER : Calling Attention. Prof. Ramkrishna More—not present; SHRI S. M. Bhattam—not present.

The House shall now take up Matters under rule 377.

12.22 hrs.

MATTERS UNDER RULE 377

- (i) **Transfer of evacuee properties to the old inhabitants by simplifying the procedure**

[English]

MR. SPEAKER : The House shall now take up matters under rule 377.

SHRI JAI PRAKASH AGARWAL (Chandni Chowk) : The Government of India acquired evacuee property after partition and very few properties remained with the Custodian/Settlement Officer under the Ministry of Home Affairs at Delhi. There have been so many families residing

in the said properties for the last more than two decades and paying the rent regularly to the Government of India. They all have put their hard earnings in keeping up the said properties which are mostly hundred years old and it is a fact that the Department of Custodian/Settlement Offices has not spent even a single paise on keeping up the said evacuee properties.

The department concerned tried to put the said properties on public auction in the month of July, 1985 but could not succeed. On one side while we are providing the houses to the shelterless people through D.D.A. while on the other hand we are not considering that these old inhabitants shall be uprooted and rendered shelterless.

The properties should therefore be sold out to the old inhabitants considering the fact that they have put their hard earned money in keeping up the properties. All facilities should be provided to them and the said properties should be transferred in their respective names by simplifying the procedure.

[Translation]

- (ii) **Need to declare Gorakhpur district of UP as a backward district and to set up a big industrial unit there**

SHRI MADAN PANDEY (Gorakhpur) : Mr. Speaker, Sir, Gorakhpur, which is the major centre of Gorakhpur Division of Eastern Uttar Pradesh, is facing acute unemployment due to non-setting up of any big industry in the public or private sector after independence. The fertilizer factory set up in the beginning of the sixth decade with an investment of Rs. 20 crores has almost become a sick unit. There is great resentment among the people of Gorakhpur Division due to non-inclusion of any proposal for setting up any industrial unit there in the Seventh Plan also. Private sector has got no attraction to set up industries there because Gorakhpur District has not been declared as an industrially backward district and no financial assistance and other incentives given to backward districts, can be made available to it. Therefore, this region has reached the lowest ebb of poverty due to the burden of increasing population and unemployment.

I, therefore, request the Government to consider this matter seriously and declare the said district as a backward district without any further delay so that an atmosphere of industrialisation is created there. A big unit in the public sector should be set up there to ensure development of this district.

[English]

- (iii) **Need to complete the on-going power projects and to take up new projects during the 7th plan period to meet the increasing demand for power in the country**

DR. KRUPASINDHU BHOI (Sambalpur): According to the 12th load survey of the Central Electricity Authority the total requirement of power in India at the end of the Seventh Five Year Plan will be of the order of 15103 MU, of which the utilities will be required to provide 10552 MU and the captive units are expected to provide 4551 MU. Therefore, it is imperative that not only the on-going power projects should be completed during the Seventh Plan but new projects must be taken up during the Seventh Plan so as to meet the shortage of power partly during the Seventh Plan and also to facilitate adequate availability of power at the beginning of the Eighth Plan.

The first priority may be given to completion of on-going projects. For example in Orissa the projects namely Rengali, Hirakud 7th Unit, Upper Kolab and Indravati Project should be completed as early as possible.

The next priority may be given to expansion projects of which Rengali Stage-II will receive the highest priority as this will facilitate generation of above 400 MU of additional power during the rainy season.

In order to meet the unprecedented growth of power demand the Ib Valley Project should be urgently taken up by NTPC instead of being in the State sector during this Plan.

Thus the need of additional power generation can be met only by completing on-going projects and taking up projects during the Seventh Plan.

- (iv) **Need to approve the Bombay Urban Transport Project Phase II urgently to and obtain sanction of the World Bank**

SHRI S. G. GHOLAP (Thane) : The population of Bombay and adjacent areas is near about one crores. Problems of road transport, rail transport, water transport and pedestrians have created a complicated situation in Bombay. BMRDA has prepared the Bombay Urban Transport Project Phase II the estimated cost of which is Rs. 525.66 crores. The Project has been informally discussed with the World Bank representative also. The Government of Maharashtra has recommended to the Ministry of finance, on 28th May, 1985 that the project be approved for being sent to the World Bank for assistance.

It is the urgent need of the Bombay and BMRDA area and the Government of India should look into it urgently and obtain sanction of the World Bank as early as possible.

- (v) **Need to provide adequate medical and financial assistance to Uttar Pradesh for checking the spread of encephalitis epidemic in eastern districts**

SHRI MOHD. MAHFOOJ ALI KHAN (Etah) : The State of Uttar Pradesh is in the grip of encephalitis epidemic, a dreaded viral disease which has claimed several hundred lives in the eastern districts of Deoria, Gorakhpur, Basti and Gonda. Cases have been reported from other districts also including the State Capital.

Out of the 411 seizures in 315 villages in Deoria district and 272 seizures in 228 villages in Gorakhpur district, 145 people in Deoria and 76 in Gorakhpur have died. In these two districts the disease has been taking a heavy toll for the past some years. A large number of cases have been detected by a team of medicos in Paharpur, Chatameel, Nagwamaun, Hajipur, Unnao and Anwari villages. The inhabitants who are subsisting on raw water weeds, fungus and sewage mixed water from flooded wells are not in a position to go to the city. The disease has mostly affected children between the age of 6 and 12 years.

This is a human problem. I would urge the Government to give its urgent attention to the problem and to provide adequate medical and financial assistance to the State Government of Uttar Pradesh to meet the situation and also to control the spread of the epidemic.

12.30 hrs.

[MR. DEPUTY SPEAKER *in the Chair*]

(vi) **Financial assistance to Tamil Nadu to meet the heavy losses caused by recent rains and to provide relief to the people**

SHRI P. KOLANDAIVELU (Gobichettipalayam) : The recent rains lashed Tamil Nadu in November 1985 causing heavy damages to properties and loss of hundreds of human lives. Tanjore and South Arcot are the paddy growing areas and Tanjore is the granary of Tamil Nadu. The paddy crops are submerged in water causing extensive loss to the agriculturists worth crores and crores of rupees. In Tamil Nadu more than 350 tanks were breached and many villages have been washed away. The second big tank in Tamil Nadu, Maduranthakam Tank, suffered a 45 metre breach resulting in the flooding of nearby villages. Maduranthakam has been cut off from adjoining areas due to damages to roads and railway bridges. The total loss is very very heavy because most of the channels and roads have been breached and school buildings, Government buildings were collapsed due to the recent floods.

The people of Tamil Nadu and the Government appreciate the action taken by the Prime Minister of India who also visited the rain affected areas and the assurance that an expert committee would be visiting Tamil Nadu immediately in order to assess the damages. The Tamil Nadu Government is taking every step to provide all relief to the people on a war footing. Government of India is requested to grant an aid of more than Rs. 120 crores.

(vii) **Need to stop further retrenchment of Indian employees of Chukha Hydel Project, Bhutan and rehabilitate the retrenched employees**

SHRI ANANDA PATHAK (Darjeeling) : About 2700 Indian nationals working in

Chukha Hydel Project in Bhutan for the last 6 to 13 years are feeling insecurity of service since the recent abrupt and arbitrary termination of services of 90 employees without prior notice and without providing any compensation. The project was initially started by the CW and PC, Government of India during the period 1973-75 and the entire project was manned by the CW and PC of India. The first batch of employees numbering about 260 were appointed by the said commission. Subsequently an Authority consisting of the representatives of the Government of India and Royal Government of Bhutan was constituted and named as Chukha Project Authority to administer the project. The Authority appointed a large number of Indian nationals in various categories of staff. They were deployed to work in a very remote area where there was no communication with any part of the country and they had to undertake arduous nature of works without commensurate and adequate remuneration. They have devoted a substantial part of their life for the successful completion of the project, but now they are being thrown out of employment when there is no opportunity for them to secure alternative employment at this stage.

I. therefore, urge upon the Government to consider the plight of these retrenched Indian employees of Chukha Hydel Project and take necessary steps to stop further retrenchment of employees, rehabilitation of retrenched employees in any project in India or Bhutan, review the service conditions of these employees.

(viii) **Need to amend the Pension Rules by extending the facility of Central Government Pension to all freedom fighters irrespective of the period of imprisonment undergone by them**

SHRI MULLAPPALLY RAMACHANDRAN (Cannanore) : It is noted that several genuine freedom fighters have not been able to obtain Central Government pension mainly because of the strict formalities to be fulfilled and also because the onus of proof lies heavily upon them to prove that they had undergone imprisonment for a minimum period of six months.

It is absolutely unfair to determine a person's eligibility to freedom fighters'

pension merely on the basis of six months imprisonment. Many great persons who had sincerely and actively participated in the freedom movement may not have undergone imprisonment for exactly six months. However, the significance of their participation ought not to be ignored. The least that the Government can do for these great men and women who have sacrificed their youth, their professions, their possessions and their family life for the cause of the nation, is to make their last days a little easier by making pension more easily available to them. Whatever may be their term of imprisonment, whether it be a couple of days or a couple of years, it is their participation that deserves recognition and it is only fair and just to extend pension facilities to them irrespective of the period served by them. Hence pension rules may be appropriately altered to cover also those who had undergone imprisonment even for a couple of days.

Since the generation of freedom fighters is fast vanishing—they being well advanced in age—it is imperative that benefits should be made available to them without further delay.

(ix) **Need to declare Patna University as a Central University for rapid development of education in Bihar**

SHRI C. P. THAKUR (Patna) : Bihar lags behind in the field of education and is listed among the backward States educationally. It is the second largest State. Keeping in view the rapid developments in the field of education and the introduction of new education policy, it is imperative that one of the universities of Bihar is declared as Central University. Patna is one of the oldest universities and is centrally situated in the capital. It should, therefore, be declared as a Central university to accelerate the pace of education in Bihar.

12.35 hrs.

**MOTION Re : THIRD AND FOURTH REPORTS OF COMMISSION FOR SCHEDULED CASTES AND SCHEDULED TRIBES**

[English]

THE MINISTER OF STATE OF THE  
 MINISTRY OF WELFARE (DR.

RAJENDRA KUMARI BAJPAI) : Sir, I beg to move the following :

“That this House do consider the Third and Fourth Reports of the Commission for Scheduled Castes and Scheduled Tribes for the years 1980-81 and 1981-82, laid on the Table of the House on 10th August, 1984 and 23rd January, 1985, respectively.”

As the hon. Members of this House are aware, these Reports were laid on the Table of the House on 10-8-1984 and 23-1-1985 respectively, but no discussion took place at that time. So, now we are here to discuss them. The Commission has made 78 recommendations in their Third Report and 20 recommendations in their Fourth Report. These Reports may now be taken into consideration for discussion by the hon. Members. I am sure, we will be immensely benefited by the suggestions that the hon. Members would be putting forth with reference to the recommendations made in these two Reports.

As you are aware, our Government is committed to the eradication of poverty, and as the Scheduled Castes and the Scheduled Tribes population is at the lower rung of the economic condition of our country, therefore, the 20-Point Programme is there to accelerate the work so that the standard of living of these people is improved and poverty is eradicated from the country. But still we have to do a lot more. I will listen to the valuable suggestions of the hon. Members and then at the end of the debate, I will sum up the whole thing.

MR. DEPUTY SPEAKER : Motion moved :

“That this House do consider the Third and Fourth Reports of the Commission for Scheduled Castes and Scheduled Tribes for the years 1980-81 and 1981-82 laid on the Table of the House on 10th August, 1984 and 23rd January, 1985, respectively.”

[Translation]

SHRI RAMASHRAY PRASAD SINGH (Jahanabad) : Mr. Deputy Speaker, Sir,

[Shri Ramashray Prasad Singh]

the Third and Fourth Reports of the Commission for Scheduled Castes and Scheduled Tribes have been presented in this House for discussion. In this connection, I would like to say first of all that although this Commission was set up under an Act, yet it was Government's intention that the Office of the Commissioner for Scheduled Castes and Schedule Tribes might be merged with the Commission, but this has not been done so far. Secondly, there was also a proposal to give this Commission a statutory status, but it has also not been done so far. For this, we shall have to amend the Constitution. Only then it will be able to get a statutory status. Unless it is given that status, you will not be able to take action on the reports presented by it in the House.

The Commission has given certain suggestions in these reports which can prove very effective in bringing about economic and social upliftment of the Scheduled Castes and Scheduled Tribes. In addition, the Commission has been given certain other suggestions also. One of them relates to the inadequacy of staff in the Commission and that for efficient functioning of the Commission the staff strength should be increased. The Commission has also recommended the setting up of 23 regional offices. Action has not been taken on the above suggestion of the Commission so far. It should be implemented. Out of the offices set up by you, 12 regional offices are under the charge of Directors and 5 regional offices are under the charge of Deputy Directors. There are 214 employees in them. If you want to provide facilities to the people of these communities as recommended in this report, then you should implement this report fully.

One of the important functions of the Commission is to continue study of the social and economic conditions of the people belonging to the Scheduled Castes and Scheduled Tribes. Social development works relating to both these communities should be given topmost priority. The Commission is of the view that unless both these communities are made economically self-reliant, they cannot stand on their own feet and they cannot be freed from the shackles of poverty.

The Commission has also suggested that suggestions from both these communities may be called for while formulating any scheme for their welfare, but it is not being done. It should be made a rule to invite people of these communities and have their suggestions at the time of formulating or implementing any scheme meant for them. It should be given a practical shape.

Mr. Deputy Speaker, Sir, discussion has taken place here on many occasions in respect of these communities but we have not so far been able to achieve the objectives for which the Commission was set up. Now, the time has come to take steps to achieve these objectives.

In addition, I would like to say that the employees of both these communities should be allowed to send representations concerning appointments against reserved quota direct to the Commissioner for Scheduled Castes and Scheduled Tribes. For this purpose, prior permission of the department or Ministry concerned should not be made compulsory.

Thirdly, Sir, I would like to say that the employees of these communities should be given promotions in time. It is not being done at present. You have, however, provided for reservations for them in every field, but the reserved seats remain vacant on the pretext that suitable candidates are not available. If such a situation continues, how the reserved quota will be filled up? I, therefore, submit that you should provide special training to them. In the field of education, you say that you are not getting suitable candidates for appointment as teachers against the reserved quota, but it is not a fact. There are many educated persons who are working as domestic servants, because you are not able to provide them with jobs. Many posts are still lying vacant. All these things have been mentioned in the Commission's report and need careful consideration on the part of the Government.

Orders should be issued in compliance with the Commission's recommendation that the people of the Scheduled Castes and Scheduled Tribes should be allowed to apply directly for employment so that they may benefit and the posts that are



reserved for them and are lying vacant are immediately filled up so that their social and economic status can be raised. Then they will find a respectable place in the society. Mere discussion on this report and sanctioning of funds is not enough. The recommendations contained in these reports should be implemented properly. I would conclude by saying that the Government should give serious thought to the recommendations of the Commission.

**SHRI ARVIND NETAM (Kanker) :** Mr. Deputy Speaker, Sir, the House is discussing the report of the Commission for Scheduled Castes and Scheduled Tribes after a very long time. I consider it merely a formality because in the past also the report of the Commission had been discussed many times in the House.

The Commission has in the very first chapter of the report expressed its inability in improving their lot in the absence of adequate powers. It can only give recommendations. The main problem is that no information is available as to what extent these recommendations are implemented. I would like the Government to state how many of these recommendations have been implemented and how many of them have been left out ?

The major emphasis during the Sixth Plan period, which has just ended, was on eradication of poverty and checking exploitation. More funds were allocated for this during the Sixth Plan as compared to the previous Plans. I think it was four times the allocation made during the Fifth Plan. In spite of this there was no marked improvement in the Harijan and Adivasi areas. Mere allocation funds or spending them is not enough. It should be seen whether the funds are being properly utilised or not.

The Central Government have been repeatedly saying that guidelines have been issued but I feel that it has a special responsibility towards the Harijan and Adivasi areas. I am of the opinion that the Central Government never care to know about their powers. There are certain provisions in Articles 46, 275 and 339 of the Fifth and Sixth Schedules of the Constitution

which give wide powers to the Central Government. If the Centre would depend entirely on the State Governments then the expectations of the Harijans and Adivasis from the Government can never be fulfilled.

I want to know how much time can the State Governments or the Chief Ministers spare for the Harijans or Adivasis ? They remain involved in politics from morning till evening in order to ensure that they remain in power for ever. Half of this time is spent in political manoeuvres. There is need to pay special attention to the problems of the Adivasis and Harijans. I feel the State Governments have very little time to spare for this and, therefore, it becomes a matter of special responsibility for the Central Government.

The Centre has wide powers under the Articles mentioned above by me. Though some States may object to it, but I feel that at least in the Congress (I) ruled States, these powers should be fully exercised. The type of positive results which were expected in the tribal areas of Central India have not been achieved so far. After all, what is the reason behind it ? The administration has not been able to win the confidence of the Adivasis and that is the reason behind the discontent among the tribals in the tribal areas. The Central Government will have to give a serious thought to it. I would suggest that some of those tribal areas which have been enlisted in the Fifth Schedule should be transferred to the Sixth Schedule. This would help in removing discontentment in the Adivasi areas and create trust and confidence in them. This can easily be done under Article 46 which confers full powers to the Central Government in this regard.

Article 339 empowers the Central Government to issue directions to the State Governments but this Article has not been made use of even once. Why is the Government hesitant to do so ? It is true that guidelines have been issued but still this Article 339 has not been enforced so far.

The Fourth Report relating to the year 1981-82 has made recommendations about

[Shri Arvind Netam]

the Component Plan. So far we have not come across any positive results of this Component Plan. The Report also suggests the setting up of agencies at the district level to exercise control over funds. It is a good step, but the major shortcoming is that the Central Government do not know whether the funds allocated to the State Governments were ever spent on that account or not. If the Centre will take effective measures in this regard, good results can follow.

I would like to refer to LAMPS operating in the tribal areas. Some time back the hon. Minister had stated that all the LAMPS were functioning properly. But we have visited many areas and felt that they are not functioning smoothly and therefore, this matter needs urgent attention. More than 50 per cent LAMPS in Madhya Pradesh do not have adequate funds. Their working should be streamlined to bring about improvements therein. I would like the hon. Minister to pay attention to this matter. With these words, I conclude my speech.

*(English)*

DR. P. VALLAL PERUMAN (Chidambaram) : Mr. Deputy Speaker, Sir, I am grateful to you for giving me this opportunity to participate in the Debate on the 3rd and 4th Reports of the Commission for Scheduled Castes and Scheduled Tribes for the years 1980-81 and 1981-82.

At the very outset, I would like to assert that the constitutional safeguards for the welfare and upliftment of Scheduled Castes and Scheduled Tribes have been diluted by the setting up of this Commission in 1978. This Commission came into being under the Resolution of the Ministry of Home Affairs in 1978. This resolution no doubt clarifies that the functioning of the Commission would not be lessening the authority of the Special Officer, *i.e.* the Commissioner for Scheduled Castes and Scheduled Tribes, appointed under article 338 of the Constitution. But the Constitutional authority of the Special Officer has been clipped by making him a member of this Commission, which has no Constitutional sanction. His constitutional authority is circumscribed by the work-frame or this

Commission, however high level it may be. You will agree with me that the Constitutional authority of the Special Officer has been undermined.

The other most regrettable aspect is that for some years now the post of the Special Officer is remaining vacant; similarly, the post of the Chairman of the Commission is also vacant for a few years now. Besides these two, the post of another member of the Commission is also vacant. Is this the way that the Constitutional safeguards of the Scheduled Castes and Scheduled Tribes are being subserved ?

Under article 341 of the Constitution, the Government is to notify the lists of Scheduled Castes and Scheduled Tribes. The Government of India appointed an advisory committee under the chairmanship of the then Secretary in the Ministry of Law in 1965 for revising the Scheduled Castes and Scheduled Tribes lists. On the basis of the report submitted by this Committee, an amending Bill was introduced in the Fourth Lok Sabha. This Bill was referred to a Joint Committee of both Houses of Parliament, which submitted its report in November, 1969. But with the dissolution of Fourth Lok Sabha, this Bill also lapsed. Again this question of revision of Scheduled Castes and Scheduled Tribes lists was taken up in 1978. The Scheduled Castes and Scheduled Tribes Orders (Amending) Bill, 1978 was referred again to a Joint Select Committee of both Houses of Parliament for drawing up comprehensive lists of Scheduled Castes and Scheduled Tribes after examining the lists contained in the Constitutional (Scheduled Castes) Order, 1950 and the Constitutional (Scheduled Tribes) Order, 1950. This Committee had to make a report to Parliament by the last day of the 1979 Budget Session but prior to that, the Committee ceased to exist with the dissolution of the Sixth Lok Sabha. This 1978 Bill also lapsed.

Till today the comprehensive revised lists of Scheduled Castes and Scheduled Tribes have not been prepared. No amending Bill was introduced in the Seventh Lok Sabha. The Eighth Lok Sabha has not yet witnessed such an amending Bill.

I will enumerate one or two examples to highlight the problems of Scheduled Castes

in the absence of such a comprehensive revised list. In Tamil Nadu, *vannan (dhobi)* is treated as Scheduled Caste in the Scuthern districts of Tamil Nadu. The Akhil Bharatiya Dhobi Federation has been demanding that *dhobis* should be treated as Scheduled Caste throughout the country, not only throughout Tamil Nadu. Similarly several thousands of Tamilians belonging to Scheduled Castes in Tamil Nadu are living in the capital city of Delhi. Their children do not get the educational concessions just because those Scheduled Castes are not treated as Scheduled Castes in the Union Territory of Delhi. Similarly, the Gujarat Government has been demanding that *mochi* community be included in the State list of Scheduled Castes in order to remove the anomaly of *mochi* being treated as Scheduled Castes only in two districts of Gujarat. Such anomalies are existing all over the country.

I take this opportunity to demand that the Government of India should bring forward immediately a suitable legislation for revision of the Scheduled Castes and Scheduled Tribes list to remove all the existing anomalies. The Commission has also made a similar recommendation in its 1980-81 report.

Before I go further, I demand that theres should be no more delay in the appointment of Chairman of the Commission, the Special Officer and the Member. The Constitutional Amendment Bill should also be introduced for empowering the Commission with the Constitutional authority.

13.00 hrs.

I understand that recently the Government of India have ordered that the relaxation in qualifications given to the Scheduled Caste and Scheduled Tribe candidates at the time of recruitment be withdrawn. I am told that such a notification has been issued on 29th May this year. If this is so, then it will be a great disadvantage to the candidates belonging to the Scheduled Castes and Scheduled Tribes. I suggest that this order should be repealed without any delay in order to ensure that the candidates belonging to the Scheduled Castes and Scheduled Tribes get the necessary incentives and encouragement.

Probably because of their failure to fill up the reserved posts by SC/ST candidates, 36 Ministries/Departments of the Government did not furnish the required information to the Commission for its Annual Report for 1981-82. In 14 Ministries/Departments, Class I posts for Scheduled Caste officers were neither reserved nor filled up. It is revealing to find from this Report that in the Department of Agriculture and Cooperation, the Legislative Department, Department of Rehabilitation, Cabinet Secretariat, Department of Official Languages, Class II posts were neither reserved nor filled up. It is really regrettable that even for Class III posts there was no reservation of posts in these Ministries for Scheduled Castes. The picture is no different in the case of Scheduled Tribes as regards reservation and filling up of posts by Scheduled Tribe candidates.

The Staff Selection Commission had constituted a special examination cell in May 1980 for holding special examination with a view to clear the backlog of vacancies for Scheduled Castes and Scheduled Tribes in specific States and regions. Before the specified objective was achieved, this Cell was would up on 28th February, 1982.

The recruitment of Scheduled Caste candidates in public sector enterprises of the Central Government and ia public sector banks has not made any impact. This dismal picture is no different in the State administrations also.

Coming now to education, the literacy rate of females among the Scheduled Castes by the end of the Sixth Five-Year Plan was just five per cent; among the Scheduled Caste males it was 17 per cent. The percentage of literacy among the females and males of Scheduled Tribes is no different. It is pertinent to point out that the population of Scheduled Caste and Scheduled Tribes is about 25 per cent of the total population of the country. Even today the reservation of seats for Scheduled Tribes in technical institutions at Government of India level is just five per cent.

According to a study conducted by the Commission's Madras office in Salem, Tiruchirappalli and Thanjavur districts in Tamil Nadu, the Scheduled Caste labourers

[Dr. P. Vallal Peruman]

are not aware of the existence of the Minimum Wages Act. Many of the States have not brought their land ceiling laws according to the national guidelines. Naturally the distribution of surplus land to the landless agricultural labourers belonging to the Scheduled Castes has not made much headway. It is really astounding that many of the State Governments have not updated the land records in their States. Naturally the tenants and share-croppers, who are the backbone of agriculture, are not able to reap the benefits of developmental programmes meant for them.

I do appreciate that many State Governments have set up Scheduled Caste Development Corporations. But their work has not been monitored at all. There are no district level committee to monitor and review the progress of the activities of these Corporations.

Before I conclude, I would like to point out that there should be a separate Ministry at the Centre entrusted with the duty of formulating plans for the economic development of the Scheduled Castes and Scheduled Tribes and for overseeing the implementation of such programmes at the State level, particularly the schemes for which the Centre gives subsidy and grants. This Commission should be empowered under the Commission of Inquiry Act, 1952, and should be involved in the planning process for socio-economic development of the Scheduled Castes and Scheduled Tribes and in monitoring and evaluation of the progress and implementation of the schemes of development both in respect of the Centre and in respect of the States. As I stated in the beginning, this Commission should be given Constitutional status also.

In conclusion, I would demand implementation of the recommendations of the Mandal Commission for ensuring socio-economic progress of the backward classes in the country.

MR. DEPUTY SPEAKER : We adjourn for lunch and reassemble at 2.05 p.m.

13.05 hrs.

**The Lok Sabha then adjourned for lunch  
till Five Minutes past Fourteen of  
the Clock.**

**The Lok Sabha re-assembled after Lunch  
at Ten minutes past Fourteen of  
the Clock.**

[MR. DEPUTY SPEAKER *in the Chair*]

**MOTION Re : THIRD AND FOURTH  
REPORTS OF COMMISSION FOR  
SCHEDULED CASTES AND  
SCHEDULED TRIBES  
—Contd.**

[*English*]

MR. DEPUTY SPEAKER : Shri K. Ramachandra Reddy.

SHRI K. RAMACHANDRA REDDY (Hindupur) : To-day we have started the discussion on a very good subject. A report has been submitted as early as 1980 but the Government took 4 years to place the report on the Table of the House; that is, on 10-8-84 the report was placed and the report of 1981-82 was placed on the Table of the House only on 23-1-1985. This shows the amount of sympathy they are showing towards the Scheduled Castes and Scheduled Tribes. If really they had any sympathy towards the Scheduled Castes and Scheduled Tribes and if they wanted to improve their lot, they would have come forward with these reports pretty early and had discussion on them and obtained the views of the members and taken steps to improve the lot of these poor people who have been suppressed for ages and who have become down-trodden. But all these things they have not done. It shows that this Government is shedding only crocodile tears towards the Scheduled Castes and Scheduled Tribes and they are not at all interested in their well being.

