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Wednesday, December 8, 1971
Agrahayana 17, 1893 (Saka)

LOK SABHA DEBATES

(Third Session)



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LOK SABHA SECRETARIAT
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LOK SABHA

Wednesday, December 8, 1971/Agrahayana 17, 1899
(Saka)

The Lok Sabha met at Ten of the Clock

[MR. SPEAKER in the Chair]

PAPERS LAID ON THE TABLE

BORDER SECURITY-FORCE (2ND AMFNDMENT
RULES, 1971, NOTIFICATION UNDER
ALL INDIA SERVICES ACT,
1951 ETC)

THE MINISTER OF STATE IN THE
MINISTRY OF HOME AFFAIRS AND
IN THE DEPARTMENT OF PERSONNEL
(SHRI RAM NIWAS MIRDHA) I beg to
lay on the Table

- (1) A copy of the Border Security Force (Second Amendment) Rules, 1971 (Hindi and English versions) published in Notification No. S O 5087 in Gazette of India dated the 6th November, 1971, under sub-section (3) of section 141 of the Border Security Force Act, 1968 [Placed in Library See No LT—1236/71]
- (2) A copy of Notification No. G S R 1774 (Hindi and English versions) published in Gazette of India dated the 27th November, 1971 containing corrigendum to Notification No G.S.R. 317 dated the 6th March, 1971, under sub-section (2) of section 3 of the All India Services Act, 1951. [Placed in Library. See No LT—1237/71].
- (3) A copy of the Mysore General Service (Registrations and Stamps Branch) (Recruitment) (Amendment) Rules, 1971 published in Notification No. G.S.R. 275 in Mysore Gazette dated the 2nd September,

1971 under clause (5) of article 320 of the Constitution read with Clause (c) (iv) of the Proclamation dated the 27th March, 1971, issued by the President in relation to the State of Mysore, together with an explanatory memorandum (Hindi and English versions). [Placed in Library. See No. LT—1238/71].

NOTIFICATION UNDER MYSORE FIRE
FORCE ACT, 1964, ETC.

THE MINISTER OF STATE IN THE
MINISTRY OF HOME AFFAIRS (SHRI
K C PANT) I beg to lay on the Table :

- (1) A copy of Mysore Notification No. S O 1717 published in Mysore Gazette dated the 14th October, 1971, under sub-section (3) of section 39 of the Mysore Fire Force Act, 1964, read with clause (c) (iv) of the Proclamation dated the 27th March, 1971, issued by the President in relation to the State of Mysore [Placed in Library. See No. LT—1239/71]
- (2) A statement explaining the reasons for not laying the Hindi version of the above Notification simultaneously [Placed in Library. See No. LT—1240/71].

GUJARAT GOVERNMENT NOTIFICATION
UNDER BOMBAY CINEMA ACT IN ITS
APPLICATION TO GUJARAT

THE MINISTER OF STATE IN THE
MINISTRY OF INFORMATION AND
BROADCASTING (SHRIMATI NANDINI
SATPATHY) : I beg to lay on the Table :

- (1) A copy each of the following Gujarat Government Notifications under sub-section (5) of section 9 of the Bombay Cinemas (Regulation) Act, 1953, read with clause (c) (iv) of the Proclamation dated the 13th May, 1971, issued by the President in relation to the State of Gujarat :

(i) The Bombay Cinema (Gujarat second Amendment) Rules, 1971 published in Notification No. GH/G/146/BCR/3369/3973-A in Gujarat Government Gazette dated the 19th August, 1971.

(ii) The Bombay Cinema (Gujarat Third Amendment) Rules, 1971, Published in Notification No. GH/G/153/BCR-1966/1552-A in Gujarat Government Gazette dated the 9th September, 1971. [Placed in Library. See No. LT—1241/71].

(2) A statement (Hindi and English versions) explaining the reasons for not laying the Hindi version of the above Notifications. [Placed in Library. See No. LT—1242/71].

**NOTIFICATION UNDER ARTICLE 359
OF THE CONSTITUTION**

**THE DEPUTY MINISTER IN THE
MINISTRY OF HOME AFFAIRS (SHRI
F. H. MOHSIN):** I beg to lay on the
Table—

A copy of Notification No. G.S.R 1843.
published in Gazette of India dated
the 5th December, 1971, under clause
(3) of article 359 of the Constitution.
[Placed in Library. See No. LT—
1243/71].

**NOTIFICATION UNDER PUNJAB MOTOR
VEHICLES TAXATION ACT,
1924 etc.**

**THE DEPUTY MINISTER IN THE
MINISTRY OF FINANCE (SHRIMATI
SUSHILA ROHATGI):** I beg to lay on the
Table—

(i) A copy of Punjab Government
Notification No. S. O. 50/P.A.
4/24/S. 3/71 published in Punjab
Government Gazette dated the 11th
November, 1971, issued under sub-
section (1) of section 3 of the
Punjab Motor Vehicles Taxation
Act, 1924, read with clause (c) (iv)
of the Proclamation dated the 15th
June, 1971 issued by the President
in relation to the State of Punjab.

(ii) A statement (Hindi and English ver-
sions) explaining the reasons for not
laying the Hindi version of the above
Notification. [Placed in Library. See
No. LT—1244/71].

so'ca hrs.

MESSAGE FROM RAJYA SABHA

SECRETARY : Sir, I have to report the
following message received from the Sec-
retary of Rajya Sabha—

“In accordance with the provision of
rule 127 of the Rules of Procedure and
Conduct of Business in the Rajya Sabha,
I am directed to inform the Lok Sabha
that the Rajya Sabha, at its sitting held
on the 4th December, 1971, agreed
without any amendment to the Visva-
Bharti (Amendment) Bill, 1971, which
was passed by the Lok Sabha at its
sitting held on the 29th November,
1971.”

**COMMITTEE ON PRIVATE
MEMBERS' BILLS AND
RESOLUTIONS**

EIGHTH REPORT

**SHRI G. G. SWELL (Autonomous
Districts):** Sir, I beg to present the Eighth
Report of the Committee on Private Mem-
bers' Bills and Resolutions.

**COMMITTEE ON THE WELFARE
OF SCHEDULED CASTES AND
SCHEDULED TRIBES**

SECOND AND THIRD REPORTS

SHRI BUTA SINGH (Rupar): Sir, I beg
to present the following Reports of the
Committee on the Welfare of Scheduled
Castes and Scheduled Tribes :

- (1) Second Report regarding action taken by Government on the recommendations contained in their Tenth Report (Fourth Lok Sabha) on the Ministry of Tourism and Civil Aviation—Reservations for Scheduled Castes and Scheduled Tribes in Indian Airlines.
- (2) Third Report regarding action taken by Government on the recommendations contained in their Seventeenth Report (Fourth Lok Sabha) on the erstwhile Department of Social welfare and Ministry of Education and Youth Services—Hostel facilities for Scheduled Castes and Scheduled Tribe students

**CORRECTION OF ANSWER TO
S. Q. NO. 216 Re. LOCKOUT
BY M/S BRAITHWAITE
AND CO. (INDIA) LTD.**

THE MINISTER OF INDUSTRIAL DEVELOPMENT (SHRI MOINUL HAQUE CHOUDHURY): Sir, while replying to a supplementary question relating to Starred Question No. 216 on November 24, 1971... (*Interruption*).

MR. SPEAKER: You can lay it on the Table of the House.

SHRI MOINUL HAQUE CHOUDHURY: Sir, I lay a statement correcting the answer given on the 24th November, 1971 to Starred Question No. 216 regarding lock-out declared by Messrs Braithwaite and Co. (India) Ltd. on the Table of the House.

Statement

While replying to a supplementary question relating to Starred question No. 216 on November 24, 1971, I had informed the House inadvertently that when the lock-out of Angus Works of Braithwaite and Co. took place, conciliation talks were not in progress. I regret for committing this unintentional mistake. I beg to correct myself and

say that conciliation proceedings were in progress on the bonus issue when the workers of this factory left their places of work in a concerted manner and staged violent demonstrations before the General Manager of the Factory and also assaulted him. In consequence of this gross indiscipline and violence resorted to by the workmen, the management declared a lock-out although conciliation proceedings were going on. Since the lock-out was declared as a result of widespread indiscipline and violence by the workers the fact that conciliation proceedings were going on is not of much significance as in the circumstances in which the management was placed, it did not have any other alternative. However, since a specific question was asked and the information earlier given was not correct, I am making this statement to clarify the position.

I may also add that the factory has since reopened on the 3rd December, 1971.

10 04 hrs.

**EMERGENCY RISKS (GOODS)
INSURANCE BILL***

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): Sir, I beg to move for leave to introduce a Bill to make certain provisions for the insurance of goods in India against damage arising from emergency risks and matters connected therewith or incidental thereto.

MR. SPEAKER: The question is:

"That leave be granted to introduce a Bill to make certain provisions for the insurance of goods in India against damage arising from emergency risks and matters connected therewith or incidental thereto."

The motion was adopted.

SHRI YESHWANTRAO CHAVAN: Sir, I introduce† the Bill.

* Published in the Gazette of India Extraordinary, Part II, Section 2, dated 8.12.71.

† Introduced with the recommendation of the President.

EMERGENCY RISKS (UNDER-TAKINGS) INSURANCE BILL*

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) : Sir, I beg to move for leave to introduce a Bill to make certain provisions for the insurance of certain property in India against damage arising from emergency risks and for matters connected therewith or incidental thereto.

MR. SPEAKER : The question is :

"That leave be granted to introduce a Bill to make certain provisions for the insurance of certain property in India against damage arising from emergency risks and for matters connected therewith or incidental thereto."

The motion was adopted.

SHRI YESHWANTRAO CHAVAN : Sir, I introduce† the Bill.

10'05 hrs.

CODE OF CRIMINAL PROCEDURE BILL

CONCURRENCE IN RAJYA SABHA RECOMMENDATION TO APPOINT A MEMBER TO JOINT COMMITTEE

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND IN THE DEPARTMENT OF PERSONNEL (SHRI RAM NIWAS MIRDHA) : Sir, I beg to move :

"That this House do concur in the recommendation of Rajya Sabha that Lok Sabha do appoint a member of Lok Sabha to the Joint Committee of the Houses on the Bill to consolidate and amend the law relating to criminal procedure, in the vacancy caused by the

resignation of Shri Ghanshyambhai and do resolve that Shri Karan Singh Yadav be nominated to the said Joint Committee to fill the vacancy."

MR. SPEAKER : The question is :

"That this House do concur in the recommendation of Rajya Sabha that Lok Sabha do appoint a member of Lok Sabha to the Joint Committee of the Houses on the Bill to consolidate and amend the law relating to criminal procedure, in the vacancy caused by the resignation of Shri Ghanshyambhai and do resolve that Shri Karan Singh Yadav be nominated to the said Joint Committee to fill the vacancy."

The motion was adopted.

10 05½ hrs

DEMANDS FOR SUPPLEMENTARY GRANTS (RAILWAYS), 1971-72

—Contd.

श्री ब्रजिका प्रसाद (बलिया) : अध्यक्ष महोदय, रेलवे की सप्लीमेंट्री डिमांड्स का मैं समर्थन करता हूँ। लेकिन मैं यह कहना चाहता हूँ कि 14-15 जो सप्लीमेंट्री डिमांड की आइटम्स दी गई हैं उसमें व्याख्या में यह भी दिया गया है कि :

"नई लाइनों के निर्माण, उखाड़ी गई लाइनों को फिर से बिछाने और रेलवे लाइनों के बिजलीकरण के खर्च के लिए अपेक्षित रकम का पूरक अनुदान।"

महोदय ने अपने पिछले बजट में तमाम मीटर गेज लाइनों को ब्रोडगेज करने के लिए आवकसन बिना या और कह भी रहे हैं, इस का मैं स्वागत करता हूँ। लेकिन दुष् के साथ

* Published in Gazette of India Extraordinary part II, section 2, dated 8.12.71.

† Introduced with the recommendation of the President.

कहना पड़ता है कि देश के उन हिस्सों में जहाँ कि आप देखेंगे आइटम न० 15 से 1 से 10 तक जो काम लिया गया है, उसमें 5, 6, 7, 8, 9 और 10 के अंतर्गत देश के एक ही हिस्से में यह काम लिया गया है और देश का बाकी हिस्सा छूट गया है। इसमें विशेषकर ओ देश के उपेक्षित हिस्से हैं उनमें कुछ भी काम का आइटम नहीं लिया गया है। यह बड़े दुःख की बात है।

इसलिए एक तो मैं यह चाहता हूँ कि उत्तर प्रदेश की शहादरा सहारनपुर जो लाइन उखाड़ी गई थी, जिस पर कि कम से कम 20 मजिर्दा पड़ती हैं। और बहुत से कानिजेज पड़ते हैं और वह फायदे की लाइन थी, उसको फिर से बिछाया जाय। उसी के साथ साथ हमारी छोटी लाइन जो है नार्थ ईस्टर्न रेलवे, उसमें एक भी आइटम नहीं लिया गया है, तो हम चाहते हैं कि बेलघरा रोड से बलिघा बाया मनियर-बासडेट लाइन बिछायी जाय और दूसरी बेलघरा रोड से सरमेनपुर बाया सिकन्दरपुर-चादपुर और दोहरीघाट से गोरखपुर जहाँ कि ब्रिज भी बन गया है, जो कि प्रान्त के दो हिस्सों को जोड़ने के लिए बहुत जरूरी है, उसको बनाया जाय।

दूसरे, आप देखेंगे कि मुगलसराय से कानपुर तक रेलवे का बिद्युतीकरण हुआ है लेकिन कानपुर से दिल्ली तक बिद्युतीकरण नहीं किया गया है। मैं चाहता हूँ कि दिल्ली से कानपुर रेलवे का बिद्युतीकरण किया जाय और मुगलसराय से हावड़ा तक भी किया जाना चाहिये।

बाराणसी से बाया लखनऊ मुराबाबाद दिल्ली तक होकर जो लाइन जाती है, उसमें कोई बिद्युतीकरण नहीं है, वह भी होना चाहिए।

बनारस से बटनी तक और लखनऊ से कटिहार तक आपका सर्वे भी हो चुका है और सारी चीजों की स्वीकृति भी हो चुकी है। हम

चाहते हैं कि बनारस से बटनी वाली लाइन को जो बहुत ही उपेक्षित एरिया में है, शीघ्र बड़ी लाइन किया जाय।

उसी के साथ-साथ शाहगंज से छपरा और बाराणसी से छपरा कम से कम बड़ी लाइन करने की कोशिश करें।

एक दूसरी एमर्जेन्सी एरिया की लाइन है, लखनऊ से आसाम जाने के लिए मिसिटी की जो लाइन है, अगर किसी वक्त संयोग से न बचने लायक रहे तो उसके बराबर लाइन शाहगंज से छपरा होती हुई आसाम निकल जाती है और बनारस से बलिया गाधीपुर होती हुई, छपरा होती हुई आसाम जाती है। इसलिए यह दूसरी साइड लाइन्स हमेशा तैयार रखनी चाहिये और इनको बड़ी लाइन करना चाहिए ताकि आसाम की तरफ जो हमारी सारी चीजों का आने बढना है, वह न रुके। यह बहुत जरूरी है।

इसके साथ-साथ आप देखेंगे एमर्जेन्सी के एरिया में 7 हजार से ऊपर छोटे कर्मचारी ऐसे हैं धनबाद, गरहरा, बरौनी, गोरखपुर, कुसुम्डा, गुन्ठकल और इधर मन्नाल और तिलिगुड़ी में, जिनके साथ ठीक व्यवहारन ही हो रहा है। अफसरो के साथ रेलवे मंत्री महोदय ने जो व्यवहार किया है, उसके साथ साथ यह जो छोटे कर्मचारी हैं, इनको कान्फिडेंस में लेना चाहिए। अगर इनको कान्फिडेंस में लिया जाय और आज एमर्जेन्सी के वक्त में जो इनका हेरिसेमेंट किया जा रहा है, इनको परेशान किया जा रहा है, वह बन्द हो, तो यह विल खोल कर हमारा साथ दे सकते हैं और एमर्जेन्सी के वक्त में काम आ सकते हैं।

MR. SPEAKER : There are so many names of Members who wish to speak on this. How much time will the Minister take ?

