

Construction of Dams by Delhi Administration

3779. SHRI DALIP SINGH : Will the Minister of AGRICULTURE be pleased to state :

(a) whether certain dams are being constructed by Delhi Administration under Central Scheme of "Crash Programme" and whether Asola, Mahipalpur bandhs are covered by this scheme ;

(b) whether the Asola bandh caught a breach during recent rains due to negligence of engineers who could not complete the jobs by the scheduled date of 13 June, 1972 ;

(c) whether the cement has very nominally been in used in the spillway constructed on Asola bandh and as a result of which the spillway was badly damaged; and

(d) whether any enquiry has been ordered to probe into the matter and if so, with what result ?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (PROF. SHER SINGH) : (a) No, Sir. Only extension of Asola bandh was taken up under Crash Scheme for Rural Employment, whereas Mahipalpur bandh is nearly a century old bandh and no work under Crash Scheme for Rural Employment has been undertaken on this bandh.

(b) Asola bandh was breached due to unusually heavy rains on 8th July, 1972, No target date was fixed for its completion but efforts were made finish the work by end of June when rains are normally expected.

(c) and (d). Some complaints of this nature were received. The Chief Engineer (Floods), Delhi Administration was asked to get samples tested. The Central Soil and Material Research Station, Central Water and Power Commission, New Delhi have been asked to investigate the matter. They have collected samples and results of laboratory test reports are expected shortly.

12.02 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE**POLICY OF PROHIBITION**

SHRI SHYAMNANDAN MISHRA (Begusarai) : Sir, I call the attention of the Minister of Education and Social Welfare to the following matter of urgent public importance and I request that he may make a statement thereon :—

"The recent moves to systematically undo the policy of prohibition enshrined in the Directive Principles of State Policy in the Constitution of India."

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAV) : Prohibition is a Directive Principle of State Policy. Article 47 of the Constitution requires that 'The State shall regard the raising of the level of nutrition and the standard of living of its people and the improvement of public health as among its primary duties and, in particular, the State shall endeavour to bring about prohibition of the consumption except for medicinal purposes of intoxicating drinks and of drugs which are injurious to health.' The Union Government has been urging the States (which expression shall cover Union territories also) to take positive steps in the direction of the implementation of this principle of prohibition.

The Union Government has not given approval to any Act of any State which would have the effect of scrapping prohibition. On the contrary, it has offered financial assistance to the States to bring about prohibition, and has suggested guidelines for implementing this policy. The Five Year Plans have incorporated programmes to promote prohibition. A Central Prohibition Committee has been set up to review the progress of prohibition programmes. The Central Government is also giving assistance to the All India Prohibition Council which is carrying on propaganda in favour of prohibition. Educational programmes and mass media have also been used to create a climate in the country in favour of prohibition.

It may however be recalled that the production, manufacture, possession, transport purchase and sale of intoxicating liquors is a

[Shri D. P. Yadav]

State subject. A number of States which had adopted varying measures of prohibition during the first two decades of Independence have been reviewing the position and relaxing the laws for various reasons. The spread of illicit distillation has resulted in the death of many persons and proved to be a great hazard to health. This has been one of the main factors influencing the States to rationalise the implementation of their prohibition policy. The objective is to work out an arrangement which, in their opinion, would be both practicable and consistent with the Directive Principle.

The Administration of the Union Territory of Delhi has made no change in the basic policy regarding prohibition. They have only rationalised their excise arrangements. By controlling pricing, distribution, and sale of liquor they hope to combat illicit distillation and smuggling.

The President of the All India Prohibition Council had written to the Government to say that so long as complete prohibition is not considered possible, the best that the Government should do is to take over production and distribution of liquor of all varieties in its own hand to eliminate vested interests and unscrupulous traders. It was also suggested that this would act as a check against illicit brewing because much of this brew is sold by licence-holders who can buy it cheap from illicit brewers. The Union Government, under the Constitution, cannot do this. The States may take such action as they deem fit or practical in accordance with this advice.

It would, therefore, be incorrect to say that there has been any systematic move to undo the policy of prohibition.

SHRI SHYAMNANDAN MISHRA :
Mr. Speaker, Sir, first I must express my amazement at the way this question is now being handled not by the Ministry of Home Affairs but by the Ministry of Education and Social Welfare. Earlier during this session questions relating to this were answered by the Ministry of Home Affairs and even the prohibition cell to which the hon. Minister has referred was located in the Ministry of Home Affairs. I do not know whether it means any downgrading of the subject so far as Government's estimation of it is concerned.

