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Bhadra 15, 1883 (Saka)

LOK SABHA DEBATES

(Fourteenth Session)



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LOK SABHA SECRETARIAT
NEW DELHI

ONE RUPEE (INLAND)

FOUR SHILLINGS (FOREIGN)

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LOK SABHA

Wednesday, the 6th September, 1961/
Bhadra 15, 1883 (Saka)

The Lok Sabha met at Eleven of the
Clock.

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Post Graduate Medical Studies

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*1243. { Shri T. B. Vittal Rao:
Shri Kunhan:
Shri Ram Krishan Gupta:
Shri Sarju Pandey:

Will the Minister of Health be pleased to refer to the reply given to Starred Question No. 1790 on the 28th April, 1961 and state:

(a) whether the Committee appointed under the Chairmanship of Dr. B. C. Roy to go into the question of post-graduate medical studies has since submitted its report;

(b) if so, the details thereof; and

(c) the action taken thereon?

The Minister of Health (Shri Karmarkar): (a). No, Sir.

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

Shri T. B. Vittal Rao: This Committee was appointed some 3 years ago. May I know whether Government can tell us when they will be receiving this report?

Shri Karmarkar: I do not know that myself. But, I am hoping that some time or other this Committee will give its report.

1160 (Ai) LSD-1

Shri T. B. Vittal Rao: May I know if Government is going to reconstitute this Committee in view of the fact that the report has been delayed so long?

Shri Karmarkar: There was another Committee, namely, Dr. Mudaliar Committee, which has also gone fully into this question. I understand that on behalf of this Committee, all the information that they had had been passed on to the Mudaliar Committee. It might be that soon we wind up this Committee.

Shri T. B. Vittal Rao: Am I to understand from the reply that the Mudaliar Committee has superseded this Committee?

Shri Karmarkar: They were concurrent. But the Mudaliar Committee was given wider terms of reference. They will travel the wider field. Among the subjects they are supposed to consider is this important subject of post-graduate medical studies. I understand that Gen. Chaudhuri, who was a member of the Committee under question now, has passed all the information to the Mudaliar Committee. Possibly, it may not be necessary for this Committee to consider this in view of the larger issues and as the other Committee will give us a comprehensive report.

Shri V. P. Nayar: May I know whether it is a fact that it is because the Chairman of this Committee has been too much pre-occupied by other matters that he could not devote time to this Committee?

Shri Karmarkar: I think it was so. I think it was my fault to have thought of him and it was in a weak moment that he agreed. But he found that it was difficult for him to

do all his work plus this work. His hands are so full.

Shri V. P. Nayar: Was he appointed in your weak moment or did he accept it in his weak moment?

Shri Karmarkar: Anybody's weak moment because everybody has got did the Committee meet?

Shri Nanjappan: How many times did the Committee meet?

Shri Karmarkar: I have not got any idea. But, I think, presumably, it must have met at least once. I am not quite sure. But, in view of the Mudaliar Committee, this Committee's work has become rather superfluous. I do not expect any report from this Committee because the Mudaliar Committee has gone fully into this matter.

Shri Goray: I am not asking exactly any supplementary question. But, in this House, many times we hear that the Chairman of committees are busy and, therefore, the committees had not submitted their reports. Can you not give a directive that only those people who can give some time to these committees should be appointed?

Shri Karmarkar: It has not happened to any other committee connected with our Ministry. But, in this particular thing we wanted Dr. B. C. Roy's guidance. With regard to other Ministries the matter may be referred to at the relevant time in a relevant manner. But in regard to my Ministry this is the only Committee where we found that it was difficult for the Chairman to give time. I knew he is a great man and could not spare time.

Mr. Speaker: I can only say this much. Parliament is entitled to get these committees do their work as quickly as possible. If a particular elderly gentleman well-versed in a particular subject or with wide experience gives his acceptance, he may be made a member and some other person may be made the Chairman. He may give his views. Even if he is absent it does not matter. He need not be the Chairman himself but may give his advice.

Hon. Ministers will see that they have other persons. Of course, there is a demand for such people although they do not find time. It is not a question of any weak moment. With all good intentions they try to do it as quickly as they can. As the hon. Minister himself agreed, if they do not find time what can they do? Therefore, young men should be prepared to sit in the chair and elderly men ought not to feel that it is not befitting them to serve on any committee under the chairmanship of others who will carry on the work of the committees.

Shri Karmarkar: We accept your direction except that I am not likely to appoint any person who has not got the time and who is not likely to do any work for his committee. It is no use, naturally, burdening them with this work.

Mr. Speaker: If the employer and the employed find that they have done something in their weak moments, the Minister can ask him if he can give place to some other person.

Shri Karmarkar: Now that the Mudaliar Committee is going into the whole question, it is not necessary. For future I accept what you say.

Shri T. B. Vittal Rao: Who exactly are the terms of reference of the Mudaliar Committee? Has this question been specifically referred to that Committee?

Shri Karmarkar: The Mudaliar Committee is siezed of all medical and health questions. In fact, after the Bhore Committee, which reported 12 years back, the Mudaliar Committee is going into the question of medical education, under-graduate, graduate and post-graduate, the medical profession, Health Ministry. We are looking for- of all types and all types of question, which is the subject-matter of the Health Ministry. We are looking forward to that comprehensive report.

All India P. & T. Services Commission

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*1245. { Shrimati Ila Palchoudhuri:
Shri D. C. Sharma:
Shri Aurobindo Ghosal:

Will the Minister of **Transport and Communications** be pleased to state:

(a) whether a proposal to set up a separate All-India P.&T. Services Commission is under the consideration of the Government of India;

(b) if so, the details thereof; and

(c) the progress made so far in connection therewith?

The Minister of Transport and Communications (Dr. P. Subbarayan):

(a). Yes, Sir.

(b). The proposed P.&T. Recruiting Organisation will make recruitment to certain non-gazetted cadres and posts in the P. & T' Services.

(c). The proposal was examined by an Officer on Special Duty and his recommendations are under consideration.

Shrimati Ila Palchoudhuri: 'May I know whether, once this committee is set up, it will do away with a certain amount of arbitrariness in the system of recruitments? How will they go into the pay scales of the people who are recruited?'

Dr. Subbarayan: The Special Officer was appointed for this purpose so that the arbitrary nature of recruitment in the various circles may be synchronised by this committee. The pay scales have nothing to do with this. The pay scales are really fixed by the departments concerned.

Shri Tyagi: Is it the policy of the Government to disintegrate the process of recruitment in the various Ministries? The U. P. S. C. was the central agency. If different Ministries are making separate arrangements, may I know if it is the considered policy of the Government of India?

Dr. P. Subbarayan: The hon. Member may take it so because I would

not venture to do it unless I had the sanction of the Cabinet as a whole. He is mistaken in thinking that the U.P.S.C. will cease to function. It will still recruit for gazetted posts.

Shri Bhakt Darshan: May I know, Sir, whether there will be one Central public Service Commission for the whole country for P. & T. officers or whether there will be regional commissions?

Dr. P. Subbarayan: There will be one for the present.

Shri C. D. Pande: In the Railways there are various grades. For smaller grades there are 7 Railway Public Service Commissions in the whole country. In the same manner for the P & T when Government set up a Commission, will there be smaller commissions for recruitment to smaller posts? Do Government think it desirable?

Dr. P. Subbarayan: We are making an experiment in this matter. If it is found necessary it will be extended. The hon. Member also ought to know that our employees are smaller in number than in the Railways.

Shri Supakar: What is the range of pay-scale for which the Service Commission is recruiting?

Dr. P. Subbarayan: All non-gazetted posts.

Private Bus Service in Delhi

*1246. **Shri Assar:** Will the Minister of **Transport and Communications** be pleased to state:

(a) whether Government are contemplating to allow private bus owners to ply their buses on some routes of Delhi besides Delhi Transport Undertaking; and

(b) if so, the decision taken thereon?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) and (b). A statement giving the requisite information is laid on the Table of the Sabha.

STATEMENT

The Delhi State Transport Authority has decided to allow private operators to ply their buses on the under-mentioned routes and has already invited applications for stage carriage permits for these routes:—

- (1) Delhi — Majra Dabas.
- (2) Delhi — Madanpur Dabas.
- (3) Delhi — Kakrola.
- (4) Delhi — Jharoda.
- (5) Delhi — Ghoga.
- (6) Delhi — Siraspur.
- (7) Delhi — Sikarpur.
- (8) Delhi Cantonment — Okhla.
- (9) Delhi — Rawta.
- (10) Delhi — Rithala.

Shri Assar: May I know whether the private buses will be allowed to run on the routes which are at present inadequately served by the DTU buses?

Shri Raj Bahadur: The State Transport Authority proposes to allow, as I have indicated in the statement, private buses on ten rural routes. On the DTU routes, it is not proposed to allow them.

Shri Assar: May I know whether it is a fact that the Corporation had passed a resolution two years back to allow the private buses to ply? May I know why there was so much delay in taking this decision?

Shri Raj Bahadur: As per the statement of the Chairman of the DTU reported in the newspapers, private buses are already operating in as many as 37 routes. These twelve routes are to be added to them. I do not know to what resolution the hon. Member refers.

Shri Vajpayee: How is it that the number of routes given by the chairman of the Delhi Transport Undertaking is different from the routes given by the hon. Minister?

Shri Raj Bahadur: I have said that twelve more rural routes are going to be opened as per the newspaper reports. That is what has been stated by the Chairman of the DTU. In the

list however I have given ten of these routes.

श्री प्रकाशवीर शास्त्री : मैं जानना चाहता हूँ कि पीछे निकट भूतकाल में क्या कोई ऐसा अवसर आया है जबकि दिल्ली नगर में प्राइवेट बसेस को चलाने की अनुमति दी गई थी, यदि हाँ तो उसका क्या अनुभव सरकार को रहा ?

श्री राज बहादुर : एक अवसर पर जबकि डी० टी० यू० के कुछ एम्पलायीज की हड़ताल की बात थी, उस समय प्राइवेट बसेस चलाये जाने की अनुमति दी गई थी और उन लोगों ने बड़ी मेहनत से काम किया था। उसके लिये उनकी प्रशंसा भी की गई थी।

Shri Tangamani: May I know whether in these ten new routes mentioned in the statement, the DTU buses will also ply?

Shri Raj Bahadur: These are rural routes and the DTU does not propose to apply for permits for these routes under the relevant Act.

Shri Balraj Madhok: In view of the fact that there is a large demand for certain routes being given to the private sector and because the DTU buses are not adequate, would you consider giving permits for certain routes already covered by the DTU to the private operators side by side with the DTU?

Shri Raj Bahadur: Fortunately or unfortunately, I cannot agree with the hon. Member. That particular question was taken up in the Corporation by the party which the hon. Member represents in this House and that resolution was thrown out.

श्री प्रकाशवीर शास्त्री : दिल्ली नगर में भीड़ को देखते हुए और यात्रियों की संख्या में उतरोत्तर हो रही वृद्धि को देखते हुए क्या डी० टी० यू० ने इस प्रकार का कोई निश्चय किया है कि बसों की संख्या को अधिक बढ़ाया जाए या जैसे समाचार पत्रों में

पीछे समाचार प्रकाशित हुआ है, दुमजिली बसिस चलाई जाये ? यदि हाँ तो कब और कितनी बसिस बढ़ाई जा रही हैं ?

श्री राज बहादुर : इस समय ६८२ बसिस हैं और जो करेंट फाइनेयल यीअर है यानी मार्च १९६२ तक, उससे दौरान में इन बसिस की संख्या ७७१ हो जाएगी । इससे भी आगे बसिस की तादाद को बढ़ाने का प्रोब्राम है । इसमें डबल डैकर होंगी या नहीं, यह अभी निश्चित रूप में नहीं कहा जा सकता है । लेकिन यह बराबर हमारी कोशिश है कि बसिस की संख्या बढ़ाई जाए ।

Tea Export

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*1247. { **Shri P. C. Borooah:**
Shri Raghunath Singh:

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

(a) whether a dispute about the applicability of the provisions of the Prevention of Food Adulteration Act and rules made thereunder, to tea clearly marked for export arose between the Ministry of Health, the Tea Board and the Calcutta Corporation recently;

(b) if so, what are the points under dispute; and

(c) what solution, if any, has since been found?

The Minister of Health (Shri Karmarkar): (a) No, Sir.

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

Shri P. C. Borooah: May I know whether stalky tea has got a good market outside India in countries like Sudan and in the East African ports?

Shri Karmarkar: Yes, Sir. I understand that Sudanese like such tea. But the principal difficulty is that tea which stalks is considered sub-standard under the rules of the Prevention of Food Adulteration Act and the question is how to apply those rules without trying to affect exports. That matter is under our consideration.

Shri P. C. Borooah: What is the standard fixed? What percentage of stalks existing in tea will make it unfit for consumption?

Shri Karmarkar: I have not got the precise standard before me; it is published in the Gazette. But I understand that the amount of stalks permitted in India is much less than the amount of stalks which the Sudanese require in tea.

Shri Tridib Kumar Chaudhuri: Was there a case recently in which the Calcutta Corporation sued a party of tea exporters for keeping sub-standard tea marked for export and then the Health Ministry advised the Corporation to drop the prosecution on these grounds?

Shri Karmarkar: I do not remember any such case where we have advised anyone like that. We would like generally to enforce the rules rigidly. This question of tea meant for export is a problem and we are trying to have a solution for it. For instance, there is the question of bonded tea—tea for export to be kept under bond so that it is not sold in the Indian market or other markets where it is not needed. That matter is under consideration.

Shri Sadhan Gupta: On this problem of the rules to apply to exports without affecting the export of stalky tea, has any representation been made by the Calcutta Corporation or by the Tea Board?

Shri Karmarkar: No representation has been made to the Ministry of Health but I understand that a representation was made to the Ministry of Commerce and Industry because it is a matter for exports. As I said earlier legal opinion was that the rules for the tea which is consumed in India are equally applicable to the tea which is meant for consumption outside. The House will appreciate that if once we permit stalky tea, which is inferior tea according to our test in the market, then we have any number of resourceful people who

would mark it for export but will sell it in India. That is our problem. It is a ticklish problem. We are trying to find out a solution by which exports will not be debarred but at the same time our people will be ensured the supply of good tea in the market.

Shrimati Ila Palchoudhuri: May I know if the Health Ministry has gone into the question as to whether the presence of stalk in tea has any adverse effect on health because it is considered that it has no adverse effect and that it gives better liquor.

Shri Karmarkar: I see. I think I shall ask the Committee, if my hon. friend agrees, to take her expert advice. So far as I am persuaded at the present moment, I would not have too many stalks in my tea. I am quite sure that she herself would not like to have too many stalks in her tea. If the expert opinion which she gave just now, if it is really expert, I should like to take advantage of it and we shall discuss it outside the House.

Shri P. C. Borooh: May I know if it is not a fact that stalk is not adulteration but it is part and parcel of tea itself?

Shri Karmarkar: Part and parcel is there; but how much part and parcel is to be allowed to the consumer? We have set up a standard and we stick to it as much as possible. The Sudanese people like stinky tea and we do not also want our exports to come down. How is a solution to be found? That is our difficulty. We are trying to do the best that we can to see that tea meant for export is exported and tea meant for consumption inside India is consumed in India.

Theft of Copper Wire on S.E. Railway

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*1249. { **Shri Subodh Hansda:**
 Shri S. C. Samanta:

Will the Minister of Railways be pleased to state:

(a) whether Government are aware that the copper wire theft has in-

creased in the South Eastern Railway, particularly between Kharagpur and Chakradharpur;

(b) whether any theft has been detected within the last three months; and

(c) whether any step has been taken to stop such thefts?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) Yes, Sir.

(b) Not known, as the detection of thefts being a problem of law and order, has been the responsibility of the State Government.

(c) Posts and Telegraphs Department, responsible for maintenance of the line wires, have informed that the following steps have been taken:—

(i) State Government requested to set up Special Police Vigilance Parties at suitable places for moving out to the theft spots immediately on the thefts being reported;

(ii) Progressive replacement of the copper wires with copper-weld wires in areas subjected to thefts.

(iii) More extensive use of electronic fault locators.

Shri Subodh Hansda: May I know when this vigilance committee has been appointed to look after these copper wires?

Shri Shahnawaz Khan: Yes, Sir. At one time, the situation was rather bad in the States of Bihar and West Bengal, and a special DIG, with a police establishment, was appointed by the P. & T. Department to bring these things under control.

Shri Subodh Hansda: As the theft of copper wire in this section has become a regular feature, may I know whether the Government contemplate putting these cables underground instead of keeping them as overhead wires?

Shri Shahnawaz Khan: As I said the maintenance of this work is the

responsibility of the Posts and Telegraphs Department. It is up to them to adopt any measures that they like.

Shri S. C. Samanta: The hon. Minister said that the acts committed by the thieves will be detected by the State Governments. May I know whether the Ministry has informed the State Governments to put some outposts in between Kharagpur and Chakradharpur so that these things may be detected?

Shri Shahnawaz Khan: Every case of theft is reported to the State police and it is for them to make suitable arrangements. I am sure that the patrolling over the lines is one of the actions taken by them in this regard.

Shri Ranga: You, Sir, were good enough to ask the Railway Minister sometime ago to pay some greater attention than they are inclined to do in regard to this particular matter, namely, preventing thefts. Is it not a fact that they have made a reference about this to the State Governments and is it not a fact that the results have not been so very satisfactory? Is it not also a fact that they have promised the Chair as well as this House that they would evolve some method by which they would be able to achieve better co-operation between themselves and the State Governments in order to prevent these thefts?

The Minister of Railways (Shri Jagjivan Ram): Action is being taken. But perhaps the hon. Member has not listened to the reply that the Deputy Minister has given. He has said that the Posts and Telegraphs Department which looks to the maintenance of these copper wires and lines for the railways and for their purposes has entered into certain arrangements with the State Governments for maintaining watch over the wires.

Mr. Speaker: All that I can say is this. Constantly, this matter is coming up in some form or other: thefts in the train, attacks on persons, etc.

It is said that it is all the business of the State Governments. But why should the poor tax-payer in one or two States be obliged to maintain the lines for the benefit of the whole of the country. I do not know if the Posts and Telegraphs Department or the Railway Department pays any contribution. Why should the Bihar gentleman, or the tax-payer, pay for all this? I think that the Constitution should be amended if necessary so that the Posts and Telegraphs Department may have their own police. There is a lot of delay.

Shri Jagjivan Ram: I do not think it will ever be practicable to create a State within a State. I do not think that it will ever function, if we have to create a State, so to say, of those areas where the railway lines run through the different areas of the State Governments, in whose hands the law and order vest and then to have the law and order vest in the Centre as regards those territories covered by the railways and the Posts and Telegraphs Department. I do not think it will ever function. (*Interruptions*).

Shri T. B. Vittal Rao: Why do you have railway police?

Mr. Speaker: Order, order. It was suggested that there must be the police, there must be vigilance, and so on and so forth. But why should the ordinary tax-payer in the State pay for the benefit of the rest of the community? I do not know.

Shri Jagjivan Ram: I think it was considered at the time of framing the Constitution.

Mr. Speaker: Has it not been changed from time to time?

Shri Jagjivan Ram: It has been changed. But the question will have to be considered, namely, whether, in the matter of railway passengers travelling through any State on the railways, the State Government concerned ceases to be responsible to provide protection for them.

Mr. Speaker: In between the State Governments and the railways, the ordinary man who loses his property loses it for ever.

Shri Jagjivan Ram: But perhaps you are not aware that on the railways, when we have the GRP and the order police, we pay to the State Governments to that extent. But that is a matter which has to be arranged between the department of the Ministry concerned here and the State Governments. But again, I will submit that it will not be practicable to take over law and order from the State Government and thereby create a State within a State.

Shri Ranga: On several occasions, when there were local civil disturbances, the railways did provide their trains with their own security staff in order to see that the properties on the railways were not being raided upon and thieved upon.

Shri Jagjivan Ram: I would request my hon. friend Shri Ranga to discriminate between security and police action.

Mr. Speaker: After the crime occurs, the hon. Minister says that it is the duty of the State Government to take action, but before it occurs, whoever is the owner of the property, he can take adequate measures to safeguard his property in his own interests.

Shri Jagjivan Ram: So far as the railway are concerned, we have a Railway Protection Force, and we try to watch and protect the property, but as soon as some occurrence takes place, it goes beyond our jurisdiction, and the State police has to come into the picture. We have to register the case with those authorities. We cannot ourselves register the case and prosecute the culprits.

Sea Mail

*1250. **Shrimati Mafida Ahmed:** Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that sea mail delivery is being delayed for the last two months;

(b) if so, the reasons therefor; and

(c) the steps taken for timely delivery of the sea mail?

The Minister of Transport and Communications (Dr. P. Subbarayan): (a) There is no delay in the delivery of sea mail foreign postal articles after they are released by the Customs authorities.

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

Shrimati Mafida Ahmed: In view of the growing popularity of the airmail facilities, may I know the effect of these facilities on the sea mail, and may I know whether the number of bags carried by sea mail are increasing or decreasing in recent times?

Dr. P. Subbarayan: I have not got the exact figures with me as regard those which come by air mail. Even if they have to come by air mail, the articles are subject to customs examination. Only after the customs have examined and released those articles we are able to deliver them.

Seniority of Trains Examiners

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*1251. { **Raja Mahendra Pratap:**
Ch. Ranbir Singh:
Shri Ganpati Ram:
Shri Nardev Snatak:
Shri R. S. Tiwari:

Will the Minister of Railways be pleased to refer to the principle of seniority of train examiners as mentioned in Rajya Sabha in reply to Starred Question No. 689 on the 7th September, 1960 and in Lok Sabha in reply to Unstarred Question No. 4408 on the 3rd May, 1961 and state:

(a) whether it is a fact that the Divisional Superintendent, Delhi gave verbal assurance to the representatives of the Utriyia Railway Mazdoor Union against the above stated policy;

(b) if so, whether Government propose to stick to the policy announced or not; and

(c) if not, the reasons therefore?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) No.

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

Mr. Speaker: Ch. Ranbir Singh—absent. Raja Mahendra Pratap.

Raja Mahendra Pratap: Question No. 1251.

Shri S. M. Banerjee: Sir, I rise to a point of order. If you will kindly read the first paragraph of the question you will find the following:

“Will the Minister of Railways be pleased to refer to the principle of seniority of train examiners as mentioned in Rajya Sabha in reply to Starred Question No. 689 on the 7th September, 1960. . .” etc.

Can we possibly refer to a question put in the Rajya Sabha?

Some Hon. Members: We can.

Mr. Speaker: Order, order. The practice is not to refer to the proceedings of the other House of the current session. If it is a matter relating to a previous session, it is a past thing and is a matter of record, and therefore it can be referred to. Let us follow this procedure. While a thing is going on there, we do not refer to those proceedings. The proceedings are published; but even though they may be published, we do not refer to them now. But if they become a matter of past record, any hon. Member can refer to them. If any hon. Member, without reference to those proceedings, wants to put a question, he may do so by all means.

Raja Mahendra Pratap: May I know whether the Government is aware that junior-most train examiners in the Delhi Division of the Northern Railway have been confirmed, ignoring the claims of their seniors who have fulfilled all the requisite conditions?

Mr. Speaker: Is it wholesale?

Raja Mahendra Pratap: How long will the Government take to confirm the senior train examiners?

Mr. Speaker: These are two things. Does the hon. Member say that there is a rule whereby only juniors have been promoted over the seniors and have been confirmed? If it is an individual case, the hon. Member may bring it to the notice of the hon. Minister. I do not know if it is a general charge that only juniors have been confirmed, ignoring the seniors.

Shri Vajpayee: There are cases where juniors have been confirmed, leaving aside the seniors. So, we want to know whether the Government have received any complaint in regard to this matter.

Shri S. V. Ramaswamy: There is the question of suitability also. The principle is seniority *cum* suitability. If a person is senior but is not suitable, then the juniors can be promoted because of suitability.

Mr. Speaker: In all departments of Government there are posts where strict seniority is not observed above a particular level. For other posts seniority as well as merit are taken into consideration.

Shri S. V. Ramaswamy: And suitability also.

Mr. Speaker: So, there cannot be a general question like that.

The Minister of Railways (Shri Jagjivan Ram): I just want to intervene. The principle which you pointed out applies to confirmations as well. So, it is not a strange thing that some juniors might have been confirmed and the seniors might not have been confirmed. I am not speaking of any particular instance. But generally that may happen.

Mr. Speaker: He may write to the Minister if there are individual cases.

Raja Mahendra Pratap: If there is some discontent in your staff, then it will create more trouble afterwards. Will it not be better to decide this question of confirmation of senior train examiners as soon as possible?

Shri S. V. Ramaswamy: There was an examination in the Delhi Division in January, 1958 for these men. Only 3 appeared and 50 persons boycotted that examination. Subsequently, after an agitation, an examination was held in June. Naturally those who passed the first examination were placed senior to those who passed subsequently.

Shri Tangamani: Is it a fact that those train examiners in the grade Rs. 150—Rs. 225 who were qualified prior to 10th February, 1958 in suitable tests are placed as seniors, although there are seniors available there? It is not only in the Delhi Division. I would like to know whether this principle has been followed in the whole of the Northern Railway?

Shri S. V. Ramaswamy: I could not answer it offhand. If my friend writes to me bringing specific cases to my notice, I will consider.

Shri Tangamani: On a previous occasion, there has been a detailed question on this. The Minister stated that because of the peculiarity of the Delhi Division the question arose—that Government have decided the question in the Northern Railway. We would like to know whether there will be a revision in the case of Delhi Division, because of certain peculiarities which the hon. Minister mentioned.

Shri S. V. Ramaswamy: I have the answer given on the previous occasion:

“The decision to keep the persons who qualified prior to February 1958 as senior to those who qualified subsequently is applicable to all divisions of the Northern Railway and no exception has been made in respect of the staff of the Delhi Division.”

This was the reply given on 3rd May 1961.

Shri Tyagi: May I know if it is in conformity with the policy of keeping the proportion of minorities in the senior ranks that this preferential treatment has been given or is it on

account of competency alone that juniors have been promoted?

Shri Jagjivan Ram: My hon. friend suffers from some obsession. There is no question of minorities here.

Shri Tyagi: The whole railway staff is simmering with this topic and therefore I wanted to clarify the position of the Minister that this matter does not refer to any communal consideration.

An Hon. Member: Not communal, but caste.

Shri Tyagi: I am coming to the rescue of the Minister.

Shri Jagjivan Ram: It does not involve any reservation for any minority.

Bhakra Dam

*1252. **Shri Ajit Singh Sarhadi:** Will the Minister of Irrigation and Power be pleased to state:

(a) whether it is a fact that the Punjab Government have approached the Union Government for contribution to the Bhakra Dam expenses and reduction in the Punjab Government's liability therein; and

(b) if so, the nature of the representation and the Union Government's reaction thereto?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) Yes, Sir.

(b) The Punjab Government have represented to the Planning Commission that the Government of India may consider the question of granting a “welfare subsidy” to the Government of Punjab equal to the amount of the “unproductive gap” in the irrigation portion of the Bhakra Nangal Project. They have also suggested that the interest on loans advanced by the Government of India for the irrigation portion of the Bhakra Nangal Project should be charged at 3 per cent from the very

beginning. These proposals are under consideration of the Planning Commission.

Shri Ajit Singh Sarhadi: What percentage does the expense on the undevelopmental part constitute, for which remission has been sought by the Punjab Government?

Shri Hathi: It is not undevelopmental; it is unproductive. What they considered was, the total cost of irrigation would be Rs. 87.41 crores and the income will be Rs. 1.90 crores, which will be the interest on a capital of Rs. 54 crores. Therefore, they consider that Rs. 33 crores is unproductive capital.

Shri Ajit Singh Sarhadi: Has the Central Government examined and come to the conclusion that in fact Rs. 87.4 crores is the expenditure on the unproductive part of the project?

Shri Hathi: The whole of it is not unproductive. According to them also, the whole of Rs. 87 crores is not unproductive.

Shri Ajit Singh Sarhadi: Have the Punjab Government made any assessment as to what part of it is unproductive?

Shri Hathi: Yes; Rs. 33 crores.

Shri Ranga: What are those major sections of works which are classified as unproductive?

Shri Hathi: There is no question of any work being considered unproductive. They say, the total cost of the irrigation project will be Rs. 87 crores. The return will only be Rs. 1.9 crores. This is on the calculation of interest on the capital of Rs. 54 crores. Therefore, they say that Rs. 33 crores will not give any interest. So, it is not that any work is unproductive.

Mr. Speaker: What is the percentage?

Shri Hathi: The usual rate of 4 per cent.

Shri Ranga: Have the Punjab Government made any suggestion about the reduction of betterment levy dues that they have calculated, in order to justify their claim for a reduction in the burden of this debt on them?

Shri Hathi: The question of betterment levy rests with the Punjab Government. They have requested for the reduction in the rate of interest.

Shri Ranga: Have they suggested that as compensation, they would be giving some concession to the growers?

Shri Hathi: That they have not mentioned.

Shri Mahanty: May I know whether the principle of not charging interest on unproductive investments in all the river valley projects has been accepted by the Government of India as a matter of principle?

Shri Hathi: No, Sir.

Shri Mahanty: The hon. Deputy Minister has stated that the matter is under examination. Since all the State Governments are interested in the matter, may we know what length of time this particular matter will take for arriving at a conclusion?

Shri Hathi: As the hon. Member rightly suggested, it is not a question for Punjab alone; it will apply to all the States. So, it has to be considered on an all-India basis.

Shri Ajit Singh Sarhadi: May I know by what time the Central Government would come to a decision on this point: to enable the Punjab Government to give some relief to the peasants?

Shri Hathi: The matter is being considered by the Planning Commission.

श्री प्रकाश वीर शास्त्री : क्या मैं जान सकता हूँ कि भाखड़ा बांध का निर्माण कार्य कब तक पूरा हो जाने की सम्भावना है ?

Shri Hathi: The dam is nearly complete. The fourth set has already been

installed yesterday or day before. But as we are adding new sets also on the right bank; that would take some time.

Shri Mahanty: Since the Central Water and Power Commission were mostly entrusted with the construction of these dams, including the Bhakra dam, may I know how this unproductive expenditure could accrue?

Shri Hathi: My reply was very clear. It is not that any particular work is unproductive. What they consider is that the total cost is Rs. 87 crores, but the total income would be about Rs. 1.9 crores. If they calculate interest at the rate of 4 per cent, Rs. 1.9 crores would be the interest on the capital of Rs. 54 crores. So, they say that the balance Rs. 87 crores minus Rs. 54 crores, i.e. Rs. 33 crores is unproductive. It is not that any work is unproductive.

Shri Harish Chandra Mathur: May I know how the position has changed since the project was contemplated and an agreement was arrived at between the Centre and the State Governments including the Rajasthan Government, regarding the rate of interest? May I know how the position has changed since then and what accounts for it?

Shri Hathi: The rates charged varied at different times. But after the second Finance Commission submitted its report, it has been decided that for loans advanced up to 1958, the interest should be 3 per cent for irrigation and 4 per cent for power. The rates varied at different times, but now it has been decided that all loans upto March, 1958 will bear that interest.

Blanking off Alarm Chains

*1253. **Shri Ram Garib:** Will the Minister of Railways be pleased to state:

(a) whether the blanking off of alarm chains in the Indian Railways is authorised by any statute;

(b) if so, the details thereof; and

(c) whether any alternative arrangements for communication between the travelling passengers and the conductor/guard are made in case of blanking off of alarm chains?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) Rule 111(c) of the General Rules for working of the open lines of Railways makes provision for blanking off of alarm chains by Railway Administrations. These rules have been framed under Section 47 of the Indian Railways Act, 1890.

(b) Extracts of Rule 111 and Section 47 are placed on the Table of the House. [See Appendix IV, annexure No. 51].

(c) When the alarm chains are blanked off, there is generally no other means of communication between the passengers and the guard while the train is on the run. Experiment, however, of a push button arrangement, which when operated by passengers would give an audible signal to the guard and the driver so as to enable them to stop the train as may be necessary, is under trial.

Shri Sinhasan Singh: May I know whether it is a fact that this blanking off of alarm chains has been resorted to because of the failure of the Railway Administration to check the pulling of alarm chains, and because of their inefficiency they have now followed a negative policy of blanking off of alarm chains whereby they are putting the people to trouble?

Shri Shahnawaz Khan: We have used every possible method to bring down the number of chain pullings and there has been some slight decrease in the number. But still the number is very considerable, and in the interest of train operation and carriage of goods it is very essential that we have to resort to this. For the information of the House I would like to say that in 1960 there were as many as 49,153 cases of chain pullings, and if we go on like this the trains won't move.

Shri Sinhasan Singh: May I know in which area the number was the highest?

Mr. Speaker: Order, order. It is coming up again and again. Shri Rama Rao's case was there. Is it going to be settled during the Question Hour? I think I allowed a Half-an-hour Discussion over this matter. Let us go to the next question.

Shri Braj Raj Singh: But there is the legality of the question.

Shri Ranga: There is one point on which I would like to have some clarification.

Shri Shahnawaz Khan: May I submit, Sir, that in the case of a large number of trains we have restored the alarm chains. Wherever we find that there is the least bit of possibility of restoring it, we do restore it.

Shri Ranga: We were just now told that whenever there is any need it is open to the passengers to make some noise or give some signal to the railway staff or the guard.

Shri Tyagi: He mentioned about the push button.

Shri Ranga: We do not know where it is. Is it ever practicable for any passenger to make himself heard by the railway staff?

Mr. Speaker: They are only making an experiment.

Shri Shahnawaz Khan: As I said, we are experimenting with it, and in almost all the mail and express trains we have installed this push button, to begin with, in the ladies compartments. It is just like an electric bell and if you press the button a buzzer or a bell rings in the guard's room.

Shri Ranga: In view of the fact that there seems to be a lacuna, even as it was admitted the other day by the hon. Minister of Railways, regarding payment of consideration and also payment of compensation to those

people who happen to suffer from serious accidents as a result of failure of the government or the need of the government not to allow alarm chains to be functioning, is Government considering the advisability of bringing forward an amending Bill to the Railway Act in order to make provision for compensation?

The Minister of Railways (Shri Jagjivan Ram): No, Sir; chain pulling is not to be treated as a railway accident. Compensation is provided for a person who suffers on account of the railway accidents, and the type of case which the hon. Member has in mind was not due to a railway accident.

Shri Ranga: That is disputed.

Shri Braj Raj Singh: Could I know whether the rule under reference has been examined by the Ministry from the constitutional point of view? The Constitution having come into force, I feel, sir, that this has to be examined by the Committee on Subordinate Legislation of this House.

Shri Jagjivan Ram: I may point out, Sir, that this provision has nothing to do with the Constitution. It arises out of the Railway Act and the rules framed under the Railway Act.

Shri Braj Raj Singh: I know that. My point was this. Since the coming into force of our Constitution, may I know whether the rule under reference would be in consonance with the spirit of the Constitution? That is my point.

Mr. Speaker: Order, order. Provision of alarm chains is not one of the fundamental rights guaranteed under the Constitution. These are all matters which are constantly adopted for the benefit of passengers.

Shri Tyagi: Why is there discrimination between males and females?

Mr. Speaker: Order, order. Let us go to the next question.

Dr. M. S. Aney: It is a fundamental right of the passengers to be completely secure from railway accidents

while travelling by the railways as far as possible. From that point of view, putting up alarm chains is a duty which the Railway Administration cannot avoid.

Shri Jagjivan Ram: I do not think it is a fundamental right.

Mr. Speaker: I am not here to decide fundamental rights.

राजा महेंद्र प्रताप : मैं एक बात रूखना चाहता हूँ ।

Mr. Speaker: Order, order. When I call him he can speak, not otherwise.

राजा महेंद्र प्रताप : मेरा एक सवाल दृष्ट न जरूरी है ।

Mr. Speaker: Next Question.

Panchayat Raj

*1254. **Shri Harish Chandra Mathur:** Will the Minister of Community Development and Cooperation be pleased to state:

(a) whether the Planning Commission has considered the question of expenditure on salaries and allowances paid to non-officials in Panchayat Raj by the States;

(b) if so, what is their reaction;

(c) whether any advice has been given in the matter by the Commission to State Governments or to the Ministry of Community Development;

(d) if so, the details thereof; and

(e) what is the estimated amount involved in the Third Plan period?

The Deputy Minister of Community Development and Cooperation (Shri B. S. Murthy): (a) to (d). The question of payment of honoraria to the non-official office bearers of Panchayat Samitis and Zila Parishads was considered by the Central Committee on Community Development on which the Planning Commission is represented. The Committee decided that it

would be better not to pay salaries as such but only a fixed sum for out-of-pocket expenses including travelling allowance etc. This question was further considered at the Conference of State Ministers of Community Development and Panchayat Raj held at Hyderabad in July, 1961. The Planning Commission participated in this Conference. The Conference decided that the Chairmen of Panchayat Samitis and Zila Parishads may be given travelling allowances, daily allowances etc., to meet their out-of-pocket expenses or a consolidated allowance in lieu thereof. The quantum of these allowances, however, may be decided by the State Governments taking into consideration the local conditions.

Some States have already provided for payment of honorarium/salary to these persons. They have been requested to reconsider the question in the light of the recommendation of Hyderabad Conference with a view to give a consolidated allowance to these persons instead of salary/honorarium. Other States, which have not provided salary/honorarium to these persons, have been requested to take suitable action to give them T.A. and D.A. etc. or a consolidated allowance in lieu thereof.

(e) The estimated amount involved in the Third Plan period can be ascertained only after the State Governments intimate action taken on the above.

Shri Harish Chandra Mathur: May I know which of the State Governments have already sanctioned honoraria to the Chairmen of these local bodies, the extent of the honoraria sanctioned already and what is their justification for it as against the decision arrived at the Conference?

Shri B. S. Murthy: The States had already taken a decision before this question was considered by the Central Committee.

Shri Harish Chandra Mathur: Which are the States?

Shri B. S. Murthy: The States are: Andhra Pradesh as well as Rajasthan—the State from which my hon. friend comes.

Shri Harish Chandra Mathur: Only half of my question has been answered. I want to know what is the justification given by these States for sanctioning these honoraria? Did they say that the work of the Chairman involves a whole-time worker; if so, may I know how this point was met?

Mr. Speaker: Order, order. The hon. Minister need not answer this question. Hon. Members are constantly under the impression that they are the only representatives of the public. There are the State legislatures. We do not spend a single pie from the Consolidated Fund. If we spend then there is the Estimates Committee to take care of it, and then I will allow any number of questions here. So far as this question is concerned let him go to his own State and put the question to them. I am not going to allow questions here about details of allowances etc. It is open to them to pay anything they like.

Shri Harish Chandra Mathur: It is against the State Government's decision. When the Minister of Community Development and Co-operation and the Planning Commission at the Centre come into the picture and take a decision against what the State Government has already decided, I think Parliament is the only forum where we can raise it.

Mr. Speaker: Who pays the money?

Shri Harish Chandra Mathur: Those people who paid the money are asked not to pay the money. Who is asking them not to pay the money? It is the Planning Commission and the Minister of Community Development and Co-operation at the Centre who are asking them not to pay. Therefore, the question is put to them as to what was the justification, what were the grounds put forward by the State Governments for paying the money. These are the only two State

Governments who have gone into decentralisation. If the Centre is not now listening to these two State Governments and the Centre wants to impose its decision on them, I think this is the only forum where we can raise the issue.

The Minister of Community Development and Co-operation (Shri S. K. Dey): Sir, I am very sorry, there is no conflict whatsoever between the Central Government and the States in this matter. At the Hyderabad Conference the State Ministers of Community Development and Panchayat have been a party to this decision which was taken unanimously. In any case, it is not a decision as such of the Central Government as the Central Government can only give its views to the State Government for consideration. So far, we have not had any conflicts at all, and if there is a conflict, we will certainly come to Parliament.

Shri Ranga: Is this not one of the instances by which the Union Government is trying to stifle the freedom of the States, not to speak of the Panchayats, panchayat samitis and panchayat parishads by forcing down their throats this so-called advice?

Mr. Speaker: Hon. Members have followed what the hon. Minister has stated. Of course, the Centre gives advice from time to time because, if one State Government pays, another State Government may also be obliged to pay. That is why these conferences are held from time to time and unanimous decisions are taken, as far as possible. It is open to the State Governments to adopt them or not adopt them. When they unanimously agree, what is the meaning of saying that in spite of that unanimous decision, "you must pay"? I do not want to go into the details here. After all, the Centre only gives advice and it is open to the States to follow it or not follow it as they are autonomous—in the interests of proper administration. But if one State Government, because it is rich, pays it,

the other State Governments, who may not be so rich, cannot be forced to pay it. The Centre wants to bring about some uniformity and merely gives advice.

Survey Vessel 'Haldia'

*1255. **Shri Indrajit Gupta:** Will the Minister of Transport and Communications be pleased to refer to the reply given to Starred Question No. 421 on the 11th August, 1961 and state:

(a) whether it is a fact that the Assistant River Surveyors of Calcutta Port went on strike in protest against suspension of one of them who refused to sail the River Survey Vessel 'Haldia';

(b) if so, the reasons for their objection to sailing aboard the Vessel;

(c) the terms of settlement of the strike; and

(d) whether it has become necessary to carry out certain modifications of the Vessel?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) No, Sir.

(b) and (d). The Hooghly River Surveyors' Association asked for some additional amenities on board the R.S.V. "Haldia", which are proposed to be provided to the extent practicable, when the vessel is laid up for overhaul in October 1961.

(c) Does not arise.

Shri Indrajit Gupta: To the first part of the question, if I heard the Minister right, he said that no strike took place. May I know whether it is not a fact that one of the commanders, Commander Bosworth, was suspended from service because he, along with other survey vessel surveyors, had expressed his unwillingness to operate this vessel until these modifications are carried out?

Shri Raj Bahadur: I repeat that no strike took place. It is a fact that

when the survey vessel "Haldia" was commissioned and Shri Bosworth was asked to run it, he made some argument about the amenities and it was understood that perhaps he was unwilling to operate it. Therefore, he was put under suspension. But, later on, after the strike notice was served by the river surveyors association there were discussions between the port authorities and the surveyors. Then it was found that it was only a misunderstanding and Shri Bosworth never intended to defy the orders. As soon as that misunderstanding was removed, the order of suspension was vacated from the date of issue and a settlement was arrived at.

Shri Indrajit Gupta: How did it happen that in the case of this ship, which was ordered from the Hindustan Shipyard at a cost of Rs. 30 lakhs, before delivery was taken no sufficient inspection or control was exercised to see that these further modifications would not be required after the ship had been commissioned?

Shri Raj Bahadur: It would be an incorrect inference to say that no inspection or check was made. In fact, the vessel was certified by the Chief Surveyor, Admiral Bose. He was consulted by the Port Commissioners as to its suitability for survey work and he gave his considered opinion that the vessel could be used on a normal basis straightway. He only suggested certain minor alterations most of which have been carried out. Apart from that, it conforms to the Llyod's classification and has all the certificates necessary for seaworthiness. There is no question of the vessel being unsuitable, and every check was made about its suitability and seaworthiness.

Shri Indrajit Gupta: I would just like to know whether it is not a fact that the modifications or the lack of amenities, which was the issue at dispute, concerned mainly the living quarters and amenities for the officer crew and other crew? What is the estimated cost that is going to be incurred in order to effect these modifications and who is going to bear the

cost—the Port Commissioners or the Hindustan Shipyard?

Shri Raj Bahadur: The surveyors wanted that there should be an extra-bathroom as also the air-conditioning of their cabins etc. which were not provided for. Therefore, some sort of misunderstanding arose. It has now been agreed that the extra bathroom may be provided and, according to the wishes of the surveyors, certain other modifications might be carried out. But they had nothing to do with the seaworthiness of the vessel. It was absolutely all right in respect of seaworthiness.

Shri Indrajit Gupta: Who is going to pay the expenditure for the modification?

Shri Raj Bahadur: The Port Commissioners.

Shri Raghunath Singh: I suggest that the last question, Question No. 1270, may be taken up, as we have only five minutes now.

Shri Hem Barua: Sir, I have written to you about Question No. 1261, murder of a girl in a railway compartment, which is very important.

Mr. Speaker: I am unable to decide which question is important. So, I will proceed according to the list.

Shri Raghunath Singh: The last question deals with shipping and shipyard, which is very important. It is a question between the private sector and the public sector.

Mr. Speaker: I will go according to the list. Next question. Shri D. C. Sharma. I think he is absent. Next question.

All India Institute of Medical Sciences

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*1257. { **Shrimati Renu Chakravartty:**
 Shri S. M. Banerjee:

Will the Minister of Health be pleased to state:

(a) whether the rules permit an employee of the All India Institute of 1160 (A) L.S.D.—2.

Medical Sciences to apply for jobs outside after three years of service;

(b) whether any applications are forwarded relaxing the rules in the case of higher staff;

(c) whether it is a fact that in case of lower staff the forwarding of applications is observed rather as an exception; and

(d) what were the total number of applications received from Class II, III and IV employees and how many were not forwarded?

The Minister of Health (Shri Karmarkar): (a) to (d). A statement is placed on the Table of the Sabha. [See Appendix IV, annexure No. 52].

Shrimati Renu Chakravartty: What is the reason for the applications not being forwarded for the lower staff? Because, I find the percentage of applications forwarded is much higher in the case of higher staff.

Shri Karmarkar: I think I have to ask for the information from the All India Medical Institute which, according to a statute of this Parliament, is an autonomous body. I shall ask for that information on notice.

Shrimati Renu Chakravartty: Has the All India Medical Institute made any particular rules strictly defining that there will be automatic forwarding of applications when these applications are received?

Shri Karmarkar: I must ask for notice.

Mr. Speaker: The hon. Minister may place a copy of the rules in the Library.

Shri Karmarkar: If they have made any rules, I will get a copy and place them in the Library. I shall ascertain it.

Mr. Speaker: With respect to all autonomous corporations, whether industrial commercial or medical, copies of all the rules framed by them from

time to time must be placed in the Library for the benefit of the members. Hon. Members should avoid putting detailed questions as to whether a particular rule is there or not, because the hon. Minister is not expected to know the various rules of the autonomous corporations. But they should be available in the Library.

Shrimati Renu Chakravartty: In the case of higher staff, how many cases of relaxation have been made where-by even beyond the rules applications have been forwarded?

Shri Karmarkar: The total number of applications received from Class II employees was 19, out of which 14 were not forwarded.

Shri Joachim Alva: In the name of the autonomy of this Institution, the Ministry of Health does not seem to have any grip at all on the administration of this very important medical institute. Is it not true that there is grave dissatisfaction about the manner of appointments in Classes II, III and IV, which are the bulk appointments, and 14 out of 19 in Class II have been refused permission and in Class III, 30 have been refused out of 55—A very large number. Competent foreign-trained doctors, who have the right to get good jobs, are not allowed to apply for outside jobs: why?

Shri Karmarkar: The hon. Member has put many questions in one. First he referred to grip. We can exercise grip so far as it is permissible under the Acts of Parliament. To the extent to which Parliament has permitted us to have a grip, we have a grip; to the extent to which we are not permitted to have a grip, we have no grip. Regarding the other question, I am quite sure, my hon. friend will appreciate that there should be some restriction on people joining a particular institution and then applying for other jobs. If a man accepts an appointment in an institution today and within one year's time he asks for a new appointment, should we go on forwarding his

applications and then make new appointments? I can well understand the All India Medical Institute being restrictive in the question of forwarding the applications of their staff. They are not there merely to recruit people and then forward their applications. I entirely agree with the decision taken by the Institute that it should be restrictive.

12.00 hrs.

No institution can run efficiently if every servant is permitted to apply for a new post the next day of his appointment.

Shri Joachim Alva: First of all the Ministry should have a good supervisory hand over this Institute on which we have spent Rs. 5 crores, may be from India or from abroad. Even the building is supposed to have attracted the admiration of Her Majesty Queen Elizabeth. There was a report to that effect in the papers.

Shri Karmarkar: The admiration is out of the question.

Mr. Speaker: The hon. Member may move a resolution and have a discussion.

Shri Joachim Alva: This Institute is very important institute. A lot of things are happening there. I am drawing the hon. Minister's attention to that. We do not get a chance to discuss it every time.

Mr. Speaker: Why should the hon. Minister be asked to give a chance? The hon. Member may apply for a discussion and if there is time and if it is necessary and reasonable, a discussion may be allowed.

Shri Karmarkar: I will welcome a half-an-hour discussion on this point. If you have the time, even an hour's discussion can be had. I do not mind.

Shri Ranga: There seems to be some understanding between the two. Even before anybody asks for it and you give your consent to it, the hon. Minister himself volunteers a half-an-hour discussion about it.

Shri Karmarkar: Why does my hon. friend object to it, if I have volunteered? I always volunteer for reasonable things.

Mr. Speaker: If the hon. Minister offers, there is a complaint; if he does not, there is a complaint. I do not know what hon. Ministers can do.

New Railway Hospital at Kalyan

*1258. **Shri Tangamani:** Will the Minister of Railways be pleased to state:

(a) whether several complaints have been received about the treatment of workers, and maternity cases of wives of workmen in the new Hospital at Kalyan in the Central Railway opened on the 12th February, 1961;

(b) whether it is a fact that one Motorman at Victoria Terminus died in this hospital on the 13th July, 1961 of coronary thrombosis and treatment was callous;

(c) whether it is a fact that two expectant mothers and babies died during this period due to negligence; and

(d) whether Government propose to institute an enquiry into treatment of expectant mothers in this hospital?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) No, Sir. Only one complaint has been received from a Guard about the maternity case of his wife.

(b) Yes, Sir. But the allegation that the treatment was callous is not correct.

(c) Yes, Sir. However deaths were not due to any negligence.

(d) No, Sir.

Shri Tangamani: May I know whether in the maternity case about which a complaint was received from the Guard, the woman, that is, Mrs. Nallappa, survived or did she die?

Shri Shah Nawaz Khan: She died.

Re. Question No. 1261

Shri Hem Barua: Sir, may I request you to take up Question No. 1261? It was tabled as a short notice question. It is important. It is about the murder of a young girl, and a pretty girl too. The trouble is that it has been converted into a Starred Question. I wrote to you to take it up as a special case. Could it be possible for you to accede to this request?

Mr. Speaker: Very well; the hon. Minister.

Dead Body of a Girl at Amingaon Station

+
*1261. { **Shri Hem Barua:**
Shrimati Mafida Ahmed:

Will the Minister of Railways be pleased to state:

(a) whether the attention of Government has been drawn to news item appearing in the Assam and Calcutta papers to the effect that on the 12th August, 1961 the dead body of a pretty young girl of 20½ years of age was discovered locked in a steel trunk in a First Class compartment at Amingaon Railway Station, Assam;

(b) if so, whether it has been ascertained through post mortem examination that it is a ghastly act of murder; and

(c) if so, what steps have been taken to apprehend the culprits and with what success?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) and (b). Yes Sir. Due to the decomposed state of the body, the exact cause of death could not be ascertained from the postmortem examination.

(c) The husband of the deceased has since been arrested and the case is under police investigation.

Shri Hem Barua: The dead body was locked up in a steel trunk and it was deposited in the first class railway

compartment. Nobody was travelling with this trunk. The husband was not travelling. A military officer who was travelling from Pathankot drew the notice of the railway guard saying, "Here is a trunk that is uncared for", but the railway guard took no notice of it. So, what steps Government propose to take against the railway guard?

Shri Shah Nawaz Khan: The whole matter is under investigation by the railway officer to this particular fact and pointing to that particular trunk that are placed in railway compartments. The railway authorities are not supposed to look inside these trunks.

Mr. Speaker: The hon. Member says that some military officer drew the attention of the railway guard or the railway officer to this particular fact and pointing to that particular trunk said that he must take charge of that and look into it because it was suspicious.

Shri Shah Nawaz Khan: We are not aware of that information.

Shri Hem Barua: The husband of this girl deposited this trunk at the Mall Junction and evaporated. Then the military officer.....

Mr. Speaker: We are going beyond the question. The case is under investigation. Of course, I allowed that question. The statement that the military officer brought it to the notice of the guard does not implicate one way or the other. But when it is said further that the husband brought the trunk, it is a matter for investigation. It will lead to very serious consequences if questions are allowed one way or the other.

Shri Hem Barua: The whole matter is out in the newspapers. About the source the newspaper says that this information is brought from the Railway Police. Here are the details.

The Minister of Railways (Shri Jagjivan Ram): I cannot proceed on the basis of newspaper reports when the matter is in the hands of the Police and is under investigation.

Shri Hem Barua: The Railway Police is involved in it so far as the report is concerned.

Shri Jagjivan Ram: Let him say all these things outside the House.

Shri Hem Barua: I have the paper cutting with me.

Shri Jagjivan Ram: I cannot proceed on the basis of the newspaper report so long as it is in the hands of the Police for investigation.

Shri Hem Barua: May I know whether the hon. Minister proposes to enquire from the Railway Police if the news as it has appeared in the newspaper has trickled from their source?

Shri Jagjivan Ram: It is not a question of my enquiring. The Police is seized of the problem. They will certainly look into all those aspects which are relevant for their investigation or for the case.

Shrimati Mafida Ahmed: In view of the fact that this tragedy would not have happened if there were separate compartments for ladies, may I know whether Government consider introducing ladies' first-class compartments on all the principal routes?

Shri Jagjivan Ram: I am afraid the hon. lady Member has not cared to read the question and the answer.

Shri Hem Barua: May I know.....

Mr. Speaker: The hon. Member does not understand the consequences of asking further questions regarding this matter. It is a serious matter of murder. There is no good in asking the hon. Minister to take up the investigation. It is a matter which has to be investigated by the Police. Nobody, either the hon. Minister or an hon. Member, is entitled to interfere when once it has gone into their hands. Nobody discredits the newspaper report. The newspaper report will also be taken into consideration during investigation.

WRITTEN ANSWERS TO
QUESTIONS

Flying Clubs

***1241. Shri Ram Krishan Gupta:** Will the Minister of **Transport and Communications** be pleased to state:

(a) whether any scheme for setting up more flying clubs during Third Five Year Plan period has been finalised; and

(b) if so, the details thereof?

The Deputy Minister of Civil Aviation (Shri Mohiuddin): (a) and (b). Provision has been made for establishing 15 new Flying Clubs in the Third Five Year Plan.

Super Constellations for Internal use

***1242.** { **Sardar Iqbal Singh:**
Shri Ram Krishan Gupta:

Will the Minister of **Transport and Communications** be pleased to refer to the reply given to Starred Question No. 1784 on the 28th April, 1961 and state at what stage is the proposal to introduce super constellations on the internal routes in India which have become spare due to A.I.I.'s acquiring of the Boeings?

The Deputy Minister of Civil Aviation (Shri Mohiuddin): The Indian Airlines Corporation have examined the feasibility of utilising, on their domestic services, the Super Constellations which will become surplus to the requirements of the Air India International Corporation, but have come to the conclusion that it would be un-economic to use the aircraft on their services. But the use of the aircraft by Indian Airlines Corporation on charter basis is still under consideration.

Coach Building Factory in Kerala

***1244. Shri Narayanankutty Menon:** Will the Minister of **Railways** be pleased to state:

(a) whether there is a proposal from the Kerala Government to have

metre-gauge coach building factory to be located at Quilon;

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

(c) what action has been taken on the proposal?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) No, Sir.

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

Clash Between Wagon Breakers and R.P.F.

***1248. Shri Muhammed Elias:** Will the Minister of **Railways** be pleased to state:

(a) whether there was a clash between wagon breakers and R.P.F. on the 12th June, 1961 at Kankinara Railway Yard; and

(b) if so, what was the total number of arrests of wagon breakers in this connection?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) No such case occurred on 12-6-61, but there was a clash between wagon breakers and the Railway Protection Force on 11-6-61 at Naihati Yard at about 13-00 hrs.

(b) No one was arrested on the spot, but 17 persons were arrested as a result of a subsequent raid in the nearby localities.

Use of Furnace Oil in Place of Coal

***1256. Shri D. C. Sharma:** Will the Minister of **Railways** be pleased to state:

(a) whether the feasibility of using Furnace Oil in place of coal in areas which are far from coal-fields has been examined; and

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

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) Yes, Sir.

(b) A decision has yet to be taken.

Cancellation of Trains due to Coal Shortage

***1259. Shri T. B. Vittal Rao:** Will the Minister of Railways be pleased to state:

(a) whether some goods trains in Olavakkot Division of Southern Railway had to be cancelled during the first week of August, 1961 due to shortage of coal;

(b) what are the reasons for this shortage;

(c) the steps Government propose to take to avoid recurrence;

(d) what is the normal consumption of coal for Southern Railway per month; and

(e) how many days' stock is held by the Railways on any day?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) Yes, Sir.

(b) to (e). A statement is laid on the Table of the House. [See Appendix IV, annexure No. 53].

Civilian Pilots for Indonesia

***1260. Shri Braj Raj Singh:** Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that the Indonesian Government have intimated to the Government of India that there exist in Indonesian some vacancies for civilian pilots; and

(b) if so, whether the Government of India have intimated the Indonesian Government that India could arrange for civil pilots from within this country to be sent to that country?

The Deputy Minister of Civil Aviation (Shri Mohiuddin): (a). The Indonesian Government desired to secure the services of experienced Instructors under the Colombo Plan for imparting training on Chipmunk and Dakota aircraft at the Indonesian Aviation Academy.

(b) No volunteers could be obtained from amongst experienced Pilot Instructors employed in the two Corporations for service in Indonesia under the Colombo Plan terms.

