

Tuesday, December 13, 1960  
Agrahayana 22, 1882(Saka)

# LOK SABHA DEBATES

**Second Series**

**Volume XLIX, 1960/1882 (Saka)**

[*December 12 to 23, 1960/Agrahayana 21 to Pausa 2, 1882 (Saka)*]



**TWELFTH SESSION, 1960/1882 (Saka)**

(*Vol. XLIX contains Nos. 21 to 30*)

LOK SABHA SECRETARIAT  
NEW DELHI

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LOK SABHA

Tuesday, December 13, 1960/Agrahayana 22, 1882 (Saka)

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER in the Chair]

MEMBER SWORN

Shri Shankar Tukaram Patil  
(Akola).

ORAL ANSWERS TO QUESTIONS

Afro-Asian Convention Regarding Tibetan Issue in U.N.O.

+  
 { Shri Goray:  
 Shri P. K. Deo:  
 Shri Rameshwar Tantia:  
 \*886. { Shri Ajit Singh Sarhad:  
 Shri Hem Barua:  
 Shri A. M. Tariq:  
 Shri Ram Krishan Gupta:

Will the Prime Minister be pleased to state:

(a) whether Government have received a memorandum from the Afro-Asian Convention on Tibet recently held in New Delhi requesting the Government of India to make a move to place the Tibetan issue on the agenda of the current session of the U.N. General Assembly;

(b) if so, Government's reaction thereto; and

(c) the stand taken by India in the United Nations on the question of Tibet?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon):

(a) and (b). No note or memorandum was received from the Afro-Asian

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Council, but a letter was received from a member of the Council. The Government of India were, however, of opinion that they should not support the proposal made therein.

(c) This question has not yet come up for discussion in the General Assembly.

Shri Goray: I would like to know, when this question comes up in the United Nations what will be our directive to our representatives there.

Shrimati Lakshmi Menon: It will depend upon the wording of the draft resolution. If we think we could support it, we will support it. Otherwise we will have to take whatever action is appropriate; the delegation is asked to consult the Government of India regarding the final decision.

Shri P. K. Deo: May I know if the International Commission of Jurists submitted a report saying that there has been a clear case of genocide and violation of human rights in Tibet; and, if so, what action Government propose to take on that report, and how do they propose to utilise that report in the United Nations?

Shrimati Lakshmi Menon: The international organisation of jurists that the hon. Member was referring to is not a governmental body..

Shri P. K. Deo: It is not.

Shrimati Lakshmi Menon: Therefore, what action could Government take on the recommendations of a non-governmental organisation?

Shri Braj Raj Singh: What are the reactions of the Government?.

**Mr. Speaker:** Dr. Ram Subhag Singh.

**Dr. Ram Subhag Singh:** Is it true that the Tibetan people in Tibet are being eliminated as a race by the authorities who are at present controlling the destiny of Tibet; if so, what do Government consider about that?

**Shrimati Lakshmi Menon:** That is what the memorandum of the jurists reports: after considering the evidence they have collected they say that there is a clear case of genocide in Tibet.

**Shri Hem Barua:** May I know whether the attention of the Government has been drawn to the fact that since the last session of the U.N. General Assembly there has happened much to establish conclusively that in terms of the U.N. there has been violation of human rights and genocide against Tibetans in the Tibet region of China; and, if so, whether Government propose to revise the decision during the next session of the General Assembly of the U.N.?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** This question of our policy in regard to Tibet has been discussed here on more than one occasion, and the policy we adopt is clear; and we see no reason to change that policy. It is not a question of approving of what is being done in Tibet. We do not approve, we have not approved of a great deal that has happened there. But it is a question of what we should do about this matter. Even last year, when this question arose we discussed it at some length, and when that went to the U.N. a very large number of countries abstained on this issue, because of various considerations. So far as this report is concerned it is not for me to say how far it is correct or not, and it is difficult even for them, that is those who drafted the report, to say, because it is all based on accounts of refugees who have come here. It could not be otherwise. But such accounts are

often, it is known, limited and somewhat exaggerated. But apart from that, there is no doubt in our mind that much has happened in Tibet which has caused very considerable unhappiness to many people there.

But as to what we should do, I mean the U.N. should do, about it depends, first of all, as my colleague said, on what kind of resolution is brought up there. But apart from that, it does not seem to us to affect the situation at all; it doesn't.

**Shri Goray:** I would like to know, why is it when our representatives in U.N., while talking on colonialism in such grandiloquent manner and condemning it, keep quiet about this when every crime under the sun has been committed by the Chinese in Tibet.

**Shri Jawaharlal Nehru:** Obviously for this reason that it is not colonialism of the type we have always mentioned. It may be worse than colonialism, if you like; but it is not colonialism of that type. Here is a long history, going back to centuries, and with all kinds of conflicts and authorities functioning there. You may consider it and condemn it or not, that is a different matter. But it is a different type of thing.

**Shri P. C. Borooah:** What are the sources of finance for this association, the Convention on Tibet?

**Shri Jawaharlal Nehru:** I do not know. How do I know?

श्री अ० ब० तारिक : मैं यह जानना चाहता हूँ कि क्या हुकूमत को यह इल्म है कि इस दफ्ता अकबामे -मुत्तहिदा में हिन्दुस्तान के कुछ शहरी गए और वे हिन्दुस्तान की हुकूमत की मौजूदा तिब्बत-पालिमी पर नुक्ता-चीनी करते रहे और दाहर के मुल्कों में हिन्दुस्तान की पालिमी के खिनाफ़े प्रायेंगेडा करते रहे । मैं यह भी जानना चाहता हूँ कि इन लोगों को कितना फ़ारिने एक्स-चेंज दिया गया ।

[میں یہ جاننا چاہتا ہوں کہ کیا حکومت کو علم ہے کہ اس دفعہ اقوام متحدہ میں ہندوستان کے کچھ شہری گئے اور وہ ہندوستان کی حکومت کی موجودہ تبت پالیسی پر نکتہ چینی کرتے رہے اور باہر کے ملکوں میں ہندوستان کی پالیسی کے خلاف پراپیگنڈا کرتے رہے - میں یہ بھی جاننا چاہتا ہوں کہ ان لوگوں کو کتنا انفرین ایکسچینج دیا گیا -]

श्री जवाहरलाल नेहरू : किन लोगों का जिक्र है और कहाँ ?

Shri A. M. Tariq: Mr. J. J. Singh and his colleagues.

श्री जवाहरलाल नेहरू : जहाँ तक मुझे याद है, दो साहबों को बारह हजार रुपये का फारन एक्सचेंज दिया गया ।

श्रीमती लक्ष्मी मेनन : श्री जे० जे० सिंह और श्री पुरुषोत्तम दास त्रिकमदास को ।

श्री अ० सु० तारिक : मेरे سوال के पहले हिस्से का जवाब नहीं दिया गया । क्या यह हकीकत है कि जब ये लोग वहाँ गए, तो दूकमते-हिन्दुस्तान की सरकारी पालिसी पर नुक्ता-चीनी करते रहे और दूसरे मुल्कों में हमारी पालिसी के खिलाफ लाबीइंग करते रहे ? अगर यह दुस्त है, तो इस बारे में दूकमत ने क्या कदम उठाया है ?

[میرے سوال کے پہلے حصے کا جواب نہیں دیا گیا - کیا یہ حقیقت ہے کہ جب یہ لوگ وہاں گئے تو حکومت ہندوستان کی سرکاری پالیسی پر نکتہ چینی کرتے رہے اور دوسرے ملکوں میں ہماری پالیسی کے خلاف لاپہلگ کرتے رہے - اثر یہ درست

ہے تو اس بارے میں حکومت نے کیا قدم اٹھایا ہے -]

श्री जवाहरलाल नेहरू : मैं उस का क्या जवाब दूँ ? मुमकिन है कि आनरेबल मेम्बर जो वाने कहते हैं, वे कुछ मही हैं । मैं जान-पड़ना नहीं कर सकता कि उन्होंने पदों के पीछे क्या क्या किया ।

Shri Ram Krishan Gupta: The hon. the Prime Minister just now said that there seems to be some truth in this case. May I know whether Government have received any such complain's from our headquarters there?

Shri Jawaharlal Nehru: Not normally the type of complaints that have come in there. The kind of information we get is obviously limited in the circumstances to what is seen in the locality there. There is no information about so-called genocide, etc.

Shri Ansar Harvani: Is Government aware that certain foreign missions in Delhi have been helping and organising these conventions and have actually been financing them; if so, may I know what steps Government proposes to take in the future to prevent these activities?

Shri Jawaharlal Nehru: We have no information on that subject.

Shri Chintamani Panigrahi: May I know whether the attention of the hon. the Prime Minister has been drawn to a letter published in Blitz regarding Shri J. J. Singh's letter to Shri Jayaprakash Narayan that if the Indian delegation does not support their stand in U.N. they will expose our Prime Minister; and, if so, what is the reaction of the Prime Minister to the same?

Shri Jawaharlal Nehru: I have not seen any such letter; I do not know what it contains.

Shri Chintamani Panigrahi: It has come in other papers also.

**Some Hon. Members** rose—

**Mr. Speaker:** I cannot allow every hon. Member to put supplementaries on every question. Next question.

### Dandakaranya Scheme

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**Shri S. M. Banerjee:**

**Shri Sadhan Gupta:**

**Shri Supakar:**

**Shri Ajit Singh Sarhadi:**

**Dr. Ram Subhag Singh:**

\*867. { **Shri Surendranath Dwivedy:**

**Shri Mohan Swarup:**

**Shri Hem Barua:**

**Shri Tangamani:**

**Shri Bimal Ghose:**

**Shri Sanganna:**

Will the Minister of **Rehabilitation and Minority Affairs** be pleased to state:

(a) whether it is a fact that land reclamation work in Dandakaranya has received a set back on account of the delay in the delivery of the requisite machinery by the Defence Ministry;

(b) whether some more displaced persons have been brought recently to Dandakaranya; and

(c) the total number of displaced persons or families brought from West Bengal month by month from 1st January, 1960 to 30th November, 1960?

**The Deputy Minister of Rehabilitation (Shri P. S. Naskar):** (a), (b) and (c). The attention of the Hon'ble Members is invited to the Progress Report on the Dandakaranya Project circulated to the Members of the Lok Sabha on the 28th November, 1960.

**Shri S. M. Banerjee:** I want to know whether it is a fact that orders for 75 tractors were to be placed on 26th February, 1960 with the Defence Ministry and why the orders were placed only on the 26th April, 1960?

**Shri P. S. Naskar:** It was decided to place the order sometime in April and it was done so.

**Shri S. M. Banerjee:** May I know whether it is a fact that orders for 45 tractors have been placed on a U.S. firm for Caterpillar tractors and if so, what are the reasons why that particular order was not placed on the Defence Ministry?

**Shri P. S. Naskar:** It is a fact that additional orders for 45 tractors including the Caterpillar have been placed with an American firm in addition to the order for 75 tractors placed with the DGOF of the Defence Ministry. The Defence Ministry could not supply the entire requirements of the DDA in time, required for urgent reclamation programme.

**Shri S. M. Banerjee:** The hon. Minister stated that the Defence Ministry could not supply in time. My question was whether the order was actually placed on the 26th February, 1960 or it was delayed and the delay was on the part of the Rehabilitation Ministry in placing this order on 26th April, 1960. I want to know whether the delay is due to placing the order or due to the inability of the Defence Ministry to supply in time?

**Shri P. S. Naskar:** The order was placed, as was decided, in April and it was stipulated in that order that delivery would be done by October, 1960. The delivery, for some reasons, has been delayed by the DGOF. They could only deliver the tractors from this month. The delivery date stipulated on the original order was October, 1960. There was no delay in placing the orders, as far as I remember.

**Dr. Ram Subhag Singh:** May I know the total acreage of land so far reclaimed there and the acreage of land which has actually been cultivated?



**Shri P. S. Naskar:** I would draw the attention of the hon. Members to the details that have been given in the report that has been already circulated to hon. Members of this House.

**Mr. Speaker:** Every day a question is put as to what is the progress in Dandakaranya. How can there be progress? I am prepared to allow a discussion on Dandakaranya, until hon. Members are thoroughly satisfied, once in six months. I am prepared to allow three or four hours on Dandakaranya. In the meanwhile, hon. Members will go there and see for themselves from time to time. This would not allow the Government to move forward at all. Next question.

**Shri Tangamani rose—**

**Mr. Speaker:** I am not going to allow. I will allow him ample opportunity some other time.

#### Export of Iron Ore

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\*868. { **Shrimati Ila Palchoudhuri:**  
**Dr. Ram Subhag Singh :**

Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that possibilities for enlarging iron ore exports to European countries are being explored;

(b) if so, details of the efforts that are being made; and

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

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):**

(a) to (c). Iron ore is already being exported to Europe. Possibilities of enlarging these exports are under examination with reference to specific demands as well as port and railway capacities.

**Shrimati Ila Palchoudhuri:** Is it a fact that Italy, West Germany and Czechoslovakia have shown some interest in Indian iron ore and to ex-

port that, we will need to expand the ports in the South?

**Shri Satish Chandra:** Czechoslovakia is already purchasing considerable quantities of iron ore from us. Italy and West Germany had shown some interest in purchasing our iron ore from the west coast ports. Interest of West Germany has slackened in the recent period. Italy is already in the field; they have contracted for the purchase of about 1.5 lakh tons this year.

**Shri Jaganatha Rao:** May I know if any agreement has been reached with Rumania for export of Indian iron ore to that country?

**Shri Satish Chandra:** The Rumanian Minister of Commerce has arrived in Delhi only yesterday. Negotiations are proceeding.

**Shri Basappa:** May I know the possibilities of exporting low grade iron ore from west coast to Italy and other places and if so, what steps have been taken in this regard?

**Shri Satish Chandra:** The iron ores that are being supplied from the west coast are both high grade and low grade. All the countries want to purchase certain quantities of high grade, medium grade and low grade ore in order to make a proper blend. Efforts are being made and the present capacity is being fully utilised. Further supplies from the west coast will depend on the development of additional railway and port capacity.

**Shri Thirumala Rao:** In the agreements between these countries and India, is there any stipulation that these ores should be taken in the vessels of the buying countries or is any portion reserved for Indian shipping also?

**Shri Satish Chandra:** A portion is reserved for Indian shipping. In reply to a question the other day I said that in the case of Japan, 10

per cent is reserved for Indian shipping. But Indian ships are not available even to carry that quantity.

**Shri Damani:** May I know whether the Government have worked out the total export capacity of iron ore to foreign countries and how it compares with our present export?

**Shri Satish Chandra:** Last year, the railway capacity and the port capacity was 3 million tons and we exported 3 million tons. This year, we hope to export 3.5 million tons, as that is the capacity indicated to us by the railway and port authorities. It will develop considerably during the third Plan.

**Shri Tyagi:** May I know the country-wise break-up of the demand of iron ore in foreign countries, whether this is on barter system and whether the money earned is in rupees or in any other foreign exchange?

**Mr. Speaker:** The hon. Member may table a question and I will admit it as an unstarred question. The break-up of the exports to all countries in the world, the foreign exchange earned etc.—are these matters to be answered during the Question Hour?

**Shri Tyagi:** At least, may I know the total value of the exports to all the countries?

**Mr. Speaker:** All this information is easily available in the sea-borne trade of the Government of India. Hon. Members must go to the library whenever they have got leisure and look into these matters. They are easily available. The Question Hour ought not to be utilised for eliciting answers which can be easily found in the books and reports available in the library. What is the use of throwing all the burden upon the Minister to give all the statistics?

**Shri Tyagi:** If not country-wise exports, at least the total value may be given.

**Mr. Speaker:** How can he give off-hand? Country-wise exports cannot

be asked except as an unstarred question. The total value of the imports is also available in the sea-borne trade.

**Dr. Ram Subhag Singh:** Is there any proposal to explore and develop any new areas for meeting the export requirements of iron ore?

**Shri Satish Chandra:** The Intermediate Port Development Committee has submitted its recommendations which are under the consideration of the Ministry of Transport and Communications. Some additional capacity for mechanical loading, etc. is being provided in various ports.

**Shri P. K. Deo:** Is there any proposal by Government not to export iron ore, but to export pig iron, so that an impetus may be given to the development of the iron industry in this country, specially of medium-scale ones like the low-shaft furnaces?

**Shri Satish Chandra:** Only small quantities of pig iron are exported to other countries. All the iron and steel that we produce now have to be utilized in the country, because we are a net importer of steel. So, we cannot spare large quantities of pig iron till the production of iron is stepped up very considerably.

**Shri Shivananjappa:** In a recent survey of Mysore State it was found that we have about 5 million tons of high grade iron ore for exploitation. May I know whether Government have taken steps to develop it for export?

**Shri Satish Chandra:** The iron ore from Mysore is being exported through Madras port and other minor ports. There is a scheme under consideration for the development of Mangalore port. That is under consideration of Planning Commission, Ministry of Transport and Communications and the Ministry of Finance.

### Distribution of Scooters

\*869. { Shri Ram Krishan Gupta:  
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Shri Ram Garib

Will the Minister of Commerce and Industry be pleased to state:

(a) the nature of steps taken or proposed to be taken to ensure equitable distribution of scooters at fair prices; and

(b) the result thereof?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). A statement is laid on the Table of the Sabha.

#### STATEMENT

The distribution and sale of scooters has been controlled with effect from 2nd September, 1960 by issue of Scooters (Distribution and Sale) Control Order, 1960.

The salient features of the Control Order are:

(i) The dealers are required to sell scooters to only those persons whose orders have been booked by them, strictly in the order of priority in which the orders have been booked;

(ii) With a view to eliminating non-genuine orders, every prospective purchaser is required to furnish along with the application for registration of order a bank guarantee for Rs. 250

(iii) No person can purchase more than one new scooter during the same calendar year;

(iv) No person can sell a scooter before the expiry of one year from the date when it was first purchased as a new scooter, except under a permit in writing from the Controller.

As the Control Order came into force only recently it is yet premature to assess the result thereof. However, it can be said even at this stage that the issue of this Order has largely resulted in the elimination of non-genuine buyers from the market.

Shri Ram Krishan Gupta: May I know whether a dealer is required to sell the whole quota of scooters on

priority basis or is there any exception?

Shri Manubhai Shah: There is no question of priority basis. It is done on the basis of first come first served as registered with the dealers.

Shri Ram Krishan Gupta: From the statement I find that no person can sell a scooter before the expiry of one year from the date when it was first purchased, except under a permit in writing from the Controller. May I know whether any such sale has been allowed by the Controller so far?

Shri Manubhai Shah: Those figures do not come here, because we have decentralised control. Now every State Controller exercises such authority. But we have no reason to believe that many permits would have been given.

Shri Tangamani: May I know whether Government have got details of those who have applied for scooters and how much have been served? May I also know whether they will take Rs. 250 in cash instead of a bank guarantee?

Shri Manubhai Shah: There are both types of customers. Some people can afford to give a bank guarantee. Others pay their deposits.

Shri B. K. Gaikwad: May I know the names of dealers or agents who distribute the scooters. What is the cost now?

Shri Manubhai Shah: The cost varies round about Rs. 2,500, Rs. 2,700 and Rs. 3,000. There are many dealers who are distributing agents.

Shri Achar: I find from the statement that one person can have only one scooter? What is the reason behind it?

Shri Manubhai Shah: We have not come to a stage when we can afford to give more than one scooter to an individual.

**Shri Tyagi:** What is the percentage of profit permitted to the manufacturing firms?

**Shri Manubhai Shah:** There is no control as such on prices. But they generally offer broadly reasonable terms with reasonable profits.

**Shri Tyagi:** So the prices are fixed by the manufacturers themselves?

**Shri Manubhai Shah:** No. In the case of many commodities which are in scarcity the price is always approved by the Government. Generally we allow 12 per cent return on the capital outlay, as recommended by the Tariff Commission for various commodities.

**श्री रामसिंह भाई वर्मा :** ग्राम तौर पर यह देखा गया है कि जो लोग स्कूटर खरीदते हैं वे अधिक कीमत पर दूसरों को बेच देते हैं। तो क्या माननीय मंत्री जी के सामने यह सवाल विचाराधीन है कि जिस को स्कूटर दिया जाय वह अमूल्य अमूल्य वर्षों तक न तो उस को बेच सके, न गिरवी रख सके और न किसी को बख्शीश में दे सके ?

**अध्यक्ष महोदय :** वही तो कंडीशन है ।

**श्री मनुभाई शाह :** यही तो आर्डर है ।

That is the precise order. He cannot re-sell it for a year.

**Mr. Speaker:** Hon. Members must take the trouble of going to the Notice Office and seeing the answers and the statements laid on the Table before putting questions. It is rather unfortunate that hon. Members ask the same questions which have already been answered. In future, I will make a note of hon. Members who put questions which have already been answered for future guidance.

## Shortage of Cement

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**Shri Padam Dev:**

**Shri Shree Narayan Das:**

**Shri Radha Kaman:**

**Shri D. C. Sharma:**

**Shri Ram Garib:**

Will the Minister of Commerce and Industry be pleased to state:

(a) whether any assessment as to the present position of supply and demand of cement in the country has been made;

(b) if so, what is the result; and

(c) the step taken to meet the situation?

**The Minister of Industry (Shri Manubhai Shah):** (a) to (c). A statement is laid on the Table of the House.

### STATEMENT

(a) and (b). Yes, Sir. The present demand for cement is estimated at about 0.95 million metric tons per month and the present availability is about 0.70 million metric tons per month.

(c) In order to obtain the maximum production with the existing plant and machinery in cement factories, steps are being taken to ensure that the factories are adequately supplied with coal and that the cement produced is moved expeditiously.

Several schemes have been sanctioned for the expansion of existing factories as well as for the installation of new ones and these are being pursued vigorously. The annual installed capacity, which at present stands at 8.7 million tons, is expected to rise to 9.5 million tons by the end of 1960-61, 10.2 million tons by 1961-62, and capacity already licensed for implementation comes to 12.5 million tons by 1963-64. The approved capacity so far comes to 15.6 million tons but the balance of 3.1 million tons is yet to be considered for capital goods and plant. The target capacity fixed for Third Plan is 15 million tons. It is hoped to approve for plant and machinery the balance capacity of 3.1 million tons soon. If neces-

sary, the target will also be revised upwards. All efforts are being made to rapidly expand the production of cement.

**श्री पद्म देव :** यह ठीक है कि सरकार ने सीमेंट की पूंज के लिये अनेक योजनाएँ चालू कर रखी हैं, क्या सीमेंट की बहुत अधिक डिमांड को देखते हुए इन सारी योजनाओं के अन्दर सरकार ने हिमाचल प्रदेश के मिरमौर जिले की तहसील पांवटा के राजवन स्थान में, जहाँ बहुत ज्यादा जिप्सम होता है, कोई योजना चालू करने का विचार किया है ?

**श्री मनुभाई शाह :** हमने तीन साल पहले की थी और माननीय सदस्य को इस का पता भी है कि मैं खुद पांवटा गया था। लेकिन चूंकि वहाँ ट्रांसपोर्ट की अच्छी फेसिलिटीज नहीं है इसलिए उस योजना की ज्यादा तरक्की नहीं हुई है। परन्तु जहाँ तक सारे देश का ताल्लुक है, उसे बढ़ाने की पूरी कोशिश की जाती है।

**श्री ख दीवाला :** क्या श्रीमान् को यह मालूम है कि सीमेंट का भाव सन् १९४४ में २ रु० १० आना था और अब ७ रु० ४ आ० या ७ रु० ८ आ० है, और दिन प्रति दिन वह बढ़ता ही जाता है, तो क्या इस को कम करने या कोई रेट फिक्स करने का विचार किया गया है ?

**श्री मनुभाई शाह :** माननीय सदस्य बहुत पुरानी बात कह रहे हैं। कम से कम पिछले पांच सालों से ११७ रु० ८ आ० सीमेंट का फिक्सड भाव है। इसमें से २६ रु० सरकार की ड्यूटी है।

**श्री हेम राज :** क्या मैं यह जान सकता हूँ कि पंजाब सरकार ने पंजाब में एक सीमेंट फैक्ट्री बनाने की जो योजना केन्द्रीय सरकार के पास भेजी है, वह मंजूर कर ली गई है ?

**श्री मनुभाई शाह :** कोई अच्छी योजना होगी तो मंजूर की जायेगी। हम तो सीमेंट

की बहुत तरक्की करना चाहते हैं। हम ६० योजनाएँ मंजूर भी कर चुके हैं, और जैसा स्टेटमेंट में बतलाया गया है, हम ने थर्ड प्लान के टारगेट को कवर कर लिया है।

**Shri Damani:** What is the licensed capacity of cement production per day? How much is produced daily at present?

**Shri Manubhai Shah:** The present licensed capacity is 15.6 million tons, which is 6 lakhs tons more than the Third Plan target so far decided by the Planning Commission and the Ministry. But we are trying to push up this production and I have already given a statement of the year-wise anticipated production. If the hon. Members go through the statement they will find I have given the figures for each year during the Third Plan.

**Shri Basappa:** Recently, the hon. Minister has opened a cement factory in my own district. May I know the capacity of that cement factory and when it will go into full production?

**Shri Manubhai Shah:** Its capacity will be 100,000 tons when it goes into full production. Its capacity will be doubled when it can produce another 100,000 tons.

**श्री बजरज सिंह :** क्या मंत्री महोदय यह बताने की कृपा करेंगे कि पाकिस्तान को हमारे यहाँ से कितना सीमेंट भेजा जा रहा है, और इस बात को देखते हुए कि हमारे यहाँ सीमेंट का अभाव है, क्या सरकार इस बात के लिये प्रयत्नशील है कि सूबों में इस के वितरण की समुचित व्यवस्था हो ?

**श्री मनुभाई शाह :** जहाँ तक पाकिस्तान का ताल्लुक है, हम ने कोई डेढ़ लाख टन का कंट्रैक्ट किया था, लेकिन माननीय सदस्य बधा हाउस को पता है कि प्राज से कुछ साब पहले और स्थिति थी और हमारे पास इतना ज्यादा सीमेंट ग्लट हो गया था कि फैक्ट्रीज के बन्द होने की नौबत आने वाली थी। वैसे थोड़ा बहुत उतार चढ़ाव चलता रहता

है और पाकिस्तान चूक पास का देग है और वहां यह रेल म जा सकता है, उन को जहरत भी पड़ता है। इसलिये हम ने थोड़ा तो इन्फ्रस्ट्रक्चर का सादा किया था ।

**Shri Yadav Narayan Jadhav:** May I know whether the additional capacity that will be installed in the Third Plan will be in the public sector?

**Shri Manubhai Shah:** No, all in the private sector, except three factories, one in Chooriki, another in Bhalai and the third in Mysore State.

**Shri Tangamani:** From the statement I find that although the licensed capacity is 15.6 million tons, there is still doubt about getting the plans for 3.1 million tons. May I know whether final steps have been taken to guarantee installation of plants of 3.1 million ton capacity?

**Shri Manubhai Shah:** Actually there is no doubt about this. As the House knows, we have already developed capacity to manufacture complete cement plants in the country. The House will be glad to know that we are in a position now to manufacture 6½ complete standard plants of 600 tons per day. We are trying to increase the indigenous capacity so as to cover this 3.1 million tons.

**श्री पद्म देव :** इस सदन में सरकार की ओर से अनेक बार कहा गया है कि चूक वहां यातायात के साधन नहीं हैं, इसलिये वहां की सामग्री को एक्सप्लायट नहीं किया जा सकता । क्या जो पिछड़े हुये इलाके हैं और जहां पर सामग्री भी बहुत है अगर उनको एक्सप्लायट नहीं किया जाता, वहां पर सड़कें भी नहीं बनाई जाती साधनों के अभाव में, तो उन इलाकों का पिछड़ापन कैसे दूर होगा ?

**श्री मनुभाई शाह :** बात थोड़ीसी और है । जो रा मैटीरियल बेस्ड हेवी इंडस्ट्रीज हैं, उनको हम थोड़ी दिक्कत होते हुये भी डेवलप कर रहे हैं । छोटी इंडस्ट्रीज और मीडियम

इंडस्ट्रीज में फूट्स और वेजिटेबल्स की कैनिंग करने और जूस बनाने की कोशिश कर रहे हैं, और उसका माननीय सदस्य को पता भी है ।

### Third Five Year Plan

\*872. **Shri Harish Chandra Mathur:** Will the Minister of Planning be pleased to state:

(a) what is the basis on which it is estimated that public sector enterprises will contribute 440 crores and more for the Third Five Year Plan; and

(b) what is the break-up of this figure?

**The Deputy Minister of Planning and Labour and Employment (Shri L. N. Mishra):** (a). The estimate of Rs. 440 crores in respect of surpluses of public enterprises (other than Railways) represents the balance of resources available with public enterprises after providing for their working expenses as well as depreciation outlays. This takes into account the estimated increase in output in the course of the Third Plan.

(b). Of the aggregate figure of Rs. 440 crores, Rs. 300 crores is in respect of Central Government enterprises and the remaining Rs. 140 crores in respect of State Government undertakings.

**Shri Harish Chandra Mathur:** I had expected them to give a full break-up. As a matter of fact, I wanted to know this even in the Parliamentary Committees which you had appointed. I asked this question there. I could not get the break-up. Then I was forced to ask this question so that we could get some indication. I had thought that there would be a statement laid on the Table of the House. You ask us not to ask questions information regarding which is available. But I have been hunting for an answer to this for the last three months and no indication has been given.

**Shri L. N. Mishra:** A firm figure on plant-wise basis is not available. We

took a tentative account of all the industries and this was put in the Draft Plan. We have prepared a proforma and are writing to the ministries concerned. By the time the Plan is finalised we shall get the firm figures.

**Shri Harish Chandra Mathur:** What was the total profit derived from the public sector enterprises during 1959-60 and what is the budgetted figure for 1960-61?

**Shri L. N. Mishra:** As you know, Sir, the annual statements of accounts of all the public undertakings are placed on the Table of the House. The hon. Member can go to the Library and find out the figures on industry-wise basis.

**Shri Harish Chandra Mathur** I have asked the Library and the Research Section to give me all the figures. The are not available anywhere except in this book which was laid on the Table of the House. Of all the public enterprises the figure given is Rs. 5 crores, that is, for all these going concerns. If it is Rs. 5 crores during the year 1959-60, how do they feel that this will be stepped up to Rs. 440 crores? For one year it is Rs. 5 crores....

**Mr. Speaker:** If for one year it is Rs. 5 crores, for five years, 5 multiplied by 5, it is Rs. 25 crores. How does it come to Rs. 440 crores? (*Interruption*). That is the pith or substance of the question.

**The Minister of Labour and Employment and Planning (Shri Nanda):** The hon. Member has himself acknowledged the fact that there is a publication which gives all this information so far as undertakings completed and in operation are concerned. The question of interpretation is a separate matter. There is complete information in this table. As regards the Third Five-Year Plan, the hon. Member must be aware that a much larger volume of investment is going to be provided for the undertakings in the Third Five-Year Plan and therefore

the situation cannot be understood in terms of a certain number of years multiplied by the return for 1959-60. There is no comparison at all. These are approximate figures so far. In the course of the next few months we will make them as accurate as possible. I believe later on more accurate information will be available to the House.

**Shri Damani:** May I know if the figure of Rs. 440 crores includes the revenue by way of income-tax or gross profit transferred to Central Revenues?

**Shri Nanda:** No, Sir. This figure is exclusive of interest paid by these concerns on the loans extended to them by the Government. It only includes net surplus and the depreciation reserves.

**Mr. Speaker:** Hon. Member wants to know if the amount which may have to be paid if it is a private undertaking by way of interest is taken into account. Is this exclusive of that portion, that is, income-tax?

**Shri Nanda:** Yes, Sir.

**Mr. Speaker:** It is exclusive of both interest and income-tax.

**Shri Tyagi:** To make a fair assessment of this estimate which has been given by the Planning Commission, may I know their total contribution during the Second Five-Year Plan period? After all, they must have calculated that. How much did they yield during the Second Five-Year Plan period? On the basis of that figure alone they could make an assessment for the future. What was it?

**Shri Nanda:** The contribution is going to be largely from the iron and steel plants. You cannot have any comparison with the Second Five-Year Plan for that purpose.

**Shri Tyagi:** May I take it that the Planning Commission did not care to calculate as to how much these public sector undertakings have contributed to the exchequer?

**Shri Nanda:** There is that calculation. Details are also available.

**Mr. Speaker:** The hon. Minister referred to the book placed on the Table. I have allowed a discussion on that. Shri Mathur had asked for a discussion of this matter. It is this morning that I passed orders allowing a discussion on this matter, that is, on the report laid on the Table of the House relating to public undertakings. Hon. Members may reserve all their comments till then. Next question.

**Shri Harish Chandra Mathur:** We may reserve our comments, but may we elicit some information which will be useful for that discussion?

**Mr. Speaker:** It is today at 3 p.m.

**Shri Harish Chandra Mathur:** I am initiating the discussion at 3 P.M. today and am wanting to elicit some information which will be helpful for the discussion itself.

**Mr. Speaker:** He has tried to elicit information, but that information will be calculated in the course of two months so far as the next Plan is concerned. So far as the existing one is concerned, the hon. Minister has said that a different kind of interpretation is being put by the hon. Member as regards the figures that have been given. Both can look into this matter and be ready at the time of the discussion. Next question.

**Shri Harish Chandra Mathur:** I have asked him certain things.

**Mr. Speaker:** Let him ask all this this afternoon. I will allow him ample opportunity.

**Shri Braj Raj Singh:** The time allotted is only two hours.

**Shri Harish Chandra Mathur:** I have already written to you that the time allotted for two motions of such importance is only two hours.

**Mr. Speaker:** Let us see. He wants to take away the whole Question Hour to supplement those two hours?

**Shri Harish Chandra Mathur:** I have written to you separately for this.

**Mr. Speaker:** Let it be mentioned then.

#### Central Staff College

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\*873. { Shri Ajit Singh Sarhadi:  
Shri Rameshwar Tantia:

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Unstarred Question No. 362 on the 12th August, 1960 and state:

(a) whether Government have since finalised the details of the scheme of the Central Staff College for Industrial Extension Service; and

(b) if so, the nature thereof?

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

#### STATEMENT

It has been decided to set up a Central Industrial Extension Training Institute at Hyderabad for the Small Scale Industries Organisation.

The main function of the Institute will be to impart training in Industrial Extension techniques to the officers of the Small Scale Industries Organisation as well as to the officers of the Departments of Industries of the State Governments. The Principal of the Institute has been appointed, and the other staff is yet to be recruited. The syllabi for the course to be conducted at the Institute and other details are being finalised.

**Shri Ajit Singh Sarhadi:** May I know if it is not a fact that there is the largest concentration of small-scale industries in northern India and if there is any such proposal under consideration to have a college of that kind in the north, particularly when the training imparted pertains to small scale industries organisation?

**Shri Manubhai Shah:** This was not from that angle because in Hyderabad



we have the Central Staff College for higher administrative personnel and to take advantage of proper co-ordination so that we do not have to duplicate too much of staff it was considered more advisable and economic to have this Staff College also there.

**Shri Ajit Singh Sarhadi:** Is it not a fact that the College would pertain also about imparting training of industrial extension technique to officers of small-scale industries organisation? As in northern India Delhi and Punjab have got the largest concentration would not that facility of the establishment of another college in the north also be given?

**Shri Manubhai Shah:** It is not so much a question of existence of the number of small-scale industries. It is for the officers of the small-scale extension service. But there are many courses like business management, normal administration and various other aspects which, as the House knows, have been fully developed in the Central Staff College at Hyderabad. Therefore these two colleges can properly co-ordinate these.

**Shri Yadav Narayan Jadhav:** In what time will this College begin? May I also know whether it is a fact that there is a great shortage of technical staff in the country at present?

**Shri Manubhai Shah:** For the present we are appointing the Principal and four Assistant Professors for the Central Industrial Extension Staff College at Hyderabad. But there will be other staff also. We hope to start it next year.

**Shri Braj Raj Singh:** May I rise on a point of order? The statement placed by the hon. Minister on the Table of the House says:

"The Principal of the Institute has been appointed and the other staff is yet to be recruited. The syllabi for the course to be conducted at the Institute and other details are being finalised."

In reply to a supplementary now he admits that the College will begin functioning some time next year. The point is: How the Principal has been appointed? We shall be incurring some expenditure and doing nothing when even the syllabi have not been decided upon.

**Shri Manubhai Shah:** All the formalities are being undertaken by the Principal himself because, after all, unless you have a body properly located it is very difficult to go into all these details of academic and practical training. So the Principal has already started the work. The recruitment is going on. Equipment is being purchased. It is always necessary to have the top man in advance of the institute so that the institution can function scientifically.

**Shri Yadav Narayan Jadhav:** How many officers will be trained every year?

**Shri Manubhai Shah:** The idea is to train about 100 extension officers from the State and Central Governments and also to take a similar number from the private industries.

**Mr. Speaker:** Shri Gaikwad.

**Shri B. K. Gaikwad:** My question has been covered.

#### Machine Tools

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**Shri Ajit Singh Sarhadi:**  
**Shri Kodiyan:**  
**Shri Indrajit Gupta:**  
**Shrimati Renu Chakravartty:**  
**Shrimati Renuka Ray:**  
**Shri Ram Krishna Gupta:**

Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government have any proposal to establish two more factories for the production of machine tools in the public sector;

(b) if so, the estimated cost of each factory;

(c) whether any sites have been selected for the location of these factories; and

(d) if so, the names of the sites selected?

**The Minister of Industry (Shri Manubhai Shah):** (a) to (d). The Hindustan Machine Tools Ltd. have been entrusted with the task of developing a project report for the setting up of two more factories in the public sector for the production of medium type of machine tools. The estimates of cost, selection of sites etc are under examination by the Hindustan Machine Tools and their report is awaited.

**Shri Ajit Singh Sarhadi:** May I ask him whether there is any tentative target date fixed for having these factories? Could the hon. Minister tell us that there will be one in the north also?

**Shri Manubhai Shah:** Our idea is to have one of these two factories in the north. The site is actually not located. We expect that by the middle of the fourth year the Third Plan both the factories with 1000 ton machines oils per year capacity would have been established.

**Shri Indrajit Gupta:** May I know whether in the setting up of the two proposed new factories there is to be no element of foreign collaboration at all and they will be set up entirely with our own resources?

**Shri Manubhai Shah:** The resources will be ours. But, the technical collaboration will be there. We are negotiating with four countries for collaboration in different types of machine tools.

**Shri Indrajit Gupta:** Which countries?

**Shri Manubhai Shah:** East Germany will be one. We are also discussing with West Germany, U.K., the Soviet Union and Poland.

**श्री विभूति मिश्र :** मैं जानना चाहता हूँ कि क्या सरकार इस पर विचार कर रही है

कि इस फैक्टरी को वहाँ लगाया जाय जहाँ कि आयरन फैक्टरी नजदीक में हो ताकि कौस्ट आफ प्रोडक्शन कम पड़े और वह एकोनामिकल हो ?

**श्री मनुभाई शाह :** जी नहीं ऐसा हमारा ख्याल नहीं है क्योंकि बहुत जगह इंडस्ट्रियल कंजेशन हो गया है क्योंकि बड़ी बड़ी फैक्टरीज वहाँ पर लगाई गई हैं। हर एक स्टेट को इसका लाभ मिलना चाहिये।

**श्री हेम राज :** हिन्दुस्तान फैक्टरी ने जो कमेटी बनाई है उसने किन किन राज्यों का दौरा किया है ?

**श्री मनुभाई शाह :** दौरा तो वे बाद में करेंगे। अभी तो वह सारी साइट्स को एग्जामिन कर रहे हैं। लोकल स्टेट्स गवर्नमेंट्स से कंटैक्ट कर रहे हैं और सारी चीजों को दरियाफ्त कर रहे हैं।

#### Strike at Heavy Electrical Project Bhopal

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\*876. { Shri Indrajit Gupta:  
Shri N. R. Muniswamy:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether a strike of over 2,000 apprentices of the Heavy Electrical Project Bhopal, took place recently; and

(b) if so, the grievances of the strikers and how far they have been redressed?

**The Minister of Industry (Shri Manubhai Shah):** (a) Yes, Sir. There was a strike for two days i.e., 13th and 14th October, 1960. They resumed work unconditionally on 15th October, 1960.

(b) Their claim was that some of the trainees who had completed their course of training should be absorbed in the factory on regular employment when production commenced. They have since been absorbed.

**Shri Indrajit Gupta:** It seems to be a very unusually large number of apprentices for this particular plant if 2000 were involved in this strike. I want to know whether, when these apprentices were taken on—a very large number of apprentices—they were given to understand that once they completed their apprenticeship course, and the plant went into production, a majority of them would be ensured permanent employment there?

**Shri Manubhai Shah:** Yes, Sir. This word 'apprentice' is not quite in the normal sense of the term. They are pre-production trainees who are being given training to pick up the skill required for the Heavy Electrical project. Now we have about 3000 boys under training there. It is clear that those of them who qualify after training and have the proper competence will all be absorbed.

**Mr. Speaker:** Next question.

**Shrimati Mafida Ahmed:** 877.

**Shri K. N. Pande:** I want to ask one question.

**Mr. Speaker:** On the last question?

**Shri K. N. Pande:** On the last question. May I know whether the apprentices have been recruited taking into consideration the vacancies to be created in the future?

**Shri Manubhai Shah:** Not only vacancies. This is a new plant. Therefore, to man the entire project, it will require 18,000 semi skilled technicians and Engineers. It is a very very big enterprise. Four thousand have been recruited so far. They are all being trained now. Most of them have been found extremely competent. We will have to recruit 4,000 more.

**Shri Indrajit Gupta:** If it was clear from the beginning that these people would be absorbed here provided they qualified, how did it come about that 2000 people had to go on strike?

**Shri Manubhai Shah:** Because there are many friends like my hon. friend

questioning me here who give them different types of hopes and raise doubts in their minds.

#### Naga Hostiles

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{ **Shrimati Mafida Ahmed:**  
\*877. { **Shri P. R. Patel:**  
{ **Shri M. M. Gandhi:**

Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that a serious clash took place between the Naga hostiles and village guards near Mokokchung on the 7th October, 1960; and

(b) if so, the details of the incident?

**The Parliamentary Secretary to the Minister of External Affairs (Shri J. N. Hazarika):** (a) and (b). A clash took place between the Naga hostiles and the Village Guards near Mokokchung on the night of the 7th October, 1960 at about 23:30 hours. Nearly a hundred hostiles attacked Mopungchukit post from three different directions and also set fire to the nearby huts. The Village Guards held ground against superior manpower and fire power for two hours. The hostiles fled on arrival of the army reinforcements. In the encounter two Village Guards were injured. One Village girl was killed and another wounded. One hostile was killed and several others are believed to have been injured.

**Shrimati Mafida Ahmed:** In the light of the reply given just now, it is evident that our forces and the Village guards were overpowered by the rebels. Moreover, it is apparent that the hostiles were equipped with more effective weapons, perhaps supplied by outside powers. On many occasions we were told that the Government have no precise information about that. In this connection, may I draw the attention of the Government to the despatch appearing in the *Observer* dated 5th December, 1960 in which it was revealed that arms are being supplied by Peking through

the Burma border? May I know whether the Government have any authentic information about that?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** It is hardly correct to say that these Village guards were overpowered by the hostiles because the answer states that they stood their ground courageously till reinforcements arrived, in spite of the fact that they had normal small arms and the others had some bigger arms. Regarding the hon. Member's question about supply of arms to them, I do not know what the *Observer* has said. Presuming that it says what the hon. Member says, we have no direct information on the subject that arms are being supplied to them by outside sources. It is possible, of course, that they may have been supplied.

**Shri P. C. Borooah:** May I know if it is a fact that Naga hostile activities have increased since the declaration of the separate Naga State?

**Shri Jawaharlal Nehru:** There was some increase for some time. But, they have not increased later. It is rather difficult to judge. In a sense, it is true that there was an effort to increase them after that agreement with the Naga National Convention.