Now, as far as poverty is concerned, this Government is trying to make a distinction between the poor people belonging to Scheduled Castes and Scheduled Tribes and poor people of the other castes. I request this Government that as far as poverty alleviation is concerned, they should not bring in castes. Wherever poverty is there, it is a sin on the society, it is a black mark on the Government and poverty has to be alleviated and some measures have to be taken to do away with poverty in whichever caste it is. Please do not make poverty a

caste-ridden one. Please see poverty which is there in all the castes is removed and the lot of the poor people improved in whatever manner and whatever way it should be done. Otherwise, if you just say that only the Scheduled Castes and Scheduled Tribes alone are to be improved, you are thereby creating a caste hatred among all these people.

Now, while the Constitution was framed, a guarantee was given for the Scheduled Castes and Scheduled Tribes with regard to reservations of seats in the Assemblies and in the Parliament or with regard to jobs or seats in schools and all those things. The time limit was 10 years. During ten years, the then Government hoped that they would be able to improve the lot of these poor and down-trodden people. But ten years were not sufficient. They were not able to do anything. Then they went on extending it. It has been extended four times. Even though this reservation has been there for 40 years, what is the improvement that has been seen or made with regard to the Scheduled Castes and Scheduled Tribes? Please evaluate it. In the beginning you thought you would be able to remove poverty among all the people within 10 years. You were not able to do it in 10 years. You have taken 40 years time, still you are not able to do it. It shows the failure of the Government that the Government is only showing lip sympathy and it is not doing much in action to remove poverty among these classes. How many years more do you want for removing poverty? In fact it is a blot on society. It has to be removed. How many years more do you want to remove this poverty? Will the Government be in a position to say that within 10 years or 20 years they will remove poverty wherever it be, whether it is among the Scheduled Castes or Scheduled Tribes or in other communities and they will be lifted above the poverty line? It is better that the Government comes forward with some proposal that they will be able to remove poverty.

Then the question of reservations might have to go at some stage or the other. Now this reservation is counter-productive. Some other castes also want them to be included in the Schedule for reservation. For example, the Sakalis, the washerman community are making a hue and cry. Some other communities in Andhra Pradesh like Bhoys and

Woddars are seeing the benefit accruing to the Scheduled Castes and Scheduled Tribes and they are coming forward with a hue and cry that they must also be included among the Scheduled Castes. I will say, 'You include them also'. Because when you see socially they may not be so bad as Scheduled Castes but as far as poverty is concerned and their economy is concerned, they are in no way better than the Scheduled Castes. If so, will the Government consider including these people also among the Scheduled Castes and give them reservation for a few years and see that their lot is also improved? Now, to remove poverty among these people, a number of schemes have been sanctioned like NREP, IRDP, and Scheduled Castes Special Components Scheme. Through these programmes, Government is spending crores and crores of rupees. But let the Government first assess how far these schemes have helped these people. They should first know whether these amounts have really been spent for the upliftment of the Scheduled Castes. For example, let us select 4 or 5 villages where these schemes have been implemented. Let us go to 4 or 5 Harijan villages and find out what improvements have been made in regarding to their living conditions and making available minimum facilities to them. Then only we will know how far these schemes have benefited them and how much benefits have percolated down to the level of these people. I understand that a large chunk of money allocated for this purpose has gone to the middlemen and the machinery charged with the implementation of these schemes. So, the benefit that is to accrue to the Scheduled Castes has not at all accrued. In the 1980-81 Report, on page 41 the Commissioner for Scheduled Castes and Scheduled Tribes has very mildly mentioned as—

"Our experience has shown that due to lack machinery, the benefits gone to the Scheduled Castes had not been according to the expectations."

So, the Committee also opined that the benefits have not percolated down to the level of Scheduled Castes people. Now, I would like to know what the Government is doing with respect to these matters. Now, a stage has come where the lot of Scheduled Castes has to be improved. The present policy of the Government is to construct the

[Shri K. Ramachandra Reddy]

houses separately away from the places where the common people are living. This creates a sort of discrimination and they feel that because they are downtrodden they have to live away from the normal living place. Unless this kind of feeling is removed from their minds, they will not be able to join the main stream of nation building and also improve their lots.

Now, the present Government policy does not show any sign of national integration by way of providing houses to these people in those places where other communities live. If you construct houses for these people away from the towns and villages, you will only create an impression among the Scheduled Castes that they are the people who have to be kept away from the towns and villages and they are unfit to live along with other communities, I would therefore plead with the Government that hereafter whenever houses are constructed for the poor people, they should be constructed in the midst of dwelling places where other community people live so that you will be able to create a society and there is oneness among them. The Government's thinking should be to lift the economically backward people above the poverty line.

Now, Sir, the Government is constructing houses costing Rs. 500 or so for the Harijans. But these houses are not fit for living and they resemble like a pig-sty and they are not fit for human habitations. How can these people live in those houses ? Instead of constructing houses at a cost of Rs. 500 each for these poor people, if you construct houses at a cost of Rs. 5,000 or Rs. 10,000 each, they will not only be worth living but also last long. What is the use of constructing houses costing Rs. 500 or so which would last for four or five years only ? By building pucca houses for these people at a cost of Rs. 5,000 or Rs. 10,000, they will last for two or three decades and those houses will be fit for human habitation.

I would request the Government kindly to appoint a Committee to evaluate the schemes implemented like IRDP, NREP and Special Component Schemes for Scheduled Castes and Scheduled Tribes which have already been undertaken by the Government. They should also find out whether there has been any effect after these programmes have

been implemented. Has the benefit really gone to the poor and down-trodden ? The Commission should be appointed to find out where the bottleneck lies. For implementing such schemes, you need people with lot of dedication and sincerity. If dedicated and sincere officials are lacking in the Government machinery, then there is no use of sanctioning all these schemes for poor and down-trodden. That has to be improved. You must only use such officers who are dedicated, who are sympathetic to these people and want to improve the lot of such people. Only when they have dedication and sympathy, things will improve, not otherwise. I request the Government to evaluate whether the benefits are percolating to the lowest level and whether the measures are helping these poor people to come above the poverty line. If required, these schemes should be modified to see that they become really useful to them, and these people are brought above the poverty line.

There is no doubt that some minimum wages of Rs. 5 or Rs. 10 per day are fixed for these poor people, but is there any agency to see whether these poor people are really being paid minimum wages, or the upper class community are exploiting them ? Merely by passing a legislation, nothing is going to happen. A Member of Parliament who gets a daily allowance of Rs. 75 is not satisfied. He wants something more. Similarly, a person with a salary of Rs. 100 per day and Rs. 50 or Rs. 60 daily allowance is not satisfied. People belonging to the upper class who are earning hundreds of rupees per day are not satisfied. In that case, how do you expect the lot of these poor people to improve, when they are paid Rs. 5 or Rs. 10 per day and they work from 9 O'clock in the morning to 6 O'clock in the evening ? That situation has to be improved.

The dignity of labour has to be respected. This amount of Rs. 5 is nothing. You must increase the minimum wages. In you do that, the prices of essential commodities are also likely to rise. But you will be helping sixty crores of people at the cost of twenty crores of people. For the sake of these twenty crores people, do not try to put these poor to utter poverty for ever. Do something for these poor people.

I request the Government to implement all the suggestions mentioned in both the reports for the year 1980-81 and 1981-82.

[*Translation*]

SHRI ANADI CHARAN DAS (Jajpur) :  
Mr. Deputy Speaker, Sir, I would like to express my views while participating in the discussion on the reports of the Commission for Scheduled Castes and Scheduled Tribes. I have so many facts and figures with me that if I go into details I would run out of time. Therefore, I would give few suggestions so that the Government may act upon them and the Scheduled Castes and Tribes may benefit thereby.

Sir, the post of Commissioner and of other officers in the Commission have been lying vacant since 1981. If you do not fill up these vacancies, who will prepare the report in future ? The report does not indicate the action taken. So, I would suggest—

[*English*]

—that action taken report should be placed on the Table of the House, so that everybody knows what action has been taken by the Government.

[*Translation*]

If no action is taken then what is the use of writing voluminous reports and giving suggestions and making observations ? Our Parliamentary Committees are far better in this regard where at least some action is taken. It is always better to study a few subjects, because then, some action can be taken, whereas this report continues to gather dust as no action is taken thereon. I would, therefore, suggest that more officers should be appointed in the Commission and the Commission should be given more powers through legislation. There are about 6000 Central and State establishments in the country which come within the purview of reservation. We have been talking of the tribal welfare and development of Harijans, but the desired progress has not been achieved in this regard so far. If at all the reservation policy is to be withdrawn it should be done immediately

and if it is to be continued then it should be implemented vigorously. If the reservation policy is withdrawn it will not be in the national interest. An office memorandum issued by the Central Government states as follows :

[*English*]

“It has been decided that minimum educational standard, wherever prescribed in the recruitment rules, is to be treated as part of the educational qualification, and since there is no relaxation permitted in favour of Scheduled Castes and Scheduled Tribes with regard to educational qualification, no relaxation is consequently admissible in the matter of educational standards as well. For example, if graduation with 60% marks is specifically provided in the recruitment rules for a particular post, then all the candidates, including the candidates belonging to Scheduled Castes and Scheduled Tribes have to fulfil this eligibility condition in terms of non-relaxable educational qualification in order to be considered for appointment...”

[*Translation*]

This memorandum No. 36011/8/84-Est. (SCT) dated 29th May, 1985 was issued by the Department of Personnel and Training, Administrative Reforms and Public Grievances and Pensions. Agitations were launched in protest against this memorandum by Members of Parliament and the people outside. The then hon. Minister had assured that this memorandum would be withdrawn but it has not been withdrawn so far. We have been an advertisement wherein 50 per cent marks are required. Earlier when there was relaxation, they could not get the candidates. Wherefrom will they get the candidates now ? You can see that in no department reservation quota has been fulfilled. I have certain figures with me, I shall read them out.

[*English*]

The percentage of SC and ST in the Ministries as on 1-1-1983 is, Class I : 6.72 (SC), 1.41 (ST); and for Class II ;

[Shri Anadi Charan Das]

10.17 (SC) and 1.46 (ST). The percentage of SC and ST in public sector undertakings is Class I : 3.93 (SC) and 0.89 (ST); and for Class II : 5.38 (SC) and 1.60 (ST).

So, Sir, this is the position.

[*Translation*]

I have figures with me of every department. If I start reading out all these figures, it will take two to three hours. With those figures I could have told you about the backlog and why that could not be cleared. You have started various schemes but they are not proving beneficial. Last time I had asked a question as to how many people had been lifted above the poverty line during 35 years of planning as a result of the various programmes meant for the development of tribals. I had asked the hon. Minister to give names of 100 persons who had been lifted above the poverty line. The reply given by the hon. Minister was that he could not give any names because no economic survey had been made in this connection. This is the position. We are fully aware as to where the money being spent by the Government on welfare of these people goes and what is happening. The more our economic development takes place the more beneficial will it be for the country and the more will the country progress. To some extent they are benefited will these schemes but not to a large extent. If we lay emphasis upon two things, *i.e.* education and employment, then they will be benefited more. If you educate them then they will become aware of their rights and will be able to protect them. Then they would be able to get employment. This will lessen the generation gap. If these things are not done, the generation gap will go on widening gradually. It is still widening and it will widen further. There are many reasons for it. We know what our Government party and leaders want. They do their best and they have formulated various schemes. I do not say that nothing has been done so far because I have figures with me, but this much I would like to say that they have not benefited to the desired extent and percentage of beneficiaries is very low. Had the various schemes been implemented properly, they definitely would have benefited much. One reason is that the schemes we prepare are not implemented properly. Now

the question arises as to who implements these schemes because the Centre merely allocates the funds. It then becomes the responsibility of the State Governments to implement them. We know that many State Governments are not desirous of implementing them properly. They divert the funds given to them for the welfare of the Harijans and Adivasis to other schemes. This is known to everyone and there is no need to go into its details. Out of the subsidy you are giving today, 75 per cent is being pilfered. Who does this? The B. D. O. Bank officers or middlemen pilfer it. But there is no check on it from the Centre or from the States. There are no monitoring arrangements. That is why the programmes meant for their welfare are not implemented in time and consequently they do not get benefits and do not prosper. The figures regarding the amount being spent on different schemes meant for them are available with me and if I start reading them out, it will take a long time. I want that there should be monitoring by the Centre as well as the State so that the misuse of funds is checked and the funds are spent on the welfare schemes and the intended beneficiaries are benefited from them.

I also want to submit that today we have the same list of these castes which was prepared 35 years ago. There are several communities which should be included in this list and others which should be deleted from it. The criteria fixed for this purpose are required to be changed and new criteria adopted.

[*English*]

MR. DEPUTY SPEAKER : Shri U. H. Patel.

SHRI A. C. DAS : Please give me two more minutes, I will finish.

MR. DEPUTY SPEAKER : I have given you 15 minutes.

SHRI A. C. DAS : Sir, I took only 10 minutes.

MR. DEPUTY SPEAKER : Fifteen minutes you have taken. There are many other Members who want to speak, not only you. Everybody wants to speak. Everybody is interested. Everybody wants to make



important points. Only two minutes, I will give you. Please wind up, don't continue further. When this is decided by your party, what can I do ?

[*Translation*]

SHRI ANADI CHARAN DAS : The criteria should be that the names of such castes should be included in this list who are untouchables; secondly, whom barbers and washermen do not serve; and thirdly, in whose houses Brahmins do not perform religious rituals. It should also be necessary that they should be below the poverty line and living on the outskirts of the villages. In the changed circumstances, there is need to amend the list and on the above basis a new list should be prepared. We had a meeting with the Welfare Minister recently in which chairmen of Welfare Committees of the States were present. I came to know in that meeting that there are two castes—Lambari and Bhuvi.

[*English*]

They are not suffering from the stigma of untouchability—

[*Translation*]

—but they are taking all the advantages. Therefore, for the vulnerable groups, a special programme should be formulated. Though all these programmes are meant for them yet they are not sufficient. Therefore, more programmes should be started and more funds should be made available for them.

The stipend you are giving under educational facilities is totally inadequate. It is not sufficient to continue the studies. Therefore, the amount of stipend should be increased so that our children are benefited by these stipends. Similarly, under the women education programme also very little amount has been made available. More funds should be allocated for this purpose also.

Mr. Deputy Speaker, Sir, you have given very little time and it is not possible to submit all the points.

[*English*]

MR. DEPUTY SPEAKER : You give

the rest in writing to the Minister. He will consider them.

SHRI ANADI CHARAN DAS : Giving it in writing is different from speaking in Parliament. It is impossible to give in writing what we went to speak here. That is why at least some points have to be spoken.

MR. DEPUTY SPEAKER : The time available is limited. That is why I say this.

SHRI ANADI CHARAN DAS : Thank you very much.

[*Translation*]

SHRI U. H. PATEL (Bulsar) : Mr. Deputy Speaker, Sir, I want to express my views on the Reports of the Commission for Scheduled Castes and Scheduled Tribes presented in the House. Much has already been said by hon. Members who have already spoken. I want to draw the attention of the Government towards the serious situation that is going to arise in the future. It is a matter of regret that even after 38 years of independence, we have not been able to provide to the Harijans and Adivasis their constitutional rights. Our eyes should open on seeing the condition of the backward people. Sant Tulsidas has rightly said :

*Tulsi haye garib ki kabhi na khali jaye,  
Muye dhor ke cham se loh bhasm  
ho jaye.*

The hon. Members who spoke before me have given figures about filling up of the reservation quota in the Government jobs. I need not repeat them. But the situation is pitiable. We have not been able to fill up the reserved quota fixed for them even after 38 years. Why are the reserved seats not filled up ? Why is the Government not taking concrete steps ? Do the Government want that the Scheduled Caste and Scheduled Tribe people should start agitation ? Will something be done only then ? The reserved posts in the offices of different State Governments, Corporations and other local bodies have not been filled up. What have the Central Government done in this regard ? What steps have been taken by the Government ? If at all it has done anything, why has their plight not changed ?

[Shri U. H. Patel]

Mere talks or formulation of guidelines will not deliver the goods. The powers given by the Constitution to the Central Government will have to be used. For this, necessary orders will have to be issued. Why are the State Governments or other institutions not issuing orders for filling up the reserved posts ? I request the Central Government to prepare a time-bound programme for filling up the reserved posts and take up this work on warfooting.

I would like to draw the attention of the Government to another thing also. In a State like Gujarat, a few vocal people who can organise themselves force the Government to yield on one or the other pretext—sometimes about reservation and sometimes about admission in 11th class, whereas, on the other hand, injustice is being meted out to the Harijans and Adivasis in spite of their sizeable population. In spite of all this, the Government remains a silent spectator. Do the Government want that the Harijans and Adivasis should start agitation to get their rights ? We shall have to think about the future generation and the coming time just now. Now the Harijan and Adivasis youths are coming forward and they can think and do something. They have started thinking why have they to lead the life of animals. We shall have to think of certain measures to ameliorate the economic and social conditions of these backward people so that they are able to get employment with dignity. If they remain poor and miserable, what will be the effect of this on their minds ? And what will be the result if they start indulging in underirable activities ? We should take lessons from the world history.

Mr. Deputy Speaker, Sir, I may remind you that the Harijans and Adivasis have all along been supporting the Congress and have remained organised since the British days. Keeping in view their loyalty, we have done something for them. I do not say that we have done nothing for them. But still much remains to be done. The time is running out and if we are unable to do something at this amount, then it may be too late. That is why the late Smt. Indira Gandhi, feeling the pulse of the time and understanding the difficulties of the backward people, had started the 20-Point

Programme. That had given a ray of hope to the poor. They had started thinking that these programmes would help them in their upliftment and with this faith they had marched forward a little. It is regrettable that in spite of this programme being very good and sufficient funds having been made available for it, in the Fifth, Sixth and Seventh Five Year Plans, its benefits have not reached these backward people. The money does flow from Delhi to the States but the people living in distant villages, for whom all this money is sent, are hardly benefited. The money is swallowed in between. To my mind if anyone is responsible for it, it is the administration. We shall have to bring the administration on the right track. It should implement the Government policy fully. For that, we shall have to bring the necessary changes in the administration. There is a gap between the administration and the schemes, as a result of which the advantage of the money spent by the Government does not reach the people. In spite of our good intentions we are unable to provide the benefits of the schemes to the people. We shall have to find out and remove that shortcomings. This work can be done by good and efficient workers. Government have to see where such workers can be found. Shri Rajiv Gandhi wants to uplift the poor and the backward people. He wants to complete the works left incomplete by Shrimati Indira Gandhi. We shall have to give cooperation to him for that and make the administration vigilant and alert. This will have to be seen whether the orders and rules etc. issued by the Government are being implemented or not and whether the backward classes are getting their constitutional rights or not.

Mr. Deputy Speaker, Sir, the Government makes available necessary funds for enforcing the schemes. The Central Government themselves are implementing many schemes. The States are also allocated funds for their schemes. Whether the poor get the benefits of these schemes or not, this we have to see. Merely providing guidelines is not enough. The development of the Harijans and Adivasis is the responsibility of the Central Government. We cannot pass on this responsibility to others and remain silent spectators. If someone is

found guilty in this matter the Government should take strict action against him.

Sir, I want to submit an important point. Under the 20-point programme, a scheme has been started for constructing houses for the poor. Under this scheme, assistance to the tune of Rs. 4000 to Rs. 5000 is provided. There are areas where rainfall is between 70 to 80 inches. The houses which are constructed there collapse immediately. Within one or two years they get completely destroyed. The timber used in these houses is sub-standard. I request the Government to increase this amount. The poor for whom we are constructing houses should feel that the Government are doing something for them. One fourth of the revenue of the States and the Centre should be spent on these works. It will create a feeling of self-confidence among the poor that they are living a human life in independent India.

Mr. Deputy Speaker, Sir, I want to warn once again that if we did not heed these things and act vigilantly and expeditiously, the future generation will not forgive us. The time has come when the Central Government should become fully alert and vigilant.

[English]

MR. DEPUTY SPEAKER : Shri Bajju Ban Riyan.

SHRI BAJU BAN RIYAN : I will speak in Bengali.

MR. DEPUTY SPEAKER : We will find out if the interpreter is available or not.

AN HON. MEMBER : He has already given a notice.

MR. DEPUTY SPEAKER : He has given notice that he would speak, but not the language. The interpreter will come in five minutes. Let us wait. I will call you after five minutes. Mr. Amar Roypradhan.

SHRI AMAR ROYPRADHAN (Cooch Bihar) : Mr. Deputy Speaker, once again, in this august House we are discussing this socio-economic problem. But I am sorry to say that the Government did not take any

positive steps according to the constitutional guidelines due to which the Scheduled Caste and Scheduled Tribe people are still neglected, and which I find from these reports, the Third and Fourth Reports of the Commission for Scheduled Castes and Scheduled Tribes also.

Sir, let me first come to the bonded labourers in Scheduled Castes and Tribes. Here, in the Fourth Report on page 12 it was mentioned that :

“It should be seen from the above table that in 1982 eleven States were indentified as those having bonded labourers.”

I am mentioning this for your information.

Here is a report of Mr. Agarwal. He is no less a person than a District Judge of Tehri Garhwal. This Mr. R. C. Agarwal visited a place called Joshiyara in Uttar Kasi district following the direction of the Supreme Court. Nearly one hundred labourers belonging to the Scheduled Caste community from Orissa are being kept in a cage which is 60 feet by 15 feet in dimensions. The water supply was muddy. Such food and water cannot be given to animals even :

“The labourers told me that they were paid Rs. 2 or Rs. 3 a week and some of them are paid only 50 paise for vegetables three times. The minimum wage is Rs. 16.65 a day. But since these people were paid about Rs. 600 in Orissa when they were lured with work to this UP region, much of what they get goes back to pay their original debt which may never be repaid.

They will have to spend their rest of lives in the tin cage of 60' × 15'.”

This is the condition of the SC and ST people. You are saying in the report that there is nothing. Would you enquire into it. It is in your own State UP. This is the fate of the SC and STs. You are not at all serious. You should come out with some scheme to rehabilitate these people particularly these bonded labourers. We are all ashamed of it. The entire nation should be ashamed of it that after 38 years

[Shri Amar Roypradhan]

of independence we are not able to provide even the minimum needs to the SC and STs, the down-trodden people of our country and those who are living below the poverty line, those who are living just like beggars.

DR. RAJENDRA KUMARI BAJPAI : They are not bonded labourers. They have come from Orissa.

SHRI AMAR ROYPRADHAN : It is there in the report. It is not the report of the opposition. It is not a report from any newspaper. It is a report from the District Judge. You should be\*\* of it.

DR. RAJENDRA KUMARI BAJPAI : How can I be\*\* of it when they are not bonded labourers ? I challenge it.

PROF. N. G. RANGA : You should confine yourself to the report.

SHRI AMAR ROYPRADHAN : It is in the report itself. It is mentioned here that nearly 100 bonded labourers belonging to Scheduled Tribe community from Orissa. If they are bonded labourers, they will not be treated as Scheduled Tribe people. How can you argue it ? I do not find any justification for that.

It was in almost all the daily newspapers with big headlines yesterday that Gujarat mob-claused over reservation again. Reservation and anti-reservation riot is going on in the country. It is a long standing demand not only from the opposition but even some of the Congress (I) Members have also raised it that let there be a separate Department to deal with the SC and ST people of the country. But it if an unfortunate thing for us that a few days ago the Cabinet was reshuffled and a new Department has been created—Department of Welfare for the Scheduled Castes and Scheduled Tribes though it was not mentioned. May I know who will deal with the atrocities part of it ? Would you be able to deal with that job ? Certainly not, It is with the Home Ministry itself. So, the problem of the SC and STs has been divided in many parts. Some parts will be dealt with by the Home Ministry, some by the Welfare

Ministry and some by some other Ministry. In this way, are you going to solve their problem ?

Let me come to the reservations. It shall deal with only one part of it which was raised by Shri A.C. Das and other Members from the other side. On page 88 of the Fourth Report of the Commission, they have given comparative figures of the progress of intake of Scheduled Castes and Scheduled Tribes. Here, the 20 nationalised banks, State Bank group (including its subsidiaries), Reserve Bank of India, Industrial Finance Corporation of India and everything have been clubbed together. But in the Third Report it was said that the percentage of Scheduled Castes and Scheduled Tribes in State Bank of India is very low. The figures given there are almost the same as compared to the last two years—Scheduled Caste officers 2.24 per cent to 2.35 per cent, clerks 13.3 per cent to 13.29 per cent; Scheduled Tribes officers 0.46 per cent to 0.47 per cent, clerks 2.66 per cent to 2.54 per cent. The figures in respect of Reserve Bank are : Scheduled Caste officers 4.11 per cent to 3.97 per cent—this has also come down. So, this is your reservation policy. Similarly, the figure for clerks has also come down from 11.6 per cent to 11.5 per cent. The figures for Scheduled Tribes are : Officers 0.78 per cent to 0.64 per cent and clerks 5.24 per cent to 5.25 per cent. Just to white-wash the figures they have clubbed together all the departments. And after some time, say in 1986 or in 1987 or in 1988, you will say that the percentage in respect of all the departments of the Finance is as follows. The percentage is being given according to their needs.

There are so many recommendations of the Commission. If you go through the recommendation No. 17 on page 118 of the Fourth Report, it is mentioned there :

“The Commission recommend that the Ministries/Departments, besides giving statistics on the progress of representation of Scheduled Castes and Scheduled Tribes in services during the year, should also highlight in their respective Annual Reports, the other measures adopted by them such as

creation of special cells, inspections of rosters conducted by the Liaison Officers..."

In fact, the rosters are not being maintained. The Congress Government's attitude is quite different from the view that has been expressed in this Report. Even in the banking services and even in other financial institutions, the rosters are not being maintained. I challenge it. And you can also challenge me if I am wrong. It was asked by one of the hon. Members of this august House whether the rosters were being followed properly or not as far as the reservation for Scheduled Castes and Scheduled Tribes in the nationalised banks was concerned. The answer given to that was that the rosters were not being properly followed in the banking services. This is a Constitutional guarantee given to the Scheduled Castes and Scheduled Tribes people that they will get a reservation in the services, but the Government is not following that guarantee given by the Constitution. It was admitted by hon. Minister of State for Finance of the Government of India, Mr. Janardhana Poojary in his letter No. 10/82/84-SCT (B)/1069-F dated 15th March 1985 addressed to Shri Banwarilal Bairwa. I quote :

"I have had the matter looked into. The bank has reported that it is following all the instructions on reservation policy issued by the Government of India. So far as the applicability of brochure on reservations for SC/ST in the services of nationalised banks is concerned, it may be stated that any provision contained in the brochure is applicable to public sector banks/financial institutions only when the same is extended by the Government under the specific orders."

Within these 38 years, or even within these 15 years after the banks were nationalised in 1971, you did not get a single minute's time to give proper orders to the banks to take the Scheduled Castes and Scheduled Tribes people in the services according to the brochure. You did not do that. You simply violated the Constitution. You may

15.00 hrs.

say that you have sympathy for the scheduled caste and scheduled tribe people, but I may point out that in saying so you do nothing

but shed crocodile tears, because you have not followed even the Constitutional rights and guarantees provided to them.

Lastly I would like to point out one more thing. Doordarshan has become an effective media in our country. On 3rd November, 1985, film 'PAAR' starred by Nassiruddin Shah and Shabana Azmi and directed by Gautam Ghosh was screened over Doordarshan. I hope madam you have seen that film. It was so much censored that the salient portions where it was announced that they were the Scheduled Castes, Harijans and Cobblers of Bihar who had been forced to leave their home and hearth and fled away to Calcutta were struck out. It was a shame on all of us. This film was shown at the Festival of India inaugural ceremony at Paris which was inaugurated by our Prime Minister himself. At that time it was all right. The Director of this film, Shri Gautam Ghosh simply said to the Press reporters that he was sorry. It was simply a rape of the PAAR film. It is a shameful act when you decide that in India when it is screened it should not be shown in such a manner showing that they are scheduled castes, Harijans and Mochi. This shows your attitude against the Scheduled Castes and Tribes. With this attitude you cannot do any good to the down-trodden Scheduled Caste and Scheduled Tribe people.

