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Sravana 25, 1885 (Saka)

LOK SABHA DEBATES

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FIFTH SESSION, 1963/1885 (Saka)

(Vol. XIX contains Nos. 1 to 10)

LOK SABHA SECRETARIAT
NEW DELHI.

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LOK SABHA

Friday, August 16, 1963/Sravana 25,
1885 (Saka)

The Lok Sabha met at Eleven of the
Clock.

[MR. DEPUTY SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Bokaro Steel Plant

+

Shri Yashpal Singh:
Shri P. C. Borooah:
Shri Surendra Pal Singh:
Shri Shree Narayan Das:
Shri A. K. Gopalan:
Shri Bibhuti Mishra:
Shri Y. N. Singha:
Shri Buta Singh:
Shri Hem Barua:
Shri P. Venkatasubbaiah:
Shri P. R. Chakravarti:
Shri Sidheshwar Prasad:
Shri Subodh Hansda:
Shri Morarka:
Shri Ravindra Varma:
Shri Inderjit Gupta:
Shri Sarjoo Pandey:
Shri Mohan Swarup:
Shri Kolla Venkaiah:
Shri G. Mohanty:
Shri P. K. Ghosh:
Shri Kapur Singh:
*61. Shri Gulshan:
Dr. L. M. Singhvi:
Shrimati Jyotsna Chanda:
Shri Sham Lal Saraf:
Shri Raghunath Singh:
Shri S. M. Banerjee:
Shri Harish Chandra
Mathur:
Shri Prakash Vir Shastri:
Shri Onkar Lal Berwa:
Shri Jashvant Mehta:

Shri Bhagwat Jha Azad:
Shri P. K. Deo:
Shri D. D. Mantri:
Shri Maheshwar Naik:
Shri Tridib Kumar
Chaudhuri:
Shri J. B. S. Bist:
Shri Bishwanath Roy:
Shri V. B. Gandhi:
Shri Kajrolkar:

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

(a) what progress, if any, has been made towards the setting up of Bokaro Plant in the Public Sector with the assistance of the Government of U.S.A.;

(b) whether it is a fact that the Centre has decided to set up an entirely new Company to run the proposed Bokaro Steel Plant; and

(c) if so, what will be its organisational set up?

The Deputy Minister in the Ministry of **Steel and Heavy Industries** (Shri P. C. Sethi): (a) Preliminary steps necessary for the setting up of the steel plant which are not dependent on large foreign aid i.e. acquisition of land, arrangements for water, power, raw-materials and their transport etc. are already being taken.

(b) Yes, Sir.

(c) The matter is under consideration.

श्री यशपाल सिंह : क्या अमरीका के अलावा किसी और देश से भी इस मामले में बातचीत की गई है ?

Shri P. C. Sethi: No, Sir.

श्री यशपाल सिंह : क्या मैं जान सकता हूँ कि अगर सरकार सो-काल्ड समझौदा

से पहले स्टील को सोचती तो अब तक यह कारखाना बन जाता ?

Shri P. C. Sethi: It is a hypothetical question.

Shri Daji: Has the Government decided upon any date till which we shall wait for the pleasure of the American Government or shall we leave the entire matter to the sweet mercies of the US Government and let them decide as to when and if they will give the aid or not?

Mr. Deputy-Speaker: No comments like this.

Shri Daji: I want to know whether we are entirely dependent on them.

Mr. Deputy-Speaker: What is the last date?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): We cannot fix a date particularly in regard to the proceedings before Congress. Just as this Parliament is a sovereign body, the US Congress is a sovereign body. We cannot dictate terms.

Shri P. Venkatasubbaiah: Is it a fact that the American Government is reluctant to give us financial aid in view of our high cost of production in public undertakings? If so, what do Government propose to do to bring down the cost of production in the country?

Shri C. Subramaniam: It is not correct.

Shri Shree Narayan Das: Is it a fact that the US Government has given an indication that if this project is taken up under the private sector, they will be able to help?

Shri C. Subramaniam: I have not received any such indication.

Shri Surendra Pal Singh: Has Government come to some sort of a decision regarding the management of the plant, and if so, is that decision agreeable to the USA?

Shri C. Subramaniam: No, that stage has not yet arisen.

Shri Sham Lal Saraf: May I know how the position has emerged now after protracted correspondence and negotiations and what would be the immediate future of the project?

Shri C. Subramaniam: The matter is under consideration of the US Congress now.

Dr. P. S. Deshmukh: Is Government aware that there is a complete misunderstanding among the American public as well as among the Senators about the public sector in this country? If so, have any attempts been made to make them understand the real position of the public sector in this country or is it being left merely to poor Mr. Galbraith?

Shri C. Subramaniam: We are also trying to do our best. After all, this is nothing new—the public sector and private sector. But we have to take note of the prejudices in certain minds with regard to the public sector.

Shri Hem Barua: What are the specific reasons for the USA delaying offering financial aid? Are the reasons technical, economic, political or ideological?

Shri C. Subramaniam: Perhaps to a certain extent all these factors are there for the delays. But ultimately, as I stated, the Congress will have to take a decision with regard to this. As hon. Members are aware, the Sub-Committees of the Congress are just now considering this matter.

Shri Indrajit Gupta: Has Government's attention been drawn to the report of Prof. Galbraith's testimony before the Senate Sub-Committee in which he is reported to have said that if US aid is not forthcoming, then in his view this plant cannot be set up? Does Government agree with this view or does it adhere to its previous assurance that it will go ahead whether American aid is forthcoming or not?

Shri C. Subramaniam: I have given Government's attitude more than once before this House that if American aid is not forthcoming, still we will proceed with the building up of the Bokaro plant.

श्री राम सेवक यादव : मैं जानना चाहता हूँ कि बुकारो स्टील प्लांट के लिए सहायता मिलने में इसलिए देरी हो रही है कि वह सार्वजनिक क्षेत्र में है ? क्या भारत सरकार ने अमरीका को यह बता दिया है कि चाहे जमशेदपुर का निजी उद्योग हो या रूरकेला के या इसी तरह के दूसरे सार्वजनिक क्षेत्र के उद्योग हों, उन में कोई फर्क नहीं है, सब एक ही जैसे हैं ?

Shri P. C. Sethi: As far as the public and private sectors are concerned, even the private sector in India has said that Bokaro is feasible.

श्री बड़े : आप तो हिन्दी में बोल सकते हैं, हिन्दी में जवाब दीजिए ।

श्री प्र० चं० सेठी : जहां तक सार्वजनिक क्षेत्र और निजी क्षेत्र का सम्बन्ध है, निजी क्षेत्र की ओर से भी यह बात कही गयी है कि अब पबलिक सेक्टर में ही नया स्टील प्लांट बनाना उत्तम होगा ।

डा० राम मनोहर लोहिया : सार्वजनिक क्षेत्र और निजी क्षेत्र में गैर बराबरी एक जैसी ही है क्या यह बात भारत सरकार ने अमरीका को बता दी है, क्योंकि रूरकेला के एक हजार अफसर एक महीने में करीब करीब बीस लाख रुपये तनखाह और दूसरी सुविधाओं के रूप में पाते हैं और तीस हजार मजदूर ३० लाख रुपया ?

उपाध्यक्ष महोदय : यह अलग बात है ।

Shrimati Renu Chakravartty: May I know whether the attention of the

Government has been drawn to the statement of the Chairman of the House Appropriations Sub-Committee that if they would only ship the steel to India, it would help the United States, and that to manufacture steel there and to give it to India would be more useful to them. Is that the real idea behind their refusing to give us aid?

Shri C. Subramaniam: After all, there is nothing wrong in Americans looking at it from their own point of view, even as we look at things from our own point of view but ultimately the decision has to come from them with regard to the aid they are to give to the Bokaro steel plant here.

Shri Morarka: May I know to what extent this delay in the decision on Bokaro would affect the targets of steel production in our Third Plan?

Shri C. Subramaniam: As I have already stated, it would not be possible to get any production out of Bokaro steel plant during the Third Plan period. To that extent it would be affected.

श्री प्रकाश वीर शास्त्री : कुछ समाचार पत्रों में यह प्रकाशित हुआ कि भारत के इस्पात मंत्री अमरीका में भारत स्थित राजदूत और अमरीकी अधिकारियों से भी मिले थे क्या मैं यह जान सकता हूँ कि इस बातचीत के परिणामस्वरूप वह किस परिणाम पर पहुँचे । आया हम को सहायता प्राप्त होगी या नहीं, और कब तक इस मामले में अन्तिम निर्णय कर लिया जायेगा ?

Shri C. Subramaniam: I met the American representatives and they have informed me as to what is happening there now. They have said that Congress is just considering the matter, and we have to await the decision of Congress.

सोने के आभूषणों का निर्यात

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 *६२. { श्री भागवत झा आजाद :
 श्री सुरेन्द्र पाल सिंह :
 श्री सुबोध हंसदा :
 डा० लक्ष्मी मल्ल सिंघवी :
 श्री सरजू पांडे :

क्या अन्तर्राष्ट्रीय व्यापार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने सोने के आभूषणों तथा सोने से बनी अन्य वस्तुओं के निर्यात के लिए कोई विशिष्ट योजना बनाई है ;

और

(ख) यदि हां, तो उस की रूपरेखा क्या है ?

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

(ख) एक विवरण सभा पटल पर रखा जाता है । [पुस्तकालय में रखा गया देखिये संख्या LT 1444/63]

Shri Bhagwat Jha Azad: Since this scheme has been introduced, may I know whether there has been any demand for export of gold jewellery below the purity of 14 carat as indicated in Part IV of the statement?

Shri Manubhai Shah: The scheme has been ushered in on 1st July, and it would be too early to anticipate the actual results, but we do not suppose there would be any obstructions. This scheme should help the promotion of export of gold jewellery.

Shri Bhagwat Jha Azad: Since this is very much publicised and the scheme says that they are providing for export of such ornaments which would be of 14 carats and below, I would like to know whether there has been any demand for such articles since the scheme was introduced.

Mr. Deputy-Speaker: The hon. Member should come straight to the question.

Shri Bhagwat Jha Azad: I have come straight to the question. Because the answer was not straight, I had to put it again.

Shri Manubhai Shah: The scheme was introduced on 1st July, 1963, which even the statistical figures will come only at the end of August. Therefore, it will not be possible for me to hazard any conjecture. What I can say is that the scheme has been well designed in consultation with the trade, and we expect no bottleneck.

Mr. Deputy-Speaker: Shri Subodh Hansda.

Shri Bhagwat Jha Azad: I want to put a second question. I have got a right.

Mr. Deputy-Speaker: I will come to him.

Shri Subodh Hansda: From the statement I find that the salient features have been divided into four parts. In Part II and Part IV it has been stated that payment would be made in foreign currency or foreign currency travellers cheques. May I know the mode of payment in respect of Part I and Part III?

Shri Manubhai Shah: The scheme really is, in order to promote the sales of gold jewellery after the Gold Control Rules have come into force. There were so many complications due to the internal restriction on the use of gold that we had to remove or modify them in consonance with the Gold Rules of India and those are the attempts that have been made in the scheme. As a matter of fact, the House, will be glad to know that the overall export of jewellery including set and unset diamonds, precious stones, etc. is recording a continual rise. In the last year they rose to Rs. 9,83,00,000.

Shri Surendra Pal Singh: We understand that gold ornaments and gold articles of more than 14 carat con-

tent are to be manufactured for export only. May I know what will happen to those ornaments and those things which are not exported or are left over? Will they be disposed of in the open market at home?

Shri Manubhai Shah: It would be done in the bonded warehouses as it is given in the scheme. As far as gold of 14 carat and more is concerned, it will be chosen, selected, and kept in bonded warehouses which will be hundred throughout the country. As far as gold below 14 carat is concerned, that can be disposed of in the country itself.

Shri Surendra Pal Singh: What about those which are left over?

Shri Manubhai Shah: It will be only according to the orders.

Shri Hari Vishnu Kamath: In the last two paragraphs of the statement laid on the Table, some incentives are proposed for exports. I will not read the whole of it because the statement is with the Minister also. Does the Government apprehend that to the operation of the Gold Control Order, exports of such jewellery which were in a large quantity formerly, before the Gold Control Order came into force will decline in the near future, and, if so, how will that affect the foreign exchange position of the country?

Shri Manubhai Shah: As far as the overall jewellery is concerned, I explained to the House that it is on the increase very considerably. But, as far as the portion of gold is concerned, it was already small even before. It is more of diamond, platinum jewellery, silver jewellery, and to a small extent the gold ones. You will find that in the scheme what is more important is the social and economic policy of the country internally. For the sake of the small foreign exchange which we earn, if the present scheme does not work, we will have to modify it. Otherwise, the other aspects of jewellery will be further prompted to compensate for any small loss.

Shrimati Renu Chakravartty In view of the fact that the ordinary small jeweller is unable to buy the 14 carat gold at all, I wanted to know whether this will really put at an advantage the big jewellers who can have black-market gold, and so, will the Government propose to open, under a Government body, say, the STC, the export of this jewellery under bonded warehouses scheme?

Shri Manubhai Shah: As a matter of fact, some of the jewellers are under the scheme and they will be much more benefited because they will not only get locally the 14 carat gold but also 22 carat and below. The distribution will be done by the Ministry in consonance with the Reserve Bank of India rules.

श्री बड़े : जरी का कपड़ा और जरी का काम किया हुआ सामान आगरे में जहाँ फौरन मर्चेट्स आते हैं वहाँ दुकानों के ऊपर एग्जिबिट करने के वास्ते नहीं दिया गया है जिस से कि फौरन एक्सचेंज का बहुत नुकसान होता है, क्या वह बात सच है और क्या शासन के पास इस बारे में शिकायत पहुँची है ?

श्री मनुभाई शाह : आगरे में काफ़ी माल जाता है लेकिन वह कोई गोल्ड व ज्वेलरी नहीं है वह तो एलाबास्टर और आईवरी का मामला है और उन का एक्सपोर्ट बहुत बढ़ रहा है । We are only concerned for the moment with gold jewellery. As far as Agra is concerned, आगरे में दुकानें भी खोली गई हैं । उन के अन्दर उन को फौरन एक्सचेंज के लिए पैसा मिलता है और उस का एक्सपोर्ट बहुत बढ़ रहा है ।

श्री श्रॉंकार लाल बेरवा : जो सोने के आभूषण विदेशों को निर्यात किये जायेंगे वह हमारे हिन्दुस्तान के रेट से ज्यादा के होंगे या कम रेट के होंगे ?

श्री मनुभाई शाह : अब रेट का मामला ऐसा है कि वह तो जैसा व्यापारी

खरीदने वाला और जैसा बचने वाला होगा उस पर निर्भर करेगा। उन का कोई रेट यहाँ से तय नहीं किया जाता है।

श्री सरजू पाण्डे : जैसाकि स्टेटमेंट में कहा गया है कि कुछ खास मखमूस जगहों पर ही यह गहने बेचे और खरीदे जायेंगे तो मैं जानना चाहूंगा कि देश में कौन कौन ऐसे स्थान निर्दिष्ट किये गये हैं ?

श्री मनुभाई शाह : चौदह कैरेट के अपर वाली १०० दुकानें सारे देश में बौडिड वेयर-हाउसेज के तौर पर तय की जायेंगी। जितने छोट छोट स्वर्णकार लोग हैं व अपना अपना माल बहाँ आ कर उन दुकानों को बचेंगे जिन के कि द्वारा व आभूषण विदेशी लोगों को दिये जायेंगे।

श्री राम सहाय पाण्डेय : एक्सपोर्ट को दृष्टि में रखते हुए "भारतीय प्रदर्शनी जो रूस में हो रही है उस में जो भारत में बने आभूषण प्रदर्शित किये गये उन को क्या रिर तैस मिला है ?

श्री मनुभाई शाह : इंडियन ट्रेड एग्जिबिशन इन मास्को पर सवाल अभी आ रहा है तब इस को पूछा जा सकता है।

Dr. Sarojini Mahishi: May I know what is the target that is expected to be reached in the export of gold ornaments during the year 1963-64?

Shri Manubhai Shah: There is no target; just now the scheme has started. As far as the general run of diamonds, precious stones, jewellery, non-jewellery, set jewellery, Platinum ones, etc., is concerned, we want to reach Rs. 20 crores in the next two years.

Shrimati Savitri Nigam: May I know what would be the criteria in selecting these 100 shops and whether arrangements for registration have been made in any other State also besides the All-India Handicrafts Board?

Shri Manubhai Shah: The All-India Handicrafts Board is only the apex

body. The shops will not be here; they will be throughout the country depending upon the local trade. For instance, in Jaipur it will not be as big as in Bombay. In the States which are the home of jewellery there will be more centres. It will depend upon the location of jewellery trade.

Shri Bhagwat Jha Azad: May I know what would be the expected amount of foreign exchange likely to be spent by the Government in the import of these articles mentioned in the last paragraph in order to boost up the unwanted 14 carat jewellery in the country?

Shri Manubhai Shah: I have already answered, Sir, that no target is fixed.

GATT Conference in Geneva

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 Shri Hari Vishnu Kamath:
 Shri Bhagwat Jha Azad:
 Shri Bhakt Darshan:
 Shri P. C. Borooah:
 Shri P. R. Chakraverti:
 Shri Raghunath Singh:
 Shri Bibhutj Mishra:
 Shri P. K. Deo:
 Shri Buta Singh:
 Shri Yashpal Singh:
 Dr. L. M. Singhvi:
 Shri A. V. Raghavan:
 Shri M. L. Dwivedi:
 Shri S. C. Samanta:
 Shri Onkar Lai Berwa:
 Shri Rameshwar Tantia:

Will the Minister of International Trade be pleased to state:

(a) whether he recently attended a Conference of GATT in Geneva;

(b) if so, the subjects discussed at the Conference; and

(c) the results achieved, in so far as India's trade and commerce are concerned?

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

(b) and (c). The report of the Indian Delegation to the Ministerial

meeting of the GATT held in May, 1963, along with the resolutions adopted in the Conference is placed on the Table of the House. [Placed in Library; See No. LT-1445/63].

Shri Hari Vishnu Kamath: The statement, Sir, is a very lengthy one. I have just had time to go through it rather cursorily. But, Sir, any way, I will proceed. I am glad to find that the Minister has given himself a resounding pat on the back by saying in paragraph 3 of the statement that "India's views and proposals concerning these matters were presented clearly and forcefully in the statements made by Shri Manubhai Shah". We are happy to hear that he exercised vigour and clarity. May I know, Sir, whether the clarity, the force and the vigour exercised by the Minister had the desired effect on the Conference, and did he take the opportunity of this Conference to raise the matter of India's exports with European countries about which the Government has told us a lot of things in the past? And, what, Sir, is the present position with regard to the bilateral... (*Interruption*). I am sorry, Sir, my hon. friends at the back...

An hon. Member: He hates clarity and force.

Mr. Deputy-Speaker: Please come to your question.

Shri Hari Vishnu Kamath: Does the Government propose to go ahead with bilateral talks also with European countries with regard to the matters listed in paragraph 3 of the statement?

Shri Manubhai Shah: Regarding the first part of the question put by the hon. Member, the main point contended by India on behalf of the all the under-developed countries of the world, which are more than 72 per cent of the world's population, was that the "Kennedy Round" of talks must be proceeded with immediately, that across-the-board-cut in the various tariff duties which

we are faced with must be reduced by 50 per cent across the board without any negotiation, that in the list of exceptions there should be minimum duties put by the contracting parties and, therefore, any duty of interest to the under-developed countries should not be as far as possible included in the list of exceptions. On the non-tariff barrier side we urged for all quota restrictions to go, and other types of internal duties that hamper the growth of export trade of the under-developed countries with the industrialised world should also be done away with. The House will be glad to know that in the two resolutions which GATT un-animously approved both these points have been accepted.

Shri Hari Vishnu Kamath: The last part of the statement refers to the "Kennedy Round" of trade and tariff negotiations to which the Minister referred just now. Will the Minister throw some more light as to why this is called "Kennedy Round" and what exactly are the implications of the proposed talks to be held at the "Kennedy Round" next year in May, 1964 which is still far off?

Shri Manubhai Shah: "Kennedy Round" is an expression which is commonly used because the United States Congress passed an Act called the United States Trade Expansion Act, 1962 by which the Congress empowered the President of the United States to negotiate with all the countries of the world what is called "across the board cut in the tariff barriers". It is for the first time in the history of the tariff that a big country like the United States has come forward to say that any country can remove 50 per cent tariff barriers without any detailed negotiations. The House is aware that in the past for one single commodity ten years were consumed and yet no results were produced. This is the first time that Congress has given powers to the U.S. President

to cut tariff on all commodities throughout the world by 50 per cent across the board.

Shri Indrajit Gupta: I find from the statement that this programme of action which was submitted on behalf of the group of under-developed countries was finally referred to an action committee which was set up to assist in the implementation of this programme. May I know whether India is also represented on this action committee and what concrete steps have taken by this committee subsequently to implement that programme?

Shri Manubhai Shah: India is very much represented on this committee. Actually, we sponsored this resolution. It contains the eight points given in the resolution. It is called the "Eight Point Action Programme" and the committee which was drafting this was presided by an Indian official of high seniority. Now it is only two months and yet already two meetings have taken place of the action committee. Before the world trade conference the entire compendium of what action should be taken to remove both tariff and non-tariff walls would be considered.

Shri P. K. Deo: Besides making various recommendations for the development of trade of under-developed countries, it has been stressed that:

"the gap between the need of less-developed countries and their current earnings from exports is so large that even the adoption of the measures outlined above may not be wholly adequate."

If the measures are considered not to be adequate, may I know what other steps are being taken from the improvement of our export trade?

Shri Manubhai Shah: I am glad that this question has been raised. All the global talks are most welcome and yet we are not dependent on them. The export promotion of this country

will have to be continuously home-based. This will only act as a lever which will facilitate the greater flow if we really become a stronger country in trading.

श्री भक्त दर्शन : माननीय मंत्री जी ने भारत की तथा दूसरे अल्प-विकसित देशों की जो वकालत की है, उस की प्रशंसा करते हुए मैं निश्चित रूप से यह जानना चाहता हूँ कि इस सम्मेलन के द्वारा हमारे देश को क्या लाभ पहुंचा है तथा भविष्य में क्या लाभ पहुंचने की आशा की जाती है ?

श्री मनुभाई शाह : इस का जवाब मैं ने अभी दिया है। पहला लाभ यह होगा कि सारी दुनिया में जो जो चीजें आयात और निर्यात होती हैं, उन के बीच जो दीवालें खड़ी हैं, व पचास परसेंट कम हो जायेंगी। एक एमेडमेंट यह भी रखा गया है कि जहां जहां दीवालें हैं और उस से भी ऊंची हैं, तो टैरिफ वाल स्केल करने के लिये पचास परसेंट से भी ज्यादा कट करना पड़ तो ऐसा करने के लिए यू० एस० कांग्रेस के पास कॅनेडी साहब जायेंगे।

दूसरे जो कोटा रेस्ट्रिक्शन हैं, उन को हटाया जाय। जैसे हिन्दुस्तान से अभी सोइंग मशीन आज चार लाख ड्यूश मार्क से ज्यादा की जर्मनी में नहीं भेजी जा सकती है इस रेजोल्यूशन के पास होने के पा बाद और इस पर अमल शुरू होने के बाद व कोटा रेस्ट्रिक्शन भी हटानी पड़ेंगी ताकि दूसरे लोग वहां कम्पीट कर सकें, जो वे चीजें भज सकते हैं, भज सकें। यह बात मैं ने केवल उदाहरण के तौर पर ही कही है। सैकड़ों और हजारों चीजों पर प्रतिबन्ध हैं और यह सब जो कोटा रेस्ट्रिक्शन हैं, इन को निकालना पड़ेगा।

तीसरे कई बार ऐसा होता है कि कोटा रेस्ट्रिक्शन तो निकाल दिय जाते हैं और जो ड्यूटी है, उस को भी कम कर दिया जाता है, लेकिन अन्दर की म्यूनिसिपलिटि के द्वारा तथा कारपोरेशन के द्वारा एक इंटरनल ड्यूटी लगा दी जाती है। जैसे हमारी चाय है। उस

चाय पर आज १८ परसेंट ड्यूटी है मनी में लेकिन १४९ या १५० परसेंट ड्यूटी है फ्रन्कफर्ट में या और बड़े शहरों में। प्रस्ताव के द्वारा म्युनिसिपैलिटीज के द्वारा यह जो ड्यूटी लगाई जाती है, व भी कम कराने की कोशिश की गई है।

श्री मा० ला० द्विवेदी: इस स्टेटमेंट के पृष्ठ ४ पर लिखा हुआ है :

"...and that the products of interest to them should not ordinarily be excluded by industrialised countries for purposes of reductions in duties provided under their tariffs."

Mr. Deputy-Speaker: Only the question need be put.

Shri M. L. Dwivedi: Here the reference is to the statement.

Mr. Deputy-Speaker: He need not refer to the statement. He can put the question straightway. I have devoted 25 minutes for only three questions.

श्री मा० ला० द्विवेदी: मैं प्रश्न ही पूछ रहा हूँ। मैं जानना चाहता हूँ कि कौन कौन से देश हैं जो यह सुविधा अब भी दे रहे थे और अब कौन से देंगे।

श्री मनुभाई शाह: यह कमोडिटी को एप्लाई करता है न कि देश को।

Shri Manubhai Shah: The "contracting parties" means the sovereign countries which are signatories to GATT. Once a contracting party decides that it will gradually and slowly remove its tariff barrier, if it has some sensitive items, what they call infant industries, then such a commodity will be subjected to an arbitral machinery, what is called the trade negotiating committee. We are represented in the trade negotiating committee. Every under-developed country will be given a chance there to plead why that particular commodity of interest to that country should

not be included in the list of acceptance. Unless the trade negotiating committee on arbitration is convinced it will not be allowed to be excluded from the list of acceptance.

श्री रामेश्वर टांटिया: इस मीटिंग के फलस्वरूप हमारी एक्सपोर्ट्स में कुछ बढ़ोतरी होगी क्या और अगर होगी तो किन किन चीजों की और किन किन देशों को वे भेजी जायेंगी।

श्री मनुभाई शाह: एक्सपोर्ट करने में इस से मदद मिलेगी। बढ़ाना या न बढ़ाना हमारे हाथ में है। उन के हाथ में नहीं है।

Indian Trade Exhibition in Moscow

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Shri Yashpal Singh:
Shri Bishanchander Seth:
Shri Inder J. Malhotra:
Shrimati Savitri Nigam:
Shri Vishram Prasad:
Shri Gulshan:
*65. { Shri Buta Singh:
Shri Narsimha Reddy:
Shri P. C. Borooah:
Shri Jashvant Mehta:
Shri D. D. Mantri:
Shrimati Renuka Barkataki:

Will the Minister of International Trade be pleased to state:

(a) whether it is a fact that an Indian Trade and Industrial Exhibition is being held in Moscow since July;

(b) if so, its purpose and the total cost involved; and

(c) how far the exhibition has proved useful from the Indian point of view?

The Minister of International Trade (Shri Manubhai Shah): (a) Yes, Sir. An Indian Exhibition is currently being held in Moscow. It was inaugurated on the 20th July, 1963, and is scheduled to close on the 19th August 1963.

(b) The purpose of the Exhibition is to promote trade and goodwill between India and the USSR. The

anticipated cost is estimated at about Rs. 84 lakhs. As the exhibition is still running, the exact amounts will be known only after all the accounts of the Exhibition are finalised.

(c) The Exhibition has evoked considerable interest among the Soviet and other East and West European buying organisations in Indian goods. It is expected to yield immediate and long term benefits to India in the promotion of her exports not only to the U.S.S.R. but also to the adjoining East & West European Countries.

श्री यशपाल सिंह : इस एग्जीबीशन के स्टार्ट होने के बाद से कितने नये आर्डर हमारे सामान के लिये इंडिया में आए हैं ?

श्री मनुभाई शाह : इस बात को बतलाना तो बहुत जल्दी होगा। लेकिन खुशी की बात यह है कि पन्द्रह दिन में ही ग्यारह करोड़ के आर्डर आ गये हैं। इस से ही एग्जीबीशन को जज करना ठीक नहीं होगा।

श्री यशपाल सिंह : इस एग्जीबीशन पर कितना खर्चा आएगा ?

श्री मनुभाई शाह : ८४ लाख रुपये के करीब।

श्री बागड़ी : इस एग्जीबीशन में श्रीमती इंदिरा गांधी भी शामिल हुई हैं। उन के ऊपर कितना खर्चा आया है ?

उपाध्यक्ष महोदय : यह अलग बात है।

It has nothing to do with the exhibition. He may table a separate question.

श्री काशी राम गुप्त : इस एग्जीबीशन में किस किस किस्म का माल भेजा गया है और क्या वह माल रूस में खपता है या और किसी किस्म का माल भी है।

श्री मनुभाई शाह : बीस लाख आइटम भेजी गई हैं और उन में से ११ लाख २० हजार आइटम्स को शो किया गया और हर हफ्ते तीन लाख आइटम्स को दोहराया जाएगा।

श्री बागड़ी : मैं ने जो प्रश्न पूछा था, उस का उत्तर नहीं आया है। इंदिरा जी गई थीं, उन के जाने पर कितना खर्च आया है।

Mr. Deputy Speaker : I have disallowed that question.

Shri Manubhai Shah : Before the unwarranted insinuation of the hon. Member goes on record, I would say that Shrimati Gandhi never went there in connection with the exhibition. She was invited by the Soviet Government as a guest.

Mr. Deputy-Speaker : I have disallowed that question. Hon. Ministers may not reply to questions which I have disallowed.

Shri Sham Lal Saraf : May I know if some survey was conducted prior to the opening of this exhibition in Moscow so that the Government could have given a lead to the exhibitors both in the private and public sectors to exhibit such goods as have a very good reaction in the market of Moscow?

Shri Manubhai Shah : It is precisely because of the survey that the goods are being literally mopped up there.

Shri Shree Narayan Das : What is the total number of persons who have so far visited this exhibition?

Shri Manubhai Shah : About 15 lakhs in the first twelve days.

Shri Basumatari : What is the interest created by this exhibition?

Shri Manubhai Shah : I have already said that.

श्री राम सेवक यादव : इस प्रदर्शनी के सिलसिले में मंत्रालय की ओर से कितने लोग भेजे गये उसे देखने के लिए और उन को भेजे जाने की क्या क्या कसौटियां थीं ?

श्री मनुभाई शाह : मंत्रालयों से २६ आदमी भेजे गये और हिन्दुस्तान के...

श्री राम सेवक यादव : कौन कौन भेजे गए

श्री मनुभाई शाह : मेरे मंत्रालय के तथा दूसरे सम्बद्ध मंत्रालय जो हैं, उन के लोग भेजे गये हैं

श्री राम सेवक यादव : कर्मचारियों के अतिरिक्त और कौन कौन लोग भेजे गये हैं ?

श्री मनुभाई शाह : कर्मचारियों के अलावा अगर मैं रह गया तो मैं भी गया था । कर्मचारी भी गए थे । १८५ इंडस्ट्रीज के बिजिनसमें गए थे ।

Shri Indrajit Gupta: I want to know whether it is a fact that a documentary film of this exhibition in Moscow is being sought to be made by the Government of India for publicity purposes by commissioning some American film companies instead of using our own resources.

Shri Manubhai Shah: No, Sir; the documentary is being done by our people with Soviet specialists. Actually 1,000 to 2,000 feet of coloured film is being taken for all the aspects of the exhibition.

श्री विश्वाम प्रसाद : मैं यह पूछना चाहता हूँ कि कितने माडल्स इंडिया से उस प्रदर्शनी में भेजे गए ?
How many models were sent to the exhibition?

Shri Daji: It is an interesting question.

Shri Manubhai Shah: All these things which are exhibited are models.

Shri Daji: Everyone knows that. He means living models.

Shri Manubhai Shah: I am sorry. We had the Bombay party headed by Miss Spencer and Erica Lall. There were seven Indian models as far as textiles is concerned.

Shri Swell. The Minister had said that the Exhibition is likely to create a tremendous impact on Moscow and European countries. Has he thought of measures to guarantee that the goods sent subsequently against the

orders from these countries would not be sub-standard as it always happens to be?

Shri Manubhai Shah: We have absolutely no doubt that. The real first-class goods will be sent.

श्री अ० प्र० शर्मा : क्या मैं जान सकता हूँ कि इस प्रकार की प्रदर्शनी रूस में ही की जाएगी या और देशों में भी की जाएगी ?

श्री मनुभाई शाह : पहले तो हम ने यह सोचा था कि इस प्रकार की छोटी छोटी प्रदर्शनी और देशों में भी करेंगे, लेकिन इस बारे में निर्णय इस प्रदर्शनी के पूरा हो जाने के बाद और इस का अससमेंट कर लेने के बाद लिया जाएगा । इस प्रदर्शनी में हम ने यूरोपियन देशों के प्राइम मिनिस्ट्रों, विदेश मंत्रियों और ट्रेड आरगोनाइजेशन के प्रतिनिधियों को बुलाया है । मंगोलिया के प्राइम मिनिस्टर भी आ गए हैं । इन सब की बातों की तुलना करेंगे और बाद में तै करेंगे कि भविष्य में क्या प्रोग्राम रखा जाए ।

New Steel Plant

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Shri Shree Narayan Das:
Shri Yashpal Singh:
Shrimati Vimla Devi:
66. {
Shri Dinen Bhattacharya:
Shri P. K. Ghosh:
Shri Kapur Singh:
Shri Kesar Lal:

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

(a) the present position with regard to French financial and technical co-operation for setting up a million-ton steel plant in Goa or at some other suitable site;

(b) whether the negotiations have been finalised; and

(c) if so, the precise nature of the agreement reached?

The Deputy Minister in the Ministry of Steel and Heavy Industries

(**Shri P. C. Sethi**): (a) to (c). In the Third Five Year Plan, there is no provision for any new steel plant in Goa. In the context of the requirements of the Fourth Five Year Plan, the feasibility of a steel plant in the Goa-Hospet region of one million ton capacity or more is being explored. The question of financial arrangement for the Project would be considered at the appropriate time.

Shri Shree Narayan Das: May I know whether any negotiations at private level or at Government level are going on?

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

Shri Kapur Singh: May I know whether this proposed steel plant is expected to utilise and absorb all the iron ore potential of Goa or will there still be left some surplus for export?

Shri C. Subramaniam: We will always continue to export and if iron ore in the Goa region is exhausted, iron ore from other regions can be exported through Goa.

श्री यशपाल सिंह : क्या फ्रांस के अलावा किसी और देश के साथ भी इस मामले में कोई बातचीत हुई है ?

Shri C. Subramaniam: No, Sir. No negotiation is going on.

Shri P. Venkatasubbaiah: May I know whether, apart from Goa, is it being contemplated to effect exports through Vishakhapatanam?

Mr. Deputy Speaker: The main question relates only to the Goa region.

Manufacture of Machine Tools

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- *67. { **Shri Imbichibava**;
Shri P. Kunhan;
Shri Warior;
Shri Vasudevan Nair;
Shri M. N. Swamy;
Shri A. K. Gopalan;

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

(a) whether it is a fact that a number of licences granted to private firms for the manufacture of machine tools have not yet been utilised;

(b) if so, the reasons therefor;

(c) whether Government intend to take over these private sector projects; and

(d) the steps Government propose to take to ensure attainment of the Third Plan target for machine tools?

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

(b) The manufacture of machine tools requires considerable investment relative to output, and intricate skills. Difficulties and delays are experienced in obtaining foreign exchange, especially from scarce sources; in formulating satisfactory manufacturing programmes; and in securing foreign collaboration.

(c) The public sector is already undertaking a large part of the existing production of machine tools. There is no proposal to take over any units in the private sector.

(d) The industry's requirements of imported machinery, raw materials and components are accorded high priority, consistent with availability of foreign exchange. The public sector is also being expanded.

Shri Imbichibava put a question in Malayalam.

Shri Nambiar: Sir, I will translate it.

What stands in the way of the Government taking it over from the private sector?

Shri C. Subramaniam: I do not see any reason why it should be taken over from the private sector.

Shri Daji: The reply to part (a) of the Question is very vague. I would like to know how many licences were actually taken out which did not fructify and similarly about part (d) of the Question, I would like to know

what is the shortfall as against the target fixed.

Shri C. Subramaniam: On the whole, so far, 209 licences have been issued. Out of these, 59 were issued in 1962-63. Only 26 schemes are showing some life. If all of them go into production, then it may amount to Rs. 19 crores.

Shri Daji: The second part of my question has not been replied to. As a result of this failure, what shall be the shortfall in the target?

Shri C. Subramaniam: That is why we are trying to expand more in the public sector so that that shortfall may be made up.

Shri P. Kunhan: May I know the private sector units that have not utilised those licences?

Shri C. Subramaniam: It is a large number. As I have already stated, 209 licences have been issued. Only 26 schemes are being actively pursued.

Shri Kashi Ram Gupta: May I know the possible reasons for the licensees not implementing these licences?

Shri C. Subramaniam: That has been already given in answer to part (b) of the question.

Shri Vasudevan Nair: It has been stated that a large number of licences are not being utilised. May I know whether before issuing the licences, Government ascertained the capacity of those private parties as to whether it would be possible for them to implement those projects?

Shri C. Subramaniam: As far as it is possible, when we find that adequate steps are not being taken to utilise the licences after being given sufficient time the licences are being revoked.

Shri Ranga: May I know whether any active and constructive steps are being taken by Government themselves to help these people to over-

come their difficulties and see that they fulfil their promises to us which they made when they took the licences?

Shri C. Subramaniam: To the extent necessary Government are giving all possible assistance. But this is private enterprise, and they cannot expect Government to take over the whole thing.

Shri Jashvant Mehta: May I know the shortfall in the Third Five Year Plan on account of the non-utilisation of these licences?

Shri C. Subramaniam: I have already stated that we expected that we should reach a production to the extent of Rs. 30 crores per annum, but perhaps we may reach only Rs. 25 crores.

Shrimati Savitri Nigam: May I know whether any survey has been made to ascertain the total requirements, what percentage of the requirements is being met by indigenous production and what percentage is met by imports, and what action has been taken against those who have not utilised the licence and fulfilled their promises?

Shri C. Subramaniam: An estimate was made that we might require about Rs. 60 crores worth of machine-tools by the end of the Third Plan period. Out of this, the plan is to produce at least Rs. 30 crores worth of machine-tools but we would not be reaching even this; it will be a little lower than that.

Dr. Sarojini Mahishi: What percentage of the total requirements of machine-tools in the country is expected to be manufactured in the private sector, and how far has this been achieved till now?

Shri C. Subramaniam: The private sector production achievement has so far been round about Rs. 4 crores. The balance is being produced in the public sector.

श्री श्रीकारलाल बेरवा : मैं जानना चाहता हूँ कि क्या कुछ लाइसेन्सदातों

सरकार के पास यह शिकायत आई है कि उन को जो सुविधायें मिलनी चाहियें वे नहीं दी जा रही हैं ।

श्री प्र० चं० सेठी : उन की आवश्यकतानुसार जो सुविधायें देने की जरूरत है वे दी जाती हैं ।

श्री कछवाय : मैं जानना चाहता हूं कि क्या यह बात सही है कि कुछ लोग जिन के पास लाइसेंस हैं वे उन का उपयोग नहीं करते ? यदि हां, तो क्या सरकार के सामने कोई तजवीज है कि उन के लाइसेंस रद्द कर दिये जायें और दूसरों को दे दिये जायें ?

श्री प्र० चं० सेठी : यदि वे एक निश्चित अवधि के पश्चात् तक उन को अमल में नहीं लाते, तो उन को नोटिस दे कर लाइसेंस रद्द कर दिया जाता है और दूसरों को दे दिया जाता है ।

Expansion of Rourkela Steel Plant

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*68. { **Shri D. C. Sharma:**
Shri Vishwanath Pandey:
Shri Kolla Venkaiah:

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

(a) whether a fresh agreement providing for Rs. 48 crores for the expansion of Rourkela Steel Plant has been signed between West Germany and India;

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

(c) whether any delegation has gone to West Germany for the purchase of machinery and equipment for Rourkela's expansion programme?

The Deputy Minister in the Ministry of Steel and Heavy Industries (Shri P. C. Sethi): (a) Yes, Sir. An agreement for a loan of DM 400 million for expansion of the Rourkela steel plant was signed between West Germany and India on the 25th April, 1963.

(b) The loan is intended to meet the cost of supplies and services obtained from West Germany for expansion of the Rourkela plant proper. The loan is granted for a period of twenty years and bears interest at the rate of 5½ per annum.

Copies of the loan agreement are available in the Parliament Library.

(c) No, Sir. But a delegation went to finalise the procedure of disbursement of the loan and a few other connected matters.

Shri D. C. Sharma: Is any period within these 20 years without payment of interest or are we going to pay interest throughout the period of 20 years?

Shri C. Subramaniam: I think it carries interest throughout the 20 years. But there is a grace period of five years for payment.

Shri D. C. Sharma: Is this the final instalment of expansion or has the Ministry some other plans also for further expansion of this plant?

Shri C. Subramaniam: Yes, in the Fourth Plan there will be further expansion of the Rourkela plant.

Shri Tyagi: Is Rourkela working to its full capacity? If not, what is the shortage in percentage?

Shri C. Subramaniam: It is working almost to full capacity.

Shri Morarka: May I know the of determining or fixing the price of supplies and equipment which are going to come from Germany?

Shri C. Subramaniam: We are calling for tenders inside West Germany. It has been fixed on the basis of the tenders.

Shri Priya Gupta: Is the cost required for raw materials for Rourkela the same or different from other steel plants? What is the basis of fixing the price for raw materials to get the total output cost to be balanced?

Shri C. Subramaniam: It is a completely different question.

Shri Priya Gupta: It is a question regarding Rourkela concerning production cost.

Shri C. Subramaniam: I am sorry it does not relate to the main question.

Shri Indrajit Gupta: What will be the additional number of German technicians and other personnel who will have to be brought as part of this expansion project? What will be the approximate cost of services on that account?

Shri C. Subramaniam: I am sorry I cannot give details immediately.

Shri Nath Pai: Is it a fact that the roof where the rolling mill is located collapsed because there was accumulation of dust on the roof? If so, has it been taken into consideration whether the present roof of the steel plant will be able to bear the additional capacity proposed to be installed there?

Shri C. Subramaniam: A small portion of the roof, not over the rolling mill, but of the LD converter mill collapsed because of accumulation of iron dust there. But that has been looked into. It was due to negligence and proper action is being taken.

Shrimati Renu Chakravartty: What will be the added capacity to the Rourkela plant and how does the expansion cost compare with the cost of expansion being undertaken both at Durgapur and at Bhilai?

Shri C. Subramaniam: This expansion is 1 to 1.8 million tons. The comparison is quite favourable.

Shri K. C. Pant: Will Government call for tenders directly from the German firms or will some Indian or German engineering company do the co-ordination work? This is for the machinery.

Shri C. Subramaniam: Order for machinery has been placed by the Hindustan Steel directly.

Export of Iron Ore to Japan

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Shri Rameshwar Tantia:
Shri Basumatari:
Shri Surendra Pal Singh:
Shri Bishanchander Seth:
Shri Yashpal Singh:
Shri Subodh Hansda:
Shri Raghunath Singh:
Shri D. C. Sharma:
Shri P. Venkatasubbaiah:
Shri P. R. Chakraverti:
Shri Vishram Prasad:
Shri Morarka:
Shri Ravindra Varma
Shri Indrajit Gupta:
Shri Mohan Swarup:
Shri P. C. Borooah:
Shri V. B. Gandhi:
Shri Onkar Lal Berwa:
Shri Sideshwar Prasad:
Shri Brij Raj Singh:
Shri Kachhvaia:

*69.

Will the Minister of International Trade be pleased to state:

(a) whether it is a fact that India signed an agreement with Japan for export of iron ore for two years;

(b) if so, its broad terms; and

(c) the extent of export and the manner of payment?

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

(b) and (c). Under the contract in 1963-64 sales to Japan will be made of 2.54 million tons of iron ore (2.2 million tons of 65/62 grade, .22 million tons 65/65 grade and .12 million tons 62/60 grade). In 1964-65 the sales will be 2.775 million tons (2.4 million tons 65/62 grade, .225 million tons 65/65 grade and .15 million tons 62/60 grade). In addition 30,000 tons of iron ore will be sold at buyer's option, for each of the years 1963-64 and 1964-65.

The sales will be in cash in foreign exchange. The overall sale proceeds

of the above transactions is estimated to be Rs. 13 crores approximately.

STC has also agreed to import Rs. 2.11 crores worth of steel in 1963-64 and Rs. 2.47 crores worth of steel in 1964-65 from the Japanese Steel Mills.

Shri Rameshwar Tantia: Apart from steel, will some other items also be imported against this?

Shri Manubhai Shah: It is a cash transaction. The other thing is only by bilateral purchase.

Shri Basumatari: May I know whether this export agreement will affect the production of our steel plants?

Shri Manubhai Shah: The hon. House is aware that we are already importing considerable quantities of steel. It will rather reduce our steel import from other sources.