**Shri Basumatari:** May I know whether the Government is aware of what the actual attitude of the Nagas since the declaration of separate Naga land?

**Shri Jawaharlal Nehru:** The attitude is that a very great majority of them have welcomed this agreement while there are a number estimated variously at 1500 or so, in possession of arms, who continue to act in a hostile manner.

**Shri Hem Barua:** I just wanted to raise this issue and sought your permission. Then you were pleased to say that I can submit a Notice calling attention or something like that. I did that. I have been informed last night that that also has been dis-

allowed by you. In view of that, I just now wanted to draw the attention of the Prime Minister to that specifically.

**Mr. Speaker:** He may ask the question.

**Shri Hem Barua:** May I know whether the attention of the hon. Prime Minister has been drawn to the report in the *Observer* dated 4th December, 1960 to the effect that China is helping the Naga rebels in the area of India-Burma border....

**Mr. Speaker:** Order, order; the same question that was put.

**Shri Hem Barua:** I wanted to raise this matter. There is another part which she has left.

**Mr. Speaker:** The hon. Member is repeating the question which has been already asked and answered.

**Shri Hem Barua:** I won't repeat that. I want to know whether the Prime Minister's attention is drawn to another part of the report in the *Observer* dated 4th December, 1960 to the effect that this matter of supply of arms along the India-Burma border to the Naga rebels by China was raised by our hon. Prime Minister when U Nu, the Burmese Prime Minister visited New Delhi?

**Shri Jawaharlal Nehru:** No, Sir. Neither the Prime Minister of Burma nor anybody else has spoken to me about it.

**Shri Tyagi:** In view of the fact that the Prime Minister is busy with so many other problems and the Defence Minister is away for three or four months, may I know if any of his colleagues is looking into these important problems which arise from day to day in connection with hostile activity in Naga land, so as to guide the people there, or is it being dealt with only by papers?

**Shri Jawaharlal Nehru:** Yes, Sir. They are referred to me frequently, and they are referred, by me frequent-

ly to some of the members of the Foreign Affairs Committee of the Cabinet.

**Shri Hem Barua:** Is it a fact that the so-called Government of the Naga underground hostiles have made elaborate preparations for the killing of the leaders of the Naga National Convention who signed the agreement in Delhi with the Government of India, and have issued a secret circular to their followers on the 15th August to this effect? I say this on the authority of Shri Kevisucha who was a member of the delegation which came to Delhi.

**Shri Jawaharlal Nehru:** I have not quite understood the purport of the question.

**Mr. Speaker:** He wants to know whether the Prime Minister is aware that there is an underground movement to cut down the heads of all the people who are parties to the agreement, and whether a notice or circular has been issued by them.

**Shri Jawaharlal Nehru:** I have not heard about the cutting off of anybody's head.

**Shri Hem Barua:** He wants to know the purport of my question. The agreement that has been entered into, maybe, is not relished by some people.

**Shri Jawaharlal Nehru:** There have been, I suppose, threats to those people who entered into the agreement, and that has been the policy of the hostiles. Sometimes they go and attack a village and threaten them to give them arms or money or food. That is so. But I do not quite understand what the hon. Member really wants to know. This is a general kind of statement.

**Shri Hem Barua:** I put this question only because of the fact that there has been an intensification of the activities of the hostile Nagas. Recently the Naga hostiles came and looted the Saraipani tea estate, and there have also been attacks on some people in

Mokokchang and Manipur. It is on the authority of Shri Kevisucha who was a member of the Naga delegation to New Delhi that I say that preparations are being made to do all these things. That is why I wanted to know whether Government were aware of any preparation of this sort that has led to the intensification of the hostile Naga activities there.

**Shri Jawaharlal Nehru:** Ever since this agreement of the Naga National Convention, the hostiles have been very angry, very displeased with this, and trying to show off that they can create trouble. That is so. Several incidents have happened.

**Shrimati Mafida Ahmed:** In view of the fact that even after the agreement for the formation of Naga Land the depredations are as menacing as before, in view of the report in the press that four of our airmen have been sentenced to imprisonment by a Naga court and since four of our army men are still in the custody of the hostile Nagas. May I know whether Government proposed to postpone the inauguration of the new set-up till they are released?

**Shri Jawaharlal Nehru:** I see no connection between the two. In fact, one should go ahead rapidly with the inauguration of the new set-up. It will be an absurd thing, a completely wrong thing, to postpone setting this up because the hostiles hold, unfortunately, four of our airmen. That will even give them a handle to hold up this thing altogether. I am surprised that any Member should even suggest this.

**Mr. Speaker:** Next question.

**Shrimati Ila Palchaudhuri:** 886 may also be taken up with 878.

#### European Common Market

\*878. **Shri Hem Barua:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether the Indian Delegation to the Seventeenth GATT session held

in Geneva, made any suggestions towards mitigating the effects of the European Common Market as also those of European Free Trade Association on the trade and economies of Asian countries, particularly those of India; and

(b) if so, what are these suggestions?

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

#### STATEMENT

During the Seventeenth Session of the GATT, the Indian Delegation, jointly with the Delegations of 18 other less developed countries in the course of a joint representation to the highly developed countries, made a special appeal to the countries who were members of the European Economic Community and the European Free Trade Association to adopt liberal tariff and commercial policies towards the trade of less advanced countries. These member countries were also particularly requested to bear in mind during the course of the Tariff negotiations that are in progress, the need to help the less developed countries to increase their export earnings and the difficulties that they would have in offering reductions in their import tariffs so as fully to match any concessions that might be granted on their exports.

#### European Common Market

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\*886. { Shrimati Ila Palchoudhuri:  
Shri Vidya Charan Shukla:  
Shri Kalika Singh:  
Shri Aurobindo Ghosal:  
Shri B. Das Gupta:  
Shri P. C. Borooah:  
Shri Hem Barua:  
Pandit D. N. Tiwari:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government of India's attention has been drawn to the reported news that Britain is stated to

be under great pressure to join the European Common Market;

(b) whether the Government of the U.K. have referred this matter in recent months to the Commonwealth countries including India; and

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

**The Minister of Commerce (Shri Kanungo):** (a) to (c). A statement is laid on the Table of the House

#### STATEMENT

Yes, Sir. There was a general exchange of views between the representatives of the U.K. and those of the other Commonwealth Governments on the question of the proposed association of the U.K. with the European Common Market (ECM) at the Commonwealth Finance Ministers' Conference held in London during September, 1960. As the negotiations between the U.K. and members of the European Economic Community (EEC) on the above question are still continuing, it is not known what form the proposed association of the U.K. with the European Common Market will ultimately take. The question of the Government of India having certain reactions in the matter does not, therefore, arise at this stage. The developments in this connection are, however, being watched.

**Shri Hem Barua:** Was a suggestion made at this conference that arrangements should be made by some selected Asian countries on the lines of the European Common Market to counteract its influence or effects; if so, what was the response of the other participating countries to this suggestion made by India?

**Shri Kanungo:** No, Sir. Neither at the GATT nor the Commonwealth Finance Ministers' Conference was such a suggestion made. Obviously, it should not be made. This proposal is being considered by several countries in the ECAFE conference. The ECAFE, after deliberation of about three years, has taken the line that

they should try for the present to intensify intra-regional trade and watch the experience because Asian countries are not competitive with European markets, they are competitive only among themselves.

**Shri Hem Barua:** Is it a fact that a suggestion was made for reduction of the tariffs imposed at present by the Western countries; if so, what was the response to this suggestion?

**Shri Kanungo:** According to the Rome Treaty tariffs between the European community countries are being reduced by stages. The next reduction will come on 1st January, 1961. That is among themselves. That may result in the members of the community countries getting their supplies from among themselves or from their territories. It may have an effect upon exports from other countries, but in the last GATT conference this matter has been put up to other countries by 18 countries of Asia and Africa, and this question of tariff negotiation is being pursued. The main point we have in our favour, so to say, is this, that unless the European countries buy a larger quantity of goods from our area, we will be incapable of buying more from their area.

**Shrimati Ila Palchoudhuri:** Since the Commonwealth is also an economic entity, what safeguards will India ask for if Britain enters the European Common Market as a full-fledged market?

**Shri Kanungo:** As the statement shows, that point has been discussed preliminarily. The U.K. has not yet made up its mind. When it does, that point will be considered because trade ties are so intimate that they cannot be diverted so quickly.

**Shri Yadav Narayan Jadhav:** The statement refers to an appeal to the European Economic Community and the European Free Trade Association to adopt liberal tariff and commercial policies towards the trade of less

advanced countries. In view of this, may I know whether the commercial policy of this country will be changed?

**Shri Kanungo:** Yes, that is what I said earlier, that the policy between the countries of the Rome Treaty is to reduce their tariffs gradually and bring them to nil. Then they have to orient their policy with other countries within the framework of GATT, and those negotiations are now taking place in Geneva.

**Shri Raghunath Singh:** Sir, 885 is an important question, it should be taken up. It relates to Chinese propaganda on the NEFA border.

**Mr. Speaker:** Shri Raghunath Singh should have given notice earlier.

**Shri Raghunath Singh:** I thought that it will be taken up in the normal course.

**Mr. Speaker:** I have already said that five minutes before the close of the Question Hour, I would be prepared to take up any questions which are very important, if the House generally desires that they should be taken up.

**Shri Raghunath Singh:** There is no short notice question today. Therefore, this may be taken up.

**Shri Hem Barua:** Yesterday, I wrote to you at about 10.30 a.m. for taking up a similar question, but I was neglected.

**Mr. Speaker:** But, we were so much interested in the other questions that the hon. Member himself forgot to mention it again.

**Shri Hem Barua:** I just tried to raise it again, but I was brushed aside.

**Mr. Speaker:** It is too late now. The Question Hour is over.

#### WRITTEN ANSWERS TO QUESTIONS

##### Reports of Public Undertakings

\*871. **Shri Vidya Charan Shukla:**  
Will the Minister of Commerce and

**Industry** be pleased to refer to the reply given to Starred Question No. 905 on the 30th August, 1960 and state:

(a) whether consideration has been completed by Government of the recommendations of the Estimates Committee in their 20th and 60th Reports that for all public undertakings a performance and programme statement for the budget year together with the previous year's statements should be made available to Parliament at the time of the annual budget;

(b) if so, the result of the consideration; and

(c) if the reply to part (a) above be in the negative, the reasons for the delay in arriving at a decision?

**The Minister of Industry (Shri Manubhai Shah):** (a) to (c). Sir, the Minister of Finance will answer this Question on a subsequent date.

#### Export of Chemicals

\*875. **Shri Khimji:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether a delegation left for Middle East and Africa to step up the export of chemicals to that region during this year; and

(b) if so, whether the delegation has submitted its report?

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):** (a) and (b). Yes, Sir. The delegation returned to India on 22nd October, 1960 and its report is awaited.

#### Fertilizer Plant at Trombay

\*879. { **Shri Ajit Singh Sarhadi:**  
**Shri Hem Barua:**

Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the Government of U.S.A. will finance the

entire cost of the fertilizer plant to be built at Trombay;

(b) if so, the nature and details of the deal; and

(c) the potential production of the fertilizer factory?

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):** (a) and (b). Yes, Sir. The U.S. Authorities have offered 30 million dollars from the Development Loan Fund for import of equipment and 28 million dollars from PL 480 Funds for meeting rupee expenditure.

(c) 90,000 tons of fixed nitrogen to be produced partly in the form of urea and partly as a mixed fertiliser containing both nitrogen and phosphorus.

#### Manufacture of Newsprint

\*880. { **Shri Agadi:**  
**Shri Sugandhi:**  
**Shri Achar:**

Will the Minister of Commerce and Industry be pleased to state:

(a) whether permission has been accorded to or application received for setting up a Rs. 10 crore newsprint factory for manufacturing Newsprint from sugarcane bagasse to Messrs. Sahu Jain Ltd. in Maharashtra State; and

(b) whether the opinion of experts in regard to economic aspect of manufacturing newsprint from sugarcane bagasse stands good or is it revised?

**The Minister of Industry (Shri Manubhai Shah):** (a) The proposal has been approved in principle. Final licence under the Industries (Development and Regulation) Act, 1951, has not yet been issued.

(b) The opinion was only in respect of the implementation in the public sector of the specific project adopting the A-Z process for establishing a newsprint manufacturing plant wholly based on bagasse. That opinion still continues. The general



interest in encouraging commercial utilisation of bagasse for newsprint manufacture has been and is still there and this project mentioned in (a) above is being envisaged on increasing use of bagasse along with imported wood pulp.

#### Quarters for Labourers in Delhi

\*881. **Shri D. C. Sharma:** Will the Minister of Labour and Employment be pleased to refer to the reply given to Starred Question No. 876 on the 30th August, 1960 and state:

(a) the progress made so far in the scheme to construct quarters for the labourers in the Okhla Industrial Estate of Delhi; and

(b) if so, the target date for its completion?

**The Deputy Minister of Labour (Shri Abid Ali):** (a) and (b). The Delhi Administration have taken over possession of land. The layout plan and the estimates are under preparation. No target date for the completion of the project has been fixed.

#### Pondicherry

\*882. { **Shri Tangamani:**  
**Shri Ram Krishan Gupta:**  
**Shri Hem Raj:**

Will the **Prime Minister** be pleased to state:

(a) whether the Pondicherry State Assembly was convened on the 29th October, 1960 with the Chief Commissioner's address;

(b) whether it is a fact that the opposition boycotted the inaugural meeting;

(c) if so, the reasons for the same;

(d) what is the present position regarding *de jure* transfer demanded by the resolution of the Assembly;

(e) whether there is a fall in the estimated expenditure for the current year; and

(f) if so, the reasons for the same?

**The Deputy Minister of External Affairs (Shrimati Lakshmi Menon):**  
 (a) Yes, Sir.

(b) The Leader of the Opposition and his party of 13 members did not attend the inaugural meeting. The rest of the 26 members, however, attended it.

(c) Presumably the demonstration was made to draw attention to certain demands that had been put forward to the Chief Commissioner. These related to the delay in the *de jure* transfer, certain changes in the French judicial system and certain other reforms.

(d) The ratification of the Treaty of Cession is pending with the Government of France, who are still considering the matter.

(e) As against the Budget Estimate of Rs. 343 lakhs, the Revised Estimate proposed is Rs. 331 lakhs.

(f) The present shortfall of 4 per cent due to certain unavoidable delays in construction work, is expected to be reduced to about 2 per cent by the end of the financial year.

#### Wool Tops

\*883. **Shri Rajendra Singh:** Will the Minister of Commerce and Industry be pleased to state:

(a) the procedure followed by the Textile Commissioner in allocating wool tops to the spinning mills during the last three years; and

(b) the details of the allocations that have been made to the various mills?

**The Minister of Commerce (Shri Kanungo):** (a) and (b). A statement is laid on the Table of the House. [See Appendix III, annexure No. 36].

**Coffee Houses**

\*884. **Shri Keshava:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether the Coffee Board has revised its policy and now proposes afresh to open Coffee Houses all over the country;

(b) if so, whether the Board will request the Co-operative Coffee Houses to run the proposed new Coffee Houses and on their refusal only make other arrangements, if necessary; and

(c) how many Coffee Houses are being run by the Co-operative Societies and whether all Coffee Houses closed by the Coffee Board are not being run by the workers themselves on co-operative basis?

**The Minister of Commerce (Shri Kanungo):** (a) No, Sir.

(b) Does not arise.

(c) 31; all the Coffee Houses closed by the Board are not being run by the Workers' Co-operative Societies.

**Propaganda by Chinese on NEFA Border**

\*885. { **Shri Mahanty:**  
**Shri Raghunath Singh:**

Will the Prime Minister be pleased to state:

(a) whether it is a fact that the Chinese authorities in Tibet are intensifying their efforts to woo the Indian Tribal people in border region of NEFA; and

(b) if so, what steps are being taken to frustrate such insidious moves?

**The Parliamentary Secretary to the Minister of External Affairs (Shri J. N. Hazarika):** (a) and (b). According to our information, there is no such marked activity on our side of the border. Indeed, movements across the border are strictly under control through our check posts, and incoming refugees are screened.

**Indian Industries Fair**

{ **Shri Shree Narayan Das:**  
**Pandit D. N. Tiwari:**  
\*887. { **Shri Viswanatha Reddy:**  
**Shri Ram Krishan Gupta:**  
**Shri Raghunath Singh:**

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Unstarred Question No. 39 on the 1st August, 1960 and state:

(a) the precise nature of support and assistance that the Government of India have decided to give to the sponsors of the Second Indian Industries fair to be held in 1961;

(b) whether Government have received a detailed scheme of such an exhibition;

(c) if so, what are the important features of such a scheme; and

(d) the total estimated expenditure involved?

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):** (a) The exhibition site at Mathura Road is being made available on rent to the Federation of Indian Chambers of Commerce and Industry for holding the Indian Industries Fair, 1961. Expenditure on the development of the site and the creation of assets thereon will be shared between Government and the Federation on a mutually agreed basis.

(b) and (c). A copy each of the 'Prospectus' and "Rules and Regulations" is laid on the Table of the House. [Placed in the Library. See index No. LT-2536/60.]

(d) Arrangements are still in a formative stage and the organizers have not yet been able to prepare firm estimates.

**Co-operative Industrial Estate in Jullundur**

\*888. **Shri Ajit Singh Sarhadi:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that Industrialists at Jullundur (Punjab) have

started building Industrial Estate on co-operative basis; and

(b) if so, whether any technical advice or any other aid is being given to this co-operative enterprise?

**The Minister of Industry (Shri Manubhai Shah):** (a) No, Sir. Neither we nor the State Government has received any such proposal so far.

(b) Does not arise.

#### **Small Scale Industries in Rourkela Steel Project Area**

\*889. **Shri D. C. Sharma:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that a survey has been made regarding the setting up of small scale industries around the Rourkela Steel Project area; and

(b) if so, the results of the survey?

**The Minister of Industry (Shri Manubhai Shah):** (a) and (b). At the request of the Government of Orissa a survey of Jharsuguda and Rourkela areas was carried out by the Small Industries Service Institute, Calcutta for finding out right types of potential industries to be located in the Industrial Estates there. The report is expected to be finalised shortly.

#### **Employment of Women in Light Industries**

\*890. **Shri Tangamani:** Will the Minister of Labour and Employment be pleased to state:

(a) whether it is a fact that employment of women in the light industries like textiles and plantations is on the decrease;

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

(c) what steps are being taken to maintain a certain percentage in these industries?

**The Deputy Minister of Labour (Shri Abid Ali):** (a) Yes.

(b) The reasons include change in occupational structure consequent upon modernisation and restrictions in regard to working hours for women.

(c) It may not be possible to maintain fixed percentages in favour of women in particular industries. There will, however, be fresh avenues of employment for women in various directions as a result of the economic development that is taking place.

#### **Export of Handloom Fabrics**

\*891. { **Shri Tangamani:**  
**Shri Anthony Pillai:**  
**Shri N. R. Muniswamy:**  
**Shri Subbiah Ambalam:**  
**Shri Balakrishnan:**

Will the Minister of Commerce and Industry be pleased to state:

(a) whether representation was received from Handloom "Bleeding Madras" Manufacturers Association, Madras regarding "Bleeding Madras" stock and proposals for disposal of the same;

(b) if so, Government's reply thereto;

(c) whether it is a fact that more than 1½ million yards are still in stock;

(d) whether Government have requested the Handloom Export Organisation to make advances on the stock and arrange for disposal; and

(e) the various steps proposed to be taken to protect this type of handloom weavers?

**The Minister of Commerce (Shri Kanungo):** (a) to (e). Representations have been received from the Handloom "Bleeding Madras" Manufacturers' Association, Madras regarding accumulation of stocks of the variety of handloom fabrics known as "Bleeding Madras", requesting relief to the co-operative societies and master weavers

in the disposal of such stocks. The quantity which is held in stock with the societies and master weavers is not known. However, it is estimated to be near about 10 lakh yards. Government is considering in consultation with the Handloom Board and the Handloom Export Organisation the various measures that could be adopted to relieve the distress caused as a result of this accumulation.

### Newsprint

**1701, Shri Morarka:** Will the Minister of Commerce and Industry be pleased to lay a statement on the Table showing:

(a) the production of newsprint in 1950-51;

(b) the plant target for the First Five Year Plan, the achievement during the same period together with the financial allocation and the amount actually spent during the First Five Year Plan period;

(c) the target for the Second Five Year Plan period, the achievement made so far, together with the financial allocation under the Second Five Year Plan and the amount actually spent so far; and

(d) the reason for the shortfall, if any, in achieving the physical targets?

**The Minister of Industry (Shri Manubhai Shah):** (a) Nil. The production was started in 1955 by Nepa Mills.

(b) and (c).

(i) Target capacity for 1st Five year Plan; 30,000 tons per annum. This was achieved by the end of 1st Plan.

(ii) Target capacity for Second Five Year Plan 60,000 tons per annum.

Achievement 30,000 tons „ „

The figures regarding financial layout are not available.

(d) The position regarding the conventional raw materials like fir,

spruce and pine availability in sufficient quantity at economic price is not yet clear. The efforts made towards using bagasse for newsprint manufacture have also not so far fructified, because the technical and economic feasibilities are not still fully established. In order to speed up indigenous production of newsprint, two schemes have recently been approved for manufacture of newsprint from imported pulp. The sponsors of the schemes are negotiating with foreign machinery suppliers. It is expected that by the end of IIIrd Plan Indigenous production of newsprint could be increased substantially.

### Paper and Paper Boards

**1702, Shri Morarka:** Will the Minister of Commerce and Industry be pleased to lay a statement on the Table showing:

(a) the production of paper and paper boards in 195-51;

(b) the plan target for the First Five Year Plan, the achievement during the same period together with financial allocations and the amount actually spent during the First Five Year Plan period;

(c) the target for the Second Five Year Plan period, the achievement made so far together with the financial allocation under the Second Five Year Plan and the amount actually spent so far; and

(d) the reason for the shortfall, if any, in achieving the physical targets?

**The Minister of Industry (Shri Manubhai Shah):** (a) 114,040 tons.

(b) and (c). The production targets of 210,000 tons of the First Five Year Plan was achieved by the end of the Plan. The production target of 350,000 tons for the Second Five Year Plan has already been exceeded. The financial allocations and the amounts spent during these Plans are not available as this development has taken place in private sector.

(d) This does not arise as the targets fixed have been achieved.

### Bicycle Tyres

1703. **Shri Morarka:** Will the Minister of Commerce and Industry be pleased to lay a statement in the Table showing:

(a) the production of bicycle tyres in 1950-51;

(b) the plan target for the First Five Year Plan, the achievement during the same period together with the financial allocation and the amount actually spent during the First Five Year Plan period;

(c) the target for the Second Five Year Plan period, the achievement made so far, together with the financial allocation under the Second Five Year Plan and the amount actually spent so far; and

(d) the reason for the shortfall, if any, in achieving the physical targets?

**The Minister of Industry (Shri Manubhai Shah):** (a) to (d). A statement is laid on the Table.

#### STATEMENT

(a) About 3.48 million Nos.

(b) Rubber goods manufacturing industry was not included in the First Five Year Plan and as such no targets were fixed for the First Plan period.

(c) The targets for capacity and production fixed for the Second Five Year Plan period and the achievements against the targets so fixed are as under:—

	Targets	Achievement
	(Million numbers)	(Million numbers)
Capacity	20	24.73
Production	16	11 (in 1960) 14 (in 1961) estimated

(d) Shortfall in the production is due to the late implementation of certain schemes and it is hoped that the gap will be filled in the next two

years. But there is no scarcity felt as far as bicycle tyres are concerned. Actually we are making efforts to export a small quantity of bicycle tyres and tubes as there is a small surplus in production over internal demand.

### Automobile Tyres

1704. **Shri Morarka:** Will the Minister of Commerce and Industry be pleased to lay a statement on the Table showing:

(a) the production of automobile tyres in 1950-51;

(b) the plan target for the First Five Year Plan, the achievement during the same period together with the financial allocation and the amount actually spent during the First Five Year Plan period;

(c) the target for the Second Five Year Plan period, the achievement made so far, together with the financial allocation under the Second Five Year Plan and the amount actually spent so far; and

(d) the reason for the shortfall, if any, in achieving the physical targets?

**The Minister of Industry (Shri Manubhai Shah):** (a) to (d). A statement is laid on the Table.

#### STATEMENT

(a) About 7 lakh Nos.

(b) Rubber Goods manufacturing industry was not included in the First Five Year Plan and as such no targets were fixed for the First Plan period.

(c) Targets fixed for and achievements during the Second Five Year Plan period were as under:

	Target	Achievement
	(million numbers)	(million numbers)
Capacity	2.2	2.94 (Licensed)
Production	1.76	1.4 million (in 1960)

As the development of Tyre Industry has taken place in private sector,

information about financial outlay is not available.

(d). It is expected that the target of actual production would be reached in 1961 on the implementation of certain schemes.

### Soap

1705. **Shri Morarka:** Will the Minister of Commerce and Industry be pleased to lay a statement on the Table showing:

(a) the production of soap in 1950-51;

(b) the plan target for the First Five Year Plan, the achievement during the same period together with the financial allocation and the amount actually spent during the First Five Year Plan period;

(c) the target for the Second Five Year Plan period, the achievement made so far, together with the financial allocation under the Second Five Year Plan and the amount actually spent so far; and

(d) the reason for the shortfall, if any, in achieving the physical targets?

**The Minister of Industry (Shri Manubhai Shah):** (a) Production of all types of Soap in the Organised Sector in 1951 was 83,520 tons.

(b). Target production by 1955-56 was fixed at 2,00,000 tons. Production during 1955-56 was of the order of 2,10,000 tons. No financial allocations were made as the industry is in the private sector.

(c) Target production by 1960-61 was 3,00,00 tons. Estimated production for the said year is of the order of 3,40,000 tons. No financial allocations were made as the industry is in the private sector.

(d) Does not arise.

### Nitro-Cellulose Lacquers

1706. **Shri Morarka:** Will the Minister of Commerce and Industry be pleased to lay a statement on the Table showing:

(a) the production of Nitro-cellulose lacquers in 1950-51;

(b) the plan target for the First Five Year Plan the achievement during the same period together with the financial allocation and the amount actually spent during the First Five Year Plan period;

(c) the target for the Second Five Year Plan period, the achievement made so far, together with the financial allocation under the Second Five Year Plan and the amount actually spent so far; and

(d) the reason, if any, for the shortfall in achieving the physical targets?

**The Minister of Industry (Shri Manubhai Shah):** (a). About 32,600 gallons of Nitro-cellulose lacquers (including ancillaries) were produced during 1950-51.

(b) and (c) The plan targets for the First and Second Five Year Plans for Nitro-cellulose lacquers were as follows:

*Target for 1955-56.*

Capacity target—3,50,000 gallons  
Production target—3,00,000 gallons

*Target for 1960-61:*

Capacity target—8,00,000 gallons  
Production target—5,00,000 gallons

By 1955 the capacity target for the First Five Year Plan was achieved and the then production was 2.95 lakh gallons. The capacity target for the Second Five Year Plan has also been achieved and the production in 1959 was 2.98 lakh gallons. The demand for nitrocellulose lacquers is not increasing because the synthetic stoving enamels are replacing nitro cellulose lacquers in most of the industries. Nitro-cellulose lacquers industry is mostly in the private sector and as such no financial allocation was made for its development in the First and Second Five Year Plan periods.

(d) In view of (a), (b) and (c) above question of shortfall does not arise.

**Paints, Varnishes and Enamels**

1707. **Shri Morarka:** Will the Minister of Commerce and Industry be pleased to lay a statement on the Table showing:

(a) the production of ready mixed paints, varnishes and enamels in 1950-51;

(b) the plan target for the First Five Year Plan the achievement during the same period together with the financial allocation and the amount actually spent during the First Five Year Plan period;

(c) the target for the Second Five Year Plan period the achievement made so far, together with the financial allocation under the Second Five Year Plan and the amount actually spent so far; and

(d) the reasons, if any, for the shortfall in achieving the physical targets?

**The Minister of Industry (Shri Manubhai Shah):** (a). About 27,945 tons of paints, enamels and varnishes were produced during 1950. (This does not include production in the small scale sector).

(b) and (c). The plan targets for the First and Second Five Year Plans for paints, enamels and varnishes were as follows:

*Target for 1960-61:*

Capacity target .... 70,000 tons.

Production target .... 60,000 tons.

The production during 1955 was of the order of 39,034 tons and during 1959 it was of the order of 54,245 tons. Paints, enamels and Varnish industry is mostly in the private sector and as such no financial allocation was made for its development in the First and Second Plan periods.

(d) In view of (b) and (c) above the question of shortfall does not arise.

**Synthetic Moulding Powder**

1708. **Shri Morarka:** Will the Minister of Commerce and Industry be pleased to lay a statement on the Table showing:

(a) the production of synthetic moulding powder in 1950-51;

(b) the plan target for the First Five Year Plan the achievement during the same period together with the financial allocation and the amount actually spent during the First Five Year Plan period;

(c) the target for the Second Five Year Plan period, the achievement made so far, together with the financial allocation under the Second Five Year Plan and the amount actually spent so far; and

(d) the reason for the shortfall, if any, in achieving the physical targets?

**The Minister of Industry (Shri Manubhai Shah):** (a). Only Phenolic Formaldehyde Moulding Powder was being manufactured in the country during 1950-51. Production during 1950 and 1951 was 324 and 404 tons respectively.

(b) Plastic Industry was not considered for fixation of a target in the First Five Year Plan and the rest does not arise.

(c) The targets of capacity and production of synthetic moulding powders for the Second Five Year Plan were 11,400 and 10,600 tons respectively in the Private Sector. Accordingly no financial allocation was made.

(d) In the private sector during the Second Five Year Plan, the capacity target has already been exceeded but there is likelihood of a slight shortfall in the production target owing to some unforeseen delay in the installation of a P.V.C. and a second polyethylene plant.

**Glucose Liquid**

1709. **Shri Morarka:** Will the Minister of Commerce and Industry be

pleased to lay a statement on the Table showing:

(a) the production of Glucose liquid in 1950-51;

(b) the plan target for the First Five Year Plan the achievement during the same period together with the financial allocation and the amount actually spent during the First Five Year Plan period;

(c) the target for the Second Five Year Plan period, the achievement made so far, together with the financial allocation under the Second Five Year Plan and the amount actually spent so far; and

(d) the reason for the shortfall, if any, in achieving the physical targets?

**The Minister of Industry (Shri Manubhai Shah):** (a) 219 tons of Liquid Glucose was produced in 1950.

(b) No target was fixed for this industry in 1st Five Year Plan. No financial allocations were made for this industry as this is in private sector.

(c) The following targets have been laid for the second plan:

Capacity target	....	13,000 tons
Production target	....	5,000 tons

Against targetted capacity of 13,000 tons, a capacity of 11,400 tons has been developed. Production of Liquid Glucose in 1959 was 6,430 tons against a target of 5,000 tons. In 1960 it is estimated to be 8,000 tons. No financial allocation were made as this is in private sector.

(d) Does not arise.

#### **Glucose Powder**

**1710. Shri Morarka:** Will the Minister of Commerce and Industry be pleased to lay a statement on the Table showing:

(a) the production of glucose powder in 1950-51;

(b) the plan target for the First Five Year Plan, the achievement dur-

ing the same period together with the financial allocation and the amount actually spent during the First Five Year Plan period;

(c) the target for the Second Five Year Plan period; the achievement made so far together with the financial allocation under the Second Five Year Plan and the amount actually spent so far; and

(d) the reason for the shortfall, if any, in achieving the physical targets?

**The Minister of Industry (Shri Manubhai Shah):** (a). Nil.

(b) No target was fixed for this industry, in the 1st Five Year Plan. No financial allocations were made for this industry as this is in private sector.

(c) the following targets have been laid for 2nd Plan:

Capacity target	7,700 tons.
Production target	.... 2,800 tons.

Against a targetted capacity of 7,700 tons, a capacity of 7,200 tons has been developed and further capacity of 4,200 tons has been licensed. Production of Glucose Powder in 1959 was 2,413 tons against a target of 2,800 tons. In 1960, the production of Glucose Powder is estimated at 2,800 tons. No financial allocations were made in the 2nd Plan as this industry is in private sector.

(d) Does not arise

#### **Documentaries on the Historical Places in Maharashtra**

**1711. Shri Pangarkar:** Will the Minister of Information and Broadcasting be pleased to state:

(a) whether there is any scheme to produce documentary films on all the historical places in Maharashtra; and

(b) if so, when the scheme is expected to materialise?

**The Minister of Information and Broadcasting (Dr. Keskar):** (a) and



(b). There is no scheme for the production of documentary films on all the historical places in Maharashtra. There is, however, a film under production on the forts of Maharashtra. Some films have already been produced which include sequences on the historical places in Maharashtra. These films are:

- (1) The Seven Islands
- (2) Folk Songs of Maharashtra
- (3) Konkan
- (4) Cave Temples of India.

#### A.I.R. Station, Nagpur

1712. **Shri Pangarkar:** Will the Minister of Information and Broadcasting be pleased to state:

(a) the composition of the Programme Advisory Committee, A.I.R. Station, Nagpur; and

(b) whether any Adivasi Member has been appointed to the Programme Advisory Committee?

**The Minister of Information and Broadcasting (Dr. Keskar):** (a). A statement giving the information is attached.

#### STATEMENT

Names of members of the Programme Advisory Committee, All India Radio, Nagpur.

1. Shri G. T. Madkholkar
2. Shri P. Y. Deshpande
3. Shri M. B. Niyogi
4. Dr. A. V. Madangopal
5. Smt. Sumati Dhanwatay
6. Shri P. B. Kale
7. Dr. (Mrs.) Shyamala Chitaley
8. Shri B. G. Maheshwari
9. Dr. (Smt.) Sumati Mutatkar
10. Shri G. B. Badkas.

(b) No, Sir.

#### Film on Life of Tagore

1713. { **Shri M. K. Kumaran:**  
**Shri D. C. Sharma:**

Will the Minister of Information and Broadcasting be pleased to refer to the reply given to Unstarred Question No. 678 on the 12th August, 1960 and state the further progress made in the production of a film on the life of Mahakavi Rabindra Nath Tagore?

**The Minister of Information and Broadcasting (Dr. Keskar):** Shooting of film is in progress.

#### Subsidised Industrial Housing Scheme

1714. **Shri Anthony Pillai:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) since the inception of the Subsidised Industrial Housing Scheme, how many tenements have been constructed by (1) Employers, (2) State Governments, and (3) Workers Housing Co-operatives, State-wise; and

(b) how many more tenements will be constructed under the same categories under scheme which have already been sanctioned?

**The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda):** (a) and (b). A statement giving the required information is laid on the Table. [See Appendix III, annexure No. 37].

#### Second Five Year Plan

1715. **Shri D. C. Sharma:** Will the Minister of Planning be pleased to state:

(a) the financial allotment for Punjab State for the third and fourth years of the Second Five Year Plan;

(b) the amount actually utilised during this period;

(c) the percentage of the physical target reached during this period under all heads;

(d) whether any amount was reduced in the fourth year with regard to Central assistance;

- (e) if so, to what extent; and  
 (f) the reason for the reduction?

**The Deputy Minister of Planning (Shri S. N. Mishra):** (a) to (c). The information is being collected from the State Government.

- (d) No, Sir.  
 (e) and (g). Do not arise.

#### **Ceramics Industry**

**1716. Shri Rami Reddy:** Will the Minister of Commerce and Industry be pleased to state:

- (a) whether there is a proposal to expand the Government Ceramics Factory at Gudur in Andhra Pradesh;  
 (b) what would be the capacity of the factory after expansion;  
 (c) what is the estimated cost of the expansion programme;  
 (d) when is the scheme expected to be completed and the expanded factory to go into full production; and  
 (e) what are the products for which the expansion programme is intended?

**The Minister of Industry (Shri Manubhai Shah):** (a) No application for a permission under the Industries (Development and Regulation) Act, 1951, to effect a substantial expansion to the existing Government Ceramic Factory at Gudur has been received from the Government of Andhra Pradesh.

- (b) to (e) Do not arise in view of the reply to part (a) above.

#### **Manufacture of Steel Structural**

**1717. Shri Rami Reddy:** Will the Minister of Commerce and Industry be pleased to state:

- (a) whether there is a proposal for the setting up of a factory for the manufacture of steel structurals at Hyderabad in Andhra Pradesh;  
 (b) what is the cost and capacity of the plant; and

- (c) what are the other important details relating to the factory?

**The Minister of Industry (Shri Manubhai Shah):** (a) No, Sir.

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

#### **Workmen in Government Presses**

**1718. Shri Tangamani:** Will the Minister of Works, Housing and Supply be pleased to state the number of C.P.W.D. workmen according to each category of post employed in each of the Government of India Presses?

**The Minister of Works, Housing and Supply (Shri K. C. Reddy):** The information is being collected and will be placed on the Table of the House.

#### **Palam Power House of C.P.W.D.**

**1719. Shri Tangamani:** Will the Minister of Works, Housing and Supply be pleased to state the number of C.P.W.D. workmen employed in the Palam Power House of C.P.W.D. according to each category of post?

**The Minister of Works, Housing and Supply (Shri K. C. Reddy):** The information is given below:—

Sl. No.	Category of post	No. of workmen
1.	Engine Drivers .	3
2.	Khallasis .	5
3.	Switch Board Attendants	2

In addition, one Fitter and one head Mechanic are engaged on part time duty in the Power House.

#### **Manufacture of Automobiles**

**1720. Shri D. C. Sharma:** Will the Minister of Commerce and Industry be pleased to state the number of cars, jeeps and trucks produced by the different automobile manufacturers during the second half of the year 1960 so far?

**The Minister of Industry (Shri Manubhai Shah):** The number of cars, jeeps and commercial vehicles produc-

ed in the country during the five months July-November, 1960 is as follows:—

Cars	7981
Jeeps	2669
Commercial Vehicles	11422
<b>TOTAL</b>	<b>22072</b>

#### Doles to D.Ps. in West Bengal

1721. Shri D. C. Sharma: Will the Minister of Rehabilitation and Minority Affairs be pleased to state the number of cases in which doles have been stopped to the displaced persons in camps in West Bengal in the year 1960?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): 3947 cases upto the end of August, 1960. Information thereafter is not readily available.

#### Manufacture of Radio-Sets

1722. Shri D. C. Sharma: Will the Minister of Commerce and Industry be pleased to state:

(a) the number of concerns in India which are manufacturing radio-sets;

(b) their present output and future targets of production; and

(c) the share of Indian and foreign capital in these concerns?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). The number of firms which are manufacturing radio receivers borne on the list of the Development Wing is 20. The present level of production of these units is of the order of 275,000 sets per annum. In addition there are more than 150 units in the small scale sector, though no exact figure of their number and other details in respect of these are available.

The target of production for 1960-61 is fixed at 300,000 Nos. and the future target of production for 1965-66 has tentatively been proposed as one million Nos.

(c) Out of the twenty large scale firms, there are six firms in the industry in which foreign capital is participating. The requisite information is as below:—

Sl. No.	Name of firm	Country of origin of foreign collaboration	% of foreign capital	% of Indian capital
1	2	3	4	5
1.	M/s Philips India Ltd. Calcutta.	Holland	80	20
2.	M/s General Electric Co. of India (MFG) Private Ltd. Calcutta	U. K.	100	
3.	M/s Gramophone Co. Ltd., Calcutta	U. K.	100	
4.	M/s Murphy Radio of India, Bombay	U. K.	49	51
5.	M/s Mulchandani Electrical and Radio Industries Ltd., Bombay	U. K.	49	51
6.	M/s National Ekco Radio & Engg. Co. Ltd., Bombay	U. K.	20	80

**Labour Disputes in Punjab**

1723. **Shri D. C. Sharma:** Will the Minister of Labour and Employment be pleased to state:

(a) the number of labour disputes which arose in Punjab State during 1960 so far; and

(b) the number of those out of them which have been settled?

**The Deputy Minister of Labour (Shri Abid Ali):** (a) and (b). This subject is within the State sphere. However, according to available information published in the "Indian Labour Journals", 12 disputes, resulting in work stoppages involving 10 or more workers, arose in the State of Punjab upto September, 1960. No other information is available.

चकरोता की विमान दुर्घटना के पीड़ितों को प्रतिकर

१७२४. श्री भक्त दर्शन : क्या प्रधान मंत्री ३१ अगस्त, १९६० के तारांकित प्रश्न संख्या ६४४ के उत्तर के संबंध में यह बताने की कृपा करेंगे कि चकरोता के निकट हुई विमान दुर्घटना में मृत तथा घायल व्यक्तियों के परिवारों को क्षतिपूर्ति के रूप में कितनी राशि दी गई ?

प्रधान मंत्री तथा वंदेशिक कार्य-मंत्री (श्री जवाहरलाल नेहरू) : मृत तथा घायल व्यक्तियों के परिवारों को अभी तक कोई हरजाना नहीं दिया गया है। विमान के मालिक एयर केरीयर सर्विस कारपोरेशन ने सारे यात्रियों अथवा उनके वैध प्रतिनिधियों के साथ, यदि कुछ हरजाने के दावे हैं तो उनके विषय में पक्षपातरहित बातचीत तथा छानबीन करने के लिये बम्बई के कानूनी सलाहकार और लेब्य प्रमाणिक (सालिस्टरज एंड नोटरीज) "सर्वथ्री मुल्ला एंड मुल्ला एंड करेगी प्लन्ट एंड करो" को अपने अधिकार दिये हैं। उसी प्रकार उन व्यक्तियों को, जिन का संबंध प्रमाणु शक्ति विभाग से है, बता दिया गया है, कि वह उक्त कानूनी सलाहकार से इस विषय में बातचीत करें।

**Amendment to Industrial Disputes Act, 1947**

1725. { **Shri Ram Krishan Gupta:**  
**Shri Amjad Ali:**  
**Shri Anthony Pillai:**

Will the Minister of Labour and Employment be pleased to refer to the reply given to Unstarred Question No. 2272 on the 7th September, 1960 and state the stage at which are the proposals for amending the Industrial Disputes Act, 1947?

**The Deputy Minister of Labour (Shri Abid Ali):** The proposed amendments to the Industrial Disputes Act, 1947 are still under examination.

**Employees' State Insurance Scheme**

1726. **Shri Ram Krishan Gupta:** Will the Minister of Labour and Employment be pleased to refer to the reply given to Unstarred Question No. 938 on the 18th August, 1960 and state:

(a) whether Government have since taken final decision in regard to enhancement of statutory rate under Employees' State Insurance Scheme; and

(b) if so, the nature thereof?

**The Deputy Minister of Planning and Labour and Employment (Shri L. N. Mishra):** (a) No.

(b) Does not arise.

**Employees' State Insurance Hospital at Kanpur**

1727. **Shri S. M. Banerjee:** Will the Minister of Labour and Employment be pleased to state:

(a) whether Employees' State Insurance hospital at Kanpur is likely to be completed during 1960;

(b) if not, when; and

(c) total amount likely to be spent on this?

**The Deputy Minister of Planning and Labour and Employment (Shri L. N. Mishra):** (a) No.

(b) Construction is expected to be completed by March, 1961.

(c) About Rs. 33 lakhs on construction and equipment.

उत्तर प्रदेश के पहाड़ी जिलों के लिये विकास कार्यक्रम

१७२८. श्री भक्त वर्मान : क्या योजना मंत्री ७ सितम्बर, १९६० के तारांकित प्रश्न संख्या ११६४ के उत्तर के संबंध में यह बताने की कृपा करेंगे कि :

(क) वित्तीय वर्ष १९५९-६० में उत्तर प्रदेश के विभिन्न पिछड़े हुये क्षेत्रों के विशेष विकास कार्यक्रम के लिये सहायता के रूप में मंजूर की गई कुल राशि में से प्रत्येक क्षेत्र पर वस्तुतः कितना खर्च किया गया ;

(ख) चालू वित्तीय वर्ष अर्थात् १९६०-६१ के लिये उत्तर प्रदेश के प्रत्येक पिछड़े हुये क्षेत्र के विशेष विकास के लिये कितनी कितनी राशि मंजूर की गई ; और

(ग) उनका पूर्ण उपयोग करने के लिये क्या कार्यवाही की जा रही है ?