MR. DEPUTY SPEAKER : The word which you used in the beginning about the Minister is expunged. That is an unparliamentary word.

SHRI AMAR ROYPRADHAN : Why ? Is it expunged while referring to the film PAAR ?

MR. DEPUTY SPEAKER : No. Only when in the beginning you said about the Minister, that is expunged.

SHRI UTTAM RATHOD (Hingoli) : I am happy that the Third and Fourth Scheduled Castes and Scheduled Tribes Commission Reports are being discussed today. We have seen that for the development of the tribals, the ITDP programme has been started. It was expected then that the Centre as well as the States would finance it, but today, when we study the report we find that the State Governments

[Shri Uttam Rathod]

do not share anything as far as the tribal development is concerned. Most of the amount that is given to the States by the Centre is spent on establishment. I would like you to find out how much amount is spent by them on establishment and how much is utilised for the upliftment of the tribals.

Secondly there are advisory committees at the State level, but it has been seen that these advisory committees do not meet with the result the Governor also at times fails to send periodical report on the development of those areas to the Central Government. I would like the hon. Minister to take note of this and see that regular reports are sent by the Governor. Periodical evaluation of these schemes, whether they are component plan for the Scheduled Castes or the ITDP, is essential. That would indicate how far the States have gone in implementing these schemes.

I would cite one example in this connection. I witnessed on the floor of this House when the then hon. Member, Shri Giridhar Gumango, asked the Home Minister how many tribals benefited by these schemes. The papers that he had showed 23 lakhs but the reply that was given by the Minister was 41 lakhs. The same person now the Minister. He asked the State Minister which was correct—whether the paper which he had or the reply that was given by the Minister. The Minister was dumb founded. She could not reply. Ultimately the Home Minister, her senior colleague, had to come to her rescue.

Different tribes are at different levels of development. The Baighas of Madhya Pradesh are at the bottom levels of development. If you go to Madhya Pradesh you will find their levels of development. Nothing tangible has been done for them.

If you go to Maharashtra you will find the Gonds, the Pradhans and the Andhs at slightly higher levels of development. They are looked after properly. But what about the Kolams? They are neglected. Only recently the Maharashtra Government has started some programmes for them. I request the hon. Minister to take cognisance of it. ~~There were 1500 questions by Shri Gomango~~

on tribal development during his tenure. I want the Minister to take interest in these matters.

Then, I will come to another point now. There are tribes which are constitutionally recognised. There are also tribes which are community-recognised. You must have heard of the ex-criminal tribes and nomadic tribes. They have been completely neglected. In 1871, the then British Government passed an Act. It was called 'Criminal Tribes Act'. When it was implemented, some of them were put in settlements. Wherever they wanted to go out, they had to report to the Police Patil that they have come to such and such place; whenever they move out or come in, they have to report. In 1950, we de-notified them by passing an Act of Parliament. But we did nothing for them. It was only after the 'Area Restriction Act' was lifted that some of these tribes (the de-notified tribes and the nomadic tribes) got some benefit. Some of these people were included in the list of ST in Tamil Nadu, Andhra Pradesh and some other areas. In some other areas they were treated as Scheduled Castes. But the rest of the population in other States were left out where they were in majority. This is what has happened. We should do something for these de-notified tribes and the nomadic tribes. At least now when we are embarking upon the 7th 5-year Plan, we should do something for them.

Sir, there is no population census of these people. We are having the census of tigers roaming about in the jungles. But we do not have the census of these de-notified tribes and the nomadic tribes. I asked the Home Minister last time that these persons should be enumerated; but my request was declined. Nothing was done. I do not know why it cannot be done. You have time to rehabilitate the criminals. But you do not have the time and the money to do something for these ex-criminal tribes and the nomadic tribes.

Sir, is it not a fact that the Government announced on the Floor of the House that the SC and ST lists are being revised and some more communities are being added which have some social stigma and tribal characteristics, why they have not done it? May I know why this is being delayed?

I want to ask them : Is there any logical reason behind it ? If not, please do something for them. Otherwise they will be left out of the national mainstream. By inducting these tribes (de-notified and nomadic tribes) in the SC and ST list, you will be giving them political privileges.

If you do not want to give these privileges to them, then, you create a new category, an Intermediate category—which will get the benefits of education, economic schemes and services, which will enable them to be brought into the mainstream of national life and by giving suitable jobs to them. We have denied this thing all these 38 years. Sir, when Uttambhai spoke just now, a man from SC, he was actually in tears. He said, for the last 38 years nothing much has been done. What about those denotified and nomadic tribes ? So far nothing has been done. The Mandal Commission was appointed, the Kakakalelkar Commission was appointed, but no action was taken. The Mandal Commission said that the ex-criminal tribes and the nomadic tribes should go into the tribal list. But no action was taken on it. The very Report was presented to this House without the Action Taken Report. Even today no action has been taken. Is the Government afraid of the backward classes ? Is the Government afraid of any agitation like the one in Gujarat ? These agitations are started by the upper classes to gain political power, we all know it. But you want to use it against us and keep us deprived of the benefits. That is bad, that we shall not tolerate.

Sir, I want this Government to have a census from all States of the ex-criminal tribes and the nomadic tribes. I want the Government to give these communities the benefits that are due, as they are educationally, socially and economically backward. You must introduce some programme which will give them economic benefits, which will give them education, which will also give them Government jobs. I want to know why Kakakalelkar Commission was shelved and why no action has been taken on the Mandal Commission Report. You want the States to implement it. What about your central jobs ? You have more personnel, you have Railways, Posts and so many other Departments. Why do you hesitate to take these people into Services ? But you have been delaying and

you are not taking cognizance even of Scheduled Castes and Scheduled Tribes people properly. Don't leave the job to incompetent people if you really want to do something for these denotified and nomadic tribes.

Lastly, these denotified tribes have a separate culture. According to the definition, these tribes have a separate and distinct culture and dialect. They live in a group, they live in forest. You go to any area, you will find them scattered all over the state but in pockets, Why can't you do something for them ? Mr. Gomango was responsible for the tribal sub-plan and Mr. Makwana was responsible to a great extent for the component plan. I want them to do something for the down-trodden, who cannot get any jobs. We are giving them living wages. They are still in bonded labour. Can you show me a single man from the upper class community who is living as a bonded labour ? Hon. Agnivesh wanted to go to U.N.O. His Passport was supposed to be impounded. Let Agnivesh tell us if there is anybody from the upper class who is a bonded labour. You will find bonded labour only from the Scheduled Castes and Scheduled Tribes, also denotified and nomadic tribes. So, Sir, please do something for these people so that they could also enjoy the benefits of freedom and equality of which we speak.

[*Translation*]

SHRI GANGA RAM (Firozabad) : Sir, the Third and Fourth Reports of the Commission for Scheduled Castes and Scheduled Tribes have been laid on the Table of the House. I support the recommendations contained in the Reports and request the Government that concrete steps should be taken to implement these recommendations.

Sir, as per the census of 1981, the population of the country is 70 crores. Out of it the number of people belonging to the Scheduled Castes is about 12 crores and the number of people belonging to the Scheduled Tribes is about 7 crores. The total population of these castes is 19 crores who are called the people belonging to the weaker section. The magnitude of the problem can be judged from the fact that

[Shri Ganga Ram]

their population constitutes a big chunk of our total population. The Commission had made various recommendations in their reports. I would like to give some suggestions in this regard.

Sir, this Commission was constituted on 22nd July, 1978 under the Resolution of the Home Ministry. So, it has not got any statutory powers as has been stated in the reports. There is a provision of appointment of a Special Officer under which the Commissioner of the Scheduled Castes and the Scheduled Tribes is appointed. It is regrettable that this post of Commissioner for the Scheduled Castes and Scheduled Tribes has been lying vacant since 23rd November 1981. I do not know what are the difficulties before the Government in filling up the post. I have drawn the attention of the Government to this matter in several meetings but this post has not been filled up till today. This post has great importance in the sense that the Government had made provision that the problems of the Scheduled Castes and the Scheduled Tribes people the cases of injustices done to the officers and employees belonging to these communities and their economic as well as educational problems, would be investigated by the Commissioner and the Government had to take action on those recommendations. But today the position is that people are sending complaints to the Members of Parliament who are the representatives of the people. Our workload has thus increased considerably. I had told the hon. Minister in the last meeting that this post should be filled up immediately. This thing has been reiterated by several hon. Members now as well. My suggestion is that prompt action should be taken in this matter.

Besides this, there are two agencies, namely Commissioner for the Scheduled Castes and the Scheduled Tribes and the Commission for the welfare of Scheduled Castes and Scheduled Tribes. I have a suggestion that this dual system should be dispensed with. It would be far better if the 'Commission' is retained by amending Article 338(2). In this way, more people will be accommodated in it and more suggestions will be received and this will prove to be more effective.

Sir, besides this, my friends have raised the issue of reservation. The position is not so satisfactory but I do not think it proper to blame the Government. Government have done their level best to set things right. With the result in class I posts, 6.25 per cent quota has been filled up. Probably, the same percentage of quota has been filled up in the case of class II posts. 7 per cent quota has been filled up in the case of class III posts and cent per cent reserved quota has been filled up in the case of class IV posts. But this does not mean that the Government should not take further action in regard to the reservation. Government should pay attention towards filling up this quota. I would like to raise a point here. Voice is being raised against reservation in the entire country. Hatred and malice are being spread. Government should but it down with a heavy hand, whether it be Gujarat or any other State. A comprehensive analysis has appeared in this regard on page 40 of *Bhoo Bharati*. I would request the Government to go through it and take action on the suggestions made therein.

Sir, a big hue and cry is raised particularly in the matter of promotions in the reserved quota. I am not able to understand why the Government are not clarifying the position in this regard. Our Prime Minister and the Home Minister have time and again categorically stated that the provision regarding reservations for the Scheduled Castes and the Scheduled Tribes will not be done away with, even then there is doubt among the people on this issue. In U. P. an M. L. A. from Faizabad is bringing forward a Private Member's Bill. It has been published in the Gazette also. This has created apprehension among the people belonging to the Scheduled Castes and the Scheduled Tribes. They are inquiring from us whether reservations are being done away with. I had a talk with the Chief Minister of Uttar Pradesh in this connection. I would request the hon. Minister to make a categorical statement to the effect that the question of withdrawing reservation for the Scheduled Castes and the Scheduled Tribes does not arise. This will end all confusion in the matter. Just now an hon. friend has said that the Personnel Department of the Government of



India had issued an office memorandum. I had also seen it. Through this memorandum, relaxation of five per cent granted in direct recruitment in some cadres has been withdrawn. The then Minister of State had also promised that the memorandum would be withdrawn. But nothing has been done. I would request the hon. Minister to issue orders for amending the memorandum, so that the earlier position is restored. The position in regard to reservation cannot be improved unless the number of pre-training centres is increased. There is a pre-training centre in Uttar Pradesh for I.A.S. and P.C.S. aspirants. None of them after getting training in these centres has qualified the I.A.S., Central Services or P.C.S. examinations. The machinery for the implementation of the policy of the Government should be streamlined. Then only concrete results will be achieved.

In regard to education, I had said in the last meeting that the income limit of the guardians should be refixed for giving stipends. At present the limit is Rs. 750 and Rs. 1,000. I would request the Government that taking into consideration the price rise, this amount should be doubled so that the children of other guardians may not be deprived of these facilities. Similar action should be taken in regard to the stipend. It should be increased by least one and a half times. The Government of India have given adequate financial assistance to the State Governments to run schools on *ashram* pattern. The number of such schools should be increased and they should be given more financial help so that they could be developed properly.

As mentioned in both these reports, the position in regard to the allotment of land is still the same. The people have not got possession at many places. Strict orders should be issued in this regard. Only one and a half or half bigha land has been allotted. This is causing great hardship to the people. Government also faces difficulty as a result of this. Government want to help these people through their integrated scheme or through I.R.D.P. Unless this is checked, there is no hope of achieving concrete results in spite of their being given agricultural inputs and other help. Corporations have been set up for the Scheduled Castes and the Scheduled Tribes, but they

are also ineffective. The Government should pay attention towards them also.

In the end, I would say something about the atrocities being perpetrated on the Harijans. Figures have been given in the fourth report which depict their condition. By going through the reports, it seems that the incidence of atrocities on the Harijans has been increasing in this country. The House as well as the Government are greatly concerned about it. Government is doing whatever it can do in this respect. In a number of states, police cells have been created to check atrocities on the Harijans, but they submit their reports after conducting inquiry and there the matter ends. When I was a Minister in the Uttar Pradesh Government, I had told many a time and I again request here that this organisation should be given the same powers as are vested in the CBI. This organisation should investigate all cases whether they pertain to civil Protection Acts or to incidents of atrocities. They should file challans in the courts also. Then only some concrete result could be achieved.

I would say something about their social development. It has been mentioned in the report at several places that, to this end, there is need to extend maximum help to the social organisations so that publicity takes place in a satisfactory manner and these people can move about freely in the society. In the milieu prevailing before 1938, some social reformers, some leaders had understanding of the plight of these poor people and they created a base for obliterating the hatred, malice and illwill prevailing against these people. Today, there is dire need of such organisations which could protect the interests of these people and remove the hatred, malice and illwill which are prevailing against them. With these words, I support the recommendations made in both the reports.

SHRI MANVENDRA SINGH (Mathura) : Sir, the history of India bears it out that all religions and communities have always been respected and recognised here. This year Congress Party is holding centenary celebrations and this has been the history of our party also. We can say in this House with great pride that the contribution made by Dr. Ambedkar in framing

[Shri Manvendra Singh]

the Constitution is a matter of pride for us. It is appreciated everywhere. If we recall the days of Bapuji, we shall come to know that during those days also Congress Party always tried to see that the backward classes, the Scheduled Castes and the Scheduled tribes got equal rights. They should be given respect and status of equality. They should be lifted above the poverty line. Today, Congress Party and its Government are following that very tradition.

As we all know we have given them equal representation at political level also and certain constituencies have been reserved for them from where only the people belonging to the Scheduled Castes and the Scheduled Tribes or backward classes can contest election. It shows our concern for them. So far as their development and uplift are concerned, our Government are making constant efforts in this respect. I would like to give some suggestions in this regard.

Government have formulated many programmes for the welfare of these people, in every district of the country. For example provision has been made to allot land to the landless people belonging to be backward classes, the Scheduled Castes and the Scheduled Tribes. Housing facilities have been provided to them. Cottage and small scale industries have been set up for them. They have been given educational scholarships also. Reservation has been made for them in the services. They have been given due representation in services. Many schemes have been formulated for the uplift of the weaker sections. We appreciate all these steps taken by the Government, but we have also seen certain irregularities on the part of administration. Through you, I would like to draw the attention of the hon. Minister towards them. Complaints are being received from everywhere that the Harijans and adivasis are subjected to exploitation. They are being suppressed. I would like to say that strict directions should be issued by the hon. Minister to check such incidents and to prevent exploitation of these people.

So far as industries and other trades are concerned, financial assistance is provided in the rural areas for purchasing hens, cows, buffaloes and other cattle. I request the hon.

Minister to abolish the system of middlemen. The hon. Minister should issue strict directives to the district administrations to put an end to the system of middlemen.

It has also been seen in many cases that landless people belonging to the backward classes, the Scheduled Castes and the Scheduled Tribes experience difficulties in the matter of allotment of land to them. With the interference by the people of higher castes in the matter, they are facing difficulties in getting possession of land. So far as the question of providing employment to them is concerned, I have seen that wards of the parents belonging to the backward classes, the Scheduled Castes and Scheduled Tribes, who have some status in the society, are able to get employment, but the wards of the parents living in the rural areas and belonging to these classes in the true sense are not able to get employment. I would, therefore, request the hon. Minister that the people of these communities should be given more and more jobs in the institutions and organisations where jobs can be given to them, so that they may get due representation.

In the end, I would like to point out that whenever the matter regarding allotment of land comes up, a feeling of mutual conflict arises between them and the people of the higher castes. This should be avoided. People of many communities live in this country like brothers. So, there should not be any feeling of mutual conflict. Allotment of land should be done in such a way that there may not be any feeling of mutual conflict.

In the recent past we happened to come across some such incidents of mutual conflicts between the people belonging to the backward classes, the Scheduled Tribes and the Harijans and the people of higher castes. Such conflicts should be avoided and they should be given land and jobs according to a certain fixed percentage in order to avoid any conflict. I would, therefore, like to submit again that they should be given reservation in all fields in such a way that they may be able to enjoy respect and they may not have any ill will; they may get representation with respect.

With these words, I conclude and thank you for giving me an opportunity to speak.

SHRI RAM BAHADUR SINGH (Chapra) : Sir, today I am happy that I have got an opportunity to participate in the discussion in the highest court of the people in this country on the reports of the Commission for Scheduled Castes and Scheduled Tribes. These people—Harijans and Girijans—belong to the lowest strata of the society. In our country 42 per cent people live below the poverty line today. Most of them are Harijans and Girijans. If I give the definition of the people living below the poverty line, you will be surprised at it. In Government papers there is some other definition, but as an example I would like to give the actual definition of the people living below the poverty line. Living below the poverty line means that a person has no house to live in *i.e.* he lives in the open, he is unable to make both ends meet and in case he falls sick, medicines are a far cry for him, and the family cannot afford cloth to cover even the dead body.

It is also heard that there is only one saree shared both by the mother and the daughter. If the mother is required to go out, she wears that saree and the daughter remains naked and stays back at home and if the daughter wears that saree the mother will have to remain without it. This situation prevails generally among the Harijans and Girijans. But the Government claims that in order to improve the condition of the Harijans, they have undertaken a big programme—I.R.D.P.; they are also being given subsidy and separate arrangements are being made to impart education to them. But I know that you have not been able to make as such efforts as were required. They are negligible. Moreover, the middlemen have taken benefit of these sporadic efforts. Grants have been given in the name of the poor, the Harijans and the Girijans and pumping sets have been given for them, but the middlemen have usurped all the amount of grants, etc. It appears that the so-called leaders of the society, officers and administrative personnel dominate the scene and their only aim is to pocket more and more money out of the funds provided by the Government for the welfare of the society, particularly the Harijans and the Girijans.

Sir, there is a reason behind it. The roots of everything lie in the earth whereas roots of corruption lie in the sky. If the

water in the Gangotri, the source of the River Ganga, is dirty, then you will not be able to get pure water anywhere in the plains. When Delhi has become polluted, then Patna, Calcutta, Madras and Bombay will also become polluted and when these cities become polluted, villages in Bihar, Bengal, Maharashtra and Tamil Nadu will also become polluted. Therefore, the persons responsible for this evil will have to be removed. The Centre from where evil crops up, will have to be cleaned and this operation of cleaning will have to be continued on a regular basis until these places become clean. So, all those people who are responsible for these evils will have to be removed.

In this country, while travelling in a motor car towards some village at night you will see in the light of that car that scores of women have only the barest minimum piece of cloth on their body. In this country there is no arrangement for latrines for women and you talk of introducing computer and colour T.V. here. You say that they will be educated through colour television. Who will be imparted education? You cannot impart education through colour T.V. to those Harijans and Girijans who have no food to eat. I, therefore, say that you have not made up your mind so far, unless you make up your mind to take steps for the welfare of Harijans and Girijans, you will not be able to do so. That is why I have said that you have neither made up your mind nor have thought about it so far. Why have you not given this Commission a statutory status so far? The reason for not doing so is that implementation of the suggestions given by the Commission will be mandatory and in that case you will have to adopt measures for the benefit of the Harijans and the Girijans. That is why you have not made determined efforts. Had you been sincere in your efforts you would have made a review of the situation because the benefits of the welfare measures adopted and the amount spent on these measures did not reach them. You have not made any review because everybody from top to bottom is involved in bungling. If you do so, the henchmen and other influential persons, on whose strength you are sitting here, will be put to trouble.

I would like that now since you have made up your mind to work for the welfare

[Shri Ram Bahadur Singh]

of the Harijans, the foremost thing is to provide statutory status to this Commission (*Interruptions*). Whatever has been done in the interest of the Harijans should be properly evaluated. I am not going to yield in spite of your remarks. Do not tease me like that. If I expose your black deeds here, you will be humiliated and will not be able to save your face. You have been elected on the strength of their votes and I represent that area. If I expose your misdeeds and brazen shamelessness which has reached the saturation point, you would not be able to show your face.

I would once again request you that if you want the welfare of the Harijans and the Girijans, the Commission should be given statutory status and whatever has been done for them should be evaluated. Those who are found guilty after the evaluation should be given deterrent punishment.

In the end, I would request to act upon my suggestions.

**SHRI NARSINH MAKAWANA**  
(Dhandhuka) : Sir, I would like to read out what has been laid down in Article 46 of the Constitution with regard to the Scheduled Castes and the Scheduled Tribes. It states :

“The State shall promote with special care the educational and economic interests of the weaker sections of the people and, in particular, of the Scheduled Castes and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation”.

Government are continuously trying to comply with this in principle and much has been done in this direction but the desired results have not been achieved so far. The Harijans and Adivasis are living below the poverty line today. I would not waste the precious time of this august House by going into the details of their plight.

The Commission has made 78 recommendations in its Third Report and 20 in its Fourth Report. I am not aware of the Government's decision in this regard. I am sure that the hon. Minister who is in charge of this Ministry would take a decision on them after through consideration. Some of

the recommendations of the Commission are so important and urgent that early decision on them by the Government is desired.

There is a controversy in every State over the list of the Scheduled Castes and the Scheduled Tribes. In some States, there is need to enlist them and in others the list needs to be expanded. The controversy has been continuing for the last 5 to 7 years. Twice a Bill was introduced in this regard and twice it was referred to the Select Committee. Once it was during the Fourth Lok Sabha which was dissolved and there was no further progress and again the same thing happened when the Sixth Lok Sabha was dissolved, and the matter remains pending till today. There is confusion in every State over this matter, particularly in Gujarat where we are facing great difficulty. In Gujarat, even those who have never been treated as untouchables, for instance, the *mochis*, who used to live with the high caste people and were equally well-educated, too have been included in the list of the Scheduled Castes on the basis of the Court's verdict. Last year, they secured 12 seats out of 18 seats reserved for the Harijans in medical and engineering colleges.

When Shri Morarji was the Prime Minister in 1977, some people from Gujarat met him and he assured them that something would be done in this regard but nothing was done and he was voted out of power. Later on a Harijan delegation from Gujarat met Shrimati Indira Gandhi as well. She listened to them patiently and assured them that necessary changes would be made to end social injustice that was being done to them but unfortunately she is not amidst us today. Under these circumstances, I would like to remained the hon. Minister that he is shouldering a heavy responsibility and, therefore, his foremost duty should be to end the atrocities on the Harijans in Gujarat. The Commission's report indicates that there is marked difference in the facilities for the Scheduled Castes and the Tribes. I would like to read out the relevant portion from the report. It says :

“As provided under the Scheduled Caste and Scheduled Tribe Order (Amendment) Act, 1976, the areawise restriction has been removed and the ‘Mochi’ community of entire Gujarat

has been included in the Scheduled Caste list. Prior to this the 'Mochi' community was enlisted as Scheduled Caste only in Dong district and Umergam taluk of Bulsar district. The Gujarat Government had told the Centre that apart from the above mentioned areas, the 'Mochi' community had never suffered any social injustice in the rest of the State. On account of untouchability. The State Government had also indicated that the 'Mochi' community in the rest of the State was far better off than their counterparts living in Dong district and Umergam taluk and that the said Act would enable the former to avail those benefits which should be provided only to the latter. Therefore in the said Bill a need for *status quo* for the 'Mochi' community was felt that existed before the implementation of Scheduled Caste and Scheduled Tribe Order (Amendment) Act, 1976. Besides, the Bill proposed to correct other minor mistakes in the said Act.

The joint Select Committee of Parliament was entrusted with the task of preparing detailed lists of the Scheduled Castes and the Scheduled Tribes and conduct an inquiry and suggest necessary amendments in the lists specified in Constitution (Scheduled Castes) Order, 1950 and Constitution (Scheduled Tribes) Order, 1950. The Committee was to present its report by the last day of the Budget Session of 1979 but prior to that the Sixth Lok Sabha was dissolved and with that the said Committee was also dissolved and the Scheduled Castes and Scheduled Tribes Order (Amendment) Bill, 1978 also came to an end."

It further states :

"From the information gathered from different States and Union Territories it has come to the Commission's notice that only the Government of Gujarat sent a proposal to the Central Government in October 1977 demanding *status quo* for the 'Mochi' Community, *i.e.* restoration of the position which existed prior to the implementation of the Scheduled Castes and Scheduled Tribes

Order (Amendment) Act, 1976, which meant that 'Mochi' community was to be recognised as Scheduled Caste only in Dong district and Umergam taluk of Bulsar district and not throughout the State."

The Commission registered in its report the recommendations of the State Government and the demands of the Harijans. I would, therefore, bring to the hon. Minister's notice that his foremost duty is to rectify these lists and thereby end the confusion that is prevailing in the States in this regard.

Sir, there is no doubt that with the increase in the country's population the population of the Scheduled Castes and the Tribes has also increased, but the number of seats reserved for the Harijans and Adivasis in the Lok Sabha and State Assemblies has remained the same. I would, therefore, request you to increase their number in proportion to their population. If there is need to bring a Bill for this purpose, it should be done. I would like to bring to the hon. Minister's notice the recommendations of the Commission in this regard :

"The Commission is of the opinion that the standard of living of the Scheduled Castes and the Scheduled Tribes has not reached the desired level even after 32 year. of independence. Therefore, the Commission wants to reiterate the recommendation made in its first report regarding amendment of Article 334 of the Constitution in the following manner :

15.52 hrs.

[MR. SPEAKER *in the Chair*]

"The reservation of seats for the Scheduled Castes and the Scheduled Tribes in the Lok Sabha and State Assemblies will continue even after the expiry of 30 years since the commencement of the Constitution, provided it is reviewed after every ten years.' "

Sir, I would, therefore, request that there is need to increase the number of seats for

[Shri Narsinh Makwana]  
the Harijans and Adivasis in proportion to the rise in their population.

I have to say one more thing with regard to land reform laws. Government have decided to distribute land among the Harijans and Adivasis. Under this law, the Government was to get 40 lakh acres of land but only 26 lakh acres of land was acquired and out of it only 18,40,000 acres of land was distributed. The Adivasis and the Harijans got only 9 lakh acres out of this. Government repeatedly says that everything is being done for the Harijans but in reality it is not so. I would, therefore, request the hon. Minister to take urgent steps in this direction. The pace of progress on the part of the Government is very slow. The work is going on at a slow pace. This needs to be expedited and for that the whole-hearted support of the House is also required.