THE DEPUTY MINISTER IN CHARGE OF THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI) : Half an hour.

MR. SPEAKER : Then, what will be left for other Members ?

SHRI MOHD. SHAFI QURESHI : Yesterday it was decided that the whole time of two hours allotted for discussion should be given to Members. The Minister requested that he should be given half an hour. That request was acceded to by the Chair.

MR. SPEAKER : There is only half an hour left. I would try to accommodate as many Members as possible provided they do not take more than two or three minutes each.

Then, there is another very important matter, which I want to bring to the notice of the House. The two Bills about insurance of goods and undertakings against emergency risks have been introduced by the Finance Minister today. They very much wish that they should be taken up today because they say that the war is on and anything may happen to any factory; so, the sooner the insurance is done the better. I said that I will put it to the House. If you agree, we may take them up today. It is a question of emergency. •

SOME HON. MEMBERS : Let them be taken up tomorrow.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND SHIPPING AND TRANSPORT (SARI RAJ BAHADUR) : The earlier the Bills are passed the better it is, because the more we delay them the more the likely victims of any raid are deprived of benefits. These Bills will also have to go to Rajya Sabha and will take a day there. Therefore, we should do it here today,

श्री अटल बिहारी वाजपेयी (ग्वालियर) : अध्यक्ष जी, अगर इसको रिट्रास्पेक्टिव इफेक्ट दे दें तो कोई प्रॉब्लम नहीं होगी।

अध्यक्ष महोदय : रिट्रास्पेक्टिव इफेक्ट के लिए कभी कभी आप भी इन्कार करते हैं। वैसे अभी दस ही बजे हैं और ये दो पेजेज के बिल हैं।

I do not think there is much time to be taken in going through the Bills. You can send your amendments by 12 O'Clock. We will take up the Bills at 12 O' Clock. This is an emergency measure. Otherwise, if it had just been an ordinary measure, I would not have put it to you.

श्री राम सहाय पांडे (राजनदगाँव) : अध्यक्ष महोदय, देश के भूगोल को यदि आप देखें तो उसमें रेल की पटरियाँ बिछी हुई दिखाई पड़ेगी, उत्तर और दक्षिण में, पूर्व और पश्चिम में लेकिन मध्य प्रदेश, जो बीच में है, वहाँ रेलवे लाइनें बिल्कुल नहीं हैं। केवल ट्रंक रूट्स हैं और उसी के माध्यम से आवागमन के साधन प्राप्त होते हैं। मैं आपके माध्यम से रेलवे मंत्री से चाहता हूँ कि वे आश्वासन दें कि मध्य प्रदेश में रेलवे लाइन के साधन उपलब्ध करने के लिए एक कम्पलीट सर्वे करायेंगे और प्लानिंग कमीशन से कहेंगे कि स्पेशल ट्रीटमेंट में अधिक से अधिक रूपया एलाट किया जाये क्योंकि रेलवे एक पब्लिक यूटिलिटी कर्नर्सन है और रेलवे लाइन देकर आप किसी पर कोई उपकार नहीं करेंगे, आप पैसा लेते हैं, यात्रा करने के लिए टिकट देते हैं, कोई मुफ्त नहीं बिठाते हैं। इसी प्रकार से गुड्स ट्रेन में भी आप भाड़ा लेते हैं। गुड्स ट्रेन में आपको मुनाफा होता है और पैसेंजर ट्रेन में आपका घाटा होता है—यह बात मैं भी जानता हूँ। इसलिए यदि समन्वय करते हुए आप मध्य प्रदेश में जोकि बीच में स्थित है, अधिक से अधिक रेलवे लाइन देंगे तो उससे आपकी आमदनी भी बढ़ेगी।

इसी प्रकार मऊ और इन्दौर में 14 मील का डिस्टेंस है। मिलिट्री स्ट्रेटेजी के प्वाइंट आफ व्यू से मऊ बड़ी महत्वपूर्ण जगह है। मऊ से इन्दौर केवल 14 मील है, मऊ कैंटोनमेंट एरिया है और डिफेन्स मिनिस्ट्री ने रिक्मेन्ड किया है कि इसको तुरन्त कार्यान्वित किया जाये। वालाडीला राजरा होते हुए और माइन्स और फौलाद के कारखाने हैं। भिलाई में उसको

देखते हुए, कामसिंहल एकारेस्टेशन और अदाब की कड़ी-कड़ी मंजूरियों को देखते हुए बालाडीला, राजरा, राजनाथसाँव बाबा बन्ना, जमलपुर से बाप इसको कनेक्ट कीजिए।

मैं एक बात कहकर अपना स्थान प्रहण करना चाहता हूँ और वह यह कि मैं मंत्री महोदय से स्पेसिफिक आश्वासन चाहता हूँ क्योंकि मध्य प्रदेश को नेग्लेक्ट किया जा रहा है, उसकी स्थिति बड़ी दयनीय है। जहाँ तक रेलवे यातायात का सम्बन्ध है इसलिए क्या वे मध्य प्रदेश से अधिक से अधिक सुविधा देने का प्रयास करेंगे और एक कम्पलीट सर्वे करायेंगे।

SHRI R. R. SINGH DEO (Bolangir) :
Mr. Speaker, Sir, I will not take much time.
I would just make one or two points.

Many people have said much about emergency created by the recent war which is only a man-made calamity. But I would like to point out about natural calamity which we have had in Orissa. The cyclone, the tidal bore and the floods the year. I would like to point out one or two railway lines which if sanctioned would be of immense help to the 60 lakh people affected and will provide employment. There has been a demand for many years about Bimlagarh-Talcher line and Jakhpura-Banspani line. These lines are to be made near the mining areas which will make it shorter for transportation and the freightage will be less. I will request the Minister to expedite the matter and take up these lines very soon.

Sir, the Minister had given us an assurance about two over-bridges at Bargarh and Bolangir which were supposed to be taken up in 1971 and which were to be finished by 1972 but there is no mention in these Demands for Grants that these will be taken up this year.

Thank you.

श्री नरेन्द्र सिंह बिष्ट (बलमोड़ा) :
मध्यमयी अश्वयत्त महोदय, मैं माननीय रेलवे

मंत्री तथा सरकार का ध्यान विशेष रूप से उत्तर प्रदेश के 8 पर्वतीय जिलों की ओर ले जाना चाहता हूँ। यह इलाका बहुत ही पिछड़ा हुआ रहा है और रेलों के बारे में वहाँ पर बहुत ही उदासीनता बरती गई है। स्टूटेजिक प्वाइंट आफ व्यू से ये बहुत ही महत्वपूर्ण जिले हैं। इसलिए मेरा सुझाव है कि टनकपुर, रामनगर और काठगोबाम—इन तीनों स्टेशन तक जो भीटरवेज लाइनें जा रही हैं, उनको देहरादून की तरह ब्राडगेज से कनेक्ट किया जाये।

दूसरी बात यह है कि जिस प्रकार से शिमला को कनेक्ट किया गया है, रेलवे लाइन से या जैसे स्काटलैंड और स्वीटजरलैंड में रेलें हैं, वैसे ही इन पर्वतीय जिलों—उत्तरकाशी, अल्मोड़ा, चमोली, गढ़वाल, टेहरी, नैनीताल, पिथौरागढ़—सभी जिलों को रेलवे लाइन से कनेक्ट किया जाए क्योंकि इसकी आज बहुत आवश्यकता है और स्टूटेजिक इम्पार्टेन्स भी बहुत है। खासकर टनकपुर से बानेश्वर तक की लाइन का कई दफा सर्वे भी हो चुका है और ऐसी आशा की जाती थी कि बहुत जल्दी उसको कनेक्ट कर दिया जायेगा परन्तु अभी तक कोई भी प्रगतिशील कदम नहीं उठाया गया है। मैं रेलवे मंत्रालय का ध्यान आकर्षित करना चाहता हूँ कि टनकपुर के बानेश्वर तक की जो लाइन है उसके किनारे बहुत से मिटरवेज रिसोर्स हैं, स्टूटेजिक इम्पार्टेन्स भी बहुत है। और तिब्बत को जाने वाली यह सड़क टनकपुर से कैलाश मामसरोवर की तरफ जाती है जोकि बहुत महत्वपूर्ण सड़क है इसलिए इसको शीघ्रातिशीघ्र बाधू करने की कृपा करें।

SEVERAL HON. MEMBERS raise—

SHRI D. BASUMATARI (Kokrajhar) :
Nobody has spoken from Assam. I want to speak.

श्री डी० ए० सिन्धारी (गोपालगंज) : अध्यक्ष महोदय, मैं इस बात को जानता हूँ कि रेलवे मिनिस्टर के हाथ में न लाइन देना है और न छोटी लाइन की बड़ी लाइन में सम्मिलित करना है। जबतक प्लानिंग कमीशन से उसका क्लियरेंस न हो जाये तबतक वे कुछ भी नहीं कर सकते हैं। सप्लीमेन्ट्री बजट के जरिए तो इसका सवाल ही पैदा नहीं होता है। मैं इस समय कोई मति नहीं करना चाहता लेकिन एक बिन्दु में एक सुझाव देना चाहता हूँ कि रेलवे विभाग में जो गड़बड़ी है, उसको दूर किया जा सके। आज काइसिस से हम पास कर रहे हैं, हमारे यहाँ इमरजेन्सी लागू है, ऐसी हालत में विभाग के कर्मचारी अगर व्यवस्थित रूप से कार्य नहीं करेंगे तो हमें क्षति पहुँचने की संभावना हो सकती है। मैं अपने यहाँ की एक मित्राल देना चाहता हूँ कि जब एन० इ० आर० में डी० ए० सिस्टम लागू हुआ तो हमने फॉक्ट्स एण्ड फिगर्स के साथ प्रार्थना की थी कि आप सोनपुर से डी० ए० बनाइए लेकिन रेलवे अधिकारियों ने माना नहीं जिसका नतीजा यह है कि लखनऊ से सिलीगुड़ी तक जितना भी यातायात है वह एकदम इर्रगुलर चलता है, सारी गाड़ियाँ लेट चलती हैं और कोई व्यवस्थित प्रबन्ध हो नहीं सकता। बहुत कहने-सुनने के बाद वर्तमान रेलवे मंत्री ने आश्वासन दिया कि सोनपुर से हम कुछ करेंगे और एक एरिया मैनेजर की बहाली वहाँ पर है। एरिया मैनेजर वहाँ क्या करता है, समझ में नहीं आता, उसकी क्या इयुटी है, यह किसी को मासूम नहीं। कबो उसके ऊपर क्या बर्बाद किया जा रहा है, यह बात समझ में नहीं आती। अगर आप वहाँ डिप्टी डी० ए० का स्थान बना दें तो कुछ काम होता, लेकिन आपने एरिया मैनेजर बना दिया है, जिससे कोई लाभ नहीं। आप ने बेकार वहाँ पर एरिया आफिसर रखा है, रेलवे का खर्चा हो रहा है और जनता का कोई काम नहीं होता। मेरा सुझाव है कि लखनऊ से सिलीगुड़ी के लिये

यातायात को ठीक करने के लिये सोनपुर को एक इम्पौटेंट स्थान है, वहाँ एरिया मैनेजर न दे कर एक डिप्टी डी० ए० दे दीजिये, जो वहाँ सब काम का ठीक प्रबन्ध कर सके।

MR. SPEAKER : I am calling only those Members today whose names were left over yesterday in the list. I find that new slips are coming today also. They are not coming through the Whips but are coming independently. After all, there should be some discipline. They cannot send slips themselves and also through the Whips. They should send it through their Whips.

श्री श्यामनन्धन मिश्र (बेगूसराय) : अध्यक्ष महोदय, मैं मूक प्राणी की तरफ सरकार का ध्यान आकषित करना चाहता हूँ। हमारे यहाँ मवेशियों के चारे का बहुत अभाव है, बहुत बड़ी सख्या में मवेशी मरने की हालत में आ गये है या मर रहे है। पिछले सत्र में जब बिहार की बाढ समस्या के बारे में यहाँ पर बहस हुई थी, उस समय मेने इस समस्या को प्राथमिकता देने के लिये सरकार से अनुरोध किया था। उस समय हरियाणा, पंजाब, मध्य प्रदेश वगैरह से चारा ले जाने के लिये डिब्बों की व्यवस्था भी हुई थी, लेकिन वह अभी भी बहुत नाकाफी है। मैं माननीय मंत्री जी से निवेदन करूँगा कि ज्यादा से ज्यादा डिब्बे बिहार के बाढ-पीडित क्षेत्रों में चारा ले जाने के लिये दिये जाय। इस समय बरीली और बेगूसराय क्षेत्र में चारे का पहुँचाना बहुत आवश्यक है।

श्री नरसिंह नारायण पाण्डेय (गोरखपुर) : श्रीमन्, मैं आपके द्वारा माननीय मंत्री जी का ध्यान इस सप्लीमेन्ट्री ग्रान्ट की तरफ दिलाना चाहता हूँ। श्रीमन्, नई सक्ति के नाम पर विघ्न की अवहेलना की जा रही है, यह नई सक्ति नहीं है, बल्कि मैं तो यह कहूँगा कि एक नई ग्रान्ट को पेश किया गया है, नई शक्ति दे

कर पैदा किया गया है, इस में कोई अतिशयोक्ति नहीं है।

बाराबंकी से कटिहार लाइन का सर्वे कराने के लिये और उसको बड़ी लाइन में कन्वर्ट करने के लिये पहले भी कहा गया था, उसके बाद 23 सितम्बर को माननीय मंत्री जी ने स्वयं कहा था कि हम इस लाइन को फोर्थ प्लान में लेंगे। उसके बाद आप का खुब का लिखा हुआ पत्र मेरे पास है, मैं उसको यहाँ पर इस लिये उद्धरित करना चाहता हूँ कि जैसा माननीय मंत्री जी कहा करते हैं कि मैं इन्विटेबल डिस्ट्रीब्यूशन चाहता हूँ, यहाँ पर कितना इन्विटेबल डिस्ट्रीब्यूशन हुआ है, आप स्वयं देख सकते हैं। उत्तर भारत में एक भी लाइन बड़ी लाइन में कन्वर्ट नहीं हुई है। मैंने 16 जून को माननीय मंत्री जी को पत्र लिखा था, जिसमें 6 लाइनों का जिक्र किया था, जिनमें आपने प्रायोरिटी फिक्स की थी और कहा था कि टैकनीकल ओपीनियन 31 जुलाई तथा रेलवे बोर्ड में आजाएगी तथा प्राथमिकता देंगे लेकिन बाद में बिना किसी मजूरी के नई लाइन ली गई। मंत्री जी ने स्वयं अपने पत्र दिनांक 26 जून में कहा है और निचे लिखे लाइन के बारे में कहा है :

"It has been mentioned in the MP's letter that the conversion of the Vrangam-Okha section has been taken up. This is not correct. The conversion of this section has not been sanctioned."