Konar Dam

***1262.** { **Shri Ram Krishan Gupta:**
Sardar Iqbal Singh:
Shri A. M. Tariq:

Will the Minister of Irrigation and Power be pleased to refer to the reply given to Starred Question No. 1860 on the 3rd May, 1961 and state:

(a) whether Government have considered the arbitration report regarding the case of over-payment to M/s Hind Patel and Company for works done at Konar Dam; and

(b) if so, the result thereof?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) and (b). The Government of India were not a party to the arbitration proceedings but the matter is reported to be under the consideration of the Damodar Valley Corporation.

Tourist Publicity in U.S.A.

***1263.** { **Shri D. C. Sharma:**
Shri Ram Krishan Gupta:

Will the Minister of Transport and Communications be pleased to refer to the reply given to Starred Question No. 1782 on the 28th April, 1961 and state at what stage is the proposal to sponsor a research project for having an objective appraisal of the adequacy and efficacy of the tourist publicity being done in the U.S.A.?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): The Stanford Research Institute submitted their plan of research. Some clarifications have been asked for from the Institute. Their reply is awaited.

Accident to Saurashtra Mail

***1264. Shri Assar:** Will the Minister of Railways be pleased to state:

(a) whether it is a fact that there was an accident to Saurashtra Mail and five women were crushed to death under the train on the 10th June, 1961 between Virar and Saphala on Western Railway; and

(b) if so, the details thereof?

The Deputy Minister for Railways (Shri S. V. Ramaswamy): (a) and (b). On 10-6-1961 at about 06.45 hours five women who were walking on the Up through track near Dahisar bridge between Saphala and Virar stations on the Broad Gauge section of the Western Railway, were run over by the 6 Up Saurashtra Mail and died on the spot.

Bridge on National Highway No. 37

***1265. Shrimati Mafida Ahmed:** Will the Minister of Transport and Communications be pleased to refer to the reply given to Starred Question No. 584 on the 6th March, 1961 and state:

(a) when the construction of the new bridge on the proposed by-pass on National Highway No. 37 is likely to be started;

(b) whether any preliminary survey has been made so far; and

(c) if not, what are the reasons?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) Owing to paucity of funds the construction of the proposed by-pass of National Highway No. 37 and a new bridge thereon could not be included in the third five-year plan.

(b) Yes, Sir.

(c) Does not arise.

Expectancy of Life in India

***1266. Shri Harish Chandra Mathur:** Will the Minister of Health be pleased to state:

(a) what is the basis for Government's conclusion that expectancy of life in India has gone up to 47 years;

(b) what is the position sex-wise; and

(c) to what extent the situation in child mortality has improved and affected figures and expectancy of life?

The Minister of Health (Shri Karmarkar): (a) to (c). The necessary information is being collected and will be laid on the Table of the Sabha in due course.

Imported Wheat from U.S.A. Diverted to Turkey

***1267. Shrimati Ila Palchoudhuri:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that the Government of India have recently diverted large quantities of wheat imported from the U.S.A. to Turkey;

(b) if so, the total quantity of wheat diverted to Turkey so far during 1961;

(c) the reasons for such an action;

(d) whether any wheat had been diverted to Turkey in 1960 also; and

(e) if so, the total tonnage thereof?

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): (a) to (c). Owing to grave food shortage due to natural calamities etc., the Government of Turkey last month requested the Government of India for a loan of upto 90,000 tons of U. S. PL-480 wheat and requested for diversion to Turkey of some ships already on the high seas. Subject to

the concurrence of the Government of U.S.A. the Government of India agreed to help the Government of Turkey. With the concurrence of the U.S. and the Turkish Governments two ships on the high seas carrying about nineteen thousand six hundred tons of wheat were diverted to Turkey. Further diversions will be made only if so desired by the Turkish Government.

(d) No, Sir.

(e) Does not arise.

Employment of Pilots

***1268. Shri Braj Raj Singh:** Will the Minister of **Transport and Communications** be pleased to state:

(a) whether it is a fact that in the last selection for I.A.C. from amongst the unemployed pilots only those pilots only those pilots have been selected who were employed at some place or another;

(b) the reasons for not giving preference to the pilots who were wholly unemployed;

(c) whether it is a fact that for the last three years pilots who are employed in I.A.C. have been working over-time;

(d) how many hours have been put in over-time within the last three years by the pilots who are employed in I.A.C.;

(e) what is the amount paid to them for over-time allowance;

(f) whether it is a fact that instead of getting over-time work done by these pilots in I.A.C. if more pilots had been recruited the I.A.C. would have saved a sizeable amount; and

(g) if so, whether I.A.C. propose to abandon the practice of getting the over-time work done by pilots and recruit fresh pilots to do the job?

The Deputy Minister of Civil Aviation (Shri Mohiuddin): (a) and (g).

I lay a statement on the Table of the Lok Sabha giving the requisite information. [See Appendix IV, annexure No. 54].

Heart Disease in India

***1269.** { **Shri Ram Krishan Gupta:**
Sardar Iqbal Singh:
Shri A. M. Tariq:

Will the Minister of **Health** be pleased to refer to the reply given to Starred Question No. 1862 on the 3rd May, 1961 and state:

(a) whether Government have since completed the survey regarding the causes of growing heart disease in India; and

(b) if so, what are they?

The Minister of Health (Shri Kar-markar): (a) No, Sir.

(b) Does not arise.

Offer to Construct Second Shipyard

***1270. Shrimati Ila Palchoudhuri:** Will the Minister of **Transport and Communications** be pleased to state:

(a) whether it is a fact that a newly formed Shipping Company—Jayanti Shipping Company of New Delhi has made an offer to the Government of India for constructing India's second shipyard at Cochin and a repair yard with it for less than one-third of the estimated cost of the project in 3 to 4 years;

(b) if so, full details of the offer; and

(c) Government of India's reaction thereto?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) No, Sir.

(b) and (c) Do not arise.

Sugar Factories in Punjab

3464 { **Shri Ram Krishan Gupta:**
Shri Chuni Lai:

Will the Minister of **Food and Agriculture** be pleased to state.

(a) the number of details of applications received from Punjab since July, 1960 for the establishment of Sugar Factories in Punjab; and

(b) the action taken thereon?

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): (a) Five, as per details below:—

No.	Name of the applicant	Proposed location
1.	M/s. Oswal Sugar Mills, Ludhiana.	Doraha, Punjab.
2.	M/s. The Karnal Cooperative Sugar Mills.	Karnal, Distt. Karnal.
3.	M/s. Palwal Co-operative Sugar Mill.	Palwal, Distt. Gurgaon.
4.	M/s. Tarn Taran Cooperative Sugar Mills Ltd.	Tarn Taran, Distt. Amritsar.
5.	M/s. Bedi & Co. Private Ltd., Bangalore Factory Ms. Karnal Sugar Mills Ltd.,	Karnal, Distt. Karnal

(b) In view of surplus production of sugar in the country it has been decided not to license any further capacity in the sugar industry for the present. The aforesaid applications will, therefore, be considered if and when it is decided to resume licensing of new capacity.

Milk Boards in States

3465. { **Shri Ram Krishan Gupta:**
Shri Chuni Lal:
Shri Pangarkar:
Shri D. C. Sharma:

Will the Minister of **Food and Agriculture** be pleased to refer to the

reply given to Unstarred Question No. 737 on the 1st March, 1961 and state further progress since made in setting up Milk Boards in different States?

The Deputy Minister of Agriculture (Shri M. V. Krishnappa): There has been no change in the position. However, this question was considered by the Animal Husbandry Wing of the Board of Agriculture in India in July, 1961. The Wing has recommended that the setting up of Milk Boards in the States should be considered only when all milk schemes and dairy projects started in the Second and Third Five Year Plans have been completed.

Unqualified Medical Practitioners in Delhi

3466. { **Shri Ram Krishan Gupta:**
Shri Chuni Lal:

Will the Minister of **Health** be pleased to refer to the reply given to Unstarred Question No. 760 on the 1st March, 1961 and state whether Government have considered the proposal of extending one of the States Medical Acts to the Union Territory of Delhi to stop unqualified medical practitioners; and

(b) if so, the result thereof?

The Minister of Health (Shri Kar-markar): (a) and (b). The proposal is still under the consideration of Government.

Passengers Thrown out of Moving Train between Ferozabad and Makhanpur Stations

3467. { **Shri Ram Krishan Gupta:**
Shri Chuni Lal:

Will the Minister of **Railways** be pleased to refer to the reply given to Unstarred Question No. 1015 on the 6th March, 1961 and state:

(a) whether the police have investigated into the cases of passengers thrown out from the moving train on

the 18th September, 1960 between Ferozabad and Makhanpur Stations; and

(b) if so, the result thereof?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) and (b). Yes, Sir. In spite of the best efforts of the Police, the case has remained untraced.

Foreign Exchange for Shipping needs

3468. { **Shri Ram Krishan Gupta:**
Shri Chuni Lal:

Will the Minister of **Transport and Communications** be pleased to refer to the reply given to Starred Question No. 1129 on the 27th March, 1961 and state:

(a) whether Government have since considered proposal for foreign exchange being placed at the disposal of Director General of Shipping for import needs of shipping industry, ship-building and ship repairing firms; and

(b) if so, the result thereof?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) and (b). The proposal is still under consideration of the Government.

Gowdown for Fruits and Vegetables

3469. { **Shri Ram Krishan Gupta:**
Shri Chuni Lal:

Will the Minister of **Food and Agriculture** be pleased to refer to the reply given to Unstarred Question No. 2320 on the 27th March, 1961 and state at what stage is the proposal to construct a godown for preserving fruits and vegetables?

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): The necessary investigations have been completed and steps are being taken for selection and acquisition of sites.

Iron and Steel Allotted to Maharashtra

3470. **Shri Pangarkar:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) the quantity of Iron and Steel demanded and allotted to Maharashtra for agricultural purposes for the year 1960-61;

(b) the quantity actually supplied during the above period?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) and (b). The information is being collected and will be placed on the Table of the House as soon as it is received.

Supply of Rice to Maharashtra

3471. **Shri Pangarkar:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether Government have received any request from Maharashtra Government for supply of more rice during 1961-62 so far; and

(b) if so, the steps taken thereon?

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): (a) and (b). Requests for the supply of rice received from time to time from the State Governments are examined in consultation with them and supplies of suitable quantities are arranged.

A quota of 2 lakh tons of rice was originally allotted to the Government of Maharashtra for 1961 but on receipt of a request for larger supplies from that Government it has been raised to 2.5 lakh tons.

Development of Fisheries

3472. **Shri Pangarkar:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) the amount allotted to West Bengal during the Second Five Year Plan period towards the development of fisheries; and

(b) the schemes on which it has been spent?

The Deputy Minister of Agriculture (Shri M. V. Krishnappa): (a) and (b). A sum of Rs. 75.74 lakhs was allotted to West Bengal under the Second Five Year Plan for schemes relating to Fisheries development. Of the total provision, only an amount of the 24.79 lakhs was spent on the following schemes:—

	Lakhs Rs.
1. Development of inland Fisheries	13.47
2. Research, Survey and Demonstration	7.39
3. Development of Coastal and Estuarine Fisheries	3.93

Family Planning Centres in Maharashtra during 1960-61

3473. Shri Pangarkar: Will the Minister of Health be pleased to state:

(a) the number of Family Planning Centres opened in Maharashtra during the year 1960-61; and

(b) the financial help given to these centres during the above period?

The Minister of Health (Shri Karmarkar): (a) 36 urban and 62 rural Family Planning Centres and 4 mobile family planning units were established in Maharashtra during the year 1960-61.

(b) Central assistance amounting to Rs. 3.26 lakhs was given to these centres.

Primary Health Centre in Maharashtra

3474. Shri Pangarkar: Will the Minister of Health be pleased to state:

(a) the places where primary health centres have been opened in Maharashtra during the year 1960-61; and

(b) the financial assistance given to the Centres during the same period?

The Minister of Health (Shri Karmarkar): (a) and (b). The required information is given in the statement laid on the Table of the House. [See Appendix IV, annexure No. 55].

Old Manuscripts on Ayurveda

3475. Shri Pangarkar: Will the Minister of Health be pleased to refer to the reply given to Unstarred Question No. 307 on the 21st February, 1961 and state:

(a) the progress since made in acquiring old manuscripts on Ayurveda and carrying out research and examination of the same; and

(b) when this work is expected to be completed?

The Minister of Health (Shri Karmarkar): (a) The collection of lists of manuscripts and books available in various libraries and their analysis is still in progress.

(b) As already stated this work is a long term programme.

गोविन्द शुगर मिल्स

३४७६. श्री लक्ष्मणराय : क्या राक्ष

तथा कृषि मन्त्री यह बताने की कृपा करेंगे कि :

(क) जिला खीरी में स्थित गोविन्द शुगर मिल्स कब स्थापित की गई थी;

(ख) क्या सरकार ने उक्त मिल के क्षेत्र में रेलवे, तार अथवा टेलीफोन की सुविधाओं की व्यवस्था की है; और

(ग) यदि नहीं, तो इसके क्या कारण हैं ?

राक्ष तथा कृषि उमंत्रा (श्री अ० म० धामस) : (क) यह फैक्टरी, पहले ऐरा शुगर मिल्स के नाम से १९२४ में स्थापित हुई थी और १९५२ से इसे मैसर्स गोविन्द शुगर मिल्स लिमिटेड ने ले लिया था।

(ख) रेलवे, तार अथवा टेलीफोन की, अभी तक वहां कोई सुविधा नहीं है।

(ग) ऐरा एक छोटा सा ग्राम है जो कि सारदा नदी के दूसरे पार, लखीमपुर, समीपवर्ती रेलवे स्टेशन, से २२ मील की दूरी पर स्थित है। रेलवे लाईन वहां तक बढ़ाना महंगा पड़ेगा। यह मिल टेलीफोन सम्बन्ध स्थापित करने के लिये लखीमपुर से प्रयत्न कर सकती है।

गन्ने और चीनी के मूल्य सम्बन्धी प्रश्न- आयोग

३४७७. श्री खुशवंत राय: क्या खाद्य तथा कृषि मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या गन्ने और चीनी के मूल्य के सम्बन्ध में प्रश्न-आयोग का प्रतिवेदन सरकार को प्राप्त हो गया है;

(ख) यदि हां, तो क्या इस बात की एक सूची सभा-पटल पर रखी जायेगी कि उक्त आयोग ने इस जांच के मिलसिले में कहां-कहां का दौरा किया और किन-किन लोगों का साक्ष्य लिया; और

(ग) उक्त आयोग ने विभिन्न स्थानों पर साक्ष्य लेते हुए अपनी ओर से जो परिचयात्मक भाषण दिये क्या उनकी भी प्रतिलिपियां सभा पटल पर रखी जायेगी ?

खाद्य तथा कृषि उपमन्त्री (श्री अ० म० थामस) : (क) जी हां ।

(ख) और (ग) यह, आयोग के प्रतिवेदन के सभा पटल पर उस समय रखी जायेगी जब आयोग की सिफारिशों पर विचार होकर निर्णय हो जायेगा ।

उत्तर प्रदेश की चीनी मिलों

३४७८. श्री खुशवंत राय : क्या खाद्य तथा कृषि मन्त्री यह बताने की कृपा करेंगे कि :

(क) इस वर्ष उत्तर प्रदेश की चीनी मिलों ने प्रतिदिन कितना गन्ना मई और जून में खरीदा;

(ख) इसी काल में प्रतिदिन इन मिलों से कितने प्रतिशत चीनी प्राप्त हुई; और

(ग) इसी काल में कुल कितनी चीनी तैयार हुई ?

खाद्य तथा कृषि उपमन्त्री (श्री ए० एम० थोमस) : (क) मई और जून १९६१ में

उत्तर प्रदेश की चीनी मिलों द्वारा प्रतिदिन पेरे गये गन्ने का व्यौरा विवरण सभा पटल पर रखा गया [देखिये परिशिष्ट ४, अनुबन्ध संख्या ५७]

(ख) मई और जून, १९६१ में उत्तर प्रदेश की मिलों में चीनी की साप्ताहिक प्रतिशत प्राप्ति की औसत का विवरण सभा पटल पर रखा गया [देखिये परिशिष्ट ४, अनुबन्ध संख्या ५७]

(ग) मई और जून, १९६१ में उत्तर प्रदेश की मिलों द्वारा १.३१ लाख टन चीनी बनाई गई ।

घटिया किस्म के बीज

३४७९. श्री क० भे० मालवीय : क्या खाद्य तथा कृषि मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या घटिया किस्म के बीजों का कोई मामला सरकार के ध्यान में लाया गया है ;

(ख) यदि हां, तो इस संबंध में सरकार द्वारा क्या कार्यवाही की जा रही है ; और

(ग) क्या सरकार प्रत्येक राज्य में सरकारी बीज विभाग खोलने के बारे में विचार कर रही है ?

कृषि उपमन्त्री (श्री मो० वें० कृष्णप्पा) :

(क) जी हा ।

(ख) खाद्य और अखाद्य फसलों के सुघरे हुए किस्मों के शुद्ध बीजों के सम्भरण के लिए भारत सरकार ने देश में बीज सम्बर्द्धन फार्मों को स्थापना की एक योजना बनाई है । सुघरे हुए बीजों के सम्बर्द्धन और वितरण की विधि भी मानकित कर दी गई है । केन्द्रीय सरकार के कृषि विशेषज्ञ विधि की कमी और

खराबी को, यदि उसमें कोई हो, दूर करने के लिए समय समय पर राज्यों के फार्मों का दौरा करते हैं।

(ग) जी नहीं।

Cuttack Goods Shed

3480. Shri Chintamani Panigrahi: Will the Minister of Railways be pleased to state:

(a) the nature of improvements made in Cuttack Goods shed area during the Second Plan period up to March, 1961;

(b) the total amount spent on these improvement schemes;

(c) the amount of earnings received from the Cuttack Goods shed area by the Railways in 1958-59, 1959-60 and 1960-61;

(d) whether any amount has been sanctioned for improvement of this area in 1961-62; and

(e) if so, how much?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) The following additions and improvements have been carried out.

(i) An enclosed goods shed of approximately 18,000 sq. ft.

(ii) 650 ft. long goods loading/unloading platform with two platform faces and platform cover.

(iii) Stores for explosives, cattle shed, septic tank, latrine and urinals.

(iv) Improvements to drainage, parking space, circulating area, water supply and fire-fighting arrangements.

(b) Rs. 4.50 lakhs.

(c) 1958-59	Rs. 88,98,514/-
1959-60	Rs. 91,99,516/-
1960-61	Rs. 90,88,383/-

(d) and (e). Yes, Rs. 10,000/-.

New Sugar Factories in Orissa

**3481. { Shri Chintamani Panigrahi:
Shri Surendranath Dwivedy:**

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

(a) whether Government are aware that the Orissa Government have already decided to start three new sugar factories in Orissa in 1961-62;

(b) whether the Government of India are encouraging the Orissa Government to put up these three new sugar factories in Orissa in 1961-62;

(c) if so, the details thereof;

(d) whether these factories are proposed to be started by Government, Cooperative Societies or by private parties;

(e) whether applications for licencing these units have been received by Government; and

(f) the names of the parties who have applied for setting up of these three sugar factories?

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): (a) to (d). The Orissa Government have informed that three units for the manufacture of sugar by the open pan process are proposed to be established in the State this year. They are examining the organisational set up of these units. The question of Government of India encouraging the State Government in any way does not arise.

(e) and (f). The Government of India have not received any applications, as it is not necessary to obtain a licence under the Industries (Dev. & Reg.) Act 1951 for establishment of open pan units.

Stenographers in Railways

3482. Pandit M. B. Bhargava: Will the Minister of Railways be pleased to state:

(a) the authorised scales as recommended by the Second Pay Commis-

sion and accepted by the Railway Board for:

(i) stenographers working in Railway Board with their corresponding prescribed scales; and

(ii) stenographers working in the various Railway Zones, with their corresponding prescribed scales;

(b) what are the avenues of promotion for stenographers working in the Railway Board and in the various Railway Zones; and

(c) what are the authorised scales of stenographers working with heads of departments in the various Railway Zones?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) and (b). A statement is laid on the Table of the House. [See Appendix IV, annexure No. 58].

Co-operative Farming

3483. Shri Sampat: Will the Minister of Community Development and Co-operation be pleased to state:

(a) whether it is a fact that pilot-project units for experimenting co-operative farming have been allotted to Tamil Nad for the Third Five Year Plan period;

(b) if so, their total number and the extent of financial assistance that will be made available to Tamil Nad for setting up these pilot project units; and

(c) the places where these units will be located?

The Deputy Minister of Community Development and Co-operation (Shri B. S. Murthy): (a) Yes, Sir.

(b) Twelve pilot projects in co-operative farming will be organised in Madras State during the Third Five Year Plan. Each project would consist of 10 societies. A provision of Rs. 14.55 lakhs has been made in the State plan for assisting cooperative

farming societies in these areas. A sum of Rs. 10.55 lakhs would be available as central assistance for setting up these pilot projects.

(c) During the current year (1961-62) three pilot projects would be located in the following districts:

(i) Madurai

(ii) Ramanathapuram

(iii) Tirunelveli

Selection of districts for pilot projects in subsequent years will be phased by the State Government from year to year in the light of the progress made.

Requirement of Rails for Track Renewal

3484. { **Shri H. N. Mukerjee:**
Shri Tangamani:

Will the Minister of Railways be pleased to state:

(a) what is the total requirement at present of rails for purposes of track renewal as well as for new lines during the Third Plan period; and

(b) how the said requirement is being met?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) The approximate estimated requirement of rails for the Third Plan is 16.50 lakh tons.

(b) The requirement of 4.50 lakh tons during 1961-62, is being met by indigenous production to the extent of 1.66 lakh tons, and from imports to the extent of 2.84 lakh tons. During 1962-63 also some imports may be necessary. During the remaining years of the Third Plan, the full requirements are expected to be met from indigenous production.

National Highway

3485. Shri M. V. Krishna Rao: Will the Minister of Transport and Communications be pleased to state:

(a) whether there is a proposal to construct a National Highway to con-

nect Masulipatam with Vijayawada-Bombay National Highway; and

(b) if so, the details thereof?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) No, Sir. A State Highway exists between Masulipatam and Vijayawada.

(b) Does not arise.

Chittaranjan Locomotive Works

3486. Shri Daljit Singh: Will the Minister of Railways be pleased to state:

(a) the number of students yearly admitted for training in Chittaranjan Locomotive Works; and

(b) the details of scholarship and duration of period?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) 131 Apprentices in the following categories:—

- (i) Apprentice draftsman-qualification Diploma in Mechanical Engineering—6;
- (ii) Apprentice Mechanics category 'A'—19;
- (iii) Apprentice Mechanics drawn from skilled and highly skilled categories for training at intermediate stage—6; and
- (iv) Trade apprentices—100.

(b) The particulars of stipend and period of training in the above categories are given below:—

- (i) Rs. 80/- in scale Rs. 80—5—90 + D.A. Period of training 2½ yrs;
- (ii) Rs. 55/- in scale Rs. 55—3—67 + D.A. Period of training 5 years.
- (iii) Same pay—status—privileges as the category from which the candidates are selected. Period of training 2½ years; and
- (iv) Rs. 35/- in scale Rs. 35—1—39 + D.A. Period of training 3½ yrs.

Bridges on the National Highways in Punjab

3487. Shri Daljit Singh: Will the Minister of Transport and Communications be pleased to state:

(a) the names of bridges on National Highways completed during 1960-61 or under construction at present in Punjab State; and

(b) the names of new bridges on the National Highways in Punjab which will be constructed during the Third Five Year Plan period?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) No bridge was completed during 1960-61. A bridge across the Gaunchi Drain on Delhi Mathura Road, National Highway No. 2 is under construction at present.

(b) A bridge across the Beas river on the National Highway No. 1, is proposed to be constructed during the Third Five-Year Plan period.

Distribution of Farms

3488. Shri Madhusudan Rao: Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that Government is contemplating to distribute the big farms, State and private owned, among the landless on suitable compensation to private owners; and

(b) if so, the reasons and details thereof?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) and (b). As regards State owned farms, the Central Government has no such proposal under consideration. Information about State Government owned farms is being collected and will be placed on the Table of the House as soon as it is received. As regards big private owned farms, legislation for imposing a ceiling on holdings and the distribution of surplus lands above the ceiling has been enacted in most States. The main reasons and details thereof have been described in Chapter XIV of the Third Five Year Plan.

Co-operative Societies in Andhra Pradesh

3489. Shri Madhusudan Rao: Will the Minister of **Community Development and Cooperation** be pleased to state:

(a) the number of co-operative societies formed in Andhra Pradesh so far; and

(b) the number of cooperative societies to be established during the Third Five Year Plan period?

The Deputy Minister of Community Development and Co-operation (Shri B. S. Murthy): (a) and (b). The infor-

mation is being collected and will be laid on the Table of the Sabha shortly.

Delhi Zoo

3490. Shri D. C. Sharma: Will the Minister of **Food and Agriculture** be pleased to state:

(a) the total expenditure incurred on Zoological Park, New Delhi during the year 1961 so far; and

(b) the income earned by 'tickets' sold during the year 1961 so far?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) The total expenditure incurred during the year 1961 is:

	On works	On Other items	Total
	Rs.	Rs.	Rs.
1-1-1961 to 31-3-1961	2,77,342.00	1,28,014.00	4,05,356.00
1-4-1961 to 31-7-1961	1,20,000.00	1,58,364.15	2,78,364.15
	Total Expenditure		6,83,720.15

(b) Total income earned by 'tickets' sold during the year 1961 is:

	Gate Collection	Joy Ride	Total
	Rs.	Rs.	Rs.
1-1-1961 to 31-3-1961	45,175.50	1,531.40	46,706.90
1-4-1961 to 31-7-1961	36,590.22	1,630.95	38,221.17
	Total Income		84,928.07

Train Robbery between Ludhiana and Khanna

3491. Shri D. C. Sharma: Will the Minister of **Railways** be pleased to state the progress made so far in arresting the persons responsible for the robbery in the running train between Ludhiana and Khanna on the 17th February, 1961?

The Deputy Minister of Railways (Shri Shahnawaz Khan): In spite of vigorous Police investigations, the case has remained untraced.

P. & T. Offices

3492. Shri Madhusudan Rao: Will the Minister of **Transport and Communications** be pleased to state:

(a) the number of new Post Offices/ Telegraph Offices opened during the period 1958-61; and

(b) number of Post Offices to be opened in each State during the Third Five Year Plan period?

The Minister of Transport and Communications (Dr. P. S. Subbarayan):

(a) and (b). A statement is laid on the Table of the House. [See Appendix IV, annexure No. 59].

Delhi-Agra National Highway

3493. Shri Madhusudan Rao: Will the Minister of **Transport and Communications** be pleased to state:

(a) the total cost of the National Highway that is being constructed between Delhi and Agra; and

(b) the time by which the project will be completed?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) A number of improvement works are in progress which have been estimated to cost approximately Rs. 173.68 lakhs.

(b) During the 3rd Plan Period.

Telephone Exchanges in Rajasthan

3494. **Shri Karni Singhji:** Will the Minister of Transport and Communications be pleased to state the names of places in Rajasthan where new telephone exchanges are proposed to be opened during the year 1961-62 with particular reference to the Bikaner, Churu and Ganganagar Divisions?

The Minister of Transport and Communications (Dr. P. Subbarayan): In Ganganagar District;

1. Hanumangarh Town
2. Bahadra
3. Nohar
4. Sadulshahar

In Churu District:

1. Sardarshahar

Bikaner District—Nil.

Other places in Rajasthan

1. Nim Ka Thana
2. Sumerpur

Public Call Offices in Rajasthan

3495. **Shri Karni Singhji:** Will the Minister of Transport and Communications be pleased to state:

(a) the number of Public Call Offices, District-wise, in Rajasthan;

(b) the number of Public Call Offices to be increased in Rajasthan during 1961-62; and

(c) the names of places where such Public Call Offices are proposed to be started?

The Minister of Transport and Communications (Dr. P. Subbarayan): (a) to (c). The particulars are shown in the statement laid on the Table of the House. [See Appendix IV annexure, No. 60].

Cattle Breeding Schemes in Rajasthan

3496. **Shri Karni Singhji:** Will the Minister of Food and Agriculture be pleased to state:

(a) the nature of help given year-wise during the Second Five Year Plan by the Central Government to

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Rajasthan for the improvement of cattle breeding schemes; and

(b) the achievement made in this behalf in the State during the above period?

The Deputy Minister of Agriculture (Shri M. V. Krishnappa): (a) A statement showing the quantum of financial assistance given by the Central Government to Rajasthan during the Second Five Year Plan is laid on the Table of the House. [See Appendix IV, annexure No. 61]. In addition, the Central Council of Gosamvardhana paid a grant of Rs. 21,300 to meet 50% expenditure on celebration of the Gosamvardhana Week and the establishment of the State Council of Gosamvardhana.

(b) A statement is laid on the Table of the House. [See Appendix IV, annexure No. 62].

Casual Labour at Khargapur Railway Workshop

3497. { **Shrimati Renu Chakravartty:**
Shri S. M. Banerjee:

Will the Minister of Railways be pleased to state:

(a) the rate paid to different categories of casual labour at Khargapur Railway workshop.

(b) the method of arriving at these rates;

(c) whether there are any rules or policies laid down as guiding line for this; and

(d) if so, the nature thereof?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) The following are the rates:

	Staff governed by minimum Wages Act	Staff not governed by minimum Wages Act
	Rs.	Rs.
Skilled	82	71
Semi-skilled	57	49
Un-skilled	45	39
Female Khalasis	37.50	32.50

(b) to (d). The rates in regard to those governed by the Minimum Wages Act are fixed in terms of Section 3 of the Act by the Government of India in the Ministry of Labour. In the case of others, these are based on the rates fixed either by the State Government for the particular area or the local market rates. In absence of either of these rates being available or labour having to be imported into the area of work or labour not being available at the rates referred to for categories of work peculiar to the railways, the rate not exceeding the minimum of pay scale for similar category of regular railway staff is taken as a guide for fixing the daily rate of wages. For specialised labour, special rates are adopted by the Railway Administrations.

Prices of Wheat and Rice in Delhi

3498. Shri D. C. Sharma: Will the Minister of Food and Agricultural be pleased to state:

(a) whether there has been an increase in the prices of wheat and rice in Delhi recently; and

(b) if so, the steps proposed to be taken to check this trend?

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): (a) There has been only a small seasonal rise in the prices of wheat and rice and the prices are now more or less steady.

(b) Does not arise.

Consumption of Fruits

3499. Shri D. C. Sharma: Will the Minister of Food and Agriculture be pleased to state:

(a) whether during the Second Five Year Plan, the per capita consumption of fruits has recorded any increase from the level of consumption as at the end of the First Five Year Plan, and if so, by what percentage; and

(b) what are steps proposed to be taken by the Central Government to

increase the production of fruits in the Third Five Year Plan?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a). No scientific survey has so far been conducted in India to assess the consumption of various fruits. As, however, additional area was brought under fruit cultivation and some old orchards were also rejuvenated during the Second Five Year Plan, it would be reasonable to assume that there was increase in the production as well as consumption of fruits during that period.

(b) A statement, giving details of the schemes for the development of fruit production, included in the Third Plan, is laid on the Table of the House. [See Appendix IV annexure No. 63].

Registered Porters at Amritsar

3500. Shri D. C. Sharma: Will the Minister of Railways be pleased to state:

(a) the number of porters registered at Amritsar Station;

(b) the details of complaints received from them during the last two years; and

(c) the details of action taken by Government to remove the causes of complaints?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) 290.

(b) and (c). Only one representation demanding an increase in the portage charges from 19 nP to 25 nP was received. The request was examined and the portage charges have been increased to 20 nP, there being no justification for a further increase.

Setting up of Transport Corporation

**3501. { Shri Ram Krishan Gupta:
Shri Nek Ram Negi:**

Will the Minister of Transport and Communications be pleased to state at

what stage is the proposal to set up a Transport Corporation to carry coal?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): The proposal is in a very nebulous stage of consideration.

देश में चरागाह क्षेत्र

३५०२. श्री प्रकाश बीर शास्त्री : क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को यह सूचना मिली है कि देश में चरागाहों का क्षेत्र धीरे-धीरे कम होता जा रहा है ;

(ख) यदि हां, तो केन्द्र ने राज्य सरकारों को इस संबंध में क्या परामर्श दिया है ; और

(ग) संघ राज्य-क्षेत्रों के संबंध में सरकार ने यदि कोई योजना बनाई है, तो वह क्या है ?

कृषि उपमंत्री (श्री मो० ब० कृष्णप्पा):

(क) जी नहीं। उपलब्ध अंकों के अनुसार स्थायी चरागाह और अन्य चराई भूमि का क्षेत्र जो १९५२-५३ में २१३ लाख एकड़ था, बढ़कर १९५८-५९ में ३२४ लाख एकड़ (अस्थायी अनुमान) हो गया।

(ख) चरागाह भूमियों के क्षेत्र में प्रतिवेदित बढ़ती की होने पर भी, केन्द्रीय सरकार ने राज्य सरकारों आदि को आमतौर पर सलाह दी है कि उच्च पौष्टिक मूल्य की काफी हरी और सूखी घास को उपलब्ध करने के विचार से प्राप्य बिना काश्त वाली बेकार भूमियों और वन चराई क्षेत्रों को वर्तमान ढंग से विकसित करना चाहिये।

(ग) केन्द्रीय सरकार ने केवल संघ राज्य क्षेत्र के लिए कोई पृथक योजना नहीं बनाई है। सन् १९५६ में केन्द्रीय वित्तीय सहायता से पशुग्राम योजना के एक भाग के

रूप में दूसरी पंचवर्षीय योजना में कार्यान्वित करने के लिए उसने एक आदर्श खाद्य और चारा विकास योजना बनाई थी और उसे राज्य सरकारों आदि को परिचरित किया था। यह योजना तीसरी पंचवर्षीय योजना में एक स्वतन्त्र योजना के रूप में शामिल कर ली गई है।

दूसरी पंचवर्षीय योजना में मनिपुर और त्रिपुरा में अलग अलग एक-एक प्रदर्शन स्थल स्थापित किया गया। हिमाचल प्रदेश प्रशासन ने भी ११५६ एकड़ चरागाह भूमि को आंशिक रूप में विकसित किया। दिल्ली, हिमाचल प्रदेश, मनिपुर, त्रिपुरा और पांडिचेरी में खाद्य और चारा, चरागाह सुधार एवं ईंधन भंडार और भूमि संरक्षण के लिए तीसरी पंचवर्षीय योजना में ६.८५ लाख रुपयों का उपबन्ध है।

Metre Gauge Station at New Delhi

3503. Shri Ram Krishan Gupta: Will the Minister of Railways be pleased to refer to the reply given to Unstarred Question No. 3786 on the 25th April, 1961 and state:

(a) whether Government have since considered the proposal to provide a new metre gauge station at New Delhi to handle the metre gauge passenger trains; and

(b) if so, the result thereof?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) and (b). The matter is still under consideration of the Government.

Hospital for Middle Income Group in Delhi

3504. Shri Ram Krishan Gupta: Will the Minister of Health be pleased to state at what stage is the proposal to set up a hospital in Delhi for the people in middle income group?

The Minister of Health (Shri Kar-markar): No such proposal is under consideration.

Manufacture of Drugs

3505. Shri Ram Krishan Gupta: Will the Minister of Health be pleased to refer to the reply given to Starred Question No. 1868 on the 3rd May 1961 and state:

(a) whether Government have considered the proposal to ban individuals who manufacture drugs giving themselves institutional names; and

(b) if so, the result thereof?

The Minister of Health (Shri Kar-markar): (a) Government have no proposal to ban individuals who manufacture drugs giving themselves institutional names.

(b) Does not arise.

National Highways Extension Scheme

3506. Shri Ram Krishan Gupta: Will the Minister of Transport and Communications be pleased to refer to the reply given to Starred Question No. 1864 on 3rd May 1961, and state:

(a) whether Government have received final report of the committee on Transport Planning and co-ordination;

(b) if so, the main findings therein; and

(c) decision taken on National Highways Extension Scheme?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) No, Sir.

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

Burning of Sleepers Near Nawadah Railway Station

3507. Shri Ram Krishan Gupta: Will the Minister of Railways be pleased to state:

(a) whether the investigations into the fire which broke out on the 26th March 1961 in a stock of sleepers near Nawadah Railway Station in Bihar have been completed; and

(b) if so, the result thereof?

The Deputy Minister for Railways (Shri S. V. Ramaswamy): (a) Yes, Sir.

(b) The findings of the Committee are given below:—

Findings of the Enquiry Committee Regarding fire at Nawadah on the Gaya-Kiul Section—Eastern Railway

We, the undersigned, after having carefully gone through all the evidence and other documents and after visiting the site of Accident do find:—

1. That a fire broke out on the sleepers stacks that were stored outside the Permanent Way Inspector's stores yard at Nawadah on the midnight of 26/27-3-1961.

2. That a total of 2577 sleepers were completely burnt out of 2742 sleepers which were involved in the fire and 135 sleepers were saved intact and 30 sleepers were salvaged in partly burnt condition.

3. That the fire was not caused due to falling of live spark from the passing engine.

4. That the fire was caused due to miscreant activity by some unknown person.

5. That all possible efforts were made by the Railway staff available at the spot to fight the fire and extinguish the same with the resources that they had at their disposal on the night in question.

6. That Permanent Way Inspector, Nawadah Shri R. K. Prasad is responsible for negligence in not having stacked the sleepers as per instructions laid down in para 648. A of Indian Railways Way & Works Manual, for employing only one Chowkidar out of two for which sanction was duly communicated by Divisional Superintendent, Dinapore and also for not arranging for proper guarding of the sleeper stacks when the one Chowkidar posted reported sick on the morning of 25.3.1961 as a result of which there was no Chowkidar on duty for the sleeper stacks on

25th, 26th and 27th March, 1961 and thus rendered possible miscreant activity. He was also unauthorisedly absent from headquarters on the night in question.

River Boards

3508. Shri Ram Krishan Gupta: Will the Minister of Irrigation and Power be pleased to state:

(a) the nature and details of progress made so far in setting up River Boards to undertake basin-wise planning and investigation of River Valley Projects on seven major river systems in India; and

(b) by what time this work is likely to be completed?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) and (b). The matter is under correspondence with the State Governments concerned. The replies from some of the States are still awaited and it is hoped that the matter would be finalised by the end of the year.

Museums on Railways

3509. Shri Ram Krishan Gupta: Will the Minister of Railways be pleased to refer to the reply given to Starred Question No. 1287 on the 4th April, 1961 and state:

(a) whether the scheme for opening more Railway museums at important railway centres has been finalised; and

(b) if so, the details thereof?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) and (b). The scheme for the opening of Railway museums is still in an experimental stage. Besides the museum at Amritsar on the Northern Railway, one more museum has been opened on 14.4.1961 at Gorakhpur on the North Eastern Railway

Facilities to Indian Tourists in other Countries

3510. Shri Ram Krishan Gupta: Will the Minister of Transport and Communications be pleased to state:

(a) the nature and details of facilities provided to Indian tourists in other countries (country-wise);

(b) whether they are provided concession in air, rail and bus fares; and

(c) if so, the details thereof (country-wise)?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) to (c). Concessions for tourists are given by various countries in the world according to the importance they attach to tourist traffic as a means of earning foreign exchange. No special concessions are, usually, extended to citizens of a particular country by the host country except by way of bilateral arrangement. In the case of U.S. tourists, however, who are the mainstay for the tourist earnings of various countries, Nato countries, the Caribbean area and the Pacific Area, visa formalities have been eliminated or eased to a considerable extent unilaterally. In the case of Indian citizens only the Federal Republic of Germany has abolished visas. In addition as a member of the Commonwealth Indian citizens are not required to have a visa as such for entering any other Commonwealth country.

Concessions in rail and bus fares and sometimes in hotel accommodation are offered in many countries during the off season as an inducement to tourists. The airlines also offer concessional rates during the off season. Some countries offer special exchange rates to tourists or special rebate for the purchases made by tourists. Among such countries are U.S.S.R., some East European countries, Greece, U.A.R. and Israel.

Deluxe Dining Car Staff in Delhi

3511. Shri Ram Krishan Gupta: Will the Minister of Railways be pleased to refer to the reply given to Unstarred Question No. 4080 on the 28th April, 1961 and state the efforts made for accommodation arrangement for deluxe dining car staff in Delhi?

The Deputy Minister for Railways (Shri Shahnawaz Khan): Two rooms at New Delhi Station have been allotted to the Southern Railway Staff accompanying De Luxe Trains.

Ganga Ram Hospital, New Delhi

**3512. { Shri Ram Krishan Gupta:
Sardar Iqbal Singh:**

Will the Minister of Health be pleased to refer to the reply given to Unstarred Question No. 4084 on the 28th April, 1961 and state:

(a) whether Government have considered the request for grants and other necessary help from the authorities of Ganga Ram Hospital, New Delhi; and

(b) if so, the result thereof?

The Minister of Health (Shri Karmarkar): (a) Yes please.

(b) The required information is as under:—

- (1) A non-recurring grant of Rs. 75,000 for purchase of equipment for maternity ward of Sir Ganga Ram Hospital, New Delhi, has been sanctioned.
- (2) The request of the Hospital for a grant of Rs. 14,430 for purchase of equipment and employment of staff etc. and the setting up of a family planning clinic in Rajinder Nagar is under consideration of the Delhi Administration.
- (3) The Hospital's request for issue of a licence for the import of a sterilizer is being processed.

Deep Sea Fishing

**3513. { Shri Ram Krishan Gupta:
Shri Indrajit Gupta:
Shrimati Ila Palchoudhuri:
Sardar Iqbal Singh:**

Will the Minister of Food and Agriculture be pleased to refer to the reply given to Unstarred Question No. 4089 on the 28th April, 1961 and state:

(a) whether negotiations with private American firm for collaboration in the project for deep-sea fishing in the Bay of Bengal have been concluded; and

(b) if so, the result thereof?

The Deputy Minister of Agriculture (Shri M. V. Krishnappa): (a) Negotiations between the American firm and the Indian firm have not yet been concluded.

(b) Does not arise.

Death of a Couple near Bharatgarh Station

**3514. { Shri Ram Krishan Gupta:
Shri Daljit Singh:**

Will the Minister of Railways be pleased to refer to the reply given to Unstarred Question No. 4103 on the 28th April, 1961 and state:

(a) whether police investigations regarding the death of a couple near Bharatgarh station have been completed; and

(b) if so, the result thereof?

The Deputy Minister for Railways (Shri Shahnawaz Khan): (a) and (b). Yes Sir.

Police investigations in the case have almost been completed and four persons have so far been arrested.

Promotion of Grade IV Workers to Grade III

3515. Pandit D. N. Tiwari: Will the Minister of Railways be pleased to state:

(a) whether any examination or test is taken in promoting Grade IV workers to Grade III;

(b) if not, the basis of selection;

(c) the number of Grade IV workers promoted to Grade III during the last 2 years, Zone-wise; and

(d) the numbers of Matriculates, Intermediates and Graduates serving in Grade IV, Zone-wise?

The Deputy Minister of Railways (Shri Shahnawaz Khan): Presumably "Grade III" and "Grade IV" refer to "Class III" and "Class IV" service on the Railways. The reply to parts (a) to (d) of the question is as follows:—

(a) Yes.

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

(c) and (d) The information is being collected and will be laid on the Table of the Sabha.

Timber from Kashmir

3516. Pandit D. N. Tiwari: Will the Minister of Irrigation and Power be pleased to state:

(a) whether Pakistan has agreed to compensate for the losses of timber on account of the washing away of timber by the Chenab River from the forest of Kashmir; and

(b) if so, the amount of compensation so far paid by Pakistan on that account?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) and (b). In pursuance of Article IV(II) of the Indus Waters Treaty 1960, the question of the recovery and restoration to owners of timber and other property floated or floating down the Rivers to Pakistan, has been taken up

with the Pakistan Commissioner for Indus Waters. It will take some time before the matter is finalised.

Target for Rural Electrification in Second Plan

3517. Shri Kadiyan: Will the Minister of Irrigation and Power be pleased to state:

(a) the target fixed for rural electrification in the second Five Year Plan;

(b) whether the target has been achieved fully; and

(c) if not, the reasons for the shortfall?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) Ten thousand villages were planned to be electrified during the Second Plan period.

(b) Yes.

(c) Does not arise.

Anti-Sea Erosion Schemes in Kerala During Second Plan

**3518. { Shri Kunhan:
Shri A. K. Gopalan:**

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

(a) whether Government of Kerala have fully utilised the amounts sanctioned for the anti-sea erosion schemes during the Second Five Year Plan period;

(b) what was the amount sanctioned and how much of it has been utilised;

(c) which are the places where work has been completed and at which places the work has not been completed;

(d) how has the work progressed in general; and

(e) whether the Kerala Government have submitted the overall plan of control of sea-erosion?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) and (b). The out-lay for the Second Plan period was Rs. 185 lakhs, which was utilized in full.

(c) Detailed information is given in the statement laid on the Table of the House. [See Appendix II, annexure No. 64].

(d) In general the work has progressed satisfactorily. Most of the works started during the 2nd Plan period have been completed and the rest have been carried over to the Third Plan.

(e) The Government of Kerala have not so far, submitted their over-all long range plan but they have furnished an outline of their programme for anti-sea-erosion works to be undertaken during the Third Plan period.

National Highways in Kerala

3519. { **Shri Kunhan:**
Shri Kodiyan:

Will the Minister of **Transport and Communications** be pleased to state:

(a) what was the amount allotted for National Highways in Kerala during the Second Five Year Plan period;

(b) how much has actually been spent; and

(c) what are the reasons for the shortfall?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) Rs. 126.59 lakhs.

(a) Rs. 99.30 lakhs.

(c) National Highways in Kerala State are aligned mostly along the existing roads and the short-fall in expenditure is due to delay in acquiring land owing to public opposition in some cases.

Recruitment on Railways

3520. { **Shri Subodh Hansda:**
Shri Nek Ram Negi:
Shri S. C. Samanta:

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

(a) whether it is a fact that fresh recruitment for Railway services in any grade particularly class III and class IV services is not done directly;

(b) whether it is also a fact that all the candidates have to go through employment exchanges;

(c) whether Government are aware that very negligible number of Scheduled Castes and Scheduled Tribes candidates are sent for recruitment by the employment exchanges; and

(d) if so, the reasons therefor?

The Deputy Minister of Railway (Shri Shahnawaz Khan): (a) No, Sir

(b) No, Sir.

(c) and (d). During the twelve months from April 1960 to March 1961, on an average 19,413 Scheduled Caste and 2,733 Scheduled Tribe applicants were submitted every month by the Employment Exchanges throughout the country against the vacancies notified to them by various Government and non-Government employers. It is not known exactly how many of these submissions were made against Railway vacancies, as separate record is not kept by the Exchanges in respect of such submissions.

Thermal Electric Generating Plants

3521. { **Shri Narayanankutty Menon:**
Shri Punnoose:

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

(a) whether the proposal of the Kerala Government to have thermal electric generating plants in the State has been considered by Government;

(b) if so, whether the required sanction has been given; and

(c) if not, what are the reasons for the same?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) No such proposal has been received from the Government of Kerala.

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

Sleeping Coaches in Howrah-Delhi Express

3522, Shri Bibhuti Mishra: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the quotas of the sleeping coaches (III Class) in the Howrah Delhi Express and Howrah Delhi Janta Express allotted to the Patna Junction are quite insufficient when taking into consideration the importance of Patna and Bihar; and

(b) if so, whether Government propose to increase the quotas?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) No.

(b) Does not arise.

Late Running of Trains

3523, Shri Bibhuti Mishra: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the trains which run between Sagauli and Raxaul stations (N.E.R.) are often late when the distance between the two stations is only 19 miles; and

(b) if so, what steps Government propose to take in this regard?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) No, Sir.

(b) Does not arise.

Institute of Soil Science

3524, Shri Anrobindo Ghosal: Will the Minister of Food and Agriculture be pleased to state:

(a) whether an Institute of Soil Science is proposed to be set up; and

(b) if so, when and where?

The Deputy Minister of Agriculture (Shri M. V. Krishnappa): (a) and (b). As indicated in the reply to Lok Sabha Unstarred Question No. 2265 answered on the 24th August, 1961, an Institute of Soil Science designated as an Institute of Pedology and Soil Mechanics is proposed to be established at Nagpur during the 3rd Five Year Plan, involving an outlay of Rs. 60 lakhs. Preliminary action to implement the Scheme has been initiated.

Oil Traffic on Railways

3525, Shrimati Ha Palchoudhuri: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that with the setting up of oil refineries at Noonmati and Barauni, Railways would have to meet increased oil traffic;

(b) if so, the details of approximate rise expected; and

(c) the steps taken or proposed to be taken to meet it?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) and (b). With the setting up of oil refineries at Noonmati and Barauni, the Railways will be called upon to transport products of these refineries in lieu of movement of corresponding quantities of imported POL products from the Ports. This change in the pattern of movements will increase the oil traffic on certain sections with a corresponding reduction on other sections.

So far as Noonmati refinery is concerned, there will be an increase in the movement of oil traffic on the M.G. sections of the N.E. and N.F.

Railways and a reduction in the movement of imported products on the B.G. sections of the Eastern Railway as also the M.G. sections of the Western Railway.

The changes in the pattern of movement as a result of the setting up of the Barauni Refinery are under examination.

The following steps have been taken to meet the increased movement on M.G. sections after setting up of the Noonmati refinery.

- (i) Procurement of additional M.G. tank wagons.
- (ii) Increasing the transport capacity of the Amingaon-Siliguri section for movement of the products of the refinery to the bulk storage installation at Siliguri.

Robberies in Running Trains

3526. **Shrimati Mafida Ahmed:** Will the Minister of Railways be pleased to state:

(a) the number of passengers murdered and injured in running trains by robbers during the period from 1st January 1961 to 30th June, 1961;

(b) the number of dead bodies of women passengers recovered from trains during the last six months; and

(c) the measures taken to stop such recurrence?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) (i) No. of passengers murdered 4; (ii) No. of passengers injured 14.

(b) 10. Out of these 6 were due to natural causes.

(c) The responsibility for checking crime in passenger trains rests with the State Governments concerned. Notwithstanding that, the Railways on their side have adopted the following measures:—

- (i) safety devices have been provided in the carriages so that undesirable persons may not

gain unauthorised entry into the compartments;

- (ii) a new arrangement has recently been devised in which a push button has been provided in ladies compartments and this, if pressed, starts ringing a bell in the Guard's lobby and the adjoining general compartment and lights up a red light outside the ladies compartment so that help could immediately be rendered;
- (iii) conductor Guards and TTEs have instructions to pay special attention to lady passengers, particularly when travelling alone;
- (iv) ladies travelling alone in higher class are allowed to take an attendant with a third class ticket with them during night time;
- (v) instructions have been issued that all night trains at starting stations should be checked by responsible officials with a view to examining that the upper class compartments, particularly those reserved for ladies, have nobody hidden within the lavatory or underneath the berths, and that all security fastenings such as bolts and latches are in good working order;
- (iv) the Intelligence Branch of R.P.F. have instructions to keep close surveillance on the criminals operating on Railways and to pass intelligence collected to the G.R.P.;
- (vii) armed police escorts are detailed with some important night trains;
- (viii) reservation of accommodation for train escorts is arranged in the centre of the train, as far as possible next to ladies compartments;

(ix) surprise checks are carried out by special night squads and senior police officers at night to ensure that those on patrol duty are alert;

(x) close co-operation between the R.P.F., G.R.P. and the State Police is maintained at all levels for the effective prevention and detection of crime.

उत्तर प्रदेश की चीनी मिलें

३५२७. श्री खुशबकत राय : क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि उत्तर प्रदेश की चीनी मिलों ने अधिकांश गन्ना मई वन, १९६१ में खरीदा था ;

(ख) क्या यह भी सच है कि जहां पर यह गन्ना खरीदा गया वहां पर मिलों की ओर से छाया या पीने के पानी का कोई प्रबन्ध नहीं किया गया ;

(ग) क्या इन आवश्यक सुविधाओं को देने के लिये सरकार ने कोई आदेश मिल मालिकों को दिये हैं ; और

(घ) यदि नहीं, तो इसके क्या कारण हैं ?

खाद्य तथा कृषि उपमंत्री (श्री छ० म० थामस) : (क) जी नहीं ।

(ख) छै मिलों ने १९६०-६१ के मौसम में न तो छाया का और न ही पीने के पानी का प्रबन्ध किया था । इनके अतिरिक्त चार मिलों ने पशुओं के लिये छाया का कोई प्रबन्ध नहीं किया था । यद्यपि उन्होंने पीने के पानी का प्रबन्ध कर दिया था ।

(ग) जी हां ।

(घ) यह प्रश्न ही नहीं उठता ।

Foodgrains Control Order in Manipur

3528. **Shri L. Achaw Singh:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that some persons were prosecuted and convicted for violation of the Foodgrains Control Order now in force in Manipur during 1959-60 and 1960-61;

(b) whether the Judicial Commissioner has passed a judgement on an appeal case that the prosecutions were to harass innocent citizens only and those convicted by the Magistrates were ordered to be released; and

(c) whether there is any person now detained under that Order?

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): (a) For breaches of the Manipur Foodgrain Control Order, 1956, and the Foodgrains Dealers Licensing Order, 1958, 52 and 63 persons were prosecuted and convicted in 1959-60 and 1960-61 respectively.

(b) In his Order in one of the appeal cases, the Judicial Commissioner had observed that the conviction and sentence of the petitioner as also forfeiture of the paddy were highly improper and would amount to harassment of the petitioner.

(c) No, Sir.

Inquiry into Medical Profession

3529. { **Shri Bahadur Singh:**
Shri Nek Ram Negi:

Will the Minister of Health be pleased to state:

(a) whether any proposal is under contemplation of Government to hold an enquiry into the problems of the medical profession;

(b) whether such a suggestion was made by the President of the Andhra Pradesh branch of the Indian Medical Association in the month of September, 1960;

(c) whether this suggestion was favoured by him while inaugurating the College of General (Medical) Practitioners in Andhra Pradesh;

(d) whether he suggested to widen the scope of such an inquiry to bring in all the problems of the medical profession and the ancillary questions; and

(e) the steps taken to proceed into the matter?

The Minister of Health (Shri Karmarkar): (a) There is at present no such proposal under contemplation of Government.

(b) Yes.

(c) and (d). It was stated that the matter would be considered.

(e) The Government of India have appointed the Health Survey and Planning Committee under the Chairmanship of Dr. A. L. Mudaliar for assessment (or evaluation) in the field of medical relief and public health and for formulation of recommendations for the future plan of health development in the country. The Committee is expected to go into this aspect of the problem and their report is awaited. This matter will be further examined after the Committee has submitted the report.

Alleged Corruption in Weighment of Stone Boulders

3530. Shri Kalika Singh: Will the Minister of Railways be pleased to state:

(a) whether the special police establishment inquired into charges of corruption relating to weighment of stone boulders at Fyzabad and Ayodhya Railway Stations on the Northern Railway which were despatched from stone quarries by the contractors for construction of the Ayodhya Road Bridge on Ghagra;

(b) the results of the investigation and how it differed from the results arrived at by the investigating wing of the Railway Department itself;

(c) whether the case has been sent to court; and

(d) if not, the reasons therefor?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) Yes, Sir.

(b) (i) The Special Police Establishment reported negligence on the part of railway staff at various stations, stating that the staff had failed to maintain absolute integrity and devotion to duty. They asked the railway to take action.

(ii) A careful scrutiny of the records available and also the instructions issued by the Railway Board regarding weighment of such wagons disclosed that, except in one case, no irregularity had been committed by the staff. The staff responsible in one case stated above is being taken up.

(c) No.

(d) The Special Police Establishment did not find sufficient evidence to launch prosecution in a Court of Law.

Kangra Valley Railway

3531. Shri Hem Raj: Will the Minister of Railways be pleased to state:

(a) the time which the Kangra Valley Railway passenger trains took between Pathankot and Peprala Baijnath and between Peprala Baijnath and Jogindernagar in 1946 and 1947; and

(b) how does it compare with the time taken in 1961?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) and (b). Prior to 15.4.1954, the Kangra Valley Railway extended only upto Nagrota. The section beyond Nagrota upto Jogindernagar was opened to passenger traffic with effect from 15.4.1954. The average running time of trains on the Pathankot-Baijnath Peprala and Baijnath Peprala-Joginder Nagar

sections as on 15.4.1954 and 1.4.61 are indicated below:—

Section	Average running time	
	As on 15-4-54	As on 1-4-61
	H. M.	H. M.
Pathankot-Bajjnath Peprala .	7 48	8 11
Bajjnath Peprala- Joginder Nagar .	2 27	2 20

Regional Horticulture Research Station in Punjab

3532. Shri Hem Raj: Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that no Regional Horticulture Research Station exists in the Punjab Hills;

(b) whether it is also a fact that the climate conditions and soil texture of Himachal Pradesh hills is at variance with that of Punjab Hills; and

(c) whether the Central Government propose to locate one station in the Punjab Hills where there is great scope for the development of horticulture?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) No. A Regional Fruit Research Sub-station for research on peaches, plums and apricot is functioning at Kandaghat since the 1st December, 1960.

(b) No. The Punjab and Himachal Pradesh hill areas being contiguous and at places interlocked, the soil and the climatic conditions are more or less identical.

(c) A proposal for the establishment of a Regional Fruit Research Sub-station at Kulu for research on temperate fruits viz., apple, pear, cherry,

persimmon, peach, apricot, plum, almond and grape is under consideration of the Indian Council of Agricultural Research.