श्री अचल सिंह : यह कहां तक मुनासिब है कि हिन्दुस्तान की इंडस्ट्रीज पिग आयरन की वजह से स्टॉक करें और हम दूसरे देशों को इस का एक्सपोर्ट करें ?

श्री मनुभाई शाह : यह पिग आयरन नहीं बल्कि कच्चा लोहा जा रहा है, आयरन और जा रहा है ।

Shri Shivananjappa: May I know the quota that is allotted to Mysore for export?

Shri Manubhai Shah: Some quantities will go from Mysore, but most of it will be from Kiriburu and Bailadila.

Shri Ravindra Verma: In view of the decreased estimates of the iron ore deposits of Belllary and Sandur, is there any likelihood of a revision of our export policy?

Shri Manubhai Shah: Not at all. As a matter of fact, we are trying to sell off more.

Shri Surendra Pal Singh: During 1962-63 Japan failed to take 2 million tons of iron ore from India as per

terms of the agreement. What steps are being taken this time to see that the same sort of thing does not happen again?

Shri Manubhai Shah: Generally, buyers and sellers do not quarrel. That is what we are doing.

Shri Venkatasubbaiah: Is it a fact that this time the price of iron ore has been brought down, and if so, what is the reason? Does it not affect the mine owners in our country?

Shri Manubhai Shah: In the last two or three years, revolutionary changes have taken place in iron ore mining, and new deposits, as the House is aware, have been opened up in West Australia, Brazil and Russia. We have to walk very warily and see that we are not priced out.

Shri Tyagi: What is the cost price F.O.B. in Japan, and may I know if the price at which it is sold to Japan is much less than the cost price in India? Is that loss to the mineowners to be made good by the STC in some other way?

Shri Manubhai Shah: As far as the price is concerned, I would see each the House that it would not be in the public interest to disclose the prices, but it is not a losing proposition at all.

Shri Tyagi: I wanted to know whether the loss which these mineowners will incur is to be made good by the STC.

Shri Manubhai Shah: The mineowners do not incur any loss at all. We buy from them at reasonable prices, certainly not at inflated prices when the world prices are coming down, but there is no loss involved to the mineowners at all.

श्री यशपाल सिंह : क्या जापान की शर्तें और मुल्को के मुकाबले में किसी कदर अच्छी थीं या दूसरे मुल्को में इस मामले में बातचीत ही नहीं की गई ?

श्री मनुभाई शाह : जाहिर है कि उन की शर्तें अच्छी ही होंगी तभी तो हम ने उन्हें बेचना मंजूर किया ।

श्री यशपाल सिंह : क्या दूसरे मुल्कों से भी इस बारे में बातचीत की गई ?

श्री मनुभाई शाह : हम मुकाबला नहीं करते हैं ।

Shri Mohan Swarup: Is it also a fact that Japan is taking another 2 million tons of iron ore per year from Kiriburu mines and 4 million tons per annum from Bailadila for a period of 15 years beginning from 1966?

Shri Manubhai Shah: This is only a two-year contract. The long-term contract is still under discussion.

Shri Sivamurthi Swamy: May I know whether the export will be made only through STC or individual exporting houses also?

Shri Manubhai Shah: As the House is aware, iron ore has been nationalised. It is completely done by STC.

श्री बड़े : क्या यह बात सच है कि जापान ने मध्य प्रदेश में आयरन ओर का कंट्रैक्ट कर लिया है और वह गोआ से कम रेट पर कर लिया है ?

श्री मनुभाई शाह : गोआ का ओर बिल्कुल दूसरी किस्म का है और दोनों का कोई मुकाबला नहीं है । गोआ के लिए जो डिमांड है वह ओर जगहों से सैटिसफाई नहीं हो सकती और अन्य जगहों की डिमांड गोआ से सैटिसफाई नहीं हो सकती है ।

श्री श्रींकार लाल बेरवा : मैं जानना चाहूंगा कि जापान को लोहा देने के लिये जो राज्यों के लोहे के कोटे के अन्दर कटौती की गई है उस कटौती को पूरा करने और उन को लोहा देने का क्या सरकार ने कोई इंतजाम किया है ?

श्री मनुभाई शाह : मैं विनती करूँ कि यह लोहे की बात नहीं है बल्कि यह लोहे की धातु की बात है । आयरन ओर की बात है । लोहे की कोई कटौती नहीं की गई है । हमारे पास उस का समुद्र भरा पड़ा हुआ है ।

Shri Bhagwat Jha Azad: May I know whether the result of this agreement and the consequent price policy of the Government has proved disadvantageous to the iron ore mine-owners in South Bihar, and consequently they have submitted a memorandum to the Government in this regard?

Shri Manubhai Shah: That is true, but that is not quite germane to this particular issue. I must caution all the mineowners of this country that in the world there has set in already a buyer's market sector and unless and until our mines become more efficient and become more competitive and modernised, they and we will not stand a chance; we are witnessing it in manganese ore. We should all strive to see that the cost of production comes down.

Shri Mohsin: Is it a fact that the export of iron ore is now from the eastern ports instead of from the western ports though the iron ore comes from mainly from Mysore?

Mr. Deputy-Speaker: Order, order. That is a different question.

रूस को जूतों का निर्यात

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*७०. { श्री ननवल प्रभाकर :
श्री मोहन स्वरूप :
श्री प्र० च० बरुआ :
श्री द्वारका दास मंत्री :

क्या अन्तर्राष्ट्रीय व्यापार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि रूस को जूतों का निर्यात बड़ी संख्या में किया जा रहा है;

(ख) यदि हां, तो उस का ब्योरा क्या है; और

(ग) उस से कितनी विदेशी मुद्रा मिलने की आशा है ?

अन्तर्राष्ट्रीय व्यापार मंत्री (श्री मनुभाई शाह) : (क) और (ख) जी, हां। हमारा लक्ष्य, १९६३ में ७-८ लाख जोड़ी जते निर्यात करने का है और यह १९६६ में १० लाख जोड़ी से भी अधिक हो जायेगा।

(ग) १९६३ में हम इस से १.४ करोड़ रुपये की विदेशी मुद्रा कमाने की आशा करते हैं। यह १९६६ तक दुगुनी भी हो सकती है।

श्री नवल प्रभाकर : हमारे देश के किस राज्य से सब से ज्यादा जूतों का निर्यात होता है ?

श्री मनुभाई शाह : सब से ज्यादा आगरा से जाते हैं दुनिया के अलग अलग देशों को।

श्री नवल प्रभाकर : दिल्ली से भी क्या जाते हैं ?

श्री मनुभाई शाह : दिल्ली से भी जाते हैं मद्रास से भी जाते हैं, कलकत्ता से भी जाते हैं, बाटानगर से भी जाते हैं।

श्री नवल प्रभाकर : दिल्ली से कितने जाते हैं ?

श्री मनुभाई शाह : दिल्ली से बहुत थोड़े जाते हैं, ज्यादा नहीं जाते हैं। ६ लाख के करीब दिल्ली से जाते हैं।

श्री द्वारका दास मंत्री : चमड़े की अन्य चीजों को प्रधानता देने के सम्बन्ध में या एक्सपोर्ट ज्यादा कराने के सम्बन्ध में कोई योजना सरकार के पास है क्या ?

श्री मनुभाई शाह : योजना यही है कि भी पैदा करें और वे हमारे स्टैंडर्ड के मुताबिक हों, उन सब को हम एक्सपोर्ट के

लिए खरीदने के लिए तैयार हैं। उन की क्वालिटी अच्छी होनी चाहिये। और दाम भी ठीक होने चाहियें।

Shri Firodia: What is the share, in these exports, of the small scale and village industries and the industrial co-operatives?

Shri Manubhai Shah: We encourage them.

Shri Firodia: What is the share?

Shri Manubhai Shah: The entire quantity comes from the small scale sector except the canvas shoes and rubber shoes which are made by the organisation. But now we propose, in view of the tremendous demand from the world, and we will have to see that some mechanised big factories also produce shoes for export.

Shri Nath Pai: In view of the fact that in spite of the rather unsatisfactory quality of our shoes, the Indian shoes are finding favour in all the strata of the Soviet Union, may I know if there is substance in the report which appeared in a certain paper that the pattern of shoes worn in the United Nations by the Soviet Premier, Mr. Khrushchev, was of Indian origin?

Shri Manubhai Shah: I am glad that the hon. Member has favourable remarks to make. It is now gradually finding its way to every part of the world, including of course, the Soviet Union. Poland and Hungary were the first two to buy it, and it goes to the United States also and Germany and other countries as well. We are trying to export more and more.

Shri Hari Vishnu Kamath: On a point of order. The last part of the question was not answered: has the Government tried to ascertain whether the shoe used by Mr. Khrushchev in the United Nations was of Indian make.

Mr. Deputy-Speaker: It is not relevant to this question.

Shri Nath Pai: That shows the popularity of our shoes.

Mr. Deputy-Speaker: He may table another question.

Shri Hari Vishnu Kamath: All right, Sir. I am not putting that question now. I shall table a separate question.

Shri U. M. Trivedi: On a point of order. Can a separate question be asked about the particular type of shoe which a particular gentleman wears? Can such a question be put in the House?

Mr. Deputy-Speaker: That is why I disallowed it.

Shri Hari Vishnu Kamath: Whether he misused the Indian shoes! That is the question.

श्री रामेश्वरानन्द : ये जो जूते रूस को या दुनिया के दूसरे देशों को निर्यात किये जाते हैं, इन के लिए चमड़ा किस प्रकार प्राप्त किया जाता है, क्या मृत पशुओं का वडा होता है या जीवित पशुओं का बध कर के उस को प्राप्त किया जाता है ?

Shri Manubhai Shah: The question does not arise out of this.

श्री राम सहाय पाण्डय : रूस के अतिरिक्त कौन से देश हैं जहां पर भारतीय जूते बहुत पसन्द किये जाते हैं और जिन की डिमांड हम पूरी नहीं कर पाते हैं ?

श्री मनुभाई शाह : सूडान है, साउदी अरेबिया है, यू० के० है, सिलोन है, यू० एस० इत्यादि हैं ।

Coal Washery at Dugda

- *71. { **Shri P. R. Chakraverti:**
 { **Shri Raghunath Singh:**
 { **Shri P. C. Borooah:**
 { **Shri Morarka:**
 { **Shri Ravindra Varma:**

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

it is fact that the Hindustan Steel Limited proposes to start a second coal washery at Dugda near Dhanbad at an estimated cost of Rupees 5.25 crores?

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

Shri P. R. Chakraverti rose—

Mr. Deputy-Speaker: No supplementaries?

Shri P. R. Chakraverti: Sir, that stand before you is coming in between you and me and that is why you are not able to see me. Either you remove that stand or I move myself somewhere I am the questioner.

Mr. Deputy-Speaker: It is fixed.

श्री रामेश्वरानन्द : उपाध्यक्ष महोदय, मेरे प्रश्न का उत्तर क्यों नहीं आया है ।

उपाध्यक्ष महोदय : मैं ने दूसरा प्रश्न ले लिया है, आप बैठ जाइये ।

श्री रामेश्वरानन्द : मेरे प्रश्न का उत्तर आना चाहिये । आप ने दूसरा प्रश्न ले लिया है । मेरे साथ आप अन्याय क्यों कर रहे हैं । एक ही प्रश्न मैं ने किया है और उस का भी उत्तर आप ने आने नहीं दिया है

उपाध्यक्ष महोदय : आर्डर, आर्डर ।

Shri P. R. Chakraverti: May I know the phased programme for starting more washeries in the area in addition to the one at Dugda?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): Yes, Sir, we have now a programme of having more washeries particularly because we have to wash our coal to improve the grade.

Shri P. R. Chakraverti: May I know how many washeries are working at present and what is the target fixed by the Government?

Shri C. Subramaniam: I cannot give you the exact number immediately, because there are some washeries run by the Hindustan Steel and some washeries run by the N.C.D.C.

Shri Morarka: May I know whether there is any foreign collaboration for this project and what will be the foreign exchange component?

Shri C. Subramaniam: There is no question of collaboration. This is owned by Hindustan Steel and the equipment is supplied by Messrs. Robert Steiffer Company, and the foreign exchange component is Rs. 2:35 crores.

Shri Priya Gupta: May I know if in the proposal for setting up the new Dugda Coal washery, any suggestion has been made from the Government side to provide aprons and other amenities to save the labourers and the employees from trade diseases which are very common because of their inhaling coal dust and other bad elements?

Shri C. Subramaniam: Yes, Sir; all possible preventive steps are being taken.

Shri Priya Gupta: It is not there already. Have we included them here?

Mr. Deputy-Speaker: All steps are being taken.

Shri Jaipal Singh: Has any study been made of the effect the present washery is having on the river and the fish there, and has any assessment been made as to what will happen when the new washery comes up?

Mr. Deputy-Speaker: The question is about a particular washery and not about all washeries.

Shri Jaipal Singh: It is doing enough damage to the river and the fish there. What will happen to the fish and the river when the second washery is installed?

Mr. Deputy-Speaker: Shri Ravindra Varma.

Shri Ravindra Varma: May I know what the expected capacity of the second washery is and what particular steel plants...

Shri Priya Gupta: The entire colliery belt is suffering very much. The hon. Minister must be asked to reply to the question put by Shri Jaipal Singh.

Mr. Deputy-Speaker: I have disallowed that question.

Shri Priya Gupta: The health of the people is being affected very badly. River water is the only source of drinking water. What measures have been taken to prevent its pollution and damage by washery drainage? It is a very fundamental question? I come from that area—Bihar.

Mr. Deputy-Speaker: Order, order. I have disallowed that question. We are concerned here only with the establishment of the washery at Dugda.

Shri Priya Gupta: It is a very important question. I do not challenge your ruling, but it is a very important question.

Mr. Deputy-Speaker: We are here concerned only with the washery at Dugda.

Shri Jaipal Singh: Sir, I do not challenge your ruling. But I would like to be enlightened as to on what basis you have disallowed this question?

Mr. Deputy-Speaker: This is only about starting a washery at Dugda. We are not concerned with the effect of the washery or the health of the persons. That is a subject-matter for a separate question.

Shri Priya Gupta: We are concerned with this. Sir, I will take only one second.

Mr. Deputy-Speaker: Please sit down.

Shri Priya Gupta: By the setting up of this washery the water in the

river will get further spoiled. Shri Jaipal Singh wanted to know what action is being taken.

Mr. Deputy-Speaker: He asked a general question which has nothing to do with this.

Shri Ravindra Varma: Sir, I wanted to know what is the expected capacity of the coal washery that would be set up and what particular steel plants the second washery will cater to.

Shri C. Subramaniam: It is expected to produce 1.2 million tons of washed coal. We expect to use it in Rourkela and Bokaro.

Kandla Free Trade Zone

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*72. { Shri Sham Lal Saraf:
 { Shri Heda:

Will the Minister of International Trade be pleased to refer to the reply given to Starred Question No. 568 on the 24th August, 1962 and state:

(a) whether a decision to declare Kandla as Free Trade Zone has been taken; and

(b) if so, the details thereof?

The Minister of International Trade (Shri Manubhai Shah): (a) A decision has been taken to set up a Free Trade Zone at Kandla.

(b) The details are being worked out.

Shri Sham Lal Saraf: May I know when it will be declared a free port?

Shri Manubhai Shah: It is not a free port. It is a small zone of half an acre to begin with. Rs. 2-1½ crores will be spent on that to begin with, of which Rs. 50 lakhs will be in foreign exchange.

Shri Sham Lal Saraf: Do I understand that all the amenities and facilities that are supposed to be given to persons who deal in imports and exports in ports which have been dec-

lared free ports will not be given to them?

Shri Manubhai Shah: All the facilities incidental to declaring a port a free port or free zone will be provided to the entrepreneurs and the traders in that zone.

WRITTEN ANSWERS TO QUESTIONS

Elimination of Industrial Tariffs

*64. **Shri P. C. Borooah:** Will the Ministry of International Trade be pleased to state:

(a) whether the European Free Trade Association's Ministerial Council in their meeting in Lisbon in May, 1963, approved plans for the elimination of all industrial tariffs within the Seven Nation Association by the end of 1966; and

(b) if so, whether the probable effects of the implementation of this scheme on Indian Export to these countries have been considered and if so, with what result?

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

(b) The present decision of the Council of Ministers is to advance the target date for the elimination of duties on industrial items between the member-countries from 1969 to 1966. As India's exports of the items in question to the U.K. and those of the other EFTA countries to one another are by and large non-competitive and by their convention the tariff treatment which India gets in the U.K. and the other EFTA countries will be continued as before, the proposed change in the time table is not likely to have any immediate adverse effects on India's trade with the member-countries. The position is, however kept under constant review by the Government.

गोआ में औद्योगिक निगम

*७३. { श्रीमती सावित्री निगम :
श्री म० ला० द्विवेदी :

क्या अन्तर्राष्ट्रीय व्यापार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का विचार गोआ में औद्योगिक निगम अथवा राज्य व्यापार निगम की कोई शाखा स्थापित करने का है, जिस से वहां के नये उद्योगों की सहायता की जा सके; और

(ख) यदि हां, तो इस के कब तक स्थापित हो जाने की आशा है ?

अन्तर्राष्ट्रीय व्यापार मंत्री (श्री मनुभाई शाह) : (क) और (ख). राज्य व्यापार निगम का एक क्षेत्रीय कार्यालय १ जुलाई, १९६३ से गोआ में खल चुका है। लघु उद्योग सेवा संस्था की एक शाखा भी स्थापित हो चुकी है। गोआ के लिए एक औद्योगिक निगम स्थापित करने का कोई विचार नहीं है किन्तु गोआ में उद्योगों के विकास के लिये सरकार सभी सम्भव सहायता दे रही है।

Decline in Exports

*74. { श्री Ravindra Varma:
श्री Morarka:
श्री Balmiki:
श्री Inder J. Malhotra:
श्री P. Kunhan:

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

(a) whether our exports to the East European countries and countries in Asia and Africa have registered a decline during 1962-63;

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

(c) the steps Government propose to take to arrest the decline and stimulate our exports to these countries?

The Minister of **International Trade** (Shri Manubhai Shah): (a) to (c). A statement is laid on the Table of the House /Placed in Library, See No. LT-1446/63].

Srivastava Committee on Jute Goods

*75. { श्री Indrajit Gupta:
श्री P. C. Borooah:
Dr. U. Misra:
श्री Dinen Bhattacharya:
श्री D. C. Sharma:

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

(a) whether the Srivastava Committee's report on ways and means of increasing jute goods exports has been considered by Government;

(b) whether it is a fact that the Committee has recommended that the industry should itself finance any export subsidy; and

(c) if so, Government's reaction in the matter?

The Minister of **International Trade** (Shri Manubhai Shah): (a) to (c). Copies of the Report have been placed in the Parliament Library. There is no recommendation of the Committee as indicated in part (b) of the question. The Report is at present under consideration and Government's decisions on the recommendations made in the Report will be announced shortly.

कैमरे बनाने का कारखाना

*७६. { श्री सरजू पाण्डेय :
श्री प्र० च० बरुआ :

क्या उद्योग मंत्री २६ अप्रैल, १९६३ के तारांकित प्रश्न संख्या १०४७ के उत्तर के सम्बन्ध में य. बताने की कृपा करेंगे कि :

(क) कैमरे बनाने के प्रस्तावित कारखाने की स्थापना के बारे में इस बीच क्या प्रगति हुई है; और

(ख) कारखाना कहाँ पर स्थापित होगा तथा उस पर कुल कितनी घनराशि व्यय होगी ?

उद्योग मंत्री (श्री कानूनगो) : (क) और (ख). विदेशी मुद्रा बचाने के उद्देश्य से सरकार अब प्ले प्रस्तावित ३५ मि० मी० वाले कैमरों के स्थान पर सस्ते किस्म के कैमरे बनाने की सम्भावना पर विचार कर रही है। इस मामले में विदेशी 'कम' के साथ पत्र व्यवहार हो रहा है।

Steel Project in Madhya Pradesh

*77. { Shri R. Barua;
Shri Onkar Lal Berwa:

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

(a) whether any survey is taken up to explore possibilities of setting up a steel project in Madhya Pradesh; and

(b) whether Bailadila iron ore mines have potentialities for such an expansion?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): (a) and (b). Studies are now being conducted to ascertain the feasibility of setting up a new steel plant in the public sector in the Bailadila-Visakhapatnam area. The potentialities of the Bailadila iron ore mines are also being investigated in that connection.

Disposal of Imported Vehicles by S.T.C.

*78. { Shri P. C. Deo Bhanj;
Shri Buta Singh;
Shri Gulshan;
Shri Narasimha Reddy;
Shri Ram Ratan Gupta;
Dr. L. M. Singhvi;
Shri Ram Sewak Yadav:

Will the Minister of International Trade be pleased to state:

(a) the manner in which the State Trading Corporation dispose of the

imported vehicles acquired from foreign diplomats and others; and

(b) the amount of profit made so far by the State Trading Corporation in acquiring and selling these vehicles?

The Minister of International Trade (Shri Manubhaj Shah): (a) The imported vehicles acquired by the STC under the scheme are allowed to be sold/allotted as per the following order of priority:

1. Rashtrapati Bhavan
2. Raj Bhavans
3. Defence requirements
4. Tourist Promotion
5. Central/State Governments
6. Public Sector Undertakings
7. Sales to public through sealed tenders.

(b) It will not be in public interest to disclose either the profits or the sale prices. It was for mopping up of the profits and to prevent the subsequent drain on the foreign exchange that the Hon. House and the public wanted Government to devise suitable mechanism to tackle this matter.

I also lay on the Table of the House a statement giving the number of vehicles so far acquired by the STC since the beginning of the scheme and the number of vehicles sold/allotted so far etc. [Placed in Library. See No. LT-1447/63]

Cloth Prices

*79. { Shri Warior;
Shri Vasudevan Nair;
Shri Dinen Bhattacharya;
Shri Raghunath Singh;
Shri P. C. Borooah;
Shri P. R. Chakraverti;
Shri Sidheshwar Prasad:

Will the Minister of International Trade be pleased to state:

(a) whether the Indian Cotton Mills Federation has demanded an upward revision of cloth prices; and

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

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

(b) The representation of the Indian Cotton Mills Federation is under consideration.

Tea Centres in European Countries

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

Will the Minister of International Trade be pleased to refer to the reply given to Starred Question No. 242 on the 16th November, 1962 and state:

(a) whether Government have since considered the proposals for opening tea Centres in European Countries;

(b) if so, the details thereof; and

(c) the recurring expenditure to be incurred thereon?

The Minister of International Trade (Shri Manubhai Shah): (a) and (b). As a first step towards the setting up of Tea Centres in Europe, a senior officer of the Tea Board has been appointed with headquarters at Brussels to determine suitable locations for the Centres and arrange for their being set up. The Chairman, Tea Board and this officer have recently visited some of the countries in Europe and currently are having consultations with our Ambassador at Brussels with a view to finalising the location of the centres and formulating a co-ordinated programme for tea promotion in these areas.

(c) Recurring expenditure will be estimated once the sites for the Centres have been located.

Aluminium Plant in M.P.

*81. **Shri Birendra Bahadur Singh:** Will the Minister of Industry be pleased to state:

(a) whether negotiations between the Governments of India and Hungary for the location of an Aluminium

Plant in Madhya Pradesh have been completed;

(b) whether an agreement has also been signed between the two Governments in this respect; and

(c) the upto-date position regarding the setting up of the Plant?

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

(c) The National Industrial Development Corporation Ltd. have been requested to prepare the detailed project report of the Alumina/Aluminium plant proposed to be established in Madhya Pradesh in consultation with the Hungarians preferably by the end of March 1964, if not earlier.

Further action will be considered on receipt of the detailed project report.

Supply Missions Abroad

*82. { Shri Maheswar Naik:
Shri Sham Lai Saraf:
Shri Siddananappa:
Dr. L. M. Singhvi:

Will the Minister of Economic and Defence Coordination be pleased to state:

(a) whether it is a fact that on the basis of his inspection of the foreign Supply Missions during his visit to U.S.A. and Europe, he is contemplating to reorganize and streamline these Missions; and

(b) if so, in what way?

The Minister of Supply in the Ministry of Economic and Defence Co-ordination (Shri Hathi): (a) It is true that Minister (Economic & Defence Co-ordination), after his return from the U.K. and the U.S.A., considered it necessary to examine the possibility of re-organizing these Missions.

(b) I visited these Missions during the 1st to 18th July. I was accompanied by a senior officer of the Ministry. It will take some time before my recommendations are finalised.

Steel Plant in South

- *83. {
 Shri S. C. Samanta:
 Shri B. K. Das:
 Shri M. L. Dwivedi:
 Shri Sezhiyan:

Will the Minister of **Steel and Heavy Industries** be pleased to refer to the reply given to Starred Question No. 418 on the 15th March, 1963 and state:

(a) whether the firm of Consulting Engineers have prepared and submitted the project report for setting up of Steel Plant in the South;

(b) if so, the salient features thereof; and

(c) when the preliminary works are expected to be taken up?

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

(b) Does not arise.

(c) The preliminary work in connection with the project will be taken up after the selection of the site.

Heavy Motor Vehicles

- *84. {
 Shri Yashpal Singh:
 Shri Surendra Pal Singh:
 Shri Bhagwat Jha Azad:
 Shri Warrior:
 Shri Vasudevan Nair:
 Shri M. N. Swamy:
 Shri P. C. Borooah:
 Shri S. M. Banerjee:
 Shri Daji:
 Shri D. D. Mantri:
 Dr. Ranen Sen:
 Shri P. K. Deo:
 Shri Indrajit Gupta:

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

(a) whether a proposal to manufacture heavy motor vehicles for rapid development of road transport is under consideration;

(b) what will be the payload of the vehicles; and

(c) when the proposal is expected to materialise?

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

(b) About 10/11 tons.

(c) if the scheme is approved, it is estimated to take about 18 to 24 months for implementation.

Fertilizer Factory in M.P.

- *86. {
 Shri Hari Vishnu Kamath:
 Shri Birendra Bahadur Singh:
 Shri R. S. Pandey:

Will the Minister of **Steel and Heavy Industries** be pleased to refer to the reply given to Starred Question No. 944 on the 19th April, 1963 and state:

(a) whether the question of location of the fertilizer factory in Madhya Pradesh has since been finally decided;

(b) whether there will be any foreign assistance or collaboration in the implementation of the project; and

(c) if so, the details thereof?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): (a) it has been tentatively decided to locate the factory at Korba in Madhya Pradesh.

(b) and (c). Foreign technical collaboration is not envisaged. The design, engineering, procurement and erection will be undertaken directly by the Fertilizer Corporation of India, on the basis of purchase of process know-how and design, where necessary, from foreign firms. Foreign exchange will be required for this purpose, as well for the import of equipment, not available within the country. It is too early to indicate how this foreign exchange requirement will be met.

Violation of labour laws

- *87. { Shri P. C. Borooh:
Shri Indrajit Gupta:
Shri A. N. Vidyalankar:

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

(a) whether it is a fact that the State Implementation and Evaluation Committee on Labour Laws had granted two months' period to the Rourkela Plant Management to make amends for the reported violations of Labour Laws;

(b) if so, what was the nature and extent of these violations; and

(c) what action has since been taken to remedy the state of affairs?

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

(a), (b) and (c). A report regarding the alleged violation of labour laws and agreements and settlements etc. by the Rourkela Steel Plant was submitted by the Orissa State Labour Directorate for consideration by the State Implementation and Evaluation Committee meeting held early in May, 1963. As the Plant authorities had not had sufficient time to study the report, they were given two months' time by the Committee to examine all the instances quoted therein and to furnish their comments. It is understood that the Plan authorities have since submitted their comments on the Report and the matter is under the consideration of the State Government.

Alloy Steel Mill at Durgapur

- *88. { Shri Bishanchander Seth:
Shri Yashpal Singh:
Shri Bhagwat Jha Azad:
Shri Surendra Pal Singh:
Shri N. E. Laskar:
Shri D. C. Sharma:
Shri Sham Lal Saraf:
Shri Indrajit Gupta:

- { Shri Sarjoo Pandey:
Shri Subodh Hansda:
Shri P. C. Borooh:

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

(a) whether it is a fact that Government are planning to establish an alloy steel mill at Durgapur with the collaboration of the Japanese Consortium;

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

(c) what will be the terms and conditions of collaboration?

The Minister of Steel & Heavy Industries (Shri C. Subramaniam): (a) to (c). No, Sir. It is not a fact that an Alloy & Special Steel Plant is proposed to be set up at Durgapur with the collaboration of a Japanese Consortium. The Plant is being set up by Hindustan Steel Limited. Hindustan Steel Limited have issued a letter of intent to a Japanese Consortium for supply of most of the plant and equipment, erection, supervision and commissioning, and the contract is likely to be concluded shortly. The Plant is likely to be completed by 1965-66.

Iron Plant

- *89. { Shri Ramachandra Ulaka:
Shri Dhuleshwar Meena:

Will the Minister of **Steel and Heavy Industries** be pleased to refer to the reply given to Starred Question No. 103 on the 22nd February, 1963 and state:

(a) whether Government have since considered the preliminary report with regard to the setting up of an Iron Plant in the Public Sector; and

(b) if so, the details thereof?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): (a) and (b). Yes, Sir. The preliminary report envisaged a pig iron

plant of 300,000 tons annual capacity. The scope of the inquiry has since been modified and the consulting engineers are now engaged in studying the feasibility of a steel plant for Goa-Hospet region in the context of Fourth Plan requirements.

Manufacture of Newsprints

*90. { Shri Maheswar Naik:
Shri P. C. Borooah:

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

(a) whether it is a fact that all the Third Plan projects for the manufacture of newsprint have fallen through and the newsprint supplies in India will not be adequate to meet the immediate as well as the Third Plan demands; and

(b) if so, the action being taken by Government to meet the scarcity?

The Minister of Industry (Shri Kanungo): (a) The scheme for the doubling of capacity in the NEFA Mills is being actively pursued. Three projects in the private sector, which have been licensed, are still in the preliminary stage. Indigenous production will not, therefore, be adequate to meet the Third Plan demands.

(b) The present arrangements for ensuring equitable distribution of indigenous production of newsprint and imports are being maintained.

Cooperative Industries

212. **Shri Jena:** Will the Minister of **Industry** be pleased to state:

(a) whether the Government of Orissa are going to start cooperative industries in almost every development block on an experimental basis and have sought the help of the Central Government for this new scheme;

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

(c) the nature of help the Central Government propose to give to the State to encourage this new idea for popularising this wide-spread co-operative scheme; and

(d) whether any other State Governments in the country have embarked upon this sort of cooperative scheme on the development block level?

The Minister of Industry (Shri Kanungo): (a) to (d). The information is being collected and will be laid on the Table of the House.

Industrial Estate in Delhi

213. **Shri Sham Lal Saraf:** Will the Minister of **Industry** be pleased to state:

(a) whether a Rural Industrial Estate is being set up in Delhi; and

(b) if so, where it will be located and what type of Industrial units will be introduced in it in the first instance?

The Minister of Industry (Shri Kanungo): (a) and (b). It is proposed to set up a small industrial estate at Badli which is about 7 miles from Delhi on the Ambala Kalka Railway line. Seven Worksheds have almost been completed. It is proposed to accommodate in the Estate light industrial units that may not require excessive use of water and can provide employment to rural people.

Target for Steel Production

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

(a) whether target fixed to be achieved in the production of Steel of ail grades, by the Third Five Year Plan, is in sight;

(b) whether under the altered circumstances prevailing in the country any changes have been effected in the quality of the steel produced; and

(c) if so, the details thereof?

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

(a) As against the target for production of finished steel of 6·8 million tons at the end of the Third Five Year Plan, the expected production is 5·8 million tons. The shortfall is mainly due to the delay in setting up the Bokaro plant.

(b) and (c). Apart from some new items which have been taken up for production, there has been no change in the quality of steel produced.

Small Scale and Cottage Industries in Uttar Pradesh

215. { **Shri Sarjoo Pandey:**
Shri Vishwa Nath Pandey:

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

(a) whether there are any schemes for the development of small scale and cottage industries in Uttar Pradesh during 1963-64;

(b) if so, the amount proposed to be spent thereon; and

(c) the nature of the schemes?

The Minister of Industry (Shri Kanungo): (a) to (c). The information is being collected and will be placed on the Table of the House in due course.

Camphor

216. **Dr. P. Srinivasan:** Will the Minister of **Industry** be pleased to state:

(a) how much Camphor is produced in India;

(b) how much Camphor is imported;

(c) whether there are proposals to encourage indigenous companies to produce more camphor so as to make the country self-sufficient in it; and

(d) if so, the details thereof?

The Minister of Industry (Shri Kanungo): (a) At present there is no organised production of Camphor in the country.

(b) A statement showing imports of Natural & Synthetic Camphor during the years 1960-61, 1961-62, 1962-63 and for April, 1963 is laid on the Table of the House. [*Placed in Library. See* No. LT-1448/63].

(c) and (d). Three units namely,— (i) Messrs. Camphor & Allied Products Ltd., Bombay (capacity—900 M. Tonnes per annum), (ii) Messrs. Indian Camphor Ltd., Bombay (capacity 1,020 M. Tonnes per annum) and (iii) Messrs. Excel Industries, Private Ltd., Bombay (capacity—120 M. Tonnes per annum) have been licensed for manufacture of Camphor. The out-put of these units would make the country self-sufficient in this commodity.

Thackersay Co. Mills

217. **Shri Sidheshwar Prasad:** Will the Minister of **International Trade** be pleased to state:

(a) whether it is a fact that lakhs of rupees worth of rayon was imported by Thackersay Co. Mills which existed only on paper and the Special Police Establishment was ordered to seize the records of those concerns;

(b) whether Government have pursued the matter; and

(c) if so, the result of the investigation?

The Minister of International Trade (Shri Manubhai Shah): (a) to (c). No, Sir. A complaint was received in 1953 alleging that one Shri Tricumdas Chhabildas had fraudulently obtained import/export licences in the name of bogus firms. The complainant had inter-alia alleged that the head of Thackersay groups of Mills was an active partner with Shri Tricumdas Chhabildas in his activities. The Special Police Establishment investigated the matter and came to the conclusion that these allegations were not proved.

असम में पटसन का कारखाना और फल परिरक्षण कारखाना

२१८. श्री सिद्धेश्वर प्रसाद : क्या अन्तर्राष्ट्रीय व्यापार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या य. सच है कि केन्द्रीय सरकार ने पांच वर्ष पूर्व असम सरकार को एक पटसन के कारखाने और एक फल परिरक्षण कारखाने की स्थापना के लिये जो ऋण दिये थे वे अभी तक उपयोग में नहीं लाये गये;

(ख) यदि हां, तो इस का क्या कारण है; और

(ग) असम की पिछड़ी आर्थिक स्थिति को देखते हुए ये कारखाने शीघ्र में शीघ्र स्थापित किये जा सकें इस के लिये सरकार क्या कदम उठा रही है ?

अन्तर्राष्ट्रीय व्यापार मंत्री (श्री मनुभाई शाह) : (क) से (ग). जूट मिल—आसाम में एक जूट मिल की स्थापना के लिए २८.५० लाख रुपये का जो ऋण स्वीकार किया गया था उस का उपयोग नहीं किया जा सका क्योंकि योजना को कार्यान्वित करने वाली पार्टी तथा राज्य सरकार के बीच एक करार करने में कुछ कठिनाइयाँ थीं। परिणामस्वरूप उस पार्टी को दिया गया लाइसेंस बाद में मंसूख कर देना पड़ा। अब सरकार ने आसाम में दो मिलें स्थापित करने की स्वीकृति दे दी है जिस में से एक सहकारी क्षेत्र में तथा दूसरी निजी क्षेत्र में होगी। सरकार का विचार है कि इस ऋण को सहकारी जूट मिल की स्थापना के लिये प्रयोग किया जाय जिस ने पहले ही कुछ प्रगति कर ली है। दूसरी मिल भी प्रगति कर रही है।

फल परिरक्षण कारखाना—इस कारखाने की स्थापना के लिये जो ऋण स्वीकार किया गया था उस का पूर्ण उपयोग नहीं किया जा

सका है क्योंकि जिस पार्टी के साथ राज्य सरकार ने करार किया था उस की आर्थिक दशा सन्तोषजनक नहीं थी। आसाम में फल परिरक्षण के कारखाने स्थापित करने की सम्भावनाओं की खोज करने के लिये एक विशेष दल ने १९६३ के आरम्भ में उस राज्य का दौरा किया था और उस दल द्वारा की गई सिफारिशें राज्य सरकार को भेज दी गई हैं। राज्य सरकार ने दो विद्यमान कारखानों के विस्तार के लिये ऋण की सहायता स्वीकार कर दी है। इन के अतिरिक्त एक नये कारखाने की स्थापना का भी विचार है। इस सम्बन्ध में प्राप्त आवदन-पत्र सरकार के विचाराधीन है।

सरकार को आशा है कि ये योजनायें शीघ्र प्रगति करेंगी और दोनों योजनाओं के लिये स्वीकृत ऋणों को पूरा पूरा उपयोग किया जायगा।

Cement Factories in Orissa

219. Shri Ramachandra Ulaka: Will the Minister of Steel and Heavy Industries be pleased to refer to the reply given to Unstarred Question No. 2677 on the 3rd May, 1963 and state:

(a) whether Government have since considered the proposal of the Orissa Government for setting up two cement factories with an installed capacity of two lakh tonnes each in Koraput district (Orissa);

(b) if so, the details thereof; and

(c) the estimated cost of each of these cement factories?

The Deputy Minister in the Ministry of Steel and Heavy Industries (Shri P. C. Sethi): (a) to (c). The proposal, as now revised, is for the setting up of one cement factory of capacity of 200,000 tonnes a year in Koraput district, subject to the concurrence of Ministry of Railways, the exact location of the factory being decided later, on the basis of raw material investigations. The proposal is still under examination.

Power Tillers

220. **Shri Ramachandra Ulaka:** Will the Minister of **Steel and Heavy Industries** be pleased to refer to the reply given to Unstarred Question No. 2677 on the 3rd May, 1963 and state:

(a) whether Government have since considered the proposal of the Orissa Government with regard to the manufacture of Power Tillers in the State of Orissa;

(b) if so, the details thereof; and

(c) the total estimated cost of this project?

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

(a) to (c). The proposal of the Industrial Development Corporation of Orissa Ltd., for the establishment of a new industrial undertaking at Balasore for the manufacture of Power Tillers, with Japanese collaboration, is still under consideration. The total cost of the project is estimated at Rs. 50 lakhs.

Instructors for Cottage Industries

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

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

(a) the total expenditure incurred on training of the instructors for various cottage industries by the Khadi and Village Industries Commission during 1962-63; and

(b) the number of instructors who got training during the same period so far?

The Minister of Industry (Shri Kanungo): (a) and (b). The required information is being collected and it will be laid on the Table of the House in due course.

Invention Promotion Board

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

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

(a) whether any new inventions were received for inspection and registration by Invention Promotion Board during 1962-63; and

(b) if so, the details thereof?

The Minister of Industry (Shri Kanungo): (a) The Board normally does not receive applications specifically for inspection and registration of Inventions. During the year 1962-63 the Board received 145 applications for financial assistance and 157 applications for prize award.

(b) A list of Inventions granted financial assistance during the year 1962-63 is laid on the Table of the House. [Placed in Library. See No. LT-1449/63]. A list of Inventions awarded prizes during the year 1962-63 is also laid on the Table of the House. [Placed in Library. See No. LT-1443/63].

Hessian Bags

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

Will the Minister of **International Trade** be pleased to refer to the reply given to Unstarred Question No. 21 on the 8th November, 1962 and state:

(a) whether Government have since considered the proposal to start two more firms in India for production of hessian bags; and

(b) if so, the details thereof?

The Minister of International Trade (Shri Manubhai Shah): (a) and (b). Two more firms have since been recognised as manufacturers of polythene laminated bags, having an annual capacity of 60 lakh yards and 52.80 lakh yards respectively.

Andaman and Nicobar Islands

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

Will the Minister of **Industry** be pleased to state the total amount of industrial loans disbursed amongst the people of Andaman and Nicobar Islands during 1962-63?

The Minister of Industry (Shri Kanungo): Rs. 1,800.

नमक उद्योग

२२५. श्री सिद्धेश्वर प्रसाद : क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि तूतीकोरिन के नमक उद्योग पर संकट आ गया है ;

(ख) यदि हां, तो इस के क्या कारण हैं; और

(ग) देश के अन्य भागों में नमक की क्या स्थिति है ?

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

(ख) प्रश्न ही नहीं उठता ।

(ग) सन्तोषजनक ।

Industrial Estates in Orissa

226. **Shri Rama Chandra Mallick:** Will the Minister of **Industry** be pleased to state:

(a) how many Industrial estates are to be established during the Third Plan Period in the State of Orissa;

(b) how many of them have been so far established in the same State; and

(c) the total expenditure incurred so far out of the total provision in the Third Plan period?

The Minister of Industry (Shri Kanungo): (a) 52.

(b) 49 Rural Industrial Estates had been taken up by 31-3-1963 for development. None of the Estates taken up has yet started functioning.

(c) Actual expenditure on Industrial Estates in Orissa during 1961-62 and 1962-63 was as follows:—

1961-62	Rs. 16.24 lakhs
1962-63	Rs. 15.38 lakhs

Industrial Development of Orissa

227. **Shri Rama Chandra Mallick:**

Will the Minister of **Industry** be pleased to state the total amount granted to the Government of Orissa for the Industrial development of the State during 1962-63 and 1963-64 so far?

The Minister of Industry (Shri Kanungo): The information is being collected and will be laid on the Table of the House in due course.

Export of Scooters to Thailand

228. **Shri P. C. Deo Bhanj:** Will the Minister of **Steel and Heavy Industries** be pleased to state:

(a) whether it is a fact that Government have allowed a private firm to export their scooters to Thailand; and

(b) if so, the reasons therefor?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): (a) and (b). There is no restriction on the export of scooters. One of the manufacturers of scooters has exported a small number of scooters to Thailand.

Lead and Zinc Deposits

229. **Shri Surendra Pal Singh:** Will the Minister of **Industry** be pleased to state:

(a) whether it is a fact that the Central Government have drawn up a scheme for the development and exploitation of lead and Zinc deposits in Zawar mines near Udaipur; and

(b) if so, the main features of this scheme and when it will be put into operation?

The Minister of Industry (Shri Kanungo): (a) and (b): The Metal Corporation of India, a private limited company, has been licensed to set up a new Zinc Smelter at Udaipur and also to expand their existing Lead Smelter at Tundoo (Bihar) for refining the lead/zinc ores mined by the Corporation from their mines in Zawar near Udaipur. The Zinc Smelter is nearing completion and is expected to go into production by the middle of 1964. The expansion of the Lead Smelter is also under way. The Corporation will also manufacture cadmium and sulphuric acid for further manufacture of superphosphates as by-products at their Zinc Smelter.

Decontrol of Steel

230. {
 Shri Yashpal Singh:
 Shri Bishanchander Seth:
 Shri Indrajit Gupta:
 Shri Ramachandra Ulaka:
 Shri Dhuleshwar Meena:
 Shri Bhagwat Jha Azad:
 Shri Himatsingka:
 Shri S. M. Banerjee:

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

(a) whether the Raj Committee Report on Decontrol of Iron and Steel distribution has been received by Government;

(b) if so, the main recommendations made by the Committee; and

(c) how many of them have been accepted by Government?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): (a) No, Sir. Only an interim report has been received.

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

Marketing of Indian Products Abroad

231. {
 Shri Yashpal Singh:
 Shri Shree Narayan Das:
 Shri Warior:
 Shri Vasudevan Nair:
 Shri M. N. Swamy:
 Shri Subodh Hansda:
 Shri P. C. Borooh:
 Shri Sidheshwar Prashad:
 Shri P. R. Chakraverti:
 Dr. L. M. Singhvi:
 Shri Indrajit Gupta:
 Shri Bhagwat Jha Azad:

Will the Minister of International Trade be pleased to state:

(a) whether Government have finalised a scheme to develop the marketing of Indian products and commodities in foreign countries; and

(b) if so, the salient features thereof?

The Minister of International Trade (Shri Manubhai Shah): (a) and (b) The Government of India have recently constituted a Marketing Development Fund to assist Export Promotion Councils, Commodity Boards, Export Houses and other Organisations interested in exports as well as individual exporters, for meeting expenditure to be incurred on their schemes and projects for the development of markets for Indian goods and commodities abroad. The extent of assistance from the Fund for various Export Promotion schemes and the conditions attached thereto are laid down in a Code of Grants-in-aid formulated in this regard a copy of which is laid on the Table of the House. [Placed in Library. See No. LT-1450/63]

New procedure of Voting

232. {
 Shri Yashpal Singh:
 Shri Bishanchander Seth:

Will the Minister of Law be pleased to state:

(a) whether it is a fact that a new procedure of voting in Madhya Pradesh bye-election was introduced;

(b) if so, how far this procedure was successful;

(c) whether it is also a fact that certain opposition parties have opposed this scheme on the ground that voters felt waste of time due to this procedure; and

(d) whether the scheme will be tried in future bye-elections after making certain addition and alteration?