Mr. Speaker, Sir, many schemes have been taken up to spread education among the Harijans and Adivasis but it is observed that they have been benefited by them. Had they been educated they would not have lagged. They are far behind the other people. Government should think on new lines in this regard. I would like to draw your attention to a particular instance. A movement is going on in Gujarat today. The Harijans and Adivasis have to face lot of difficulties when it comes to admission in medical and engineering colleges. They are told that they have not been admitted on the basis of merit and even if a Harijan or Adivasi boy is admitted on the basis of merit he is included in the reserved category. We, therefore, demand that those of them who secure admission on the basis of merit should be excluded from the reserved category and only thereafter the seats should be allocated. I would like to inform you that a Harijan boy has stood first in the Higher Secondary examination in Gujarat. It is a very big achievement. But when the question of admission in medical college came he was put in the reserved category. Meritorious students should be enlisted on the basis of merit and not in the reserved category even if they belong to it. Necessary provision should be made for this purpose. I would like to draw the attention of the House to what the Commission has said in this regard :

“Although a lot of effort have been made in the last 30 years but the educational development of the Scheduled Castes is lagging far behind in comparison with the other communities. In the census of 1971, the percentage of literacy among the Scheduled Castes has been recorded as 14.7 as against the all India average of literacy of 33.8 per cent. In some States the general level of literacy among the Scheduled Castes is far less than the all-India level of literacy of Scheduled Castes. There are some communities where not a single person is literate. The position of women in the matter of education is even worse. The percentage of literacy among women belonging to the Scheduled Castes is 6.44 per cent whereas it is 22.25 per cent among other women. In many districts of the country the percentage of literacy among women belonging to the Scheduled Castes is per cent—going down to even 0.2 per cent.”

The Commission has this to say in regard to their education. I would also like to draw the attention of the House to what the Commission has further stated :

“The Sub-working Group has stated : ‘Adequate progress in regard to bringing the Member of the Scheduled Castes an par with the other people in the field of education is not possible until they are equipped with knowledge and skill at par with those people with whom they are trying to achieve equality socially.’ ”

MR. SPEAKER : Please conclude. You have taken a lot of time.

SHRI NARSINH MAKWANA : Mr. Speaker, Sir, the Commission has further stated :

“Unless the students belonging to the Scheduled Castes do not become sufficient competent to sit in competitive examinations with students of the other sections of society on the basis of their own capability, they will not be able to become part of the mainstream of the society. In other words, unless the students belonging to the Scheduled

Castes are brought at par with the students belonging to non-Scheduled Castes, there will remain danger of their being victims of vicious circle of backwardness."

[English]

MR. SPEAKER : That is all now.

[Translation]

SHRI NARSINH MAKWANA : I am only half way yet.

MR. SPEAKER : It is enough; no more.

16.00 hrs.

MOTION RE : SUPREME COURT'S  
JUDGEMENT IN INDIAN EXPRESS  
BUILDING CASE AGAINST  
SHRI JAGMOHAN

[English]

MR. SPEAKER : Now we take up Prof. Madhu Dandavate's Motion.

PROF. MADHU DANDAVATE (Rajapur) : Mr. Speaker, Sir, I beg to move :

"Having regard to the observations made in the judgement of the Supreme Court in the Indian Express Building case against the then Lt. Governor of Delhi, Shri Jagmohan, this House recommends that Shri Jagmohan be removed from his office of Governor of Jammu and Kashmir."

The strong structures that have been passed by the Supreme Court against the former Lt. Governor Jagmohan actually make it necessary that we should consider, while raising this debate, not merely the legal import of this problem, but the democratic conventions observed in this country as a part and parcel of our democratic experiment that was blessed and inspired by the first Prime Minister of the country, the late Pandit Jawaharlal Nehru.

Whenever there were adverse judicial or quasi-judicial pronouncements against persons in high office or persons holding important portfolios at the Centre or the State level, you will always find that true to the democratic conventions in this country, either the concerned persons had tendered their resignations, or the Prime Minister had directed them to tender their resignations. I would like to recall some aspects of the past :

Shri T.T. Krishnamachari who was holding an important portfolio at the Centre, when certain pronouncements were made against him in the LIC enquiry, tendered his resignation. You may recall Pratap Singh Kairon, the former Punjab Chief Minister. He resigned within minutes after reading in the Press, the findings of the Das Commission against his irregularities. Then, the former President of India earlier the Chief Minister of Andhra Pradesh, viz. Sanjiva Reddy resigned when the court passed strictures against him in the Kurnool Transport case. Then we have the famous A.R. Antulay, the then Chief Minister of Maharashtra.

SOME HON. MEMBERS : Not notorious ?

PROF. MADHU DANDAVATE : I will leave the adjectives to you. In the case of Mr. A.R. Antulay, the Chief Minister of Maharashtra when he was involved in a case in which it was alleged that the distribution of cement and other commodities had taken place to extract money to be passed on to certain Trusts, when basic findings were against him, the Prime Minister directed that he should step down; and accordingly, he also resigned.

I had the privilege and honour, with your permission, to move a similar substantive Motion in this very House against the former Governor of Andhra Pradesh, Shri Ram Lal. No doubt my substantive Motion was rejected. But you may recall that in my concluding remarks I had said : 'By your commanding majority, you may defeat my Motion; but rest assured, the traditions that have been laid down by the former Prime Minister Pandit Nehru in this country still cannot be uprooted very easily; and the time will come when the def. and

[Prof. Madhu Dandavate]

resolution of Madhu Dandavate will be implemented by the Government.' And soon, the time came when the Governor of Andhra Pradesh was asked to step down; and after that, N.T. Rama Rao again came into the picture, and once more became the Chief Minister, with the mandate of the people. Dr. Chenna Reddy was the Minister of Steel in this Government at the Centre. He resigned after adverse verdict. Since there are many new members in this House, I wanted to refresh their memory. The House which you represent, the country which you represent, the democratic experiment that you represent, does not survive on the basis of infrastructure of formalities, the constitutional provisions, the legal provisions, but democracy in this country basically survives on the basis of democratic norms and conventions. All that I seek through this substantive motion is to keep up the tradition of this country, the tradition that was laid down by long heritage of history and that exactly is the purpose of my substantive motion.

The entire episode has arisen out of Shri Jagmohan's role in the Indian Express case building. Therefore, I would like to summarise only a few aspects of this case. I am not going to take the cudgels on behalf of Indian Express or for that matter on behalf of anyone. I am only concerned with the misuse of power that the former Lt. Governor had indulged in and the *malafide* we have is that he had demonstrated it through various actions and directives.

In 1949, Government demarcated ten plots on the Mathura Road, Delhi, as press area. On May 26, 1954, an agreement of lease was signed between the Government of India on the one hand and the Indian Express Group of Papers Private Ltd. on the other, allocating plot nos. 9 and 10, measuring 5,705 square yards for the press area. It was meant for the press area and, therefore, it was quite natural. It was not only *The Indian Express* but *The Times of India Group*, *National Herald*, *Patriot* and several other newspaper groups; they were also allotted plots in this particular assigned area and demarcated it as a press area; and others also built up buildings there.

When construction work was already on,

it was found out that there was an underground sewer line that was found to be running diagonally across plots 9 and 10 rendering 2,740 sq. yds west of drain unusable for construction.

SHRI JAI PRAKASH AGARWAL (Chandni Chowk) : I have a book with me regarding making of allegations. Here it is clearly written as follows :

"A member is not allowed to make allegations (i) against the outsiders as they are not in a position to defend themselves."

So, can he make an allegation against a person who is not present in the House ?

PROF. MADHU DANDAVATE : For his guidance and to support you, the new member should also read the proviso which reads as follows :

"You cannot make any defamatory remarks against persons in higher offices excepting on a substantive motion."

That you have forgotten.

SHRI JAI PRAKASH AGARWAL : You just see para 1. It is very clearly written here without any observation. (*Interruptions*)

PROF. MADHU DANDAVATE : Will you educate him or should I do it? (*Interruptions*) I have yet to make an allegation; I have not yet made it. He is anticipating it. I will make it through the court; I will not do it myself.

At the time of agreement and construction in press area, there was no restriction on area to be built. The lease required the Express Group to build on two plots upto a height of 60 ft., and five floors—a FAR (floor arch ratio) of 500. That was expected. Only due to discovery of sewer line the building was restricted.

Sir, after due process of law the first Express building came up on plot Nos. 9 and 10 in March 1958 and it was followed by another change, a small building in February 1980 after the Express secured permission of the Government of India to shift the sewer line outside the plot area. That was a consequential change.



There were a number of modifications and alterations made after due consultations at various levels.

Now we come to 1978. The Express group obtained an FAR—floor area ratio—of 360 for additions and alterations to the existing building and new building on plot Nos. 9 and 10. The FAR was granted after several reviews that were taken and then only Government granted. At a later stage at various I will come to this.

I am not making any allegations now, and I can quote from the judgment of the Supreme Court and there in no bar on that. It is not defamatory. At a later stage I would like to quote extensively from some of the important judgments that have been delivered. Now, let us come to the structures of the Supreme Court. That is the basic issue in this substantive motion. There are a number of aspects. Even in the Press there were a lot of debate and discussions on the inordinate delay the case has suffered. I would like to now use the very words of Mr. Justice Sen as to what he had to say about the inordinate delay that was caused in the conduct of this particular case. Mr. Justice Sen :

“The case has seen many twists and turns. The bearing commenced on April 27, 1982 and was concluded on September 22, 1983 with intermittent breaks. I regret to say that the ambivalent attitude adopted by respondent No. 1, the Union of India, and the hostility of responden No. 2, that is”—the great—“Jagmohan...” The adjective is mine, Sir, I withdraw it. “...prolonged the hearings which lasted as many as 43 days. This has resulted in a colossal waste of public money and valuable time of the Court.”

DR. KRUPASINDHU BHOI : Sarcastic remark, Professor.

PROF. MADHU DANDAVATE : Is sarcasm unparliamentary Sir ? Kindly give a copy of Parliamentary procedure to the Doctor, Sir.

DR. KRUPASINDHU BHOI : I have got it.

PROF. MADHU DANDAVATE : That is all right. I do not mind your acting as a doctor; but do not act as a\*\*

Sir, what are the allegations ?

DR. KRUPASINDHU BHOI : What a Professor you are ! Professor of a high school or a college ?

PROF. MADHU DANDAVATE : Not at all. I am a rejected Professor.

Sir, what is the basic allegation ? The basic allegation as permission given to the Indian Express group during the Janata Government to extend FAR to 360 was exceptional and illegal. That is the contention of the Government. That is the contention of those whose stood to defend Shri Jagmohan. That is the contention of those who stood to defend the Delhi Municipal Corporation and therefore it is very interesting to find out what the Judges had to say after getting all the evidence and after getting all the pleadings, what the Judges had to say.

The judgement upheld the Indian Express view that notices were *mala fide*. This is the basis of this substantive motion, and I quote from the Judgement :

“The petitioners have pleaded the facts with sufficient degree of particularity tending to show that the impugned notices were wholly *mala fide* and politically motivated; *mala fide* because the impugned notice of re-entry upon forfeiture of lease dated March 10, 1980, issued by the Engineer Officer, Land and Development Office under Clause 5 of the indenture of lease dated March 17, 1958 for alleged breach of clauses 2 (14) and 2 (5)—which in fact were never committed—and the notice dated March 1, 1980 by the Zonal Engineer (Building), City Zone, Municipal Corporation, for demolition of new Express Building where the printing press is installed, under sections 343 and 344 of the Delhi Municipal Corporation Act were really intended and meant to bring about the stoppage of the publication of the Indian Express which has throughout

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been critical of the Government in power whenever it went wrong on a matter of policy or principal. Also, *mala fide* because they constitute misuse of powers in bad faith. Use of power for a purpose other than the one for which the power is conferred is *mala fide* use of power."

"In the facts and circumstances, I am constrained to hold that the impugned notices dated March 1, 1983 and March 10, 1980, were not issued *bona fide* in the ordinary course of official business for implementation of the law or for securing justice but were actuated with an ulterior and extreme purpose and thus were wholly *mala fide* and politically motivated."

Next quotation is very important. This meets the argument where there were irregularities :

"The entire case of the Union of India as well as the other respondents as presented before us is that under the Master Plan an FAR exceeding 300 was totally prohibited for any commercial area including the Mathura Road Commercial complex. This is factually wrong."

Wrong, I may add, because the DDA itself has sold plots by public auction on Asaf Ali Road where a FAR of 500 has been allowed to the Hyatt Regency Hotel at the Bhikaji Cama Place on the Ring Road, New Delhi.

Proceeding, the Court observed :

"It must, therefore, be held that the permission granted by Sikander Bakht, the then Minister for Works and Housing for the construction of the new Express Building with an increased FAR of 360 with a double basement for installation of the printing press was not in violation of the Master Plan for Delhi or the Zonal Development Plan for D-II area or the Delhi Municipal Corporation (Buildings) Bye-laws 1959 inasmuch as *ex facie* bye-law 26 road with 25 (2) (IV-B) was not applicable to the press area on the Mathura Road."

I have told you what the Judges have said. But I will also quote from Justice Venkataramaiah's judgement to show as to what the Counsel of the Government of India said and this is very interesting. I do not know what the counsels of the Government of India will say here. But I am quoting what Justice Venkataramaiah had quoted from the statement of the Counsel for the Government of India :

"I agree that Shri Jagmohan, Lt. Governor of Delhi, the second respondent herein, has taken undue interest in getting the impugned notices issued to the 1st petitioner (Express Newspapers Private Ltd.) and his action which has come up for consideration in this case is not consistent with the normal standards of administration. I am satisfied that the said notices were issued by the authorities concerned under the pressure of the second respondent (Mr. Jagmohan). The question whether the notices should be issued or not does not appear to have been considered independently by the concerned administrative authorities before issuing them..."

Now starts the interesting part :

"Shri Lal Narain Sinha, learned counsel for the Union of India, specifically stated that on the data on which action was initiated in this case by the Lt. Governor against the petitioners, the Lt. Governor had acted without authority or power. The claim of the Lt. Governor that he was the agent of the Union Government in regard to the lease in question and that he could take the steps he had taken under the lease thus stands repudiated. It is unfortunate that the Lt. Governor persisted in justifying his action even after the learned counsel for the Union of India had disowned all the actions of the Lt. Governor...The material available in this case is sufficient to hold that the impugned notices suffer from arbitrariness and non-application of mind..."

Having quoted these relevant extracts from various judgements, which throw considerable light on the powers, their misuse, the *mala fide* aspects, I will now like the House—since Jagmohan is the subject

matter of substantive motion and I have demanded that he should be removed from his high office—to consider his behaviour pattern. On February 17, 1980, Mr. Jagmohan became the Lt. Governor of Delhi. That was a Sunday. Normally Sunday is not a working day, but this Lt. Governor was so efficient and so active that even on Sunday, instead of going to the Church, he wanted to be active in his office. He did not want to confess his sins but all that he did was the same day he summoned the Commissioner of the Municipal Corporation of Delhi—on Sunday—and called for files regarding new construction of Indian Express Building (4 storey building completed by February, 1980). Even the locks of the Municipal Corporation's cupboards were broken open to get the files because on Sunday it is not very easy to get the files. But ultimately he was executing the Constitutional obligations that were placed on him and, therefore, probably he took it for granted that end justified the means and, therefore, he gave the orders even to break open the cupboards and all the files were taken out. On March 1, Jagmohan addressed a Press conference—a strange way of announcing the decision. He addressed a Press conference on 1st of March and announced intention to demolish Indian Express building. And then, within two hours of this announcement—look at the promptness of All India Radio and the Doordarshan, hats off to their efficiency—there was a full display on the television and All India Radio. And on March 10, 1980, the Engineer Officer in the Land and Development Office, Ministry of Works and Housing issued notice of re-entry alleging breaches of agreement of lease. Wonderful efficiency that was displayed. As far as Jagmohan's behaviour is concerned, as vindicated on the basis of the judgement, vindicated on the basis of the various experiences that I have quoted, firstly, he misused his powers; secondly, he encroached on others' authority—as has been admitted by the counsel for the Government of India; thirdly—as very clearly stated by the judges with evidence—he acted *mala fide*; and lastly, his actions were politically motivated. So, this is the same person who was extremely active during the Emergency, and when the Emergency was actually reversed, it was repealed and then certain changes took place even those changes were reversed; he was the

first man who was an active supporter of the Emergency. He was brought into the picture and he was told that he had to fulfil the Constitutional obligations but in a different way. And then he proceeded. It is categorically mentioned in the judgement that he was politically motivated. It is categorically stated that it is not a question of Press X or Press Y, they were interested in taking the revenge against the Indian Express because it criticised the policies of the Government concerning Emergency and the consequent loss of civil liberties and freedoms. Therefore, to teach a political lesson, they wanted to hammer out Indian Express, and they found certain positions very handy and, therefore, they wanted to utilise the power they did not possess. I can understand the misuse of power, but the use of a power which one does not possess, that type of an exercise was indulged in, as stated by the counsel for the Government of India. Under these circumstances, certain situation has arisen and under that situation it is extremely clear that when *mala fide* has been established, misuse of powers has been established, the behaviour pattern has been established, even then such a man, with a doubtful aspect regarding the exercise of authorities concerned, has been given an upward promotion and has been placed in charge of the Governorship of Jammu and Kashmir. So, everywhere he would display the same qualities. And, therefore, it was no surprise that he fulfilled his Constitutional obligations as a Lt. Governor in Delhi in one particular way and he displayed similar aborrations when he functioned as the Governor of Jammu and Kashmir. It has been our contention that the Governor is a link between the Centre and the State and in times of Constitutional crisis he takes care of the protection of the Constitution of the country and particularly vis-a-vis that State. He wants to protect the Constitutional crisis and he wants to make the necessary recommendation. And again he has to function according to the provisions of the Constitution during the pleasure of the President.

Sir, momentarily you might have come from Rajasthan, but basically you have come Punjab. You might be remembering the famous controversy regarding the Vice-Chancellor of the Punjab University. When he was dismissed, those who defended his dismissal put a hand on the Constitution of

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the University and said the Vice-Chancellor is to function during the pleasure of the Governor *i.e.* the Chancellor. The matter went to the High Court and I think you remember the important pronouncement of the High Court which said : No doubt, Vice-Chancellor is to function during the pleasure of the Governor, but then this pleasure is not like arbitrary pleasure of the Governor. It is pleasure is different. It is based on certain realities, constitutional requirements, certain legal provisions and therefore, this pleasure cannot be exercised in an arbitrary way. I think the time has come when the President must make up his mind, and as the President functions on the advice of the Cabinet, therefore, I would like the pleasure of the Cabinet also to be decided. The Cabinet must take note of the these aberrations, mutilations of the constitution, the democratic conventions, the legal provisions that have taken place and they must direct the present Governor of Jammu and Kashmir to resign from his job because this job is a continuation of the job that he had earlier. In that job he could not fulfil his constitutional obligations. More than that he is likely to fail to meet his constitutional obligations in the new onerous responsibility that has been placed on his shoulders. Therefore, it is necessary that he should be directed to resign. And if he does not resign, in that case, the displeasure should be expressed and he should be asked to quit. Only if that is done, the sanctity of that high Office of the Governor and Lt. Governor can be maintained. Therefore, I will close by making an earnest appeal to the House : let us not divide the House on this issue. This is on the basic conventions which were evolved in the post-independence period under the inspiring leadership of late Jawaharlal Nehru. Let us continue the same traditions. I am sure if those traditions are followed, I am sure, only within half a second we will be adopting the Resolution.

In the end I will complete by warning you. Last time when I moved a substantive motion against the Governor of Andhra Pradesh, I gave the warning. I will repeat the same by saying that you can defeat my Resolution by your brute majority, but the realities of the situation will force you to implement my resolution in weeks to come.

Of course, by the mandate and the whip that has been issued to the Members of the ruling Party, you may defeat my substantive motion, but in weeks to come and in months to come, I have not the least doubt that the pressure of public opinion will force the Government to dismiss this Governor, who has failed to fulfil his Constitutional obligations.

MR. SPEAKER : Motion moved :

“Having regard to the observations made in the judgement of the Supreme Court in the Indian Express Building case against the then Lt. Governor of Delhi, Shri Jagmohan, this House recommends that Shri Jagmohan be removed from his office of Governor of Jammu and Kashmir.”

Shri Faleiro.

SHRI EDUARDO FALEIRO (Mormugao) : I have heard with attention the eloquent speech of Prof. Dandavate. Prof. Dandavate has spoken with his usual very great eloquence, but may I say at the very outset that this eloquence, his very emotion in his speech only exposes the plight of the Opposition to which it finds itself devoid of issues. Therefore, it has to take recourse to—one will soon agree as the debate goes on—an entirely non-issue.

May I say here that during the period of time—which has been considerable—in which I have been in this House, which has taken over dozens of Parliamentary Sessions, never—I suppose we agree on this also—has there been this atmosphere that problems and long-standing problems like the problem of Punjab, the problem of Gujarat, the problem of Assam, have not only been solved, but the problems whatever difficult and howsoever difficult they may be, can be solved and this Government is capable of solving them. It is in this context that we find in this Session—as perhaps never before—an absolutely lack of issues for the Opposition to pick upon. Therefore, we do commiserate with Prof. Dandavate and his colleagues when they raise—what is going to turn out as debate goes on—a complete non-issue. Now, Sir, Prof. Dandavate has referred and quoted from the Judgement.

16.30 hrs.

[SHRI SHARAD DIGHE *in the Chair*]

He has quoted about the *malafide* attributed to Mr. Jagmohan; about the ulterior motive attributed to him, about the unseemly haste to which he has made a reference. What I would say immediately is this, that there is not one Judgment. There are three different judgments given by three judges separately. And what Prof. Dandavate has quoted—let it be clear—is just from one of the Judgments. The judgment of Justice Sen and the other two judgments therefore constitute the majority but they make no such reference to *malafide*, they make no such reference to ulterior motive and dishonesty of purpose. As we go on, I will point out how it is regrettable that Justice Sen, are respected judge of the Supreme Court. (*Interruptions*) I fully agree with my colleague in this respect. Really I call Justice Sen a very respected Judge of the Supreme Court. All the Judges of the Supreme Court are indeed respectful and deserve our respect...

PROF. MADHU DANDAVATE : As all M.Ps. are honourable Members.

SHRI EDUARDO FALEIRO : All MPs are honourable members; we must call all judges of the Supreme Court, respected and honourable.

THE MINISTER OF ENERGY (SHRI VASANT SATHE) : Including Mr. Dandavate.

SHRI EDUARDO FALEIRO : What is indeed regrettable is this. What Justice Sen has said, which has been quoted by Prof. Dandavate, would suit Prof. Dandavate. But I doubt whether it will enhance the dignity of the Judiciary. What he has said is political in character. By what he says in so many words he has castigated the Congress party and their role during the emergency. To what extent was all this relevant? To what extent was all this proper? To what extent was this dignified in the mouth and in the writing of a Judge who was dealing with this case?

SHRI S. JAIPAL REDDY (Mahbubnagar) : On a point of order. He is casting reflection on the Judgment. You cannot say against the Judgment....

SHRI THAMPAN THOMAS (Mavelikara) : I rise on a point of order. How can he criticise the judgment?

(*Interruptions*)

MR. CHAIRMAN : The Judgment is the subject matter of this Motion. So it will have to be discussed.

(*Interruptions*)

SHRI THAMPAN THOMAS : I rise on a point of order.

MR. CHAIRMAN : Let the hon. Member go on.

(*Interruptions*)

MR. CHAIRMAN : There is nothing wrong in what he has said. Please go on.

SHRI S. JAIPAL REDDY : It is not correct, Sir.

SHRI EDUARDO FALEIRO : I can justify by making him understand what I am just going to say. (*Interruptions*) Sir, you have given your ruling on this point (*Interruption*) You have spoken very well. I am going to concur with you in a moment. (*Interruptions*) Mr. Chairman, you have given your ruling on how the Judgment is under discussion. May I go further than that? I assert on my behalf and—I think—on behalf of all sections of this House from this side and from that side—that we are highly respectful to the Judiciary; showing respect for the Judiciary is the paramount duty of every citizen; it is the paramount duty of every Member of this Parliament. I have the highest respect for all the respected judges in the Judiciary. It may not lie in my mouth—today or for ever—to cast any slightest aspersion on any Judge of the Supreme Court—may be Justice Sen or somebody else. All that I have said respectfully is only this : Well, these are statements which refer to political events. These are statements which—to my mind—are not absolutely relevant to the issue in this case. And therefore I have merely raised this question without formulating an opinion whether it definitely enhances or otherwise, the dignity and the prestige of the Court. I am not answering this question at all. I leave it open. I will not express my personal view which of course is very strong, on this point. But I leave it open

[Shri Eduardo Faleiro]

to each of us, in order to determine and decide on this particular question, as per his conscience and as per his belief.

Mr. Chairman, the Judgment of Justice Sen has been exclusively quoted here, and permit me to rely on the same Judgment in a moment. I will make out a case on why this motion seeks to indict Mr. Jagmohan, the Lt. Governor then of Delhi and now the Governor of Jammu and Kashmir. As this debate goes, the debate is likely to take a twist which was unexpected by the mover of this motion. The tables are likely to, Sir, and to my mind, will turn against them. What will appear is one of the greatest scandals of the Janata Party Government, what will appear as the debate goes on is the misdeeds of one Minister, the Minister for Works and Housing. Mr. Sikander Bakht; what will appear as the debate goes on is the collusion between Mr. Sikander Bakht—this is appearing in the Judgment—and Ramnath Goenka, political allies.

*(Interruptions)*

SHRI S. JAIPAL REDDY : Sir, I am on a point of order.

*(Interruptions)*

MR. CHAIRMAN : Please sit down. Mr. Reddy, what is your point of order ?

SHRI S. JAIPAL REDDY : Sir, Mr. Sikander Bakht is not a Member of the House. *(Interruptions)*. Please listen to me. *(Interruptions)*. Is that a Substantive Motion ?

*(Interruptions)*

MR. CHAIRMAN : He can be criticised for his action as a Minister.

*(Interruptions)*

SHRI S. JAIPAL REDDY : No, Mr. Chairman, you have not heard me, Sir.

MR. CHAIRMAN : It is overruled,

*(Interruptions)*

SHRI S. JAIPAL REDDY : You have not heard me. Then how can you overrule, Sir ? You allowed me to make a submission and formulate the point of order. You did not even hear and then you changed your mind and overruled. *(Interruptions)*. The

point here is, the conduct of Mr. Sikander Bakht cannot form the subject matter of this motion. You may kindly read the motion again.

*(Interruptions)*

MR. CHAIRMAN : As I ruled just now, the conduct of Mr. Sikander Bakht as a Minister in the Government can be criticised.

*(Interruptions)*

SHRI S. JAIPAL REDDY : I won't case, Sir,... *(Interruptions)*. It will be soon turning tables on you for the same ruling of yours.

*(Interruptions)*

SHRI EDUARDO FALEIRO : Mr. Chairman, may I make a submission to you and in particular, to my colleague, Mr. Reddy ? Whatever I am going to say regarding Mr. Sikander Bakht will be only that much as it appears from the Judgment itself and particularly from the Judgment of Justice Sen himself. I will not add a word, and I will not subtract a word from what Justice Sen himself exposes in his own Judgment.