New Railway Halt between Charkhi Dadri and Jharli

3533. Shri Ram Krishan Gupta: Will the Minister of Railways be pleased to state:

(a) the nature of progress made so far in the construction of new Railway halt between Charkhi Dadri and Jharli stations on Rewari Bhatinda route of the Northern Railway; and

(b) when it will be opened?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) Funds have been allocated for the execution of this work during the current year.

(b) The work is being expedited as much as possible. In any case the halt is expected to be opened before the close of the official year.

पौधा संरक्षण केन्द्र

३५३४. श्री म० ला० द्विवेदी : क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) किन-किन राज्यों में, द्वितीय पंच-वर्षीय योजना में पौधा संरक्षण केन्द्र खोले गये हैं ; और

(ख) प्रत्येक केन्द्र में कितने लोग नियुक्त हैं और उन्हें क्या संसाधन उपलब्ध किये गये हैं ?

कृषि मंत्री (डा० पं० ज्ञान० देशमुख) :
(क) भारत सरकार के द्वारा मैसूर, महाराष्ट्र, उड़ीसा और पंजाब में ।

(ख) जानकारी निम्न प्रकार है:—

राज्य का नाम	कर्मचारी	पौध रक्षा कीट-नाशी औषधियां	
		सामग्री (संख्या)	(मूल्य)
		मशीनें	यानें
१. मैसूर (धारवाड़)	१०	३३०	२ २०,००० ६पये प्रति वर्ष
२. महाराष्ट्र (अमरावती)	५	३१६	२ " " "
३. उड़ीसा (कटक)	६	१५६	२ " " "
४. पंजाब (पठानकोट)	६	३००	१ " " "

दिल्ली के अस्पतालों में असाध्य रोगी

३५३५. श्री म० ला० द्विवेदी: क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगे कि :

(क) पिछले छः महीनों में दिल्ली में केन्द्रीय सरकार के अस्पतालों में ऐसे बीमारों की संख्या कितनी है जिनके वारे में काफी दिन के इलाज के बाद यह घोषित कर दिया गया कि उनका रोग असाध्य है;

(ख) क्या सरकार ऐसे बीमारों को बाहर के अस्पतालों में भेजने की व्यवस्था करती है; और

(ग) यदि नहीं, तो ऐसे बीमारों की चिकित्सा का क्या प्रबन्ध किया जा रहा है ?

स्वास्थ्य मंत्री (श्री करभरकर) :

(क) आम तौर पर रोगियों के अस्पताल से मुक्त होने के समय किसी रोगी को असाध्य घोषित नहीं किया जाता तथापि कैंसर, हृद्दरोग, जीर्ण किडनी, लीवर रोग तथा शरीर के अन्य भागों के दर्द जैसी अनेक अवस्थाओं में रोग कभी-कभी इतना प्रगत हो जाता है कि विभिन्न अवयवों में अत्यधिक क्षति हो जाने से उसका इलाज सम्भव नहीं रह जाता। ऐसे जीर्ण रोगों के रोगियों की क्लिनिकी अवस्था स्थिर नहीं रहती अपितु

उसमें परिवर्तन होता रहता है जिससे कभी तो स्थिति बिगड़ जाती है और कभी कुछ 'मुधार' की हालत में व्यवस्थित सी हो जाती है। जहां स्थिति में ऐसा कुछ मुधार आदि की अवस्था आ जाती है उसे फिर अस्पताल में रखने तथा उसका और आगे इलाज करने का विशेष कोई असर नहीं पड़ता और तब रोगी को आमतौर पर पर्याप्त रूप से ऐसा इलाज कर कि वह उसी मुधार की स्थिति में रह सके और अपने घर में ही छोटा मोटा इलाज करवाता रहे, मुदत कर दिया जाता है। किन्तु स्थिति के बिगड़ जाने की नौबत में, जहां उसके दुबारा अस्पताल में भर्ती करने की आवश्यकता हो, उसे दुबारा भर्ती कर दिया जाता है और जो कुछ हलका-फुलका इलाज बतलाया जाता है वह किया जाता है।

(ख) और (ग). विशेष मामलों, जहां कतिपय एककों में न्यूरो-सर्जरी आदि की उत्तम शल्य-क्रिया-सुविधायें तथा अन्य साधन उपलब्ध हैं, रोगियों को एक अस्पताल से दूसरे ऐसे अस्पताल में जहां अच्छी सुविधायें उपलब्ध हों, भेज दिया जाता है। मानसिक रोगियों के अलावा दूसरे रोगियों को दिल्ली में बाहर के अन्य अस्पतालों में भेजना आम तौर पर आवश्यक नहीं समझा जाता क्योंकि देश के अन्य भागों में उपलब्ध बहुत सी सुविधायें दिल्ली के अस्पतालों में भी उपलब्ध हैं।

अखिल भारतीय चिकित्सा विज्ञान संस्था

३५३६. श्री म० ला० द्विवेदी : क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगे कि :

(क) अखिल भारतीय चिकित्सा विज्ञान संस्था को सरकार वार्षिक कितना अनुदान देती है; और

(ख) इस संस्था को बीमारों से औषधि आदि की कीमत वसूल करने के रूप में १९६१-६२ में अब तक कितनी आय हुई ?

स्वास्थ्य मंत्री (श्री करमरकर) :

(क) अखिल भारतीय चिकित्सा विज्ञान संस्था को म्वोकृत वार्षिक अनुदान इस प्रकार है :—

वर्ष	अनुदान
१९५६-५७—	४,०४,०००.०० रुपये
१९५७-५८—	२२,७४,०००.०० रुपये
१९५८-५९—	२३,००,०००.०० रुपये
१९५९-६०—	७५,००,०००.०० रुपये
१९६०-६१-१०७,८४,०००.०० रुपये	
१९६१-६२—	५०,००,०००.०० रुपये

(पहली किस्त)

(ख) रोगियों से ली गई दवाइयों आदि की कीमत के रूप में संस्था की १९६१-६२ के अन्तर्गत अब तक की आय : २१,२०७.३४ रुपये (३१-७-१९६१ तक) ।

उर्वरक

३५३७. श्री म० ला० द्विवेदी : क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि जो उर्वरक कानपुर जिले के किसानों को ३८ रुपये प्रति मन की दर से वितरण के लिये रखे गये थे वे बंगाल, मद्रास और मध्य प्रदेश राज्यों के व्यापारियों को १२५ रुपये प्रति मन की दर से बेच दिये गये हैं;

(ख) क्या सरकार ने इन मामलों की जांच की है;

(ग) यदि हां, तो उन में कितने रुपयों की गड़बड़ है; और

(घ) इस विषय में क्या कार्यवाही की गई है ?

कृषि मंत्री (डा० पं० शा० देशमुख) :

(क) से (घ). राज्य के अन्दर उर्वरकों के वितरण का कार्य राज्य सरकार का है और इसलिए उत्तर प्रदेश की राज्य सरकार से पूछताछ की गई । उन्होंने बताया है कि १ जनवरी १९६१ से अकार्वनिक उर्वरक (वहन नियंत्रण) आदेश १९६० के प्रवृत्त होने के बाद पिछले मासों में कानपुर जिले में चोर बाज़ारी या राज्य से बाहर उर्वरकों के निर्यात करने का कोई भी मामला उनके नोटिस में नहीं आया । इस प्रकार के कुछ मामले पहले नोटिस में आये थे और जांच के लिए पुलिस को सौंप दिये गये थे ।

उर्वरक वितरण जांच समिति

३५३८. श्री म० ला० द्विवेदी : क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) उर्वरक वितरण जांच समिति की इन सिफारिशों पर कि उर्वरकों पर विक्रो-कर की छूट दी जाये और किसानों को उर्वरक कम से कम मूल्य पर दिये जायें तथा उर्वरकों के लिये ऋण की उचित व्यवस्था की जाये, कृषि मन्त्रालय ने क्या निर्णय लिये हैं;

(ख) यदि इन सिफारिशों पर अब भी विचार किया जा रहा है, तो इन पर निर्णय करने में अभी और कितना समय लगेगा, और

(ग) इन सिफारिशों में से किमी को भी सरकार द्वारा न मानने का क्या कारण है ?

कृषि मंत्री (डा० पं० शा० देशमुख) :

(क) से (ग). इस मन्त्रालय द्वारा किये गये

निर्णय निम्न प्रकार हैं :—

- (१) उर्वरकों को बिक्री कर से छूट देना : राज्य के वित्तीय माधनों पर संभावनीय प्रतिक्रिया होने की वजह से बिक्री-कर से पूरी छूट देना नहीं माना जा सका।
- (२) कृषकों को न्यूनतम मूल्य पर उर्वरकों का वितरण करना : इसे सिद्धान्तिक रूप में मान लिया गया और मूल्य को कम करने की सम्भावना पर सक्रिय रूप से विचार किया जा रहा है।
- (३) उर्वरकों के लिये समुचित ऋण व्यवस्थाओं का उपलब्ध करना : इसे मान लिया गया और कार्यान्वित करने के लिये राज्य सरकारों को बता दिया गया।

Settlement of pending Cases on N. E. Railway

3539. Shri S. M. Banerjee: Will the Minister of Railways be pleased to state:

(a) whether the fruit and vegetable merchants of Subzimandi in Kanpur have represented for the settlement of old cases pending with North Eastern Railway;

(b) if so, whether the representation was considered;

(c) if so, whether these cases have since been settled; and

(d) the officials responsible for the delay?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) and (b). Yes.

(c) and (d). Final decision in 57 out of 62 cases referred to in the representation has been communicated by the Railway to the parties. The remaining 5 cases are under review and final decision is likely to be com-

municated shortly. The staff responsible for the delay in settling the cases has been taken up suitably by the North Eastern Railway.

Cooperative Movement

3540. Pandit D. N. Tiwari: Will the Minister of Community Development and Cooperation be pleased to state:

(a) whether it is a fact that the co-operative movement has got a setback in several States;

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

(c) the steps taken to give fresh impetus to the cooperatives?

The Deputy Minister of Community Development and Co-operation (Shri B. S. Murthy): (a) No, Sir.

(b) Does not arise.

(c) The various steps taken to give further impetus to the movement have been mentioned in the annual reports of the Department of Cooperation for the years 1959-60 and 1960-1961.

Air Service for Poona

3541. Shri Assar: Will the Minister of Transport and Communications be pleased to state:

(a) whether Government are aware that there is popular demand from Maratha Chamber of Commerce, Poona and other industrial institutions from Bombay and Poona to have air service for Poona;

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

(c) the reasons for not having air service for Poona?

The Deputy Minister of Civil Aviation (Shri Mohiuddin): (a) Yes, Sir.

(b) and (c). Due to convenient rail services available between Bombay and Poona, and the existence of a first class road, the Indian Airlines Corporation do not expect sufficient traffic

to justify an air service on this sector.

Financial Return from Power and Irrigation Projects

3542. { **Shri P. C. Borooah:**
Sri B. C. Mullick:

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

(a) whether it is a fact that the Planning Commission have suggested some measures for augmenting financial returns from Power and Irrigation Projects;

(b) if so, what are the measures; and

(c) what decision has been taken by Government thereon?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) Yes.

(b) Measures suggested to State Governments for improving financial returns from Power and Irrigation projects are given in the statement laid on the Table of the House. [See Appendix IV, annexure No. 65].

(c) It is for the State Governments to implement the suggestions. The matter is being considered by them.

Agriculture in Mandi District of Himachal Pradesh

3543. **Shri P. C. Borooah:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether an agreement has been signed with the West German Government for the development of agriculture in the Mandi district of Himachal Pradesh; and

(b) if so, what amount of aid is expected from that country under the agreement?

The Deputy Minister of Agriculture (Shri M. V. Krishnappa): (a) Not yet.

(b) Does not arise.

1160 (Ai) LSD—4.

Underbridge at Cuttack

3544. **Shri Chintamani Panigrahi:** Will the Minister of **Railways** be pleased to state:

(a) whether any communication has been received from the Orissa Government regarding the site where the underbridge is proposed to be constructed near the Railway level crossing at Cuttack with a view to connecting the National Highway with Cuttack city;

(b) if so, what progress has been achieved so far in this respect; and

(c) whether there has been any further correspondence between the Railway Ministry and the State Government in this connection?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) Yes. The proposed under-bridge will be located at mile 255|1-2, at the South-end of Cuttack Station yard.

(b) and (c). The final decision has been taken only in May 1961 and the plans and estimates are being finalised. There has since been no further correspondence.

Tribal Jhumias

3545. **Shri Bangshi Thakur:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether the Jhumias of Tripura, specially of Kulai of Kamalpur and Kanchanpur of Dharmanagar, have prayed to Government for allowing them to pursue Jhum cultivation in Tripura forest till they are permanently settled in cultivable land; and

(b) if so, what action is proposed to be taken in this regard?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) Yes.

(b) Jhum cultivation in Reserved Forests and within half a mile on either side of the Public Works Department roads and navigable streams is prohibited. In protected forests, bona fide tribal Jhumias have been

allowed to practise Jhum cultivation subject to certain conditions.

Facilities to Tourists in Kerala

3546. Shri Maniyangadan: Will the Minister of Transport and Communications be pleased to state:

(a) what amount has been paid by the Central Government to the Kerala Government during the years 1960-61 and 1961-62 so far for providing facilities to tourists; and

(b) the nature of facilities provided or proposed to be provided?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) and (b). (i) The following subsidies were paid to the Kerala Government during the year 1960-61 for the schemes given below:—

(1) Improvement to Arnayani-vas Hotel at Thekkady on the Periyar Lake. Rs. 37,000

(2) Extension of Mascot Hotel at Trivandrum. Rs. 6,743|-

(ii) A provision of Rs. 25,000 has been included in the Central Government budget for the year 1961-62 for grant of subsidy to the Kerala Government for the construction of a Rest House at Charuthurati.

According to the prescribed procedure, subsidies for the plan schemes are granted to the State Governments in the last quarter of the financial year on the basis of actual expenditure incurred upto the 31st December and that likely to be incurred during the last quarter of the same year. Hence payment of no subsidy has so far been sanctioned during the year 1961-62.

Ernakulam Station

3547. Shri Maniyangadan: Will the Minister of Railways be pleased to state:

(a) whether there is any proposal for reconstructing the railway station at Ernakulam Junction in the Southern Railway; and

(b) when is the work likely to be started?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) and (b). There is no proposal for large scale reconstruction at present. However, the following works have been programmed for 1961-62:

- (i) Covering over platform for a length of 250'
- (ii) Extension of III class waiting hall
- (iii) Flushout latrines
- (iv) Improvements to (1) vegetarian refreshment room, (2) Non vegetarian refreshment room
- (v) Provision of a vendors stall on M.G. platform. Estimates for the above works are being sanctioned. Construction of retiring rooms have also been sanctioned and the work is nearing completion.

Post Offices in Orissa

3548. Shri Chintamani Panigrahi: Will the Minister of Transport and Communications be pleased to state:

(a) how many Branch Post Offices were converted into Sub-Post Offices in Orissa, Division-wise during 1959-60 and 1960-61; and

(b) the number of such Branch Post Offices which are proposed to be converted to Sub-Post Offices in Orissa in 1961-62?

The Minister of Transport and Communications (Dr. P. Subbarayan):

(a)

Sl. No.	Number of Branch Post Offices converted into Sub Post Offices during	
	1959-60	1960-61
1. Cuttack	..	1
2. Berhampur (GM)	2	6
3. Puri	2	3
4. Balasore	4	2
5. Sambalpur	..	2
6. Bolangir	1	1

(b) 56.

Fertilizer for Coconut Plants

3549. Shri Chintamani Panigrahi: Will the Minister of Food and Agriculture be pleased to state:

(a) whether any quantity of fertilisers was separately allotted to Orissa in the Second Five Year Plan period for better manuring coconut plants in the State;

(b) if so, what quantity;

(c) the number of better type of coconut seedlings distributed in Orissa in 1959-60, 1960-61 and 1961-62 so far; and

(d) the areas where these seedlings were distributed?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) No.

(b) Does not arise.

(c) Figures furnished by the State Government are as follows:—

Year	Seedlings distributed
1959-60	23,347
1960-61	21,249
1961-62	16,330
(upto July, 1961)	

(d) The seedlings were mostly supplied to the cultivators of Cuttack, Puri, Balasore and Ganjam Districts.

Ayurvedic and Unani Tibbia College, Delhi

3550. Shri Balraj Madhok: Will the Minister of Health be pleased to state:

(a) the total number of students on roll in Ayurvedic and Unani Tibbia College during the years 1956, 1958, 1959 and 1960 in Ayurvedic and Unani departments of the College separately;

(b) what is the total annual expenditure of the College (the figures in respect of Ayurvedic and Unani Sections to be given separately);

(c) whether it is a fact that the Principal of the College is an allopathic doctor and that he was not duly selected by the Selection Committee;

(d) whether there are any other Ayurvedic or Unani Colleges in the country with an allopath at its principal; and

(e) whether it is a fact that the annual results of the college for 1961 were very bad and were arbitrarily amended after the declarations of the results?

The Minister of Health (Shri Kar-markar): (a) and (b).

Year	No. of students		Expenditure*
	Ayur-veda	Unani	
			Rs.
1956-57	140	30	245,324
1957-58	173	30	2,26,800
1958-59	103	20	2,10,851
1959-60	167	16	2,37,256
1960-61	299	42	2,76,011

(c) The Principal is a highly qualified allopathic doctor. He was interviewed by the Selection Committee and was appointed by the Board.

(d) Yes.

(e) The annual results of the college were amended in accordance with the Regulations and after full deliberation by the Board.

Rural Water Supply and Sanitation Scheme

3551. Shri D. C. Sharma: Will the Minister of Health be pleased to state:

(a) the progress made in the implementation of rural water supply and sanitation schemes in the Union Territories since the commencement of the Second Five Year Plan;

(b) whether the target fixed for the schemes in the Second Five Year Plan has been achieved;

(c) if not, the reasons for the shortfall;

*Separate figures for Ayurveda and Unani are not available.

(d) the total provision in the Second Five Year Plan for these schemes; and

(e) how much of this amount has been spent up till now?

The Minister of Health (Shri Kar-markar): (a) to (c). A statement containing the required information is laid on the Table of the House. [See Appendix IV, annexure No. 66].

रेल के डिब्बे

३५५२. श्री प्रकाशवीर शास्त्री : क्या रेलवे मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि रेलवे के जो नये डिब्बे तैयार हो कर आ रहे हैं उन पर श्रेणी तथा रेलवे का नाम हिन्दी में भी लिखा है;

(ख) क्या इस समय जो पुराने डिब्बे काम में आ रहे हैं और उन पर भी अंग्रेजी के साथ-साथ हिन्दी में ये शब्द लिखे गये हैं; और

(ग) यदि नहीं, तो ऐसा किस समय तक किया जायेगा ?

रेलवे उपमन्त्री (श्री सै० वें० रामस्वामी) :

(क) हिदायत यह है कि नये इंजनों/सवारी डिब्बों पर निर्माता का नाम हिन्दी में भी लिखा जाये।

(ख) जो नहीं।

(ग) ऐसा कोई प्रस्ताव विचाराधीन नहीं है।

Delhi Homoeopathic Board

3553. Shri Amar Singh Damar: Will the Minister of Health be pleased to state:

(a) whether Government are aware that most of the homoeopaths of Delhi are dissatisfied with the working of the Delhi Homoeopathic Board;

(b) whether Government propose to consider it desirable to enquire into the matter; and

(c) what are the reasons for not appointing a full time Registrar for the Board of Homoeopathic System of Medicine Delhi, keeping this fact in mind that the said Board, was formed several years ago?

The Minister of Health (Shri Kar-markar): (a) No.

(b) Does not arise.

(c) The Board of Homoeopathic System of Medicine, Delhi, was established in May, 1958. The financial position of the Board does not permit employment of a whole time Registrar.

Confirmation of Train Examiners

3554. Ch. Ranbir Singh: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that certain Train examiners (scale Rs. 150—225) of Delhi Division of the Northern Railway who have been given the benefit of seniority with effect from 1st April, 1956 and paid arrears as well, have not been confirmed uptil now;

(b) if so, whether their juniors have been confirmed ignoring their seniors;

(c) if the answer to parts (a) and (b) above are in affirmative, whether it is a fact that vacancies reserved for confirmation of the senior personnel were to be filled in on the completion of one year's continuous service in the grade;

(d) if so, whether some Train examiners who have completed their one year continuous service and are declared seniors have not yet been confirmed; and

(e) if so, the reasons therefor?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) Yes.

(b) Though juniors were confirmed, vacancies were reserved for seniors.

(c) Confirmation is made on completion of 12 months' efficient and continuous service;

(d) Only one train examiner has recently fulfilled the above conditions and his confirmation is now being considered;

(e) Does not arise.

T.C.M. and Equipment

3555. Shri Ajit Singh Sarhadi: Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that T.C.M. aid equipment consisting of expensive foodgrain testing apparatus and grain conveying equipment received during 1957 to 1959 is still lying in boxes unused and has rusted; and

(b) if so, why has it not been utilized so far?

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): (a) No, Sir. The equipment referred to in the question is in use.

(b) Does not arise.

Wheat in Godowns

3556. Shri Ajit Singh Sarhadi: Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that 60,000 tons of wheat in Madras and Avadi godowns, 209,000 tons in Hyderabad godowns and 1300 tons in Vizagapatnam godowns have become rotten; and

(b) if not, what is its condition and whether any enquiry has been made?

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): (a) No, in none of the Central Government godowns at the places referred to stocks of wheat have become rotten. (Maximum capacity of godowns with the Central Government at Hyderabad is 1,48,000 tonnes.)

(b) Stocks in storage have been regularly inspected by technical staff and the condition of wheat is satisfactory, and it is fit for human con-

sumption. Necessity for any enquiry has not arisen.

Transport of Foodgrains

3557. Shri Ajit Singh Sarhadi: Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that shortage is found in ships (steamers) having wheat;

(b) if so, the shortage shown during the last three years;

(c) whether it is a fact that large quantities of foodgrains are smuggled out for sale after discharge at ports; and

(d) if so, what steps are being taken to stop this?

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): (a) and (b). In the ships bringing overseas wheat, there is excess landing in some cases and shortlanding in some others. The following figures for the three years 1957-58 to 1959-60 indicate the position:—

	1957-58	1958-59	1959-60
	(Tons)	(Tons)	(Ton)
Quantity manifested (Bill of lading)	30,41,152	29,99,445	33,11,239
Quantity landed	30,33,410	29,87,549	33,08,082
Short landing	18,736	22,565	15,844
Excess landing	10,004	10,669	12,687

The difference in weight is often attributable to the difference in the method of weighment at the loading and at the unloading ports.

(c) No. The ports, where foodgrains are discharged, are protected areas and adequate security measures exist to exclude the possibility of smuggling.

(d) Does not arise.

Central Loan for Koyna Project

3558. Sarda, Iqbal Singh: Will the Minister of Irrigation and Power be pleased to state:

(a) whether Government have sanctioned loan for Koyna Project to Maharashtra Government; and

(b) if so, the details of this loan?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) and (b). A sum of Rs. 28,49,26,664 has so far been sanctioned by the Government of India to the Government of Maharashtra for financing expenditure on the Koyna Hydro-electric Project. The break-up of the loan is as under:—

	Rs.
Plan Expenditure on works	27,62,21,000
Non Plan—for payment of Interest on the loan	87,05,664

Potatoes in the Niligiri District

3559. Shri Balakrishnan: Will the Minister of Food and Agriculture be pleased to state:

(a) the assessment of damage to the potato crops in Niligiri District due to the serious disease recently;

(b) the value of the potatoes which were damaged due to the disease; and

(c) the relief measures which were taken by Government to prevent the disease?

The Deputy Minister of Agriculture (Shri M. V. Krishnappa): (a) 14 out of the 18 villages of Ootacamund taluk and 10 out of 12 villages of Coonoor taluk in the Niligiris District were affected by the Late Blight potato disease. About 40 percent of the normal yield i.e. nearly 20,000 tons is estimated to have been affected.

(b) About Rs. 75 lakhs at current prices.

(c) Measures taken by the Government of Madras are:—

(i) Sale of pesticides at concessional rates and at convenient centres. Necessary equipment such as Power sprayers. Hand operated sprayers and dusters were put into operation.

(ii) Additional staff of agricultural Demonstrators were engaged for spraying the affected land.

(iii) Advantage was also taken of the presence in India of Dr. William Black of the Scottish Plant Breeding Station, Edinburgh the potato expert of International fame by arranging a study of the problem by him. He has found that the disease was caused by conditions of unusually excessive rain during this year, and lack of adequate sunshine coupled with strong breeze which facilitated the carriage of the spores. He was advised that the disease could be completely eradicated by the systematic fungicidal spraying and field sanitational measures.

Fruit Drink Production Plants

3560. Shri M. K. Kumaran: Will the Minister of Food and Agriculture be pleased to state:

(a) whether there is a proposal before the Government for the setting up of fruit drink production plants in district towns of Madras and Kerala states with the technical assistance from the Fruit Products Development and Marketing wing of the Union Ministry of Food; and

(b) if so, at what stage is the proposal?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) No, Sir.

(b) Does not arise.

Molestation of Girls at Madhopur Station

3561. **Shri P. G. Sen:** Will the Minister of Railways be pleased to state:

(a) whether the news of the molestation of two girls by one T.T.E. and constable at Madhopur station as published in the *Indian Nation* and *Searchlight* and other papers on the 6th March, 1961 is true;

(b) if so, what has happened thereafter; and

(c) whether any departmental enquiry has been made?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) to (c). On a report made by the Vigilance Inspector of the Railway, the police registered a case against the Ticket Collector and the Police Constable. After investigation they reported that no case could be made out against the Ticket Collector and that the evidence against the Constable was not sufficient to prosecute him and he was being taken up departmentally. Suitable disciplinary action is, however, being taken against the Ticket Collector.

Sugarcane Price Arrears

3562. **Shri Raghunath Singh:** Will the Minister of Food and Agriculture be pleased to state what are the sugarcane price arrears of 1960 and 1961 seasons due from factory owners or sugar mills to cane grower which have not been paid till today?

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): Out of Rs. 111.75 crores due as sugarcane price to the growers during the season 1960-61, the arrears on 15th August 1961 were Rs. 6.24 crores.

Lights in Train

3563. **Shri Onkar Lal:** Will the Minister of Railways be pleased to state:

(a) whether it is a fact that generally there are no lights in the compartments of the train from Bina to

Kota or vice versa on Western Railway; and

(b) if so, the action taken?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) No, Sir.

(b) Does not arise.

T.B. Research Centre at Madras

3564. { **Shri Nanjappan:**
Shrimati Maimoona Sultan:

Will the Minister of Health be pleased to state:

(a) whether it is a fact that Government have decided to close down the T.B. Research Centre at Madras.

(b) if so, whether any deputationists waited on the Health Minister recently at Madras to press for the continuance of the Centre on a permanent basis; and

(c) the decision Government have taken as a result of the request by deputationists?

The Minister of Health (Shri Karmarkar): (a) The original agreement with W.H.O. was for 5 years which period has expired. Further action is under consideration.

(b) Yes.

(c) The matter is still under consideration.

Export Traffic of Manganese and Iron Ore

3565. **Shri Chintamani Panigrahi:** Will the Minister of Railways be pleased to state:

(a) what action the Railways are taking to maintain the export traffic of manganese and Iron ore from Sanspani Station; and

(b) what was the traffic that the Railways handled in this sector in respect of export of these ores in 1959-60 and 1960-61 so far?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) Iron

and Manganese ore traffic meant for export always receive the special attention of the Railways and all endeavours are made to clear the traffic according to the programme. All demands for export ore traffic from Banspani Station are at present being met in full.

(b) The total number of wagons moved with export ores from Banspani Station during the year 1959-60 and 1960-61 was as under:

	Total No. of Wagons moved with Iron & Manganese ores for export
1959-60	1,797
1960-61	4,390

लोको कॅरेज और बंगन वर्कशाप

३५६६. श्री सरजू पाण्डेय : क्या रेलवे मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि उत्तर रेलवे को लोको कॅरेज और बंगन वर्कशाप, चारबाग, लखनऊ के चतुर्थ श्रेणी के कर्मचारियों के वेतन से प्रति मास प्रति व्यक्ति क्वार्टरों के किराये के ६ रुपये ३१ नये पैसे काट लिये जाते हैं;

(ख) क्या यह सच है कि यह कटौती नियम विरुद्ध है ;

(ग) यदि हाँ, तो इसके क्या कारण हैं; और

(घ) क्या यह सच है कि सम्बन्धित कर्मचारियों ने इसके बारे में विभाग को सैकड़ों अर्जियाँ दी हैं लेकिन कोई कार्यवाही नहीं की गयी ?

रेलवे उपमन्त्री (श्री शाहनवाज खाँ) :

(क) वर्तमान नियमों के अनुसार कर्म-

चारियों से क्वार्टरों का निर्धारित किराया या उनके वेतन का १० प्रतिशत, दोनों में जो कम हो, लिया जाता है। उत्तर रेलवे के लोको कॅरेज और बंगन वर्कशाप, चारबाग, लखनऊ के चौथी श्रेणी के कर्मचारियों से ३०-६-१९६० तक ६ रुपये ३१ नये पैसे निर्धारित किराया लिया गया। यह किराया उन्हीं लोगों से लिया गया जिनके वेतन के १० प्रतिशत से यह कम था। उसके बाद से संशोधित निर्धारित किराया या वेतन का ७१ प्रतिशत, दोनों में जो भी कर्मचारी के हक में है, लिया जा रहा है।

(ख) जी नहीं।

(ग) सवाल नहीं उठता।

(घ) जी नहीं। कर्मचारियों की तरफ से कुछ संयुक्त प्रतिवेदन मिले थे। उन पर विचार किया गया और सम्बन्धित कर्मचारियों को वास्तविक स्थिति से अवगत करा दिया गया।

Allotment of Berths in Trains

3567. Shri Warior: Will the Minister of Railways be pleased to state:

(a) whether private non-tourist agency firms are allotted a quota of first, second or third class berths in trains;

(b) if so, how many firms are on the list; and

(c) the details thereof?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) Yes.

(b) and (c). The information is under collection and will be laid on the Table of the Sabha.

स्थानापन्न रेलवे कर्मचारी

३५६८. श्री अर्जुन सिंह भदौरिया : क्या रेलवे मन्त्री यह बताने की कृपा करेंगे कि :

(क) भारत में इस समय समस्त रेलों में कुल कितने स्थानापन्न कर्मचारी हैं;

(ख) ये कर्मचारी किन परिस्थितियों में लगाये गये थे; और

(ग) ऐसे कर्मचारियों को स्थायी बनाने के लिये क्या उपबन्ध अथवा नियम हैं ?

रेलवे उम्मीदारी (श्री गहनबाज खाँ) :

(क) से (ग). सूचना मंगायी जा रही है और सभा-पटल पर रख दी जायेगी।

Stock verifiers on Northern Railway

3569. Shri S. M. Banerjee: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the posts of stock verifiers in Northern Railway are selection posts;

(b) whether appendix III A ISA group qualified candidates posted as stock verifiers in accordance with Railway Board's letter have been reverted to clerical cadre in the month of June, 1961;

(c) if so, the number of such employees;

(d) whether this reversion has taken place only in Northern Railway;

(e) if so, the reasons for this discrimination; and

(f) what steps have been taken in the matter?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) and (b). Yes.

(c) Six.

(d) Yes.

(e) There has been no discrimination as these persons had been posted only temporarily to work as Stock Verifiers.

(f) In order that the staff do not suffer a monetary loss, they, on reversion to the appropriate clerical

posts, have been allowed to draw the pay they had reached as Stock Verifiers pending their next promotion, the difference between that pay and the pay fixed in the clerical post being treated as personal pay to be absorbed in future increments.

Multiplication and Distribution of Improved Seeds

3570. Shri L. Achaw Singh: Will the Minister of Food and Agriculture be pleased to state:

(a) whether the programmes for the multiplication and distribution of improved seeds have not been successful or greatly hampered by want of any reliable data or of detailed information about the production and distribution of improved seeds by the Seed Farms; and

(b) whether it is a fact that 90 per cent of the seed farms were running at a loss?

The Deputy Minister of Agriculture (Shri M. V. Krishnappa): (a) It is too early to have all the data regarding production and distribution of improved seeds from all the farms as most of the farms have started producing Foundation seed of the right quality only recently. States and Administrations have already been furnished with a set of proforma tables for recording data on improved seed produced on these farms.

(b) Required information is being collected from the State Governments and Union Territories/Administrations and will be furnished as soon as received.

Stipends for Training of Public Health Engineers in India

3571. Shri L. Achaw Singh: Will the Minister of Health be pleased to state:

(a) whether it is a fact that 240 stipends have been awarded for the

training of public health engineers in India; and

(b) if so, how are the stipends being distributed among the States and Union Territories?

The Minister of Health (Shri Kar-markar): (a) Yes. 240 stipends have been made available for the training of Public Health Engineers and auxiliary Public Health Engineering personnel during 1961-62.

(b) Candidates sponsored for the training by the State Governments, Municipal Corporations, Improvement Trusts and Local Bodies through their respective State Governments and approved by the Government of India are eligible for stipends. The question of distribution of stipends among the States and Union Territories does not arise.

उड़ीसा में बाहुदा नदी पर बांध

३५७२. श्री मोहन नायक : क्या सिंचाई और विद्युत मंत्री यह बताने की कृपा करेंगे कि :

(क) उड़ीसा में बाहुदा नदी पर बांध बनाने के काम में क्या प्रगति हुई है;

(ख) यह बांध किस स्थान पर बनाने का निर्णय हुआ है; और

(ग) इस पर कुल कितना व्यय होगा ?

सिंचाई और विद्युत उम्मीद (श्री हाथी):

(क) उड़ीसा सरकार से बाहुदा सिंचाई परियोजना पर अभी तक परियोजना प्रतिवेदन प्राप्त नहीं हुआ है ।

(ख) तथा (ग). प्रश्न नहीं उठता ।

Palghat Railway Station

3573. Shri V. Eacharan: Will the Minister of Railways be pleased to state:

(a) whether the re-modeling works of Palghat Railway Station (S.R.) have been started as scheduled;

(b) if so, when and what is the revised estimate; and

(c) whether the retiring room facilities will be provided in the new building?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) This work is being started shortly.

(b) There is no question of revising the estimate at present.

(c) The present estimate does not provide for retiring rooms.

Loss of Insured Parcel Cover

3574. Pandit D. N. Tiwari: Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that one insurance cover for Rs. 3300 insured by one Bapat Sah Turha at Dhubri, Assam in February last was lost from the same Post Office and has not been traced as yet;

(b) whether any enquiry has been made in the matter and if so, the result thereof; and

(c) whether the remitter or the payee has been compensated, and if not, why?

The Minister of Transport and Communications (Dr. P. Subbarayan): (a) Yes, Sir.

(b) The bag containing the insured article in question was stolen from the Post Office. Departmental and Police enquiries are still in progress.

(c) No, Sir. It has not been possible to get the claim papers completed by the sender as he is moving from place to place. Further efforts are being made to contact the sender.

Sweepers' Colony at Imphal

3575. Shri L. Achaw Singh: Will the Minister for Health be pleased to state:

(a) whether it is a fact that a sum of Rs. 1.60 lakh was sanctioned for

the construction of barrack type buildings for a sweepers' colony at Imphal;

(b) whether it is also a fact that the Imphal Municipality which has been entrusted with the implementation of the scheme has not been in a position to construct the quarters and the amount has been utilised for some other purpose; and

(c) if so, whether any steps were taken against the Municipality in this regard?

The Minister of Health (Shri Kar-markar): (a) No, Sir.

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

Floods in Ghagar River

3576. Shri P. C. Borooah: Will the Minister of Irrigation and Power be pleased to state:

(a) whether the Rajasthan Government have submitted a scheme to the Central Water and Power Commission to prevent floods in Ghaggar river;

(b) if so, what is the cost of the scheme; and

(c) what is the Centre's decision thereon?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) Not yet.

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

Attachment of through Coach for Bhatinda

3577. Shri Ram Krishan Gupta: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that through coach between Delhi and Bhatinda is not regularly attached with 219 passenger starting from Delhi Junction;

(b) if so, the reasons therefor; and

(c) the number of days during the months of June, July and August, 1961 when this bogie was not attached?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) No, as the Delhi-Bhantinda through service coach is not hauled by No. 219 Up Delhi-Phulera Passenger from Delhi to Rewari.

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

Sleeping Coaches in Air-conditioned Trains

3578. Shri K. P. Sinha: Will the Minister of Railways be pleased to State:

(a) whether it is a fact that a new type of two tier third class sitting-sitting-cum-sleeping coaches have been introduced on the air-conditioned trains running between Delhi-Howrah and Delhi-Madras;

(b) whether these coaches are also air-conditioned; and

(c) if not, whether there are any proposals with Government to make in near future these third class coaches as air-conditioned running in air-conditioned express trains?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) Yes, Sir.

(b) and (c). No, Sir.

Delivery of Mails at Bhubaneswar Post Office

**3579. { Shri Chintamani Panigrahi:
Dr. Samantsinhar:**

Will the Minister of Transport and Communications be pleased to state:

(a) whether the attention of the Ministry has been drawn to the news items published in the Daily *Matri-bhumi* of Cuttack in Orissa dated 18th August, 1961 and 20th August, 1961 regarding the serious shortcomings in

the delivery of mails and receiving the mails in the new capital post office at Bhubaneswar;

(b) whether it is a fact that although 25 postal peons have been sanctioned only 20 postal peons are working at present;

(c) whether it is a fact that the number of mails daily received at the new capital Post Office is 13852;

(d) if so, the total number of postal peons required to effect speedy and timely delivery of these mails;

(e) whether the Ministry are aware that no conveyance has been provided for bringing mails from the trains to the Post Office as a result of which the receiving of the mails at the Post Office is being delayed;

(f) whether the Director of Posts and Telegraphs Department in Orissa has ever brought these difficulties to the notice of the Government; and

(g) if so, with what result?

The Minister of Transport and Communications (Dr. P. Subbarayan):

(a) Yes, Sir.

(b) 21 postmen are working as against the sanctioned strength of 25. Steps are being taken to make good the shortage.

(c) The figure is under verification.

(d) Does not arise.

(e) Mails are now conveyed by motor transport.

(f) No, Sir.

(g) Does not arise.

Colourisation of Vanaspatti

3580. Raja Mahendra Pratap: Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is true that Kishore Brothers of Kulri, Mussoorie have found out very good colouring material for vegetable oils; and

(b) if so, what Government would do to utilise it?

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): (a) and (b). A suggestion for the use of a colouring medium in Vanaspatti was received from Kishore Bros. of Kulri, Mussoorie but the same could not be considered as the party did not disclose the composition thereof although requested to do so.

कर्मचारियों की स्थायी करना

३५८१. श्री पं. लाला बालूपाल : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि रेलवे वर्कशाप, बीकानेर की स्टोर ब्रांच में कुछ कर्मचारियों को स्थायी करने के लिये चुना गया था और सफल उम्मीदवारों की बजाय असफल उम्मीदवारों को स्थायी कर दिया गया;

(ख) यदि वरिष्ठता के आधार पर उन्हें स्थायी करना था तो चयन बोर्ड बनाने और चयन करने की क्या जरूरत थी; और

(ग) क्या जिन्हें पद नहीं दिया गया उन में से अधिकांश लोग अनुसूचित जाति के थे ?

रेलवे उपमंत्री (श्री शाहनवाज खां) :
(क) जी नहीं ।

(ख) और (ग). सवाल नहीं उठता ।

Loss of Electric Stores in Amritsar Telegraph Sub-Division

3582. Shri Balraj Madhok: Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that Director of Telegraphs, Ambala while fix-

ing up responsibility for loss of Government electric stores in Amritsar Telegraph Sub-Division has held more than one person responsible for incurring loss;

(b) if so, what action Government propose to take against all officials held responsible;

(c) whether it is a fact that real officers responsible for loss have not been touched; and

(d) if so, what action Government propose to take to book the culprits?

The Minister of Transport and Communications (Dr. P. Subbarayan):

(a) and (b). Responsibility has so far been fixed on one officer directly concerned. The question of fixing responsibility for negligence on other officers is under examination.

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

Children Parks in P. & T. Colonies Delhi

3583. Shri Balraj Madhok: Will the Minister of Transport and Communications be pleased to state:

(a) whether there is any proposal under consideration to have children parks in P. & T. colonies in Delhi;

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

(c) the areas likely to be covered?

The Minister of Transport and Communications (Dr. P. Subbarayan): (a) to (c). Children Parks have been approved for six P. & T. Colonies in Delhi and New Delhi. These are in Sorojini Nagar, Atul Grove, Eastern Court, G Point, Telegraph Square and Karol Bag. This work is likely to be taken up this year.

New Station at Ramavaram

3584. Shri T. B. Vittal Rao: Will the Minister of Railways be pleased to state:

(a) whether the Andhra Pradesh Government have requested the Railways Board for opening of a Railway Station at Ramavaram between Bhadrachellam Road and Colliery siding; and

(b) if so, what decision has been arrived at?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) No.

(b) Does not arise.

Re-Modelling of Road Bridge in Khammam District

3585. Shri T. B. Vittal Rao: Will the Minister of Transport and Communications be pleased to state:

(a) whether any request has been received from the Andhra Pradesh State Government for the re-modelling of the road Bridge across Yedulavagu on the Kothagudum/Ramavaram road in Khammam District; and

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

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) No, Sir.

(b) Does not arise.

पत्थर और मिट्टी की कटाई की दरें

३५८६. श्री अर्जुन सिंह भदौरिया : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि उत्तर रेलवे के राबर्टसगंज और गढ़वा रोड स्टेशनों के बीच रनिंग सेक्शन में पत्थर और मिट्टी की कटाई की दरों में क्या अन्तर है ?

रेलवे उपायुक्ती (श्री लॉ० वें० रामस्वामी) : प्रश्न कुछ अस्पष्ट सा है। फिर भी एक बयान

नीचे दिया जाता है जिस में गढ़वा रोड-
राबर्टसगंज निर्माण कार्य के सम्बन्ध में

विभिन्न प्रकार की मिट्टी (जिसमें चट्टान भी
शामिल है) के काम की दरें बतायी गयी हैं :

बयान

क्रम सं०	काम का विवरण	इकाई	दर	
			₹० न०पै०	₹० न०पै०
१.	औसत मिट्टी	%घन फुट	३०.६	से ५२.६ तक
२.	पथरीली मिट्टी जो सिर्फ फावड़े और छड़ से खोदी जा सके	%घन फुट	४६.६	से ८६.२५ तक
३.	नर्म चट्टान, जिसे तोड़ने के लिए बिस्फोट न करना पड़े और जो सिर्फ फावड़े और छड़ से हटायी जा सके !	%घन फुट	६३.१	से १६१.०० तक
४.	चट्टान जिसे तोड़ने के लिए हल्का बिस्फोट करना पड़े	%घन फुट	१५६.६	से २७६.०० तक
५.	मजबूत चट्टान जिसे तोड़ने के लिए व्यापक रूप से बिस्फोट करना पड़े	%घन फुट	२६६.००	से ४६०.०० तक

नोट :—(ये दर १००' लीड और ५' लिफ्ट की हैं) ।

**राबर्ट सगंज गढ़वा-रोड परियोजना में
अनियमिततायें**

३५८७. श्री अर्जुन सिंह भदौरिया :
क्या रेलवे मंत्री यह बताने की कृपा करेंगे
कि :

(क) क्या यह सच है कि उनके पास
बरेली के श्री प्राननाथ बाटला से उत्तर रेलवे
की राबर्टसगंज-गढ़वा परियोजना में अनिय-
मितताओं के बारे में अभ्यावेदन प्राप्त
हुआ है;

(ख) यदि हां, तो उन्हें दूर करने के
लिये क्या कार्यवाही की गयी है; और

(ग) इन अनियमितताओं में कितनी
रकम फंसी हुई है ?

रेलवे उपमंत्रि (श्री स० ब० रामस्वामी)

(क) जी नहीं, लेकिन रेल मंत्री के नाम
श्री बाटला के पत्र की एक प्रतिलिपि इस

प्रायोजना के मुख्य इंजीनियर को मिली थी ।

(ख) आरोप गलत पाये गये ।

(ग) सवाल नहीं उठता ।

**बेचुपुर स्टेशन (उत्तर रेलवे) से माल भेजने
पर प्रतिबन्ध**

३५८८. { श्री राम सेवक यादव :
श्री अर्जुन सिंह भदौरिया :

क्या रेलवे मंत्री यह बताने की कृपा
करेंगे कि :

(क) क्या १६, जून, १९६१ या उस के
बाद बेचुपुर स्टेशन (उत्तर रेलवे) से दक्षिण
रेलवे के स्टेशनों को माल भेजने पर कोई
प्रतिबन्ध था ;

(ख) यदि हां, तो क्या १६ जून,
१९६१ को बेचुपुर स्टेशन से उत्तर तथा

दक्षिण रेलवे के कुछ स्टेशनों को माल भेजने के लिये वेगन दिये गये थे ;

(ग) यदि हां, तो इस के क्या कारण थे ; और

(घ) क्या ऐसा करने में पूर्व निश्चित प्राथमिकता का पालन नहीं किया गया ?

रेलवे उमंत्रा (श्री सै० वें० रामस्वामी) :

(क) जी हां ।

(ख) १९-६-६१ को बेचुपुर से माल भेजने के लिए कोई माल-डिब्बा नहीं दिया गया ।

(ग) और (घ) : सवाल नहीं उठता ।

Railway Employees

3589. Shri Karni Singhji: Will the Minister of Railways be pleased to state:

(a) whether Government are aware that discrimination is being made over the application of the Railway Board's letter No. E.351-AL8|1, dated 29th April, 1952 regarding the privilege of rent free quarters or house rent allowance in lieu thereof in the case of the employees of the former Jodhpur and Bikaner State Railways and that in certain cases rent is being required to be paid with retrospective effect; and

(b) if so, the steps Government have taken or propose to take to redress the legitimate grievances of the affected personnel?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) The benefit of rent free quarters or House rent allowance in lieu is being allowed to ex-State Railway employees in accordance with the extent orders contained in Board's letter No. E(S) 51-AL8|1, dated 29th April, 1952, keeping in view the rules framed by the respective ex-State Railways from which the employees concerned have been taken over. The question of discrimination, therefore, does not

arise. Those whose cases are not covered by the orders and where concession had been erroneously allowed, the rent is recoverable.

(b) The case of certain disputed categories of staff is under examination.

Water Shortage in Kharagpur Railway Colony

2590. { Shrimati Renu Chakravartty:
Shri S. M. Banerjee:

Will the Minister of Railways be pleased to state:

(a) whether the acute water problem in Kharagpur Railway Colony has been eased now;

(b) what was the total amount of water supplied in the beginning of the year and in June, 1961 and the total required;

(c) whether it is a fact that the target date for increasing the water supply was June, 1961; and

(d) in view of acute shortage even in monsoon, how soon will matters be expedited?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) Equitable distribution of the existing supply has been ensured with the result that there had been no complaint of water shortage particularly during the last summer.

(b) 58 lakhs gallons per day in the beginning of the year and 53.6 lakhs gallons per day in June, 1961. The shortfall is due to reduction in the yield during summer. However, this shortage was overcome by drawing 4 lakhs gallons of water from other source. The total requirement is about 60 lakhs gallons per day for loco and domestic uses.

(c) The work in progress was expected to be completed by June 1961, but due to non-receipt of over-head tanks the work could not be completed by that time. However, it is ex-

pected to be completed by the end of this year.

(d) Kharagpur is a very big settlement and improvements to water supply arrangements are being done in stages. It is expected that with the completion of the works now in hand and the works that will be taken up in 1962-63 there will be no shortage of water.

Contract system for Casual Labour

3591. **Shrimati Renu Chakravartty:** Will the Minister of Railways be pleased to state:

(a) whether contract system for casual labour is going to be reintroduced in Stores Department, Khargpur;

(b) whether it is a fact that last contractor, Shri Ballav Das Agarwal left without full payment to his workers; and

(c) what is Government's policy in this regard?

The Deputy Minister for Railways (Shri Shahnawaz Khan): (a) Yes.

(b) No information on this point is available as the workers were engaged by the contractor and paid for by him directly.

Occasionally reports were received to the effect that the contractor was not paying the labour regularly. On being asked, the contractor complained that the labour had not been giving a proper outturn. The Administration had been using its good offices with the contractor for regular payment of the labour but at sometimes, the response was poor. The contract with this firm ceased with effect from 1-1-1961.

In this context it may be mentioned that there was nothing in the contract to enable the Administration to enforce payment of wages by the contractor to his labourers.

Instructions have, however, been issued to Railway Administrations

for adopting a 'Fair Wage Clause' in future contracts for handling in Store Depots.

(c) Normally contract labour is not employed by Railways in Store Depots, but for handling of materials in Scrap Yards etc., contract labour is employed where it is considered expedient.

Refusal to Grant Leave to Railway Employees in W. Railway Workshop

3592. { **Shri B. K. Gaikwad:**
Shri Manay:

Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the workers of the Western Railway Maha Laxmi Wagons repair workshop requested the Railway authorities to grant them leave on 23rd May, 1960 in order to show sympathy to the family of late Chargeman, Shri Naidu who died on 21st May, 1960;

(b) whether it is a fact that leave was granted to 50 per cent of the workers;

(c) whether it is a fact that those who went out of the workshop were marked absent and their services were terminated immediately;

(d) whether it is a fact that there are about 800 workers out of job many whom have put in Railway service for more than 15 years and thus they lost their provident fund and gratuity etc.

(e) whether they have submitted an appeal to the Railway Board; and

(f) if so, the result thereof?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) Yes.

(b) Yes.

(c) Those who went out of the Shop without permission were marked

absent but their services were not terminated.

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

(e) Does not arise.

(f) Does not arise.

Casual Labourers on W. Railway

3593. { Shri B. K. Gaikwad:
Shri Manay:

Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the workers working as casual labourers in Western Railway Maha Laxmi Stores for more than five years are not made permanent;

(b) whether it is a fact that the workers of the same category working at different Railway Departments are made permanent within five years; and

(c) if so, the reasons for casual labourers working at Maha Laxmi Stores not being made permanent?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) to (c). Casual labourers are not eligible for confirmation like temporary railway servants. After completion of six months' continuous service, otherwise than in Projects, they become eligible to be considered for selection for regular employment. Once they are selected and absorbed in the regular cadre, they are considered for confirmation in their turn.

Licensed Porters

3594. { Shri B. K. Gaikwad:
Shri Manay:

Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the licensed porters working on the Central Railway at different railway stations are being charged differently such as at Bombay V. T. and Dadar Rs. 6-50; at Kalyan Rs. 6-25; at Poona Rs. 5-50; at Delhi Rs. 2 and at Nagpur 1160 (A1) LSD—5.

Rs. 2-50 per month for holding license;

(b) whether it is a fact that the charges per load are just the same on all railway stations; and

(c) if so, the reasons for this distinction in charging licence fees?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) The license fee is intended generally to cover cost of staff employed exclusively on work relating to licensed porters and of the uniforms when supplied by the Railway. These charges vary according to the actual expenditure incurred at the different stations. Except at Delhi, Poona and Nagpur where the license fee collected is Rs. 4, Rs. 5-31 per month and 12 nP. per day respectively, the fees referred to in respect of other stations are correct.

(b) No.

(c) Please see reply to part (a).

Delhi Milk Scheme

3596. **Shrimati Ila Palchoudhuri:** Will the Minister of Food and Agriculture be pleased to state:

(a) the total number of milk bottles with which the Delhi Milk Scheme was started;

(b) the total number of milk bottles at present in use by the Delhi Milk Scheme;

(c) the total cost of these bottles;

(d) the total number of bottles lost or broken together with their total cost since the Delhi Milk Scheme was started;

(e) the reasons for breakage and loss; and

(f) the steps taken in this connection?

The Deputy Minister of Agriculture (Shri M. V. Krishnappa): (a) to (f). The information is being collected and will be placed on the Table of the Sabha in due course.

Purchase of Ships

3597. Shrimati Ila Palchoudhuri: Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that an Indian Shipping concern has been permitted by the Government of India to purchase 16 ships during the next two years;

(b) if so,

(i) the name of the Company which has been permitted;

(ii) the total tonnage of the ships;

(iii) the category of ships;

(iv) the approximate total cost involved in the purchase of these ships;

(v) the extent of financial assistance, if any, and the terms on which the Government of India will give the loan to the Company concerned for purchase of the ships;

(c) whether any other Shipping Company has also been permitted to purchase ships; and

(d) if so, full details thereof?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) and (b). The Jayanti Shipping Company Private Ltd., New Delhi, which was incorporated early this year, has submitted a proposal to Government for the acquisition of about 13 dry cargo ships aggregating to about 185,000 GRT, at a cost of about Rs 22.5 crores, for operation in the overseas trades of India. The Company has also applied to the Shipping Development Fund Committee for a loan of approximately Rs 20 crores, in this regard. The matter is under consideration. In addition, the Jayanti Shipping Company has already acquired an overseas tanker of about 20,000 GRT, out of its own resources.

(c) and (d). The Third Five Year Plan contemplates a gross addition of about 375,000 GRT on a monetary outlay of Rs. 55 crores. Government are awaiting concrete proposals from the

other shipping companies for the expansion of their fleet to fulfil the above target. Nevertheless, since April, 1961 four Indian shipping companies other than Jayanti shipping company have been permitted to acquire four ships totalling about 13,500 G.R.T. at an approximate cost of Rs. 59 lakhs on deferred payment terms.

Post Offices Damaged in Poona Floods

3599 { **Shri G. K. Jedhe:**
Shri Pangarkar:

Will the Minister of Transport and Communications be pleased to state:

(a) the number of Post Offices damaged in recent floods in Poona and surrounding villages; and

(b) the number of official and non-official persons found dead in those Post Offices?

The Minister of Transport and Communications (Dr. P. Subbarayan): (a) None, Sir. The working of 5 Post Offices was affected as the roads leading to them had to be cleared of debris and mud.

(b) No official was found dead in any post office. The dead body of an outsider was recovered from the premises of the Deccan Gymkhana Post Office. The deceased was a cobbler by profession and was the husband of a part time sweeper of the post office.

Sugar Factories

3600. { **Shri G. K. Jedhe:**
Shri Pangarkar:

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

(a) the number of sugar factories set up so far in India, State-wise;

(b) how many of them are on co-operative basis, State-wise; and

(c) how many have been set up or are proposed to be set up during the year 1961-62?

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): (a) to (c). 36 new factories have been set up so far since 1955-56. State-wise details of these and of the new factories likely to be set up during 1961-62 are given in the attached statement laid on the Table of the House. [See Appendix IV, annexure No. 67].

Pensions of Retired Persons on Railways

3601. Shri Tangamani: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the All-India Retired Railway Men's Federation submitted a memorandum on the 1st June, 1961 regarding pensionary benefits to the Retired Railway employees;

(b) if so, what is Government's reply to the formula for payment of pensions;

(c) whether it is a fact that some retired men are prepared to refund their retired benefits provided pension with arrears is paid with retrospective effect; and

(d) what is the final decision of Government in the matter?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) Yes—requesting that the pensionary benefits may be given not only to those who were in service on 1st April, 1957 but also to those who had retired between 1947 and 1957.

(b) The question of acceptance or otherwise of any formula does not arise when, according to the established principles, pensionary or other benefits cannot be given effect from a date much earlier than the date of the Government decision. In this case, the decision arose out of the Railway Minister's observations in the Lok Sabha on 18th December, 1956—not out of the 1947 Pay Commission's recommendations—and was given effect to from the commencement of the following financial year (i.e. from 1st April,

1957), for existing staff and for new entrants from 16th November, 1957—the latter being the date of Government's decision. On the non-railway side of the Government of India also, pensionary benefits—in lieu of the earlier contributory scheme of Provident Fund—were extended only to staff in service on 1st April, 1955 in the case of non-industrial staff of certain departments and 18th November, 1960 in the case of industrial staff.

(c) Yes, according to the statement made by the President of the Federation in his covering letter to the Memorandum, but the question is whether as a general rule they are prepared to do so.

(d) Refer to reply to part (b) of this question.

R.M.S. Section in Madurai

3602. Shri Tangamani: Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that the Headquarters of R.M.S. section in Madurai in Madras circle known as T9 and T17 is to be shifted to Trichinopoly;

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

(c) the effects of this on Madurai?

The Minister of Transport and Communications (Dr. P. Subbarayan): (a) There is no such proposal. It may be added that the T-17 (now EK 17) Section has its headquarters at Trivandrum.

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

Accident to a Goods Train

3603. Shri M. B. Thakore: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that a goods train met an accident 3 miles away from Palanpur on Palanpur-Kandla

line in the second week of August, 1961; and

(b) if so, the details thereof?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) and (b). On 12th August 1961 at about 19.35 hours, while No. 507A Up Goods train was on run between Palanpur and Chandisar stations on the Metre gauge line between Palanpur-Gandhidam section of Ajmer Division of Western Railway, 18 wagons loaded with sugar derailed and capsized in a cutting while in motion.

There was no injury to anyone.

The approximate cost of damage to railway property has been assessed at Rs. 16,500.

Additional Express between Bikaner and Rewari

3604. Shri Karni Singhji: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that there is a proposal, due to the heavy rush on the Bikaner Mail, to start an additional express train between Bikaner and Rewari shortly; and

(b) if so, whether there is a proposal under consideration for attaching two extra III class bogies direct from Bikaner to Delhi and *vice versa* to remove the inconvenience of the travelling public?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) No, as the extent of overcrowding does not justify the running of an additional Express train.

(b) Does not arise.