योजना उपमंत्री (श्री इया० नं० मिश्र) :

(क) और (ख). एक विवरण सभा पटल पर रखा गया है ।

विवरण

(रुपये लाखों में)

क्षेत्र	१९५९-६०	१९६०-६१
	वास्तविक व्यय	मंजूर घन-राशि
१. पहाड़ी जिले	३०.९२	८७.९८
२. पूर्वी जिले	३७.०३	११९.१७
३. बुन्देलखंड	१०.०२	४९.००
४. मिर्जापुर	०.९३	८.५०
५. पश्चिमी जिलों की नालियों की स्कीम	२२.४६	३७.९०
	१०१.३६	३०२.५५

(ग) राज्य सरकार ने कार्यक्रमों को चलाने तथा मंजूर की गई धनराशि को उपयोग करने का आवश्यक इंतजाम कर लिया है ।

श्री जे० ई० डा० फोनेस्का को दिया गया मकान

१७२९. श्री भक्त वर्मान : क्या निर्माण, आवास और संभरण मंत्री १२ अगस्त, १९६० के तारांकित प्रश्न संख्या ३५० के उत्तर के संबंध में यह बताने की कृपा करेंगे कि नई दिल्ली में श्री जे० ई० डा फोनेस्का को दिये गये मकान को खरीदने के संबंध में अब तक क्या प्रगति हुई है ?

निर्माण, आवास तथा संभरण मंत्री (श्री क० चं० रेड्डी) : इस बीच सरकार ने इस मकान को खरीद लिया है ।

#### Fertiliser Factories

1730. { Shri Rajendra Singh:  
Shri D. C. Sharma:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that a Corporation has been set up to run and manage the various fertiliser factories in the country from the 1st October, 1960;

(b) if so, the essential details of the personnel, nature and functions of the corporation and the measure of power delegated to it; and

(c) the progress made in setting up the Corporation so far?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra) : (a) to (c). It has been decided to form a fertilizer corporation by the amalgamation of M/s. Sindri Fertilisers and Chemicals Ltd. and M/s. Hindustan Chemicals and Fertilisers Ltd. An order under Section 396 of the Companies Act, 1956 (1 of 1956) announcing its formation with effect from 1st January, 1961 has been published in the Gazette of India dated 26th November, 1960 The order contains all the essential details pertain-

ing to the Corporation. The appointment of personnel for the Corporation will be taken up by the corporation within its own powers or with the Government of India where it exceeds the powers of the corporation.

#### Export of Railway Equipment

1731. { Shri Subodh Hansda:  
Shri R. C. Majhi:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether there is any media or organisation through which export of Railway equipment is made;

(b) if not, through which the present export is made; and

(c) the total amount of foreign exchange earned during 1960 so far by exporting railway equipments?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) and (b). Railway equipment manufactured in private factories is exported by parties themselves. Export of equipment manufactured in the units under the Railway Board is handled by the State Trading Corporation.

(c) Rs. 1,83,000 in January-September, 1960.

#### Raw Film Factory

1732. { Shri Nanjappan:  
Shri P. K. Deo:  
Shri Daljit Singh:  
Shrimati Parvathi Krishnan:  
Shri Tangamani:

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Unstarred Question No. 947 on the 18th August, 1960 and state:

(a) the progress since made regarding setting up of a raw film factory at Ootacamund;

(b) whether a site has been finally fixed up; and

(c) when the construction and production will begin?

The Minister of Industry (Shri Manubhai Shah): (a) to (c) Trials on films supplied by the French firm were carried out in September and were found satisfactory and the contract became effective on the 17th October, 1960. A Government Company has been registered on the 30th November, 1960 for implementing the project and preliminary work for levelling of site and development of communication facilities are under way. It is proposed to commence construction work as early as possible and the plant is likely to go into production towards the end of 1962.

#### Central Sericultural Research Station Berhampur

1733. { Shri S. C. Samanta:  
Shri Subodh Hansda:

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Unstarred Question No. 1219 on the 22nd August, 1960 and state:

(a) how far the expansion work of the Central Sericultural Research Station at Berhampur has proceeded;

(b) what new items of research will be taken in hand after expansion and whether there will be considerable increase in staff;

(c) how the closest possible co-ordination is contemplated between this Central Institute and the regional ones; and

(d) what percentage of annual expenditure will increase after expansion?

The Minister of Industry (Shri Manubhai Shah): (a) (i) Expenditure sanction for the construction of buildings at Berhampore was issued in October, 1960 and the C.P.W.D. have since prepared the final estimates.

(ii) The matter of acquisition of land and buildings at Kalimpong is being pursued through the Government of West Bengal.

(iii) Additional staff to a very limited extent has already been recruited

(iv) The requirements of apparatus and equipment for the Research Station are being looked into by the Research Co-ordination Committee set up by the Central Silk Board.

(b) The programme envisaged under the expansion scheme will cover experiments to determine the best variety of mulberry, suitable combination of manures and fertilisers for mulberry gardens, soil condition for satisfactory growth of mulberry, control diseases of silkworms and pests of mulberry and evolve new high yielding hybrid races of silkworms for distribution to sericulturists.

29 additional technical posts have been approved for the Station. Recruitment to these posts will be gradual and co-related to the expansion of the Research Station.

(c) The Research programmes of the Central as well as the Regional Stations will be co-ordinated by the Central Research Co-ordination Committee constituted by the Central Silk Board.

(d) The increase in the annual recurring expenditure will be about 30 per cent., as can be estimated at present.

### गोआ

१७३४. श्री पद्म देव : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) गोआ में भारतीय पेंशन पाने वालों ( भारतीय नागरिकों ) को आज कल कैसे और कहां से पेंशन मिलती है ; और

(ख) क्या यह सच है कि इन व्यक्तियों को पेंशन प्राप्त करने में बड़ी कठिनाई होती है ?

प्रधान मंत्री तथा वैदेशिक कार्य मंत्री ( श्री जवाहरलाल नेहरू ) : (क) गोआ में भारत सरकार के पेंशनरों में कोई भारतीय राष्ट्रिक नहीं है। वे सभी गोआनी हैं और वे या तो केन्द्रीय

सरकार के या राज्य सरकारों अथवा भारत में अर्द्ध सरकारी संगठनों के मुलाजिम रहे हैं। उन्हें बांको नेसनल अल्ट्रामारिनो, मारगोआ (गोआ) के सहयोग से गोआ स्थित भारत सरकार के पेंशन कार्यालय के द्वारा अदायगी की जाती है।

(ख) भारत सरकार का ध्यान किसी कठिनाई की ओर नहीं आकर्षित किया गया है।

### प्रधान मंत्री का राष्ट्रीय सहायता कोष

१७३५. श्री पद्म देव : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) १ जनवरी १९६० से ३१ अक्टूबर १९६० तक प्रधान मंत्री के राष्ट्रीय सहायता कोष में कितना धन एकत्रित हुआ ;

(ख) यह धन कहां-कहां इकट्ठा किया गया ; और

(ग) उपरोक्त अवधि में किन-किन सहायता कार्यों के लिए कितना-कितना धन दिया गया ?

प्रधान मंत्री तथा वैदेशिक कार्य मंत्री ( श्री जवाहरलाल नेहरू ) : (क) १ जनवरी १९६० से ३१ अक्टूबर १९६० तक प्रधान मंत्री के राष्ट्रीय सहायता कोष में ४,११,१६५ रुपये ६० नये पैसे प्राप्त हुए।

(ख) ये चन्दे भारत तथा बाहर के देशों के कुछ व्यक्तियों तथा संस्थाओं ने अपनी इच्छा से भेजे।

(ग) उपरोक्त अवधि में ६,२८,५९७ रुपये ५४ नये पैसे की रकम इस कोष में से दी गई। उन व्यक्तियों तथा संस्थाओं के नाम जिन को कि धन दिया गया, और जिस मकसद के लिए धन दिया गया, इसका विवरण पटल पर रखा जाता है। [बेसिखे परिशिष्ट ३, अनुबन्ध संख्या ३८]

**Paper Mills at Rajahmundry**

1736. **Shri Rami Reddy:** Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 524 on the 18th August, 1960 and state:

(a) whether the Andhra Pradesh Government have since arranged to buy a plant of 50 tons capacity for the Paper Mills at Rajahmundry; and

(b) the progress made in the installation of the machinery?

**The Minister of Industry (Shri Manubhai Shah):** (a) The Government of Andhra Pradesh have entered into an agreement with a French firm for supply of paper plant and machinery.

(b) The foreign suppliers will start shipping machinery from June, 1961.

**Phosphorus Plant**

1737. **Shri Kodiyan:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government have any proposal to establish a phosphorus plant in the country during the Third Five Year Plan period;

(b) if so, the main feature of the proposal; and

(c) when is the plant expected to start production?

**The Minister of Industry (Shri Manubhai Shah):** (a) to (c). Preliminary investigations regarding the possibility of establishing a phosphorus plant in the country are at present being carried out by the National Industrial Development Cor-

poration Limited.

**Regional Hospital at Kalyankhani (Andhra Pradesh)**

1738. **Shri T. B. Vittal Rao:** Will the Minister of Labour and Employment be pleased to state:

(a) whether a decision has since been taken to construct a Regional Hospital at Kalyankhani of Singareni Collieries Company, Andhra Pradesh by the Coal Mines Welfare Organisation;

(b) if so, what is the estimated cost of the hospital; and

(c) when the construction will commence?

**The Deputy Minister of Planning and Labour and Employment (Shri L. N. Mishra):** (a) Construction of a 30-bedded Regional Hospital in Tandur Collieries of Singareni Collieries Company in Andhra Pradesh has been approved in principle. The hospital, the exact location of which has not been decided upon yet, will serve the needs of the Kalyankhani area also.

(b) Rs. 7,84,800 (approx.).

(c) Detailed plans and estimates are being prepared.

**Tyre and Tube Manufacturing Unit**

1739. **Shri Warrior:** Will the Minister of Commerce and Industry be pleased to state how many new Automobile tyre and tube manufacturing units have been licenced this year, their locations and other details?

**The Minister of Industry (Shri Manubhai Shah):** The following four units were licensed during the current year 1960:—

Sl. No.	Name of the undertaking	Location	Capacity (Annual)
1.	M/s. General Tyres Ltd., Calcutta (New Scheme)	Calcutta	(1) Passenger Car Tyres 60,000 Nos. per annum.  (2) Passenger Car Tubes 60,000 Nos. per annum.



Sl. No.	Name of the undertaking	Location	Capacity (Annual)
			(3) Giant Tyres 120,000 Nos. per annum. (4) Giant Tubes 120,000 Nos. per annum.
2.	M/s. Dunlop Rubber Co. (India) Ltd., Calcutta (expansion programme)	Ambattur, Madras State	(1) Giant Covers 54,000 Nos. per annum. (2) Cycle Covers 9,96,000 Nos. per annum.
3.	M/s. Dunlop Rubber Co. (India) Ltd., Calcutta. (Expansion programme)	Shahaganj District Hooghly W. Bengal	(1) Motor and Giant covers 49,200 Nos. per annum. (2) Motor and Giant tubes 1,35,600 Nos. per annum. (3) Fan and Vee Belts 2,40,000 Nos. per annum.
4.	M/s. Madras Rubber Factory, Madras (New unit)	Thiruvothiyur (Madras)	(1) Automobile Tyres—3,00,000 Nos. per annum. (2) Automobile Tubes 3,00,000 Nos. per annum.

#### Renovation of Parliament House

1740. **Shri A. M. Tariq:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) the amount of money spent on repair and renovation of Parliament House during the period between termination of the Eleventh Session and commencement of the Twelfth Session; and

(b) the amount spent on the grassy lawns in the Parliament House during the above period?

**The Minister of Works, Housing and Supply (Shri K. C. Reddy):** (a) Rs. 4,236.

(b) No expenditure, except that on normal maintenance, was incurred.

#### Central Drug Re-control Institute

1741. { **Shri Ram Krishan Gupta:**  
**Shri Pangarkar:**  
**Shri D. C. Sharma:**

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Unstarred Question No. 263 on the 4th August, 1960 and state at what stage is the proposal

to set up a Central Drug Re-control Institute?

**The Minister of Industry (Shri Manubhai Shah):** The matter is under consideration.

#### Newsprint for Books

1742. **Shri Ram Krishan Gupta:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether the procedure for granting actual user licences for the import of news-print to publishers of books has been revised; and

(b) if so, the details of new procedure?

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

(b) The details of the new procedure have been published in Public Notice No. 128-ITC(PN)|60, dated the 21st October, 1960, copy of which is placed on the Table. [See Appendix III, annexure No. 39].

#### Handloom Cloth

1743. **Shri Raghunath Singh:** Will the Minister of Commerce and Industry be pleased to state what steps are

being taken by Government or Handloom Board to Sanforize the handloom cloths in order to prevent shrinking?

**The Minister of Commerce (Shri Kanungo):** The possibility of setting up of a plant exclusively for treating handloom fabrics is under investigation.

### Weights and Measures

**1744. Shri Kalika Singh:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that United Kingdom is now going over for decimal coinage and standards of weights and measures and the committee appointed therefor in Britain has reported for immediate change-over;

(b) if so, to what extent it would be beneficial to India in her trade with U.K. and Commonwealth countries;

(c) whether U.K. is proposing to have the coinage, weights and measures similar to the new Indian system and if not, how their proposals differ from ours; and

(d) what other countries are taking similar steps?

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):**

(a) and (c). A Committee set up by the British Association for the advancement of science and the Association of British Chambers of Commerce to study the question of decimalisation of currency, weights and measures, has submitted a report. The Committee favours the decimalisation of coinage with the pound as the basic unit. It has not recommended the adoption of the metric system of weights and measures. It has suggested, however, that a watch should be kept on the world situation in regard to weights and measures and particular note taken of trends in Japan and India and in the underdeveloped countries of Asia and Africa. The U.K. Government has

not taken any decision yet to decimalise either coinage or weights and measures.

(b) Does not arise at this stage.

(b) The Union of South Africa has recent decided to adopt decimal currency. The Government of Pakistan is similarly reported to have decided to decimalise the currency and adopt the metric system of weights and measures.

### Janata Hotel, Delhi

**1745.** { Shri D. C. Sharma:  
Shri Vishwanatha Reddy:  
Shri Radha Raman:  
Shri M. K. Kumaran:  
Shri Surya Prasad:

Will the Minister of Works, Housing and Supply be pleased to refer to the reply given to Starred Question No. 901 on the 30th August, 1960 and state:

(a) the further progress made with regard to the construction of a Janata Hotel; in Delhi; and

(b) whether such hotels are also proposed for any other big cities?

**The Minister of Works, Housing and Supply (Shri K. C. Reddy):** (a) Attention is invited to the answer to Shri Radha Raman's Unstarred Question No. 1543 asked in this House on the 8th December, 1960.

(b) Government do not have any proposal for constructing hotels in other big cities.

### Quality Marking of Agricultural Products

**1746. Shri Achar:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether some of the agricultural products are quality-marked at present for the purpose of export;

(b) if so, which of the products; and

(c) whether there is a proposal to set up test laboratories for analysing edible oil, ghee etc.?

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):**

(a) Yes, Sir.

(b) Sann hemp, tobacco, Wool, Bristles, Lemongrass oil and Sandalwood oil.

(c) It is proposed that the State Government should set up 50 Ghee & Oil Grading laboratories under the Third Five Year Plan.

**वैस्टन कोर्ट होस्टल, नई दिल्ली**

१७४७. श्री लुशवक्त राय : क्या निर्माण, आवास और संभरण मंत्री ई.यह बताने की कृपा करेंगे कि :

(क) वैस्टन कोर्ट होस्टल, नई दिल्ली में कौन-कौन व्यक्ति ठहर सकते हैं ;

(ख) इसके क्या नियम हैं ; और

(ग) श्री दिवाकर पी० पटेल को किस हैसियत से और किस के परिचयपत्र या सिफारिश पर वहां ठहरने की अनुमति दी गई थी ?

निर्माण, आवास और संभरण मंत्री (श्री क० च० रेड्डी) : (क)

(१) संसद् सदस्य ।

(२) संसद् सदस्यों के अतिथि ।

(३) सरकारी अफसर (राज्य/केन्द्रीय सरकार)

(४) प्रत्यायित (एक्क्रेडिटिड) संवाददाता ।

(५) मान्यता प्राप्त कलाकार और चेतक ।

(६) कोई अन्य व्यक्ति, जिसे सरकार के विचार से सरकारी होस्टल में ठहराया जा सकता हो ; उदाहरण के लिये सरकारी विभागों की जिम्मेदारी पर आने वाले दर्शक-विद्वान ।

(ख) वैस्टन कोर्ट होस्टल में निवास स्थान संसद् सदस्यों को उनकी अपनी और उनके अतिथियों की आवश्यकताओं के बारे में संसद् सदस्यों की ओर से और अन्य लोगों के बारे में सम्बन्धित व्यक्ति से या उसकी ओर से किसी सरकारी विभाग से लिखित अनुरोध के आधार पर दिया जाता है । आपातिक (इमर्जेंट) मामलों में टेलीफोन पर किये गये अनुरोधों पर भी स्थान दे दिया जाता है ।

(ग) श्री दिवाकर पी० पटेल ने वैस्टन कोर्ट होस्टल में अपने आपको श्री एच० एस० रानाडे, अपर डिप्टी कमिश्नर, नागपुर बता कर स्थान प्राप्त किया था ।

**Allotment to Coal Dealers in Delhi**

**1748. Shrimati Sucheta Kripalani:**  
Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) the number of coal-dealer squatters in Delhi and New Delhi who are eligible for alternative allotment and have not been made any allotment upto 31st October, 1960;

(b) the basis on which eligibility of these squatters for alternative allotment has been worked out;

(c) whether the cases which had remained pending with the Eligibility Committee and could not be decided because of the dissolution of that Committee, will be considered for alternative allotment; and

(d) what policy and procedure has been laid down for making alternative allotments to these squatters?

**The Deputy Minister of Rehabilitation (Shri P. S. Naskar):** (a) 8.

(b) An eligible squatter had to satisfy the following conditions:

- (i) that he was a *bonafide* displaced person from West Pakistan;
- (ii) that he was included in the Survey conducted in 1953 and had been doing continuous fuel business on Government land or a public place since 15th August, 1950; and
- (iii) that he had not been allotted any other business premises in Delhi or elsewhere in India.

(c) No.

(d) Does not arise.

#### Public Utility Services

**1749. Shri Tangamani:** Will the Minister of Labour and Employment be pleased to state the names of industries which have been declared as public utility services by the Central Government and Madras State?

**The Deputy Minister of Labour (Shri Abid Ali):** No industry in the 'Central Sphere' has been notified as public utility service under section 2 (n)(vi) of the Industrial Disputes Act. The available information shows that the Government of Madras have notified the following industries as public utility services during the last 12 months.

Cotton Textiles, Cement, Sugar, Motor Transport Services, Air Transport Services and Labour at Minor Ports.

#### Export of Engineering Goods to West Germany

**1750. Shri Raghunath Singh:** Will the Minister of Commerce and Industry be pleased to state whether the Government of India have protested to the West German Government for levying excessive import duty on Indian light engineering goods?

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):** There has been no increase recently in the West German import duty on light engineering goods and consequently no occasion for the Government of India to make a protest in this regard. Reports have, however, been received that an official committee has recommended, *inter alia*, the imposition of specific import duties on sewing machine heads, the landed cost of which in Germany is DM 100 or below in the case of straight-stitch machines and DM 200 or below in the case of zig-zag stitch machines. Facts are being ascertained.

#### आवास योजनायें

१७५१. श्री प्रकाश वीर शास्त्री : क्या निर्माण, आवास और संभरण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उनके मंत्रालय द्वारा स्वीकार की गई सभी आवास योजनाओं का हिन्दी में अनुवाद किया जा चुका है ;

(ख) यदि नहीं, तो इसके क्या कारण हैं ;

(ग) क्या मकान बनाने के लिये ऋण प्राप्त करने के हेतु भरे जाने वाले फार्म हिन्दी में भी उपलब्ध हैं ;

(घ) यदि नहीं, तो इन फार्मों को हिन्दी में छापने के लिये क्या प्रबन्ध किया जा रहा है ; और

(ङ) ये सम्भवतः कब तक हिन्दी में उपलब्ध हो जायेंगे ?

निर्माण, आवास तथा संभरण उपमंत्री (श्री अनिल कु० चन्दा): (क) अभी नहीं।

(ख) भारत सरकार की सब पुस्तिकाओं (मैनुअल) तथा क्रियाविधि सम्बन्धी साहित्य का अनुवाद शिक्षा मंत्रालय द्वारा किया जायेगा। वह मंत्रालय केन्द्रीय हिन्दी निदेशालय में इस कार्य के लिए एक अनुवाद एकांश (यूनिट) बना रहा है।

(ग), (घ) और (ङ). इस मंत्रालय की आवास योजनायें अलग अलग राज्य सरकारों की मार्फत क्रियान्वित की जा रही है और मीत्रे इस मंत्रालय द्वारा नहीं। आवेदन के फार्म स्वयं उन राज्य सरकारों द्वारा ही नियत किये जाते हैं।

**मुद्रगालय के कर्मचारियों के सेवा नियम**

१७५२. श्री प्रकाश वीर शास्त्री : क्या निर्माण, आवास और संभरण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या भारत सरकार के मुद्रगालयों के कर्मचारियों पर लागू होने वाले सेवा सम्बन्धी नियमों का हिन्दी में अनुवाद कर लिया गया है ;

(ख) यदि नहीं, तो क्या इसके लिये कोई योजना तैयार की गई है ; और

(ग) इसके कब तक कार्यान्वित किये जाने की संभावना है ?

**निर्माण, आवास और संभरण उपमंत्री (श्री अनिल कु० चन्दा) :** (क) भारत सरकार के मुद्रगालयों के कर्मचारियों पर लागू होने वाले सेवा सम्बन्धी नियमों का अभी तक हिन्दी में अनुवाद नहीं हुआ है।

(ख) इस काम के लिये किये जाने वाले प्रबन्ध की रूपरेखा राज्य भाषा के बारे में अप्रैल १९६० में जारी किये गये राष्ट्रपति के निदेश में दी गई है।

(ग) इस समय ठीक ठीक कोई ऐसी तिथि सूचित कर पाना सम्भव नहीं है, जिस तक भारत सरकार के कर्मचारियों पर लागू होने वाले सेवा सम्बन्धी नियमों का हिन्दी में अनुवाद कराया जा चुकेगा।

#### Tyres and Tubes

1753. **Shrimati Mafida Ahmed:** Will the Minister of Commerce and Industry be pleased to state the number of firms granted import licence for tyres and tubes through the State

Trading Corporation in the country during 1959-60?

**The Minister of Commerce (Shri Kanungo):** Import licences for tyres and tubes are issued in the name of the State Trading Corporation with letters of authority in the name of Indian agents of foreign suppliers. So far such letters of authority have been issued in the name of 3 firms only.

#### Rajghat Samadhi Quarters

1754. **Shri Tangamani:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether it is a fact that rent is charged from the Central Public Works Department staff in occupation of Rajghat Samadhi quarters;

(b) whether it is a fact that employees of the Municipal Corporation of Delhi and Rajghat Samadhi Committee who are in occupation of such quarters, are not charged any rent; and

(c) if so, the reasons for discrimination against the Central Public Works Department staff?

**The Minister of Works, Housing and Supply (Shri K. C. Reddy):** (a) and (c). The Rajghat Samadhi quarters have been allotted to a few employees of the Rajghat Samadhi Committee and the C.P.W.D. According to a decision of the Committee, occupation of these quarters is to be rent-free. No rent is, therefore, recovered by the Committee from their employees. Usual recovery, as for Government accommodation, is being made from the Central Public Works Department personnel temporarily serving with the Rajghat Samadhi Committee under the rules normally applicable to Government employees. The whole matter is being reviewed.

**Rajghat Samadhi Quarters**

1755. **Shri Tangamani:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether it is a fact that the Central Public Works Department staff in occupation of Rajghat Samadhi Quarters have been regularly paying water charges;

(b) whether it is a fact that the employees of the Municipal Corporation of Delhi and Rajghat Samadhi Committee were not required to pay any water charges prior to 1960;

(c) whether further recovery for water charges is being made from the Central Public Works Department staff for the period of 1954 and 1955; and

(d) if so, the reasons therefor?

**The Minister of Works, Housing and Supply (Shri K. C. Reddy):** (a) to

(d). The quarters at Rajghat are under occupation of the Central Public Works Department staff and employees of the Rajghat Samadhi Committee only and none of the quarters is occupied by any Corporation employee. Water charges are being paid by the occupants of all these quarters. The employees of the Committee were not required to pay water charges prior to November, 1957. Recovery for these charges has, however, been made from the Central Public Works Department staff for the period of 1954 and 1955. Recovery of these charges from the Central Public Works Department personnel, temporarily serving with the Rajghat Samadhi Committee, has been made under the rules normally applicable to Government employees. The whole matter is being reviewed.

**Labour Participation in Management**

1756. **Shri Tangamani:** Will the Minister of Labour and Employment be pleased to state:

(a) whether a report will be submitted about the working of labour participation in management in the

units set up as per decision of the fifteenth Indian Labour Conference;

(b) how many units have worked well on this basis;

(c) whether Government have enforced this in 50 units as suggested by the Indian Labour Conference;

(d) if not, in how many at present; and

(e) when the remaining units will come under the orbit of labour participation?

**The Deputy Minister of Planning, Labour and Employment (Shri L. N. Mishra):** (a) A review of the Working of Joint Management Councils is made in the Tripartite seminars.

(b) Nineteen.

(c) and (d). No. The Scheme has so far been introduced in 23 units.

(e) The Scheme is voluntary. Necessary action to introduce the Scheme in as many more units as possible is already on hand.

**Survey of Coir Industry**

1757. { **Shri Subbiah Ambalam:**  
**Shri Chintamani Panigrahi:**

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Unstarred Question No. 269 on the 4th August, 1960 and state:

(a) whether the economic and statistical survey of coir industry undertaken by the Coir Board has been completed and report submitted; and

(b) if so, whether a copy of the report will be placed on the Table?

**The Minister of Industry (Shri Manubhai Shah):** (a) Field work in connection with the survey in Kerala State and in Kanyakumari District of Madras has been completed and the data compiled in the course of survey is under study of the Coir Board. The report is expected to be ready by

the middle of 1961. The survey in rest of the coconut-growing States is now proposed to be conducted along with the 17th round of the National Sample Survey scheduled to begin in July, 1961.

(b) The question does not arise at present.

#### C.P.W.D.

**1758. Shri Tangamani:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether any notice of change in the conditions of service of the Central Public Works Departments workmen is given to the registered Trade Unions as required under Rule 9A of the Industrial Disputes Act and Rule 34 of the Industrial Disputes (Central) Rules, 1957; and

(b) if not, the reasons therefor?

**The Minister of Works, Housing and Supply (Shri K. C. Reddy):** (a) and (b). Some of the provisions of the Fundamental Rules and the Civil Service Regulations, the Central Civil Services (Conduct) Rules, 1955 and the Central Civil Services (Revision of Pay) Rules, 1960 are applicable to the workcharged staff of the Central Public Works Department. Under the provision cited, no notice is required to be given where the workmen concerned are governed by the Fundamental and Supplementary Rules, etc.

#### Handloom Weavers

**1759. Shri Tangamani:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether the Conference of All India Handloom Weavers Co-operatives which met in Delhi on 20th November, 1960 made suggestions regarding protection of handloom industry and for export promotion; and

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

**The Minister of Commerce (Shri Kanungo):** (a) and (b). There was an All India Handloom convention in Delhi on the 20th November, 1960, and several suggestions have been made by the convention. The main suggestions are indicated below:

- (i) Constitution of Statutory Commission for Handloom Industry.
- (ii) Enhancement of allocation for the development of Handloom Industry during the Third Plan period.
- (iii) To stop further introduction of powerlooms; to place the existing powerlooms on par with mills and to scrap all unauthorised powerlooms.
- (iv) Entire production of sarees and dhoties may be reserved for the Handloom Industry.
- (v) To enhance the target of production of handloom cloth during the Third Plan period.
- (vi) Accumulated stocks of 'Bleeding Madras' may be purchased by the Government of India.
- (vii) Steps may be taken by the Government to make available raw materials to the Handloom Industry at reasonable prices and inadequate quantities.
- (viii) Financial assistance and other assistance may also be extended to the weavers outside the cooperative fold.
- (ix) Some suggestions for the promotion of handloom exports have been made to the Government.
- (x) Allocation of spindleage for co-operative spinning mills may be made. Government has had already under consideration many of the suggestions. While suggestion at No. X with regard to co-operative spinning mills is acceptable to Government

and is part of its present policy, it is regretted that suggestions at Nos. i, iii, iv and v cannot be accepted. The others are still under consideration.

**Committee for under-Developed Areas of Punjab**

1760. **Shri Ram Krishan Gupta:** Will the Minister of Planning be pleased to state:

(a) whether Government have received proposal for setting up of an advisory committee for under-developed areas of Punjab; and

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

**The Deputy Minister of Planning (Shri S. N. Mishra):** (a) No, Sir.

(b) Does not arise.

**Import of Crude Penicillin**

1761. **Dr. Sushila Nayar:** Will the Minister of Commerce and Industry be pleased to state:

(a) the amount of first crystals (crude) penicillin imported by Hindustan Antibiotics Ltd. in 1957-58, 1958-59 and 1959-60, indicating the price per mega unit paid each year;

(b) the amount of this imported crude penicillin sold in bulk and the amount sold after purification as finished product in vials giving the price per mega unit charged for above each year and the profit made from this source;

(c) the cost of production per mega unit of penicillin actually produced by the plant itself by fermentation during the above period;

(d) the price per mega unit at which this penicillin was sold in bulk, and in vials, and indicate the profit made from this source each year;

(e) the amount and price per gram of streptomycin imported in 1957-58, 1958-59 and 1959-60, and the price per gram at which it was sold in bulk and/or after packing in vials;

(f) the total profits made from the sale of imported streptomycin each year; and

(g) the total profits of the Hindustan Antibiotics Ltd. each year?

**The Minister of Industry (Shri Manubhai Shah):** (a) to (g). A statement is laid on the Table [See Appendix III, annexure No. 40].

**Ashoka Hotel**

1762. **Shri Ansar Harvani:**  
**Shri Ram Krishan Gupta:**  
**Shri Prakash Vir Shastri:**  
**Shri Radhelal Vyas:**

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

(a) whether it is a fact that the present General Manager of Ashoka Hotel went to Europe to study Hotel management in these countries; and

(b) if so, whether he has submitted any report to the Board of Directors of Ashoka Hotel?

**The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda):** (a) The General Manager, Ashoka Hotel Ltd. went to Europe, U.S.A., Canada and Egypt to observe conditions and facilities available in luxury hotels there and also to establish contacts with internationally renowned travel agents, airlines etc. in those countries.

(b) Yes.

**प्रलेखनीय चलचित्र**

१७६३. श्री जगदीश प्रवस्थी :  
 क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार द्वारा और ठेके पर तैयार किये जाने वाले प्रलेखीय चल-चित्रों की लागत में कोई अन्तर है ;

(ख) यदि हाँ, तो इस अन्तर के क्या कारण हैं ;



(ग) चल-चित्रों को तैयार करने की लागत में प्रति फुट क्या अन्तर है ; और

(घ) १९५९ में सरकार द्वारा और ठेके पर तैयार किये गये चल-चित्रों की संख्या अलग-अलग क्या है ?

सूचना और प्रसारण मंत्री (डा० केसकर) :  
(क) से (घ). १९५९ में फिल्म डिवीजन ने ७६ फिल्में आप तैयार कीं और १९ फिल्में ठेके पर तैयार कराईं। फिल्म डिवीजन डाक्यूमेंटरी फिल्में तैयार करने के लिये उत्तरदायी है, चाहे उन्हें वह आप तैयार करें चाहे वे ठेके पर तैयार कराई जाएँ। हर हालत में फिल्म डिवीजन तैयारी की भिन्न अवस्थाओं को अग्रसर करने के लिये उत्तर-दायी है, जैसे कि रूपलेखा (सिनोपिसिस) प्रस्तुत करना, स्क्रिप्ट की जाँच करना, और मंत्रालय या अन्य सम्बन्धित सलाहकार से परामर्श करना। ठेके पर काम कराने के लिये फिल्म डिवीजन मान्यता प्राप्त निर्माताओं से, जिनकी एक सूची बनी हुई है, टेन्डर माँगता है, आम तौर पर कम से कम टेन्डर वाले को चुनता है, और उससे करार करता है। इस करार की पूर्ति के लिये भी फिल्म डिवीजन उत्तरदायी है। इस प्रकार फिल्म डिवीजन को दोनों हालतों में, अर्थात् चाहे वह आप फिल्म तैयार करे चाहे ठेके पर तैयार कराए, कार्य करना पड़ता है, और ठेके पर तैयार हुई फिल्मों पर भी अपना ऊारी खर्च करना पड़ता है। क्योंकि ठेकेदार निर्माता आम तौर पर छोटे संगठन से ही काम चला लेते हैं और ठेका लेने के लिए कम से कम रेट देते हैं, इस लिये उनके तैयार किये फिल्मों की लागत का फिल्म डिवीजन की आप तैयार की गई फिल्मों की लागत से मुकाबला करना ठीक न होगा। फिर भी मोटे तौर पर यह कहा जा सकता है कि आप तैयार की गई और ठेकेदारों द्वारा तैयार की गई फिल्मों की लागत में लगभग में लाभ २ रुपये प्रति फुट का अन्तर है। उसका कारण यह है कि

फिल्म डिवीजन को संस्थागत व्यय भी करना पड़ता है।

#### Export of Tea

1764. Shri P. C. Borooah: Will the Minister of Commerce and Industry be pleased to state:

(a) whether attention of Government has been drawn to a statement by the Secretary-General of the Federation of Indian Chambers of Commerce and Industry that tea is the most neglected item of India's export drive;

(b) what steps are being taken to promote the export of tea to Italy, where the tea drinking habit is becoming more and more popular; and

(c) what steps are being taken to popularise Indian tea in West Germany, Sweden and Switzerland which are potential markets for Indian tea?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra):

(a) Yes, Sir.

(b) The Tea Board which is responsible for the promotion of Indian tea abroad has been participating in Trade Fairs in Italy. The Board has also been exploring the introduction of Indian tea through the help of selected importers.

(c) In West Germany, promotion for tea is jointly carried out by India, Ceylon and local tea trade through the West German Tea Corporation. The Board has decided to post a Tea Promotion Officer at Frankfurt for popularising Indian tea through industrial canteens etc. The Board has been successful in introducing in Sweden a commercial blend as retailed in India with the assistance of an Indian distributor. The Board has appointed a Tea adviser in London to look after the interests of Indian tea in Sweden also.

In Switzerland, the Board has introduced Indian blends in industrial canteens; sponsored "India Week" Celebrations through a well known Departmental Store in cooperation

with the Air India International. In a recent market survey of the tea position in Switzerland, it has been reported that the consumers in Switzerland prefer Darjeeling tea and the Board proposes to explore avenues for increasing its off-take.

#### 'Instant Tea'

1765. **Shri P. C. Borooah:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government propose to institute research into processes for the manufacture of 'instant tea' as is being done in European countries; and

(b) whether 'instant tea' is likely to boost export of Indian tea?

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):**

(a) and (b). Research on the preparation of 'Instant Tea' has been in progress at the University College of Science and Technology, Calcutta under a scheme sponsored by the Tea Board. 'Instant Tea' is expected to partly boost exports provided our teas are found suitable for the purpose.

#### Indians Killed by Pakistanis in Poonch Area

1766. **Shri Raghunath Singh:** Will the Prime Minister be pleased to state whether it is a fact that two Indian citizens are reported to have been killed in the Poonch area by Pakistan raiders on 22nd November, 1960?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** On November 21—not November 22—1960, at about 2000 hours two civilians of KALAS, about 4 miles North East of Poonch and on our side of the cease-fire line, were shot dead by some unidentified miscreants, armed with two rifles and a sten machine carbine. As our picquet was informed too late by the villagers, the miscreants escaped.

#### Mahatma Gandhi Album in Telugu

1767. **Shri Madhusudan Rao:** Will the Minister of Information and Broadcasting be pleased to refer to the reply given to Unstarred Question No. 1470 on the 25th August, 1960 and state the progress since made in regard to the publication of Mahatma Gandhi Album in Telugu?

**The Minister of Information and Broadcasting (Dr. Keskar):** The Mahatma Gandhi Album in Telugu is now in the Press and will be published soon.

#### Khan Market, New Delhi

1768. **Shri Ram Garib:** Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(b) whether it is a fact that a number of allottees of shops in the Khan Market, New Delhi have sublet their premises at high rents unauthorisedly;

(b) whether it is also a fact that even the verandhas|corridors outside the shops have been rented out; and

(c) if so, what action Government have taken to stop this malpractice?

**The Deputy Minister of Rehabilitation (Shri P. S. Naskar):** (a) to (c).

The shops in Khan Market have been sold under the Compensation Scheme. This Ministry is no longer concerned with their letting, subletting and sale.

As regards the misuse of the verandhas|corridors, it is a matter for the local body concerned.

#### Transfer of Horticultural Works from C.P.W.D. to D.M.C.

1769. **Shri Tangamani:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether it has been decided to transfer certain Horticultural Works of the C.P.W.D. to the Municipal Corporation of Delhi;

(b) if so, the list of such works and number of workers according to each category of post affected by such transfer of works;

(c) whether notices of retrenchment have been served on the workers employed on these works;

(d) if so, the number of such workers according to each category of post;

(e) whether some of the workers were transferred from these works to other works which are not being transferred to the Municipal Corporation; and

(f) if so, the reasons therefor?

**The Minister of Works, Housing and Supply (Shri K. C. Reddy):** (a) Yes.

(b) Two statements giving the required information are laid on the Table. [See Appendix III, annexure No. 41].

(c) Yes.

(d)

Sl. No.	Category of post	No. of workers
1.	Assistant Chaudharies	2
2.	Malies	169
3.	Chowkidars	4
4.	Sweeper;	1
5.	Bhisties	7
6.	Hedgemen	3
7.	Single Bullockmen	6
8.	Machineman	1
9.	Chaudhary	1

(e) No worker was transferred after the date on which it was agreed to transfer the works.

(f) Does not arise.

#### **Housing of Handloom Workers in Punjab**

**1770. Shri Daljit Singh:** Will the Minister of Commerce and Industry be pleased to state:

(a) the amount set apart for the housing of handloom workers in

Punjab State during the Second Five Year Plan, and

(b) the amount which has been utilised so far?

**The Minister of Commerce (Shri Kanungo):** (a) The State Government has reported that a sum of Rs. 2,67,000 has been set apart for the construction of houses for handloom weavers during the Second Plan period.

(b) A sum of Rs. 81,600 has already been utilised during 1958-59. A sum of Rs. 1,63,800 is proposed to be utilised during the current financial year.

#### **Slum Clearance in Amritsar**

**1771. Shri Daljit Singh:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether the amount allocated to Punjab Government for 1960-61 for Amritsar Slum Clearance Scheme has been paid; and

(b) if so, the amount paid so far?

**The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda):** (a) and (b). A sum of Rs. 10.60 lakhs has been allocated as central assistance to Punjab Government during 1960-61, for implementation of the Slum Clearance Scheme in the State. Three-fourth of this allocation is being released in monthly instalments as ways and means advance to be adjusted at the close of the financial year. Out of the funds placed at their disposal by the Centre under the Scheme, the State Government makes its own city-wise distribution having regard to the projects sanctioned in those cities and expenditure incurred against the projects.

#### **Shopping Centre in Diplomatic Enclave, New Delhi**

**1772. Shrimati Sucheta Kripalani:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether it is a fact that he had promised to a deputation of the

residents of Diplomatic Enclave (New Delhi), which saw him in May last that a shopping centre would be ready by the end of this year; and

(b) if so, what progress has so far been made in the matter?

**The Minister of Works, Housing and Supply (Shri K. C. Reddy):** (a) on April 23, 1960, a few residents of Chanakyapuri (Diplomatic Enclave) met me and requested me to arrange shopping facilities for the colony. Provision of such facilities is a municipal responsibility, but, considering the financial difficulties of the New Delhi Municipal Committee and the Municipal Corporation of Delhi, Government decided to build shopping centres in this and other Government colonies, which would be transferred to the local body concerned against payment of the cost of construction of the centres. Pursuant to this decision, the deputationists were informed that plans were under preparation. No specific assurance that the shopping centre would be ready by any particular time was, however, given.

(b) The plans and estimates, prepared by the C.P.W.D. are being finalised in consultation with the New Delhi Municipal Committee.

12 hrs.

RE: MOTION FOR ADJOURNMENT

**Raja Mahendra Pratap:** What about my adjournment motion?

**Mr. Speaker:** The hon. Minister must have received intimation that I have disallowed his adjournment motion.

12.01½ hrs.

PAPERS LAID ON THE TABLE

REPORT OF REVIEW OFFICER ON DADRA AND NAGAR AVELI

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal**

**Nehru):** I beg to lay on the Table a copy of the Report of the Review Officer on Dadra and Nagar Aveli. [Placed in Library. See No. LT-2522/60.]

NOTIFICATION UNDER COMPANIES ACT

**The Minister of Commerce (Shri Kanungo):** I beg to lay on the Table a copy of Notification No. GSR. 1433 dated the 3rd December, 1960 under sub-section (3) of section 637 of the Companies Act, 1956. [Placed in Library, See No. LT-2523/60.]

REPORTS OF TARIFF COMMISSION

**The Minister of Industry (Shri Manubhai Shah):** I beg to lay on the Table a copy of each of the following papers under sub-section (2) of section 16 of the Tariff Commission Act, 1951:—

- (i) Report (1960) of the Tariff Commission on the continuance of protection to the Ball Bearings Industry;
- (ii) Government Resolution No. 18(6)-T.R./60 dated the 8th December, 1960; [Placed in Library, See No. LT-2524/60.]
- (iii) Report (1960) of the Tariff Commission on the continuance of protection to the Power and Distribution Transformers Industry;
- (iv) Government Resolution No. 11(1)-T.R./60 dated the 9th December, 1960;
- (v) Statement explaining the reasons why a copy of each of the documents at (iii) and (iv) above could not be laid on the Table within the period prescribed on the said subsection; [Placed in Library, See No. LT-2525/60.]
- (vi) Report (1960) of the Tariff Commission on the continuance of protection to the Aluminium industry;

- (vii) Government Resolution No. 3(3)-T.R./60 dated the 10th December, 1960; [Placed in Library, See No. LT-2526/60.]
- (viii) Report (1960) of the Tariff Commission on the continuance of protection to the Industry Manufacturing Bare Copper Conductors, ACSR (Aluminium Conductor Steel Reinforced) and AAC (All Aluminium Conductor);
- (ix) Government Resolution No. 3(1)-T.R./60 dated the 10th December, 1960; [Placed in Library, See No. LT-2527/60.]
- (x) Report (1960) of the Tariff Commission on the continuance of protection to the Cotton Textile Machinery (Spinning Ring Frames, Spindles, Spinning Rings, Fluted Rollers and Automatic Looms) Industry;
- (xi) Government Resolution No. 18(7)-T.R./60 dated the 10th December, 1960; [Placed in Library, See No. LT-2528/60.]
- (xii) Report (1960) of the Tariff Commission on the continuance of protection to the Bicycle industry;
- (xiii) Government Resolution No. 7(2)-T.R./60 dated the 10th December, 1960. [Placed in Library, See No. LT-2529/60.]

**Shri Braj Raj Singh (Firozabad):** May I make a submission in this respect? Item (v) of the papers laid on the Table just now reads thus:

"Statement explaining the reasons why a copy of each of the documents at (iii) and (iv) above could not be laid on the Table within the period prescribed in the said sub-section."

Oftentimes, we find that these statements are placed before us and the reasons given. May I know why Government could not lay these on the Table in time?