As Prof. Madhu Dandavate pointed out, this particular building has been erected in plot 9 and 10 and it belongs to an area which is known as the press area. The purpose of this area, in 1949 when these plots were granted, was that there should be an area or a locality for the newspapers to have their offices, and it is in this context that the *Indian Express* was allotted plots 9 and 10, the *Patriot* was allotted other plots, the *Times of India* was equally allotted plots, the *National Herald* and other newspapers were also allotted plots in this area. I may point out here, and this is the purpose of making this reference, that these plots were allotted for the purpose of the press, for the purpose of the newspaper business and for no other purpose, no commercial purpose. May I immediately proceed to say, Sir, that after obtaining permission to build in this particular plot under the cover—*fredulent*—as it will appear from the record of having a Hindi newspaper. Mr. Ramnath Goenka built a building consisting of basement, the ground floor, the first floor, the second floor and the third floor, in which all the fou

floors are used exclusively for commercial purposes and only that part which was not to be used at all for the press purpose was the basement. But only the basement is used for the purpose of newspapers. Other floors are used for commercial purposes alone, and I may clarify by saying the following. I will say this for the sake of record :

“The entire new Express building for which permission was granted is due to pressure put on the officers.”

As the record will show, it is by the then Minister, Mr. Sikander Bakht. The new Express building, with the exception of the basement, is being wholly used for commercial purposes. Its tenants include Greaves Cottons Limited on the ground floor, a group of 10 companies belonging to M/s. Sriram Fibres on the first floor, Steel Authority on the second floor and National Bank of Agriculture and Rural Development on the third floor. Big money is made out of the whole transaction, thanks to Mr. Sikander Bakht, the then Minister for Works and Housing in the Janata Party Government.

What is the big money that they were getting ? The total annual rent by this misuse of the premises which were allowed under the cover, fraudulent, as it will appear subsequently, *i.e.*, for the purpose of Hindi newspaper, the total annual money made out of the transaction comes to about Rs. one crore... (*Interruptions*).

MR. CHAIRMAN : Order please.

SHRI EDUARDO FALEIRO : You will see, Mr. Chairman, that this was the mean manner in which the whole commercial operation was accomplished. Mr. Chairman, on 25th October, 1977, on behalf of the management of the *Indian Express*, a letter was addressed to the Secretary, Ministry of Works and Housing, Nirman Bhavan, New Delhi wherein, I will quote the relevant paragraph, namely paragraph 5 :

“We are now in need of larger amount of space because we want to start a Hindi newspaper.”

This is the relevant portion. They said, “Because we want to start a Hindi newspaper,

we want to construct a new building and therefore permission may be granted, because though permission may not be strictly allowed under the rules, since it is to further the freedom of press, since it is for newspaper purposes, they said, the rules may be relaxed and the Hindi newspaper may be allowed to function in the new building.

As I have pointed out to you a bit earlier...

PROF. MADHU DANDAVATE : Mr. Faleiro, if you permit me for a second, let me clarify. The real issue of discussion is not the merit of the case of the *Indian Express*. (*Interruptions*) Sir, he has yielded.

MR. CHAIRMAN : You please sit down. He has yielded.

PROF. MADHU DANDAVATE : All that I was saying is, there may be an agreement on the merit of the case. The question is the Lt. Governor, has misbehaved and gone beyond his powers and jurisdiction. That is the case. Come to that point.

SHRI EDUARDO FALEIRO : Prof. Madhu Dandavate has made the point. He is for one who is not conversant with the line that I will take in his speech. He is rather acceptable and credible. What I would like to say is this. The entire case of Prof. Dandavate is that Mr. Jagmohan functioned with *mala fide*. Because he functioned with *mala fide*, his services must be terminated; he must be indicted by his House and removed from the office.

But my case is, Mr. Jagmohan not only not acted with *mala fide* but he has done a service to Delhi by exposing the racket. Mr. Jagmohan as Vice-Chairman of the DDA had done tremendous service to the city of Delhi by maintaining the city in its purity, by trying to control unauthorised construction and by being one of the architects of the master-plan of Delhi. Mr. Jagmohan must not be indicted. Mr. Jagmohan in my humble submission must be commended by this House for having exposed the fraud, for having exposed this racket...

SHRI S. JAIPAL REDDY : For pulling down Turkman Gate during Emergency, for pulling down Farooq Government in Kashmir, he must be commended.

PROF. MADHU DANDAVATE : The Counsel for the Government himself has said that he has gone beyond the brief.

SHRI EDUARDO FALEIRO : We have to make all the arguments. In the meanwhile, let us go to the judgment of Justice Sen. As to the facts of this case, we have seen the letter in which the management of the *Indian Express* asked for permission to build a building for the purposes of a Hindi newspaper which is nowhere visible—neither in the first floor, nor in the second floor, nor in the third—and where crores of rupees are being made every year. What were the developments after that? What happened after this letter? Justice Sen says about this on page 30 of his judgment as to what happened after this letter Mr. Ram Nath Goenka wrote straight to the Minister saying that permission be granted to him to build in this construction; it is in this context that the Learned Justice Sen has this to say—and I quote.

“According to the note recorded by the Minister...”

That is, Mr. Sikandar Bakht.

“...by the Minister on the margin on the letter of petitioner No. 3, Ram Nath Goenka, dated December 7, 1977, instructions were to be issued to the Delhi Development Authority to examine the question.”

As soon as Mr. Sikandar Bakht got the letter from Mr. Ram Nath Goenka, he immediately issues a letter to the DDA to examine this question. What happens after that?

“On January 7, 1977, J.B.D'Souza, Secretary, Ministry of Works and Housing, recorded a detailed note and put it up to the Minister. It appears that the discussed the case with the Minister on the 7th and explained to him that the Express Newspapers Pvt. Ltd. had already used up an FAR of 260 with reference to their leasehold premises, *i.e.*, plots nos. 9 and 10 although they had occupied about half of the land with their building. It was recorded in the note that the assertion that others

in the press area had an FAR of 500 was not factually correct. Maximum FAR for all the press plots was 300 and below except in the case of Times of India where it was 304...”

Marginally higher.

“...and the National Herald where it was 306.3”

Marginally higher.

“According to him, the effect of allowing the petitioners to erect similar building on the other half would mean a rise of FAR from 300 to 400. Perhaps an increase from 260 to 360 should be permitted if the need for starting a newspaper in Hindi was really genuine.”

It was not genuine at all.

“The portion to the west of the sewer line was kept as open and was being used for parking of cars, and these would have to be parked out on the road, apart from the extra parking need that the additional construction would give rise to. The Minister asked the Secretary to discuss the matter with Petitioner No. 3 Ram Nath Goenka and arrive at a suitable solution.”

The Minister asked the Secretary to discuss the matter with Petitioner No. 3. Now what does the Secretary say? The Secretary says that it cannot be done, it has never been done and what Mr. Goenka says that it has been done in other cases is factually incorrect. Does the Minister stop at that? No. The Minister does not stop at that. He says, “You go and discuss with Ram Nath Goenka and arrive at a suitable solution.” (*Interruptions*)

AN HON. MEMBER : With whatever money is necessary.

SHRI EDUARDO FALEIRO : This is what he said on record. What happened off the record, we do not know. After getting the instructions from the Minister, the Secretary noted as below :



"I find it difficult to recommend the FAR requested by Shri Goenka, as this will inevitably lead to requests from other plot—holders, including the Times of India, to use up their entire land area for building upto 60 feet, which will mean in effect a rise of FAR from 300 to 400. The effect on parking and other requirements may not be acceptable."

The Vice Chairman, subsequently, of the Delhi Development Authority, Shri Buck, also takes the same line. The line taken in this case, as disclosed by the judgment of Justice Sen himself, is that all officers, without exception, find the demand of Mr. Ram Nath Goenka unacceptable and illegal; and whenever a letter or opinion comes from any of the officers to the Minister that this cannot be done, the Minister says, "Try to do it"; meet Mr. Goenka, find out, what he calls again and again, a suitable solution in which you can accommodate Mr. Goenka. This is on the record. This is a part of the file. These are the nothings of the Minister of the then works and Housing himself.

AN HON. MEMBER : What a pity !

ANOTHER HON. MEMBER : Dandavateji must have been a member of that Ministry.

PROF. MADHU DANDAVATE : Yes I was.

SHRI EDUARDO FALEIRO : Sir as I have said, this is an entirely illegal construction. It is not merely an illegal construction, having permitted this illegality this was to take place, even in such circumstances, it is, as a last resort, being done *viz.*, to compound the illegality once it is done by using discretionary powers. But you collect conversion charges for having converted a green area into an area for office, into an area for commercial purposes.

PROF. MADHU DANDAVATE : That is compounded by Mr. Jag Mohan's illegality.

SHRI EDUARDO FALEIRO : Prof. Dandavate is sometimes carried away by

his own rhetoric and sense of humour which all of us appreciate.

But there is one thing known as conversion charges, of which Prof. Dandavate is surely aware of. It is to the effect that once a green area or an area which is left out by a plan or a master plan is illegally or improperly converted into a construction or commercial area then certain charges are to be collected and these charges are known as conversion charges. As per the records of the Ministry of the works and Housing Rs. 3.30 crores tax is to be collected from Shri Ramnath Goenka for having this construction there on a green area and then Sir, apart from not abiding by the rules in allowing the second building, the New Express Building come up; apart from this, the then administration of the Janata Party Government chose to waive, not to make any mention of it and not collected a single naya paisa of Rs. 3.30 crores which only came to light when Mr. Jagmohan took hold of this case. Are we to condemn Mr. Jagmohan for an admitted position that he has been able to bring to light and expose that Rs. 3.30 crores was due by a particular individual, to the Government revenue and therefore permit the Government to collect this money ? Are we to condemn him for this ?

I may say here Sir, all the judges, including Justice Sen himself admit that conversion charges are to be collected in this case. Further, they admit that no efforts were made by the Janata Party Government to collect this money. This is what the case all about. Now, Prof. Dandavate has spoken about press conference and he has mentioned on....

PROF. MADHU DANDAVATE : How cupboards were broken illegally !

SHRI EDUARDO FALEIRO : On how Mr. Jagmohan has moved in undue haste in this case. May I say here one thing sir ? Anybody who is aware and knows how illegal constructions are dealt with, will accept this position—anybody from any side of the House. When an illegal construction is being constructed is being built, if one really wants to end the illegal construction, one must act fast. Because otherwise the illegal construction is completed and nothing can be done against the

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fait accompli. Therefore, undue haste by itself should not be a case against Mr. Jagmohan. I may also say that there was no haste at all or in particular in this case Sir. Here, I may quote on what are really the facts of this matter.

MR. CHAIRMAN : You may have to go a little faster.

PROF. MADHU DANDAVATE : Not with undue haste Sir.

SHRI EDUARDO FALEIRO : The only ones who did not act with undue haste in this matter are definitely the learned judges themselves Sir. What Prof. Madhu Dandavate has said and is correct, two years and three months elapsed from the date of the hearing by the parties and pronouncing the judgement. One would like to know where the judicial system is going on, years are going to pass in the Supreme Court itself between conclusion of arguments and pronouncement of judgement this much of time was passed. What is the reason for this great lapse of time when everybody including the Judges of the Supreme Court themselves have been saying that judgements must be speedily pronounced ?

AN HON. MEMBER : Because of Mr. Goenka.

SHRI EDUARDO FALEIRO : It is in this context that the question of concessions made by the lawyers become relevant. It has been said here and it is again correct that the judgement mainly turns on concessions. There is no judgment on record of the Supreme Court in which as many as seven major concessions on fundamental points have been made and there is no judgment as far as one knows in which the entire judgment turns on concessions. If the judgment was to turn on concessions and was to be decided on concessions, what was the reason for the inordinate delay of two years and so many months ? Then about concessions—what concessions ? All the concessions have been made by the lawyers themselves. And who are the lawyers in this case ? The lawyers are Mr. Lal Narain Sinha, a former Attorney—General who was actually at the beginning

of the case the Attorney General of India, whose *bona fide*, whose honesty and integrity nobody in this House or in the Supreme Court Bar or anywhere will challenge and deny. He has said that these concessions were never made by him. The other Senior Advocate is a colleague of ours in the Parliament, a respected man, a Senior Advocate of the Supreme Court. He has gone on record and there is a letter on the file saying that he never made these concessions. In spite of these denials what do the Judges do ? The Judges do not give an opportunity to the lawyers at all to say—to come before them and say how they felt that the concessions have been made and how they say that concessions have never been made. Behind the back of the lawyers and without giving them an opportunity, these strictures and observations are passed.

I would submit that it is a matter of regret that strictures and observations of this nature are made by any court or, for that matter, anybody including Parliament itself behind the back of the parties against whom strictures are made without giving them an opportunity.

PROF. MADHU DANDAVATE : I rise on a point of order. I have with me a copy of the Constitution. I would refer to Art 121 : "No discussion shall take place in Parliament with respect to the conduct of any Judge of the Supreme Court or of a High Court in the discharge of his duties."

Implications of the judgment can be discussed, but not conduct, saying that he is allowing this behind the back and all that, you cannot discuss....(Interruptions)

SHRI CHIRANJI LAL SHARMA (Karnal) : These are hard facts.

MR. CHAIRMAN : You may discuss the judgment but don't cast any aspersions on the conduct of Judges.

SHRI EDUARDO FALEIRO : May I re-assert that it is not our intention and we will not do it—casting any aspersion on the judiciary and we have the highest regard and respect for the judiciary.

All that I am saying is that these observations on which the mover of this resolution is relying, were made in spite of the denial the other side and without giving an opportunity to the other side which consists of two very Senior Advocates and very respected persons, to show cause and to prove how these concessions were never made. All that I would submit is that these observations made against the lawyers should not be taken note of by this Parliament which is not an executive authority of the Supreme Court but it should look at the judgment as it is before it because the observations against these two lawyers are made against all principles of natural justice and in fact, against all principles of justice itself as they were never given an opportunity to show cause and to show how these stricures were entirely not justified.

SHRI VASANT SATHE : We are not commenting on the conduct.

SHRI EDUARDO FALEIRO : Not at all. As I said I am commenting on the judgment.

PROF. MADHU DANDAVATE : I agree. We discussed the Golak Nath judgment also.

SHRI EDUARDO FALEIRO : I would conclude by saying this, that this is one of the sad episodes of the Janata Party rule and to-day all of us and the whole House must be grateful to Prof. Madhu Dandavate for having brought this before the House. And I demand and inquiry, a parliamentary inquiry into the manner in which these misdeeds, in which these devious procedures, in which the conduct of the then Minister for Works and Housing, Mr. Sikandar Bakht in entering into this in collusion with Mr. Ramnath Goenka to extend to him patronage to the point of making him gain crores of rupees at the cost of public exchequer. (*Interruptions*) I will submit, Sir, that as the facts of this case disclose there is no question of *malafide* at all.

17.00 hrs.

Sir, the question had been raised whether the Governor had at all powers to enter into this inquiry at all. May I draw your attention to a notification of the Government of India ?

PROF. MADHU DANDAVATE : Is it your suggestion there should be a parliamentary inquiry and pending that the Lt. Governor should go ?

SHRI EDUARDO FALEIRO : Does this argument appear from my speech ? It is your interpretation.

Sir, I am on the power of the Governor. Prof. Dandavate has said that Lt. Governor had no power to enter into this inquiry at all. I would draw your attention to this notification of the Government of India which is dated 7th September, 1966 under which Governor has powers not merely to enter into this matter as per serial No. 3 under the heading 'Land and Building Department'—

"Land and Development Office  
(Administration of Nazul Lands)

Delhi Development Authority.

Acquisition, development and disposal of land.

Master Plan for Delhi."

He had full powers under this notification and, therefore, in conclusion I say...

PROF. MADHU DANDAVATE : What does L. N. Sinha say ?

SHRI EDUARDO FALEIRO : What L. N. Sinha said is that the concession attributed to him by the Supreme Court was never made by him. That is what he has said.

All that one may say in conclusion is that rather than attributing *malafide* to Mr. Jagmohan, the then Lt. Governor of Delhi we must congratulate and commend him for having brought to light this fraud and racket. Mr. Jagmohan has been the architect of Delhi Planning and I would request those who have any doubts to just after this debate perhaps move to Bahadur Shah Zafar Marg which is known as 'murder mile' and connects old Delhi to New Delhi. If type of construction like this is going to be allowed what is going to be the fate of that area. Because as you have seen, Sir, in this case the green area which has been

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reserved for parking lot, that area by the then Government was allowed to be used for construction of the multi-storeyed building and the consequence is that the parking is done on the road side. Further, in view of the judgement already two newspapers of that area have asked for similar concessions. They also want to build in the parking area on the road side. This road is already known as 'murder mile' because the crowd is so much. People like Prof. Madhu Dandavate live in spacious bungalows in New Delhi near Parliament and do not know it but those who live...

MR. SPEAKER : I would not like any of my Members to travel on that road.

PROF. MADHU DANDAVATE : Sir, mine is not a special bungalow. It was supposed to be haunted by ghost. Nobody was willing to go there. That is why I have gone there.

SHRI EDUARDO FALEIRO : If he is not happy with this bungalow we can arrange for a change.

Sir, it is a matter of commendation to Mr. Jagmohan. He has upheld the traditions of the best in administration in Delhi and maintained or tried to maintain the purity of the city to the extent possible and brought to light a major fraud for which I have asked an inquiry to go into.

SHRI R. L. BHATIA (Amritsar) : Mr. Speaker, Sir, I have heard in this House Prof. Dandavate many a time but never before he built his case on a wrong premise either on facts or on law. He mentioned about the democratic institutions and conventions of the Congress Government and of Pandit Jawahar Lal Nehru. I am glad. His beginning was right but when he came down to the facts of the case what we found was that he was trying to justify the action of a tycoon who was trying to defraud the Government money and get extra favours from a Janata Minister. As I said earlier, he has wrong facts and was referring to wrong law. First, I will tell you the fact of the case. The fact of the case is that the Express Newspapers took a plot of land for constructing a building for press and running a newspaper. Sir, the land was given at

concessional rate for that purpose and similarly lands were given to other newspapers also in the same area. But Mr. Goenka had the audacity to misuse the land, not only covering more land area for building purpose but also making a huge building and drawing a huge rent out of it. So, the land was not used for the purpose for which it was given. It was misused. It was not used according to the DDA Rules. It was done in violation of the DDA rules. Around every building, some land area is left for parking purpose. The area to be used for the building purpose is defined in the rules. For instance, if the measurement of the plot of land is about 1000 square metres it is necessary that the building area is to be within 600 or 700 sq. metres and the rest of the area is left for parking purposes or for other purposes including green area. But in this case, Mr. Goenka used the parking area also for the building purpose by violating the rules of the DDA. Not only he violated the rules of the DDA but he also violated the Master Plan of Delhi. All what we are doing here or the Lt. Governor is wanting to do is that the Master Plan should be followed very strictly. But Mr. Goenka had violated the Master Plan.

Sir, as has been mentioned by my colleague, Mr. Faleiro so many people were given lands in that area and they are all big business people having big cars, having so many cars and they have to park their cars there. But now that he has misused that land area by violating the rules, all those cars have to use the busy traffic roads for parking purposes. This was also in violation of the traffic rules. These are the facts which are before this august House and on which we have to decide.

Coming to the point of law, Prof. Dandavate has quoted from the judgement. Sir, he has quoted the judgement of the minority. He has not quoted the majority judgement. It was the view of a single judge. So it cannot be a judgement. The judgement is what according to the majority of the judges. The majority of the judges did not say so. So what he was talking about is *malafide* action of the Lt. Governor, Shri Jagmohan. Therefore, Prof. Dandavate was building a wrong case of facts as well as of law. What happened was that after

renting out his huge building to the people, he wanted to add more built-in area in that Express building. For that he applied for permission and he was denied and he could not build any more because that was the area left for parking and other purposes. Then he approached the Minister and later he got the favour. The Minister should not have done so because according to the rules of the D.D.A., if any permission is to be granted under such circumstances, then for granting the permission the DDA has to pass a resolution to this effect. But in this case no resolution was passed by the DDA. The Minister ignored the rules of the DDA and the procedure of passing a resolution in such cases. The second point is that even if it is taken to be granted that the Minister had a right to do so, he has no right to waive the charges. The charges which are fixed under the law and the money that was to accrue to the D.D.A. was to the tune of Rs. 3.5 crores. It was not within the rights of the Minister to waive loss of such a huge amount to the public exchequer and also to permit them to have a building at a place which was a parking area. This was another thing which Minister had no right to do. Therefore, it was the Minister who went out of the way. The intention of the person who condoned all this has to be looked into rather than the intention of the Governor, who was acting as a public servant under the due authority of law. In the notification dated 7th September, 1966 he was empowered by the President and he was acting according to the law and due authority. It was the Minister who was acting out of the way to favour this gentleman.

Now the question arises, whether the building was used for the purposes for which it was built. No, it was not. As I have mentioned earlier, there were other newspapers also. Nobody took the liberty of building more than what was required, more than what was sanctioned. It was only the Express people, it was only Shri Goenka who had the audacity to do this and violate the law. He did that without permission, without paying charges. No other paper did that.

Who is responsible for the huge charges which were not paid to the Government ? Shri Goenka was favoured to an extent that put exchequer to a loss of Rs. 3.5 crores.

What was the necessity and compulsion of the Minister to do this ? The Governor acted according to law, according to the authority given to him and in the public interest. Now, Prof. Madhu Dandavate says that his act was *malafide*, Was the act of the Minister *bonafide* ? The House will draw its own conclusions how a collusion was made between Shri Goenka and Shri Sikandar Bakht, the then Janta Minister, who was in a hurry. They say that the Governor was in a hurry to take the action: Was the Minister not in a hurry to oblige him ? The action should lie against the then Minister. I have to request the House to appreciate that it is not the case of Shri Jagmohan acting *malafide*, it is a case of collusion between the tycoon of a newspaper, Shri Goenka and the Minister for defrauding the Government to the tune of Rs. 3.5 crores which should be enquired into. What were the circumstances that the Minister was compelled to grant this remission and without any authority of law ?

PROF. MADHU DANDAVATE : Do you want to remove the Minister with retrospective effect ?

SHRI VASANT SATHE : We have done that.

AN HON. MEMBER : The Minister and others have been amply punished in the peoples, court.

SHRI R. L. BHATIA : The hon. Members was referring to the conventions. I have also cited the convention of the Janta Government, how in collusion with a person, they defrauded the Government and it is for that the people punished them, not allowed them for a full term of five years; they threw them out after three years, and thereafter, the people never dared to bring them back. And today they say that the action of the Governor was not right. In fact, as I mentioned, the action of the Minister was not right. Shri Jagmohan, as a public servant, had acted with due authority. Instead of taking action against Shri Jagmohan as suggested by Prof. Madhu Dandavate, I suggest that an enquiry should be held into the collusion between Shri Goenka and the Minister to find out why the exchequer was deprived of a huge sum of money, Rs. 3.5 crores.

**SHRI SAIFUDDIN CHOWDHARY** (Katwa) : Sir, when the stricture by the Supreme Court against Mr. Jagmohan was pronounced, I thought that the Government will come forward, that it will rise to the occasion and in consonance with the propriety, democratic conventions and the good traditions that we have to honour the other wing of the polity, they would sack Mr. Jagmohan. But now, to my astonishment, I see that the Ruling Party members are not only defending him, but they want to offer him a full-throated praise. And it is unbelievable. Now, what is the point at discussion today ? It is the conduct of Mr. Jagmohan in that case. We are not here to judge the merit of the judgement or the proceedings of the Court.

**THE MINISTER OF ENERGY (SHRI VASANT SATHE)** : We are discussing the judgement. What also are we discussing ?

**PROF. MADHU DANDAVATE** : He says that the conduct of Mr. Jagmohan and not the judgement.

(Interruptions)

**SHRI SAIFUDDIN CHOWDHARY** : I am not to defend anybody in this case, neither Mr. Sikandar Bakht nor Mr. Goenka, nor anybody. What are the hard facts ?

**SHRI VASANT SATHE** : Speak on the merits of the case.

**SHRI SAIFUDDIN CHOWDHARY** : Yes. I speak about the hard facts that have come before us and some of the hon. members have told about them. The point is, you are telling about the breach of contract, about some fraud there; all that was brought to the notice of the court and the court has scrutinised everything. All the facts regarding the question of Mr. Sikander Bhakt, the question of permission no erect the annexe building not being given earlier, and the same being given later, all these things have come before the court and they scrutinised every thing. Then came the judgement. On that judgement, Mr. Jagmohan filed another Review Petition. This is the point that I want to make and all of you should consider it. What did he do in

moving that Review Petition ? And what was content that rarely in the history of the proceedings of our courts, such a strict stricture has come ?

What did the Court say ? The Supreme Court observed : "We are constrained to observe that the review application is lacking *bona fide* and based on false amendments, it constitutes a flagrant abuse of the process of the court." The court says, "this crude attempt on his part by filing this review petition on totally false allegations is an attempt to subvert the court of justice." Do you understand the meaning of this ? Do you understand its implications ?

(Interruptions)

In the review petition, Mr. Jagmohan said that the judgement was delivered on a false premise and that was apparently on something taken from the statement of the counsel of the Union of India and the Municipal Corporation of Delhi. On that what did the court say ? The court said that it was an attempt of denigrate the process of law. Was that not true ? Was that not what Mr. Jagmohan had done ?

**SHRI V. KISHORE CHANDRA S. DEO** : The review petition was an attempt to denigrate the process of law.

(Interruptions)

**SHRI SAIFUDDIN CHOWDHARY** : It was all falsehood. That is the point that has to be taken into consideration. The court says that that is very improper, derogatory and subversive of the process of court of justice. What Mr. Faleiro referred to was about Mr. L. N. Sinha's statement and then about Mr. M. C. Bhandari's statement. The statement annexed in the review petition by Mr. Jagmohan was not Mr. L. N. Sinha's. It was the statement of his assistant Shri P. P. Sinha. And Mr. Bhandari's statement in the petition was also annexed. Here he wanted to prove what they did not say in the Court—giving that in their mouths—the Court had given the judgement. The Court says that their attempt to prove that the court misquoted the counsels arguments in the Judgement was very improper. They said it and that is there in the proceedings of the Court.

Now, here is a case before us. A man in the high office had tried to make false averments and false assertions before the Court. That is how these strict strictures have been passed much more stricter than the earlier strictures. That is the point. I am not going into other aspects. If any breach is done, you have to take care of it. What were the learned Advocates doing? Why could not they defend the Municipal Corporation of Delhi? Is thrt the point? It is not the point here...

*(Interruptions)*

SHRI A. CHARLES : At that time, the Janata Government was in power.

SHRI SAIFUDDIN CHOWDHARY : Why did you not being the motion? When we try to bring to order something, try to correct some injustice which was being done try to prevent the subversion of judiciary which is being attempted and you are trying to be part of that. What is at stake of yours with a person like Jagmohan? Can you tell us?

*(Interruptions)*

SHRI A. CHARLES : We are part of a long tradition...

*(Interruptions)*

SHRI SAIFUDDIN CHOWDHARY : You may have personal commitment with somebody. Some persons might have served you very well during certain times, but we have certain commitments to certian things to certain ideals, to certain institutions.

*(Interruptions)*

PROF. MADHU DANDAVATE : Even Goenka won't accept him. He will feel embarrassed. What are you talking?

SHRI SAIFUDDIN CHOWDHARY : No, Sir. You cannot just bring a red-herring and divert the whole thing. The whole thing is that the stricture has come. How can a man who had held the office of Lt. Governor and now the Governor of a State try to denigrate the Court of Law? That is the point. He said something in the petition and Court says that is not correct. I am not going into other details, whether he should have erected the struture should

have been created there or not, whether the breach of contract was there or not, that I am not doing. Here it is very clearly mentioned, even the judges themselves have told...

*(Interruptions)*

SHRI T. BASHEER (Chiraginkil) : About public money and public property we are bothered, you are not bothered...