मैं आपके द्वारा भीमान मंत्री जी से पूछना चाहता हूँ कि जो लाइन सैक्शन्ड नहीं है, उसको नई लाइन में कैसे लिया गया? आज जो लाइनें सैक्शन्ड हैं, जिनकी सर्वे रिपोर्ट भी मिल चुकी है और जो आप के रेलवे बोर्ड में पड़ी हुई है। आपने अपने पत्र में कहा था कि 31 जुलाई तक फाइनल करके इस लाइन को शुरू कर देंगे, लेकिन नई लाइन को से लिया गया और उन लाइनों की आज भी टीकररी में

रखा गया है। यह माननीय मंत्री जी का इन्विटेबल डिस्ट्रीब्यूशन है।

आज सिविल बर्कशाप में नये-नये सीफी-स्टीकेटेड ओपार बनाये जाते हैं और इस कारखाने को बढ़ाने की बात कही गई माननीय मंत्रीजी ने कहा कि न्यू सर्किलिज फोर्थ प्लान में लेंगे, लेकिन अब यह शंका हो रही है कि इसको कोई दूसरी जगह से आने का प्रोयास न कर रहा हो।

मैं चाहता हूँ कि माननीय मंत्री जी ने जो बचन दिया है। उसको पूरा करें। बाराबंकी से लेकर कटिहार तक और कटिहार से मुजफ्फरपुर तक की दो लाइनों को कन्वर्ट करने के लिये आपने कहा था, लेकिन कुछ नहीं किया और जो सैक्शन्ड नहीं थी, उसको इस सप्लीमेन्ट्री ग्रान्ट में जोड़ दिया। यह आपने कैसे किया है? यह इन्विटेबल डिस्ट्रीब्यूशन का तरीका नहीं है। इसलिये मैं चाहता हूँ कि फोर्थ प्लान में आप इसका ख्याल रखें और नई सर्किल के ताम पर नई लाइनों को लाकर विधान पर कुठराघात न करें।

इन शब्दों के साथ मैं इस डिमाण्ड का समर्थन करता हूँ।

श्री जगन्नाथ मिश्र (मधुबनी) . अध्यक्ष महोदय, माननीय मंत्री जी ने मेरे एक प्रश्न के उत्तर में लिखा था कि धनबाद से बहुत सारे यात्री दिल्ली और कलकत्ता की ओर जाते जाते हैं। जब ऐसी स्थिति है तो राजधानी एक्सप्रेस को धनबाद में ठहराने में उनको क्या आपत्ति है?

दूसरी बात—मैंने बार-बार आग्रह किया था कि पटना से दरभंगा और दरभंगा से पटना के लिये एक डायरेक्ट ट्रेन की आवश्यकता है, जिसकी स्वीकार भी किया जा चुका है, लेकिन यह सुविधा अभी तक खालू नहीं की गई है।

[श्री जयन्नाथ मिश्र]

तीसरी बात—समस्तीपुर से रक्सौल के लिये बड़ी लाइन की जरूरत है, यह ग्वाया मुजफ्फरपुर हो या दरभंगा हो, मैं इसके विवाद में नहीं जाता चाहता, मेरी दृष्टि में दोनों की उपयोगिता है, इस लिये मेरा अनुरोध है कि दोनों लाइनों की स्वीकृति दी जाय। इनका सब भी हो चुका है।

मेरा क्षेत्र मधुबनी है, जो हैड क्वार्टर भी है, और बड़े-बड़े कार्यालय और फैक्ट्रीज भी वहाँ पर हैं, लेकिन वहाँ का स्टेशन अभी भी अनडवेलप्ड पड़ा हुआ है। उसके डवेलपमेंट के लिये अनेकों बार प्रयास किये गये, काफी पलाचार हुआ, लेकिन अभी भी कोई ध्यान नहीं दिया जा रहा है और यात्रियों को बड़ी असुविधा हो रही है।

एक सबसे आवश्यक बात यह है कि हम गाँव-गाँव के विद्युतिकरण की बात करते हैं, जबकि स्टेशनों का ही विद्युतिकरण अभी तक नहीं हो पाया है जोकि जान-माल की रक्षा के लिये और रेलवे के कामों को सुचारु रूप से चलाने के लिये बहुत आवश्यक है। इसलिये हर स्टेशन के विद्युतिकरण की व्यवस्था की जाय।

बरोनी से कटिहार के लिये बड़ी लाइन बिछाने की व्यवस्था की जाय।

एक सबसे जरूरी बात यह है कि एन० ई० रेलवे के सिकरी से जयनगर लाइन पर पण्डोल और लोहट के बीच एक गुरुत्वा ट्रेन सर्जिस है। वहाँ के लोगों की बहुत जबरदस्त माँग है कि वहाँ पर पैसेन्जर ट्रेन की व्यवस्था की जाय। मैं मंत्री महोदय से अनुरोध करूँगा कि वहाँ पर भी पैसेन्जर ट्रेन की व्यवस्था करायें।

आसाम में बरोनी और दिरुली के बीच चलती है; अत्र फरक्का बैराज रेलवे लाइन

बिछ जाने के कारण उसका कट डाइवर्ट होमे-वाला है। मुझे इसमें आपत्ति नहीं है लेकिन उत्तर बिहार से इस तरफ आने के लिये यही एक-मात्र ट्रेन है, मैं चाहता हूँ कि इस सुविधा को कायम रहने दिया जाय और उस तरफ से कोई दूसरी ट्रेन चला दी जाय।

कल या परसो के अखबार में निकला था कि 300-400 सदस्यों ने ट्रांसफर आदि की पेशी में पत्र लिखे हैं। आज मुझे यह देखकर हैरत हुई कि एक ओर तो आप कहते हैं कि जो भी बातें आपको कहनी हों वह मंत्री जी से कहें और किसी से न कहें और फिर सिकायत करते हैं कि आपके पास बहुत से पत्र आते हैं। अगर दोनो हाउस मिलाकर 700-800 सदस्य मंत्री जी को 300-400 पत्र भी लिखें तो मैं नहीं समझता कि कोई आकाश गिर गया। वह तो लिखेंगे ही। अच्छा तो यह होता कि मंत्री जी कहते कि माननीय सदस्यों ने जो ऐडवाइस दी है, वह उसमाहबर्दक है। असल बात यह है कि सदस्यों की अपनी जबाबदेही है क्षेत्र के प्रति। इसलिये उनका लिखना स्वाभाविक है। इस पर मंत्री महोदय को आपत्ति नहीं करनी चाहिये। बल्कि प्रसन्नता से उस पर कार्रवाई करनी चाहिये ताकि सदस्यों का हीसला बढ़े और ठीक से काम हो।

SEVERAL HON. MEMBERS rose—

MR. SPEAKER : Order, order. There are seven minutes only, and I have eight to nine names of members who wish to speak. Yes, Shri Parashar.

PROF. NARAIN CHAND PARASHAR (Hamirpur) : Mr. Speaker, Sir, I want to bring to the notice of the Railway Minister that Himachal Pradesh has always been neglected, although it is important from the point of view of defence. One district, namely, Kangra, claims 37,845 persons who are serving in the army at the moment.

I am proud of the fact that yesterday, the Dogra Regiment which fought there, has hoisted the tricolour across Dera Baba Nanak. But so far as the soldiers are concerned, the communications are woefully poor there. I have been pleading time and again for the introduction of a new direct train between Delhi and Hoshiarpur so that the pressure on the Kashmir Mail can be reduced. Soldiers are now suffering while going back to their homes and also coming from their homes, because the Beas stands in the way, and they have to catch the train at Jwalamukhi Road and then go to Pathankot and then to Delhi, to join their posts of duty. So, the introduction of a new train between Hoshiarpur and Delhi is a must, because it will cater to the needs of the Hamirpur tehsil also, which is a tehsil situated almost at the topmost point in India, from the point of view of soldiers of the army.

Secondly, I have been pleading for expediting the speeding up of the Nangal Dam Express, although the Railway Minister was very kind to speed up the southern train by ten hours, he was very kind to me by speeding up the Nangal Dam Express by 15 minutes. Here is a big contrast—speeding up by just 15 minutes the Nangal Dam Express by which soldiers travel, and speeding up the Southern Express by 10 hours. This is a great irony for us; and what a big contrast.

Lastly, I have also been pleading for the extension of the railway line from Nangal Dam to Unna. I wish that the Pong Dam on the river Beas and the Nangal Dam on the river Sutlej are linked up by railway from the point of view of defence as well as development.

SEVERAL HON. MEMBERS *rose*—

MR. SPEAKER: Kindly sit down. Let me finish the names on the list first. Do not keep on sending chits to me; those chits will not count so long as the names on my list are not exhausted. Shri Chaandrakar.

श्री श्रीमू लाल चन्द्राकर (दुर्ग): अध्यक्ष महोदय, रेल मंत्री जी से मेरा एक विशेष अनुरोध है। मध्य प्रदेश इतना बड़ा प्रदेश है जिस

के अन्दर से सभी रेलवे लाइनें गुजरती हैं, लेकिन वहाँ कोई रेलवे हेडक्वार्टर नहीं है। किसी-किसी जगह तो दो-दो हेडक्वार्टर हैं, लेकिन इतना बड़ा मध्य प्रदेश है, वहाँ एक भी हेडक्वार्टर नहीं है। मैं रेलवे मंत्री महोदय से अनुरोध करूँगा कि वहाँ पर कहीं भी सही, एक हेडक्वार्टर होना आवश्यक है।

संसद में और दूसरी जगहों पर हमेशा इस बात की चर्चा होती है कि आदिवासियों को हम लोगों को ज्यादा पैसा देना चाहिए, उनकी आर्थिक स्थिति सुधारनी चाहिए। साथ ही यह भी कहा जाता है कि हमारे जिले भी खनिज पदार्थ हैं, उनका पूरा उपयोग करना चाहिए ताकि हमारी आमदनी बढ़े और खनिज पदार्थों को दूसरे देशों को भी भेजना चाहिए। हमारे यहाँ बस्तर में कम से कम 50 करोड़ रुपये का टीक अर्थात् सागवन भरा हुआ है। वहाँ पर कई किस्म के खनिज पदार्थ, लोहे को छोड़ कर, भरे हुये हैं। बलाडीला को घाघरा से जोड़ने की कई बार माँग की गई है, लेकिन हमेशा ही इसकी अपेक्षा होती रही है। मैं इसके कारणों में नहीं जाना चाहता, लेकिन एक मुख्य बात यह भी है कि केन्द्रीय मंत्रिमंडल में हमारे यहाँ का कोई मंत्री नहीं है। इसीलिए मध्य प्रदेश की अपेक्षा होती रही है। मैं मंत्री महोदय से अनुरोध करूँगा कि जल्दी के बल्की इस लाइन को जोड़ने का प्रयत्न करें।

अभी तक मध्य प्रदेश में करीब 702 मील की छोटी लाइनें हैं। इनको बड़ी लाइन में बदलने का प्रयत्न भी मंत्री महोदय करें।

SOME HON. MEMBERS *rose*—

MR. SPEAKER: I am so sorry. You must come through your Whips. Otherwise there is no discipline. There is confusion. If everybody gets up like this, how can we finish the debate? This is a discussion on the supplementary budget for the Railways; it had just a few simple items; it

[Mr. Speaker]

had been converted into a general debate. From half an hour it has been extended to 2½ hours. Why don't you have a separate debate on it 'sometimes rather than distorting the whole procedure? I am really surprised. It is a simple thing but it has been so much distorted ... (Interruptions).

श्री अजय सिंह (आगरा) : मैं मंत्री महोदय का ध्यान इस बात की ओर दिलाना चाहता हूँ कि मैं बारह वर्षों से लिख रहा हूँ एक प्लेग स्टेशन के बास्ते। उसको 1962 में मंजूर भी कर लिया गया था। लेकिन उसको नहीं किया गया। मैं कई वर्षों से लिख रहा हूँ कि परलम और अछनेरा के बीच में एक प्लेग स्टेशन होना चाहिये, लेकिन वह अभी तक नहीं हो सका है। दोनों स्टेशनों के बीच में दस मील का फासला है और बीस पच्चीस गाँवों के लोगों को इधर-उधर कहीं आने-जाने में बड़ी कठिनाई होती है। वह मेरी ही कॉस्टिट्यूएन्सी में है। वहाँ के लोग भी लगातार कई वर्षों से कह रहे हैं कि प्लेग स्टेशन होना चाहिए। मैं चाहूँगा कि मंत्री महोदय इस प्लेग स्टेशन की ओर ध्यान दें क्योंकि यह बहुत जरूरी चीज है।

श्री भागीरथ शंकर (आबुजा) : अध्यक्ष महोदय, अनुपूरक माँगों में महु (म० प्र०) में यार्ड बनाने का प्रावधान किया गया है। मैं निवेदन करना चाहूँगा कि महु से रतलाम तक और रतलाम से महु (म० प्र०) होते हुये खंडवा तक जो छोटी लाइन है उसको बड़ी लाइन में परिवर्तित किया जाये तो काफी लाभ हो सकता है क्योंकि बीच में इन्दौर और रतलाम जैसे बड़े और औद्योगिक नगर हैं। इसलिए इन लाइनों को बड़ी लाइनों में परिवर्तित करना जरूरी है। धौहद, आबुजा, धार इन्दौर लाइन और बड़ीदा, छोटा उदमपुर, अलीराजपुर खरगोन और खंडवा लाइन का सर्वे हो चुका है। मैं समझता हूँ कि अब इनका निर्माण शुरू किया जाये तो बड़ा लाभ हो सकता है। यह आदिवासी क्षेत्र है और

काफी दिनों से पिछड़ा हुआ है। वहाँ पर रेलवे लाइन ब होने के कारण कल-कारखाने भी नहीं खुलते हैं, जिसके कारण वहाँ के आदिवासी मजदूरों को इधर-उधर भटकना पड़ता है।

महु एक सैनिक छावनी है और वहाँ पर एक यार्ड बनाने का विचार सरकार ठीक कर रही है। लेकिन मैं इस बात पर जोर देना चाहूँगा कि रतलाम से खंडवा के बीच में बड़ी लाइन में परिवर्तित की जाये जो कि आजकल छोटी लाइन है। रतलाम एक रेल डिपोजीशन भी है और रेलवे में आने-जाने से जितने वहाँ के आस-पास के नगर हैं, उनका सबध है। इसलिए वहाँ पर छोटी लाइन से बड़ी लाइन में किया जाना बहुत जरूरी है।

श्री धनसाह प्रधान (सहडोल) : अध्यक्ष महोदय, मैं आपके माध्यम से मंत्री महोदय से प्रार्थना करूँगा कि जिला सहडोल कोयला क्षेत्र का एक बहुत बड़ा भंडार है, लेकिन वहाँ के मैनजमेंटों को कोयला भरने के लिये रेल के डिब्बे नहीं मिलते हैं। इस कारण मैनजमेंटों और मजदूरों में बड़ा असन्तोष है। मैं चाहूँगा कि सहडोल जिले में कोयले क्षेत्र में, रेल के डिब्बे भेज कर, वहाँ पड़े हुये कोयले को सप्लाय करने की समुचित व्यवस्था की जाये।

दिल्ली से उत्कल एक्सप्रेस सप्ताह में दो दिन बाध ही चलती है। मैं प्रार्थना करता हूँ कि उसको प्रतिदिन चलाया जाये।

सतना से रीवा होते हुये सिंगरीली तक एक बड़ी रेलवे लाइन निकाली जाये, वह मेरी आपसे प्रार्थना है।

सहडोल और कटनी में जो साक-सात बंदे गाँवियाँ बड़ी रहती हैं, उनको निरन्तर चालू रखने की व्यवस्था की जाये।

श्री रामचन्द्र बिकल (कायबत) : अध्यक्ष महोदय, यह बहुत इम्पॉर्टेंट चीज है...

अध्यक्ष महोदय : जो समय था, उससे दस मिनट अधिक ले लिये हैं।

श्रीमती सहोदरा बाई राव (सागर) : अध्यक्ष महोदय—

अध्यक्ष महोदय : अध्यक्ष महोदय अकेला है और आप ज्यादा हैं, क्या किया जाये।

श्री रामचन्द्र बिकल : हमारी रेलवे लाइन उखाड़ी जा रही है। दो मिनट दे दें।

निल कर भी मंत्री जी को भेजा है। कल से खड़े भी हो रहे हैं।

मैं केवल आश्वासन चाहता हूँ कि साहूदरा सहारनपुर लाइन को चलाया जायेगा।

MR. SPEAKER : I will put it before the Business Advisory Committee to see if 1½ hours could be found for a debate on the railways. Only these Members will participate in it who are left out now. I will keep this list with me. From half an hour we have taken 2½ hours, and now it is almost going to three hours. There should be a limit to it. A simple, innocent thing is converted into a general debate. I really wanted to accommodate all of you, but I am very helpless, there is no time.