**Mr. Speaker:** The Resolution referred to item (iv) is dated only the 9th December, 1960.

**Shri Manubhai Shah:** All the reports and papers have been laid on the Table.

**Mr. Speaker:** How old are the reports of the Tariff Commission?

**Shri Manubhai Shah:** The reasons also are given in the statement as to why there has been a delay. In some cases, further enquiries are always carried out by the Tariff Commission at the instance of Government, and we come forward before the House only when the enquiries are complete, and all aspects have been properly looked into.

#### NOTIFICATIONS UNDER EMPLOYEES' PROVIDENT FUNDS ACT

**The Deputy Minister of Labour (Shri Abid Ali):** I beg to lay on the Table a copy of each of the following Notifications:—

- (i) GSR. 1274 dated the 29th October, 1960 issued under clause (b) of sub-section (3) of section 1 of the Employees' Provident Funds Act, 1952; [Placed in Library, See No. LT-2530/60.]
- (ii) GSR. 1443 dated the 3rd December, 1960 under sub-section (2) of section 4 of the Employees' Provident Funds Act, 1952; [Placed in Library, See No. LT-2531/60.]
- (iii) GSR. 1444 dated the 3rd December, 1960 making certain further amendment to the Employees' Provident Funds Scheme, 1952, under sub-section (2) of section 7 of the Employees' Provident Funds Act, 1952. [Placed in Library, See No. LT-2532/60.]

**Raja Mahendra Pratap (Mathura):** My submission is that at least half an hour may be allowed for the discussion on the Punjabi Suba. I earnestly beg of you, because it is a very serious question.

Mr. Speaker: Let me consider.

STANDARDS OF WEIGHTS AND MEASURES  
(CONVERSION TO STANDARD WEIGHTS)  
RULES

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): I beg to lay on the Table a copy of the Standards of Weights and Measures (Conversion to Standard Weights) Rules, 1960 published in Notification No. S.O. 2760 dated the 19th November, 1960, under sub-section (3) of section 17 of the Standards of Weights and Measures Act, 1956. [Placed in Library, See No. 2533/60.]

12.04 hrs.

MESSAGES FROM RAJYA SABHA

Secretary: Sir, I have to report the following messages received from the Secretary of Rajya Sabha:—

(1) 'I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 30th November, 1960, agreed to the following amendments made in the Dowry Prohibition Bill, 1959, by the Lok Sabha at its sitting held on the 23rd February, 1960:—

I. AMENDMENTS

Clause 1

(i) That at page 1, line 3,—  
for "1959" substitute "1960".

Enacting Formula

(ii) That at page 1, line 1,—  
for "Tenth Year" substitute  
"Eleventh Year".

2. At the same sitting, the Rajya Sabha also further considered the following amendments made in the Dowry Prohibition Bill, 1959, by the Rajya Sabha at its sitting held on the 16th December, 1959, to which Lok Sabha had disagreed,

and insisted on these amendments:—

II. AMENDMENTS

Clause 2

(i) That at page 1, at the end of line 9, after the word "given" the words "either directly or indirectly" be inserted.

(ii) That at page 2, lines 1 to 6 be deleted.

Clause 4

(iii) That at page 2, clause 4 be deleted.

I am accordingly directed to inform the Lok Sabha that the Rajya Sabha insists on the said amendments to which the Lok Sabha has disagreed and to return herewith the Dowry Prohibition Bill, 1959, in accordance with the provisions of rule 130 of the Rules of Procedure and Conduct of Business in the Rajya Sabha.'

(2) In accordance with the provisions of rule 97 of the Rules of procedure and Conduct of Business in the Rajya Sabha, I am directed to enclose a copy of the Children Bill, 1960, which has been passed by the Rajya Sabha at its sitting held on the 8th December, 1960.'

12.05½ hrs.

DOWRY PROHIBITION BILL

AS RETURNED BY RAJYA SABHA

Secretary: I lay on the Table of the House the Dowry Prohibition Bill 1960, which has been returned by Rajya Sabha.

12.05½ hrs.

CHILDREN BILL

AS PASSED BY RAJYA SABHA

Secretary: I also lay on the Table of the House the Children Bill, 1960, as passed by Rajya Sabha.

Shri Braj Raj Singh (Ferozabad): May I know whether a joint sitting of both the Houses will be held during this Session, since the Rajya Sabha have disagreed with our recommendations?

**Mr. Speaker:** I do not know.

**The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha):** That question cannot be put here.

**Mr. Speaker:** The President must call for a joint sitting.

**Shri Braj Raj Singh:** Can I have some indication from Government on this?

**Shri Satya Narayan Sinha:** Not in this Session, in any case.

12.06½ hrs.

### CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

#### DIFFICULTIES FACED BY WOOLLEN MILLS AS A SEQUEL TO GOVERNMENT ORDER

**Shri S. M. Banerjee (Kanpur):** Under rule 197, I beg to call the attention of the Minister of Commerce and Industry to the following matter of urgent public importance and I request that he may make a statement thereon:—

“The difficulties faced by the woollen mills in Northern India as a sequel to Government Order under the Woollen Textile (Production and Distribution Control) Order, 1960.”

I may submit that my calling-attention-notice was specifically in regard to the Kanpur Woollen Mills, under the BIC, which is going to be closed. I would request the hon. Minister to kindly throw some light on that.

**The Minister of Industry (Shri Manubhai Shah):** The different sectors of the woollen industry had been facing some difficulty in obtaining their requirements of various types of worsted yarns. The hosiery industry, in particular, was having considerable difficulty in this regard. The question of taking steps to ensure a balanced supply of the different varieties of yarn was considered at length by the

Government, in consultation with the different interests concerned. In order to ensure this, it was decided that there should be some control on the production of different types of yarn, so that no sector of the industry would be put to undue hardship caused by want of woollen yarn. Therefore, after examining the pattern of production of different types of yarn in the preceding years, and having regard to the requirements of the various sectors of the industry, it was decided that every manufacturer of worsted yarns should produce weaving, hosiery and knitting yarn in the proportion of 47½ per cent, 32½ per cent, and 20 per cent respectively. The Textile Commissioner issued an order under the Woollen Yarn (Production and Distribution Control) Order, 1960, directing manufacturers of worsted yarns to follow this pattern of production from the 1st October, 1960. It is expected that this will ensure a reasonable supply of each type of yarn required by the different segments of the industry.

Representations have been received—as the hon. Member has said, even from the Elgin Mills from Kanpur, to which he made a reference—from a section of the industry, particularly the Composite Mills, that this pattern of production will adversely affect their working, as all the mills may not be equipped with the types of machinery required for producing the different types of yarn and also because this pattern of production will cause difficulties to composite mills which depend on their own production of yarn for working their weaving units and will create also some imbalance in the different sections of the mills. While it may be true that in some cases there may be a real difficulty, it is also probable that some mills are averse to following the prescribed pattern of production, as this would stand in the way of their producing a greater quantity of particular types of yarn which yield a larger profit. The textile Commissioner has been asked to examine the case of each individual mill, and on the basis of

[Shri Manubhai Shah]

the capacity of the mill and its requirements of yarn for its own weaving section, if any, to allow the mill to vary the pattern of production to the extent necessary.

It is significant to note that a very large section of the industry has welcomed the prescribed pattern of production and has stated that as a result of this pattern, the prices of yarn are going down.

**Shri S. M. Banerjee:** May I know whether it has been brought to the notice of the hon. Minister that Kanpur Woollen Mills, under the British India Corporation, have already issued a notice to the effect that they are going to close down this mill, involving about 4000 workers of that mill? Have Government issued any instructions to the State Government or have the State Government issued any instructions to the British India Corporation or to Mr. Mundhra not to close down this mill?

**Mr. Speaker:** Is it for want of wool?

**Shri Manubhai Shah:** The Managing director of this company met me. It is the usual way, whenever we want to curb any anti-social practice, for every mill or industry to make a representation I can assure the House that we shall take into consideration all the difficulties experienced by the different units, as I have already mentioned in the statement, and if they are legitimate, we shall solve them, by trying to vary the pattern which may suit a particular mill.

12.03½ hrs.

#### BUSINESS ADVISORY COMMITTEE

##### FIFTY-NINTH REPORT

**Shri Satya Narayan Sinha:** I beg to move:

"That this House agrees with the Fifty-Ninth Report of the

Business Advisory Committee presented to the House on the 12th December, 1960."

**Mr. Speaker:** The question is:

"That this House agrees with the Fifty-Ninth Report of the Business Advisory Committee presented to the House on the 12th December, 1960."

*The motion was adopted.*

12.09 hrs.

#### PREVENTION OF CRUELTY TO ANIMALS BILL—contd.

**Mr. Speaker:** The House will now take up further consideration of the following motion moved by Shri S. K. Patil on the 12th December, 1960, namely:—

"That the Bill to prevent the infliction of unnecessary pain or suffering on animals and for that purpose to amend the law relating to the prevention of cruelty to animals, as passed by Rajya Sabha, be taken into consideration."

The total time allotted was 3 hours, but the time already taken is 3 hours and 20 minutes. The hon. Minister may now reply.

**The Minister of Food and Agriculture (Shri S. K. Patil):** Mr. Speaker, the variety of suggestions that have been made by very many hon. Members speaking on this Bill themselves suggest how difficult it is to have some kind of a uniformity so far as the solution of this problem is concerned. Yesterday speeches were delivered and amendments suggested which would, if all of them were accepted, totally nullify this Bill. As I have made it abundantly clear, you cannot devise any kind of a measure in the society in which we live which will really be an effective answer to



all the questions that have been raised. Therefore, we have got to go slow, and it is much better to make some beginning than not to make any beginning at all. If I wait until all the religious sacrifices in this country are stopped, possibly I will have to wait till eternity, and there won't be time when we can introduce any such measure. Therefore what little good we can do to these dumb animals while it is possible for us to do so should be done and we should make a beginning. It is in this spirit alone that this Bill has been moved. When I come to the various suggestions made by Members, I will reply to them and that will convey to the House an idea of the lines on which Government want to implement the various provisions of this Bill.

My hon. friend, Shri Amjad Ali, was almost begging the question when he was referring to the meaning and definition of the word 'animal'. He himself was present and took a very prominent part in the discussion when this question was thrashed out in the Joint Committee. If I give him the list of various interpretations of the word 'animal' appearing in the laws of various countries—almost all the countries of the world—ultimately I think the definition that we have given becomes the only natural definition. In the Penal Code, section 47—our own legislation—the definition given is, 'any living creature other than a human being'. In some countries, of course, the definitions are different. In UK, the Cruelty to Animals Act of 1876 does not apply to invertebrates, namely mosquitoes and other animals, to which reference was made. In the Protection of Animals Act of 1911 of England, 'animal' is defined to mean any domestic or captive animal. In our Act, we had called it not the domestic animal but domesticated animal. It is something different from domestic animal.

Therefore, we see a variety of definitions given to the word "Animal", includes every species of animal whether in a natural or domesticated

state"—this is from the Animals Protection Act, 1901, of Queensland (Australia). I do not want to go into these. But if I were to stop at that and include even the mosquitoes, flies and things of that description, we shall come to no decision at all on this problem, because never has the question arisen that the natural right of a man to kill a mosquito—if such a fundamental or natural right exists—can be taken away by any legislation of this House.

Some Members have objected to the definition of 'animal' in the Bill. As I said, this definition has been made wide deliberately in order to include any living creature other than a human being. The intention is to prevent unnecessary cruelty—I emphasise the word 'unnecessary'—because if we just kill a mosquito etc. I do not think that there is any special method prescribed as to how a man's fundamental right to kill a mosquito has got to be determined. That is going too far indeed.

Mr. Speaker: Hon. Members are aware that under the Penal Code, even a person—a human being—can be killed in self-defence.

Shri S. K. Patil: You have widened it very much. I am very grateful to you.

The intention is to prevent unnecessary cruelty being inflicted upon any living creature. Some hon. Members asked whether it is intended to prevent the killing of flies, mosquitoes or reptiles. The definition has to be read in the context of the other clauses, in particular clause 11, which deal with offences. The Bill does not prohibit killing as such. Mosquitoes, reptiles, flies or other animals can be killed freely in the future as now, if that is what one wants to. *Shikar* or hunting also is not prohibited. It is only killing in an unnecessarily cruel manner that is made punishable. There is no reason why we should allow any living creature to be killed in an unnecessarily cruel manner. We cannot go further than that.

**Shri Tyagi (Dehra Dun):** A snake is beaten with lathis. It is a most cruel way of killing.

**Shri S. K. Patil:** It does not matter, if it is necessary. So long as it is not unnecessary, you could go on with it.

**Shri Amjad Ali** rose—

**Shri S. K. Patil:** I have given enough time to the hon. Members. I do not yield.

**Shri Amjad Ali (Dhubri):** With regard to the Act of 1890. . . .

**Shri S. K. Patil:** This was discussed in the Joint Committee.

**Mr. Speaker:** There are certain doubts which can never be cleared.

**Shri S. K. Patil:** Then hon. Member, Shri Amjad Ali, has taken exception to clauses 30 and 32. He has got some kind of an imaginary fear. I made it abundantly clear that so far as religious killing is concerned, we have allowed it because, as I said, there are very strong opinions and they could not be resisted. Therefore, we have put in clause 28—the whole Chapter 'Miscellaneous' begins with that clause—which says:

"Nothing contained in this Act shall render it an offence to kill any animal in a manner required by the religion of any community".

Yesterday I said that I did not want to mention Muslims or Islam or any particular community, because it is bad in a legislation. But it covers everything. Clause 30 that comes afterwards, is about flaying of the animals. Now, my hon. friend cannot go to the extent of saying that because Muslims also kill animals, due to exception provided in clause 28, they are not covered by clause 30. We have consulted legal opinion. In fact, the whole thing has been done in order to satisfy that opinion. The

whole clause 28 came in in order that the religious practices that are in existence should be guaranteed. Therefore, there should be no fear whatsoever on the part of the hon. Member.

For the last 70 years that the Act of 1890, the Prevention of Cruelty to Animals Act, was in existence, not one case arose, but even then we covered it by an additional clause 28. Therefore, I think that is the farthest limit to which any House can go.

**Shri Amjad Ali:** He is misquoting clause 30. The word 'flaying' does not occur there.

**Shri S. K. Patil:** May not be. But the meaning of it is to that effect. The hon. Member had our explanation for hours and hours in the Joint Committee, and if he is not still satisfied, I do not think that there is anything with me that can bring him the satisfaction that he needs.

Therefore, I am not prepared to accept any amendment on that, because we have gone to the utmost limit to which we could go in order to safeguard and protect the interests of those who do that killing in the name or under the instructions of religion.

Coming to my hon. friend, Shri Supakar, he took objection to clause 17(d) and (e). It is the duty of the Committee to make rules regarding experiments on animals. It says that experiments on animals are avoided wherever it is possible to do so, as for example, in medical schools, hospitals, colleges and the like, if other teaching devices such as books, models, films and the like may equally suffice. Item (e) says that experiments on larger animals are avoided when it is possible to achieve the same results by experiments upon small laboratory animals like guinea-pigs, rabbits, frogs etc. The House must remember that these are covered by section 14, which is the original

section that comes first, on experimentation on animals. It says:

"Nothing contained in this Act shall render unlawful the performance of experiments (including experiments involving operations) on animals for the purpose of advancement by new discovery of physiological knowledge or of knowledge which will be useful for saving or for prolonging life or alleviating suffering or for combating any disease, whether or human beings, animals or plants".

This is a wide enough section, and therefore, any exemptions that have been provided are with this purpose that if within the ambit of the section any kindness could be shown to the animals, that should be shown. Nobody should really take any objection to that, if it is possible to be done. That is why we have provided those items in clause 17. I am not saying that all kinds of vivisections or other things should stop, but if it is possible to do that, if after it has been done for the first time, other methods could be adopted, namely exhibition of pictures etc.—if it is possible to do that—it should be done. It is for the experts to look into that. Therefore, nothing is lost and there should not be any danger at all that the right to conduct scientific experiments has on one pretext or another been taken away. There is no such intention at all.

Another objection was that the Centre should not bypass the States' efforts. This is a concurrent subject on which we are legislating. Some States have got Acts which are not backward. After the draft Bill was ready, it was circulated to all the States and their opinion was asked; and wherever it was possible to accommodate them, they have been accommodated. Therefore, there is no danger of merely ex-cathedra action on the side of the Centre. It is not the case that the State Governments have not been consulted at all.

My hon. friend, Shri D. C. Sharma was of the view that this is not an ideal Bill. Of course, it is not an ideal Bill. I have never said it is an ideal Bill. And, nobody could have brought in an ideal Bill. As I said, in the light of the experience we shall be gaining during the next few years, it may be possible to improve upon it; and even then in our generation it may not be an ideal Bill.

He was of the view that money must be made available. If he had read clauses 8 and 15 of the Bill, he would have found that attempts has been made to create funds. Not only the Central Government will give funds; but there are some funds that will be created by fines and other methods and so on and so forth. There will be enough money. After all it is not that you first give the money and ask the committee that they should make out a programme. If the programme is worth while and if propaganda has to be done in that behalf that kindness to animals should be shown, the Government or the Animal Welfare Board will be too pleased to make the money available. There will be no dearth of money if the work is carried on on right lines. Therefore, that is not the danger at all.

Now, I come to Dr. Govind Das. He asks, what is 'humane killing'? He wants that religious killing should be stopped. People seem to feel that killing is killing and there is nothing humane about it. Surely, there is a lot of difference between the killing done in our slaughter-houses and places and the humane killing in Europe and America and other places where they do it. This humane killing means as little pain to the animal as possible. They stun the animal before it is actually killed.

Yesterday, my hon. friend asked, 'Is there any method?' Pigs are being killed; it is the most inhuman method in which the pigs are killed. There is no doubt about it. They are killed not only for the sake of killing but in

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order to satisfy a certain kind of taste—how it becomes more palatable if it is killed in a particular fashion. Even in some countries where humane treatment is given, unfortunately, I must say this kind of treatment also continues because in some countries, especially in the United States of America, the pig is made to pass through a gas chamber and then it is killed because that is humane killing. But it is a very costly method because gas cannot be used to kill one pig. They have got hundreds or thousands of pigs to be killed. It cannot be done in some other countries.

In a country—the name of which I am not mentioning here—I was caught in a situation. I saw what I did not really want to see at all. That was the most inhuman and brutal manner of killing. There was a large procession going. I am referring here to a western country—not to our own. I was asked, 'Why not you get to the head of the procession?'. It is a very tempting offer. A politician seldom refuses to be at the head of a procession. I did not know what the procession was. I thought discretion was the better part of valour and I would not be at the head of the procession. I did not head the procession, anyway; but I was there where the procession ended. It was a very large procession and what I saw was something of a blood-curdling experience of my life. When I came there I saw there were 3 pits and pigs were being cooked there; and the whole procession of thousands of people was there in order to receive those pigs that were killed and have a nice meal after that and so on and so forth. As I said it was being done in a brutal manner. I am telling this here just to point out to my hon. friend that what he pointed out here is nothing in comparison to what was actually being done there. Not only the pits are dug; not only is the fire made. That is not enough. But in order that that meat should be more tasty, you have got to take some kind of spears and make them red-hot

and then pierce them again and again—put the red-hot spears inside the animal—in order that the meat that will ultimately emerge will be some kind of thing that would satisfy the particular epicurean taste of some people. What I am saying is that it is the most brutal way of doing it. It is not only in a progressive country it is done; it is done in every country. Therefore, there is a way of doing this. You cannot say, 'Do not eat pork'. That is possibly one kind of of flesh which is so very rampant everywhere. Everybody is fond of it. But you must do the killing in a humane manner. That is what exactly is meant by humane killing'. We are thinking of our slaughter-houses being improved so that humane killing becomes possible. Our present slaughter-houses have not got the modern technique of how to do it. We want to do it in a manner in which humane killing becomes a possibility.

Another question which Dr. Govind Das asked was as to what we were doing in order to protect these animals. So far as animal husbandry is concerned, that is a part of this Ministry. And, I can tell the House that the first step that we have taken apart from the money—money by itself does not do the thing; and a large allotment, if I mistake not, of about Rs. 50 crores has been left at the disposal of the Board—is that I have non-officialised it. Hitherto, the Minister used to be the Chairman of the Animal Husbandry Board. I have now requested some public man, somebody who has got interest in animal husbandry to be chairman of that body. Shri Dhebar has been requested and he has very kindly accepted to be the Chairman. We have given the fullest powers to that committee even to implement their decisions although they are in an advisory capacity. The whole idea is that those people who are interested are included. The Gosamvardhan Mandal has been included. The whole idea is to see that it is composed of

people who have got a direct interest, who have shown interest in the growth of animal husbandry. Therefore, these efforts are being made. And, I am quite sure, if it goes on, at the end of the Third Five Year Plan period, at least some foundation will have been laid whereby animal husbandry of this country could look up. Apart from getting good animals, it will be a step in the right direction because we shall have shown some kindness in a more positive way to these animals.

Then, my hon. friend, Shri Pattabhi Raman referred to humane killing to which I have made a reference and with which I agree. He also referred to the performing animals, especially in circuses. A view was expressed here, which is the right view, that if it is a mere pedlar or somebody in the street who does it then we go after his blood because he could be got if he ill-treats. The circuses etc. do it in a big way and they are not caught. A machinery must be established. And, I promise this House that we shall establish a kind of machinery whereby these performing animals and their treatment, particularly in the circuses, could be carefully watched, and inhuman treatment and unnecessary pain will be avoided. We want animals to perform, no doubt. But there are methods and methods of doing so and not the inhuman method. Therefore, all the unnecessary cruelty that is inflicted will be sought to be avoided.

Then, he also referred to the question of indiscriminate shooting and poaching. There I agree with him because we cannot develop national parks in this country. That is a new idea that we have got. A national park means that within the precincts of the national part the animals must not be killed. The animals must enjoy the same freedom which we human beings enjoy in our national park. Anything that we do not designate as a national park is a national park for

human beings. That is exactly what is sought to be done. That is why we find in a country like Africa—because there are open spaces there—there are parks right from 25 sq. miles to 10,000 sq. miles, a single park—where these animals are reared. The idea of a park is not that there is any special enclosure made etc. But within that territory nobody will go and shoot. The animals have got the liberty to come and enjoy even as human beings go there. In Africa there are big parks where hundreds and thousands of animals walk about. There are lions, some times in hundreds and there are thousands of elephants. It is possible not because they do not kill but encouragement is given to these animals that they could lead life very peacefully and very comfortably. Even you and I can go there and see them. The animals are so good. So long as you are in your car, sitting there with your glasses on and not off, there is no danger at all. They may come and lick the glasses and move roundabout you and yet they feel that there is safety to them and there is no danger. They will not do any harm to you provided you do not cause any harm to them. Now, this idea of a national park is a good idea. We have to have national parks in our country too. Where shooting has to be done, the occasions should be few and far between and it is not that everybody should be allowed to do shooting. I do not know whether it is possible to prevail upon Her Majesty the Queen of England that during her visit she or her party should not do any shooting. I do not know whether my voice will reach so far. It will be examined whether it is right or wrong. I would convey the hon. Member Shri Narasimhan's request to the Prime Minister that it is a matter which is worth consideration and it could be considered. But I can assure him that it is not being done in order to inflict any unnecessary penalty on any animals, whether they be tigers or cheetah.

Preservation of wild life is mainly a State subject and States have been

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paying attention to it but the Government of India are not far behind. We have a very influential board called the board for the preservation of wild life and it has direct and live interest in wild life preservation. We also celebrate one week in a year preservation of wild life week. These are the methods by which kindness towards the animals could be created. When I see the hon. Members taking so much interest, I am sure that I am on the right ground in what we are doing now and a time would come in this country where there would be many more national parks and wild life would be regarded as sacred as human life.

My hon. friend Shri Mohammed Imam thought that it might lead to confusion—some hon. Members felt that it might lead to harassment, if the officers who are to administer the law are not up to the standard they ought to be, what they say may be true of any legislation. But surely, that is not an argument against the law itself. When social conscience is roused in a country, it is impossible for any officer to do such things. There are people who, though not educated, love their animals. A farmer has got greater love for his pair of bullocks than even a great humanitarian that occasionally might go to the village. I quite understand that the kind of treatment mentioned by the hon. Members may be meted out by the officers and it is wrong. But by and large I am quite sure that the implementation would not be wrong. The Societies for the prevention of cruelty to animals have been functioning in various cities; they have been doing excellent work. Now, we are expanding the scope and making whole India as one field, not confining ourselves to the cities where there are municipalities. The apprehension that the officers may not probably be up to the standard need not prevent us from passing a law which is in the larger interest of both the human beings and animals.

He also said that I was sentimental and not practical. I do not know, I am not at all guided by any sentiment in this matter. If it was a matter of sentiment alone, I could have stopped all slaughter. It is a very pleasant admixture of sentiment and practicality and if I may tell my hon. friend out of practicality may arise something which also may cover sentiment of which everybody could be proud. So, that should not be a disqualification of this Bill.

It was also mentioned that the Bill would involve huge expenditure. It all depends on how it functions. As it is we are not suggesting huge expenditure. Rs. 50,000 that will be provided is not a 'huge' expenditure. The Third Plan provision for this particular aspect is only Rs. 3.5 lakhs. Others may as well say: "It is a paltry sum: what are you going to do?" If it is brought to our notice that the animal welfare board and the other bodies are doing good work and that cannot proceed further because there are no funds, more funds would be made available. It will thus be seen that there is no waste as has been suggested by the hon. Members.

Shri Prakash Vir Shastri made a very good speech and drew my attention to the various aspects of it. He went into the Vedas and the Upanishads and pointed out how very kind those people were in good old days. The whole idea is that we should approximate to those very high standards referred to by him. He brought in the name of the Father of the Nation, Mahatma Gandhi and pointed out what his ideas were. If we cannot follow his ideals hundred per cent, we should not stop whatever, in a small measure, we are doing at present.

Dr. Malkote made a very nice suggestion, which I did not know before. He referred to the day animals and night animals and their habits and

what they eat, etc. It is a kind of wonderful research. According to him, the day animals are vegetarians and the night animals are of the other type. Human beings are both day and night and I do not know to what particular category they belong! The whole idea makes a case for sound research as to whether there is some truth in that proposition. I can assure him that if he sends his problem to the animal welfare board they may try to find out whether there is any such difference. Hon. friend Shri Warrior also was against harassment by officials. We have to wait and see. As I have said before, this is not the final Bill. There would be time enough to amend the clauses, etc. if experience shows that something else should be done.

My hon. friend Shri Jaipal Singh, in his usual spirited way opposed the Bill. But he was even more spirited than he should be on this particular Bill. I do not understand as to why he should have completely run it down and said that it was a waste of time, camouflage and hypocrisy and so on. There is no such word in the vocabulary which he did not use. But I am quite sure that he is a lover of animals; I know it from personal experience. Therefore, the words do not bite. If the words do not bite the human beings, how are they going to bite the animals. I am quite sure that in spite of his spiritedness, when it comes to working the Bill, he will be with the Government and will help us in every possible way, in view of the love he has for the animals.

My hon. friend Shri Ganapathy was afraid that perhaps the Madras Act would have to be repealed. I do not think so. The legal opinion is to the contrary because that Act was there already when this was drafted. Madras has stopped the slaughter of animals by legislation. They have got a right to do it; every State has. We shall examine that. But the legal opinion so far as is available to us does not justify the apprehensions expressed by him.

Sir, I must not take more time of the House. I began by saying that this was not an ideal Bill. I would repeat it. It is a small beginning. There would be many occasions and experience will guide us on to the future steps so far as the protection of the animals is concerned.

Lastly, I must say that the origin of this Bill and the inspiration and all that is necessary for this came from no less a person than Shrimati Rukmini Devi Arundale to whom references were made more than once. Six years ago, as you will remember, she introduced this subject. She was not deterred by the possibility of its being defeated in the House or by other defeats. She persisted for years together and ultimately reached this stage. Therefore, this Bill is a kind of tribute to the untiring efforts and the devotion. Shrimati Rukmini Devi Arundale gave to the cause of these dumb and mute animals.

**Shri Amjad Ali:** I may be permitted to ask one question? In the Act of 1890, the definition of the animal was given as follows: 'Animal means any domestic or captured animal.' After the lapse of all these years, could I know the nature of difficulties experienced by the working of this Act? What was the necessity for changing that definition?

**Mr. Speaker:** Domestic or captured animal? That is not a definition. That is only restricting the term.

**Shri S. K. Patil:** In my speech I have pointed this out. It was the Act of 1890. We have travelled 70 years. The purpose of this Bill is different. That was confined to the cities only. Now, the whole of India is there . . . (Interruptions).

**Mr. Speaker:** Order, order. Let me resolve the difficulty. The definition of 'animal' cannot be 'an animal'. The definition of 'man' cannot be 'a man'. Therefore, that is a restriction put in. 'Animal' refers not only to domestic

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animals but any animal anywhere, anything other than a human being which is living—apart from plants, where also we find some life—and which moves, whether in the air or in the sea. They are, all animals, including mosquitoes and insects. Therefore, the framers of that Act wanted to restrict the scope of it to only domestic and captured animals. That is no definition of 'animal'. It is a question of qualification or restriction; there is nothing more than that.

Shri Amjad Ali: You may kindly look into it yourself.

Mr. Speaker: I can look into it. I have also heard him. I shall now put the motion to the vote of the House. The question is:

"That the Bill to prevent the infliction of unnecessary pain or suffering on animals and for that purpose to amend the law relating to the prevention of cruelty to animals as passed by Rajya Sabha, be taken into consideration."

*The motion was adopted.*

**Clause 2—(Definitions)**

Mr. Speaker: We shall now take up the Bill clause by clause. Are there any amendments to clause 2?

Shri Amjad Ali: Sir, I beg to move:

Page 1,—

for lines 14 and 15, substitute—

"(a) 'animal' means any domesticated animal;" (4).

Sir, I have already spoken on it.

Mr. Speaker: Does he want me to put the amendment to the vote of the House?

Shri Amjad Ali: Yes, Sir.

*Amendment No. 4 was put and negatived.*

Mr. Speaker: The question is:

"That clause 2 stand part of the Bill."

*The motion was adopted.*

*Clause 2 was added to the Bill.*

*Clauses 3 to 10 were added to the Bill.*

**Clause 11—(Treating animals cruelly).**

Mr. Speaker: Are there any amendments to clause 11?

Shri Mohammed Tahir (Krishnaganj): Sir, I beg to move:

Page 8,—

after line 14, insert—

"(1A) If any person kills any animal during pregnancy for the purpose of taking out its kids from the stomach and earns money out of the skin of such kids, he shall be punishable with imprisonment which may extend to one year or with a fine of five hundred rupees or with both." (1).

Sir, I have moved this amendment because this kind of cruelty has not been mentioned in this Bill. In some parts of our country, we know, people kill pregnant animals and take out the kids for the purpose of earning money. What they do is, they kill the kids also and take out their skins. Caps prepared with those skins fetch them Rs. 300 to Rs. 400. Sir, it is only the capitalists who use such caps. It is a most cruel way of earning money. Therefore, I think this should be stopped and that is why I have sought to move this amendment.

Mr. Speaker: Is it not covered by the other clauses?

Shri S. K. Patil: Sir, I have said that there are thousands of different types of cruelties. Our list is only illustrative, not exhaustive. Secondly,



the phrase "unnecessary cruelty" covers everything, much more than what the hon. Member has sought to include. As I said, I do not want to include any single thing, because in that case hundreds of such other things would be added and the implementation of this Act would be prolonged. Six years have already gone. Therefore, as I have promised this House, after experience, if we think it is necessary to include any particular type of cruelty—not only this one, many have been suggested by hon. Members—we can incorporate it. I agree with my hon. friend, I am not against what he says; but for the time being that is covered by the general clause and I cannot accept his amendment now.

**Mr. Speaker:** There is only one thing. The party concerned may say that he killed the animal to take the skin of the kids because he wanted to make gloves out of that skin. In that case, how does it become unnecessary? Therefore, it is in relation to the purpose that you can say whether it is necessary or unnecessary. Here the purpose is wrong.

**Shri S. K. Patil:** We have said that "necessary killing" is for eating purposes and for religious purposes. Therefore, the case that my hon friend has pointed out is covered. I am not disagreeing with him just now.

**Mr. Speaker:** Have you defined in the Bill as to what is a necessary purpose?

**Shri S. K. Patil:** It has not been defined. The Bill has been framed on these lines that when we say "necessary", it means what is required for eating and religious purposes. In the rest of the cases the purpose is not necessary.

**Shri C. R. Patabhi Raman (Kumbakonam):** There is one other danger. While I agree with Shri Mohammed Tahir, it is just possible that tomorrow when some sort of a matter under this Act is before the court they may

say that in the Act specific reference has been made to this and others have not been thought of and are excluded.

**Shri Tyagi:** A person who is putting on a cap of that nature might as well be prosecuted because he has abetted the crime. (*Interruption*).

**The Deputy Minister of Agriculture (Shri M. V. Krishnappa):** Silk is manufactured by killing thousands of worms.

**Shri Mohammed Imam (Chitaldrug):** A pregnant animal may be killed in the most humane way. The object of my hon. friend in bringing in this amendment is to say that a pregnant animal should not be allowed to be killed. He wants some provision to be made in the Act whereby animals which are pregnant should not be allowed to be killed till the period is over.

**Shri Tyagi:** Even in shikar, Sir, it is a custom, it is a recognised convention that they do not kill any pregnant animal.

**Shri S. K. Patil:** We have not covered the whole range of cruelties. For shikar and other things they do not kill pregnant animals. There is no necessity. But if experience shows that it is necessary, I would really include that in the amendment next time.

**Mr. Speaker:** Why don't you take a general right under the rules, and say that from time to time it may be indicated by the rules as to which all acts come under "cruelty".

**Shri S. K. Patil:** The rule-making power is there. We can have that done.

**Mr. Speaker:** You can say, in particular, that rules can be made showing what particular acts constitute cruelty under this Act.

**Shri Naushir Bharucha (East Khansdesh):** It will be delegated legislation

**Mr. Speaker:** As if we are not having delegated legislation at all. There is no harm in doing that. He may include that in the rules. Rules may be framed for the purpose of carrying out this object and, in particular, to state from time to time, wherever there is a doubt, what kinds of things are to be treated as "cruelty" under this Act.

**Shri Tyagi:** The amendments to the rules may be laid on the Table of the House.

**Mr. Speaker:** Yes. Rules are always to be placed on the Table of the House.

**Shri Mohammed Tahir:** I want to move two more amendments to this clause. I beg to move:

(i) Page 8, lines 33 to 35,—

omit "unless such destruction or preparation was accompanied by the infliction of unnecessary pain or suffering". (2).

Page 8,—

(ii) after line 35, add—

"Provided that no animal shall be killed for such purpose during its milching period or pregnancy." (3)

Sir, under this clause some exemption has been allowed for killing of the animals for food purposes. By my above amendments I want to delete "unless such destruction or preparation was accompanied by the infliction of unnecessary pain or suffering", and add "Provided that no animal shall be killed for such purpose during its milching period or pregnancy". So, my point is that, when we have given an exemption to kill an animal.....

**Mr. Speaker:** Why not say this definitely, so that it need not come under the rules?

**Shri S. K. Patil:** We have provided in clause 38 that:

"The Central Government may, by notification in the Official Gazette, and subject to the condition of previous publication, make rules to carry out the purposes of this Act."

The purpose is that the infliction of pain has got to be avoided. We shall cover these things in our rule-making powers.

**Mr. Speaker:** It does not come under infliction of pain? There is a child in the womb and the mother is cut off.

**Shri S. K. Patil:** Clause 38(1) says:

"any other matter which has to be, or may be prescribed."

Otherwise, there will be no end to it. I quite agree with you in what you observed. There might be quite a number of other matters too. But this is the first attempt, and therefore, we should have experience. If the rules are not sufficient, then we shall come to this House for amendments or any such thing if necessary.

**Mr. Speaker:** When one wants to give effect to the purposes of this Act and yet not detail the particular cases where the animals may be treated wrongly, and where unnecessary cruelty has been inflicted, what is to be done?

**Shri S. K. Patil:** We shall have to go to the Rajya Sabha again. My point is, an amending Bill might come after some experience.

**Shri Mohammed Tahir:** This is a substantive matter which should not be included in the rules. It must be provided for in the law itself. Suppose a man kills an animal which is in its milching period or pregnancy, should that kind of act be provided for in the Bill? It is a substantive matter.

**Shri S. K. Patil:** If all these 70 years have not made out a case for such a thing being a substantive one, surely he can wait till we come with an amending Bill.

**Shri Mohammed Tahir:** When we are giving an exemption for killing an animal for food purposes, the question of unnecessary pain does not arise! Then it means that the officer in charge, when searching the places, will have enough scope for malpractices. Therefore, this provision becomes useless, because, every person can say, "if you are killing the animal for food purposes, you must do it without inflicting unnecessary pain". The man will be put to unnecessary trouble. Therefore, when we are giving an exemption so far as food purposes are concerned, the condition about not inflicting any pain, etc., should not be kept in this clause and that condition should be deleted. This is my amendment and should be accepted.

**Mr. Speaker:** Is the hon. Minister agreeable?

**Shri S. K. Patil:** I do not accept his amendment.

**Mr. Speaker:** Need the amendments be put to the vote? The hon. Minister said that he would bring an amending Bill as early as possible after they gain experience. I have got my own doubts. A man may say that he would like to eat the foetus and so he kills the animal. So, whether such an act comes under the definition of cruelty or not is a matter for discussion. All the same, the rules may be framed.

**Shri Amjad Ali:** The rules cannot be framed to that effect.

**Mr. Speaker:** We shall leave it at this stage.

**Shri Amjad Ali:** Clause 38 provides for rule-making powers. They would not provide for this.

**Mr. Speaker:** The hon. Minister says that he may bring an amending Bill, but that he may have to go again to the Rajya Sabha if such amendments are suggested now. There may be doubts about this matter, but he may bring in an amending Bill as early as possible, after gaining experience. The hon. Member, I think, is not pressing his amendments.

*Amendments Nos. 1, 2 and 3 were by leave withdrawn.*

**Mr. Speaker:** The question is:

"That clause 11 stand part of the Bill".

*The motion was adopted.*

*Clause 11 was added to the Bill*

*Clauses 12 to 29 were added to the Bill.*

**Mr. Speaker:** Let us now take clause 30.

**Clause 30.—***(Presumption as to guilt in certain cases).*

**Mr. Speaker:** There are no amendments to this clause.

**Shri Amjad Ali:** When I take objection to the inclusion of this clause. I may be allowed to have my say.

**Mr. Speaker:** Yes.

**Shri Amjad Ali:** I have indicated in my earlier remarks how there can be a presumption in favour of this clause. If this is not deleted, there may be harassment. If something is left to be proved, then the scope for harassment is there. The hon. Minister has said and he has of course assured us that from the time this Act or measure came into effect, namely, from 1890 to date, no such instances have come to the notice of the Government that such harassments have taken place. But the word "flaying" does not occur in this clause. Though it is a different thing, my suspicion is that "any part of the skin of the head

[Shri Amjad Ali]

attached thereto" may not at all fit in with the idea of flaying, but only with the idea of *Halal*. If somebody enters a house where *Halal* has been committed, the presumption would be in favour of this clause, namely, that the person will have to prove that he had done *Halal* and that the animal was not flayed. That is my point. The person has got to prove it later on. And my suspicion is that harassment will follow to that extent. I wanted the Minister to see if such a thing could be accommodated in these provisions. I feel that if this clause is deleted, there will be no harm. If the Minister insists that this clause must be retained, then he must give reasons as to why he insists. Apart from the reason that this provision has existed from 1890 up to this date, there is no other argument in his armoury. I want to know particularly why this clause is required. If he gives the reasons, then I shall be satisfied.

**Mr. Speaker:** Have we not seen tiger skins with the head and the skin also? That is exactly what the hon. Minister wants to prevent. The tiger is killed but the whole skin and the head are preserved. In certain houses of some respectable gentlemen, we find it. It is the intention to avoid such kinds of pleasure in regard to the killing of animals—killing them once for all and flaying them alive.

**Shri Amjad Ali:** Sir, have you ever seen tigers being flayed alive.

**Mr. Speaker:** It cannot be.

**Shri Amjad Ali:** Sir, you say that, then I have absolutely no objection. But I should point out that here a living creature is supposed to be flayed alive and, therefore, in order to prevent that cruelty, this clause is introduced.

**Mr. Speaker:** I merely mentioned the tiger. But I am aware of such things in regard to the deer,

**Shri Amjad Ali:** Not alive. A living creature is not flayed alive.

**Mr. Speaker:** I have found the heads of deers.

**Shri Amjad Ali:** That is only after killing, Sir. If they can prove that this clause is absolutely needed in order to prevent a certain amount of cruelty, I shall be satisfied, but the hon. Minister has given only one argument, namely, that from 1890 up till today, such a provision has continued in the Statute Book without any trouble, and nothing else. So my suspicion prevails, and I have a feeling that when a presumption is made, it has got to be removed by proof. Why drive the poor man to give proof that he has not flayed the animal alive but that he has done only *Halal* and that therefore he has not committed any offence? That is all that I wanted to point out.

**Shri Mohammed Tahir:** In support of the points made by my hon. friend Shri Amjad Ali, I would like to invite your attention to clause 28 which says as follows:

"Nothing contained in this Act shall render it an offence to kill any animal in a manner required by the religion of any community."

13 hrs.

The fear expressed by Shri Amjad Ali is perfectly justified because the Muslim form of *halal* is done in the manner as provided in the religion. So, if a Muslim kills an animal by *halal*, which is the manner provided by their religion, then it will not be an offence under section 28. But in clause 30 it is provided that if the skin of any animal is found attached to the head, it is an offence. That means *halal* is an offence as in this form the skin remains attached to the head. So, there is a contradiction between clauses 28 and 30. So, clause 30 is not necessary and should be deleted.

**Mr. Speaker:** In *halal*, is not the head separated from the rest of the body?

**Shri Mohammed Tahir:** No, Sir.

**Shri C. B. Pattabhi Raman:** The head is not separated. The jugular vein is cut and blood flows out. The animal is killed like that. There is nothing new about it; it has been there for 90 years. You have no proof otherwise. He is not going to kill in the presence of a number of people. There must be presumption of guilt in these cases.

**Shri Mohammed Tahir:** This matter has been made clear in clause 28. You allow *halal* by cause 28, but you in some form, take away that right by clause 30. There is a contradiction.

**Shri S. K. Patil:** This clause 28 did not exist at all in this Bill. Half of the time of the Joint Committee and here yesterday was taken only on this. Clause 30 is really intended to cover cases where people kill animals in a cruel manner to have the skin, and they could say, "We did not kill it in any painful manner". So, the presumption of guilt must be there in such cases. When the representatives of Muslims saw me, the Home Minister and the Prime Minister when the Bill was under discussion, by common consent, we thought they must be given exemption. Therefore, clause 28 has been specially devised, which did not exist in the Bill at all, just to allay the fear of the Muslims. Clause 28 is very emphatic and wide in its interpretation, viz.,

"Nothing contained in this Act shall render it an offence to kill any animal in any manner required by the religion of any community."

So, the fear expressed by my hon. friends is really imaginary. For 90 years, it has never been done. They can say, this is done under section 28, because our religion requires it.

Clause 30 is meant for others who day in and day out kill animals. Clause 28 is powerful enough to cover genuine cases. So, I am not accepting these amendments. If by experience it is found that any Muslim is really harassed at any time, I will be the first person to come and amend the Act in the necessary manner.

**Mr. Speaker:** The question is:

"That clause 30 stand part of the Bill".

*The motion was adopted.*

*Clause 30 was added to the Bill.*

*Clauses 31 to 41, clause 1, the Enacting Formula and the Long Title were added to the Bill.*

**Shri S. K. Patil:** I beg to move:

"That the Bill be passed."

**Mr. Speaker:** Motion moved:

"That the Bill be passed."

**Shri Amjad Ali:** What we understand from our experience in courts is that law is an ass and we are proving that by this Bill . . .