Linking of Cauvery with South Pennar River

3605. Shri Narasimhan: Will the Minister of Irrigation and Power be pleased to state whether in view of the recent floods in Cauvery, Government will consider the old scheme to link Cauvery with the adjoining South Pennar river?

The Deputy Minister of Irrigation and Power (Shri Hathi): The Government of Madras, who are responsible for the formulation and execution of irrigation, power and flood control schemes in their State have not forwarded any such scheme to the Government of India. However, the suggestion received from the Hon'ble Member in this regard has been forwarded to the Government of Madras for appropriate action.

Ex-Employees of State Rationing and Civil Supplies on Railways

3606. Shri Balraj Madhok: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that ex-employees of State Rationing and Civil Supplies departments employed in the Railway departments are not being given the benefits of increment of the respective scales in which they have been appointed;

(b) whether it is also a fact that such benefits are being enjoyed by such staff employed in other Ministries; and

(c) if so, when will these benefits be extended to such staff employed in Railway departments?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) The ex-staff of Civil Supplies and Food Departments of various State Governments have not been allowed weightage of their previous service in the matter of fixation of their pay on appointment to posts on the Railways.

(b) Yes.

(c) It is not proposed to extend similar benefits to them.

Doctors in Government Hospitals in Delhi

3607. Shri S. L. Saksena: Will the Minister of Health be pleased to state:

(a) whether it is a fact that the doctors working in the various hospitals in New Delhi viz., Irwin, Safdarjung and Willingdon are not given weekly off regularly;

(b) whether it is also a fact that they are not given even the Gazetted and National Holidays;

(c) what arrangement has been made to enable them to enjoy their weekly off and the Gazetted and National Holidays or to have accumulated compensatory casual leave in lieu thereof; and

(d) whether it is a fact that in some of the above mentioned hospitals Casualty Medical Officers are not given any holiday on Sunday and Gazetted and National Holidays, and are given only eight days off in the whole year by giving them one day off after every six or seven weeks?

The Minister of Health (Shri Karmarkar): (a) to (d). A statement is laid on the Table of the House. [See Appendix IV, annexure No. 68].

Doctors in Central Government Services

3608. Shri S. L. Saksena: Will the Minister of Health be pleased to state:

(a) whether it is a fact that benefits on account of the Pay Commission's recommendations have not been given to doctors in Central Government services so far; and

(b) if so, how long will it take to give effect to the Pay Commission's recommendations in regard to them?

The Minister of Health (Shri Karmarkar): (a) No, Sir.

(b) Does not arise.

Damage to Vessels due to Cyclone in Maharashtra

3609. Shri Assar: Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that there was a severe cyclone on the South Coast of Ratnagiri District in Maharashtra in the months of June and July, 1961;

(b) whether it is a fact that a number of vessels were sunk and damaged on that coast due to cyclone;

(c) if so, the number of vessels sunk and damaged and number of casualties;

(d) whether any assistance was sought for from the Central Government; and

(e) if so, the details thereof?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) According to information available no cyclone took place in the months of June or July, 1961. There was a cyclone in May last however which affected certain ports of Konkan coast viz., Malwan and Ratnagiri.

(b) Yes, Sir, sailing vessels.

(c) 13 sailing vessels were a total loss, 11 sailing vessels were partially damaged, and 8 seamen lost their lives.

(d) Yes, Sir.

(e) So far only 14 owners have requested for financial assistance. The amount involved is Rs. 2,60,000.

Railway Platform at Nabinagar Station

3610. Shri Ramesh Prasad Singh: Will the Minister of Railways be pleased to state:

(a) whether there is any proposal under the consideration of Government to construct a railway platform at Nabinagar Road Railway Station on the B.D. line of the Eastern Railway;

(b) whether Government are aware of a number of accidents which took place there for want of a platform in recent years; and

(c) if the reply to part (a) above be in the affirmative, by what time construction work of the platform will start?

The Deputy Minister of Railways (Shri Shahnawas Khan): (a) No, Sir. A rail level platform already exists at this station.

(b) No accidents have been reported.

(c) Does not arise in view of the reply to part (a) above.

Traffic on Jamuna Bridge, Delhi

3611. Shri Shree Narayan Das: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that due to failure of light and telephone arrangements traffic conditions of the Jamuna bridge have worsened during the season;

(b) whether it is a fact that road meant for vehicular traffic is full of pot-holes which cause great inconvenience for vehicles to pass;

(c) whether any, and if so, what has been done recently to improve traffic conditions on the bridge;

(d) whether any survey has been made as to the nature of various kinds of traffic that daily pass over the bridge;

(e) if so, the result of such a survey;

(f) whether any plan to construct cantilevered passes on either side of the bridge for the use of pedestrians and cyclists was drawn up; and

(g) if so, the stage of its consideration? z

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) The lighting and telephone arrangements on the bridge are not under the control of the Railway Administration.

(b) and (c). Due to continuous and unprecedented rainfall during August, the road surface did deteriorate with development of pot-holes. Repairs to the road surface have been taken in hand, and the surface has improved to some extent with the carrying out of patch repairs.

(d) No, Sir. This concerns the road authority.

(e) Does not arise.

(f) and (g). A proposal was made by the Delhi Municipal Corporation for the provision of footpaths on both sides of the railway bridge but technically it was found that it would be feasible to provide footpath only on the down line girders. The Delhi Municipal Corporation who were asked to deposit the necessary charges for preparation of plans and estimate, have, however, informed the Railway Administration that the matter is still under their examination.

P. & T. Employees under Suspension

**3612. { Shri S. M. Banerjee:
Shri Prabhat Kar:**

Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that one of the clerks in the office of Divisional Engineer Telegraph, Calcutta West Division is under suspension for the last 10 years;

(b) if so, the reason for this abnormal suspension;

(c) the charges against the clerk;

(d) whether the disciplinary proceedings were once declared irregular and defective by Calcutta High Court and other appellate authority; and

(e) the steps taken to finalise this case?

The Minister of Transport and Communications (Dr. P. Subbarayan): (a) Yes, Sir.

(b) The prolonged suspension is due to the complicated nature of the case and the fact that the decisions of the disciplinary authority were appealed against to the departmental appellate authorities twice and also challenged in the Court of Law.

(c) The charges relate to breach of discipline and violation of the Government servants Conduct Rules.

(d) Yes, Sir.

(e) The *de-novo* enquiry has been completed. Further action is in progress.

Claim for National Savings Certificate

3613. Shri Muhammed Elias: Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that the claim of Smt. Paukajih Manna (on behalf of her minor, Birendra Nath Manna as her natural guardian) in respect of Howrah P.O., N.S.C., No. EO276722 for Rs. 1,000 of 8th September, 1947 still remains unsettled; and

(b) if so, what is the reason for this delay in settling this claim?

The Minister of Transport and Communications (Dr. P. Subbarayan): (a) Yes, Sir.

(b) The original certificate was with the Court in connection with a criminal case. The case having since concluded action has been taken to obtain the certificate from the Court for payment to the party.

Booking Office at Aurangabad Station

3614. Shri Ramesh Prasad Singh: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that Government have decided to open a Booking Office at Aurangabad in the district of Gaya (Bihar) both for issue of tickets to passengers and for consignment of goods and railway parcels; and

(b) if so, the details thereof?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) and (b). It has been decided to open an Out Agency at Aurangabad Town to be served via Anugrahanarayan Road station for booking of passengers, luggage, parcels and goods and it is proposed to entrust the working of this Out Agency to the Bihar State Road Transport Corporation.

Sone Barrage Scheme

3615. Shri Ramesh Prasad Singh: Will the Minister of Irrigation and Power be pleased to state:

(a) whether work has already started for the construction of high-level canal on the eastern side of the river Sone just by the side of the proposed Sone Barrage in the State of Bihar;

(b) whether the proposal made by the public of the area for shifting the proposed barrage site and the proposed canal site only to the extent of a mile up-stream has been examined by any engineering expert; and

(c) if so, the result thereof?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) The High Level Canal project is still under the examination of the Central Water and Power Commission and no information is available that any such work has been started.

(b) Government of India are not aware of any such proposal. The State Government are responsible for execution of the project.

(c) Does not arise.

Applications for Industrial Power Load

3616. Shri Balraj Madhok: Will the Minister of Irrigation and Power be pleased to state:

(a) how many applications for industrial power load for small scale industries in Delhi were registered in the year 1957-58 and are still pending with the Delhi Administration and the reasons therefor; and

(b) what is the policy of Government in the grant of industrial power load for small scale industries in Delhi?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) Information about the actual number of applications received by the Delhi Administration during the year 1957-58 for power loads for small scale industries is not readily available with that Administration, 3,246 small

industrial power loads upto 5 HP, and 1,493 industrial power loads above 5 HP, were, however, sanctioned during that year. No application pertaining to the year 1957-58 is reported to be pending.

(b) Small scale industries are given preference over medium and large industries in the matter of sanctioning of load.

Scooter-Rickshaws in Delhi

3617. Shri Madhusudan Rao: Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that most of the scooter-rickshaws in Delhi are operating without any meter;

(b) if so, the reasons therefor and the measures being taken by Government in the matter;

(c) whether Government are aware that these scooter-rickshaw drivers charge exorbitant rates from the public in the absence of a meter;

(d) whether it is a fact that a new meter is being devised for these scooters; and

(e) if so, the details thereof?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) Some scooter-rickshaws are reported to be plying in Delhi without their milometers being in order.

(b) In some cases, the milometers go out of order due to breakage of their parts and in the others, the drivers deliberately put them out of order to charge hire according to their will without regard to the distance travelled.

The State Transport Authority, Delhi, has attached a condition to the two-seater auto-rickshaw permits under the Delhi Motor Vehicles Rules according to which the holders of the permits are required to fix and maintain a milometer or a fare meter in proper working order. The owner of a vehicle can be prosecuted for violation of this condition. On their part

the Police also keep vigilance on scooter-rickshaw drivers to prevent overcharging, misbehaviour etc. Whenever any complaint of overcharging is received, the State Transport Authority takes action against the owner and the driver by suspending the permit of the vehicle and the authorisation of the driver to drive auto-rickshaws.

(c) In some cases, the scooter-rickshaw drivers are reported to have charged higher fares than what is due, on the basis of the distance travelled, at the approved rate.

(d) and (e). A proposal for fitment of fare meters to scooter rickshaws, like those fitted to taxis, was considered by the State Transport Authority, Delhi, but it was found that such fare-meters would be very expensive and would not be available in India. However, a Bombay firm produced a fare meter for auto-rickshaws in July, 1961, and the State Transport Authority decided to make enquiries from other meter suppliers whether they would be in a position to supply cheap fare meters for auto-rickshaws and it so, they should get their meters tested by the Victoria Jubilee Technical Institute of Bombay. After their replies are received, the question whether the fitment of fare meters to auto-rickshaws should be made compulsory will be considered by the State Transport Authority, Delhi. It is necessary that the Authority must satisfy itself on the point that a sufficient number of cheap fare meters will be available for fitment to all auto-rickshaws to avoid discrimination.

गढ़मुक्तेश्वर में पुल

३६१८. श्री रामशरण : क्या परिवहन तथा संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) गढ़मुक्तेश्वर में गंगा का पुल कब तक यातायात के लिये खोल दिया जायेगा;

(ख) क्या पुल और उसके दोनों ओर सड़कों का निर्माण-कार्य पूरा हो गया है; और

(ग) यदि नहीं, तो विलम्ब के क्या कारण हैं ?

परिवहन तथा संचार मंत्रालय में राज्य-मंत्री (श्री राज बहादुर) : (क) यह पुल पहले से ही प्रतिदिन कुछ निश्चित घंटों के यातायात के लिए खोल रखा है लेकिन यह कार्य उस योजना का एक भाग है जिस के अन्तर्गत गाड़ियों के यातायात द्वारा पुल की जांच की जा सकेगी। इन परीक्षणों के पूरे होने पर पुल औपचारिक रूप से खोल दिया जायगा।

(ख) और (ग). मुख्य पुल और इस पर मेरठ की ओर से आने वाली सड़क का निर्माण कार्य पूरा हो चुका है। यहां मुरादाबाद की ओर से आने वाली सड़क और उस पर छोटे छोटे पुल भी सड़क फर्श से संबंधित कुछ कामों (रोड सरफेसिंग) को छाड़ कर लगभग बन कर तैयार हो चुके हैं। पुल पर दोनों ओर से आने वाली सड़कों को चौड़ा करने की मंजूरी हाल ही में दी गयी है और इसपर काम हो रहा है।

इटावा स्टेशन के असिस्टेंट स्टेशन मास्टर की गिरफ्तारी

३६१६-क. श्री अर्जुन सिंह भदौरिया : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि १४ जुलाई, १९६१ को पुलिस ने इटावा रेलवे स्टेशन के असिस्टेंट स्टेशन मास्टर श्री मन मोहन दयाल को स्टेशन पर गिरफ्तार कर लिया और उन्हें सिटी-मजिस्ट्रेट की अदालत में ले गई ;

(ख) क्या यह भी सच है कि पुलिस उन्हें हथकड़ी लगाकर वहां ले गई ; और

(ग) उनकी गिरफ्तारी के क्या कारण थे ?

रेलवे उपमंत्री (श्री शाहनबाज खां) :

(क) जी, हां।

(ख) श्री मन मोहन दयाल को रेलवे स्टेशन पर हथकड़ी लगायी गयी, लेकिन बाद में हथकड़ी खोल दी गयी और एक पुलिस कान्स्टेबल की हिरासत में उन्हें अदालत में ले जाया गया।

(ग) सिटी मजिस्ट्रेट की अदालत में गवाही देने के लिए उनके नाम सम्मन जारी हुआ था। अदालत में हाजिर न होने के कारण गैर-जमानती वारंट पर उनको गिरफ्तार किया गया।

Fair Price Shops in Government Employees' Colonies in Delhi

3619-B. Shri Balraj Madhok: Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that Government employees have been demanding opening of fair price shops for foodgrains in their colonies in Delhi for a long time; and

(b) if so, what steps Government have taken to meet this genuine demand?

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): (a) and (b). No formal request has been received in the Food Department for the opening of fair price shops for sale of foodgrains in Government employees' colonies in Delhi. Fair price shops for sale of wheat are already functioning in several areas in Delhi including some of the Government servants colonies, but there is practically no offtake of imported wheat from these fair price shops. Retail atta shops also exist in almost every area and these sell mill-made atta at the statutory controlled retail prices. The availability of foodgrains in Delhi is fairly satisfactory as Delhi is linked with the surplus State of Punjab. The prices of wheat and rice in Delhi are fairly reasonable and the need for opening more fair price shops in Delhi does not really exist.

नई दिल्ली की सड़कों के चौराहों पर बिजली के सिगनल

३६१६-ग. श्री बलराज मधोक : क्या परिवहन तथा संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या नई दिल्ली के चौराहों पर की गई बिजली के सिगनल की व्यवस्था प्रायः खराब हो जाती है ; और

(ख) बिजली के सिगनल की व्यवस्था के खराब हो जाने के कारण होने वाली दुर्घटनाओं को रोकने के लिए सरकार ने क्या व्यवस्था की है ?

परिवहन तथा संचार मंत्रालय में राज्य-मंत्री (श्री राज बहादुर): (क) और (ख): नयी दिल्ली में सड़कों के चौराहों पर लगे बिजली के सिगनल बिजली फेल हो जाने या मशीन की खराबी के कारण कभी कभी बेकार हो जाते हैं। इन सिगनलों के काम न करने पर इन की जल्दी से जांच कर इन को ठीक कर दिया जाता है। चौराहों पर जहां ऐसे सिगनल लगे हुए हैं वहां ट्रैफिक के सिपाही यातायात की आवश्यकता के अनुसार अधिकतम ही यातायात के समय या दिन भर के लिए अनि-वार्यतः नियत रहते हैं। इन सिपाहियों को आदेश मिला हुआ है कि उन्हें इन सिगनलों के खराब होते ही यातायात नियंत्रित करने के लिए चौराहे के केन्द्र में आ जाना चाहिए और उन्हें वहां तब तक रहना चाहिए जब तक कि बिजली के सिगनल पुनः काम न करने लगे।

Sirmur Bank, Himachal Pradesh

3619-D. **Shri S. N. Ramaul:** Will the Minister of **Community Development and Co-operation** be pleased to state:

(a) whether the question of gratuity due to the employees of the former Sirmur Bank, Nahan, Himachal Pradesh, till the time of merger of the said Bank with the Himachal Pradesh State Co-operative Bank Ltd. Dhali, has been settled, approved by the Directors of the Bank and paid to the employees concerned;

(b) if so, when it was paid; and

(c) if not what are the reasons therefor?

The Deputy Minister of Community Development and Co-operation (Shri B. S. Murthy): (a) to (c). Information is being collected and will be laid on the Table of the Sabha shortly.

Atulgrove Chummeries, New Delhi

3619-E. **Shri Balraj Madhok:** Will the Minister of **Transport and Com-**

munications be pleased to state:

(a) whether it is a fact that individual water meters have not been supplied in Atulgrove Chummeries, New Delhi upto now;

(b) if so, when this is likely to be done;

(c) whether it is a fact that employees living in single room chummeries are paying exorbitant water charges and have submitted petitions for separate meters; and

(d) if so, what Government propose to do in the matter?

The Minister of Transport and Communications (Dr. P. Subbarayan): (a) Yes.

(b) Water meters are in short supply with New Delhi Municipal Committee at present. The matter is being pursued with them.

(c) Charges are levied on the basis of the total water consumption recorded by the meter serving several quarters divided by the number of persons. The charges are not exorbitant.

(d) The case is being pursued with the New Delhi Municipal Committee.

CORRECTION OF ANSWER TO UNSTARRED QUESTION No. 2282

The Deputy Minister of Agriculture (Shri M. V. Krishnappa): In reply to part (b) of Unstarred Question No. 2282, dated, 27-3-1961 by Shri V. P. Nayar, it was stated as follows:

“(b) According to F.A.O. Production Year Book 1959, the *per capita* availability and intake in calories in respect of these items for India is as under:

Food Item	Daily <i>per capita</i> availability (in grams)	Food value (in calories)
(1) Meat (Beef, Buffalo flesh, mutton and goat flesh).	5.5 (1957-58)	6.8
(2) Fish	6.3 (1958)	5.7
(3) Egg	1.1 (1956)	1.9

The above reply to part (b) may kindly be substituted by the following:

"(b) The *per capita* availability and intake in valories in respect of these items for India is as under:

Food Item	Daily <i>per capita</i> availability (in grams)	Food value (in calories)
1. Meat*	5.5 (1957-58)	6.0
2. Fish	6.3 (1958)	4.0
3. Egg	0.6 (1956)	1.0

*F.A.O. Production Year-Book—1959."

12.06 hrs.

MOTION FOR ADJOURNMENT

OVERFLOWING OF NAJAFGARH LAKE

Mr. Speaker: Shri Bal Raj Madhok has tabled an adjournment motion which reads:

"The serious situation created by the overflowing of Najafgarh Lake and drains Nos. 6 and 8 as a result of which scores of villages in West Delhi have been marooned and number of refugee colonies on Najafgarh Road are also immediately threatened."

Last year there was a lot of trouble over Rohtak. The whole thing was in a state of flood. What is the situation here?

The Minister of Irrigation and Power (Hafiz Mohammad Ibrahim): The present situation is that the Ministry of Works, Housing and Supply are in charge of that work. The silt which is there is going to be removed by them. That has blocked the way of the flow of water from Rohtak side. That is so. But this work has already been going on. I have myself been to that area twice, from Rohtak right up to Najafgarh. I had with me the Secretary and the Chief Engineer of the Works, Housing and

Supply Ministry. They are doing this work already.

Mr. Speaker: They must quicken the pace.

Shri Balraj Madhok (New Delhi): It is not due to rains only, but also due to the negligence of the department. For example, in Shakur Basti there is water about 1 to 2 feet for the last ten days. It is simply because the natural flow of water has been stopped at the Ring Road in which no culvert has been provided. Similarly, the question of Drain No. 8 was before the House and the people a long time ago. Nothing was done and the drain was kept incomplete. Therefore the negligence of the authorities in this matter is the real cause. It is threatening about 5 lakh people living in this area.

Hafiz Mohammad Ibrahim: This is not true that the question of Drain No. 8 was since long with us. But as far as the Najafgarh *jheel* is concerned, this work was with the Works, Housing and Supply Ministry. There was some difficulty in the way on account of which that could not be taken up earlier. Now it is already on.

Mr. Speaker: First things first. The hon. Minister will try to advise the other hon. Minister to expedite the matter. In view of the statement of the hon. Minister I do not give my consent to the adjournment motion.

12.08 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

ACCIDENT TO DAKOTA AIRCRAFT AT CALCUTTA AIRPORT

Shrimati Ila Palchoudhuri (Nabadwip): Sir, under rule 197, I beg to call the attention of the Minister of Transport and Communications to the following matter of urgent public importance and I request that he may make a statement thereon:—

The accident to Dakota aircraft at Calcutta Airport on the 26th August, 1961.

The Minister of Transport and Communications (Dr. P. Subbarayan): Dakota Aircraft VT-AXA, belonging to the Indian Airlines Corporation, while operating a freighter service from Calcutta to Gauhati, met with an accident while taking off from Calcutta Airport on 26th August, 1961 at 0813 hours (IST). The aircraft carried no passengers. The crew of three received serious injuries. They are making good progress in hospital.

2. The aircraft was loaded with 6,600 lbs. of freight and the all-up weight of aircraft at take-off was 26,869 lbs., which was within the maximum permissible limit.

3. It appears that soon after becoming airborne, the aircraft first swung to the right. When the aircraft attained a height of about 10—15 feet, the port (left) wing then dropped, struck the runway and the aircraft crashed.

4. As a result of the impact, both the engines were wrenched from the aircraft and fire started, both in the aircraft and in the engines. The Airport Crash-Fire Service quickly responded and extinguished the fire. The Co-pilot came out from the cockpit emergency exit and the Captain and the Radio Officer were rescued by way of the main entrance door.

5. The aircraft was extensively damaged as a result of impact. Both the engines and propellers were sheared off and cockpit section below floor has been completely telescoped. Damage due to fire was negligible.

6. The wreckage of the aircraft created an obstruction on the runway and all flights to Dum Dum were suspended. Incoming domestic services were diverted to land at Barrackpore Aerodrome and four aircraft engaged in International flights were diverted to other airports. The wreckage was removed from the runway at 1235 hours (IST). The surface of the runway which was slightly damaged was repaired and the runway was re-opened at 1420 hours (IST), i.e., about 6

hours after the occurrence of the accident.

7. The accident is being investigated by the Chief Inspector of Accidents, Civil Aviation Department. The doctors have prohibited any examination of the Captain by the Chief Inspector of Accidents until the latter is in a fit condition to make a statement, which the doctors estimate will be in about 2 weeks' time.

Shrimati Ila Palchoudhuri: May I ask one clarification on this statement? Is it a fact that it was considered that the maintenance of this aircraft was not up to standard as it might have been? Has the Minister any information about this?

Dr. P. Subbarayan: I am afraid the hon. Lady is entirely misinformed.

Mr. Speaker: He can say Lady Member. Whenever they refer to Ladies, they will say Lady Members.

12-10 hrs.

PAPERS LAID ON THE TABLE

ORDERS UNDER THE ESSENTIAL COMMODITIES ACT

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): I beg to lay on the Table a copy each of the following Orders under subsection (6) of section 3 of the Essential Commodities Act, 1955:—

- (i) The Rice (Madhya Pradesh) Price Control (Second Amendment) Order, 1961 published in Notification No. G.S.R. 1062 dated the 25th August, 1961. [Placed in Library, See No. LT-3197|61].
- (ii) The Rice (Punjab) Second Price Control (Tenth Amendment) Order, 1961 published in Notification No. G.S.R. 1063 dated the 25th August, 1961. [Placed in Library, See No. LT-3198|61].
- (iii) The Sugar (Movement Control) (Fourth Amendment)

Order, 1961 published in Notification No. G.S.R. 1057 dated the 26th August, 1961, [Placed in Library, See No. LT-3199].

ANNUAL ACCOUNTS OF THE AIR-INDIA
INTERNATIONAL CORPORATION FOR 1959-
60 AND AUDIT REPORT

The Deputy Minister of Civil Aviation (Shri Mohiuddin): I beg to lay on the Table a copy of the Annual Accounts of the Air-India International Corporation for the year 1959-60 and the Audit Report thereon, under sub-section (4) of section 15 of the Air Corporation Act, 1953. [Placed in Library, See No. LT-3200/61].

MESSAGE FROM RAJYA SABHA

Secretary: Sir, I have to report the following message received from the Secretary of Rajya Sabha:—

"In accordance with the provisions of sub-rule (6) of rule 162 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Appropriation (No. 4) Bill, 1961, which was passed by the Lok Sabha at its sitting held on the 1st September, 1961, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill."

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

EIGHTY-NINTH REPORT

Sardar A. S. Saigal (Janjgir): I beg to present the Eighty-ninth Report of the Committee on Private Members' Bills and Resolutions.

JOINT COMMITTEE ON OFFICES
OF PROFIT

FOURTH REPORT

Shri Morarka (Jhunjhunu): I beg to present the Fourth Report of the Joint Committee on Offices of Profit.

RESIGNATION OF A MEMBER

Mr. Speaker: I have to inform the House that Shri Ajit Prasad Jain, an elected Member from Saharanpur constituency of Uttar Pradesh has resigned his seat in Lok Sabha with effect from the 5th September, 1961.

Shri Hem Barua (Gauhati): What are the causes?

Mr. Speaker: I am not competent to ask the cause. Even if any hon. Member gives any cause, I won't read it out, because no cause is necessary. It is open to any hon. Member to say various things. If some hon. Member says, I do not want to place myself in a bad position and if he goes on saying, this is not an Assembly which does any good things and therefore I am resigning, does he want me to say all that? He has not said so in this case. Therefore, advisedly we do not read all this, though in this particular case, there is no such complaint.

12.13 hrs.

DELHI MUNICIPAL CORPORATION
(AMENDMENT) BILL—contd.

Mr. Speaker: The House will now take up further consideration of the following motion moved by Shri B. N. Datar on the 5th September, 1961, namely:

"That the Bill further to amend the Delhi Municipal Corporation Act, 1957, be taken into consideration."

Shri Braj Raj Singh (Ferozabad): There are certain motions.

Mr. Speaker: Let me see, first of all, what are all the motions that are to be admitted so that all hon. Members may speak on all the motions together. Shri Bal Raj Madhok.

Shri Braj Raj Singh: I also gave notice of a motion. It was not given in time. The Minister only made a speech. Nobody else moved any motion, yesterday. I may be allowed to move my motion.

Mr. Speaker: He gave it at 5-10.

Shri Braj Raj Singh: Of course; I said it was given late. No motion was moved yesterday.

Mr. Speaker: There was no time to circulate the motion so that hon. Members may have notice. I would have no objection if he had given notice at 3 o'clock. But he did so after the motion was moved by the hon. Minister. No hon. Member has got notice. They do not know. However, as a special case, I will allow him to move it.

Shri Vajpayee (Balrampur): What is the motion?

Mr. Speaker: He wants circulation and also reference to Select Committee.

Shri Braj Raj Singh: May I move my amendments before my hon. friend proceeds with his speech?

Mr. Speaker: Yes.

Shri Braj Raj Singh: I beg to move:

(i) "That the Bill be circulated for the purpose of eliciting opinion thereon by the first day of the next session." (23)

(ii) "That the Bill be referred to a Select Committee consisting of Shri S. M. Banerjee, Shri Hem Barua, Pandit Thakur Das Bhargava, Choudhury Brahm Perakash, Shri Tridib Kumar Chaudhuri, H. H. Maharaja Pratap Keshari Deo, Shri Bhaurao Krishnarao Gaikwad, Shrimati Subhadra Joshi, Shri Balraj Madhok, Shri Surendra Mahanty, Shri J. M.

Mohammad Imam, Shri Krishnan Nair, Dr. Sushila Nayar, Shri Naval Prabhakar, Shri Radha Raman, Shri T. B. Vittal Rao, Shri Ajit Singh Sarhadi, Shri Prakash Vir Shastri, Shri Mahavir Tyagi, Shri Braj Raj Singh with instructions to report by the first day of next session." (24).

Mr. Speaker: These amendments are now before the House.

Shri Balraj Madhok (New Delhi): Sir, I move:

"That the Bill be referred to a Select Committee consisting of Shri S. M. Banerjee, Shri B. N. Datar, H. H. Maharaja Pratap Keshari Deo, Shri Radha Raman, Shri Prakash Vir Shastri, Shri Braj Raj Singh, Shri Shraddhakar Supakar, Shri Atal Bihari Vajpayee, Shri Ramji Verma, Shri Balraj Madhok with instructions to report by the 8th September, 1961." ()

Shri Tangamani (Madurai): Has Shri Datar consented?

Mr. Speaker: Has he ascertained the views of all hon. Members?

Shri Radha Raman (Chandni Chowk): He has included my name. I am not willing to serve on that.

Mr. Speaker: Hon. Members ought not to put this House to inconvenience. Has he taken the consent of all the Members here?

Shri Balraj Madhok: I have talked to all the Members. I had a talk with Shri Radha Raman also. I do not know why he has gone back.

Some Hon. Members: What about Shri Datar?

Shri Balraj Madhok: He is the Minister in charge. His name is put there.

Mr. Speaker: I will make an exception. Difficulty will arise this way. The hon. Member may kindly resume his seat. To a motion for consideration, amendments may be moved for

circulation or for reference to a Select Committee. The hon. Member has to move. He cannot ignore the Minister. It does not mean that the Minister must be consulted. So far as the Minister is concerned, if the motion is passed by the House, the Minister will certainly be there. Therefore, there is no harm. So far as the Minister is concerned, I will make an exception. Any hon. Member who wants to move a motion for reference to a Select Committee may put down the name of the Minister. It does not mean that he consents. If the House carries the motion for reference to a Select Committee, he will sit on it. So far as the other Members are concerned, individually and collectively their consent must be taken before their names are put down.

Shri Balraj Madhok: Yes, Sir. I have made this motion because of the importance of this Bill. This Bill deals with the administration of Delhi. Formerly, Delhi was a class C State. The States Reorganisation Commission, after taking into consideration all points of view and also the national needs, recommended that the dyarchical set-up there should be scrapped. It recommended that Delhi being the national capital and a metropolitan city, its control should be given to the Central Government and there should be a high-powered Municipal corporation dealing with local affairs of the people. On that basis, the Government got the Delhi Municipal Corporation Bill passed through this House, and under that, the present Corporation was set up which has now been in existence for the last four years. The experience of the last four years has shown many lacunae in that Act. There was need for going into the whole Act in the light of the experience of the last four years and thereafter a comprehensive amending Bill should have been brought.

In the present case, the amending Bill that has been brought forward deals only with two things. Firstly,

it wants to bifurcate the two-member and three-member wards into single-member wards, and secondly, it wants to give some more powers to the Commissioner in respect of demolition of unauthorised structures. Even so far as these two amendments are concerned, I do not think they are very necessary or correct, and I would say that they do not represent the consensus of opinion in the Corporation itself.

In this country, we have so many municipal corporations, and everywhere, we have multi-member wards. In Bombay, Madras and also in the five new corporations that have been created in Uttar Pradesh we are having multi-member wards, that is two-member and three-member wards. In Delhi too, there were multi-member wards on the same basis. I see no reason why these multi-member wards should now be bifurcated and made into single-member wards. Actually, what was needed was, as was suggested when the original Bill was before the House, that along with multi-member wards, there should also have been cumulative voting. But, instead of having cumulative voting with multi-member wards, we now find that even the existing multi-member wards are going to be abolished.

I have no objection in having single-member wards also, but there is one great difficulty, namely that once you create these single-member wards comprising of 10,000 or 12,000 voters, you will find that so many extraneous factors like caste considerations and communal considerations—of course, they are there in bigger constituencies also—will come more and more to the forefront. Therefore, this step will not be very healthy, and will not be very conducive to the development of healthy democratic conventions.

Secondly, in a multi-member constituency, the minority groups or the smaller parties also have got an opportunity to get representation. And

[Shri Balraj Madhok]

in a municipal corporation, as you will agree, there is need for associating all elements of the city, and, therefore, from these two points of view, it is very necessary and it would be more useful if the multi-member wards are continued, and they are not split up into single-member wards.

Then, it has been said that more powers should be given to the commissioner in respect of demolition of unauthorised structures. Of course, there have been a number of unauthorised structures, and there has been a difficulty in the way of the commissioner also, namely that these people, when they get notice, go to the courts and get a writ from there, and, therefore, the demolition cannot be carried out. But the question is why these unauthorised structures have come up. Until and unless that cause is removed, simply arming the executive with more powers would not solve matters. What is needed is that the laws regarding construction should be liberalised.

At present, we find that when the houses are being built, the overseers and other officers do not go there and verify that the houses whose plans have been sanctioned are being built according to those plans. It is only after the houses have been constructed that they go there and point out that this has not been done according to plan or that has not been done according to plan and so on, and a lot of inconvenience is caused to the house-owner, and penalties etc. are charged. Why should these overseers and other officers not point out to the house-owners then and there that they are infringing the plan?

In the case of unauthorised colonies, it has now been decided by Government and by the corporation that they should be regularised, and most of them have already been regularised. Therefore, I do not see any need for arming the commissioner with these

wide powers which are now sought to be given to him by this Bill.

There is, however, a wider question to which I would like to draw your attention. The Delhi Municipal Corporation was created in order to remove the dyarchical set-up that was existing here previously. There was no idea then that the people of Delhi would not have any voice in their own affairs. Therefore, it was expected that the Delhi Municipal Corporation should be a high-powered corporation, and even the States Reorganisation Commission had suggested in their report that the corporation should have control over planning, secondary education and such other matters. They had also suggested that New Delhi and old Delhi should not be kept separate, and that there should be one set-up for the whole of Delhi. But, somehow, New Delhi area was kept separate. I do not know why that was done. At that time, it was said that this would be tried for five years, and later on, it would be open to us to bring old Delhi and New Delhi under one set-up. But we find that the present set-up is now being made permanent.

Further, we find that the New Delhi Municipal Committee is not an elected committee, but it is only a nominated committee. I think that the present situation in which in the capital city of India the most enlightened electorate is deprived of the opportunity and the right of sending their own elected representatives to the municipal committee is an anachronism, and a slur on Indian democracy. If New Delhi must be kept separate, then I would suggest that New Delhi should at least have an elected municipal committee. At present, with the things as they are, the New Delhi Municipal Committee looks after those big roads or those areas where the VIP's live, but the areas in which small people live, such as the class IV quarters in Panchkuin Road etc. are worse than slums,

(Amendment) Bill

and no proper attention is being paid to their upkeep. If there had been elected members, then they could have gone there and they could have pressed on the president and the executives of the municipal committee to see that these areas were also well looked after.

Therefore, instead of the nominated committee, I must say that at least there should be an elected municipal committee for New Delhi, and the present nominated set-up must be scrapped.

The Minister of State in the Ministry of Home Affairs (Shri Datar): With due reference to the hon. Member, may I know how he can refer to the Delhi Municipal Committee? The present Bill deals only with the Delhi Municipal Corporation. This has nothing to do with the New Delhi Municipal Committee at all.

Shri Balraj Madhok: That is true. In the original Bill,.....

Shri Datar: The present Bill is only a short amending Bill, and, therefore, the scope of general amendments which hon. Members can bring forward is also limited. That is the reason why I am suggesting to the hon. Member to confine himself only to the amendments that are now sought to be made.

Shri Braj Raj Singh: But it is very relevant to the Bill.

Shri Datar: But he cannot deal with that now.

Shri Balraj Madhok: I have moved the amendment already for widening the scope of this Bill. In the original Act, it has been provided that New Delhi area would not be within the jurisdiction of the Delhi Municipal Corporation. I am not suggesting now that straightway you merge the New Delhi Municipal Committee in the Delhi Municipal Corporation. All that I am suggesting is that New Delhi also may have an elected muni-

cipal committee, because that also forms part of Delhi. Therefore, it is necessary that the present nominated set-up for New Delhi should be changed, and, there should be an elected set-up in its place.

Mr. Speaker: I rule it out of order for this reason that the whole Delhi Municipal Corporation Act is not under review by this House now. The present Bill is only an amending Bill. If there were a consolidated Bill dealing with the whole of the original Act, then it would have been open to hon. Members to raise all those points. But the present Bill seeks to make an amendment only to particular sections of the parent Act. Hon. Members will be enlarging the scope of the Bill if they suggest all these things now.

Shri Balraj Madhok: I have already moved my motion for the Bill being referred to a Select Committee which may go into the whole Act.

Mr. Speaker: I disallow it, because that would mean expanding the scope of the Bill.

Of course, we have allowed motions to be made where when some sections of a parent Act are touched, the Select Committee has been given instructions to refer to other relevant clauses in the Act. But, trying to include an entirely different area within the area of the Delhi Municipal Corporation, when that is governed by a different Act altogether, would be going beyond the scope of the Bill.

Shri Sadhan Gupta (Calcutta—East): May I point out that on past occasions when amendments have been moved and sought to be referred to the Select Committee, the House had instructed the Select Committee sometimes to go into the whole Act, apart from the amendments themselves? For instance, in the case of the Code of Criminal Procedure (Amendment) Bill, the Select Committee was given instructions to go into the whole Act; of course, it did not, but then it was

[Shri Sadhan Gupta]

given instructions. Similarly, in this case, it might be permitted.

Mr. Speaker: No, the position is different now. Ordinarily, if some sections of the Act are amended, a direction can be given to the Select Committee to go into the other sections also, so that the sections which are sought to be amended may not stand by themselves, and the necessary modifications or sometimes even remote modifications may be made in other sections, if the Select Committee thinks that it is necessary to do so.

Shri Tangamani: It was done in the case of the Representation of the People Act.

Mr. Speaker: We did so in the case of the Representation of the People Act. But the position now is absolutely different. New Delhi is governed by a different Act altogether. Therefore, it is not in order now to deal with something which does not come within the purview of the present Bill. Of course, I have no objection if the House agrees to give instructions to the Select Committee to touch some other sections of the Act which are relevant, but we cannot enlarge the scope of the original Act itself now.

Shri Balraj Madhok: All right. I shall abide by your ruling. Then, I would like to point out that the powers given to the corporation are not sufficient. There has been a growing demand from within the corporation and also from outside the corporation that the scope of the corporation should be widened, in the light of the experience that has been gained during the last four years. The corporation being the only popular forum in the capital city, all kinds of issues need to be raised there, but they cannot be raised under the present Act. Government also appreciate the need for associating public opinion with the administration, and,

for that purpose, they have set up a number of committees. For instance, there is the Industrial Advisory Committee, the Public Relations Committee and so on. But all these committees are nominated committees, and they are stuffed with people who have no representative character whatsoever. If there is need for popular association, then why not have that association through the corporation itself? Why not have a body composed of the elected members of the corporation?

By creating these kinds of committees for associating popular opinion, you are creating a very bad convention, and what is worse is that even these nominated committees are being stuffed with members belonging to one party only. Just as when the Communists were ruling in Kerala, they created so many committees and they stuffed them only with their party-men, likewise, these committees also have been stuffed with members belonging to one party only.

Shri Tangamani: That is not factually correct. That kind of thing was not done in Kerala.

Shri Balraj Madhok: If the corporation is elected, and one party has got the majority there, and only the members of that majority party are nominated in these committees, then perhaps I would have no objection.

As it is, in the Corporation, there are other Parties also, but they do not find any representation in the Committee which are being set up. Apart from this factor, the appointment of nominated Committees is itself, I think, undemocratic. If we need an Industrial Advisory Committee, a Public Relations Committee and such other Committees why not these Committees come from the Corporation itself? In the Corporation, we have a Committee for Education, we have a Committee for Transport and we have a Committee for Water

and Sewerage. In the same way, we can have elected Committees for industrial advice purposes and public relations purposes also. Thereby the Corporation's powers will be widened and the popular resentment or feeling that the Corporation is not broad-based and is not given enough powers will also be removed.

Then there are other questions regarding legislation. Now legislation regarding the Territory of Delhi is all done by Parliament and rightly so. But the Corporation which represents elected elements should also be given some kind of opportunity to register its opinion on these matters. So I would suggest that in respect of legislation that comes up before Parliament regarding the Union Territory of Delhi, the Corporation should have an advisory capacity; those Bills may go before it and it may give its advice and opinion on those matters. This will also give a feeling to the people that they are also given an opportunity of expressing their views about their own affairs.

Then there is the question of certain other powers. For example, take education. Today only education upto Middle Standard is within the sphere of the Delhi Corporation. Secondary education is in the hands of the Delhi Administration. What do we find in other cities like Tokyo? We have a good parallel in Tokyo, because it is a metropolitan City which covers not only urban areas but also villages. In Delhi we have about 200 villages, in Tokyo they have 48 villages. I find that the Tokyo Corporation has got within its sphere Education and so many other functions which the Delhi Corporation has not got.

So my suggestion is that the whole Bill may be referred to the Select Committee and the Select Committee may go through it. The Delhi Corporation also has set up a committee which has made certain suggestions regarding improvement of the scope

and powers of the Mayor and members.

The representatives of the Corporation may also be called by the Select Committee to give their opinion.

In this way, the area, powers and scope of the Corporation should be extended. Otherwise, there may be other demands. We find that there is a demand from certain sections in the City that because the Corporation is not being given many powers, there should be an Assembly once again. That demand gains strength only because the Corporation has not come up to the expectations of the people of Delhi in respect of the powers and functions that have been given to it.

Therefore, it is very important that the powers, functions and scope of the Delhi Corporation should be extended. I do not want that it should be made a sub-legislature, but certain powers which were in the hands of the Delhi Assembly before and which deal with purely local matters, in which the question of law and order does not come in, can be safely handed over to the Corporation.

We have an electoral college of ten members from New Delhi. They are elected every four years. Their only function is to register their votes when there is an election to the Rajya Sabha every two years or four years. I think these elected members of the New Delhi electoral college can also be associated with the Corporation for these purposes. For municipal purposes, there is a separate New Delhi Municipal Committee and so they may have no voice there; but for purposes which are not municipal, they also may have their voice.

In this way, this Corporation can become an important and very effective medium for expressing popular opinion in Delhi. That is why I have been compelled to move this Motion for reference to the Select Committee.

Mr. Speaker: The hon. Member's Motion for reference to a Select Committee is also before the House.

श्री० ब्रह्म प्रकाश (दिल्ली सदर) :

जनाब स्पीकर साहब, गवर्नमेंट की तरफ से जो यह बिल दिल्ली म्यूनिसिपल कारपोरेशन के बारे में पेश हुआ है असल में इसका एक खास कारण यह है कि डबल मैम्बर कंस्टिट्युएन्सीज के बजाय सिंगल मैम्बर कंस्टिट्युएन्सीज की जायें। यह मांग दिल्ली कारपोरेशन में सभी पार्टियों की मिली जुली मांग भी है। इस के बारे में वहां एक रेजोल्यूशन पेश हुआ और उसको पास किया गया जिस की वजह से यह जरूरत हुई कि एमंडमेंट्स किये जायें और सिंगल मैम्बर कंस्टिट्युएन्सीज की गुंजाइश छोड़ी जाए। इसके साथ ही साथ कुछ और भी तरमीमें इस में आई हैं जिन को कि सरकार की तरफ से पेश किया गया है। वे एक मामूली किस्म की हैं।

यह बात इस वक्त कही जाए कि सिंगल मैम्बर कंस्टिट्युएन्सीज की जगह प्लूरल मैम्बर कंस्टिट्युएन्सीज यहां बनें, मैं समझता हूं सही नहीं होगा क्योंकि इस बात को अब बहुत देर हो गई है और इस बात को पहले सोचना चाहिये था। इसको उस वक्त सोचना चाहिये था जिस वक्त कि सब पार्टियों ने मुत्तफिक हो कर और मिल जुल कर रेजोल्यूशन पेश किया था। मेरी राय कुछ भी हो लेकिन जब सब पार्टियां ऐसा चाहती हैं और सभी लोग ऐसा चाहते हैं तो यह चीज हो ही जानी चाहिये। लोग ऐसा समझते हैं कि आम तौर से प्लूरल मैम्बर कंस्टिट्युएन्सीज का जो तजुर्बा है वह ना-कामयाब रहा है। इसलिए कोई चारा नहीं है सिवाय इस बात के कि हम सिंगल मैम्बर कंस्टिट्युएन्सीज पर आयें। इस चीज का यहां मंजूर हो जाना, यहां पास हो जाना भी जरूरी है क्योंकि मैं नहीं चाहता हूं कि किसी वजह से भी इलैकशन जोकि अप्रैल में होने चाहियें, वे मुलतवी किये जायें। इलैकशन मुलतवी करना कभी भी मैं मुनासिब नहीं समझता हूं। लिहाजा यह भी जरूरी

है कि यह बिल इसी सदन में इसी वक्त पास हो जाये ताकि इलैकशन कराने में देर न हो।

इसमें कोई शक नहीं है कि मेरी खुद की यह राय रही है और अभी भी है कि जो मौजूदा कारपोरेशन एक्ट है जिसके माहतहत मौजूदा कारपोरेशन काम कर रही है उससे सारे दिल्ली वालों को, सब पोलिटिकल पार्टीज को जबर्दस्त मायसी हुई है और जो नया तजुर्बा किया गया है, वह कोई अच्छा साबित नहीं हुआ है। खाली यह बात नहीं है कि दिल्ली चूंकि एक बड़ा शहर है और चूंकि बड़े शहरों में कारपोरेशन हैं इस वास्ते दिल्ली में भी कायम की जाए और चूंकि बहुत सी कमेटियों की जगह एक म्यूनिसिपल एडमिनिस्ट्रेशन होना चाहिये, इस वास्ते यहां कारपोरेशन कायम की जाये। मैं कहना चाहता हूं कि सिर्फ इसका यही मकसद नहीं था बल्कि रिआगनाइजेशन कमीशन की रिपोर्ट के मुताबिक यह भी मंशा था कि दिल्ली के ग्रन्दर जब डेमोक्रेटिक एडमिनिस्ट्रेशन न हो और यहां पर मिनिस्ट्री और लैजिस्लेचर न हो तो यह जरूरी है कि कोई ऐसी एडमिनिस्ट्रेशन दिल्ली को दी जाये जोकि म्यूनिसिपल नीडज को भी पूरा करे और साथ ही साथ पोलिटिकल नीडज का भी जवाब दे सके। इसके बारे में मेरी ही नहीं बल्कि दिल्ली के तकरीबन ज्यादातर लोगों की यह राय रही है कि लैजिस्लेचर को यहां तोड़ना और उसके बाद सिर्फ कारपोरेशन कायम करना मुनासिब नहीं था। यह राय हमेशा से उठती रही है और खास तौर से जब से म्यूनिसिपल कारपोरेशन दिल्ली में कायम हुई है और उसके फलस्वरूप जो तजुर्बा सामने आया है और जिस तरह से उसने काम किया है, यह आवाज जबर्दस्त ताकत पकड़ती जा रही है कि कारपोरेशन दिल्ली की ख्वाहिशत का, दिल्ली के जजबात का, दिल्ली के एस्पिरेशन का जवाब नहीं दे सकती है और इसमें कुछ बुनियादी कमजोरियां हैं जिन को दूर करने की जरूरत है।

इस वजह से दिल्ली में दो मांगें उठी हैं और वे जबर्दस्त हैं। एक के बारे में तो सब की राय मुत्तफिका है फिर चाहे वह कोई भी पार्टी क्यों न हो कि दिल्ली का जो मौजूदा कारपोरेशन एक्ट है, उसमें बुनियादी तौर पर कुछ तबदीलियां किये जाने की जरूरत है। बुनियादी तौर पर जरूरत इस बात की है कि जो आयारिटी है वह कमिशनर में या यहां के आफिसर्स में न रहे बल्कि वह आयारिटी चेयरमैन जो कमेटीज के हैं, या जो कमेटीज हैं, उनके पास आए, मेयर के पास आए, डिप्टी मेयर के पास आए। यह आयारिटी उस तरह से न बिखरी रहे जिस तरह से अब बिखरी हुई है कि यह पता ही न चले कि कौन यहां कारपोरेशन में जिम्मेदार है। दूसरी आवाज यह उठी है कि जो यहां के लोगों के पोलिटिकल एस्पिरेशंस हैं जिन का जिक्र मैंने अभी किया है और जिन के बारे में कहा है कि वे कारपोरेशन से पूरे नहीं होते हैं, वे पूरे हों, इसका कोई हल ढूंढा जाए। इस लिहाज से भी तबदीली की जानी जरूरत है जिस से पोलिटिकली लोगों को उससे शिकायत न रहे। लिहाजा बिल वगैरह उससे मंजूर करा लिया कि या और तरह से तबदीली कोई ले आयें। हमारी राय है कि यह बात नहीं हो सकती। म्युनिसिपल कारपोरेशन कभी भी आसानी से मौजूदा कास्टीट्यूशन के मुताबिक एक लैजिस्लेचर का काम नहीं कर सकती और न आसानी से ऐसा कोई काम कर सकती है जिसको गवर्नमेंट की आयारिटी दी जा सके। लिहाजा इस काम के लिये एक अलग इंस्टीट्यूशन की जरूरत है और मेरी राय है कि इस वक्त दिल्ली में यह एक पापुलर फीलिंग है कि यहां के लिये अलग लैजिस्लेचर चाहिये क्योंकि यहां की आबादी २६ लाख है और बीस करोड़ रुपये साल का यहां का बजट होता है। ऐसी हालत में क्यों न यहां एक जिम्मेदार किस्म की हुकूमत कायम की जाए। ये मांगें दिल्ली की हैं।

इस वक्त जो यह बिल लाया गया है वह इलेक्शन की गरज से लाया गया है और इलेक्शन अप्रैल में होने वाले हैं जिन के लिये सिंगल मेम्बर कास्टीट्यूएंगी बनाना जरूरी है। लिहाजा इस वक्त तो इस बिल को सिलेक्शन कमेटी को न रेफर किया जाए और इसको पास कर दिया जाए। लेकिन यह जरूरी है कि गवर्नमेंट आफ इंडिया इस बारे में सोचे। और मैं खाली अपनी तरफ ही से नहीं बल्कि सब पार्टियों की तरफ से कह सकता हूँ कि इस कारपोरेशन के काम से दिल्ली वालों को मायूसी हुई है, उनको इसके काम से तसल्ली नहीं है और वह इसमें कुछ बुनियादी तबदीलियां चाहते हैं।

जरूरत इस बात की है कि गवर्नमेंट आफ इंडिया फिर से एक कमेटी मुकर्रर करे जो इस सारे सवाल में जाए कि दिल्ली की जरूरतें क्या हैं और यहां के लिये किस किस्म का इंस्टीट्यूशन होना चाहिये। हो सकता है कि मेरी एक राय हो और मेरे दूसरे साथी की दूसरी राय हो, लेकिन दिल्ली के वालों का जवाब देने के लिए जो मौजूदा ढांचा है वह न कामियाब रहा है और उसे लोगों को सख्त मायूसी है।

यह चाहा गया था कि इससे ज्यादा कोऑरडिनेशन हो। लेकिन दिल्ली एडमिनिस्ट्रेशन, दिल्ली म्युनिसिपल कारपोरेशन और गवर्नमेंट आफ इंडिया में कोई कोऑरडिनेशन नहीं और कोऑरडिनेशन करने की कोशिश में इतनी परेशानी होती है कि इसकोऑरडिनेशन बढ़ता जा रहा है। आज दिल्ली एडमिनिस्ट्रेशन, दिल्ली म्युनिसिपल कारपोरेशन, न्यू दिल्ली म्युनिसिपल कमेटी, दिल्ली डेवेलपमेंट आयारिटी और गवर्नमेंट आफ इंडिया में कोई कोऑरडिनेशन नहीं है, जिसकी वजह से एडमिनिस्ट्रेशन में कन्फ्यूजन है और जो रुपया दिल्ली के टैक्स रियर से आता है उसका सही इस्तेमाल नहीं हो पाता और ज्यादातर चीजों में ढील होती है, जब ढील होती है तो करप्शन बढ़ता है। चूंकि आज दिल्ली की विभिन्न आयारिटीज

[चौ० ब्रह्म प्रकाश]

में कोआपरेशन नहीं है और कारपोरेशन में आथारिटी का ठीक डिस्ट्रीब्यूशन नहीं है, इसलिये सभी सवालों का जवाब देने में ढील होती है और इसलिये करप्शन बहुत बढ़ता है। जाहिर है कि जब किसी इंस्टीट्यूशन का काम ठीक नहीं होता तो उसमें निपोटिज्म और करप्शन बहुत बढ़ता है। लिहाजा मैं गवर्नमेंट आफ इंडिया से कहूंगा कि वह इस बारे में एक जरूरी कदम उठाये।

मेरी खुद यह राय थी कि इस बिल के साथ कुछ जरूरी अमेंडमेंट लाए जायें। लेकिन जिस वक्त यह बिल होम मिनिस्ट्री एडवाइजरी कमेटी के सामने आया, उस वक्त हमारे नए होम मिनिस्टर साहब ने चार्ज लिया था और हम शुरू ही में उन के ऊपर यह बोझ नहीं डालना चाहते थे कि वह फौरन इस काम को करें। उन्होंने हमें यह विश्वास जरूर दिलाया था, और मैं समझता हूँ कि उसको इस सदन के सामने भी रखा जाएगा। उस वक्त उन्होंने कहा था कि इस बिल को पास हो जाने दीजिये, उसके बाद जल्दी ही गवर्नमेंट इसके ऊपर सोच विचार करेगी कि इस बिल में या दिल्ली के ढांचे में तबदीली करने के लिये क्या कदम उठाए जाएं।

ये जो बातें मैंने आपके सामने रखीं उनके अलावा भी कुछ बातें हैं। जैसे फ्लड का सवाल है। अब फ्लड को रोकने की जिम्मेदारी तीन इंस्टीट्यूशन्स पर है, दिल्ली एडमिनिस्ट्रेशन पर इसकी जिम्मेदारी है, पंजाब गवर्नमेंट से इसका ताल्लुक है और गवर्नमेंट आफ इंडिया से इसका ताल्लुक है। देहात का एडमिनिस्ट्रेशन कुछ पंचायतों के हाथ में है और कुछ दिल्ली कारपोरेशन के हाथ में है। पिछले तीन चार सालों से तमाम फ्लड रोकने का काम और ड्रेनेज का काम और पंचायतों को ठीक ढंग से चलाने का काम रुका पड़ा है। यह ठीक है कि नजफगढ़ ड्रेन के बारे में कुछ कार्रवाई की गयी, यह ठीक है कि पंचायतों कायम की गयीं हैं, यह ठीक है कि फ्लड को रोकने की

कुछ कोशिश की जा रही है। लेकिन नतीजा यह हो रहा है कि हम कोई भी मजबूत कार्रवाई खास तौर से फ्लड के बारे में और पंचायतों के बारे में पिछले चार सालों में नहीं कर पाए। इसलिये जरूरत इस बात की है कि रूल एडमिनिस्ट्रेशन तमाम या तो कारपोरेशन को दे दिया जाये या तमाम काम दिल्ली एडमिनिस्ट्रेशन के पास रहे। आज ऐसा न होने की वजह से दिल्ली के देहात के २५०—३०० गांवों में काफी परेशानी है। फ्लड इस वजह से भी आया कि बारिश ज्यादा हुई है। यह भी उसकी एक वजह है। लेकिन हालत यह है कि अगर थोड़ी सी भी बारिश दिल्ली में हो जाती है तो चारों तरफ फ्लड ही फ्लड दिखायी देता है, क्योंकि जो पुराना ड्रेनेज का सिस्टम है वह तो निकम्मा हो चुका है और जहां तक नए ड्रेनेज सिस्टम का ताल्लुक है, फ्लड कमेटी की तजवीजों पर ठीक से अमल नहीं हो पाता क्योंकि आथारिटी के डिस्ट्रीब्यूशन में कन्फ्यूजन है।

इसी तरह से स्लम्स का काम है जिस के लिये रुपया दिया गया है गवर्नमेंट आफ इंडिया की तरफ से, लेकिन वह काम भी रुका पड़ा है। उसकी भी यही वजह है कि आथारिटीज में बेहद कन्फ्यूजन है।

इस के साथ साथ दिल्ली डेवेलपमेंट आथारिटी है, वही काम वह करती है और वही काम दिल्ली कारपोरेशन भी करता है, वही काम दिल्ली एडमिनिस्ट्रेशन करता है। वहां भी जबरदस्त कन्फ्यूजन है। इसलिये जरूरत इस बात की है कि सिवाय टाउन प्लानिंग के काम के और सारा स्लम आदि का काम दिल्ली कारपोरेशन को ट्रांसफर कर दिया जाय।

ये बुनियादी तबदीलियां हैं जिन को करने की जरूरत है। मैं उम्मीद करता हूँ कि जिन सवालों की तरफ मैंने इस वक्त ध्यान दिलाया है और जिन को इस से पहले भी मैं गवर्नमेंट आफ इंडिया की नजर में

(Amendment) Bill

जाता रहा हूँ, उन सब पर गवर्नमेंट आफ इंडिया ध्यान देगी और एक हाई पावर्ड कमेटी मुकर्रर करेगी जो इन सवालों में ज कर देखे कि जो दिल्ली के इंस्टीट्यूशन्स हैं, चाहे वह दिल्ली एडमिनिस्ट्रेशन हो, चाहे वह दिल्ली कारपोरेशन हो, चाहे न्यू दिल्ली म्युनिसिपल कमेटी हो या दिल्ली डेवेलपमेंट आथारिटी हो, उन में क्या तबदीली करने की जरूरत है और इन की गवर्नमेंट आफ इंडिया से क्या रिलेशनशिप हो। इन सब बातों के लिये मुंसासिब संशोधन बाद को लाया जाय।

Some Hon. Members rose—

Mr. Speaker: Shrimati Subhadra Joshi. The time allotted is two hours, of which more than 45 minutes have been taken already.

