

14.24 hrs.

**PETROLEUM PIPELINES (ACQUISITION OF RIGHT OF USER IN LAND) AMENDMENT BILL**

**THE MINISTER OF STEEL AND MINES (SHRI BIJU PATNAIK):**  
Madam, I beg to move:\*

“That the Bill to amend the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 be taken into consideration.”

It is well-known to the House that the Kudremukh Project is a very important project and it has to be completed in a record time on a priority basis.

14.25 hrs.

[SHRI S. D. PATIL *in the Chair*]

This is an additional pipeline for transporting petroleum. Powers are already vested with the Government but these are additional powers to be taken by the Government. Therefore, this Bill has come as an amendment of the earlier one. So, I would request the House to take this into consideration.

MR. CHAIRMAN: Motion moved:

“That the Bill to amend the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 be taken into consideration.”

SHRI KRISHNA CHANDRA HALDER (Durgapur): The Bill seeks to extend the coverage of the principal Act by providing the system of pipeline for transporting of other minerals apart from the existing provision for petroleum products. Before extending the provisions of the Act, it would have been better if the Government would have paid some attention to the working of petroleum pipelines in the country. The petroleum pipelines scandals

were among the most prominent that were brought to light during the Congress regime in the past. The Takkr Commission was appointed to inquire into the scandalous state of affairs which highlighted losses of several lakhs of rupees to the Government. The findings of the Takkr Commission are perhaps now gathering dust in the official shelves. The Parliament has no idea, rather Parliament was never informed, about the steps taken by the Government to rectify the mistakes after the findings of the Takkr Commission were submitted to the Congress Government. There was serious apprehension that the entire matter was hushed up and the officers involved were allowed to get away with their booty. It is necessary that all these facts should be brought before the public by the Janata Government so that colossal misuse of power by the top officers can be stopped in future. If the Government had brought this Bill after rectifying the mistakes of the past Bill, it would have seen by the people in a different perspective. The technique of transport of bulk minerals by pipeline is a highly sophisticated technique. Some more thought should have been given by the Government as to whether this system should be introduced in India in today's circumstances. If the minerals are transported by traditional methods, it would give employment to several thousand of workers. The proposed technique of transportation of mineral through pipelines will prevent generation of new jobs. If such high technological devices are introduced, the task of achieving full employment in ten years will be greatly jeopardised. I would, therefore, request the Government to reconsider the introduction of such highly technical devices and further consider whether these jobs can be done with use of manual labour so that growing unemployment in the country is at least arrested to some extent. The Kudremukh Iron Ore Project

\*Moved with the recommendation of the Vice-President acting as President.

[Shri Krishna Chandra Halder]

where this technique is initially being introduced will only help the foreign company who will sell the machinery to India. Instead if the Government makes an effort of using labour intensive methods it will increase the purchasing power of the people and boost the domestic market. Therefore, the Government should give some more consideration to this aspect. The principal act itself does not provide adequate compensation to the poor peasants whose land is acquired for the purpose. At times, suitable alternative uses are also not provided to them. This only adds to the gravity of the problem. It is necessary that the government should make some efforts to change its attitude in this regard, so that the poor people in the villages whose land is acquired, are not faced with destitution. While providing for the removal of the construction on the land acquired by government, this Act assumes added importance. Therefore, I would request government to make a break with the haphazard manner in which the Congress government was tackling the issue in the past, so that government could take a more pro-people attitude on such an issue.

SHRI BIJU PATNAIK: I do not understand what the hon. Member is trying to convey. As he himself says, the pipeline is being laid to carry the slurry of concentrates from the iron ore belt to the harbour for onward transmission by ships to Iran. Does he suggest that this should be carried by head-loads by labour all the way from the quarry to the port? That is how you can use more manpower. (Interruptions) There is only one way. Either we carry by the pipeline by making it slurry, or by millions of labour with head-loads across the mountains. There is no other way.

SHRI KRISHNA CHANDRA HALDER: If the alternative suggestion is accepted by the government, it can be done.

SHRI BIJU PATNAIK: Obviously so. Therefore, saying that this is going to take away the employment potential is incorrect, because quarrying will itself provide the potential. The maintenance of the pipeline will provide it and the bill amply provides for proper compensation to be paid, to be fixed by no less a person than the district judge, if the pipeline removes buildings or fills up wells etc. I hope you will have no objection to this.

SHRI KRISHNA CHANDRA HALDER: I want to know whether it will apply to other iron ore mines also in future as well.

SHRI BIJU PATNAIK: Yes. This is an enabling bill to carry through pipelines materials other than petroleum and petroleum products. That is all which it seeks to do at the moment. It will be brought about for the same purpose for which this House has given powers to the government in the case of transportation of oil and oil products through pipelines. There is no difference.

MR. CHAIRMAN: There are no speakers. The question is:

"That the Bill to amend the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 be taken into consideration."

*The motion was adopted.*

MR. CHAIRMAN: We shall now take up clause-by-clause consideration. The question is:

"That Clauses 2 and 3 stand part of the Bill."

*The motion was adopted.*

*Clauses 2 and 3 were added to the Bill.*

Clause 4—

*(Amendment of section 2)*

MR. CHAIRMAN: Now Clause 4. There is one amendment from Mr. Gotkhinde.