*(Interruptions)*

SHRI SAIFUDDIN CHOWDHARY : Now Sir, everything that they have said came before the Court. Even about exceeding the limit of power by Shri Jogmohan that had also come. They said that he had exceeded the limit. He cannot do that. He cannot pass such orders of demolition of a property. Such arguments came...

*(Interruptions)*

MR. SPEAKER : Please take your seat. Don't interrupt.

SHRI SAIFUDDIN CHOWDHARY : I am not pleading the case of Goenka. You failed to take on him there in the Court. Now you are subverting the process of law...

*(Interruptions)*

MR. SPEAKER : Mr. Chowdhary please address me.

SHRI SAIFUDDIN CHOWDHARY : Everything came before the Court. About exceeding the power that had also come. One point came, that is he had the power at par with the Chief Commissioner earlier. That point also had been disposed of by the Court. Now the two things are very clear. One is an attempt made to gag the press. The second point is that a attempt was made by certain officials, even by a person holding such a high office to denigrate the Court of Law.

With these words, I support the Motion and I hope that Government will sack the Governor.

PROF. NARAIN CHAND PARASHAR (Hamirpur) : The issue is being brought out of focus by our friends on the opposite

[Prof. Narain Chand Parashar]

side. It is true that the conduct of the then Lt. Governor of Delhi Shri Jagmohan is the subject matter of this Motion. But it is not an isolated activity. The conduct of Mr. Jagmohan as interpreted by the judgement given by the Supreme Court—and therefore necessarily the points raised in the judgement have also to be considered.

Various points have been highlighted by my friend, Mr. Faleiro. I find that the focus should have been on what has been the net result of Mr. Jagmohan's action as Lieutenant Governor of Delhi. Nowhere in the judgement has it been stated by any one of the three Judges, that Mr. Jagmohan's action has resulted in any self-gain. It has not resulted in any kind of a misappropriation of funds. It is only a question of some sort of exercise of authority.

Now the best argument, according to Mr. Sen, the Judge who has given this judgement in one portion, and Mr. Mishra in the other, and also by Mr. Venkataramiah in the third portion, *i.e.* every one's argument is based on the fact that the notification of September 7, 1966 devolving the powers of the Chief Commissioner upon the Lt. Governor has no basis. This is a very technical ground. Now, under the powers vested in the Lt. Governor of Delhi since 7th September 1966, thousands of sales have taken place. Land has been allotted to thousands of people for residential and office purposes. Now, if it has no basis, is the entire process to be set in *de novo*? Are all these transactions illegal; or are we to assume that the Lt. Governor, in exercising his powers under Article 239 and in accordance with the notification of September 1966 was acting to the best of his intentions? To my mind, it is to the credit of Shri Jagmohan that he acted in accordance with the powers vested in him under Article 329 and in accordance with the notification of September 7, 1966, Had he not acted, it would have been a mess and chaos.

The very fact is that Jagmohan was able to bring to light a fraudulent activity in which Rs. 3.3 crores were denied to the Exchequer. The State exchequer; the owner and the poor people of this country were not given their rightful due in getting the

commercial charges. It is to the credit of Jagmohan that he brought to public gaze this important point.

Secondly, what was the conduct of the Minister at that time; *viz.* the Minister of Works and Housing, Mr. Sikander Bakht? Not only did he immediately agree to the request. He did something more. I would quote from 'Surya' a magazine, from its issue of October 1979, when the Government was with them (JANATA). I quote the last paragraph :

“After having extracted an extraordinary, exorbitant and illegal grant to construct on the basis of FAR 360, *Express* recently went a step further by demanding that they be allowed to cover the entire area, although 100% coverage is in utter violation of the bye-laws.”

So, they went a step further. Not only this; they wanted to have a 100% coverage. What did the Minister say? This is not about Mr. Bakht the person or the individual, but the Minister of Works and Housing of the Janata Party Government. Mr. Bakht insisted, before he vacated his office, that even this demand of the *Indian Express* be granted in due course. So, the Minister was willing. But time and destiny did not oblige. The people of India gave a different verdict. The Minister wanted a different thing, even though all the buildings in the area are allowed 80% coverage on the ground floor, 70% on the first floor and 50% on subsequent floors. Even the Town and Country Planning Officer of the Government of India had advised that more than 300 FAR should not be allowed in the concerned area. But then what he proposes, Goenka disposes.

To my mind, this is a strange view of the freedom of the Press. The members of the Congress party are also subscribing to the theory of the freedom of the Press. We also want to uphold the supremacy of the Judiciary in their own sphere. We do not want to encroach upon the ground of the Supreme Court. But we have to see that an individual, may be a Lieutenant Governor, may be a *persona non grata* with certain individuals or judges may not be more sinned against than what he is due for. Mr. Jagmohan had acted within the Powers



conferred upon him by the said Notification; and if that Notification is not there, then all the transactions to which you are referring which had been done after that—it is a question of 20 years now, 19 years and some months—all these transactions, cannot be deemed to be illegal simply because technical ground is not fulfilled. Mr. Jagmohan acted in a haste, they say; I say, he did not act in a haste.

Mr. Jagmohan was appointed the Lt. Governor of Delhi on 17th of February 1980 and Goenka got a stay regarding Express Building on 7th April. So, Prof. Madhu Dandavate, after 17th of February, then comes the month of March. Mr. Jagmohan did not act. Then comes the month of April. It is on the 7th of April that a stay order was granted. Is it a hard case? It is his regard for the due process of law. It is the exercise of the rightful authority that prevented him from going ahead with his immediate demolition of something of the type which he did not approve of. It goes to his credit.

Similarly, they wanted that these things should be considered separately. Mr. Jagmohan maintained that as the appointee, as the authority of the Union Government, he had to be in consonance with the Ministry of Works and Housing and so on and so forth. So, the result is that there is no difference between the approach. All the three approaches are similar. The affidavit filed by the Secretary to the Ministry of Works and Housing is an eye opener in which he stated the obvious. This would be making the whole thing clear as to what is the attitude of the Ministry of Works and Housing. The affidavit of the Secretary to the Ministry of Works and Housing says as follows :

“The orders in question passed by the then Minister of Works and Housing, Shri Sikandar Bakht, were clearly illegal, improper and irregular. (2) The show-cause notice was duly and properly issued and no malafide arose. (3) I say that the counter affidavit filed by respondent no. 2, that is Lt. Governor be read as part and parcel of this counter-affidavit.”

So, there is no case of separating the stand of the Union Government from that of the

Lt. Governor. The Lt. Governor had acted in consonance with the policy, practice and rules and regulations as framed by the Central Government. The affidavit filed by Mr. M.K. Mukherjee, Secretary of the Ministry, is an ample proof of this stand. I commend the attitude of the Secretary that he was able to bring to light the fact that was distorted, the situation that was manipulated, the fraud that was committed; and the action of the Minister was, as said by him, not only illegal but improper and irregular. Mr. Jagmohan's case is the case of a public servant who acts in the service of the mother land for the cause of the people. Nowhere all the judges did agree to ascribing any *malafide* intention to Mr. Jagmohan. I will stand corrected if Prof. Madhu Dandavate can tell me that three judges have given unanimous judgement. No. There are three different judgements, and to one extent, Justice Mishra also says, no violation of fundamental rights. Mr. Mishra says that right to a piece of land of constructing a building flows not only from Article 19 but from the terms of the contract.

PROF. MADHU DANDAVATE : Different judges attacked Jagmohan from different angles. It is really a three dimensional perspective.

PROF. NARAIN CHAND PARASHAR : It is all right. But your point that he acted *malofide* and therefore he should be removed from office is not borne out by the judgement in consonance. It is not a general uniformity. It may be of one judge, but I am quoting different views expressed in which even the fundamental rights are not supposed to have been violated. This is a majority judgement. This is a majority judgement and therefore we have to go by it. Similarly, there are various other points into which we need not go. In all fairness, it is a very harsh comment on Senior Advocate Mr. Bhandari and also the then A.G. Mr. Sinha. In all fairness, they should have been given an opportunity to explain. Is it not the course of natural justice that the people against whom you want to pass strictures and give judgement should be allowed to have their say? In this case the whole matter was done in great haste, as, if you read the story you will see: How in the Review Petition the papers of the

[Prof. Narain Chand Parashar]

Union Government were refused to be accepted. They were allowed to be accepted only on the day of the hearing, in violation of the limitation period. The limitation period of thirty days was not allowed. It is a very sad story. There is a provision that if there is a petition in the Court the next day, in the previous evening the papers can be accepted at the house of the Registrar. But here they were not accepted. Even in this morning on the day of hearing at 10 o'clock they were not accepted. The limitation period of thirty days was not given. They were taken up only at about 1 P.M. and the review petition of the Union of India was disposed of within a couple of hours. So, therefore, in all fairness there is a case. They should have been given a chance. Our learned counsels should have been given an opportunity especially when they had sent letters. Yes, they had sent letters. They have not committed any mistake. Why punish them? Why should they pass strictures against them? In all fairness not only the learned counsel should have been given an opportunity, but the role of the then Lieutenant Governor, Shri Jagmohan should have been commended. I feel that Shri Jagmohan's action has resulted in a net gain to the exchequer of Rs. 3.3 crores and I would quote from Mr. Justice Venkataramiah. Even he had said that the Municipal Corporation of Delhi is within its powers to start case afresh. This is a lacuna that has been detected and the Judge has expressed it. It is open to the Delhi Municipal Corporation to reopen the case. I quote from the Judgement, of Mr. Justice Venkataramiah. It is open to the Delhi Municipal Corporation to examine the matter afresh independently and to take such action that may be open to it in accordance with the law.

So, the learned Judge allowed the Municipal Corporation of Delhi to act afresh in accordance with the law and take action. What does that mean? That the law has been violated. Violated by whom? Violated by the Express people; by Mr. Goenka and not by Mr. Jagmohan. In all fairness, I request the Government to take cognizance of the solid and positive role and commendable role played by Mr. Jagmohan in the service of the nation in

bringing to law the case of certain irregularities. Therefore, I oppose this motion tooth and nail and it has to be thrown out forthwith.

SHRI D. N. REDDY (Cuddapah) : Mr. Speaker, Sir, the main issue is, in view of the serious strictures passed by the Supreme Court, whether Shri Jagmohan, the former Lt. Governor of Delhi should be allowed to stay in service or not. We are not concerned whether Shri Sikander Bhakt Dr Mr. Goenka was right or wrong. It is absolutely another issue and irrelevant to discuss about their behaviour in this motion.

Never before has the Supreme Court come down so heavily upon a constitutional functionary as it has on Shri Jagmohan the then Lt. Governor of Delhi in the petition filed by him for a review of the judgement in the Express building case. The strictures passed were second in succession, the first having been made in the original judgment in the Express case when the Court held that he took undue interest in the matter, apart from acting very swiftly to proceed against them for violation of building laws.

In this connection, I may quote a Supreme Court judgment of 1956 :

"Whenever a building does not interfere with the public interest it should not be demolished as it involves a national waste, more so, if there is an alternative by imposition of compounding fee."

In this case, the Court held that there was absolutely no interference with public interest and so his action was politically motivated, *mala fide* and intended to silence the voice of the Press.

In both the issue Mr. Jagmohan was indicted for acting illegally and unconstitutionally and rank abuse of power. A person occupying the high office of Lt. Governor has to adhere to certain norms of justice and fairplay. The Supreme Court judgement clearly show that Mr. Jagmohan clearly violated these norms.

About the revision petition the Supreme Court says :

"The petition was based on totally false allegations and was an attempt to subvert the course of justice. It is lamentably lacking in candour and want of probity in making factually incorrect statements, and thereby casting aspersions on the court."

The serious strictures passed by the Supreme Court cause serious doubts about his fitness to hold such a high office. The constitutional propriety indicates he should immediately resign. As he has not done so, he should be removed from that high office immediately.

Talking of norms, while the Centre has taken the unbending position of foisting Governors on the States without the courtesy of consulting them, there is a room for improvement in this regard.

Lastly, I congratulate the Treasury benches when they applauded when one of the speakers said that Mr. Jagmohan had done service to the country. When Mr. Ram Lal's action was debated in this House, they applauded his action and ultimately Mr. Ram Lal went out. Now also the Treasury benches are applauding the action of Mr. Jagmohan and he is sure to go.

There is no point in bringing in irrelevant issues. We cannot discuss the Supreme Court judgment in the House. The main issue is that in view of the judgment whether Mr. Jagmohan has committed any impropriety. And the judgment clearly says that he has acted in a *malafide* politically motivated way to silence the voice of the press, the most cherished right of our people. So, he should not be allowed to hold such a high office.

Lastly, "Mr. Clean" has promised to provide a clean Government. He cannot afford to be surrounded by dirty people. So, "Mr. Clean" should take a decision in this matter.

[Translation]

SHRI RAM PYARE PANIKA (Robertganj) : Mr. Speaker, Sir, I would like to submit in the beginning that such judgement has never been delivered in the history of India as this one on which we are

having discussion now. The coming generation will see that the Supreme Court of our country while delivering judgements did not keep in view the fundamental principles and basic values.

Sir, I do not want to repeat what my colleagues have already stated...*(Interruptions)*

[English]

SHRI SAIFUDDIN CHOWDHARY (Katwa) : Can that can be said, Sir ? He is saying that they have forgotten all the basic things, fundamental things.

SHRI RAM PYARE PANIKA : I am not quoting any particular judge, Sir. How can I do that ? I am aware of that.

SHRI V. KISHORE CHANDRA S. DEO (Parvathipuram) : He cannot discuss the conduct of a Judge, Sir.

[Translation]

SHRI RAM PYARE PANIKA : Sir, I am saying this because if you go through the judgement from the beginning to the end you will find that the problems which exist in reality were overlooked and simply some suggestions were given. This judgement was also not delivered in time. What are the reasons for that ? This was not delivered for six years even when the council of lawyers had conceded it. What have they done ? Some legal facts were neglected. There is no mention of the opinions of the Secretaries of the Government of India as well as the statutory notifications in the judgement.

Sir, by going through the judgement of the Supreme Court it seems that one-sided judgement has been delivered. What are the reasons ? I would like to say that in 1971, my party, the Congress Government was criticised severely. There was no need of that. It seems that the questions pertaining to the interest of the country and of the city like Delhi where population is increasing, maintenance of law and order as well as facility of transport here have been overlooked in the judgement. These things have not been taken into consideration while delivering the judgement. By going through the judgement one finds vested interest in it,

[Shri Ram Pyare Panika]

because fundamental things have not been taken into consideration in it. We should take these things seriously which we are discussing in relation to the judgement. The Members belonging to the Janata Party may recall that when the Parliament Session was going to commence, ten parties assembled to discuss the matters to be raised. They had nothing against the Government because of the good and timely deeds of the Government. They got only this judgement. They never tried to know in what circumstances this judgement was delivered. Had this been taken into consideration, I am sure the members of C.P.M. or the socialists would not have raised such matters. I am pained that persons like Madhu Dandavate are supporting those people who are charged with violating the civic rules under the corporation or municipal laws regarding construction of houses. Shri Madhu Dandavate has not mentioned about the conversion charges amounting to Rs. 3 crore 30 lakhs. I as well as the whole country knows what relations you and others have with Goenka. But we want to work impartially. With that impartiality, Shri Jagmohan had followed the rules in a proper and prompt way. These people are levelling charges on his efficiency. This is due to his efficiency that he saw that the Janata Government was destroying the beauty of Delhi only to further their interests. If he had taken decision on Sunday and called for the file with the motive of beautification of Delhi and solving the commercial problems then what wrong had he done? When the mind goes astray then the good work done by others is not appreciated. So, I would like to say to Shri Madhu Dandavate that he should cast an eye on the good things which Shri Jagmohan had done.

17.48 hrs.

[MR. DEPUTY SPEAKER *in the Chair*]

Mr. Deputy Speaker, Sir, here the resignation of Shri Jagmohan has been demanded which is absolutely unjustified. It is illegal also. There is no cause for it. On the other hand, this House should appreciate the good work done by Shri Jagmohan for Delhi. He had given notice to those people who tried to make quick

money. Not only this, Sir, Dandavateji was saying just now that land was allotted for the press. If it was allotted for the press how can permission be given to earn Rs. 1 crore per month as rent? Shri Jagmohan had done a very good thing in this respect.

Sir, you can see that *ex-parte* judgement had been given on the writ petition and the subsequent review petition without hearing Shri Jagmohan and even his lawyers. This is against natural justice. I do not want to talk about the judges but according to the natural justice how far is it justifiable to give judgement without hearing the appellant? Shri Madhu Dandavate will also agree to this that while giving judgement even the principles of natural justice have not been kept in mind. Rousseau had said that if you want to see the performance of the administration of any country, then look at the working of the judiciary of that country. If it is working well then the administration of the country is functioning well. Will such type of judgements be delivered in the country? They talk of conventions but what is the need of ignoring conventions? So, we shall have to consider it seriously as to what type of judgements the court will have to deliver in future. I do not want to say anything about the character of the judge. We should oppose all those elements who are creating danger for Delhi and are trying to create law and order problem in the process of beautification of Delhi. There should be an independent judiciary but there should not be any judicial despotism. The need of the hour is that the House should consider it seriously. When Shri Madhu Dandavate was speaking, it seemed as if he was settling old scores with Shri Sikander Bakht. I would like to give an example. An application on behalf of the National Herald for a canteen was submitted which was sanctioned in 1976. But as soon as Shri Sikander Bakht became Minister, he remarked that permission could not be given for the 15 ft. canteen. But he allotted four times *i.e.* 63 ft land to Goenka. In this way, the interests of the country were overlooked. Shri Madhu Dandavate is a veteran socialist. At least he should give proof of his being a socialist. The young parliamentarians should be given correct picture of the facts. You are supporting the person who has neglected the interests of Delhi. Prof. Saifuddin

Chowdhary of C.P.M. was speaking just now. He should know that when the C.P.M. people will come to know that he is pleading the case of Goenka he would be expelled from the party... (*Interruptions*). When you go back to your constituency, the people will ask what you have done. Why should we ask our Prime Minister to instruct Shri Jagmohan to tender his resignation. The House should instead pass a Resolution to the effect that such Officers are needed today in appreciation of the work done by them. Had he wanted he would have earned kodos. But he did not do this. He realised his responsibility. We should not fall into the trap of cheap popularity but take the right decision. By allotting 60 ft land to Goenka, they earned crores of rupees. I would tell in your words that the reservation of the land made for this purpose was nor valid any more because of the construction of commercial building on it as Sikander Bakht had given its permission... (*Interruptions*). What I demand is...

PROF. MADHU DANDAVATE (Rajapur) : I made the canteen employees permanent...

SHRI RAM PYARE PANIKA : But you see what they have done. The Law Minister is present here. My demand is that you should get the whole scandal investigated impartially. This case must be referred to C.B.I. They should find out why the Janata Government did not take action to realize Rs. 3 crore 30 lakhs. As for Shri Jagmohan he deserves our congratulations. This should also be looked into as to who the canteen attracted Shri Sikander Bakht's attention, when on the other hand the poor were not getting cement for construction of their houses. Under what circumstances the Janata Government did not make available the levy cement to these poor people whereas thousands of bags of cement were supplied to Shri Goenka. All these things should be looked into. When the architect applied for cement why the quantum of cement applied for was not examined. Could anybody agree that thousands of bags of cement were required for the construction of a single basement ?

Besides this, there is need to go into the conduct of all those people who want to benefit the capitalists and then take undue

advantages from them. It has been the policy of Goenka clique to criticise the Government because they know that the opposition parties will support them. This is not a new policy. Everyone has some way out. The need of the hour is that Parliament should decide as to what action should be taken against these Profit-mongering people about whom the newspapers have revealed many things. Sir, you might have seen the report appearing in the "Hindustan Times" as to how they have criticised these people. The sentiments of the people of India cannot be suppressed for a long time. It is correct that any Judge of the Supreme Court of India can hold any view but it cannot be said to be the view of the majority. The verdict can never be final. It is subject to appeal. If a person loses his case in one court, he can win it in another court. There are a number of such examples. So, the verdict of the Supreme Court cannot be regarded as final because it is not the verdict of the majority.

With these words, I vehemently oppose the motion brought by Prof. Madhu Dandavate in this House. I would like that taking into consideration the work done by Shri Jagmohan, on account of which the Government of India have appointed him to such an important office, a motion of thanks highlighting the good work done by him should be passed and we should lend our support to it.

[*English*]

SHRIMATI GEETA MUKHERJEE (Paskura) : I support the substantive motion brought by hon. Member, Prof. Madhu Dandavate. I am on an advantage. Nobody will call me a partisan of either Sikandar Bakht or Goenka and I cannot also be a partisan of the Birlas as have stated in the House times without number. With that background may I point out...

PROF. MADHU DANDAVATE : She is a model lady.

SHRIMATI GEETA MUKHERJEE : No, I am not a model, but it is a hard fact. I have a given situation.

Sir, I shall try to be very brief. But before I come to that point, I must express my great amuzerment at the indignation

[Shrimati Geeta Mukherjee]

expressed by my hon. colleague, Panika Sabeed about these people who go in for encroachment etc. and when he says it is their national duty to tackle it. But to my utter disappointment I must say that while in this House I discharged that national duty by several times pointing out that a hotel which is being built just opposite our Parliamentary Office has resulted in making the whole pavement actually out of bounds. That has not been taken to be a case of obstruction. Now it has not proceeded against also.

PROF. MADHU DANDAVATE : Are you referring to Meridian.

SHRIMATI GEETA MUKHERJEE : Yes, Sir. At that time no indignation was voiced in this House which was expected of them. Had I seen that at that time I would have appreciated all his indignation. But let me tell you in the beginning itself, I do not want to go into the case of Goenka nor in the case of Sikandar Bakht's conduct, because that is not relevant. I am all for taking legal stops against all encroachers, particularly when they are made by the rich.

16.00 hrs.

[MR. SPEAKER *in the Chair*]

But naturally, in doing that you must act legally. That is the important point.

About uniformity I need not again go into that question, as I have stated already. As far as legality is concerned, it is true that several Judges have given Judgements on several counts. But the question is, there are certain comments which are of the entire Bench, not of particular Judges. I rely about my judgement on those comments which were made by the Full Bench. Here the question of propriety arises. My hon. colleague, Saifuddin Sahib, has already made a reference, but I have to make that reference again to another paragraph, which is a part of the Judgement where all were agreed. It says :

"The filing of this review application on totally false allegations is a crude attempt to subvert the course of justice."

The question is, if that case was a case which was open and shut, it should have been done in a way which is open and shut. Why go in unnecessarily for false allegations? And does it behove of a person who is in a high constitutional authority in the country to act in this manner? That is the question. Again, the other part of the Judgement, which is also the three-person Judgement, says :

"His conduct in casting serious aspersions on the court by suggesting that the delay in the pronouncement of the Judgement was responsible for certain facts and submissions made on behalf of the respondent escaping the attention of the Lordships virtually amounts to gross contempt of court."

The question arises as to why a person who has been in such an authority should go in for such comments where it is obviously contempt of court. This is the question that has arisen, where I fully support Dandavateji that a person with this stricture on him should not adorn the post of the Governor of a State. That is not proper. If you are so concerned about this particular case of Goenka and this and that at that time, institute an open and shut case, bring all your facts and make a case which will definitely be supported and upheld by the court. If that is what they did, it would have been very good. I shall be the happiest if that is done. But this is not the way of doing this. And if this kind of a measure is taken recourse to in future, it has a very serious implication. Therefore, Sir, on these grounds I fully support the motion and I think that this gentleman should be removed from that high post.

(Interruptions)

MR. SPEAKER : I will take the indulgence of the House now at this juncture to extend the time on the House for—how much?

PROF. MADHU DANDAVATE : Till Jagmohan goes, Sir!

SOME HON. MEMBER : Half-an-hour.

(Interruptions)

MR. SPEAKER : Yes, till this House decides.

AN HON. MEMBER : We can extend for one-and-a half hours.

MR. SPEAKER : We shall see. Now, Shri Kishore Chandra Deo my speak.

SHRI V. KISHORE CHANDRA S. DEO (Parvathipuram) : Mr. Speaker, Sir, as I rise to support the Substantive motion that has been raised by Prof. Madhu Dandavetes, I must first mention that today they are discussing the conduct of a Governor when the credibility of a politician itself is at stake.

Sir, these strictures which have been passed by the Supreme Court and the behaviour of the former Lt. Governor would only go to show that this cancerous crisis of credibility is also creeping into such high institutions as those of Governorships.

Sir, the Supreme Court in its Judgment while passing strictures against the former Lt. Governor has made certain remarks. It is unfortunate that this discussion has turned into a kind of slugging match between pro-Goenka and anti-Goenka voices which were heard from either side.

Sir, it is a matter of regret that this discussion has taken this kind of turn. This would only eventually result in a kind of digressing or diversifying the attention from this issue. The question of Goenka or *Indian Express* or Sikander Bakht does not come at all as far as I am concerned. Sir, several Member who have spoken on the other side made a concerted effort on just castigating remarks on Mr. Sikander Bakht who is the then Minister of Works and Housing. I am not here to defend either Mr. Goenka or Sikander Bakht. Mr. Sikander Bakht might have been wrong. As one of my hon. friends rightly said, he has been defeated by the people's court in the elections. If you still think that Sikander Bakht was wrong, and for what he did he must be punished, you have all the powers with you. Why don't you hold an enquiry and punish him, send him to jail or gallows. But if you do not have the courage to do that, don't shout in the House and make allegations against him. You are not able to

do anything against him despite all the powers that are with you.

AN HON. MEMBER : You want us to do what Janata people were doing ?

SHRI V. KISHORE CHANDRA S. DEO : Because the Janata people did it, they had to go. If you do it, you will also have to go. It is easy to talk. But you will have to face the situation yourself one day.

PROF. MADHU DANDAVATE : Sir, since I have been elected, whatever I have said should be taken as correct !

SHRI V. KISHORE CHANDRA S. DEO : I am only referring to the mention made about Mr. Sikander Bakht. Presumably, even what the hon. Member said against Mr. Sikander Bakht happens to be true, if you have materials to prove that what he did was wrong, then you punish him. Why have you not done so ?

MR. SPEAKER : You will lose only your time. You are diverting.

SHRI V. KISHORE CHANDRA S. DEO : I charge this Government that they have not taken action against a man who has gone so much against the interests of the people or public of Delhi.

SHRI VASANT SATHE : Just now you said, we should not take such action.

SHRI V. KISHORE CHANDRA S. DEO : I have said that, if you have courage, take action.

SHRI VASANT SATHE : Your are contradicting, Mr. Kishore.

SHRI V. KISHORE CHANDRA S. DEO : I am sorry, if you do not understand me. The Janata Government has appointed several commissions but no action has been taken. I am saying, if you have the courage, take action. If you just have enquiries and commissions, you will also meet the same fate as Janata met. But you are also scared to take action. So, don't indulge in this kind of jugglery of words, here. If you have the courage, you prove that Mr. Sikander Bakht was wrong and then take action against him. Don't just

[Shri V. Kishore Chandra S. Deo]

come and speak at the top of your voice, without taking action.

[Translation]

SHRI RAM NAGINA MISHRA (Salempur) : This is decided by the people. The people have given their verdict; he was wrong.

[English]

SHRI V. KISHORE CHANDRA S. DEO : Mr. Speaker, it is wrong to make all the allegation against him. Mr. Goenka happens to be the owner of the *Indian Express*, this case was against him. But why did Birla became a Member of Parliament. Who made him ? These people have gone abroad with the courtesy of somebody who was arrested for spying. The Government is selling the country to Italy through M/s. Snam Progetti. (Interruptions) And you are talking of Goenkas.