THE MINISTER OF RAILWAYS (SHRI K. HANUMANTHAIYA) : I have placed before the House the Supplementary Demands for a few items stated therein, but the debate has over-ruled the rules on the subject and many supplementary suggestions have been made. There supplementary suggestions have generally been mentioned on earlier occasions also in this House. Most of them have received consideration. Personally speaking, I would be happy if I am able to implement the suggestions made by hon. Members in the matter of opening new lines, conversions and other amenities. The constraining factor is the resources made available

for the purpose and not the soundness of the suggestions made by the Members or the lack of will on the part of the railway administration to implement them. I have repeatedly submitted to the House that the resources contained in the Fourth Plan for the railways are too meagre to bring satisfaction either to me or to the Members of the House. But let us not feel dissatisfied or defeated. In times to come, we hope to pool more resources and construct many new lines and take up many more conversions. I am sure the House will appreciate that the current crisis created by Pakistan will stall many of our works for some time to come.

Shri Venkatasubbaiah has questioned the necessity of the supplementary demands. So, have other Members. I had indicated the possibility of the taking up of these lines in my Budget speech which I made before the House on the 24th May, 1971. I had stated therein :

"Some further data and clarifications have been called for from the Railways concerned and I have directed that the examination on of all these Projects should be completed within the next three months. I expect that these three projects would prove to be viable even as they are desirable. I hope that it will be possible for me to come up before this House for Supplementary Demands for implementing these projects."

The surveys and economic studies on these projects which had not been completed at the time have since been completed, enabling us to decide their implementation.

One hon. member was pleased to enquire whether all that we were doing was being done on planned basis. I would like to state that there is a perspective plan by the Railways for fifteen years. Any work undertaken is in consonance with it. It has also been decided that no more metre gauge line should be built and every track laid must be a broad gauge.

Hon. members naturally make demands relating to their constituencies and States. The Railway Administration has to take into

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consideration all the demands made by every Member and so distribute the Works as to meet the principle of equitable justice to every State. This policy I propose to implement, subject to over-riding considerations of defence and economic development of backward areas. The Supplementary demands for the three conversion projects that are now placed before the House are in consonance with the above policy.

The three Conversion Lines proposed serve four States, viz, Kerala, Mysore, Andhra Pradesh and Gujarat. So far as Bihar and UP are concerned, the Conversion of the Varanasi-Bhatni-Gorakhpur, Gorakhpur-Gonda-Barabanki and Bhatni-Barauni-Katihar sections of the N. E. Railway stands included in the Railways' Perspective Plan. In deference to the public demand in the area and in view of the importance of these railway lines, traffic-cum-engineering surveys have not been carried out. An Economic Study has also been made. These surveys and the study are now being examined in the Railway Board's office. It is anticipated that it would now be possible to take a final decision on the conversion of these lines early next year. If these works are found economically viable and the decision is in favour of conversion, action will be taken to take the conversions in hand in the next financial year.

Madras--Vijayawada electrification has been highlighted by several hon. Members. We propose to set up the Organisation immediately and start preparation of detailed estimates and specifications and tender documents.

Mr. Venkatasubbaiah wanted to know whether the administrative set-up for railway electrification which was previously in Calcutta would now be moved to take up the Madras-Vijayawada project or a new organisation will have to be set up for the purpose.

The old Railways Electrification Organisation at Calcutta was wound up in 1967 and the construction work was entrusted to

the Zonal Railways on which electrification projects were in progress. For Madras-Vijayawada, therefore, a separate organisation is required to be set up. The Supplementary Demand has been made to build up this organisation as well as to start preparatory work such as drawing up of detailed specifications, tender papers, etc. This would facilitate the execution of the project in right earnest from the next financial year.

He also made another suggestion that broad-gauge line from Bangalore to Guntakal should be extended to Hyderabad. Both these suggestions have a lot of merit in them and deserve consideration. I shall ask the Railway Board to examine their feasibility.

The hon. Member has also drawn the attention of the House to premature re-laying of rails on the DBK line and has asked whether this situation was not foreseen and could not be avoided.

Re-laying of rails before the average life expectancy has been due to the following factors :

- (i) existence of steep gradients upto 1.67 per cent;
- (ii) sharp curves upto 8 degrees; and
- (iii) movement of heavily loaded trains carrying over 3000 tonnes by 3 to 2 diesel locomotives in the heavily graded areas.

All the three factors have combined to wear out the rails at an accelerated pace. That there will be an abnormal wear and tear of rails from unusual friction was foreseen. To mitigate the effect of friction two remedial measures were devised, namely, the provision of check rails and provision of automatic lubricators on the outside rails.

The alternative of easing out the gradients and curvatures was found to be too costly. It is now proposed to use special wear-resistance rails in order to prevent, as far as possible, pre-mature renewals of rails in the

future. These rails were not earlier available in the country and are now being manufactured indigenously.

Shri Deb referred to the assurance given for the absorption of ex-employees of Howrah-Amta and Howrah-Sheakhala Light Railways, and pointed out that this promise has not so far materialised.

As a special case and in order to mitigate the hardship caused to employees, the Government agreed to absorb them in suitable grades and categories. I had referred to this in my speech to this House in March, 71. Some administrative difficulties arose in giving effect to this proposal. These difficulties have now been resolved and action is at present under way to screen these men with a view to absorb them in suitable posts on Indian Government Railways other than Eastern, South Eastern and N. F. Railways. This process will be completed in a few weeks, and thereafter offers will be made to these men for appointment to posts for which they are empanelled.

SHRI M. RAM GOPAL REDDY (Nizamabad) : What is the financial implication involved in this ?

SHRI K. HANUMANIHAIYA : There is no financial implication involved. We have to absorb them in the vacancies whenever they arise.

Shri Baladandayutham stated that no provision has been made in the Supplementary Demands for the increase in dearness allowance of the staff according to the cost of living index. That point was also made by several other hon. Members. The position in this regard is that the question affects all Government servants and, as such, the Government of India has to decide in a comprehensive manner on the basis of the Pay Commission's Report. The subject is dealt with by the Ministry of Finance and when a decision is taken by the Cabinet, appropriate provision will be made in the Railway Budget in respect of railway employees.

He also expressed apprehension about the dismantlement of Mettupalayam-Ooty

line. I do not know the basis of the hon. Member's apprehension. I want to assure him that there is no such proposal under consideration.

Hon. Member, Shri Nawal Kishore Sinha criticised the working of the Railway Protection Force on the Eastern and North-Eastern Railways. According to him, their inefficiency results in delayed release of wagons. The wagon supply on these railways, therefore, runs short. I may assure the hon. Member that I am fully aware of the deficiencies in the working of the Railway Protection Force. Action has been taken to formulate schemes for its re-organization. I hope to take early steps to re-organize the force in the near future. I may take the House into confidence and state that I have appointed a Special Officer to look into the whole subject and prepare a scheme for re-organization. The scheme is ready and its implementation may be done in the course of the next few months.

Hon. Shri Bhagwat Jha Azad emphatically pleaded that the Assam Mail should be run *via* Kiul, Bhagalpur and Farakka. As we just now heard there is objection also by some other members for the diversion. However, it was decided that the Assam Mail would be diverted *via* Farakka Bridge with effect from 15.11.1971. In the meantime however, there arose urgent necessity to move a large quantity of foodgrains and other essential commodities for Assam and Tripura regions. This, coupled with emergent military moves, made it imperative that the available capacity over the Farakka Bridge was fully utilised to meet this demand and non-essential movements restricted over this new route. It was, therefore, considered that diversion of the Assam Mail which would have further taxed the strained capacity over this route, should pend till the present emergency was over. Diversion of Assam Mail also required utilisation of two diesel engines. These are now being utilised to move this urgent traffic over the bridge. Their withdrawal would seriously affect our input into Assam. It has been decided that the question of diversion will be reconsidered in March, 1972 when a clearer picture would emerge. As my hon. friend, Shri Tiwary, has suggested, it may

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serve as a connecting link between North and South Bihar... (Interruptions). This requires careful consideration.

SHRI SHIVA CHANDIKA (Banka) : You have provided in the new time table for the Assam Mail to go through Bhagalpur. It has not been done now.

SHRIMATI JYOTSNA CHANDA (Cachar) : I wanted to know from the hon. Minister as to what are the criteria for conversion of lines. Just now he has said that if it has defence importance, it will be done. Then why is not the NF Railway included in this ?

SHRI K. HANUMANTHAIYA . I would like to tell the hon. Lady Member that so far as the Defence matters are concerned, either the hon. Lady Member or myself are not experts on the subject. If the Defence Ministry wants a particular line, let us not bother about advising the Defence Ministry... (Interruptions) Shri A. P. Sharma, I thought, was an all-India leader, but now I find that he is a great all-India leader pleading only for Bihar.

11 hrs.

SHRI A. P. SHARMA (Buxar) : It is not all-India which has brought me to this House. It is Bihar which has brought me to this House, and, therefore, I have to plead for the interests of Bihar, along with the interests of the whole of India.

SHRI BHAGWAT JHA AZAD (Bhagalpur) : He is laying new lines parallel in Bangalore; because he comes from there, therefore, the hon. Minister is doing that.

SHRI NARSINGH NARAIN PANDEY. The hon. Minister is more careful about his constituency than about other constituencies.

SHRI K. HANUMANTHAIYA : I am disappointed to see Shri A. P. Sharma pleading for Bihar. He tried to put me in the wrong for not pursuing my policy of meeting the labour leaders on Fridays. Sir, let me

give you the statistics, and not mere general observations. I have met labour leaders of many parties involving persuasions extended over 40 days and have spent more than 21 hours. Shri A. P. Sharma himself has seen me several times regarding labour matters, and I have also seen Members belonging to various political parties on the opposite side, as they know very well. Therefore, to say that I have abandoned that policy is amazingly untrue, if I may so put it.

SHRI A. P. SHARMA . I have not accused the hon. Minister in any way. I simply reminded him that he had assured us that he had reserved Friday for meeting labour leaders only and not all people, that is, Friday had been reserved exclusively for meeting labour leaders. That was what I was pointing out and nothing else.

SHRI K. HANUMANTHAIYA . Very good. If that is the correct version, then I am very happy. There is another amazing thing which has been published this morning.

MR SPEAKER : An all-India leader is a member of his constituency also.

SHRI K. HANUMANTHAIYA : Let me leave that alone now. I am very thankful to Shri A. P. Sharma for clearing the position. But I find from the newspapers, from some of the newspapers — I do not know which bright journalist had reported it — that Shri A. P. Sharma said that I had failed to implement the policy of meeting labour leaders daily. That newspapers should go to this extent of blatant exaggeration is something that is to be avoided in the interests of public service. The report is as though I had promised to meet them every day and that promise had not been kept up. That any newspaperman should understand things in this fashion and report it in this manner is something which has to be avoided in the interests of journalism and its standards of behaviour.

The hon. Member referred to the policy of labour participation in management. A labour leader of his standing ought to have

known that this policy has to be evolved and implemented for the whole area of labour and not piece-meal or departmentwise. I understand that the Labour Ministry is at it and meetings are being held for the purpose. I have also requested Shri A. P. Sharma and many other labour leaders to think together on the subject. The very diversification of trade unions along political lines is an obstacle in the way of the evolution of a uniform policy. Here, I am not speaking so much of a policy, but I am making a personal appeal to the House that if labour participation in management has to be effective and sincere, it should not be confined to the nomination of a few people on this committee or on that board, but there must be real participation of the workers who command the confidence of the working classes.

SHRI A. P. SHARMA : Right from the plant level

SHRI K. HANUMANTHAIYA : If a representative of labour wants to become the manager, the question of strikes and demonstrations ought automatically to wither away. You cannot have it both ways; you cannot become the head of the house and at the same time go on abusing everybody and destroying the property of the household.

SHRI A. P. SHARMA : Unfortunately, that is being encouraged and appreciated. The activities of those people who work constitutionally and constructively are not being appreciated. That is the unfortunate thing.

SHRI K. HANUMANTHAIYA : I shall appreciate them. Let the hon. Member have no doubt about that. I would like to make this appeal to the House, whether they are interested in labour welfare or in general administration. We have to see the fundamentals and apply our minds to basic problems. How can there be workers' participation in management unless workers also feel like managers and give up strikes and demonstrations on a matter of principle?

Shri Deb and some other hon. members referred to victimisation. Here also I want

to be specific. I do not want victimisation. The only difference between me and those hon. members is about the definition of the term. Here I stand to guard public interest on behalf of this hon. House. If a strike is illegal, if a few workers destroy railway property, hold up trains and cause loss to property, I feel those people are victimising the railway administration. This victimisation has to stop. To plead for people who victimise the public and public administration and to sympathise with and plead for them in the House as though they are innocent or are public beneficiaries is not the right way to enhance the prestige of this House.

SHRI DASARATHA DEB (Tripura East) : Then you can go to court.

SHRI K. HANUMANTHAIYA : I can assure hon. members that many a time these demonstrations are done on the spur of the moment or because of an emotional upset. I am not going to take a vindictive view of the matter. As regards those who are punished or those who are under trial for various offences, I have told the labour unions that I will sit with them and examine their cases. For that purpose, Shri A. P. Sharma made his point. I do not want to lend support or countenance any partisan attitude or demands to strengthen one's own union. It should be on a general basis. Therefore, in order to bring general satisfaction I want to consult all the labour leaders, whether they belong to one union or the other, so that I do not play into the hands of one particular union or one particular political party to enhance their strength or reputation.

In this hour of crisis I was so overjoyed that there trickled down my eyes when I heard hon. members of the Opposition making common cause with Government to fight Pakistan aggression. This is a good atmosphere and I assure hon. members that this atmosphere will certainly influence me in responding to their wishes.

Shri Dandapani asked that the Tirunelveli-Kanya Kumari line should be taken up for construction. I agree it would be a desirable step. It has been estimated that

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a metre gauge link would cost nearly Rs. 13 crores and a broad gauge link about Rs. 14½ crores. However, the traffic potential as assessed in the survey does not afford financial justification for the project. The question now best unremunerative works can be financed is at present under examination of the Railway Convention Committee and a decision will be taken in the light of the recommendations made by them and approved by the House.

The same hon. member mentioned that in the absence of water supply arrangements at Podanur and Coimbatore, water tank specials should be run from Mettupalayam daily even at a high cost. He suggested that a water supply works be set up there. This proposal is under consideration of the Railways already. It is proposed to obtain water from the river Bhavani at Mattupalayam and pump it to Coimbatore. Directions have been issued by the railways as to the scope and details of the scheme. The work will be taken up for implementation after a detailed scheme has been drawn up.

Coming back to Bihar, Shri Ramavtar Shastri and Shri A. P. Sharma referred to two light railways running there and wanted them to be taken over and converted into broad gauge.

As the hon. members are aware, the Arrah Sasaram Light Railway and the Fatwa Islampur Light Railway operate under specific agreements with private companies. Under the terms of the contract, option to buy these Light railways falls periodically at regular intervals. When the next option falls due, the wishes of the hon. members will be borne in mind.

SHRI A. P. SHARMA : When does the next option fall due ?

SHRI K. HANUMANTHAIYA : I have not got the information with me now. Another hon. Member—I think he was from the DMK party—referred to detection of large scale rail fractures on the Madras-

Arkonam Line and other sections of the Southern Railway. It is true that some rail fractures on the Madras-Arkonam, Madras-Gudur and Jalarpet-Bangalore sections of the Southern Railway have come to notice. Such rail fractures occur due to the development of inherent flaws in the structure of the rails. To prevent that development, the rails are tested with ultra-sonic flaw detectors. Detailed inspection of the rails by intensive survey is also undertaken periodically. Necessary action has been taken in all these sections to identify these defective rails and replace them by good ones. A length of six Kilometres on the Madras-Arkonam section and four Kilometres on the Madras-Gudur section was renewed in 1970-71. A further renewal of 36 km. has been taken up during the current year.

The same hon. Member, I think, pointed out that enough funds have not been allotted to the metropolitan project in Madras. The house is aware that the Government proposed to undertake metropolitan projects in Calcutta, Bombay, Madras and Delhi and that metropolitan transport organisations for the purpose have been set up in these cities. The occasion to set up a railway organisation arose only after the traffic studies carried out by the respective State Governments were completed. For Madras, these studies were completed only few months ago. The investigations for the techno-economic and feasibility studies for the mass rapid transport system in Calcutta are in full swing during the current year. Accordingly, Rs. 69.37 lakhs have been provided in the budget for 1971-72 to cover this expenditure. Provisions for funds to match the pace of activity would also be made in the Madras project for which Rs. 1.4 crores are included in the fourth Five Year Plan.