Shri Tangamani: There are 23 clauses and there are a number of amendments.

Mr. Speaker: The time allotted is two hours.

Shri Braj Raj Singh: You can extend it.

Shri Radha Raman: It is within your discretion to extend if more people want to speak on the Bill.

Shri Datar: I request it may be expedited.

Mr. Speaker: We have unfortunately adopted the practice of allowing the Select Committee to look into every matter. I am afraid I will have to be a little more chary. On every small amending Bill we cannot throw open the entire thing. Only relevant and ancillary matters that are connected with it can be gone into. There is no meaning in throwing open the whole thing. Under our Constitution no hon. Member is prevented from bringing any Bill he likes, including an amendment of the Constitution. Under the circumstances, this

power of the Select Committee to look into every clause will be, hereafter, exercised very charily. We thought this would take only a short time because it is a one-member constituency Bill.

Shri Braj Raj Singh: There are other things also. The unauthorised construction business, for instance, is very important.

Mr. Speaker: There are a few other things.

Shri Radha Raman: There is another thing. For us Parliament is the only forum where we can express our views, and therefore you have to be more lenient to us.

Mr. Speaker: I agree; but why should it be brought up at the fag end of the time?

Ch. Brahm Prakash: I believe you have some spare time because the last two Bills which were scheduled for longer hours were finished earlier. We can spend some time more on this.

Mr. Speaker: I have got many other things.

Shri Tangamani: This may go on till 3 o'clock.

Shri Ajit Singh Sarhadi (Ludhiana): This is a very important measure. There is taxation provision also in clauses 8 and 9.

Shri Naval Prabhakar (Outer Delhi-Reserved—Sch. Castes): What about me, Sir?

Shri C. K. Bhattacharya (West Dinajpur): I have got some observations to make about the experiences we have had in Calcutta in single member constituencies.

Shri Tangamani: In the Corporation there are three parties; the Jan Sangh, the Congress and the Communists.

Mr. Speaker: I have noted down the names of hon. Members. Shrimati Subhadra Joshi.

श्रीवती सुभद्रा जोशी (अम्बाला) : अध्यक्ष महोदय, आज दिल्ली म्युनिसिपल कारपोरेशन (अमेंडमेंट) बिल हमारे सामने पेश है। अब आप ने फरमाया है कि इस का स्कोप बहुत लिमिटेड है इसलिये इस पर बहुत डिस्कशन न होना चाहिये और सिर्फ अमेंडमेंट्स के ऊपर ही चर्चा चलनी चाहिये। इसलिये मैं सब से पहले तो होम मिनिस्टर साहब से दरखास्त करना चाहती हूँ कि क्लॉज १४ के मुताबिक यह कहा गया है कि एक गाय जो कि धरेलू इस्तेमाल के लिये पाली जाय वह टैक्स से माफ हो और उस पर ऐनीमल टैक्स न लिया जाय। मैं चाहती हूँ कि उस में थोड़ा सा यह एंड कर दिया जाय कि चाहे कोई एक गाय या भैंस पाले वह टैक्स से एग्जैम्प्ट हो।

दिल्ली कारपोरेशन ने कई दफे प्रस्ताव पास किया और तीन दफे प्रस्ताव पास कर के भेजा है। हमारे होम मिनिस्टर साहब ने कहा है कि उन के प्रस्तावों में जो सिफारिशों की गई थी उन में से बहुत सी मंजूर की गई हैं। अब इस अमेंडमेंट में जो क्लॉज १४ में किया गया है एक गाय पालने वाले को टैक्स से एग्जैम्प्ट किया गया है। एक गाय से मतलब यह है कि उसे व्यापार के लिये इस्तेमाल न किया जाय उस में कमाने की बात न हो खाली घर के कंजम्पशन की बात हो तो उस एक गाय को टैक्स से एग्जैम्प्ट किया जाय। मेरी होम मिनिस्टर साहब से दरखास्त है कि जहां एक गाय को एग्जैम्प्ट किया गया है वहां उस के साथ यह भी जोड़ दें कि चाहे गाय हो या भैंस हो। यह दरखास्त मैं इसलिये करना चाहती हूँ कि दिल्ली में बहुत भारी आबादी पंजाब के लोगों की है और मैं मंत्री महोदय को बतलाना चाहती हूँ कि पंजाब के लोग ज्यादातर भैंस का दूध पसन्द करते हैं क्योंकि उस में ज्यादा घी और ज्यादा मक्खन निकलता है और इसलिये ज्यादातर वह लोग भैंस पालते हैं। अब गाय रखने के पीछे यदि कोई प्रचार अथवा प्रोपेगेंडा की

बात हो तब तो दूसरी बात है क्योंकि गऊ रक्षा के सिलसिले में नाम कमाने की बात हो सकती है

Shri Tyagi (Dehra Dun): Cow includes buffalo.

श्रीमती सुभद्रा जोशी : लेकिन अगर इस के पीछे यह भावना है कि दिल्ली क लोगों को अपने इस्तेमाल के लिये दूध और घी मुहैया हो तो मेहरबानी कर के वह मेरी इस तजवीज को स्वीकार कर लें कि चाहे कोई एक गाय पाले अथवा एक भैंस पाले और जिस में वह व्यापार न करना चाहे तो उस को टैक्स से माफ किया जाय और उस से टैक्स न लिया जाय।

दूसरी बात मैं आप से यह कहना चाहती हूँ कि यह जो कमिश्नर को अनएथोराइज्ड स्ट्रक्चर्स को एंबालिश करने के वास्ते पावर्स दी गई हैं यह एक बड़ी खतरनाक बात है। यह अनएथोराइज्ड मकान बनाना और उन को डिमोलिश करना दोनों ही दिल्ली का एक बड़ा रिकेट हैं और उन को ले कर काफी करप्शन चलता है। मुझ को यह कहना कि जो अनएथोराइज्ड मकान बनते हैं उन के बारे में किसी को पता नहीं रहता और यह ओवरनाइट बन कर खड़े हो जाते हैं सही नहीं है क्योंकि हकीकत यह है कि इस तरह के अनधिकृत मकान कारपोरेशन के लोगों या दिल्ली ऐडमिनिस्ट्रेशन के जो छोटे अफसरान होते हैं उन के सामने बनते और उन के नोटिस में यह चीज होती है बल्कि मैं तो कहूंगी कि ऐसे अनएथोराइज्ड मकान उन के कहने से और उन के इनकरेजमेंट से बनते हैं। यह अफसरान मकान बनते हैं वक्त लोगों से पैसा वसूलते हैं और अनएथोराइज्ड मकानों को गिराने के वक्त जिस वक्त जाते हैं तब उस वक्त फिर पैसा खाते हैं। जब उन को गिराते हैं तो पैसा खाते हैं और गिराने से बचाते हैं तो पैसा खाते हैं। यह एक इतनी खतरनाक चीज हो गई है कि उस के लिये मैं गोचरती हूँ कि सिर्फ प.वर देना

ही काफी न होगा बल्कि सदन को इस और भी ध्यान देना होगा और ऐसी व्यवस्था करनी होगी ताकि उस पावर का सही इस्तेमाल हो और वह लोगों को हैरेस करने और उन से नाजायज तौर पर पैसा कमाने का जरिया न बन जाय ।

यह बात भी ठीक है कि आज लोगों ने अनधिकृत मकान बनाने का एक घंघा सा अपना रक्खा है और हालत यह है कि आज जहां दो अनएथोराइज्ड मकान बने हैं तो कल दस मकान वहां और बन जाते हैं । जिस वक्त सम्बन्धित अधिकारी लोग उन को तोड़ने के लिये जाते हैं तो बड़ा शोर और वावैला मचाया जाता है । जहां यह बात सही है कि छोटे अफसरान अनएथोराइज्ड मकान बनाने वालों से पैसा लेने को तैयार रहते हैं वहां यह भी सही है कि ऐसे मकान बनाने वाले बड़ी खुशी खुशी उन को पैसा खिलाने को तैयार रहते हैं और उन को पैसा दे कर करप्ट करते हैं । ऐसे लोग सिर्फ अपनी रिहायश के वास्ते ही उन मकानों को नहीं बनाते हैं बल्कि इस तरह से अनएथोराइज्ड मकान बना कर और फिर उन को गिरने से बचवा कर व्यापार करते हैं और यह अफसोस का मुकाम है कि वे ऐसे अनएथोराइज्ड मकान बेचने का घंघा चलाते हैं । अब इन के बारे में तो पोलिटिकल वर्क्स की नाक में दम है । बड़ी संख्या में अनएथोराइज्ड मकान बनाये जाते हैं और जब कर्मचारी लोग उन को तोड़ने के लिये भेजे जाते हैं तो यह लोग कारपोरेशन के मेम्बर्स के पास दौड़ते हैं और पार्लियामेंट के मेम्बरो के पास दौड़ कर जाते हैं और मांग करते हैं कि उन के यह मकान कायम रहने दिये जायें और उन को तोड़ा न जाय । इस चीज पर खास ध्यान देना चाहिये और जरूरत इस बात की है कि सारी एथारिटीज जोकि इस को डील करती हैं, डेवलपमेंट एथारिटी हो, दिल्ली ऐडमिनिस्ट्रेशन हो या कारपोरेशन हो, उन में आपस में एक

कोऑरडिनेशन होना चाहिये जोकि आज नहीं पाया जाता है । पोलिटिकल वर्क्स का कोऑरपेरेशन इस के लिए हिसिल किया जाय और लोगों को अनएथोराइज्ड स्ट्रक्चर्स बनाने के लिये डिस्करेज किया जाय लेकिन इस पर भी जो आदमी गलत तौर से और नाजायज तौर से मकान बनाता है और जब उस को डिमॉलिश करने का आर्डर होता है तो उस में किसी किस्म की रियायत न वर्सी जाय और इस बात की सावधानी वर्सी जाय कि मकान तुड़वाने के सिलसिले में कोई करप्ट प्रैक्टिस न चले । ऐडमिनिस्ट्रेशन को इस बारे में विशेष सावधानी वरतनी चाहिये । जैसा मैंने पहले भी कहा खाली कमिश्नर को पावर देने से काम नहीं चलेगा ।

इसी सिलसिले में मुझे यह कहना है कि जहां आप कमिश्नर को पावर्स देने की बात करते हैं ताज्जुब की बात यह है कि मेयर को कोई पावर नहीं है । अब कारपोरेशन के मेम्बर्स एलेक्शन लड़ते हैं, और जितनी मुश्किलात होती हैं उन का उन को सामना करना पड़ता है । वे काफी मुसीबत उठाते हैं । मुझ को इसी सिलसिले में यह कहना है कि जब एक दफे यहां दिल्ली में पीने के पानी की बहुत तंगी हो गई और मुसीबत इतनी बढ़ गई कि दिल्ली के लोग प्यासे मरने लगे तो दिल्ली कारपोरेशन की मेयर श्रीमती अरुणा आसफ अली ने सेंट्रल गवर्नमेंट को एक खत लिखा था जिस में उस से दिल्ली वालों को पीने के पानी को मुहैया करने के वास्ते मदद मांगी गई थी, वह खत आज तक कारपोरेशन की फाइल पर है । कमिश्नर ने एंतराज किया कि मेयर को सेंट्रल गवर्नमेंट से करसपीडेंस करने की इजाजत नहीं है । मेरी दरखास्त है कि मेयर को पावर्स में कुछ तबदीली होनी चाहिये और उन को भी इस बात की इजाजत होनी चाहिये कि अगर वह जरूरत समझें तो सेंट्रल गवर्नमेंट से करसपीडेंस कर सकें । मेरी तो तजवीज यह

[श्रीमती सुभद्रा जोशी]

है कि जितनी भी करसपीडेंस हो वह सब मेयर के जरिये हो। मेयर को मालूम होना चाहिये कि फाइनेंशिएल या दूसरे क्या क्या कमिटमेंट्स हैं। आखिर वह तमाम कमिटमेंट्स का पोरेशन के हैं वह कोई आफिसर्स या स्टाफ के तो हैं नहीं। इसलिये जहां पर कमिश्नर को पावर देने की बात कही गई है वहां पर मेयर को भी पावर्स देने की बात ध्यान में रखी जाय।

एक अन्य चीज मैं और अर्ज करना चाहती हूं। रिक्लूटमेंट के बारे में काफी शिकायतें पाई जाती हैं। मेरा कहना यह है कि यह जो अफसरान को रिक्लूटमेंट की पावर्स मिली हुई हैं तो इस के लिये दिल्ली कारपोरेशन में कोई खास इन्तजाम होना चाहिये क्योंकि यह भी एक आफत और शिकायत की चीज हो जाती है। रिक्लूटमेंट के लिये कारपोरेशन में ही कोई एक ऐसी कमेटी होनी चाहिये जोकि कारपोरेशन के वास्ते रिक्लूटमेंट करे।

आखिर में मैं एक ही बात कहूंगी और वह यह कि बड़े अफसोस की बात है कि दिल्ली की जब स्टेट गवर्नमेंट बनी और उस का अपना लेजिस्लेचर बना तो कहा गया कि यह चीज यहां दिल्ली में कामयाब नहीं हो सकती और उस को तोड़ा गया। उस के बाद कारपोरेशन आई तो उस के लिये भी आवाज उठ रही है कि कारपोरेशन कामयाब नहीं हुई है। अब कारपोरेशन के कामयाबी से चलने के रास्ते में क्या कानूनी दिक्कतें अथवा अड़चनें हैं। अब मुझे शंकर वीकलो में जो यह लिखा गया कि क्लौक टावर रिवाइव करना चाहिये और उस को कारपोरेशन की तरफ लीन करना चाहिये, वह देख कर बड़ी शर्म आई। इस तौर से उस के एडमिनिस्ट्रेशन का एक मजाक उड़ाया गया। अखबारों में इस तौर पर हमारा मजाक उड़ाया जाना बड़ी शर्म की बात है। मैं अदब से अर्ज करूंगी कि हमारे हीम मिनिस्टर साहब को इस मामले में खास तौर से तवज्जह

देनी चाहिये कि आखिर यह क्या मामला है। दिल्ली स्टेट कामयाब नहीं हुई, कारपोरेशन बना तो उसके लिए भी आवाज आ रही है कि वह कामयाब नहीं रहा है तो क्या दिल्ली में डिस्ट्रिक्ट बोर्ड ही चलेगा? मंत्री महोदय को इस बारे में सोचना चाहिए कि आखिर कारपोरेशन के कामयाबी के साथ काम करने में क्या कानूनी तथा अन्य दिक्कतें हैं और उनको दूर करना चाहिए। अब यह क्या तमाशा बन रहा है कि यहां दिल्ली में कोई चीज चल ही नहीं सकती है।

आज दिल्ली में इतनी मुसीबत है कि गरीब आदमी सचमुच में रो रहे हैं। अब अध्यक्ष महोदय मैं आपको बतलाना चाहती हूं कि जो साईकल रिक्शा चलाने हैं उनसे साढ़े १४ रुपये टैक्स लिया जाता है। रिक्शा पास करवाने के वास्ते साढ़े ५ रुपये लिये जाते हैं। मोटर ड्राइवर्स से साढ़े ३ रुपये लिया जाता है लेकिन जो साईकल रिक्शा चलाने हैं उनसे साढ़े ५ रुपया लिया जाता है और कहा यह जाता है कि उसमें फोटो के पैसे भी लिये जाते हैं। अब फोटो तो १२ आने में खिच जाती है। लेकिन कारपोरेशन उन से उस के लिये दो रुपये वसूल करता है। उसके बाद भी साल, दो दो साल हों जाते हैं, लेकिन उन लोगों के हाथ में फोटो नहीं आते हैं और कारपोरेशन के कर्मचारियों के द्वारा रख लिये जाते हैं।

इस के अलावा उन लोगों से इतना टैक्स लेने के बाद भी उन को लावारिस छोड़ दिया गया है और उन के लिये सारे शहर में कोई स्टैंड या शौड नहीं है, उन के लिये छाया की कोई व्यवस्था नहीं है। कारपोरेशन के मुलाजिम सारा दिन उन का चालान करते हैं और इस तरह ऊपर की आमदनी से अपना पेट भरते हैं।

13 hrs.

आखिर में मैं यह निवेदन कल्मी कि कमिश्नर को पावर्ज देने के साथ साथ सरकार यह भी देखे कि उन पावर्ज को इस्तेमाल किस तरीके से और कहां किया जाता है। इस में भैस के साथ जो डिस्क्रिमिनेशन किया गया है, उस को दूर करने के लिये जो अमेंडमेंट रखी गई है, खास तौर पर उस को जरूर एक्सेप्ट कर लिया जाये।

श्री बजरत्न सिंह (फ़िरोज़ाबाद) : अध्यक्ष महोदय, एक छोटे उद्देश्य के लिये यह विधेयक लाया जा रहा है, यह कह कर सरकार बहुत ही खतरनाक बातें इस सदन से पास करवा लेना चाहती है।

13.01 hrs.

[SHRIMATI RENU CHAKRAVATTY in the Chair.]

यदि सरकार ने इस में केवल वाडों के विभाजन का प्रश्न ही रखा होता, तो संसद और विधान सभाओं के बारे में एक-सदस्यीय निर्वाचन क्षेत्र का सिद्धान्त मान लेने के बाद उसको स्वीकार करने में इस सदन को कोई विशेष आपत्ति न रही होती। लेकिन मैं देखता हूँ कि वाडों का विभाजन करने के नाम पर इस बिल में और बहुत सी बातों की जा रही हैं और उन बातों पर अधिक बल दिया जा रहा है, जो कि हिन्दुस्तान आजाद होने के बाद खास तौर से दिल्ली में की गई हैं।

मुझे यह अफ़सोस के साथ कहना पड़ता है कि जहां सारे देश में सत्ता का विकेंद्रीकरण हुआ और लोगों को विधान सभाओं के द्वारा अधिक अधिकार प्राप्त हुए, वहां दिल्ली में एक दूसरी ही धारा चली और पीछे को लौटा गया। यहां पर पहले से जो असेम्बली (विधान सभा) चल रही थी, उस को खतम कर के म्यूनिसिपल कांफ़रेंस बनाया गया और अब फिर कहा जा रहा है कि अन-अथाराइज्ड कंस्ट्रक्शन्स के बारे में कमिश्नर को जो अधिकार प्राप्त हैं, उन को और वाइडन (विस्तृत) किया जाना चाहिए। मैं निवेदन करना

चाहता हूँ कि विचार करने का यह बिल्कुल ही गलत तरीका है। आज के युग में, जिसे हम जनतंत्रवादी युग कहते हैं, जनता पर, जनता के प्रतिनिधियों पर अविश्वास नहीं किया जा सकता है। इस लिये मैं उसूलों तौर पर यह कहना चाहता हूँ कि केन्द्रीय सरकार जितनी जल्दी इस उसूल को मान ले कि दिल्ली भी—भले ही यहां केन्द्रीय सरकार स्थित है और बड़े से बड़े आदमी यहां पर रहते हैं—इस देश का हिस्सा है और उसको एक प्रतिनिधि सरकार से वंचित नहीं रखा जा सकता है—हिमाचल प्रदेश, मनीपुर, त्रिपुरा और दिल्ली, इन चारों यूनिजन टेरीटरीज में प्रतिनिधि सरकार जितनी जल्दी बन जाये, उतना ही केन्द्रीय सरकार के लिये अच्छा होगा। चूंकि वह दिल्ली के लिए एक प्रतिनिधि सरकार के उसूल को नहीं मानती हैं, इसलिये वक्तन-फ़वक्तन उसको यह सोचना पड़ता है कि कमिश्नर के अधिकार को अधिक बढ़ाया जाये। जैसा कि अभी माननीय सदस्या, श्रीमती सुभद्रा जोशी, ने कहा है, मेयर की ताकत नहीं बल्कि कमिश्नर की ताकत को बढ़ाया जा रहा है। हम लोग बार बार दिल्ली के देहाती इलाकों के लोगों से सुनते हैं कि कांफ़रेंस के अधिकारी कांफ़रेंस के सदस्यों की इतनी अहमियत नहीं समझते, जितनी कि वे अपने छोटे कर्मचारियों की समझते हैं। मैं यहां पर किसी की शिकायत नहीं करना चाहता हूँ; मैं तो सोचने के तरीके की तरफ़ इशारा करना चाहता हूँ। चूंकि यह सरकार दिल्ली के सम्बन्ध में जनता पर, जनता की शक्ति पर विश्वास नहीं करना चाहती है, इसलिये उस का लाजिमी नतीजा यह होगा कि अधिकारियों की ताकत बढ़ जायगी, शक्ति केन्द्रित हो जायगी और आम तौर पर जनता की परेशानियां बढ़ेंगी। यहां के लोगों की तरफ़ से यह कहा जाता है कि कांफ़रेंस सफल नहीं हो रही है। मैं कहना चाहता हूँ कि इस सम्बन्ध में सरकार का जो दृष्टिकोण है, उस के कारण कांफ़रेंस

[श्री बजराम सिंह]

सफल नहीं हो सकती है, भले ही उस की ताकत को बढ़ा दिया जाये। मैं नहीं समझता कि दिल्ली में, और दूसरी यूनियन टैरीटरीज में, उसी तरह का सैट-अप कायम क्यों न किया जाये, जो कि हिन्दुस्तान के दूसरे प्रदेशों में कायम है।

अगर केन्द्रीय सरकार किसी खास बात के लिये, इस बात के लिये कि चौ० ब्रह्म प्रकाश को दिल्ली का मुख्य मंत्री बनाया जा सकता है—वह पहले मुख्य मंत्री रहे हैं—इस सम्बन्ध में दिल्ली की कांग्रेस पार्टी में आपस में मत-विभाजन है, यहां पर वह सैट-अप कायम नहीं करती है, तो यह उचित नहीं है।

श्री त्यागी : माननीय सदस्य को कांग्रेस पार्टी की आपसी बातों से क्या मतलब है ?

श्री बजराम सिंह : मुझे किसी से कोई मतलब नहीं है। मैं जानता हूँ कि चाहे चौ० ब्रह्म प्रकाश हों और चाहे कोई और कांग्रेसी साहब हों, उन के हाथ में जब ताकत जायगी, तो वे देश को भ्रष्ट करेंगे, इस में मुझे कोई मतभेद नहीं है। लेकिन अगर केन्द्रीय सरकार यह सोचे कि किसी खास व्यक्ति की वजह से यहां पर प्रतिनिधि सरकार नहीं बनाई जायगी, तो यह मैं कतई स्वीकार करने के लिये तैयार नहीं हूँ।

इसलिये केन्द्रीय सरकार इस बारे में शीघ्रतापूर्वक विचार करे कि अब समय आ गया है, जब कि दिल्ली में प्रतिनिधि सरकार के उसूल को स्वीकार करना पड़ेगा, यहां पर विधान सभा को मन्जूर करना पड़ेगा, यहां पर भी उसी तरह की सरकार बनानी पड़ेगी, जिस तरह की दूसरे प्रदेशों में है।

मैंने इस आशय का एक मोशन उपस्थित किया है कि इस बिल पर जनता की राय जानने के लिये इस को सर्कुलेट किया जाये और अगर सरकार इस को स्वीकार नहीं करती है, तो फिर इस को सिलेक्ट कमेटी में भेजा जाये। सरकार की तरफ से कहा गया है

कि हम इस बारे में जल्दी करना चाहते हैं, क्योंकि मार्च, अप्रैल, १९६२ में चुनाव होने हैं, इसलिये यह जरूरी है कि यह अभी पास हो जाना चाहिए। सभानेत्री जी, अभी अध्यक्ष महोदय ने, जो कि आप के स्थान पर विराजमान थे, सरकार को कहा था कि आखिर वह अन्त में ऐसे प्रश्नों को, ऐसे मसलों को क्यों लाती है। जब सदन के बैठने के सिर्फ दो दिन रह गये हैं, तब इस बिल को यहां पर लाया गया है और फिर कहा जाता है कि चूँकि राज्य सभा ने भी इस को पास करना है, इसलिये इस को तीन चार घंटों में पास करना है। मैं निवेदन करना चाहता हूँ कि दिल्ली में विधान सभा नहीं है और इसलिये यहां पर दिल्ली के जो छः मेम्बर हैं, उन में से एक को यह लाजिमी अधिकार है कि वह इस बारे में अपनी राय ज़ाहिर करे। लेकिन सरकार इस के लिये वक्त नहीं देना चाहती है, इस को अन्त में लाना चाहती है, और इस तरह से नौकरशाही की प्रवृत्ति बरतना चाहती है। इसलिये मैं चाहूंगा कि भले ही चुनाव मार्च में हों—उन को टालना नहीं चाहिए—लेकिन इस बिल को जल्दी से पास करने की कोशिश नहीं करनी चाहिए और इस विषय में जनता की राय जाननी चाहिए।

अगर सरकार जनता की राय जानने सम्बन्धी प्रस्ताव को मन्जूर नहीं करती है, तो फिर इस बिल को सिलेक्ट कमेटी के सुपुर्दे करना चाहिए और उस को यह अधिकार होना चाहिए कि वह इस बिल के उद्देश्य और मूल एक्ट के दूसरे संश्लेषण पर पुनर्विचार करके अपनी रिपोर्ट दे। अगर सरकार इस को भी स्वीकार करने के लिये तैयार नहीं होती, तो दिल्ली की जनता के दिमागों में यह आशंका पैदा होगी कि यह सरकार उस की कोई कदम नहीं करती है। आखिर यहां पर पच्चीस लाख की आबादी हो चुकी है और अगले दस सालों में वह चालीस लाख

हो सकती है तथा अगले बीस सालों में वह बढ़ कर पचास-साठ लाख हो सकती है। क्या तब भी यह सरकार कहेगी कि यहां पर कार्पोरेशन ही चलेगी, हम इसी तरह काम करेंगे, इस के लिये दो घंटे देंगे, कहीं विधान सभा नहीं होगी, दिल्ली एडमिनिस्ट्रेशन होगा और नारे अधिकार अधिकारियों के हाथ में होंगे? इस से दिल्ली को जनता का विश्वास प्राप्त नहीं किया जा सकता है। इस लिये मैं निवेदन करना चाहता हूँ कि सरकार इस प्रस्ताव को जरूर स्वीकार कर ले।

एक बहुत ही बड़ी समस्या दिल्ली के नागरिकों के सामने आई हुई है। अभी उस दिन १५० कालोनीज के निवासियों ने संसद भवन के समक्ष प्रदर्शन किया। पांच लाख उस से प्रभावित बताये जाते हैं और उस के सम्बन्ध में यहां पर हम इस बिल के द्वारा कमिश्नर को और अधिक अधिकार देने जा रहे हैं। प्रश्न यह है कि जिन को अन-अथाराइज्ड कंस्ट्रक्शन्स (अनधिकृत निर्माण) कहा जाता है, वे क्यों पैदा होते हैं। सरकार ने दिल्ली के विकास के लिये एक योजना बनाई हुई है और काफी समय हो गया है कि ३४ हजार एकड़ जमीन ली गई है। लेकिन इस बारे में कोई योजना नहीं है कि वह लोगों को कैसे दी जायगी, वे कैसे मकान बनायेंगे। दिल्ली में जितनी जनता आती है, उस के हिसाब से कम से कम साठ मकान रोज बनाये जाने चाहिए, लेकिन सालों से यह काम रुका हुआ है। लोगों को कोई जमीन नहीं मिल रही है और कोई नये मकान नहीं बनाये जा रहे हैं। एक तरफ तो सरकार इस तरह से आचरण करती है कि वह लोगों को नयी जमीन नहीं देती है, उस का बिकना बन्द कर देती है और दूसरी तरफ वह कहती है कि गलत तरीके से बनाये गये मकानों को तोड़ दिया जायगा, उन को नहीं रहने दिया जायगा। इस तरह से दिल्ली की समस्या हल नहीं हो सकती है।

सिर्फ यही प्रश्न नहीं है कि अनधिकृत निर्माण जनता की तरफ से ही होते हैं। मेरी सूचना यह है कि कार्पोरेशन के कर्मचारी उस में सहयोग करते हैं और जान-बूझ कर यह सब किया जाता है। वे लोग रोज जाते हैं, लेकिन बात चलती रहती है कि पैसा दे दीजिये। अगर पैसा मिल जाता है, तो मामला चलता रहता है और अगर नहीं मिलता है, तो फ़ौरन रिपोर्ट हो जाती है। वरना कोई वजह नहीं थी कि कार्पोरेशन के कर्मचारियों के मौजूद होते हुए भी दिल्ली में इस तरह से हजारों की तादाद में अनधिकृत निर्माण हो गये। इस के मायने ये हैं कि कर्मचारी सही तौर पर काम नहीं कर रहे हैं।

एक बड़े ही जिम्मेदार कर्मचारी ने, जिस का सम्बन्ध इस पार्लियामेंट की चार-दीवारी से है, मुझे विश्वास के साथ बताया कि उस के घर को ढहाने के लिये कार्पोरेशन के कर्मचारी कटिबद्ध हैं। उन से पैसा मांगा गया, लेकिन चूँकि वह देने के लिये तैयार नहीं हैं, वह दे नहीं सकते हैं, क्योंकि वह इस मन्दिर में बिराजमान हैं, इस लिये उन का घर जरूर ढहाया जायगा। मैं निवेदन करना चाहता हूँ कि इस तरह से अनधिकृत मकानों की समस्या को आप हल नहीं कर सकते हैं। अगर आप चाहते हैं कि दिल्ली में मकानों की समस्या हल हो तो उसके लिए जरूरी है कि हम एक दूसरा ही दृष्टिकोण अपनायें और देखें कि अधिक निर्माण कार्य यहां हो। यहां पर जो अनधिकृत निर्माण कार्य हो चुका है, उसको तो आप छोड़िये, आगे के लिए आप नियमपूर्वक चलें। जब तक आप ऐसा नहीं करेंगे तब तक काम चल नहीं सकता है। अब तक एक लाख या उसके उपर दिल्ली में अनधिकृत मकान बन चुके हैं और उनको ढहा कर हम कभी भी इस समस्या को हल नहीं कर सकेंगे। इस विषय पर आपको गम्भीरता-पूर्वक विचार करना होगा। यदि इस बिल को इसी सेशन में आपको पास करना है तो फिर

[श्री अजरज सिंह]

यह आदेश जरूर आपको कर्मचारियों को देने होंगे कि वे इस तरह का कोई काम न करें जिससे जो मकान बन चुके हैं, उनको जा कर वे तोड़ दें। अगर इन मकानों को तोड़ दिया जाता है गिरा दिया जाता है तो क्या आप उनको सड़कों पर फेंक देंगे या उनको रहने के लिए कोई और जगह देंगे ?

कुछ और भी व्यवस्थायें हैं जिन की तरफ मैं आप का ध्यान खींचना चाहता हूँ। न्यू दिल्ली म्यूनिसिपल कमेटी के सम्बन्ध में कहा गया है कि वह इसके स्कोप में नहीं आती है। लेकिन मैं कहना चाहता हूँ कि चूंकि नई दिल्ली में केन्द्रीय सरकार के लोग बैठते हैं, उसके अफसर बैठते हैं, इसलिए क्या वहां पर चुनाव द्वारा सदस्यों को नहीं चुना जाता है ? सारे देश को हम उपदेश देते हैं कि चुनाव हों, चुनाव का विधान चले, संसद् और विधान सभाओं के लिए चुनाव द्वारा ही मँबर आर्यें तो क्या कारण है कि यहां पर बैठ कर आज हम इस नगरपालिका के लिए लोगों को नामजद करते हैं ? यह अच्छी बात नहीं है। मैं चाहता हूँ कि नई दिल्ली म्यूनिसिपल कमेटी नामजद कमेटी न रहे, कारपोरेशन में यह शामिल हो और कारपोरेशन का जो सेंट अप बने उसमें यह भी शामिल हो। हम किसी छोटे से क्षेत्र में इस तरह की बात नहीं कर सकते हैं कि कुछ लोगों के साथ पक्षपातपूर्ण व्यवहार हो और दूसरों के साथ दूसरी ही तरह का व्यवहार हो जो कि किसी भी दृष्टि से उचित नहीं कहा जा सकता है।

यहां पर कारपोरेशन में एक कमेटी है जो कि रूल कमेटी के नाम से प्रसिद्ध है, देहाती कमेटी के नाम से प्रसिद्ध है। इस कमेटी को कोई अधिकार प्राप्त नहीं है। मैं चाहता हूँ कि जिस तरह से दूसरी स्टैंडिंग कमेटीज जो कारपोरेशन की हैं उनको

अधिकार प्राप्त हैं, उसी तरह से इस देहाती कमेटी को भी अधिकार प्राप्त हो। अगर आप देहातों का विकास करना चाहते हैं विधिपूर्वक तो इस कमेटी को भी आपको यही अधिकार प्रदान करने होंगे जोकि आपने दूसरी स्टैंडिंग कमेटीज को किये हुए हैं।

यहां पर यह भी कहा गया है कि अगर किसी के पास एक ही गाय है तो उससे कोई टैक्स नहीं लिया जाएगा। अगर एक के बजाय उसके पास दो गायें हो जाती हैं तो पहली गाय पर भी टैक्स लग जाएगा। मैं अपनी बहन मुमद्रा जोशी के इस मुझाव से सहमत हूँ कि गाय के साथ साथ भैंस को भी इसमें शामिल कर लिया जाना चाहिये। मैं यह भी चाहता हूँ कि बकरी को अगर शामिल नहीं किया गया है तो उसको भी शामिल कर लिया जाए। मैं समझता हूँ कि दूध देने वाले जो पशु हैं, उन पर कोई टैक्स नहीं लगना चाहिये। जहां आप एक गाय को माफ करने की बात कहते हैं वहां आपको यह भी सोचना होगा कि गायें बारह महीने दूध हीं देती है। इस वास्ते आपको यह भी व्यवस्था करनी होगी कि जिस बीच में गायें दूध हीं देती है, उस बीच में उस पर टैक्स नहीं लगेगा। इसके साथ ही साथ मैं यह भी चाहता हूँ कि एक के बजाय दो गायें आप माफ करें और अगर आप ऐसा करेंगे तो आप इस नतीजे पर पहुंचेंगे कि उसको लगातार दूध मिल सकता है। इसी तरह से भैंस और बकरी के बारे में होना चाहिये। अगर आप एक को ही माफ करते हैं तो उमका कोई खास फायदा होने वाला नहीं है।

एक और बात की तरफ मैं माननीय गृह मंत्री जी का ध्यान दिलाना चाहता हूँ। उन्होंने ने कहा है कि यहां की आबादी के आंकड़े १९६१ की जन-संख्या के आधार पर उनको प्राप्त नहीं हैं। चूंकि ये आंकड़े प्राप्त

नहीं हैं इस लिये यह तय नहीं हो सकता है कि दिल्ली नगर की जन संख्या कितनी बढ़ गई है? मैं पूछना चाहता हूँ कि इसका क्या अर्थ है? मार्च में चुनाव होने वाला है। दिल्ली निगम के लिए भी तब चुनाव होंगे। उस समय क्या पुरानी जन-संख्या के आधार पर, सन् १९५१ की जनसंख्या के आधार पर ये होंगे या उस आधार पर होंगे जिस आधार पर कि अब जो कारपोरेशन हैं, उसके चुनाव हुए थे। मैं उनको बतलाना चाहता हूँ कि वित्त मंत्रालय के पास इसका हिसाब किताब है और उसने दिल्ली की जन-संख्या को देखते हुए ही "ए" श्रेणी का शहर घोषित किया है। जब इसके आंकड़े आपके पास हैं तो यह पता लगाना आपके लिए मुश्किल नहीं होना चाहिये कि उसके बाद से कितनी आबादी बढ़ गई है। अगर आंकड़े प्राप्त करने के लिए आपको दो चार साल लग गए तो तब तक तो चुनाव भी हो चुकेंगे और उसके चार साल बाद जा कर आप नए आंकड़ों के आधार पर चुनाव करा सकेंगे। यह ठीक नहीं है। अगर आपके पास आंकड़े नहीं हैं तो उनको प्राप्त करने की आप शीघ्रता कीजिये। आंकड़े आपके पास मौजूद हैं और इस काम में आपको शीघ्रता लानी चाहिये और मार्च में जो इलैक्शन होने वाले हैं, वे आज की दिल्ली की जो जन-संख्या है, उसके आधार पर ही होने चाहियें। यह न हो कि कुल जन-संख्या के ६०-७० प्रतिशत के आधार पर ही उन्हें करा दिया जाए और शेष जो चालीस प्रतिशत जनता है, उसको प्रतिनिधित्व ही न मिले और वह उससे वंचित रह जाए।

मैं फिर कहना चाहता हूँ कि इस लेट स्टेज पर भी सरकार में यह बुद्धि पैदा होगी कि दिल्ली और इससे बाहर की जो जनता है, उसमें कोई पक्षपातपूर्ण व्यवहार नहीं होना चाहिये। मैं इस पर जोर देना चाहता हूँ कि दिल्ली में क्योंकि केन्द्रीय सरकार है, इस लिये विधान सभा न हो, यह उचित दलील नहीं है।

यहां पर भी विधान सभा कायम होनी चाहिये। आज हो सकता है इसकी पच्चीस लाख आबादी हो लेकिन दस साल के अन्दर इसकी आबादी काफी बढ़ जाएगी और जैसे-जैसे दिल्ली का विकास हो रहा है वैसे-वैसे इसकी आबादी भी बढ़ने वाली है। इसके साथ साथ मैं गृह मंत्री जी से यह भी कहना चाहता हूँ कि उन्होंने पिछले अधिवेशन में एक आश्वासन दिया था कि केन्द्रीय सरकार त्रिपुरा, मनीपुर और हिमाचल प्रदेश के सम्बन्ध में अगले चुनाव से काफी पहले वहां पर डेमोक्रेटिक सेंट्रल कायम किए जाने के बारे में एक बिल पेश करेगी, इसको वह पूरा करें। दुर्भाग्य की बात है कि इस सेशन को खत्म होने से केवल दो दिन का समय बाकी रह गया है और अभी तक वह इस बिल को हमारे सामने नहीं लाए हैं। अब चर्चा इस तरह की चल रही है कि सम्भवतः इस तरह का कोई बिल ही नहीं लाया जाएगा और इन यूनिटन टैरिटर ज़ में जो सेट अप है, सन् १९६२ तक उस में कोई परिवर्तन नहीं किया जाएगा। यदि आप ऐसा करते हैं तो याद रखिये कि आप उस पवित्र आश्वासन को भंग करेंगे जो आपने संसद् के पिछले अधिवेशन में दिया था। जनतंत्र की सफलता के लिए सरकार को अपने आश्वासनों पर कायम रहना चाहिये और किसी स्वार्थवश उन आश्वासनों को नहीं तोड़ना चाहिये। मैं आशा करता हूँ कि सरकार अपने दिए हुए उस आश्वासन को नहीं तोड़ेगी और एक बिल १९६२ के इलैक्शन के पहले-पहले यहां पर ला कर उसको पास करवा लेगी।

श्री राधा रमण : सभानेत्री महोदय, अभी हमारे आदरणीय मित्र ने एक संशोधन पेश किया है जिस में कहा गया है कि इस बिल को सिलेक्ट कमेटी को या सर्व्यूलेशन के लिए भेज दिया जाए। मैं इस संशोधन का विरोध करता हूँ। यह मैं इसलिए करता हूँ जैसे मुझे से पूर्व बोलने वाले माननीय सदस्यों ने कहा है कि इस बिल की सीमा बहुत ही संकुचित है और इसके अन्दर सिर्फ़ ऐसे संशोधन

[श्री राधा रमण]

रखे गए हैं जिन को पहले चार या साढ़े तीन साल के तजुबों को देखते हुए आवश्यक समझा गया है और यह समझा गया है कि उनका कुछ न कुछ इलाज होना जरूरी है।

सब से बड़ी बात इस बिल के अन्दर जो आपको मिलेगी वह यह है कि सिंगल मॅम्बर कॅन्स्ट्रुक्शंस को हम स्वीकार करें। यह सिर्फ दिल्ली के लिए नहीं है बल्कि जनमत के आधार पर सारे भारतवर्ष पर यह लागू होती है। इस वास्ते दिल्ली के लिए इसका विरोध करना मैं समझता हूँ मुनासिब बात नहीं है।

आपत्ति विशेषकर इस बात पर उठाई जा रही है कि हम कमिश्नर को क्यों और अधिक अधिकार दे रहे हैं जिनके द्वारा जो अनधिकृत निर्माण हैं, उनमें वह हस्तक्षेप करके, रोक सकते हैं। इसके विभिन्न पहलुओं के बारे में हमारी माननीय सदस्या श्रीमती सुभद्रा जोशी ने चर्चा की है। यह बात सही है कि जितना भी हम अनधिकृत निर्माण को रोकने की चेष्टा करते हैं, उतना ही वह बढ़ता जाता है और इस में अगर दोष उस व्यक्ति का है जो इस कार्य में लगा हुआ है तो उससे कहीं ज्यादा दोष उन कर्मचारियों का भी है जो मिल कर इस अनधिकृत निर्माण को बराबर जारी रहने देते हैं। बहरहाल जो इसमें सब से बड़ी बात दिक्कत की है वह यह है कि जब अनधिकृत निर्माण हो रहा होता है और उसको रोकने की सही तौर पर खबर्हिश भी की जाती है तो भी उसको रोकना मुश्किल हो जाता है। इस का कारण यह है कि दिल्ली में आज जो कानून लागू है उनके मुताबिक अनधिकृत निर्माण रोक नहीं सकता है चूंकि यहां की अदालतें उस में हस्तक्षेप कर देती हैं और वह बराबर जारी रहता है। सदन को यह मालूम है कि जो व्यक्ति इन अनधिकृत मकानों इत्यादि में बैठे हुए हैं और जिन को हम ने एक तारीख तक यह माना है कि उस तारीख से पहले-पहले बने हुए किसी भी

मकान को या झोंपड़े को गिराने का अधिकार किसी को नहीं है उससे सारी खराबी पैदा होती है। यह प्रोटेशन उनको इस सदन द्वारा दिया गया है जब तक उनको कोई आल्टरनेटिव एकामोडेशन या उसके बदले में कोई जगह न दी जाए तब तक कोई डिमालिशन का काम उन झोंपड़ों पर या उन झुंगियों पर या उन मकानों पर नहीं हो सकता है। बदकिस्मती यह है कि यहां दिल्ली में मकान की किल्लत है और इस वजह से हर कोई मनमाने तरीके से काम करता है और वह जमीन जो कि सरकार की है और जिसपर और कुछ काम हो सकता है, उसे बहुत लोग बिला-लाहज किसी बात के कर्मचारियों से मिल कर लोग इस्तेमाल करना शुरू कर देते हैं और उस पर मकान बना लेते हैं। जब कमिश्नर या कारपोरेशन के अधिकारी उस पर कब्जा करना चाहते हैं, या उसे हटाना चाहते हैं, तो कानून इसकी इजाजत नहीं देता कि वह बनने वाले मकानों को भी रोक सकें। इस बिल में कमिश्नर को अधिकार दिया गया है कि उस तारीख के बाद के जो अनआथाराइज्ड कंस्ट्रक्शंस होंगी उनको हस्तक्षेप करके रोक सकता है। इसलिए इस बिल में जो भी संशोधन रखे गये हैं मैं उन प्रायः सब का अनुमोदन करना चाहता हूँ।

दिल्ली का यह खास तौर पर दुर्भाग्य है कि जब से दिल्ली राजधानी बनी है यह तब से तमाम सरकारों के ख्यालों की उनके तरीकों की, और उनकी नीतियों की शिकार बनती चली आयी है। जब हम अंग्रेजी सरकार के मातहत दिल्ली में जिन्दगी बसर करते थे, तो अंग्रेज दिल्ली की जनता को कुचलते थे, इसलिए कि वह यह समझते थे कि यह राजधानी है, यहां उन्हें पूरी तरह से हुकूमत करने का अधिकार होना चाहिए, वह समझते थे कि यह एक मर्ज है और अगर इसमें किसी किस्म की भी कमजोरी नजर आती है तो वह सारे हिन्दुस्तान में फैलती है। इसलिए दिल्ली की जनता अंग्रेज के जमाने में दबी रही।

(Amendment) Bill

जब हमारी अपनी सरकार बनी तो हमको ख्याल हुआ कि दिल्ली की जनता को वह तमाम आराम और अधिकार मयस्सर होंगे जो हिन्दुस्तान की दूसरी जनता को होंगे। चाहे आप इसको खुशकिस्मती कहिए, लेकिन बड़े लड़ाई झगड़े के बाद, इस सदन ने बहुत बातचीत के बाद फंसला हुआ कि यहां पर सी० पार्ट्स जैसी हुकूमत कायम की जाए। वह कूमत बनी और टूटी। इसके टूटने के कारणों में मैं नहीं जाना चाहता। इसमें कोई नेतृत्व का सवाल था, इस बात को तो श्री ब्रजराज सिंह जी ही कह सकते हैं, लेकिन मैं समझता हूँ कि दिल्ली के मुतल्लिक सरकार का यह तरीका रहा है—जिसको मैं मुनासिब नहीं समझता कि यहां एक पूर्णतया प्रजातंत्री शासन नहीं होना चाहिए। इस मामले में हमारा सरकार में सदा मतभेद रहा है, और हम अपने नेताओं को बराबर यह समझाते रहेंगे कि दिल्ली की जनता में और बाकी हिन्दुस्तान की जनता में कोई फर्क नहीं करना चाहिए। बल्कि यहां की जनता के पक्ष में एक बात जो कही जा सकती है वह यह है कि यहां की जनता ज्यादा जिम्मेदार है और अपने तरीकों से अपने शासन को मजबूत बना सकती है और इस मामले में जब तक सरकार हमारी बात को नहीं सुनेगी हम अपनी आवाज को उठाते रहेंगे।

स्टेट्स रिआरगेनाइजेशन कमीशन ने तमाम हिन्दुस्तान के सुबों की जब शक्ल बनायी उस वक्त उन्होंने अपनी राय के मुताबिक दिल्ली के लिए यह फंसला किया कि यहां एक बहुत मजबूत कारपोरेशन होना चाहिये। उसमें भी एक बेइन्साफी—मैं कहूंगा—यह की गयी कि कुछ हिस्से को बाहर रखा गया बहरहाल हम को वह कारपोरेशन मिला उससे ताल्लुक रखने वाले कानून में बहुत सारी त्रुटियां थीं। उन्हें उस वक्त भी सुझाया गया और बाद में भी हम बराबर सुझाते रहे हैं, और अब जो संशोधन आया है, बावजूद इसके कि इसकी सीमा परिमित है, हम 1160 (A) LSD—7.

उस बारे में कुछ अपनी राय का इजहार कर रहे हैं।

मैं यह समझता हूँ कि इस वक्त जो कारपोरेशन दिल्ली को मिला हुआ है उस जैसा कारपोरेशन दुनिया के किसी और शहर को नहीं मिला है। आपको इस तरह के कारपोरेशन की दूसरी मिसाल नहीं मिलेगी। दुनिया में शायद ही ऐसा कारपोरेशन होगा जिसमें अरबन और रूरल एरिया को मिला दिया गया हो कोई कारपोरेशन इतने बड़े एरिया के लिये नहीं है। एक तरफ उसके अस्तित्वारात सीमित हैं और दूसरी तरफ उससे बड़ी बड़ी उम्मीदें की गयी हैं। बहरहाल इन तमाम सीमाओं के रहते हुए भी चार साल तक यह कारपोरेशन चला। उसके बहुत से फायदे हैं। और नुकसान भी हैं, उनमें मैं इस वक्त नहीं जाना चाहता। दिल्ली की जनता की यह बदकिस्मती है कि उसकी आवाज नहीं सुनी जाती। कारपोरेशन ने जो अब तक काम किया है वह दिल्ली की जनता की उन मांगों का कोई इलाज नहीं है जो हमेशा से उनके सामने रही हैं, इसलिये जरूरत इस बात की है कि बहुत जल्द पिछले तजरबे की बिना पर इस कानून में मुनासिब संशोधन किये जायें ताकि दिल्ली की जनता को आराम और राहत मिल सके और वह कह सके कि जैसे तमाम हिन्दुस्तान में प्रजातंत्री तरीके से हुकूमत चलती है दिल्ली में भी ऐसा ही शासन है जिसमें हम अपनी किस्मत के खुद मालिक हैं, जो कि वह आज नहीं कह सकते।

कारपोरेशन दिल्ली में लागू हुआ और उसकी जो सीमाएं थीं उनके रहते हुए भी उसको पूरे तौर पर काम करने का मौका नहीं मिला। दिल्ली की सबसे बड़ी बदकिस्मती यह रही है कि पिछले दस सालों में यहां पर कोई निजाम टीक से नहीं चल पाया। आप दिल्ली के पिछले दस साल के इतिहास को देखें तो आपको मालुम होगा कि यहां किसी एक निजाम को काफी समय तक नहीं चलने दिया गया। एक फंसला होता है और उसके

[श्री राधा रमण]

मृताबिक अमल होता है, और उसके कुछ ही समय बाद दूसरा फैसला होता है और दूसरी चीज को लाया जाता है। इसका नतीजा यह होता है कि यहां की तरक्की रुक जाती है या होने नहीं पाती। इस सिलसिले में मैं आपको यहां के स्लमस का उदाहरण देना चाहता हूं। हमारी कुछ ऐसी बस्तियों का प्रधान मन्त्री श्री जवाहरलाल नेहरू ने दौरा किया और उन्होंने देखा कि दिल्ली की जनता में चार पांच लाख लोग हैवानों से भी बदतर जिन्दगी बसर कर रहे थे। उनकी ख्वाहिश थी कि इस लोगों को इस तरह की जिन्दगी से निकालने का जरूर से जल्द इन्तिजाम किया जाए। नतीजा यह हुआ कि स्लम के लिये काम शुरू हुआ। लेकिन साल डेढ़ साल के बाद इस काम को म्युनिसिपल कारपोरेशन को दे दिया गया। यह एक मिसाल नहीं है, ऐसी काफी मिसालें आपको मिलेंगी। इसलिये मेरी दरख्वास्त है कि आप दिल्ली की जनता के लिए किसी एक निजाम को रखिए और कभी समय उसको चलने का मौका दीजिए और देखिए कि हम क्या कर सकते हैं। आज सूरत यह है कि बार-बार तबदीलियों की वजह से दिल्ली की तरक्की रुकी हुई है और वसियत एक प्रतिनिधि के अदब से मिनि टर साहब से दरख्वास्त करना चाहता हूं कि जो वह जल्दी-जल्दी यहां शासन को बदलने है इससे दिल्ली का बड़ा नुकसान हो रहा है। आपने एक टेट बनायी, चार साल बाद उसको तोड़ दिया। फिर आपने कारपोरेशन बनाया। आज आप कारपोरेशन में ऐसी तबदीलियां करें जिनका जनता की जिन्दगी से फायदा हो और जो उसकी जरूरतों को पूरा करती हों। अगर आप ऐसा न करेंगे तो लजिमी तौर पर देहली की जनता को तकलीफ में डालेंगे। आप एक निजाम को कुछ समय तक काम करने दीजिए ताकि लोग उससे अपने को एडजस्ट कर सकें।

मैं अदब से दरख्वास्त करता हूं कि इस

वक्त जो आप अमेंडमेंट लाए हैं उनको मैं कबूल करता हूं और जितने भी अमेंडमेंट हैं वे निहायत जरूरी हैं। कारपोरेशन एक्ट का जो हमारा चार साल का तजुर्वा है और उसमें जो हमको तकलीफें और नुकसान हुए हैं उनको दूर करने के लिये ये अमेंडमेंट जरूरी हैं। गवर्नमेंट को आज उ लोगों के द्वारा नुकसान पहुंचाया जा रहा है जो हमारा मदद के मोहताज नहीं हैं। अगर किसी गरीब आदमी को झुग्गी झोपड़ी मिल जाए, या मकान मिल जाए या कोई और रियायत मिल जाए तो हर आदमी को खुशी होगी, लेकिन यहां ऐसे आदमी हैं जिनको सैकड़ों रुपया मयस्सर हैं और जो मकान बना सकते हैं और उन मकानों का किराया खा रहे हैं, वे आज धमकी से और कर्मचारियों से मिल कर मकान खड़ा कर लेते हैं और क्योंकि अभी कमिश्नर को इस्तिहार नहीं है उनके खिलाफ कार्रवाई करने का। इसलिये मैं समझता हूं कि जो अमेंडमेंट लाए गए हैं वे जरूरी हैं।

कारपोरेशन एक्ट पास होने के मौके पर यह बात कही गयी थी कि शहर के तमाम वार्डों में और जोन्स में जोनल कमेटियां बनायी जाएंगी जिनका कि रिश्ता होगा वहां के रहने वालों से और उनकी आवाज के मुताबिक हमारे कमिश्नर और डिप्टी कमिश्नर अमल करेंगे और इस तरह उनमें ऐसा रिश्ता कायम हो जाएगा जिससे कारपोरेशन अच्छी तरह काम कर सकेगा। लेकिन ऐसा नहीं हो रहा है। हम देखते हैं कि इस वक्त कारपोरेशन के मेयर को गुड्डा बना कर बिठा दिया गया है। उनको कोई अधिकार नहीं है। अगर वह जनता के किसी काम को करवाना चाहें तो नहीं करवा सकते। जब तक कि कमिश्नर वैसा न करना चाहे। उनको कमिश्नर की तरफ देखना होता है।

इसी तरह से जो जनता के प्रतिनिधि कारपोरेशन में जाते हैं वे अपने खयालत का

इजहार अपने जमीर के मुताबिक करते हैं, लेकिन उस राय पर जब अमल का वक्त आता है तो उनके हाथ कटे होते हैं।

इसलिये मेरा निवेदन है कि हमारी सरकार को इस बात पर ध्यान देना चाहिये कि उसने जो हमको अलग-अलग शक्तों में शासन दिया उससे हमारी समस्याओं का हल निकालने के बजाए हमारी तकलीफें बढ़ी हैं। पार्लियामेंट के चन्द मेम्बरान इसको ठीक नहीं समझते हैं कि यहां दिल्ली को एक स्टेट बनायी जाये और उनका खयाल है कि इस तरह से मरकज को कमजोर करना बुरा है और हमारा काम मरकज को कमजोर करना नहीं बल्कि मजबूत करना होना चाहिये। दिल्ली में एक ऐसा प्रशासन कायम किया जाये जिसमें कि मरकज से उसका टकराव न हो। मैं उन अपने माननीय मेम्बरों से जो कि इस खयाल के हैं। उनसे गुजारिश करूंगा कि आज दिल्ली वालों को जो अनेकों तकलीफें हैं उनको रफा करने के वास्ते यह गौर करें और कोई ऐसी शकल निकालें कि जो यह रोजाना की घड़ी-घड़ी दिल्ली के प्रशासनिक ढांचे में तबदीलियां होती रहती हैं वह न हों और हम दिल्ली वालों के लिये एक ऐसा ढांचा तजवीज करें जो कि बगैर तबदील हुए ५-१० साल अमल में आये। लोगों में एक विश्वास आये कि अब जल्दी-जल्दी तबदीली होने वाली नहीं है।

मैं श्री ब्रजराज सिंह के इस विचार की भी हिमायत करता हूँ कि चूँकि दिल्ली की आबादी बहुत अधिक हो गई है और निकट भविष्य में और भी अधिक होने वाली है और जहां पहले १६ लाख होती थी वहां अब करीब २६-२७ लाख हो गई है और शायद ६ महीनों में ५०,००० और बढ़ जायेगी और इसलिये दिल्ली कारपोरेशन के मेम्बरों की संख्या में वृद्धि होनी चाहिये। मुझे तो कारपोरेशन के सदस्यों की संख्या बढ़ाने में कोई कठिनाई नजर नहीं आती है और आज ही वह संशोधन

मंजूर किया जा सकता है। हम इसकी तादाद १०० कर दें और मैं समझता हूँ कि कारपोरेशन के मेम्बरों की तादाद १०० कर देने से हम जनता को ज्यादा खुश कर सकते हैं और उनका प्रतिनिधित्व बढ़ सकता है और कारपोरेशन के इन्तजाम में भी शायद बेहतरी आ सकती है। इन चन्द अल्फाज के साथ यह जो संशोधन विधेयक मिनिस्टर साहब ने हमारे सामने रक्खा है मैं उसका समर्थन करता हूँ और यह आशा करता हूँ कि जिन बातों की तरफ मैंने और अन्य माननीय सदस्यों ने ध्यान दिलाया है सरकार उनको अपने ध्यान में जरूर रखेगी।

Shri Tangamani: Madam Chairman, I rise to support the motion for referring this Bill to amend the Delhi Municipal Corporation Act to a Select Committee with instructions to report by the first day of the next session.

I shall briefly refer to some of the reasons which prompted me to support that motion, and I will also make some observations about some of the amending clauses which have been brought before us. As the House is aware, a most comprehensive Bill was brought before this House and it was made into an Act about 3½ years ago. That Act contains nearly 515 sections. At the time when this Act was passed, very many assurances were given to this House by the then hon. Home Minister, the late Shri G. B. Pant. What I would like to submit is, there has been the experience of the working of this Act for nearly 3½ years. The 80 elected members and the six aldermen, making a total of 86, have been running this administration. That is composed of the three important political parties like the Congress, the Jan Sangh and the Communist Party. An Ad Hoc Committee was set up consisting of the important members of the different parties and my party was represented by Shri Prem Sagar Gupta. This Ad Hoc Committee has submitted certain unanimous recommendations to the Corporation. I would like to know whether in bring-

[Shri Tangamani]

ing this amending Bill we have incorporated all the recommendations which were unanimously passed by this *Ad Hoc* Committee.