The Minister of Law (Shri A. K. Sen): (a) Yes, Sir. In bye-elections held simultaneously in a parliamentary constituency and one or more of its component Assembly constituencies, a procedure was introduced in which two ballot papers were issued separately and were required to be put in separate ballot boxes for the parliamentary and assembly elections.

(b) This procedure was found successful.

(c) No, Sir.

(d) The Election Commission proposes to continue the procedure in future bye-elections.

H.M.T. Unit at Kalamassery

233. { **Shri P. C. Borroah:**
Shri A. K. Gopalan:
Shri Warrior:
Shri Vasudevan Nair:

Will the Minister of Steel and Heavy Industries be pleased to state the progress that has so far been made in the setting up of the Hindustan Machine Tools Unit at Kalamassery near Ernakulam?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): The Government of India have approved of the proposal to set up a machine tool factory by Hindustan Machine Tools Ltd. at Kalamassery in Kerala. The capital cost of the factory, estimated at Rs. 7.50 crores will be provided entirely from the internal resources of the company. The Government of Kerala have agreed to give about 900 acres of land as a gift for the project. The required land will be taken over in stages and the

construction of the factory and the township is expected to commence immediately after the monsoons. A temporary Training Centre with 200 places in two shifts has been established in Trivandrum. Recruitment of the required personnel is proceeding according to schedule.

The Chairman, Hindustan Machine Tools Ltd., accompanied by the General Manager of the company visited U. K., Poland and Czechoslovakia during July-August 1963 with a view to exploring the possibility of securing plant and machinery for the project. Their report is awaited.

Pig Iron Plant of Mahendragarh

234. { **Shri P. C. Borroah:**
Shri Hem Raj:
Shri Y. S. Chaudhary:

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

(a) whether Government have found the prospects of establishing a pig-iron plant at Mahendragarh, Punjab, to be bleak;

(b) if so, the reasons which stand in the way of implementation of the scheme?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): (a) and (b): The Government of India have approved, in principle, the scheme of the Punjab Government for setting up a pig iron plant for a capacity of 100,000 tons per annum in the State sector in Punjab based upon the utilisation of iron ore deposits in Mahendragarh. The letter of intent will be issued in due course. The plant is likely to be situated on the Hissar-Delhi Road near village Sataroda having regard to the transportation, water supply and power supply facilities available at this site.

Licences for Steel Castings

235. **Shri R. G. Dubey:** Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether the National Council of Allied and Economic Research have completed their study regarding Government's policy of licencing liberally additional capacities in steel castings; and

(b) if so, the findings of the said study?

The Deputy Minister in the Ministry of Steel and Heavy Industries (Shri P. C. Sethi): (a) and (b). The National Council of Applied Economic Research have made a study of the demand for steel castings in the Third and Fourth Five Year Plan periods. Their estimate for the Third Plan accords closely with that adopted by Government. The National Council did not make a study of Government's licensing policy.

उद्योग मंत्रालय में हिन्दी अन्वीक्षक

२३६. { श्री कछवाय :
श्री यशपाल सिंह :

क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) उन के मंत्रालय में वरिष्ठ हिन्दी अन्वीक्षकों (सीनियर हिन्दी इन्वैस्टिगेटरों) के कितने पद हैं तथा उन के वेतन-मान तथा श्रेणी क्या हैं ;

(ख) उन पदों पर भरती किस प्रकार की जाती है, संघ लोक सेवा आयोग के द्वारा अथवा मंत्रालय की अपनी परीक्षा के आधार पर ;

(ग) पिछले ६-७ वर्षों में कितनी परीक्षाएँ इन पदों के लिये हुईं तथा कितने व्यक्ति उन में उत्तीर्ण हुए; और

(घ) क्या उन परीक्षाओं में उत्तीर्ण सभी व्यक्तियों को उन पदों पर नियुक्त किया जा चुका है ?

उद्योग मंत्री (श्री कानूनगो) : (क) दो। वरिष्ठ हिन्दी अन्वीक्षकों का वेतन क्रम ३२५-१५-४७५ द० रो० २०-५७५ द०

है। इस पद का वर्गीकरण सामान्य केन्द्रीय सचिवालय सेवा, श्रेणी २ (अराजपत्रित) (अलिपिक वर्गीय) के रूप में किया गया है।

(ख) मार्च, १९६३ में बनाये गये भर्ती के नियमों के अनुसार ५० प्रतिशत पदों पर नियुक्ति पदोन्नति के द्वारा और ऐसा न होने पर स्थानान्तरण अथवा प्रतिनियुक्ति के द्वारा की जाती है तथा शेष ५० प्रतिशत पदों पर नियुक्ति संघ लोक सेवा आयोग के जरिये सीधी भर्ती करके की जाती है। पहले वरिष्ठ हिन्दी अन्वीक्षक के पद पर नियुक्ति एक लिखित एवं मौखिक परीक्षा के आधार पर की गई थी।

(ग) पिछले छः सात वर्षों में भूतपूर्व वाणिज्य तथा उद्योग मंत्रालय में केवल एक परीक्षा ली गई थी। परीक्षा पास करने वाले छः व्यक्तियों में से चुनाव समिति को केवल दो उम्मीदवार उपयुक्त जान पड़े।

(घ) पहले सफल उम्मीदवार को उस समय खाली पद पर वरिष्ठ हिन्दी अन्वीक्षक नियुक्त कर लिया गया था। बाद को जब दूसरी जगह खाली हुई तो वह उम्मीदवार इस कारण नियुक्त नहीं किया जा सका कि उस बीच उस की अपने ही कार्यालय में उच्चस्थान पर पदोन्नति की जा चुकी थी। इस के बाद उस खाली स्थान की पूर्ति दूसरे मंत्रालय से स्थानान्तरण कर के की गई थी।

अन्तर्राष्ट्रीय व्यापार मंत्रालय में हिन्दी अन्वीक्षक

२३७. { श्री कछवाय :
श्री यशपाल सिंह :

क्या अन्तर्राष्ट्रीय व्यापार मंत्री यह बताने की कृपा करेंगे कि :

(क) उनके मंत्रालय में वरिष्ठ हिन्दी अन्वीक्षकों (सीनियर हिन्दी इन्वैस्टिगेटरों)

के कितने पद हैं तथा उन के वेतन-मान तथा श्रेणी क्या है ;

(ख) उन पदों पर भरती किस प्रकार की जाती है, संघ लोक सेवा आयोग के द्वारा अथवा मंत्रालय की अपनी परीक्षा के आधार पर ;

(ग) पिछले ६-७ वर्षों में कितनी परीक्षाएँ इन पदों के लिये हुईं तथा कितने व्यक्ति उन में उत्तीर्ण हुए ; और

(घ) क्या उन परीक्षाओं में उत्तीर्ण सभी व्यक्तियों को उन पदों पर नियुक्त किया जा चुका है ?

अन्तर्राष्ट्रीय व्यापार मंत्री (श्री मनुभाई शाह) : (क) एक । इस पद का वेतन क्रम ३२५-१५-४७५-६० रो० २०-२७५ ६० है । इस पद का वर्गीकरण सामान्य केन्द्रीय सचिवालय सेवा, श्रेणी २ (अराजपत्रित) (अल्पिक वर्गीय) के रूप में किया गया है ।

(ख) १९६३ में बनाये गये भर्ती के नियमों के अनुसार ५० प्रतिशत पदों पर नियुक्ति पदोन्नति के द्वारा और एसान होने पर स्थानान्तरण अथवा प्रतिनियुक्ति के द्वारा की जाती है तथा शेष ५० प्रतिशत पदों पर नियुक्ति संघ लोक सेवा आयोग के जरिये सीधी भर्ती करके की जाती है । इस से पहले वरिष्ठ हिन्दी अन्वीक्षक के पद पर नियुक्ति एक लिखित एवं मौखिक परीक्षा के आधार पर की गई थी ।

(ग) पिछले छः सात वर्षों में केवल एक परीक्षा ली गई थी । इस में दो व्यक्ति चुने गये थे ।

(घ) पहिले सफल उम्मीदवार को उस समय खाली पद पर वरिष्ठ हिन्दी अन्वीक्षक नियुक्त कर लिया गया था । बाद को जब दूसरी जगह खाली हुई तो दूसरे सफल

उम्मीदवार की नियुक्ति इस कारण नहीं की जा सकी कि उस की इस बीच अपने ही कार्यालय में उच्च स्थान पर तपदीप्ति की जा चुकी थी ।

Export of Fish

238. { Shri Warior:
Shri Vasudevan Nair:

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

(a) whether any measures have been adopted to step up export of fish and fish products during current year especially to the U.S.A.; and

(b) if so, with what results?

The Minister of International Trade (Shri Manubhai Shah): (a) Following measures have been taken during the current year to promote exports of fish and fish products to different countries including U.S.A.

(i) The Special Export Promotion Scheme has been revised and the procedures thereunder simplified and streamlined.

(ii) Besides making adequate provision for materials required for the industry, a provision for importation of machinery and components has been introduced.

(iii) In order to ensure export of quality dried fish and dried prawns, the Council has set up its offices at Tuticorin, Rangoon and Colombo.

(b) While it will be too early to assess the results of the steps taken during the current year, the statistics available upto May, 1963, indicate that exports of fish and fish products during January-May, 1963 were of the order of Rs. 2.28 crores as against Rs. 1.33 crores during the corresponding period of 1962.

Export of Synthetic Stones

239. { **Shri Warner:**
 { **Shri Vasudevan Nair:**

Will the Minister of **Industry** be pleased to state the steps taken by Government to step up the export of cut and polished synthetic stones?

The Minister of Industry (Shri Kanungo): An Advisory Committee has been set up to advise Government on the steps necessary for promoting exports of jewellery including precious and synthetic stones. The Committee has close liaison with the Government and the Trade. An Export Promotion Scheme for cut and polished synthetic stones is also in operation under which import of rough synthetic stones other than white and red, Rodium solution and Platinum solders is allowed as incentive. The import entitlements under the Scheme are also admissible in respect of sales of synthetic stones to foreign tourists visiting India.

Export of Ores to Belgium

240. **Shri D. C. Sharma:** Will the Minister of **International Trade** be pleased to state:

(a) whether Belgium has offered a large number of fellowships and facilities for Indian technicians from factories to provide them with more experience and technical knowledge;

(b) whether Belgium has also offered to undertake a joint study and formulate a programme by which Belgium would try to buy still larger quantities of ores from India and explore the possibilities of importing their requirements of components and spare parts from India; and

(c) if so, the conclusions arrived at in the matter?

The Minister of International Trade (Shri Manubhai Shah): (a) to (c). These matters were discussed with the Belgian authorities during my visit to Belgium in May this year and are still under consideration.

Allotment of Pig Iron to Foundries

241. **Shri S. N. Chaturvedi:** Will the Minister of **Steel and Heavy Industries** be pleased to state:

(a) whether the allotment of pig iron to the foundries bears any relation to their installed capacity;

(b) if not, the basis on which allotment is made and the quota of each State; and

(c) how much foundry capacity is likely to remain idle as a result of this distribution?

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

(a) By 'allotment' the Hon'ble Member probably means "entitlement". The entitlement of a foundry is fixed in relation to the capacity, as assessed by the State Directors of Industries, in respect of the foundries enlisted with them. The Department of Technical Development (Ministry of Economic and Defence Co-ordination) takes into consideration the capacities as assessed by them while making allocations to the foundries enlisted with them.

(b) A statement is laid on the Table of the House, showing the entitlement for 1963-64 for each State for State list foundries. [Placed in Library. see No. LT-1451/63]

The total entitlement of the foundries enlisted with the Department of Technical Development is 176,000 tonnes for 1963-64.

(c) On the basis of the assessment of capacity made by the State authorities, small foundries are likely to get, on an average, pig iron to the extent of about 10 to 11 per cent of their capacity. Foundries normally use about 50 per cent of cast iron scrap with pig iron for making castings. This scrap is decontrolled. Subject to their using scrap, foundries may work upto 20 to 30 per cent of their capacity at present. The foundries which may secure Government orders may get supplies of pig iron over and above their normal entitlement and

may work to 60/70 per cent of their capacity, if not more.

Glass Bangle Industry at Ferozabad

242. Shri S. N. Chaturvedi: Will the Minister of Industry be pleased to state:

(a) whether Government have received complaints about non-availability of Soda Ash to the Glass Bangle Industry at Ferozabad (Agra, U.P.); and

(b) if so, the measures taken to ensure fair and adequate supplies and equitable distribution to various units of this industry?

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

(b) A satisfactory arrangement of distribution of Soda Ash has been worked out after discussion with the manufacturers of Soda Ash and the Glass and Bangle Syndicate at Ferozabad.

Export Earnings

243. { **Shri Kapur Singh:**
Shri Kesar Lal:

Will the Minister of International Trade be pleased to state:

(a) The total earnings in terms of quantity and cash from the export of tea, jute and cotton textile during the last four years; and

(b) the reasons for decline in exports, if any?

The Minister of International Trade (Shri Manubhai Shah): (a) A statement is laid on the table of the House. [placed in Library. See No. LT-1452/63].

(b) Exports of Jute manufactures were generally higher in quantity and value during 1962-63 as compared to the previous years. The decline in quantity exported during 1960-61 and 1961-62 was due to shortage of raw jute etc.

Exports of Tea fluctuate from year to year. The slight decline in exports

of Tea during 1960-61 as compared to 1959-60 was due to shortfall in production on account of drought in North East India during the 1960-61 season. However, exports in 1962-63 were higher than in the previous years.

Exports of cotton textiles have, however, shown a downward trend, though during 1962-63 the fall in exports was less severe as compared to the previous years. The main reasons for decline in exports of cotton textiles are (i) establishment of textile mills in various countries (ii) the import restrictions imposed by newly liberated countries to foster local industry (iii) severe competition from China, Japan and Hong Kong (iv) a drift in consumers' preference to processed cloth, while our exports have been mainly in grey cloth; and (v) the foreign exchange shortage and the consequent restrictive import policy of underdeveloped countries.

Control of Rourkela Steel Plant

{ **Shri Yashpal Singh:**
Shri P. K. Ghosh:
Shri Kapur Singh:
244. { **Shri Kesar Lal:**
Shri Morarka:
Shri Ravindra Varma:
Shri P. C. Borooah:

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

(a) whether in a recent agreement with the West German Ministry of Economics technical control of Rourkela Steel Plant has been made over to German technicians;

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

(c) whether under this agreement German technicians will have the final say?

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

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

**Fertilizers, Petro-Chemical and
Machine Industry**

245. { **Shri P. K. Ghosh:**
Shri Kapur Singh:
Shri Kesar Lal:
Shri Yashpal Singh:

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

(a) whether France is proposing to extend to this country industrial and technical co-operation in building fertilisers, petro-chemical and machine industry; and

(b) if so, the details thereof and when such an agreement is likely to be finalised?

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

(a) and (b). At the instance of the Oil and Natural Gas Commission, the French Institute of Petroleum have prepared a report on the development of petro-chemical industry in India. The report is, at present, under examination in the Ministry of Mines and Fuel. The possibilities of collaboration with the French Institute of Petroleum in setting up of a petro-chemical complex around Koyali Refinery in Gujarat is also under examination. It will take some time before a final decision in the matter is taken. No other proposal from France regarding the extension of industrial and technical co-operation is under consideration.

Export of Engineering Goods

246. { **Shri Subodh Hansda:**
Dr. Mahadeva Prasad:

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

(a) whether the delegation of the Engineering Export Promotion Council has completed its tour of Western Europe;

(b) which of the countries they visited;

(c) whether it has been able to explore any market for engineering goods; and

(d) if so, for which engineering goods?

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

(b) Italy, West Germany, Holland, Belgium, France and U.K.

(c) and (d). The delegation is hopeful that West Europe offers opportunities for the following engineering goods and services:

- (i) Iron and steel castings for machine tool and machine building industries and other components and parts required.
- (ii) Tools, dies, jigs and fixtures as per specifications of European manufacturers.
- (iii) Forgings.
- (iv) Special purpose machines either for incorporation in a European product or to be used as such e.g. milling cutters, lathe chucks, die casting machines, hydraulic presses etc.
- (v) Fabrication of machine tools, plant and machinery in the range of less sophisticated field where a European manufacturer is gradually stopping its production owing to less demand on the continent itself or is procuring them from elsewhere at present.
- (vi) Making of patterns (wooden as well as metallic) according to designs and specifications of European manufacturers.
- (vii) Producer goods of the second degree such as diesel engines, electric motors, switchgears, sewing machines, small tools, both engineering as well as carpenter tools, such as cutters, twist drills, reamers, vices, garage tools etc.

(viii) Consumer goods like steel folding furniture, specialised builders' hardware, coffers, ventilator fans, sanitary fittings, manhole covers and concrete reinforcing bars.

(ix) Special consumer items needed on the continent but at present being imported only from Japan e.g. musical boxes, tool kits etc. where Japanese prices are now proving uneconomical.

Export of Engineering Goods to Indonesia

247. { Shri Subodh Hansda:
Dr. Mahadeva Prasad:

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

(a) whether the delegation sent to Indonesia for exploring prospects for export of engineering goods has concluded any agreement for export of such goods to Indonesia; and

(b) if so, the nature of agreement and for what engineering goods?

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

(b) Does not arise.

Export of Indian Ready-made Garments to Aden

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

(a) whether it is a fact that Aden has a very good demand of Indian ready-made garments;

(b) if so, the reason for its not being able to capture the market; and

(c) the steps Government propose to take to capture such a market at Aden?

The Minister of International Trade (Shri Manubhai Shah): (a) Hong Kong and Japan are the major suppliers of ready-made garments to Aden. India's share is negligible.

(b) At present Indian prices for ready made garments are not competitive.

(c) The Export Promotion Scheme for ready-made garments has been revised recently and this is expected to assist our exports to Aden.

Zagreb Fair in Yugoslavia

249. { **Shri Rameshwar Tantia:**
Shri Basumatari:

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

(a) whether it is a fact that India has decided to participate in the Zagreb Fair in Yugoslavia; and

(b) if so, the estimated expenditure for it?

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

(b) Rs. 1,57,800.00.

Power Equipment Plant at Ramchandrapuram

250. { **Shri D. C. Sharma:**
Shri Morarka:
Shri Ravindra Varma:
Shri Surendra Pal Singh:
Shri Onkar Lal Berua:
Shri P. C. Borrooah:

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

(a) whether proposals for the setting up of a heavy power equipment plant at Ramchandrapuram near Hyderabad under a contract with Czechoslovak Foreign Trade Corporation Technoexport, have been finalised; and

(b) if so, the details thereof?

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

(a) Yes, Sir;

(b) The Detailed Project Report of the Heavy Power Equipment Plant at Ramchandrapuram has been accepted

and a Contract for the supply of machinery and equipment and for rendering technical co-operation in the establishment of the Plant was signed on 10th July, 1963 with Messrs. Technoexport, Prague. Copies of the Contract are available in the Parliament Library.

Caustic Soda

251. Shri K. N. Tiwary: Will the Minister of Industry be pleased to state:

(a) whether there is any scarcity of Caustic Soda in the country; and

(b) if so, the reasons therefor?

The Minister of Industry (Shri Kanungo): (a) and (b). There is no scarcity as such but indigenous production together with imports is not sufficient to meet the full demand of Industry at the present time. Additional imports, till indigenous production expands, are also not possible due to shortage of foreign exchange.

Export of Indian goods

252. Shri K. N. Tiwary: Will the Minister of International Trade be pleased to state:

(a) whether the formation of Trade Blocks in Latin America is likely to affect the export of Indian goods; and

(b) if so, what goods are to be affected and the steps taken by Government in the matter?

The Minister of International Trade (Shri Manubhai Shah): (a) and (b). The bulk of our exports to this area consists of jute manufactures, Indian tea and Shellac which are not likely to be affected in the near future by the emergence of trade blocs in Latin America. However Government is keeping a watch over developments that might take place.

Liquidation of Companies

253. Shri K. N. Tiwary: Will the Minister of Industry be pleased to state:

(a) the number and names of companies which were unable to pay their debts as their liabilities exceeded their assets or underwent compulsory liquidation in 1962; and

(b) the reasons therefor.

The Minister of Industry (Shri Kaungo): (a) and (b). A statement showing the number and names of companies taken into compulsory liquidation during 1962 either because they were unable to pay their debts or for other reasons under section 433 of the Companies Act, 1956 is laid on the Table of the House. [Placed in Library. See No. LT-1453/63.]

Cement Factory at Yerraguntla

254. Shri Eswara Reddy: Will the Minister of Steel and Heavy Industries be pleased to refer to the reply given to Unstarred Question No. 2119 on the 19th April, 1963 and state:

(a) the party to whom licence has been given for the setting up of cement factory at Yerraguntla, Cudapah District, Andhra Pradesh;

(b) whether orders for plant and equipment have since been placed; and

(c) the estimated cost of this plant?

The Deputy Minister in the Ministry of Steel and Heavy Industry (Shri P. C. Sethi): (a) A letter of intent has been granted to Shri P. V. Krishna Reddy, Gudur, for setting up a cement factory of capacity of 200,000 tonnes a year at Yerraguntla.

(b) No, Sir.

(c) About Rs. 3 crores.

Fertilizer Factory at Kothagudium

255. Shri Eswara Reddy: Will the Minister of Steel and Heavy Indus-

tries be pleased to state. (a) whether Government are aware of the fact that the Andhra Sugars to whom a licence has been given for setting up the fertilizer factory at Kothagudium has not made any progress;

(b) if so, whether Government contemplate to take over the project and

(c) if the reply to part (b) above be in the negative, what steps are being taken to accelerate the pace of work of setting up the factory?

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

(a) It is not a fact that the Andhra Sugars has not made any progress in implementing the fertilizer project at Kothagudium. They have finalised their terms for technical and financial collaboration with an American firm. These terms have been approved by Government. The Company has also obtained the consent of the Controller of Capital Issues for issue of Capital for the project. They have also negotiated with the State Government for the acquisition of land for the factory as well as for the supply of water and electric power. They have concluded their negotiations with the Singareni Collieries for the supply of slack coal for the project on a long term basis. They have taken preliminary steps for registering a new Company to implement the project. They have applied to the International Bank for Reconstruction and Development for a foreign exchange loan to cover the cost of imported equipment over and above the equity investment by the foreign collaborator.

(b) No.

(c) Government are in close touch with the party with a view to assisting them in overcoming difficulties. It is expected that, as soon as the foreign loan is sanctioned, the party will go ahead with the construction.

Pig Iron Plant at Yellandoo

256. Shri Eswara Reddy: Will the Minister of Steel and Heavy Industries be pleased to state:

(a) the progress made by the Kalinga Industries for setting up of a Pig Iron Plant at Yellandoo, Andhra Pradesh;

(b) the areas from where the raw material for this plant will be procured; and

(c) when the plant is likely to be commissioned?

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

(a) Messrs. Kalinga Industries Ltd., Calcutta, who were granted an industrial licence in August, 1962 for setting up a plant in Andhra Pradesh for the manufacture of 100,000 tons per annum of Pig Iron have since surrendered the licence.

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

Floor Price for Ginger and Sea-Island Cotton

257. Shri Maniyangadan: Will the Minister of International Trade be pleased to state:

(a) whether there is a proposal to fix floor prices for ginger and sea-island cotton;

(b) the estimated cost of these commodities;

(c) the floor price proposed to be fixed; and

(d) since how long the proposal is before Government and the Planning Commission?

The Minister of International Trade (Shri Manubhai Shah): (a) and (b). No. Sir, No precise cost data is available.

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

Industrial Estates

258. Shri N. R. Laskar: Will the Minister of Industry be pleased to state:

(a) the number of Industrial Estates established in the country so far;

(b) the total number of such Estates established in Assam upto the end of the year 1962 and the districts in which these have been established; and

(c) the total amount allotted by the Centre to the State of Assam upto now in this regard?

The Minister of Industry (Shri Kanungo): (a) 263 Industrial Estates have been sanctioned so far. 80 Estates had started functioning by 31-12-1962, while others are in various stages of development.

(b) 5 Industrial Estates were established in Assam upto December 1962.

1. Gauhati (Kamrup Distt.)
2. Nalbari (Kamrup Distt.)
3. Dhekiajuli (Darang Distt.)
4. Tinsukia (Lakhimpur Distt.)
5. Sibsagar (Sibsagar Distt.)

(c) A provision of Rs. 65 lakhs has been allotted to the Assam State under the 3rd Five Year Plan for industrial estates, and the amount sanctioned so far is as follows:

Amount Sanctioned (Rs. in lakhs.)

<i>During 1961-62</i>	<i>During 1962-63</i>
0.98	1.49

बच्चों का भोजन

२५६. { श्रीमती सावित्री निगम :
श्री म० ला० द्विवेदी :

क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) देश में कितना बेबी फूड (बच्चों का भोजन) (दुग्ध तथा बनावटी भोजन) प्रति वर्ष उत्पादित किया जा रहा है; और

(ख) क्या सरकारी क्षेत्र में बच्चों के भोजन के उत्पादन के लिये कोई कारखाना निकट भविष्य में खोला जाने वाला है ?

उद्योग मंत्री (श्री कानूनगो): (क) देश में पिछले तीन वर्षों में बच्चों के दुग्ध भोजन का उत्पादन इस प्रकार रहा :—

वर्ष	उत्पादन मीट्रिक टन
१९६०	१६०
१९६१	१८४५
१९६२	३६८२

(ख) जी, नहीं ।

Thermometers

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

Will the Minister of Industry be pleased to state:

(a) the firms which are producing thermometers and whether any control is kept on the quality of thermometers produced in India; and

(b) whether Government are aware that very bad types of thermometers are being sold which never indicate the temperature correctly?

The Minister of Industry (Shri Kanungo): (a) and (b). (1) A list of the firms producing thermometers is laid on the Table of the House. (*Placed in Library. See No. LT-1454/63.*)

(2) The Indian Standards Institution has taken up the standardisation of all types of thermometers and the same is expected to be finalised shortly. The firms in the large scale sector produce thermometers with the help of foreign technical collaborators and have got their own rigid tests before the products are sent to the market. The firms in the small scale sector are rendered the necessary technical assistance by the organisation of the Development Commissioner, Small Scale Industries.

(3) Government have not so far received any complaints regarding

manufacturing and functional defects of thermometers produced in the country.

Disposal of Vehicles by S.T.C.

261. **Shri Himatsingka:** Will the Minister of **International Trade** be pleased to refer to the reply given to Unstarred Question No. 2098 on the 19th April, 1963 and state:

(a) to whom the five vehicles referred to in part (c) thereof have been given;

(b) the make of such vehicles and the price that was paid to each of the owners from whom they were taken or purchased;

(c) price at which each of them was disposed of; and

(d) what has happened to the rest of the vehicles namely, 12 and whether any of them has since been disposed of and if so, to whom?

The Minister of International Trade (Shri Manubhai Shah): (a) to (c). A statement is given below:

To Whom sold	Make of the Vehicles
1. Ministry of Home Affairs, New Delhi	Mercedes Benz-220S, 1962
2. Press Information Bureau New Delhi	Opel Rekord, 1961
3. Government of Punjab	Chevrolet Belair
4. Indian Oil Co., Bombay.	Mercedes Benz 220, 1961
5. Raj Bhawan, Orissa.	Chevrolet Impala, 1962

The State Trading Corporation being a business organisation, it is not in the Public interest to disclose this information.

(d) Eight out of the twelve cars have since been disposed of as under:

1. Railway Board.
2. S.T.C., Madras
3. Government of Maharashtra
4. Government of Gujarat
5. Government of Maharashtra
6. Government of Maharashtra
7. Punjab Government
8. Raj Bhawan, Uttar Pradesh

The remaining four are being sold by tender.

Committee on Foreign Collaboration Agreements

262. { **Shri Ravindra Varma:**
Shri Morarka:

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

(a) whether it is a fact that Government have set up a Committee of senior officials to supervise foreign collaboration agreements;

(b) if so, the scope and functions of this Committee; and

(c) the names of the members of the Committee?

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

(b) A departmental Committee called the Foreign Agreements Committee examines cases of collaboration agreements between Indian and foreign parties and to make suitable recommendations. Representatives of other Ministries are also associated with the deliberations of this committee when considering Foreign Collaboration cases pertaining to their respective Ministries.

(c) Secretary, Ministry of Industry—*Chairman*.

Joint Secretary, Ministry of Finance (D.E.A.)—*Member*
Adviser, Industries & Transport, Planning Commission—*Member*.
Joint Secretary, Deptt. of Company Law Administration, Ministry of Industry—*Member*.

Joint Secretary, Industrial Policy & Licensing, Ministry of Industry—Member.

Controller of Capital Issues, Ministry of Finance (D.E.A.)—Member.

Chief Controller of Imports & Exports—Member.

Senior Industrial Adviser (Chem.) Directorate General of Technical Development—Member.

Senior Industrial Adviser (Chem.) Directorate General of Technical Development—Member.

Deputy Secretary, Foreign Collaboration, Ministry of Industry—Secretary.

Alotment of Industrial Units for Punjab

263. { Shri Hem Raj:
Shri Daljit Singh:

Will the Minister of Industry be pleased to state:

(a) whether the Punjab Government have approached the Central Government for the allotment of more heavy and medium industrial units in the Punjab during the Third Plan period; and

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

The Minister of Industry (Shri Kanungo): (a) and (b). Yes, Sir. The Punjab Government made a proposal to set up three industrial units, viz., (i) Steel Casting factory, (ii) Air Rifle factory and (iii) Seamless Tubes factory, to be implemented in the Public Sector through Joint Stock Companies. The first two schemes have been agreed to and the third scheme is under consideration.

Trade with Afghanistan

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

(a) whether it is a fact that Pakistan has extended transit facilities to Afghanistan for trade and supplies; and

(b) if so, what concession the Indian traders will get to despatch their goods to Afghanistan and how trade with Afghanistan?

The Minister of International Trade (Shri Manubhai Shah): (a) At the talks in Tehran, the Governments of Pakistan and Afghanistan *inter-alia* agreed that after the re-establishment of relations between them, transit and trade arrangements will be regularised. Official confirmation of reports to the effect that the land route *via* Pakistan has since been reopened is still awaited.

(b) The question of concessions does not arise. With the reopening of the land route, Indian exports would be made by the traditional shorter route resulting in quicker delivery.

मुस्लिम कानून सम्बन्धी जांच समिति

२६५. { श्री सरजू पाण्डेय :
श्री भक्त दर्शन :
श्री राम रतन गुप्त :
डा० लक्ष्मी मल्ल सिधवी :
श्री हेम राज :

क्या विधि मंत्री २६ अप्रैल, १९६३ के अतारंकित प्रश्न संख्या २३८७ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) मुस्लिम कानून के सम्बन्ध में जो समिति बनने वाली है थी, क्या वह बन गई है; और

(ख) यदि हां, तो उस में कौन कौन लोग हैं और उस के अधिकार क्या हैं ?

विधि मंत्री (श्री प्र० कु० सेन) : (क)
जी नहीं, मामला अभी सरकार के विचाराधीन है ।

(ख) प्रश्न ही नहीं उठता ।

Cotton Textile Trade

266. **Shri Sham Lal Saraf:** Will the Minister of International Trade be pleased to state:

(a) whether it is a fact that a number of countries have entered the International Market in the cotton textile trade, as a result of which some of our traditional items in this line have been hit hard; and

(b) if so, the steps being taken to meet the present situation and guard against the future?

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

(b) Intensive market research and export promotion programmes have been launched with a view to encouraging the exports of finished products. Steps have also been taken to promote the exports of quality textiles.

दिल्ली में औद्योगिक एकक

२६७. श्री मोहन स्वरूप : क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि

(क) क्या यह सच है कि दिल्ली से ३,००० औद्योगिक एकक दूसरे स्वीकृत स्थानों को हटा दिये जायेंगे जब कि दिल्ली के मास्टर प्लान की योजना कार्यान्वित की जायेगी;

(ख) यदि हाँ, तो किन स्थानों पर उपरोक्त उद्योग स्थापित किये जायेंगे; और

(ग) उनके हटायें जाने पर कितना रुपया व्यय होने का अनुमान है ?

उद्योग मंत्री (श्री कानूनगो) : (क) से (ग). यह सच है कि दिल्ली की मास्टर प्लान के अनुसार अनुपयुक्त क्षेत्रों में स्थापित औद्योगिक एकक स्वीकृत औद्योगिक क्षेत्रों में निर्धारित किये गये स्थानों को हटा दिये जायेंगे। इस प्रकार हटायें जाने वाले एककों की ठीक ठीक संख्या का पता लगाने के लिये एक सर्वेक्षण किया जा रहा है। अनुमान है कि निगम से लाइसेंस प्राप्त ऐसे लगभग ३,००० एकक हैं जो अनुपयुक्त क्षेत्रों में स्थापित हैं। सर्वेक्षण पूरा हो जाने के बाद ही इस पर होने वाले खर्च का अनुमान लगाया जा सकता है।

मास्टर प्लान में स्वीकृत औद्योगिक क्षेत्र निम्न प्रकार है :—

१. झिलमिल ताहिरपुर (दिल्ली-शाहदरा)
२. लारेंस रोड औद्योगिक क्षेत्र
३. रिाड़ी लाइन के पश्चिम प्रथम चरण
४. रिवाड़ी लाइन के पश्चिम दूसरा चरण
५. ओखला औद्योगिक क्षेत्र प्रथम चरण
६. ओखला औद्योगिक क्षेत्र दूसरा चरण
७. औद्योगिक बस्ती नरैना प्रथम चरण
८. नरैना के निकट औद्योगिक बस्ती दूसरा चरण
९. वजीरपुर गांव के निकट औद्योगिक बस्ती
१०. औद्योगिक क्षेत्र जी० टी० रोड
११. आनन्द पर्वत के पश्चिम का औद्योगिक क्षेत्र
१२. टैक्नीलॉजी कालेज के निकट विशेष उद्योगों के लिये औद्योगिक क्षेत्र ।

Fedco (P) Ltd.

268. Shri Mohan Swarup: Will the Minister of International Trade be pleased to state:

(a) whether it is a fact that in connection with 'Fedco' import licence case some Indians have been sentenced to long terms of imprisonment while the main accused Mr. E. Wenzel, a German who happened to be the Managing Director in Fedco (P) Ltd. absconded;

(b) whether it is also a fact that Fedco (P) Ltd. is an Indian Company wherein Mr. Wenzel was nominated Managing Director by Farb Werke Hoechst A.G. a reputed German Firm; and

(c) if so, how Mr. Wenzel still continues in the employment of 'Hoechst' who are collaborators with the Government of India in an important public venture?

The Minister of International Trade (Shri Manubhai Shah): (a) In connection with the Fedco import-licence case, seven Indians have been sentenced to imprisonment. As Mr. Eric Wenzel who was one of the accused was not available in India for trial, the Court separated his case.

(b) M/s Fedco (Private) Ltd. is an Indian Company. It was not necessary for such Companies as 'Fedco' to obtain the sanction of the Central Government to the appointment of their Managing Directors. No information is, therefore, available to show that Mr. Wenzel was nominated as Managing Director of 'Fedco' by the German firm M/s Farb Werke Hoechst A.G.

(c) It has been ascertained that Mr. Wenzel is no longer in the services of M/s Farb Werke Hoechst A.G.

दिल्ली में प्रयोग किये जाने वाले बाट

२६६. श्री मोहन स्वरूप क्या अन्तर्राष्ट्रीय व्यापार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को ज्ञात है कि आज भी दिल्ली में ऐसे बाट प्रयोग में लाये जा रहे हैं। जो कि मीट्रिक प्रणाली पर आधारित नहीं हैं। और

(ख) यदि हां, तो इस की रोकथाम के लिये सरकार ने क्या कदम उठाये हैं ?

अन्तर्राष्ट्रीय व्यापार मंत्री श्री मनुभाई शाह : (क) जी, हां। इन का प्रचलन अधिकतर फेरीवालों, खोमचों वालों, तथा रेड़ीवालों तक ही सीमित है।

(ख) गैर मीट्रिक प्रणाली वाले बाटों और प्रमाणों को जब्त करना के उद्देश्य से बाट और पैमानों के निरीक्षक लगातार छपा मारते रहते हैं। जनता और व्यापारियों को सारा लेन-देन पूरी तरह से मीट्रिक इकाइयों में ही करने के लिये समझाने के उद्देश्य से प्रचार के विभिन्न साधन भी अपनाये गये हैं।

Rourkela Fertilizer Plant

270. Shri R. Barua: Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether the Fertilizer Plant at Rourkela has been brought into working order;

(b) whether the defects in channelling system need normal repair or complete replacement;

(c) whether any provision is made to make standby arrangements in case the plant goes out of work again; and

(d) what is the total loss in terms of nitrolime fertilizer?

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

(a) Yes.

(b) The compressors through which the coke oven gas from the Steel Plant is channelled to the Fertilizer Plant are being repaired. Out of five such compressors installed in the factory, four have been repaired and brought into working condition and the fifth is expected to be brought into working condition by December next.

(c) The five compressors already installed are adequate for handling the available surplus coke oven gas. There is no need for additional standby compressors.

(d) The average monthly production before the breakdown of the compressors was about 8000 tonnes. The plant had to be shut down for five weeks on account of the breakdown. The loss of production on this account may, therefore, be taken to be about 10,000 tonnes.

Handloom and Handicrafts Products

271. Shri G. Mohanty: Will the Minister of International Trade be pleased to state:

(a) whether Handloom Export Organisation, in order to develop export markets for Handloom and Handicrafts products, participates in trade fairs and exhibitions in foreign countries;

(b) the amount spent on this head since this organisation was set up, year by year; and

(c) proportionate rise in percentage of export of Handloom Fabrics and Handicrafts, State-wise?

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

(b) Year	Handlooms	Handicrafts
	Rs.	Rs.
1959-60	60,214.14	18,214.10
1960-51	43,804.43	20,464.71
1961-62	—	27,830.08
1962-78	2,215.00	22,690.78

(c) Statewise figures are not available. Exports of handloom fabrics rose by 171 per cent during 1962 as

compared to 1959 and of handicrafts by 273 per cent during the same year.

Industries in Assam

272. Shrimati Jyotsna Chanda: Will the Minister of Industry be pleased to state:

(a) the number of industrial licences issued by Government for establishment of industries in Assam from 1959 to 1963;

(b) the industries in which licences have been issued; and

(c) within what period of the issue of the licences the units are to be set up?

The Minister of Industry (Shri Kanungo): (a) and (b). Particulars of Industrial Licences issued, are published regularly (i) in the "Bulletin of Industrial Licences, Import Licences and Export Licences" (this contains information of industrial licences issued from October, 1961 onwards) (ii) in the "Indian Trades Journal" and (iii) in the "Journal of Industry and Trade". Copies of these three publications are available in the Library of the House.

(c) A licenese is usually given six months for taking "effective steps" for implementation of the licence and twelve months for completing implementation of the licence. These time limits, however, are extended when the licences remain unimplemented for reasons beyond the control of the licensees.

Export of Tobacco

273. Shri M. N. Swamy: Will the Minister of International Trade be pleased to state the steps taken by Government to step up the export of tobacco during the Third Plan period?

The Minister of International Trade (Shri Manubhai Shah): A statement is laid on the Table of the House. [Placed in Library. See No. LT-1455/63.]

Loans to Small Tea Growers

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

(a) whether Government propose to give funds to help the small Tea Growers through the State Governments; and

(b) if so, the progress made to finalise that scheme?

The Minister of International Trade (Shri Manubhai Shah): (a) and (b): The Tea Board have already rendered financial assistance to small growers of tea for the setting up of Co-operative tea factories. However, the Board have further addressed the State Governments concerned to draw up Schemes preferably on a co-operative basis for assisting the small growers of tea.

खादी पर छूट

२७५. { श्री सिद्धेश्वर प्रसाव :
श्री प्र० रं० चक्रवर्ती :

क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि खादी के कपड़े पर दी जाने वाली छूट की नीति पर पुनर्विचार किया जा रहा है; और

(ख) यदि हाँ, तो इस का कारण क्या है ?

उद्योग मंत्री (श्री कानूनगो) : (क) और (ख). खादी तथा ग्रामोद्योग आयोग ने सरकार से प्रस्ताव किया है कि खादी की खुदरा बिक्री पर छूट देने की जो वर्तमान प्रणाली है उस के बदले में एक ऐसी प्रणाली अपनाई जानी चाहिये जिस के द्वारा सूत से खादी बुनने का खर्च सरकार द्वारा दिया जाने लगे। इस प्रस्ताव की जांच की जा रही है।

Cess on Industries

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

Will the Minister of **International Trade** be pleased to refer to the reply given to Unstarred Question No. 129 on the 22nd February, 1963 and state:

(a) whether Government have since considered the proposal to levy a cess on industries failing to export a part of their production; and

(b) if so, the details thereof?

The Minister of International Trade (Shri Manubhai Shah): (a) and (b): Yes, Sir. It has now been implemented as Marketing Development Fund for which Rs. 3.8 crores have been provided for in the current year.

Cottage Industries in Kerala

277. **Shri Warior:** Will the Minister of **Industry** be pleased to state:

(a) the amount advanced for the encouragement of cottage industries in Kerala State during the last three years; and

(b) how much of this was in the form of aid and how much was in the form of loan?

The Minister of Industry (Shri Kanungo): (a) and (b) The information is being collected and will be placed on the Table of the House in due course.

Bengal-Nagpur Cotton Mills

278. **Shri Birendra Bahadur Singh:** Will the Minister of **International Trade** be pleased to state:

(a) whether it is a fact that Government recently conducted an enquiry into the affairs of the Bengal-Nagpur Cotton Mills, Rajnandgaon, leading to its closure;

(b) whether the enquiry has since been completed; and

(c) if so, the report of the enquiry and what decision Government have taken thereon?

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

(b) and (c). The report of the Committee of Enquiry is awaited.

Cement Factories in M.P.

279. Shri Birendra Bahadur Singh: Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether it is a fact that the parties who had been granted licences for the setting up of four cement factories in Madhya Pradesh during the Third Plan period have made no substantial progress;

(b) the present position regarding them; and

(c) whether Government contemplate to cancel the licences for lack of progress?

The Deputy Minister in the Ministry of Steel and Heavy Industries (Shri P. C. Sethi): (a) to (c). So far, only one licence has been issued for setting up a cement factory in Madhya Pradesh. This licence has been granted to Messrs. Associated Cement Companies Ltd., for setting up a slag cement factory at Jamul near Bhilai. The factory is expected to be commissioned by the middle of 1964.

2. Letters of approval were issued at various times to (i) Messrs. Hasimara Industries Ltd., Calcutta; (ii) Shri Mohanlal Nopany, Calcutta; (iii) Shri Nagin S. Shah, Bombay and (iv) Messrs. Kohli Finance Ltd., New Delhi, for setting up cement factories in Madhya Pradesh at Itarsi, Akaltara, Bhanpura and Silyari respectively. Owing to lack of progress, the letters of approval in the first three cases have already been cancelled. The The fourth scheme for setting up a slag cement factory at Silyari near Raipur has made some progress; the site has been finalized, mining lease

obtained and a new company registered. Efforts are being made to expedite the completion of this project in the Third Five Year Plan.

कपास सलाहकार समिति की बैठक

२८०. श्री अशोक लाल बेरवा : क्या अन्तर्राष्ट्रीय व्यापार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि कपास सलाहकार समिति की बाईसवीं बैठक समाप्त हो चुकी है; और

(ख) यदि हां, तो उस ने क्या क्या सुझाव दिये हैं ?

अन्तर्राष्ट्रीय व्यापार मंत्री (श्री धनुभाई झतह) : (क) और (ख). सम्भवतः माननीय सदस्य अन्तर्राष्ट्रीय कपास सलाहकार समिति की उस २२वीं पूर्ण बैठक का उल्लेख कर रहे हैं जो अप्रैल-मई, १९६३ में बंगलौर में हुई थी। इस समिति ने कोई भी सिफारिशें नहीं कीं, वरन् कुछ प्रस्ताव पास किये थे जिन में विभिन्न समितियों और उप समितियों में हुई चर्चा के अन्त में जो परिणाम निकले वे दिये गये हैं। अधिक महत्वपूर्ण प्रस्ताव ये थे :—

(१) कपास का उपयोग बढ़ाने तथा इस प्रकार के कार्यक्रमों के लिए वित्तीय एवं अन्य साधन उपलब्ध कराने के लिये सामूहिक प्रयत्न किये जाने चाहियें।

(२) कपास उत्पन्न करने वाले देशों की सरकारों से निवेदन किया जाना चाहिये कि वे कीड़ों तथा बीमारियों निबंधन से सम्बन्धित कानून के बारे में जानकारी देना करें।

(३) स्थायी समिति को अन्तर्राष्ट्रीय कपास सलाहकार समिति की २३वीं पूर्ण बैठक के सामने इस पर भी विचार करना चाहिये कि क्या चाब रखने वाले सदस्य देशों की एक बैठक बुलाना संश्लेषणीय होगा

जिस में कपास के उपभोक्ता एवं उत्पादक देशों की उपयुक्त कपास संस्थाओं से बातचीत की जा सके। इस प्रकार की बैठक का एक उद्देश्य यह भी हो सकता है कि वर्तमान कार्यक्रम जिस में विशेषतः लम्बे रेशे वाली कपास भी शामिल है, को ध्यान में रखते हुए संवर्धन तथा उस के बाजार संबंधी गवेषणा कार्य के लिए और अधिक साधन जुटाने के उपायों तथा ढंगों पर विचार किया जा सके।

अजमेर में घड़ियां बनाने का कारखाना

२८१. श्री ओंकारलाल बेरवा : क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सरकार अजमेर में घड़ियां बनाने का कारखाना खोलने जा रही है ;

(ख) यदि हां, तो क्या यह विदेशी सहायता से बनाया जा रहा है, और

(ग) क्या यह कारखाना सरकारी क्षेत्र में होगा या गैर-सरकारी क्षेत्र में होगा ?