Sir, I have tried to reply to as many points as I could—

SHRI SHYAMNANDAN MISRA : What about wagons for fodder ? (*Interruptions*)

SHRI K. HANUMANTHAIYA : Various suggestions have been made by the hon.

members and almost all of them are the subject-matter of correspondence. Even when I sent a definite reply, they raise them in the House with the fond hope that I will be able to concede their point. As I have already said, even if it is raised in the House, I may take notice of it, but I will not be able to implement it unless the provision for the railways in the fourth Plan is doubled or trebled. Therefore, on their part, it is no use taking much of your time for the purpose of ventilating grievances which have been dealt with in correspondence and in the speeches repeatedly.

For example, on this fodder question, which has been mentioned by the hon. Member from Congress (O) party, this question is being discussed almost every day in the Ministry. The Bihar Government ministers have come; Members of Parliament have come and we have been able to give as many wagons as possible.

SHRI SHYAMNANDAN MISHRA : Please give a little more.

SEVERAL HON. MEMBERS *rose*—

MR. SPEAKER : Kindly sit down. (*Interruption*). Order, order... (*Interruptions*). I am watching how far you can go on like that.

श्री रामचन्द्र बिकल : मैं शाहदरा-सहारनपुर लाइन के लिये पूछना चाहता हूँ। यह सैनिक इलाका है, खाद्यान्न पैदा करने वाला इलाका है, इस को सरकार या तो खुद चलाये या प्राइवेट कम्पनी को चलाने दे। प्राइवेट कम्पनी भी चलाने के लिये तैयार हैं और मंत्री जी को लिख कर दिया है, उसका फैसला आप कब तक करेंगे ?

SOME HON. MEMBERS *rose*—

MR. SPEAKER : Kindly take your seats.

SHRI R. S. PANDEY : What about the Madhya Pradesh railway ?

प्रध्यक्ष महोदय : अगर इस तरह से मैं प्रश्नों का जबाव दिलवाऊं तो एक घंटा और

लग जायगा... (*व्यवधान*)... मैं एक बात बतला दूँ, मेरी यह स्टैंडिंग इंस्ट्रक्शन्स हैं कि जब स्पीकर खड़े होंगे, तो उस समय, अगर कोई मेम्बर बोलेंगे तो नहीं लिखा जायगा। मैं पहले ही कह चुका हूँ कि जिन लोगों के जबाब नहीं आये हैं, उन के लिये मैं बिजनेस एडवाइज़री कमेटी से टाइम लूंगा ताकि रेलवे पर बहस हो जाये। लेकिन मैं यह चीज़ दुस्त नहीं समझता कि इस वक्त एक सिम्पल डिमाण्ड आई है, उस को दूसरी शक्ल दे कर एक जनरल डिबेट बना लें। मिनिस्टर साहब भी इस के लिये तैयार हो कर नहीं आते हैं, जो डिमाण्ड आई है उस के लिये ही वह तैयार हो कर आये हैं, लेकिन यहाँ तो जनरल बहस हो जाती है। इसलिये मैंने सोचा कि इस वक्त हमारे पास टाइम बहुत थोड़ा है और समस्यायें ज्यादा हैं, हमारा प्रोसीजर भी बहुत पुराना है। अब हमें अपना प्रोसीजर भी कुछ बदलना होगा। मैं आज पहली दफा इस हाउस के सामने यह बात कह रहा हूँ कि हमें अपना प्रोसीजर बदलना चाहिए। हमारे यहाँ कुछ ऐसा कमेटी वर्क हो कि वहाँ पर मिनिस्टर जायें जिस डिपार्टमेंट कि वह कमेटी हो और जो मेम्बर्स चाहें वे भी वहाँ जायें और वहीं पर खुल कर सारी बातें हो सकें। आज वेस्टर्न यूरोप में जहाँ जहाँ पुरानी पार्लियामेन्ट्स हैं वहाँ प्रोसीजर्स बदल रहे हैं। ये प्रोसीजर्स तो उस वक्त थे जबकि रेलें नहीं थीं, हवाईजहाज़ नहीं थे और टैंक नहीं थे लेकिन आज सारा कुछ देश में मौजूद है। अब हाउस में हर बात के लिए टाइम नहीं है और फिर जो भी बहाना मिलता है उसी को लेकर आप लोग यहाँ डट जाते हैं। इसलिए मैंने कल इस बात को सोचा कि यह बात क्यों चलती है और मैं समझता हूँ प्रोसीजर्स के लिए हमें दोबारा सोचना पड़ेगा। कांस्टीट्यूशन में जो दिया है उसको हम फालो करेंगे लेकिन जब कांस्टीट्यूशन में 24 वाँ 25 वाँ, 26 वाँ अमेन्डमेन्ट आ रहा है तो फिर इसके बारे में भी हमें सोचना पड़ेगा।

[अध्यक्ष महोदय]

वैसे इसके लिए मैं बिजनेस एडवाइजरी कमेटी से कुछ टाइम लेकर आपको बिठा दूंगा, जो मर्जी हो आप कह लीजिएगा और मिनिस्टर आपको जबाव दे देंगे लेकिन इस छोटी सी डिमाण्ड पर आप क्यों अड़े बंठे हैं ? और बातें भी बहुत जरूरी हैं । अभी इमरजेंसी है और इमरजेंसी के बाद भी ये बातें कर सकते हैं । अब मैं डिमाण्ड पुट करता हूँ ।

The question is :

“That the respective supplementary sums not exceeding the amounts shown in the third column of the order paper be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1972, in respect of the following demands entered in the second column thereof—Demands Nos. 14 and 15.”

The motion was adopted.

MR. SPEAKER : Even if the Minister cannot give anything, the Members want only his sympathy.

SHRI P. VENKATASUBBAIAH (Nandal) : That is not in short supply.

[The motions for demands for Grants, which were adopted by the Lok Sabha, are reproduced below—Ed.]

DEMAND No. 14—CONSTRUCTION OF NEW LINES—CAPITAL AND DEPRECIATION RESERVE FUND

“That a Supplementary sum not exceeding Rs. 1,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1972, in respect of ‘Construction of New Lines—Capital and Depreciation Reserve Fuud’.”

DEMAND No. 15—OPEN LINE WORKS—CAPITAL, DEPRECIATION RESERVE FUND AND DEVELOPMENT FUND

“That a supplementary sum not exceeding Rs. 30,06,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1972, in respect of ‘Open Line Works—Capital, Depreciation Reserve Fund and Development Fund’.”

11:23 hrs.

MANIPUR (HILL AREAS) DISTRICT COUNCILS BILL

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI K. C. PANT) : I beg to move* :

“That the Bill to provide for the establishment of District Councils in the Hill Areas in the Union territory of Manipur, be taken into consideration.”

This is a Bill seeks to establish local bodies in the form of District Councils in the hill areas of Manipur, so as to associate the people of these areas closely with matters of local development and other matters of importance to them.

Before I go into the details of the Bill, I would like briefly to explain the circumstances in which this Bill is being brought forward. The question of the reorganisation of the North-eastern region with a view to conferring Statehood on Manipur, Tripura and Meghalaya and making NEFA and Mizo Districts of Assam into Union territories has been engaging our attention for quite some time. In this connection, we have also gone into the question of adopting a co-ordinated approach to the problems of development and security of the region. We have considered the special problems of the

*Moved with the recommendation of the President.

new units which would emerge as a result of the reorganisation.

As a result of these deliberations we intend bringing forward a number of measures. The present Bill is the first in the series. The other measures are the North-eastern Areas Reorganisation Bill for giving effect to the proposed territorial reorganisation, a Constitution (Amendment) Bill and a Bill to amend the Government of Union Territories Act to provide for a Legislative Assembly for the proposed Union Territory of Mirozam and certain other matters and a Bill regarding the Northeastern Council for securing a co-ordinated approach to the development and security of the region as a whole.

When our intention to confer Statehood on Manipur was announced last year, there was a demand from the Hill Areas of that territory for safeguards. These areas are predominantly inhabited by tribals. As the House is aware, one-third of the population of Manipur belongs to Scheduled Tribes, who mostly inhabit the Hill areas, and the non-tribals, who account for two-thirds of the population, are mostly in the valley.

The hill areas are relatively under-developed and one can understand the anxiety of the people of these areas for safeguards. In fact, when this House passed the Government of Union Territories Act, 1963, the need for safeguards for the hill areas was recognised and a special provision was made in section 52 of that Act for constituting a committee of the legislature of the Union Territory of Manipur with certain powers and functions to protect the interests of the tribals.

We have had detailed discussions with the representatives of the hill areas and the valley regarding the nature of the safeguards that should be provided for the people of the hill areas when Manipur becomes a State. Finally, we came to the conclusion that while the existing provisions regarding the committee of the legislature for hill areas should be continued by making a special provision in the Constitution, there should be local bodies as contemplated in

the present Bill to look after the local development and matters of special concern to the tribal people. The hill areas committee of the legislature for which provision exists under the existing law consists of members elected from those areas. A number of matters which are of special concern to the tribals, such as allotment, occupation and use of lands, regulation of jum cultivation, establishment of village councils, appointment or succession of chiefs or headmen, inheritance of property, marriage, divorce and social customs come within the purview of this committee. Bills introduced in the State legislature relating to these matters and affecting the hill areas are referred to the committee. The recommendations of the committee are thereafter considered by the legislature as a whole. If the legislature differs from the committee, the Bill as passed by the legislature and the Bill as recommended by the Committee are both sent to the Administrator and the one which the Administrator recommends is finally adopted. Similarly in the executive field, in regard to matters which come within the purview of the Committee, the Council of Ministers has to accept the recommendations made by the Committee. If however the Council of Ministers does not accept the recommendation, the matter is referred to the Administrator whose decision is final. As I have already stated, our intention is to continue the safeguards for which a provision will be made in the Constitution Amendment Bill, which we shall be introducing. It is also our intention to enlarge the functions of the Hill Areas Committee of the legislature by bringing within its purview matters relating to development and economic planning for the hill areas and constitution and powers as also functioning of the District councils envisaged in the present Bill. In this way while the scheme of safeguards provides for the district councils with powers as envisaged in the present Bill, the hill areas committee will provide a State level forum for the people of the Hill areas to ensure that the functioning of the district councils is not unduly interfered with by the State Government.

When we discussed the scheme of safeguards with the representatives of the hill areas, they emphasised that the law for

[Shri K. C. Pant]

establishing district councils should be enacted before Manipur became a State. The representatives of the valley have agreed to this. It is in this context that the Bill is being brought forward as a first step in the scheme of reorganisation of the north-eastern region.

Now coming to the Bill itself, it is generally modelled on the Territorial Councils Act which was passed by this House in 1956 and which was in force in the Union Territory of Manipur till 1963.

The Bill provides for the hill areas to be divided into not more than six autonomous districts. The number is no doubt somewhat large but our intention is that, as far as practicable, the major tribal groups should have separate autonomous districts.

Clauses 4 to 13 relate to the constitution of the district councils, their composition and other related matters. It has been provided that these councils should each consist of not more than 16 elected members and not more than 4 nominated members. The number of constituencies into which an autonomous district may be divided for the purpose of election of members is left to be determined by the Administrator. The provision for nomination is an enabling one. It gives discretion to the Administrator to be exercised only if necessary. He may have recourse to this provision to secure representation of weaker sections who may happen to be left out and whose presence might be considered desirable.

Clauses 14 to 20 relate to procedural matters concerning election petitions. Clause 21 relates to rule making power for holding the elections. Clause 22 relates to incorporation of District Councils.

Clauses 23 to 26 relate to the appointment etc., of Chairman and Vice-Chairman and members. These are on the lines of the Territorial Councils Act.

The District Councils will be coming into existence in the Hill Areas for the first

time and will be having wide powers. These bodies will have to direct their attention to the development of the areas and welfare of the people and a measure of stability should be imparted to their working. These considerations had weighed with this House when it adopted provisions similar to those in clauses 23 to 26 while passing the Territorial Councils Act, 1956.

Clause 29 spells out the functions of the District Councils and includes matters of importance to the tribals such as allotment, occupation or use of lands and regulation of the practice of jhumming. They can also recommend to the Government any legislation relating to appointment or succession of Chiefs, inheritance of property, marriage, divorce and social customs among the Scheduled Tribes.

Clause 32 relates to the appointment of the Chief Executive Officer. It follows the corresponding provision of the Territorial Councils Act. This officer will be an important functionary in our scheme and should be a person with administrative experience. We have, therefore, provided as in the previous Act that he will be appointed by the Administrator. While it is open to the Administrator to replace a Chief Executive Officer at any time if he is not found effective, the Council can also ask for replacement if a majority of the members are not satisfied with him.

The other provisions of the Bill relate to finances of the District Councils, control of the Administrator, etc., and are more or less modelled on the provisions of the Territorial Councils Act. I may add that Act was in force in Manipur and certain other Union territories from 1957 to 1963. Under that Act there was one Territorial Council for the entire Union territory. What we are now doing is to create similar bodies for smaller areas. These bodies would in effect function like Zila Parishads with some additional functions relating to matters of special concern to the tribals and together with the Hill Areas Committee of the State legislature, should provide adequate safeguards to the tribal people.

Sir, I commend this Bill to the House.

MR. SPEAKER : Motion moved :

“That the Bill to provide for the establishment of District Councils in the Hill Area in the Union Territory of Manipur, be taken into consideration.”

There are quite a few amendments but they can be moved when the relevant clauses come up.

SHRI DASARATHA DEB (Tripura East) : Sir, at the outset I offer my support to this legislation, namely, the Manipur (Hill Areas) District Councils Bill, 1971. The proposed arrangement, as suggested in the Bill, may give a limited opportunity to the neglected Hill Tribes of Manipur to participate in the affairs of administration of the Hill Areas. I would have been much more happy if at this stage the Home Minister had brought similar legislation with regard to the formation of regional autonomy for the Tribal belt of Tripura. But still the Government is very much reluctant in doing so. I do not know what is the reason. The bulk of the tribal people have been demanding an autonomous region for Tripura. Is it due to the pressure that Government has been facing from a section of the chauvinistic people who are in key positions of administration of Tripura as well as in every walk of life ?

The massive majority of non-tribal population in Tripura and their powerful voice has been silencing the voice of the Tribal people in Tripura for their just and legitimate demand for regional autonomy on the pattern of the provision in the Sixth Schedule of the Constitution. Even at this stage I request the Government that they should come forward with such kind of legislation for the Tribal belt of Tripura also.

Coming to the Bill, I say, the present Bill has a very limited scope of functioning of the District Council and their powers to protect the interests of the tribal people of Manipur, particularly, in land, in services and in other matters which are very much limited. This Council remains as a helpless child who has to look to the good grace of

the administrator in carrying out even a petty development work for the tribal belt of Manipur.

I will deal with clauses when clause-by-clause consideration of the Bill is taken up. I have already given my amendments to almost all the clauses.

As regards the powers which are sought to be given to the Council, it seems to me that this Council will have to work almost under the duress of the administrator or the Council of Ministers of the State. I oppose this type of nomination system. You have provided for the tribal people to elect their representatives in the Council and, at the same time, this Bill gives the power to the Administrator to nominate four persons. Why is it necessary ? It is absolutely unnecessary. This means you are allowing the people to come in the Council by backdoor, who can oblige the Administrator, the ruling class.

This Bill is full of scope for interfering in the functioning of the Council by the bureaucracy. In this connection, I want to deal with another matter, that is, the tribal question. The tribal question is essentially a national question which requires to be dealt with in a comprehensive manner, not in a piecemeal manner. It is an admitted fact that the tribal people, more particularly, the small border nationalities, in several respects, suffer not only from class oppression but also from a sort of national oppression at the hands of more advanced nationalities.

The first and foremost task and duty of the democratic people of India is to remove this oppression. Every nationality in the Indian Union, however big or small in size, must be treated on the basis of equality. That is why our party supports the formation of States on linguistic basis and the creation of regional autonomy for the tribal belts in different parts of India. That is why we believe that preservation and promotion of the unity of Indian Union may well be done on the basis of real equality and autonomy for different nationalities of India.

