

[Shri F. A. Ahmed]

- (x) Development Council for Drugs and Pharmaceuticals.
- (xi) Development Council for Organic Chemical Industries.
- (xii) Development Council for Sugar Industry.

[Placed in Library See. No. LT. 389/68].

ANNUAL REPORT OF HINDUSTAN STEEL FOR 1966-67 AND GOVERNMENT REVIEW THEREON.

THE MINISTER OF STEEL, MINES AND METALS (DR. CHANNA REDDY): I beg to lay on the Table :

- (1) Review by the Government on the working of the Hindustan Steel Limited, Ranchi, for the year 1966-67 under sub-section (1) of section 619A of the Companies Act, 1956.
- (2) A copy of the Annual Report of the Hindustan Steel Limited, Ranchi, for the year 1966-67 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon.

[Placed in Library See. No. LT-494/68].

NOTIFICATION UNDER MINES AND MINERALS (REGULATION AND DEVELOPMENT) ACT

THE MINISTER OF STATE IN THE MINISTRY OF STEEL, MINES AND METALS (SHRI P. C. SETHI): I beg to lay on the Table.

- (1) A copy of Notification No. G. S. R. 1884 published in Gazette of India dated the 16th December, 1967, under sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957.
- (2) A statement showing reasons for delay in laying the above Notification.

[Placed in Library See No. LT-495/68]

ESTIMATES COMMITTEE

FORTY-SEVENTH REPORT

SHRI P. VENKATASUBBAIAH (Nandyal): I beg to present the Forty-seventh Report of the Estimates Committee on the Ministry of Home Affairs—Union Public Service Commission.

12.33 hrs.

STATEMENT Re. RECENT BLAZE IN THE RIVER GANGA NEAR MONGHYR

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI RAGHU RAMAIAH): I had earlier given the House information that was then available about the fire that took place in the river Ganga on 3rd March, 1968 and the contamination of the water supply at Monghyr (Bihar). Apart from the administrators and experts who have thereafter inspected the affected area, I have personally visited Patna, Moghyr and Barauni to get acquainted with the events that took place. Since it is necessary to determine beyond any doubt what actually happened, to allocate responsibility, where necessary and to devise steps to guard against such events in the future, Government have decided to order a full investigation into all these matters. This investigation will be conducted by a three member Commission appointed under the Commission of Inquiries Act. It will be headed by a retired Judge of a High Court and will have two experts in public health engineering as members; one of these two experts will be a person nominated by the State Government of Bihar. The terms of reference of the Commission will be generally as follows:

- (a) to determine the correct facts of the contamination with oil of the river Ganga near and downstream of the Barauni Refinery during last week of February or earlier and first week of March, 1968;
- (b) to determine to what extent the Barauni Refinery has been responsible for the happenings;
- (c) to recommend the steps that must be taken to prevent the recurrence of such happenings in the future;
- (d) to advise on whether there has been any negligence or carelessness on the part of the refinery management staff in the discharge of their prescribed duties;
- (e) arising out of (d), to recommend the further action, if any, that must be taken;

- (f) to report on the loss or damage to the public caused by the pollution of the river and to recommend what, if any, restitution the Indian Oil Corpn. should make in that connection to those adversely affected;
- (g) generally, to report on any other matter that is relevant, in the opinion of the Commission.

We are requesting the Commission of Enquiry to try and complete its deliberations as expeditiously as possible.

श्री मधु लिमये (मुंगेर) : अध्यक्ष महोदय, कमीशन आफ इन्वायरी की नियुक्ति की गई है, बड़ी अच्छी बात है, मैं इसके लिए बधाई भी देता हूँ लेकिन एक बात अगर कहते तो अच्छा होता कि मुंगेर और जमालपुर में इस वक्त पानी की सप्लाई की क्या स्थिति है।

MR. SPEAKER : They may not know it. The Bihar Government will have to do it.

JAMMU AND KASHMIR REPRESENTATION OF THE PEOPLE (SUPPLEMENTARY) BILL

12.35 hrs.

MR. SPEAKER : Now, the House will take up clause-by-clause consideration of the Bill to supplement the Jammu and Kashmir Representation of the People Act, 1957. Yesterday the Deputy-Speaker had given a ruling that stands.

We have already spent 55 minutes over this Bill and only 5 minutes are left. If we fix 1 hour for a Bill and it takes 2 or 3 hours, ultimately it will cut into the Budget discussion. Therefore now at least we need not go by parties. If each party has to be given time, it means a minimum of 2 hours. I would now request the Deputy Minister to move his amendment to clause 2. Let us finish it as quickly as possible so that we do not lose time.

THE DEPUTY MINISTER IN THE MINISTRY OF LAW (SHRI M. YUNUS SALEEM) : Sir, I beg to move amendment No. 2 to clause 2 and request that this amendment be taken into consideration.

12.36 hrs.

[**MR. DEPUTY-SPEAKER in the Chair**]

SHRI SRINIBAS MISRA (Cuttack) : Sir, again trouble arises. I will refer to article 327 of the Constitution which is about power of Parliament to make provision with respect to elections to Legislatures,

but under the Constitution (Application to Jammu and Kashmir) Order, article 327 does not apply to Jammu and Kashmir. So, if Parliament has no power to make laws regarding elections to Jammu and Kashmir Legislature, how can we circumvent that provision? The first draft, that is, the Bill, which was there was correct; the Ordinance and the Bill were correct because they were trying only to extend the jurisdiction of the Supreme Court. But here what is being done? The Representation of the People Act is being extended to the State of Jammu and Kashmir, that means, we are circumventing the Constitutional provision. So, it cannot be moved.

SHRI M. YUNUS SALEEM : Yesterday I brought to your notice entry 72 in the Seventh Schedule of the Constitution which may kindly be considered.

SHRI SRINIBAS MISRA : The hon. Minister is wrong. Entry 72 has also been amended by that Order.

SHRI M. YUNUS SALEEM : The Presidential Order has been issued in exercise of the power conferred by clause (1) of article 370 of the Constitution saying:—

“the President, with the concurrence of the Government of the State of Jammu and Kashmir, is pleased to make the following Order:—

This Order may be called the Constitution (Application to Jammu and Kashmir) Amendment Order, 1968.

It shall come into force at once.

In paragraph 2 of the Constitution (Application to Jammu and Kashmir) Order, 1954, in sub-paragraph (22) (relating to the Seventh Schedule) for item (iii) of Clause (a), the following item shall be substituted, namely:—

(iii) In entry 72, the reference to the States shall be construed,—

(a) in relation to appeals to the Supreme Court from any decision or Order of the High Court of the State of Jammu and Kashmir made in an election petition whereby an election to either House of the Legislature of the State has been called in question as including a reference to the State of Jammu and Kashmir;