**Mr. Speaker:** I would cut short the argument by suggesting to the hon. Minister that if a Muslim is in possession of some skin with the head attached, let him not be charged. Instructions to that effect will be given unless there is a suspicion that a Hindu or anybody else handed it over to him, he is an abettor and he did not kill it for the purpose of religion.

**Shri S. K. Patil:** Killing for religious purposes is permitted under clause 28. But sometimes we find that tiger and other animals are killed, which is not enjoined by religion.

**Shri C. B. Pattabhi Raman:** Madras, Mysore and Kerala have got laws preventing sacrifice of animals by Hindus, as you know.

**Mr. Speaker:** It is so in my place also.

**Shri Amjad Ali:** He has mentioned several times "religious purpose". That is not the phrase used in clause 28; the phrase used is "in the manner required by the religion".

**Shri S. K. Patil:** Does it include any animal?

**Shri Amjad Ali:** Not a mosquito, of course.

**Shri S. K. Patil:** Not a tiger, either.

**Shri Amjad Ali:** At this stage, I shall only say that I shall be able to prove in any court that this is bad law.

**Mr. Speaker:** He is free to do so. We ought not to take away the entire jurisdiction of the court. Let us reserve something for the courts.

The question is:

"That the Bill be passed".

*The motion was adopted.*

13.07 hrs.

**INDUSTRIAL EMPLOYMENT  
(STANDING ORDERS) AMENDMENT  
BILL**

**The Deputy Minister of Labour (Shri Abid Ali):** Sir, I beg to move:

"That the Bill further to amend the Industrial Employment (Standing Orders) Act, 1946, be taken into consideration."

This is a simple Bill intended to extend the coverage of the Industrial Employment (Standing Orders) Act, 1946, and to ensure quicker certification of Standing Orders. As hon. Members are aware, the principal Act applies at present to establishment employing 100 or more persons. The Bill proposes to empower Government to apply it even to units with a smaller number on their rolls. There is, of course, provision for giving two

months' notice before it is actually applied.

We do not, however, propose to prescribe any fresh minimum limit and make it uniformly applicable to all industries and areas. We thought it would be more practical to cover the smaller establishments only where conditions are suitable.

The Bill also provides for appointment of additional certifying officers. This will ensure speedier certification. It is, however, not our intention to create new posts. We are only taking powers to utilise the services of our conciliation officers for this purpose.

Another amendment seeks to authorise the Central Government to delegate its power under the Act to State Governments. That will further help the implementation of the Act. The time-limit for filing of appeals has also been extended from 21 days to 30 days so that the party might get sufficient time for this purpose.

As hon. Members will see, the provisions of the Bill are progressive and non-controversial. I hope it will be welcomed by all sections of the House. Sir, I move the Bill.

**Mr. Speaker:** Motion moved:

"That the Bill further to amend the Industrial Employment (Standing Orders) Act, 1946, be taken into consideration."

Are here any amendments for circulation?

**Shri Abid Ali:** None.

**Mr. Speaker:** May I know how many members want to participate? I find that five hon. Members want to participate. Shri Banerjee.

**Shri S. M. Banerjee (Kanpur):** Mr. Speaker, it may be recalled that the standing orders were welcomed by the trade unions at a time when no orders existed to regulate the service conditions of the workers employed in various industries. From time to time

## Amendment Bill

the certifying officer has been issuing questionnaires or some extracts from the model standing orders to the various units for placing their suggestions before the certifying officer. I was surprised to know today that before framing the model standing orders, the central trade union organisations—I speak subject to correction—were not asked to offer their comments. So, the standing orders in a particular factory or in a particular unit, whether it is textile, jute or anything, has actually become the main basis for governing the various service conditions of the workers. It passes my imagination as to why, before framing the model standing orders, the central trade union organisations, which represent more than about 30 lakhs of organised labour in the country, were not consulted. At least I know that the All India Trade Union Congress was not consulted. I hope the hon. Deputy Labour Minister will let me know whether the central trade unions were consulted.

I remember that in 1953 some circulars were issued by the certifying officer or by the Labour Commissioner to the various employees' unions in the defence industries. We prepared a comprehensive draft suggesting various amendments, showing our approval or disapproval of the various provisions of the model standing orders, and submitted it to the certifying officer, the certifying officer being the Labour Commissioner. On an interview we found that the certifying officer was quite helpless and he was not able to accept any of our amendments because, he said, he had no power to do so. He was simply to see that the model standing orders are implemented properly, and if there is any law in the implementation then the matter will be taken up by the Labour Ministry. I would like to know from the hon. Deputy Labour Minister of the powers of the certifying officer.

Suppose some opinion is expressed by the employees' organisation that a

particular clause of the standing orders affects adversely the employees and the particular union representing those employees expresses a different opinion and suggests an amendment to this. Will the certifying officer be able to accept that amendment or suggest some *via media* or some other amendments which may suit both the employers and the employees? If so, it is very good that the standing orders have been framed.

Now the State Governments have their own standing orders. Under the standing orders if a worker loses his token or his ticket, then he has to pay in some cases about Rs. 2 or Re. 1. Our suggestion was that at the first instance no money should be charged. Here I am talking of the defence production units and the ordinance factories. But it was not accepted. The cost of that brass token may not be more than 4 to 6 annas but he has to pay Re. 1.

Then, there is no appeal against the standing orders. Suppose a worker is punished under a particular standing order? To whom should he appeal? No appeal lies to anybody, and we have to take the standing orders as they are.

When the standing orders were framed it was thought that they were going to be charter of liberty for the workers, who were being crushed under the heels of the employers, and they welcomed them. But today we find that the standing orders are not properly discussed before they are framed and the labour unions are not given an opportunity to express their views, and that they are not properly considered before they are framed. Then, even if the certifying officer or the officer who has to look after this job wishes to consider modification, he cannot possibly do it because of the limitation on his powers.

So, I would request the hon. Deputy Labour Minister to kindly tell us whether the standing orders are likely to be discussed in a tripartite conference where the representatives of labour,

[Shri S. M. Banerjee]

employers, and Government are present so that the orders which adversely affect the employees can be considered in a sympathetic manner. I am suggesting this because I find there is no appeal against the standing orders, though they actually govern the service conditions of employees.

I welcome its implementation in establishments where less than hundred persons work. But the entire matter should be discussed in a tripartite conference. So, I request the Deputy Labour Minister to kindly consider the suggestions of mine.

**Shri Indrajit Gupta** (Calcutta—South West): Mr. Speaker, as far as this Bill goes, there is nothing very much to say about it, and as far as it seeks to cover smaller units which were not covered hitherto, it is a good thing. But the trouble is, I feel, the Labour Ministry is not paying sufficient attention or, perhaps, is wishing to avoid at this stage the deeper implication of the whole question of standing orders. For one thing, this Bill, by asking this House to approve of its extension to smaller unit employees, is implying our approval of the Standing Orders Act and the rules made under that and all that we are now asked is for extension of the measure to smaller units.

So, here I wish to raise certain points. Because, as far as trade unions are concerned, I believe including the INTUC, there is a growing feeling in this country that the provisions of the Industrial Employment (Standing Orders) Act have become one of the major sources of industrial disputes and one of the major causes of aggravation of industrial discontent in this country. I think there are statistics with the Labour Ministry which will bear me out that next only perhaps to the question of wages, the disputes arising out of the application and interpretation of standing orders form the next biggest category of disputes which have to be dealt with

from year to year by the Ministries in the various States and also at the Centre.

That whole question has been bypassed. Here is a very innocent and innocuous Bill being brought forward simply as a sort of a technical thing. But we must go much deeper into this.

After all, what does this Industrial Employment Act say? The very opening sentence which defines the purpose of this Act reads as follows:

“An Act to require employers in industrial establishments formally to define conditions of employment under them.”

That is all. It is stated here that employers in industrial establishments should define with sufficient precision the conditions of employment under them and make those conditions known to the workmen. That was the purpose of this Act when it was initially brought forward. As my hon. friend, Shri Banerjee, has said, in a situation where there was no regulation or uniformity and standardisation of conditions, this was welcomed. But with the passage of years, this Act has become what one might call a weapon in the hands of certain employers—and I should say a majority of employers—in the name of maintaining and enforcing discipline. Of course, we all want discipline. Without discipline, no industrial undertaking can work. We want discipline both on the part of labour and on the part of management. But in the name of enforcing and maintaining discipline this Act and the rules made thereunder, that is, the standing orders, are being increasingly utilised as a weapon for harassing workmen for no fault of their own, for victimising them, in some cases for making unilateral changes in working conditions under cover of the standing orders and even in many cases, which have always been brought to the notice of the Labour Ministry, for trying to suppress normal activities and rights of trade unions. This question therefore, requires going into now much



more deeply and it is not enough simply to bring forward a Bill of this kind in my opinion.

The hon. Deputy Minister may dispute what I have said. I do not know what he is going to say. But I would like to point out to him that in the Industrial Disputes Act of 1947—if he will kindly refer to the Second Schedule of that Act—there is very clearly a recognition or admission of the reality to which I have been referring. At a certain stage the Government of India came forward and itself amended the Industrial Disputes Act recognising that the question of standing orders, their application, their interpretation etc. have become a very fruitful source of discontent and disputes. Therefore we find that in the Second Schedule of the Industrial Disputes Act, where the matters which are within the jurisdiction of labour courts are set out, the first three items are the following. With your permission, Sir, I will read them out. The first matter here is:

“The propriety or legality of an order passed by an employer under the standing orders.”

That means, a dispute arising out of this can be brought within the jurisdiction of a labour court. This was not there originally. The second item is:

“The application and interpretation of standing orders.”

The third item, also connected with this question, is:

“The discharge or dismissal of workmen including reinstatement of or grant of relief to workmen wrongfully dismissed.”

I submit that the specific inclusion of these matters within the Second Schedule of the Industrial Disputes Act shows that the Government and the Labour Ministry are quite well aware of the fact that a very large

number of disputes arise out of these very questions. Therefore this was a good thing that these things were introduced.

[SHRI MULCHAND DUBE in the Chair]

But the trouble now, to which I wish to come to is—and that is a very serious thing and I am sure the hon. Deputy Minister knows about it—that a number of recent pronouncements and judgments of the Supreme Court of India on disputes arising out of the standing orders in effect have now rendered absolutely invalid or have negated the value of these items in the Industrial Disputes Act which are referred to the jurisdiction of the labour courts. I do not want to be very long about this, but I would just draw his attention and the attention of the House to the judgment of the Supreme Court in the very well-known case of the Doom Dooma Tea Company where a case of dismissal under the standing orders arose which was challenged. The lower tribunal went into the case and held that this dismissal was unduly harsh and unjust. Then when they went in appeal to the Supreme Court, the Supreme Court held as follows:

“This question must be considered in the light of limits which are imposed by law on the jurisdiction of tribunals in dealing with such a dispute.”

They go on to say:

“Normally the awarding of proper punishment for misconduct under the standing orders is the function of the management, and unless there is valid justification the tribunal should be slow to interfere with the exercise of that function.”

Later on they have said:

“...the tribunal overlooked the fact that it was not within its competence to reappraise the evidence in the present enquiry,

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and that introduces a serious infirmity in the award."

What the Supreme Court is saying is that even if a dispute under Second Schedule to the Industrial Disputes Act comes up, it is referred by Government to a labour court, that labour court in effect has not got the power to go into the merits of the case or re-examine the evidence or anything of that kind.

Only in this morning's *Statesman* I find a report of another case in the Supreme Court regarding the Lord Krishna Textile Mills, UP. This morning it is reported at some length. It is a very similar case. Similar issues have come up. This was a case arising out of section 6-E(2)b of the United Provinces Industrial Disputes Act. That is a State Act. Here the Supreme Court held as follows:

"The Court held that all that the Tribunal could do when dealing with an application under section 33(2)b is to consider whether a *prima facie* case for according approval is made out or not."

Approval means approval for dismissal.

"In the present case the Court found that the Tribunal had proceeded to examine the evidence and discuss whether the misconduct had been proved, and in the opinion of the Supreme Court it had lost sight of the limitations on its authority in doing so. On examination of the Award the Court held that the Tribunal had assumed jurisdiction not vested in it by law and consequently its refusal to accord approval must be set aside."

**Shri Naushir Bharucha** (East Khadesh): There is also a judgment in the case of Chalisingaon Textile Mills.

**Shri Indrajit Gupta**: There are a number of cases.

My point is that a very serious situation has arisen now. There are

standing orders. Disputes are arising every day out of the interpretation and application of these orders. The Second Schedule of the Industrial Disputes Act apparently gives the workmen an opportunity to agitate such a matter before the labour court but now the Supreme Court steps in and by a number of judgments has held that even in such a case nothing can be gone into. The merits of the case, the evidence, nothing can be gone into. All that the labour court or the tribunal can do is to see whether the management has dismissed a particular person in accordance with the procedure laid down under the standing orders and see if the procedure has been correct. That is all the court is concerned with. This means that unless a more radical amendment of the Industrial Disputes Act itself and also of the Industrial Employment (Standing Orders) Act is effected—I am pleading for such an amendment which I hope the Government will consider and bring forward—this type of a Bill which has come now is quite useless. It has no meaning. Unless such an amendment is made, it means that tribunals will have no power whatever to judge on the fairness or reasonableness or otherwise of an employer's actions. In that case I should like to know why Government, either at the Centre or in the States, should bother to refer these cases to arbitration, to tribunals or to labour courts. Why do they do it when they know that the Supreme Court decision is there preventing the labour courts or tribunals from going into the merits of the case? It seems to me perfectly ridiculous to go on referring such cases raising such hopes and illusions in the minds of workmen and each time that tribunal or labour court is bound by these previous decisions of the hon. Supreme Court which binds its hands. Therefore I would like to say here that this is one basic question which must be considered. A part of these things have been raised by my hon.

friend, Shri Banerjee. I think the root of the mischief as far as the day to day disputes are concerned, lies in the Model standing orders which have been framed by the Ministry itself. That is the real cause of the trouble. If I may take a little time over this, in these Model standing orders which the employers are expected to conform to, it is said, provided the Certifying officer is satisfied that any standing order submitted to him by an employer conforms to these rules, and they cover all the various things which have been indicated, he can certify it. In fact, the circulation of the standing orders by the Certifying officer to the Unions concerned before he does the certifying, for their opinion, is simply restricted to this point. You cannot object on any other ground. The only objection you may be able to raise is that a particular clause or section of the standing orders does not conform to the Model laid down by the Government in this Act. You cannot question the fairness or reasonableness of any particular provision on the Model standing orders, particularly on clauses 3, 4, 5 and 6 which deal with misconduct, how misconduct is defined, how misconduct will be treated, all the trade unions have been agitated for years together—all the unions. The way this has been defined puts arbitrary powers in the hands of the employers and gives them unlimited discretion to carry out any sort of victimisation or punishment or impose the penalties which they please. I do not wish to take much time. For example, the following shall be treated as misconduct: there is a long list. The very first one, I may give as an instance. It says: wilful insubordination or disobedience to any lawful or reasonable order of a superior. Sounds all right. But the trouble is this. In another Act it is laid down that an employer cannot introduce any changes in the working conditions of his employees without going through a certain procedure. If a particular employer, all of a sudden, introduces

unilaterally some change in the working conditions to the detriment of the workmen in that particular factory, of course, the hon. Deputy Minister may say, you can catch him under the other Act if he does not follow the procedure laid down. That is true. In the mean time, suppose he introduces a certain change and the workmen concerned object to it and say, we think this is wrong, we do not want to abide by it, immediately,—whatever remedy you may seek in the court will be later on—under rule 3(a) of the standing orders, for disobedience of any lawful or reasonable order of a superior, action can be taken.

**Shri Naushir Bharucha:** It cannot be 'lawful' without notice of the change.

**Shri Indrajit Gupta:** You can go to the court later on. In the meantime, this man is charge-sheeted or given a warning or something like that. There is striking work or inciting others to strike work in contravention of the provisions of any law. Obviously this indicates illegal strikes. For illegal strikes penalties are laid down—in contravention of the provisions of any law. But, we know, we can cite hundreds of cases of perfectly legal strikes which have not contravened any provisions of any law, in which these standing orders are applied. After that, one can indulge in litigation in all the tribunals, High Court and the Supreme Court. A case takes three years. In the meantime, using this power, they charge-sheet and suspend and very often dismiss the workmen.

The major trouble with these Model standing orders as my hon. friend Shri S. M. Banerjee mentioned, is this. There is a procedure laid down after you have charge-sheeted a man and brought charges against him. What is the procedure laid down? He who is the prosecutor is also the judge. Of course, somebody will say, the discipline of an establishment or industrial concern has to be maintained like this. The management

[Shri Indrajit Gupta]

charges the man with a particular offence. The only course laid down here is that an enquiry will be held by the management itself and the decision will be made. There is no appeal against that. Even at this so-called enquiry which is held by the management within its own closed doors, there is no provision for that accused workmen to be represented by even a representative of his union. Even that is not there in the Model standing orders. From my own personal experience I can say this. Perhaps the hon. Deputy Minister knows that because that is a dispute going on for a long time and the Central Labour Ministry is well acquainted with it. Under section 3 of the Industrial Employment Act, there is a provision which says that the draft standing orders submitted under this section shall be accompanied by a statement giving the prescribed particulars of the workmen employed in the industrial establishment. The rules say that these prescribed particulars mean, the total number of workmen employed, the number of permanent workmen, the number of temporary workmen, the number of *badlis*, etc. That means, that when the standing orders are submitted for certification, the employer is also expected to submit a statement giving all these particulars. The hon. Deputy Minister knows that in one of the biggest industries of this country and the biggest earner of foreign exchange in our country, that is the jute industry, for the last 11 years, we have not been able to get at the employers to submit this statement as to the number of *badlis*, permanent, temporary, etc., workmen in different categories that they employed. Why? Because, they say, we are carrying out rationalisation. Since 1949—this is 1960—for 11 years, rationalisation and modernisation, they say, are being carried on, and therefore, we can never state at any single point of time how many of our workmen are permanent, how many are temporary, how many are *badli*, and so on. That is the kind of

conformity with the standing orders and the applicability of these rules that we find in practice. The result of it in the jute industry is, that perhaps nearly half of the workmen employed out of 2 lakh workers are no longer permanent. Non-permanent people are working for years together. They never become permanent. They are always shown as casual or *badli* or temporary, etc. These are some of the things we find.

The most serious thing, as I said, is the procedure for enquiry which is laid down in cases of allegations of misconduct against a workman before action is taken against him. He cannot be represented by any union representative there. He has no appeal against the decision of the management.

What I wish to say in conclusion is this. Will the hon. Deputy Minister enlighten us on one thing? For the last so many years, we have been trying to evolve a procedure of arriving at certain agreed tripartite decisions through the machinery of the Indian Labour Conference and its standing committees, sub-committees and so on, a procedure which we at least have welcomed very much and have tried to participate in and co-operate with to the best of our ability. In this tripartite Indian Labour Conference, the hon. Deputy Minister knows, in 1958, at the 16th Conference in Naini Tal, we have adopted a unanimous tripartite agreement. The Central Government, the State Governments, the employers' federations and all the Central trade union federations have agreed to a code of discipline. A part of the code of discipline is the grievance procedure. This very Ministry has come forward with a draft of a model grievance procedure. That is there incorporated in the tripartite agreement. When a worker has a grievance for which he wants redress, there is a procedure laid down there. All the various

successive stages through which he can represent his case, are mentioned. At each stage there is provision laid down as to how the employer must deal with it. How he must act, at what stage the union comes in, what rights the workman has at the stage of enquiry, all these things are laid down. I want to know what is there in common between that tripartite agreement and the grievance procedure and these Model standing orders which also have been framed by this Ministry. A most anomalous position has been created. On the one side, there is the statute laying down Model standing orders. On the other hand, outside the field of legislation, there is a unanimously agreed code of discipline and grievance procedure. If you compare the two, there is nothing in common between the two. Which one is to prevail? How do you expect the employers to give them the benefit of these model standing orders, because this is a statute, something of a higher order? Yet, we have asked them voluntarily to accept the grievance procedure which they signed at Naini Tal. They may sign it, but why should they observe it? If it comes to a pinch, they will jettison that and prefer this every time. This gives them much more power, and this is the law. In fact, we have been told, I do not know whether it is a correct report, that the Labour Minister of Bombay State has, on an occasion, been heard to remark that wherever he finds that the tripartite agreement comes into conflict with the provisions of the statute, the provisions of the statute must naturally prevail. Then, what is the good of these tripartite conferences to which we are taken every year?

**Shri Naushir Bharucha:** That is *nam ke vaste*.

**Shri Indrajit Gupta:** Therefore, I wish to suggest that first of all the Industrial Disputes Act should be

amended so that tribunals, labour courts and such like bodies are given that power which is now taken away by the Supreme Court decisions. They should have the power to go into the merits and evidence of the cases referred to them. There is no danger of discipline breaking down because, after all, the power of referring these cases to the labour court or tribunal is kept securely in the hands of the Ministry. The cases cannot go to the tribunals automatically. So, when they do go, the tribunal should have some power which it has not got now.

Secondly, my suggestion is that these model standing orders should at least be brought into conformity with the provisions of the agreed tripartite grievance procedure. In fact, I want to ask the Deputy Minister why those relevant provisions of the code of discipline and grievance procedure are not bodily incorporated in the model standing orders. These model standing orders, I say have no validity after that tripartite agreement. They should be scrapped wholesale and should be substituted by the provisions, principles and ideas behind the tripartite agreement. Otherwise, what is its value?

These are very important, basic questions. Simply saying that establishments employing less than 100 persons will now have the benefit of this Act is no good. That is all right, but the point is: why are you asking us to imply approval of this Act and rules? We do not wish to give that approval.

These are my submissions. I hope the Deputy Minister will take them into consideration.

**Shri Oza (Zalawad):** I welcome the Bill so far as it goes, but I must confess that I am not in complete agreement with the approach of the Bill.

So far this Act was applicable to establishments employing 100 or more

[Shri Oza]

persons; now, by this amendment, we want to give powers to the Government to extend it to factories employing less than 100 men.

The objects of the Act are well laid down in the preamble as under:

"Whereas it is expedient to require employers in industrial establishments to define with sufficient precision the conditions of employment under them and to make the said conditions known to workmen employed by them;"

So far as the large establishments are concerned, we know that there are trade unions, sometimes very strong trade unions, which can enter into collective bargaining and get the terms of employment very well defined, and thus protect the rights of the employees. They are quite competent to do so. But in the smaller establishments having very few workmen we find trade unionism has not developed. There we particularly require to safeguard the interests of the workmen.

For example, we have got the Minimum Wage Act not for the large establishments employing 100 or more men, but only for sweated industries. The legislature in its best wisdom found that these workmen could not take care of themselves, and therefore Government should step in and safeguard their interests.

In the same way, we should have, in respect of the present Act also, started from the bottom, rather going from the larger to the smaller establishments. That would have been the correct approach.

13.45 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

However, I am glad Government have at least now thought of extending this Act to the smaller establishments. Better late than never. I am sure Government will utilise these powers to protect the employees of

the smaller establishments, by getting their conditions of work defined.

The previous speaker seems to be under a misapprehension, and his approach is also, in a way, defective. He asks: why all these standing orders, when they are not in conformity with the policies of the Government otherwise defined?. As is clear from the preamble, this Act is mainly meant for defining the conditions of work of the employees and to make them known to the workmen. Suppose there is a breach of any standing order, as he rightly pointed out, the Supreme Court and other courts refuse to intervene where the procedure has been properly observed. I do not think it was ever contemplated by this legislation that the courts should take the authority to tackle every case of breach of discipline or things like that that may arise in day to day management. Then the courts will be flooded with litigation, and it would be impossible to run the factories. Only where the procedure has not been observed, where there is *mala fide* on the part of the employer. Malpractice or victimisation, would raise an industrial dispute when the courts would be completely authorised to intervene, go into the merits of the case and give protection and redress to the workman concerned. For instance, Government is taking disciplinary action against its servants on so many occasions. The courts do not intervene. Similarly, employers can enforce discipline without the intervention of the courts. But cases where a worker or workers are dismissed because of acts of indiscipline on their part or misconduct, or the management has taken action not to enforce discipline but for victimisation, would not be covered by the Standing Orders Act but by the Industrial Disputes Act, as they jeopardise peace in the industry, and there the courts would be competent to intervene and give redress. This is the difference between the approach of the previous speaker and that of the Ministry towards this legislation.

The grievance procedure also is not meant to cover such grievances under the Standing Orders Act. Only grievances which arise out of victimisation and other industrial matters are to be redressed in a particular way. Matters of day-to-day management must be left to the management, and I think it would be a wrong thing on the part of Government to bring forward legislation under which they could assume powers to give redress in each case of indiscipline. There are thousands and thousands of establishments in this country, and at this rate, we shall have to install a very big machinery to give redress to the workmen. I think that is not the correct approach. Only where there is anything *mala fide* or there is a breach of industrial peace, should the courts intervene, and not otherwise.

As regards the approach of this Bill, as I said in the beginning, Government should have started from the bottom rather than by giving relief to establishments employing a very large number of employees and then going down. They must give protection to the employees in the smaller establishments who cannot take care of themselves, and just as in the case of the Minimum Wage Act, likewise, here also, I hope Government would not waste time but will immediately notify the smaller and smaller establishments also, so that the workmen employed therein may know exactly the conditions of their employment and may be able to safeguard their interests.

**Shri Naushir Bharucha:** I shall be extremely brief. So far as the present Bill is concerned, it is certainly welcome because it seeks to bring within the purview of the Act smaller industrial establishments which will be employing less than one hundred workmen, and it leaves the option to State Government, after notification, to bring within the purview of the Act such of the smaller industrial establishments as it chooses to bring. But the point of grievance was rightly

voiced by the preceding speaker who said that the trouble is not so much in having those standing orders as in interpreting them.

I had some experience of interpretation of these standing orders, and the most surprising part of it is that though the Supreme Court had pronounced decisions by way of interpretation of many standing orders, those decisions virtually knock the bottom out of the rights which have been vested in the workmen either by the Industrial Disputes Act, or, for instance, in the case of Bombay, by the Bombay Industrial Relations Act. I had occasion to represent the workmen of a textile mill in Chalisgaon in a matter before the Supreme Court where a question of interpretation of the standing orders was involved.

In Bombay, we have got the Bombay Industrial Relations Act, which provides that the conditions of employment shall not be changed except by a certain procedure to be followed under section 42 of that Act, namely that notice of change etc. has to be given. In that particular case, 14 of the employees were dismissed, and we brought the matter before the Supreme Court on the ground that the requirements of section 42 had not been complied with, namely that notice of change had not been given. The defence of the employers was that under the standing orders they could do it, and the court held in that particular case that it was not necessary to comply with the provisions of section 42, because under the standing orders, the employer had the right individually to terminate the services. For individual termination of service, as the counsel for the employer himself said, it is not necessary even to bring within the ambit of misconduct any of the actions of the employee. If, for instance, the employer says that he does not like the face of a particular employee, individually, his services can be terminated. They said that the standing orders gave the employers

[Shri Naushir Bharucha]

the right to terminate individually the services of their employees, and the services of 14 people were individually terminated; and the Supreme Court upheld that under the standing orders, the employer could do so.

I am not suggesting for a moment that the Supreme Court was wrong in its interpretation, but the fact does remain that the interpretation of standing orders creates an amount of trouble which is perhaps not foreseen by the hon. Minister in charge. The difficulty is this. It is not enough to provide model standing orders and ask the employers to formulate standing orders in conformity with it. We must go to the substance of the thing and see that both the model standing orders as well as the standing orders framed by the employers do not impinge upon certain rights, and will not, directly or indirectly impinge upon the substance of the rights given to the employees.

In this particular Supreme Court case, which I lost, the result has been disastrous. In Bombay, the employers have now started giving notices individually, with the result that the labour courts can do nothing about it, because the standing orders have been interpreted in a particular way, and the employers have got the right to formulate these standing orders. Therefore, what is the remedy?

The remedy is so to formulate your model standing orders that any orders formulated on the basis of these do not deprive the substantive rights of the workmen. It is true as the hon. Member, who preceded me said, that the approach is different. Here, we are discussing only the question of amending the Act about industrial employment standing orders, whereas the other point is a question of the substantive rights of the workmen. I am not concerned about the procedures. It is true that in this case, we can do only this much and nothing more, but I am asking Government what they propose to do about cases I have pointed out.

If they ask the Law Ministry to make a critical study of the various pronouncements of the Supreme Court arising from the interpretation of the standing orders, they will find that in many cases, substantive rights of the employees have been taken away. Therefore, I am mentioning that it is no use formulating a good law on the statute-book if ultimately the court comes to the conclusion and gives an interpretation which knocks the bottom out of the employees' rights.

Therefore, my submission is this that we welcome this Bill, because it is a step in the right direction in the sense that it makes known to the workmen, the conditions of employment and makes provisions applicable to a larger section of employees and establishments employing 50 or 60, or even less later on, the Bill is also good in so far as it goes but it does not go far enough, and that is a point which I hope the hon. Minister will bear in mind.

**Shri Aurobindo Ghosal (Uluberia):**  
I quite agree with the observation made by my hon. friend Shri Naushir Bharucha that there is nothing to say against this amending Bill because it only seeks to extend the scope of the standing orders to the smaller units. But the difficulty is that the privileges or the benefits which we are seeking to extend to the smaller units have been interpreted, as has already been pointed out by Shri Naushir Bharucha and Shri Indrajit Gupta, in such a way that the workers have really received nothing out of these standing orders as framed by the employers in different States. Besides, the employers when they formulate the standing orders, keep vagueness and ambiguities there in such a way that it is not very easy to interpret the real intention of the standing orders.

Previously, as we are aware, many of the firms and factories had no standing orders, in spite of reminders from Government, and they submitted the model standing orders after a few years only. Of course, nowadays, it has been regularised to some



extent. But, in fact, what are the benefits which the workers are receiving as a result of these standing orders?

We find that even in the standing orders, there are provisions detrimental to the interests of the workers, and such things lie concealed in the standing orders. When they go before the labour court or the Supreme Court for interpretation, those provisions prove to be detrimental to the workers. The main point underlying this Bill is that standing orders should be formulated, and formulated in such a way that the real intention is fulfilled, namely, giving some relief to the workers and seeing that their service conditions are not affected or jeopardised in any way.

14 hrs.

Regarding these model standing orders, copies are sometimes sent to the registered Unions. But it has been already said that even though the registered Unions give suggestions, the certifying officers cannot go beyond the scope of the standing orders. Naturally, we have found that on the interpretation of the model standing orders, the workers have been deprived of casual leave or other privileges to which they are entitled even under the award of the tribunal. Hence these model standing orders are a stumbling bloc to the receipt by the workers of any benefit out of this legislation.

As regards the publication of the standing orders, even though these orders are there, in small mills or factories, most of the workers are not aware of these orders. After they are charge-sheeted, after their disputes are sent to the labour court, they come to know of the existence of the standing order of the factory or mill and how they have been involved in it. Even though technically the authorities get the standing orders certified by the certifying officer, these orders are never published, so that the workers do not come to know that there are such standing orders. Generally these standing orders are framed in English and never in any regional

languages. So naturally it is impossible for the workers to know what the standing orders are and how they can involve them in the ambiguities and legal quibbles of those orders. I know of a case when a man was served with a notice of dismissal. There was no Union there. The man was given notice. He went to civil court—it may be on bad advice—and there the District Judge gave the opinion that it came under the law of master and servant. Naturally, if the employer does not like the face of the employee, he can dismiss him according to that view. That is what happens in the civil courts. Of course, now it is said that if he wants any relief, he can go to the industrial court or proceed under the laws framed for that purpose.

I would impress on the hon. Deputy Minister the necessity of reforming the model standing orders. If this can be done, the number of disputes arising out of the interpretation of the model standing orders can also be reduced. With these words, I request the Minister to bring forward a new set of model standing orders in conformity with the decisions that were also taken at the Indian Labour Conference as regards the service conditions that are to be followed in the case of workers. He should see to it that these standing orders which were said to be a charter of rights are not turned into a bond of slavery or instrument of exploitation of the workers.

श्री रत्नसिंह भाई वर्मा (निमाड़) : श्रीमान्, बहुत अरसे के बाद या यूँ कहा जाये कि भारत आजाद होने के बाद जब से पालियामेंट बनी है, उस में पहली ही दफा इंडस्ट्रियल एम्प्लायमेंट स्टैंडिंग ऑर्डर के अन्दर यह अमेंडमेंट बिन लाया गया है और इस पालियामेंट के माननीय सदस्यों को इस विषय पर प्रपन विचार रखने का अवसर प्राप्त हुआ है।

यह जो इस एक्ट में संशोधन लाया गया है यह कोई ज्यादा महत्व नहीं रखता है। इंडस्ट्रियल एम्प्लायमेंट एक्ट जो बना है और उस के सिड्यूल के अन्दर जो विषय रखे

[श्री रामसिंह भाई वर्मा]

गये हैं उन के अनुसार स्टैंडिंग आर्डर्स बने हैं जो एक प्रकार से मजदूरों और उद्योगपतियों के बीच काम करने और काम लेने की शर्तें हैं। ये दोनों के बीच की शर्तें हैं जो बतलाती हैं कि मजदूर किन शर्तों के आधार पर काम करेंगे और मालिक किन शर्तों के आधार पर काम ले सकेंगे। ये शर्तों दोनों के बीच का करार है जो कि दोनों की स्वीकृति से किया जाना चाहिये।

हमारी पार्लियामेंट बे और भारत सरकार ने देश आजाद हो जाने के बाद मजदूरों की बेहतरी के बहुत बहुत बड़े अच्छे कानून बनाये हैं, जिन से मजदूरों को इन्साफ मिले और वह आगे बढ़ सकें, और आज उन के द्वारा वह आगे बढ़े हैं इस में कोई शक नहीं है। लेकिन जो काम लेने की शर्तें हैं वे गुलामी के जमाने की हैं, आजादी के जमाने की नहीं हैं। सन् १९४३, १९४४ और १९४५ में जो इंडियन लेबर कान्फेन्स हुईं, और उन में जो विचार सामने रखे गये, उन के आधार पर वह ऐक्ट बना था और उस के आधार पर स्टैंडिंग आर्डर बने। उस समय में लेबर कान्फेन्स में जाने के लिए केवल एक मात्र सैन्ट्रल लेबर आरगनाइजेशन ट्रेड यूनियन कांग्रेस ऐक्ट के होते थे, जिन के सामने मजदूरों का हित नहीं होता था और वही लोग जो इंडियन लेबर कान्फेन्स में जाते थे उन को ही उस समय की अंग्रेजी सरकार पार्लियामेंट के लिये नामजद करती थी। आज भी वही पुराने ऐक्ट की परम्परा चल रही है। मैं ऐसा मानता हूँ कि गवर्नमेंट को उस ऐक्ट में संशोधन उन महत्वपूर्ण बातों के आधार पर करना चाहिये था, जो सन् १९५७, १९५८ और १९५९ की इंडियन लेबर कान्फेन्स में तै की गयीं मालिक मजदूर और गवर्नमेंट के प्रतिनिधियों ने एक राय से तै किया। उस समय यह भी जिज्ञासा थी कि इस ऐक्ट में जो विषय हैं उन को भी बदलना चाहिये और उस में जो डिमिप्लिन इन इंडस्ट्री और कोड आफ डिमिप्लिन एक राय से मंजूर किया गया गये भी इस में लाना चाहिये था, लेकिन इस चीज का इस बिल में कोई दर्शन नहीं होता

और हम वहीँ के वहीँ हैं जहाँ से चले थे। तो मैं आप के द्वारा माननीय मंत्री महोदय से यह निवेदन करना चाहता हूँ कि आज यह जो काम लेने की शर्तें मजदूर और मालिक के बीच की हैं, वे वास्तव में मजदूर और मालिक के बीच नहीं हैं बल्कि वे केवल एम्प्लायर की हैं कि वह किस तरह से काम ले सकता है और किस तरह मजदूरों के साथ बरताव कर सकता है।

अभी कुछ माननीय सदस्यों ने बताया कि इंडस्ट्रियल डिस्प्यूट्स ऐक्ट के अनुसार इस में अपील की गुंजाइश है अगर स्टैंडिंग आर्डर के अर्थ के बारे में कोई सन्देह हो तो वह मामला कोर्ट के सामने जा सकता है। लेकिन आज कोर्टों का यह हाल है कि अगर कोई कोर्ट में उस समय जाता है जब उस के रैखें निकलती होती हैं, तो फैसला होने तक उस के बाद सफेद हो जाते हैं। और मजदूर का तो दालरोटी का सवाल होता है। उस को मिल में से निकाल बाहर किया जाता है। उस के पास इतने साधन नहीं हैं कि वह उस जमाने तक कोर्ट में मामला चलता रहे और बड़े बड़े वकील कर सकें और सारी बातें कर सकें। लेकिन यह तो दोनों की आपसी शर्तें हैं। इस में स्टैंडिंग आर्डर ऐक्ट के अनुसार जो मोडल स्टैंडिंग आर्डर हैं वह दोनों के बीच का करार है और न एम्प्लायर और न मजदूर दोनों को अदालत में जाने की जरूरत है। इन आर्डर्स में बतलाया गया है कि किन शर्तों पर श्रमिक काम करेंगे और यह करार किया गया है कि किन शर्तों पर काम लिया जायेगा। लेकिन यह बातें इन के अन्दर नहीं हैं। और जो हैं एक तरफ एम्प्लायर्स के पक्ष की हैं। जिस तरफ से शेड्यूल का पहना ही जो आइटम है उन में श्रमिकों की ब्याख्या की गई है, परमानेंट, टैम्पोरेरी, बदली, सिखाउ, बगैरह बगैरह लेकिन, श्रोमन्, परमानेंट को यह अधिकार दिया गया है कि मालिक अगर उसे काम से बन्द करना चाहता है तो उसे भी काज का नोटिस देगा, उस की जाज कसेा लेकिन बदली

वालों के लिये, टेम्पोरेरी वालों के लिये ऐसी कोई गुंजाइश नहीं है। एम्प्लायर की मर्जी जब चाहेगी उसे निकाल कर बाहर कर देगा। होता क्या है कि जो परमानेंट मजदूर काम करता है और जब वह काम पर नहीं रहता है तो उस की जगह पर काम करने वाला मजदूर बदली वाला कहलाता है और तीन महीने मुतवातिर अगर वह उस जगह पर काम कर ले तो वह परमानेंट हो जाता है। लेकिन व्यवहार में क्या देखने में आता है? इस ऐक्ट की खामी के कारण एम्प्लायर क्या करता है? एक जगह परमानेंट वरकर की खाली हो गई। वह वरकर मर गया या काम छोड़ कर चला गया तो बदली वालों को जो उस खाली जगह पर रक्खा जायेगा तो होता यह है कि दो चार दिन इस बदली वाले को रक्खा और दो चार दिन बाद उसी जगह पर से उसे हटा कर दूसरे बदली वाले को रख लिया और इसी तरह एक बाद एक बदलते गये। एक ही बदली वाले को वह इसलिये उस जगह पर नहीं रखते क्योंकि उस जगह पर उस को परमानेंट करना पड़ जायेगा। ऐक्ट के अन्दर यह गुंजाइश है, स्टैंडिंग आर्डर्स के अन्दर गुंजाइश है कि एक जगह के ऊपर अगर किसी से तीन महीने तक काम लिया जायगा तो वह बदली वाला मजदूर परमानेंट हो जायगा और इसलिए मालिकान तीन महीने तक उस जगह पर किसी एक को काम नहीं करने देते हैं और एक के बाद दूसरे को बदलते रहते हैं। इसी का नतीजा यह है कि आज हमारे कारखानों के अन्दर परमानेंट मजदूरों की संख्या अधिक नहीं है। परमानेंट मजदूरों की अपेक्षा टेम्पोरेरी मजदूरों की संख्या कहीं अधिक है बदली वालों की संख्या परमानेंट की अपेक्षा काफी अधिक है। ऐसा इस वजह से है कि २४० दिन हाजिरी की कैद सब जगह लगी हुई है। २४० दिन की बराबर हाजिरी होगी तो उसका प्राविडेंट फंड होगा और अमुक अमुक बास करनी होगी और मिल मालिकान उन सारी चीजों से बचने के लिए यह सब हरकतें करवें

हैं ताकि मजदूर टेम्पोरेरी बदली वाले ही बने रहें और वह परमानेंट न हो सकें और न उनकी २४० दिन की हाजिरी ही होने पाये।

परमानेंट मजदूर को अगर मिल मालिक हटाना चाहे तो स्टैंडिंग आर्डर में मजदूर की दालत में सुनवाई लेने की गुंजाइश है वह कोर्ट में उसके खिलाफ अर्जदास्त कर सकता है लेकिन टेम्पोरेरी और बदली वालों को हटाने के लिए कोर्ट में सुनवाई की कोई गुंजाइश नहीं है और इसलिए मालिकान अपनी सारी बातें चलाने के लिए इस तरह की बातें किया करते हैं।

इस अमेंडमेंट के द्वारा ऐक्ट में केवल यह तबदीली की जा रही है कि जहां पहले १०० से अधिक श्रमिकों को एम्प्लाय करने वाले कारखानों पर यह स्टैंडिंग आर्डर्स लागू होते थे वहां अब वह आर्डर्स १०० से कम श्रमिक रखने वाले कारखानों पर भी बाईंडिंग हो जायेंगे। जब आप इन को उद्योग के साथ साथ दूसरे व्यवसायों में भी लागू करना चाहते हैं तो मैं मानता हूं कि इंडस्ट्रियल एम्प्लायमेंट आर्डर्स का सवाल ही नहीं रहता है क्योंकि यह खाली इंडस्ट्रीज का ही सवाल नहीं है बल्कि ऐसी सब जगहों पर जहां पर भी श्रमिक काम करते हैं यह स्टैंडिंग आर्डर लागू हो सकेंगे। जहां तक मजदूरों की संख्या का सवाल है जिस जमाने में यह स्टैंडिंग आर्डर्स बने थे उस वक्त जितने मजदूर काम करते थे और जो उच्च बक्त मशीनरीज थीं उनमें अब काफी परिवर्तन हो गया है और नई नई मशीनों का आविष्कार हो गया है और उनको कारखानों में लगाया जा चुका है। सन् १९४७ के पहले जो हमारे कारखानों में मशीनरीज थीं और जहां पहले जिस पर १०० आदमी काम करते थे आज नई मशीनें लग जाने के कारण उसी मशीन पर ६ आदमी काम कर रहे हैं। चूंकि नई नई मशीनें आ गयी हैं इसलिए मैं पावर घटा दी गई है। मुनाफे की गुंजाइश ज्यादा हो गयी है और श्रमिकों की संख्या कम हो गई है। इस आधार पर ऐक्ट बनना चाहिए कि श्रमिकों

### [श्री रामसिंह भाई वर्मा]

को हंसाफ सहूलियत के साथ मिले और उनके ऊपर अन्याय न हो यह अब देखने की जरूरत है। लेकिन होता क्या है? इस ऐक्ट के अनुसार जो आपका मॉडल स्टैंडिंग आर्डर बना है एक मजदूर गुनाह करता है, मिसकंडक्ट में आप उसको शरीक करते हैं तो उनकी इनक्वायरी कौन करता है? उसकी सारी इनक्वायरी भी वही कारखाने का लेबर करादेगा और जैसा चाहेगा रेकार्ड बना कर मैनेजर से आर्डर्स भी पास करा देगा कि उस मजदूर को डिसमिस किया जाय या उसको डिस्चार्ज किया जाय लेकिन ऐक्ट के अनुसार जब एक डिसमिस मजदूर उस सम्बन्ध में कोर्ट में जाकर केस फाइल करता है तो उसके पक्ष में उस कारखाने के मजदूर तो गवाही देंगे ही नहीं क्योंकि रोजी सबको प्यारी है। जिस कारखाने के अन्दर वह काम करते हैं उसी कारखाने के एक मजदूर को डिसमिस किया गया तो अदालत में जाकर उसी कारखाने का कोई मजदूर डिसमिसशुदा मजदूर के हक में बचाही देने जाने वाला नहीं है क्योंकि अगर वह ऐसा करने की हिम्मत करता है तो फिर उसकी रोजी रोटी सलामत नहीं है।

दूसरा सवाल क्या होता है? कोर्ट के अन्दर वह रिकार्ड्स मंगाये जाते हैं जो कि स्टैंडिंग आर्डर्स के अन्दर यह बताया गया है कि इसकी इनक्वायरी की जायगी और यह देखा जायगा कि उस इनक्वायरी में क्या फेक्ट्स सामने आये हैं। अब उस इनक्वायरी को मैनेजर करेगा। निकालने वाला मिल मालिक जांच करने वाला मैनेजर एम्पलायर, एडिजेंट्स में आने वाला एम्पलायर और उनके द्वारा ही सब बातें कोर्ट के सामने रखी जाती हैं ऐसी हालत में कोर्ट उन के आचार पर उस मजदूर को दोषी मानता है और इस तरह उसके ऊपर अन्याय होता है।

इसमें यह भी बताया गया है कि मजदूर और मालिकों के अधिकार क्या हैं। एक अधिकार यह दिया गया है

कि किसी मालिक या किसी एम्पलायर ने एक मजदूर के साथ दुर्व्यवहार किया, मजदूर के साथ बुरा सलूक होता है तो स्टैंडिंग आर्डर्स के अनुसार वह मजदूर मैनेजर से या और किसी आफिसर से उसकी बाबत शिकायत करे और दुर्व्यवहार करने वाले को दंड दें। अब मजदूर अगर इस के लिए शिकायत करता है तो उसकी शिकायत के ऊपर जांच कौन करेगा? जांच भी वही एम्पलायर करेगा और निर्णय भी एम्पलायर ही देगा। यह तो श्रीमन्, अंधेर नगरी चौपट राजा, टके सेर भाजी टके सेर खाजा वाली बात हो गई। अब इसमें सारे के सारे अधिकार मिल मालिकों की ही एम्पलायर्स को दिये गये हैं और मजदूरों और उनके प्रतिनिधियों को कोई अधिकार प्राप्त नहीं है। अब उदाहरणस्वरूप मान लीजिये कि एक मिल के अन्दर कोई वीविंग मास्टर है और वह वीविंग मास्टर किसी मजदूर के दो चांटे मार देता है तो वह बेचारा मजदूर शिकायत करने कहाँ जायगा? वह जायगा अपनी फरियाद ले कर मैनेजर के पास या जो मिल का सुपरिन्टेंडेंट होगा उस के पास जायगा और वे अधिकारी उस सम्बन्ध में जांच करेंगे तो आप स्वयं समझ सकते हैं कि उस का क्या नतीजा निकलने वाला है? मैं यह निवेदन करना चाहता हूँ कि कोई भी आज एम्पलायर आप को ऐसा नहीं मिलेगा जो अपने बराबरी के अधिकारी के विरुद्ध कोई जजमेंट देगा। आज तक तो ऐसा कोई जजमेंट देखने में नहीं आया। एक मिल अधिकारी ने मजदूर को पीटा हो और स्टैंडिंग आर्डर के अनुसार जांच करने का भी अधिकार उस मिल के अधिकारी को प्राप्त हो। यह एक बड़ा अजीब मामला है।

इस के अलावा एक और बड़ी अजीब चीज मैं आप को बतलाना चाहता हूँ। अब स्टैंडिंग आर्डर के अन्दर मजदूर द्वारा आज्ञा न मानने की भी सजा है तो मैं उस सम्बन्ध में एक सच्चा किस्सा जोकि ग्रहमदाबाद

शहर का है उसे मैं बतलाना चाहता हूँ कि एक कारखाने के सेठ जी ने एक मजदूर से जोकि जरा मूँछें ँँठ कर और ऊपर चढ़ा कर चलता था उसे आज्ञा दी कि उसे आफिस के सामने से इस प्रकार से मूँछें ँँठ कर निकलना नहीं होगा। अब रास्ता दूसरा तो है नहीं और उसी रास्ते से उस बेचारे को निकलना पड़ता था। उस से कहा गया कि वह मूँछें साफ कर के काम पर आये। उस मजदूर ने सेठ जी की आज्ञा का निरादर किया और मूँछें साफ नहीं कीं और इस हेतु उस को डिसमिस किया गया। अब मैं पूछना चाहता हूँ कि क्या यह भी कोई आज्ञा है ?