My submission is that a number of these recommendations have not been brought before us in the form of this amending Bill. Besides, I would like to know whether this Bill which is going to affect the life of the Corporation, the life of the people of Delhi, has been discussed in the Municipal Corporation, or at least whether this Bill was circulated to the members for eliciting their opinion. When that has not been done, my submission is that it is only fair that their views at least are made known to this House by way of representations to the Select Committee; otherwise, some of the important recommendations made by the *Ad Hoc* Committee, some of the views of these political parties which constitute this administration will not be available to this House.

The *Ad Hoc* Committee has made several recommendations about increasing the powers of the deliberative body. As the House is aware, the Delhi Municipal Corporation has got two wings: one is the executive or administrative wing headed by the Commissioner and the other one is the deliberative wing. This *Ad Hoc* Committee unanimously, including the members from the Congress Party, has stated that the powers of the Commissioner must be curtailed. Today also I was very happy to hear from the hon. Member, Ch. Brahm Prakash from Delhi, that steps must be taken for curtailing the powers of the Commissioner. But what do we find here? Instead of curtailing the powers, more and more powers are being given to the Commissioner.

Many hon. Members have made pointed reference to some of the powers which have been extended to the Commissioner by the Act. I would like to mention a certain instance. Take the case of Madras. The Madras

Act provides that most of these communications will only pass through the Mayor. Now, the Mayor is more or less an authority who is superior to the Commissioner. The Commissioner is subordinate to the Mayor. Here what we find is a kind of diarchy where the entire administrative set-up is run by the Commissioner himself. I remember one instance. They used to charge Rs. 2.25 nP. per month per tenement in the rehabilitation colonies which was payable by the Rehabilitation Ministry. The Commissioner by some order had it reduced to Re. 1. That means, to that extent the Corporation will be the sufferer. Then so much protest was raised by all the parties and ultimately it was raised to Rs. 2.25 nP. I am giving this instance to show how arbitrary powers have been taken by the Commissioner in the past.

The Act conceives of certain committees like committee for transport, committee for electricity, committee for water supply etc. But when we go into the composition of those committees we find that at least three out of the seven members are nominated members. That is why, Madam, I submit that this aspect of giving powers to the deliberative bodies ought to have been looked into.

The other point that the hon. Member referred to was that this Bill is very important because the elections are going to take place in April. On this our party is very clear. We have made a representation to the hon. Home Minister that the elections must take place the same time as the parliamentary elections, or in the alternative there must be at least a lapse of six months before the next elections take place; otherwise the position will be that there will be elections held in February or March for Parliament and then there will be elections held in April for the Corporation.

Shri Balraj Madhok: In March itself.

Shri Tangamani: The Delhi Corporation is not like the Calcutta Corporation where the electors for corporators are different from electors for Assembly or Parliament seats. Here those who elect the corporators are the same people who elect the Members of Parliament also. When there are no Assembly members being elected to Delhi, it stands to reason that both the elections should take place simultaneously.

The main amendment which is sought to be brought here is on the question of removing plural constituencies. I was rather pained when I heard the hon. Minister saying that because we are abolishing double-member constituencies this method is being adopted in the Corporation. Now there is Bombay where we have got these plural constituencies with cumulative voting. In the Delhi Corporation we have plural constituencies with distributive voting. In other words, I believe there are 34 constituencies electing 68 members and 12 members are from reserved constituencies. That is not the composition in other corporations, and I remember the hon. Minister stating that this is a very good practice, because in the municipal elections casteism and all kinds of sectarian practices can be adopted because of the limited nature of the constituency. If the constituency is widened and if you have plural constituencies, then the real representatives of the people are likely to be elected. That was the reason why plural constituencies were introduced. So, I want to know whether amendments have been passed to the Corporation Act of Bombay and whether the municipal constituencies are being bifurcated. When nothing has been done, why should poor Delhi alone be the sufferer? This is a point on which a snap vote was taken by the Corporation and subsequently both inside the Corporation and outside, our party has made the declaration that plural constituencies should continue. I have tabled some amendments for the retention of these plural constituencies, with the proviso that instead of dis-

tributive voting there should be cumulative voting.

Coming to the other clauses, I would like to say that we would like to welcome some of them, while opposing the others. For example, I may probably support clauses 5 to 13, 17 to 19 and 21 to 23. Regarding clause 3, 4, 15, 16 and 20, I have given notice of certain amendments and now I would now like to make brief observations.

While introducing the Bill, the hon. Minister stated that sub-clause (d) is being added to section 137 whereby one cow per family would be exempt from tax. We welcome it. To that I have given notice of an amendment. Since both Shrimati Joshi and Shri Radha Raman have also given notice of similar amendments, I hope they will agree with me. My amendment is much more specific. Whereas they have referred to "buffalo", I have made it "she buffalo or milch buffalo." Once an exemption is given to a cow, why not extend it to a buffalo? I was told that both in Punjab and in Delhi buffaloes are preferred to cows. In many of the houses we have buffaloes. When a man owning a cow for milking purposes is not asked to pay Rs. 30 as tax, why should a man owning a milch buffalo asked to pay Rs. 30? Is it not unfair?

Shri Radha Raman: Your amendment will put certain people at a disadvantage when a cow is dry and is kept for worship, if you use the word "milch."

Shri Tangamani: This amendment relates only to those people who are keeping cows for milking them and using that milk; not for those who sell milk. As understood the hon. Minister, the moment a person owns more than one cow the presumption is that he takes the milk for sale and not for his use. When the benefit is going to be given to owners of cows, why should it not be given to the owners of buffaloes as well?

I have given notice of an amendment for extending it to the cyclists

[Shri Tangamani]

also. I think my hon. friend of Jan Sangh also wants the cyclists to be exempted. In many of the municipalities in Madras, and in also the Corporation, to a large extent the cyclists are exempt. When we are exempting tri-cycles for children and perambulators and such things, cycle, which is also a common means of transport, must also be exempted.

Coming to the question of powers, though it may be a little out of the way, I would like to mention that most of the municipal bodies are going in for more powers. There was the report of Balwantraji Mehta Committee about decentralisation and giving more powers to panchayats, panchayat unions, development councils and corporations. When we are developing in that way, we find that in the capital, particularly in the Delhi Corporation, the little powers that have been given to the deliberative bodies have been taken away. Though it is more or less the accepted policy of the Government that non-officials should be clothed with more powers, in the case of the Delhi Corporation, we find, we are moving in the reverse direction. New Delhi has been elevated as Class A city for the purpose of house rent allowance and certain benefits to Government employees and, according to the last census figures the population of Delhi is 22 lakhs. When the population of the city is increasing and when more and more people are coming in, why should we curtail the powers? On the other hand, the number of members should be increased from 86 to 100. Because, the original Act itself provides that the total number of councillors can be a maximum of 100. I submit that he must bring in suitable amendment to see that the number is increased.

Coming to the demolition of unauthorised buildings, I do admit that it is given certain appellate powers. I do not have enough time to go into the details, but I do feel that this provision is likely to be abused. If,

all of a sudden, authorities pounce upon that area and demolish the tenements and then give him a right to appeal, that is not going to help that person at all. Therefore, I say that the powers should be used very scarcely.

Coming to clause 20, there is a reference to extent the rule-making powers for issue of passes to the municipal employees. I want these passes to be issued to councillors, Aldermen and also *bona fide* press representatives and, not only the employees of DTU but, other employees also. My purpose is that not only the employees of the DTU, but the municipal employees, councillors, Alderman and *bona fide* press representatives should be given these passes.

Having said that, I would like to say that if I get an opportunity, I will be able to explain the various amendments which I have given notice of about the clauses. I again repeat that this Bill must be referred to the Select Committee and not rushed through, in view of the very important amendments which it seeks to make.

श्री नवल प्रभाकर : सभानेत्री जी, जहाँ तक इस बिल के क्लॉज २ का सम्बन्ध है, उससे मैं पूर्णतया सहमत हूँ, क्योंकि पिछली बार हमने देखा कि बहु-सदस्यीय निर्वाचन-क्षेत्र बनाने की वजह से काफ़ी कनफ्यूजन हो गया। असल बात तो यह है कि सोचा तो यह गया था कि अन्य पार्टियाँ अपने चुनाव का घोषणापत्र रखेंगी और उसके अनुसार मतदाताओं से वोट मांगेंगी। लेकिन हुआ इसके विपरीत और उम्मीदवार अपने सब साथियों को छोड़ कर केवल एक ही मत प्राप्त करने की कोशिश करने लगे, जिसकी वजह से नगर निगम का ढांचा बड़ा विचित्र नज़र आ रहा है। इस लिये जो यह संशोधन हो रहा है, मैं उसका पूरी तरह से समर्थन करता हूँ।

(Amendment) Bill

क्लाज ८ के सम्बन्ध में मुझे यह कहना है कि मुझे यह बड़ा विचित्र लगता है कि सरकार द्वारा बनाई हुई जो सम्पत्ति, जो मकान विस्थापितों को दिये गये हैं, वे अभी उनके मालिक नहीं बने हैं, लेकिन इस क्लॉज के द्वारा हम यह अधिकार देने जा रहे हैं कि उन लोगों से ७ अप्रैल, १९५८ से हाउस टैक्स वसूल किया जायगा। यह सरासर अन्याय है और मैं इसका विरोध करता हूँ, क्योंकि जो लोग स्वयं मालिक नहीं हैं, जिनके पास आज मकानों का सेल डीड नहीं है, जो मालिक करार नहीं दिये गये हैं, उनके विषय में हम यह तय करें कि उनसे ७ अप्रैल, १९५८ से हाउस टैक्स लेंगे, यह मुझे बिल्कुल न्यायपूर्ण मालूम नहीं होता है। मैं माननीय मंत्री जी से प्रार्थना करूँगा कि वह इस पर पुनर्विचार करें। हम ज्यादा से ज्यादा यह कर सकते हैं कि जिस दिन से यह एक्ट लागू हो, उस दिन से यह हाउस टैक्स वसूल करें। इस सम्बन्ध में एक निर्णय हाई कोर्ट ने दिया है और उसने कहा है कि किसी भी विस्थापित से जो कि उसका मालिक नहीं है, टैक्स वसूल नहीं किया जा सकता। यह उसने स्पष्ट रूप से कहा है। जब हाई कोर्ट का यह निर्णय है और उसको हम यहां पर बदलते हैं तो एक बड़ी ही विचित्र स्थिति पैदा हो जाएगी और एक प्रकार से संघर्ष छिड़ जाएगा जब कि कारपोरेशन के लोग अंधाधुंध इस बात में लग जायेंगे कि उनसे टैक्स वसूल किया जाए और एक आपाधापी सी मच जाएगी। मैं कहना चाहता हूँ कि ७ अप्रैल १९५८ को बदल कर उस दिन से इसको लागू करें जिस दिन यह एक्ट लागू हो। मैं आशा करता हूँ कि मेरी इस प्रार्थना को माननीय मंत्री जी अवश्य स्वीकार कर लेंगे।

अब मैं क्लॉज १० पर आता हूँ। यह हाउस टैक्स के एसेसमेंट से ताल्लुक रखती है। मैंने देखा है कि अलग अलग तरह की बातें होती हैं। होना यह चाहिये कि जितनी

मकान की वैल्यू हो सकती है उसके हिसाब से एसेसमेंट हो लेकिन होता यह है कि एक ही जगह पर एक मकान का हाउस टैक्स अगर एक सौ रुपया लिया है तो उस के पास में जो दूसरा मकान है जो उसी तरह का है, उसी कैटेगरी का है, उसके मालिक से पचास रुपये ही लिये जाते हैं। इसके बारे में मैंने पार्लियामेंट में सवाल भी उठाया था और मुझे बताया गया था कि इसमें कोई अनेकता नहीं है, एकता ही है और सब से एक जैसा लिया जाता है। मैं कारपोरेशन के इलाके में रहता हूँ और मुझे मालूम है कि एक बस्ती से सात रुपये पर स्क्वेयर फीट के हिसाब से लिया जाता है और उसके साथ लगी दूसरी बस्ती से १३ रुपये पर स्क्वेयर फीट के हिसाब से वसूल किया जाता है। यह सरासर अन्याय है। इस तरह के केसिस की तरफ कारपोरेशन के अधिकारियों को ध्यान देना चाहिये।

जहां तक गाय पर टैक्स का सवाल है जो संशोधन पेश किया गया है उसकी मैं पूरी तरह से हिमायत करता हूँ। बल्कि मैं तो यह चाहता हूँ कि जो दुधारू पशु हो उसके लिए एक पशु की छूट तो होनी ही चाहिए फिर चाहे वह गाय हो या भैंस हो। आपने एक गाय को छूट दे दी है। अब गाय साधारणतः सात आठ महीने ही दूध देती है और चार पांच महीने नहीं देती है। इन चार पांच महीनों के लिये भी अगर वह आदमी उस गाय की न रखे तो क्या करे? जिस गाय को उसने बराबर सात आठ महीने सेवा की है, क्या वह उसको सस्ते में बेच सकता है? अगर वह उसको बेच देता है तो उसके बदले में दूसरी दुधारू गाय या भैंस वह ले आएगा। इसलिए एक दुधारू पशु पर तो छूट होनी ही चाहिये और अगर उसके पास दूसरा पशु है जो कि दूध नहीं देता है तो उसके ऊपर कोई टैक्स न लिया जाए।

अब मैं क्लॉज १६ पर आता हूँ। यह

[श्री नवल प्रभाकर]

सबसे अधिक खतरनाक क्लाज है। इसके सम्बन्ध में मैं यह कहना चाहता हूँ कि होना यह चाहिये था कि कोई इस तरह का इसमें प्राविजन रखा जाता, कोई इस तरह का प्रबन्ध किया जाता कि जो कर्मचारी नाजायज तौर पर मकान बनने देते हैं उनको हम सजा देने की व्यवस्था करते। आज अवस्था यह है कि एक मामूली सा ओवरसियर जब जाता है तो वह पैसा जाकर ठहरा लेता है और जो रेट इसका है वह दिन-प्रति-दिन बढ़ता ही जा रहा है। पहले यह रिश्वत बीस रुपया प्रति कमरा के हिसाब से ली जाती थी और आज बढ़ते बढ़ते सौ रुपया प्रति कमरा पहुंच गई है। अब जो आदमी कानून का पालन करता है और नक्शा मकान बनाने का देता है और कहता है कि उसको मकान बनाने की आज्ञा दी जाए, तो उसका नक्शा पास नहीं किया जाता है और उसको अनेकों प्रकार से तंग किया जाता है। मैंने यहां तक देखा है कि अगर मकान का नक्शा पास भी कर दिया जाता है तो उससे पास करने की रिश्वत मांगी जाती है और वह रिश्वत नाजायज मकान बनाने की अपेक्षा अधिक होती है। हालत यहां तक पहुंच गई है कि लोग इस बात को प्राथमिकता देते हैं कि नाजायज तरीके से मकान बनाये जायें क्योंकि उसमें पैसा कम लगता है जब कि जायज तरीके से मकान बनाने में पैसा अधिक देना पड़ता है।

अब आप जायज ढंग से मकान बनाने की बात को सुन लीजिये। जायज मकान बनाने के लिए पहले तो नक्शा उसको बनवाना पड़ेगा और दो तीन सौ रुपया नक्शा बनाने वाले को देना होगा। इसके बाद दूसरी स्टेज आएगी जब कि नक्शा पास होने के लिए कारपोरेशन के पास जाएगा। वहां पर कोई न कोई खामी निकाल कर के उसको रिजेक्ट कर दिया जाएगा और अगर नक्शा पास भी हो गया तो जो एजेंट है जो उसको

लेकर जाएगा वह उससे कहेगा कि तुम्हारा नक्शा पास हो गया है लाओ क्या देते हो। वह उससे फीस लेगा। नक्शा पास करने की कारपोरेशन की फीस अलग है और वह भी उसको देनी पड़ती है।

आर्किटेक्ट की फीस इससे अलग है। अब इस सब के अलावा उसको रिश्वत देने के लिए मजबूर किया जाता है। इस तरह से उस पर तिहरा टैक्स लगता है। इस सबसे बचने के लिए वह सोचता है कि नाजायज मकान बनवा लो और इसमें किफायत हो जाएगी। अब किस तरह से किफायत होती है, यह भी आप सुन लीजिये। ओवरसीयर आता है और मकान बनता हुआ देखता और सौदा तय कर लेता है और पैसा लेकर चला जाता है। जाकर वह फाइल में जरूर लिख देता है कि वहां एक मकान बन रहा है लेकिन फाइल को दबा कर रख छोड़ता है। जब उसकी ट्रांसफर होती है और सारी फाइलें निकाल कर दूसरे के हैंडओवर करता है तो कह देता है कि कि तुम पुलिस के साथ ले कर चले जाना और उस मकान को गिरवा देना। अगले दिन पुलिस चली जाती है उस मकान को तोड़ने के लिए तो वह कहता है कि मैंने तो पैसा दिया है और यह हालत कैसे हो गई है। मैं आपको अपने निर्वाचन क्षेत्र की ही बात बतलाता हूँ। थोड़े दिनों की यह बात है। एक मकान बनाने के लिए सात सौ रुपये तय किये गये। उसने चार सौ रुपये तो दे दिये और तीन सौ नहीं दिये। जब तीन सौ नहीं दिये तो पुलिस और मकान तोड़ने वाला जो डिमालिशन स्क्वैड था वह वहां चला गया और उसने मकान को तोड़ने का नाटक रचना शुरू किया। उस समय कहा गया कि सात सौ रुपये तय हुये थे और तीन सौ रुपये दिये नहीं गये हैं। वह आदमी बाकी के तीन सौ रुपये भी दे देता है और कह देता है कि मेरी जान छोड़ो। यह तीन सौ रुपया सैकड़ों आदमियों के सामने दिया जाता है

ौर कारपोरेशन के कर्मचारी उसको लेकर चले जाते हैं। इससे आप अन्दाजा लगा सकते हैं कि हालत कितनी खराब हो चुकी है। मैं चाहता हूँ कि संसद के सदस्यों की एक कमेटी बनाई जाये जो इस सारे मामले की जांच पड़ताल करे और कोई उपाय सुझाये। जनता आज इस कारपोरेशन से परेशान है और यह कारपोरेशन उसकी परेशानी का वायस बन रही है। मैं चाहता हूँ कि उन अधिकारियों के खिलाफ कड़ी कार्रवाई की जाए जो कि इस तरह से कोरप्शन को बढ़ावा दे रहे हैं।

मैं एक और मिसाल देना चाहता हूँ। एक मकान बन रहा था। डिप्टी कमिश्नर को टेलीफोन पर सूचना दी गई कि यह नाजायज मकान बन रहा है और इसको रोका जाए। उन्होंने हुकम दिया कि यह जो नाजायज मकान बन रहा है, इसको रोक दो। यह बात उन्होंने असिस्टेंट इंजीनियर को बुला कर कही। लेकिन वह बनना रुका नहीं। जब दुबारा उन से कहा गया तो उन्होंने कह दिया इंजीनियरको कि जाकर देखो और इसको रोको। लेकिन फिर भी वह बनना रुका नहीं। लोगों ने फिर टेलीफोन पर कहा कि मकान बनता चला जा रहा है तो उन्होंने जरा जोर से कहा कि इसका बनना रोक दो लेकिन इतने में मकान बन गया। उसके बाद उन्होंने कहा कि यह कैसे बना तो उनको कह दिया गया कि कि सर्टिफिकेट दे दिया गया है, रेग्युलराइज कर दिया गया है और उस पर पच्चीस रुपया जुर्माना कर दिया गया है और यह जुर्माना वसूल भी कर लिया गया है। इससे आप अन्दाजा लगा सकते हैं कि किस हद तक अनियमिततायें बढ़ गई हैं, किस हद तक भ्रष्टाचार बढ़ गया है और इसके बीच में दिल्ली की जनता पिस रही है। इसका निराकरण होना चाहिये। मैं चाहता हूँ कि संसद के सदस्यों की एक कमेटी बैठे जो जा कर इस समस्या का गहराई से अध्ययन करे

और पता लगाये कि यहां की जनता की क्या क्या परेशानियां हैं।

आज कारपोरेशन दो भागों में विभक्त है, एक देहाती और दूसरा शहरी। देहातों में पहले डिस्ट्रिक्ट बोर्ड थे। उसके मुकाबले में मैं मानता हूँ कि आज ज्यादा रुपया देहातों में खर्च किया जाता है ज्यादा सहूलियतें देहातों को दी जा रही हैं। सड़कें भी कुछ अधिक बन गई हैं। लेकिन जो उनकी हालत स्कूलों की है, उसकी तरफ मैं आपका ध्यान दिलाना चाहता हूँ। जानपुर में जो महरोली में है स्कूल जरूर है और बच्चे आते हैं और बैठते हैं लेकिन वहां पर कोई मास्टर नहीं है। मेरे ही इलाके में एक डुराड़ी गांव के अन्दर स्कूल है। वह लगता जरूर है लेकिन मास्टर नहीं आता है। मास्टर इसलिये नहीं आता है कि वह कहता है कि पेट भीग जाएगी क्योंकि आजकल बरसात के दिन हैं।

Mr. Chairman: These are all outside the scope of the Bill.

Shri Braj Raj Singh: They have no other occasion to put forward their demands.

श्री नवल प्रभाकर : मैं तो इसीलिए कारपोरेशन के बारे में कह रहा हूँ।

Mr. Chairman: I would request the hon. Member to keep to the clauses that are amended in the Bill.

श्री नवल प्रभाकर : तो मैं इसको अभी छोड़े देता हूँ, फिर कभी वक्त आएगा तो कहूंगा।

सभापति मसौदा : जब इलेक्शन आवे तब कहियेगा।

श्री नवल प्रभाकर : मैं यह कहना चाहता हूँ कि कारपोरेशन दो भागों में विभक्त है। आज हालत यह है कि जो गांव का इलाका है उसमें मकान बनाना बिल्कुल रोक दिया गया है। इस बारे में बार बार प्रार्थना की गयी है। दिल्ली में एक एडवाइजरी कमेटी है। उसकी तरफ से कहा गया है कि गांवों

[श्री नवल प्रभाकर]

के अन्दर यह प्रतिबन्ध नहीं होना चाहिये लेकिन कहा जाता है कि वहाँ प्रतिबन्ध रखा जाना चाहिये। तो मैं चाहता हूँ कि गांवों को इस कारपोरेशन की हद से निकाल देना चाहिये।

आज गांवों में पंचायतें हैं लेकिन वे ठीक तरफ से काम नहीं कर पातीं। एक तरफ कारपोरेशन उनके काम में अड़ंगा लगाता है। दूसरी तरफ दिल्ली एडमिनिस्ट्रेशन अड़ंगा लगाता दिल्ली एडमिनिस्ट्रेशन के अधिकारी कारपोरेशन के अधिकारियों को लिखते हैं और कारपोरेशन के अधिकारी दिल्ली एडमिनिस्ट्रेशन के अधिकारियों को लिखते हैं, टेलीफोन पर बात करते हैं, फाईलें इधर से उधर आती जाती हैं, लेकिन गांवों की हालत इतनी बरी हो गयी है कि कोई काम ठीक ढंग से नहीं चल रहा, न ब्लाक का काम चलता है, न पंचायतों का काम चल रहा है। न कारपोरेशन काम करता है और न दिल्ली एडमिनिस्ट्रेशन काम करता है। इसलिए मैं चाहता हूँ कि गांवों को इनके नीचे से निकाल कर एक जिला परिषद बना दी जाए और उसके नीचे पंचायत समितियाँ आदि बना दी जाए ताकि गांवों का अलग से इन्तिजाम हो सके। आज गांवों की जनता को कारपोरेशन में विश्वास नहीं रह गया है। वे अनुभव करने लगे हैं कि हमको कारपोरेशन की जरूरत नहीं है।

सोचा तो यह था कि कारपोरेशन की वजह से ड्रेनेज अच्छा हो जाएगा। लेकिन जैसा कि चौधरी ब्रह्म प्रकाश जी ने कहा, आज हालत यह है कि गांवों में खेतों में पानी भरा पड़ा है। उसे निकालने का कोई इन्तिजाम नहीं है। दिल्ली एडमिनिस्ट्रेशन कहता है कि यह कारपोरेशन का काम है और कारपोरेशन कहता है कि दिल्ली एडमिनिस्ट्रेशन का काम है। हमारी समझ में नहीं आता कि यह किसका काम है। मैं

चाहता हूँ कि गृह मंत्रालय इस बात को देखे कि कौन जिम्मेदार है।

श्री मधोक ने जो प्रस्ताव रखा है प्रवर समिति को भेजने का उसका मैं विरोध करता हूँ और चाहता हूँ कि यह बिल पास हो जाए।

Mr. Chairman: There are a large number of amendments. I would like to have the opinion of the House. We have to finish the Bill. Actually, we have already been discussing this for a longer time than has been allotted by the Business Advisory Committee. I permitted it. We have to finish this by 3 o'clock. There are a large number of amendments. Would the House like to continue the general discussion or do we take up the amendments now?

Shri Radha Raman: Half-an-hour may be reserved for the amendments.

Shri C. K. Bhattacharya: I would like to have five minutes.

Shri Ajit Singh Sarhadi: I would like to take five minutes.

Mr. Chairman: The point is, if there are a large number of amendments,—quite a large number—I do not think half-an-hour will be enough. We will need at least 45 minutes including at least 15 minutes for the hon. Minister. I suggest if 2 or 3 Members could take five minutes, I will be able to squeeze it in.

Shri C. K. Bhattacharya: I would take only five minutes.

Mr. Chairman: I shall first call those who are directly concerned.

Shri C. K. Bhattacharya: References have been made to Calcutta in connection with the discussion of this Bill.

Mr. Chairman: Not much has been said about Calcutta. It has only been stated that Calcutta had restricted franchise.

Shri C. K. Bhattacharya: I would only speak on the provisions here.

Mr. Chairman: I shall see if I can fit in; some may have to be cut out.

Shri Ajit Singh Sarhadi: I will limit my observations to clauses 8 and 9 of the amending Bill. I am afraid, though the primary object of the Bill is to replace multi-member wards by single-member wards, yet opportunity has been taken to hit displaced persons of Delhi to a very large extent.

Clause 8 contemplates an amendment to section 119 of the principal Act. The object is that those displaced persons to whom evacuee properties have been transferred, should also be made liable to pay the taxes. I appreciate the position which the hon. Minister has been pleased to take in his opening speech. I agree with him where transfer has taken place and rights of ownership whether on instalment basis or otherwise have vested in the transferee, certainly, there should be liability for payment of the tax. Let us see if the Amending Bill or the amendment of section 119 contains that indication alone or not. Clause 8 is very wide. What it lays down is this:

"Where the possession of any land or building, being property of the Union, has been delivered in pursuance of section 20 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 to a displaced person or any association of displaced persons, whether incorporated or not, or to any other person (hereafter in this subsection and the proviso to subsection (1) of section 120 referred to as the transferee), the property taxes specified in section 114 shall be leviable and shall be deemed to have been leviable in respect of such land or building with effect from the 7th day of April, 1958 or the date on which possession thereof has been delivered to the transferee, whichever is later...."

I agree. But, section 20 of the Displaced Persons (Compensation and Rehabilitation) Act, constitutes five kinds of transfers which do not contain vesting of the ownership. I will take you through section 20. Section 20 lays down:

"Subject to any rules that may be made under this Act, the managing officer or managing corporation may transfer any property out of the compensation pool...."

Five categories are given. The first category lays down:

"by sale of such property to a displaced person or any association of displaced persons, whether incorporated or not, or to any other person, whether the property is sold by public auction or otherwise;

So far as this clause is concerned, I concede that the moment the property is transferred, the transferee should be liable to pay the tax. All right. Let us see sub-sections (b), (c) and (e) of section 10(1). They lay down:

"by lease of any such property to a displaced person or an association of displaced persons, whether incorporated or not, or to any other person;

"(c) by allotment of any such property to a displaced person or an association of displaced persons whether incorporated or not, or to any other person, on such valuation as the Settlement Commissioner may determine;

"(e) in such other manner as may be prescribed."

I would certainly say that if these clauses 8 and 9 had been limited to clause (a) of sub-section (1) or clause (d), there would have been no grouse. This amendment tries to bring in its ambit of transferee, lessee, tenant or person in possession

[Shri Ajit Singh Sarhadi]

because he is paying mesne profits. It would not only be unjust, but also, I am sure, illegal and it would be contrary to article 14 of the Constitution inasmuch as it would be discrimination against a person who becomes a tenant under sub-clause (b) of sub-section (1). I would request the hon. Minister to have the matter examined carefully. Evacuee properties have been transferred in different ways. Some transfers have taken place where ownership rights have been given. Transfer certificates have been given. In some cases, the same rights are not given, but they are only allottees under the Evacuee Property Act, which means, a tenant. Allottee under the Displaced Persons Act also means a tenant. If you make a tenant liable to the payment of taxes, that would not only be unjust, but that would be discrimination,—unreasonable discrimination—inasmuch as a person who is a tenant of a private owner or of Government property—a government servant who is in occupation as a lessee or tenant—is not liable to pay the house tax or other taxes. There is no liability unless there is a contractual liability between himself and the landlord. But you make him liable under this clause 8. Therefore, I would submit that this is a matter which needs re-examination, and it will be in the fitness of things if Government themselves amend this clause 8 to this effect that after the word 'section 20', the words (1) (a) and (b) are added, so that they exclude from the ambit of this provision cases covered by section 20 (1) (b), 20 (1) (c) and 20 (1) (e).

I wish that the Home Ministry had been pleased to take the opinion of the Rehabilitation Ministry on this matter. Otherwise, I believe that not only will it be unjust, but it will also create a lot of complications, and I am afraid that this measure, or at least this part of the measure would be held unconstitutional. That is my submission on this Bill.

Shri Datar: While a number of hon. Members have accepted the underlying principles, opportunity was taken by others to bring in the whole of the Delhi Municipal Corporation under their review, to such an extent that some of them even contended that there was no popular set-up in Delhi in spite of all those powers which have been given to the Delhi Municipal Corporation.

So far as this general question is concerned, I should point out that it is beyond the purview of the present limited Bill. Here, we are not going to take the whole Act into consideration, nor are we reviewing the administration of the Act in the Delhi area including the rural area. In fact, my hon. friend here wanted to bring in also the administration of the Act in the rural areas. I should like to point out that all this is far from relevant so far as the few amendments that have been included in this Bill are concerned.

Then, a question was asked whether we had the consent of the Delhi Municipal Corporation. May I point out that on everyone of the amendments that have been incorporated in this amending Bill, we had the opinion, and we had the initiative also, of the Delhi Municipal Corporation itself? After they made certain proposals to us, which have been incorporated in this Bill, we also consulted the Delhi Advisory Committee. and after that, the present Bill has been brought forward.

Instead of going into the other questions which are more or less not of so great an importance as the first one, namely the splitting up of the constituencies, I would read out to you the exact resolution that was passed by the Delhi Municipal Corporation as early as the 13th January, 1959. They passed the following resolution:

“This Municipal Corporation of Delhi is of the opinion that for

the purposes of election of councillors, Delhi be divided into single-member wards. It therefore, urges upon the Central Government to take necessary steps for the amendment of section 5 of the Corporation Act."

This was the resolution that was passed by the Delhi Municipal Corporation.

Shri S. M. Banerjee (Kanpur): There was no Member from the Opposition at that time.

Shri Balraj Madhok: This was just on a snap vote. I would like to know how many recommendations of the Delhi Municipal Corporation have been accepted by Government.

Shri Datar: If, for example, some councillors did not like the resolution or if they voted against the resolution, still we have to assume that this resolution was passed by a majority and has to be considered as the resolution of the Delhi Municipal Corporation. In these circumstances, the question that was raised by certain hon. Members, namely whether we had consulted the Delhi Municipal Corporation, is easily answered. In fact, it was they who took the initiative, and we are only acting in accordance with their desires in this respect.

Similar is the case with regard to the other amendments also that have been brought forward. As pointed out yesterday, in certain cases, technical difficulties arose, and one of the difficulties was with reference to what Shri Ajit Singh Sarhadi has stated. I should like to answer Shri Ajit Singh Sarhadi, so far as this particular question is concerned. My hon. friend is not here at this moment, but he ought to know that the liability for payment for services received such as light, water etc. does not depend solely upon the devolution of ownership. It depends upon the fact of possession.

This is the general law. Under the general law, it might be a lessee, it might be a licensee or it might be a transferee or it might be some other person; all these persons cannot raise any objection on the ground that inasmuch as they are in the nature of lessees or inasmuch as the title is not vested in them, therefore, they are not bound to pay for the services. The general principle of the civil law ought to be taken into account. Especially in all such cases where the local authorities have to furnish the services, the most important or the fundamental point is the fact of possession, and to the fact of possession or to the right of factual possession attaches the liability to pay for the services. If this aspect is appreciated by my hon. friend, then the question which he has raised is easily answered. It is not only the proprietary right, but it is the fact of possession which has to be taken into account; and so long as a person is in possession of certain properties, he is bound to pay for the services. Therefore, there is neither any discrimination nor any unfairness in this. Rather, the unfairness lies the other way about, because these persons are taking advantage of all these services but they are refusing to pay the taxes which they are bound to pay.

Similarly, another objection was raised with regard to unauthorised constructions. So far as unauthorised constructions are concerned, a number of hon. Members unwittingly spoke in such a way that the persons who actually have constructed unauthorisedly might believe that those hon. Members have been supporting them. But I know that no hon. Member of this House is supporting those who are constructing in an unauthorised way.

My hon. friend Shri Braj Raj Singh wanted to know how many such unauthorised constructions are there in Delhi. May I point out to him that unfortunately, in Delhi, we have got

[Shri Datar]

almost a scandal of these unauthorised constructions? They rise overnight, and after they rise, we have the very bad spectacle of these unauthorised constructions being supported through influential quarters, on the ground that they are settled facts. May I point out that the doctrine of settled facts applies only where there is *bona fide* or legitimate construction, and not otherwise at all?

Shri Balraj Madhok: It is because of the Government policy that they rise like that.

Shri Datar: Whenever there are unauthorised constructions, they have got to be demolished. There is no half-way house so far as this evil is concerned.

The next question that was raised was whether the powers should be given to the Municipal Corporation or to the Municipal Commissioner. Here, again, a general question was raised as to whether the powers should vest in the commissioner or whether any powers should be given to the Mayor. So far as this question is concerned, we have to remember that when the original Bill was before this House, this whole question was considered in all its aspects; we had before us the model of the Bombay Municipal Corporation, and we followed that model almost to the fullest extent. As one hon. Member, I think Shri Radha Raman, rightly pointed out, so far as the Mayor's functions are concerned, they are naturally of a deliberative character and so far as the Commissioner is concerned, they are of an executive character.

Shri Tangamani: If Bombay is being followed, why are Government abolishing plural-member wards?

Shri Datar: This is the principle that is being followed. It is perfectly open to the hon. Member to bring up that question in the proper form.

But so far as the present Bill is concerned, all that I would point out is that all this is beyond the purview of the discussion over a limited amending Bill.

I might also make an announcement so far as one matter is concerned. A number of hon. Members on both sides wanted that just as in the case of a cow we grant exemption, in the case of a she-buffalo also this exemption might be allowed. I am going to accept the amendment of my hon. friend on this subject. But I am not going to give the exemption for both cow and she-buffalo. It is to either a cow or a she-buffalo.

Shri Tangamani: My amendment is there.

Shri Datar: I am going to accept that amendment, amendment No. 16 as also amendment No. 18, because some further changes are necessary.

An hon. Member has suggested that amongst the Punjabi population in Delhi more are in favour of she-buffaloes than cows. Whatever that might be, we are prepared to grant exemption in the case of one, either cow or she-buffalo.

So far as taxes are concerned, though the highest tax in respect of a cow is Rs. 30, it is open to the Municipal Corporation to vary the tax. At present, they are actually levying a tax of Rs. 10 on a cow. All the same, in view of the acceptance of this amendment, there will be the advantage of keeping either a cow or a she-buffalo and the exemption will apply only to one of them. If there are more than one, then the presumption is that they are not for domestic use but for the purpose of trade. Then all the cows and she-buffalos, whatever be the number, will be liable to tax.

Shri Tyagi: What about goats and sheep? Goat is a small milch animal.

Shri Datar: We are not going to allow exemption for goats.

Ch. Brahm Prakash: I do not think there is any tax on goats.

Shri Datar: Whatever it is, we are not going to allow any further exemption. After goats, sheep and other things also would be brought in.

Shri Tangamani: At present, there is no tax on goats.

Ch. Brahm Prakash: I do not think there is any tax on goats.

Shri Datar: So that meets the point.

So far as cycles are concerned, it is very difficult to extend the exemption. My hon. friend stated that in Madras there are no taxes at all. That is not the correct position. I have ascertained and found that in Madras State cycles are not exempt from taxation either in the Corporation or in any other Municipalities.

Shri Tangamani: A number of Municipalities do not tax cycles. This has been considered by the Corporation.

Shri Balraj Madhok: Cycle is the vehicle of the common man in Delhi. So this small mercy should not be beyond the power of the Government.

Shri Datar: Let those who are not taxed contribute at least something to the taxes.

Shri Balraj Madhok: They do pay.

Shri Datar: That is all right.

So far as the other questions are concerned, they are not of a material nature.

Let it be formally on record that I oppose both the motion for circulation as well as the motions for reference to Select Committee.

Shri Braj Raj Singh: What else could we expect from him?

Shri Datar: This is hardly fair when I have accepted the amendment regarding she-buffalo.

Mr. Chairman: I shall first put the motion for circulation to vote.

The motion was put and negatived.

Mr. Chairman: There are two Motions for reference to Select Committee. I shall put both of them together to vote.

Shri A. C. Guha: Has the permission of the Members concerned been taken?

Mr. Chairman: I presume that is the rule.

Shri Datar: My name has been put in at the instance of the Speaker.

Mr. Chairman: I shall now put amendments Nos. 24 and 1 for reference of the Bill to Select Committees.

The motion was put and negatived.

Mr. Chairman: The question is:

"That the Bill further to amend the Delhi Municipal Corporation Act, 1957, be taken into consideration".

The motion was adopted.

Mr. Chairman: The question is:

"Clause 2 stand part of the Bill".

The motion was adopted.

Clause 2 was added to the Bill.

Mr. Chairman: Before proceeding further, I rule out of order certain amendments that have been tabled. Shri Bal Raj Madhok wanted to move amendments to sections that are not open for amendment in the amending Bill. The following amendments are out of order: Nos. 2, 3, 4, 7, 8, 9 and 22.

We shall now take up clauses 3 to 15.

Mr. Chairman: As the time is short, it will be better if all the amendments in the name of each Member are moved together, and then I will put the question later.

Shri Tangamani: I beg to move:

Page 1, line 11,—

for "single-member wards"
substitute "multi-member wards
with cumulative voting" (col. 3,
amdt. 12)

Page 1, line 17,—

add at the end—

"and the number of seats thus reserved" (cl. 3, amdt. 13)

Page 2, for clause 4, substitute—

"4. Amendment of section 10.—
In section 10 of the principal
Act, for sub-section (2), the fol-
lowing sub-section shall be sub-
stituted, namely:—

(2) In every ward an elector will have as many votes as there are councillors to be elected from the ward and the elector at any election may give more than one vote to any candidate." (cl. 4, Amdt. 14)

Page 3,—

(i) in line 35,—

(a) after "a cow" insert—
"or a she buffalo"

(b) after "the cow" insert—
"or a she buffalo"

(ii) in line 36,—

after "cow" insert—

"or she buffalo". (cl. 14, amdt. 16)

Page 2,—

for clause 8, substitute—

'8. Omission of section 119.—Section 119 of the principal Act shall be omitted'.

Page 4,—

(i) in line 1,—

after "cows" insert—

"or she-buffaloes";

(ii) in line 3,—

after "cows" insert—

"or she-buffaloes"; (cl. 14, amdt. 18)

Page 4, line 9,—

omit "two-thirds of". (cl. 15, amdt. 20).

Page 7,—

for lines 1 to 3, substitute—

'after the words "issue of passes to the", the words "councillors, aldermen, bona fide press representatives and Municipal" shall be inserted.' (cl. 20, amdt. 21).

I shall be brief in my remarks.

(Amendment) Bill

The most important clause is clause 3. I was very happy to find the hon. Minister referring to the Bombay Act. I take it that the Bombay Act has not been amended since the passing of the original Act. Bombay has still got plural constituencies with cumulative voting, but here originally we had plural constituencies with distributive voting. I have already pointed out in my earlier speech that there are 80 elected members and six aldermen making a total of 86 councillors. There are 34 constituencies electing two members each; except 12 reserved constituencies which elect three members each, making a total of 60. I suggest that these multi-member constituencies be retained with cumulative voting, so that if the constituencies are increased, each voter will have three votes, and he can cast his vote to one candidate instead of all the three. That, I understand, is the practice in Bombay. In the legislative elections in Ceylon also, this is the practice. This is a very salutary practice, because it will not give rise to communal passions etc., being aroused. Every candidate elected will command the respect of a large number of electors. I have already advanced arguments in its favour, and I commend this amendment to the House.

Regarding my amendments to Clause 14, my job is very simple now because the hon. Minister has indicated that he is going to accept them for giving exemption to the buffaloes in addition to the cows which are used for domestic purposes.

Regarding amendment No. 19, I suggest that this may be reconsidered because bicycles, by and large, have become the common man's vehicle, and the exemption given to them will be very much appreciated. There are other ways in which the Corporation can make up the finances. Further, a move to exempt them by the Delhi Corporation is likely to be followed by the other corporations also. I am not sure how far the bicycles are being taxed by municipa-
1160 (Ai) LSD—8.

lities. My information is that a number of municipalities in Madras State have exempted bicycles. In the Madras Corporation also, it has been considerably reduced, and there are a lot of restrictions on the imposition of this taxation. That is my recollection. I will be happy if the hon. Minister is able to tell us how much they are charging for the bicycles. Coming to clause 15, I find the note on the clause says:

"For the stabilisation of land values in Delhi, it is necessary to impel owners of vacant buildings sites to build on the plots instead of keeping them vacant for speculative purposes. In view of the shortage of residential and commercial accommodation, it is also necessary to ensure that the owners do not keep their buildings vacant longer than necessary. Hence it is proposed to limit the refund of property taxes (other than water tax) on vacant lands to fifty per cent. and on vacant buildings and lands appurtenant thereto to 66 2/3 per cent."

By my amendment I suggest that "two-thirds" in line 9, page 4, be deleted. The reasons advanced here will equally apply if this two-thirds is also deleted.

My last amendment, amendment No. 22 has been ruled out of order. My amendment No. 21 to clause 20 is on the question of the issue of passes. The original section 481 (1) reads:

"D. Bye-laws relating to transport services.

(1) the issue of passes to the employees employed in connection with the affairs of the Delhi Transport Undertaking and the conditions subject to which such passes may be issued;"

I want the issue of these passes to the municipal councillors, aldermen and *bona fide* press correspondents to be specifically mentioned. I would

[Shri Tangamani]

like the municipal employees also to be included. I do not want this to be only for D.T.U. employees, but other municipal employees also. I do not know if the amendment can fit in in the form in which it is proposed. The rule-making powers are wide. If the hon. Minister is able to tell us that there is no restriction in the issue of passes to *bona fide* press correspondents and municipal employees, I shall not press this. I have brought this amendment because there has been some difficulty regarding this matter.

Lastly, I would like to congratulate the hon. Minister for bringing one or two amendments, particularly the amendment about the bulk supply of electricity and certain minor matters which I mentioned in the first reading itself.

I do not think he will be in a position to accept my amendments about plural constituencies, but I would request him to reconsider this matter, so that it may be brought at least as an amending Bill in the next session.

Among the other amendments, I would like to press the one seeking to exempt bicycles from tax.

Shri C. K. Bhattacharya: I oppose amendment No. 12 to clause 3 moved by Shri Tangamani.

In opposing this, I would state the experience that we have in Calcutta of the different types of constituencies. Shri Madhok in his speech referred to the Calcutta Corporation as having multiple constituencies, but that is an incorrect statement. The Calcutta Corporation has all single-member constituencies.

Shri Tangamani: The Bombay Corporation has plural constituencies.

Shri C. K. Bhattacharya: When the Corporation Act was first passed in 1923, we had plural member constituencies, but the election in these

constituencies began to create so much complication that ultimately, after the experience of a number of years, we had to decide to change to single-member constituencies. Now, all the wards which were plural member constituencies have been divided into single-member constituencies. So, I think the decision of the Government in bringing forward the present Bill to replace the plural member constituencies by single-member constituencies is certainly very wise and should be accepted. Shri Tangamani's suggestion of plural member constituencies with cumulative voting would make things more dangerous and more difficult. I believe it suits the principle of democracy more to have single-member constituencies than plural member constituencies, to have the constituencies of the Delhi Corporation recast in the way indicated in the Bill and approved by the Select Committee. I support the recommendations of the Select Committee, and I oppose the amendment of Shri Tangamani.

Shri Balraj Madhok: Sir, I beg to move:

Page 2,

for clause 8, substitute—

'8. Omission of section 119.—
Section 119 of the principal Act shall be omitted.' (5).

I move that this section should be omitted entirely instead of being extended in its scope. It is being extended by giving power to the Corporation to charge property tax on the properties that are being transferred to the displaced people. The original section exempts the property of the Government falling within the Corporation limits. The properties which belong to Government are rented out to the government employees. The Corporation provides services to those properties also Government is charging rent from those properties and, now, after Delhi has become 'A' class city, the rent comes up to Rs. 50 or Rs. 60 per month per

quarter. Therefore, there is no reason why Government should not pay taxes to the Corporation on those properties.

The Delhi Corporation has already a deficit budget. It wants money and if these properties could be taxed, much of the deficit could be wiped off. If you cannot tax the property of government, then, on that basis, the property which has been given to the displaced persons but whose ownership still vests in the Government should also not be charged with taxes. My feeling is that if this section is omitted, the Rehabilitation Ministry might expedite the transfer of those properties. Some of the displaced persons have already paid the full value of the properties but the properties have not been transferred to them. So, if this exemption is given to them, then pressure can be put on the Rehabilitation Ministry to transfer these properties quickly. Thereby the people would stand to gain in that the transfers would be effected quicker. That is why I move this amendment to omit this section altogether.

My second amendment is to clause 14. I beg to move:

Page 4, after line 3, insert—

(e) bicycles;

(f) animals of the bovine species.' (6).

I want that the tax on bicycles should be omitted, and that bicycles should be exempted from taxation. There are very cogent and strong reasons for this. Delhi is a city in which we have a large number of cycles, larger than perhaps in any other city of the country; and it is the vehicle of the common man.

The transport system in the city being what it is, you cannot depend upon buses here and the common man cannot go by taxis or scooters. Therefore, most of the people are depending upon the bicycle for going to

their offices etc. Of course, the tax charged is very small. Actually, the collection charges, I understand almost cover half or more than half of it. I do not know the exact figures. Therefore, as it is said in Hindi, it is a गुनाह बेलज्जत you are not getting much out of it, but the common people are harassed.

Nobody wants to go to the Municipal office to pay the tax because that takes more than the tax itself. So, generally, the municipal karmacharis or the officers stand on the road crossings and collect the tax; when people are going to their offices, they stop them. The harassment caused in this way is much more troublesome than the tax itself. I do not think the Corporation would lose much by way of loss of revenue whereas the people will feel happy and heave a sigh of relief if this tax is taken away altogether.

Then, the next thing is exemption of the bovine species. The cow is already there and the buffalo is being exempted. Therefore I am thankful to the Minister because he has accepted this.

Mr. Chairman: So, you are moving amendments Nos. 5 and 6?

Shri Balraj Madhok: Yes.

Shri C. K. Bhattacharya: I want to speak on this particular amendment about bicycles. I support the plea that the persons owning the bicycles may be given relief from the tax. But, at the same time, I request the Delhi Corporation to be very particular about this fact that the cycles are properly equipped. The cycles of Delhi are a menace to themselves and a menace to the pedestrians, as I find them. No bell, no brake and no light—these are the distinguishing features of the cycles that ply in Delhi.

I quite appreciate the sympathy which Shri Madhok has for the cycle owners of Delhi. At the same time,

[Shri C. K. Bhattacharya]

I would request him to impress upon them that they should not ride cycles with these 3 distinguishing features, in their own interests and in the interests of ourselves, the pedestrians.

Mr. Chairman: Government is moving an amendment on the lines and principles which the hon. Minister stated he was accepting with regard to amendments Nos. 16 and 18 of Shri Tangamani. But since the wording should be carefully drafted, Government is going to move a fuller amendment which I will ask the hon. Minister to read.

Shri Datar: In the course of this discussion, three or four points were raised. One was about the multi-member constituencies. So far as the multi-member constituencies are concerned, I may point out to my hon. friend that in Delhi, we have 22 double-member constituencies and 12 three-member constituencies. So far as the double-member constituencies are concerned, they were joint constituencies for Scheduled Castes and others together. According to a decision which Parliament has taken and which has been given effect to in respect of the General Elections, these double-member constituencies have now to go.

Then the next question that arises is.....

Shri Balraj Madhok: Harijan members are there in 12 and not 22 constituencies.

Shri Datar: The question that arises is whether these 12 three-member constituencies should at all remain. There are 80 elective seats. Whatever may be said about the utility or otherwise or the advantage or otherwise of these three-member wards, the point is that the purpose which my hon. friend has in view will not be served at all. So far as the General Elections are concerned, we have single-member constituencies everywhere now. Wherever there

were double-member constituencies for the Scheduled Castes and others, they have all been split up. Therefore, I would appeal to the hon. Member not to press this because it is a matter which relates only to a very small number and is of doubtful value. That cannot be accepted.

Then, the next point is with regard to cycles. My hon. friends, Shri Madhok and Shri Tangamani have made a reference to cycles. So far as the cycles are concerned, the faulty manner in which the cycles are used and ridden has been eloquently pointed out by my hon. friend on this side. (*Interruptions*). On certain occasions, I also had, unfortunately, to admit that the conditions were far from satisfactory.

We are making the law tight to a certain extent. The total number of cycles, so far as the Delhi Municipal Corporation is concerned, is 2 lakhs. The tax that we are taking from them is only Re. 1 per year.

An Hon. Member: No.

Shri Datar: That you will agree, is nominal and my hon. friend, Shri Madhok ought not to have used such expressions as harassment and others.

Shri Tangamani: When it is such a nominal charge you ought to make a gesture by giving it up?

Shri Datar: There is no question of making a gesture. It would be at the cost of the Delhi Municipal Corporation. I have already made one gesture. My hon. friend will understand that. I made one gesture in respect of the buffaloes. Does he know that a very large amount of about Rs. 2 lakhs would be lost by the Delhi Municipal Corporation? Out of regard for the hon. Member I accepted a particular thing. Already the conditions of the cycles are far from satisfactory. Even if this one rupee is removed, the conditions will not become good because, as I stated formerly, it is a trifling charge. The

cyclists should also drive their cycles carefully and keep them in good repair. Therefore, I am afraid I cannot accept those amendments. My friend Shri Madhok's amendment also cannot be accepted because he does not want section 119 altogether. We have discussed that question at length and it is not possible to accept this particular amendment.

Mr. Chairman: He may read out the amendment which he is moving.

Shri Datar: I beg to move:

for lines 35—38 on page 3 and lines 1—3 on page 4, the following shall be substituted, namely:—

“(d) a cow or a she-buffalo kept for milking for domestic use if the cow or the she-buffalo is the only cow or she-buffalo kept by the owner or the person having possession or control thereof for such milking and is registered in accordance with bye-laws made in this behalf, so, however, that—

- (i) where more cows or, as the case may be, more she-buffaloes than one are kept by several such owners or persons constituting a family, the tax under this section shall be levied in respect of all such cows or all such she-buffaloes,
- (ii) where a cow and also a she-buffalo are kept by the owner or the person having the possession or control thereof or by several such owners or persons constituting a family, the tax under this section shall be levied in respect of the cow and the she-buffalo.” (25).

Mr. Chairman: Now, I shall put the amendments to the vote of the House. I shall put amendments Nos.

12 and 13 to clause 3 to the vote of the House.

The amendment was put and negatived.

Mr. Chairman: The question is:

“That Clause 3 stand part of the Bill.”

The motion was adopted.

Clause 3 was added to the Bill.

Mr. Chairman: I shall put amendment No. 14 to the vote of the House.

The amendment was put and negatived.

Mr. Chairman: The question is:

“The Clause 4 stand part of the Bill”.

The motion was adopted.

Clause 4 was added to the Bill.

Clauses 5, 6 and 7 were added to the Bill.

Mr. Chairman: I shall put amendment No. 5 to the vote of the House.

The amendment was put and negatived.

Mr. Chairman: The question is:

“That Clause 8 stand part of the Bill.”

The motion was adopted.

Clause 8 was added to the Bill.

Clauses 9 to 13 were added to the Bill.

Mr. Chairman: I shall now put amendment No. 25.—Government amendment—to clause 14. The question is:

For lines 35—38 on page 3 and lines 1—3 on page 4, the following shall be substituted, namely:—

“(d) a cow or a she-buffalo kept for milking for domestic use

[Mr. Chairman]

if the cow or the she-buffalo is the only cow or she-buffalo kept by the owner or the person having possession or control thereof for such milking and is registered in accordance with by-laws made in this behalf, so, however, that—

- (i) where more cows or, as the case may be, more she-buffaloes than one are kept by several such owners or persons constituting a family, the tax under this section shall be levied in respect of all such cows or all such she-buffaloes,
- (ii) where a cow and also a she-buffalo are kept by the owner or the person having the possession or control thereof or by several such owners or persons constituting a family, the tax under this section shall be levied in respect of the cow and the she-buffalo." (25).

The amendment was adopted.

Mr. Chairman: I will put now the rest of the amendments to clause 14 together.

The amendments were put and negatived.

Mr. Chairman: The question is:

Clause 14, as amended, was added to the Bill.

The motion was adopted.

Clause 14, as amended, was added to the Bill.

Mr. Chairman: I shall put amendment No. 20 to the vote of the House.

The amendment was put and negatived.

Mr. Chairman: The question is:

"That Clause 15 stand part of the Bill."

The motion was adopted.

Clause 15 was added to the Bill.

Cluses 16, 17 and 18 were added to the Bill.

Shri Ajit Singh Sarhadi: There is one amendment—No. 11 to clause 19.

Mr. Chairman: It has not been moved. I asked that they all be moved together.

Shri Braj Raj Singh: He was not here at that time.

Mr. Chairman: He may move it now.

Shri Ajit Singh Sarhadi: I beg to move:

Page 6, line 28,—

for "section" substitute "Act"
(11).

It is a minor amendment of a formal nature. I am seeking the replacement of the word 'section' by the word 'Act' so that section 479 of the principal Act may read: "Every rule made under this Act shall be laid as soon as may be after it is made..." The Subordinate Legislation Committee has recommended that this form should be adopted. The rule making power is not only under section 479 but under other sections of the Act also.

Shri Datar: I accept the amendment.

Mr. Chairman: The question is:

Page 6, line 28,—

for "section" substitute "Act"
(11).

The amendment was adopted.

Mr. Chairman: The question is:

"That Clause 19, as amended, stand part of the Bill."

The motion was adopted.

Clause 19, as amended, was added to the Bill.

Mr. Chairman: I shall put amendment No. 21 to clause 20 to the vote of the House.

The amendment was put and negatived.

Mr. Chairman: The question is:

"That Clause 20 stand part of the Bill."

The motion was adopted.

Clause 20 was added to the Bill.

Clauses 21, 22, 23, 1, Enacting Formula and the Title were added to the Bill.

Shri Datar: Madam, 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.

15 hrs.

MOTION RE MINERAL CONCESSIONS RULES, 1960

Mr. Chairman: The House will now take up consideration of the motions for modification of the Mineral Concession Rules, 1960, laid on the Table of the House on the 7th August, 1961.

I would like to know the number of hon. Members who may like to participate in this discussion.—I see

four hon. Members standing. This is a two-hour discussion. I think the hon. Member who initiates the discussion will take about 25 minutes.

Shri Vidya Charan Shukla (Baloda Bazar): About 35 minutes.

Mr. Chairman: He can try to manage within half an hour. Let us make a compromise between 25 minutes and 35 minutes. Let him have 30 minutes. Then, I think hon. Members who want to speak may have 15 minutes each. That will leave finally about 30 minutes for the reply of the Minister.

Shri Vidya Charan Shukla: I beg to move:

(1) This House resolves that in pursuance of sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957, the following amendment be made in the Mineral Concession Rules, 1960, laid on the Table on the 7th December, 1960, and relaid on the 7th August, 1961, namely:—

in sub-rule (1) of rule 11, for "refused" substitute "granted".

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution.

(2) This House resolves that in pursuance of sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957, the following amendment be made in the Mineral Concession Rules, 1960, laid on the Table on the 7th December, 1960, and relaid on the 7th August, 1961, namely:—

in sub-rule (2) of rule 11, for "refused" substitute "granted".

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution.

[Shri Vidya Charan Shukla]

(3) This House resolves that in pursuance of sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957, the following amendment be made in the Mineral Concession Rules, 1960, laid on the Table on the 7th December, 1960, and relaid on the 7th August, 1961, namely:—

in sub-rule (3) of rule 11, after "writing" insert "and communicated to the applicant".