उद्योग मंत्री (श्री कानूनगो) : (क) से (ग). अजमेर में सरकारी या निजी किसी भी क्षेत्र में घड़ी बनाने का कोई कारखाना खोलने का प्रस्ताव नहीं है।

शिमला के पास घड़ियां बनाने का कारखाना

२८२. श्री ओंकारलाल बेरवा : क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि शिमले के पास ४० मील की दूरी पर घड़ियां बनाने का कारखाना खोला गया है ;

(ख) यदि हां, तो क्या यह कारखाना किसी गैर-सरकारी कम्पनी का है या सरकार का ;

(ग) क्या इसके लिये विदेशी सहायता भी ली गई है ; और

(घ) यदि हां, तो कितनी और किससे ?

उद्योग मंत्री (श्री कानूनगो) : (क) और (ख). शिमला के निकट सोलन में घड़ियां बनाने का एक निजी कारखाना खोला गया है।

(ग) और (घ). इसके लिये कुछ भी विदेशी सहायता नहीं ली गई है।

बड़ौदा में बाल बेयरिंग का कारखाना

२८३. श्री ओंकारलाल बेरवा : क्या इस्पात और भारी उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि बड़ौदा में बाल बेयरिंग का कारखाना खोलने का विचार है ;

(ख) यदि हां, तो इस कारखाने पर कितनी लागत आयेगी

(ग) इसके कब तक पूरा होने की संभावना है ;

(घ) क्या यह विदेशी सहयोग से स्थापित किया जायेगा ; और

(ङ) इसकी वार्षिक क्षमता क्या होगी ?

इस्पात और भारी उद्योग मंत्री (श्री चि० सुब्रह्मण्यम) : (क) जी, हां।

(ख) कारखाने की अनुमानित लागत २२.७ मिलियन रुपये है।

(ग) फर्म के १९६४ में उत्पादन शुरू करने की संभावना है।

(घ) जी, हां।

(ङ) इसकी वार्षिक क्षमता २४ मिलियन बेयरिंग होगी।

कच्चा लोहा

२८४. श्री श्रीकारलाल बेरबा : क्या इस्पात और भारी उद्योग मंत्री यह बताने की कृपा करेंगे कि

(क) क्या यह सच है कि सरकार ने कच्चे लोहे के कोटे में ६० प्रतिशत कमी कर दी है ;

(ख) यदि हाँ, तो इसके क्या कारण हैं ; और

(ग) किन-किन जगहों में यह कमी की गई है ?

इस्पात और भारी उद्योग मंत्री (श्री चि० सुब्रह्मण्यम) : (क) से (ग), कच्चे लोहे के लिए कोटा-व्यवस्था को १-७-१९५१ से समाप्त कर दिया गया था इसलिए कच्चे लोहे के कोटे में प्रतिशत कमी करने का प्रश्न ही नहीं उठता। कोटा-व्यवस्था की समाप्ति के पश्चात् डलाईघरों (फाउंडरियों) के इन्डेंट प्रायोजिक प्राधिकारियों (Sponsoring Authorities) द्वारा निर्धारित क्षमताओं के आधार पर उत्पादकों को भेजे जाते रहे। १९६२ के अन्त में यह मालम हुआ कि प्रायोजिक प्राधिकारी (Sponsoring Authorities) अधिक नियतन के लिए सिफारिशें करते थे जिसका परिणाम यह हुआ कि उत्पादकों के पास लगभग १.२ मिलियन टन के आर्डर एक वर्ष के उत्पादन के लगभग जमा हो गए, इसलिए यह फैसला किया गया कि १-४-१९६३ से उपलब्ध सप्लाय का साम्यिक वितरण करने के लिए राशनिंग की एक नई योजना शुरू की जाय जिससे यह सुनिश्चित हो सके कि प्रत्येक फौंडरी को वार्षिक क्षमता के अनुपात के मुताबिक इष्ट अर्ध में निर्धारित मात्रा में मात्र मिल सके। इस योजना के अनुसार उन डलाईघरों को जिन्हें सरकारी या रेलवे स्लीपरों के आर्डर नहीं मिलते उन्हें उनकी निर्धारित क्षमता

का लगभग १० से ११ प्रतिशत कच्चा लोहा मिलेगा। डलाईघर कच्चे लोहे के साथ कास्ट आयरन स्कैप का भी, जिस पर कोई वितरण नियंत्रण नहीं है, बड़ी मात्रा में इस्तेमाल करते हैं और इस प्रकार वे अपनी क्षमता के २०-३० प्रतिशत तक काम करने के योग्य होने चाहिए। जिन डलाईघरों को सरकार के आर्डर मिलते हैं उन्हें कच्चे लोहे की अतिरिक्त सप्लाय दी जाती है और वे, यदि अधिक नहीं, तो अपनी क्षमता के ६०-७० प्रतिशत तक काम कर सकते हैं।

Inventors and Designers

285. Shri P. C. Borooah: Will the Minister of Industry be pleased to state:

(a) whether Government have taken powers under Defence of India Rules to restrict or undo the rights of inventors and designers under the country's law on patents;

(b) if so, the specific measures taken in this regard; and

(c) the reasons which prompted such action?

The Minister of Industry (Shri Kanungo): (a) and (b). The Defence of India Rules, 1962, were recently amended empowering the Central Government mainly, (1) to direct the Controller of Patents and Designs to suspend action on pending or new applications in specified classes of patents; and

(ii) to authorise any corporation owned or controlled by the Government, or any other person to make use of any patented invention on payment of such compensation as may be agreed to between the parties. In the event of any dispute as to the amount of compensation the Central Government's decision thereon shall be final, although the Government will give reasonable opportunities to the parties concerned to make repre-

sentations in the matter. The Controller of Patents has been directed not to register under the existing Patents Law any fresh patents in the field of food, drugs and medicines.

(c) The object of the powers taken under the D.I.R. is not to extinguish existing patent rights, but merely to ensure that in an Emergency there are no occasions for delay in production of essential items like food, drugs and medicines or scarcity of supplies leading to exorbitant prices. Similar powers have been taken by different countries in times of Emergency.

निर्यात पर से प्रतिबन्ध हटाना

२८६. श्री रामेश्वरानन्द : क्या अन्तर्राष्ट्रीय व्यापार मंत्री यह बताने की कृपा करेंगे कि :

(क) जिन वस्तुओं के निर्यात पर से प्रतिबन्ध हटाया गया है उनके नाम क्या क्या हैं ; और

(ख) निर्यात के कारण देश में उनके अभाव को रोकने के लिये सरकार ने क्या कदम उठाये हैं ?

अन्तर्राष्ट्रीय व्यापार मंत्री (श्री मनुमोहन झा) : (क) जिन जितनों को निर्यात पर से पिछले निर्यात (नियंत्रण) प्रादेश में संशोधन के बाद पाबन्दी हटा दी गई है उनकी एक सूची सभा पटल पर रखी जाती है (पुस्तकालय में रखी गई। देखिये संख्या. LT-1456/63.)

(ख) इन जितनों की देश में कोई कमी नहीं है।

Heavy Engineering Projects in Punjab

287. Shri Daljit Singh: Will the Minister of Steel and Heavy Industries be pleased to state:

(a) the number of new heavy engineering projects proposed to be locat-

ed in Punjab during the Third Five Year Plan period;

(b) whether Government propose to establish any such project in the backward hilly area of Punjab; and

(c) if so, the location thereof?

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

(a) Six.

(b) and (c). No.

Silk Board

288. Shri D. C. Sharma: Will the Minister of Industry be pleased to state:

(a) whether the Silk Board has decided to set up four liaison offices at Delhi, Calcutta, Bangalore and Srinagar; and

(b) if so, the details thereof with their functions?

The Minister of Industry (Shri Kanungo): (a) and (b). With a view to establishing close contacts with important sericultural States, the Central Silk Board proposes to set up two Liaison Offices at Delhi and Srinagar, apart from strengthening the existing two Liaison Offices at Bangalore and Calcutta. The functions of the proposed offices will be as under:

- (1) Periodical assessment of technical progress of the Industry in the States.
- (2) Maintenance of watch over the silk and cocoon markets and submission of regular reports to the Board.
- (3) Stamping of pure silk fabrics.
- (4) Rendering technical assistance in the implementation of sericultural schemes in case of less developed States.
- (5) Inspection of silk weaving establishments to whom imported raw silk is supplied by the Board.

Pig Iron Quota for Punjab

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

(a) whether it is a fact that the Punjab Government approached the Central Government to supply pig iron according to the requirements of the small scale industries which are on the verge of closure; and

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

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

(a) and (b). Punjab Government like other State Governments had represented about the reduction in the supply of pig iron to the small scale foundries in their States during 1963-64. In order to reduce the backlog of orders pending with the Producers for pig iron and to ensure equitable distribution of the available quantity, a revised scheme has been drawn-up. According to this scheme every foundry both small and large scale would be ensured a fixed quantity of pig iron during 1963-64 though it may be below their assessed requirements. Although efforts are being made to increase the availability, there is no prospect of any appreciable change in availability during 1963-64. The Punjab Government have been advised accordingly.

Precision Instruments Plants at Kotah

290. **Shri R. Barua:** Will the Minister of Industry be pleased to state:

(a) whether Government have invited Russian specialists for the Precision Instruments Plant to be set up at Kotah;

(b) if so when the team of experts is expected;

(c) when the plant is likely to be completed; and

(d) capacity and foreign exchange involved?

The Minister of Industry (Shri Kanungo): (a) to (d). The detailed project report of the Precision Instruments Plant, Kotah has been received in the end of June 1963 and in accordance with the contract with M/s Prommashexport, Moscow, the Soviet authorities have been requested to arrange for the deputation to India of Russian Specialists during this month for participation in the consideration of the detailed project report. Also in connection with the initial training of Indian technicians Russian Instructors are expected to visit India in the middle of October 1963.

The plant is likely to be completed in about three years from the date when all approvals are accorded. The capacity and foreign exchange of the plant will be known definitely only after the detailed project report is considered and accepted by Government.

Export Credit and Guarantee Corporation

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

(a) whether it is a fact that the Study Group on Export Finance set up by his Ministry has recommended to set up an Export Credit and Guarantee Corporation for the supply of credit to promote exports; and

(b) if so, what are Government's reactions thereto?

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

(b) The recommendations made by the Study Groups are under consideration.

Textile Mills in Goa

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

(a) whether it is a fact that the Central Government have sanctioned

to set up two textile mills in private sector in Goa; and

(b) if so, whether any foreign assistance will be utilised?

The Minister of International Trade (Shri Manubhai Shah): (a) Licences have been granted for the establishment of three cotton textile mills in Goa.

(b) One of the three parties has indicated that foreign technical collaboration will be involved in his scheme.

गोरखपुर में उर्वरक का कारखाना

२६३. { डा० महादेव प्रसाद :
श्री सरजू पाण्डेय :
श्री भक्त दर्शन :

क्या इस्पात और भारी उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) गोरखपुर में उर्वरक कारखाने की स्थापना की प्रगति की वर्तमान स्थिति क्या है ;

(ख) क्या यह सच है कि जिनकी जमीनें ले ली गई थीं उन्होंने सत्याग्रह किया और उन्हें जेल भेजा गया ;

(ग) उक्त सत्याग्रह का परिणाम क्या रहा ; और

(घ) क्या आवश्यक जमीन कारखाने के कब्जे में आ गई है ?

इस्पात और भारी उद्योग मंत्री (श्री चि० सुब्रह्मण्यम) : (क) कारखाने और बस्ती (टाउनशिप) के लिये स्थान निर्धारित कर लिया गया है और उत्तर प्रदेश सरकार ने भूमि अधिग्रहण के लिये कार्यवाही कर ली है। सर्वेक्षण तथा भूमि अन्वेषण का काम पूरा हो चुका है। मुख्य संयंत्रों तथा साज-सामान की सप्लाय के लिए सर्वश्री टोयो इंजीनियरिंग कारपोरेशन, टोक्यो, जापान, को इन्वेंट

पत्र (Letter of intent) जारी कर दिया गया है। इस फर्म के साथ शीघ्र ही एक औपचारिक करार किया जाएगा। सहायक संयंत्रों जैसे भाप जनन प्लांट और मुख्य विद्युत उप-केन्द्र के लिए टेंडर प्राप्त हो चुके हैं और उनकी छानबीन की जा रही है। निर्माण संगठन स्थापित किया जा रहा है और कुछ ही दिनों में कारखाने तथा बस्ती के लिए परामर्शदाता नियुक्त किए जायेंगे।

(ख) जिन काश्तकारों की भूमि अधिग्रहण की गई थी उन्होंने निकटवर्ती सरकारी जंगल से वृक्ष काट कर अपने पुनर्वास के लिए उत्तर प्रदेश सरकार के खिलाफ सत्याग्रह किया। कई व्यक्ति जिनमें काश्तकार भी शामिल थे, गिरफ्तार किए गए और बाद में छोड़ दिए गए।

(ग) क्योंकि उत्तर प्रदेश सरकार काश्तकारों के पुनर्वास के उपायों पर विचार कर रही थी इसलिए सत्याग्रह वापिस ले लिया गया है और इस बारे में पकड़े गये व्यक्ति छोड़ दिये गये हैं।

(घ) अभी तक फर्टिलाइजर कारपोरेशन आफ इंडिया को भूमि का औपचारिक कब्जा नहीं मिला है।

Synthetic Rubber

294. **Shri P. R. Patel:** Will the Minister of Industry be pleased to state:

(a) the price at which synthetic rubber is imported; and

(b) the cost price of synthetic rubber produced in the country?

The Minister of Industry (Shri Kanungo): (a) The landed cost of Synthetic Rubber of the S.B.R. type is of the order of Rs. 2,900 per M. Ton, inclusive of an import duty of 22 per cent ad valorem.

(b) The Indian producer has proposed to sell this product at Rs. 4400

per tonne and the reasonableness of this price is under examination. The cost price will also then become known.

Small Scale Industry in Punjab

295. **Shri Daljit Singh:** Will the Minister of Industry be pleased to state:

(a) whether it is a fact that the Punjab Government have approached the Central Government regarding the set-back to the Small Scale Units owing to the shortage of raw material like pig iron, hard coke, sheets, wire and non-ferrous metals; and

(b) if so, the decision taken by the Central Government to help the Small Scale Industry in the Punjab State?

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

(b) The matter is under consideration in consultation with the different Departments concerned.

बरेली में औजारों का कारखाना

२९६. श्री भक्त दर्शन : क्या इस्पात और भारी उद्योग मंत्री २६ अप्रैल, १९६३ के अतारकित प्रश्न संख्या २३९६ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) बरेली में औजारों का जो कारखाना स्थापित किया जा रहा है, उसकी स्थापना किस कम्पनी के द्वारा की जा रही है ; और

(ख) उस कारखाने की स्थापना में अब तक क्या प्रगति हुई है ?

इस्पात और भारी उद्योग मंत्री (श्री चि० सुब्रह्मण्यम) : (क) सर्वथी भार० भार० इंजीनियरिंग कम्पनी ।

(ख) आवेदक कम्पनी ने योजना को यन्त्रित करने के लिए अपेक्षित मशीनरी

के प्रायात हेतु आवेदन-पत्र दिया है, जो सरकार के विचाराधीन है ।

12 hrs.

OBITUARY REFERENCE

Mr. Deputy-Speaker: I have to inform the House of the sad demise of Shri M. Sri Ranga Rao who passed away on the 14th July, 1963, at Antargaon, Andhra Pradesh, at the age of 45.

Shri Ranga Rao was a Member of the Second Lok Sabha during the years 1957 to 1962.

We deeply mourn the loss of this friend and I am sure the House will join me in conveying our condolences to the bereaved family.

The House may stand in silence for a short while to express its sorrow.

The House then stood in silence for a short while.

RE: CALLING ATTENTION NOTICE AND MOTION FOR ADJOURNMENT

Mr. Deputy-Speaker: We will now take up the Calling Attention Notice of Shri P. R. Patel.

Shri S. M. Banerjee (Kanpur): Sir, I have to make a submission on the Calling Attention Notice.

Mr. Deputy-Speaker: Let it come up before the House first. Then he can make his submission.

Shri S. M. Banerjee: I would only submit that this is a matter in which all the States are interested. Will the Minister kindly give some indication as to the quota cut in U.P. . . .

Mr. Deputy-Speaker: We do not know what the Minister is going to say? Why should he presume things? Why is he in such a hurry? Now,

Shri P. R. Patel. Is he here? No. So, it falls through. Now, papers to be laid on the Table.

Shri Umanath (Pudukkottai). Sir, I have given notice of an adjournment motion about the strike in Bombay. Now Government have taken action against the strikers under the Defence of India Rules which implies that the situation is affecting the Defence of India. If, that is not of sufficient public importance, then what is?

Mr. Deputy-Speaker: Order, order. Hon. Members know the procedure of the House very well. The Speaker has made it quite clear a number of times that when a particular adjournment motion is disallowed and the hon. Member who has given notice of it is not satisfied with the decision of the Speaker, he should see the Speaker in his chamber and try to persuade him to revise his decision.

Shri Nambiar (Tiruchirapalli): The strike is going on for so many days now.

Mr. Deputy-Speaker: If he is not satisfied with my decision, he can meet me in my chamber. He cannot raise it here in this form.

Shri S. M. Banerjee: Sir, will you kindly bear with me for a few minutes? This Calling Attention Notice relates to the supply or inadequate supply of pig iron to Gujarat and it has been admitted. There is a strike going on in Bombay for the last few days in which 30,000 employees are involved and Government have taken action under the Defence of India Rules.

Mr. Deputy-Speaker: Order, order. He cannot raise that question in that form now. He can raise it in some other form under the rules.

श्री राम सेवक यादव (बाराबंकी) : मेरा निवेदन तो सुन लें। यह बम्बई की हड़ताल का जो सवाल है यह भारत सरकार की रखा नीति से सम्बन्धित है। स्थिति रोज ब रोज बिगड़ती जा रही है, मेरे पास तार आया है जिस में कहा गया है कि समाजवादी दल के सभी नेता गिरफ्तार हो चुके हैं, और स्थिति अभावह हो चुकी है।

Mr. Deputy-Speaker: Order, order. We are on some other business now. Shri Manubhai Shah. Papers to be laid on the Table.

Shri Bagri (Hissar): Sir, on a point of order.

Shri S. M. Banerjee: Sir, the strike has been going on. . . .

Mr. Deputy-Speaker: I am sorry, the hon. Member is disturbing the proceedings like this. He is well aware of the rules.

Shri S. M. Banerjee: Sir, I want your protection.

Mr. Deputy-Speaker: He can come to my chamber and discuss it. If there is anything, I will explain it to him.

Shri Nambiar: When notice has been given about an adjournment motion on such an important subject, it is up to you to agree to a discussion on it and request the hon. Minister to make a statement.

Mr. Deputy Speaker: It has been disallowed.

श्री राम सेवक यादव * * *

Mr. Deputy Speaker: Order, order. These remarks will not form part of the proceedings. The Speaker has made it quite clear that when adjournment motions are disallowed and the

members are not satisfied with the ruling of the Speaker they should go to his chamber and discuss them with him. So, if any hon. Member wants to discuss it with me, he is free to come to my chamber and discuss it. I will satisfy him the reason as to why it has been disallowed. Now, these remarks will not form part of the proceedings.

Shri Bagri: Sir, on a point of order.

Shrimati Bena Chakravartty (Barrackpore): Sir, there is one point that I wish to submit. If we come to your Chamber and discuss the matter with you, it will lose its urgency specially in a situation where every day the matter has deteriorated. Today Shri Madhu Limaye has been arrested. Do you not think that it will lose its urgency if we come and discuss it with you? Tomorrow it may be disallowed on some other ground.

Mr. Deputy-Speaker: No ruling of the Chair can be discussed on the floor of the House. You can move a motion of no confidence and throw out the person in the Chair (*Interruption*).

Shri S. M. Banerjee: There is no question of moving a motion of no confidence.

Shri Indrajit Gupta (Calcutta South West): Very often the hon. Speaker has been good enough in the past even if he has disallowed the adjournment motion to treat it as a 'Calling attention' notice if he considered the matter of enough importance, so that in one form or other it could come up on the floor of the House. Now here is a strike going on for the last five days and the whole of Bombay City is paralysed. So, could it not be considered as a 'Calling attention' notice?

Mr. Deputy-Speaker: That is why I told the hon. Member to come and discuss it with me and if I feel that it should be revised, I shall certainly be glad to do it. But he must satisfy me

that this is a matter of urgent public importance which this House can take notice of.

श्री रामेश्वरानन्ध : ये घाप से निवेदन करना चाहता हूँ कि ऐसे विषयों पर बात सुनी जानी चाहिए। घाप परमेश्वर की तरह इस गद्दी पर बैठे हैं, और प्रत्येक के साथ व्यवहार करना चाहिए। घाप को सत्ता प्राप्त पार्लियों का इतना धन नहीं करना चाहिए। मेरा निवेदन है कि इस हकूम से सब को बालने का अधिकार है। हम सब में घाप भी सम्मिलित है। इसलिए मेरा निवेदन है कि हमारी बात सुन लें। जब घाप आर्डर आर्डर कहते हैं तो हम मान लेते हैं। लेकिन हमारी भी वो बात सुनी जानी चाहिए।

Shri Nath Pai (Rajapur): We know, of course, the ruling of the hon. Speaker, but it is equally true that we are often allowed an opportunity if the matter is important enough. The fact that it is important enough is borne out by the simple fact that practically representatives of all the major groups in Parliament have tabled adjournment motions. If the matter happens to be of such importance as the paralysis of the normal life in the industrial capital of India—*prima facie* it is an important matter—we will be holding ourselves to ridicule if because of procedure or rules Parliament cannot be allowed to take up such vital matters. It is a question of the proper use of the Defence of India powers conferred on the State Government. 400 people have been arrested under it. For what? Because they pursued legitimate demands. We give the power to the Government not to hunt down trade union.... (*Interruption*).

Mr. Deputy-Speaker: Order, order.

Shri S. M. Banerjee: Why should they laugh over it? (*Interruption*).

Mr. Deputy-Speaker: Will the hon. Members please sit down?

Shri Nath Pai: May I conclude my submission?

Mr. Deputy-Speaker: I have told the House that the hon. Speaker has many times made it clear that when an adjournment motion is disallowed there cannot be any discussion on the floor of the House. Any hon. Member who is dissatisfied with the ruling can go to the hon. Speaker, discuss it with him and he is prepared to revise the ruling if he is satisfied. That is why I asked Shri Yadav to come and discuss the matter with me. We cannot raise it again and again here.

Shri Hari Vishnu Kamath (Hoshangabad): On a point of order, Sir, I invite your attention to rule 380 of the Rules of Procedure. If I heard you aright, you said a little while earlier that these remarks—I do not know which remarks you referred to; presumably, referring to the remarks made by my hon. friend, Shri Ram Sewak Yadav you said 'these remarks'—shall not form part of the proceedings. It is rather vague, I submit in all humility and with due deference. You did not define which remarks; you simply said "These remarks shall not form part of the proceedings". The House will remember, the hon. Speaker has on such occasions never expunged remarks made in connection with such statements during the last year I have been here.

If you will kindly look at rule 380, it says:—

"If the Speaker is of opinion that words have been used in debate which are defamatory or indecent or unparliamentary or undignified, he may in his discretion order that such words be expunged from the proceedings of the House."

Now, Sir, you will be good enough to tell the House whose remarks and which of those remarks were unparliamentary, undignified, defamatory or indecent. Without that, it is very unfair. I submit, to order expunction of any remarks made in this House.

Shri Tyagi (Dehra Dun): On a point of Order, Sir. May I submit . . . (Interruptions).

Shri Nath Pai: There cannot be a Point of Order on a Point of Order.

Shri Hari Vishnu Kamath: This should be disposed of first.

Shri Nath Pai: A senior Member like Mr. Tyagi is supposed to know that there cannot be a Point of Order on a Point of Order. The earlier Point of Order must be disposed of first.

Shri Tyagi: Mine is different.

Shri Nath Pai: There cannot be two Points of Order at the same time.

Shri Hari Vishnu Kamath: There cannot be two at the same time.

You must dispose of my Point of Order first. Then take up his Point of Order. (Interruption).

Mr. Deputy Speaker: Order, order. Hon. Members should not get excited. Is it about the same point?

Shri Tyagi: No, Sir. There is another point.

Mr. Deputy Speaker: Then we will deal with it a little later. (Interruption).

Shri Tyagi: When a motion has been allowed, can there be any comments on the merits of that motion and can those comments form part of the proceedings when it is not allowed? This is my Point of Order. (Interruptions).

Mr. Deputy Speaker: Mr. Kamath, I did not disallow it because it is indecent or undignified.

Shri Hari Vishnu Kamath: Which remarks? You say, "these remarks". Is it the whole, entire discussion or what?

Mr. Deputy Speaker: I did not disallow those remarks about the disallowance of the adjournment motion on the ground that they were indecent or undignified. But Members

cannot take opportunities like this to discuss a matter which has been disallowed. Speaker's ruling cannot be disobeyed. It cannot be discussed like this. There is a procedure laid down for every matter that can be discussed here, I am reading this to you:

"Rule 380 refers to what a Member says when he is legitimately called upon to speak and when he has an opportunity to speak with the permission of the Chair. If, however, a Member without being called upon to speak continues speaking in spite of the Chair asking him to desist from it, the Chair may by virtue of its inherent power declare that speech of the Member will not form part of the record and it be expunged."

I mean, this is a well-established practice and I am sticking to that practice. (*Interruptions*).

Shri Hari Vishnu Kamath: On a Point or Order again. This should be clarified. If I heard you right....

Mr. Deputy-Speaker: It is quite clear.

Shri Hari Vishnu Kamath: You say, "these remarks".

Mr. Deputy-Speaker: These remarks about the motion which has been disallowed.

Shri Hari Vishnu Kamath: Whose remarks? There were many Members who participated in it.

Shri Nath Pai: Which remarks? Whose remarks? (*Interruptions*).

Shri Tyagi: Nothing on the merits of the motion.

Mr. Deputy-Speaker: I will see the records and whatever has been said about the adjournment motion which has been disallowed will not form part of the record.

Shri Nath Pai: May I say one thing? I was in possession of the floor. You

called me by name. Can it be expunged? The rule only refers to a person who persists in speaking when he is not in possession of the floor. Many of us were in possession of the floor. You called us.

Mr. Deputy-Speaker: I told Mr. Yadav that I have disallowed the motion and that it could not be discussed here. Still, the discussion has gone on. All those remarks should not be on the record. (*Interruptions*).

Shri H. N. Mukerjee: Sir, it very often happens that you are making certain statements when the Member concerned has not finished his observations. I say with great respect that we try to complete our observations for whatever they are worth—they may be worthless. We have an inherent right to have whatever we say recorded here. (*Interruption*). You are capable enough to look after yourself without any assistance. Now, Sir, I do feel that on occasions like this, when excitement, for good reason or bad reason, has been generated in this House, Members have the right and the responsibility of expressing themselves. Occasionally, they might make mistakes. You, Sir, try to regulate the conduct of the Members. Certainly, you are doing your best. I know. But I submit to you, Sir, that there are very legitimate occasions when the Member concerned has to complete his observations and sometimes it happens that there is a clash between your appearance and the Member not being able to finish his observations. If you rule now that every time the Speaker says that the Members should stop the Member should stop automatically, that is something which goes against the very elements of human nature, and that would be putting a clamp on the proceeding of the House in the wrong way.

Mr. Deputy-Speaker: Shri H. N. Mukerjee is an experienced parliamentarian. If a Member gets up and begins to speak on a matter on which he ought not to speak, then, if the

[Mr. Deputy-Speaker.]

Chair calls upon him to stop, he must stop, and if he goes on without the permission of the Chair to speak on a matter on which he cannot speak, those remarks should be expunged. And that is the ruling of the Chair.

PAPERS LAID ON THE TABLE

RUBBER (AMENDMENT) RULES,
COIR INDUSTRY (AMENDMENT) RULES,
JUTE TEXTILE (CONTROL) AMENDMENT
ORDER
AND
ANNUAL ADMINISTRATION REPORT OF
TEA BOARD

The Minister of International Trade
(Shri Manubhai Shah): I beg to lay
on the Table—

(i) a copy each of the following
papers:—

- (a) The Rubber (Amendment) Rules, 1963 published in Notification No. GSR. 774, dated the 4th May, 1963, under sub-section (3) of section 25 of the Rubber Act, 1947. [Placed in Library. See No. LT-1399/63.]
- (b) The Coir Industry (Amendment) Rules, 1963 published in Notification No. GSR. 1088, dated the 24th June, 1963 under sub-section (3) of section 26 of the Coir Industry Act, 1953. [Placed in Library. See No. LT-1400/63.]
- (c) The Jute Textiles (Control) Amendment Order, 1963 published in Notification No. SO. 1889 dated the 6th July, 1963, under sub-section (6) of section 3 of the Essential Commodities Act, 1955. [Placed in Library. See No. LT-1401/63.]
- (d) Annual Administration Report of the Tea Board for the year 1962-63. [Placed in Library. See No. LT-1402/63.]

NOTIFICATIONS UNDER INDUSTRIES (DEVELOPMENT AND REGULATION) ACT, 1951

Shri Manubhai Shah: I beg to lay on the Table a copy each of the following Notifications issued under section 15 of the Industries (Development and Regulation) Act, 1951:—

- (a) S.O. No. 1665 dated the 17th June, 1963.
- (b) S.O. No. 2047 dated the 18th July, 1966.

[Placed in Library, See No. LT-1403/63].

डा० राम मनोहर लोहिया (फर्रुखाबाद):
उपाध्यक्ष महोदय, मेरा एक व्यवस्था का प्रश्न
है।

उपाध्यक्ष महोदय : आप बंट जाइये।

श्री राम सेवक यादव : उपाध्यक्ष महोदय,
जब कोई माननीय सदस्य व्यवस्था का प्रश्न
उठाते हैं तो उसे सुनना चाहिये। माननीय
सदस्य उठ कर व्यवस्था का प्रश्न उठा रहे हैं
और क्या मंत्री महोदय इस तरह बोलते जा
सकते हैं ? अगर सदन की कार्यवाही इसी
तरह से चलाई जायेगी तो यह प्रजातन्त्र
के लिये स्वस्थ परम्परा नहीं होगी।

Mr. Deputy Speaker: We are on some
other point now.

व्यवस्था का प्रश्न खत्म हो गया है।
मैं ने उस पर अपनी क्लिग दे दी है।

डा० राम मनोहर लोहिया : यह जो
व्यवस्था का प्रश्न उठा है इस से मेरा बिल्कुल
अलग है।

उपाध्यक्ष महोदय : आर्डर, आर्डर।

डा० राम मनोहर लोहिया : मेरी बात
सुन तो लीजिये।

Mr. Deputy-Speaker: There cannot be a point of order in a vacuum. We are on some other business.

श्री राम सेवक यादव : उपाध्यक्ष महोदय, वह जो व्यवस्था का प्रश्न उठाया गया है इसे आप पहले सुन तो लें। बिना सुने ही उसे रखने की इजाजत न देना यह कुछ उचित नहीं जंचता है। इस तरह सदन का काम कैसे चलेगा ? मेरी आप से प्रार्थना है कि जनतन्त्र को आप ठीक से चलाने की कोशिश करें और उस को एक मखौल न बनायें। जो व्यवस्था का प्रश्न उठाया जा रहा है उसे आप सुन लें। उन का दूसरी व्यवस्था का एक प्रश्न है। अब उस में क्या बात होगी इसे आप बिना सुने पहले से ही कैसे समझ सकते हैं ?

श्री० राम मनोहर लोहिया : मैं स्वयं प्रस्ताव के तथ्य पर कुछ नहीं बोलना चाहता। मैं केवल उस के तरीके पर बोलना चाहता हूँ। अभी तक आप ने इस स्वयं प्रस्ताव को केवल बम्बई का समझा है लेकिन मैं आप से निवेदन करना चाहता हूँ कि यह सारे हिन्दुस्तान का सवाल है और सारे

Mr. Deputy-Speaker: I am very sorry. Dr. Ram Manohar Lohia may please sit down. I have told the hon. Member already that I have disallowed that adjournment motion. He can come and discuss with me later in my Chamber, and if there is anything to reconsider, I shall reconsider it. He cannot raise that question here now over and over again. The hon. Member may please sit down and allow the House to go on with its business.

श्री० राधे भनोहर लोहिया : मैं स्वयं प्रस्ताव के तथ्य के बारे में नहीं बोल रहा हूँ बल्कि उस के तरीके पर बोल रहा हूँ यह मैं ने कहा था।

श्री रामेश्वरानन्द : प्रजातन्त्र में इस तरह का संन्यास नहीं होना चाहिये। दूसरों की बात सुनी जानी चाहिए। जनता के हित धुन कर धार्य हुए प्रतिनिधियों की बात को धुनना चाहिये।

श्री बागड़ी : श्रीन ए प्वाइंट ऑफ़ ऑर्डर सर।

उपाध्यक्ष महोदय : ऑर्डर, ऑर्डर। कोई प्वाइंट ऑफ़ ऑर्डर नहीं है। आप बैठ जाइये।

श्री बागड़ी : मेरे प्वाइंट ऑफ़ ऑर्डर को सुने बगैर आप कैसे समझ गये कि कोई प्वाइंट ऑफ़ ऑर्डर नहीं है ? पहले आप उसे सुन लें बाद में उसे आप डिसएलाउ कर सकते हैं।

Mr. Deputy-Speaker: The hon. Member must sit down now. There cannot be a point of order in a vacuum.

श्री बागड़ी : उपाध्यक्ष महोदय, श्रीन ए प्वाइंट ऑफ़ एनफारमेशन।

Mr. Deputy-Speaker: I am very sorry. If the hon. Member does not sit down, then I shall have to take serious notice of it.

Shrimati Renu Chakravarty: Will you not please hear the point of order?

Mr. Deputy-Speaker: How can there be a point of order in a vacuum?

Shri Ranga (Chittoor): If there cannot be a point of order in a vacuum, you may hear the point of order and then you may dismiss it.

PAPERS LAID ON THE TABLE—
contd.

NOTIFICATION UNDER COMPANIES ACT

AMENDMENTS TO CENTRAL SILK BOARD
RULES

REPORTS OF INDIAN PRODUCTIVITY TEAMS

The Minister of Industry (Shri Kanungo): I beg to lay on the Table—

(1) a copy each of the following Notifications under sub-section (8) of

[Shri Kanungo.]

section 13 of the Central Silk Board Act, 1948, making certain further amendment to the Central Silk Board Rules, 1955:—

(a) GSR. No. 800, dated the 11th May, 1963.

(b) GSR. No. 1029, dated the 22nd June, 1963.

[Placed in Library. See No. LT-1404/63.]

(ii) a copy each of the following papers:

(a) Notification No. GSR, 978, dated the 8th June, 1963 under sub-section (3) of section 620A of the Companies Act, 1956. [Placed in Library. See No. LT-1405/63.]

(b) Report of Indian Productivity Team on Cement Industry in France, USA and Britain. [Placed in Library. See No. LT-1406/63.]

(c) Report of Indian Productivity Team on Machine Building Industry in USSR and Czechoslovakia. [Placed in Library. See No. LT-1407/63.]

(d) Report of Indian Productivity Team on Quality Control in Japan, USA and Britain. [Placed in Library. See No. LT-1408/63.]

(e) Report of Indian Productivity Team on Personnel Management in Japan, USA and Britain [Placed in Library. See Library. See No. LT-1409/63.]

(f) Report of Indian Productivity Team on Industrial Maintenance in West Germany, [Placed in Library. See No. 1410/63.]

(g) Report of Indian Productivity Team on Automobile Ancillary Industry in USA and West Germany. [Placed in Library, See No. LT-1411/63.]

(h) Report of Indian Productivity Team on Machine-tool Industry in West Germany, USA and Japan. [Placed in Library. See No. LT-1412/63.]

श्री बागड़ी : ग्रान ए प्वाइंट ऑफ ऑर्डर, सर

Mr. Deputy-Speaker: A point of order can arise only if there is some business before the House. When papers are being laid on the Table, there cannot be a point of order.

Shri H. N. Mukerjee: Could you not have the patience to listen to the point of order? A Member is presumably intelligent to know what he is saying?

Mr. Deputy-Speaker: How can there be a point of order in a vacuum?

Shri H. N. Mukerjee: Could you not listen to him?

Mr. Deputy-Speaker: Is it connected with the laying of papers? You are an experienced parliamentarian.

Shri H. N. Mukerjee: Is it not more in conformity with propriety that before you disallow it, you listen to the point of order?

Mr. Deputy-Speaker: I can listen to any number of points of order provided they are relevant.

Shri H. N. Mukerjee: A Member is elected by the people, for good reason or bad reason. He should be listened to when he wants to raise a point of order.

Mr. Deputy-Speaker: I am sorry.

Shri S. M. Banerjee: You should at least listen to him.

NOTIFICATIONS UNDER ESSENTIAL COMMODITIES ACT

The Deputy Minister in the Ministry of Food and Agriculture (Shri A.

M. Thomas: I beg to lay on the Table a copy each of the following Notifications under sub-section (6) of section 3 of the Essential Commodities Act, 1955:

(i) The Rice (Madhya Pradesh) Price Control (Second Amendment) Order, 1963, published in Notification No. GSR 857 dated the 18th May, 1963;

(ii) The Rice (Punjab) Price Control (Third Amendment) Order, 1963, published in Notification No. GSR 853 dated the 18th May, 1963;

(iii) GSR No. 1234 dated the 18th July 1963;

(iv) GSR No. 1252 dated the 27th July 1963 containing Corrigendum to Notification No. GSR 374 dated the 17th March, 1962;

(v) The Roller Mills Wheat Products (Price Control) Amendment Order, 1963, published in Notification No. GSR 1281 dated the 3rd August 1963;

(vi) The Delhi Roller Flour Mills Wheat Products (Price Control) Second Amendment Order, 1963, published in Notification No. GSR 1282 dated the 3rd August 1963.

[Placed in Library, See No. LT-1413/63.]

श्री राम सेवक यादव : माननीय मंत्री जी क्या कह गए हैं, किसी को कुछ सुनाई नहीं दिया है। वह बहुत जल्दी जल्दी बोल गए हैं। किस तरह से वह आशा करते हैं कि कोई चीज पास हो जाये बिना ममझे हुए?

Shri U. M. Trivedi (Mandsaur): May I say that there is too much noise in the House and those who want to listen to something are not able to listen?

Mr. Deputy-Speaker: Unless all Members co-operate, we cannot carry on.

Shri U. M. Trivedi: It is not our fault that a trouble is going on. You should bring some order in the House before the work proceeds. We are very much handicapped by this. Either this way or that way, there must be some *via media* found so that we may be able to hear what is going on.

Mr. Deputy-Speaker: I am requesting every hon. Member to keep order in the House.

श्री बागड़ी : अन ए प्वाइट ग्राफ इनफार्मेशन, सर

Mr. Deputy-Speaker: Shri A. M. Thomas.

Shri A. M. Thomas: I have already laid the papers on the Table.

Shri S. M. Banerjee: I have not heard it.

Mr. Deputy-Speaker: Shrimati Chandrasekhar.

Shri Bagri: On a point of order.

REPORT OF THE COMMISSIONER FOR SCHEDULED CASTES AND SCHEDULED TRIBES

The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar): I beg to lay on the Table a copy of Report (Parts I and II) of the Commissioner for Scheduled Castes and Scheduled Tribes for the year 1961-62, under article 338(2) of the Constitution. [Placed in Library. See No. LT-1414/63].

Mr. Deputy-Speaker: What is his point of order?

श्री बागड़ी : अन ए प्वाइट ग्राफ इनफार्मेशन, सर ।

उपाध्यक्ष महोदय : बोलिये, आप क्या कहना चाहते हैं ।

श्री बागड़ी : मैं सिर्फ यह कहना चाहती कि हम जो बात यहां कह रहे हैं हिन्दुस्तानी में

[श्री बागड़ा]

उस को समझ कर आप उस का उत्तर दे रहे हैं, या वैसे ही बिना समझ दे रहे हैं ?

उपाध्यक्ष महोदय : मैं समझ सकता हूँ ।

Shri P. R. Patel: I am sorry I was out.

Mr. Deputy-Speaker: I am sorry. You are too late.

The hon. Prime Minister

डा० राम मनोहर लोहिया : उपाध्यक्ष महोदय, मेरा एक व्यवस्था का प्रश्न है । मैं चाहता हूँ कि प्रधान मंत्री जी बैठ जायें . . .

श्री शिव नारायण (बाँनी) : आप बैठ जायें ।

डा० राम मनोहर लोहिया : मैं आप से निवेदन करता हूँ कि जब तक अविश्वास के प्रस्ताव पर बहस न हो जाए तब तक प्रधान मंत्री जी को कोई बयान और न देने दिया जाए । मेरा तर्क यह है कि अविश्वास के प्रस्ताव पर बहस से लोक सभा और देश को लाभ हीना चाहिये और वह तभी हो सकता है जब बहस ख़ामी और बुनियादी बातों पर हो । अभी तो जो वक्ती शीज में हम उलझ गए हैं और एक वक्ती शीज में हम उलझ जायेंगे तो अविश्वास के प्रस्ताव . . .

Shri Bishwanath Ray (Deorai):
What is the point of order?

Mr. Deputy-Speaker: Leave it to me.

Shri Sheo Narain: You have called upon the Prime Minister. Then why is the hon. Member speaking in the House?

डा० राम मनोहर लोहिया : अविश्वास के प्रस्ताव की बहस से ही सकता है कि हम लोगों को भी फायदा हो । अगर हम कोई

उपाध्यक्ष महोदय : आप सिर्फ वाइंट आफ ऑर्डर कह सकते हैं ।

डा० राम मनोहर लोहिया : मैं प्वाइंट आफ ऑर्डर पर ही बोल रहा हूँ । यह विषय इस वक्त नहीं घाना चाहिये, क्योंकि जितने भी प्रधान मंत्री जी के बयान हैं उन सब पर सवाल जवाब यहां नहीं होने दिया जाता है । कह दिया जाता है कि अविश्वास के प्रस्ताव पर बहस में उन को ले आना । मैं अर्ज करना चाहता हूँ कि अविश्वास के प्रस्ताव पर बहस तभी कायदेमन्द होगी सरकार के लिये और विरोधी पक्ष के लिये भी जब हम बुनियादी बातों पर बहस करेंगे और वक्ती बातों में उलझ जायेंगे तो वह बहस अच्छी नहीं होगी ।

एक तो मेरा बहू तर्क है . . .

Mr. Deputy-Speaker: He cannot make a speech here.

डा० राम मनोहर लोहिया : मैं तर्क पेश कर रहा हूँ । दूसरा तर्क यह है कि प्रधान मंत्री के बयान में इतने पंच रहते हैं कि उन को बोलना मुश्किल हो जाता है और प्रायतः कूट-सूत्राई को पकड़ना करीब नामुमकिन होता है । मैं आप को बताऊंगा कि प्रधान मंत्री कमी कहते हैं कि हम ने यह नहीं पढ़ा और फिर कह देते हैं कि हम ने पढ़ा तो, लेकिन वह बेपढ़ा सा समझिये . . .

उपाध्यक्ष महोदय : आप भाषण दे रहे हैं ।

डा० राम मनोहर लोहिया : मैं तर्क पेश रहा हूँ व्यवस्था के लिये ।

Shrimati Yashoda Koddli (Kurnool):
He should not be allowed to make a speech now.

Shri Bishwanath Ray: It is a speech, not a point of order.

Shrimati Yashoda Koddli: It is not a point of order.

Mr. Deputy-Speaker: He can only state his point of order. He cannot make a speech. He has already taken five minutes.

डा० राम मनोहर लोहिया : मैं प्रधान मंत्री से कुछ निवेदन करूंगा। उन्हें चाहिये कि वह अब अपना कोई बयान न दें। अगर वह चाहते हैं कि हम अच्छी तरह से किसी बात की सचाई को खोल लें . . .

उपाध्यक्ष महोदय : आप बैठ जाय।

डा० राम मनोहर लोहिया : मेरे तर्क को आप सुन लीजिय। एक मिनट में मैं अपनी बात कह देता हूँ।

Mr. Deputy-Speaker: You do not want him to make a statement; he should lay the Statement on the Table.