एक भ्रान्तीय सदस्य : यह कब की बात है ?

श्री रामसिंह भाई वर्मा : उस को कुछ समय हो गया है। अब इस तरह की आज्ञा सेठ जी की कहां तक उचित कही जा सकती है और उस को न मानने की जो सजा डिसमिसल की उस गरीब मजदूर को मिली वह कहां तक उचित है ? यह भी कोई आज्ञा हुई कि अगर उसे काम पर रहना है तो उसे अपनी मूँछें साफ कर के आना होगा ? मेरा निवेदन है कि इन सब चीजों की बदलना होगा।

आप उद्योगों के मैनेजमेंट में मजदूरों को भागीदार बनाने के लिये ज्वाएंट कौंसिल बना रहे हैं तो आप को सचमुच में उन के साथ बराबरी का व्यवहार करना होगा। अगर कोई आफ्रीसर या मिलमालिक श्रमिक के साथ दुर्व्यवहार करता है तो उस के प्रतिनिधि यूनियन को अधिकार होगा कि वह वहां जा कर उस की जांच करे ठीक उस प्रकार से जैसेकि एक मजदूर जब किसी एक अफसर के साथ दुर्व्यवहार करता है या गलती करता है तो एम्पलायर को यह अधिकार दिया हुआ है कि वह उस की जांच करे। सवाल समानता का है। इस एक्ट का मतलब दोनों के बीच में मजदूर और मालिक के बीच में

जो काम करने और लेने की शर्तें हैं वे समानता के आधार पर होनी चाहियें, एकपक्षीय नहीं होनी चाहियें। वर्तमान स्टैंडिंग आर्डर्स में तो सारे अधिकार एम्पलायर को हैं मजदूर को चारों तरफ से बांध कर रख दिया गया है।

श्रीमन्, इन स्टैंडिंग आर्डर्स के अनुसार मजदूर के छुट्टी लेने की बात आती है। उस में बताया गया है कि छुट्टी लेने का तरीका क्या है। मजदूर को ऐप्लीकेशन देना होगा, अर्जी देनी होगी और अर्जी के ऊपर जो एम्पलायर है वह विचार करेगा। और वह चाहे, तो छुट्टी दे और चाहे, तो न दे। मान लीजिए कि किसी मजदूर की पत्नी या कोई उस के देस में बीमार है, मरने की हालत है। वह प्रार्थना करता है कि उसे देस जाने के लिये छुट्टी दी जाये। अगर एम्पलायर चाहे, तो वह उस को छुट्टी देने से इन्कार कर सकता है। इस का मतलब तो यह हुआ कि या तो वह अपनी नौकरी को कायम रखे, या अपनी पत्नी के इलाज के लिये जाये। इस परिस्थिति में उस को बिना छुट्टी के जाना पड़ता है और इसलिये वह अपनी नौकरी को खो बैठता है। अगर कोई मजदूर घर छुट्टी पर जा कर या तो स्वयं बीमार हो जाये, या उस के घर में कोई और बीमार हो जाये, और वह अपनी छुट्टी बढ़ाना चाहे और इस के लिए तार दे, या चिट्ठी लिखे, तो उस में भी एम्पलायर की मर्जी है कि उस को स्वीकार करे, या न करे, जवाब दे, या न दे। जब वह आठ दिन के बाद वापस आता है, तो उस को स्टैंडिंग आर्डर के अनुसार अपनी नौकरी से हाथ धोना पड़ता है। क्यों ? किस लिए ? इस का कारण यह है कि आज के जमाने में प्राविडेंट फंड, ग्रैंटइटी आदि की व्यवस्था है और अगर किसी मजदूर को ऐसे कारणों से डिसमिस किया जाये, तो एम्पलायर के ऊपर कोई लायबिलिटी नहीं है।

[श्री रामसिंह भाई वर्मा]

इस विषय में इसी महीने का मेरा एक सवाल है। एक मजदूर एक मिल में बहुत अच्छा काम करता है। वाईडिंग डिपार्टमेंट में काम करता है। अगर कुछ मजदूर तीन डाक लपेटते हैं, तो वह चार डाक लपेटता है। उसी डिपार्टमेंट के एक अधिकारी ने वहां अपने कुटुम्ब वालों को रख रखा है, जो दिन भर इधर उधर हुक्का पिया करते हैं और गप्पें मारा करते हैं। वह मजदूर जितना माल लपेट रहा है, उस अधिकारी के रिश्तेदार उतना माल नहीं लपेटते हैं। जब सेठ जी के पास यह रिपोर्ट जाती है कि जब एक मजदूर इतना माल लपेटता है, तो दूसरे मजदूर क्यों नहीं इतना लपेटते हैं और उन पर एक्शन क्यों नहीं लिया जाता है। एक्शन यह लिया जाता है कि वही अधिकारी एक नये आदमी को पास दे वहां दाखिल करता है और उस को उस ज्यादा काम करने वाले मजदूर की मशीन पर जा कर उस से झगड़ा करने के लिए कहता है। वह नया आदमी उस के पास जा कर उस से झगड़ा करता है और वह अधिकारी उन दोनों को डिसमिस कर देता है, क्योंकि स्टैंडिंग आर्डर्स के अनुसार वहां कारखाने में झगड़ा नहीं करना चाहिये था, हालांकि तथ्य यह है कि झगड़ा करने के लिये ही उस आदमी को कारखाने में दाखिल किया गया था। जब एन्वायरी होती है दोनों को डिसमिस करने का आर्डर किया जाता है। एक बड़ा भारी सवाल हमारे सामने यह है कि किसी आदमी को—वह ट्रेड यूनियन का अच्छा बर्कर हो या कोई साधारण मजदूर—फाटक से बाहर निकालने के लिए मिल वालों के पास एक तरीका है। वह तरीका यह है कि वे किसी भी आदमी को एक या दो दिन के लिए दाखिल कर लेंगे और उस को लालच दे कहेंगे कि हमें फलां मजदूर को निकालना है, तुम जा कर उस से झगड़ा करो। वह ट्रेड यूनियन बरकर या आदमी जा कर उस

मजदूर से झगड़ा करेगा, जिस के परिणाम-स्वरूप वह मजदूर निकाल दिया जायगा, क्योंकि स्टैंडिंग आर्डर्स के अनुसार मिल में झगड़ा नहीं करना चाहिए। रास्ता साफ है।

मैं माननीय मंत्री जी से निवेदन करना चाहता हूँ कि इस बारे में कुछ विचार करने की जरूरत है। मैं समझता हूँ कि इस का एक ही तरीका है जो करना चाहिये और वह यह है कि किसी भी आदमी को डिसमिस या डिसचार्ज नहीं किया जाये—पहले उस को सस्पेंड किया जावे। और प्रतिनिधि यूनियन एम्पलायर और गवर्नमेंट लेबर आफिसर तीनों उस की जांच करें और जितने दिन वह आदमी सस्पेंड रहेगा, उस को उतने दिनों का पूरा वेतन मिलेगा। गवर्नमेंट सर्विस में भी यही होता है। हम ने गवर्नमेंट सर्विस में देखा है कि सस्पेंड होने वाला व्यक्ति खुशी मनाता है, क्योंकि उस को खाली बैठे पगार मिलती है। अगर यह व्यवस्था यहां भी की जाये कि हर व्यक्ति सवेतन सस्पेंड होगा, तो फिर कोई भी सस्पेंड होने वाला नहीं है और काम भी बिगड़ने वाला नहीं है। स्टैंडिंग आर्डर्स में जो खामियां हैं, उन के कारण देश में हमारी ट्रेड यूनियन्स पतन नहीं रही हैं। यह बड़ी दुर्भाग्यपूर्ण बात है। यह जरूरी है कि उन खामियों को दूर किया जाये। इसके लिये सेंट्रल एक्ट में सुधार होना चाहिये।

स्टैंडिंग आर्डर्स में एक और खामी यह है। अगर कोई कारखाना, या डिपार्टमेंट या शिफ्ट बन्द कर दिया जाता है और वह महीना, दो महीना, छः महीना, बारह महीना बन्द रहा, तो वहां के बर्कर वहां बैठे तो नहीं रहेंगे। हम ने देखा है कि उत्तर प्रदेश का कारखाना है और उसमें मद्रास के भी मजदूर मिलेंगे और इसी तरह मद्रास के कारखानों में मारवाड़ी बर्कर भी काम करते हैं। कारखाना, डिपार्टमेंट या शिफ्ट बन्द होने पर वे अपने अपने देस चले जाते हैं, क्योंकि उन की रोटी रोजी

खत्म हो जाता है। स्टैंडिंग आर्डर्स में बताया गया है कि जब वह कारखाना, डिपार्टमेंट या शिफ्ट चालू हो, तो अगर उस के सात दिन के अन्दर वह मजदूर नहीं आता है, तो वह अपनी नौकरी खो बैठेगा। यह बात मेरी समझ में नहीं आती है। पहली बात तो यह है कि एम्पलायर्स के पास सब मजदूरों के एड्रेस रहते हैं। कारखाना या डिपार्टमेंट प्रादि चालू होने पर उन वर्कर्स को उनके घर सूचना भेजनी चाहिए कि कलां तारीख से यह कारखाना चालू होने वाला है और वह सूचना मिल जाने के एक या दो सप्ताह के अन्दर उसे काम पर आ जाना चाहिए, अगर वह उस टाइम लिमिट के अन्दर नहीं आयेगा, तो वह नौकरी खो बैठेगा। लेकिन होता यह है कि कारखाना चालू करने का नोटिस फाटक पर लगा दिया जाता है। अगर वर्कर सात दिन के अन्दर आ जाता है, तो ठीक है, वरना वह नौकरी खो बैठता है। मान लीजिये कि एक आदमी ने एक मिल में पच्चीस बरस तक काम किया है। उस को एक साल की सविस पर एक महाने का वेतन ग्रेच्युटी के तौर पर मिलता है। जो तरीका इस वक्त अपनाया जाता है, उस के कारण सेठ जी पच्चीस महीने के वेतन से बच जाते हैं। मैं यह निवेदन करना चाहता हूँ कि स्टैंडिंग आर्डर्स के अनुसार एम्पलायर को कितने अधिकार प्राप्त हैं जब कि मजदूर को कोई अधिकार प्राप्त नहीं है। स्टैंडिंग आर्डर्स से उन को यह सरल तरीका मिल गया है कि अगर किसी परमिन्ट मजदूर को धरलग करता है, प्राविडेंट फंड से बचना है, वो प्राक् रीट्रिबुट कंफनसेशन या ग्रेच्युटी की रकम से बचना है, तो इस सात दिन की शरत को पूरा कर के ऐसा किया जा सकता है। मैं माननीय मंत्री जी से निवेदन करना चाहता हूँ कि उन को इस पर विचार करना चाहिए। वह जो मजदूरों के सारे जीवन की रामायण है

कि रोजाना उन को किस प्रकार की कठिनाइयों का सामना करना पड़ता है।

अभी इन्दौर का जिक्र है कि मुझे मालूम हुआ कि इसी तरह से एक वर्कर को एक नया आदमी रख उससे झगड़ा करा कर हटा दिया गया है। मैं ने इस बारे में सेठ जी से बात की। उन्होंने कहा कि आज ही रख लेते हैं और उस आदमी को उन्होंने रख भी लिया। लेकिन कैसे रखा? उस झगड़ा करने वाले अधिकारी को उस की नई एम्प्लॉयमेंट की गई और उस की पिछली सारी की सारी सविस खत्म कर दी गई। मेरी समझ में नहीं आता कि अगर एक बार उस को डिसमिस किया गया, तो फिर उस को रखते क्यों हैं? इस की वजह यह है कि वह समझते हैं कि हमारी गलती है और अगर इस मामले को कोर्ट में ले जाया जाये, तो अपने आप साबित हो जायगा कि एक आदमी को जान-बूझ कर झगड़ा कराने के लिए रखा गया और फिर झगड़े के वजह से उस वर्कर को निकाल दिया गया। गुनाहगार वह आदमी है, जो उस वर्कर के पास जा कर झगड़ा करता है, जो कि अपनी मशीन पर काम कर रहा है।

इतना ही नहीं, ऐसे भी किस्से होते हैं कि झगड़ा करा कर नहीं निकाला जाता है, तो यह किया जाता है कि जब कोई वर्कर खाना खा कर अपनी बैलियां टिफिन-कॉरियर टांग देता है, तो आफिसर किसी आदमी से कहता है कि वह उसमें कारखाने की कोई चीज, नट या बोल्ट बगैरह कोई भी बस्तु रख दे। इसके साथ साथ बाद गेट-कीपर को छबर दे दी जाती है कि कलां बरकर गेट से निकले तो तलाशी ली जाये। जब वह वर्कर बाहर निकलता है, तो उसकी तलाशी ली जाती है, क्योंकि स्टैंडिंग आर्डर्स के अनुसार जब मजदूर बाहर निकले, तो उसकी तलाशी लेने की गुंवाइश है। जब तलाशी ली गई तो उस वक्त उसके टिफिन वा बैची में से नट

[श्री रामसिंह भाई वर्मा]

और बोल्ट पाए गए और इस आधार पर कि उसने कारखाने की चोरी की है, कह दिया जाता है कि इसको डिसमिस कर दो। इस तरह की कितनी चीजें, कितनी ही बातें होती हैं जिनके आधार पर एक मजदूर को डिसमिस कर दिया जाता है। इन आर्डर्स के अन्दर कितनी ही दफ्तरों हैं, जिनकी बजह से मजदूरों को इंसफ नहीं मिलता है, उनके साथ धन्याय होता है। जब कोई इस तरह की बात हो जाती है और जब उसको किसी के नोटिस में लाया जाता है तो कह दिया जाता है कि कोर्ट में चले जाओ और वहां से फ़ैसला करवा लो। आज मजदूरों में इतनी हिम्मत नहीं है, इतनी ताकत नहीं है, इतने आर्थिक साधन नहीं हैं कि बड़े बड़े वकीलों को एनगेंज करके वे अपने मुकदमे सुप्रीम कोर्ट तक या हाई कोर्ट तक ले जा सकें। मैं आपको अपना ही एक केस बतलाता हूँ। १९५६ में एक बग़ड़ा हुआ और उसको गवर्नमेंट ने लुड इंडस्ट्रियल कोर्ट को रेफर कर दिया। वह चीज गवर्नमेंट ने भी शायद कर दी गई। वह आज भी इंडस्ट्रियल कोर्ट के सामने है। १९५६ से लेकर आज तक एक भी तिथि नहीं लगी है। यह तर्क नहीं कहा गया है कि फलां तारीख को दोनों पार्टियों को सुना जाएगा या दोनों पार्टियां अपना अपना एबीजेंस फाइल कर दें, प्राथमिक क्या कहना है, इसको फाइल कर दें। लेकिन मैंने मामला सुलझा लिया है। ईश्वर की कृपा है कि मालिक लोग बोनस का केस सुप्रीम कोर्ट में दायर करते हैं जब उनको मजदूरों को कोई बोनस नहीं देना होता है और कहते हैं कि मजदूरों को बोनस नहीं मिलना चाहिए। इसर सुप्रीम कोर्ट में केस चलता है मेरे बड़ा आपसी बात चीत से मजदूरों को बोनस मिल जाता है। लेकिन मैं कानूनो दाबरे की बात करता हूँ। वे परेशानी मजदूरों की है कि वे लेबर कोर्ट में, इंडस्ट्रियल कोर्ट में हाई कोर्ट में या सुप्रीम

कोर्ट में नहीं जा सकते हैं। मेरा निवेदन है कि ऐसे कानून बना आप हमें कोर्ट का मुंह न दिखायें। ऐसे कानून बनायें कि मजदूरों के प्रतिनिधि और मालिकों के प्रतिनिधि दोनों मिल बैठ कर अपनी समस्याएँ हल कर लें और बीच में गवर्नमेंट को दस्तदाजी करने की जरूरत न पड़े . . . .

श्री आर्बिब अली : यह तो बहुत खुशी की बात है। अगर ऐसा हो जाए तो चाहिये ही क्या? हम कहां बीच में आना चाहते हैं?

श्री रामसिंह भाई वर्मा : मेरे यहां तो बही होता है किन्तु अन्य जगह वह तभी हो सकता है कि त्रिदलीय सम्मेलन में एक राय से जो निर्णय हुए हैं, उन निर्णयों को आप भ्रमली रूप दें। यह स्टैंडिंग आर्डर एक्ट के अन्दर आप जो एमेंडमेंट लाए हैं, बिल द्वारा इससे बहुत ज्यादा अच्छा होता अगर आप १९५७, १९५८ और १९५९ में इंडियन लेबर कान्फ़ेस के अन्दर जो निर्णय हुए थे, कोड आफ डिसिप्लिन इन इंडस्ट्री के बारे में उनको आप भ्रमल में लाते। स्टैंडिंग आर्डर्स एक्ट जो बना और उसके अन्तर्गत माडल स्टैंडिंग आर्डर्स बने, वे किस आधार पर बने, यह मैं अब आपको बतलाना चाहता हूँ।

१९५३, १९५४ और १९५५ के अन्दर इंडियन लेबर कान्फ़ेस, जिस में हमारे कम्यूनिस्ट मित्र थे, ने जो एक राय से निर्णय किये उनके आधार पर यह एक्ट बना था। वह गुलामी का जमाना था। तब पार्लियामेंट में हम या जनता के प्रतिनिधि नहीं थे। तब अंग्रेज ट्रेड यूनियन कान्फ़ेस के प्रतिनिधियों को नामिनेट कर दिया करते थे, वही लेबर का प्रतिनिधित्व करने लग जाया करता है। अंग्रेजों को लेबर मूवमेंट पसन्द नहीं थी, उनको हम जैसे लोग पसन्द नहीं थे, उनके ही प्रतिनिधि पार्लियामेंट और



इंडियन लेबर कान्फेस में बैठते थे, उन्हीं की कृपा और मेहरबानी है कि ऐसा स्टैंडिंग ऑर्डर्स ऐक्ट बना। यह सारी उनकी ही देन है, आई० एन० टी० यू० सी० की देन नहीं है और न ही मेरी देन है। मैं तो उसका विरोध कर रहा हूँ। मेरा अनुरोध है कि इन सब को बदल १९५७, १९५८ और १९५९ में जो इंडियन लेबर कान्फेस के अन्दर निर्णय हुए हैं, उनको अमल में आप लायें। आज हमारे सारे देश के प्रतिनिधि यहाँ बैठे हुए हैं और मैं एक मजदूर प्रतिनिधि की हैसियत से यह कहना चाहता हूँ कि जो निर्णय लिए गए हैं, उन्हें आप कानूनी रूप देने का कष्ट करें . . . .

श्री आबिद अली : वहाँ वह तय हुआ था कि कानूनी शकल न दी जाए, वालेंटरी रखा जाए। यह फैसला हुआ था।

श्री रामसिंह भाई बर्मा : आई० एन० टी० यू० सी० ने स्वीकार नहीं किया। फंसले का सवाल नहीं है। मैं समझता हूँ कि जो कानून यह पार्लियामेंट बनाती है, वह पवित्र गंगा के समान है। जब कानून बन जाए तो यह देखा जाए कि कौन ईमानदारी से चलता है और कौन ईमानदारी से नहीं चलता है। अगर कोई ईमानदारी से नहीं चलता है तो उसको ईमानदारी से चलने के लिए अदालत रूपी मंदिर के दरवाजे खुले हैं और उनको खटखटाया जा सकता है। लेकिन एकतरफा चीज नहीं हो सकती है।

अन्त में मैं इतना ही निवेदन करना चाहता हूँ कि उन निर्णयों को कानूनी रूप दिया जाना चाहिये और उन पर बराबर अमल कराया जाना चाहिये ताकि श्रमिकों को न्याय मिल सके।

Shri Muhammed Elias (Howrah):  
Mr. Deputy-Speaker, Sir, I am glad Government have brought forward the Industrial Employment (Standing Orders) Amendment Bill. But even

if this measure is passed it will not be beneficial to the workers at all, as has been mentioned by my hon. friends. The experience which the workers have gathered since 1946 up till now is not at all happy. Just now my hon. friend Mr. Varma said that this measure is being utilised by the management for their own benefits and they are using it to suppress the trade union movement of the workers of our country. Several examples were quoted as to how the Act and the standing orders which have been framed under it are misinterpreted and are being applied against the workers.

I shall give one or two examples as to how these Standing Orders are not at all implemented in many of the factories. The employers flout this Act as well as the Standing Orders. I shall deal with only one thing, that is, the case of dismissal on a charge of misconduct. What does misconduct mean? I am not going into the details of it. The Standing Order lays down the procedure for enquiries through tribunals and appellate tribunals. These procedures are:

- (a) The workman must be given a charge-sheet in writing in which all facts and circumstances alleged against him are stated;
- (b) He must be given reasonable time to put in his written defence;
- (c) An officer conducting the inquiry must be an independent officer;
- (d) The evidence in support of the charges must be laid first;
- (e) The worker must be given opportunity to cross-examine the witnesses who are deposing against him; and
- (f) The workman must be allowed to lead his own evidence

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and examine his witnesses in support of his case. Before taking a final decision the inquiry officer must take into consideration the previous record of service of the workman and other extenuating and aggravating circumstances alleged against him.

These are the five or six procedures which have been laid down through the rulings of the various tribunals and appellate tribunals. But the management do not obey the procedures which have been laid down by the tribunals. I shall give only one example. In a factory in the 24-Parganas in West Bengal employing about 1,500 workers the employees are denied the facilities which are given under the various laws of our country, in regard to minimum wages, holidays, leave, etc. Ultimately the workers had to form a trade union. As soon as the trade union was formed and the grievances were placed before the Labour Commissioner the management immediately declared a lock-out in the factory and 103 workers were dismissed without issuing any charge-sheet, without holding any enquiry. When the matter was brought to the notice of the Chief Minister, he called a conference of the employers and the employees, where the government officials were also present. When we raised this matter the Chief Minister enquired of the Labour Officers whether the employer was entitled to dismiss the workers without issuing any charge-sheet or holding an enquiry. The Chief Labour Commissioner was hesitating, but the Labour Secretary said that the employer had every right to dismiss any worker without issuing any charge-sheet or holding an enquiry. When we challenged this, he could not support it by authority. But taking the support of the Department of Labour of West Bengal the employers have dismissed 103 workers. Lock-out was declared and the factory closed for more than six months.

When we approached the Chief Minister and also the Home Minister we were assured that all workers would be taken back. They asked the workers not to go on strike and asked them to join their duties. But when the workers went to join their duties the management did not take them in and they refused to give them employment. The management said that they would employ whomsoever they liked and the rest of the workers would be kept out. To lock-out has been lifted about five months ago, but even now 400 to 500 workers are kept outside the factory without any charge-sheet being prepared or any enquiry being held. There is actually no charge at all. How can an enquiry be held in such a case? This is how, Sir, in many factories the employers do not implement the decisions of the Tribunal or the Appellate Tribunal. They do not implement the standing orders and even the Act itself.

Therefore, as my hon. friend Shri Indrajit Gupta and others have said, this Act has become absolutely obsolete. This will not at all be useful for the workers. This must be changed and a new law must be brought before the Parliament. After independence, Sir, this is the first time that an amendment is being sought to be made to the Industrial Employment (Standing Orders) Act. In this Bill the Minister should have provided for new things which would suit the present conditions obtaining in our country.

**Ch. Ranbir Singh (Rohtak):** What does the hon. Member suggest?

**Shri Muhammed Elias:** I have been pointing out what has already been accepted by the three parties—the employers, the employees and the Government. They are tripartite decisions of the 16th Labour Conference held at Naini Tal. I shall just take only one or two examples of what has been stated in the standing orders and what has been accepted by the representatives of the employers, the employees and the Government. With

regard to dismissals it is stated under the Standing Orders:

"No order of dismissal shall be made unless the workman concerned is informed in writing of the alleged misconduct and is given an opportunity to explain the circumstances alleged against him. The approval of the manager of the establishment or where there is no manager, of the employer is required in every case of dismissal and when circumstances appear to warrant it, the manager or the employer may institute independent enquiries before dealing with charges against a workman."

There are certain other provisions. Against item (6) it is said:

"In awarding punishment under this standing order, the manager shall take into account the gravity of the misconduct, the previous record, if any, of the workmen and any other extenuating or aggravating circumstances, that may exist. A copy of the order passed by the manager shall be supplied to the workman concerned."

The speakers who spoke before me have stated clearly how enquiries are conducted. Supposing a worker has been charge-sheeted and he has replied to the charges, when the actual enquiry is conducted the enquiry officer is not an independent man as stated in the standing order. The employer himself or the manager will be the enquiry officer. The other workers do not dare to give evidence. If the worker concerned wants to bring in his co-workers to give evidence, those co-workers also will be charge-sheeted if they give evidence. They will also be victimised because the employer himself is the enquiry officer. In this way there cannot be any good enquiry, and independent enquiry. When the manager who has charge-sheeted a worker himself becomes the enquiry officer, there can never be any proper enquiry. Generally, some

kind of a farce is conducted after which the manager according to his whim and fancy dismisses the worker.

In the tripartite decisions it is clearly stated how the enquiry should be conducted. It is called "Grievance Procedure". Many things are stated there. I shall not take the time of the House stating how the Grievance Committee is to be formed. The workers' representatives have to be elected to this Committee. If there is a trade union, the representatives of the trade union are to be there. There will also be representatives of the management. All the grievances are to be brought to the management through the Grievance Committee. After a worker has been charge-sheeted and he has replied to the charges upon which the employer has taken a decision, it is stated here:

"If the worker is not satisfied with the decision of this officer or fails to receive an answer within the stipulated period, he shall, either in person or accompanied by his departmental representative, present his grievances to the Head of the Department designated by the Management for the purpose of handling grievances."

If he is not satisfied with the decision of that officer then he will again present his grievances. It is said here:

"If the decision of the Departmental Head is unsatisfactory, the aggrieved worker may request the forwarding of his grievance to the 'Grievance Committee' which shall make its recommendations to the Manager within seven days of the worker's request. If the recommendations cannot be made within this time-limit, the reason for such delay should be recorded. Unanimous recommendations of the Grievance Committee shall be implemented by the management. In the event of a difference of opinion among the members of the

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Grievance Committee, the views of the members along with the relevant papers shall be placed before the Manager for final decision."

If this final decision does not satisfy the worker, he can go up. It is said:

"Where the workman is not satisfied with the final decision of Management, he shall have the right to appeal to Management for a revision. In making this appeal, the worker's representative, if he so desires, shall have the right to take a union official along with him to facilitate discussions with management. Management shall communicate their decision within a week of the workman's revision petition."

If that is also not satisfactory, then on a joint representation by the employers and the employees the dispute will be sent to a voluntary arbitrator. If even the recommendation of the voluntary arbitrator does not satisfy the worker, he can approach the Conciliation Officer of the Government and from there he can proceed to the Tribunal or the Appellate Tribunal.

Sir, a wonderful grievance procedure of this nature was adopted at the Labour Conference held at Naini Tal. But that is not being implemented even now. The hon. Minister should have brought it up. It is helpful to the management and also the workers. We do not want any indiscipline in the factories. We want more and more production. As a workers' representative I want to say that we want to make our country more and more prosperous and we want more and more production. We want to see that discipline is maintained inside the factories. But there should be some sort of procedure by which the workers can get their grievances mitigated. Until and unless that procedure is evolved, Sir, the

worker-management relation cannot improve. That is why with very great effort the Government and the representatives of the management agreed to the procedure that I mentioned just now at the last Labour Conference.

I would, therefore, request the hon. Minister—he may bring this amending Bill and we may pass it—to think over this. He should change the whole model standing order. In West Bengal we framed a model standing order. We placed it before the West Bengal Government. They have not paid any heed to it up till now. If according to the decisions arrived at the last Labour Conference the model standing order is changed and this is incorporated in it, I think everybody will benefit from it—both the management and the workers will benefit. The Government also will not have to spend much of their time in settling a dispute. The Government machinery will not have to spend much energy or effort to settle any dispute arising out of the present standing order. That is why I would request and indeed demand of the Government that they should change the present standing orders and constitute and frame those orders which have been unanimously accepted in the Labour Conference.

**Dr. Melkote (Raichur):** Mr. Deputy-Speaker, Sir, I welcome this Bill. It has a limited scope. It seeks to extend the scope of application of the standing orders to establishments employing less than 100 persons even upto 20 persons. I personally welcome that particular feature.

There is a good deal in what my hon. friend Shri Ramsingh Bhai Varma and other hon. Members have said in regard to the standing orders. Many of the points that they have raised are very valid, but at present we are not considering any of those items. It is only the application of

the standing orders that comes under the scope of this Bill. Shri Ramsingh Bhai Varma referred to the application of the standing orders to certain other groups of workers. In that connection, I would like to say that this application should cover both the workers who are engaged by contractors as well as those in the Defence in particular. For instance, the water carriers and the cooks working with the Defence have at present no scope of ventilating their grievances. I feel that the scope of this Bill should be extended to them also and the provisions be made applicable to them. With these words, I welcome the Bill.

**Shri Abid Ali:** Mr. Deputy-Speaker, Sir, I do not think that anyone connected with labour movement will seriously say that this Industrial Employment (Standing Orders) Act, 1940 has not benefited the workers immensely. There may be differences so far as its working in some particular establishment is concerned. An individual employer here and there might not have followed the requirements of the Act. But by and large I know that Trade Union organisations all over the country do appreciate the good this particular enactment has done to the working classes.

Much has been said about the provisions of the code adopted at Naini Tal and about the grievance procedure, etc., which had been drawn up by the Labour Ministry in consultation with the representatives of the workers and employers. Hon. Members have referred to them with so much vehemence, but they should also know that it is the spirit of the code that is important and that these are voluntarily adopted for voluntary implementation and should not be made part of any enactment. Some hon. Members have been so much vocal about the bad implementation of the provisions to the extent that unlawful and unreasonable orders of the management have to be obeyed and they have asked what is lawful

and what is reasonable in the sense that they should not be obeyed by the workers.

**Shri Indrajit Gupta:** Is that what was said?

**Shri Abid Ali:** Whatever may be provided in the Act, much depends on its application and also, much more depends on the trade union movement itself. There are trade union organisations, not of the type those hon. Members represent but of different types which do not need the support of . . . . (Interruptions).

**Shri Muhammed Elias:** He also said what we have said.

**Shri Abid Ali:** I am coming to that

**Mr. Deputy-Speaker:** Order, order. Speeches are not made while sitting!

**Shri Muhammed Elias:** His friend also has said it.

**Shri Abid Ali:** That also has not been understood by my hon. friends there. That hon. friend meant something else. What I was submitting was, if the trade union movement is strong, they do not need the backing of any enactment, because the trade union leaders themselves are reasonable, and because they are reasonable and honest and genuine trade unions or trade union leaders, they have the support of the workers, and they sit across the table and settle all their differences with the management. So, we want the trade union movement of this type to grow in this country, and those who exploit trade union workers for their own purposes or for any party purposes should go, and it is fortunately being appreciated by the workers who are their friends and who are sometimes enemies in the garb of friends! (Interruption).

Mention has been made of some unusual breaches here and there. But that is natural. Even in spite of the existence of the Indian Penal Code and the police, there are thefts, murders, rape and so on. But that

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does not mean that the law is bad. Such things exist everywhere, even in the country to which these hon. Members have so much of loyalty. (*Interruption*). It is not uncommon for any country.

**Shri Indrajit Gupta:** Has the hon. Minister ever made any speech without mentioning it?

**Shri Abid Ali:** If such a reference is invited, I am here to reply and I do not keep any debt and there is no question of interest! (*Interruption*).

**Mr. Deputy-Speaker:** Order, order.

**Shri Abid Ali:** Some mention was made about something that was said by the Labour Minister of Bombay. He did not say that he did not want to follow the provisions of the code. What he said was that the provisions of the law existing in Bombay had to be followed. That has to be done, and there is nothing contradictory in that. With regard to the recognition of a trade union, there is the Bombay Industrial Relations Act which provides a procedure which has to be followed in regard to the disposal of the application by any union which wants recognition. Of course, that was agreed to at Naini Tal: namely, wherever an enactment exists at present in any State, that will have the precedence, so to say. What I have proposed here also does not contain anything contrary to what was agreed to at Naini Tal.

A complaint was made that we did not consult the central trade union organisations before notifying any change in the model standing orders. Hon. Members who made the complaint should note that first an announcement was made giving notice to all concerned of the intention of Government to make an amendment. That was followed by comments by those who cared to read those announcements, and they were given due consideration before the final notification was issued. That is not the end.

Every trade union organisation, local and central and even individual organisations, are entitled to send us their suggestions. There is no limit here, saying that after such and such a date no amendment will be made to the model standing orders. Whatever amendments they like to be incorporated in the model standing orders can be suggested to us and they will certainly receive due consideration and if they are necessary in the interests of the workers, certainly we will issue a notification. But to make a complaint of the kind the hon. Member thought was necessary here, was, to say the least, unfortunate.

With regard to the case mentioned by the hon. Member from Calcutta, that case was not decided by the labour court, but by the industrial tribunal. The Supreme Court, of course, said that the procedure to be followed should be such which is recognised and there should be no *malafide*. If the action of the employer was *bona fide* then the Court should not interfere. That is the principle laid down by the Supreme Court, which is quite reasonable and sound.

15 hrs.

[MR. SPEAKER *in the Chair*]

There are some judgments by the court delivered from time to time in this respect and certainly we do study these judgments. Whenever any ruling is given which is contrary to the established practice and any defect in the law is found, if the law does not carry out the original intentions, certainly consideration is given whether it has become necessary to come before Parliament to amend the particular provision.

It was mentioned that smaller establishments should be taken care of. There is difference of opinion in this particular respect between the State Governments. So, we have refrained from fixing any minimum

limit and have made the Act applicable by notification to be issued by any State Government, which considers it necessary to cover establishments employing a smaller number of workers as well.

**Mr. Speaker:** Is the hon. Deputy Minister likely to take more time?

**Shri Abid Ali:** Yes, Sir.

**Mr. Speaker:** He may continue tomorrow.

15:03 hrs.

MOTIONS RE: PUBLICATION ON  
THE PUBLIC SECTOR INDUSTRIES  
AND  
PUBLIC SECTOR UNDERTAKINGS

**Mr. Speaker:** Shri Harish Chandra Mathur.

**Shri Mahanty (Dhenkanal):** Regarding the question of time, it is a very important motion and many hon. Members would like to speak on this. May we beg of you to extend the time?

**Mr. Speaker:** The time allotted has not been spent. How does the question of extension arise now?

**Shri Naushir Bharucha (East Khandesh):** This is a very important subject.

**Mr. Speaker:** I agree it is a very important subject. I will allow two hours today and let it stand over. Tomorrow we will have two more hours. We will finish it tomorrow. Shri Mathur may take 20 minutes.

**Shri Harish Chandra Mathur (Pali):** Now that you have extended the time, I may be given 30 minutes. The mover has the right to have 30 minutes under the rules; to cover the whole ground.

**Mr. Speaker:** He has also got the right of reply. Let me see.

**Shri Harish Chandra Mathur:** Mr. Speaker, Sir, I beg to move:

"That this House takes note of the Publication on the Public Sector Industries, laid on the Table of the House on the 8th March, 1960."

"That the question of placing public sector undertakings on sound basis in regard to their forms, organisation, parliamentary control and the financial principles which should govern them, be taken into consideration."

We attach considerable importance and significance to this subject under discussion. I need hardly emphasise here that the public sector has come to stay and has to grow in a big way. Apart from the ideological grounds, even otherwise, in every country, even in the capitalist countries, it has been found that public sector is almost indispensable. It does not need any support from great thinkers, but I might say that even persons like Prof. John Kenneth Galbraith have said that in many parts of the world, including India, there is in fact no real alternative to extensive public enterprise. They recognise that public enterprise is almost inevitable in most of these countries. I wish that we understand it in a proper context and correct perspective.

Let us understand that even before this Government took charge, when the Britishers were there, I think the biggest nationalisation was done by them—nationalisation of the railway companies. Today when we talk about the public sector, which is there in every country, in USA, Canada, U.K., France and every other place, certain misgivings are created. Certain people who are powerful and hypersensitive regarding the private sector just try to create a scare. Let us understand it in the proper perspective that the public sector is inevitable not only in countries which

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are wedded to socialism, but even in the capitalist countries, it is there and it has to play a vital role.

I wish to emphasise another fact that this Government is very accommodating and liberal in another sense. It is not that in the public sector, we are nationalising the existing industries. Far from it. As a matter of fact, we have stated as a matter of policy that only new enterprises by and large will be started in the public sector, unless and until for certain special reasons, for social justice or public interest, we have to nationalise the existing industries.

We have nationalised the air corporations. But what was the story of these corporations? They were being run on certain subsidies from Government. As a matter of fact, they wanted that they should be nationalised. Similarly about shipyards. We have taken out these people from trouble. We have set up these three steel plants in the public sector. Can the private sector conceive of setting up these three steel plants? Similarly, we have set up the Heavy Electricals and Heavy Machine Tools. These are all absolutely essential. I would rather say that these projects go a long way to sustain the private sector. When we produce so much steel, it is for consumption by certain industries. A number of industries are set up simply because we have put up these public sector industries in the public sector. Otherwise, the private sector could not have grown and developed even to half this extent.

I wish further to emphasise that the private sector should understand that the public sector's importance is for various reasons inevitable. Apart from these things, I wish to stress that if we have to go from Plan to Plan, we must have the public sector to augment our resources. I asked the question today about the break-up of Rs. 440 crores, because my feel-

ing is, taking into consideration all the factors, there is no reason why the public sector should not be able to contribute much more than what we are expecting from it. When I discuss the other motion, I will give the important reasons for it; our expectations will be fully justified and we should be able to get easily Rs. 100 crores to Rs. 125 crores per annum from the public sector on very modest standards. That is very necessary for going ahead with our developmental activities.

Also, we are saying there is so much tax evasion, and it should be cut. The public sector cuts out tax evasion, because there is no question of tax evasion in regard to what is produced in the public sector. It must be accepted that big private sector is always the greatest source of corruption. There is no other source of corruption so great as the private sector in a big way. Even when I say all this, I do feel that there is a great scope for the private sector. Both their hands will be full; if they want to go ahead in a regular and controlled manner, Government is going to give all the incentives to them. It is, therefore, only natural that we all give our very enthusiastic support to the public sector. But while giving our warmest and enthusiastic support there is our anxiety to see that the public sector is run on very sound lines. It is our complaint that in spite of the fact that independent thinkers have said so much on this point, in spite of the fact that so much has been said even on the floor of this House, and the Estimates Committee has gone into this matter and made recommendations after recommendations for the last several years urging on the Government to take certain steps to see that the public sector is governed on sound lines and your predecessor, Sir, even in 1954 addressed a letter to the Prime Minister asking for the appointment of a standing committee of Parliament so that the question of the accountability of the public sector could be solved to



the satisfaction of the country, still nothing seems to have been done in this direction. The public sector must create confidence in the minds of the people, the Parliament and the country at large that it fulfils all our expectations. Even the Congress party appointed a committee, which had gone into the whole matter and made a recommendation. In 1958 that committee also supported the recommendation for a standing committee, apart from making many other important recommendations. But so far, Government have not formulated any policy and they have not come forward before this House stating what shall be the organisation that the public sector is going to have. Therefore, my first demand on the Government is that they should formulate a tentative policy statement as to how the public sector is going to be run, what are the objectives, what can we expect out of the public sector, its profitability, its accountability to Parliament and various other important matters. I wish that statement should be discussed on the floor of this House for 2, 3 or 4 hours, as you think proper, and then they may finalise their policy statement regarding the running of the public sector.

