

[Shri Nihar Ranjan Laskar]

As regards the first amendment, if you see Section 12A of the amending Bill, you will find that the provision has been made that a person may nominate any other person to receive after the death of the pensioner, all moneys payable to the pensioner on account of such pension which remain unpaid immediately before the death of the pensioner. So, this has been provided.

If we accept the second amendment proposed by him, the very purpose of nomination will be defeated.

MR. CHAIRMAN: Now, I will put Amendments Nos. 3 and 4 moved by Shri T. R. Shamanna to vote.

Amendments Nos. 3 and 4 were put and negatived.

MR. CHAIRMAN: There is no amendment to clause 4. So I shall put both the clauses together. The question is:

"That clause 3 and 4 stand part of the Bill."

The Motion was adopted.

*Clause 3 and 4 were added to the Bill
Clause 1—Shrot Title*

MR. CHAIRMAN: There is one Government amendment to clause 1.

Amendment made.

Page 1, line 3—

for "1981" substitute "1982" (2)

SHRI NIHAR RANJAN LASKAR:

MR. CHAIRMAN: The question is:

"That clause 1, as amended, stand part of the Bill"

The motion was adopted.

Clause 1, as amended, was added to the Bill.

The Enacting Formula

Amendment made

Page 1, line 1,—

for "Thirty-second" substitute "Thirty-third". (1)

(SHRI NIHAR RANJAN LASKAR)

MR CHAIRMAN: The question is:

"That Enacting Formula as amended, stand part of the Bill."

The motion was adopted.

The Enacting Formula, as amended, was added to the Bill

The Title

MR. CHAIRMAN: The question is:

"That the Title stand part of the Bill."

The Motion was adopted

The Title was added to the Bill

SHRI NIHAR RANJAN LASKAR:
Sir, I move:

"That the Bill, as amended, be passed."

MR CHAIRMAN: The question is:

"That the Bill, as amended, be passed."

The Motion was adopted

14.48 hrs.

STATUTORY RESOLUTION RE. MAXIMUM AMOUNT FOR ASSAM STATE ELECTRICITY BOARD ON LOAN

THE MINISTER OF STATE IN THE MINISTRY OF ENERGY (SHRI VIKRAM MAHAJAN): Sir, I beg to move:

"That in pursuance of sub-section (3) of section 65 of the Electricity (Supply) Act, 1948 (54 of 1948), read with clause (b) of the Proclamation issued on the 19th March, 1982, by the President under article 356 of the Constitution with respect to the State of Assam, this House accords approval for fixing under the said sub-section (3) the sum of one hundred and

eighty five crores of rupees as the maximum amount which the Assam State Electricity Board may, at any time, have on loan under sub-section (1) of the said section 65."

MR CHAIRMAN: Motion moved:

"That in pursuance of sub-section (3) of section 65 of the Electricity (Supply) Act, 1948 (54 of 1948), read with clause (b) of the Proclamation issued on the 19th March, 1982, by the President under article 356 of the Constitution with respect to the State of Assam, this House accords approval for fixing under the said sub-section (3) the sum of one hundred and eighty five crores of rupees as the maximum amount which the Assam State Electricity Board may at any time, have on loan under sub-section (1) of the said section 65."

Now, Mr Harish Kumar Gangwar may speak.

श्री हरीश कुमार गंगवार (पोसीभीत) : सभापति महोदय, मुझे कुछ अधिक कहना नहीं है। इस अवसर पर मैं इसलिए इस्त-मान करना चाहता हूँ कि माननीय मंत्री जी और यह सरकार यह बताए कि आमाम में चुनाव कब होंगे? लोकतंत्र की रक्षा आसाम में कत तक की जाएगी? वहाँ के प्रतिनिधि इस मदन में कब जाएंगे और अपने राज्य का प्रबन्ध सुद करने में कब सफल होंगे?

दूसरी बात वह यह बताए कि आसाम के सम्बन्ध में जो बातें चल रही हैं उस का क्या हुआ क्योंकि वह बहुत आवश्यक है। जब तक वह बातें वहाँ के लोगों में सफल नहीं होंगी विदेशी नागरिकों के मसलन में तब तक वहाँ शांति स्थापित नहीं हो सकती और आप यही कहेंगे कि हम चुनाव नहीं कराएंगे। बाकिर बातें कब सफल होंगी और आपने क्या कदम उठाए हैं? विदेशी नागरिकों की पहचान के लिए वर्ष 1971 को आपने माना है या इसके आगे पीछे का कोई वर्ष आपने गोचा है? यह बातें बड़ी आवश्यक हैं। मैं अधिक समय नहीं लेना चाहता क्योंकि वह स्ट्रीट बर्क है जो कि हाना चाहिए। मैं इसका विरोध नहीं कर रहा हूँ लेकिन पर स्थिति जिस कारण से आई है...

MR CHAIRMAN: This has nothing to do with this Resolution.