Secondly, Mr. Speaker, I am not only amazed but am also ashamed to hear the defence put up by the Minister for the undoing of prohibition. What he has sought to construe as rationalisation, to my mind, means relaxation or complete negation. I do not know whether rationalisation can be made synonymous with negation or relaxation. Any one who has been going through the newspapers and has been reading the very disturbing reports about proliferation of drinking would say that what the Minister has said is completely beside the point and that it is far from the truth. Here, I have got a picture which was published by the HINDUSTAN TIMES only few days back where we find an interminable queue of men and women and even children. I do not know whether any Government calling itself as the Congress Government about which I have got serious doubts—can put up with this kind of situation as appeared in the national press. One is simply ashamed to find such pictures.

As you know, prohibition had been the very article of faith of our national movement which led to Independence. The national struggle against British imperialism was mostly based on Khadi and Prohibition. Mahatma Gandhi had made it one of his life missions and once, when he was asked as to what he would do if he was appointed the Dictator of India, he said that the first act of his would be to introduce prohibition.

What we find now, after 25 years of Independence, and particularly after the Gandhi Centenary year is that the entire country is almost wet. While we find drought in the fields, there is irrigation of human throats. Or, I would say, that while the Minister of Irrigation may be failing in his duty, the Minister of Social Welfare is very much fulfilling his duty by irrigating the throats of human beings!

Therefore, we find that one lamp after another, lit by Mahatma Gandhi, is being snuffed out by the Congress Governments which happen to be in power in most of the States at the present moment.

This process of undoing of prohibition is taking place not at a trot but at a gallop speed. Earlier, while one-third of

the country and one-fourth of the population happened to be under prohibition, now, only one-twentieth of the population happens to be under prohibition. Gujarat and a few districts of Rajasthan and a few districts of UP alone happen to be dry. Otherwise, the entire country has gone wet.

The position to-day, Mr. Speaker, is that we are spending about 2.5 to 3 per cent of our national income on liquor alone and the liquor revenue is increasing at the rate of 60 to 70 per cent per year. It has gone upto Rs 200 crores from about Rs. 40 crores in the year of Independence and the total bill on liquor would be of the order of Rs. 800 crores annually so that during the course of the Fourth Five Year Plan, you would have a total bill of about Rs. 4000 crores, more than the outlay on education and health in the country.

This is the disturbing state of affairs. And right in the city of Delhi which is the direct responsibility of the Central Government, prohibition has been almost abandoned and yet, the Minister says that the Government is adhering to the policy of prohibition. 14 to 15 per cent of Delhi's student population, it was discovered only the other day, happens to be addicts to narcotics and many of them happen to be addicts to liquor also. Would we like this state of affairs to go on? If this is the progress of anti-prohibition, I do not know how can the Minister claim that the Government still adheres to prohibition.

Some of the points which have been mentioned by the Minister are again not correct. The Minister says that there has been a great increase in illicit distillation in many of the areas. Now, the proposition seems to be quite the reverse. Illicit distillation has been less in the dry areas than in the wet areas and one of the committees appointed by the Madhya Pradesh Government has come to this conclusion that illicit distillation was on the increase in the wet areas rather than in the dry areas. What is particularly the finding in the State of Gujarat? In the State of Gujarat, we do not have much complaint about illicit distillation, of which the Minister has talked so much. The hon. Minister says that there has been a great deal of smuggling and things like that.....(Interruptions) So far as

smuggling is concerned, in the City of Delhi, there is now almost the same scope or even increased scope for smuggling because round about Delhi all the areas are wet. So, the scope for smuggling cannot be said to have diminished in any way or the Government cannot be credited with any efforts having been made in that direction to prevent smuggling.

Government says that it cannot under the Constitution, take over this trade, the production and the distribution of liquor. May I ask this? If that is so, if it is in the interest of the policy of prohibition, would not Government consider amending the Constitution so that it is in a position to take over the entire production and distribution of liquor?

So far as Governors are concerned, they have even today got the right to import liquor, duty-free. They have been doing this all along; there has been absolutely no ban on Governors importing liquor duty-free. May I ask: What is the total bill of the Government so far as the liquor expenses are concerned? What is the total Government expenditure on this one item of liquor alone? This item appears to be on the increase year after year and now it has increased many times and I would like to have some figures from the hon. Minister.

A few questions which the hon. Minister has not chosen to answer are the following:

What exactly is the Government proposing to do, to implement the Goa resolution?