Secondly, we find that no definite principles have been laid down in regard to the form of organisation. Since independence the public sector has grown very considerably. I will give you a small indication of it as to how it has grown. In 1948-49 there were only 4 corporations and 4 companies; in 1951-52 there were 8 corporations and 10 companies. Today we have 15 corporations and 45 companies—that is the figure which I have got from the report of the Estimates Committee. So, it has grown considerably. And where is the largest growth? In the company type of administration.

I wish the House to take note of what the Estimates Committee has remarked very forcefully regarding this company type of administration.

I have gone through various other reports and articles on this subject and I find the greatest objection has been taken against this company type of administration. Either we must have the departmental administration, as we have in the railways, or we must have statutory corporations. Even in the case of departmental administration, of course, we can give full internal autonomy in financial and other matters. We can give them all the advantages if their accountability and administration are sound. After all, the railways have done exceedingly well. Why can we not, in most cases, have that type of administration? Failing that, we would like to have statutory corporations sanctioned by Parliament. But this company type of administration has been roundly condemned by many independent thinkers. But, unfortunately, what we find is that we have the largest number of company type of administration.

**Mr. Speaker:** Rightly condemned or wrongly condemned?

**Shri Harish Chandra Mathur:** I wish to submit that we must determine the principles on what is going to be the organisation of our public enterprises. The company form of administration has not been approved by the Estimates Committee for very valid reasons given by them. There have been other independent thinkers who also have on the very same lines objected to that. There is a very interesting article on this subject appearing in a journal of the Institute of Public Administration. There was a seminar in that Institute under the auspices of the United Nations Organisation. They also discussed various forms of organisation and the administrative problems of those enterprises. There again all have very strongly supported either these administrative departments or these corporations and not the companies, but we find we have got the largest number of companies. The company type of administration is largely the creation of Ministries. They do not

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come to Parliament. They have been rightly defined as "babies of the Ministries". Naturally, the ministerial officials exercise more control than evident; their autonomy, according to the Estimates Committee, is just a fiction; there is more of bureaucratic control and less of accountability with neither the advantages of departmental management nor that of a private company. I will not stress this point much further, but I would like to say that we have to bear in mind certain principles. What I suggest is that either we must run them like railways departmentally or we must have statutory corporations with certain defined purposes.

Then I come to the question of the governing boards. Here again very strongly a feeling has been voiced by the Congress party. They have very strongly objected to the boards of the corporations having civil servants in their board of directors, and they have given very good and sound reasons for not having Government officials, Secretaries and others, in the board of directors. If the Government officials function there part time, they cannot give sufficient attention to them and then the autonomy which we wish in the corporation is destroyed. We have seen in the case of the LIC that the presence of the Secretary paralysed the autonomy of the Corporation. It is only natural that when the Secretary is there, the autonomy is not there. It is obviously so. Also, they are not the people suited for it. But we are going in a big way with it.

So, it is high time that we have started another service, called economic and industrial service. Now what is happening at the present moment? Every retired officer is on the look out for some high office in some of these corporations. I can tell you, Mr. Speaker, that except the solitary exception of one officer from the railways, all the Railway Board members and most of the General Managers, immediately after retire-

ment, have entered into some of these corporations. We may be short of personnel; I can understand that. But if he retires from a particular employment, from the railways, if he cannot be permitted to continue there, how can he be permitted to continue in another place for a further period of five years? Why not create the economic and industrial service and say that if any officer of the Railways or similar organisations, up to the age of 45, wants to join any of these corporations, he should join that cadre. Therefore, my second and very important point is that these governing boards must be so constituted that we do not have part time civil servants there. Half of them must be permanent directors, drawn from the enterprise itself, who are the functional experts. Then you can have 3, 4 or 5 others, but not civil servants like Secretaries and others.

**Mr. Speaker:** The language used by the hon. Member does not seem to be appropriate. If he uses the term "civil servants", it only means "non-military". So, he can say that administrators should not be put in charge of the industries.

**Shri Harish Chandra Mathur:** The civil servants are entirely different in the sense that they have got a certain code of conduct, by which they are governed. Those service rules cannot be operated in respect of those people who are engaged in the corporations, because their objective will have to be entirely different. So, if these corporations are to be effective and if they are to fulfil our expectations, then the code of conduct of the employees of these corporations will have to be entirely different. Therefore I say that those people who are in the regular civil service are not suited for this. Their entire outlook is different.

**Shri C. E. Fatabbi Raman (Kumbakonam):** In America they persuade people like Shri Morarka to run this business.

Shri Braj Raj Singh (Firozabad):  
Morarkas are in America also?

Shri C. R. Pattabhi Raman: Businessmen are persuaded to run these corporations.

Shri Harish Chandra Mathur: I do not know.

Further, I strongly object to hon. Members of Parliament being put as directors of these corporations. There is a very strong basic objection to any Member of Parliament put as director of these corporations. Why are you wanting to bureaucratise the Members of Parliament? You are doing nothing. You are making him either a junior first-class officer or a senior first-class officer, something of that type, to go and do the work which legitimately belongs to somebody else.

In U.K. so far as I know and if I am correctly informed this is one of the disqualifications for those who could be directors. A member of the House of Commons cannot be a director. It is a disqualification. I do not think in our growing democracy at the present moment we should permit any Member of Parliament to be on the directorate of these corporations. We need not bureaucratise them. It will do us a very great harm. It so much conflicts with their duties and responsibilities as Members of Parliament.

There are various other points of detail which I will leave out. But there are two or three important matters to which I would like to make a reference. We get very scanty reports about these. This Parliament gets very little information regarding the working of these enterprises. As I told you in the morning, I have been wanting to put together all this information and I have not been able to do that nor has the Research Section been able to help me in doing this. Therefore I further urge that because of our growing interest in them and because of the growing importance of these we must definitely

want that the statements of accounts and the reports of these public enterprises are placed in the hands of Members of Parliament at least ten days before the Budget session.

Mr. Speaker: Did he ask the Research Section of this Secretariat to get him the facts or details relating to this Rs. 440 crores? They could have easily collected the information from the annual reports.

Shri Harish Chandra Mathur: Not only Rs. 440 crores.....

The Minister of Industry (Shri Manubhai Shah): The break-up was indicated in the book to which the hon. Minister of Planning was pointing out at that time. The entire break-up of Rs. 440 crores as estimated by the Planning Commission is being worked out. But perhaps the hon. Member wants every time a ready reference. If he could only indicate to us, we will send him advance information.

Shri Harish Chandra Mathur: No, Sir. It is not so easy. I asked the hon. Minister of Planning in those committees. When this question was tabled, your Secretariat was not admitting this question. They told me that this information was available in that book to which my hon. friend refers. When I convinced them that this information is not available and they should let me have this information, you were pleased to admit this question. When you failed to find that this information was available in any public document of the Government, it is only then that you admitted this question.

But apart from that the important matter is that we must have two or three days allotted in the Budget Session when we should be able to discuss the working and the performance of all these industrial enterprises in the public sector. These reports should be made available to us. The Estimates Committee should be requested also to put in their reports just in

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time, a week or ten days before the Parliament meets, so that we may be able to discuss them.

I will immediately pass on to the second motion which is about the working of these enterprises.

**Mr. Speaker:** Does he mean to say that there must be a separate report and budget for these?

**Shri Harish Chandra Mathur:** During the Budget session we must discuss these reports which are submitted. These public undertakings are under the various ministries. Here is a publication from the Cabinet Secretariat which tries to give some account of these public enterprises under the various ministries. This is not in the correct form. I might submit that we want it in a very presentable form. The commercial statement should be there. The budget should be there. What is their performance during the year, what was their performance during the past year and what can we expect from these enterprises in the next year—they must give a full account of all this. They must have a performance budget. Then and then alone and when we are discussing the demands of the various ministries if we would discuss these public sector enterprises, I think it will do immense benefit. That is my submission.

As I said, I do not want to say that the public enterprises have not been running very satisfactorily. I felt very heartened when I read this report which was presented only two days ago by the Ministry of Commerce and Industry. So far as the antibiotics are concerned, this concern is doing very marvellously good work. This is an advantage of public sector. They have reduced the price of penicillin from 69 nP. to 50 nP. and still they have made about Rs. 60 lakhs profit. This is very heartening. They are doing all that. They possibly go to find funds from the enterprise's own resources for expansion.

Similarly, the Hindustan Tools have done exceedingly well. There were 69 foreigners. Now the services have been completely Indianised. They have reduced the prices of their machines. Their criterion is that they fix the cost at 25 per cent less than what would be the landed price of a similar machine from foreign countries. Nothing better could be expected. Still, they have made a fairly good profit and they have given us an indication of their programme for expansion. It is really heartening.

Another concern has also done fairly well. But when we take the overall picture, we find from this book to which a reference was made this morning that about Rs. 170 crores are invested in the concerns. There are three statements in the book. Statement No. 1 indicates those concerns which are in full swing. I am talking only of those concerns which are working and are in full swing. The total capital of these concerns which are in full swing is Rs. 171 crores. What is the return on this Rs. 171 crores? The return is less than Rs. 5 crores before payment of income-tax. They must provide definitely for income-tax, wealth tax, depreciation fund, development fund and then we should expect at least 5 per cent return from them. As you know, most of these socialist countries where the public sector is prominent are almost running on the profits of these public sector concerns. Here we have got these public sector concerns and what is the return? The return works out to less than 2½ per cent.

**Shri Naushir Bharucha:** Not even that.

**Shri Harish Chandra Mathur:** Not even that. If you take income-tax and all that, on an investment of Rs. 171 crores the return is less than 2 per cent. We give the fullest and, as I told you, the warmest support to the public sector, but we do expect a very sound performance from them. Therefore we must take care of this

organisation and must streamline the administration. We must have a plan and programme. If all these public sector enterprises which have already been put up are streamlined and if they give a really sound performance, there should be no hesitation in our saying that we do want these concerns to make profits so that this amount may be made available to augment our resources. We do not want that they should make no profit and sell things cheaper and do that.

What would be the total capital involved? That will be more than Rs. 2,000 crores. If it is Rs. 2,000 crores, the return must be at least Rs. 200 crores per annum. If we get Rs. 200 crores per annum, you will see what real assistance it would be to the public sector and to our Plan and developmental programmes.

I thank you for allowing me all this time. I do wish that the Government will make a full note of it and will come forward with a resolution. I hope they will constitute this standing committee immediately and will see that we get a comprehensive report before the Budget. When we meet for the next Budget session, I hope we shall be able to find time to discuss these public enterprises and may be able to create confidence in the mind of the people that these public enterprises are of such great and immense value to us for augmenting our resources and in helping the country to forge ahead.

**Mr. Speaker:** Motions moved:

"That this House takes note of the *Publication on the Public Sector Industries*, laid on the Table of the House on the 9th March, 1960."

"That the question of placing public sector undertakings on sound basis in regard to their forms, organisation, parliamentary control and the financial principles which should govern them, be taken into consideration."

Both of them will be debated together. Shri Naushir Bharucha. Many hon. Members want to speak. Hon. Members will limit their remarks to 15 minutes. I do not know even if 15 minutes are possible.

**Shri Naushir Bharucha:** Control of Parliament over the public sector undertakings is not an end in itself, but it is a means to an end and that end is to secure to the consumer at reasonable prices the goods manufactured by public undertakings or the services rendered by them.

The House had before it two reports of the Estimates Committee. The Eightieth report dealt with the growth of public undertakings, multiplicity of organisations, forms they should adopt and so forth. There was another report, the Seventy-Third Report which recommended that business type of budgets should be prepared, performance budgets should be prepared which should be placed before Parliament in proper time to enable the Parliament to discuss the affairs of public undertakings at the time of the Budget. I am sure this House will fully endorse the recommendations contained in the Eightieth Report. There has been a haphazard growth of undertakings. More will come in future in view of the projects in the Third Five Year Plan. It is important that this multiplicity of organisations should be restricted. I am also of the view that the experience of the existing undertakings should be utilised as far as it is practicable in respect of forming new organisations.

Discussing the forms of our organisation in the public sector, the Estimates Committee stated that so far as Government companies are concerned, they should only be formed where the Government desire in an emergency to take over the existing concern or where the Government intend to run the concern in association with private capital. They also stated that prior approval of Parliament was necessary before forming such a company. I fully share that point of view, because, today, companies are formed by a mere

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executive act. Parliament has no say in the matter. At one stroke of the executives' pen, a certain sector of public enterprise is taken away completely from the purview of Parliament. It has been our common complaint so far as statutory autonomous corporations are concerned, that their reports are not available at all till a very late date, and when they are available, they do not contain sufficient information, and when the budgets of the autonomous corporations at all come to our hands, we find that these are *fait accompli* and Parliament is powerless absolutely to alter a comma or a full stop from those documents. As it happens, notwithstanding the considerable concern that the Chair has shown in this matter, it is not possible to find time to discuss the reports of some of the most important autonomous bodies, with the result that this House cannot have any control over the autonomous corporations which are functioning. What is worse, according to the Rules of procedure, no question can be asked in this House regarding the day to day working of these autonomous bodies. Parliamentary control, if I may say so, has been reduced almost to a farce. It is very necessary that the recommendation made by the Estimates Committee in their Eightieth Report must be accepted.

One outstanding recommendation which the Committee has made is that there is need for a general law that all public undertakings should conform to a common pattern of administrative set-up and of accountability to Parliament and they should conform to common requirements, namely maintenance of accounts, what materials the report should contain and to what extent Parliament should be in a position to control them. The Seventy-third report of the Estimates Committee recommended that a volume should be printed containing the financial activities as well as the principal objects of the undertakings, so that hon. Members may have at a glance some idea as to how the public sector is functioning. Above all, the

Committee recommended that there was need to evolve a common pattern of report which should also contain matters such as cost of production, price structure, and employment trend.

While the Committee has recommended that there should be a general law on the subject, I am of opinion that this recommendation does not go far enough. What is necessary is to bear in mind the fact that Parliament wants to control these public undertakings not merely for the pleasure of controlling them, but with a definite objective in view. That objective is how the consumer will be able to get at a reasonable price the product of the public undertaking or the service that it renders. Public undertakings, by their very nature, are monopolistic concerns. There is no competition and the consumer has inevitably to turn to this public sector for the satisfaction of his requirements. There is no protection of the consumer whatsoever. Take the case of steel or take the case of fertilisers or newsprint. Parliament has got absolutely no power in determining the prices at which these enterprises will sell their products. Various other considerations enter the determination of the prices. Therefore, it is my belief that the time has come for this House to take into consideration that there should be a general law which shall lay down the financial principles and their application to public undertakings as has been done in the case of the electricity supply industry. As this House is aware, the electricity supply industry has been regulated to such an extent that the licensee or supplier has no right whatsoever to charge more than the maximum prescribed in the 6th schedule of the Electricity Supply Act of 1948. I see no reason why what has been done in the case of the electricity supply industry cannot be done in the case of the major enterprises such as steel, fertilisers, newsprint and many others.

It is very necessary that a law of this type should include the following

matters. It should include the principles governing the capital structure of public undertakings. May I point out to this House that so far as the steel plants are concerned, today, what is the capital structure? It is determined not according to certain recognised principles governing commercial establishments, but as it suits the Government. They will say, so much shall be the capital—Rs. 300 crores will be the capital and the rest is loan. Who determines that Rs. 300 crores will be the capital and the rest will be loan. It is not Parliament. It is the whim of the executive which determines it. The time has come to replace the whim of the executive by definite legislative enactments.

We discussed this morning the contribution of the public undertakings to General revenues. All this is in the air, with due respect, I submit. In the first place, before making any contribution to General revenues, certain items have to be satisfied, namely, Income-tax, Corporation tax and also depreciation and other items of expenditure. Who determines what are the admissible items of expenditure which are to be taken into account? Take the case of a public undertaking which comes and says today that it has made a profit of Rs. 2 crores. The whole thing is completely illusory. Why? Because there is no law which requires that it shall set aside depreciation at a particular rate, or compute 'net profit' in a particular manner.

**Shri Manubhai Shah:** Without meaning to interrupt the hon. Member I may say that the income-tax law stipulates proper depreciation for each type of machinery, and just as private industry is governed by the taxation laws, all public sector undertakings which are in the form of companies or corporations are subject to the same obligations of depreciation and other allowances.

**Mr. Speaker:** Income-tax also?

**Shri Manubhai Shah:** Yes. In the income tax law, the Board of Revenue....

**Mr. Speaker:** I am not talking of income-tax law. Are they observing the practice, so far as these corporations are concerned, of setting apart interest, income tax, depreciation etc.?

**Shri Manubhai Shah:** Yes, Sir. All the rules which govern a normal commercial company in the private sector are more rigorously followed in the public sector undertakings.

**Mr. Speaker:** Over and above that, what is the dividend that Government gets? In the private sector, they deduct income-tax etc., and ultimately the profit is the dividend that is distributed.

**Shri Manubhai Shah:** Similarly, we also pay dividends from the public sector undertakings to the general exchequer.

**Mr. Speaker:** Is this Rs. 440 crores made up of dividend, interest, income-tax and other things?

**Shri Manubhai Shah:** It is an estimate of profit. After deduction of the taxes that they have to pay, there are also interest charges on the borrowed money for each company, because they are in the same context as any private or public limited company.

**Mr. Speaker:** What does it come to by way of dividend?

**Shri Manubhai Shah:** Dividend comes from the net corpus, the total corpus of the profits. An industrialist or a managing agent or a board gives dividend to the shareholders out of that profit. This represents the net contribution of the public sector undertakings to the national exchequer.

**Mr. Speaker:** I am not able to understand. If Rs. 440 crores is the net balance after making allowance for interest, income-tax depreciation and other charges,—of course, working expenses are excluded—what remains is profit. That is what happens in a private company. If that is the profit here, at what rate does it work? What is the average rate of dividend?

**Shri Manubhai Shah:** It works like this. For instance, some concerns have given 5 per cent dividend. I know one which have given 7 per cent dividend, and a few concerns have started with 2 per cent dividend. What I urge is that this net fund means that the dividend will come out of this, the reserves and depreciation block to be created will come out of this.

**Mr. Speaker:** Out of this Rs. 440 crores?

**Shri Manubhai Shah:** Out of the earning after paying the taxes, the contribution of the public sector undertakings to the general exchequer would represent the dividend or profit.

**Mr. Speaker:** I am afraid there is a kind of confusion. If depreciation is also included in this, what is the profit?

**Shri Manubhai Shah:** I will explain it in an elaborate way while replying to the debate.

**Shri Morarka (Jhunjhunu):** This Rs. 440 crores does not represent only the profits of the public enterprises, but the total resources or the surplus which would be accumulated in the public enterprises.

**Mr. Speaker:** It is no good. Of course, instead of allowing for depreciation, interest etc, you can say that for the Third Plan we have all this money. That is something like eating into the capital.

**Shri A. C. Guha (Barasat):** That is in addition to the taxes and depreciation, reserve fund etc. All the commercial procedures of other companies are followed.

**Mr. Speaker:** What remains?

**Shri Manubhai Shah:** It is just like any other private company. If you examine the balance-sheet of a private company, the manner of presentation is the same. And Shri Bharucha, I am sure, understands it, having been

associated with a public limited company.

**Shri Naushar Bharucha:** I have got much more than what you have in mind.

**Mr. Speaker:** I am sure every Member of Parliament understands. These Rs. 440 crores are available for investment in the Third Plan. That is not the point. But out of this Rs. 440 crores, what exactly is the profit that was earned? We are dealing with the administration of public undertakings. If depreciation is removed from this, what is the net balance profit?

**Shri Manubhai Shah:** That break-up cannot be anticipated in any enterprise. Even if you ask any private industry to estimate what its gross turnover will be in the next five years, it will be impossible. I will deal with this when we come to the reply.

**Mr. Speaker:** I cannot proceed without knowing something about it. I am sure hon. Members also share the same doubts as I have. I am speaking on their behalf. I will not allow it to be proceeded with unless I am satisfied.

**Shri Manubhai Shah:** Shall I explain?

**Mr. Speaker:** I am asking the question, let him explain. There must be a profit and loss account for each concern. At the end of the year what is the profit? Then you make provision for interest and other things. Divide whatever remains by the share capital. What is the percentage? What has been the average during the past years by way of dividend? Can it not be given?

**Shri Manubhai Shah:** I shall explain the whole thing. In a balance sheet the gross profits are calculated after deducting all the encumbrances of payment due, and from that the tax is deducted. Out of the balance



dividends are paid. The public sector undertakings invariably pay the same type of dividend as any private sector undertaking except for the limitations which the House thinks fit to impose before declaration of the dividend. There is also a certain reserve for further expansion or remodelling, same as in the case of any private company. These two, the balance after payment of taxes to the exchequer and the net reserve for expansion, represent the contribution to be made by the public sector undertakings some of which will be by way of dividends to the Government of India.

**Mr. Speaker:** How do they work it out?

**Shri Manubhai Shah:** They will depend upon the board of directors. If I may say so in one company they decided that Rs. 25 lakhs should be set aside for expansion and 7 per cent must be given to the people of India who own this factory as dividend.

**Mr. Speaker:** I am not worried over that. What I want is both of them together. At what percentage do they work?

**Shri Manubhai Shah:** If you want the return over the net investment in equity share holding, it is too big an arithmetical calculation to make at this juncture, but one can say reasonably that 12 to 15 per cent will be the return on equity holding.

**Mr. Speaker:** That is the reserves plus dividend if declared. Very good.

**Shri Naushir Bharucha:** May I point out that much of what my hon. friend, the Minister in charge of this matter, has said is really vague and nebulous, because when we talk of net profit, first the concept of net profit has to be defined by legislation. How do you calculate it?

**Mr. Speaker:** He says in practice they are following the private com-

panies. If the hon. Member wants a separate law, he may have it.

**Shri Naushir Bharucha:** That is exactly what I am coming to. The time has now come to define everything properly and incorporate them in a code which will govern the financial principles applicable to public undertakings.

As you yourself asked, what is net profit? What is the concept of net profit? That must be defined first. After taking expenses into account, he says this is the net profit. You just now asked: what about the reserves? My hon. friend replied there are certain reserves set aside. The reserves themselves must be regulated according to law.

For instance, under the Electricity Act you are permitted only to set aside three types of reserves and not more. Certain concerns may say that they have earned so much net profit without setting aside any reserve whatsoever. One company may set aside a rehabilitation reserve, to rehabilitate its worn out machinery over and above the depreciation fund. Another company, not being under a legal obligation, does not do so. That will show more profit. This is all moonshine.

Take for example the principle which you are applying in the case of the railways. There also, depreciation is calculated on an *ad hoc* basis. If you calculate less depreciation, you will show more net profit. The point I am making is that it is not merely enough for this House to regulate the form and the method and manner of presenting balance sheets and the method and manner of Parliament's control over it, but it is very necessary that a general law should be passed which should lay down the principles as to how among other matters, the net profits of such undertakings have to be calculated. Under the Companies Act, the method of calculating net profits for certain purposes has been determined, and so, one can understand. But the Com-

[Shri Naushir Bharucha]

panies Act is not applicable to these public undertakings.

**Shri Manubhai Shah:** May I point out that the Companies Act is wholly applicable to all public sector undertakings excepting those establishments where by a statute, some exemptions might have been voted upon by the House?

**Shri Naushir Bharucha:** My point is that autonomous bodies do not determine the net profit on the basis laid down in the Companies Act. They may or may not. That is a different point. But there is no legal obligation on them to determine net profits on the basis of the principles laid down in the Companies Act. Therefore, anybody can come up and say that the net profit was so much, and nobody can check it.

Again, the question of contribution of public undertakings to the general revenues must be regulated. It is no use saying that a particular concern will contribute one per cent, and another concern will contribute half a per cent. Some sort of minimum standard must be laid down, and the company or the undertaking must be asked to account for not coming up to that standard.

Again, so far as the prices are concerned, profit has no meaning unless you regulate the prices. If Parliament has no control over price regulation of the products manufactured or the services rendered by an autonomous body, then it is possible for that body, being in a monopolistic position, to push up the price to any level and increase its net profits. Now, what is it that we are controlling? We do not want to control merely the form and the content of the reports and leave it to the sweet will of the Government companies or autonomous bodies to decide their price structure in any way they like.

I shall give a very typical example. The telephone rates were put up recently. Who put them up? Gov-

ernment put them up by executive action. This House was not consulted, and this House had no right to control it. Supposing the telephone and the postal departments, for example, were taken up as an industry or as an autonomous corporation, and we had a law to control the work of this autonomous corporation, then the Minister would have had to come here and justify the increase.

15-53 hrs.

[SHRI MULCHAND DUBE in the Chair]

Therefore, what I say is this that mere control of Parliament over autonomous bodies has no meaning. It is not an end in itself. The end is that the consumer must be protected, and for the protection of the consumer, Parliament is at present completely helpless.

Therefore, my suggestion is that the general law should contain the principles which will define the capital structure of public undertakings, the method of computing net profits and the method of setting aside depreciation, and regulate many other financial aspects of public undertakings.

My hon. friend the Minister in charge has said that depreciation is being set aside on the basis of what is mentioned either in the Income-tax Act or in the case of an electricity company, according to the relevant law. But may I point out that unless elaborate fundamental principles are laid down prescribing how depreciation is to be computed, it may not be possible, with the best of goodwill in the world, for any autonomous concern to set aside adequate depreciation; it might always be either in excess or very probably, the depreciation would be less, in order that the undertaking might be able to show greater net profits.

Again, it is necessary that such a general law should define the principles as to what is 'permissible ex-

penditure' in arriving at a 'reasonable return' for a public undertaking. It is not enough merely to say that it is showing so much of profit. We are not interested merely in the profit percentage. We are interested in finding out how much the consumer has been mulcted in order to produce that profit.

Today, for instance, the case of penicillin has been given. If, instead of having a particular price per unit, we put it up 50 per cent higher, still, the consumer will turn to the Government undertaking for the satisfaction of his requirement. You will get a higher price and say that you have made so much more profit! But my I point out that the efficiency of management of public undertakings is not to be gauged merely by the quantum of profit that they make, unless such profits are controlled by law which Parliament has passed to regulate these profits? Therefore, a general law should also include provisions laying down the principles for determination of price structure of the products or services of the public undertakings.

The general law should also lay down what the reserves should be. One autonomous corporation may show that it has made a net profit of 10 per cent and not set aside any reserves whatsoever, because it is under no legal obligation to set aside reserves. Another, working on a more prudent and sound basis may set aside three or four types of reserves and show 5 per cent, and yet, the financial position of the second undertaking will be far better than the financial position of the first undertaking.

Therefore, I say that all this talk of Parliamentary control over autonomous bodies is futile unless we have a law and Parliament has got the authority to determine the price structure, and it is not only that, but we should have what are prevalent in the U.S.A., what are known as regulatory commissions. In the U.S.A.,

if particular railway wants to increase its fares—because they are private railways there—if a water company wants to raise its rates, if a gas company wants to raise its rates, if an electricity company wants to raise its rates, they cannot simply by a stroke of their pen raise their rates. They have got to go before a regulatory body and justify the increases. Today, my hon. friend here, without coming before the House, can raise the price of any product of an autonomous undertaking at his sweet choice, and I can do nothing about it. Even if the budget is submitted, it has no meaning to me, because I have not got the real power to control. Power to control does not mean looking into the budget. Power to control means controlling the undertaking itself in substance, and that cannot be done unless we have regulatory legislation controlling the entire gamut of the activities of public undertakings. This is what I mean by control. My hon. friend the Minister laughs, because he knows that it is not going to come. May I point out to him that even casual glances at the reports of these public undertakings will illustrate my point. Today, I casually glanced at the latest report of the LIC. There, there is one paragraph which says that the expense ratio is. It reads thus:

"The overall expense ratio, i.e. the ratio of expenses to premium income for the year is 28.7 per cent . . ."

Who is wiser by this type of report? What is the meaning of expense ratio unless you determine what the permissible or the legitimate expenditure is? If that is not laid down by law, I can say that the expense ratio means nothing. What is it that we are trying to find out? Do we want to control only the form and the skeleton of the budget and the report, or do we want to be able to control the substance of the budget and the report? If we want to control the substance, that can only be done when we have got a regulatory legislation,

[Shri Naushir Bharucha]

when we set up regulatory commissions, as it is being done in the U.S.A., or when we create rating committees, etc., if necessary; in that way only, real control can be established.

As I said in the beginning, control of Parliament over public undertakings is not an end in itself. It is a means to an end. The end is a higher object, namely that the consumer must be able to procure, as a result of the existence of public undertakings, the goods which they manufacture or the services which they render, at reasonable rates, and if we cannot attain that object, to my mind, no amount of parliamentary control by other means, which have been expressed by the Estimates Committee, is going to be effective or fruitful.

**Shri Jaipal Singh** (Ranchi West—Reserved—Sch. Tribes): I must confess that I have never been friendly to the public sector. That is a prejudice which in certain sectors, certain sections, I should say, is not justified. But my prejudice is amply vindicated by the overall picture in regard to the performance of the public sector. It is not that I want to be prejudiced. I would like the public sector to do well. I am not one who has any indoctrinated ideology about the private sector being better or worse than the other sector. But I judge by sheer performance, by results, by what actually happens, by how I gain or how I suffer. It is a purely personal experience.

Sir, I regret that in my own home area, the Jharkhand area, where the public sector is very prominent, I cannot say much in the way of cheering up my hon. friend opposite. He is a nice fellow, a young man wanting to do the right thing. I think he really means well. He has also learnt, since he joined the Treasury Benches, to use very satisfying language. And I think he means well. But that is exactly where he stops. It is the same thing with the Leader of this House who has left his file and

gone. I wish he were present here, because I do want to talk about a sector no other hon. Member has so far mentioned—that is, the public sector in the Ministry of Defence. That is also a public sector, if you will forgive me. In this particular debate and in this particular Report, it does not come in; none-the-less, it is a public sector. There is the question of the manufacture of Avro 748, the replacement for Dakota. Is this House conscious of the fact that all the fighter squadrons have been starved of their maintenance personnel in order to man this particular project in Kanpur so that Avro 748 can one day be produced and shown? Unfortunately, the Minister of Defence is not here. It is highly improper. If he were here, I would have crossed swords with him. The poor Leader of this House has now to carry the burden.

16 hrs.

As the hon. ex-Minister of Defence Organisation said this morning, there it is. We want to know—in the private sector as well as in the public sector; the demand is there; the public feeling is there—what kind of cost accountancy is being done in regard to this particular project. Can my hon. friends over there—they are very dear friends to me; make no mistake about it—say what is the cost of production of this Avro 748? I shall be told—we shall be told—that as far as the defence of the realm is concerned, cost does not come into the picture. The cost is nothing so long as we can produce an aircraft! Is this an attitude Parliament should accept?

Then there is another thing also. I am afraid the other Minister is also absent, I mean the young friend of mine across there who is now building an enormous Empire, greater than the British Empire—petroleum exploration. I have talked about this before. I am very glad that my hon. friend, Shri Naushir Bharucha, has pinpointed this particular aspect. I

do not agree with him altogether. I do not know whether because the general elections are in the offing he is protecting the consumer. I am doing a little bit more than that. I would like to protect the consumer like my hon. friend, Shri Manubhai Shah. I would like to do that.—this is the type of language he is accustomed to. But there is something more than that. I think the defence of the realm is an important consideration. We fight for petrol. The rest of the world has been fighting for petrol in the Middle East and everywhere else. They have been sacrificing many other things for the sake of petroleum. But are we fighting for petroleum or are we just showing off—window—dressing—saying 'Here we can also do these things'? There are other people, the private sector. I do not care if they are foreigners. To me it is immaterial if they are foreigners, because when we want, we can nationalise any foreign concern, any time we want. When we are short of funds, as we are, why this folly of trying to build up an Empire, a petroleum industry, when we can use those funds for much better purposes? That is the point. It is a question of priorities.

I have no grievance if you nationalise everything. Nationalise Parliament also (*Interruption*). Why not? But not yet. My hon. friends opposite behave as though Parliament has been nationalised. They will get a bit of a shock after 1962. It will not be that simple then. Now they may talk that type of language.

What I am trying to get is this. Let us try to measure things with the same yardstick. My hon. friend, Shri Naushir Bharucha, has pointed out certain things. I am not an accountant, nor a capitalist nor a worker. So it is rather difficult for me; but I only want to judge things as I see them, as a man in the street sees them. The performance of the public sector, except certain particular instances, of the Hindustan Machine Tools, Hindustan Anti-biotics and may

be one or two others, whatever be the main items produced before us in reports, has been very disappointing. You start with Rs. 75 crores in DVC and suddenly go up to Rs. 150 crores. Even then, we do not know where we are yet. Is my hon. friend going to think that I am going to praise the public sector when I realise that electrical energy costs—a little less than 3 old paise per unit, but at Ranchi I have to pay 7 old annas per unit? Is that not profiteering at its worst?

Yes, you can show wonderful dividends. The Minister says that overall it will be 12-15 per cent. I am not very disturbed by what dividend we are paying, because it is really a question of from this pocket to that pocket. Only some days back, my right hon. friend, the Minister of Railways . . .

**The Minister of Railways (Shri Jagjivan Ram):** What?

**Shri Jaipal Singh:** Yes, every Cabinet Minister is 'right honourable'. The question was whether the contribution of the Railways should change from 4 per cent backwards or forwards. Nobody likes to give away anything. Why should my right hon. friend, the Minister of Railways, want to part with anything? But to him it makes no difference whatever. Whether he made a concession or not in agreeing to 4.25 per cent, it is the same pocket; it is the same reservoir. It is one pocket this side and one that side. Something like that seems to be the matter in regard to the public sector.

I have no desire whatever to condemn the public sector as such, because our businessmen are not that wonderful people that most of us should stand for. That is a fact. But at the same time, our public sector is not wonderful either. That also is the point. I cannot get up and say that the private sector businessmen are wonderful with an amazing morality and the like. We have had

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debates in this House. I know their weaknesses, but I find there are greater weaknesses in the public sector.

Take the D.V.C. What have they done to my poor Adivasis? To this day, they have not rehabilitated the displaced persons. What have they done in the Sindri Feriliser area? What have they done in Chittaranjan? What have they done in Rourkela? What have they done in Dandakaranya? I want to know. People, Ministers and Chief Ministers, have a cheap way of talking like Moghul Badshahs about the Maharaja of Bastar being a bad man. Have they forgotten the lesson of Dandakaranya? The lesson has yet to be learnt by my hon. friends. That is also a public sector project. I warn my hon. friends on the other side and also over there, because they are madly in love with everything that is public, public, public. They are absolutely incorrigible. You cannot teach them anything. I wish they would nationalise themselves. That is the only thing they could do. (*Interruption*). I am not thinking in terms as Shri Bharucha and others; what dividend you get; what profit you are getting. There are certain things which are imponderable, that you cannot measure arithmetically, in terms of 4 per cent or 5 per cent or 6 per cent and the like.

Take the question of health. That is also a public sector. It is something you cannot measure. I do commend two or three public sector projects. I cannot commend the rest of them. I wish we had the courage in this country to admit that the private sector, at least in the First Five Year Plan, had a better performance than the public sector. It is a fact. It is a question of arithmetic. Do my private sector supporters deny this? Now, in the Second Five Year Plan, we have not yet got the figures. About the Third Five Year Plan, we are still thinking. But I am one of those who believe in the theory of

personality, personality of the public sector. It has developed a personality, Mr. Charman; I have little faith in it.

Shri Joachim Alva (Kanara): Sir, I am grateful to you for having called me immediately after my eloquent and esteemed friend Shri Jaipal Singh. No better champion of private enterprise could have spoken in the manner as Shri Jaipal Singh. I have some sympathy for him when he spoke of the poor Adivasis being turned out of the factories. Government machinery, government bureaucrats are sometimes ruthless. Poor people whose houses have been taken away in those areas have not been compensated. They have not been compensated and nothing has been given to them in the shape of habitation. I am one with him where compensation is concerned. Due compensation should be paid to those who are thrown away from the factory sites, who are thrown away mercilessly, who have no homes, whose ancestors lived there for centuries together and perhaps they do not get a little shelter to lay their heads upon. That is the trouble about Shri Jaipal Singh and his people. If that is so, the House is entitled to give him full support where people are being uprooted, where they are being given no shelter, where they are not provided with any housing nor food. They ought to be looked after. That is where we come.

But he has not been fair in regard to other things. He has been keeping a blind eye about the factories which the Government of India have built for the people of India. I had a chance during the last 4 years to see some of these factories, from America right into the Soviet Union, into Germany, Great Britain and China. But none of our factories are as bad as they are painted. They are almost as good as the best of those in other countries, that I have seen in all my world travels these four years.

The young men who are working in our factories are fired with patriotism. They get lesser salaries,—that pinches their shoes, nay their stomachs; but they are working with a purpose. They have not got the profit motives. The wealthy man in India today is the wealthiest any time in the history of India—let us be frank about it—either in the Ancient India or the Medieval India or the Moghul period or the British period or even the Gandhij era. The wealthiest man in India today is wealthier than any period of human history or the history of India. Let us not forget that. These invisible champions of the private sector, these invisible champions of the wealthy man forget that. They want to make this Parliament a little instrument to increase their wealth. That is where we come in. We have got to account for the 300 millions of the people of India who have no voice, who do not want to talk about it....

**An Hon. Member:** Four hundred millions.

**Shri Joachim Alva:** And this private sector wants to strangle us. My hon. friend, Shri Jaipal Singh wants us to be at the mercy of the foreign oil companies. Even Mr. Kennedy, and I pay my humble tributes to him, who fought against an elderly and more experienced opponent, who had to fight against his own men of the Tamanny Hall, and win one of the greatest elections in American history. He had to fight oil tycoons. This was one of the greatest elections in the history of the world. I spent 6 weeks going about seeing the elections. One of the planks on the platform of Mr. Kennedy was cutting down the wealth of the Texas oil owners. Mr. Nixon said, 'Nothing doing. I shall not touch the Texas oil owners.' Mr. Kennedy told them that it was the main plank of his platform. It was one of the major items of Mr. Kennedy who won by a very narrow majority. But, here our friend says, we shall not export oil but import oil all the time.

How did Hitler lose the war? Because he had no tankers. The aeroplanes were bombed out; the oil was lost. I am glad that the hon. Prime Minister, the Planning Commission and the Minister of Oil have seen from the bottom of things. We must find oil here or there. We have to produce it at any cost, even if it means lots of money. Even the millionaires of the West who have made money on Middle Eastern oil,—even they had to spend a lots of money. What I want is that we should exploit all our resources (*Interruption*). I do not want to be interrupted. I heard Mr. Jaipal Singh's speech with rapt attention. I could have interrupted him half a dozen times if I wanted. Let him not please interrupt me. We cannot allow the foreign oil companies to strangle us in times of emergency. They may say that they cannot supply us a gallon of oil. Today with self-respect, honour and courage we say that we are going to build our refineries; that we are going to exploit and refine our oil; we are not going to be at the mercy of anybody, be it from the East or be it from the West. We want to be independent; we want to have our own oil so that our ships and machines may be kept going.

If there is trouble with Goa—and Goa is going to be one of the hostile bases in a future war and Goa may be as worse as Congo one day—if oil is denied to us what are we going to do? We want to be independent. We have got such great factories as the Hindustan Aircraft Factory, the pride of our nation. We have got the Chittaranjan; we have got the Integral Coach Factory, the Hindustan Machine Tools Factory. There are other factories also for which we can hold our head erect. We have the mighty Air India International line. But, Shri Jaipal Singh has thrown mud at all these things. It is not fair; it is not fair; to our young men in those factories. We have today a number of great factories. I can tell him and I repeat it that all these fac-

[Shri Joachim Alva]

tories, some of them, half a dozen of them, I think, are as good as the best in the world.

The e is the Hindustan Aircraft Factory at Bangalore. I went down the road when one man was going on a hunger strike. I said, 'What are you doing; why are you obstructing production in the factory?' Some one came and said that he would beat me up. I said, 'I have faced rotten eggs and brickbats; you cannot cow me down like this'. Thereafter others came up and told me that it was the Government of India and the Government of Mysore and the management and those Walchand's successors, the founder shareholders who were not giving them a fair deal. I felt that they had a case. I raised the matter here in the Defence Committee and I am very happy that the new Air Force Chief, Air Marshal Engineer who went there as General Manager settled the disputes with a firm friendly hand, to the satisfaction of labour. I had the joy of going and speaking to the labourers in the factory as I go and meet other workers in other factories in other parts of the world.

Shri Jaipal Singh mentioned about the Avro 748. Does he not want us to have aeroplane? Does he not want us to be self-reliant? Are we going to go to all parts of the world with a bigging bowl all the time? We have to stop it within the next 3 years. I may tell my hon. friend, that, after seeing factories abroad, we can produce anything and everything within the next 3 years with or without foreign collaboration.

**Shri Jaipal Singh:** Wonderful!

**Shri Joachim Alva:** It only calls for hard work. We have to work hard, as even the Prime Ministers of other countries have gone out to work for one month in the factories or in the fields. When I went to China and

asked why Mr. Chou En-lai looked so thin, they told me that Mr. Chou En-lai had to work in the factory or in the field. I do not want our Prime Minister, old as he is, to work. But, we have to set an example. We consider manual labour ignoble and dirty (*Interruptions*).

Mahatma Gandhi called up his follower; and said, 'You want to be leaders. Go and wash the latrine and then come up to me. We have to learn these lessons.... (*Interruptions*).

**Shri Braj Raj Singh:** Why not you do it now?

**Shri Joachim Alva:** Do you want me to go and wash the latrine in this Parliament? I will do it. I will show to you that I can do it. Do not laugh at it. I met Mahatma Gandhi's 30 follower, in the Nasik jail and they told me what he said, 'Go and wash the latrine and then come to me'. That is the principal. (*Interruptions*). If you want I shall show it to you. Do you mean to say that I do not mean what I say? What I am saying is that we should believe in the dignity of labour. In the United States, the home of capitalism, everybody does every kind of job. If we want to build up our country we cannot have casteism or superiority of the race. We cannot sit idly and let somebody else do things; we cannot look upon them with contempt and call them Harijans and what not; we cannot do that. This is the 20th century. If we want to build up State enterprises, we have to do everything ourselves.

My time is very short. I have many other points. The list of our state enterprises is not complete until we take the last vestige of transport in our hands. We cannot allow the automobile industry to be left in the hands of a few people, who sell cars at Rs. 12,000. The 1958 Chevrolot is obtainable in the United States for less than 500 dollars—less than Rs.



2500. If a first-class car of the 1959 model is available for less than Rs. 2500 there, a poor-class car, in a tottering condition is sold here for more than 2000 dollars. Where is the poor man to go for that money? We are content because there are rich people among us who either beg, borrow or steal or put their hands into somebody else's pockets and pay the money for such cars. We cannot allow this to go on; the hon. Minister must bring the car magnates to book. Within the next three years, we must produce strong cars with four doors, strong cars which can run from Khyber to Comorin. India is a vast land and people want to take some of their goods. The car must have four doors.... (*Interruptions.*) I have never interrupted when they were speaking. Be a gentleman; be an Oxford gentleman that you are!

What about shipping? Shipping today is in the hands of half a dozen people. It seems as if it is handed down from father to son. For the last ten years, I have not succeeded in putting one good boy in the shipping line.

**Mr. Chairman:** The hon. Member's time is up.

**Shri Joachim Alva:** I have been interrupted many times, Sir; please give me a few more minutes. I had given first class boys but not one shipping magnate has ever cared to enquire from them; do you want to have shipping as a career? The doors are closed to these boys. They come from the West Coast, from the shipping line, from the fishing community, boys who are as good as the best sailors in the world. But no. On the other hand, these magnates want more and more money to be voted by this Parliament to run ships for which they are not accountable to Parliament. The Hon. Minister must sooner or later make the motor industry and shipping tonnage to be exclusive prerogative of this House.