डा० राम मनोहर लोहिया : मैं अग्रिमेट दे रहा हूँ।

Shri Paliwal (Hindaun): You have already ruled that it is not a point of order.

Mr. Deputy-Speaker: He cannot go on making a speech like this.

डा० राम मनोहर लोहिया : मैं एक मिनट में आप को तर्क बता देता हूँ। प्रधान मंत्री अपने बयान में जिम्मेदारी ओढ़ कर के और फिर उस जिम्मेदारी से छटक जाया करते हैं। सवाल जवाब के बिना प्रधान मंत्री का बयान

Mr. Deputy-Speaker: There is no point of order. It is to help the House during the discussion of the no-confidence Motion that this statement is being made. He had given the assurance that he is going to make a statement. It is the desire of the House that he should make the statement.

There is no point of order.

The hon. Prime Minister.

302(Ai) LSD—5.

डा० राम मनोहर लोहिया : आप के इस तरह से चिल्लाने का मुझ पर कोई असर नहीं होगा। मैं एक बात थोड़ा दिलाना चाहता हूँ।

Shri Bagri: On a point of order.

उपाध्यक्ष महोदय : आप बैठ जायें।

डा० राम मनोहर लोहिया : मेरा तर्क सुन लीजिय

Mr. Deputy-Speaker: I am sorry. Please resume your seat. Your leader has raised the question and I have given my ruling.

श्री बागड़ी : कार्लिंग एटेशन नहीं हो सकता है, एडजर्नमेंट मोशन नहीं हो सकता है वोट आफ नो-कोन्फिडेंस से पहले, तो इन के बयान की क्या जरूरत है।

CHINESE TROOP CONCENTRATIONS ALONG THE INDIA-CHINA BORDER

The Prime Minister, Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): Since I placed White Paper No. VIII, containing notes, memoranda and letters exchanged between the Governments of India and the People's Republic of China, on 23rd January, 1963, further exchange of a large number of communications has taken place. I am placing on the Table of the House White Paper No. IX containing notes, memoranda and letters exchanged between the Governments of India and China between January and July, 1963. [Placed in Library. See No. LT-1415/63.]

When I last spoke on the subject of the India-China conflict on 7th May, I placed copies of the Government of India's note of 3rd April, in which we had suggested a series of constructive steps to be taken for the settlement of the Sino-Indian border differences, and of my letter to Prime Minister Chou En-lai dated 1st May,

[Shri Jawaharlal Nehru.]

which reviewed the events of the last few months since the Chinese massive attack and reiterated our desire for a peaceful settlement of our differences with China and referred to the constructive suggestions we had made. There has been no response to these communications from the Government of the People's Republic of China so far.

Apart from the fact that there has been no response from China to the constructive suggestions that we had made for peaceful settlement of the differences, some alarming developments have since taken place along the India-China border areas which have been causing us concern. The House will remember the hostile and negative attitude adopted by the Chinese Government to the Colombo Conference proposals. The Chinese, in total disregard of the Colombo proposals, proceeded to implement their so-called declaration of unilateral cease-fire and withdrawal and proceeded to set up 26 civilian posts in the demilitarised zone in the three sectors ostensibly "for normal movement of border inhabitants, prevention of the activities of saboteurs and maintenance of public order along the border". Seven of these so-called civilian posts were set up unilaterally in the demilitarised zone in the Western sector in violation of the Colombo proposals which laid down that there should be civil posts of both sides in this demilitarised zone. In the demilitarised zone in the Eastern sector, in which there were to be 16 civilian posts according to the Chinese unilateral declaration, there are today as many as 52 combined military and civil posts and even the pretence of the posts being civilian in character has been given up. There is, apart from these posts, considerable patrolling and probing activity along the borders, particularly in the Eastern Sector.

For our part, the Government of India have not only scrupulously ob-

served the Colombo proposals but also refrained from impeding in any way the declaration of unilateral cease-fire and withdrawals made by China. We had hoped that the friendly advice of the Colombo countries would exercise a moderating influence and the Chinese will accept the Colombo proposals. We expected that they will, in any case, adhere to their unilateral declaration. This hope has been belied as the Chinese have acted, not only in violation of the Colombo Proposals but in violation even of their unilateral declaration by establishing a large number of military posts in the demilitarised zone and resorted to offensive patrolling and probing in the border areas.

This is not all. They have inducted fresh troops into Tibet and augmented the strength of their forces along the border. The strength of the Chinese forces along our borders today is larger than what it was at the time of the unprovoked massive attacks in October 1962. Apart from this augmentation of Chinese forces, a further development has been the forward movement of these troops to camps and strong points nearer the Indian border than they were last October. There has been, during the last few months, considerable activity by way of construction of barracks, gun emplacements, storage dumps and airfields near the Indian border. There has also been great activity in the construction of roads, laying of underground telephone lines and construction of inter-connecting subterranean trenches along these border areas. Chinese land and air intrusions into Indian areas and Indian air space have also increased considerably, particularly during the last few months.

All these activities make it clear that the augmented Chinese forces are consolidating their position immediately to the north of the Indian border with a view to maintaining a

state of permanent tension in those areas. They might even be contemplating using these forward bases that they have consolidated for another thrust into India.

It is difficult to gauge Chinese intentions. That they are not exactly friendly is, however, clear. We understand that on 17th July the Chinese Government presented a memorandum to the Heads of Missions of the Colombo Conference countries in Peking citing the so-called military provocations by India. It may be that, consistently with their past practice, this might be a move to justify their renewed aggression against India on the specious ground of "counter-attacking in self-defence". We have brought these developments of Chinese aggressive activity along our border to the notice of the Governments of the Colombo Conference countries.

The militant and aggressive attitude of China has been much in evidence in recent months not only *vis-a-vis* India-China relations but in the wider field of international relations including their attitude to the recent partial Test Ban Treaty which has been acclaimed by almost all countries and people of the world as a significant first step towards a relaxation of international tensions and a promising move towards purposeful measures of world peace and disarmament.

We hope wiser counsels will prevail and China will revert to the paths of peace. We want a peaceful settlement of our border differences with China and we have repeatedly made constructive suggestions regarding the series of practical steps to be taken to this end. The Chinese authorities, however, have not only not responded to these constructive suggestions but intensified their aggressive preparations along our borders. In the context of unprovoked massive Chinese attacks to which we were subjected last October-November, we

have to take note of these aggressive developments, face the facts of the situation and calmly and resolutely intensify our defensive preparations to resist any further threat to our territorial integrity.

Shri Hari Vishnu Kamath (Hosangabad): On a point of clarification. Is the Prime Minister in a position to categorically assure the House that his Government and armed forces are today better prepared than they were last autumn to meet the mounting Chinese threat which may any time deteriorate into a massive invasion?

An Hon. Member: Of course, they are.

Shri Nath Pai (Rajapur): May I ask this as a supplementary to it? He said we should be prepared to meet any further thrust. Does it mean that the Government of India is not contemplating any steps, apart from the Colombo proposals, to procure the vacuation of the territory occupied by the enemy?

Shri Hem Barua: May I put a question?

Mr. Deputy-Speaker: How many persons?

Shri Hem Barua: My name is also there.

Mr. Deputy-Speaker: Yes, he may put his question.

Shri Hem Barua: From the statement just made by the Prime Minister, it is evident that the Chinese intentions are very militant and aggressive, and they have created about 52 combined military and civil posts in the eastern sector. I am perturbed about one thing only, and I want a clarification from the Prime

[Shri Hem Barua.]

Minister. Last time we had our military posts in NEFA and yet unfortunately we suffered reverses. This time, as far as my information goes, we do not have any military posts in NEFA; except that we have extended our civil control over NEFA, NEFA is almost a no man's land.

Mr. Deputy-Speaker: Please put the question.

Shri Hem Barua: Because we do not have any military posts in NEFA, I want to know from the Prime Minister how he proposes to defend NEFA and Assam, the whole eastern sector.

Shri Jawaharlal Nehru: I am not in a position to talk about where military forces should be kept. That is for the defence advisers and army people to decide as to what is most desirable and what is likely to bear the greatest results. Obviously, we are going to defend Assam and NEFA.

One thing more may I say? I have said that I am placing White Paper No. IX. In addition to that, I am placing on the Table copies of Premier Chou En-lai's letter of 2nd August, 1963 and my reply thereto dated 14th August.

Shri Hari Vishnu Kamath: He has not answered the question whether his Government and armed forces are better prepared than last year.

Shri Nath Pai: He referred only to the further thrust. What about the existing occupation? What does he propose to do about it?

Shri Jawaharlal Nehru: I have not quite understood.

Shri Hari Vishnu Kamath: The question is whether the Prime Minister is in a position to categorically assure the House that his Government as well as the armed forces are today

better prepared than they were last year to meet the mounting Chinese threat which may any time erupt into a massive invasion as he himself said.

Shri Jawaharlal Nehru: I think so, definitely. (*Interruption*).

Shri Hem Barua: My question has not been answered. It was a pertinent question. Is the Prime Minister prepared to give the reply? He has not given any categorical assurance in that respect. It was the Prime Minister who revealed on the floor of this House that not to send troops to NEFA was a military decision and a political decision also. I wanted to know whether we are prepared to defend NEFA and what measures have we taken in that respect. (*Interruption*).

Shri Surendranath Dwivedy: I have to make another submission, about a different matter altogether. I have written to the Speaker and to the Prime Minister also to see that the report of the enquiry made by Justice Das is placed on the Table of the House. We are discussing the no-confidence motion on the 19th. Only 17th remains as a working day before that. I hope the Prime Minister will place the report here tomorrow. The Speaker had sent me word that the Prime Minister, after making some other statements, will place that report.

Mr. Deputy-Speaker: It is for the Government to decide.

Shri Surendranath Dwivedy: It is for the Government to decide, but we must know whether they are doing it tomorrow or any other day. We would like to have it before the no-confidence motion is discussed in this House. Let us know whether he is placing it on the Table tomorrow.

Shri Ranga: It is for you to advise or direct the Government.

Mr. Deputy-Speaker: I cannot force the Government.

Shri Ranga: Either advice or direction can be given by the Speaker. It is a very important matter, and prior notice has already been given by my hon. friend. Surely we would expect the Government to be prepared to place the report on the Table of the House in order to enable the House to have a discussion on that motion.

Shri Surendranath Dwivedy: I wanted to make a reference to it on the first day, but the Speaker promised me that he had sent word to the Prime Minister about it. So, what is the reply of the Prime Minister? I want to know whether he is going to place it tomorrow.

Mr. Deputy-Speaker: It is for them to decide.

Shri Surendranath Dwivedy: The Speaker had considered it and it was the Speaker's assurance that he would write to the Prime Minister about it.

Shri Hem Barua: The report must be placed on the Table of the House.

Shri Jawaharlal Nehru: I propose, Sir, to make a statement about the matter referred to by the hon. Member, that is, the report of Justice Das. But, as I have stated previously, I am not able to place the report on the Table of the House. I have consulted again the Chief Justice of India and Justice Das and they are unable to agree to my placing it; or else, they said I could place bits of it, taking off the most important part of it. That, I think, is most undesirable—to leave out all the vital parts. Therefore, I am not going to place it, and I have said that in the last session too. But I am going to make a statement on this question tomorrow.

Shri Nath Pal: It is a very important question.

Shri H. N. Mukerjee: It raises a very important question of principle.

On the last occasion, when the Prime Minister said that he was not going to place the report of the judge concerned on the Table of the House, it was our feeling—and we gave expression to it at that time—that if a matter is mentioned in Parliament and an enquiry is made in pursuance of the announcement by the Prime Minister in Parliament, it is part of the privilege of Parliament, the right of Parliament, the prerogative of Parliament, to have complete copy of the report presented. This is a matter of concern to Parliament. It is purely a technical matter. I feel also that it is unfair to Parliament and unfair to the Minister concerned that the report is being withheld. I have a definite feeling that the Minister was pursued by certain elements, particularly the oil companies, who do all kinds of things—bribery, murder, subversion of Governments in different countries. It is their way, and that is why he was hounded, and perhaps for a technical default he has been pushed out, while other Ministers are going on in this Ministry who have done very much worse things. (*Interruption*). It is only fair to the Minister concerned and it is fair to Parliament that whatever enquiry is made by the judge is placed on the Table. As the Prime Minister said, the judges only permit something to be placed here. The judges do not have the final say in the matter. Parliament is supreme. The Prime Minister is answerable to Parliament. Therefore, the Prime Minister is under an obligation, moral as well as constitutional, to place this matter entirely, in fairness to the Minister and in fairness to Parliament, before the House. (*Interruption*).

Shri Jawaharlal Nehru: I beg to disagree with the arguments of Shri H. N. Mukerjee.

Shri Hem Barua: I want to refer to.....

Mr. Deputy-Speaker: About the same matter?

Shri Hem Barua: Yes; it is of vital concern, and we are vitally concerned. There is a large group of people who are corrupt in this country, and also a Minister has indulged in corrupt practices. Therefore, we should have the entire report before us in order that we may get a correct picture about that man.

Mr. Deputy-Speaker: It is for the Government to place or not to place the report on the Table. The hon. Members may make comments as they like when the discussion comes up.

Shri Hem Barua: It is doing injustice.

Shri Ranga: The House was told that an enquiry was instituted into the NEFA affair, the manner in which things were conducted or misconducted there. The Defence Minister informed us that the report had been submitted by Gen. Henderson-Brooks, and the Government have been considering it for sometime. We were hoping that we might be able to raise it also in the House as soon as possible. I hope the Prime Minister would be able to accede to our request. We were hoping that this report would be placed on the Table of the House before Monday, or at least on Monday, so that the discussion can be conducted and the no-confidence motion in regard to these matters be conducted with full knowledge of that report.

Shri Surendranath Dwivedy: About this report, I think before the Prime Minister says something, already there is . . .

Mr. Deputy-Speaker: Do not make another speech.

Shri Surendranath Dwivedy: I am not making another speech. I am only reminding you of what has been said in this House about the report of Justice Das. The Prime Minister had promised to give the conclusions of the report, but now there is a demand that the entire report should be placed. I think it is fair that the entire report

is placed on the Table. Mere conclusions will not satisfy the House.

Mr. Deputy-Speaker: The hon. Member may make comments, but it is for the Government to take a decision.

Shri Ranga: We ask for guidance from you but you call us to order.

Mr. Deputy-Speaker: I cannot force the Government. You have made your arguments. The Prime Minister said that he will be making a statement.

श्री राम सेवक यादव : उपाध्यक्ष महोदय, मैं यह जानना चाहता हूँ कि प्रधान मंत्री का जो स्टेटमेंट था उस में यही कहा गया है कि हमला हो सकता है, और उस के लिए देश को तैयार रहना चाहिये। सरकार तैयारी कर रही है, हमले का सामना करने के लिये तैयारी हो वह तो ठीक है लेकिन मान लो कि हमला न हो तो क्या प्रधान मंत्री जी यह बतलाने की कृपा करेंगे कि जिस भारतीय भूमि पर अभी विदेशियों का कब्जा है, जो हमारे देश की भूमि अनुचित तौर पर शत्रु के कब्जे में है, उस के लिए क्या तैयारी है और क्या अपनी छीनी गई भूमि को फिर से वापिस लेने की हम तैयारी कर रहे हैं ?

Mr. Deputy-Speaker: Order, order. That matter is over now.

Shri Ranga: We ask for guidance from you but you call us to order.

Mr. Deputy-Speaker: I cannot force the Government. You have made your arguments. The Prime Minister said that he will be making a statement.

श्री राम सेवक यादव : मैं यह जानना चाहता हूँ कि जब दास कमीशन की नियुक्ति हुई तो प्रधान मंत्री जी ने यह कैसे उन्हें वचन दे दिया कि उन का जो इस पर प्रतिवेदन होगा उसे सदन पटल पर नहीं रखा जायेगा। उन्होंने आखिर ऐसा क्यों कहा ? इन्क्वायरी

कमिशन बिठाने का मतलब यह होता है कि उस के द्वारा जांच हो और उस की रिपोर्ट सदन की टेबुल पर रखी जाये ।

श्री जवाहरलाल नेहरू : माननीय सदस्य को मैं समझता हूँ यह याद होगा कि चीफ जस्टिस साहब ने इस बारे में सुप्रीम कोर्ट का जज मुकर्रर करने और जांच करवाना इस शर्त पर मंजूर किया था कि उन की रिपोर्ट पेश न की जाय । वह रिपोर्ट पार्लियामेंट में रखी न जाय और न पबलिश की जाय । यह उन्होंने ने कहा था । इस की बाबत मैं ने पार्लियामेंट में कह दिया था । अभी कोई २, ३ या ४ हफ्ते हुए मैं ने उन से इस बारे में फिर सलाह की और उन की राय पूछी । व अभी भी अपनी उसी पुरानी राय पर कायम हैं। उन्होंने ने कहा कि वह रिपोर्ट पबलिश करना और पार्लियामेंट में पेश करना नामुनासिब बात होगी और एक गलत प्रसीडेंट कायम करना होगा क्योंकि यह एक स्टैंचुटरी इन्क्वायरी नहीं थी । यह दूसरे किस्म की है । इस में न जज प्रोटेक्टड हैं और न और लोग । एसी रिपोर्ट हमेशा प्राइवेट ही होती है । चीफ जस्टिस ने अपनी पुरानी राय दुहराई कि इसे पबलिश करना या पार्लियामेंट में पेश करना मुनासिब न होगा ।

अब मैं प्रोफेसर रंगा के प्वाइंट का जवाब देता हूँ ।

श्री रामेश्वरानन्द : जब यह रिपोर्ट किसी के सामने और सदन के सामने आयेगी नहीं तो वह है किस काम की ?

श्री राम सेवक यादव : अभी प्रधान मंत्री जी ने जो कहा उस के सम्बन्ध में मैं एक चीज की जानकारी चाहता हूँ । जब प्रधान मंत्री जी स्वयं समझते हैं कि उस प्रतिवेदन को आना चाहिये । उस को पेश न करना और पबलिश न करना ठीक नहीं है तो प्रधानमंत्री जी ने कैसे इस शर्त पर इन्क्वायरी कमेटी नियुक्त करना मान लिया ?

श्री बागड़ी : कहीं राज यह तो नहीं है कि कुछ और मंत्री लपेट में न आ जायें ।

Shri Jawaharlal Nehru: Professor Ranga has referred to the enquiry that has been taking place in regard to the military operations last October and November. The enquiry has taken place and, I believe, the report has been presented to the Chief of Staff of the Army who has given his own summary of it to the Defence Minister.

Shri Nath Pai: Only a summary even to the Defence Minister?

Shri Jawaharlal Nehru: He has given a summary. The other papers, no doubt, are open to the Defence Minister also. It is for the Defence Minister to answer this. But as far as I know his mind, and I entirely agree with it, he will make a statement about this report. It is quite improper he thinks, and I agree with him, to place a report of that kind before Parliament, to publish it in any way or place it here. It is not proposed to do so—he will make a statement about it—because in these matters it is not only not desirable to publish them but it will be harmful actually to our military preparations etc., to publish that report on these operations last year.

Shri Nath Pai: The report refers to a past act and not future preparations. We want to know what went wrong and who is responsible for it. National security is not involved in it, the security of some individuals may be involved.

Shri Jawaharlal Nehru: If the hon. Member will permit me to say that, perhaps our army people in the Headquarters and in the Defence Ministry are sitting in a better position to judge of these matters than he is (Interruption).

Shri Ranga: Sir, it was in the wake of the defeat that we had sustained there that this enquiry came to be instituted and General Brooks was invited to conduct this.

Mr. Deputy-Speaker: I would request the hon. Member to wait till the Defence Minister makes the statement.

Shri Ranga: May I request that the Government make their statement. . . .

Mr. Deputy-Speaker: The Prime Minister has told the House that the Defence Minister would make the statement.

Shri Ranga: I would request them to make the statement if possible tomorrow; if not, at least by Monday.

Shri Jawaharlal Nehru: I do not think he will be ready for a number of days to make that statement, so far as I know, because it is a difficult matter for him to go into the matter, consider it and prepare the statement from all those papers which are under his consideration. I have not seen all the papers yet myself; I have seen a very brief summary of it.

Shri Hari Vishnu Kamath: I submit, Sir, if I may say so, with all respect to the Prime Minister, that he has unfortunately missed one aspect of the matter, that is, the No-Confidence Motion which will come up before the House on Monday. In the course of the debate on that No-Confidence Motion this particular matter, the national humiliation last year, the debacle last year, will figure most prominently, I am sure. Therefore, the House will be handicapped, I submit, if it has not before it the report on why things went wrong, why everything went wrong in NEFA last year. Therefore, I submit to the Prime Minister and to his colleague the Defence Minister, that even if they do not place the full report—I hope they do agree to place the full report on the Table of the House at least as detailed a statement as possible giving the conclusions, the findings and also other relevant and cognate matters may be laid on the Table of the House by tomorrow 12.00 noon

because on Monday we are starting the debate.

Shri Jawaharlal Nehru: I would convey the hon. Member's desire to the Defence Minister. But I am almost sure that he cannot do so by tomorrow or by Monday. He told me previously. He refers to the No-Confidence Motion that is going to be taken up on Monday. This matter was decided a few days ago. But the other matter about the report and the preparation of a statement is a big matter and it has been under his consideration. It will take some time. The House will surely agree that nothing should be done which might affect adversely our defence at the present moment (Interruptions).

Shri Nath Pai: We are interested in strengthening the defence (Interruption).

Shri Jawaharlal Nehru: How can the hon. Member opposite judge of that, I cannot understand.

Shri Priya Gupta (Katihar): How can the Prime Minister judge of it (Interruptions).

Shri Jawaharlal Nehru: I cannot judge of it. This is the view of our army staff, our Defence Ministry, such of it as I know, and I entirely agree with them. I have not seen all the papers even. In fact, I might say, those papers.

Shri Nath Pai: You are ignoring the supremacy of Parliament in all these matters.

Shri Jawaharlal Nehru: I have never heard that supremacy of Parliament consists in disclosing secret documents to the disadvantage of the country.

Shri Nath Pai: They are not secret matters. The world knows them. Sir, I want to submit how it raises a matter of fundamental privilege of the House and the country.

Mr. Deputy-Speaker: It is a matter of opinion.

Shri Nath Pai: It is not a question of opinion. It is the basic thing. There are certain privileges of the House. We are entitled to know what went wrong and how it went wrong. Sir, I want to say one sentence and let him ponder over it. Certainly, the Prime Minister wishes that we do not fall into the same pitfalls again, that lessons and inferences must be drawn and we must be on the guard. How can we believe that these things are being done that steps are being taken unless we are told what went wrong, who was responsible for what went wrong? It is not in a spirit of vengeance that we are seeking this information. We want to avoid.....

An Hon. Member: And we want to know who did a good job.

Shri Nath Pai: Exactly, also who did a good job. May I, Sir, remind him of his promise that he made for the first time in the Rajya Sabha. He has given an assurance then. I do not recall the exact word and therefore I do not want to pin him down to any word but, broadly, the implication of his pronouncement in the Rajya Sabha was that the Government is bound to hold a full-scale enquiry, find out what went wrong and tell Parliament. That was the assurance. Whether there was an assurance or not, it is our inherent privilege to know in such a vital matter. Let us not raise the false bogey of future defence preparedness. It refers to a past occurrence. Military chancieries of every country are doing this. May I conclude, Sir, by saying this, that after the debacle at Dunkirk, soon after Parliament was told what went wrong and how they failed. Certainly, we want to know it, and I do not see any convincing reason for which he can deny telling the country what are the findings of this report unless it be that too many people whom he wants to shield are involved.

Shri Hari Vishnu Kamath: That is the real reason.

Shri Frank Anthony (Nominated Anglo-Indians): Sir, may I make a request to the Prime Minister? I agree with him that the publication of certain parts of that report may be entirely undesirable so far as it deals with military preparations, so far as it may impinge on our preparations in the future. But I think he owes it to himself and to his Government to allay a lot of statements and rumours that are going about that this debacle was largely due to direct political interference from Delhi like orders to the troops not to fire on the Chinese, deliberate limiting of troops to 50 or 51 rounds..

Shri Tyagi: How do you know that?

Shri Frank Anthony: I want this thing to be cleared. That is what I am saying. The rumour is that even during the actual operations the Minister hamstrung his generals, he would not allow them to implement the decisions that they had taken. We want answers to these. Surely, in fairness to the Government these things should be told to the House.

Shri Jawaharlal Nehru: The answer is that they are completely baseless, without the least truth (*Interruption*).

Shri U. M. Trivedi: Sir, it is quite true that the Prime Minister may tell us that the allegations made from this side may be very baseless. But we would like to get a confirmation in our mind and those of us who are not making any allegations may be told definitely, on very good foundation and with good confidence that the allegations that have been made are baseless. How are we to know that the allegations that are made are baseless. It is in the interest of the Government that the facts that have been recorded or brought out by this enquiry are placed before the House so that baseless allegations may not be made and rumours may not go on spreading. We are all very much surprised to know how it was that a whole army of 16,000 men could not lift their finger or do anything to the Chinese community. That is why we want to know how this debacle came across.

Mr. Deputy-Speaker: Let us proceed to other business.

डा० राम मनोहर लोहिया : सैनिक तैयारी के अलावा मन की कमजोरी उपूसी में हार का कारण रही है। बोमदीला, वालोंग, दराग के पतन के समय, मैं प्रधान मंत्री से पूछना चाहता हूँ, क्या एक सर्क्युलर यहां से नहीं गया था जिसमें यह लिखा हुआ था कि अगर किसी जगह का पतन शुरू होने वाला हो तो उस को खाली कर दो ? इस का क्या अर्थ था ? मैं जानता हूँ कि बोमदीला में एक गोली नहीं चली फिर भी वह खाली कर दिया गया। यहां से एक सर्क्युलर गया था कि खाली करो उस जगह को जो जल्दी गिरने वाली हो।

Shri Ansar Harvani: It is not a question. It is a speech.

डा० राम मनोहर लोहिया : अब मन की कमजोरी की वजह से खाली रात को कुछ हुल्लड़ सुनने के सबब से उस जगह को खाली कर दिया गया। तो इस के लिये क्या तैयारी हो रही है।

श्री जवाहरलाल नेहरू : यह तो क्वेश्चन अवर को बढ़ाना है कि मैं जवाब दूँ इस सवाल का। यह क्या सिलसिला है।

Mr. Deputy-Speaker: Order, order.

डा० राम मनोहर लोहिया : बहाना यह शब्द इस्तेमाल नहीं होना चाहिये। प्रधान मंत्री नौकर हैं, सदन मालिक है। मालिक के साथ नौकर को जरा अच्छी तरह से बात करना चाहिये।

13 hrs.

Mr. Deputy-Speaker: Already, we have had too many questions on this subject today. Further, the debate is coming up on Monday. So, all these points can be raised then.

श्री भगवत झा आजाद : वह नोकर है तो आप चपरासी हैं।

डा० राम मनोहर लोहिया : मंजूर करूंगा। जाइये और बनिये उन के चपरासी। ऐसे ऐसे नौकरों को इकट्ठा कर रखा है।

Mr. Deputy-Speaker: Order, order.

श्री जवाहरलाल नेहरू : डा० लोहिया आपसे बाहर हो गये हैं। जरा उन को थामने का कोशिश कीजिये। ऐसी ऐसी बातें कह रहे हैं जो ग्राम तौर से इस सदन में नहीं कही जातीं। उन को आदत नहीं है। नए आदमी आए हैं। आप उन्हें सिखा दीजिये कि यहां कैसे बरताव होता है।

Shri Priya Gupta: Shri Nehru at last, being a senior member, should not hit below the belt.

डा० राम मनोहर लोहिया : मेरा आदत आप को डालनी पड़ेगी।

श्री बागड़ी : नये पुराने का सवाल नहीं है।

अध्यक्ष महोदय : आप बैठ जाइये।

13.01 hrs.

CUSTOMS AND CENTRAL EXCISES
(AMENDMENT) BILL*

The Deputy Minister in the Ministry of Finance (Shri B. R. Bhagat): Sir, I beg to move for leave to introduce a Bill to amend the Customs Act, 1962 and further to amend the Central Excises and Salt Act, 1944.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill to amend the Customs Act, 1962 and further to amend the Central Excises and Salt Act, 1944."

The motion was adopted.

Shri B. R. Bhagat: I introduce the Bill.

PUBLIC PREMISES (EVICTION
OF UNAUTHORISED OCCUPANTS)
AMENDMENT BILL*

The Minister of Works, Housing and Rehabilitation (Shri Mehr Chand Khanna): Sir, I beg to move for leave to introduce a Bill further to amend the Public Premises (Eviction of Unauthorised Occupants) Act, 1958.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Public Premises (Eviction of Unauthorised Occupants) Act, 1958."

The motion was adopted.

Shri Mehr Chand Khanna: I introduce the Bill.

LIMITATION BILL—contd.

Mr. Deputy-Speaker: The House will now take up further consideration of the following motion moved by Shri Bibudhendra Misra on the 14th August, 1963, namely:—

"That the Bill to consolidate and amend the law for the limitation of suits and other proceedings and for purposes connected therewith, as passed by Rajya Sabha, be taken into consideration."

Shri Yashpal Singh will continue his speech.

श्री यशपाल सिंह (कैराना) : उपाध्यक्ष महोदय यह जो बिल लाया गया है यह सिर्फ साहूकार के हाथ मजबूत करने के लिये लाया गया है। इस का हिन्दुस्तान के काश्तकार और मजदूर पर इतना बुरा असर पड़ेगा कि वह जिन्दा भी न रह सकेगा। ला कमीशन की रिपोर्ट में जो यह लिखा है कि :

"In England also the time fixed for enforcing a judgment is twelve years. Either the decreeholder succeeds in realising his decree within this period or he fails and there should be no provision enabling the execution of a decree after that period."

उस पर मुझे बड़ा ताज्जुब होता है। यहां इंग्लैंड की नकल की जाती है इस कानून के मामले में। इंग्लैंड की खशहाली में नकल नहीं की जाती, डिफेंस में इंग्लैंड की नकल नहीं की जाती, इंग्लैंड की जो तरक्कियात हैं उन की नकल नहीं की जाती, लेकिन हिन्दुस्तान के काश्तकार और मजदूर को पीसने के लिए इस मामले में इंग्लैंड की नकल की जाती है। आज तक काश्तकार को यह हक हासिल था कि वह एक डिग्री को २४ साल तक देर कर सकता था लेकिन इस बिल के मातहत काश्तकार को उसी पीरियड के अन्दर डिग्री का पैसा देना होगा चाहे ऐसा करने में उस का बैल बिक जाए, चाहे उस का कड़ी तख्ता उठ जाए। इस तरह से काश्तकार को तंग किया जायेगा कि शायद वह खेंती ही न कर सके। क्या इस वक्त इस का मौका था जब कि हिन्दुस्तान यह ख्वाब देख रहा था कि हिन्दुस्तान का कश्तकार डैटलैस हो जाए, हिन्दुस्तान का काश्तकार उच्छ्रण हो जाए और मजदूर उच्छ्रण हो जाय। क्या गवर्नमेंट के लिए यह शोभा देता है कि इस वक्त काश्तकार और मजदूर को और ज्यादा निचोड़ा जाए। मेरी आप के मारफत यह दरख्वास्त है कि इस बिल के अन्दर दो तरह के प्राविजन रखे जायें, दो अलग अलग कैटेगरीज रखी जायें, एक किसान के लिए, छोट दुकानदार के लिए छोट तज्जार के लिए और दूसरी बड़ बड़ लोगों के लिए। इन दो कैटेगरीज के लिए अलग अलग वक्त रखा जाये। महात्मा गांधी ने कई दफा कहा था कि मारकेट में गरीब आदमी के लिये सस्ते दामों की दुकानें होनी चाहियें, और अमीरों के लिए ऊंचे दामों की दुकानें होनी चाहियें। लेकिन उन के नक्श कदम पर चलने वाली सरकार आज काश्तकार और मजदूर को निचोड़ने के लिये

[श्री यशपाल सिंह]

इस तरह का बिल ला रही है। उन को तंग करने के लिए, उन को घर से बेदखल करने के लिए ऐसा बिल लाया गया है कि किसान की कड़ी तख्ता भी न बच सके और न उस के बैल और हल बच सकें और न वह खेती कर सके। इसलिये मेरी दरखास्त है कि अगर इंग्लैंड की नकल करनी है तो अच्छे कामों में कीजिये, बुरे कामोंकी नकल न कीजिये। क्या इस वक्त यह शोभा देता है कि किसान और मजदूर को तंग करने के लिए ऐसा बिल लाया जाए। मेरी दरखास्त है कि इस को वापस लिया जाए। या इस में एसा प्राविजन किया जाए कि जिस का काम ५००० रुपये सालाना तक का है उस को एक कैटगरी में रखा जाय और जो लाखों के पेमेंट करते हैं उन को दूसरी कैटगरी में रखा जाये।

इस के अलावा मेरा निवेदन है कि इस वक्त यह हो रहा है कि कुछ केसिज चौबीस चौबीस और छब्बीस छब्बीस साल से चल रहे हैं और हजारों रुपया दिया जा चुका है लेकिन अब भी सूद लिया जाता है। यह सब से ज्यादा बुरी बात है।

आजकल यह हो रहा है कि साहूकार खाली कागज पर रुके के दस्तख्त करा लेता है और साल दो साल बाद उस में पांच सौ या हजार की रकम बढ़ा लेता है।

सब से बुरा असर पड़ता है कि इस चीज का बरडन आफ प्रूफ उसी को देना पड़ता है जो कि सताया जाता है, जो कि लूटा जाता है, जिस को कि खत्म किया जाता है।

13.07 hrs.

[DR. SAROJANI MAHISHI in the Chair]

मेरे ही खत का गलत इन्दराज होता है, मेरी ही फसल को जबरदस्त जमींदार ले लेता है। पटवारी मजे में है, जमींदार मजे में है, बार सबूत उस पर है जिस को पीसा गया है, जिस को सताया गया है, जिस को खत्म

किया गया है। बार सबत हमेशा बड़ी पार्टी पर होना चाहिये। बार सबूत साहूकार पर होना चाहिये। पर हो रहा है इस का उल्टा। जिस को खत्म किया जाता है उसी पर बरडन आफ प्रूफ होता है। यह रिच पार्टी पर होना चाहिये।

साथ साथ मेरी दरखास्त है कि अगर आज मजदूर और किसान की डेटलैस होने का मौका नहीं दिया जाएगा तो आगे कभी वक्त नहीं आएगा कि हिन्दुस्तान का किसान और मजदूर सुख की सांस ले सके। अगर आज उस को राहत न मिल सकी तो फिर ऐसा वक्त नहीं आवेगा।

मेरी दरखास्त है कि इस बिल में एसा प्रावीजन रखा जाये कि जो सताया जा रहा है, जिस को कुचला जा रहा है उस के ऊपर बार सबूत न डाला जाए, बल्कि बार सबूत उस पर डाला जाए जो उस को खत्म करना चाहता है।

हमारा जो गांव का छोटा बनिया है वह गांव की कोआपरेटिव का काम देता है, वह गांव वालों की शादी के मौके पर और लड़कों की तालीम के मामले में इमदाद करता है। वह हमारे परिवार का अंग बन चुका है और हमारी जिन्दगी जीता है। हमारे सुख में सुखी होता है और दुख में दुखी। उसको इस बिल में साहूकार के साथ रखा गया है। जरूरत इस बात की है कि साहूकारों को अलग रखा जाए और इस बिल में एसा प्रावीजन किया जाए कि जिससे किसान और मजदूर को डेटलैस होने में सहायता मिले। उनकी जिन्दगी सुखी हो। मेरा निवेदन है कि इस बिल को रिवाइज किया जाए। पहले इसको पब्लिक की राय जानने के लिए धुमाया जाए और उसके बाद इसको लाया जाए। हमने पढ़ा है कि :

"Law is nothing but the will of the people expressed in terms of law."

यह बिल जनता की राय जाने बिना लाया गया है।

मेरा मंत्री महोदय से निवेदन है कि या तो इस बिल को खत्म किया जाए, और अगर ऐसा न हो सके तो इसमें दो अलग अलग कैटेगरीज रखी जाएं, एक उन लोगों की जो कि पांच हजार तक का साल में आम करते हैं और एक उनकी जो कि लाखों का पेमेंट करते हैं। इसके अलावा वार सबूत मजलूम पर न डाला जाए इसको बड़ी पार्टी पर डाला जाए।

Shri Oza (Surendranagar): Mr. Chairman, I welcome the Bill so far as it goes. It almost coincides with the recommendations made by the Law Commission with a few exceptions. I have only one point to urge regarding article 113 of the Schedule. It is a residuary article. We all know that suits brought against the Government by its servants against whom action is taken are governed by this article. It is the experience of the Government that suits are brought by the Government servants long after decisions and steps are taken. It is also my experience that the evidence is no more available and after a long lapse of time the suits come up for hearing before the courts of law with the result that the Government is not in a position to prove all those things and the steps taken by the Government are almost infructuous resulting in those servants who do not deserve to be reinstated getting orders of reinstatement from the courts of law because proper evidence is not forthcoming at a very long distance of time. So, I request the Government that instead of giving three years to such servants if only one year is provided the ends of justice will be met.

Suppose, a suit is filed at the end of three years. For three years the suit goes on and after six or seven years matters come up in appeal. After seven or eight years the order is quashed and the Government ser-

vant in question shall have to be reinstated. He shall have to be paid all the salaries that have become due and the Government will not be in a position to achieve the object which it had in mind when the action was started. So, I request the hon. Minister to amend article 113 or to bring a specific provision for such suits for reinstatement of Government servants so that the ends of proper justice may be met.

The Deputy Minister in the Ministry of Law (Shri Bibudhendra Mishra): Mr. Chairman, it is a matter of happiness that the Bill in a large measure has received support from most of the hon. Members of this House. Many hon. Members have also made some suggestions regarding amendment of certain other statutes and I can only assure them that the Government will consider the suggestions on their merits and, if necessary, will come forward with the necessary amendments.

So far as the objections are concerned, mainly the objection has been against the present provision in article 136 of the Bill which replaces the old article 182. It is said that the provision as it exists now in the Act, that is article 182, is more wholesome from the point of view of the judgment debtor and that if the judgment debtors are not permitted to file suits on the basis of the amended decree or order probably they will be at a disadvantage. My only answer to it will be that the Law Commission has considered the matter at great length and has devoted a full paragraph which will be found on page 64 of the Law Commission's Report on the subject. I do not propose to read that out at length here. Article 182, as it stands to day, gives the period of limitation prescribed for it as three years and six years in case of registered certified copies. Now it will be seen that the present article 136 provides a period of limitation of twelve years. So, it will be easily seen that the eventuality of the judgment debtors—I

[Shri Bibudhendra Mishra]

will not say 'difficulties'—being put in any difficulty will not arise at all because that has been taken into consideration and in case of a period of three years a period of twelve years has been provided.

The second objection has been to the period of limitation prescribed for suits based on declarations. I will only say that in the existing Act there are six articles which deal with suits based on declaration which have been reduced to three now in the present Bill according to the recommendation of the Law Commission and also, as per their recommendations, a period of three years has been provided as the period of limitation. I think, a period of three years either from the date of knowledge of a certain fact or from the date when the cause of action accrues is a sufficient period and those who insist that the period should be raised either to six years in some cases or to twelve years in other cases, as we find in the existing Act, forget the very basic principle behind the law of limitation. It must not be forgotten that the law of limitation is a statute of repose, of peace and justice. Its purpose is to extinguish stale demerore there is the tendency of disputes the longer the period you give, the more there is the tendency of disputes between parties remaining alive, even after the parties are dead. Therefore that is the main principle behind the law of limitation and the Law Commission has taken note of it.

In so far as the provisions of the Bill are concerned, these were the objections that had been taken by the various hon. speakers. As regards the suggestion made now about article 113, I can only respectfully say that for all these suits based on contract a period of limitation prescribed by the Law Commission has been three years and if the relationship between an employer and an employee is at all to be treated as a category being in the nature of a contract, it will be unfair to reduce the period.

I will make only one or two general observations. It was pointed out by Shri Trivedi yesterday that there has been practically no change in the present Bill that the provisions are exactly similar to those in the existing Act and the difference, if there be any, is the difference between Tweedledum and Tweedledee. Shri Trivedi is not here; he is an experienced lawyer and I will only remind him about the comments made by other hon. Members of the Opposition yesterday while commenting on the Bill that it is an essay on the subject. I would only like to tell him that if he reads it carefully, he will find that most of the unnecessary sections have been repealed, that the articles have been arranged according to their subject-matter—formerly, there was no rational basis of classification and arrangement—and that the period of limitation provided for has been the same for the same class of suits as far as possible whereas in the existing Act he will find that the period of limitation prescribed by different articles for suits based even on contract is different. Somewhere it is one year; somewhere it is two years and sometimes it is three years though the basis is the basis of contract. We do not find any rational justification for doing it.

Then, he had expressed his indignation that the provisions of this Bill will not be applicable to the State of Jammu and Kashmir. Whenever a Bill is brought forward in this House the same objection is raised and indignation is expressed. I can only tell the hon. Members of the House that we are anxious that all the Indian legislation should be extended to Jammu and Kashmir also. The Government is as anxious as they are to see that all the Indian laws that we pass here in Parliament are extended to the State of Jammu and Kashmir. There is no doubt about it. The anxiety is the same, rather more; but then we have to take the difficulties into consideration.

A question was posed by Shri Trivedi yesterday. He asked: "If you say that Jammu and Kashmir is a State within the meaning of the Indian Constitution, that it comes under article 1 of the Constitution, how is it that you do not extend the Indian law to the territory of Jammu and Kashmir? I will only humbly point out that it is the very Constitution that prohibits us from doing so. I will refer to article 370 of the same Constitution under which under certain circumstances only the law of the Indian Parliament can be extended to the State of Jammu and Kashmir.

With these words, I would commend this Bill for acceptance.

Mr. Chairman: The question is:

"That the Bill to consolidate and amend the law for the limitation of suits and other proceedings and for purposes connected therewith, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted.

Mr. Chairman: The House shall now take up clause-by-clause consideration of the Bill.

The question is:

"That clauses 2 to 32 stand part of the Bill".

The motion was adopted.

Clauses 2 to 32 were added to the Bill.

Shri Bade (Khargone): I have to say something about article 136 of the Schedule.

Mr. Chairman: Yes.

Shri Bade: I have given amendment. I do not know why my amendment was not circulated. I gave it yesterday to the Notice Office. I had suggested one amendment yesterday. I have given my dissenting note. My amendment is: Were the decree has been amended, the date of amendment should be there. I have given this

amendment because after twelve years the decree will be a useless paper and the reason given here by the Law Commission is that in England the practice favours like this. My contention is that in mofussils the atmosphere is quite different than what it is in England because here the debtors are not dishonest. If every creditor wants to adjust to judgement debtors, he cannot do it owing to this article 136. Therefore, yesterday I said in my speech that there should be an amendment to article 136 to the effect that where the decree has been amended the date of amendment should be there so that if the judgement debtor cannot pay debts he can go to the creditor and ask him to give him some time and the creditor can do it. But the court will not accept the amendment and the period will not be extended. The hands of the courts are tied down. There will be great hardship to the judgment debtors. Judgment debtors are not dishonest. They are always honest. Due to poverty and other circumstances, they sometimes are not able to pay.

So, I request the hon. Minister that this simple and innocent amendment which is supported by all the Opposition Members, that where the decree has been amended, the date of amendment should be there, should be included in article 136 of the Schedule.

Shri Bibudhendra Mishra: Madam, I have already replied to this point while Mr. Bade was not here. I gave prescribed for 3 and 6 years. That prescribed for 3 and 6 years. That will be sufficient.

Mr. Chairman: The question is:

"That the Schedule stand part of the Bill".

The motion was adopted.

The Schedule was added to the Bill.

Mr. Chairman: The question is:

"That Clause 1 stand part of the Bill".

The motion was adopted.

Clause 1 was added to the Bill,
Enacting Formula

Amendment made

"Page 1, line 1,—

for "Thirteenth" substitute—
"Fourteenth".

[Shri Bibudhendra Mishra]

Mr. Chairman: The question is:

"That Enacting Formula, as amended, stand part of the Bill".

Shri Bade: You cannot take votes now. There is no quorum.

Mr. Chairman: This is lunch hour.

Shri Bade: The voting cannot take place.

Mr. Chairman: The quorum is questioned.

I think the hon. Member knows that at 2-30 p.m. the quorum cannot be challenged.

Shri Bade: There can be no voting.

Shri Sinhasan Singh: The practice is that during the lunch hour we do not question the quorum. But for voting you must have the quorum.

Mr. Chairman: No division can take place. If you challenge division, we shall postpone it. There is no division now.

The question is:

"That the Enacting Formula, as amended, stand part of the Bill."

The motion was adopted.

The Enacting Formula, as amended, was added to the Bill.

The Title was added to the Bill.

Shri Bibudhendra Mishra: I beg to move:

"That the Bill, as amended, be passed".

Mr. Chairman: The question is:

"That the Bill, as amended, be passed".

The motion was adopted.

13.25 hrs.