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution.

(4) This House resolves that in pursuance of sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957, the following amendment be made in the Mineral Concession Rules, 1960, laid on the Table on the 7th December, 1960, and relaid on the 7th August, 1961, namely:—

after sub-rule (3) of rule 11, insert—

"(4) Preference shall be given to the mine owners who are operating beneficiation plants in the grant of prospecting licence."

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution.

(5) This House resolves that in pursuance of sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957, the following amendment be made in the Mineral Concession Rules, 1960, laid on the Table on the 7th December, 1960, and relaid on the 7th August, 1961, namely:—

in sub-rule (1) of rule 13, omit "or deemed to have been refused".

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution.

(6) This House resolves that in pursuance of sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957, the following amendment be made in the Mineral Concession Rules, 1960, laid on the Table on the 7th December, 1960, and relaid on the 7th August, 1961, namely:—

after sub-rule (4) of rule 14, insert—

"(5) The holder of a prospecting licence shall be entitled to the grant of a mining lease over the area so held under prospecting licence at his option."

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution.

(7) This House resolves that in pursuance of sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957, the following amendment be made in the Mineral Concession Rules, 1960, laid on the Table on the 7th December, 1960, and relaid on the 7th August, 1961, namely:—

to sub-rule (1) of rule 15, add the following proviso—

"Provided that in respect of the execution of the deed referred to above within the prescribed period, the default is on the part of the State Government or any of its authorities, then, such a deed shall be deemed to have been executed."

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution.

(8) This House resolves that in pursuance of sub-section (1) of section 28

of the Mines and Minerals (Regulation and Development) Act, 1957, the following amendment be made in the Mineral Concession Rules, 1960, laid on the Table on the 7th December, 1960, and relaid on the 7th August, 1961, namely:—

in sub-rule (3) of rule 24, for "refused" substitute "granted, unless, Government within this time-limit communicates to the applicant an extension of this time with reasons therefor".

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution.

(9) This House resolves that in pursuance of sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957, the following amendment be made in the Mineral Concession Rules, 1960, laid on the Table on the 7th December, 1960, and relaid on the 7th August, 1961, namely:—

after sub-rule (3) of rule, 24, insert—

"(4) Preference shall be given to the mine owners who are operating beneficiation plants in the grant of mining leases and to those who undertake to set up beneficiation plants within 3 years of the grant of the lease."

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution.

(10) This House resolves that in pursuance of sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957, the following amendment be made in the Mineral Concession Rules, 1960, laid on the Table on the 7th December, 1960, and relaid on the 7th August, 1961, namely:—

in sub-rule (1) of rule 25, omit "or deemed to have been refused."

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution.

(11) This House resolves that in pursuance of sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957, the following amendment be made in the Mineral Concession Rules, 1960, laid on the Table on the 7th December, 1960, and relaid on the 7th August, 1961, namely:—

to clause (c) of sub-rule (1) of rule 27, in the proviso, add at the end—

"and that if the renewal of the mining lease is delayed by the Government and is consequently granted with retrospective effect, then no dead rent shall be required to be paid by the lessee in respect of such retrospective period."

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution.

(12) This House resolves that in pursuance of sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957, the following amendment be made in the Mineral Concession Rules, 1960, laid on the Table on the 7th December, 1960, and relaid on the 7th August, 1961, namely:—

after clause (m) of sub-rule (1) of rule 27, insert—

"(n) in the absence of ready market for low grade ores, the lessee/lessees who is/are operating or has/have undertaken to set up beneficiation plants, should properly store such low grade ore for future beneficiation;

(o) the lessee/lessees shall be required to put up a beneficiation plant of suitable size if so recommended by the National Ore-Dressing Laboratory."

[Shri Vidhya Charan Shukla]

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution.

(13) This House resolves that in pursuance of sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957, the following amendment be made in the Mineral Concession Rules, 1960, laid on the Table on the 7th December, 1960, and relaid on the 7th August, 1961, namely:—

after clause (n) of sub-rule (2) of rule 27, add the following proviso,—

“Provided that in respect of renewal of the mining lease, the lessee shall not be required by the State Government to pay and compensation for surface disturbance or obtain any permission to enter upon the area for surface occupation in respect of the whole or that much part of the area covered by the renewal of the lease in regard to which such conditions had been duly fulfilled by the lessee at the time of the original grant of the lease.”

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution.

(14) This House resolves that in pursuance of sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957, the following amendment be made in the Mineral Concession Rules, 1960, laid on the Table on the 7th December, 1960, and relaid on the 7th August, 1961, namely:—

in sub-rule (5) of rule 28, after “writing” insert “and communicated to the applicant”.

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution.

(15) This House resolves that in pursuance of sub-section (1) of sec-

tion 28 of the Mines and Minerals (Regulation and Development) Act, 1957, the following amendment be made in the Mineral Concession Rules, 1960, laid on the Table on the 7th December, 1960, and relaid on the 7th August, 1961, namely:—

to rule (1) of rule 31, add the following proviso,—

“Provided that in respect of the execution of the lease deed referred to above within the prescribed period, the default is on the part of the State Government or any of its authorities, then, such lease shall be deemed to have been executed.”

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution.

(16) This House resolves that in pursuance of sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957, the following amendment be made in the Mineral Concession Rules, 1960, laid on the Table on the 7th December, 1960, and relaid on the 7th August, 1961, namely:—

in rule 33, after “made” insert “by the State Government.”

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution.

(17) This House resolves that in pursuance of sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957, the following amendment be made in the Mineral Concession Rules, 1960, laid on the Table on the 7th December, 1960, and relaid on the 7th August, 1961, namely:—

in rule 33, add at the end—

“within a month of such grant.”

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution.

(18) This House resolves that in pursuance of sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957, the following amendment be made in the Mineral Concession Rules, 1960, laid on the Table on the 7th December, 1960, and relaid on the 7th August, 1961, namely:—

in sub-rule (1) of rule 37, after "Central Government" insert

"which shall be obtained by the State Government within three months of the receipt of application in this behalf from the lessee."

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution.

(19) This House resolves that in pursuance of sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957, the following amendment be made in the Mineral Concession Rules, 1960, laid on the Table on the 7th December, 1960, and relaid on the 7th August, 1961, namely:—

after sub-rule (4) of rule 54, insert—

"(5) An application for revision made under this rule shall be disposed of within six months from the date of its receipt and if it is not disposed of within that period, the relief sought in the revision shall be deemed to have been granted."

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution.

(20) This House resolves that in pursuance of sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957, the following amendment be made in the Mineral Concession Rules, 1960, laid on the Table on the 7th December, 1960, and relaid on the 7th August, 1961, namely:—

omit the Explanation to rule 54.

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution.

(21) This House resolves that in pursuance of sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957, the following amendment be made in the Mineral Concession Rules, 1960, laid on the Table on the 7th December, 1960, and relaid on the 7th August, 1961, namely:—

in rule 63, for "through the State Government" substitute "directly".

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution.

(22) This House resolves that in pursuance of sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957, the following amendment be made in the Table on the 7th December, 1960, and relaid on the 7th August, 1961, namely:—

in Form B of Scheduled I, omit part (d) of sub-clause (xi) of clause 3.

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution.

(23) This House resolves that in pursuance of sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957, the following amendment be made in the Mineral Concession Rules, 1960, laid on the Table on the 7th December, 1960, and relaid on the 7th August, 1961, namely:—

to part (a) of sub-clause (xii) of clause 3, in Form B of Schedule I, add the following proviso,—

"Provided that if the applicant so requests, the topographical map shall be supplied to the Government by the Indian Bureau of Mines at the applicant's cost."

[Shri Vidhya Charan Shukla]

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution.

(24) This House resolves that in pursuance of sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957, the following amendment be made in the Mineral Concession Rules, 1960, laid on the Table on the 7th December, 1960, and relaid on the 7th August, 1961, namely:—

in the foot-note to Form B of Schedule I,—

(i) for "is obtainable" substitute "will be obtainable";

(ii) for "Survey of India, Hathibarkhala, Dehra Dun";

substitute

"Indian Bureau of Mines, Nagpur."

(iii) after "Dehra Dun" insert—

"The topographical map shall be supplied to the applicant by the Indian Bureau of Mines within a month from the date of receipt of the application in this behalf or a letter giving reasons for inability to supply it, shall be issued to the applicant by the Bureau within the said period."

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution.

(25) This House resolves that in pursuance of sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957, the following amendment be made in the Mineral Concession Rules, 1960, laid on the Table on the 7th December, 1960, and relaid on the 7th August, 1961, namely:—

in Part II of Form F of Schedule I,

after clause (8), add the following Explanation—

"Explanation.—For the purpose of clauses (6), (7) and (8), the application of the Licensee/Licensees for grant of required written permission/consent/sanction shall be disposed of within two months from the date of its receipt failing which it shall be deemed to have been granted."

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution.

(26) This House resolves that in pursuance of sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957, the following amendment be made in the Mineral Concession Rules, 1960, laid on the Table on the 7th December, 1960, and relaid on the 7th August, 1961, namely:—

in clause (1) of Part V of Form F of Schedule I,—add at the end—

"and shall take steps to settle the matter of compensation within two months from the date of receipt of the report in this behalf from the Licensee/Licensees".

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution.

(27) This House resolves that in pursuance of sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957, the following amendment be made in the Mineral Concession Rules, 1960, laid on the Table on the 7th December, 1960, and relaid on the 7th August, 1961, namely:—

in Form I of Schedule I, omit part (d) of sub-clause (xi) of clause 3.

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution.

(28) This House resolves that in pursuance of sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957, the following amendment be made in the Mineral Concession Rules, 1960, laid on the Table on the 7th December, 1960 and relaid on the 7th August, 1961, namely:—

in Form I of Schedule I, to part (a) of sub-clause (xii) of clause 3, add the following proviso,—

“Provided that if the applicant so requests, the topographical map shall be supplied to the Government by the Indian Bureau of Mines at the applicant's cost.”

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution.

(29) This House resolves that in pursuance of sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957, the following amendment be made in the Mineral Concession Rules, 1960, laid on the Table on the 7th December, 1960 and relaid on the 7th August, 1961, namely:—

in the foot-note to Form I of Schedule I,—

(i) for “is obtainable” substitute—
“will be obtainable”;

(ii) for “Survey of India, Hathbarkhala, Dehra Dun” substitute—

“Indian Bureau of Mines, Nagpur”; and

(iii) after “Dehra Dun” insert—

“The topographical map shall be supplied to the applicant by the Indian Bureau of Mines within a month from the date of receipt of the application in this behalf or a letter giving reasons for inability to supply it shall be issued to the applicant by the Bureau within the said period.”

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution.

(30) This House resolves that in pursuance of sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957, the following amendment be made in the Mineral Concession Rules, 1960, laid on the Table on the 7th December, 1960, and relaid on the 7th August, 1961, namely:—

in Form J of Schedule I, after part (c) of sub-clause (xi) of clause 2, add the following,—

“(d) particulars of existing or created dumps of ore, if any.”

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution.

(31) This House resolves that in pursuance of sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957, the following amendment be made in the Mineral Concession Rules, 1960, laid on the Table on the 7th December, 1960, and relaid on the 7th August, 1961, namely:—

in Part III of Form K of Schedule I, at the end of clause 2, add—

“In the case of Government land, if no objection is received from the Deputy Commissioner/Collector of the district within the period of two months, the lessee/lessees shall be deemed to have been authorised to enter upon the area and use it for mining operations.”

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution.

(32) This House resolves that in pursuance of sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957, the following amendments be made in the Mineral Concession Rules, 1960, laid on the Table on the

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7th December, 1960 and re-laid on the 7th August, 1961, namely:—

in Part VII of Form K of Schedule I,—

(i) for the marginal heading to clause 7, substitute—

“To allow inspection of workings, survey and prospecting”; and

(ii) in clause 7 after “surveying” insert “prospecting”.

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution.

(33) This House resolves that in pursuance of sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957, the following amendment be made in the Mineral Concession Rules, 1960, laid on the Table on the 7th December, 1960 and re-laid on the 7th August, 1961, namely:—

in Part VIII of Form K of Schedule I, at the end of clause 2, add—

“and shall take steps to settle the matter of compensation within two months from the date of receipt of the report in this behalf from the lessee/lessees, failing which the lessee/lessees shall be entitled to enter upon the area and work it pending the fixation of such compensation”.

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution.

(34) This House resolves that in pursuance of sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957, the following amendment be made in the Mineral Concession Rules, 1960, laid on the Table on the 7th December, 1960 and re-laid on the 7th August, 1961, namely:—

in Part VIII of Form K of Schedule I, after clause 2, insert—

Lessee/Lessees not liable for compensation in respect of State Government land. “2A. Where the land comprising the area granted or renewed under Mining Lease is wholly or partly State Government land or land vesting in the State Government, no compensation shall be payable by the lessee/lessees for any damage to disturbance of surface as a consequence of the mining operations over such State Government land”.

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution.

(35) This House resolves that in pursuance of sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957, the following amendment be made in the Mineral Concessions Rules, 1960, laid on the Table on the 7th December, 1960 and re-laid on the 7th August, 1961, namely:—

in Part VIII of Form K of Schedule I, at the end of clause 3, add the following proviso—

“Provided that in the case of application for renewal of the lease made in accordance with these rules by the lessee/lessees the renewal is delayed on the part of the Government and is not disposed of before the expiration of the lease, and ultimately the renewal comes to be granted thereafter, then, the lessee/lessees shall not be required to pay any dead rents, rates etc., in respect of such retrospective period during which the lessee/lessees could not work the lease pending its renewal”.

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution.

My main aim in moving these motions for modification of the rules

to regulate the mineral concessions all over the country is to make them more effective and to remove any vagueness that may be there. On a par with the petroleum concession rules, these mineral concession rules form the basis for the development of all important mineral industries in our country whether they are in the private sector or in the public sector, because these mineral concessions are regulated by these rules which are under discussion here today.

Till now, these rules have been more abused than used, particularly by some State Governments. In spite of these rules, there have been delays of years, not months, in granting the prospecting licences and mining leases to the applicants. After putting in the application, for the purpose of getting a certificate of approval, particularly for prospecting licences and mining leases, the applicants have to chase the application right from the patwari level to the State Government level. Sometimes they have to come to New Delhi also when their applications and petitions are pending here. They have to chase the applications right from the tehsil headquarters to the district headquarters and every time they have to put in some petition before the official concerned before the application is moved to the next higher level. This kind of thing is most damaging as far as the small mine-owners are concerned. This is the saddest part of these rules: that is, the main sufferers because of these rules are the small mine-owners over the country. The big mine-owners—whether individuals or limited companies—have enough staff at their disposal to keep on chasing their applications. They keep on sending their people to all levels and at all levels, wherever the applications may be, to see that the applications reach the proper level before the time-limit is over. In the case of the small mine-owners, they themselves are the geologists, the accountants and salesmen, all in one. So, it is impossible for a small mine-

owner to make any effort or to make all these efforts, and it is he, because of his inability to do so, who suffers.

The main purpose of my suggested modifications is to reduce this time and to cut the required time by the applicant to the minimum, and to give an incentive to the State Governments and the machinery of the State Governments to keep on disposing of the various applications made under the rules in an expeditious manner.

Now, I shall come to the rules proper. Firstly, I have proposed that in sub-rule (1) of rules 11, "refused" may be substituted by "granted". The present rule suggests that an application made under these rules, if not granted within nine months, will be deemed to have been refused. This has given a very novel method to the State Government authorities to refuse any application. The only thing is that they have to do is not to take any action and to keep the application in cold storage. So ultimately, it gets rejected. The applicant can come over and appeal to the Central Government and get redress from here. But that is another matter. Most of the people get so discouraged by such delays and troubles that they do not come to the Central Government level for getting redress. What I have proposed is that if after nine months the State Government has not passed any order on the application, the first applicant will have his application automatically granted. In case there are others who feel aggrieved by such a thing they can come in appeal to the Central Government and have the orders reversed. If the first man gets his lease granted for no merit in his application, then that particular decision can be upset here, in case somebody is prepared to come here for review. This rule as it stands has been operating adversely. It has not fulfilled the purpose for which it was framed. The hon. Minister knows about this matter. A lot of com-

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plaints have been received in this regard. I do not know if the Central Government have received complaints, but such complaints have been received in various States. This particular rule is the crux of the amendments that I have suggested to these rules.

My second amendment is only a consequential one. So, I need not say anything about it. In my third amendment, I have suggested that in sub-rule (3) of rule 11, after the word "writing", the words "and communicated to the applicant" be inserted. This is only reasonable, because, according to that clause, if the area of lease is reduced for any reason, the reasons must be communicated to the applicant or the party concerned so that in case he feels that there has been any unjustified move on the part of the Government, he can make the matter clear.

In the fourth amendment I have suggested that after sub-rule (3) of rule 11, the following may be inserted:

"(4) Preference shall be given to the mineowners who are operating beneficiation plants in the grant of prospecting licence."

Although it is a very laudable amendment, I would not press this amendment merely because at the stage of prospecting this kind of preference may not be very useful. It will be extremely useful of course at the stage, of mining lease when it is being granted.

15.06 hrs.

[SHRI HEDA in the Chair]

My fifth amendment is as follows:

"in sub-rule (1) of rule 13, omit, 'or deemed to have been refused'."

This again is also a consequential amendment which does not need

much elucidation. In the sixth amendment, I have suggested that after sub-rule (4) of rule 14, the following may be inserted:

"(5) The holder of a prospecting licence shall be entitled to the grant of a mining lease over the area so held under prospecting licence at his option".

I do not want to press this amendment also, because after I moved these amendments, it came to my notice that this particular thing had already been provided in the parent Act under which these rules have been framed. So, since this provision is already in the Act, I do not think it is necessary to press it.

My seventh amendment seeks to add the following proviso to sub-rule (1) of rule 15:

"Provided that in respect of the execution of the deed referred to above within the prescribed period, the default is on the part of the State Government or any of its authorities, then, such a deed shall be deemed to have been executed."

It is mainly based on the same principle; as in the case of a prospecting licence, the State Government have the unlimited option to keep the execution of a mining lease deed or a prospecting application deed pending for any length of time. There is nothing to prevent them from keeping it pending for years together. In some hard cases, it has happened like that. Without any justification, the execution of the lease deed is kept pending for a long time. If the State Government does not like a particular man to whom a mining lease has been granted, even after the man insists upon the execution of the lease his efforts to enter upon the area and beginning the mining operations can be frustrated, just because the lease deed has not been executed.

This particular section provides that in case the lessee himself defaults, the Government can cancel the lease and proceed against the lessee. But the lessee himself does not have any remedy available to him if the State Government chooses not to execute the lease. For that, I have provided that in case the State Government defaults, the lessee should have this remedy available that the lease will be deemed to have been executed automatically and he will have the right to enter upon the area.

I am not very sure whether this kind of automatic execution of the lease will have any legal force or not. In case it does not, he should at least be granted the consideration of being allowed to enter upon the area, pending the formal execution of the lease later on. If he has completed all the legal formalities, just because the lease deed has not been executed, he should not be prevented, after a time-limit. That time-limit should be given to him, so that he has some remedy available to him, and no injustice is done in this respect. I am providing this because this is a provision by which all the efforts of the applicant as well as the Government can be frustrated by some officers who may be prejudiced against the party. So, this amendment is intended to provide some kind of remedy.

In the 8th amendment, I have suggested:

"In sub-rule (3) of rule 24, for "refused" substitute "granted, unless, Government within this time-limit communicates to the applicant an extension of this time with reasons therefor"."

This again is in respect of an application for a mining lease. I have already explained the reasons.

My 9th amendment is:

"After sub-rule (3) of rule 24, insert—

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"(4) Preference shall be given to the mine-owners who are operating beneficiation plants in the grant of mining leases and to those who undertake to set-up beneficiation plants within three years of the grant of the lease."

This kind of preference may not be made absolute, but it may be indicated and everybody in the mining industry should know that those people who operate their mines and do mining operations in a way so as to conserve the mineral resources of the country will receive some consideration from the Government. If that is done, conservation of the mineral resources will become much more important than it is today. Most of the small mine-owners do not bother about mineral conservation, because it does not help them. Their economy is so unstable that if they keep on bothering about conservation of the minerals and all that, their raising cost becomes very high and it will be unremunerative. So, preference may be given to such people who put up beneficiation plants, however modest and small it may be. It may not be a big plant costing lakhs of rupees. However, small it may be, he should be given a little preference than those who do not have that much of beneficiation activity. I would like to press this amendment and I hope Government will consider it fit to accept this.

In amendment No. 10, I have suggested:

"in sub-rule (1) of rule 25, omit "or deemed to have been refused"."

This again is a consequential amendment.

In amendment No. 11, I have suggested:

"to clause (c) of sub-rule (1) of rule 27, in the proviso, add at the end—

"and that if the renewal of the mining lease is delayed by the

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Government and is consequently granted with retrospective effect, then no dead rent shall be required to be paid by the lessee in respect of such retrospective period."

This is to remove a hardship which some of the small mine-owners have to face quite often. The renewal application for a mining lease is given six months in advance before the mining lease actually expires. In several cases which have come to my notice, I have seen that the State Government take more than six months or even a year or two years. In one particular case I know of, they took 5 years to grant the renewal of the mining lease. According to the rules, the mine-owner could not operate the mines for five years, but still when it was renewed with retrospective effect, he was required to pay the dead rent for five years. This amendment would mean that he shall be liable to pay dead rent only from the date of the order from which the renewal application has been granted. This is a reasonable amendment and I hope the Minister will accept this.

Amendment No. 12 suggests:

"after clause (m) of sub-rule (1) of rule 27 insert—

"(n) in the absence of ready market for low grade ores, the lessee/lessees who is/are operating or has/have undertaken to set up beneficiation plants, should properly store such low grade ore for future beneficiation.

(o) the lessee/lessees shall be required to put up a beneficiation plant of suitable size if so recommended by the National Ore Dressing Laboratory."

This is a very important amendment. The Committee appointed by the Government have suggested that a National Ore Dressing Laboratory should

be set up to encourage the beneficiation movement in the mineral industry in our country. This particular recommendation is under the active consideration of the Government. The Government have taken no decision on this recommendation. So, I would not press the second part of the amendment. But I would say that it would be very much in the interest of the mineral industry and mineral conservation if there is some provision in these rules to force the defaulting mine-owners to set up beneficiation plants and to prevent them from destroying the low grade ores or dumping in such manner that they cannot be used again for recovering whatever ore may be left in that dump by beneficiation.

In amendment No. 13, I have suggested:

"after clause(n) of Sub-clause (2) of rule 27, add the following proviso:

"Provided that in respect of renewal of the mining lease, the lessee shall not be required by the State Government to pay any compensation for surface disturbances or obtain any permission to enter upon the area for surface occupation in respect of the whole or that much part of the area covered by the renewal of the lease in regard to which such conditions had been duly fulfilled by the lessee at the time of the original grant of the lease."

This is already the intention of the Government but because of the vagueness left in the rule there have been a good deal of trouble arising for the small and medium mine owners. It has happened that after the original lease had expired in the first renewal stage the District Commissioner or the Collector of the district would ask the lessee to pay the compensation for surface disturbance or to ask again the permission to enter upon the area which related to the payment of compensation

which, strictly speaking, is not required under the law. But, because of the vagueness of the rule some people take that action, some people do not. Here I would refer to a very hard case in which the compensation has been fixed at a very high rate and the area is about 225 acres. In that case the compensation comes to about Rs. 50,000 or so, which need not be paid because the compensation for surface disturbance was already paid, and even if the ownership of the land had changed the new owner had taken over the land with full realisation that compensation for surface disturbance has already been paid by the other party. So he knows about the whole thing. The surface cannot be disturbed twice. Therefore, this matter has to be made very clear. At the time of original grant of the lease it is very reasonable and it must be done, but at the time of renewal of the lease no such demand should be again made. This amendment is sought to be made to clarify the provision in the rule properly.

Amendment No. 14 suggests that in sub-rule (5) of rule 28, after "writing" insert "and communicated to the applicant". Here again, it is a laudable practice to let the applicant know the reasons for which a particular decision has been taken. I hope the Government would have no objection in accepting this amendment.

Amendment No. 15 provides that to sub-rule (1) of rule 31, the following proviso be added:

"Provided that in respect of the execution of the lease deed referred to above within the prescribed period, the default is on the part of the State Government or any of its authorities, then, such lease shall be deemed to have been executed."

This again is the same as amendment No. 7, and it need not be explained any further.

Amendment No. 16 says that in rule 33. after "made" insert "by the State Government". I am suggesting this to avoid delay in demarcation of the land and survey of the area which has been granted to the applicant. Sometimes it happens—of course, it has to be done at the cost of the applicant and the State Government is not to suffer any loss or incur any expenditure—that the matter is delayed. The provision now made is to see that the mineral concessions once they are granted are expeditiously put into production.

Now I come to amendment No. 17. It says:

"in rule 33, add at the end—

'within a month of such grant'

This is about the transfer of the lease. If a particular geologist or a person who has some local knowledge obtains a good mining property in some place and he does not have enough credit or enough resources to exploit the ore properly, then that area which has been granted to him for 20 or 25 years should not suffer and should not lie idle just because the man who holds the lease cannot exploit the ore properly and there is nobody to give the necessary finance to him. This provision will restrict the time which should be taken for consideration of the application for transferring or selling the area to some other party which will be able to exploit the area or win the ore out of it. The only precaution that is necessary here to be taken is that there should not be any speculation on the mining lease or prospecting licence and no profiteering should be done on that. But I suppose the present rules provide enough safeguards against such a contingency. If some time-limit is put—I do not insist that it should be one month, it can be two months or even three months if the Government so feels—I feel it would be in the interest of mineral development. When the transfer of a lease has been asked for,

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if the Government are satisfied that it is a genuine transfer and there is no speculation or profiteering involved in the latter they may consider and dispose of it in an expeditious manner.

My amendment No. 18 is:

"in sub-rule (1) of rule 37, after "Central Government" insert 'which shall be obtained by the State Government within three months of the receipt of application in this behalf from the lessee.' "

This is again about transfer applications which I have already explained.

The Minister of Mines and Oil (Shri K. D. Malaviya): You want to cut short the time in this also?

Shri Vidya Charan Shukla: Yes. Then, my amendment No. 19 is:

after sub-rule (4) of rule 54, insert

"(5) An application for revision made under this rule shall be disposed of within six months from the date of its receipt and if it is not disposed of within that period, the relief sought in the revision shall be deemed to have been granted."

On a second thought I found that this particular amendment will not be of much help to the applicants or to the authorities in dealing with the mining applications or mining cases properly. So I would not press this amendment.

Amendment No. 20 suggests: "omit the Explanation to rule 54". This is consequential to the earlier amendments.

Amendment No. 21 is:

in rule 63, for "through the State Government" substitute "directly"

This amendment also I am not going to press because on re-consideration I find that the rule as it stands today is sufficiently clear and good as far as the mining application goes, and I would not press it.

Amendment No. 22 is:

"in Form B of Schedule I, omit part (d) of sub-clause (xi) of clause 3."

This is regarding the map to be supplied by the applicant to the State Government authorities indicating the area which he has asked for in the application. I have suggested this to bring to the notice of the Government the great difficulty that the applicants face in getting the required map and all that. But since this thing has been covered in the subsequent amendment I would not press this also.

Shri Chintamani Panigrahi (Puri): Slowly you are withdrawing almost all the amendments.

Shri K. D. Malaviya: You take them up.

Shri Vidya Charan Shukla: All the amendments are justifiable and reasonable, and that is why I am putting them forward.

Amendment No. 23 suggests:

"to part (a) of sub-clause (xii) of clause 3, in Form B of Schedule I, add the following proviso:

'Provided that if the applicant so requests, the topographical map shall be supplied to the Government by the Indian Bureau of Mines at the applicant's cost.'

It is extremely important, because the applicants have always been put to difficulties. They have been demanding this survey of India map from the Survey of India, Dehra Dun and from

other authorities and it has been absolutely impossible for them to get this. I suggest here that the Indian Bureau of Mines should be held responsible for the supply of these maps to the applicants. But here I would like to say that instead of "the Indian Bureau of Mines", the "Survey of India" would be a better medium for getting these maps. So, I say that instead of the words "Indian Bureau of Mines" the words "Survey of India" should be added here, and Government should take up the responsibility of providing the maps whenever such a request has been forwarded to them. Because, most of the State Governments have made it a rule that no application can be processed or considered unless a copy is attached, and that copy is nowhere available with the result that application is kept pending without any disposal. If the Government feel that a particular area is being heavily applied for, they can anticipate it and place an order with the Survey of India and get the copies. If a central authority like the Government takes up the responsibility of seeing that the maps are provided to the applicants, then a lot of misery and difficulties felt by the mine-owners will disappear. It will help the Government as well as the applicant because the areas will be clearly demarcated and everybody would know exactly which area is going to be taken up and which area is not going to be taken up. It will remove a lot of hardship to both. Then, this map is given at the cost of the applicant. Either they may take the money in advance, or they may recover it afterwards. In any case, it will be at the cost of the applicant.

Amendment No. 24 suggests:

"in the foot-note to Form B of Schedule I,—

- (i) for "is obtainable" substitute—"will be obtainable"
- (ii) for "Survey of India; Hathi-barkhala; Dehra Dun"; substitute—"Indian Bureau of Mines, Nagpur";

(iii) after "Dehra Dun" insert—

"The topographical map shall be supplied to the applicant by the Indian Bureau of Mines within a month from the date of receipt of the application in this behalf or a letter giving reasons for inability to supply it, shall be issued to the applicant by the Bureau within the said period".

In this. I would press for part (i), which suggests the substitution of "will be obtainable" for "is obtainable". I would not press for part (ii), because I would like the "Survey of India" to continue to be held responsible for supply of these maps, as obtains today. On part (iii) I would not insist upon this time limit of one month—Government may keep it two months or three months, whatever they think fit, for administrative convenience—but I would press on some time limit so that the applications are not kept pending for a longer time on the ground that a map is not available.

Amendment No. 25 suggests:

"in Part II of Form F of Schedule I, after clause (8), add the following Explanation,—

'Explanation.—For the purpose of clauses (6), (7) and (8), the application of the Licensee/Licensees for grant of required written permission/consent/sanction shall be disposed of within two months from the date of its receipt failing which it shall be deemed to have been granted.'

Mr. Chairman: May I suggest to the hon. Member that he need not read every amendment? They may be taken note of by the House. He may refer to amendments covering more than one argument, because his time is already up. He has come only to amendment No. 25 and there are 35 amendments.

Shri Vidya Charan Shukla: I will bow to your ruling. But unless the amendments are read and explained, what I say will not be understood by anybody here. I do not know how many hon. Members have gone through this long list of amendments to understand what I say. Anyway, I will try to be brief.

Shri Chintamani Panigrahi: We have gone through all those amendments.

Shri Vidya Charan Shukla: With regard to amendments which I am not going to press, I will not explain why I am not going to press; I will simply say that I do not press them.

I do not press amendment No. 26, 27 or 28. Amendment No. 29 says:

"in Part III of Form K of Schedule I, at the end of clause 2, add—

'In the case of Government land, if no objection is received from the Deputy Commissioner/Collector of the district within the period of two months, the lessee/lessees shall be deemed to lessee/lessees shall be deemed to upon the area and use it for mining operation.' "

This is a self-explanatory provision and I hope Government will have no objection in accepting it, because it only removes the vagueness in the rules and makes them clear.

Amendment No. 30 says:

"in Part VI of Form K of Schedule I,—

- (i) for the marginal heading to clause 7, substitute—

"To allow inspection of workings, survey and prospecting"; and

- (ii) in clause 7, after "surveying" insert "prospecting"

This is generally to help the Government in having uninterrupted survey of areas where private leaseholds are there. In case they want to have a complete prospecting of the areas, this rule will authorise them even to insist for prospecting and mapping purposes areas held by private parties. Today the Survey of India and the Indian Bureau of Mines feel some difficulty because they are not able to do prospecting in the whole area. This is only to remove that difficulty faced by the Government.

Amendment No. 31 says:

"in Part VIII of Form K of Schedule I, at end of clause 2, add—

'and shall take steps to settle the matter of compensation within two months from the date of receipt of the report in this behalf from the lessee/lessees, failing which the lessee/lessees shall be entitled to enter upon the area and work it pending the fixation of such compensation.' "

This is only a clarification of the existing rules and the intention of the Government. I hope Government would have no objection to accept this.

Amendment No. 32 says:

"in Part VIII of Form K of Schedule I, after clause 2, insert—

'2A. Where the land comprising the area granted or renewed under Mining Lease is wholly or partly State Government land or land vesting in the State Government, no compensation shall be payable by the lessee/lessees for any damage or disturbance of surface as a consequence of the mining operations over such State Government land.' "

I would not like to press it and I would be satisfied if some amendment of the rule is made so that people who enter upon Government land,

where there is no Government property or forest or such thing, if only there is a surface disturbance, Government do not claim any compensation from the applicants, because "Government" as defined in the Revenue Codes of various States do not refer to it as a person and only a person is entitled for such compensation.

Amendment No. 35 reads:

"in Part VIII of Form K of Schedule I, at the end of clause 3, add the following proviso—

'Provided that in the case of application for renewal of the lease made in accordance with these rules by the lessee/lessees, renewal is delayed on the part of the Government and is not disposed of before the expiration of the lease, and ultimately the renewal comes to be granted thereafter, then, the lessee/lessees shall not be required to pay any dead rents, rates etc. in respect of such retrospective period during which the lessee/lessees could not work the lease pending its renewal.'

This has already been covered by an earlier amendment. I have already explained it.

This is all I have to move. I hope the hon. Minister will sympathetically consider these and accept all those which I have pressed.

Mr. Chairman: All these motions moved by the hon. Member are before the House.

Shri Tyagi (Dehra Dun): Sir, at the very outset I must congratulate the hon. Minister and his Ministry for the most successful manner in which they have encouraged mining in India during this brief period of a few years of independence. Nature has deposited treasures in the womb of mother earth and now it is for man to find out where the treasure lies.

Today we are heaped with all types of debts which our hon. Finance Minister is incurring outside; of course for the improvement and development of the country. But, I am afraid, he too is at a loss to some extent to find ways and means for their repayment. The Planning Commission have dealt with it a little, but the repayment scheme is not satisfactory at all. The nation is going deep down in such heavy debts and it is but natural and logical that we must develop our mining operations.

The treasures lying underneath the surface cannot be assessed. Our debts can either be paid in gold or in some other commodity. Wealth has to be produced either by means of agricultural operations or by means of industry. But bigger wealth and easier wealth which we can handle is by means of mining the minerals which are lying there ready and that wealth remains alive even for centuries to come. For the first time there is a hope that we have come to a stage where we can just mine it and pay off our debts howsoever heavy might be the indebtedness. All hopes are based on our mining operations and on the development of mines because they are the easiest means of earning national income and making payments to foreign countries.

The Ministry has done very well. I am glad that the hon. Minister was lucky to have collected round about him officers who are experts, who are honest, energetic, very intelligent and young officers and who are working with full-blooded patriotic sense. They are doing marvellously well. I have come in contact with them at the Central Department of Mining.

After these remarks I must say that these rules have also been framed with the best intentions. Before these rules came into existence and were publicised there was all chaos in the mining operations. The State Governments were going their own way. There was no order. It is for the first time that the Mining Act and the

[Shri Tyagi]

Rules have brought some order. This is the most important function of the Government. However, still there are some lacunae. There are some gaps and loopholes which have to be plugged. I am grateful to my hon. friend, Shri Shukla, who has made a special study of mining operations. He has direct knowledge of these operations. Therefore whatever he has said is really as a result of his personal experience.

I have only come in contact with some people in Dehra Dun, my own constituency, who are busy quarrying limestone. It is only through them that I could come in contact with this department. I feel how difficult the situation is for them. I am in agreement with Shri Shukla in practically all the comments that he has made because he has felt the very pulse of the problem. I would appeal to the hon. Minister to look into the amendments that he has proposed. Most of them are most reasonable, I must say. If they may not be acceptable in the shape in which they are, the hon. Minister might take time to amend these Rules in the light of the discussion which we might have in this House. These amendments may not be acceptable as they are because, naturally, he would like to have time to consider the repercussions of the various suggestions. Therefore he might just undertake to amend these rules in the light of the discussion that we have here today.

I never knew that Shri Shukla's amendments were so exhaustive. I had given notice of three amendments myself. But, to my surprise, I find that they have all been covered by Shri Shukla. I therefore, need not move them.

An Hon. Member: He can refer to them.

Shri Tyagi: Surely, I will refer to them. But before I refer to them, I would like to have clarification on a few points and would like to emphasise those points before the hon. Minister.

The difficulties which miners and quarry-owners mostly feel, in the first place in my own constituency I will say, is about lime. I was told that there was a dispute in my constituency with regard to the interpretation of the rules. They said that the minor minerals as have been prescribed in the rules.....

Shri Indrajit Gupta (Calcutta—South West): Is the hon. Member referring to limestone or to lime? I think, lime grows on trees.

Shri Tyagi: I am talking of quarrying of limestone. Limestone goes into various industries, like the sugar industry, the paper-making industry and many other chemical industries. It is now in great demand. Crores of rupees worth of limestone is now being quarried in these areas. Till late we were dependent for limestone on Pakistan and other countries. Now, luckily we are self-sufficient. But, unfortunately, those people who are busy in this trade are not being very fairly dealt with. They are not being given a fair treatment. The State Governments are trying to get this limestone declared as a minor mineral so that they may have the liberty of raising their rates or charges on mining royalties etc. For that purpose they are very keen to see that limestone is declared a minor mineral. At present there is some mention about this limestone. It is written somewhere that limestone used for lime burning purpose is a minor mineral. The interpretation given in my State quarters is that all limestone which goes to sugar factories, paper factories or to any chemical factory, before it is actually utilised in that factory for the manufacture of those commodities is burnt. Therefore they say that because limestone is used for lime burning purposes and because first it is burnt, it is a minor mineral. I want a clarification from the hon. Minister as to

whether he agrees with that interpretation. It must be made quite clear that limestone which is quarried and which is supplied to various industries is not a minor mineral, that it is a major mineral and that it is directly under the final control of the Central Government.

Dr. M. S. Aney (Nagpur): Which of the rules does he want to amend for the sake of getting that thing?

Shri Tyagi: I have said that the amendments have already been moved. I only want the hon. Minister to clarify this interpretation of these rules. There is a paragraph on minor minerals. I want it to be clarified that limestone when it goes to chemical or other big industries is not a minor mineral. That is what I want the hon. Minister to announce if he agrees with this interpretation. Let the people at least know what the situation is.

Another difficulty that they are feeling is this. Leases have been granted. In the rules which are under consideration, 11-(1) and 11-(2) and also 24 (3), there is mention that if an application for lease or application for prospecting licence is given for a particular area and the State Government just sits tight over it, and does not give an answer, the application shall be deemed to have been rejected. This is a novel method of rejecting applications. This is a lapse on the part of the State Government. For that lapse, the applicant suffers. This is illogical. I have never seen any law under which the applicant suffers because his application has not been answered. That does not look well. I, therefore, support the amendment which has been given by Shri Vidya Charan Shukla and by me also. There must be some method found out. Otherwise, the applicants will just go on waiting. They wait for nine months in the hope that their

applications will be considered or they will be asked to give some supplementary information. Nine months are over. Nothing happens; there is no correspondence. That man, after hoping against hope, finds that his application is rejected, not because the Government has objected to it, but because the calendar has come in the way. Nine months are over and it is rejected. This is illogical. I would, therefore, suggest that something may be done to clarify this rule, and if an amendment is needed, it may be effected.

There are a number of cases where the State Government, of course, with the authority of the Central Government has actually given the lease years ago, as Shri Vidya Charan Shukla said. In my constituency also, I am experiencing the same difficulty. Actually, it is not executed. It is not registered. You cannot start work because the lease has not been executed. They are prepared to execute the lease. The difficulty is, the Government does not come forward to execute. They are delaying. I do not know what is the purpose. Whatever the motive may be, I assure the Minister, if they leave such a type of discretion in the hands of the State Government, this department will come to a worse pass. The department will get defamed. That is my fear. Therefore, he must clarify the issue. Once a lease is granted, it must be executed. Or, as Shri Vidya Charan Shukla has suggested rightly, it may be taken as executed automatically. Just as you take an application as rejected after nine months, after the grant of a lease, after three or four months, you must take it as executed, so that the party might start his operations. Mining operations should not be delayed. It is unpatriotic to delay mining operations.

Shri K. D. Malaviya: Which is the rule?

Shri Tyagi: It is difficult for me to give the number. That is one point which my hon. friend may take note of.

Another question which arises is about transfer of leases. In the matter of transfer of leases, there may be cases like the one I just want to put before the Minister. Suppose a leaseholder dies. He may have three sons who have been working with him all right, but their names are not in the lease as owners of the leasehold. That has to be transferred. Will this rule come in the way?

Shri Narayanankutty Menon: That is not a transfer; it is inheritance.

Shri Tyagi: This would come in the way. Can be inherit? That is also a clarification that I want to have.

Shri Vidya Charan Shukla: He cannot. The Government will have to pass an order. The order takes a long time. Without the order, he does not. It is not automatical.

Shri Tyagi: Even this natural inheritance should not be obstructed by your rule. Let it be made quite clear.

Again, in the matter of mines, as long as the State starts operations in the public sector, it is welcome. Do not restrict it for some years to come. Because, we want wealth. We want to repay our loans. Let us take out as much as we can. Therefore, anybody and everybody who offers for these operations, let him be encouraged to do it. Your rules should not be restrictive. They should be encouraging the parties to come forward and put their capital into it.

There is another rule about transfer to persons from whom some finances are to be had. Why should you object to that? I take a lease. I have not enough money to run it. I have a little money. It requires more capital. The more capital you invest into mining, the more you will earn. That is the only way. Just as you sow seeds into the soil and you get the crop, likewise, you sink your capital

and you get the treasure. Therefore, more and more capital should be allowed to go into the mines. If any leaseholder wants to bring in a person who can invest more capital and add to the operations, he must be encouraged. There should be no restriction. Some facility should be given on that account too.

Then, there is the question of re-determination. Rule 37(3) deals with this. On committing breach of the provisions of sub-rule such and such, the State Government might re-determine, meaning thereby, reduce the lease area. I suggest you might take away these powers from the hands of the State Governments and the rules as a whole must be biased by consideration of encouraging mining.

There is one more question I want to put to the hon. Minister. The Government have been doing—I read in the papers—quite a lot of activity in prospecting magnesite in Uttar Pradesh, I believe. There were some private parties who were intending to start some industry there. I wonder if the hon. Minister will just spend all the money for prospecting and then leave that ore to a private party to have it. Why not start your factory in the public sector? You have yourself taken up mining. Why does not the Government start a factory to process the material? Why leave it unnecessarily to a private party, although, to a private party I do not object in principle. Here, all the money for prospecting has been spent by the Government itself. Why should the Government not run the factory itself?

I would also request the hon. Minister to consider if he can make it a policy to encourage it wherever labour and capital unite together and form a co-operative society. For instance, a co-operative type of mining operation where labourers themselves are also the share-holders in mining—such co-operative societies must be encouraged. The co-operative organisation is the easiest here. The co-operative sector is the easiest

to build in mining operations. It is very easy because mostly, the miners are the hardest worked labourers. They do the hardest work. If they are all encouraged to co-operate together, let the co-operative society run a mine. There are Engineers, there are workers. They will have their pay. They will earn a profit. Likewise, they can have a processing industry as well. I would like to know from the hon. Minister if he would give encouragement to co-operative societies in mining operations where labour can participate. That is the best way to give employment to poor people. In that case, they will naturally require capital. Government may make some arrangement for capital too.

16 hrs.

Another small question is about limestone, again going back. A deputation had come to the hon. Minister and waited on him. The matter is pending. They cannot invest. I know it for a fact and I want to inform the House that they are not in a position to invest money because their leases are not granted to them and they are not secure. Unless that is done, there will be no operations. If tomorrow quarrying operations of limestone in Dehra Dun cease, you will have to import a few crores worth of limestone from Pakistan. That will be the end of the whole thing. Therefore, I would request the hon. Minister to keep a kindly eye on my constituency.

Shri Chintamani Panigrahi: Today, we are not going to discuss either the history of the mining industry in this country or the various principles which are involved in the formulation of these rules, because so far as the mining industry is concerned, it is nearly a century old. The Government of India had this Mines and Minerals (Regulation and Development) Act enacted in 1957. And now these rules have been framed under that Act. Why did they frame this Act and why have they framed these rules? It is because, during the last

hundred years, there has been really no co-ordinated planning so far as mining is concerned. There was only a haphazard growth. Any individual entrepreneur, if he wanted, could see that some area is there, and he could go there, and if the mineral content is 60 per cent or more, as in the case of iron ore, for instance, collect it and sell it and get the money. Thus, there has been a kind of haphazard growth of the mining industry in this country. There is hardly any time to discuss this policy or these high principles, when we are considering the rules. But we must see whether the rules which are being framed under the Act of 1957, and which are before us now are really helping the co-ordinated and planned growth of mining industry in this country. The rules by themselves are not very helpful if they are not subservient to this end.

There are four major factors which have to be taken into consideration before we consider whether the rules are really sufficient, or they are flawless. The first factor is that the mining industry completely falls under the jurisdiction of the States. The question is to what extent the Central Government can come forward to reduce the right of the State Governments. I know that the various State Governments, at every stage, want to exercise their rights. Therefore, we have to consider to what extent the Central Government can go, by framing these rules and regulations, to reduce the rights of the States, so far as their mineral resources are concerned.

Secondly, the mineral resources are sources of revenue to the States. They augment the resources of the various States. So, while framing these rules or modifying these rules, one must also understand to what extent these modifications or these rules as they are, are going, to affect the revenue resources of the States.

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Thirdly, we have to remember that the mining interests which are at present functioning in the country are mostly foreign nationals. The question is whether these mining rules or regulations will leave the room wide open for the foreign nationals again to come over here or to give lease to those who are already here, so that they can exploit these resources in our country.

These are the broad factors which we have to take into consideration, but they cannot be discussed here in detail; therefore, I shall confine myself only to those aspects of the rules where these factors come in.

I am very grateful to my hon. friend Shri Vidya Charan Shukla that he has taken interest in this matter and he has brought forward certain modifications to the rules. When I was going through these rules, I thought that my hon. friend, after second thoughts, would perhaps decide to withdraw many of the suggested modifications. When my hon. friend was really initiating this discussion, at every stage, he was also thinking over the modification again, and he was thinking that this modification or that modification cannot be pressed. Therefore, he has withdrawn many of the modifications which he was wanting to suggest. So, there remain now only a few modifications which can be taken into consideration very seriously and which can also be acted upon.

First, let us take up sub-rule (1) of rule 11. This relates to disposal of applications for the grant and renewal of prospecting licence. What the modification seeks to do is to substitute the word 'granted' for the word 'refused'. If we go through these rules, we shall find that, where Government say that the application by itself is deemed to be refused, the modification suggested is that the application by itself is deemed to be granted. I do not see how this kind of argument has been advanced. I believe that what my hon. friend Shri Vidya Charan Shukla wants is that it must be expedited.

Shri Tyagi: As an analogy, suppose my hon. friend files a civil suit in a court of law; if in nine months, it is not heard, can it be taken that it is rejected?

Shri Chintamoni Panigrahi: I am coming to what Shri Tyagi has suggested. I am coming to the very spirit of his suggestions. Shri Vidya Charan Shukla, Shri Tyagi and many of my hon. friends here are all interested in the safety of mining and in the speedy promotion of mining industry in this country, and, therefore, we want that the grant or refusal of an application should not be delayed unnecessarily. Therefore, I think that it is enough if we say that an application for prospecting licence should be disposed of within a certain period. Why should it be kept pending for such a long period? Why should it be kept pending for more than six months? Even the experts themselves are of the opinion that it would take at best six months to decide on the application for a prospecting licence, taking into consideration all factors. My question is: Why should it be delayed up to nine months? If it is delayed for so long, then other questions will naturally arise. Therefore, here and now, the hon. Minister may accept this suggestion which Shri Tyagi has made—if it cannot be accepted now, the rule may be modified later on—that within a period of six months, the application should either be rejected or granted, and this should be intimated to the party. I think that this will be a very good suggestion and it will be helpful also for the promotion of the mining interests, especially in the case of the small mine-owners.

Then, it is alleged by my hon. friend Shri Vidya Charan Shukla that sometimes, the reason for rejection are not intimated or communicated to the parties. But I know that so far as many cases are concerned, the reasons are intimated. If there are cases where the reasons are not being intimated, I think they are peculiar cases, and those cases must be brought to the

notice of the hon. Minister. So far as my knowledge of this industry goes, when the applications are rejected, the reasons also are communicated.

Shri Vidya Charan Shukla: My hon. friend has not understood my amendment. My amendment relates not to the rejection of the application. My amendment only seeks to lay down that when the area of the original lease is reduced by the State Government at the time of renewal, they should communicate the reasons in writing to the applicant, for such rejection. That is all that I have said. I have not said anything regarding the rejection of the application.

Shri Chintamani Panigrahi: Even in that regard, I shall explain the position a little when I come to that particular rule.

Then, I come to sub-rule (3) of rule 11. This relates to the same thing again. This seeks to communicate the order to the applicant. I think that all such orders should be communicated. My feeling is that they are being communicated, but if they are not communicated, I think that they should be communicated.

The next modification that my hon. friend suggests is this, namely:

"Preference shall be given to the mine-owners who are operating beneficiation plants in the grant of prospecting licence."

So far as the spirit of this modification is concerned, I appreciate it. In our country, beneficiation of low-grade ores is an urgent and immediate necessity, because a large amount of low grade ores is now being wasted and dumped. We cannot afford to lose our national resources in this manner. So, beneficiation of low-grade ores is very necessary. But this provision that preference will be given to mine-owners who are operating beneficiation plant, in the grant of prospecting

licence, cannot be accepted, because it will be detrimental to the interests of the large number of small mine-owners. They are fighting already against these big combines, which are functioning in this country today. Therefore, it is all the more necessary that if a mine-owner wants to have a beneficiation plant, Government should advance him the money for the purpose. Many of the big mineowners today, as, for example, the Tatas have set up their beneficiation plant for ferro-manganese ore at Joda. Then, Shri Bijoyananda Patnaik, the present industrialist Chief Minister of Orissa, before he became the Chief Minister, had already set up a pig iron plant for the beneficiation of low-grade ores at Barbil. There are many important industrialists and mine-owners and they are putting up the plant. Therefore, it should not be made a condition of the terms of granting prospecting licences or mining leases, because it will be detrimental to the interests of the small mine-owners. Even without this specification in the mining leases, large mining interests are setting up their beneficiation plants. There are various ways of encouraging those mine-owners who are now planning to set up beneficiation plants for up-grading of low-grade ores.

I can cite one or two instances. Take the case of Sirajjuddin. This firm applied for a mining lease for chrome ore in the best chrome area so far as Orissa was concerned and so far as this ore was concerned. This area containing the best quality of chrome ore was leased to this firm on condition that it would establish a ferro chrome plant. The licence was given in 1958 from the Commerce and Industry Ministry. But now it is 1961. Though the lease has been given to this firm and the licence has also been received by them, the firm has not set up a beneficiation plant. Therefore, let us not make it a condition. The firm which got the ore on this condition is now exporting it. It says that the plant has not yet been set up because the Government of India are

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not giving foreign exchange. That is how they escape.

Take the case of Tatas. They have got the best chrome ore in Orissa. But whenever it suits them, they work the mines. Otherwise, they keep them idle. They never raise ore. They raise it only when it is profitable to them because they have got mines in different places. So this condition should not be made while granting licences.

I cannot go in detail into all the modifications suggested by my hon. friend, but I will touch on the major ones. Take the modification regarding sub-rule (1) to rule 13, "omit 'or deemed to have been refused' ". It is a very good amendment which can be accepted. Then I come to sub-rule (4) of rule 14. The suggested modification is that the holder of a prospecting licence shall be entitled to the grant of a mining lease over the area so held under prospecting licence at his option. This cannot be accepted. When the Government of India or the State Government are granting the application for a licence, I do not know if he can be given the option to decide whether to take the entire area in lease.

Shri Vidya Charan Shukla: It has already been granted under the original Act. So I withdraw that amendment.

Shri Chintamoni Panigrahi: Since it is already there in the original Act, the question of acceptance or rejection does not arise.

Then sub-rule (1) of rule 15. It is said that if the default is on the part of the State Government, then such a deed shall be deemed to have been executed. It may sound very good to place and individual entrepreneur on equal terms with a State Government. But suppose the deed is delayed. We

must try to expedite it. But not the other way, that it will be taken for granted that the deed is executed. The State Government is not a District Board. It is not as if the hon. Minister, Shri K. D. Malaviya, will just pass orders and the State Governments will approve of them. I think no State Government will tolerate such a situation if the Central Government try to behave in this manner. The State Governments function under their own legislatures and they know how they should deal with their mineral resources and how licences are to be granted. The Central Government come in as an advisory body trying to help promote the growth of industries in the States. Therefore, I do not think this modification should be accepted.

Sub-rule (3) of rule 24 refers to disposal of applications for mining lease. There must be a time-limit. If it is rejected or if the time-limit is being extended, the reasons should be given to the parties.

Again, preference is being given to those who have beneficiation plants or who agree to set up such plants. I have already spoken on this point. I think this condition will be really harmful to the interests of the small mine-owners.

Then with regard to dead rent, if the renewal of the mining lease is delayed by the Government and is consequently granted with retrospective effect, then no dead rent shall be required to be paid by the lessee in respect of such retrospective period. Dead rent is different from royalty. One can say that royalty should not be charged for the period a mine or lease was not worked, because no ore has been raised. But simply because there has been delay in getting the application renewed, the claim cannot be made that no dead rent shall be

required to be paid. No State Government will agree to deplete its resources in this manner. I feel dead rent is a thing should be paid and it is completely different from payment of royalty.

Then again, in the absence of ready market for low grade ores, the lessee who is operating or has undertaken to set up beneficiation plants should properly store such low grade ore for future beneficiation. This is a good suggestion, no doubt. My hon. friend, Shri Vidya Charan Shukla, was Chairman of the Committee which the Government of India appointed to look into this question. There must be some such encouragement or provision, but you cannot make it a condition in the mining lease. There are practical difficulties in storing these low grade ores. If small or big mine-owners want to store up for future use 40 per cent FE iron ore, there would not be room enough for doing so. They will have to have special allocation of funds from the Government of India for storing the ores, so that in the future, in ten years or so, they may set up beneficiation plants and the ore can then be used. I think no mine-owner will ever agree to spend so much money for storage accommodation for these low grade ores. It is a good thing if they can do it. I will be very happy if they do it. But I think it cannot be made a condition in the mining lease.

I will deal with one or two things more. One is regarding sub-letting. Shri Tyagi said something about it. Even the present rules approve of transfers, but there are two kinds of transfer. Application for transfer of mining leases may be classified into two categories: firstly, those which are made for speculative considerations, and secondly, those where a lessee may desire to transfer his leasehold due to genuine business and financial considerations. In the former category are the lessees who are not genuinely interested in doing

mining work, but are engaged in trading upon leases for a heavy premium. Obviously, if such persons are given a free hand, the mining industry will suffer very much. I know there are many cases where because a certain individual has got good connections with the Ministry or the Government, he gets a mining lease and then he transfers to somebody else; actually he trades in it and gets a commission. Therefore one cannot say that the Government should allow all kinds of transfer of leases. I think that will have a very adverse effect.

I think almost all the State Governments have abolished intermediary rights with regard to the transfer of leases. I think, therefore, that the Government should not create a second intermediary interest in the field of mining by giving this power to the applicants or leaseholders to transfer their lease according to their own sweet will. I think that cannot be done. The Act and the rules already provide for genuine transfers, but all cases of transfer cannot be encouraged for the promotion of the mining industry.

In the actual working of the rules it is observed that there is conflict of technical opinion in respect of the assessment of mineral potential of the same area by the survey organisation of the State Government and the Geological Survey of India or the Indian Bureau of Mines. The State Governments maintain their own separate organisations. They survey a particular area before a lease is granted, and they say that so much is the estimate in that area and so much the content of iron or other ore. When the application is sent to the Central Government and is processed through the Indian Bureau of Mines, the experts there say that the recommendations of the State Government cannot be accepted. How is it possible? Therefore, either take the recommendations of the State Government at their face value regarding the

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estimate and the quality of the ore, or ask the State Government not to assess it and you yourself assess it. I think no State Government will agree to that proposal. Anyhow, efforts should be made to avoid such conflicts.

There are many lacunae in the modifications suggested. The rules do need revision and some of the suggestions of Shri Shukla may be accepted, but the revision should not be in such a piece-meal way. I submit the hon. Minister should give thought to this problem raised by Shri Shukla. I hope the rules will be made efficient to meet the needs of the industry.

Mr. Chairman: The hon. Minister desires about 40 minutes to reply. I will call Shri Sarhadi provided he makes his points in five minutes.

Shri Ajit Singh Sarhadi (Ludhiana): Just five or six minutes, not more. My submissions on the modifications of the rules would be limited to the legal aspect only. I believe there are certain rules which need clarification, there are others where some preciseness and exactness are called for; there are still others which should be made to be more in consonance with fairness and the principles of natural justice. I believe the Committee on Subordinate Legislation has gone into the rules and made certain recommendations which are under the consideration of the hon. Minister.