There is one more point about labour. There are so many factories

but nobody seems to be worried about labour. I raised this point in the time of Kerala debate in the Congress Parliamentary Party. We have got three large steel plants, probably the largest ones in Asia. In the United States they had a three month steel strike and that was a deadly struggle between labour and Capital there. They closed down their mills for a long time. It was a terrible battle. We do not want those battles to be waged in our factories. A lawyer in my constituency wrote me a piteous letter saying; "My only son was found lying dead on a track in Rourkela but no letter has come from the Manager". I tried and wrote to the Minister. We must have a straight, uniform honest code for the employees; we must guarantee their provident fund, their family fund, their quarters, drinking water, medical attention, etc. These must be guaranteed. We cannot have these things only for a few people, while hundreds of thousands of families remain neglected. Labour must come into its own. Where the Government factories are concerned, they must take pride in saying that the labour relations are in Government factories most cordial and are the best that can be seen anywhere in the world. Unless we do these things, we cannot keep the wheels moving.

I have many more points, Sir, but I shall sit down after having made these points.

**Shri Morarka:** Sir, I am very grateful to the hon. Member who has raised this discussion today on this important subject. I am also grateful to the hon. Speaker who, realising the importance of the subject had extended the time from two to four hours. We have got 15 statutory corporations, 45 companies and 17 departmental undertakings which more or less control our public enterprises. In these public enterprises today we produce aircraft, steam ships, locomotives, rolling stocks, machine tools, heavy machinery, heavy electrical machinery, fertiliser, anti-biotics, drugs, insecticides, electricals, scientific instruments, steel,

[Shri Morarka]

coal, oil, oil refineries, cables, minerals, etc. The public sector has the monopoly of air transport and life insurance. It also owns shipping corporations, banking and general insurance to some extent, industrial finance corporation and a lot of export and import trade. This is in addition to the two ancient public undertakings which the Government always managed, namely, railways and the post office. The hon. Mover has already pointed out that apart from the vastness of this sector, the public funds involved in the public enterprise are about Rs. 2,000 crores. From another point of view also, the importance of this sector is highlighted. In the Third Plan period, we expect the public sector to make a contribution of Rs. 440 crores towards resources.

It is quite true that many of the hon. Members are not quite satisfied with the performance and achievements of our public sector. Looking to the time that we have given to its development and looking to the fact that the achievements elsewhere in the world are not so bright as they are here, we have no reason to be disappointed. But we cannot deny the fact that within the country the achievement is highly uneven. In some corporations our achievement is very bright while in others it is rather disappointing. Our achievements in the Chittaranjan locomotives, a departmentally managed undertaking are much more encouraging than our achievements, for example, in the National Coal Development Corporation. Once we accept that the public sector has come to stay and that we are going to rely more and more on its resources, for our development plans etc; the next question that naturally arises is this: what should be the proper form or agency to manage and administer the affairs of these vast enterprises? It has been said that the statutory corporations are the proper form because they could have autonomy and could be free from Government rules and regulations, which are

rigid and irksome. They must have their own service rules free from civil service rules and so on. I am one who supports this idea. I also feel that when its activity has to be run properly and efficiently, it can be done so only if the enterprise is run on business principles. And since that is not possible without full autonomy purpose we must have a special corporation or a public companies. That is there must be flexibility of operation and in the words of one eminent author 'they must be given a private life of their own'. But the real question which I want to pose this afternoon is this: are we really giving these corporations the autonomy they need? Are they given a private life of their own? Or, are we creating these corporations only in name so that this Parliament may not have full accountability, so that the Public Service Commissions may have no say in the appointments, and the Auditor General may not have an opportunity to audit their accounts. I think it would be a wrong impression to give that these corporations are created not because real autonomy is needed or is given to them but because the Ministers and the Government want to exercise more executive powers behind closed doors, so these autonomous enterprises are created, powers—governmental and ministerial are exercised fully and yet and yet the Parliament, the Public Service Commission and the Auditor General are kept at arm's length.

It is difficult for me to agree with the hon. Member who said that the parliamentary control is only in name. Whatever the Rules of Procedure, we see the nature of questions actually allowed and the number of occasions on which the debates were permitted in this House. They are quite frequent and the scope is very wide. There can be no dispute about it that we have had enough accountability from these public corporations.

I am entirely one with those hon. Members who have suggested that

before any activity is entrusted to either a company or a corporation there must be a justification for it, there must be a scrutiny of that made by this House. A recommendation to that effect has also been made by the Estimates Committee, and this is a practice followed even in the United Kingdom where public enterprise is comparatively less developed. What they do is, once they decide that a public corporation has to be created they appoint a committee and that committee goes into the details about the size of the corporation, the actual form etc. and at that stage the Parliament also has a full say in it. I quite appreciate the point made by my hon. friend Shri Mathur that when they start a company or when they entrust some work to a company the Parliament has no say in it, whereas when they create a corporation the whole matter is examined and scrutinised by the Parliament. The only occasion when Parliament can have a say in the case of a company is when the Minister comes and asks for the capital to be subscribed for that company; otherwise the Parliament does not come into the picture at all. Therefore, I entirely agree with the views of the Estimates Committee that our pattern, our instrument of public enterprise should be a public corporation. But I may confess that even about public corporation, Sir, there is not an undivided opinion. There are many eminent authors who have said that public corporation is not such a desirable thing or an un-mixed blessing. I will quote only one author—Harold Laski. Talking about public corporations, this is what he said:

“I am not myself convinced that the Public Corporation has shown results so much better than those of the Post Office that it may be regarded as the general type which with appropriate variations, will be the basis of all future nationalisation. I am far from persuaded that the recruitment of the National and Regional Boards is, so far satisfactory; I am, for instance, very

sceptical about the wisdom of taking a civil servant just on the verge of retirement, and making him the head of a National Board, with twice the salary he was receiving while he was a permanent secretary of a Department, over three times the pension he expected to obtain, and, probably from seven to ten additional years in his career beyond what would have been open to him in the Civil Service. I doubt whether this kind of choice is likely to be good for morale in Whitehall.”

So the point is, even about public corporations the opinion is highly divided.

According to me, Sir, there are two main reasons for the failings of our public corporations. One is the dearth of managerial talent, and the other is an abundance of funds. It might sound paradoxical to say that. But I am quite convinced in my mind that if these corporations had limited funds they would have been able to show better results, because in that case they would have been compelled to cut their coat according to the cloth. Because they are government corporations and because there is no limit at all on the funds available to them, they are inclined to treat public money with a certain amount of laxity. If the main principle of forming a corporation is accepted, namely, limiting their finances or making the finances self-contained, I think, we could have done much better. There must be a rigid restriction on the amount made available to them.

Talking about managerial talent, we have in these various corporations and companies boards of directors. I do not want to criticise any individual member of any board, but you would be surprised to know that there is one government officer who is a director of 9 corporations and out of these 9 corporations he is Chairman of two corporations. There is another government officer, again, a very active

[Shri Morarka]

man, who is director of 8 corporations. There is a third officer, a very senior secretary, who is director of 7 corporations. There is yet another gentleman who is director of 7 corporations. There are in all 17 government employees who are directors in more than four corporations and yet they are working as government officers. I wonder whether it would at all be possible for them to do justice either to the corporations or to their official duties.

I wish, Sir, to conclude by only saying that these concerns must, above all, be run on the business basis and on business principles. This is what Prof. Galbraith had to say on this point:

"In the old days, the principal enemy of public enterprise was, no doubt, those who disapproved of socialisms. Now it is the socialists themselves. For it is socialists who refuse to consider seriously the peculiar requirements of the modern productive enterprise, whether public or private; who decline to give it the autonomy it must have; who destroy it by meticulously passing on its decisions and thus forcing upon it an intolerable and unworkable centralisation; who decline to see that the organisation of public enterprises must keep pace with new conditions and new tasks; who are careless about the standards to which management of the enterprises must be held; and who, on occasion, encourage workers and consumers to appropriate the surplus on which expansion and growth depend and without which there will be stagnation. Above all, it is socialists who are responsible for the paralysing belief that success is a matter of faith, not work."

Shri Indrajit Gupta (Calcutta-South West): Mr. Chairman, Sir, I am one of those incorrigibles to whom Shri Jaipal Singh referred, and I am speak-

ing on behalf of the incorrigibles. My brain has been washed and I am not in the fortunate position of those whose brains are unwashed. So I have to make clear once again our stand regarding this public sector. Let it be made quite clear that the public sector is not in our view equal to socialism. Everybody knows in the modern world that in countries where capitalist system flourishes there is an increasing tendency towards public sector or Government ownership in various sectors of economy. Nobody suggests in those countries that socialist changes or socialist reforms are being implemented. Nevertheless, the fact remains that in a country like ours we are firmly of the view that without a public sector in certain strategic sectors of the economy it is not possible for a country like India, which has been under-developed and kept backward by certain external forces for so long, to develop at the speed at which it is required to develop and along lines on which it should develop. Therefore, there is nothing sentimental or doctrinaire about this. It arises out of hard reality, because I have yet to know of any under-developed country in the world, particularly in Asia or Africa, where it is being possible for them to build up their economy on a strong, independent footing without having a strong public sector in certain vital, strategic, key sectors of the economy. That is the reason why we do support the public sector and we shall continue to support it very strongly.

But, at the same time, that does not mean that we never criticise the public sector or the way it works. If a drowning man is handed out a life-belt he will use that life-belt. But because that life-belt may be old or rusty he will not throw it away and prefer to drown. We believe that the public sector in this country, as many hon. Members have dilated upon, does suffer from some very glaring defects, irregularities, maladministration and all those things. It should be

trenchantly criticised and exposed. But with what object? One object can be to make the object of the attack the abolition of the public sector altogether.

**Shri Jaipal Singh:** No, no.

**Shri Indrajit Gupta:** I am glad to hear that. The other may be the purpose of rectification, because I believe all these things from which the public sector enterprises are suffering, many of which have been expanded upon here, are nothing divine or ordained; they are all man made things and anything which is man made can be corrected by man. Therefore, while extending full support to the public sector from this point of view when we believe it is a strategic necessity in a country like ours for building up and developing the economy, at the same time, any criticism we have to make of the working of that sector from its day-to-day aspect is only because we are motivated by a desire that the public sector should function better and more efficiently and should really be what it should be, namely, an effective instrument of planning in the hands of the Government. It should be an instrument or tool which can be used scientifically and in a planned way by the Government to advance the whole cause of the economy. If it does not fulfil that purpose, then certainly we shall be the first to oppose it and the way in which it works in this country.

As far as some of the most unfortunate consequences of the way things are being developed here sometimes are concerned, I should like to say this. Shri Jaipal Singh referred to the way in which Adivasis and so on are being evicted from their lands or not being rehabilitated and so on. On that there can be no two questions. I can assure him, however incorrigible we may be as regards the necessity of planning and public sector, that if it is a question of rehabilitating the people who are evicted, we shall fight tooth and nail and stand shoulder to shoulder with him to see that those 1579 (Ai) L.S.D.—8.

people get their rights. But that does not mean that we make an overall attack on the public sector.

Having said that much, I shall proceed to the next point. Time is very limited. A question has been raised about the profitability, productivity and so on about the public sector enterprises Shri Naushir Bharuch has said, and in my view quite correctly, that profits cannot be an end in themselves. It is quite correct. But it is also true that we want these public sector enterprises to earn profits for the simple reason that if they are to serve as instruments of planning then they must have to make a contribution to our developmental revenue. I fully support the idea expressed on that by Shri Harish Chandra Mathur, but it is also true, and I agree, that unless planning is done in such a way that planning of profits and planning of prices go hand in hand, these projects are not likely to serve the cause of the public and the country as they should.

For example, in a particular field, while the public sector enterprises may be thoroughly justified in placing considerations of profit above everything else, in another sector, if it applies the same principle, it will lead to distrous results. For example, mention has already been made about the anti-biotic plant at Pimpri. I say that that plant cannot be put on the same footing as a plant set up for making machine tools or steel, for example. Anti-biotic is something the people need. Vast millions in our country are suffering from diseases of every kind and it is impossible for them to afford imported drugs at high prices. Certainly, it is welcome that the Government of India should step in and set up an anti-biotic plant.

What should be its object? Its primary object cannot be to make profits; its primary object must be . . .

**Shri Harish Chandra Mathur:** They have brought down the prices by more than 100 per cent.

**Shri Jaipal Singh:** By 69 to 70 per cent. (*Interruptions*).

**Shri Harish Chandra Mathur:** This is not the first cut, much more has been done earlier.

**Shri C. R. Pattabhai Raman:** The price is much less now.

**Shri Indrajit Gupta:** Nevertheless, the fact remains. As far as my knowledge goes, when the Government of India entered into an agreement with the World Health Organisation and the United Nations agencies for the setting up of this plant—they have got some big grant there too—the terms of the agreement stipulated quite clearly that the object is to produce penicillin and other anti-biotics most economically as a national enterprise on a sound business basis and naturally on a non-profit-making basis. But it does not mean that the company is to make no profit as such. What it means is that profiteering in drugs, in anti-biotics, at the expense of the consumers should not be done. That is what it means.

I find in the annual report of the Hindustan Anti-biotics for 1959-60 that they very proudly claim a net profit of Rs. 76.85 lakhs. If that was the Hindustan Machine Tools, I would be the first to cheer it, but the trouble is, we learn from reliable medical sources and medical men that penicillin can be sold at half the price at which it is being sold now. Obviously there is a margin; if they are able to make Rs. 76 lakhs as profit . . .

**Shri C. R. Pattabhai Raman:** Does he not want reserves for expansion and which could be ploughed back?

**Shri Indrajit Gupta:** I want expansion, but you know the quality of the penicillin that is manufactured in the Hindustan Anti-biotics. You know that a large number of medical men are rejecting it and I have seen it myself. They are just yellow lumpy things which coagulate into lumps. But for the fact that bulk purchases

were made by the Army—bulk purchases of these anti-biotics are being made today by the Army—and if these bulk purchases were stopped, I do not know what sort of crises this company would fall into. I want good quality of anti-biotics, but I want them above all, even at the cost of profit or with very little profit, to supply them at prices which the people in this country can afford. If that is not possible, why are they making this and for what purpose?

This is one example I gave. In other companies, in other fields, totally different types of things are being produced, and I should think that one of the objects must be to see that cost of production is brought down, waste is eliminated, profits are increased and economic return are earned so that they can be used for our developmental revenues.

Shri Naushir Bharucha has pleaded the case of overall legislation as far as I can make out, and I am not quite clear yet on this point as to whether that would be a very desirable state of things. I am certainly one with him that Parliamentary control over the broad policy should be there. I do not mean control over the day-to-day administration, and I am not one of those people who are saying that the day-to-day administration of these public sector enterprises must be subjected to control by Parliament. It is an impossible, unreal and impracticable thing and no known enterprise can work like that. But in regard to Parliamentary control over the broad working of these enterprises also, I must submit that Parliamentary control is still in a very, very infantile stage. Shri Naushir Bharucha has expounded on that, and I do not wish to add to what he said. Even if a legislation cannot be introduced immediately in this regard, I would like to invite the attention of the hon. Minister to one aspect. We heard something sometime ago about the recommendations made by the Krishna Menon Committee—a Congress Com-

mittee I think—which was set up to go into the question. There was quite a lot of publicity given to it. They recommended that in addition to the Estimates Committee and the Public Accounts Committee, a third Parliamentary committee should be set up,—a standing committee,—which should have a greater degree of broad control over questions of policy and the working of these enterprises. I do not know what has happened to that recommendation, I think it is a good idea and as far as I know, many experts like Prof. Galbraith or Prof. Hanson and all those people have suggested similar things many times.

For instance, in the British Parliament, there is a Select Committee whose specific purpose is to collect facts and information regarding the working of nationalised enterprises. We are told that the British Parliament as a result of the working of that Select Committee, has got very valuable information at its disposal which enables Parliament to get a much clearer idea of what is going on there. Why cannot we have something like that here?

On the question of managerial administration, I support the views expressed here, and I think that is pretty universally recognised now, namely, that retired civil servants and retired General Managers of railways are not the best people to run these things on a business footing, because they are accustomed to a completely different set-up and a different outlook and different rules and regulations. Of course the Minister will probably tell us that until we have qualified people we have got to do with them. Therefore, I want to know what is being done to train up technical people. I think the training scheme requires much more attention. There is certainly a very half-hearted approach to the question of training up a specialist cadre who are capable of taking over the administrative posts of these firms. It is not that we

always go to retired civil servants. For example, I may refer to the gentleman who was or is still,—I do not know—the head of this anti-biotic plant. I am told he was a barrister and a tube-well expert. He is now making antibiotics. Certainly we need not have a retired civil servant for that.

In the Hindustan Machine Tools at Bangalore, whose record of production has been very good, as Shri Alva pointed out, very good labour and management relations were being built up. The hon. Minister knows about it. Unfortunately the whole experiment has broken down. You may say that despite that, there is very good production. Let me tell you that that union representing 99 per cent of the employees was run by people who are incorrigibles like me. Had they not been incorrigibles, production would not have come the way it has come. I will say with all responsibility that in spite of that, the joint management council was sabotaged, by whom? The primary responsibility rests on a gentleman who has been given the post there of Personnel Manager and Town Administrator. He was a third class graduate of the Mysore University and a lower division clerk of the Mysore Government. Because he is some relative or friend of some Minister, he was given this post. We have had continuous complaints from the union that this chap is trying to sabotage it. Ultimately something has happened. Of course, there has been no strike there because there are some incorrigible people like me there. It is a public undertaking and it should be protected.

These are the sort of things which should not be allowed to go on. Therefore, I hope the hon. Minister will take many of these things into consideration.

**Shri Tyagi (Dehra Dun):** Why are you so particular about the word "incorrigibles"?

**Shri Indrajit Gupta:** Because he referred to us like that.

**Shri S. L. Saksena** (Maharajanj):  
Mr. Chairman, Sir, I was surprised to hear the attack by Shri Jaipal Singh on the public sector even today. I think the country has now well understood that without the help of public sector, we cannot progress and we cannot have more and more industries. He has criticised the Mines and Oil Ministry and he said that the public sector should not have entered the petroleum industry. I do not think his suggestion is relevant.

I personally feel that all these key industries should be in the public sector. Petroleum is a key industry. I am really sorry that even the petroleum industry is in the hands of foreign companies, who have been cheating us by charging us very high. I must congratulate the Minister of Mines and Oil on having taken the bold decision to go in themselves for exploration of petroleum as well as for the establishment of the two refineries in the public sector. I hope he will meet with success in his efforts.

It is surprising that so long petroleum was in the hands of American companies and they could not find a single good field. When public sector has entered into the field, we are getting oil from Soviet Russia and Rumania. I am very glad to know that we are able to get new fields of petroleum and we hope that very soon we will be able to get enough petroleum from the fields to make us self-sufficient.

In fact, I stand for the extension of the public sector. I have been always trying for the nationalisation of the sugar industry. We have been seeing sugar lock-outs, one after another, because most of the factories are in the private sector. They are always saying that they must get more and more profits. On sugar industry depends the lives of millions of cultivators and, of course, the con-

sumers are also interested in it. I do not think the view that we shall not take more industries which are already in the private sector is correct. Those industries which are of very great public importance should be taken over. So, I reiterate that both petroleum industry and the sugar industry should be nationalised. Similarly, I would suggest that the coal industry must be nationalised and all the foreign companies or foreign and private interests in coal should be terminated. Because, if it is a key industry in the public sector, it will be able to produce more coal and be able to meet our requirements.

While I am all for the expansion of the public sector and I congratulate the Government for having this sector extended, I want to say that the administration of industries has not been what we should desire. In fact, the Estimates Committee has made several very good suggestions for implementation in order to make these industries better. I am very surprised that they have not been given enough attention. There are four reports of the Estimates Committee,—Twentieth, Sixtieth, Seventy-third and Eightieth—and everywhere the same complaint is made. I wonder why these reports are not heeded to, though they referred to this matter over and over again.

As my hon. friend, Shri Mathur has stated, the recommendations made by the Estimates Committee in their last report are very interesting and very useful too. In fact, they have given illustrations of the functioning of companies in separate forms, and they are—The Eastern Shipping Corporation Ltd. and Western Shipping Corporation Ltd.; Sindri Fertilizers and Chemicals Ltd. and Hindustan Chemicals and Fertilizers Ltd.; Travancore Miners Ltd. and Indian Rare-Earths Ltd.; Oil and Natural Gas Commission, the Indian Oil Company Ltd. and Indian Refineries Ltd.; National Mineral Development Corporation Ltd., Orissa Mining Corporation Ltd.



and Indian Mining and Construction Company Ltd.

16.58 hrs.

[MR. SPEAKER in the Chair]

They have given a number of illustrations and still I do not know why these multiplicities continue.

In fact, at present there are 15 statutory corporations and 47 Government companies and 17 departmental undertakings; besides, some others are functioning though information about them have not been given to the Estimates Committee. I feel that many of these can be combined and the number of these companies can be reduced and multiplicity of establishments also reduced further. In fact, Mr. John Kenneth Galbraith has stated:

“the ideal form of public industrial organisation is a relatively small number of multi-purpose enterprises”.

The same report has been given by Mr. Paul H. Appleby, who was appointed by the Government to go into this subject. He has stated:

“In time, the total consequence, if uncorrected, will certainly be a total proliferation of special organisation within the government of such numbers and variety as to be unmanageable by government”.

He has also suggested:

“consolidation of the special organisations according to some scheme of ‘coherent missions’”.

But, in spite of the recommendations I have read so far, the Estimate Committee themselves had suggested:

“The Committee have considered the matter and generally agree with the view that the pattern should be to utilize the existing organisations to take up new activities in the line instead of creation of new bodies for the purpose. This way of building up of

Public Undertakings gains added justification in view of the limited availability of managerial and technical manpower in the country.”

Therefore, I would like to suggest to the hon. Minister that he should take care to see that there are no unnecessary multiplicities of organisations and that he should use the existing organisations as best as possible, especially the manpower, the managerial and technical manpower.

Another recommendation of the Estimates Committee is about the form of organisation. They have also referred to the fact that the best form of organisation is statutory corporation. Still, I am very much surprised to find, companies are being formed in such large numbers. In fact, out of the 79 organisations, to which reference has been made in the Report of the Estimates Committee, there are 47 Government companies and only 15 statutory corporations and 17 departmental undertakings. I do not think this is in consonance with the judgment of experts.

I will suggest that these public companies should also be converted into corporations. In fact, the Committee itself says:

“The Committee are generally in agreement with the views and consider that all wholly State-owned Public Undertakings should generally be in the form of statutory corporations, or, where necessitated by special reasons, in the form of departmental undertakings and the company form should be an exception to be resorted to only for organisations of the specified nature such as set out above.”

17 hrs.

I hope the hon. Minister will avoid the temptation of putting up a new company at his sweet will. Instead, I would suggest that he should see that a statutory corporation is set up and such companies are brought into existence with the consent of Parlia-

[Shri S. L. Saksena]

ment. Parliamentary control over these companies is almost negligible. In fact, another most important recommendation of the Estimates Committee is that the control of Parliament should be much more real. At present it is almost illusory. They suggest that a law should be passed as my hon. friend, Shri Bharucha, just now said. I think that this recommendation of the Estimates Committee should be given effect to immediately.

Then I would like to point out some other defects of these undertakings. When we do a good deed, I think we should do it in a good manner also. Unfortunately what happens is that when very big undertakings are taken up, land is acquired for that purpose, people who live there or who inhabit those lands are uprooted and nobody care about what happens to them. My hon. friend, Shri Jaipal Singh, just now gave the instance of the Adivasis. I will give you an instance of my own district. In Gorakhpur the Narayani Canal was dug. It is a very useful thing. It has brought very great benefit to the people. But when it was dug all the people were uprooted. They were not even given notice that their land will be taken away. Without any form of consent the land was taken away. Even though six years have passed since the canal was constructed, they have not been given even compensation. Instead, you will be surprised to know, they have to pay land revenue for those pieces of land which were acquired by the Government and where the canal has been constructed. Although that portion has gone into the canal, the poor tenant has to pay land revenue for that for seven years continuously. I asked them, "What is the matter?" They say, "We have not yet received information about lands that have been taken away by the canal and so we cannot make the correction in the records". What I would suggest therefore is that when good things are done, they should be done in a good manner so that people

whose lands are taken for such purposes feel that the land has been given for a glorious purpose. They must be enthused over that. They must be compensated and must be given good land in exchange. They must be rehabilitated so that this good work may also have the blessings of those people whose lands have been taken away for making that.

Then I come to their contribution to the public revenues. Just now we all saw that only Rs. 440 crores will be contributed by these undertakings in the next Five Year Plan. I was recently in the Soviet Union and other Soviet countries as also in China. I was surprised to find that about 6 to 7 per cent. of their plans are financed by the income from the profits of these public undertakings. But I am surprised to see that in our country only Rs. 440 crores will be the income if 2 per cent. ....

**Shri Rajendra Singh (Chapra):** During the course of five years.

**Shri S. L. Saksena:** Yes. It comes to about 2 per cent dividend. That I think is a very low return.

I will recall one incident in this House. That was about seven years back when the Railway Convention was discussed for the first time. Sir Padampat Singhania was a Member of this House then.

**Mr. Speaker:** How long more does the hon. Member want to speak?

**Shri S. L. Saksena:** I will finish in five minutes.

**Mr. Speaker:** Does the House wish to sit for five minutes more?

**Some Hon. Members:** Yes.

**Mr. Speaker:** He may continue.

**Shri S. L. Saksena:** Sir Padampat Singhania was a Member of the House. When we were discussing that question, he said, "You have

invested Rs. 800 crores in the Railways. If a private company had invested this money in the Railways, I can tell you that the profit would have been at least 15 per cent on this investment." Of course, I do not want that such enterprises should go into the hands of men like Sir Padampat Singhania, but I think that that has some point, namely, that such a large amount of investment is made and the profits that we receive are so little. It is not correct to say that they are very well managed. Similar enterprises elsewhere are able to give much higher profits in the socialist states. I do not see why we cannot do the same thing. I think the profits of these public corporations must be carefully looked into. There is much waste.

I will give some examples. Take State catering in the Railways. This, I have found, is running at a loss. The food that we get in the stations is also worse than it was before. I have suggested that there should be cooperative societies formed of the vendors. The Vendors' associations should form the co-operative societies. They can take the management themselves. The middleman's control will go away. They will give better stuff to the people and the Government will not have to incur loss. This is not done. The Prime Minister is a very great advocate of co-operatives. Here is one field. There are at least 300 stations in the country. There are vendors everywhere. The number of vendors all over the country will be 3 lakhs. In these stations, there should be co-operatives of the vendors. There will be good food and the Railways will be saved from the loss that they are incurring.

**Mr. Speaker:** Co-operative society of whom?

**Shri S. L. Saksena:** Of the vendors who sell articles of food in the stations.

**Mr. Speaker:** Would that not be another middleman?

**Shri S. L. Saksena:** They are the vendors themselves.

**Mr. Speaker:** I agree. If it is entrusted to the vendors, instead of one man, the co-operative societies of all the vendors will join together and try to get as much money. What is the difference between them and the contractor?

**Shri S. L. Saksena:** There is difference. They are themselves the persons who sell the food. There is no middleman who takes the profit in between. They can make the purchase of the articles of food, prepare the food and serve it to the people. There is nobody in between. The profits go to the co-operative society. There is a co-operative society in Khurja. It was formed by the late Shri N. Gopalaswami Ayyangar. It is doing very good work. I asked the Minister to do the same thing elsewhere also. But, it is not done because there are big contractors who do not want to go away. The Government, when it takes over, has to spend a lot of money and incur expenses also. As in Khurja, the other stations also should have co-operative societies. The vendors will be the sellers of the things as well as the preparers of these articles. The people will get better food. They can also get Rs. 5 from each vendor. Here is a field where co-operatives can be started and they will be very successful.

Similarly, I find in some Railways, there are fire accidents. Somebody steals something. When a check-up is ordered, a fire will be artificially put up there. As a result of it, the whole thing is destroyed. Now, all evidence is destroyed. I had brought some cases to the notice of the hon. Minister. He should make an enquiry whether it was fire caused to hide defalcation. It was not done. All I want is, all these faults in the public undertakings should be carefully looked into so that we could see that they are run more profitably and more usefully than the private sector. Our party policy is, we fully support the public sector. We want it to be

[Shri S. L. Saxena]

extended. We do want that it should be done efficiently and it should be for the good of the people. I hope the hon. Minister will take care to see that the public undertakings in his charge are run properly.

**Mr. Speaker:** Further discussion will stand over till tomorrow.

**Shri A. C. Guha:** When will it be discussed in the early hours or again at 3 o'clock?

**Mr. Speaker:** We are taking away so much time from official business. I am asking them to surrender one hour. We can sit one hour more.

**Shri Braj Raj Singh:** On some of the Bills, the time allotted has been surrendered. They did not take so much time.

**Mr. Speaker:** Hon. Members must have this idea. That is essential in the parliamentary system. Time is allotted by the Government. They are the party in power. They can carry through a number of Bills and other work. That is why a small time is allotted to non-official business. We have so managed to enlarge that time from time to time. Whatever time is taken away is taken away from Government work. Under the circumstances, I will ask him. If he is willing, if they have no other work, we will start at 3 O'Clock tomorrow; otherwise, we will start at 4 O' Clock and carry on till 6. If we start at 3, we will conclude at 5.

17.10 hrs.

INDIAN TARIFF (AMENDMENT)\*  
BILL

**The Minister of Industry (Shri Manubhai Shah):** I beg to move for leave to introduce a Bill further to amend the Indian Tariff Act, 1934.

**Mr. Speaker:** Before putting it to the vote of the House, I must say that the Minister must have at least given me notice.

**Shri Braj Raj Singh (Ferozabad):** We had no notice.

**Shri Manubhai Shah:** It was sent to the Lok Sabha Secretariat yesterday with all the copies of the Bills, 40 or more copies as per usual procedure.

**Shri Braj Raj Singh:** It was not on the List of Business.

**Shri Manubhai Shah:** It is always done with the permission of Mr. Speaker.

**Mr. Speaker:** We got it today at 3.20 p.m. I have no objection. In future at least, I should know what exactly is going to be moved.

**Shri Braj Raj Singh:** Can we not expect that we should also be provided with copies so that we may look into it and oppose it if necessary at the introduction stage?

**Mr. Speaker:** Hon. Members are aware that a Tariff Bill will defeat its own purpose if it is circulated in advance. That is why, during the Budget also, the Finance Bill is introduced after 5 O'Clock. This must be an exception to the ordinary rule. I do not want even copies of the Bill to reach me earlier lest it be said that it leaked out of my office here. The Minister can now orally say what exactly the Bill contains.

**Shri Manubhai Shah:** I will speak on it at the consideration stage. That is the usual procedure.

**Mr. Speaker:** What is the Bill?

**Shri Manubhai Shah:** All these years I have been moving this kind of Bill, and at no time at the introduction stage have I said anything. The objects and reasons are given in the

\*Published in the Gazette of India Extraordinary Part II—Section 2, dated 13-12-60.

Bill. It is the usual Tariff Amendment Bill which we bring from year to year. There was one in this particular session also. I shall speak at the consideration stage.

**Mr. Speaker:** If it were only left to me, I will say: all right, the hon. Minister may move, I will give my consent. But the House has to accept it. Therefore, hereafter let this procedure be followed. As soon as it is moved, I must be able to distribute copies to such of the hon. Members as want it.

**An Hon. Member:** Before.

**Mr. Speaker:** At the time of moving for leave the Minister may give a summary, a gist, of what exactly is contained in the Bill, and he need not circulate it earlier.

**Shri Manubhai Shah:** All these years, this has been the standard practice we have followed with your permission, that we introduce the Bill at 5 O' Clock, and that too, with earlier notice to the hon. Speaker. Then it is taken up at the appropriate time for consideration. If you order any other practice, we are prepared to follow that.

**Shri Braj Raj Singh:** The difficulty is we do not have the copy.

**Shri Manubhai Shah:** You cannot have the copy. It will be now circulated.

**Mr. Speaker:** It is not to be distributed beforehand. I am trying to find a *via media* between the two. The hon. Minister cannot be asked to introduce the Bill before 5 O' Clock, nor circulate the Bill, as the very object of moving it after 5 O' Clock will be defeated. Possibly he is going to implement it by the Provisional Collection of Taxes Act.

**Shri Manubhai Shah:** It is not that. It is all coming up after 31st December. All the tariff protections and protective duties have come into

effect immediately with the passing of the resolutions of Government. This is only to give it a proper, formal, legal shape. This has been our practice.

**Mr. Speaker:** Then, what is the hurry? There is no good telling me it is a new or old practice. The interests of Parliament as a whole is the main consideration.

**Shri Manubhai Shah:** Shall I read out.....

**Mr. Speaker:** The hon. Minister need not rush to any conclusion. All that I can say is, this is merely a Tariff Bill, and it has already been given effect to. This is only to give it a legal shape. Nothing turns up at 5 O'Clock. He could have as well circulated it. What damage would have occurred then? In exceptional cases where if a copy is circulated there will be a change in the market, there will be fluctuation and so on, I am prepared to allow the motion without circulation of the copies beforehand. But if nothing turns upon this Bill, why should it be introduced without notice and at a late hour?

**Shri Manubhai Shah:** May I submit that we can discuss it later? This has been the practice for very good reasons. The same is the practice in the House of Commons, as far as I understand, because it has a certain amount of secret value as to the particular moment at which it is introduced. It has certain market repercussions. For the last several years, since the Parliament started working, this has been the practice that with your permission, at five O' clock, when the House is about to close its business, the Bill is introduced. We have got sufficient copies to circulate to all the Members, and the consideration will be taken up after a few days, when you order.

**Mr. Speaker:** Very well, I shall look into that matter in greater detail, so far as the practice is concerned.

[Mr. Speaker]

So far as this matter is concerned, [I shall] now put it to the House. Hereafter, I expect—whatever might have been the practice before—that on the day when any hon. Minister is allowed to introduce a Bill late in the day which he cannot introduce during the day lest there should be market fluctuations, he must, be able to give a short resume to the House of what he is moving so that I may not take the vote of the House even for the introduction of the Bill, blindfolded. Hon. Members have got a right to vote for it or against it. Unless they know its contents in some detail, they cannot be expected to vote for it or against it. Now, I shall make an exception, if that has been the

rule before. Hereafter, this shall be the rule.

The question is:

“That leave be granted to introduce a Bill further to amend the Indian Tariff Act, 1934.”.

*The motion was adopted.*

**Shri Manubhai Shah:** I introduce\* the Bill.

17.17 hrs.

*The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, December 14, 1960/Agrahayana 23, 1882 (Saka).*

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\*Introduced with the recommendation of the President.

[Tuesday, December 13, 1960/Agrahayana 22, 1882 (Saka)]

ORAL ANSWERS TO QUESTIONS		COLUMNS	WRITTEN ANSWERS TO QUESTIONS—contd.		COLUMNS
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867	Dandakaranya Scheme	5175—77	1705	Soap	5219
868	Export of iron ore	5177—80	1706	Nitro-Cellulose Lacquers	5219—20
869	Distribution of Scooters	5180—83	1707	Paints, Varnishes and enamels	5221
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872	Third Five Year Plan	5188—92	1709	Glucose liquid	5222—23
873	Central Staff College	5192—94	1710	Glucose powder	5223—24
874	Machine tools	5194—96	1711	Documentaries on the historical places in Maharashtra	5224—25
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			1727	Employees' State Insurance Hospital at Kanpur	5232—33
			1728	Development programme for hilly districts of Uttar Pradesh	5233—34
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875	Export of chemicals	5207
879	Fertilizer Plan at Trombay	5207—08
880	Manufacture of newsprint	5208—09
881	Quarters for labourers in Delhi	5209
882	Pondicherry	5209—10
883	Wool tops	5210
884	Coffee houses	5211
885	Propaganda by Chinese on NEFA border	5211
887	Indian Industries Fair	5212
888	Cooperative Industrial Estates in Jullundur	5212—13
889	Small Scale Industries in Rourkela Steel Project area	5213
890	Employment of women in light industries	5213—14
891	Export of Handloom fabrics	5214—15

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1701	Newsprint	5215—16
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U.S.Q. No.	Subject	COLUMNS
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1735	Prime Minister's National Relief Fund . . . . .	5238
1736	Paper mills at Rajahmundry . . . . .	5239
1737	Phosphorus plant . . . . .	5239-40
1738	Regional hospital at Kalyankhani (Andhra Pradesh) . . . . .	5240
1739	Tyre and tube manufacturing unit . . . . .	5240-42
1740	Renovation of Parliament House . . . . .	5241
1741	Central Drug Research Institute . . . . .	5241-42
1742	Newsprint for books . . . . .	5242
1743	Handloom cloth . . . . .	5242-43
1744	Weights and measures . . . . .	5243-44
1745	Janata Hotel, Delhi . . . . .	5244
1746	Quality marking of agricultural products . . . . .	5244-45
1747	Western Court Hostel, New Delhi . . . . .	5245-46
1748	Allotment to coal dealers in Delhi . . . . .	5246-47
1749	Public utility services . . . . .	5247
1750	Export of engineering goods to West Germany . . . . .	5247-48
1751	Housing schemes . . . . .	5248-49
1752	Service rules for Printing Press Staff . . . . .	5249
1753	Tyres and tubes . . . . .	5249-50
1754	Rajghat Samadhi Quarters . . . . .	5250
1755	Rajghat Samadhi Quarters . . . . .	5251
1756	Labour participation in Management . . . . .	5251-52
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1758	C.P.W.D. . . . .	5253
1759	Handloom weavers . . . . .	5253-55
1760	Committee for underdeveloped areas of Punjab . . . . .	5255
1761	Import of crude penicillin . . . . .	5255-56
1762	Ashoka Hotel . . . . .	5256
1763	Documentary films . . . . .	5256-58
1764	Export of tea . . . . .	5258-59
1765	'Instant Tea' . . . . .	5259
1766	Indians killed by Pakistanis in Poonch area . . . . .	5259

WRITTEN ANSWERS TO  
QUESTIONS—*contd.*

U.S.Q. No.	Subject	COLUMNS
1767	Mahatma Gandhi album in Telugu . . . . .	5260
1768	Khan Market, New Delhi . . . . .	5260
1769	Transfer of Horticultural works from C.P.W.D. to D.M.C. . . . .	5260-61
1770	Housing of handloom workers in Punjab . . . . .	5261-62
1771	Slum Clearance in Amritsar . . . . .	5262
1772	Shopping centre in Diplomatic Enclave, New Delhi . . . . .	5262-63

PAPERS LAID ON THE  
TABLE . . . . .

- 5263-67
- (1) A copy of the Report of the Review Officer on Doda and Nagar Haveli.
  - (2) A copy of Notification No. G.S.R. 1433 dated the 3rd December, 1960 under sub-section (3) of Section 637 of the Companies Act, 1956.
  - (3) A copy of each of the following papers under sub-section (2) of Section 16 of the Tariff Commission Act, 1951:—
    - (i) Report (1960) of the Tariff Commission on the continuance of protection to the Ball Bearings Industry.
    - (ii) Government Resolution No. 18 (6) T.R./60 dated the 8th December, 1960.
    - (iii) Report (1960) of the Tariff Commission on the continuance of protection to the Power and Distribution Transformers Industry.
    - (iv) Government Resolution No. 11(1) T./60 dated the 9th December, 1960.
    - (v) Statement explaining the reasons why a copy of each of the documents at (iii) and (iv) above could not be laid on the Table within the period prescribed in the said sub-section.
    - (vi) Report (1960) of the Tariff Commission on the continuance of protection to the Aluminium Industry.
    - (vii) Government Resolution No. 3(3)-T.R./60 dated the 10th December, 1960.



## COLUMNS

PAPERS LAID ON THE  
TABLE—contd.

(viii) Report (1960) of the Tariff Commission on the continuance of protection to the Industry Manufacturing Bare Copper Conductors, A.C.S.R. (Aluminium Conductor Steel Reinforced) and A.A.C. (All Aluminium Conductor).

(ix) Government Resolution No. 3(1)-T.R./60 dated the 10th December, 1960.

(x) Report (1960) of the Tariff Commission on the continuance of protection to the Cotton Textile Machinery (Spinning Ring Frames, Spindles, Spinning Rings, Fluted Rollers and Automatic Looms) Industry.

(xi) Government Resolution No. 18(7)-T.R./60 dated the 10th December, 1960.

(xii) Report (1960) of the Tariff Commission on the continuance of protection to the Bicycle Industry.

(xiii) Government Resolution No. 7(2)-T.R./60 dated the 10th December, 1960.

(4) A copy of each of the following Notifications:—

(i) G.S.R. 1274 dated the 29th October, 1960 issued under clause (b) of sub-section (3) of Section 1 of the Employees' Provident Funds Act, 1952.

(ii) G.S.R. 1443 dated the 3rd December, 1960 under sub-section (2) of Section 4 of the Employees' Provident Funds Act, 1952.

(iii) G.S.R. 1444 dated the 3rd December, 1960 making certain further amendment to the Employees' Provident Funds Scheme, 1952, under sub-section (2) of Section 7 of the Employees' Provident Funds Act, 1952.

(5) A copy of the Standards of Weights and Measures (Conversion to Standard

## COLUMNS

PAPERS LAID ON THE  
TABLE—contd.

Weights) Rules, 1960 published in Notification No. S.O. 2760 dated the 19th November, 1960 under sub-section (3) of Section 17 of the Standards of Weights and Measures Act, 1956.

MESSAGES FROM RAJYA  
SABHA . . . . . 5267-68

Secretary reported the following messages from Rajya Sabha :

(i) (a) That Rajya Sabha had agreed to the amendments made by Lok Sabha in the Dowry Prohibition Bill, 1959.

(b) That Rajya Sabha had insisted on the amendments made by it in the Dowry Prohibition Bill, 1959 to which Lok Sabha had disagreed.

(ii) That Rajya Sabha had passed the Children Bill, 1960.

BILL AS RETURNED BY  
RAJYA SABHA—LAID ON  
THE TABLE . . . . . 5268

Secretary laid on the Table the Dowry Prohibition Bill, 1960, as returned by Rajya Sabha.

BILL PASSED BY RAJYA  
SABHA—LAID ON THE  
TABLE . . . . . 5268

Secretary laid on the Table the Children Bill, 1960, as passed by Rajya Sabha.

CALLING ATTENTION TO  
MATTER OF URGENT  
PUBLIC IMPORTANCE 5269-71

Shri S. M. Banerjee called the attention of the Minister of Commerce and Industry to the difficulties faced by the Woollen Mills in Northern India as a sequel to Government Order under the Woollen Textile (Production and Distribution Control) Order, 1960.

The Minister of Industry (shri Manubhai Shah) made a statement in regard thereto.

## COLUMNS

## COLUMNS

REPORT OF BUSINESS  
ADVISORY COMMITTEE  
ADOPTED . . . . . 5271-72

Fifty-ninth Report was adopted.

BILL PASSED . . . . . 5272-99

Further discussion on the motion to consider the Prevention of Cruelty to Animals Bill, as passed by Rajya Sabha was concluded, and the motion was adopted. After clause-by-clause consideration the Bill was passed.

BILL UNDER CONSIDERATION . . . . . 5299-5349

The Deputy Minister of Labour (Shri Abid Ali) moved that the Industrial Employment (Standing Orders) Amendment Bill be taken into consideration. The discussion was not concluded.

MOTIONS RE. PUBLICATION  
ON THE PUBLIC SECTOR  
INDUSTRIES AND PUBLIC  
SECTOR UNDERTAKINGS . . . . . 5349-5407

Shri Harish Chandra Mathur moved the motions regarding (i) Publication on the Public Sector Industries, and (ii) the Public Sector Undertakings. The discussion was not concluded.

BILL INTRODUCED . . . . . 5407-12

Indian Tariff (Amendment)  
Bill, 1960.

AGENDA FOR WEDNESDAY,  
DECEMBER 14,  
1960/AGRAHAYANA 23,  
1882 (SAKA)—

(i) Further consideration of the Industrial Employment (Standing Orders) Amendment Bill, and passing of the Bill;

(ii) Consideration and passing of the following Bills:

1. Preference Shares (Regulation of Dividends) Bill, as reported by the Select Committee;

2. Motor Transport Workers Bill, as reported by the Joint Committee; and

(iii) Further consideration of the motions re. Publication on the Public Sector Industries and Public Sector Undertakings.