INDIAN EMIGRATION (AMENDMENT) BILL

The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon): Madam, I move*:

"That the Bill further to amend the Indian Emigration Act, 1922, as passed by Rajya Sabha, be taken into consideration."

The proposed amendments are needed to bring the law in line with recent developments in communication and also to prevent illicit emigration and prescribe more deterrent punishment for violation of the law. The parent Act of 1922 had the twin objective of controlling the emigration of skilled and unskilled workers beyond the limits of India and also protecting the interests of such categories of workers as may need the protection of the Government. Today we find that unskilled labour cannot go out of India. It is totally banned. For instance, emigration to Malaya, Singapore and Brunei was prohibited in 1938, to Ceylon in 1939 and to Burma in 1941 by series of notifications under sub-section 1 of section 30A of the Indian Emigration Act of 1922. With regard to skilled workers, emigration is now governed by the provisions of Chapter IV of the Act. The provisions

*Moved with the Recommendation of the President.

are made applicable only to those categories of skilled workers who because of poverty, lack of education and other things require the protection of the Government. They are not made applicable normally to those highly skilled technicians who by reasons of their educational attainments and better economic conditions can be expected to look after their own interests. Section 22 of the parent Act provides no protection to unaccompanied domestic servants. This is deleted 31 of the parent Act. The Act did not affect persons who are not of Indian parentage. Now this is being changed into citizens of India instead of persons of Indian parentage. The amendment also contemplates the provision for confiscating vessels and country crafts used for illicit emigration. This was necessary because in recent years hundreds of people had migrated to Ceylon by using country craft and thus violating the local law and have put themselves to all kinds of hardship and the Government found itself absolutely helpless because the punishment prescribed in the parent Act of 1922 was not deterrent enough. So, that is also included in the amending Bill. Since there are no amendments, I hope the Bill will be passed without much controversy.

I commend the Bill to the House.

Shri Yallamanda Reddy (Markapur): Generally, we would like to support the Bill as the hon. Minister says the whole thing now goes against the Act because there are some lacunae in the Act. But if we go to the past history of emigration, we know that from this country, formerly British imperialists have been taking people to other countries for exploiting cheap labour and Indian labourers could give. There are people who by violating the Act take some people to other countries and get benefited by the Act.

13.30 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

802 (A) L.S.D.—6.

Apart from taking advantage of the lacunae in the Act, there are also people who taking advantage of the poverty and unemployment in the country, try to trade in these people by emigrating them to other countries. In spite of the fact that there are powers given to Government under the existing Act to check this, Government are not willing to utilise those powers to check the illicit emigration, because those people who are engaged in this trade of sending people to other countries are very influential and very much connected with the high officials of Government here. Therefore, my submission is that before Government seek more powers by this amending Bill, the hon. Minister must tell us how they are implementing the old provisions of the Act, and how with those powers they are checking illicit emigration to other countries. According to my information, Government are not at all seriously implementing the powers that are already given to them. So, I do not know Government are going to implement in future the powers that would be given to them under this amending Bill.

After 1941, there was no emigration and virtually, Government prohibited all emigration to other countries. But even after the prohibition of 1941, illicit emigration continued on a large scale. From the reports alone from Ceylon, we know that in 1960, nearly 4000 people were sent to Colombo without any authorised passports; that means that illicit emigration was taking place. In 1961, nearly 1700 people were deported from Ceylon to India, and in 1962, nearly 1400 people were deported. That shows that in spite of the ban after 1941 so many people have been sent to other countries by other means. The hon. Minister says that it was because of the lacunae in the Act that those people were sent to other countries. But I submit that that is not the whole truth. No doubt, the lacunae in the Act contributed to some extent for this illicit emigration. But, at the same time, there are people who have used

[Shri Yallamanda Reddy]

this opportunity to trade in illicit emigration, and they are getting profits out of it, and they have not been punished properly.

Therefore, I submit that while taking these powers, Government must see that the Act is properly implemented and illicit emigration is checked. Unless Government take necessary steps to check this no useful purpose will be served by amending the Act.

At present, Government have come forward with the proposal to amend only one aspect of the Act. But there are also other things in the Act. For instance, under sections 7 and 8, Government are empowered to look into the welfare of the emigrants in other countries. Section 7 provides:

"Agents in Foreign Countries: The Central Government may, for the purpose of safeguarding the interest of emigrants in any place outside India appoint persons to be agents in such places and may define their powers and duties".

Section 8 provides:

"Advisory Committees: The Central Government may for the purpose of assisting any Protector of Emigrants appointed by it or any person appointed by it under section 5, constitute an advisory Committee in such manner as it may think fit and may prescribe the procedure to be followed and the functions to be performed by such committee."

As far as my knowledge goes, Government have not taken any concrete step to appoint this advisory committee or to look into the welfare of the emigrants in other countries. As far as my information goes, Government have not thought of appointing this advisory committee till now. I do not know why they have not taken proper steps in this regard. I do not know whether they feel that the rights of these emigrants in other countries are

being properly safeguarded and the emigrants are being treated well there. But the fact is that Government have not taken care at all regarding this matter.

Till recently, a lot of emigration was taking place to Great Britain. But we know that in the U.K., the British Government have since passed an Emigration Act which is virtually conceived of on the basis of colour prejudice. I do not know what steps have been taken by our Government to protest in this regard.

Also, there are many people living in other countries, who have left their entire family or part of their families in our country. I do not know what steps our Government have taken to see that the wives and children and other members of their families who are left over here are sent to those people in case they are required to go there. This is an important thing. I do not know what Government propose to do in this regard.

I may also point out that there are so many people in Burma, Malaya etc. who have gone from South India, and who are living there for so many years, but who have left their families in the southern parts of the country, and they are sending some money from there to their families who are left over here. But, nowadays, those people find it very difficult to send any remittances to their families who are here. I do not know how our Government are helping those people to send their remittances duly to their families that are left over here. I might mention that there are so many people who are finding it difficult to legally send the money required by their families here, and they are resorting to illegal methods, and there are also some people who want to trade in this. For example, they will take Rs. 100 from those people but send only Rs. 50 to their families here. There are some banks in Calcutta which trade in this.

They take Rs. 100 from the emigrants there, they take 50 per cent of it, and send only the other 50 per cent to the relative who are left over in this country. Therefore, I would like to submit that Government should take proper care about these people and see that they are properly helped economically or socially in those countries where they are living.

Therefore, while supporting this Bill, I would request Government to give us necessary information about these advisory committees and also about our agents in foreign countries who are to look after the emigrants from our country who are staying in these countries. Unless Government take steps to implement these provisions of the Act also, no useful purpose will be served by simply taking additional powers just to prohibit illicit emigration.

Shri K. L. More (Hatakanangle): Before I support this measure, I would like to make a few observations with regard to this measure. The present measure has been brought forward to check illicit emigration of our labour, and for that purpose, sections, 2, 22, and 31, in particular, are intended to be amended.

In section 2, emigration has been defined as departure by sea out of India. It does not take into consideration the possible violation of the Act through departure by air, and that is provided for in this Bill.

Section 22 provides that nothing in Chapter IV shall apply to any case in which a person engages another to accompany him out of India as his personal domestic servant. It applied only to unaccompanied persons and not accompanied persons. That distinction is eliminated now by deleting section 22 of the Act.

Section 31 provides that the provisions of this Act shall not apply to the departure out of India by any person who is not born of Indian parents.

This has created a lot of confusion since the Indian Emigration Act is extended to the territories of Dadra, Nagar Haveli, Goa, Daman, Diu, Pondicherry, Karaikal and Mahe. We must put in the words 'a citizen of India' instead of 'persons of Indian parentage'. These are the three main provisions contained in this measure.

As regards enhancing the penalties under the Act—sections 25, 26, 27, and 30A—the punishments provided for in these sections are not considered sufficiently or deterrent. Therefore, these sections are intended to be amended.

My submission is that this is a benevolent measure and everyone must lend his support to it. But we should consider why is it necessary for labour or emigrants to go to foreign countries. We should remedy that condition first. The fact of the matter is that our labour is cheap and foreigners take advantage of that fact. If we raise the standard of living in our country, if our labour ceases to be cheap, the inducement for foreigners to take advantage of our labour will be less. If we make them better educated and if we provide healthier conditions, they will be able to stay here and not be induced to go abroad. So my humble suggestion to Government is that instead of relying more on this measure, they should take positive steps to ameliorate the conditions of labour here so that they will not be induced, ordinarily or otherwise, to go to foreign countries. With these observations, I support the Bill.

Dr. M. S. Aney (Nagpur): The Bill deals with a problem of considerable importance to Indians who are emigrants and to other persons who come to India and reside here. One of my hon. friends has given us some idea as to how emigration from this country began long ago. What was known as indentured labour was a problem which arose on account of the emigration policy pursued in British days. The British in their colonial expansion desired to bring under cultivation and use for industrial purposes many of

[Dr. M. S. Aney]

their lands which were spread out. So they wanted to recruit suitable labour for work in those lands. For example, most of the lands in Ceylon are under cultivation, tea, rubber and other things, are cultivated by the help of Indian labour. Various measures were taken in those days through the instrumentality of the Government of India itself by the foreign people who wanted to make these experiments in plantations there. So Indian labour was induced to go there. There used to be a good deal of correspondence; certain agreements also used to be made in those days. In that way indentured labour came into existence. Even in our country, labour is sent from one province to another, for example, to places like Assam for a similar purpose. But that type of problem is not covered by the Bill and I do not therefore wish to say anything about it.

Things went on like that. For some time, they were governed by some kind of understanding between the Government and these industrialists or the governments which were taking them, as to what should be their position. Sometimes this was reduced to regular agreements; sometimes it was in the form of correspondence in which these conditions were mentioned. Now, after the colonial governments in those parts ceased to exist, the problem became really very serious. I refer particularly to conditions in Ceylon. The question as to what should be the conditions of work of the labour was a matter of discussion between the Governments of India and Ceylon for a long time. Some kind of understanding was likely to be arrived at. Later on, Ceylon became a self-governing country like India. After that, what has happened is that the Ceylon authorities do not recognise all those conditions under which the labour force was taken there as binding upon them. They insisted that these people, i.e., the emigrants, should

be entirely under their exclusive jurisdiction in their constitution.

Now they are treating all the Indians who are there as landless people, people who do not have any rights. That is the main trouble. There are 7—8 lakh of such people in their plantations. The Ceylon Government do not want to make them citizens of Ceylon except under certain very stringent conditions which it is impossible for them to comply with. Out of thousands of people who applied for Ceylon citizenship, only a few hundred applications have been sanctioned and the rest turned down. That is the position. Out of the 7 lakhs of persons, I am sure hardly a lakh of people have been considered as having any right of citizenship in Ceylon. The remaining are there as stateless people.

The matter has been under discussion between the two Governments. Recently I was delighted to know that some proposals had been sent by the Government of Ceylon for the consideration of the Government of India for determining the status of the Indian immigrants who are there. I thought the hon. Minister would take the opportunity of this Hill to explain what those new proposals are and how as a result of those new proposals the Government of Ceylon proposes to better the conditions of these labourers in the plantations who have been there not for decades but for generations.

I concede one point, namely that in 1948 we made a law prohibiting all labour from India to go out to other countries by sea or by land. So, any labourers who have gone after that stand on a different footing, but the other labourers, most of them, have been born in Ceylon and have been living there. There is some kind of racial feeling, and a party of the Ceylonese is determined, so far as I know, to see that not a single Indian remains there as an citizen with an honourable profession to follow. They want that most of them should go

back to India, but in India we do not recognise them as our citizens. So, a large number of them are without any rights. They are not allowed to be citizens of Ceylon, nor are we able to admit them as citizens here.

This Bill does not deal with that problem in any way, but problems like that exist not only in Ceylon, but also in Burma in a somewhat different form. The economy of India, particularly in Madras State and certain other parts, depended to a great extent on the money sent by these people in Ceylon and Burma to their dependants in India. The policy adopted by Ceylon and Burma is to stop those remittances coming into this country. These are all problems very seriously connected with the economic position of those people and their rights also.

Under the Bill certain powers are being taken by the Government of India, but the real problem of Indians abroad and emigration does not end by passing this law here. Something more has to be done, and I have taken advantage of this opportunity to bring forcibly to the notice of the Minister the matter of the labourers living in Ceylon, Burma, Malaya and some other countries, who had gone there on the clear understanding before 1948 that if they remained there it would be as citizens, or they could come back. All those things have gone now. In Ceylon except those Indians who have been in Jaffna as Tamils for a long time, they have no rights. That is the position taken there. Why should these Indians be adversely affected?

I only wanted to bring to the notice of the Government of India the serious position of Indians there, and the attitude of those Governments in spite of relations of cordiality, friendship and intimate connections which India has with them. These Indians have really helped Ceylon and all these countries to come to a higher point of prosperity which they enjoy today. When Ceylon represented its case for independence, it stated that so much was its population, which contained 10 lakhs

Indians also, and pointed out the importance of the country and the progress they had made, a progress to which the largest contribution had been made by the Indian labourers, industrialists and traders. All those reasons by virtue of which they were able to get their independence are now clearly overlooked by them, and they only stand by their right as a sovereign people to make such laws as they like for their own people. Ceylon for Ceylonese has become the motto there. I am not here to criticise them, but they should have been willing and ready to absorb all those Indians who were there before 1948. My humble submission to the Government of India is that when they consider the new proposals, an attempt should be made not only to maintain cordial relations but to secure certain guarantees for these people who morally are justified in asking to be absorbed in Ceylon as natural citizens.

These are the only considerations which I wanted to bring to the notice of the Government. Otherwise, I support the Bill.

Shri Sham Lal Saraf (Jammu and Kashmir): On going through the Bill I felt I had to express myself on a few aspects of the problem.

There was a time when our people could go unchecked and unhampered anywhere they liked out of the country. Later, the then British Government also moved in the matter, and put some checks. Today I feel the time has come when the entire question should be gone into *de novo*.

Having seen some of the countries abroad, the first question I would like to raise is whether we can afford to send our skilled, semi-skilled or unskilled labour outside. Secondly, if at all we are superfluous in these categories, we should see where we are

[Shri Sham Lal Saraf]

sending them. Government should enter into agreements with the governments of the other countries where these people want to go. Today, when our people go to other countries for service, taking up jobs or any other work, sometimes they not only do not get the jobs, but the way they are treated is humiliating.

Therefore, firstly, when our country itself is making such rapid strides in all round development, we have to see whether we should allow them to go out at all. Secondly, our Government should make a proper survey to find out which are the parts or areas from where they still want to emigrate to other countries. Thirdly, if they go out at all, Government should take upon itself the responsibility of seeing to it that where they go they are looked after well. As our friend pointed out, restrictions are put on their sending remittances to their dependants here in India. We have to see that such restrictions are not there, that they have proper living and service conditions. Then alone they should be permitted. Merely placing restrictions on going by air or sea or road would not help in the manner we want. Therefore, my submission is that this Bill, at the moment, is all right. I should certainly welcome this Bill being passed, but my feeling is emigration has got national honour involved in it. I would mention that this concerns not only skilled and semi-skilled labour, but others also. For instance, in Punjab a number of rackets came to light. Hundreds of families were coming and going this way and that way. A number of things happened. Therefore, Government should see which of the elements, which of the sections of the people, which of the parties, which of the skilled or semi-skilled labourers should be permitted to go to other countries on the conditions which I have already explained. I certainly welcome this Bill at the moment which is intended to check the flow of labour.

14 hrs.

I would like the whole question to be gone into. Firstly, there is the question of taking a survey. Then, there is the question whether we have surplus labour, skilled and semi-skilled. And then we must see from which part of the country we can get the labour. I know in a number of cases that there is scarcity. In certain parts of the country there is paucity of skilled labour and also unskilled labour. I will quote an instance. In my State, there was a time, only 10 to 15 years ago, when there was an overflow of skilled labour in a particular art. Somehow, they began to get some work within this country, in Bombay, and gradually there was a flow of skilled labour, artisans to Bombay, from that part of the country. After ten years, what has happened is that in their home State, within the country, they have lost that are altogether. Therefore, the Government should look into this question and see whether there are enough jobs elsewhere, whether the living conditions are good, whether sanitation and health needs are proper, etc. After that, we must see whether they are in a position to remit their earnings in foreign exchange or see other legal ways to their dependants in this country. Keeping in view all these things, we must proceed, and see that their number is restricted, semi-skilled and skilled. With these few words, I support this Bill. I would like the hon. Minister to enlighten us on these points.

Shri Sinhasan Singh (Gorakhpur): Mr. Deputy-Speaker, Sir, when I read this Bill I find that the amendment will not solve the problem which it seeks to solve. What we are doing by this amendment is merely extending certain provisions and enhancing the punishment for unlawful emigration. My submission is that the original Act of 1922 requires drastic modification or repeal. For instance, now, in section 2(1) (c), as against the definition of "emigrate" and "emigration" which means "the departure by

sea out of India", we are adding "air". But what is emigration really? It says "any person who departs under an agreement to work for hire in any country beyond the limits of India...." Again, "any person who is assisted to depart, otherwise than by a relative, if he departs, for the purpose of with the intention of working for hire or engaging in agriculture in any country beyond the limits of India". This Act of 1922 was an Act which in no way brought credit to India. That provided for indentured labour; the British when they were here, in order to rehabilitate their own colonies abroad, sent labour from India called indentured labour. So long as section 2 remains on the statute-book, I submit that it does not enhance our prestige. Why should there be any agreement with any of the countries to take our labour or hire our labour from here? May I ask, in all humility, whether there is any such Act in any other independent country where the people of another country can hire or take labour from that country on their own conditions? What we are doing by amending this Act is this: we are only enhancing the punishment, and omitting the word "Indian" and the old Emigration Act remains as it is. So, my submission is that the Government should reconsider the provisions. Insertion of the words "such other ports and such airports" etc., will not solve the problem so long as section 2(1)(c) remains as it is. It should be the Government who should, at the request of any other Government, send their skilled or unskilled labour abroad if our conditions are acceded to. The indentured labour was used by the British and that still remains. My submission is that the main Act of 1922, namely, the Emigration Act of India, was a slur on our honour and it is remaining in spite of this amendment. I would request the hon. Minister to consider this in that light. Why should we still be prepared to allow our labour to go abroad as indentured labour or hired labour for the period specified and then allow them to remain there at the sweet will of the

other country? It should be the Government of India's duty not to let our people go abroad. The laws should be such as to dissuade the people to go. The very fight of Gandhiji began in Africa because of indentured labour. We should consider this measure in that light. The amendment that we are seeking to make, namely, a harder sentence for unlawful emigration, will not solve or remove the blackest spot on our honour which has been put upon us by the Act of 1922.

Shrimati Lakshmi Menon: Mr. Deputy-Speaker, Sir, many of the comments made do not relate to the Bill at all, because the Bill is very much restricted in its scope. It does not deal with Indians abroad, or with the Stateless persons in Ceylon or with Indians who are in Burma and who are prevented from sending remittances to their families here, nor does it take into consideration the discrimination shown to Indian settlers abroad as in South Africa. It is a fact that under colonial rule, a large number of Indians unskilled labour—was taken abroad for developing the colonies, and this left behind problems for us which we have not been able to solve successfully. Dr. M. S. Aney referred to Stateless persons in Ceylon. It is a fact that large numbers of people, of Indian origin, have settled abroad and they do not enjoy the right of citizenship, but these things are not related to this Bill. They are considered at the proper levels, diplomatic and otherwise, and we hope that those problems will be solved on a day.

As far as the present Bill is concerned, as I have said in my opening remarks, it deals with two or three specific problems the solution of which is found necessary in order to make the implementation of the measure more effective. I was very pained that one of the hon. Members should have said that the implementation of the original Bill was made impossible because of the influence of certain individuals with the Government, etc. It is very wrong to attribute motives like

[Shrimati Lakshmi Menon]

that. The Government tries its best to see that the enactments are properly implemented. The working of the first Emigration Act has shown that because of certain technological developments and developments in the means of communication certain changes had to be made in order to make the Bill effective.

Most of the Members seem to be confused or they did not care to understand what I said in the beginning. As far as unskilled labour is concerned there is a total ban on it. Why did we put this ban on unskilled labour? Because it is unskilled labour; that is likely to be exploited. They are ignorant, they do not have any special skill, their utility is limited and they can be easily exploited. Therefore, in their case it has been totally banned and by 1941 there was no possibility of any unskilled labour getting out of India except through illicit means. And, this has been so. The number of illicit emigrants who have been in Ceylon and who have been repatriated to India is well known to us. We have found that it was difficult to put a stop to illicit emigration to Ceylon because the existing law did not provide for punishment which would prevent such illicit emigration. It is true that large numbers of people leave the country.

Shri Yallamanda Reddy: Sir, on a point of information, I would like to ask whether the hon. Minister means to say that only because of a lacuna in the Act these people have illicitly migrated to other countries? We want to know whether any cases were instituted and, if so, what punishments were given?

Shrimati Lakshmi Menon: According to the present law we cannot confiscate the vessels or the craft and the means that they use to send people abroad. The result is that even if we get to know about gangs that are operating we find that it is difficult to deprive them of the means by which they make illicit emigration

possible. From time to time we have had reports from Madras saying that under the existing law it is not possible to prevent it because as long as they have their country crafts and steam launches it is not possible to prevent or stop illicit emigration. That is why we find here that the punishment is made a little more deterrent by giving power to the Government to confiscate the means by which illicit emigration is encouraged.

An hon. Member referred to the fact that section 3 and section 4 of the original Act dealing with the appointment of advisory boards and agents were not implemented. It is not necessary now, because the Protector of Emigrants now get proper reports from our Missions abroad about the state of Indian nationals who are in employment or who have migrated. Therefore, it is easy for us to deal with them directly and more authoritatively than by appointing an agent over whom we may not have adequate control.

Some hon. Members mentioned about emigration of skilled labour. The last but one speaker mentioned about emigration of skilled labour. Emigration by any man today is not possible because every Government has laid down its restrictions regarding immigration into its country. For instance, some of the countries prescribe quotas. Only a particular number of our nationals can emigrate, for instance, to Canada or the United States. The restrictions are sufficiently difficult so that it is not possible for anybody to go everywhere as it was possible in the early decades when there were no passports, no travel documents, etc. Therefore, we cannot encourage emigration into other countries except according to the agreements that already exist between India and the other countries.

With regard to skilled labour it is very easy because no skilled person can go out of the country unless the

Government is satisfied that the agreement executed by the person concerned and the Government or the agency which employs him is satisfactory and the necessary guarantees are given so that his salary is protected and remittances to his family are assured. Only when all these things are assured a skilled person is allowed to emigrate. We do not have any problem as far as skilled labour, technicians or trained persons are concerned. The difficulty is only with regard to unskilled labour or illicit emigrants.

For instance, the House will remember, sometime ago we had a reference to the way our female labour is treated in Kuwait. There we find that there are gangs operating which take these people by air saying that they could be or were employed as servants. There is no provision to check them when they go by air. Now, this amending Bill enables us to take sufficiently strict measures to see that people are not taken by air under such false pretexts.

So, Sir, the scope of the Bill is very limited. The fact that no amendment has been moved shows that nothing objectionable or anything adverse is there to the amendments that are proposed by the Government in the amending Bill. It is true that we can make a more effective Bill, as suggested by the Members, by having more deterrent punishments. We will have to see how the amended Bill works, and if more changes have to be brought about, of course, it can be done.

Mention was made about emigration of labour from one region to another. That is not covered by this Bill. One hon. Member mentioned about the British Immigration Act and wanted to know how that would affect our emigration problem. As regards the effect of the United Kingdom Commonwealth Immigration Act is concerned, the Act is generally designed to control and restrict entry into the United Kingdom of Commonwealth citizens who seek employment

there. So it really is not a problem of emigration for us, and when Indian nationals go there, of course, they have to conform to certain procedures laid down under the Immigration Act. We are watching to see whether it will affect our nationals adversely, and if anything affects our nationals adversely certainly we will take adequate measures to see that it does not affect our nationals adversely.

Sir, there is nothing more to add except that I am very grateful to all the hon. Members for supporting this Bill.

Mr. Deputy-Speaker: The question is:

"That the Bill further to amend the Indian Emigration Act, 1922, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: There are no amendments. The question is:

"That clauses 2 to 17 stand part of the Bill."

The motion was adopted.

Clauses 2 to 17 were added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

Shrimati Lakshmi Menon: Sir, I move:

"That the Bill be passed".

Mr. Deputy-Speaker: The question is:

"That the Bill be passed".

The motion was adopted.

14.18 hrs.

IRON ORE MINES LABOUR
WELFARE CESS (AMENDMENT)
BILL

The Deputy Minister in the Ministry of Labour and Employment (Shri

1961, as enacted, extends to the whole of India except the State of Jammu and Kashmir. In Jammu and Kashmir, so far as we know, there are no iron ore mines. The question of extending the provisions of the Act to the Union territory of Goa, where about 25,000 workers are employed, producing about six million tons of iron ore is separately under consideration in consultation with the Goa administration. In view of the considerable labour force employed there, Goa assumes some importance in the context of the present legislation providing labour welfare amenities to the iron ore workers there. All the same, the extension of the Iron Ore Mines Labour Welfare Cess Act, 1961 to the Union territory of Goa has to be examined with due regard to the conditions of the iron ore mining industry there and the effect of the cess on exports. The administration is of the opinion that the time is not ripe yet for an extension of the cess during the present period of slump in the Goa iron ore industry.

Leaving the State of Orissa and the Union territory of Goa, the Act will, for the present, cover about 34,000 workers producing about 7½ million tons of iron ore. Although the maximum rate of cess permissible under the Act is 50 nP. per metric ton, it is proposed that the initial rate of cess may be fixed at a rate not exceeding 25 nP. per metric ton.

We also propose to provide for rules to be framed under the Act. As in the case of coal and mica funds, the welfare measures are to be administered in consultation with the tripartite advisory committee. It is also proposed to have a Central Co-ordinating Committee.

This is one of the important social welfare measures long overdue. So, without taking further time of the House, I commend it for the consideration of the House.

Mr. Deputy-Speaker: Motion moved:

“That the Bill to amend the

Iron Ore Mines Labour Welfare Cess Act, 1961, as passed by Rajya Sabha, be taken into consideration.”

Shrimati Renu Chakravartty (Barrackpore): Mr. Deputy-Speaker, Sir, this amending Bill which has been brought almost three years after the original Act was passed, sounds very innocent. It seems that we have just tried to circumvent what has happened in Orissa, arising out of the State of Orissa appeal to the Supreme Court against the decision of the Orissa High Court, but it is very clear that it took three long years for us even to get an amendment. If we now amend this to say that the Central Government may, by notification in the Official Gazette, appoint different dates for different dates, I have a fear—and I think my fear is very well-founded—that under pressure from certain States who may say that they have got legislation which takes care of labour welfare, the Central Government may defer applying this Act to these States.

Now, with all due deference to the State of Orissa, I know iron ore mines both in Orissa and in the adjoining territories of Bihar. If there is any State which is very backward, living in the dark ages, it is none other than the State of Orissa, I think it will not be an exaggeration for me to say that labour laws and civilised forms of life are unknown in those dark jungles of Singbhum and adjoining territories of Orissa. It may be so in Madhya Pradesh also, but I have no personal knowledge of those areas. It is a fact that a very large percentage of these labour are Adibasis and women. It is amazing that the biggest monopoly concerns in the steel industry like Tatas and Indian Iron and Steel Co. run by Martin Burn and Company in the private sector have such worse working conditions for the labour. Of course, now the monopoly of the private sector has been broken and we have some public sector mines in Kiriburu and Baila Dilla. But, in the private sector mines owned by

[Shrimati Renu Chakravartty]

such big industrialists we find that the conditions of service of labour are deplorable. We still have Gorakhpuri labour and contract labour in iron ore mines.

Mr. Deputy-Speaker: We have to take up Private Members' Bills now. So, the hon. Minister might continue her speech tomorrow.

PRIVATE MEMBERS' BILLS AND RESOLUTIONS

TWENTY-SECOND REPORT

Mr. Deputy-Speaker: The House will now take up Private Members' Bills. Shri Hem Raj.

Shri Hem Raj: Sir, I beg to move:

"That this House agrees with the Twenty-second Report of the Committee on Private Members' Bills and Resolutions, presented to the House on the 14th August, 1963."

Mr. Deputy-Speaker: The question is:

"That this House agrees with the Twenty-second Report of the Committee on Private Members' Bills and Resolutions, presented to the House on the 14th August, 1963."

The motion was adopted.

14.30 hrs.

ANANDA MARGA MARRIAGE BILL* by Shri Shashi Ranjan

Shri Shashi Ranjan (Pupri): Sir, I beg to move for leave to introduce a Bill to remove doubts as to the validity of the marriage ceremony common among the "Ananda Margies".

Shri S. M. Banerjee: Sir, what is this Ananda Marga marriage?

Mr. Deputy-Speaker: He will explain it when the Bill comes up.

The question is:

"That leave be granted to introduce a Bill to remove doubts as to the validity of the marriage ceremony common among the 'Ananda Margies'."

The motion was adopted.

Shri Shashi Ranjan: I introduce the Bill.

DELHI PANCHAYAT RAJ (AMENDMENT) BILL*

(Amendment of sections 15, 29, 30 etc.) by Shri Naval Prabhakar.

श्री नवल प्रभाकर (दिल्ली-करोलबाग): श्रीमान, मैं प्रस्ताव करता हूँ कि दिल्ली पंचायत राज एक्ट, १९५४ में आगे संशोधन करने वाले बिल को पेश करने की अनुमति दी जाए।

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Delhi Panchayat Raj Act, 1954."

The motion was adopted.

श्री नवल प्रभाकर : मैं इस बिल को पेश करता हूँ।

DELHI CORNEAL GRAFTING BILL by Shri Naval Prabhakar

श्री नवल प्रभाकर : श्रीमान, मैं प्रस्ताव करता हूँ कि मृत व्यक्तियों की आँखों का चिकित्सा के लिए प्रयोग करने के सम्बन्ध में उपबन्ध करने वाले बिल को पेश करने की अनुमति दी जावे।

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill to make provision

*Published in the Gazette of India Extraordinary Part II, Section 2, dated 16-8-63.

with respect to the use of eyes of deceased persons for therapeutic purposes."

The motion was adopted.

श्री नवल प्रभाकर : मैं इस बिल को पेश करता हूँ ।

INDIAN PENAL CODE (AMENDMENT) BILL*

(Amendment of sections 324 and 326 and insertion of new sections 324A and 326A) by Shri C. K. Bhattacharyya.

Shri C. K. Bhattacharyya (Rai-ganj): Sir, I beg to move for leave to introduce a Bill further to amend the Indian Penal Code, 1860.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Indian Penal Code, 1860."

The motion was adopted.

Shri C. K. Bhattacharyya: I introduce the Bill.

GOVERNMENT SERVANTS (BAN ON SERVICE AFTER RETIREMENT) BILL*

by Shri R. G. Dubey

Shri R. G. Dubey (Bijapur North): Sir, I beg to move for leave to introduce a Bill to enforce ban on employees of the Government of India from entering into service in private undertakings after their retirement.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill to enforce ban on employees of the Government of India from entering into service in private undertakings after their retirement."

The motion was adopted.

Shi R. G. Dubey: I introduce the Bill.

Dr. Ranen Sen (Calcutta East): Do not withdraw it now!

14-33 hrs.

DELIVERY OF BOOKS AND NEWSPAPERS (PUBLIC LIBRARIES) AMENDMENT BILL

(Amendment of section 2) by Shri C. K. Bhattacharyya.

Mr. Deputy-Speaker: The House will now proceed with the further consideration of the following motion moved by Shri C. K. Bhattacharyya on the 3rd May, 1963:—

"That the Bill further to amend the Delivery of Books and Newspapers (Public Libraries) Act, 1954 be taken into consideration."

The time allotted was one hour. There are still fifty-five minutes left; five minutes have been taken.

Shri C. K. Bhattacharyya: Sir, let me recapitulate briefly what I had said. This Bill is intended to amend the Delivery of Books and Newspapers Act. Under that Act the publishers of newspapers and books are under an obligation to submit to the Government certain number of copies of what they publish. What I want is

[Shri C. K. Bhattacharyya]

to include gramophone records in the list so that the makers of gramophone records are put under a compulsion to submit a certain number of them to the Government. In the Act, 'book' has been defined as "including" every sheet of music, map, chart or plan separately printed or lithographed". I beg to submit that gramophone records may well be taken along with music sheets which are required to be submitted to the Government under the compulsion of the law.

My object in bringing forward this Bill is to create in the mind of the public a sense of awareness of the colossal loss of national treasure that has taken place due to the non-preservation of records of Indian masters and to create in the mind of the Government and urge to collect and preserve them. Had I the time, Sir, I would have made an all-India review to bring out what the amount of that loss has been. Since I have not that time I may refer only to my experience of one State and to a certain number of persons.

The phonograph machine was discovered by Edison in 1861. It was perfected by Bel and Tainter in 1881. It took some years before that machine reached India. And the machine was imported into India by private initiative. Recording began from that time and the Gramophone Company came into the field. So the recording in India began at a very late stage. But even of the records so made a large number has been lost due to the lack of arrangement for collection and preservation. The Gramophone Company which made these records were actuated only by commercial motives. As soon as a particular record ceased to have sufficient demand in the market they stopped reproduction. They not only stopped reproduction, but they did something more which was very reprehensible; they destroyed the original. And it is there that I want to come in.

Invaluable cultural and national treasures that would have been preserved had some such provision as is proposed in my Bill been in existence, have been lost. And I suggest that this provision be made now so that such things may not happen in the future.

This loss has happened not only in relation to old masters; it has happened in relation to living masters as well. Some time back I wanted to get from the Gramophone Company a record of D. L. Roy's well-known song

पतितोद्धारिणि गंगे

sung by his son Shri Dilip Kumar Roy who is himself an illustrious musician. But I was told that the record cannot be had and that no reproduction can be made because the original had been destroyed. This has happened not only with one or two well-known masters in the field; it has happened with a large number of distinguished characters in the field of music and drama about whom I made enquiries. I was told that neither there is any chance of getting nor was there any chance of reproduction because the originals have been destroyed. Unless the Government takes some such step as is proposed in my Bill today, this continued destruction of voice records of Indian masters will go on. That is where my submission is that my Bill should be accepted by the Government.

Sir, recently we have been holding centenary celebrations of two of the greatest Indians, Swami Vivekananda and Rabindranath Tagore. Both are world figures and both had a world audience of their own. Tagore was well known not only in the field of musical composition but was also well known as a musician of his own songs. He had a divinely gifted voice, given to few in the world. All his voice records, all those youthful voice records of Rabindranath Tagore are

lost because there has been no arrangement for preserving the records as is proposed in my Bill today. To Swamiji's oratory the world stood in awful submission when he preached his spiritual messages to the world. Sir, what a treasure it would have been today if we could hear how Swamiji Vivekananda spoke. There is a publication by one of the Ramakrishna Mission ashrams in Bengal on the occasion of Swamiji's Centenary. There in it is stated that the late Maharaja of Mysore had recorded Swamiji's voice on his phonograph machine and a disc was made. It is also stated in that publication that the disc may still be found in the Mysore palace.

My question is: Why should not the Government move to collect and preserve those discs for the Indian people so that we and the people of the later generations may have an idea how Swami Vivekanand spoke, what was the quality of his voice which just held people spellbound not only in India but all over the world? My suggestion to the Government is to come to the help of the people.

Regarding the records of Tagore I have a very distressing tale to tell. Many of the earlier records when the youthful Tagore sang his own youthful songs are irrevocably lost. Recently, the Rabindra Bharati University made an attempt at collection of those records and from a report published in the *Amrita Bazar Patrika* I find—

"Old records are hardly available now and many discs of the songs which the Poet himself recorded for the gramophone company are no longer in existence."

Why should this be so? Why should not something be done at least now so that such things may not happen in future?

As I find from the report, the voice of Rabindranath Tagore was first recorded on the old cylinder sys-

tem as far back as in 1891. The Poet was 30 years of age at that time. The first song that he sang for the record was:

“सार्थक जनमो ग्रामार जन्मेछि एइ देशे
सार्थक जनमो मागो तोमाय भालो वेशे ।”

“Blessed am I to have been born in this land and blessed am I, my mother, that I have loved thee.”

The record of this inimitable song is lost because no one took care to preserve the original.

It may be interesting to note that the first recording of Tagore was done by H. Bose and Company the proprietor of which, Shri Hemendramohan Bose, was a friend of Tagore himself. It was he who first imported the phonograph machine into India and after importing the machine he approached his friend for recording his voice. Songs and recitations poured in streams and a large number of records were made on the cylinder system prevailing at that time. Later, on, Shri H. Bose arranged with 'Pathe' in France to have those cylinders transferred into discs. Some of the Cylinders were really transferred into discs but a large consignment consisting, I believe, of at least 46 records which was sent to France for being so recorded on discs was lost in France and lost to humanity. So, we have no chance of hearing now how youthful Tagore sang his own songs and what was pleasure to hear him at that time. But those who had heard the recordings of his voice known how he had thrilled audiences by the pitch and extraordinary range of his voice combined with the sweetest and captivating melody. I just imagine what pleasure it would have been to us today if we could hear his songs sung by himself, songs like—

“आजि बसन्त जाग्रत द्वारे
तव अवगुण्डित कुण्डित जोवने कोरो ना
विडम्बित तारे ।”

[Shri C. K. Bhattacharyya]

Or

‘मम यौवने निकुंजे गाहे पाखि
सखि जागो, सखि जागो, सखि जागो ।’

Shri Hari Vishnu Kamath: Please give us the full song.

Shri C. K. Bhattacharyya: I do not have the time. Or, take another,

‘श्रावण गगने घोर घन घटा निशीथ यामिनीरे
कुंज वने सखि कैसे जाग्रो अब अबला कामिनी रे’

If we could hear those songs which the Poet himself sang for records! These are lost.

In this connection I may refer to an incident. Professor Thompson when he saw Tagore in the later years of his life told him that he could not believe that the Poet of Gitanjali was the same man who composed the youthful songs. The reply of the Poet was, “Excuse me, for I too was young.” Those youthful songs sung by the Poet are lost because there was no provision in the law that at least some original copy should be preserved somewhere in India. Not to speak of the earlier records, even later records of Tagore are not available in the original. I tried to get an original of “Karna-Kunti Samvad”, the immortal poem that he wrote from Mahabharata. It could be recited here and people could hear the ennobling message that he gave therein.

“राज्यलोभे यशोलोभे जयलोभे अद्
वीरेर कर्तव्यहोते भ्रष्ट नाहि त्ई ।”

That is the message. But that is lost. The original has not been preserved. So, when there was a public demand for it, what the Gramophone Company did was that they secured an old and much used record and from that reproduced another copy. But in that second-hand copy the quality of Tagore's voice is not preserved.

I may remind the House here that the ‘Bande Mataram’ song was first sung in the Congress session by Tagore himself. At that time there was neither the microphone nor the loudspeaker. The Poet had to depend on his own voice to make himself heard throughout the *pandal* and it is in public records that the entire audience from one end of the *panda* to the other heard the “Bande Mataram” song sung by the Poet distinctly.

Shri S. M. Banerjee: Because people were more orderly then.

Shri C. K. Bhattacharyya: Yes, there was no opposition. I wish that that record had been kept and preserved for ourselves and for the world. Unless an attempt is made now, everything will be lost. I understand that a copy of the “Bande Mataram” record sung by the Poet is preserved in the family of H. Bose of H. Bose and sons which first recorded his songs. But unless somebody moves to secure that copy and make a reproduction, I am afraid, that record will also be lost either today or tomorrow.

I may mention another incident here. In a function in which Sir Surendranath Banerjee met Shrimati Sarojini Naidu, he told Shrimati Naidu, “Yourself and myself are Bengal's gifts to India.” What did he mean? He meant the cultured voice that they had which captivated lakhs of people and which enthralled the audiences. But is there any chance of hearing the oceanroll oratory of Surendranath Banerjee or the musical eloquence of Sarojini Naidu which earned for her the name of Indian Bulbul from Mahatma Gandhi? There is none.

To bring my point home I have referred only to some illustrious sons of India. I could have referred to a host of others, particularly in the field of drama and music. I wish, a collection could be made all over India as to

the number of records that were made and that have been lost. But that requires time and I leave it to the Ministry of Scientific Research and Cultural Affairs to do that. What valuable treasures of voice recordings have been lost because there has been no legal provision for compulsory collection of records! It would have been in the fitness of things if the Government itself had sponsored a Bill like the one that I am moving today. These are national treasures and these should be preserved. Why should the Ministry of Scientific Research and Cultural Affairs not take upon themselves the task of collection of these treasures as one of their important functions?

It is not my purpose to ask them to keep a collection of all the records that are produced everywhere in India. They might make a periodical sifting and preserve those worth preserving and cast away the others. But unless they get copies of all the records that are produced in India by compulsion under the law how are they to know what are the records that have been lost, what are the fine records that should be preserved and are lost because there is no arrangement for collection of records? The question of space need not worry the Government. These are the days of tape-recordings. If tape-recordings are made, quite a large amount of material could be accommodated in a comparatively small area of space. Even if they preserve all the records that are produced in India, they could find the space. I would like that all the records are preserved because there is no knowing which record will be required at what time, which figure will come up as a prominent figure of music and culture and at what time. Even about some of the well-known musicians whom we heard only the other day, the records cannot be had because they were not preserved.

I now make one or two suggestions to the Government. Let them

accept the provisions of the Bill. They should make it compulsory for the producers of gramophone records to submit a copy to the Government. At the same time, let them issue an appeal to the public that those who might have the old recordings should give them to the Government for their use so that tape-recordings might be made of them and that the records will be returned to them. These are the two suggestions that I make to the Government and I request the Government to accept them.

Mr. Deputy Speaker: Motion moved:

"That the Bill further to amend the Delivery of Books and Newspapers (Public Libraries) Act, 1954 be taken into consideration."

We have still got half an hour left.

Shri Hari Vishnu Kamath: Let 5 to 7 minutes be given to each Member.

Mr. Deputy Speaker: All right; 5 minutes to each Member. The Minister must also be given some time.

Shri Prabhat Kar (Hooghly): Mr. Deputy-Speaker, Sir, so far the Bill is concerned, the suggestions made by Mr. Bhattacharyya, the purpose of it, I am quite sure they cannot be objected to by the hon. Minister. The point that he has raised today is that because the whole recordings were in the hands of the private sector and they were moving only out of the profit motive, and as you know today the whole thing goes by the Box-Office hit, the records were not maintained. Naturally, when it was found that a particular record was asked by the customers, they had not kept a record of those discs and as a result many of the sounds of the old masters or the speeches of the old masters have gone out circulation and also the originals have been destroyed. Today it is admitted on all hands that because of the better scientific technological

[Shri Prabhat Kar]

apparatus, we are in a position to keep recorded speeches of various musicians. It is a tragedy that the old records are not available. Today, we find our artists like Sarodist? All Akbar Khan and Ravi Shanker are going round the world and proving how melodious our music is. But so far as the masters of the old days are concerned, their records are today to be found and naturally it is being felt that these records should have been kept at least by the Government to tell the world that these are the disciples of the old masters who perhaps had given rather a better recital of music. We find today there is none. I am quite certain that the present-day musicians will be lucky enough to have all their records kept in order. We would like to know what efforts are being made in this direction. I know about one of the old families, as was referred to by Shri Bhattacharyya about the Bose family, who are already very much connected with the film world. Many of their present generation members are film directors in Bombay and in Calcutta. One for example is the famous Director Satyajit Ray who comes from that family. I am quite sure if the hon. Minister tries, he will be able to get hold of all those records and get tape recorded and have them kept in the National Archives.

I was just discussing with him about the various old records, about the acting of the great actor Amrendranath Dutta or Dani Babu who was a giant of the Bengal stage. We have heard the records, but now they are not being found out. What we suggest now is that hence forward efforts should be made to preserve all the records. We do not know exactly which of the records, which of our artists will become world famous. If the records are given to the Ministry of Scientific Research and Cultural Affairs, they will be able to keep the recordings and whenever required, they can play back to the nation. I welcome that sugges-

tion and I am quite sure, knowing fully well the hon. Minister has love for Indian art and culture he cannot disagree with his suggestion. Technically, I do not know whether this Act can be amended in this manner. That is a completely different thing. But about the purpose with which Mr. Bhattacharyya has moved this Bill, there cannot be any difference of opinion and I hope it will be accepted by the Government.

With these words, I welcome the Bill.

Shri S. M. Banerjee: (Kanpur): Mr. Deputy-Speaker, Sir, I welcome this Bill from the very core of my heart. In the Statement of Objects and Reasons, my hon. friend Shri Bhattacharyya has mentioned the old records of recitations, speeches and music by Rebindranath Tagore, Mahatma Gandhi, Faiz Khan, R. C. Boral and others. He has mentioned certain recitations by the great poet Tagore himself. It is true those records are not available from any gramophone company. They are not available. At that time, when the great poet sang the song of love and devotion, there was no tape-recording. It is high time that these records should be tape-recorded so that we are able to maintain them for our future generation also.