**SHRI BIJU PATNAIK:** On this amendment I believe I have already explained the matter to Shri Gotkhinde. I do not think he will insist on moving it.

**SHRI ANNASAHEB GOTKHINDE:** I would not move it. I would seek to know whether there will be multiplicity of proceedings and contradictory recommendations.

**SHRI BIJU PATNAIK:** As I have already explained to the hon. Member, we have put in the words 'in the same area', because there may be different authorities operating in the same area. There are 2 different companies, viz. Caltex and Indian Oil. They are 2 different corporations operating in the same area. That has to be provided for. Along with this, an iron ore line has to come under a different authority. And it will create further complications. Therefore, the bill seeks to provide for different authorities in the same area or in different areas.

**MR. CHAIRMAN:** The question is:

"That Clauses 4, 5 and 6 stand part of the Bill."

*The motion was adopted.*

*Clauses 4, 5 and 6 were added to the Bill.*

**Clause 7—**

*(Amendment of section 6)*

**SHRI ANNASAHEB GOTKHINDE:** I beg to move:

Page 2,—

*omit lines 20 to 23. (2)*

The hon. Minister was quite generous in explaining the provisions to me. I am glad the intention of the Government is to safeguard and protect the interests of the users and occupiers. Therefore, I am not pressing this amendment.

**MR. CHAIRMAN:** Has the hon. Member the leave of the House to withdraw his amendment?

**SOME HON. MEMBERS:** Yes.

*Amendment No. 2 was, by leave, withdrawn.*

**MR. CHAIRMAN:** The question is:

"That Clauses 7 and 8 stand part of the Bill."

*The motion was adopted.*

*Clauses 7 and 8 were added to the Bill.*

**Clause 9—**

*(Amendment of section 9)*

**SHRI ANNASAHEB GOTKHINDE:** I beg to move:

Page 3, line 26,—

for "the costs" substitute—

"the reasonable costs" (3)

Though the Minister tried to convince me, still my doubts are there. If the intention is to safeguard the interests of the owner or occupier, that will not be safeguarded unless and until my amendment is accepted. I will make my point clear. The provision reads:

"...the Court of the District Judge within the local limits of whose jurisdiction such land is situated may, on an application made it by the competent authority after holding such inquiry as it may deem fit"

—what is the court called upon to do  
The provision says:

"...cause the building, structure, reservoir, dam or tree to be removed or the well or tank to be filled up..."

That is the main function entrusted to the Court. So far as the fixation of the cost is concerned, there is no option left to the court. It has to fix whatever cost is determined by the competent authority. Therefore, I would request the Government to accept this particular amendment. In that case, whether the cost determined by the competent authority is reasonable or not would be determined by the district court.

SHRI BIJU PATNAIK: The amendment moved by the hon. Member really does not cover that point at all. In that case, he should have stated "reasonable cost, as may be awarded by the District Judge". When the District Judge holds some enquiry for the removal of buildings, he also holds enquiry on the buildings put up and the cost. So, it covers both the things. What the hon. Member has in mind is the protection of the tenant, the owner of the land or the building or whatever is sought to be demolished. I have no doubt that the Government have taken good care to protect the interests of the affected people. This Government does not, like the previous Government, take over any property at any price. That is not the intention of this Government. In view of that, I would request the hon. Member to withdraw his amendment.

SHRI ANNASAHEB GOTKHINDE: I want to withdraw my amendment. I seek leave of the House to withdraw it.

MR. CHAIRMAN: Has the hon. Member the leave of the House to withdraw his amendment?

SOME HON. MEMBERS: Yes.

SHRI ANNASAHEB GOTKHINDE: Amendment No. 3 was, by leave, withdrawn.

MR. CHAIRMAN: The question is: "That Clauses 9 to 11, Clause 1, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

CLAUSES 9 TO 11, CLAUSE 1, THE ENACTING FORMULA AND THE TITLE WERE ADDED TO THE BILL.

SHRI BIJU PATNAIK: I beg to move:

"That the Bill be passed".

MR. CHAIRMAN: The question is:

"That the Bill be passed".

The motion was adopted.

## PREVENTION OF PUBLICATION OF OBJECTIONABLE MATTER (REPEAL) BILL

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI): I beg to move:

"That the Bill to repeal the Prevention of Publication of Objectionable Matter Act, 1976, be taken into consideration."

At this stage I do not want to say very much on this subject because the purpose of this Bill is obvious. We hold that during the last 19/20 months there has been a very serious encroachment into the freedom of the press and this particular measure, namely the Prevention of Publication of Objectionable Matter Act, which was adopted during the period of the emergency constitutes a very serious erosion of the freedom of the press.

[MR. DEPUTY-SPEAKER in the Chair]

It is, therefore, that the Government has decided to include this among the first Bills to be introduced in this House. I commend it to the House with all the emphasis at my command.

I would like to say that our belief in the freedom of the press is not a matter of policy. It is an article of faith with us because we hold that without the freedom of the press, democracy is meaningless, and if the Prevention of Publication of Objectionable Matter Act remained on the statute-book, freedom of the press would be an illusory thing, it would have no meaning whatsoever.

This is the brief statement that I wish to make at this stage.

MR. DEPUTY-SPEAKER: Motion moved:

"That the Bill to repeal the Prevention of Publication of Objectionable Matter Act, 1976, be taken into consideration."