[Shri Dasaratha Deb]

At the same time, we have opposed to all the demands of secession movements. We believe, the social emancipation as well as the success of the struggle of tribals and other national minorities against all trace of inequality rests with the unity and united struggle of working class but not in the demand of secession or actual secession. In this regard, from the very beginning, we have been persistent in this policy. When the Meghalaya people fought for their emancipation, for having their tribal State, we supported it. When the Mizo people demanded autonomy, we supported it. But when the Naga people wanted to secede from India, we opposed it tooth and nail. When the Mizo people fought for the secession of Mizo Land from the Indian Union, we opposed it. We oppose the secessionist policy. But at the same time, we do feel that every nationality, however small or big in India, must have their right of self-determination to look up and manage their affairs within the Indian Union. We have been following that policy and we are very clear about it.

This is the national question as it confronts us in India today. The anti-imperialist movement for Indian liberation had always been described, in general terms, as the Indian National Movement, and as its corollary, the different language speaking peoples and nationalities living in the Indian sub-continent were being characterised as one single Indian nation. Such a definition of the termination can stand...

MR. SPEAKER : You can make a reference to it but not read your speech.

SHRI DASARATHA DEB : I am quoting :

“Such a definition of the termination can stand neither the test of historicity nor science. It does not help one to analyse and assess the National problem in India in all its facets...”

“The Indian Sub-Continent, both before and after its partition into Indian Union

and Pakistan, was a vast country comprising of people speaking different languages, living in different compact and contiguous areas, and belonging to varied ethnical, racial...

SHRI K. C. PANT : May I ask whether he is reading from the recent resolution of his Party ?

SHRI DASARATHA DEB : I am stating how our Party is looking at the national problem of India.

“...and cultural groups of people. It was a multi-national State ruled by the British colonial rulers. Neither the sentimental theory that the entire Indian Sub-Continent was of one ‘nation’ nor the pernicious communal theory that it comprised two nations...”

MR. SPEAKER : May I remind the hon. Member that is a simple Bill ?

SHRI DASARATHA DEB : This is not a simple Bill. The Manipur Tribals problem is a national problem.

“namely, Hindus and Muslims, can meet the truth or the scientific standpoint of view. The very fact that the Indian State...”

MR. SPEAKER : It is not at all relevant.

SHRI DASARATHA DEB : “...is defined in the Statute Book as the Indian Union, the fact that almost all the States had to be re-organised and reconstituted on linguistic basis, and the fact that there exists an irrepressible demand for real autonomy and greater powers for the States eloquently support the contention that the Indian Union is multi-lingual and multi-national in character. Without such clear thinking on the issue it is neither possible to consciously work for the preservation and strengthening of Indian unity and its integration nor easy

to effectively fight against the forces of disunity and disintegration."

SHRI K. C. PANT : Mr. Deb should know that this is a well-publicised document. It would help me in my clear thinking if he spoke on the Bill.

SHRI DASARATHA DEB : This is the policy of our Party. If you want to solve the national problem, this is what you should do. I am speaking of the tribal people of Manipur. I am speaking of the tribal people of Tripura also. They are also demanding the same thing. There is a lot of agitation but you are not bringing that thing, for tribal people who are living in other parts of India; some people are in Bihar and if there are contiguous areas...

MR. SPEAKER : That is not relevant.

SHRI DASARATHA DEB : This is relevant. If it is not relevant, why has he brought forward this Bill? They have to deal with the national problem. This is a very important problem of India and without solving that problem, India cannot advance.

MR. SPEAKER : This is just introducing District Council as in any other State.

SHRI DASARATHA DEB : Coming to the Bill also, I wish to say that the District Council is suggested to be constituted of such a body where you have given ample opportunity to nominate the persons by the Administrator. We are opposed to that.

At the same time, regarding the power given to the Council, I want to refer to one clause regarding allotment of land and setting apart land. They have said that they keep reserve forests, but, at the same time they have given enough opportunity to the administration to take out the land situated in the District Council, if necessity arises, for rehabilitation of certain people. The land in the scheduled area must be exclusively made available for the Tribal people alone and that is why we need this Scheduled Area. Otherwise, there is no meaning in saying it is a 'Scheduled Area'. Land should not be made available to any persons belonging to any

community except the Scheduled Tribes who are in the list of President's Orders.

SHRI D. BASUMATARI (Kokrajhar) : I wholeheartedly support this Bill.

Sir, I for one who used to oppose the disintegration and slicing down of the State of Assam. When the State of Nagaland came into being, I opposed it. Similarly, when Meghalaya was ushered into existence, I opposed it. But when the people of the tribal areas agitated that their demands were not being paid heed to, then I had no way out but to support the slicing down of the State of Assam.

The tribal areas of Manipur have been having a feeling for a long time that their demands had not been fulfilled by the administrator. Whenever I had talks with the tribal people from Manipur, they used to tell me that they were being neglected in various ways. At the same time, we find that the people from the plains go to the tribal areas and usurp their lands, taking advantage of their illiteracy and their simplicity. Rightly, therefore, they demand a separate State or they want to be included within Nagaland. I do not know what difficulty the Central Government have in including this area within Nagaland, especially since the language is the same, and there is similarity of religions and customs. Of course, I opposed the creation of the State of Nagaland, on the ground that it would encourage the other tribal people also to demand a separate State for them at other places also. However, the State of Nagaland has now come into being, and the measure has been put through, and similarly, the State of Meghalaya has also come into existence. And they are now forgotten chapters of history, so to say. Now, the tribal people in the plains of Assam also want a separate state in the sense that they also want to have a district council for themselves. Of course, I was opposing this demand for the greater interest of the State of Assam and I was opposed by the tribal people for not supporting the demands of the plain tribals. Now, what shall I do? How shall I go to them? How can I refuse to support their demand and oppose their proposition and go to them to seek votes from them? It is very

[Shri D. Basumatari]

difficult for me to oppose this demand made by the plains, tribals of Assam whose population is more than twelve lakhs.

Therefore, I am suggesting to Government that they should accept the demand of the plains tribal people also. Sir, I have been in the Congress ever since the days of my student life when I was a small boy. I have myself spoken in this House several times that the demands of the tribal people have not been fulfilled and they are considered only when there is some strong agitation made by them. Only one Deputy Minister has been taken in the Council of Ministers from the tribal out of 32 representatives (M. Ps.) from different states. I did not want to go out of the way and criticise Government at this stage of emergency. But I have to voice their demand here. In fact, I had given expression to my views in this regard not only to the present Prime Minister but even to her father Pandit Jawaharlal Nehru, and yet the demands of the tribals have not been conceded. I did not want a slicing down of the State of Assam in the past, but since the process has already started, to satisfy the aspirations of these tribal people, there is no way out now but to slice out a small State consisting of specified areas for these people.

I may not support what my hon. friend Shri Dasaratha Deb has said in regard to nominations. He might have pointed out rightly and correctly that the system of nomination is just to include somebody through the backdoor, just to take care of the interests of the plains people. That may be in the interests of the Central Government. But what about the interests of the people who have been fighting for their existence, for the safety of their culture, customs and manners and the safeguarding of their lands? Their demand also has to be conceded. That perspective has also to be looked into. I am glad that it is being conceded now in the form of the district council.

My hon. friend from Madhya Pradesh is here and he knows that I had visited the tribal areas in Bastar and the Jhabuas etc. When late Shri G. B. Pant was the Home Minister

here, he had appointed a committee called the Nomadic Tribal Inquiry Committee, and I had occasion as a Member of that Committee, to visit the tribal areas of all States.

I told the authorities by that time that the tribal people are neglected like anything. They are treated like beasts. Only the other day we had visited all the tribal areas with the Committee of the welfare of scheduled castes and scheduled tribes. But I do not see any change. On the other hand, I see the same old attitude of apathy. What was the condition in 1958, we found it is the same; there is no change, it is rather worse.

After establishing the tribal development blocks, roads have been constructed, houses have been built and schools have been constructed. They have set up even a college. But how many tribal students are there? only one percent in the college. All the money comes from the Centre in the name of development of the tribal areas. In the school, there are just 3 percent tribal students. The money for this also comes from the Central Government. The money is spent in the name of development of the tribals, but the benefit therefrom has been derived by the non-tribals, specially officers, in the name of tribal development, social workers and so on. On seeing this, one cannot but shed tears at this state of affairs. I have seen with my own eyes this state of affairs. Even after 24 years of independence women do not know how to wear clothes, they do not know how to put oil; they remain just like *junglis*.

There is a tribe called by the name of Bonda Porja in Orissa. They go about completely naked. Can you imagine this in this age of civilisation after so many years of independence?

SHRI JYOTIRMOY BOSU (Diamond Harbour) : Is he relevant?

SHRI D. BASUMATARI : Why does he interrupt? I do not interrupt him when he speaks.

SHRI JYOTIRMOY BOSU : Because he is a Congressman, he is relevant.

MR. SPEAKER : He may continue.

SHRI D. BASUMATARI : Therefore, this measure taken by Government is a welcome measure. At the same time, I would like to point out that it should not be a piecemeal measure. There should be sincerity of heart to safeguard the customs, culture and the economy of the tribals. If Government think of this problem only from the political angle and do something to keep them silent, that will not do. They must be sincere in what they say and do. I hope the hon. Minister of State will look at this problem and proceed about it with the same outlook and breadth of vision of our talented leader his father, late Pandit G. B. Pant. Then we can expect a solution to this problem.

SHRI N. TOMBI SINGH (Inner Manipur) : I am extremely glad to welcome this measure. The hon. Minister, Shri Pant, has explained in detail the background in which the Bill has been brought forward and is now before the House for its consideration.

I know the hon. Minister and also the Prime Minister have been at great pains in trying to know about the problems of the hill areas of Manipur and the neighbouring areas. This Bill is a clear indication of the masterly way in which the problem has been studied and the difficulties encountered are sought to be solved. I am, therefore, very happy, on behalf of the people of Manipur, especially the tribal people of the Manipur hill areas, in supporting and welcoming this measure. In fact, Manipur is a very peculiar area, and it is very difficult to compare this area with other areas of India. My hon. friend from Assam, Shri Besumatari, has made a reference to the hill areas of Manipur. He raised the question why these areas not integrated with Nagaland. He must be knowing the problems in his own district in his own areas, but I am very sorry to point out that his knowledge and information about the hill areas in Manipur, especially the problems of the whole of Manipur, is very far from the truth. Therefore, I would like to differ from him and would like to inform

the House that the State of Manipur—I think it will not be out of place to give a little background here—is divided broadly into two parts; the valley and the hills. The valley is a small area comprising only a little more than 700 square miles, and the hill areas comprise about 8,000 sq. miles. Within the 8,000 sq. miles, a little less than one-third of the population of the entire Manipur State is accommodated. Anthropologically and also in respect of religion, except for certain religious affiliations, the people of Manipur, whether they are in the valley or in the hills, do not differ from one another basically. They belong to more or less the same broad spectrum of people. Therefore, it is very difficult to compare the problems of Manipur, whatever they are—whether it is the problem of customs, culture, language, politics or other things—with those of other areas. For instance, in Assam, our neighbouring State, there are problems known as tribal problems, and that is so in other areas also like Tripura and Madhya Pradesh, to which reference has been made by hon. Members. We cannot compare easily the problems of Manipur with those of other areas, because, the advent of religion 300 years back in the valley of Manipur, expounded by Chaitanya Mahaprabhu, created only an apparent barrier between the hill people and the plains people. (*Interruption*)

MR. SPEAKER : We have to take some other business at 12 O' clock.

You will be called later on also.

SHRI N. TOMBI SINGH : I will be brief. This being a rather significant measure in respect of the hill areas of Manipur, I would need a little more time. I shall be brief.

MR. SPEAKER : I told you that you could continue tomorrow. We are taking up another Bill at 12 O' clock as decided by the house a little earlier. You can, if you want, continue your speech tomorrow.

SHRI N. TOMBI SINGH : Yes.

MR. DEPUTY-SPEAKER : How do you do it by this Bill ?

SHRI D. BASUMATARI : Now, when Government have come forward with a Bill just to give opportunity to the tribals to develop according to their own genius, I have no alternative but to support it wholeheartedly.

There is one point that I would like to make clear in this regard, Whereas Mizoram has been brought into a full-fledged Union territory, in the case of NEFA, however, there is a mental reservation. The assumption seems to be that the NEFA people are not so developed. But I would submit that it is a paradise of the bureaucratic people. So, I suggest that that paradise should be removed as soon as possible. The people of NEFA also should be given the same figure as those of Mizoram. The hon. Minister Shri K. C. Pant need not wait for the people of NEFA to start an agitation before granting them these rights. Just as Mizoram is a full-fledged Union territory, likewise, Arunachal Pradesh also should be made into a full-fledged Union territory without any mental reservation in regard to its powers.

When these two areas become Union territories, then certainly you cannot keep the North Cachar and Mikir Hill areas isolated. They are at present with Assam politically, but not ideologically, because they have their own culture and manners and they do not stand any comparison with the people of the Kashi and Garo Hills. Therefore, they are afraid of the very advanced people of Khashi Hill and, therefore, they preferred to be with Assam. But after separating the Mizoram and NEFA areas from Assam, I do not think that there is any option left to them for their being with Assam. Let them also be allowed to develop according to their own genius and in their own way. Let them also have the responsibility of administration for their own development. At present, they seem to have a feeling that they are not having due share in the administration and they are not treated well even in spite of the fact that three are in the council of Ministers out of four M. L. As. from that region.

MR. DEPUTY-SPEAKER : We are talking of Mizoram and Manipur now. We are not talking of Assam.

SHRI D. BASUMATARI : It is linked with Assam....

MR. DEPUTY-SPEAKER : How is it linked with Assam ?

SHRI D. BASUMATARI : When Government are thinking of doing so much good to the tribal people, why should they not think of the tribals of other areas too ? I had mentioned this the other day also. They also have the same types of backwardness with different customs and manners, and, therefore, Government should deal with them also in the same way. They should not wait for any agitation to be launched by those tribals, but give them also some responsibility in administration and enable them to develop according to their genius.

There is one point that I would like to say very frankly. What my hon. friend Shri Tombi Singh has said is quite correct, namely that we should not give any loophole to the people to have a separatist mentality. But then having allowed them to have these separatist idea, why should Government wait for agitation from the tribals of other areas before they concede to them also the same rights ? As far as the tribes in other areas are concerned, they are not able to safeguard their lands or their interests. I had already referred to all this the other day while speaking on the other occasion and so I would not like to repeat it. In those areas where the Fifth Schedule is operating, Government should examine whether the Sixth Schedule cannot be applied to them. I would also like the hon. Minister Shri K. C. Pant to examine whether the Fifth Schedule can also be made applicable to the backward belt and backward block constituted in Assam. Wherever it is possible according to population.

SHRI RANABHADUR SINGH (Sidhi) : I rise to support this Bill. I welcome it in the sense that it is an effort on the part of Government to recognise the aspirations of the people of Mizoram and to give them a greater share in governing their region. In this respect, I would like to draw the attention of Government to the fact that here an exercise has been tried to give a very limited kind of freedom to the people in this region.

Cl. 3 of the Bill clearly says that the administrator will have the power to pass Ordi-

clear : We will certainly be guided by certain principles to make *ex-gratis* grants to help those people, so that they may not be completely deprived. There is one amendment about standing crops. There is no doubt that it is legitimate. But I would like to assure you that by making it applicable under the Insurance Act, we are making things difficult for the agriculturists to make the payment of premium in time, etc. In that matter also, let me make it clear that we will certainly be very careful because those people are making sacrifices and they are made to sustain the losses for the sake of the country. So, Government will be very careful, meticulous and to a certain extent even liberal to see that their losses are compensated—not exactly compensated, it is a rather difficult word to use, but to see that the losses are made good. This much I would like to assure because it is quite all right to say that the houses, the crops etc., should be insured, but it is very difficult for these people there. So, we will try to work the Act with all the practical experience that we have, and with all the sympathy and sense of appreciation of patriotism of the people living in the border areas.