I take this opportunity in mentioning the other names who are supposed to be the pillars of classical music: Ustad Faiaz Khan and his record is still available; then Abdul Karim, that great musician and his songs are not available to us. What about Karamat Khan who used to sing Drupad and Dhumar? His record is not available. What about the gramophone record of that Vichitra-veena by Abdul Aziz Khan? Few records are available. It is very difficult to get those records.

An Hon. Member: Saigal.

Shri S. M. Banerjee: Saigal came late. I am talking of music which

is purely Indian music. The Tagore music is our own, is our country's music. Tagore sang for the tolling millions and also for those people who believe in devotion and love.

Of course, among Tagore's songs, there were revolutionary songs also. He gave food for everyone in this country.

Dr. Ranen Sen: The National Anthem is Tagore's.

Shri S. M. Banerjee: Apart from the National Anthem, I feel that
 15 hrs.

Tagore has given everything to this country, and that is entirely ours, and we have given it to the world.

In exactly the same way, there are also those great songs of Abdul Karim Khan, Ustad Faiyaz Khan and also that great musician Vishnu Digambar who used to sing all *ragas* and *raginis* only in one *dhun*, namely, *Raghupatiraghava raja ram*, *pateeta pavana Sitaram*. I have been him sing those songs; I was so young at that time, and I was in Lucknow when he used to teach his son Paluskar all *ragas* and *raginis* and by reciting only one line, namely *Raghupatiraghava raja ram*, *Pateeta pavana Sitaram*. Where are those records today? Those records are not available to us. It is a tragedy in this country that we are unable to preserve our treasures well. We are now switching over to the other things, such as folk songs etc. But what about our treasures? What about those things of which we feel so proud?

I wish that our Minister who really as a love for literature, or songs and for other things and who has really got an aesthetic sense will kindly rise to the occasion and accept this suggestion and this amending Bill of Shri C. K. Bhattacharyya, and I hope that he will not take shelter under any technical objection. Those speeches and those recitations should

be preserved for our future generations. And I am sure that this Bill which has been brought forward by Shri C. K. Bhattacharyya will be passed unanimously by this House without any amendment and without any contradiction or controversy.

Shri Hari Vishnu Kamath (Hosangabad): I have great pleasure in supporting the Bill moved by my hon. friend Shri C. K. Bhattacharyya, and I have no doubt whatsoever in my mind that the Minister in charge, namely the Minister of Scientific Research and Cultural Affairs, combining in himself as he does the sensitive mind of Humayun and the poetic soul of Kabir, will see his way to accepting the Bill in principle and bringing forward a Bill of his own, if this Bill does not satisfy the requirements of the situation, in good time, sooner rather than later.

May I add just one little suggestion of mine to what Shri C. K. Bhattacharyya and hon. friends from this side of the House have said? And it is this. Many names, great and famous in our millennial history have been mentioned on the floor of the House. We have a shining galaxy of great men, great in every field, philosophy, literature, music, culture, poetry, mysticism and also politics, and also those great ones, those great leaders who along with Mahatma Gandhi and others have lifted politics to a higher plane, as a result of which politics has almost been sanctified and spiritualised. Among that galaxy, I am sure all my colleagues here would racken the names of Lokmanya Bal Gangadhar Tilak and Netaji Subhas Chandra Bose. It would ill become us who have reaped the harvest of freedom to forget those two great leaders who have fought so well and so truly, so gloriously and so valiantly for the freedom of our country. I would, therefore, appeal in all sincerity and with all earnestness, to the Minister and to my colleagues on both sides of the House, to add their voices to the voices that have already gone before, and make a supreme and

[Shri Hari Vishnu Kamath]

vigorous appeal to the Minister and to Government to ensure the preservation of the records of the speeches, the great orations, the inspiring orations delivered by Lokmanya Bal Gangadhar Tilak and Netaji Subhas Chandra Bose, if they had been recorded in the past. I am sure that Netaji Subhas Chandra Bose's orations have been recorded. I am not quite sure about Lokmanya Bal Gangadhar Tilak's, but about Netaji Subhas Chandra Bose's speeches and orations I should like to say a few words.

This question was raised in the First Lok Sabha more than once. Dr. Keskar, the then Minister of Information and Broadcasting, told the House that attempts were being made to secure the recorded speeches of Netaji Subhas Chandra Bose when he was Congress President as well as when he was the president of the *Arzi Hukumat-e-Azad-Hind* and the supreme commander of the *Azad Hind Fauj* in South-East Asia and till that day, when after liberating a part of our sacred soil from foreign occupation he had to retreat unfortunately from the field of battle. During that heroic period, many speeches were made in India when he was president of the Congress. A gramophone company, I think, Young India Gramophone Co. or some other company, sent me two records of his speeches, made by him when he was Congress president; that was last year or about two years ago. They showed me those records and also played them. I wonder whether Government have got them in their archives and have taken the necessary steps to preserve them.

Also, there have been many orations, many speeches, heart-inspiring speeches and heart-warming speeches, made by him when he was in Berlin as well as when he was in South-East Asia, and I have no doubt that almost all those speeches were recorded, and they were heard also in our own country. The least that Govern-

ment can do is to preserve the memory of such a great hero and great leader of *Bharatvarsh*, would be to obtain those records. Dr. Keskar assured us that some records had been obtained. I would like the hon. Minister to tell us what records were obtained, and how many had been obtained of the speeches made by Netaji Subhas Chandra Bose, and what attempts have been made by Government or are being made by Government to obtain the other records of the speeches made by him in Germany and in South-East Asia, and what attempts are being made by Government to preserve them for posterity and for history.

Shri Sarjoo Pandey (Rasra) rose—

Mr. Deputy-Speaker: I am sorry. There is no time. I am calling the hon. Minister now. If there is time, I shall give him an opportunity.

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): I am sure that every Member of this House will have sympathy with the objects of this Bill. The purpose is one which can be accepted without any hesitation, and not only so, but one which has already been accepted. In fact, we have in the last few years been taking action in this direction. But it is an entirely different matter, so far as the Bill is concerned, and I am afraid that with regret I have to oppose this Bill on both legal, administrative and practical grounds.

In our view, this Bill is bad in law, and administratively it is unpractical and further, it is unnecessary, and I hope to convince the House on all these three points.

Legally, it is not a Bill which can be considered by Parliament for the reason that production of gramophone records clearly relate to entry 27 of the State List, and as such it cannot be a subject for legislation in Parliament; it is a purely State subject.

if the articles covered by entry 27, exempted by entry 33 of Concurrent List can alone come before Parliament, Parliament has not enacted, nor has there been ever any suggestion that the manufacture of records should be brought under entry 33 of List III.

The object of this Bill as has been enunciated by my hon. friend Shri C. K. Bhattacharyya is to require every manufacturer of gramophone records to deliver a number of copies of every record to specified public libraries. In other words, this will have a direct bearing on the production, supply and distribution of goods as defined in the State List, and this, as I mentioned just now, is not in entry 33 of the Concurrent List. Therefore, this is a Bill which relates to a subject which is within the exclusive competence of the State Legislature.

That is not the only legal defect in the Bill. Shri Bhattacharyya seeks to circumvent this by saying that gramophone records are books. He read the definition of 'book' in which certainly sheets, lithograph sheets, are included, but by no stretch of imagination can we refer to a gramophone record as a book. The gramophone record may be of a speech, or of music or of any kind of noise. There are records of sounds of birds, there are records of animal noises in the forests, all kinds of things. To regard these as books would completely violate the spirit of language. You will remember that the Supreme Court has again and again held that while we should give a liberal interpretation to a word, it should not be such as to attract the epithet 'fantastic'. To describe gramophone records of every type as books would, I think, come within the mischief of that description or the Supreme Court.

Then again, Shri Bhattacharyya wants that the manufacturer of a gramophone record should be described as a publisher. Here again I think it is isolation of language. By no stretch of imagination, can you say that the manufacturer of a record is the publisher of book. For these reasons, on legal grounds this Bill has to be opposed completely.

It is also both unpractical and unnecessary. In his objects and reasons, he has said that he wants that the voices of eminent personalities should be preserved including great masters of music. Under the Bill as he has drafted, six copies of every single record will have to be submitted. What are you going to do with these? We find that in 1961 and 1962, there were about 4 million records issued each year, perhaps four or five thousand titles. We have not gone into the list of titles. Many of them are quite frivolous things—film music and various types of things which will not last beyond one season, let alone anything else. Therefore, to require libraries in different parts to the country to clutter up their space with all these things this kind of what I may be permitted to call rubbish would be quite undesirable. Whatever is valuable is being preserved. Therefore, in a way, the object of the Bill is already served.

We have passed a Bill requiring that books should be sent to libraries. Already the libraries are finding it very difficult. Nevertheless, we are pursuing with it. Till that position has been consolidated, to undertake something additional would be undesirable.

Then I would submit the Bill is unnecessary because already action has been taken. I mentioned earlier that the Sangeet Natak Akademi has been engaged in the last 3 years in preserving these things. So far as things which have already disappeared are concerned, nothing can be done. This Bill is not going to bring us the music of Tansen or the music of the great

[Shri Humayun Kabir]

masters who lived before the gramophone records or taperecording was known. That applies to every country. Shri S. M. Banerjee said that unfortunately it is only India's loss. I do not know where he got that information, because this applies to all countries of the world. Every country has lost the music of its great musicians in the past. But as I said, the Sangeet Natak Akadami is now going all out to arrange for special programmes for recording and we are building up an archive of taperecords to preserve whatever is worth preserving. We also consulted the Ministry of Information and Broadcasting. Shri Kamath himself mentioned that Dr. Keskar gave an assurance that whatever was possible would be recorded and kept. We have received form that Ministry a report that they are proceeding with that; they are collecting whatever is feasible. This is what they have said:

"All India Radio is at present doing whatever is possible to collect, process and preserve recordings of eminent personalities and old masters".

It has therefore to be selected. In this, we will do all that is necessary. I think that any compulsion in this will be unnecessary and undesirable. Compulsion means getting everything. Then who is going to select?

Shri Hari Vishnu Kamath: Appoint a Committee.

Shri Humayun Kabir: Then that Committee will have nothing to do except to listen to records, because 4 million records are produced every year and the number of speeches in India is legion. If we excel in any one trade, perhaps it is the trade of making speeches.

Shri Hari Vishnu Kamath: Let it be a parliamentary committee with the Minister as Chairman.

Shri Humayun Kabir: We have already set up machinery. All India Radio and the Sangeet Natak Akadami are trying to preserve whatever is worth preserving.

I shall be most grateful to Members if they bring anything they come across to our notice. For example, I am grateful to Shri Bhattacharyya for mentioning the records which exist with Messrs. H. Bose and Sons. He also mentioned about some records which are with the Mysore family. Shri Kamath mentioned about some records available with Young India company. We shall try and see that whatever is worth preserving will be preserved by AIR and the Sangeet Natak Akadami.

Therefore, this draft Bill is bad in law, as it encroaches into the preserve of the State legislature. It is administratively unpractical as it involves cluttering up libraries with all kinds of records. It is also unnecessary because the work is already being done. I can assure you that we shall make every effort to see that nothing of value which is worth preserving is lost. In these circumstances, I regretfully oppose the Bill.

Some Hon. Members: Do not withdraw the Bill.

Shri C. K. Bhattacharyya: The hon. Minister has mentioned that the Bill is unpractical, unnecessary and not within our competence. All these 'uns' I have heard, but he has not given me that particular assurance I wanted. What is he doing to prevent the destruction of records?

Shri Humayun Kabir: I have already said we are taking every step. If my language is not understood, I am very sorry. I said more than once that the Sangeet Natak Akadami and AIR are making every effort to collect, preserve and to process wherever necessary, whatever is available.

Shri Umanath: That is a standing declaration.

Shri C. K. Bhattacharyya: That is all voluntary. There is nothing in the land to prevent a gramophone company from destroying the original of Shri Humayun Kabir's records tomorrow.

Shri Humayun Kabir: Let them do it.

Shri C. K. Bhattacharyya: As to his argument that it is bad in law, my contention is this. He has objected to the connotation of 'book', that I extended the meaning of 'book' beyond reasonable connotation. My contention is that it is the business of legislation to define the terms covered by the Act. I hold that the interpretation of the term 'book' as given in my amending Bill is perfectly correct and in order and within the scope of the Constitution and therefore, within the legislative competence of Parliament. The second objection is that it relates to the State List and the Centre cannot come in. To that my reply is this. If the provisions of the Bill, when enacted and brought into operation, become relatable to entry 33 in List II, the same must also have happened in the case of the parent Act. The Bill merely provides that gramophone records must be supplied to certain libraries. The provisions of the Bill do not interfere in any way with the States' rights over theatres, and dramatic performances, cinemas subject to the provisions of entry 60 of list I, sports, entertainments and amusements—that is the description given in item 33—otherwise, the same might have been said of books meant for dramatic performances or musical entertainment, etc. The Central Government demands books to be delivered to them even though books of dramatic performances may also come under item 33 because they relate to theatres. So, records do not come under the item when they relate to "Theatres etc.", books do not come when they relate to "Theatres, etc."

Shri Humayun Kabir: He is forgetting the provision of item 39 in the Concurrent List which specifically mentions newspapers, books and printing presses.

Shri S. M. Banerjee: Let us hear the Attorney-General on this. Shri Kabir is not a legal expert.

Shri C. K. Bhattacharyya: Therefore, the interpretation put on the provisions of the Bill is too far-fetched to be real. If the provisions of the Bill become relatable to entry 12 in the State List, what about the principal Act? Provision is there for delivery of books to public libraries. Does it not then contravene the provisions of the Constitution. If it can be provided for delivery of books to public libraries, it can also be provided for delivery of gramophone records to public libraries. These are also national treasures. That is my contention. That is where I want the Minister of Culture to come in.

Mr. Deputy-Speaker: Does he wish to withdraw the Bill?

Shri C. K. Bhattacharyya: I do not want to have it put to vote. I withdraw it with your permission....

Some Hon. Members: No, no.

Shri C. K. Bhattacharyya: ...with this assurance that I am bringing it again obviating the objections that the Minister has raised. I shall take note of his objections and bring it again in a form to which he cannot take any objection.

Mr. Deputy-Speaker: Has he the leave of the House to withdraw his Bill?

Some Hon. Members: No.

Mr. Deputy-Speaker: Then I put the motion to the House.

The question is:

"That the Bill further to amend the Delivery of Books and Newspapers (Public Libraries) Act, 1954 be taken into consideration."

[Mr. Deputy-Speaker]

Those in favour will please say "Aye".

Some Hon. Members: Aye.

Mr. Deputy-Speaker: Those against will please say "No".

Some Hon. Members: No.

Mr. Deputy-Speaker: The Noes have it.

Some Hon. Members: The Ayes have it.

Mr. Deputy-Speaker: Those in favour will please stand up.

Shri S. M. Banerjee: It is the usual practice to take a vote. Our people are not here.

Some Hon. Members stood in their seats.

Shri Hari Vishnu Kamath: No whip. You may also stand up.

Mr. Deputy-Speaker: No canvassing on the floor of the House. There are 17 Members in favour. Those against may now please stand up.

Some Hon. Members stood in their seats.

Mr. Deputy-Speaker: The House is overwhelmingly against the motion. It is lost.

The motion was negatived.

15.22 hrs.

CONSTITUTION (AMENDMENT)
BILL (Amendment of article 368)
by Shri Hari Vishnu Kamath

Shri Hari Vishnu Kamath (Hosangabad): I beg to move:

"That the Bill further to amend the Constitution of India be taken into consideration."

My Bill, Bill No. 14 of 1963, seeks to so amend the Constitution that future

amendments to the Constitution will be possible only when they are necessary in the national interest, and not for partisan ends. I have said in my Statement of Objects and Reasons:

"While the Constitution need not be regarded as a rigid, sacrosanct document, yet its amendment should not be resorted to lightly. Any amendment of the Constitution should subserve not narrow partisan ends, but genuine national interests and social justice."

If this fundamental basis for amendment of the Constitution is accepted, as I have no doubt it will be accepted by my colleagues on either side of the House, then I fail to see why my colleagues here should not lend their wholehearted support to the Bill before them.

May I submit that the relevant article 368 falls into two parts: one relating to the procedure for passing a Bill amending the Constitution and the other dealing with certain further requirements before it can finally become law? It is too late in the day to remind my colleagues that the Constitution is the basic law of the land, not an ordinary statutory law, and therefore it is in the fitness of things and absolutely essential that it should not be tinkered with, tampered with or amended in a lighthearted manner to subserve party ends only, and such danger at the hands of the ruling party is all the more now when an organised opposition is emerging in the country, an organised opposition which I hope, and I am confident, will serve as an effective challenge to the ruling party in the very near future. There is the danger that with the majority that they have got today, a bare two-thirds majority or four or five Members more than that perhaps, they may in the next four years try to amend the Constitution so as to subserve their party ends when any provisions of the Constitu-

tion are declared null and void or *ultra vires* by the Supreme Court.

15.27 hrs.

[DR. SARAJINI MAHISHI *in the Chair*]

Our Constitution has been patterned or modelled, as the House will remember, mainly on the unwritten Constitution of the United Kingdom and the written Constitution of the USA, though other Constitutions also have had some influence. The US constitution which is a written constitution has been amended only 22 times since 1787, that is in more than a century and a half, but in our country, perhaps to keep up with the fast pace of modern times, we have had 16 amendments in 13 years, and the seventeenth is coming up in the fourteenth year of our Republic, and we do not know how many more are in store next year. Soon after the first world war it was described as a war to end wars. Similarly, my amendment is not exactly an amendment to end amendments, but to make them difficult in future.

In the Constituent Assembly the debate on this article, article 304 at that time, ranged wide and covers 30 pages in the proceedings, and Dr. Ambedkar, when he replied to the debate, made a few wise observations. I would like to read them to the House today because they are relevant and so important.

He said:

"In fact, the purpose of a Constitution is not merely to enable the organs of the State but to limit their authority because if no limitation was imposed upon the authority of the organs, there will be complete tyranny and complete oppression. The legislature may be free to frame any law, the executive may be free to take any decision, and the Supreme Court may be free to give any interpretation to the law. It would result in utter chaos. I have not

been able to understand why when it is said that the Constitution must be made open to amendments by a bare majority."

He was opposed to the principle of amending the Constitution easily and making it too flexible. In some other countries like Switzerland, Japan, Ireland or Eire,—the Irish Free State,—before an amendment of the Constitution the people have a national referendum or a plebiscite. Similarly, I had suggested—and I was supported by some Members of the Constituent Assembly in this regard—that a referendum should be held in the case of an amendment of the Constitution of our country also. Failing that, I had suggested that there should be an interval of at least six months between the introduction of an amending Bill in Parliament and its consideration stage, so that the people would have sufficient or enough time to study the provisions of the amending Bill and record their opinions in a suitable manner for the benefit of Members of Parliament. Unfortunately, neither of the suggestions was accepted by the Constituent Assembly, and ultimately the article was passed as we see it today in article 368.

Pandit Jawaharlal Nehru had tabled an amendment to that article—the then draft article 34. But unfortunately that was never moved by him. It was only tabled in his name. I had referred to it in the course of my speech in the Constituent Assembly. If that had been moved, many of the difficulties might have been obviated. I had requested the Library to let me have a list of draft amendments which had been submitted to the Secretariat of the Constituent Assembly, but some of which were not moved. I have not been able to get them or lay my hands on that amendment which was in the name of the Prime Minister—of course he was not the Prime Minister then,—Shri Jawaharlal Nehru, but he did not move it. I wish that amendment had been moved as I said then and as I say today; but as it was not moved,

[Shri Hari Vishnu Kamath]

I tried to move my own amendment at that time but it was not accepted.

Coming now to the other aspects of this matter, may I briefly submit to the House that in our time, since 26th January, 1950, when the Constitution was finally promulgated and adopted by the people of India, as I said, we have had 16 amendments in 13 years. About some of the amending Bills we had honest doubts, whether they were quite necessary and whether the ruling party was not bringing forth those amendments just to get round or circumvent the decisions given by the Supreme Court and things of that sort. It must be obvious and clear to the meanest intelligence that if a Bill to amend the Constitution subserves the higher national interests, the national good, the real, genuine good of the people, it would be supported. There is no doubt in my mind that it will be supported by all sections of the House, whether it is the Congress Party or any other Opposition party in this House; we will support it if it genuinely subserves the national interest and national ends. The ruling party, faced with difficulties of all kinds inside and outside, may bring forth certain amendments which they can get through merely with a majority of two-thirds. At present they have a majority of two-thirds. I wish to ensure that no Bill is passed by the House just to subserve the narrow, sectarian, selfish party ends. I am sure that in this matter which intimately is connected with national good, national interests, you in your heart, as also my colleagues will agree with me that the Constitution should not be amended except to subserve the national ends, or aims. No Bill should be brought before the House in a casual, lighthearted, cavalier fashion. May I therefore, submit most earnestly that the majority that has been provided, the requirement of article 368, is likely not to serve the ends I have in view. Therefore, I

wish to make it a little more difficult to amend that in future. I do not wish to make it rigid.

My Bill seeks to enhance the simple majority to two-thirds and the two-thirds majority to three-fourth. That is to say, if it is accepted, no Bill to amend the Constitution can be passed by Parliament unless and until it secures a majority of 367 Members of the House. At present half the strength come to 254 or 255 perhaps in a House of about 510. I am speaking only about the Lok Sabha; I do not know what the position is in the Rajya Sabha. In the Lok Sabha it must secure the support of 366 or 367 Members and also the support of three-fourth of the Members present and voting. I do not intend to make an amendment impossible, but I want to ensure, and I am sure the House wants to ensure, that no Constitutional amendment should be made merely to promote party ends. Therefore, I have moved this Bill that stands in my name and I commend it wholeheartedly for the acceptance of the House.

Mr. Chairman: Motion made:

"That the Bill further to amend the Constitution of India be taken into consideration."

Shri P. K. Deo (Kalahandi): Mr. Chairman, while fully supporting the non-official Bill of my hon. friend Shri Kamath, I would like to make a few observations, and also quote from the debate of the Constituent Assembly in which he took a leading part. In regard to the relevant article, in the Constituent Assembly, I know how anxious Shri Kamath was to have a wholly flexible Constitution. While moving certain amendments to this article, he had observed thus:

"...they will at once realise the need for flexibility of a Constitution. . . . If we have made several alterations like this within less than a year, how on earth do you propose or do you dare to

bind and fetter the future Parliament by making this more and more rigid than before?"

Most probably, Shri Kamath at that time, in his youthful, passionate attachment towards some ideological dogma said this. But now he has become much wiser and has come forward with a very sensible Bill which I hope will get the support from both sides of the House.

In this regard, I would like to point out that a study of the various amendments that have been effected to our Constitution reveals that on two grounds the Constitution has been amended: either to circumvent some adverse decision of the highest judiciary in this country to suit their own partisan ends or to give some practical shape to the whims and fancies of the Executive. It is very nice on the part of Shri Kamath to have pointed out how within a short period of 13 years we have amended our Constitution 16 times and how the American Constitution in a period of more than 150 years has been amended only 22 times. But he has not pointed out even a single instance where he has differed from the amendment that has been effected to our Constitution.

In this regard I would like to point out the first and fourth amendments of our Constitution which have made a vital change in Part III of our Constitution which deals with fundamental rights. Here I would like to quote Sardar Vallabhbhai Patel who was the Chairman of the Fundamental Rights Sub-Committee of the Constituent Assembly who strongly held the view that the right of ownership of land was sacred to the peasant and any interference with that would be loot and robbery and would produce chaos and anarchy. In spite of the solemn pledge given to the country by Sardar Patel, the Chairman of the Fundamental Rights Sub-Committee of the Constituent Assembly, we see before us the amendment which is going to be the Seventeenth Amendment of the Constitution to give shape

to something impracticable and something ideological. It has got absolutely no basis with either reality or equity or justice. In the Seventeenth Amendment the whole concept is that the ryotwari system is going to be considered to be an intermediary and by the abolition of the intermediaries all the tenancy rights will be taken away. It virtually means expropriation. I do not like to deal in detail with this aspect on the question of the Seventeenth Amendment because it is coming before this House and then we will have greater scope to speak on it.

But I would like to point out how the first and fourth amendments which have been given effect to have completely changed the very concept of fundamental rights that the framers of our Constitution envisaged and pleaded for. This Constitution was drafted and given effect to on the 26th January in 1950. Within 15 months the first amendment was brought in affecting article 19 and article 31 of the Constitution which guaranteed the right to all citizens without any discrimination to practise any profession, to carry on any occupation, trade or business and to acquire, hold and dispose of property. These rights if infringed by the executive authority were to be justiciable in a court of law. But, Madam, this amendment was brought in and passed by the brute majority of the party in power, to give effect to the socialist expropriation of the right over property in this country which was so solemnly guaranteed in the Constitution. The Government draws its authority from the Constitution. We all have taken the pledge to uphold the spirit of the Constitution. It is that very Government which is the first to break it. Article 13 of the Constitution clearly says that the States should not enforce such laws as go contrary to the spirit of the Constitution. But the very framers of the Constitution, most of whom are now in the party in power, lost no time in bringing in such an amendment by which they completely uprooted the very principles, the very solemn pledges that they gave to the

[Shri P. K. Deo]

country. These amendments were passed to facilitate the socialist expropriation and, I would say, to lay the foundation of a Communist country and also to take away the right of the people to fight for their right in a proper court of law.

All these amendments make very painful reading, and it is high time that we frame our law in such a way that amendment of the Constitution does not become a child's play.

Dr. M. S. Aney (Nagpur): Is it not too late?

Shri P. K. Deo: It has to be made more rigid and it has to be made more difficult. That is why the present Speaker of this House, Sardar Hukam Singh and Maulana Hazrat Mohanj did not sign the Constitution probably thinking that all the fundamental rights guaranteed in the Constitution were of no use.

I would like to point out, Madam, that this Bill is a very timely one and Shri Kamath has rightly pointed that the way in which a constant encroachment on our fundamental rights has been going on because of the brute majority of the party in power is a very serious one. Therefore, we should all support this Bill and have it passed.

श्री सरजू पाण्डेय (रसड़ा) : सभानेत्री महोदया, यह जो अमेंडमेंट कांस्टीट्यूशन का आया है, इसको देख कर मुझे आश्चर्य हुआ है। मेरी समझ में नहीं आया है कि आखिर इसका मंशा क्या है। मैं समझता हूँ कि जैसे जैसे हमारे देश की चेतना बढ़गी, वैसे वैसे समय समय पर संविधान में संशोधन भी हमको करने पड़ेंगे। इसवास्ते इस तरह की रोक लगाना कि जब तक तीन चौथाई बहुमत किसी संशोधन के पक्ष में न हो तब तक संविधान में संशोधन न किया जाए, गलत बात होगी और यह नहीं होना चाहिए। जो संविधान बनाये जाते हैं, उनमें समय समय

पर संशोधन करने की भी जरूरत पड़ती है। झगड़ा इस बात का नहीं है कि संविधान में क्यों परिवर्तन किया जाता है, झगड़ा इस बात का है कि जो संशोधन किया जाए वह जनता के हित में होना चाहिये। जो कायदे कानून हैं, उनको इस तरह से सुधारा जाना चाहिये जिससे अधिक से अधिक गरीब जनता को लाभ पहुंच सके। एसी हालत में मैं समझता हूँ कि अगर इस तरह के संशोधन को मान लिया जाए तो बहुत से जो काम हैं, ब रुक जायेंगे। अगर इसको मान लिया जाये जो १७वां संशोधन संविधान का जो आ रहा है, उसमें भी एकवाट पैदा होगी।

ताज्जुब की बात है कि इस तरह का संशोधन ऐसे दल की तरफ से आया है जो अपने को गरीबों का हमदर्द और मददगार समझता है। यह बात कतई तौर पर गलत है, जो इस बिल में कही गई है। जिस तरह ने समाज में समय समय पर परिवर्तनों की आवश्यकता पड़ती है, उसी तरह से समय के मताबिक संविधान में भी संशोधन करने की जरूरत पड़ सकती है। इसलिए कतई तौर पर मैं इस विधायक का विरोध करता हूँ।

इसके साथ साथ मैं यह भी कहना चाहता हूँ कि संविधान के आज तक जितने भी एमेंडमेंट किये गये हैं, व सब रूनिंग पार्टी के फेवर में किए गए हैं और रूनिंग पार्टी अपने फेवर में उनको कर लेती है। मैं चाहता हूँ कि जब भी कोई एमेंडमेंट किया जाए, शासकीय पार्टी के हित में नहीं बल्कि जनता के हित में किया जाना चाहिये। अगर जनता के हित में इसमें तबदीली की जाती है तो यह अवसर बना रहना चाहिये कि जब जरूरत हो संविधान को तबदील किया जा सके। बहुत ही संविधान में एसी बातें हैं जिनसे हमारे देश की जनता को फायदा नहीं होता है। एसी चीजों को एमेंड करने की जरूरत पड़ेगी और अगर यह

रोक लगा दी जाएगी तो लाजिमी तौर पर उसके रास्ते में बहुत सी अड़चनें पैदा होंगी। किसी भी देश में कोई भी ऐसा संविधान नहीं बनाया जा सका है जो सौ बरस तक वैसा का वैसा कायम रहा हो और उसमें कभी तबदीली करने की जरूरत न पड़ी हो। उस तबदीली को रोकने के लिए ऐसी अगर संविधान में धारारें जोड़ दी जायें तो उससे जनता का हित नहीं होगा।

इन शब्दों के साथ मैं इस संशोधन का विरोध करता हूँ और आशा करता हूँ कि इस तरह के एमेंडमेंट को प्रेस करके हमारे प्रजा सोशलिस्ट लीडर जनता के अधिकारों को काटेंगे नहीं बल्कि जनता को अबसर देंगे कि वह समय समय पर इस तरह के संशोधन करने की शासन से मांग कर सके जो जनता के हितमें हों और शासन जनता को मांग का आदर करते हुए संविधान में संशोधन प्रस्तावित कर सके।

Shri V. B. Gandhi (Bombay—Central South): Mr. Chairman, what Shri Kamath, the mover of this Bill, is seeking to achieve is that our Constitution should not be capable of being amended light-heartedly, too often and also without sufficient reason. Now, we can all agree with this very reasonable position that Shri Kamath has taken. We can agree that while we want that the Constitution should not be treated as a sacrosanct document he wants to ensure that it is not capable of being amended light-heartedly.

He also says in the Statement of Objects and Reasons that Constitutions are capable of being used to subserve narrow partisan ends. I have been looking forward to find in Shri Kamath's speech some telling instance in this House where our Constitution has been made to subserve such ends. He has not given any instance. I am sure such an end has never been sought to be achieved in the case of our constitutional amendment.

Now, really speaking, whenever we talk of our Constitution, we naturally

try to compare it and its functioning with the functioning of other Constitutions, and in that context the one instance that usually comes to our mind is that of the American Constitution. Very often, precedents from the American Constitution are quoted. In fact, Shri Kamath gave us the information that in all the 175 years of the American Constitution, it was amended only about 22 times. That is actually a fact, and I know it. He also said that we in this House have amended our Constitution in the last thirteen years for about sixteen times. That too is a fact. But there is something else that we ought to understand about these constitutional changes, and it is this. It is natural and also inevitable that Constitutions should be required to be amended more often in the early years of their existence than in the latter years. After all, the American Constitution was made 175 years ago, at a time when the functions of Government were not what they are today. The functions of a modern government are so multifarious, so wide in scope. There are so many social ends that a modern government has to achieve and our Constitution is expected to serve that purpose. If my memory serves me right, the American Constitution was amended eight or nine times in the first eleven years. As I said, I am just relying on my memory, but I do remember that in the first nine or ten years that Constitution was amended several times over. Then, when the American Constitution got well settled, the occasions calling for constitutional changes became more and more rare.

Then, I think we have provided sufficient guarantees in our Constitution so that it will not be tampered with or changed light-heartedly. After all, one of the requirements for a constitutional amendment in India is that not less than two-thirds majority of members should support it. That is not the only condition. Because, it is quite possible to have a two-thirds majority in a House of, say, 60 members if 40 members vote for it. But

[Shri V. B. Gandhi.]

that is not the only requirement. There is yet another provision which says that more than half of the total membership of the House should support it. That is another requirement.

Shri Hari Vishnu Kamath: I want to increase it to two-thirds.

Shri V. B. Gandhi: As I said, it is there, and I am quite sure that for our present purposes this is quite an adequate guarantee that our Constitution will not be changed lightly. After all, Constitutions have to serve certain social ends; they have to be practical without being too rigid and without our making it too difficult to change when change is called for.

16 hrs.

Our Constitution has worked very reasonably. Our Constitution is quite practical and is also sensible as it is. I would rather touch the Constitution with great circumspection. It is a document that has proved its workability during the last 13 years, a very trying and formative period of our country's Constitution.

Constitutions, we know, are of course important, but what is more important are the people who are to work these Constitutions, the kind of regard that the people have for their Constitutions and the weight that they give to the preservation and getting the utmost out of the value of the constitutional provisions.

Shri S. M. Banerjee (Kanpur): Mr. Chairman, I rise to support the amending Bill moved by my hon. friend, Shri H. V. Kamath. While supporting this Bill I would like to make it clear that normally I am not opposed to any amendment of the Constitution if it is in the larger interests of the people of the country. In our country we have a written Constitution and it was very well argued in a particular case where

Shri R. K. Karanjia was involved that this Parliament is the creature of the Constitution and the Constitution in this country should be regarded as supreme.

But what happens in our country? Our Constitution which was drafted after due consideration after a marathon sitting was amended sixteen times in 13 years.

Shri Bade: Now the 17th amendment is coming.

Shri S. M. Banerjee: The 17th amendment is coming; it is still to be born. I have seen in this House during the few years of my tenure in this House how the ruling party takes advantage of its majority and tries to amend the Constitution against the wishes of the people. I may not be misunderstood if I try to raise a particular matter. In this House the Opposition was almost unanimous in opposing the amendment of the Constitution when it came to handing over of Berubari to Pakistan. There was a movement not only in West Bengal but throughout the country against it. People of the country never wanted to part with an inch of their land. I make bold to say that this decision of our Government was wrong. The decision about Berubari was taken on the basis of some wrong map and I still maintain that they should not have taken a decision about Berubari like that. What happened? It was opposed. Even the hon. Members belonging to the ruling party from West Bengal and other places were against it.

Shri Hari Vishnu Kamath: The hon. Law Minister has vanished.

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

Shri Hari Vishnu Kamath: He will take mental notes, I suppose.

Shri S. M. Banerjee: It is the tragedy of our country that the hon. Law Minister is not supposed to know the law.

Shri Bade: The hon. Law Minister is expected to be there.

Shri Hari Vishnu Kamath: It is a Constitution (Amendment) Bill.

Shri Nath Pai: Why is there this casual manner of dealing with this?

Shri Hari Vishnu Kamath: It is being treated in a lighthearted manner.

Shri S. M. Banerjee: If this amendment is accepted, that is, that there should be a three-fourths majority before any amendment of the Constitution is accepted, that will keep a better standard in Parliament. Secondly, it will also give a free hand to the Opposition Members to have their say in the matter. Today with the huge steamroller majority of the ruling party they can amend anything and I am sure that all amendments are not in the interest of the people of this country. They are not with a motive to move the country towards the goal of socialism. I can quote many amendments which were absolutely wrong to make and which were opposed tooth and nail by the Opposition. Still, the steamroller went on without the least consideration of the views of the Opposition parties.

Serious questions have been raised in the Supreme Court and nobody takes any note of them. Recently the Defence of India Rules have been challenged in the Supreme Court. The Attorney-General, in reply to a question asked of him by the presiding Judge as to whether rule 30 of the Defence of India Rules was constitutional, I am glad, came out openly and said that it is unconstitutional. He is an eminent jurist. I would like to know what the views of the hon. Law Minister are on this today. It may be argued that this matter is sub

judice, but under the same Rules 300, 400 or 500 people are being arrested in Bombay when the Attorney-General has clearly said that it is unconstitutional. I know, if the Defence of India Rules are declared *ultra vires* of the Constitution or are nullified by the Supreme Court, again there will be an amending Bill and the Constitution will be amended to suit the ends of the ruling party. That is why I support this Bill. If there is a majority of three-fourths prescribed for it, the Opposition will have a say in the matter.

Today the ruling party may have nearly three-fourths or at least two-thirds majority. But tomorrow it may be reduced to 50. That is not my worry. With the present policy that is being pursued by the ruling party, I am sure, it will be reduced further during the next elections and two-thirds Members will be this side or at least the strength will be 50-50 and the deciding factor will be somebody else. It is not wishful thinking; but I actually expect that because I know what is happening in the country. The sacred Constitution which was drafted after thoughtful consideration has become like an exercise book of a naughty boy which everybody can correct. That is wrong. I would appeal to the hon. Deputy Law Minister who is an eminent lawyer....

An. Hon. Member: He is not here.

Shri S. M. Banerjee: . . . and his friend who is taking notes—he also is a lawyer—to take note of this and accept this amending Bill.

They want to reduce further even the quorum. They want that 29 or 30 people are sufficient; that Nehru is equal to the country. It is just like that. That will not happen in this country. We will not allow that. We will not allow this steamroller to function like this.

Shri Ravinóra Varma (Thiruvella):
Not unless you are in the driver's seat.

Shri S. M. Banerjee: We shall give it a check and shall check it constitutionally. So, I would request that this House must consider it more seriously and objectively and then decide whether such an amendment should be accepted by the House or not and, I am sure, that this House will accept this amendment and try to protect this sacred Constitution from exploitation by the ruling party for their personal ends and nothing else.

Dr. M. S. Aney. Madam, the Bill that has been moved by my hon. friend Mr. Kamath deserves a very serious consideration in my opinion. After due consideration of certain circumstances and trends of events we have been able to see as regards the working of the Constitution during the last 15 years; almost all the speakers who have preceded me have said that our Constitution is being amended frequently. During the last 15 years, our Constitution has been amended 16 times and if this Bill is passed, this will be the 17th amendment. This amendment intends to make it difficult to change the Constitution. Apart from that, there is a tendency to change the Constitution when it is felt to be inconvenient.

Now, you take the list of Bills which are balloted every time. If you see that list, you will find that four or five or six Bills deal with the amendment of the Constitution. It is so even with the Private Members' Bills also. It is not only want of proper respect for the working of the Constitution on the part of the Government only but even private Members' Bills which are not sponsored by the Government have also the tendency to change the Constitution every day as it suits them.

Madam, every Member who comes to this House duly elected is called

upon, on the first day, to take an oath. What does that oath say? It says, "I shall be true to the Constitution". He has to be true to the Constitution as it exists today. But, then he changes the Constitution. Regard for the Constitution can be kept up by the people only if the Government has got a due regard for it. I am sorry to find things happening in this House in the name of conventions. In the name of conventions, many things are done which are simply staggering in my opinion. It is said: a convention has been created in this House. In spite of the clear wording of the provisions of the Constitution regarding quorum, a convention is being created in the House and the quorum is ignored. Bills are discussed, not only discussed but even voted upon. Even the divisions are ignored. Such things are done. By whom? By those who warn the people of this country to respect the Constitution.

If you look at the figures, out of hundred laws made in this House, I find about 40 or 50 laws are made when Mr. Aney and two or three other friends who probably are idle like myself sitting here, the Speaker and a few reporters are the only audience. It is the only audience and the Bill is gone through the first reading, the second reading and the third reading and finally it is passed into a law which we expect the whole country to respect and carry out properly in a spirit of loyalty. But the people who pass do it by departing from the procedure laid down in the Constitution. The Government passes a Bill like that, puts a seal on that and publishes it and it becomes a sacrosanct document. The people respect it. But let the Government know they do it out of fear. But real spirit which ought to invoke loyalty is wanting among the people because the people who make it have also got scant respect for the Constitution. That is one of the reasons. We find that our Constitution during a period of only 13 years has been changed 16 times. The

Constitution of America has been amended only 22 or 23 times in 150 years. My hon. friend Shri V. B. Gandhi—I have got very great respect for him—said that in the first few years more than eight amendments have been made in America also. It might be. I do not know. But more than one amendment per year is our record. That shows how the Constitution is respected. Whenever it becomes inconvenient to the Government, it comes with an amendment of the Constitution. I want to know why have special provisions been made in the Constitution itself about the amendment of the Constitution? That should not be played with like that. Those who framed the Constitution had certain ideology and philosophy. The administration of the country has to go on under certain ideals and on certain lines. But within a few years after their being fully firm in their position, whenever those who are in power found that their own ideals could not be easily carried out under the existing Constitution, they came in for amending the Constitution. The Constitution was changed very often. Who were the persons who framed the Constitution? They were those who fought for the liberation of the country from the alien rule. They were the persons who fought with a large majority in the Constituent Assembly to frame the Constitution with the guidance of Mahatma Gandhi, with the principles which were taught by him. There was some kind of an idea of a State that was to come into existence. But those who came into power, after three or four years, thought of their own ideas which they had been entertaining in their minds before they came into power even while they were fighting for the liberation of India.

Shri Jawaharlal Nehru had delivered three lectures in the year, perhaps, 1928—three lectures on "Whither India". In those three lectures all the ideologies which are now being gradually introduced in the name of socialistic pattern of society have been completely defined and he took Mahatma Gandhi to task at the time 802(Ai)LSD—3.

of delivering those lectures before the Banaras Hindu University students. He said, I use my own language, 'Is this the way in which the things are to be done, the principles are to be preached? This way these people will not progress at all. If we want to do something substantial for the nation, we have to change the ideals'. Those who came in power were fully conscious of it. He thought he must make an effort to introduce those ideals and try to give to India that pattern of perfection which had been there. It is this perfection which Jawaharlalji materialised at the Nagpur Congress session when he introduced those ideals in the name of socialistic pattern of society.

He wanted to make those ideals gradually familiar to the whole of India till he took a firm stand at the Nagpur Congress session. Our Constitution is being changed in order to make it easy for them, in order to make the approach to their ideals easy and in order to make the country march along those lines. That is the reason why the Constitution is being changed.

Therefore, though the Constitution has laid down that the majority has got the right to amend it, yet it appears that the intention is that Government should not easily tamper with it. And it is not only that, but the right to interpret the Constitution was also given to the Supreme Court. It was in fact recognised as one of the standing principles of the written Constitution. That is why the framers of the Constitution have created a tribunal and not left it in the hands of those who had to administer the country to interpret the Constitution in any way they like. They created some authority whose word had to be taken as final. And whenever their word has gone against the Government, immediately we have found that there has been a tendency on the part of Government to change the Constitution. Instead of trying to administer according to the interpretation given by the Supreme Court, they try to change the Constitution so

[Dr. M. S. Aney]

as to make it conform to the ideals which they have had in their mind. That is what we are finding.

The reason why Shri Kamath is bringing forward this amendment is this. So long as there is conflict, and so long as there are occasions for making changes in the Constitution, Shri Kamath feels that the Constitution may be changed, because, after all, the Constitution is intended for the people's good, but he wants that at least an effort should be made to minimise those occasions as far as possible. It is from that point of view that he has brought forward this Bill and tried to make the provisions for amendment of the Constitution tough.

I was very glad to find that he was candid enough to read out certain excerpts from the speech made by him when he was a Member of the Constituent Assembly. In the course of that speech he had stated that though he was agreeable to the amendment that was brought forward there at that time, he was making a valuable suggestion, and that suggestion was that if a Bill for amendment of the Constitution was brought forward, there should be a period of about six months or so which should elapse before the second step is taken for the promotion of that law. I think that there was a good deal of wisdom in that suggestion. I thought that he would stick to that old policy of his on this occasion also, and accept the necessity of giving full time to the people of India as a whole to consider the provisions of this Bill before he takes the next step with regard to this Bill. I thought that he would do that, but anyhow, he has brought forward this Bill straightway for consideration. I still feel that it should not be considered too late for the House to accept an amendment to the effect that the Bill may be circulated for eliciting public opinion thereon. Some such method should be found by which sufficient time should be given

to the people to consider the provisions of this Bill, and then only this Bill should again be brought forward before the House so that the House may consider whether these amendments are necessary or not. I think that some kind of tightening of the present provision is necessary but unless sufficient time is given to the people to consider the provisions, and unless they get adequate opportunity to do that, it would not be wise for this House to pronounce its opinion on this measure at once here.

Mr. Chairman: There are many Members who are desirous of participating in the discussion. So, I hope that each hon. Member who wants to speak will take only five to six minutes.

Shri Hari Vishnu Kamath: May I submit that as the Bill has evoked considerable interest, and it is an important Bill, the time may be extended for it? Under rule 292, you have got the discretion vested in you to increase it by one hour by taking the sense of the House. Otherwise, if you would permit me, I move formally that the time may be extended from 1½ hours to 2½ hours, because many of my colleagues want to speak on it. This has been done before also.