Sub-rules (1) and (2) of rule 11 lay down that if a reply to the application is not received within the stipulated time, it would be taken as a refusal. Of course, there are two different views, that of Shri Shukla and that of Shri Panigrahi, but I would content myself with saying that the rule should be positive, and not negative as at present. This is not fair at all. There may be justification for the view of Shri Shukla

that if the reply is not received in time, it should be taken as acceptance. Such a provision exists in Acts that where applications are made for sanction of houses, buildings, etc., if the reply is not received within the specified time, it should be taken as sanctioned. I do not plead either way, but I simply want a clarification. If an application is rejected, the reasons must be given, as that in accordance with fairness and the principles of natural justice.

This equally applies to rule 24(3), where also it is laid down that if an application is not replied to within a certain period it should be taken as a refusal. Mere non-replying should not be taken as refusal. The reasons must be given.

In rule 11(3) you will find that the State may, for reasons to be recorded in writing at the time of renewal, reduce the area applied for. If the reasons are to be recorded, they should be communicated to the party concerned. What is the necessity of recording the reasons if they are not to be communicated to the aggrieved party? I think Shri Shukla's suggested modification is just and proper and should be accepted by the Government.

Rule 28(5) also lays down that the reasons should be recorded. The same argument applies here. There is no beauty in having this provision that the reasons should be recorded unless they are communicated to the aggrieved party, so that he may seek such remedies as are open to him.

Under sub-rules (1) and (2) of rule 27 it is expected that the payment of the dead rent and royalty, where the sanction is given, should be with retrospective effect. This is most unfair. Where the sanction has been delayed for a long time, and the mine has not been worked, expecting payment for the period would not be fair. Certainly I would agree with the

suggested modification of Shri Shukla that where the application is subsequently granted with retrospective effect, the lessee should not be required to pay the rent retrospectively because that would not be fair to him.

Rule 33 needs a lot of clarification, because it is absolutely vague. It lays down that when a mining lease is granted by the State Government, arrangements shall be made at the expense of the lessee for the survey and demarcation of the area granted under the lease.

This is not clear; nor precise and exact. Who is to make the survey and the demarcation? Is it the lessee who is to do it or is it the Government? Obviously and ostensibly it is Government. Then it should be clarified and said that Government would make the survey and demarcation and recover the cost from the person.

There is an additional point to which I would draw attention. Section 5 of the principle Act lays down that certain leases are to be given by the State Government with the sanction of the Central Government. Those mines are mentioned in Schedule I.

Here, again, I would submit that a specific period must be laid down in the rules within which the State Government must get the sanction of the Central Government so that the applicant should not remain in suspense. There, an additional rule is necessary fixing the period within which the State Government must get the permission of the Central Government.

Shri K. D. Malaviya: Mr. Chairman, Sir, incidental to the number of motions for modifying the rules raised by me hon. friend, Shri Shukla, a large number of comprehensive and basic questions have also been raised by some hon. Members. It is hardly possible for me to refer to those aspects within the limited time; but they are really important.

I am particularly grateful to Shri Shukla that he has enabled all of us
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to pay our attention to these rules and also for focussing public opinion on the importance of these rules. I would, not be able to refer to other points that have been raised except one which was raised by my hon. friend, Shri Tyagi when he referred to the important question, earning foreign money through mineral ores. He emphasised the aspect of export trade of mineral and brought before us the importance of this.

There is no doubt it is a very relevant question. I must emphasise again the great role that export trade of mineral ore is going to play in solving our problem of repayment of debts and of finding revenues or moneys from abroad to help our development schemes.

As the House may be aware, so far as State trading is concerned, 80 per cent of it is on account of mineral ores. It is only about 20 per cent that accounts for other small items. So, its importance cannot be minimised. And, I entirely agree with my hon. friend, Shri Tyagi that we should pay great attention to this aspect of our programme. Government should develop more mines as far as possible and earn more money in order to pay or earn some foreign money for our developmental schemes.

I will, therefore, confine myself only to the motions that have been made by my friend, Shri Shukla and certain remarks made by other friends here in connection with those amendments.

The most important of these motions is rule 11(1) and (2) where the time limit has been stated as 9 months—that is the time given to the State Governments to dispose of the applications, after which time they are deemed to have been rejected. I am sorry I cannot accept this motion. I would produce the following arguments for it. Firstly, the history should be gone into. But before that, I should remind the House of certain facts. The mineral ores belong to

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the State Governments. They are the proprietors of this property. We act only as agents and help in conservation, scientific prospecting and mining and in taking an overall view of the development of these mines. So, we only act as helpers to State Governments and as such are acting as agents.

The second point to remember is that the minerals are a wasting asset. It is not as if we just dispose of a licence for industries or give a contract to a certain party for doing some job as an industrialist or as a commercial man. Here, a particular party wants a prospecting licence and consequently a mining lease for about 20 to 40 years, in order to exploit a wealth which is a wasting one in its fundamental character. We will never get that mineral again; we will never regenerate that wealth once we exploit it, and if we exploit it in the wrong way, we will lose plenty of national wealth. Therefore, in dealing with a particular party in order to dispose of his application, we must assure that he is the proper party and he does not waste it sooner than what is necessary for him to do. A long period has to be granted to him for exploitation of the mines, and in this, both the State Governments and the Central Government have to be cautious. We therefore cannot be in a hurry and the State Governments should not be hustled into granting a prospecting licence or a mining lease. This question has been worrying us, particularly me, for about seven to eight years, because I have had something to do with mining and prospecting and with all these rules for sometime.

I was very impatient and sometimes I used to get irritated at the fact that the State Governments are taking pretty long time. It was the general practice for the State Governments to take years and years to dispose of applications for prospecting. It is not nine months. It is two years or three years and sometimes four years, and no decision would be taken by

the State Governments. No doubt, therefore, a lot of time was being taken by the State Governments. But they were within their rights we only came in to help the State Governments and to tell them. You should not take more time than you consider legitimate to gather all the information, find out all about the parties and see whether the party is a sound one or not; make enquiries at the district level, see to its financial conditions, etc. There ought to be a limit to the time which you spend." We thought it should be nine months. Previously, it was 18 months and also 27 months. They had all that time. Even then, there was no finality about it. What we have done is, if in nine months, an application has not been disposed of by the State Governments, automatically the application will come before the Central Government as an appeal. Therefore, the emphasis on nine months and no more time will be given to the State Governments for disposal. Therefore, it is in this context that we have to consider the implication of the word "rejection", and understand it. Once we appreciate this aspect, then we will see that there is not very much in the other amendments. I can dispose of them in ten to 20 minutes. (*Interruption*).

Shri Vidya Charan Shukla: May I interrupt the hon. Minister for a minute?

Shri K. D. Malaviya: I would like him to be patient. I do not agree with the amendment. I have had several discussions with him. I am

sorry I am not able to agree with him. I know that a mine owner is very anxious to get his application disposed of by the State Government. We should give 9 months to the State Government. If a decision is not taken by the State Government, it should be deemed to have been accepted or granted is a position which is not acceptable in the interest of mining, conservation, etc. I am sorry I will not be able to accept this. Nevertheless, I do recognise that there has to be a sense of time-limit imposed on the State Governments also. All that we can do is to write to them, and remind them of the feelings of this House and tell them that they should take little time as possible.

There are other aspects also to which my friend has drawn my attention both here and in the informal talks we had. He said, sometimes State Governments are not fair to a particular party and so on. We cannot base the formulation of our rules merely on the presumption that all State Governments are bad and resort to nepotism or favouritism or whatever you may call it. It is a process of patience and perseverance where the State Government has to get experience by its own working. All that we can do is to help them and to remind them that they are doing something wrong when we think they are really doing something wrong. So, considered in that context, I am sorry I will not be able to accept motions Nos. (1) and (2).

I am prepared to accept motions Nos. (3) and sub-rule (3) of rule (11). I also accept motion No. (5) relating to sub-rule (1) of rule 13. My hon. friend has proposed that the fee paid by the applicant shall be refunded to the applicant where an application for the granting of a prospecting licence is refused. That too I will accept.

I cannot accept motion No. (7). But may I point out that nothing prevents the Government from again con-

sidering all these rules and from time to time amending these rules, conforming to the wishes of hon. Members. As we learn by experience and by exchange of experiences between the State and Central Governments, we always take the first opportunity to amend these rules. There seems to be no urgency about the acceptance of any rule just now.

Shri Tyagi: When once a lease is granted, why should it not be executed immediately?

Shri K. D. Malaviya: I am proceeding systematically. I am coming to that. Motion No. (7) says:

“Provided that in respect of the execution of the deed referred to above within the prescribed period, the default is on the part of the State Government or any of its authorities, then, such a deed shall be deemed to have been executed.”

This amendment to rule 15, sub-rule (1) is not acceptable to me. The delay in the execution of a prospecting licence or a mining lease deed on the part of the State Government could be on different grounds. The State Government cannot be put at par with the lessees, as my hon. friend suggested. Some of the reasons for the delay may be beyond the control of the State Governments. In any case, the fact that the prospecting licence or mining lease has not been executed cannot be ignored, only because a certain period has elapsed. This is a legal document, and therefore we cannot take such a light view of it. Nevertheless, Sir, in deference to the wishes of my hon. friend, I am prepared to draw the attention of the State Government once more to this aspect and the wishes of the hon. Member.

About sub-rule (3) of rule 24, the same arguments that I have just now offered hold good for that.

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Now I come to the question of beneficiation of low grade ores—sub-rule (3) of rule 24—where the amendment proposed is:

“Preference shall be given to the mine owners who are operating beneficiation plants in the grant of mining leases and to those who undertake to set up beneficiation plants within three years of the grant of the lease.”

Well, I consider that what my hon. friend Shri Panigrahi said is relevant to the issue. Therefore, it will be difficult for me to accept the modification as has been suggested by my hon. friend, because this would take away the discretion of the Government and thus infringe section 4 of the Act. In its present form, therefore, it will be difficult for me to accept the amendment. However, looking to the importance of emphasising the programme of beneficiation by the miners we should do something. We are in favour of beneficiation of low grade ores and we will do something to modify the present rules. The intention behind the motion is to give preference. As to what the actual wording will be, well, I will consult my hon. friend Shri Shukla before finally making some suitable changes in this.

Sub-rule (1) of rule 25 is also consequential to the previous rules and therefore will not be acceptable to me.

Then I come to clause (c) of sub-rule (1) of rule 27. Here the modification suggested is: to add at the end of the proviso:

“and that if the renewal of the mining lease is delayed by the Government and is consequently granted with retrospective effect, then no dead rent shall be required to be paid by the lessee in respect of such retrospective period.”

Delays do occur, and perhaps under the limited circumstances today, it will be difficult for me to restrict this delay or to impose any decision on the State Governments for the reasons I have stated earlier.

Shri Tyagi: It may be kept for consideration.

Shri K. D. Malaviya: I cannot keep it for consideration because of various reasons. But we will do something. This motion relates to the problem of payment of dead rent over a retrospective period. Normally such a situation should not occur at all because rule 28 requires the parties to apply for renewal for a mining lease at least six months before the date of expiry of the lease. Rule 24(2) requires that an application for the renewal of a mining lease shall be disposed of within 90 days from the date of its receipt. Therefore, if both the parties as well as the authorities follow the prescribed time limit the decision on a renewal application should be known at least three months before the expiry of the mining lease. If the lease expires without an actual order for renewal having been intimated to the lessee a position of uncertainty certainly arises in the lessee not having been formally asked to vacate. Now, the subsequent passing of a renewal order cannot retrospectively eliminate this uncertainty which would have already occurred to the detriment of mining production and also possibly creating labour problem. Instead of providing for exemption of dead rent, as proposed by the mover, however, the best way to meet any such contingency, as well as really to compensate Government, is to provide that if the application for renewal is not disposed of before the date of expiry of the lease, the lease shall stand extended till the date of such disposal. This end can be achieved by a suitable provision in rule 24, as well as in part 8 of Form K. The form can also be modified accordingly. This

alternative suggestion will, I hope, be acceptable to the mover. Even if it is not acceptable to the mover, we will find some other method to satisfy him, because I do admit that this delay should be accepted.

Shri Vidya Charan Shukla: That suggestion is acceptable.

Shri K. D. Malaviya: If it is acceptable to him, well, we will incorporate this.

With regard to clause (m) of sub-rule (1) of rule 27, that is acceptable. It says:

"(n) in the absence of ready market for low grade ores, the lessee|lessees who is|are operating or has|have undertaken to set up beneficiation plants, should properly store such low grade ore for future beneficiation;

(o) the lessee|lessees shall be required to put up a beneficiation plant of suitable size if so recommended by the National Ore Dressing Laboratory."

It is a harmless thing. Why should it not be accepted?

Shri Chintamani Panigrahi: If it is acceptable to the hon. Minister why was it not incorporated so far?

Shri K. D. Malaviya: But the suggestion given in sub-rule (o) is not acceptable to the Government. We accept only the suggestion in sub-rule (n),

With regard to his motion No. 13, it refers to the addition of a proviso after clause (n) of sub-rule (2) of rule 27, as follows:—

"Provided that in respect of renewal of the mining lease, the lessee shall not be required by the State Government, to pay any compensation for surface disturbance or obtain any permission to enter upon the area for surface

occupation in respect of the whole or that much part of the area covered by the renewal of the lease in regard to which such conditions had been duly fulfilled by the lessee at the time of the 'original grant of the lease.'

For the present, I cannot accept it. But, later on, we can give some further thought to this and see what can be done.

With regard to sub-rule (5) of rule 28, motion No. 14, he wants the reason to be recorded and communicated to the applicant. Well, I accept that the reason should be communicated to the party.

Motion No. 15 relates to the addition of a proviso to sub-rule (1) of rule 31, as follows:

"Provided that in respect of the execution of the lease deed referred to above within the prescribed period, the default is on the part of the State Government or any of its authorities, then, such lease shall be deemed to have been executed."

I regret, I cannot accept it for the same reasons which I have mentioned earlier.

I am prepared to accept his motion No. 16 which says that when a mining lease is granted by the State Governments arrangements shall be made by the State Governments at the expense of the lessee for the survey and demarcation of the area granted within a month of such grant.

On motion No. 17, we can do something later on, if it is acceptable to the House, because we think that after a little more consideration we should come forward with certain amendments.

Coming to his motion No. 18, at present I cannot accept it. I will suggest to my hon. friend to wait for a little more time till we have given some more consideration to it, because

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it is quite possible that we might feel the necessity of amending sub-rule (1) also in some way.

I regret I cannot accept motion No. 20 which seeks to omit the Explanation to rule 54 because this Explanation has to stay.

I will not take much time now. I will try to finish in time.

With regard to the topographical maps being supplied by the IBM and not by the Survey of India, I admit that there are inconveniences experienced by the applicants sometimes mostly because maps are not available. When maps are not available you just cannot help it. All that I suggest now to do is that we will agree to suitably changing the application form to provide that in case Survey of India is not in a position to supply topographical map to the applicant such non-availability certificate should be attached to the application and would meet the requirements of the application. So, for the time being we shall accept this certificate saying that the map is not available. Later on we will see what can be done and how soon the maps can be made available.

Shri Tyagi: What is the number of that amendment?

Shri K. D. Malaviya: It is motion No. 23.

Motion No. 30 regarding particulars of existing or created dumps of ore also I will accept as it would give additional information to the Government of the quantities of ores lying as dumps.

Then some of the motions he has agreed to withdraw. Therefore I need not refer to them. Now I come to motion No. 32. By this he wants to make a provision for allowing inspection of workings, survey and prospecting. This also I will accept.

The second part of motion No. 32 seeking to insert the word 'prospecting' after 'surveying' in clause 7 in Part VII of Form K of Schedule I, that too I shall accept. There he has suggested some change in the form.

An Hon. Member: What about motions Nos. 29, 30 and 31?

Shri K. D. Malaviya: I will not be able to accept that.

With regard to motion No. 35 by which in Part VIII of Form K of Schedule I....

Shri Chintamani Panigrahi: Do you accept 2A?

Shri K. D. Malaviya: Yes, 2 I have accepted.

I hope he will not press motion No. 35 because of the reasons which I have already referred to earlier in my speech. It says here:

".....lessees shall not be required to pay any dead rents, rates etc. in respect of such retrospective period. . . ."

This will not work. I hope he will not press for it.

I have disposed of all the motions that he has made. In the end I will again refer to certain aspects of Shri Tyagi's references because they are not mostly in the form of modifications. He said something about limestone and referred to the difficulty that he is facing in his constituency. There he wants me to come to his rescue in his constituency. I hope he will come to my rescue in my constituency. But it is not a question of coming to the rescue of each others' constituency. It is a question of treating limestone as a major mineral. We have already decided that limestone for industrial purposes will be treated as a major mineral. As regards the way in which it is

being reported to be misused, I know after all every chemical process is a result of burning. So, if any party wants limestone to be treated as a minor mineral and to be disposed of in that way by the State Government, it is not desirable. We shall see to it that this thing is not done. We shall also find out what steps can be taken in order to prevent such misuse of valuable minerals. With regard to succession and all that, it is not only the mining leases where this is the trouble. It is everywhere. Where a succession certificate is available, the question is disposed of in the proper way.

17 hrs.

With regard to magnesite and giving preference to co-operative ventures, the House is already aware that it is the policy of the Government to give preference to a co-operative society if it can be organised in the proper way. We have received certain applications from co-operative societies for mining leases or prospecting licence. My difficulty is, I am not satisfied that the Members of the society are really taking the work as seriously as they ought to. After all, mining is a difficult work. A few people collect some money and some partners and just want to carry out mining work. It is not like that. It cannot be done. If any co-operative society wants to deal with it in a light manner, the Government may not accept that. They will be disappointed. Otherwise, normally, if a society is equipped technologically, financially and in other ways, surely, we shall give preference to a co-operative society.

With regard to magnesite exploitation, a magnesite mine has been prospected in the U.P. recently in the Almora area. Magnesite is proposed to be used for refractories for our steel plants. The Government have taken a decision to have their own project for a refractory making unit. Who will produce the magnesite

ore, is the question. Generally, we would like to get it done ourselves. If there is any reasonable proposal where the Government retains the control of the mine and can assure the refractory unit of expeditious delivery and economic functioning of the magnesite mine, the proposal can be considered. Otherwise, normally, the Government would do it. If there is a co-operative society coming forward which is technologically sound, we shall give preference to it.

In the end, I will again remind my hon. friend Shri Vidya Charan Shukla who has done such a service by drawing our attention to these rules, that we can amend these rules whenever we like. As we gain experience and we get advice from the State Governments, we make suitable changes in our Mining rules. One thing must not be forgotten and it is that we have to amend these rules in close consultation with the State Governments, because, the State Governments are the real proprietors of these mines. We hope that our mining activity will increase as a result of the collaboration between ourselves and the State Governments and also the private sector which has got experience in mining.

Shri Tyagi: May I make a suggestion? Instead of taking votes on these amendments, would it not be appropriate that the rest of the amendments, Shri Vidya Charan Shukla may withdraw and the Minister may agree to come out with an amendment himself voluntarily on the lines of the discussions we have had here. He may issue another notification amending these rules instead of these amendments being accepted here and again discussed in the Upper House. It would be better that the hon. Minister may, in the light of our discussions, as he is authorised by law, to amend the rules, in the light of what he has accepted and put it in both the Houses for consideration, if he chooses to do so.

Mr. Chairman: I think that was the assurance that the hon. Minister gave.

Shri K. D. Malaviya: It will be easy for me to do that, if my hon. friend accepts that. I have already indicated where we shall accept. There are certain motions where I have promised consideration. After consulting friends, we shall again see what modifications we can make. Otherwise, we cannot accept. In a consolidated way, we can provide for such changes.

Shri Tyagi: Otherwise, it will take time.

Shri Vidya Charan Shukla: I have a submission to make. The rules which have already been accepted by the Minister will be the only amendments which I will press for acceptance of the House. There will be delay if they insist on consultation with the State Governments.

Shri K. D. Malaviya: I will not consult the State Governments in regard to those amendments which I have accepted.

Shri Vidya Charan Shukla: Those will be the only amendments which I will press for vote here. The rest, I shall withdraw. And I shall do so in the hope that...

Mr. Chairman: The hon. Member has not followed what Shri Tyagi has suggested. Shri Tyagi wants to get the whole thing expedited, and, therefore, he suggests that without reference to the other House, Government themselves should frame these rules with the modifications that are accepted.

Shri Vidya Charan Shukla: Knowing a little, as I do, about this matter, I would say that Shri Tyagi's pious hopes are not correct. The most expeditious thing is to get them accepted here in this House rather than to leave it to the discretion of Government, because these rules have already been delayed for three years.

Shri Tyagi: Now, after the House has indicated its wishes, and the hon. Minister has openly accepted those ideas, would there be any delay? Otherwise, according to the scheme of Shri Vidya Charan Shukla, all these modifications which are accepted here will require to be discussed and accepted in the Upper House also. When they will get the time for this, God alone knows. I, therefore, suggest that my hon. friend might be content with the assurances given by the hon. Minister. These assurances given on the floor of the House are as good as rules, and everybody will know them.

Dr. M. S. Aney: This session will come to an end on the 8th instant. There are only two days more left. If the hon. Minister is going to lay these rules on the Table of the House again within these two days, then that would be all right. Otherwise, it would automatically be deferred to the next session, and we do not know what might take place then. So, that is one danger there.

Shri Tyagi: They need not necessarily be discussed in the next session. If they are there before the House, and no objection is raised, then automatically they are passed.

Shri Vidya Charan Shukla: There might be a discussion also. Anyway, I would like the motions which are now accepted by Government to be put to the vote of the House, and I would withdraw the rest.

Shri Tyagi: Then, these will have to go to the other House also.

Shri K. D. Malaviya: That will be in the next session.

Shri Vidya Charan Shukla: I would like to make only one point, namely that motion No. 13 is only a matter of clarification. It is most unfortunate that the hon. Minister did not find enough time to study these amendments properly; otherwise, I am sure he would have accepted most of

them, because some of them which he has not accepted are only by way of clarification, and they make no addition to or deduction from the present rules. Anyway, I would suggest that he pay special attention to motion No. 13. The amendments or motions which he has accepted without hesitation should be put to the vote of the House. I would not press the rest, in the hope that they will be considered favourably later on by Government.

Shri K. D. Malaviya: That means that it will have to go to the other House.

Shri Chintamon Panigrahi: Is it a personal affair between the hon. Member and the hon. Minister? We cannot understand what is going on between them.

Shri K. D. Malaviya: I am trying to persuade the House to take an expeditious view of the whole thing.

Mr. Chairman: The point is very clear. In respect of some of the amendments, the hon. Minister has stated that he agrees with them, and he has promised to make suitable amendments in the rules on his own. In view of that promise, it is open to the hon. Member to withdraw the motions, or to press the motions or not to press the motions. How does the position stand now?

Shri Vidya Charan Shukla: I would like you to put the motions formally to the vote of the House.

Mr. Chairman: I might also recall that we have got a Committee on Government Assurances, and we get periodical reports from them on the assurances given by the Ministers, as to whether they are fulfilled or not.

Shri Vidya Charan Shukla: I would like to submit my position after I hear from the hon. Minister on motion No. 13.

Shri K. D. Malaviya: I have nothing more to add to what I have already stated.

Mr. Chairman: The hon. Minister has stated that in regard to certain amendments, he would consult the hon. Member before he takes a final decision.

Shri K. D. Malaviya: I have promised consideration. I am not accepting them now.

Shri Vidya Charan Shukla: If it is the wish of the House, and if Government have accepted these motions, then I would not press them for the vote of the House.

Shri Tyagi: All success to Shri Vidya Charan Shukla!

Mr. Chairman: Has the hon. Member leave of the House to withdraw his 35 motions?

Hon. Members: Yes.

The motions, were, by leave, withdrawn.

17-04 hrs.

PAKISTANI NATIONALS IN INDIA*

Mr. Chairman: The House will now take up the half-an-hour discussion regarding Pakistani nationals in India.

Before I call Shri Prakash Vir Shastri, I would like to mention that only half an hour is allowed for this discussion. The hon. Member who initiates the discussion may take ten to twelve minutes, and the hon. Minister may take ten to twelve minutes for reply. So, other Members can only take a limited time.

श्री प्रकाश वीर शास्त्री (गृङ्गांव) :
 सभापति महोदय, पीछे जब माननीय पंत जी
 गृह मंत्री थे तो उस समय गत वर्ष मैं ने लोक-
 सभा में एक प्रश्न पूछा था कि हमारे देश में
 पाकिस्तान से आये हुए कितने नागरिक

*Half-an-hour discussion.

[श्री प्रकाशवीर शास्त्री]

निवास कर रहे हैं उसका उत्तर यह दिया गया था कि ५८६६३ पाकिस्तानी भारत में रह रहे हैं। इस के साथ ही मैंने यह भी जानना चाहा था कि ऐसे कितने पाकिस्तानी भारत में रह रहे हैं जिन के पास पासपोर्ट की अवधि समाप्त हो गयी है और गैरकानूनी तरीके से भारत में रह रहे हैं उस के उत्तर में ५ मई, १९६१ को लोक-सभा की टेबुल पर सरकार की ओर से एक विवरण प्रस्तुत किया गया जिस में यह कहा गया था कि बिना पासपोर्ट के अवैध रूप से भारत में रहने वाले पाकिस्तानी मुसलमानों की संख्या १ सितम्बर, १९६० को ५,६६७ थी। अभी पीछे १४ अगस्त को फिर इसी प्रकार का एक और प्रश्न मैंने लोक-सभा में पूछा था कि इस समय कितने पाकिस्तानी नागरिक भारतवर्ष में रह रहे हैं तो उसका उत्तर देते हुए गृह-कार्य मंत्री ने यह बताया था कि ३१ दिसम्बर सन् १९६० को विभिन्न प्रान्तों में कुल मिला करके ८४८१३ पाकिस्तानी नागरिक भारतवर्ष के अन्दर निवास कर रहे हैं। मेरे इस प्रश्न को पूछने से पूर्व १६ अगस्त को राज्य सभा में इसी प्रकार का एक और प्रश्न पूछा गया था कि जिस का कि उत्तर देते हुए स्वराष्ट्र मंत्री महोदय ने यह बतलाया था कि १९६० और ६१ के जून मास तक असम प्रदेश में अवैध रूप से जिन पाकिस्तानी नागरिकों ने प्रवेश किया था उनकी संख्या ४०५४ थी। इन में से ३३९० पाकिस्तानियों को सजा भुगतने के बाद वापस भेज दिया गया। उन के अतिरिक्त जो शेष रह गये हैं उन के खिलाफ भी कार्यवाही की जायगी लेकिन साथ ही साथ गृह-कार्य मंत्री ने राज्य-सभा में यह भी कहा कि इन पाकिस्तानियों की संख्या के बारे में जानकारी प्राप्त करने का पूरा प्रयास किया जा रहा है और यह सत्य है कि असम में पाकिस्तानी नागरिकों ने भारी मात्रा में प्रवेश किया है।

इसी से मिलता जुलता एक प्रश्न गुजरात के सम्बन्ध में भी पूछा गया था। राज्य-सभा में गृह-कार्य मंत्री ने बतलाया कि १ जुलाई १९६१

को सारे सौराष्ट्र और कच्छ जिले में निर्धारित अवधि से अधिक रहने वाले पाकिस्तानियों की संख्या १,२६७ थी। लेकिन अभी ३० अगस्त को मैंने लोक-सभा में इस प्रकार का प्रश्न पूछा कि अवैध रूप से कितने पाकिस्तानी नागरिक गुजरात की सीमाओं को लांघ कर गुजरात प्रदेश के अन्दर आये हैं तो उसके उत्तर में बतलाया गया कि १६१ पाकिस्तानी नागरिकों ने गुजरात की सीमा को लांघ कर अवैध वहां पर प्रवेश किया है जब कि गुजरात के जो समाचार पत्र हैं और गुजरात के जो अधिकृत व्यक्ति हैं उनकी रिपोर्ट इस से सर्वथा पथक है। गुजरात के जिम्मेदार पत्रों का कहना यह है कि लगभग ६००० पाकिस्तानी नागरिक बिना किसी प्रकार का परमिट आदि लिए भारतवर्ष में चले आये। इन में २००० केवल कच्छ जिले में हैं, २००० सौराष्ट्र में हैं और बाकी गुजरात के अन्य भागों में फैल गये हैं। विशेष बात जो चिन्ता की है वह यह है कि यह ६००० पाकिस्तानी नागरिक जिनमें कि गुजरात राज्य में प्रवेश किया है उन के सम्बन्ध में यहां के पत्रों ने लिखा है कि छड़वेहट क्षेत्र से विशेष रूप से दाखिल हुए हैं उस में गुजरात की भारत-पाकिस्तान और भारत-पुर्तगाल सीमा पर सुरक्षा की समस्या बहुत जटिल हो गयी है। गुजरात के पत्रों ने तो यहां तक समाचार लिखा था कि सौराष्ट्र और जूनागढ़ जिले में रहने वाले पाकिस्तानी लोग पुर्तगाल के जामूस बन कर भी कार्य कर रहे हैं और तरकर वदपारियों को सहयोग भी दे रहे हैं।

पीछे राज्य-सभा में ४ मई, १९६१ को इसी प्रकार का एक मिलता हुआ और प्रश्न पूछा गया था जिस में यह जानना चाहा था कि हिन्दुस्तान में समय-समय पर जो इस प्रकार की घटनाएं घटती रहती हैं जैसे कहीं पर विध्वंस की कार्यवाही है अथवा बम विस्फोट की घटनाएं हैं या और भी इसी प्रकार की जो अराष्ट्रीय कार्यवाहियां हो रही हैं क्या उन में पाकिस्तानी नागरिकों का हाथ है? गृह-कार्य मंत्री की ओर से उत्तर दिया गया था कि भारत-

वर्ष में इन नयी घटनाओं में पाकिस्तानी राष्ट्रजनों का हाथ था और इस प्रकार की लगभग १८८ घटनाएं भारतवर्ष के अन्दर हुईं और उन में १० पाकिस्तानी नागरिक मारे गये थे। यह राज्य-सभा में उत्तर दिया गया था।

अभी पीछे भी उत्तर प्रदेश की विधान सभा में इसी प्रकार की एक चर्चा आई थी। दिल्ली में एक व्यक्ति पकड़ा गया था जो कि ६ बमों के साथ गिरफ्तार हुआ था। उसका नाम अब्दुल हमीद था। इस अब्दुल हमीद नामक व्यक्ति के सुराग देने पर उत्तर प्रदेश के पश्चिमी जिलों में विशेष कर खुर्जा, हापुड़, सहारनपुर और बलन्दशहर में कुछ इस प्रकार के छापे मारे गये थे जिस में कि १५००० पौंड बारूद पकड़ा गया था। कुछ और इस प्रकार की विस्फोटक सामग्री वहां पर प्राप्त की गई।

काश्मीर के संबंध में भी हमारे प्रधान मंत्री श्री जवाहरलाल नेहरू ने इस बात को कहा कि पाकिस्तानी लोग अवैध रूप से वहां पर अपने व्यक्तियों को भेजते हैं और जो काश्मीर की सीमाओं में प्रवेश कर इस प्रकार का उपद्रव पैदा करते हैं जिस के परिणाम भयंकर हो सकते हैं। यह एक प्रकार से बहुत ही चिन्ता का विषय है।

अभी कुछ दिन पहले उत्तर प्रदेश के गृह-मंत्री चौधरी चरण सिंह ने अपनी विधान सभा में एक प्रश्न का उत्तर देते हुए २१ अगस्त को यह भी बताया था कि उत्तर प्रदेश में अवैध रूप से रहते हुए कुछ पाकिस्तानी नागरिक पकड़े गये हैं और जिन के विरुद्ध हम कार्यवाही भी कर रहे हैं।

लेकिन एक विशेष जानकारों मैं आप को देना चाहता हूं। मेरे पास देवबन्द से दाखल उलूम के कुछ मुसलमान विद्यार्थियों की और से छापे हुआ पत्रक आया है। सहारनपुर में एक स्थान पर है देवबंद जहां कि अरबी का

एक बहुत बड़ा मदरसा है और जहां पर तमाम हिन्दुस्तान से और विदेशों से बहुत से छात्र पढ़ने के लिए आते हैं। वहां के कुछ विद्यार्थी मेरे पास आये और यह छपा हुआ पत्रक अपने साथ में लाये और उन्होंने रो रो कर अपनी कष्ट कथा सुनाई कि किस तरीके से पाकिस्तानी नागरिक अवैध रूप से भारतीय सीमाओं में प्रवेश कर जाते हैं और भारतवर्ष के विद्यालयों में उनको पढ़ने की भी सुविधा दी जाती है। जब हम शिकायत करते हैं तो वहां के जो अधिकारी हैं उलटे हम पर कार्यवाही करते हैं। यह सारा पत्रक मैं आपको समयाभाव के कारण पढ़कर नहीं सुनाना चाहता हूं लेकिन उसकी कुछ पंक्तियां आपकी जानकारी के लिए सुनाना चाहता हूं:—उन विद्यार्थियों ने अपनी ओर से लिखा है:—

“हम गरीब उल्बतन इखराज शुदा तुलदा आप लोगों को यह बताना चाहते हैं कि किस तरह ये नाजायज तौर से आने वाले पाकिस्तानियों का मदरसे में दाखला किया जाता है और उन्हें सारी सहूलियतें दी जाती हैं और मुल्क के बफादार हिन्दुस्तानी तुल्ला को इन पाकिस्तानियों की मुखालफत करने पर मदरसे से बाहर निकाल फेंका जाता है। हम लोग मदरसा दाखल अलूम देवबन्द में कई कई साल से तालीम पा रहे थे और जिम्मेदारान मदरसा को पाकिस्तानियों की हिमायत करते हुए देख रहे थे, जमीर ने गवाही नदी कि मादरे खतन सरजमीने हिन्द के इस पाक मदरसे को पाकिस्तानियों का भड़का बनते देख कर खामोश रहें। इसलिए हम लोगों ने मदरसे के जिम्मेदारों को इस बात की इत्तला दी कि मदरसे में लातादाद पाकिस्तानियों को दाखिल कर के इसकी अहमियत को न घटाया जाये। इस पर इन हजरात ने कोई गौर नहीं किया। इस के बाद हम ने मजबूर हो कर पाकिस्तानियों के खिलाफ हुक्मत में भी आवाज उठाई जिसके कि नतीजे पर बहुत से पाकिस्तानी यहां गिरफ्तार किये गये और कष्ट को सजाये भी हुईं। नतीजे के

[श्री प्रकाशशर्मा शास्त्री]

तौर पर हम मुल्क व मदरसे के बफादार तुल्लबा को मवर्खा ४-७-६१ को मदरसे से बेददी के साथ निकाल दिया। हमें अपने सामान को हिफाजत के साथ उठाने का मौका तक नहीं दिया गया। बल्कि हमारे दो एक साथियों को पिटवाया भी गया। अब हम लोगों को लावारिसों की तरह मुल्क की बफादारी करने पर मजहबी तालीम से भी हटा दिया गया।”

इस प्रकार का यह पोस्टर है। आप को जान कर आश्चर्य होगा कि जिन विद्यार्थियों ने सरकार को यह सूचना दी थी कि यह गैर-कानूनी तरीके से यहां पर आये हुए पाकिस्तानी शिक्षा प्राप्त कर रहे हैं उनमें से जिनको हटाया गया उनमें दो पाकिस्तानी विद्यार्थी भी थे। अब सभापति महोदय, आप जानना चाहेंगे कि जब पाकिस्तानियों के विपरीत शिकयात थी तो पाकिस्तानी विद्यार्थियों को क्यों हटाया गया था। इसकी वजह यह है कि यह वे पाकिस्तानी विद्यार्थी जो कि पार पत्र ले कर भारतवर्ष में शिक्षा प्राप्त करने के लिए आये थे और अवैध रूप से जो छात्र वहां थे उनके कारण समय-समय पर इनकी भी तलाशी और जानकारी ली जाती थी। उन्होंने बचने के लिए यह गवाही दी लेकिन उन छात्रों को भी इस आधार पर वहां से निकाला गया। मैं आपको यह सूचना के तौर पर बतला रहा हूँ कि हिन्दुस्तान में और भी बहुत से इसी प्रकार के मजहबी विद्यालय हैं।

एक अन्तिम बात जिसका कि मैं कह कर इस छोटी सी चर्चा को समाप्त करना चाहता हूँ वह चिन्तनीय स्थिति असम की है। असम में लाखों की संख्या में कुछ पाकिस्तानी नागरिकों ने प्रवेश किया और पिछली सन १९६१ को जनगणना में उन्होंने वहां मतदाता बनने का भी प्रयत्न किया। इन आवेदन कर्त्ताओं में अधिकांश पाकिस्तानी मुसलमान

कामरूप, दारंग और नैगांव जिले में आ कर अधिक मात्रा में बसे हैं। अन्य जिलों से भी इस प्रकार के आवेदन पत्र आये हैं। यह हजारों आवेदन-पत्र जो आये हैं उनमें से २०००० नवगांव से हैं, १५००० कामरूप के बारपेटा सब-डिवीजन से आये हैं और १० हजार दारंग जिले के डलगांव निर्वाचन क्षेत्र से आये हैं। उन्होंने यह प्रयत्न किया है कि कुछ विशेष क्षेत्रों को इस प्रकार प्रभावित किया जाये जहां का कि निर्वाचन का परिणाम भी हमारे हाथों में आये। १९५७ के आम चुनावों के समय मतदाताओं की कुल संख्या ५३ लाख ६८ हजार १३१ थी और १९५१ की जनगणना के अनुसार उस समय वहां की आवादी ६० लाख ४३ हजार ७०७ थी। अब जो १९६१ की जनगणना हुई है उसके अनुसार असम की जनसंख्या १ करोड़ १८ लाख ६० हजार ५९ है। इसका यह अर्थ हुआ कि असम की जनसंख्या में दस साल में २८ लाख की वृद्धि हुई अर्थात् ३५ फीसदी की वृद्धि हुई है। देश के किसी भी भागमें इतनी मात्रा में वृद्धि नहीं हुई। पूर्वी पाकिस्तान के १ लाख २० हजार शरणार्थियों को लेकर केवल २० लाख की वृद्धि हो सकती थी लेकिन यह वृद्धि हुई है २८ लाख की। इसके साफ प्रतीत होता है कि ८ लाख व्यक्ति अवैध रूप से पाकिस्तान से असम में प्रवेश कर गये हैं।

मैं ऐसी बात इसलिए यहां कर रहा हूँ कि भारतीय सीमाओं पर जब चारों ओर से सुरक्षा के लिए बड़ा भारी खतरा खड़ा हो गया है और विशेष रूप से जबकि पाकिस्तान के साथ हमारा सम्बन्ध अच्छा नहीं चल रहा है तो यह जितने भी अवैध रूप से पाकिस्तानी नागरिक प्रवेश कर रहे हैं या जो यहां पर वैध रूप से पारपत्र ले कर भारी मात्रा में रह रहे हैं और जिनकी संख्या आपने पीछे बताई भी कि ८४ हजार ८१३ है। अब आप स्वयं अनुमान लगा सकते हैं कि हमारे सामने कैसी भयावह स्थिति है। अगर इस बात को

में मोटी सी भाषा में कहें तो यही कह सकता हूँ कि एक विभीषण अगर एक लंका में रह कर किसी समय भी उसके लिए खतरा बन सकता था तो फिर इतनी भारी मात्रा में, ८ लाख के लगभग पाकिस्तानी नागरिकों का केवल एक प्रदेश के अन्दर निवास करना किसी समय भी देश की सुरक्षा के लिए संकट का कारण बन सकता है। यों भी यह जितनी घटनाएँ हो रही हैं यूँ ही अचानक नहीं हो रही हैं बल्कि मेरा अपना निश्चित रूप से विश्वास है कि यह जितने भी पाकिस्तानी नागरिक यहाँ पर आ रहे हैं वह योजनाबद्ध सारा का सारा कार्य किया जा रहा है।

आपने जो भी प्रश्नों के उत्तर दिये हैं उनसे पता लगता है कि हिन्दुस्तान में अराष्ट्रीय कार्यवाही करते हुए भी पाकिस्तानी नागरिक पकड़े गये हैं। यह लोक राष्ट्रविरोधी गतिविधियों में भाग लेते हुए पकड़े गये हैं। उनमें १८८ इस प्रकार की भयंकर विस्फोटक घटनाएँ हुईं और जिनमें पाकिस्तानी नागरिकों का हाथ था और जब कि भारत सरकार इन सारी बातों को जानती है और इन सारी बातों को जानने के बाद भी जो इस प्रश्न को इतना साधारण समझ कर छोड़ा जा रहा है। मैं समझता हूँ कि देश की सुरक्षा की दृष्टि से यह बड़ी खतरे की घंटी है और इस पर गम्भीरता से ही कोई निर्णय लेना चाहिए।

Shrimati Ila Palchoudhuri (Nabad-wip): Sir, may I put a question?

Mr. Chairman: Hon. Members who want to put questions may put them. Shri Hem Barua.

Shri Hem Barua (Gauhati): Mr. Chairman, I do not bother about the religious affiliations of the people. But when it comes to the fact of mass immigration of foreign nationals, particularly into my State of Assam, it is a matter of great concern and apprehension also.

Now, if your turn over the pages of our history during the recent decades,

you would come across—and I can refer you to.... (*Interruptions*).

Mr. Chairman: The point is that in an half-an-hour discussion only the member who initiates the discussion makes a speech and the others put questions.

Shri Hem Barua: Then I do not want to speak.

Shrimati Ila Palchoudhuri: I just wanted to put one question. This problem in Assam has been considered to be a very much bigger problem than the illegal migrants of Indian origin in Ceylon and, probably, the biggest problem of its kind in the world. In that case, what steps are Government thinking of taking?

Secondly, is the Government aware and what do they intend to do about certain news—and that has also been authenticated and Government has cognisance of it—that the Pakistan Government has been sending officials into Assam to go into our strategic military places? They did not inform our Government and they are doing this. What do we intend to do about action of this description which is endangering the border of India?

Shri Ansar Harvani (Fatehpur): I just wanted to ask a question. My hon. friend has pointed out that a large number of Pakistani Muslims have migrated to Assam. I would like to know whether a large number of Hindu Pakistanis have also migrated to Assam or Bengal due to economic distress in recent months.

Shrimati Manjula Devi: May I know whether the hon. Minister is aware that even now Pakistani nationals are daily pouring into Indian soil of Assam? May I know whether any attempt is made to find out where these Pakistani nationals are going and how they are being settled on the soil of India and whether any attempt is being made to put a stop to this?

[Shrimati Manjula Devi]

No Indian nationals are going to Pakistan; we know that. But Pakistani nationals are coming here and they are welcome here and settled here. I want to know whether any serious attempt has been made to stop this so far.

सेठ अचल सिंह (आगरा) : मैं यह जानना चाहता हूँ कि आसान और पाकिस्तान का जो बार्डर है, क्या वहाँ पर चैक-पोस्ट्स नहीं हैं। वहाँ पर क्या व्यवस्था है ?

Shri Hem Barua: I do not bother about the religious affiliations of foreign nations. I bother very much about migration. I want to know one thing. Some Muslims who had opted out for Pakistan during those years are finding it difficult to come back because there is the visa trouble. They are Indian nationals. In a moment of haste or hurry they opted out for Pakistan. They just want to come back. What do Government propose to do about them because they are facing a lot of visa trouble.

Dr. K. B. Menon (Badagara): May I know, just in continuation of this question, how many of the Indian nationals who opted for Pakistan have expressed a desire to come back?

Shrimati Renu Chakravartty (Basirhat): The statement attached to the answer out of which this discussion is taking place does not give an idea as to how many of the 84,830 Pakistani nationals are illegal entrants; how many are actually holding passports and how many were actually here in India earlier, working and continuing to work, as for example, those who were working in the docks and ports in Calcutta. That is not clear from this statement. What is the number of those who are illegal entrants and of those who are here legally with proper visas, passports, etc.? That is not clear. We want to know that.

Shrimati Mafida Ahmed (Jorhat):

My esteemed colleague, Shrimati Ila Palchoudhuri, said just now that she has got information to the effect that Pakistani officials are visiting military placed in India. May I know the know the source of that information?

Shrimati Ila Palchoudhuri: The sources of information are not always to be divulged. (*Interruption*).

The Minister of State in the Ministry of Home Affairs (Shri Datar): My hon. friend who has brought forward this matter before us has depended partly upon the figures supplied by us in the course of answers to certain questions; secondly,—and this is more important—he has not accepted a part of those figures and has relied upon the so-called figures mentioned in certain newspapers. For example, as the House is aware, just now he made a reference to certain figures of Pakistani nationals having trespassed into India to the extent of 6,000, while the figures that we had given show that it is less than 200.

So far as the figures are concerned, we have made full enquiries and we have given the figures after a careful verification. The hon. Member, as I have stated, has drawn a very lurid picture, depending upon certain exaggerated reports that he had. I would like to reply to him on the four points that he has raised. One is, infiltration of Pakistani nationals into India. According to him, this number is alarming. Secondly, illegal stay of Pakistani nationals in India on a large scale. Thirdly, anti-national activities being indulged in by the Pakistani nationals in India; and fourthly, imminent danger to the security of India as a result of anti-national activities.

So far as the first question is concerned, I may point out that in respect of one State, namely, Assam, when certain figures were recently

published, they showed that the population had increased far beyond the normal increase. In some cases it was stated to be about 34 per cent. It is 34.30 per cent to be exact. That is the report that was given. Naturally, hon. Members are entitled to be exercised over such a large increase. The Government of India are making enquiries into this matter and are calling for the figures from the Registrar-General of Census, because he also has figures and he has to collate them and give them to us. That will show how many are here as compared to the former figure. There is one way in which this information can be found out. The number of Muslims in Assam in 1951 and the number of Muslims according to the figures for "religion" in 1961 will give us a very clear clue as to the number that has come, and after making the discount for a normal increase, we shall be in a position to know whether there has been such a large immigration, an unauthorised immigration, as the hon. Member and certain other hon. friends would have us believe. Therefore, inasmuch as this matter is pending enquiry, it will be very difficult for me either to confirm or to deny at this stage. There are certain possible ways and the increase in Assam in particular has been fairly large, on account of a number of circumstances. That also may be taken into account. To mention a few of these additional circumstances, expansion of tea gardens, intensification of production, expansion and intensification of oilfields, road system, railway system, railway colonies, enlargement of NEFA administration and the expansion of education and industries. Therefore, it is not unlikely—I speak naturally subject to correction and final verification—that people from other parts of India might also have gone there and not necessarily Pakistani nationals, though at this stage, I am not prepared to say that Pakistani nationals have not come at all, because in certain parts of India, they do often come and sometimes create problems also.

But fortunately, as the House is aware, we have got ample powers of proceeding against them under the amendments to the Foreigners Laws made by Parliament in 1957. Formerly we had no passport system or visa system at all and there was more or less free ingress and also egress so far as movement either way was concerned. But now Government have been taking very strong steps under the Act amended in 1957. Whenever it is found that there is any foreigner living in India unauthorised, he is arrested immediately and a proceeding is started against him by way of prosecution. In most of these cases, they are convicted and after conviction, steps are taken to deport them outside India.

These are the various steps that Government take in this respect. Therefore, I would point out to the mover of this motion that he need not be alarmed. Government are aware of the ingress of a number of persons here and there and Government have issued strict instructions so far as foreigners are concerned. Their activities are watched. Government find out whether their arrival in India and continued stay in India is governed either by passport, visa or in some cases even by permits. So, Government are aware of this problem and they take full steps in this direction.

I shall give some figures to the House. These figures would be available by the middle of September. We are expecting these figures and as soon as they are available, we shall be in a position to tell the House as to the extent of Pakistani immigration. According to the latest information, received from Assam, the number of unauthorised entrants arrested and prosecuted during the period 1st January, 1960 and 31st March, 1961 was only 2,860. The break-up of this figure under various heads and the action taken by the Government of Assam in this respect is also indicated. The Government of Assam are extremely vigilant in this matter and they take proper steps as are necessary.

[Shri Datar]

Regarding the various steps that we are taking in this respect, I would like to divulge only some, not all. But I would assure the House that the Government are fully aware of the implications of such arrivals and visits and Government would take whatever actions are necessary. I shall mention a few steps that can bear mention, viz., increasing the number of border outposts and check-posts and strengthening the existing posts.

Then, there is construction of roads along or near the border to facilitate patrolling. Also, inasmuch as our border is very long—the House will understand that the border extends over thousands of miles; we have in the west and we have also in the east—the Government are fully aware of this problem and in co-ordination with the State Governments, Government are taking all necessary steps in this direction.

It is true that to a small extent at least you cannot completely stop this infiltration here and there, because there are common relatives across the border. That also is a human problem which has to be taken into account. In some cases they come into India on the basis of Pakistani passports and sometimes they easily infiltrate into India. In the latter case Government takes action, and in the other case also Government sees to it that their visit to India is shortened as early as possible. This is so far as the first question is concerned.

Then there is the question of illegal stay of Pakistani nationals in India on a large scale. In this connection I should like to give some figures to the House. It will be seen from the statement that the number of Pakistani nationals staying in India unauthorisedly as on 31st May, 1961 was only 7283.

Shri Prakash Vir Shastri: Only?

Shri Datar: Only, according to the figures supplied by all the State Governments—it is not now only Assam,

it is the whole of India. Adding the number of infiltrants who numbered 4563, this figure will come to 11,846. Out of these 11,846, 1936 have been already deported, 89 have been allowed to stay on a permanent basis, the stay of another 34 has been regularised and of the remaining 9787 persons 3599 are under orders of deportation. Now, as I have already pointed out, these orders of deportation follow convictions. After they have undergone either the sentence by way of imprisonment or they have paid the fines, naturally the order or deportation follows as a matter of course. Therefore, these persons are under orders of deportation or under prosecution. The cases of 2631 are under consideration of the State Governments, all the State Governments taken together.

The next point on which much was said by my hon. friend was the anti-national activities. What he wanted us to believe was this, that not only did they enter into India unauthorisedly but they further carried on anti-Indian activities. So far as that aspect of the question is concerned, I should like to give some figures. Pakistani nationals have come to adverse notice for having indulged in communal activities to a small extent. The number which has come to notice for indulging in anti-national activities is only 33 excluding those who had already been deported. The statement also gives the details of the activities of these 33 persons. The Government of U.P. have also intimated that no gun-powder has been seized from any Pakistani national as alleged by Shri Prakash Vir Shastri in one of his earlier motions. As the number is small, my hon. friend will agree with me that the danger cannot be called 'imminent' at all. It is not that there is any policy of self-complacency. Government are not acting under any self-complacency, I would assure the hon. Member and the House. There are only a few cases of this type and due to vigilance this number has not

increased; the Government have also full powers to watch the action of those against whom there is some ground or foundation for suspicion. Then, if it is found that some action is necessary, immediately the State Governments take action. So far as these persons are concerned, I would point out that out of these 33 persons, 13 were undergoing sentences already, 6 have been since deported and 14 have been under prosecution. It will, therefore, be seen that the number of Pakistani nationals who were found indulging in anti-national activities was too small to constitute any danger to the security of the country. Apart from this, full legal powers are available to deal with such Pakistani nationals. Therefore, without taking any further time, I should like to assure the House that Government are fully aware of this problem. Though my hon. friend has put it, more or less on an exaggerated basis, still, Government, as I have stated, will not be governed by any idea of self-complacency; they will take action wherever it is necessary. Because, after all, internal security of India is as important, perhaps more important than even external security. Therefore, I would assure the hon. Members that all that is necessary is being done.

Shri Sinhasan Singh: What about Deoband to whom he has referred?

Shri Datar: I have not got that particular information. I shall make enquiries into this matter and shall see to it that if any strong action is necessary, that action is certainly taken.

Shrimati Renu Chakravartty: If it is false, then also he should inform this House, because the statement should not go uncorrected.

Shri Datar: As soon as information is available, it will be done.

Shrimati Manjula Devi: May I know whether the hon. Minister is aware that in Mikir hills, from where the refugees were driven out even with

the help of the elephants, Muslims of Pakistan nationality are being settled. May I know whether he is aware of this fact? I hope the hon. Minister will make necessary investigation and let the House know what the latest situation is. I want to know whether the Government have been extremely vigilant about Pakistani nationals in India.

Shri Datar: They have got to be vigilant. I would request the hon. lady Member, as well as others, to give us any information that they have, after checking it up to the extent they can, so that we may look into this matter and take necessary action wherever it is found necessary.

Shri Indrajit Gupta: The hon. Minister has not replied to one question. Would he tell us the number of Pakistani nationals now in this country on proper visas and passports who are employed?

Shri Datar: I have given some figures. I cannot offhand give all the figures.

Shri Indrajit Gupta: When you issue passports and visas to them, you must know this information.

Shri Datar: If a Pakistani national acquires Indian citizenship according to the Indian Citizenship Act, because he is here on a long-term basis, then you cannot turn him out all on a sudden.

Shri Indrajit Gupta: I want to know the number. I am not asking you to turn them out.

Shrimati Renu Chakravartty: The difficulty is that those Pakistani nationals who have settled here legally in employment for a long time are finding it difficult. As long as they have got employment, they have got legal passport, visa and all that sort of thing and they should not be harassed. Ultimately, at the stage of retirement, when they are trying to settle their provident fund and retirement benefits, it is said that they are Pakistani nationals.

Shri Datar: That is the opposite of what Shri Prakash Vir Shastri has stated.

Shrimati Renu Chakravartty: That is so. There are two sides. We must see both.

Shri P. C. Borooah: The hon. Minister was telling about the building of roads and establishment of check-posts. What is the assistance that

the Centre is going to give to the State Government?

Mr. Chairman: This is a matter of detail which need not be answered in this discussion.

17.45 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday, September 7, 1961/Bhadra 16, 1883 (Saka).

[Wednesday, September 6, 1961/Bhadra 15, 1883 (Saka)]

ORAL ANSWERS TO QUESTIONS		COLUMNS	WRITTEN ANSWERS TO QUESTIONS—contd.		COLUMNS
S.Q. No.	Subject	7261—7300	S.Q. No.	Subject	
1243	Post Graduate medical studies	7261—64	1267	Imported wheat from U.S.A. diverted to Turkey	7306-07
1245	All India P. & T. Services Commission	7264-65	1268	Employment of pilots	7307-08
1246	Private bus service in Delhi	7265—69	1269	Heart disease in India	7308
1247	Tea export	7269—71	1270	Offer to construct Second shipyard	7308
1249	Theft of copper wire on S.E. Railway	7271—75	U.S.Q.		
1250	Sea mail	7275-76	No.		
1251	Seniority of train examiners	7276—80	3464	Sugar factories in Punjab	7309
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3619-A.	Arrest of Assistant Station Master of Etawah Station.	7405-06
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Correction of Answer to U.S.Q.No. 2282		7408-09
MOTION FOR ADJOURNMENT		7409-10

The Speaker withheld his consent to the moving of an adjournment motion given notice of by Shri Balraj Madhok regarding overflowing of Najafgarh lake and drains Nos. 6 and 8 as a result of which several villages in Delhi were marooned.

CALLING ATTENTION TO
MATTER OF URGENT
PUBLIC IMPORTANCE 7410-12

Shrimati Ila Palchoudhuri called the attention of the Minister (Dr. P. Subbarayan) made a statement in regard thereto.

PAPERS LAID ON THE TABLE 7412-13

- (1) A copy each of the following Orders under sub-section (6) of section 3 of the Essential Commodities Act, 1955:
- (i) The Rice (Madhya Pradesh) Price Control (Second Amendment) Order, 1961 published in Notification No. G. S.R. 1062 dated the 25th August, 1961.
- (ii) The Rice (Punjab) Second Price Control (Tenth Amendment) Order, 1961, published in Notification No. G.S.R. 1063 dated the 25th August, 1961.
- (2) A copy of the Annual Accounts of the Air-India International Corporation for the year 1959-60 and the Audit Report thereon, under sub-section (4) of section 15 of the Air Corporations Act, 1953.

MESSAGE FROM RAJYA
SABHA 7413

Secretary reported a message from Rajya Sabha that Rajya Sabha had no recommendations to make to Lok Sabha in regard to the Appropriation (No. 4) Bill, 1961.

REPORT OF COMMITTEE
ON PRIVATE MEMBERS
BILLS AND RESOLU-
TIONS PRESENTED 7413

Eighty-ninth Report was presented.

REPORT OF JOINT COM-
MITTEE ON OFFICES OF
PROFIT PRESENTED 7414

Fourth Report was presented

RESIGNATION OF MEMBER 7414

The Speaker informed Lok Sabha that Shri Ajit Prasad Jain had resigned his seat in Lok Sabha with effect from the 5th September, 1961.

COLUMNS

COLUMNS

BILL PASSED . . . 7414—97

Further discussion on the motion to consider the Delhi Municipal Corporation (Amendment) Bill continued. The Minister of State in the Ministry of Home Affairs (Shri Datar) replied to the debate and the motion was adopted. Clause-by-clause consideration was taken up and clauses 2 to 13, 15 to 18 and 20 to 23 were adopted. Clauses 14 and 19 were adopted as amended and Bill, as amended, was passed.

MOTIONS RE. MODIFICATION OF MINERAL CONCESSION RULES, 1960 . 7497-7566

Thirty-five motions for the modification of the rules were moved by Shri Vidya Charan Shukla. After discussion, all the motions were withdrawn by leave of the House.

AGENDA FOR THURSDAY, SEPTEMBER, 7, 1961/ BHADRA 16, 1883 (Saka)

Further consideration and passing of the Deposit Insurance Corporation Bill.

Discussion on motions *re.* production and supply of coal.