We, Sir, in the United Congress had passed a Resolution at Goa in the year 1968 and had adopted a 7-year programme for the implementation of prohibition throughout the country. But what do we find in the year 1972? We find that the movement is taking place just in the reverse direction. Therefore my question is: What is it that the Government proposes to do now? This is a question which they must squarely face and come out with a clear answer. What is it that they are going to do to implement the Goa resolution? They must give a categorical answer to this. If they want to implement the Goa resolution, what is the concrete programme which they want to follow, towards that end?

SHRI R. S. PANDEY (Rajnandgaon) :
Goa was a wrong place.....

SHRI SHYAMNANDAN MISHRA :
Goa was not a wrong place; perhaps this
programme was entrusted to wrong hands.

PROF. MADHU DANDAVATE (Raja-
pur) : Does the Goa resolution mean, the
resolution was accepted by the people of
Goa ?

SHRI SHYAMNANDAN MISHRA :
When it is not acceptable to the people of
Maharashtra, why do you ask about other
people of other States of the country ?
Maharashtra was the first State which went
against the Goa resolution in December, 1968
itself.

My second question is this :

Will the Government appoint a Committee
to suggest ways and means of streamlining
the programme and stop the reversal of the
policy on prohibition ?

There is another question which is also
important. It is this :

Will the Government think of banning li-
quor advertisements throughout the country ?
Now, the position is this. Liquor advertise-
ments are banned only in the city of Delhi, but
nowhere else in the country. There are of
course bans on advertisements on narcotics.
Would not the Government consider
extending this ban (as they have done in the
case of narcotics) also to liquor throughout
the country ?

There has been a demand for banning
public drinking throughout the country.
What does the Government propose to do
about it ? (*Interruption*) Col. Mohan is
a famous name now. They had come out
with an advertisement sometime back in
which they had given the picture of the Prime
Minister. They said in the advertisement :
Silver-lining in the dark night.

SHRI JYOTIRMOY BOSU (Diamond
Harbour) : After one consumes their
product.

MR. SPEAKER : A sympathetic neigh-
bour is sitting by your side.

SHRI SHYAMNANDAN MISHRA :
The neighbour is very helpful; he will
cooperate.

SHRI JYOTIRMOY BOSU : Mr.
Speaker, the Undivided Congress also involved
you, Sir.

SHRI G. VISWANATHAN (Wandi-
wash) : In those days.

MR. SPEAKER : I do not belong to
any party at present.

SHRI JYOTIRMOY BOSU : I was
only talking about your pre-Speakership days.

SHRI PILOO MODY (Godhra) : We
are not talking about political parties now,
but we are talking about cocktail parties.

SHRI SHYAMNANDAN MISHRA :
You would be interested to learn that when
the Shriman Narayan Committee was
appointed in 1954 and it invited the
three Service Chiefs, they promised
the committee full co-operation if the nation
adopted a policy of prohibition. So, I think
that there is no element in the country which
would not like to fall in line with this policy,
if Government are serious about this.

These are some of the questions which I
would like the hon. Minister to address him-
self to. Otherwise, this issue is now agitating
the public mind very much and there might
be great agitations on this issue, because all
of us as Congressmen had been pledged to this
policy, and we had also made some sacrifices
in respect of that policy. There must also be
some hon. Members in this House who would
have staged a dharna during the course of
the struggle for Independence, in this regard.

SHRI PILOO MODY : But Congress
souvenirs carry these advertisements.

SHRI SHYAMNANDAN MISHRA :
Therefore, I would like to have some evidence
of the earnestness on the part of Government
to implement this national policy. Would
Government, therefore, think of appointing a
committee to go into this matter again ?

Why is the report of the Bakshi Tek Chand

study team not being implemented or put into effect? This study team was appointed after the Planning Commission had convened a meeting and the Chief Ministers who had met had said that there should be a team appointed under the chairmanship of a judge. This team had made certain recommendations which were of a very objective nature. What do Government propose to do to implement the recommendations of this Bakshi Tek Chand Committee? I would, therefore, plead with Government to appoint a committee of Parliament to go into this whole question of implementing prohibition in a phased manner, and particularly to put into effect some of the recommendations or almost all the recommendations that have been made by the Bakshi Tek Chand study team. Since no action has been taken on that report, I find that a dark and dismal chapter has now opened in this country.....

SHRI G. VISWANATHAN : He wants a Malaviya Committee now?