MR. SPEAKER : Motion moved :

“That the Bill to make certain provisions for the Insurance of goods in India against damage arising from emergency risks and matters connected therewith or incidental thereto, be taken into consideration.”

It is not for me to say anything to the Finance Minister, but as the war is going on purely in my constituency, Amritsar, I thought he would include the crops, but I am very happy that he has given an assurance.

We were faced with a bit of procedural difficulty, and so I allowed this motion to be made under rule 388 because both these Bills are inter-dependent, and when another dependent Bill comes, rule 66 comes in the way. So, I allowed this to be moved, so that a lot of time could be saved, because this is very urgent, and the sooner it is passed the better.

SHRI JYOTIRMOY BOSU (Diamond Harbour) : But we have not had any time to study it, it is not the real way to do the job.

MR. SPEAKER : In an emergency everything is legitimate. You must know this is an emergency. Two hours have been given for it.

SHRI JYOTIRMOY BOSU : Today is the fifth day since Emergency was declared. This Government's attitude, its class character, can easily be seen from the fact that they first rushed through the Defence of India Act. They wanted to acquire powers first, punitive powers, powers which give them a blank cheque to arrest people who are politically opposed to them, or those whose faces they do not like. The Calcutta press says that Mr. Dias, the Head of the West Bengal Government, has decided to direct the district officials to make liberal use of the Defence of India Act.

12.07 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

Today on the fifth day he has come forward with this Bill, and I was going to say something about the Chair using the powers under rule 66 without any rhyme or reason. Why should the Chair be so anxious to serve the cause of the Government ?

SHRI K. NARAYANA RAO (Bobbili) : It is not the cause of the Government, it is the cause of the nation.

SHRI JYOTIRMOY BOSU : I am talking about the Government at the moment. Rule 66 gives power to the Chair to waive the rules, but where is the time for the Members to study the Bill ? You have a big Secretariat, your academicians, your theoreticians, they will study the Bill and you come and deliver the speech here, but what about us ? We have to read it ourselves, study it, we have to find out where you are trying to headwink. And on the fifth day the Chair readily allows you.

The day the Defence of India Bill was brought here, I raised this issue whether

[Shri Jyotirmoy Bose]

the Government had received permission from the Chair as required under rule 66 which says :

"A Bill, which is dependent wholly or partly upon another Bill pending before the House, may be introduced in the House in anticipation of the passing of the Bill on which it is dependent."

And Direction No. 19 B says :

"No Bill shall be included for introduction in the list of business for a day until after copies thereof have been made available for the use of members for at least two days before the day on which the Bill is proposed to be introduced."

You are violating your rules. You are not considering the fact that members are required to say 'yes' or 'no' to something without reading it. This is unfair and I resent this attitude of the Government and the Chair.

The Bill could not be studied by us and we are really in the dark about it. Why is it that they did not study the debates of 1962 and what they did in Britain during World War II ? Why is it that you did not bring a comprehensive Civil Defence Bill ? I really wonder if the Government has studied the whole problem in depth. What about the Personal Injuries Bill ? That is very important. People including those in defence services should get comprehensive coverage for any damage or injury they might sustain during the period of emergency. We want Government to clarify their stand in this regard. Have you calculated the expected quantum of damage and loss of life ? The whole calculation is inter-locked with civil defence estimates. I really do not think you have done all this.

This is almost a business of general insurance. I have not had time to study it whether you are going to give this entire business to nationalised general insurance, who have the machinery of assessment and calculation of claims and damages. There is no difference between paying from the Con-

solidated Fund of India or from a nationalised insurance company. It is just from one pocket to another. We want to know why Government have taken the whole thing on their administrative machinery, instead of giving it to nationalised general insurance who have the necessary apparatus including trained personnel to deal with the matter. You have not said anything about that.

You have to guard against over-insurance by some ambitious, tricky people. Somebody will put stacks of hay and call them rice bags and things like that. That is how they will drain money from Government sources. And, have you put sufficient importance on the common, specially, the working man's home, hearth and livelihood ? You have no coverage for them. This Bill is intended for the money-bags those who have big industries, big properties, factories, etc My friend, Comrade Dasaratha Deb said about crop insurance. Even that small suggestion had upset Mr. Chavan. It cannot be done because there is nobody to calculate it. So, the sum total of it is that we do not have money for the common man. How do you wish to cover the financial and other interests of the common, specially, the working man, his home, hearth and livelihood ? Standing crop insurance is a must. Your general insurance is giving coverage to big plantations. There you have enough people to calculate the claims and pay them. But when it comes to the small-man's standing crop, this socialist Government has not got the men and apparatus

Rates should be lower for smaller assets and it should be subsidised, because the nation has to pay for the losses of the few who would be incurring damages during the emergency. The small property owners may not be able to pay premiums at a time in advance. I do not know if Mr. Chavan is really acquainted with the customs of general insurance that premiums are always payable in advance. There is no need for mentioning it.

I would not like to say that Shri Chavan is ignorant of these things, but I really want to ask him why he specially mentioned that.

Premium for general insurance is always paid in advance, but when there was interlocking of capital and when general insurance was being controlled by the private sector, they had a theory of 'heads I win, tails you lose'. In theory you can cover; the money was paid in theory but in practice it never reached unless there was a claim. We know that. But we are not going into those details now.

You must ask for payment of premium in advance but, if possible, in instalments. A man with small property cannot pay you in advance the war risk covered. But he must have a cover because if his assets are destroyed, he would not have the means to replace them. So, Government must think about it and tell us here and now on the floor of the House today that they would subsidise the rates for the small coverages, would accept premia in advance but in instalments and would give other concessions such as rates for small assets below a certain valuation would be subsidised by the nation.

Then, in general insurance, although you have nationalised it, you have followed the much trodden path of the private sector; that is, the forced package deal on the customer. Please do not follow that path. I will explain the package deal a little further.

If you had a house and wanted to get a cover for earthquake and earthquake shock, you cannot take out a policy; you have to pay for earthquake, earthquake shock and fire, because the premium for fire, according to actuaries' calculations, is much higher and premium for earthquake is very insignificant. Therefore, they had converted the whole business in a shape and form that came to their advantage. With general insurance nationalised we shall expect a better behaviour in that regard.

SHRI N. K. P. SALVE (Betul) : Earthquake only and not fire ?

SHRI JYOTIRMOY BOSU : Yes, if a customer wanted it that way. Earthquake shock and fire coming out of earthquake is understandable. There the calculation is very

low, but the moment it is general fire the calculation goes up. I think, I do not have to explain these things to Shri Salve; I do not want to carry coals to Newcastle.

SHRI YESHWANTRAO CHAVAN : We know that you are talking about a matter which is not under consideration.

SHRI JYOTIRMOY BOSU : It is all interlinked. You talked about advance payment of premia. Can you show me one instance where the premium could be given after the expiry of the period covered ? That shows your ignorance. That is why I am trying to tell you things there.

About Personal Injuries Emergency Provisions Bill, will the Finance Minister kindly tell us whether he is going to bring forward a Bill to give cover to personal injuries, like the Personal Injuries Emergency Provisions Bill, which would include civilian personnel as well as people from the defence services themselves, their injuries, deaths, properties and homes and hearths ? Everything should be included. That Bill should also cover loss of employment and of earning up to a certain slab.

Let the whole nation, I again say, pay for the few who suffer during this war. But we want a clear answer from the Finance Minister on the floor of the House today that he would consider introduction and passing of the Personal Injuries Bill which would cover everybody in the country.

MR. DEPUTY-SPEAKER : It is true that Members have not had the time to go through the Bill but this is an emergent Bill to meet an emergent situation. But I would like to be guided on two things. Firstly, if it is the intention to have both these Bills passed today, we shall have to sit beyond the stipulated time of 1 P. M. The House must agree to that.

SHRI YESHWANTRAO CHAVAN : If the House passes them before that, I suppose, you have no objection.

MR. DEPUTY-SPEAKER : I have no objection if they can be passed before that.

[Mr. Deputy Speaker]

Secondly, in order to guide the proceedings of the House I would like to know how much time should be allotted for them; otherwise, it becomes difficult to say to Members that it is time for them to stop.

There are two Bills. This Bill is to be passed. After that, there is the suspension of the Rule and the next Bill is to be taken up. I would like to be guided about the time.

SHRI S. M. BANERJEE (Kanpur) : At least 2 hours, 1 hour each.

MR. DEPUTY SPEAKER : I think, that should be enough. So, it is 2 hours, 1 hour for each Bill. Shri Ram Gopal Reddy.

श्री एस० रामगोपाल रेड्डी (निजामाबाद) : उपाध्यक्ष महोदय, अभी मैंने श्री ज्योतिर्मय बसु का भावण बड़े ध्यान से सुना । उन्होंने हिन्दुस्तान में जितनी बीजें हैं उन सभी को इश्योरेंस में शामिल करने के लिए कहा है । अब जैसा उन्होंने फर्माया है, अगर वैसा ही किया जाये तो पूरे देश का बजट भी उसके लिए काफी नहीं होगा । इसलिए जो जरूरी जरूरी बीजें हैं पहले जन्हीं का इश्योरेंस करना चाहिए । इस सिलसिले में मैं कहना चाहता हूँ कि फाय इश्योरेंस और कॅपिटल इश्योरेंस करना बहुत जरूरी है । गुजिरता जग में हम देख चुके हैं कि पंजाब में न सिर्फ पाकिस्तान ने ही नष्ट किया बल्कि जो पाकिस्तानी आकर खेतों में छिप गए हैं, उनको मारने के लिए लोगों ने अपने खेतों को भी जला दिया था । इसलिए मैं हुकूमत से चाहता हूँ कि जितनी क्रॉप्स है वह सब इश्योर की जाये । इसके अलावा हमारे बाहरे एरियाज में जो हमारे मवेशी हैं, वे भी बहुत कीमती हैं, वह हमारे मुल्क की दौलत है । मवेशी तबाह होने से हमारे किसान भी तबाह हो जायेंगे । मैं चाहता हूँ कि वहाँ पर जो भी किसान अपने मवेशियों का इश्योरेंस करना चाहते हैं, इश्योरेंसी के लिहाज से उनको इश्योर

किया जाना चाहिये । ऐसा अगर नहीं होता है, तो जो करल लाइफ है वह समाप्त हो जायेगी । किसानों को जो एक-एक बोड़ी सी भाशा है वह भी खरम हो जायेगी । इसलिए जिस तरह से आम फॅक्टरीज का इन्तजाम करना चाहते हैं, बड़ी-बड़ी मशीनों और कारखानों का इन्तजाम करना चाहते हैं, उसी तरह से गाँवों में इनका इन्तजाम करना भी जरूरी है । मैं फाय इश्योरेंस और कॅपिटल इश्योरेंस की जो माँग कर रहा हूँ, वह सारे देश के लिए नहीं कर रहा हूँ बल्कि वेस्टर्न सेक्टर में जहाँ पर हमले का खतरा है, वहाँ के लिए ही कर रहा हूँ । वेस्टर्न सेक्टर में जहाँ पर हमले का खतरा है वहाँ के लिए कह रहा हूँ । वेस्टर्न सेक्टर में जितने भी मवेशियात हैं, जितना करल सेक्टर है, वहाँ जितने मवेशी और क्रॉप्स हैं उनका एस्टीमेट कराकर इश्योरेंस करना जरूरी है । हमारे मुल्क का किसान कभी झूठ नहीं बोलता है जैसा कि ज्योतिर्मय बसु जी ने कहा कि बाज लोग अपनी बैल्यू को इन्फ्लेट करके दिखाते हैं ।

MR. DEPUTY-SPEAKER : That will require another Bill, about crop insurance. If you discuss about crop insurance and all that, you will be going far beyond the scope of the Bill. Please confine yourself to this Bill. There are many others who want to speak. The time is limited.

SHRI N. K. P. SALVE : He is suggesting extension of the Bill to crop insurance. He should not be stifled from doing that.

MR. DEPUTY SPEAKER : If he want to extend the scope of the Bill, then you must also agree to extend the time.

SHRI N. K. P. SALVE : The two are entirely different. He is suggesting that it should be extended to crops.

MR. DEPUTY SPEAKER : You are already extending the time by this interruption.

श्री एम० रामगोपाल रेड्डी : मैं इतना ही कहना चाहता हूँ कि क्राफ्ट इश्योरेंस और कैटिल इश्योरेंस वैंस्टर्न सेक्टर में किया जाये, पूरे देश में उसको करना जरूरी नहीं है। जैसा कि श्री ज्योतिर्मय बसु ने कहा कि लोग कारखानों और दूसरी चीजों की कीमत इन्फ्लेट करके बताते हैं तो उसका यहाँ कोई मौका नहीं है। कई चीजों से उसको चेक किया जा सकता है। इस मांग के साथ मैं अपना भाषण समाप्त करता हूँ।

SHRI S. M. BANERJEE (Kanpur) : I rise to support the Bill. But I wish to submit that last time when this Bill came up for discussion, certain doubts were expressed about certain clauses of the Bill. But, unfortunately, this Bill was circulated this morning and it was not possible for us to go through all the clauses. But, since I was present in 1962 also when a similar Bill was passed, I hope, Sir, I shall be able to suggest some measures which should be adopted by the Government.

As far as this emergency risk insurance in regard to undertaking or goods is concerned, it is a *must*. during this Emergency. We want to know from the hon. Minister as to what will happen to those people who lost their property before discussion of this Bill or before passing of this Bill. We may be passing it to-day and I am sure the other House also may pass it and the President may give his assent tomorrow or the day after and unless it becomes an Act, it will not be implemented. So, there should be some saving clause by which these cases could also be covered. Of course, in the border, whether in Punjab or in the Western sector or in the Eastern sector, there is no panic. I am so happy to receive telegrams from my trade union officials from Halwara which was bombarded, from Jodhpur, from Jullundur and from so many other places that their morale is extremely high. I am sure they are prepared to take any risk for the sake of their motherland and for defending the motherland against this aggression by the military dictators of Pakistan.

I heard over the All India Radio yesterday that about 32 people have also died, all belonging to the civilian population, in Haryana and Punjab because of shelling by Pakistan army. So, the question was raised by my hon. friend, Shri Jyotirmoy Bosu and probably by the other friend who spoke before me, that there should be some provision to safeguard the interests of the people also apart from the need to safeguard the property. So, I would like to know from the hon. Minister as to what should we do. What Government is going to do to have a compulsory insurance in the case of those people who are in the border areas? In our country, I think a very negligible percentage of people are insured. I am speaking in this House, I am not insured. You can imagine what will happen to other people. Not because I cannot afford insurance, but, I feel I am going to live long. So, the question arises in these areas especially in the Western sector and the Eastern sector, in the border areas, as to what will happen to those people who are facing enemy shelling everyday? I know in the Chamb area and other areas there is a problem to-day. Two lakhs of people have shifted to Jammu city itself and they want some shelter because of enemy bombardment. I am sure the Government with its resources will be able to meet this demand. They want some security against the Pakistani onslaught.

Then a word about property including crops. Now, general insurance belongs to the nation. It belongs to the Government. It is no more in the hands of the private sector and let us not commit the same mistake as we did in the past when some of the ships which were impounded by Pakistanis made tall claims and they are still making tall claims. Some of them may be genuine and some of them may not be genuine. That is why I would request the hon. Minister to kindly give some assurance as regards the cases of those who have suffered personal injuries in the borders and those who have already lost their property during the period before the passage of this Bill. I hope the hon. Minister would throw some light on these points.

With these words, I lend my support to the Bill.

*SHRI J. M. GOWDER (Nilgiris) : Mr. Deputy Speaker, Sir, on behalf of the Dravida Munnetra Kazhagam to which I have the honour to belong, I would like to extend my whole-hearted support and say a few words on the Emergency Risks (Goods) Insurance Bill introduced by the hon. Finance Minister. At the time when the nation is facing an emergency and when such essential legislations are required, it is not proper to say that no time has been given to the hon. Members to study the Bill and the Government are likely to commit mistakes in the implementation of the provisions of the Bill. It is just like trying to loot a house which is already burning. This is not the time for finding fault with the Government for bringing forward this legislation in a hurry. As this is a very useful Bill, it should be welcomed by one and all in this House.

