

3. The two sides discussed the possibilities of manufacturing certain products in the Soviet-assisted machine building plants in India for supply to the Soviet Union on a long-term basis. The Indian side would examine the possibility of production of container cranes, excavators and reduction gears for supply to the Soviet Union against a total amount of 10 million roubles per annum set apart for such supplies from this country. It was also agreed that detailed examination should be made at an expert level for identification of precise possibilities of export of products manufactured in Soviet-assisted plants in India to third countries and for consideration of various aspects connected with implementation of programmes of India's participation in Soviet-assisted projects in such third countries. In particular, the Soviet side would examine the possibilities of exports of turbo-sets and components to be produced in the Heavy Electrical Plant at Hardwar. It was also agreed that, with a view to further expanding economic and technical cooperation between the two countries, further lines of Indo-Soviet cooperation in the fields of oil and gas, refineries, fertilisers and petro-chemicals will be explored.

4. The discussions with the Soviet delegation were cordial and were conducted in a spirit of mutual cooperation and understanding. I should like to take this opportunity of expressing my appreciation of the keen interest evinced by Mr. Skachkov and his colleagues in the working of Soviet-assisted plants in the public sector, which are important milestones in Indo-Soviet cooperation and in the building up of the Public sector in this country.

14.40 hrs.

STATEMENT RE : EXISTENCE OF A
HASHISH EXPORT RACKET IN
NEW DELHI

MR. DEPUTY-SPEAKER : Now,
Shri P. C. Sethi.

श्री शिव चन्द्र भ्वा (मधुबनी) : उपाध्यक्ष
जी, यह एक ऐसा अहम विषय है जिसके मुत्त-
ल्लिक यह जरूरी हो जाता है कि हम सदस्य

कुछ सवाल पूछें। इसके मुत्ल्लिक मेरा काल-
एटेंश नोटिस था। जब कि इसी विषय पर
राज्य सभा में काल-एटेंशन नोटिस मंजूर किया
गया है, लेकिन आपकी तरफ से इसकी मंजूरी
नहीं मिली, जिसका नतीजा यह होगा कि हम
लोगों को सवाल पूछने का मौका नहीं मिलेगा।
मैं जानना चाहता हूँ—मंत्री महोदय इस विषय
पर स्टेटमेंट देने जा रहे हैं, क्या इस पर हम
लोग सवाल पूछ सकते हैं या नहीं पूछ सकते
हैं? मैं यह भी चाहूंगा कि इस किस्म के
विषय पर आप फैसला दें कि एकतरफा स्टेट-
मेंट ही यहां पर न हो जाय। जब काल-
एटेंश आता है तो उसको आप मंजूर करें ताकि
हम लोगों के अधिकार और ज्यादा सुरक्षित
रह सकें।

MR. DEPUTY-SPEAKER : Already,
one calling-attention was admitted this
morning and answered. There cannot be
more than one calling-attention-notice on
the same day. Now, the hon. Minister is
going to make a statement and after that, the
rules permit of many other avenues by
which hon. Members can elicit more infor-
mation from Government, and I would
request the hon. Member to resort to those
means.

THE MINISTER OF STATE IN THE
MINISTRY OF FINANCE (SHRI P. C.
SETHI) : The facts of recent seizures of
hashish (*charas*) from 16th February, 1970
onwards in New Delhi are as follows :

On the basis of a news item appearing
in the press on the 16th February, 1970 that
a big haul of *charas* was made in Boston
(USA) and that the drug was exported from
Delhi, Delhi Customs started immediate
investigations. They moved fast and as a
result of their swift action found that five
packages containing musical instruments
(*sitars* and *tablas*) and incense had been
booked by Messrs. Bharat Exports to Messrs.
Afro Imports Inc. (USA) by one of the
international airlines. These crates were
detained and on search were found to
contain 145 lbs. of *charas* packed in
polythene bags and concealed in ingeniously

[Shri P. C. Sethi]

devised false bottoms of the crates. These were seized immediately and further inquiries pursued. As a result, two Indians (Shri Harbans Lal, a taxi-driver and Shri Balbir Singh, Manager, Bharat Exports) and an American (Mr. Richard Ezidre) have been arrested. Another godown in Delhi was also located and a consignment of 750 lbs. of hashis along with different types of musical instruments, packing cases and some curios was found and seized. Another person, Shri Ravi Rekhi, was arrested on the following day on landing at Palam airport. Three more persons have also since been apprehended. Further investigations are in progress. INTERPOL has also been alerted.

14.43

REQUISITIONING AND ACQUISITION OF IMMOVABLE PROPERTY (AMENDMENT) BILL

THE MINISTER OF STATE IN THE
MINISTRY OF HEALTH AND FAMILY
PLANNING AND WORKS, HOUSING
AND URBAN DEVELOPMENT (SHRI
B. S. MURTHY) : On behalf of Shri K. K.
Shah, I beg to move*.

“That the Bill further to amend Requisitioning and Acquisition of Immovable Property Act, 1952, be taken into consideration.”

Before I explain the salient features of the Bill, I would like to recall the background of this legislation. You are aware that the normal powers of Government for acquisition of land for a public purpose are contained in the Land Acquisition Act of 1948. The procedure laid down in that Act is, however, lengthy. Amendment of that Act is being considered by Government separately, and for this purpose, a committee has been appointed under the chairmanship of Shri A. N. Mulla.

The Land Acquisition Act does not deal with the requisitioning of buildings. I may recall here that one of the recommendations of the Law Commission in their Tenth Report was that the provisions of the

Requisitioning and Acquisition of Immovable Property Act, 1952 be incorporated in the Land Acquisition Act when the latter is amended. It has, however, been thought that the provisions regarding the requisitioning and acquisition of immovable property should continue to remain a separate enactment.

The power of the sovereign to take private property for public use, which is called eminent domain in America, and the consequent rights of the owner to compensation are well-established. This power is justified by two well-known maxims. The first maxim is that “regard for public welfare is the highest law” and the second is that “public necessity is greater than private necessity”.

Looking back to the history of the Act which we propose to amend, it may be recalled that the power of the Government to requisition or acquire immovable property has been in existence for over three decades continuously. This power was first conferred on the Government under the Defence of India Act, 1939. On the lapse of that act in September 1946, after the end of the second world war, the properties requisitioned under the Defence of India Act continued to remain under requisition in view of the enactment of the Requisitioned Land (Continuance of Powers) Act, 1947. Subsequently, Parliament, enacted the Requisitioning and Acquisition of Immovable Property Act, 1952. While conferring powers of requisitioning and acquisition of immovable property on the Government, the Act also provided that the properties requisitioned under the Defence of India Act, 1939 shall be deemed to be requisitioned under the Act of 1952. The Act of 1952 was to remain initially in force for six years but its life has been extended twice by Parliament and it will now remain in force upto the 13th March, 1970.

Provision for requisitioning and acquisition of immovable property also existed in the Defence of India Act, 1962, which ceased to have effect from the 10th July, 1963, i.e. six months after the proclamation of emergency was revoked. It was not found

*Moved with the recommendation of the President.