SHRI SHYAMNANDAN MISHRA : If Shri K. D. Malaviya is willing to head that committee, I shall have no objection.

SHRI PILOO MODY : He is drunk with oil.

SHRI SHYAMNANDAN MISHRA : Finally, I would submit that even for the *Garibi Hatao* programme, Government must implement this policy of prohibition. Otherwise, the *Garibi Hatao* programme would be converted into a *Garibi Bhulao* programme. If it is the main objective of Government to implement the *Garibi Hatao* programme, then my submission is that this should be the cornerstone of that programme. Mahatma Gandhi's *Garibi Hatao* programme had prohibition as its kingpin, but now it seems that Shrimati Indira Gandhi's programme has anti-prohibition as its Kingpin.....

MR. SPEAKER : Let him not make it a political issue, but let him as his question now.

* **SHRI SHYAMNANDAN MISHRA :** I am trying to say that this prohibition programme is in the interests of the Harijans, Adibasis, labourers and the rest of the poor people, and if Government do not take serious steps to implement this programme.....

SHRI K. D. MALAVIYA (Domariaganj) : There must be something specific and some concreteness about the points that he wants to make. He is giving a long discourse on prohibition, although I agree that there might be a few relevant points.

SHRI SHYAMNANDAN MISHRA : I have said nothing of a general nature. I am connecting it up with the *Garibi Hatao* programme. I am submitting that in the interests of the poor men in this country it is necessary that the prohibition policy must be implemented fully. Otherwise, what one would infer is that instead of the *Garibi Hatao* programme, we have got the *Garibi Bhulao* programme, because it seems to be the conclusion of the Government that since the miseries of Garibi cannot be removed, they must be drowned in a cup of liquor. That seems to be the conclusion of Government. Otherwise, we would not have this type of situation.

SHRI D. P. YADAV : At the outset, I would say that the speech delivered by Mishraji is more of a political nature than of a recommendatory nature. So far as his contention is concerned, this House and the Government are concerned with this problem. But the directive principles are not enforceable in a court of law. Article 37 says so and also says :

"...but the principles laid down therein are nevertheless fundamental in the governance of the country and it shall be the duty of the State to apply these principles in making laws". (*Interruptions*)

So far as the distribution of responsibility between the Centre and the States is concerned, this is defined in the Seventh Schedule: cultivation, manufacture and sale for export, of opium is in the Union List; intoxicating liquors, that is to say, the production, manufacture, possession, transport, purchase and sale of intoxicating liquors is in the State List; also in the State List are duties of excise on the following goods manufactured or produced in the State and countervailing duties at the same or lower rates on similar goods manufactured or produced elsewhere in India: (a) alcoholic liquors for human consumption; (b) opium, Indian hemp and other narcotics drugs and narcotics...

SHRI G. VISWANATHAN : What is the relevance of this? Can he say whatever he wants?

SHRI D. P. YADAV : So far as implementation is concerned, it is with the State Governments.

SHRI K. S. CHAVDA (Patan) : What about the Centre and Union Territories?

SHRI D. P. YADAV : The Centre's role is advisory in this respect. It cannot enforce its views on the States. In the two decades after independence, there has definitely been some deterioration in this sphere and the consumption of intoxicating liquors has increased. We have to remember that the production of alcohol is not a tedious process. It can be easily manufactured. Simply you put some toddy and then alcohol can be produced by any...

MR. SPEAKER : Do not tell them the method of making it...

SHRI D. P. YADAV : There has been a tremendous problem on the implementation side. We have definitely suggested to State Governments that they should stick to the prohibition policy to the maximum extent.

I assure this House that the Government will be coming forward with all kinds of help in its jurisdiction and power so that prohibition is implemented. (*Interruption*) As regards Delhi, liquor will not be supplied to persons below the age of 18 and to women. Regarding the photograph referred to by Shri Mishra, there is no woman in that photograph.

SHRI SHYAMNANDAN MISHRA : There is.

MR. SPEAKER : The man looks like a woman!

SHRI D. P. YADAV : Shri Mishra then referred to something about Governors importing liquor duty-free. At this stage, I am not aware of anything. So, I cannot comment on that issue. (*Interruption*) A number of measures have been suggested and they will be implemented by well-meaning citizens as well as by voluntary agencies to improve the standard of life.