श्री हरीश कुमार गंगवार : इसलिए मैं यह कहना चाहता हूँ कि बाकिर वहाँ के लोगों का यह सारी चीजें इस्त-मान करने की शक्ति आप कब देने जा रहे हैं? आप वहाँ पर चुनाव कब कराएंगे, कब यह समस्या हल होगी और विदेशी नागरिकों के संबंध में कब बातें सफल होंगी--यह सारी बातें मैं जानना चाहता हूँ।

SHRI VIKRAM MAHAJAN: The specific Resolution has been moved, as I have stated, under Section 65 of the Electricity Act. The purpose is to enable the State Electricity Board to raise loan from the market or from other sources so that the outlays on power sector can be increased and the marginal shortages which they have got are overcome. That is the basic purpose. The outlay on power sector is about Rs. 370 crores for the Sixth Plan which works out to 33 per cent of their plan outlay and as I have stated earlier, the purpose is limited to take permission of the Parliament as the State Legislature does not exist. Therefore, as there is President Rule in Assam, therefore, Parliament has to give necessary approval.

The hon. Member has raised various issues. These issues should be directed to the other Ministry. It has no concern so far as the present Resolution is concerned.

श्री हरीश कुमार गंगवार : हर दफा यही बात कह दी जाती है। फिर आपने यह पेश क्यों किया? आप सरकार के अंग हैं, आप कोई जवाब दे सकते हैं या नहीं?

MR CHAIRMAN: This is only a Resolution. The Minister is right.

SHRI HARISH KUMAR GANGWAR: But we have got right to have proper reply.

MR CHAIRMAN: How can he answer your question?

SHRI VIKRAM MAHAJAN: I have only to get the approval of Parliament for a certain sum which has to be spent in Assam for power outlay. For that purpose I have brought this Resolution.

[Shri Vikram Mahajan]

Therefore, at this stage it does not concern the present business before the House. The hon. Member can utilise any other way which is available to him under the Rules of Business and ask for necessary information. So far as the present Resolution is concerned, it is to seek the approval of the Parliament to make Assam Board to raise funds in the power sector in the Annual Plan 1982-83 from Rs. 150/- crores to Rs. 185/- crores.

REC Rs. 10.54 crores, L.I.C. Rs. 3.31 crores. Market borrowings Rs. 22.19 crores. The total comes to Rs. 36.04 crores. The total borrowings upto the end of 1982-83 will be approximately Rs. 181.54 crores. That is why I am proposing a ceiling of Rs. 185 crores.

The previous ceiling was Rs. 150 crores and the borrowing was Rs. 145.50 crores. We expect Rs. 36 crores to be spent this year. Therefore, I have come before the hon. House. I request that this House may approve the Resolution.

MR. CHAIRMAN : The question is:

"That in pursuance of sub-section (3) of section 65 of the Electricity (Supply) Act, 1948 (54 of 1948), read with clause (b) of the Proclamation issued on the 19th March, 1982, by the President under article 356 of the Constitution with respect to the State of Assam, this House accords approval for fixing under the said sub-section (3) the sum of one hundred and eighty five crores of rupees as the maximum amount which the Assam State Electricity Board may, at any time have on loan under sub-section (1) of the said section 65."

The Motion was adopted

14.55 hrs.

PHARMACY (AMENDMENT) BILL.

THE MINISTER OF HEALTH (SHRI B. SHANKARANAND): Sir, I beg to move:

"That the Bill further to amend the Pharmacy Act, 1948, as passed by

Rajya Sabha, be taken into consideration."

Sir, the Pharmacy Act was enacted to regulate the profession and practice of Pharmacy in 1948. It has, thereafter, been amended twice — once in 1959 and again in 1976. When the Act was last amended in 1976, a provision was incorporated in Section 42 of the Act prohibiting dispensing by unregistered persons. It was provided in the proviso that the provisions of Section 42 of the Act will take effect in all the States on the expiry of the period of five years from the commencement of the Pharmacy Act, 1976 unless the States had already in the meanwhile enforced the provisions of the Act. The Pharmacy (Amendment) Act came into force with effect from 1st September, 1976 and hence the five year period expired on 31st August, 1981. So far, only the State Governments of Assam, Kerala, Uttar Pradesh and Union Territory of Delhi have enforced Section 42 of the Act. Hence in all the residuary States, to which the Act applies, Section 42 of the Act, prohibiting the dispensing of drugs by persons other than registered pharmacists will become operative from 1st September, 1981.

Representations have been received from time to time about the inadequacy of trained pharmacists and for postponing the enforcement of the provisions of Section 42 of the Act. The matter was also considered by the Sixth Joint Conference of the Central Council of Health and Central Family Welfare Council held in April, 1979. The Conference noted the steps taken by the States in augmenting the training facilities for untrained pharmacists but considered it necessary to extend the date of enforcement of Section 42 of the Act by a further period of three years so as to enable the States to train adequate number of pharmacists. It was accordingly resolved by the Conference that the Pharmacy Act be amended so that Section 42 of the Act would come into effect from 1st September, 1984 instead of 1st September, 1981. The Government have accepted this resolution, and