श्री सिंहासन सिंह (गोरखपुर) : जिस पक्ष की ओर से यह विधेयक आया है, वह आश्चर्य की बात है। आज हम एक प्रगतिशील समाज की बात करते हैं और हमारे कामत साहब उस प्रगतिशील में और भी प्रगतिशील होने का दावा करते हैं। लेकिन आश्चर्य की बात है कि इस विधेयक के द्वारा वह इस प्रगति को रोक रहे हैं।

हमने संविधान बनाया और इसमें परिवर्तन करने का अधिकार भी दिया। हमारे पूज्य अणु साहब ने कहा कि हम संविधान की यहाँ आकर शपथ लेते हैं और कते हैं कि हम संविधान का आदर करेंगे,

लेकिन साथ ही हम संविधान में परिवर्तन कर देते हैं। मैं अदब से कहूंगा कि इसी संविधान ने संविधान में परिवर्तन करने का अधिकार इस सदन को दे रखा है और संविधान का आदर करते हुए ही हम संविधान में परिवर्तन करते हैं। इसलिए जब हम शपथ लेते हैं संविधान का आदर करने की तो उसमें कोई व्यक्ति नहीं होता है। इस वास्ते शपथ भी सही है और परिवर्तन भी सही है।

यहां पर यह कहा गया है कि तेरह वर्ष में हमने सोलह बार संविधान में संशोधन किया है। आज अगर कामत साहब के इस संशोधन को मान लिया जाये तो इसका मतलब होगा कि हम एक बार फिर संविधान में संशोधन कर देंगे और जो १७वां संशोधन आ रहा है वह १८वां संशोधन हो जाएगा और इस तरह से तेरह बरस में १८ संशोधन हम संविधान में कर चुकेंगे।

हमारे संविधान का आकार बहुत बड़ा है। बाकी मुल्कों के जो संविधान हैं वे बहुत छोटे हैं। अमरीका का या रूस का या किसी और देश का जो संविधान है, वह इसके मुकाबले में बहुत छोटा है। हमारा संविधान बहुत लम्बा चौड़ा है और शायद अमरीका के संविधान में या किसी दूसरे मुल्क के संविधान में उतनी धारायें नहीं हैं जितनी धारायें हमारे संविधान में हैं। दीवानी से लेकर फौजदारी तक हर तरह का प्राविजन करीब करीब हम ने इस में कर रखा है। फौजदारी में जो मामले होते हैं, उसके बारे में हमने कइ रखा है कि कोई भी मुल्जिम चौबीस घंटे से अधिक समय तक पुलिस की हिरासत में नहीं रखा जा सकेगा। सम्मन कैसे सर्व हो, यह भी इसमें है। हमारा संविधान बहुत ही विस्तृत है। इसलिए जहां कहीं कमी दिखाई पड़ती है या गड़बड़ी दिखाई देती है, उसको दुरुस्त करना हमारा कर्तव्य हो जाता है।

हम सोशललिस्ट पैटर्न की बात करते हैं।

यह जो पैटर्न शब्द है, यह बहुत ही घातक शब्द है। पैटर्न क्या रहेगा, क्या नहीं रहेगा क्या होगा इसकी परिभाषा अभी तक नहीं हो पाई है। एक समय आ सकता है जब पैटर्न शब्द को निकाल करके, ढांचा शब्द को निकाल करके शुद्ध समाजवाद ही हम करना चाहें तो उस वक्त हमको संविधान में संशोधन करने की आवश्यकता महसूस होगी। अगर उस वक्त हम ऐसा नहीं कर सके, तो क्या होगा? समाज को आगे बढ़ाने के लिए, इसको प्रगति के पथ पर ले जाने के लिए, समाजवाद की ओर ले जाने के लिए हमें कभी न कभी परिवर्तन और परिवर्द्धन करना पड़ेगा। हमारे कामत साहब १६ तारीख को या उसके बाद जब बोलेंगे तो बड़े जोरों से हमला करेंगे गवर्नमेंट पर कि उसने दिखाई दिखाई है और समाजवाद की तरफ देश को नहीं ले गई है, इस काम को उसने तेजी से नहीं किया है और व देश को समाजवाद की तरफ और भी ज्यादा तेजी से ले जाना चाहेंगे। उनका संशोधन अगर आज स्वीकृत हो जाये तो संविधान में परिवर्तन नहीं हो सकेगा।

इसमें तीन चौथाई मंजूरिटी की बात कही गई है। मैं समझता हूं कि आज रूलिंग पार्टी से क्षमता है कि वह तीन चौथाई मंजूरिटी से किसी चीज को पास करवा सके। लेकिन समय आ सकता है कि किसी रूलिंग पार्टी के पास तीन चौथाई या दो तिहाई मंजूरिटी न हो। हम यह कल्पना नहीं कर सकते हैं कि हमेशा ही किसी रूलिंग पार्टी की दो तिहाई या तीन चौथाई मंजूरिटी बनी ही रहेगी। हो सकता है कि रूलिंग पार्टी की और विरोधी पक्ष की सदस्य संख्या में बहुत कम अन्तर रह जाए। उस समय अगर संविधान में संशोधन की आवश्यकता महसूस हुई तो बड़ी दिक्कतें होंगी। इसलिए अपोजीशन वाले अग्नेडमेंट के मार्ग से अडंगा लगायेंगे। आपने संविधान सभा में जब इस विषय पर विचार हो रहा था तो अपना संशोधन पेश किया था। उस समय प्रेसीडेंट ने आपसे प्रश्न किया था। किताब आपके सामने है

श्री सिंहासन सिंह

आपने ६ महीने वाला संशोधन रखा था। प्रेसीडेंट साहब ने आपसे पूछा था कि अगर आपका संशोधन मान लिया गया तो इस तरह आप संविधान के परिवर्तन में रुकावट डालेंगे और इस संविधान को रिजिड बनायेंगे। उस समय आपने जवाब दिया था कि मैं इसको रिजिड करना नहीं चाहता। उस समय आपकी यह इच्छा थी कि संविधान में परिवर्तन हुआ करें। इसलिए आपने जो संशोधन रखे थे उनको वापस ले लिया और जो ६ महीने वाला संशोधन था उस पर भी जोर नहीं दिया। उसके बाद जो दूसरे वक्ता बोले उन्होंने कहा कि संविधान में परिवर्तन की मुंजाइश होनी चाहिये। दो तिहाई की मंजूरिटी को इकट्ठा करने में ही काफी जोर पड़ता है।

सदन में आज दूसरे भाई बनर्जी साहब बोले। उन्होंने संविधान के एक परिवर्तन का उदाहरण दिया। यह परिवर्तन बेरूबाड़ी के सम्बन्ध में था। उन्होंने कहा कि इसका बहुत लोगों ने विरोध किया लेकिन बावजूद इस विरोध के वह पास हुआ। इसमें दो राष्ट्रों के सम्बन्ध को सही तरीके से कायम करने के लिए एक व्यवस्था करनी पड़ी थी। पाकिस्तान हिन्दुस्तान का सीमा विवाद था। एक दो गांवों को देकर उस विवाद को हल करने की बात थी। उस समय यह अनुभव करते हुए भी कि हमारे हृदय का एक टुकड़ा जा रहा है किसी ने उसके विरोध में वोट नहीं दिया।

संविधान के जितने भी संशोधन हुए हैं करीब करीब सब सर्व सम्मति से हुए हैं। ऐसा एक भी उदाहरण नहीं है जब कि रूलिंग पार्टी ने अपोजीशन की सम्मति के विरोध से अपनी दो तिहाई मंजूरिटी का फायदा उठा कर कोई संशोधन किया हो। अगर ऐसा किया गया होता तब तो आक्षेप हो सकता था। लेकिन ऐसा नहीं किया गया।

हर बार सर्वसम्मति से परिवर्तन किया गया है। केवल कागज में चूँकि यह लिखना जरूरी है इसलिए लिखा जाता है कि दो तिहाई मंजूरिटी ने और उपस्थित संख्या की मंजूरिटी ने उसको पास किया और इसीलिए डिवीजन कराया जाता है। कभी किसी डिवीजन में एक दो सदस्य ने विरोध में वोट दिया हो, अन्यथा सारे परिवर्तन सर्वसम्मति से हुए हैं। इसलिए मैं अपने भाई श्री कामत से अनुरोध करूंगा कि वह अपना बिल वापस ले लें। स्वतन्त्र पार्टी की तरफ से वह आता तब तो समझ में आ सकता था क्योंकि वह १७वें अमेंडमेंट का जोरों से विरोध करने वाले हैं। वह इसमें पहले से ही अड़ंगा डालने की सोच सकते थे। लेकिन हो सकता है कि कामत साहब की उनसे कुछ साठ गांठ हो गयी हो इसीलिये उनके इस बिल का स्वतन्त्र पार्टी के पूर्व नेता ने जोरों से समर्थन किया है और कहा कि संविधान में परिवर्तन करके देश को कम्युनिज्म की तरफ ले जाया जा रहा है। अगर देश आगे बढ़ रहा है और गरीबों और धनियों का अन्तर कम हो रहा है तो इसमें तो समाज का हित ही हो रहा है।

मैं अधिक समय नहीं लेना चाहता। इन शब्दों के साथ कामत साहब से अनुरोध करूंगा कि उनकी ओर से इस संशोधन का देना अच्छा नहीं मालूम देता। वे इसको वापस ले लें और अगर यह आना ही है तो जनसंघ या स्वतन्त्र पार्टी की तरफ से आवे। तब तो बात समझ में आ सकती है।

Shri C. K. Bhattacharyya (Raiganj):
I have not yet been able to make out whether Shri Kamath has brought forward this Bill as a stereotype move or whether he really felt the need for it.

Shri Hari Vishnu Kamath: What is stereotype?

Shri C. K. Bhattacharyya: Repeated references were made to the majority on this side. My question to my hon. friends is: is it an offence to be a majority? Is it an offence under the Constitution that a party is in a majority in Parliament? Do they want that there should be no majority in Parliament? One party or the other has to remain in a majority. They may contemplate, they may dream of their party being in a majority, even if that dream may take years to come true or may never come true. So it is not an offence to be a majority. So what is the need for repeated references to the majority on this side?

My contention is that it is not because a party is in a majority that a thing is done. It is done because the exigencies of the situation requires it. Shri Kamath's object, that the Constitution should not be changed lightheartedly and should be changed the least, is certainly a laudable one. I agree with him there. But I also request him to find out whether there is any other constitution of the type we have, a constitution of 400 pages in which details of the administration have been put in. Does the American Constitution contain details of administration as we have here? It is because those details are there that amendments are called for, not because the majority wants deliberately to tamper with the provisions of the Constitution. There, my friends have been doing wrong to this side.

One thing more. Particular reference has been made to the number of amendments made in the last 13 years—16 amendments in 13 years. The proportion works out to more than one per year. But may I remind my friends that some of these amendments at least have been carried out not by the brute majority of this party as they allege, but with their consent also, with the applause of the whole House voting unanimously? Take the

case of Goa coming into India, or the case of Dadra and Nagar Haveli coming into India. Should not there have been amendments of the Constitution? These were carried out with their and our votes. Why do they forget it now and say '16 amendments in 13 years?' They forget the amendments were passed unanimously with their applause joining our applause in welcoming things that India should welcome.

Shri Kamath has suggested two-thirds in the place of half and three-fourths in the place of two-third. I do not know how he has calculated these figures, whether he has taken into calculation the present strength of the Congress Party here and the Opposition there. Is it in that way that the proportion has been devised and put into the amendment? I do not know. He may explain it in his reply.

Shri Hari Vishnu Kamath: You may make it four-fifths if you want.

Shri C. K. Bhattacharyya: Why not make it unanimous, that the Constitution must not be changed unless the House votes unanimously for such a change? I am glad he has not yet come to that stage. Some scope must be left to deal with the Constitution flexibly because it is a written constitution containing very many details of administration in the day to day running of the Government itself.

Shri Hari Vishnu Kamath: Not too flexible.

Shri C. K. Bhattacharyya: Amendments will come in and will have to come in. If there is any case in which amendments have been made in flagrant defiance of the very purpose of the Constitution, of course they can point them out, but not go about telling people that there have been 16 amendments in 13 years. Let them also at the same time say that they themselves had voted for some of the amendments. These are the facts that I want my friends on the other side to remember when they speak on this.

श्री बडे (खारगोन) : माननीया सभा-पति महोदया, अभी मैंने कांग्रेस के दोनों साथियों के भाषण सुने और साथ साथ में स्वतन्त्र पार्टी के और कामथ साहब के भाषण भी सुने। जब भट्टाचार्य जी और दूसरे आनरेबिल मेम्बर बोले तो ऐसा मालूम पड़ा कि कामथ साहब के इस छोटे से बिल से उनका इन्द्रासन हिल गया है, और जब इन्द्रासन हिल गया और उसको धक्का पहुंचा तो दोनों ने अपनी अपनी आवाज उठाई कि कामल साहब तो प्रोग्रेसिव हैं, उनकी तरफ से वह संशोधन नहीं आना चाहिए था। यह तो जन संघ और स्वतन्त्र पार्टी की तरफ से आता तो ठीक था।

मैं कहता हूँ कि जन संघ और स्वतन्त्र पार्टी के मेम्बर भी तो चुन कर आए हैं। जनता कहती है कि एक तरफ तो आप संविधान में संशोधन लाते हो और दूसरी ओर यह भी कहते हो कि यह किताब बाइबिल, कुरान और गीता के समान पवित्र है। मैंने देखा है कि एक जगह किसी ने कहा है कि हमारा संविधान क्या है, कहीं का ईट और कहीं का रोड़ा लेकर भानमती का कुनबा जोड़ा है। दुनिया के सारे संविधान लेकर एक संविधान बना लिया है और परिस्थिति देश की देखी नहीं। उस समय हमने भी यह समझ कर स्वीकार कर लिया और उसके अनुसार ही हमने शपथ ले ली कि शासन अपने विहिस के अनुसार उसको चेंज नहीं करेगा क्योंकि वह उसको एक पवित्र किताब मानता है। लेकिन हमने देखा कि जब एक दो बार सुप्रीम कोर्ट ने एक आध जजमेंट सरकार के खिलाफ दे दिया तो फौरन संविधान में परिवर्तन किया गया या जब उनके स्वार्थों को धक्का लगने लगा तो झट कांस्टीट्यूशन में संशोधन कर दिया। और अपनी मेजरिटी के बल पर उसको पास करा लिया। जनता की आवाज को सुना नहीं गया। जनता को दुःखा तक नहीं गया।

हम देखते हैं कि लैंग्वज बिल पर अमेंडमेंट तो नहीं हुआ लेकिन हम ने देखा कि कांस्टी-

ट्यूशन में उसकी बाबत जो लिखा है उसको नहीं माना गया है।

सभापति महोदया, मुझे तो सत्तारूढ़ दल द्वारा बारबार संविधान में संशोधन करना बंसा ही प्रतीत होता है जैसे एक स्वार्थी व प्रसादी भक्त होता है। वह औरों को तो यही उपदेश देता है कि यह बड़ी पवित्र मूर्ति है इसकी पूजा करो। इसका सत्कार करना चाहिये अपमान नहीं करना चाहिये लेकिन स्वयं उसके विपरीत आचरण करता है। वह पाखण्डी पुजारी भक्तजनों के चले जाने के बाद मूर्ति का प्रसाद स्वयं खा लेता है या उस मूर्ति का ऐसा उपयोग करता है जो उसके स्वार्थ के लिये होता है। संविधान के साथ यह सत्तारूढ़ दल उसी प्रकार का व्यवहार कर रहा है। कांस्टीट्यूशन में बार बार अमेंडमेंट होने से जनता के मन में एक शंका पैदा हो गई है। १७वां कांस्टीट्यूशन अमेंडमेंट बिल जब लाने को कहा गया तब जनता की आंखें खुल गईं।

लोगों ने कहा कि आखिर यह संविधान के साथ क्या मखौल चल रहा है कि एक एक साल में दो, दो और तीन तीन अमेंडमेंट होते हैं। कहा उनकी ओर से यह जाता है कि कांस्टीट्यूशन एक पवित्र किताब है और देशवासियों को इसका आदर व सम्मान करना चाहिये लेकिन खुद ऐसा आचरण करते हैं। मालूम तो ऐसा देता है जैसे यह म्युनिसिपल ला हो या कोई तोता मँना का किस्सा हो कि उसमें जैसा दिल चाहे कहानी एक के बाद एक जोड़ते चले जायें।

एक जमाना वह भी था जब देश के नेता लोग और उनके साथ जनता भी देश के लिये मर मिटने के लिये तैयार रहती थी। लेकिन हमारे देखने में आता है कि स्वतन्त्रता प्राप्ति के पश्चात् देशभक्ति व कुर्बानी करने की वह भावना लुप्त प्राय हो गई है। अब हम

देखते हैं कि वे नेता जो कि पहले देश के लिये मर मिटने और सब कुछ कुर्बान करने को तैयार रहते थे आपस में अब जानवरों की तरह लड़ते हैं। वे सब अपने स्वार्थ साधन के लिये चिंतित रहते हैं। नेता लोग स्वार्थ की खातिर जानवरों की तरह आपस में लड़ने लगे हैं और जरूरत मुताबिक अपने स्वार्थ को पूरा करने के लिये जबतब कांस्टीट्यूशन में अमेंडमेंट ले आते हैं। यह केवल हम लोग ही अनुभव नहीं कर रहे हैं बल्कि गांवों के लोग भी और साधारण जनता भी ऐसा अनुभव करने लगी है कि नेता लोगों को केवल अपने स्वार्थ की चिन्ता है।

इस कांस्टीट्यूशन को अमेंड करते वक्त यह देखने की जरूरत नहीं है कि यह रिजिड है या फ्लैक्सिबिल है। हमारे कुछ वक्ताओं ने कह दिया कि यह रिजिड हो जाता है मैं कहता हूँ कि नहीं यह फ्लैक्सिबिल हो जाता है। फ्लैक्सिबिल कांस्टीट्यूशन वही होता है कि जो कांस्टीट्यूशन बनाने वाली बौड़ी है वही कांस्टीट्यूशन को अमेंड करने वाली बौड़ी हो तो उस को फ्लैक्सिबिल कहते हैं। मेरे पास दी कांस्टीट्यूशनल ला और ग्रेट ब्रिटेन ऐंड दी कामनवैलथ बाई हुड फिलिप्स है। उस किताब के पेज २० पर फ्लैक्सिबिल ला क्या है उस का विश्लेषण किया हुआ है। उस में यह बतलाया गया है कि वाट इज फ्लैक्सिबिल ला ? मैं उस में से पढ़ कर सुनाता हूँ : —

"The British Constitution is said to be "flexible" because any principle or rule of the Constitution can be altered by the same body and in the same manner as any other law. In other words, there is no formal distinction between laws which are specifically "constitutional" or "fundamental" and those which are not. The body which has the power to alter the Constitution, or any other rules of law, is the King in Parliament, and the procedure is the same as for any other legislation."

इस प्रकार से इस पार्लियामेंट में कांस्टीट्यूशन में तबदीली लाने के लिए दो तिहाई की मेजारिटी की व्यवस्था की गई है। यदि वही बौड़ी जो साधारण ला बनाती हो वही बौड़ी अगर कांस्टीट्यूशन चेंज करती हो तो फिर उस को फ्लैक्सिबिल ला कहा जाता है। उस को रिजिड ला नहीं कहा जाता है। यदि इस बिल से इस पार्लियामेंट को यह सत्ता दी हुई है कि इतनी मेजारिटी होने पर ही कांस्टीट्यूशन में तबदीली की जा सकेगी अगर इस को अमेंड कर दिया जाता है तो डैट कांस्टीट्यूशन विल नौट बिकम फ्लैक्सिबिल। लेकिन अगर कांस्टीट्यूशन में यह प्रोवाइड कर दिया जाय कि बजाय दो तिहाई के तीन चौथाई मेजारिटी कांस्टीट्यूशन में अमेंडमेंट लाने के लिए जरूरी होनी चाहिए तो वह कभी रिजिड नहीं हो सकता है।

इस के बाद में मेरा यह कहना है कि लोगों ने कहा है कि कांस्टीट्यूशनल ला को पहले ही कम्पैरेटिवली रिजिड कर रक्खा है।

There is no distinction between rigid and flexible.

कांस्टीट्यूशन ला में इस प्रकार की रिजिड बातें नहीं हैं। मैं सदन का थोड़ा सा समय चाहूंगा। इसी किताब के पेज ५ पर फ्लैक्सिबिल और रिजिड कांस्टीट्यूशन को डिफ़ाइन किया गया है।

Page 5 says how the amendments are made.

"Where the constitution is rigid, certain laws are distinguished from others in that some special procedure is necessary for their alteration, if they are legally alterable at all. Practically all European and American Constitutions are rigid. The method of amending "fundamental" or "constitutional" laws varies in different constitutions it may be the Legislature sitting in a special way (as in France) or with a prescribed majority or a prescribed quorum (as in Belgium), the convention

[श्री बड़े]

of a special constituent body (as in the United States), the consultation of the component members of a composite State (as in the United States and Swiss Federation), or a referendum of the electorate (as in Switzerland). Amendment of the United States Constitution, for example, requires either initiation by two-thirds of both Houses of Congress and ratification by the legislatures of three-fourths of the States, or initiation by two-thirds of the States and ratification by conventions in three-fourths of the States."

बह जो अमेंडमेंट आप ने दिया है यह अमेंडमेंट इस को बिलकुल इनडोस कर रहा है। मैं अपने उन माननीय मित्रों से जो श्री कामथ के अमेंडमेंट से सहमत नहीं हैं पूछना चाहूंगा कि क्या अमरीका का कांस्टीट्यूशन पिछड़ा हुआ है या वे लोग हमारी अपेक्षा पिछड़े हुए हैं? दरअसल बात यह है कि वे लोग अपने स्वार्थ की सिद्धि के लिये और झूठी नीति को सपोर्ट करने के लिए जैसे भीष्म व. कर्ण आदि महारथी कौरवों के ऐक्शन को सपोर्ट करने के लिए आगुमेंट दिया करते थे उसी तरह के आगुमेंट आज सत्तादारी दल के लोग दे रहे हैं। जब मैं कौरवों में भीम और कर्ण के समान इन लोगों को अपने गलत ऐक्शन और स्वार्थ सिद्धि के लिए कांस्टीट्यूशन में अमेंडमेंट करने के लिए मौजूद दो तिहाई मेजारिटी को घटाने और कोरम की शर्त ढीली करने की बात कहते सुनता हूँ तो मुझे बड़ा दुःख होता है। चूँकि अपोजीशन यहां पर मजबूत नहीं है, अपोजीशन में ज्यादा मੈम्बरस नहीं हैं इसलिए शासक दल के लोग और भी मनमानी करते रहते हैं। दरअसल देखा जाय तो यहां पर डेमोक्रेसी वास्तव में ही नहीं महज डमोक्रेसी का एक पाखंड मात्र है।

"Majority of the democracy which is in the pocket of Jawaharlal Nehru."

बवाहरलाल नेहरू जैसा चाहते हैं वैसा काम करवा लेते हैं। आज कांस्टीट्यूशन में अमेंडमेंट करने के लिए श्री कामथ जो अपना एक अमेंडमेंट लाये हैं मैं समझता हूँ कि वह बहुत उचित है और मैं उस का पूरी तरह समर्थन करता हूँ।

इस के साथ ही मैं तो कहना चाहूंगा कि आज जबकि अपोजीशन स्ट्रॉंग नहीं है और जब तक यहां पर अपोजीशन स्ट्रॉंग नहीं होता है तब तक कांस्टीट्यूशन में कोई तबदीली करने से पहले सत्तारूढ़ दल उस के लिए एलैक्टोरेट का रैफरेंडम कराये। इन शब्दों के साथ मैं श्री कामथ के अमेंडमेंट बिल का समर्थन करता हूँ।

Mr. Chairman: The time allotted for the discussion of the Bill is 1½ hours and the discussion ought to have concluded by 4.45. But many hon. Members are desirous of speaking and I think it will continue for some time.

Shri Hari Vishnu Kamath: You also would like to speak on the Bill next time perhaps.

श्री राधेसाल व्यास (उज्जैन) : सभापति महोदया, अभी जो उद्देश्य वास्तव में श्री कामथ का कांस्टीट्यूशन में अमेंडमेंट करने के लिए अपने इस बिल को पेश करने का है मेरी समझ में वह ठीक तरह से आयतन नहीं है। मैं समझता हूँ कि उन का इस को लाने में एक खास उद्देश्य यह है कि किसी तरीके से एक डैडलोक क्रीएट किया जाय। इस बिल को वह पास करा कर एक बाधा खड़ी कर देना चाहते हैं। अब गवर्नमेंट के लिए कांस्टीट्यूशन में अमेंडमेंट करने के वास्ते जो सुविधा रखी हुई है ताकि जह आवश्यक हो वहां सहूलियत से संविधान में संशोधन हो जाय उस में वह इस तरह से एक रुकावट डालना चाहते हैं। जैसाकि विरोधी दलों की एक आम तौर पर नीति होती सिबाब उस नीति को प्राप्त करने के लिए

और उस को प्रागे काम में लाने के लिए इस एमेंडमेंट बिल को रखने में उन का उद्देश्य हो सकता है और दूसरा कोई नहीं हो सकता है ।

काफ़ी यह कहा जाता है कि सहब दूसरे देशों में भी संविधान हैं । अमरीका का हवाला दिया गया लेकिन अमरीका का हवाला जैसाकि मेरे एक मित्र ने दिया तो अमरीका का एक छोटा सा संविधान है (और थोड़े से आर्टिकल्स हैं जोकि एक पेज में आ सकते हैं) । उस के मुकाबले में हमारे देश का संविधान कहीं अधिक वृहद अंश के रूप में विद्यमान है जिस में कि सब तरह की व्यवस्था की गई है । जब हमारे यहां संविधान बनाने का कार्य आरम्भ हुआ तो दुनिया भर के जो भी अच्छे अच्छे देश हैं उन के संविधानों को ले कर हमारे विधान आस्थियों ने इस देश का संविधान तैयार किया । इसलिए यह बिलकुल स्पष्ट है कि जहां इतनी बातों का समावेश किया जाता है वहां कुछ गलतियां भी रह सकती हैं । इसलिए अगर उन की दुस्ती की जाती है तो वह कोई आश्चर्य की बात नहीं होनी चाहिये और यह कोई ऐसी बात नहीं है जिस के लिए कि इस तरह से रूकावट डालने की चेष्टा की जाय । मैं नहीं समझता कि इस तरह से रूकावट डालना देश के हित में है । इस संशोधन के पक्ष में जो तर्क दिया गया है, वह गलत साबित हो सकता है । ऐसी परिस्थिति का निर्माण हो सकता कि देश हित में संविधान में संशोधन करने की आवश्यकता महसूस हो और अगर उस समय वह न हो सका, तो क्या होगा, इस पर भी विचार किया जाना चाहिये । यह कहना कि स्टीम रोलर मैजारिटी है, ब्रूट मजोरिटी है, कोई अर्थ नहीं रखता है और इस प्रकार के शब्द प्रयोग करके कोई मतलब सिद्ध नहीं हो सकता है । माननीय सदस्य ने यह नहीं बताया है कि कौन सा कांस्टीट्यूशन का ऐसा एमेंडमेंट किया गया है, जो जनहित के विरुद्ध था . . .

श्री हरि विष्णु कामत : जवान में क्ताजंगा ।

श्री राबेल्स व्यस : बाद में बताने से क्या होता है, आप को चाहिये था कि आप पहले बताते । अगर पहले बताया होता तो यह बात कोई माने रखती ।

पहला कांस्टीट्यूशन में एमेंडमेंट इसलिए करने की जरूरत महसूस हुई थी कि हमारे समाज में शिक्षा की दृष्टि से या समाज की स्थिति की दृष्टि से कुछ ऐसे पिछड़े हुए वर्ग थे, जिन को आगे लाना जरूरी था । कांस्टीट्यूशन जब बनाया गया तो उस में यह कहा गया था कि पिछड़े वर्गों को आगे लाया जायगा, उन को बराबरी का स्थान दिया जायगा, उन को तरक्की करने के अवसर प्रदान किये जायेंगे । उन को समान दर्जा देना, कांस्टीट्यूशन की मूल आत्मा थी । अगर इस काम में रूकावट आती है, कोई कमी आती है तो उस को दूर करने के लिए क्या कांस्टीट्यूशन को एमेंड नहीं किया जाना चाहिये था, क्या उस में संशोधन नहीं किया जाना चाहिये था ? इस काम में जो रूकावटें पैदा हो रही थीं उन को दूर करने के लिए अगर कोई एमेंडमेंट लाया गया, तो क्या इस का यह अर्थ था कि वह मूलतः काम था और क्या मेरे माननीय मित्र उस से इन्कार कर सकते हैं ? क्या वह कह सकते हैं कि वह पीछे ले जाने वाला कदम था ।

दूसरा एमेंडमेंट आर्टिकल ५१ का था । पहले यह था कि साढ़े सात लाख आदिमियों से कम पर एक आदिमी नहीं चुना जायगा । इस आबादी से कम पर भी कोई चुन कर आ सके, यह व्यवस्था उस में की गई थी । उस वक्त दिल्ली स्टेट बनी तथा दूसरी स्टेट्स बनीं और यह जरूरी था कि उन का प्रतिनिधित्व पार्लिमेंट में हो और अगर साढ़े सात लाख वाली बात को ही रहने दिया जाता तो कुछ ऐसी स्टेट्स हो सकती थीं

[श्री राधेलाल व्यास]

जिन का प्रतिनिधित्व यहां पर नहीं हो सकता था। इसलिए क्या यह जरूरी नहीं था कि लोगों का समुचित प्रतिनिधित्व इस हाउस में हो, इस के लिए व्यवस्था की जाय ऐसा अगर संविधान में संशोधन करने की जरूरत हो, तो वैसा भी किया जाय और क्या और करना जनहित में नहीं था? ऐसा करके क्या कांस्टीट्यूशन की हत्या हुई? क्या ऐसा कर के ब्रूट मैजॉरिटी ने लाभ उठाया या अपना प्रभाव जमाने की कोशिश की, अपने अधिकार बढ़ाने की कोशिश की? सत्ता को अपने हाथ में बनाये रखने के लिए ऐसा किया गया, यह नहीं कहा जा सकता है।

श्री स० मो० बनर्जी : बेरूबाड़ी के बारे में क्या किया ?

श्री राधेलाल व्यास : आप खामोश रह, मेरी बात को सुन लें। आप काफी कह चुके हैं।

तीसरा जो अमेंडमेंट हुआ वह शैड्यूल में एंट्री नम्बर ३, लिस्ट नम्बर ३ का था। उस में कुछ आइटम्स एसी बढ़ाई गईं जिन के बारे में कानून बनाने का अधिकार होना चाहिये। उस में कोई एसी बात नहीं थी जो बड़ी भारी गलत कही जा सकती हो या जिस से लोगों के अधिकार पर बड़ा भारी आघात पहुंचा हो।

उस के बाद एक अमेंडमेंट जायदाद हासिल करने के बारे में हुआ। अलग अलग स्टेट्स में जमींदारी प्रथा को समाप्त करने के लिए कदम उठाये गये थे।

16.53 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

कुछ की प्रापर्टी को लेना था और नए समाज की रचना करने के लिए तथा असमानता को दूर करने के लिये यह जरूरी था। कुछ

फंसले हाई कोर्ट के इस तरह के हुए थे जिस की वजह से कुछ दुरुस्ती करना आवश्यक हो गया था, बड़ा जरूरी हो गया था। इस वास्ते यह जो चौथा अमेंडमेंट था, इस का उद्देश्य भी एक कदम और आगे बढ़ाना ही था, पीछे हटाना नहीं। कतिपय तत्वों को छोड़ कर बाकी सभी ने उस में हमारा साथ दिया था।

बेरूबाड़ी की बात भी यहां आई थी। पाकिस्तान के साथ हमारा कुछ समझौता हुआ था, लेन देन हुआ था और उस को भी इस सदन ने मान्य किया। यह जरूर है कि कुछ भाई उस से सहमत नहीं थे, लेकिन अधिकतर सहमत थे। अधिकतर माननीय सदस्यों की यह मान्यता थी कि वह ठीक है और अगर वह ठीक था तो उस पर कांस्टीट्यूशन को अमेंड किये वगैरे कैसे अमल किया जा सकता था। इस वास्ते कांस्टीट्यूशन को अमेंड करने के सिवाय दूसरा रास्ता नहीं था।

इसी तरह से दादरा नगर हवेली इत्यादि को क्या हिन्दुस्तान में नहीं मिलाया जाना चाहिये था और इन उद्देश्य की पूर्ति के लिए क्या कांस्टीट्यूशन को अमेंड नहीं किया जाना चाहिये था।

ग्यारहवां अमेंडमेंट इलैक्टोरल कालेज में कोई वैकेंसी खाली होना के बारे में था और इस में कहा गया था कि जो इलैक्शन होगा, उस पर आपत्ति नहीं की जा सकेगी। क्या यह अमेंडमेंट नहीं लाया जाना चाहिये था ?

इसी तरह से क्या गोआ, दमन और दीव को मिलाने के लिए कांस्टीट्यूशन को अमेंड नहीं किया जाना चाहिये था ?

नागालैंड की जो स्टेट बनाई गई और उस के लिए अलग से जो शासन व्यवस्था कायम की गई, उस के लिए अगर कांस्टी-

ट्यूशन को एमेंड करने की आवश्यकता थी, तो क्या वैसे नहीं किया जाना चाहिए था ? मैं यह कह सकता हूँ कि ये सब कम जरूरी थे और इन को करने के लिए एमेंड किया जाना चाहिये था। इसी तरह से पांडी-चेरी की भी बात थी।

लैंगुएज बिल जब पिछली बार आया और उस के बाद कांस्टीट्यूशन को जो एमेंड किया गया, तो क्या वैसे नहीं किया जाना चाहिये था। मैं पूछता हूँ कि जो रिजर्वेशन पिछड़े वर्गों, शैड्युल्ड कास्ट और शैड्युल्ड ट्राइब्स को देने की व्यवस्था की गई थी, क्या उस को दस बरस से बढ़ा कर बीस बरस नहीं किया जाना चाहिये था और अगर ऐसा किया गया तो क्या यह गलत कदम था ?

समय समय पर क्यों कांस्टीट्यूशन को हमें एमेंड करना पड़ा, इस के बारे में संक्षेप में मैंने करीब करीब सब बातें आप को बता दी हैं। जब भी कांस्टीट्यूशन को एमेंड किया जाता रहा है, तो देश और सामाज्य को पीछे ले जाने के लिए नहीं किया जाता रहा है, बल्कि देश को आगे बढ़ाने के लिए, उस को आगे ले जाने के लिए किया जाता रहा है। अगर कोई भी कदम उठा है, तो वह आगे की ओर ही उठा है, पीछे की ओर नहीं गया है। अगर दस बार और भी कांस्टीट्यूशन को एमेंड करने की जरूरत पड़े देश को आगे बढ़ाने के लिए तो वैसे भी अवश्य किया जाना चाहिये। आज तक जो कुछ किया गया गया है, इस उद्देश्य को म नजर रखते हुए किया गया है और आगे भी ऐसा करने की अगर जरूरत पड़ती है तो वह भी किया जाना चाहिये।

16.56 hrs.

Mr. Deputy-Speaker: The time allotted for the Bill is about to expire. Is it the pleasure of the House that time for it be extended?

Shri Hari Vishnu Kamath: I submitted when you were not in the Chair

that under rule 292 of the Rules of Procedure you would be pleased to extend the time by one hour.

Mr. Deputy-Speaker: All right; we will extend the time by one hour.

Shri Hari Vishnu Kamath: Are we sitting today or are we continuing it on the next non-official day?

Mr. Deputy-Speaker: It will continue on the next day. Shri Pandey.

श्री राम सहाय पाण्ड्य (गुना) : संविधान में संशोधन करने का जो संशोधन हमारे माननीय कामत जी ने रखा है, मैं उस का विरोध करता हूँ। अगर विरोधी दल सदन में कभी अपने व्यवहार से यह सिद्ध करता कि वह किसी भी पवित्र काम में, किसी भी अच्छे काम में हमारा साथ दे सकता है, तो एक बार हम यह निर्णय कर सकते थे कि दो तिहाई से हट कर तीन चौथाई के प्रस्ताव को मान लेते। लेकिन सदन का यह अनुभव है कि किसी भी कार्य में, चाहे वह संविधान में संशोधन का हो, परिवर्तन का हो, परिवर्द्धन का हो, हमारे साथ वह कभी नहीं रहा है किसी भी अच्छे काम तक में उस ने मारा साथ नहीं दिया है

Shri S. M. Banerjee: I take objection to this.

श्री शिव नारायण : बैठिये, बैठिये।

श्री स० मो० बनर्जी : बिल्कुल गलत बात माननीय सदस्य कहते हैं। अगर गलत बात कहेंगे तो जरूर उस पर एतराज किया जायगा।

Mr. Deputy-Speaker: He is not yielding.

Shri S. M. Banerjee: He may not yield. But the whole thing is that the Opposition has supported the Government on many occasions.

Shri R. S. Pandey: The hon. Member has developed a habit of interrupting.

Shri S. M. Banerjee: What is the habit?

Shri R. S. Pandey: Since I am speaking, why is he interrupting? There should be a little tolerance.

मैं कह रहा था कि किसी भी कार्य में जिस को हम राष्ट्रीय कार्य समझते हैं अगर विरोधी पक्ष ने हमारा साथ दिया होता और इस तरह की एक ट्रेडीशन इस प्रकार की एक परम्परा विरोधी दल ने कायम की होती कि कम से कम अच्छे किसी काम में वह हमारा साथ देगा तो हम समझ सकते थे कि यह जो संशोधन संविधान का आया है, इस को स्वीकृत कर लिया जाय और

दो तिहाई की अपेक्षा अगर तीन चौथाई सदस्यों का सहयोग प्राप्त करने की जरूरत पड़े तो वह भी प्राप्त हो सकेगा। लेकिन विरोधी दल का जो दृष्टिकोण है, जो व्यवहार है, वह ऐसा नहीं रहा है कि जो यह सिद्ध करता कि अच्छे किसी कार्य में भी वह हमारा साथ देगा। इसलिए

Mr. Deputy-Speaker: He may continue on the next day.

17.00 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Saturday, the 17th August, 1963/ Sravana 26, 1885 (Saka).

[Friday, August 16, 1963/Śravana 25, 1885 (Saka)]

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OBITUARY REFERENAU.

The Deputy Speaker made a reference to the passing away of Shri M. Sri Ranga Rao who was a member of the Second Lok Sabha

Hereafter members stood in silence for a short while as a mark of respect.

PAPERS LAID ON THE TABLE

COLUMNS

667—77,
682—956

- (1) A copy each of the following papers :—
- (a) The Rubber (Amendment) Rules, 1963 published in Notification No. G. S. R. 774 dated the 4th May, 1963, under sub-section (3) of section 25 of the Rubber Act, 1947
- (b) The Coir Industry (Amendment) Rules, 1963 published in Notification No. G. S. R. 1088 dated the 29th June, 1963, under sub-section (3) of section 26 of the Coir Industry Act, 1953
- (c) The Jute Textile (Control) Amendment Order, 1963 published in Notification No. S. O. 1889 dated the 6th July, 1963 under sub-section (6) of section 3 of the Essential Commodities Act, 1955
- (d) Annual Administration Report of the Tea Board for the year 1962-63
- (2) A copy each of the following Notifications issued under section 15 of the Industries (Development and Regulation) Act, 1951—
- (a) S.O. No. 1665 dated the 17th June, 1963
- (b) S. O. No. 2047 dated the 18th July, 1963
- (3) A copy each of the following Notifications under sub-section (3) of section 13 of the Central Silk Board Act, 1948, making certain further amendments to the Central Silk Board Rules, 1955:—
- (a) G. S. R. No. 800 dated the 11th May, 1963
- (b) G. S. R. No. 1029 dated the 22nd June, 1963
- (4) A copy each of the following papers :—
- (a) Notification No. G.S.R. 978 dated the 8th June, 1963 under sub-section (3) of section 620A of the Companies Act, 1956

PAPERS LAID ON THE TABLE—Contd.

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- (b) Report of Indian Productivity Team on Cement Industry in France, U.S.A. and Britain
- (c) Report of Indian Productivity Team on Machine Building Industry in U. S. S. R. and Czechoslovakia
- (d) Report of Indian Productivity Team on Quality Control in Japan, U.S.A. and Britain
- (e) Report of Indian Productivity Team on Personal Management in Japan, U.S.A. and Britain
- (f) Report of Indian Productivity Team on Industrial Maintenance in West Germany, Britain and U.S.A.
- (g) Report of Indian Productivity Team on Automobile Ancillary Industry in U. S. A. and West Germany.
- (h) Report of Indian Productivity Team on Machine Tool Industry in West Germany, U.S.A. and Japan
- (5) A copy each of the following Notifications under sub-section (6) of section 3 of the Essential Commodities Act, 1955 :—
- (i) The Rice (Madhya Pradesh) Price Control (Second Amendment) Order, 1963 published in Notification No. G.S.R. 857 dated the 18th May, 1963
- (ii) The Rice (Punjab) Price Control (Third Amendment) Order, 1963 published in Notification No. G. S. R. 858 dated the 18th May, 1963
- (iii) G. S. R. No. 1234 dated the 18th July, 1963
- (iv) G. S. R. No. 1252 dated the 27th July, 1963 containing Corrigendum to Notification No. G.S.R. 374 dated the 17th March, 1962

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COLUMNS

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TABLE—Contd.

- (v) The Roller Mills Wheat Products (Price Control) Amendment Order, 1963 published in Notification No. G. S. R. 1281 dated the 3rd August, 1963 .
- (vi) The Delhi Roller Flour Mills: Wheat Products (Price Control) Second Amendment Order, 1963 published in Notification No. G. S. R. 1282 dated the 3rd August, 1963 .
- (6) A copy of Report (Parts I and II) of the Commissioner for Scheduled Castes and Scheduled Tribes for the year 1961-62, under article 338 (2) of the Constitution .
- (7)(i) White Paper No. IX containing Notes, Memoranda and Letters exchanged between the Governments of India and China between January 1963 and July, 1963 .
- (ii) Text of Premier Chou En-lai's letter dated the 2nd August, 1963 .
- (iii) Text of Prime Minister's reply dated the 14th August, 1963 .

STATEMENT BY PRIME
MINISTER

678—81

The Prime Minister (Shri Jawaharlal Nehru) made a statement on Chinese troop concentrations along the India-China border .

BILLS INTRODUCED

696—97

- (1) The Customs and Central Excises (Amendment) Bill, 1963 .
- (2) The Public Premises (Eviction of Unauthorised Occupants) Amendment Bill, 1963 .

BILLS PASSED

697—726

- (i) Further discussion on the motion to consider the Limitation Bill, 1963, as passed by Rajya Sabha, concluded and the motion was adopted. After clause-by-clause consideration, the Bill was passed, as amended.

BILLS PASSED—Contd.

- (ii) The Minister of State in the Ministry of External Affairs (Shri-mati Lakshmi Menon) moved for consideration of the Indian Emigration (Amendment) Bill, as passed by Rajya Sabha. The motion was adopted. After clause-by-clause consideration, the Bill was passed .

BILL UNDER CONSIDERA-
TION

726—31

The Deputy Minister in the Ministry of Labour and Employment (Shri R. K. Malviya) moved for the consideration of the Iron Ore Mines Labour Welfare Cess (Amendment) Bill, as passed by Rajya Sabha. The discussion was not concluded .

REPORT OF COMMITTEE
ON PRIVATE MEMBERS'
BILLS AND RESOLU-
TIONS ADOPTED

731

Twenty-second Report was adopted .

PRIVATE MEMBERS' BILLS
INTRODUCED

731—34

- (1) The Ananda Marga Marriage Bill, 1963 by Shri Shashi Ranjan .
- (2) The Delhi Panchayat Raj (Amendment) Bill, 1963 (Amendment of sections 15, 29, 30 etc.) by Shri Naval Prabhakar .
- (3) The Delhi Corneal Grafting Bill, 1963 by Shri Naval Prabhakar .
- (4) The Indian Penal Code (Amendment) Bill, 1963 (Amendment of section 324 and 326 and insertion of new sections 324A and 326A) by Shri C. K. Bhattacharyya .
- (5) The Government Servants (Ban on Service after Retirement) Bill, 1963 by Shri R. G. Dubey.

PRIVATE MEMBER'S BILL
NEGATIVED

734—55

Shri C. K. Bhattacharyya concluded his speech on the

COLUMNS

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PRIVATE MEMBER'S BILL
NEGATIVED—*Contd.*

motion for consideration of the Delivery of Books and Newspapers (Public Libraries) Amendment Bill, 1962 (*Amendment of section 2*) moved on the 3rd May, 1963. The motion for consideration was negatived .

PRIVATE MEMBER'S BILL
UNDER CONSIDERATION

755—96

Shri Hari Vishnu Kamath moved for the consideration of the Constitution (Amendment) Bill, 1963 (*Amendment of article 368*). The

PRIVATE MEMBER'S BILL
UNDER CONSTRUCTION—*Contd.*

discussion was not concluded

AGENDA FOR SATURDAY,
AUGUST 17, 1963/ SRA-
VANA 26, 1885 (SAKA)

Further consideration and passing of the Iron Ore Mines Labour Welfare Cess (Amendment) Bill, as passed by Rajya Sabha .

Discussion and voting of the Supplementary Demands for Grants in respect of Budget (General) for 1963-64 .