About the Government taking over the production and sale of liquor, in this, the Ministry of Law has to be consulted and a lot of things have to be done. At this stage, I cannot comment on this. But the Government will definitely think over it. Certainly, about the restricted sale and use of alcohol, we are definitely implementing it through the Ministry of Education, as well as through other agencies and we shall be providing greater recreational facilities...

SHRI PILOO MODY : What about Mohan Meakin advertisements? (*Interruption*)

SHRI D. P. YADAV : Regarding the general points raised by Shri Mishra, definitely it is our concern: it is the concern of the Government of India, and with the co-operation of this House, and the Members of the House as well as all other voluntary agencies... (*Interruption*)...everything possible will be done.

SHRI SHYAMNANDAN MISHRA : My questions have not been answered at all. We have been committed to the policy of implementing prohibition within a period of seven years. What is the Government's position with regard to that? A resolution was passed in the AICC. The Government was committed to that policy. He has not said anything about it and about the Union territories. They are their special responsibility. Here, the dry days have been reduced from two to one in the course of a week. (*Interruption*) The dry days have been reduced from two to one in Delhi. And then they are going to open more shops in Delhi. But they are not opening shops for essential things like food and other items. Let him say something on it. It is their special responsibility. सेवेन ईयर प्रोग्राम के बारे में क्या कहना है? यूनिजन टेरीटरी के बारे में क्या कहना है? यूनिजन टेरीटरीज के बारे में हम लोगों को कोई तसल्लीबख्श जवाब देंगे या नहीं?

MR. SPEAKER : I am not preventing him.

SHRI SHYAMNANDAN MISHRA : He is trying to say something. Why shops are being opened in Delhi and why the dry days have been reduced from two to one in the course of a week? (*Interruption*)

SHRI B. V. NAIK (Kanara) : Sir, I rise on a point of order. (*Interruption*) I am asking a relevant question.

MR. SPEAKER : You cannot ask, according to the procedure.

SHRI B.V. NAIK : Even my point of order has been refused.

MR. SPEAKER : Order please.

SHRI D.P. YADAV : We are looking into the matter and we have done our best. (*Interruption*)

MR. SPEAKER : Order, order.

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12.34 hrs.

RE. MOTION FOR ADJOURNMENT

SHRI JYOTIRMOY BOSU (Diamond Harbour) : Sir, I have brought here copies of newspapers. The freedom of the press in West Bengal has been curtailed. The Yuva Congress workers are burning things and beating up the workers. (*Interruption*) This is a matter of the freedom of the press. I have written to you about it.

MR. SPEAKER : You are speaking without my permission.

SHRI INDRAJIT GUPTA (Alipore) : We are also getting telegrams on this matter and you may allow at least a short notice question.

MR. SPEAKER : I have examined it. It is a State matter. I am not allowing it... (*Interruptions*). Nothing will go on record unless I allow it... (*Interruptions*).

SHRI JYOTIRMOY BOSU...**

SHRI SHYAMNANDAN MISHRA (Begusarai) : Only one word from you will set at rest all anxiety in this matter. If it involves the freedom of the press it is a matter of national concern. If it does not involve the question of the freedom of the Press, you

should say what is your opinion about it... (*Interruptions.*)

SHRI R.S. PANDEY (Rajnandgaon) : My submission is that anything under the sun can be discussed on the floor of the House but your permission is paramount.

SHRI JYOTIRMOY BOSU : Sir... **

MR. SPEAKER : Order, order. I am not allowing the adjournment motion. What the State Government is doing there is a State matter. It is final. Nothing will go on record.

SHRI INDRAJIT GUPTA : I am not pleading for the adjournment motion. But even if we have our disagreement with the opinions expressed by any particular paper or publication, there is no ground for setting fire to books and papers. This is not a method which can be supported. You may not allow an adjournment motion but you can give us some opportunity in some other form to raise it here.

MR. SPEAKER : I have not allowed an adjournment motion. Anything happens, you come with an adjournment motion. Don't make it a matter of common occurrence every day. I have not allowed that adjournment motion. He should not insist on it.

SHRI JYOTIRMOY BOSU : I wrote a letter to you to make a mention about it.

MR. SPEAKER : Then how can you come with an adjournment motion, if you say you wrote a letter to me ? Then you say you have sent some other motion.

SHRI PILOO MODY (Godhra) : Will you tell us how to frame an adjournment motion which you will allow ?

MR. SPEAKER : Don't pass such remarks. I do not like it.

SHRI PILOO MODY : What is the procedure ?

MR. SPEAKER : I am going to explain the procedure here, nor why I do it or why I do not do it.