MR. SPEAKER : Why don't you address me ?

SHRI V. KISHORE CHANDRA S. DEO : When I get the relevant documents, I would just come and expose all these things before Parliament.

MR. SPEAKER : You address the chair.

PROF. MADHU DANDAVATE : Look at the Speaker. He has the better personality.

[Translation]

SHRI RAM NAGINA MISHRA : I would like to know who is that smuggler on your side ?

[English]

MR. SPEAKER : Will you please take your seat ?

[Translation]

SHRI RAM NAGINA MISHRA : He is connected with a top smuggler of Bihar.

[English]

SHRI V. KISHORE CHANDRA S. DEO : Let me see how many seats you win in Bihar now. Why do you talk through your hat ?

It is not only Justice Sen who has made certain observations. But Justice Venkatarajah also said : I quote :

"I agree that Shri Jagmohan, the then Lt. Governor of Delhi, the second respondent herein, has taken undue interest in getting the impugned notices issued to the 1st petitioner and his action which has come up for consideration in the case is not consistent with the normal standards of administration."

Mr. Sikander Bakht might be wrong. But what I am saying is, the Lt. Governor of Delhi was also wrong and what he did was worse because he assumed certain powers upto himself that he did not possess. He misused his powers. He used the powers which he did not possess. So, you cannot cancel one with the other. If what Mr. Sikander Bakht did was wrong, then what Mr. Jagmohan did was worse. Sir, on the top of all that, after the strictures were passed, a review petition was filed by two advocates. While dismissing the review petition, while rejecting it, the Supreme Court also observed :

"The allegations contained in the aforesaid two letters are wholly inaccurate and totally false. Such attempts to question the sanctity of the court proceeding, unless ruthlessly curbed, will have the tendentious effect of making fearless dispensation of justice by the court of India almost impossible."

When the Supreme Court made unani- mously such observations while rejecting the review petition which was made by Mr. Jagmohan, it is obvious that there was no necessity for them to give them to give them a chance for hearing. How ridiculous the review petition would have been is obvious from the observations made by the Supreme Court itself.

Certain people may assign to themselves the status that they are eminent jurists, they



may assign to themselves the designation of having been the judges. I am no legal expert. What I am trying to say is this. It is not a question of Mr. Jagmohan being removed from office or not. This also brings into question the norms and standards which the Government follows while appointing Governors. On what basis do they appoint Governors? Unless the Government takes into consideration certain norms, standards, conventions and practices before they appoint Governors, this institution will be completely ruined. To restore the credibility that has been lost, the present Governor of Jammu and Kashmir should be dismissed forthwith.

**SHRI SHARAD DIGHE** (Bombay North Central) : Mr. Speaker, Sir, I rise to oppose the motion moved by Prof. Madhu Dandavate. The motion is politically motivated, though Prof. Madhu Dandavate justifies the motion on establishment of high traditions regarding Governors, Ministers and Chief Ministers who have to go after certain allegations have been made against them. The real crux of his motion is to justify and protect the acts committed by the Janata Government Minister who was responsible for giving all these concessions to the owners of the Indian Express. Instead of justifying directly the concessions regarding construction and the condonation of the recovery of conversion fees of nearly Rs. 3 crores, he wants to move this motion for the removal of the person who tried to take action and rectify those mistakes which were committed by the then Janata Minister.

[*Translation*]

**MR. SPEAKER** : This is but natural. If he does not do it, then who else will do so.

[*English*]

**PROF. MADHU DANDAVATE** : His observations from the Chair are better, Sir.

**SHRI SHARAD DIGHE** : The main motion is based mainly upon the strictures passed by the Supreme Court. According to me, Prof. Madhu Dandavate has mainly relied upon the strictures in the main judgement and not in the judgement arising out

of the review petition. As far as the main judgement is concerned, my first submission is that we must take into account this fact that the whole judgement is based on some concessions made by the counsel appearing in the case...

**SHRI VASANT SATHE** : Allegedly.

**SHRI SHARAD DIGHE** : And it is a settled law that, when a judgement is based on concessions made by the counsel appearing in the case, it does not lay down any law. So, as far as law is concerned, such judgements are not looked upon at all; they do not lay down any principle, they do not lay down any law.

As far as the facts are concerned, the facts are also derived from the concessions made by the counsel appearing in the case. Therefore, according to me, there are no serious findings given by the court themselves looking to the record because they are mainly based upon the concessions made by the counsel appearing therein.

Now, what has happened to the concessions? Those concessions have been subsequently denied by the very counsels who appeared therein. The counsels were of great repute. They were not counsels who casually appear before the Supreme Court. They were the senior counsels of the Supreme Court, who constantly appear before these judges and, therefore, when they write letters in writing that they had not made these concessions, some value will have to be attached to the words of these respectable people. Therefore, the bottom of the whole judgement is knocked out when the judgement was based upon certain concessions which had been subsequently denied in writing by the counsels who appeared before the judges.

Therefore, my submission is, really speaking, this judgement has not decided anything. It has made strictures, but those strictures are based upon certain concessions. What are those strictures? Strictures in the main judgement are also not made by all the judges. The strictures are made by only one judge, Justice Sen. Other judges are silent upon this. Why if out of the three judges...

PROF. MADHU DANDAVATE : That is the "Sen" among them. I will give the spelling Sir. It is "SEN".

(Interruptions)

SHRI VASANT SATHE : That will go wrong because it will not be spelt Mr. Madhu Dandavate. Sir, it will really be an aspersion on the other judges. You might do it in the light vein.

(Interruptions)

PROF. MADHU DANDAVATE : I have corrected it Sir.

(Interruptions)

PROF. SAIFUDDIN SOZ : Enjoy his humor.

(Interruptions)

SHRI SHARAD DIGHE : As I was saying, the strictures are made by one of the judges, others are silent on them. On the contrary, if I have read this judgement correctly, the other judges have kept the whole issue open and they have held that Government can proceed in this matter. If Mr. Jagmohan has no right, the Government has right. So, the Government can still proceed in this matter and, therefore, that matter has been kept open. That is a very pertinent part of the judgement. Therefore, much cannot be made of the strictures passed by Justice Sen in the main judgement.

As far as the strictures in the review judgement are concerned, my submission is that the whole thing is based upon the concessions made by the counsels. Whether those concessions were made or not? Now in the review cases letters were produced. Letters of the counsels were produced. The Supreme Court judges got annoyed saying that these are not the correct modalities. They should have come themselves. The counsel should have filed affidavit before them and they should have denied. So, it is a question of modalities only. In what manner they should have denied the concessions, is a question of modalities.

The Supreme Court has taken a very technical and very legal view about the matter that the concessions cannot be denied by mere letters and those letters are also handed over to Mr. Jagmohan who was not

their client. These technical things are taken into consideration and then the Supreme Court, in the review judgement has said that the petition is based upon these letters which say that concessions were not given. So, this is not the proper thing. This is not according to law and, therefore, some strictures have been passed in that review judgement.

My submission is that when a judgement is passed only on concessions and those concessions whether they were made or not is in doubt has been successfully raised by the Counsel themselves, by denying them in writing. Therefore, the whole judgement from one point of view is baseless, according to me and, therefore, cannot be seriously relied upon for removal of a Governor.

The removal of a Governor cannot be treated lightly. The motion for removal of a Governor cannot be taken lightly. You take some strictures from the judgement which is based on concessions and those concessions have been denied and everything is in doubt and it is in this background that the fact that the judgement was given after two years is material, because, I do not allege anything against the Supreme Court Judges but they are human beings. When a judgement is given two years after the hearing, it is likely that the Judges may forget something, they may make mistake about facts, they may make mistakes about these things.. (Interruptions.) There may be notes—I do not deny that. But even merely relying upon notes and some memory, if judgements are given, it is quite likely and as I say, it is quite probable that some error must have crept in, or there is some error on the part of the Judges or some error on the part of the Counsels....

SHRI VASANT SATHE : To err is human.

SHRI SHARAD DIGHE : Therefore, all these errors...

PROF. MADHU DANDAVATE : But nothing on the part of Shri Jagmohan ?

SHRI SHARAD DIGHE : Therefore, if the judgement is based on these facts which are in doubt and there may be an error, there may be a probability of the other side also, then to demand action against

the Governor on the basis of the judgement, I think, is not all adviseable and it is not at all proper. Therefore, according to me, this motion is based upon a judgement which, really speaking, is not a judgement at all....

**PROF. MADHU DANDAVATE :** It is an error of judgement, according to him.

**SHRI SHARAD DIGHE :** Now, in that case, the real question is : apart from the strictures how was the Lt. Governor involved ? The court merely lays down or decides that he has used power which he did not possess. There is no allegation of any of moral turpitude. There is no act of moral turpitude on his part. A person in authority may sometimes use a power which he believes; he has got, but ultimately court may find that he has got no such power. That does not mean any *mala fide* on the part of the person who uses that power.

Therefore, my submission is that the whole thing is in doubt and ultimately the courts have also advised that it is open for the Government to take action in all these matters.

Finally, I may also point out that it will be a great doubtful point constitutionally whether the act of a Lt. Governor can be now looked into for his removal when he is no longer Lt. Governor of Delhi. He is now Governor of Jammu and Kashmir and, therefore, the question arises whether it is constitutionally correct to pass any motion for the removal of a Governor who is no longer in that post at all and from that point of view also this motion is not proper.

With these words, I strongly oppose this motion.

**PROF. SAIFUDDIN SOZ (Baramulla) :** I am in a dilemma because Mr. Jagmohan has held two positions over a period of time...

**MR. SPEAKER :** You are to be concerned only with this.

**PROF. MADHU DANDAVATE :** But Mr. Jagmohan happens to be with them.

**AN HON. MEMBER :** That makes the other position more vulnerable.

**MR. SPEAKER :** No digression.

**PROF. SAIFUDDIN SOZ :** When I think of 2nd July 1984 I feel he should not have dismissed a duly and constitutionally elected Government.

*(Interruptions)*

I am coming to Lt. Governor.

**PROF. MADHU DANDAVATE :** If he was dismissed earlier he would not have become the Governor there.

**PROF. SAIFUDDIN SOZ :** I was talking about the Governor at some point of time and I must confess we cherish a grievance against Mr. Jagmohan so far as his action of 2nd July is concerned. As for Lt. Governor Mr. Jagmohan, I had to study these two judgements. I felt a prick of my conscience and, therefore, I responded. I have come to the conclusion that the Supreme Court has refused to delve deeper and sift and sort out facts and come to a right conclusion.

**PROF. MADHU DANDAVATE :** On grounds of Kashmir, you can dismiss him.

**PROF. SAIFUDDIN SOZ :** That cannot be done retrospectively. Sir, since this judgement was delivered on 7th October many things have appeared in the Press and I feel now that there are two judgements—one that was delivered on 7th October and latter that was delivered in respect of a review petition. I feel there are so many issues that require a careful and very close scrutiny. Therefore, I am in full agreement with Mr. Faleiro who has suggested to this august House that hon. Speaker may institute a parliamentary committee to go into the various issues that have arisen out of these judgements.

**PROF. MADHU DANDAVATE :** Including Mr. Jagmohan.

**PROF. SAIFUDDIN SOZ :** His conduct as Lt. Governor, certainly yes. The court has missed many vital points and since I have studied these two judgements, I do not know, how hon. judges missed these points. Some of my colleagues have brought to our notice these points and I will only refer to two or three of them.

[Prof. Saifuddin Soz]

The then Works Minister had granted a permission that was not legal at all and over and above that when they constructed the building the Express people would not allow any parking place, nor did they think of paying conversion charges to the Government. It was Mr. Panika who suggested that it was Mr. Jagmohan who responded to the situation and if Rs. 3.3 crores came to the Treasury the credit must go to Mr. Jagmohan. Why has the court refused to consider these facts? The conversion charges were not paid. The parking lot was not there. The permission was wrong and the building was constructed under the cover of stay orders. How could this be regularised retrospectively? Then anybody can construct a building under the cover of stay orders from the court.

Now, while the court begged down to the issue whether the Lt. Governor had power to deal with nazul land, it did not care about the DDA rules. It was concerned, as I see only, with no fact whether Mr. Jagmohan had the authority or not and it did not care whether Delhi had a Master Plan or there were municipal laws which were violated and the area where this building was coming up whether its construction was in public interest or not.

Sir, so far as notification giving authority to the Governor is concerned that notification was also ignored by the court. There is a notification which I have seen and it is for the august House to consider. Under notification No. 40 issued on 7th September, 1966 the Lt. Governor had been Lt. Governor had been having powers to deal with the matters/items of work pertaining to the land and building department and the Lt. Governor had jurisdiction in regard to leases of Nazul lands.

Now, the judges appear to be very eager to express their wrath against Mr. Jagmohan and in their eagerness to fire Mr. Jagmohan, they exhibit their culture of double standard and do not say a word about the advocates. There is not a word against Mr. L. M. Singhvi or Mr. Bhandare or Mr. Sinha. After all why this double standard and people are sore on this issue. This has raised suspicion in public mind and

people feel sore that judicial readiness to castigate litigants and reluctance to punish lawyers through whom litigants speak has been evident in the highest court of the land. I cannot understand this double standard. Prof. Madhu Dandavate, please take me into confidence and understand this situation.

Now, judges are also sore over one more thing. They feel—particularly about the Statement—why Mr. Jagmohan had made the statement and as I know Mr. Jagmohan did make a statement that I referred to the delay that was caused in the judgement. Their Lordships were annoyed even on polite submission that the hearing in the case was completed on 22nd September 1983 and they had taken two years to deliver the judgement on 7th October 1985. Why this delay and why this annoyance at the humblest reminder that their lordships may go into the merits of the case. This is nothing more than judicial despotism.

[Translation]

Sir, here I recall a couplet which Shri Jagmohan should recite.

[English]

He reminded the judges in his statement which I carefully studied. It is with me. He said that may be over a period of time, which was a long period, the hon'ble judges may not have remembered the arguments and submissions of the advocates. He (Mr. Jagmohan) humbly submitted that the judges may kindly go into the merits of the case and the judges refused to go into the merits of the case and then they think it, the humble reminder constituted contempt of the court.

[Translation]

MR. SPEAKER : What is that couplet ?

PROF. SAIFUDDIN SOZ :

*Had chahiye sazaa mein akweeyat ke waste*

*Aakhir gunahgaar hoon kaafir nahin hoon main.*

[English]

Now, you see because they were reminded that had delayed the judgement, their lordships got annoyed and they think it was contempt of court. If talking of delayed judgements is contempt of court, then of all us—because we feel that the judges delay their judgements—must be in jail, not to speak of in Parliament but the people who are outside the Parliament. I have tried to understand the spirit of the judgement. But these are my conclusions and this is very unfortunate that I have come to this conclusion that their Lordships refused to delve deeper and go into the merit of the case. Now, this raises the question of accountability of the court.

[Translation]

Has a Judge the freedom to insult anybody ?

[English]

Sir, I have said it in this august House earlier that the credit goes to Pandit Jawaharlal Nehru who did not allow this august body to decide as to whether the Supreme Court was supreme or the Parliament. Parliament is the law making body and therefore supreme. But Pt. Jawaharlal Nehru would not allow a discussion to lead to the decision whether the Parliament or the judiciary is supreme. That was not done because he wanted this country to grow to eminence with an independent and responsible Judiciary. But he knew that Parliament was supreme. But in these two judgements and in an earlier judgement I know many of you will differ with me, that is, the Shahbano case, (I do not support any kind of obscurantism. It may be the Muslim obscurantism or the Hindu obscurantism). I did not feel happy as there are not should judgements. I tell you that judges should be accountable to somebody or not. This question will be decided some day. They can say that 'X' or 'Y' or 'Z' has committed contempt of court and they can go on passing strictures, but some time, some day, somebody, some institution must ask the judges whether they are correct in respect of the particular issue or not.

I referred to the Shah Bano case just now. When I read that judgement, from the very first three lines, I could come to the conclusion that the judges have assumed the role of social reformers. Why? They could say that she (Shah Bano) deserved maintenance. All right. Maulana Yusuf Ali said that. There are two opinions on that subject and Shri Arif Mohammad Khan quoted from Quran itself as translated by Maulana Yusuf Ali, that maintenance could be granted till a particular woman re-married. There is a difference of opinion; they could quote that, but they talked of national integration. They are not political leaders; they (Judges) have to interpret the law and they cannot take that kind of interest and teach us how we can bring about social reforms and national integration. That is a different subject; that is for us. We are the peoples' leaders. I differed on that account in so far as Judgement in Shah Bano case is concerned.

Finally, they must be accountable to somebody. Not that we do not have respect for judiciary. I want the judiciary to be independent; I want the executive to be strong but honest and I want the Parliament to be alert and conscious of its duties and responsibilities. If we do that, India can become a strong and a great country.

Now, I come to my final assessment. you will kindly see, and I seek your indulgence, Mr. Speaker, Sir, that in this judgement there is a portion to which I want your pointed attention and see what judges have incorporated in that judgement. They have a lot of sympathy for Shri Goenka. I will not read the whole paragraph, but only a few sentences :

“For over a decade, Congress Government have had an enmity against the petitioners (Shri Ram Nath Goenka and Express Newspapers) and have tried in many ways to finish them off.”

Then later on :

“The enmity of the Congress Government towards the petitioners (Ram Nath Goenka and Express Newspapers) intensified after the Gujarat and Bihar Movements gathered strength.

[Prof. Saifuddin Soz]

Because of the close association of petitioner No. 3 (Ram Nath Goenka) with the late Shri Jayaprakash Narayan, efforts were made to secure his cooperation to persuade the late Shri Jayaprakash Narayan to withdraw from the Bihar Movement. His refusal to intercede on behalf of the Government led to further inquiries by which both he and the Express Group of Companies were sought to be pressurised and persecuted.

The White Paper on the Misuse of Mass Media during the internal emergency issued by the Government of India in August, 1977 brings out certain facts. After the proclamation of emergency by the President on June 25, 1975 various facts of repression were perpetrated against the Express Group of Companies subverting lawful processes, well-established conventions and administrative procedures and practices and by abuse of authority and misuse of power."

From these paragraphs, I feel that Jagmohan is caught in cross fire between some judges in the Supreme Court and the Congress Party. But what I want to stress from these paragraph is that they have enormous sympathy with Shri Goenka. For a moment, I agree that he was a crusader. So far as Jayaprakash Narayan is concerned, I have got greatest respect for him. He was the greatest patriot of his time. So far as emergency is concerned; yes, Goenka was a crusader. They could devise a method whereby they could give him a gold medal. And we could also have a gold medal for us in J and K, because Janab Sheikh Mohammad Abdullah never allowed emergency there. We had an honest and disciplined Government and Sheikh Sahib never allowed emergency in J and K. If the judiciary wants to recognize Goenka's merits during emergency, or his friendliness, or support to Jayaprakash Narayan, they could have asked for a gold medal for him. But so far as the merits of this case are concerned, Shri Goenka and his Express Papers had committed so many wrongs. They have constructed buildings on stay orders and they have not paid the conversion money to the Government. And

as of now, until this moment, that money has not been paid. (Rs. 3.30 crores)

SHRI VASANT SATHE : It is their gold medal.

PROF. SAIFUDDIN SOZ : As I see the Express Building, I find that there is no space even for walking. The road belongs to the people and the road is used as parking-lot. What right Mr. Goenka and others have in creating a parking lot out of the road there ? I want to ask this question. Now that building is a commercial institution. I went to the Express Building once. I had to meet its respected editor and his room was just double the size of a cubicle. And the editor happens to be a very big person. So, there is no space for the Express staff. They are all huddled in just one part of the floor. The rest of the building has been rented out. Somebody told me that Shri Goenka earns more than a crore of rupees annually as rent from that building. Anyway, I do not know, Sir, the judges must be knowing better. What about this commercial aspect ? How did these judges refuse to go into this.

SHRI VASANT SATHE : They must be knowing better.

PROF. SAIFUDDIN SOZ : I missed to point out one thing. When I referred to Shri Goenka—

[Translation]

—punishment and reward are two different things. Wherever he deserves reward, he should be rewarded, and wherever he deserves punishment he should be punished.

[English]

If you feel convinced of Goenka's merit, it is all right. The emergency was not a good thing. We opposed it. Our representative was Shamim Ahmed Shamim at that time and he had opposed it. You may read Shri Khushwant Singh's article on that. And as I said our Sheikh Sahib never accepted the Emergency. If Shri Goenka was against Emergency, *Zindabad Goenka*. Give him a medal for that. But he must be punished for this thing that he holds back the money which belongs to the people of

India. Now Sir, I have been hearing that Mr. Jagmohan acted in haste. Some people say that it is an element of his style to take decisions quickly. But in this case *The Hindustan Times* enlightened me. On 18th November, I read an article. I do not know whether these facts are correct or not. You may check up whether these facts are correct. I read in that article that Mr. Jagmohan took charge of his office on 7th February 1980 and the Express Newspapers had obtained the stay order from the Court on 7th of April 1980. During a period of about 49 days, no attempt to demolish the building was made. Did he act hastily? It is for this august House to decide.

I feel Sir that this demand for the removal of Mr. Jagmohan, in my opinion, is unwarranted and both the Central Government or whatever may be the authority and the judiciary must wait for some more time and watch him.

**PROF. MADHU DANDAVATE :** Is there any chance in Kashmir ?

**PROF. SAIFUDDIN SOZ :** I do not know. I have said that on Second July he dismissed a duly elected Government. As of now, we are discussing Lt. Governor of Delhi.

Finally, I humbly suggest to the hon. Speaker, and this is in public interest, that a Parliamentary Committee should be instituted and members from all the political parties can be nominated on that committee. We must at least go and see how our judicial system is working. I want a parliamentary committee because I feel convinced that judges have not delved deeper and gone into real issues. I do not like to say that they wasted the time because I have all the respect for the judiciary. It has come up certain standard and while some of the judges do some kind of things here and there which are not in good taste, but by and large our judiciary has maintained high standards. But I should say that they waste time (in this case) on peripheral issues and did not delve deeper on the real issues. Therefore, we must institute a parliamentary committee. We must go and see how our judicial system is functioning.

Now Sir, when I conclude, I feel that

Mr. Jagmohan should address a couplet that is in Persian. He should address it to the judiciary. I will translate it in Persian. It is in Akbar's time that Faizi got fed up with the Qazis.

Faizi was a very forward looking, so was Akbar. He got fed up with the Kuzis of that time as he found them conceited and hypocrites which traits were unislamic. This is quoted by Maulana Azad in Tazkira. It is a wonderful book of the highest literary standard.

I will not translate into Urdu. I will translate it into Persian which you will understand.

*Zubaan-e-Kasheeda badaarulkafai ajab  
va riya*

*Shahud-e-Kazab zi daava garaan-e-  
imaani*

*Agar haqeeqat-e-Islam dar jahaan  
in ast*

*Hazaar Khunda-e-kufr ast bar  
Musalmaani*

[Translation]

The spirit of these couplets translates in Persian as follows :

*Chu kufr az Kaaba bar Khezad  
Kuja maand Musalmaani*

God forbid, if blasphemy springs from the *Kaaba* itself, then what will remain of Islam.

[English]

**PROF. MADHU DANDAVATE :** It was a classical Persian, nobody understood anything.

**MR. SPEAKER :** We understood it.

**PROF. SAIFUDDIN SOZ :** I conveyed it through the Speaker who understood it.

**DR. DATTA SAMANT (Bombay South Central) :** Sir, here is a very interesting case of big capitalist houses who are leading or influencing the political parties. We see the newspaper magnates, how they are influencing the political parties either in a good way or in a bad way. This is a concrete

[Dr. Datta Samant]

example. I would like to but before you what happened about 30 years back. Two plots were given by the Corporation. I think, at that time, Shri Feroz Gandhi was the Chairman of that group. One plot is not for construction and the other plot Mr. Goenka was to use it for construction. For 10 years from 1970 he was trying with the Congress Government by all his influence to use that plot by not allowing all the standard laws of the corporation, to be applicable there. But it was not allowed.

Sir, I would like to put a pertinent question because it is correct that some of the Members of the ruling party are telling that we must follow the strict rules and laws of the Delhi Municipal Corporation for construction in that particular plot. But, Sir the same Mr. Goenka was given the plot of 5000 square yards by the Chief Minister of Maharashtra. I do not want to mention the name, he is not alive. He was allowed to construct the Express building for about 30 crores just opposite to Sachivalaya of the Maharashtra Government. That is why, I will have to say that these newspaper magnates are influencing the political parties. This is a concrete example.

Sir, it is true with all apologies to my colleague Prof. Madhu Dandavate, that when the Janata Party came into power, within two days Shri Sikander Bakht had given permission to construct on the small plot. At that time, even the Secretary, Housing and all the other authorities had been opposing that this permission should not be granted. But still the permission was given and even the other fees of Rs. 3 crores were not allowed to be paid and there was a difference of opinion between the officers and Shri Sikander Bakht at that time. But afterwards when the Congress Government came into power, Shri Jagmohan was appointed as Lt. Governor. It is pertinent Sir, that I have gone through the judgement and I made enquiries also. On Sunday, the 17th February when they assumed office, *i.e.* after two hours, it is not a question of moral turpitude, but it is the political power as to how it is used in a *malafide* way and how it is used to pressurise the press because it is not acting in its way. That is the charge. At 2 O'clock officers were called and the very next day the files were also called.

Some engineers were not available, their office rooms were broken open and the files were taken out. On the 1st March, 1983, a Press Conference was called. Immediately within one hour, it was announced on the radio and the Delhi Television. The *Express* building and Shri Jagmohan's press conference were shown. On the same day, notice was issued, asking why it should not be demolished. Here, it is the political power which was misused.

I am not talking in favour of Goenka. But I say that it is the political power which was being misused. That is why we have these strictures.

The Supreme Court has literally said that the demolition of the structures was a misuse of political power; it was *malafide* and it was meant to silence the voice of the Press.

In spite of such strictures having been passed, Jagmohan still asks. "What has happened there? Nothing has happened." I have read his statement. He says: "We have used our powers. If the Supreme Court goes against it, we will see that there is a Parliamentary Committee," as if it is in Jagmohan's hands. So, such type of powers are misused; if such people are put in posts of Governor, I think they are bound to misuse the powers. That is why I support the Motion of Prof. Madhu Dandavate.

It the hon. Members on the other side are honest, they will have to do another thing. In Bombay, big smugglers helped in the construction of the multi-storied Pratibha Pratishtan building. There is a Congress Government there? Why are you not demolishing that building?

In Delhi also, there are about 150 to 200 illegal, unauthorized constructions. Why has action not been taken to demolish them?

I also follow the law. I also follow the rules. (*Interruptions*) Why has action not been taken in Delhi in respect of these buildings?

In Jagmohan's case, the motive appears to be just to teach a lesson to Goenka. In view of this, I support the motion moved



by Prof. Dandavate. I support it. Governors and people in such a high status should not have acted with such motives.

[*Translation*]]

SHRI C. JANGA REDDY (Hanamkonda) : Mr. Speaker, Sir, the Governor, whose conduct we are discussing today, should have resigned before this discussion. So far as Goenka and Sikander Bakht are concerned, the members belonging to the treasury benches have pleaded for an inquiry into this matter, we agree with them in this regard because nobody is above law. All are equal before law. So, we are with you in your demand for inquiry.

Sir, in this great country where people like Lal Bahadur Shastri were born, who despite no fault of his, tendered his resignation simply on account of a railway accident, where we can impeach even persons occupying the highest office in the country *i.e.* the President, where we can impeach judges of the Supreme Court, then can we not remove the Governor against whom the Supreme Court has passed strictures in its verdict ?

Sir, when a person like Anjun Singh had been relieved of his post and inducted here at the Centre, then can Mr. Jagmohan not be removed from his post ? Shri Arjun Singh wants to return to Bhopal but you are holding him here. When you have got so wide powers then why can you not remove such a Governor ? He should be removed.

Sir, as soon as the judgement of the Supreme Court was delivered, the Cabinet should have taken this decision and the President should have passed order for the removal of the Governor. Today, here the Governor is being criticised severely. So, he should have resigned before the discussion tank place in this House. It was his moral duty to do so. If he had not offered his resignation, then the Government should have demanded his resignation.

With these words, I resume my seat. The Government, the President should have recommended the removal of Shri Jagmohan.

[*English*]]

THE MINISTER OF STATE IN THE  
MINISTRY OF LAW AND JUSTICE

(SHRI H. R. BHARDWAJ) : Hon. Speaker, I am grateful to all the hon. members who have participated in this debate on a very very sensitive issue. It is sensitive because it involves a judgment which was passed by three judges of the hon. Supreme Court. My anxiety, as the Minister of Law is to uphold the Constitution and uphold Article 121 which says that there should be no discussion with regard to the conduct of Supreme Court and the High Court Judges. I am very happy and I am grateful that this has been done in this House, and we have not discussed the conduct of the judges themselves. This shows our maturity of understanding of the Constitution, and the speakers who have participated have appreciated the delicacy of the situation.

Now, in this context, may I remind you of a few things which nobody can dispute, even Prof. Madhu Dandavate will not dispute the propositions which I would lay before the House, certain admitted facts. Let us see the genesis of the whole problem. We must go into it. We are not discussing anything excepting the genesis of the whole problem, and the genesis is in 1977. I will point out page by page in the judgment how Mr. Goenka became a big boss, the moment you government came to power. I would briefly refer to page 26 of the judgement. The judge himself said, Justice Sen himself said, after the Janata Government came to power, this action took place with regard to giving favours to Mr. Goenka. Kindly see its page 26. It reads as follows :

“After the formation of the Janata Government at the Centre on March 22, 1977 the Express Newspapers Pvt. Ltd. moved for the removal of the legal impediment for the construction of the Express Building to the west of the sewer line first by moving the Municipal Corporation of Delhi for shifting of the sewer line outside plots nos. 9 and 10 and secondly, by moving the lesser *i.e.* the Union of India, Ministry of Works and Housing for grant of requisite sanction to construct the new Express Building with an FAR of 400.”

So, now, a nexus was being searched in the conduct of Mr. Jagmohan. I will lay before you what are the facts with regard to Mr. Jagmohan acting on certain events on

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certain dates. But you kindly go into the nexus of this action of the Janata Party Minister, the moment the Janata Party took over, no time was wasted and immediately this gentleman swung into action and approached the Janata Government for illegal construction. Why? Because he was your friend. He was aiding and abetting your election activities, using all sorts of influence to see that you come to power. Do you deny this fact? This is your own case before the court. He was your admirer, your supporter and you were hand in gloves. So, the first action that the Janata Government did was that, O. K. you come now and take favours from them, whatever you want and we will grant you. This is the activity of the Minister, and it was granted more promptly than that was done by Mr. Jagmohan. Kindly see the events. He met on a certain date the Minister then the action came. Now, you kindly see that this Secretary of the Ministry of Works and Housing makes a note. Mr. Eduardo Faleiro has read it. So, I need not waste your time in reading it out again. On the 7th the Minister and the Secretary, discussed about it. The Minister wrote a dissenting note and immediately said, you go and discuss it with Mr. Goenka. The moment the Minister told his own mind to the Secretary, the situation charged; and after 7th, the Minister said, look here, you pass this order in his favour and the DDA was informed on 2nd of February 1978. How many days had gone by between these days? On 7th December 1977, Mr. Goenka wrote to the Minister; it is in December and in January the order was delivered in his hand. This is the promptness with which you favoured your own friends. If you examine this allegation in the light of Section 5 of the Prevention of Corruption Act, it is a straight case against Mr. Sikandar Bakht under Prevention of Corruption Act. Kindly see what it is? How he is favouring his own friends. He is showing pecuniary gain to Mr. Goenka and pecuniary loss to the Government. So, is there anything else needed in this case? But it is the large heartedness of this Government that we did not prosecute that Minister. I concede that we committed this blunder of not prosecuting him and for this you are bringing a motion against us. So, kindly bear in mind that you have touched a wrong case this time. This is not

a good case you have touched. It is a very bad case. I am telling you. It is a very bad case you have touched.

MR. SPEAKER : Mr. Bhardwaj, there is a saying in Urdu :

[*Translation*]

Better late than never.

[*English*]

SHRI H. R. BHARDWAJ : I have respect for Professor Dandavate.

PROF. MADHU DANDEVATE : He can rest assured, by threat of arresting Shri Sikandar Bakht. I will not give up my case.

SHRI H. R. BHARDWAJ : I tell you. Professor, you do not know. I was his counsel when he was involved in iron and steel scandal. In those days he was not with you. He was with the Congress. I tell you, that you are having a hopeless case. I tell you this because in those cases I was getting him stay. He crossed over to your side later. This is a hopeless case. So, I tell you that this is a hopeless case. Shri Sikandar Bakht has no stand in this case.

PROF. MADHU DANDEVATE : Is it as bad as Mr. Jagmohan's case?

SHRI H. R. BHARDWAJ : No. Mr. Jagmohan has done some service to the country. I will explain. And if I am wrong you can correct me. I will place the facts as they are in the judgement.

Mr. Justice Sen is a great Judge. Who says that he is not a great Judge? But kindly see. You can kindly see.

You and touching unnecessarily a point which will bring him more ridicule than praise. Because, indirectly you are responsible for discussing his conduct in this House. Otherwise, we were silently obeying what the Court had done.

That building was erected—what you actually wanted has been erected and let out. He is earning profits out of it. We have

silently obeyed that order. But now kindly see the sequence of events. What has happened? And first I would put the factual position straight. There is no unanimous judgment of the Court. There is always a distinction between the views of one Judge, the judgement of one judge and the judgement of the Court. Kindly see what Mr. Justice Sen himself says.

PROF. MADHU DANDAVATE : What about the review petition ?

SHRI H. R. BHARDWAJ : I will come to the review petition. About it the less said, the better. I will explain that and also because I am ready with that also and that grievance I do not want to discuss in the House because it refers to the general Bar and that is being discussed where it should have been discussed. Kindly see page 151. It is not the judgement of the Court which you have been quoting. He has himself said that it is... "on my part..." I am explaining like this. It is not the judgement of the whole Court. Whatever you had cited earlier, it was his own decision. It was his own judgement which he has independently come to and it takes to 206 and 207, pages! Mr. Justice Venkataramaiah gives a very short judgement and another judgement given by Mr. Justice R. B. Mishra is indeed very short and very relevant. Do you disagree with what all the three Judges have said. that this is not a case where there was no bar for proceeding against the Express? Do you contradict this point that they have all upheld the right of the Municipal Corporation of Delhi, the right of the DDA's Land and Buildings Department that they could proceed even now and do you know that there is a clarification application pending by the Municipal Corporation in the Supreme Court in view of the Court's observations? The matter is as a matter of fact *sub-judice* in the Court. So, therefore, the finding of the Court unanimously boils down to one point : That all these issues should be raised afresh. Why? Because in a Writ Petition under Article 32 you cannot aduce oral evidence, you cannot cross-examine witnesses. You have to file an affidavit and you have to decide the case. What the Judges, Mr. Justice Venkataramaiah and Mr. Justice R.B. Mishra have categorically stated is that these are not proceedings to determine the

rights of the parties. So, therefore, go to the suit. Even Mr. Justice Sen himself has said, "Well, now we have quashed the notices." There were two notices, one was by the Municipal Corporation, and the other was by the Land and Building Department. One was for enforcing re-entry and forfeiture, and the other was for demolition. They were extreme penalties. So, return to a suit. Therefore, the Court has quashed and on these orders various reasonings were given. Whenever they quash an order there has to be reasoning and that reasoning has been really branded as strictures against Mr. Jagmohan. That is not the correct position of the judgement. They are reasonings of the Court with regard to quashing of these notices which were issued, one by the Zonal Engineer and the other was by the Officer of the Land and Buildings Department. So, to that extent the orders do not stay.

But with regard to the conduct of Mr. Jagmohan, even if you read in totality what Justice Sen has said, that does not really project your point of view. Kindly see what Justice Sen has said : He has said : "Now that I have quashed the orders, both the notices, the Union of India will not demolish and re-enter, but it is the right of the Union of India to file an appropriate suit and recover the charges." So if you say that there was no case for proceeding against The Indian Express and still Mr. Jagmohan proceeded against them, there could be a *malafide* or political action. Now it is an accepted case of the court that there was the ground. They had really committed breach of certain municipal laws and certain violations of the agreements between Land and Building Department and the Indian Express. Therefore, the proper course is going in for the suit where the evidence can be adduced or rights and obligations can really be appreciated. That issue has been left open by the court. Now, that is still to be gone into and an application is pending. It is not without basis that he has acted. On the contrary he has acted on a case which was very valid. After all, it is not a charity. According to the estimates and calculations made by them the money involved was Rs. 3.35 crores. This was a Government money which was waived by Shri Sikandar Bakht. Under what authority of law was it waived? It is definitely the duty of a

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successor Government to see whether what had been done by the previous Government was right or wrong. You had taken several actions against us and we had to defend ourselves. But the question is, now if he takes action, demolition notice is issued and a re-entry order is issued, let the court take cognisance of that. But why are you becoming so touchy with regard to The Indian Express? Are you giving support to your fellow-men? Kindly see that this is not a case which should be dragged too long. The Supreme Court has given a verdict. It is being respected in all spheres by us. But kindly to do not take it any further because then you have the risk of running the judiciary equally into disrepute. No person can discuss the conduct of a judge. But the judge may discuss anything. That is his privilege. He can say anything to us. He said so to our party without hearing us. But we do not want to discuss that here.

PROF. MADHU DANDAVATE : Just as we cannot discuss the conduct of judges, judges also cannot discuss the proceedings of the House. That is also there. So it is not unilateral.

SHRI H. R. BHARDWAJ : That follows in the next article of the Constitution. That is why I am grateful to you and all my friends. But the question again here is that we must not confuse things. There has been a misrepresentation to the extent that the whole court has ridiculed him and that this is the judgement of the entire court. Do you think that Justice Venkataramiah and Justice R. B. Mishra are not valuable judges? They are equally valuable and their suggestions are incorporated in the judgement. So far as this part of it is concerned, it was my duty to put the record straight and that I have done.

Now, I come to the other part of it *i.e.* with regard to the lightning speed with which Shri Jagmohan is said to have proceeded. The dates were given. He took charge on 7 February, 1980. He summoned the files on 18 February, 1980 and DDA files were summoned on 20 February, 1980. On 29 February, he summoned the files of MCD and he addressed a press conference. See how democratic he was. He did not do

anything like Mr. Sikandar Bakht. He called the press conference and told them that, look here the Indian Express had trespassed. It was also televised. So, he did not do anything in a haphazard manner.

DR. DATTA SAMANT : It was politically motivated.

SHRI H. R. BHARDWAJ : It was not politically motivated.

PROF. MADHU DANDAVATE : Have you come across any Governor calling the press conference and explaining to them various decisions that are taken...

SHRI H. R. BHARDWAJ : There is a difference. He was the Lt. Governor. As Lt. Governor, he was Chairman of DDA as well as administrator of Delhi. His functions are not that of a Governor. Kindly see that as Lt. Governor he has the control of MCD and DDA both. But judges have not appreciated that point of view correctly. This is a matter of fact. Since this has been decided by the court I will not comment on that. Otherwise there is a notification on this file. If you care to read it, there is a notification that all nazul land will be managed by the Lt. Governor. But the judges were very very keen to defend Mr. Sikandar Bakht's action in this case. They said that this Lt. Governor who is a small functionary of U.O.I. has the audacity to challenge the action of the Minister. That is the reasoning which they have adopted. I can tell you the date also. But whether he is a small functionary or a big functionary, so long as he exercises the delegated powers of the President in the Union Territory of Delhi, he does so within his jurisdiction and competence. I will not go into that case because there is a judicial verdict on this and the only remedy was the review. And what has happened in this country I am really very sorry to comment. Review is the only remedy against a judgement of the Supreme Court... (*Interruption*).

PROF. MADHU DANDAVATE : Before you go to the next point, please clarify that the counsel for the Government of India categorically said in the court that he has exercised the power which he did not possess. He has very clearly said so.

SHRI H. R. BHARDWAJ : Yes. The counsel for the Union of India was Mr. L.N. Sinha and—I am younger in age to you, you are a very senior Member—you know the man whom we are talking about. Sri L.N. Sinha is more credible person than even some of the judges. Sri L. N. Sinha is the person whose many juniors have become judges and are occupying high offices. I cannot accept anything against Mr. Sinha or for that matter anything against any judge or a counsel. This is an unfortunate case which we are involved with. This controversy is not only here, this is in the Bar also because it is a phenomenon which has cropped up because of lapse of time. Two years after the hearing concluded, certain concessions were imputed to the senior counsels which they are disowning in writing. And what the court has said in the judgement, have you seen that ? The court said that letters were not enough, affidavits should have been filed. Okay, if the court could call them and say that. We do not rely on your letters, file affidavits, and if they had not filed affidavits, you could say that they have not filed affidavits, so they are wrong. But kindly see the manifestation. A case is there. It is decided after a long lapse of time and then certain counsels write certain things that they had not addressed in those very terms, especially so, when the pleadings of the party are totally contrary to what is attributed to the counsels in this case. Pleadings of the Union of India, pleadings of DDA, pleadings of the Municipal Corporation, all are verbatim consistent with each other but the concessions given as written in the judgement are wholly different. I am not going into the merits of these things because they touch a very sensitive area where I would not like to travel here. The judges know better. They have said that we have correctly checked up our books where we note our points and, therefore, we are sure that these concessions were made. But the counsels have equally forcefully said that these concessions were never made. But what do we do ? Jagmohan is not in the court. Jagmohan is given certain letters. If the letters, for instance, are correct, then Jagmohan is true. If the letters are incorrect, Jagmohan does not know what was considered. He has to file a Review Petition in any case because in aggrieved party in Supreme Court can only have recourse to a Review Petition. You tell me

anything else which a man can do. If a party is aggrieved against certain order of the court and if he wants to go in for the review of that order, no other petition lies for that party except a Review Petition. And that is why it goes to the same judges and they hear it. But in this case the court has given a reasoning that affidavits would have been better and it should have been mentioned in the court. To that extent only they said. But just see. It is not Sri L. N. Sinha alone, or Mr. Bhandare, or Mr. P. P. Singh, there was a counsel who settled this brief. Have they mentioned him—Dr. L. M. Singhvi, a former President of the Supreme Court Bar ? After Mr. Jagmohan was given these letters, the case given to Dr. Singhvi. He settled the whole brief. But nothing has been said about him. Therefore, this is something where the minds of the Bar and the Bench are agitated today. The judges themselves are divided on this issue. The Bar is also a little divided. There is a resolution signed by 200 members of the Bar pending consideration on 28th of this month. Sixty members are to the contrary and 200 on one side. It is being discussed in the Bar Association. But we will not go into it because as I submitted at the outset, we will not discuss the conduct of judges because this is what the Constitution requires. But with regard to the Review Petition I will remind you—because I hold high respect for you—to kindly bear in mind what an English judge has said, and which is appropriate to quote. I quote :

“It may be that there are some who would decrease the importance which the courts attach to the observance of the rules of natural justice. When something is obvious, they may say, why force everybody to go through the tiresome waste of time involved in framing charges and giving an opportunity to be heard ? The result is obvious from the start. Those who take this view do not, I think, do themselves justice. As everybody, who has anything to do with law, well knows, the path of law is strength with examples, open and shut cases, which somehow were not of unanswerable charges which in the event were completely answers of inexplicable conduct which was fully explained. Nor are those with any knowledge of human nature, who pause to think, for that a

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decision against them has been made without their being afforded any opportunity to influence the course of events."

This is what an English judge has said. There are judges who feel, well in this particular case there is no use of wasting time by giving an opportunity to the other side, because the facts are apparent. But, nonetheless with that view there are cases which the Judges think that they are wrong and there is nothing in this case. But still a better view can be taken and cases have been solved. Therefore, in law every judicial hierarchy has been upgraded, and one after the other appellate courts are given and ultimately even in the Supreme Court the right of review is well recognised. There the grievance of the Counsel seems to be that we were not heard before being condemned. Whatever observations have been made in the courts judgement, the grievance of the Bar and the Members of the Bar is that as senior Counsels if something has to be said, we could very well speak to the Judge in his Chamber and explain it. They should have been given a reasonable opportunity to be heard. Well, this is between them—the Court and the Members of the Bar. That issue is a very pertinent and very important issue, because as Officers of the Court, the Lawyers have to discharge very difficult and onerous duties, because they have to act in the best interest of their clients. If they remain under the fear of the Judges, they will not be able to address to the court properly. They will always be under that hang-over that the Court will be displeased with the observations of the members of the Bar. So, kindly see when you say the independence of the judiciary, you have equally to see the strength of the Bar. A strong Bar is also necessary for independence of the Judiciary. We cannot isolate the two institutions because no judiciary can be strong unless there is a strong Bar and there cannot be a strong Bar unless there is an independent judiciary. These two institutions serve each other and supplement each other. That relationship will be eroded by such discussions as has been raised today. We are trying to sort out this controversy to the best of satisfaction of every party, but now that it has been done with a restraint, I think it will not cause any harm to either side.

SHRI VASANT SATHE : Both are equally honourable.

SHRI H. R. BHARDWAJ : I have said so.

There was also a contention that the Court has said that the action was *mala-fide* and politically motivated. Only Justice Sen has said that. Justice Venkataramaiah has not said that. Observations and findings of Justice Venkataramaiah are that the Officers who issued these two notices did not act independently and they worked under the pressure of Mr. Jagmohan in issuing these notices. Political motivation is not attributed by Justice Venkataramaiah...

PROF. MADHU DANDAVATE : Even Justice Venkataramaiah said : I am satisfied that the said notices were issued by the authorities concerned under the pressure of the second Respondent, *i.e.* Mr. Jagmohan.

SHRI H. R. BHARDWAJ : That is what I said. If you kindly analyse these two or three sentences, by the concerned Officers means Zonal Engineer and the Engineer who was holding Office in the Land and Building Department did not issue notices independently. Therefore, there was no independent application of mind by these two Officers and they acted under the pressure. So, there is no political motive attributed by this Judge to anybody in this case. Therefore, you cannot say that this is a unanimous verdict of the Court on this very issue. We have always the facts in issue, the point in issue and the ratio of the case. They are separate issues. So, all these things have to be discussed dispassionately and separately. The verdict of the court is altogether distinct from the thinking and observation of one Judge. The observation of the Court and the Judgement of the Court are two distinct things. Judgement of the Court, I tell you, is that this Express building has committed certain breaches and action should be taken separately. They only quash these two notices issued by MCD and the Land and Building Department, because they were not really issued by proper and independent application of the mind. This is the rationale of this judgement. So, therefore, you cannot say, then you are really doing injustice to one officer, who has acted

promptly. Your Minister acted promptly to show favour. This is an officer who acted promptly to dislodge that favour, to recover rupees three crores and thirty-five lakhs. Therefore this is the grievance. And if that is the case, you have no better case. Therefore we should leave the point here and now. Because, ultimately, Sikandar Bakht has been a Minister; he is no longer even a Member of Parliament. What is the use of discussing him here now ?

PROF. MADHU DANDAVATE : Who is discussing ?

SHRI H. R. BHARDWAJ : Because, you have brought him into the limelight. His past is not very, very valuable, I am telling you and he is not a very high stake to bet on. He is not the best horse to bet on. I know.

PROF. MADHU DANDAVATE : He has come through the Congress.

SHRI H. R. BHARDWAJ : I tell you; you gave him so promptly and so readily a Minister's job in the Cabinet. See what a standard it was !

I would only comment on one thing more, Sir.

In whatever has been discussed here, in whatever has been said here, there is absolutely nothing to suggest and nobody has suggested that Mr. Jagmohan did anything for his personal gain. You had cited certain instances about TTK' case, about Kairon's case, about Neelam Sanjiva Reddy's case. I know because I was counsel, but then, I was sufficiently mature and all these cases. (*Interruption*) Even Antulay's case, if you apply, your Sikandar Bhakt goes to jail, I am telling you...

PROF. MADHU DANDAVATE : I don't worry about it. I do not worry who goes to jail at all.

SHRI H. R. BHARDWAJ : By no stretch of imagination you can apply Antulay's case to Jagmohan at all—I can tell you very frankly. You are much more informed than me. Because, in that case, it was pecuniary advantage to the Trust. Now, this is pecuniary advantage to the Express. And

official position was abused. Jagmohan has not abused any position with regard to showing any pecuniary gain even to Congress (I) or somebody. Therefore, these issues are there. Again Ram Lal's case is there. There is no nexus between these cases. Then Dr. Chenna Reddy's election matters. All these issues are there. They relate to charges of corrupt practices also. Kindly see TTK's case downwards. TTK's case was perhaps with regard to Mundhra deal. So, all these cases, I distinctly remember and you can vouchsafe, involved certain moral turpitude and charges of corruption. The nexus was established in this for showing favour.

PROF. MADHU DANDAVATE : There were certain cases which related only to irregularities.

SHRI H. R. BHARDWAJ : I tell you, it is no irregularity that you recover Government dues. What is the irregularity ? Is it not irregularity if a baron of the Press committed trespass on public land and your Minister shows him favour and says, go and do whatever you like ? There is no rule for you ! He has followed certain rules in issuing notices which have been stayed by the Courts. But for you there was no rule ! Absolutely misrule ?

Now, Sir, with regard to one more thing. It is with regard to the respect for the Courts. Kindly see this thing. In the High Court I was then practising as a lawyer. I know that an interim order was also passed by the Court, that let the architects of Express Newspapers conduct a survey and find out if there is any encroachment and if so to what extent. Was any survey made in this case ? It was never allowed to be made because the man was so strong about it that he himself said, nobody can really touch me. Their own architects were Korea and Company. I corretly remember that Justice Bhagwati and Justice Venkataramaiah were the Judges who directed and said, okay, they will not construct any more, and let their own Architect make the survey. But that was never allowed because the parking space was not left. All these things leave nothing and nothing to be answered, nothing to be realised to except that again you have not risen above party politics. Unfortunately in this case the

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Judges are involved, no party is involved, and we should leave this question as it is, Mr. Jagmohan has done no disservice to the society or Delhi or the country by touching this man, who thinks that 'nothing can touch me'. He has done pure and simple service by pointing out that this is a unique case of trespass of public property and evasion of municipal taxes and evasion of all procedures and laws.

The whole House has discussed every point of this case, every issue of this case. And now I will briefly touch one point. Some people have said that this was tried for gagging the press and it violated Article 19. See what the Judges have said. Have they touched this saying that 'It is a violation of Article 19, therefore we quash these proceedings'? No. It is under Article 14 that they have decided the issue. The verdict of the court is not that 'it violated Article 19—freedom of press—and therefore, we quash this'. They simply said that 'there is non-application of mind, undue haste and therefore, we quash it because the authority did not act independently, these engineers did not act independently.' So, to that extent the notices were quashed.

No. Sir, with all my submissions, I commend that this motion may be rejected.

**PROF. MADHU DANDAVATE :** Mr. Speaker, Sir, I do not want to take any time of the House, but I just want to... (*Interruptions*). I will not withdraw it. When I move it, I move it for the sake of adoption or rejection.

Sir, I would be extremely brief. Firstly, let me state that when you were not here in the Chair, a Ruling was given that no aspersion should be cast on the conduct of the Judges, and I agree with the Minister that by and large in the entire debate we discussed the implications of the Judgement, but as far as the conduct of the Judges is concerned, that was not touched, and I am happy that the debate was kept at that particular level. I must also point out to you one thing. When the motion was related to one particular aspect, those who are opposed to the Substantive Motion deliberately chose the path of choosing offence as the best

defence and they deliberately diverted the basic issues. (*Interruptions*).

I must say, Sir, I have full respect for the knowledge of the hon. Minister for Law and I know that he is quite conscious of the fact that in this particular substantive motion the merits of the case whether the conversion amount was paid or not, irregularities were committed or not, that issue was not raised. Those who have committed the crime, if they are taken to the nearest pole and hanged by the shortest rope, I will not lament at all. The question is not what crimes various people have committed. They talked about the violation of rules. I quoted, and the Judge himself said :

"I may add because the DDA itself has sold plots by public auction on Asaf Ali Road where FAR of 500 has been allotted to the Hyatt Regency Hotel at the Bikajicama place on the Ring Road, New Delhi."

So many irregularities have taken place.

AN HON. MEMBER : Not in the middle of the road.

(*Interruptions*)

**PROF. MADHU DANDAVATE :** Just listen to me. Your contention was FAR rules have been violated, Master Plan norms have been violated. My friend Datta Samant has quoted a number of instances where so many rules have been violated about FAR. But that was not the question. As I said, again if a Parliamentary Committee is appointed even at the administrative level, you take a firm step against those who are defaulters, I will be the last man to shed tears for any one of them. But the question is, as rightly the Counsel of the Government of India very clearly stated, that as far as Mr. Jagmohan is concerned, he has gone beyond the brief, he has exercised the powers which were not bestowed on him, and therefore, when the powers have been misused and powers which were not bestowed have been actually utilised, a man like Lt. Governor holding the high office cannot take this attitude.

As far as the main judgement is concerned, as Shri Sharad Digheji rightly referred



to, in the main judgement, there have been different views and different judgements. As far as the review petition is concerned, the main thrust is the same. Again in various judgements, different judges have attacked the same person from different angles. And, therefore, I will say that it is really a three-dimensional problem that has been developed. But all the same, in the review petition, it has been very categorically stated that he has over-stepped his authority and used the powers which he was not possessing.

Therefore I insist that this Resolution be put to the vote of the House. Even at the last moment, I appeal to the Members of the ruling Party to change their mind and have this Resolution unanimously passed. Even if you reject it, you are going to implement it after some weeks and Mr. Jagmohan is going out. It is only a question of time. I am only hastening the process to take action in time from the forum of Parliament.

MR. SPEAKER : The question is :

"Having regard to the observations made in the judgement of the Supreme Court in the Indian Express Building

case against the then Lt. Governor of Delhi, Shri Jagmohan, this House recommends that Shri Jagmohan be removed from his office of Governor of Jammu and Kashmir."

The motion was negatived.

19.31 hrs.

BUSINESS ADVISORY COMMITTEE  
Fourteenth Report

[English]

THE MINISTER OF PARLIAMEN-  
TARY AFFAIRS AND TOURISM (SHRI  
H. K. L. BHAGAT) : I beg to present the  
Fourteenth Report of the Business Advisory  
Committee.

MR. SPEAKER : The House stands  
adjourned to re-assemble at 11.00 a.m. on  
28th November, 1985.

19.32 hrs.

*The Lok Sabha then adjourned till Eleven of  
the Clock on Thursday, November  
28, 1985/Agrahayana 7, 1907 (Saka).*