Here, I would like to raise one or two issues which are very pertinent to the Bill and for which I seek clarifications from the hon. Minister of Finance. It is stated in Clause 5 that the Central Government's liability as the insurer under the Scheme will be limited in each case to eighty per cent of the insurable value of the goods. Here I would refer to clause 7 (2) where it is stated that the goods of the value of Rs. 50,000 or less are not compulsorily insurable. This means that this scheme will be compulsorily applicable to goods having a value of more than Rs. 50,000. That being so, I feel that the Government's liability of 80% of insurable value is on the high side. When there is a national crisis involving the security of the country, the Government need not commit itself to 80% liability. I am of the view that it should be reduced to 60%.

Then, regarding clause 6, I would like to know from the hon. Minister of Finance whether they have already finalised the scheme for implementing the provisions of this Bill and also whether they have selected the agent or the administrator for this scheme. As this scheme is to be implemented forth with, it is very necessary that the scheme should have been finalised even before introducing this Bill here.

Clause 9 prohibits private insurers from competing with the Central Government under this scheme. It is known to all of us that both the Life Insurance as also the General Insurance have been nationalised by the Government and there is no private insurer at all in the country. I do not appreciate the necessity for having this Clause in this Bill.

Under clause 3 there is a provision to the effect that the goods which have been already seized by enemy will not be insurable. Only today this Bill has been introduced in this House and it will become an Act in the course of two, three days. I do not know why this Bill should contain such a reference for the property which has already been seized by the enemy. I feel that this is superfluous in the present context of things.

In the Definition Clause, there is a separate mention of articles used in or for the construction or repair of any ship. When the definition for "goods" is quite extensive in itself, I would like to know the significance for making a special reference to articles used in the construction or repair of a ship. I would like to seek the clarification from the Minister of Finance.

When the scheme is going to be made applicable to goods of the value of 50,000 and more, I do not know why it should be made compulsory. It is in the interest of suppliers and sellers that they should insure their goods on their own especially during an emergency time. In fact, it should be a voluntary effort on their part and not made compulsory from the side of Government. I wish that the hon. Minister will delete the word "compulsory" and insert "voluntary" in its place. It need not be repeated that in their own self-interest, the sellers and the suppliers should avail of the facility extended by the Government during an emergency.

It is no doubt a welcome measure in the interest of the economy of the country. But, I would like to suggest here that for the people, particularly the people living in border

*The original speech was delivered in Tamil.

areas, the poor agriculturists, who might be affected and whose crops might be destroyed during the war, a scheme of crop insurance should be formulated immediately and introduced to give protection to them. I hope that the Government will give serious consideration to the proposal I have made.

With these few words, I welcome the Bill.

डा० कैलास (वम्बई-दक्षिण) : उपाध्यक्ष महोदय, मैं इमर्जेंसी रिस्क (गुड्स) इन्श्योरेंस बिल का समर्थन करने के लिये खड़ा हुआ हूँ। श्री ज्योतिर्मय बसु ने, जैसी उनकी आदत है, सरकार को दोष देने का प्रयत्न किया। जब वित्त मंत्री इस बिल को पेश कर रहे थे, तब उन्होंने बतलाया था कि आपात्कालीन समय में हमें ऐसे कदम उठाने चाहिये जिनसे देश में विश्वास जागृत हो, जिनसे देश में वह धैर्य बना रहे, जिनसे देश के एक कोने से दूसरे कोने तक सारे सामान, चाहे सरकार के हों या उन कारखाने वालों के जिनको हम प्राइवेट सैक्टर कहते हैं, उन स्थानों तक पहुँचाये जा सकें ताकि जो हमारे युद्ध की गति है वह किसी प्रकार कम न पड़ जाये। वित्त मंत्री जी ने यह बिल देश में एक विश्वास प्रस्थापित करने के लिये पेश किया है।

मैं ऐसा मानता हूँ कि हमारी खेती और हमारे पशुधन का भी इन्श्योरेंस होना चाहिये, उन्होंने पिछली बार कहा था कि उनकी खेती की बीमा की माँग ठीक है लेकिन उसको आँकना और उसके आँकड़े तैयार होने से इतनी जल्दी नहीं संभव हो सकेगा। मैं इतना अवश्य कहना चाहूँगा कि जितनी भी हमारी बार्डर एरियाज़ हैं, जिनका जिक्र हमारे अध्यक्ष श्री दिल्ली ने भी किया, अगर सिर्फ उन स्थानों पर खड़ी हुई खेती के बारे में भी बीमा का विचार किया जा सके तो ऐसा करना चाहिये। अगर आज हमारे वित्त मंत्री उस पर विचार नहीं कर सके हैं तो सिर्फ इसलिए कि आँकड़े उनके पास नहीं हैं और उनको यह भय लग

रहा है कि खेती शायद एक लाख की होगी लेकिन उसको दो लाख का बतलाया जायेगा। मैं ऐसा मानता हूँ कि जब सामान एक जगह से दूसरी जगह जाता है तब उसमें भी वह रिस्क रहता ही है। आज जब हम लड़ाई के प्रयत्नों में मदद करने का यत्न कर रहे हैं, तब मैं ऐसा मानता हूँ कि अगर कोई सबसे बड़ी इंडस्ट्री हमारी है, सबसे बड़ा उद्योग है, तो वह खेती है और सबसे बड़ा धन अगर कोई है तो वह हमारे पशुधन है। आज चूँकि बार्डर एरियाज़ पर युद्ध हो रहा है और हम इस बात पर पूरी तरह से विचार नहीं कर सके हैं तो तीन चार दिन बाद मंत्री महोदय इसके लिये अमेंडमेंट लाने का प्रयत्न करेंगे, ऐसी आशा है।

मैं बहुत ज्यादा बोलना नहीं चाहता हूँ, लेकिन इतना अवश्य बतला देना चाहता हूँ कि इस बिल की कलमों पर मंत्री महोदय ने बहुत सी बातें बतलाई हैं। उन्होंने कहा है कि अगर किसी ने प्रीमियम में देरी की और उसके साथ ही उसका कुछ नुकसान हो गया है तो हम उसका विचार नहीं कर सकेंगे। लेकिन फिर भी हम इसका अवश्य ध्यान रखेंगे कि जितना भी नुकसान उसका हुआ है और वह आवश्यक चीज है, तब उसका विचार करेंगे। यह बात सच है कि देश के जवानों से हम बड़ी-बड़ी आशायें लगाए बैठे हैं लेकिन अगर जावानों को पहुँचाये जाने की जो भी वस्तुएँ हैं, उनको पर्याप्त मात्रा में पहुँचाने के लिए, जहाँ पर सामान पंदा हो रहा है, देश में, उसको उन तक पहुँचाने के लिए जल्दी न की गई तो यह न्याय नहीं होगा। इन सब चीजों के लिए समय पर विश्वास लाने के लिए इस बिल की आवश्यकता थी।

श्री आर० वी० बड़े (खरगोन) : यह जो इमर्जेंसी रिस्क इन्श्योरेंस बिल शासन ने हमारे सामने प्रस्तुत किया है, इसका मैं विरोध नहीं करता हूँ, इसका मैं समर्थन करता हूँ। साथ-साथ कुछ जो डिफिकल्टीज़ हैं, उनकी

श्री मार० श्री० बड़े]

सरकार में बिल मंत्री जी का ध्यान दिखाना चाहता हूँ। 1962 में भी ऐसा ही बिल आया था। तब श्री. हम लोगों ने कहा था कि गुड्स में ये चीजें भी शामिल की जानी चाहियें, एग्रिकल्चरल गुड्स, फ़ाप्स, कैंटल, हाउसिंस, फ़ैब्रीक, रेजीडेंशियल प्लेसिस। अब अगर ऐसा कर दिया जाता तो ज्यादा अच्छा होता। तब श्री मोरारजी देसाई बिल मंत्री थे और उन्होंने कहा था और शायद चत्तान साहब भी आज यही कहें कि एग्रिकल्चरल गुड्स, कैंटल आदि का जहाँ तक प्रश्न है, उन लोगों से प्रीमियम लेना बड़ा मुश्किल है क्योंकि किसान गरीब होता है और उसके ऊपर कम्पलेशन करना ठीक नहीं। किस तरह से प्रीमियम फिक्स किया जाए, शायद इस पर सरकार को विचार करना है और चूँकि इस पर विचार नहीं किया जा सका है, इस वकाले शायद इनको इसमें शामिल नहीं किया गया है। इस वकाले यह बतलाने की जरूरत नहीं है कि यह देश किसानों का देश है। उनके कैंटल का और फ़ाप्स का भी नुकसान होगा, इसलिए उसकी तरफ शासन का ध्यान अवश्य जाना चाहिये। इस बिल में वह इसको नहीं कर सकते हैं तो किसी और रूप में वह इसको करें।

प्रीमियम जो आपने रखा है, उसके बारे में आपने कहा है कि तीन परसेंट से ज्यादा वह नहीं होगा। 1962 में इस पर बहुत हुई थी और एमेंडमेंट भी मैं लाया था। तब जो डिस्कशन हुआ था, उसको भी मैं लाया हूँ।

“... amount of any one premium payable is not less than such amount specified in the scheme.”

It would be better if it was two per cent.

पचास हजार रुपये से अधिक वाली जो वलाज है, उसकी तरफ में बिल मंत्री का ध्यान दिखाना चाहता हूँ। यह वलाज 7 है :

“Provided that the scheme shall not restrict the carrying on of business... does not exceed fifty thousand rupees.”

पचास हजार से नीचे अगर कीमत होगी तो उस पर यह लागू नहीं होगा। इसका उनके पास क्या एक्सप्लेनेशन है, यह मैं जानना चाहता हूँ। क्यों इनको पचास हजार से ऊपर पर लागू किया जा रहा है। श्री मोरारजी देसाई से भी जब इसके बारे में पूछा गया था, तब वह चुप हो गये थे। इसके पीछे काइटीरियम क्या है। नीचे लागू क्यों नहीं इसको किया जा रहा है, इसका खुलासा मंत्री जी करें।

मंत्री जी ने कहा है कि यह टेक्सेशन नहीं है। यह इनश्योरेंस बिल है। जो नुकसान होगा, उनको देने के लिए शासन ने इस में प्राविजन किया है। पेज 8 पर क्लॉज 7 के अन्तिम में आप कहते हैं :

“If at any time the amount standing to the credit of the Fund exceeds the sum which, in the opinion of the Central Government, is likely to be required for the making of payments out of the Fund, the excess shall be disposed of in such manner as the Central Government may think fit.”

That is not before us. In 1962 also, the same thing was there. What is that manner? How are you going to dispose of the excess amount? You have not said anything about it.

डेलीगेशन आफ पावर्स इसमें बहुत ज्यादा है। एनेबलिंग क्लॉज जिस कहते हैं उस तरह की इसमें बहुत सी क्लॉजिज हैं। यहाँ कहा गया है कि जाने हम स्क्रीम बनायेंगे गुड्स कीन सी हैं, वह बतायेंगे जो गुड्स इनश्योर्ड नहीं हैं उन गुड्स का व्यापार नहीं किया जा सकता है। मुझे मैं क्लॉज 7 में कहा गया है :

“When while the Scheme is in operation, no person shall, after such date as may

be specified in this behalf.....carry on any business in India as a seller or supplier of goods, ..."

1962 में मैं बोला था। उस वक़्त मैंने कहा था कि वह जो बलाज है

"that nobody can deal with business if that business is not insured."

इस प्रकार के रेस्ट्रिक्शन क्यों लगाई गई है। 50, 000 के नीचे परमीशन दी है। बल्कि यह होना चाहिये कि एमरजेंसी है, वार चल रही है और इनश्योरेंस बिल होना चाहिये और उसमें कितनी केवट्रीज हैं, माइज हैं जैसे कोल माइज और उनके आसपास जो रेजीडेंशल क्वार्टर हैं, जहाँ मजदूर रहते हैं, उनके बास्ते भी कुछ प्राबिजन हो। उसकी तरफ भी शासन का ध्यान जाना चाहिये।

1962 में जैन साहब एम० पी० थे आप भी मंत्री थे। जैन साहब ने कहा था :

"There is nothing new that I am saying. During the Second World War in the United Kingdom I understand a much more comprehensive scheme of war risk insurance was undertaken to cover the risk in relation to residential houses, shops, etc."

मैं आप से जानना चाहता हूँ कि इस प्रकार का कॉम्प्रेहेंसिव बिल आप क्यों नहीं लाते हैं।

SHRI H. M. PATEL (Dhandhuka) : I think these Bills are certainly to be welcomed and if I make a few observations, it is only to point out that they do not go far enough, they do not cover a great many things that ought to be covered. These have been pointed out by some of the previous speakers. But I would refer in particular to the gap which the Finance Minister referred in his opening remarks. He said : a gap undoubtedly exists between the date of the Emergency Declaration and the date on which this Bill or rather the scheme that will be framed under this Act when it will be brought into force. What

is Government going to do about it? The hon. Minister says that he proposes to work out some principles and some methods by which compensation may be given.

SHRI YESHWANTRAO CHAVAN :
Ex-gratia payments.

SHRI H. M. PATEL : They will also be given according to some principles. It seems to me that so far as the undertakings are concerned, those will be insured in the ordinary way and if they are so insured there could be no doubt as to the value of the properties insured and if these are damaged they certainly should be compensated in full without any restriction.

I want to make another suggestion for his consideration. In so far as goods are concerned, their case is extremely difficult. Most of goods would not be insured at all and there the principle of ex-gratia would have to be applied, and applied in a generous spirit.

Reference has been made to standing crops and various other things such as residential properties, etc. which would be damaged. I would like the Finance Minister to indicate if he has in mind some scheme under which all these things could be covered. It is understandable that he could not bring forward a scheme to insure all these things; may be even the people would not be able to pay the premium that would have to be paid. There is no doubt that a great number of people would be seriously affected by the damage that would be inflicted by enemy activities. It is at the same time imperative on Government's part to see that the affected individuals are rehabilitated; I use that word deliberately. There should be some scheme or arrangement for ascertaining these losses and for making it possible for these people to be enabled to re-establish themselves.

I do not wish to go into other lacunae that exist, some of them have been pointed out by Shri Bade. There has also, unfortunately, not been time to go into these Bill and point them out, but we do hope that Government would be prepared to receive suggestions from us subsequently and also introduce

[Shri H. M. Patel]

some modifications in the light of their own experience to enable the Acts to be administered in the spirit and manner in which they are intended to be administered.

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) : Except Shri Jyotirmoy Bosu, most of the Members have welcomed the Bill, and even Shri Jyotirmoy Bosu did not oppose the Bill, he merely made a complaint about the delay in bringing forward the Bill. I agree there was delay, a delay of three or four days, but there are certain procedural things to be gone through. After giving notice, it is I who have come before the House to waive the rule so that the Bill can be passed. Therefore, the intention is to get it through as quickly as possible.

One of the points made is that we are not trying to extend the scope of the Bill to include agricultural property, crops, residential quarters etc.,...As a matter of fact, this is a scheme of a different type and there is an element of compulsion in it. The question of extending general insurance to crops etc., is a separate one and can be considered separately. If we say that agricultural lands should be insured compulsorily and they should pay the premium, then it will be a harassment of the agriculturists in the border areas, for the small villager to pay the premium. Therefore, we have decided that in the case of crops and buildings in the border areas which are destroyed by enemy action, it is for us to take a liberal attitude and give them *ex-gratia* payment, as we did in 1965. I can tell you from my own personal experience that we did it in 1965. Of course, the suggestion is very laudable that we should include them in the general insurance scheme, and I think that was one of the purposes for which we nationalised general insurance, but that should not be linked with this scheme.

Shri Jyotirmoy Bosu wanted to know whether we were going to bring in specific amendments to the Personal Injuries Act of 1962 to cover this particular period. I would like to tell him that it is the intention of

Government to bring an amendment to that Act, because that is a permanent Act, only its operation will have to be made applicable to the present emergency.

Another Member said that Government was going up to 80 per cent, but if you see the actual wording of the Bill, it says it will not go beyond 80 per cent. It does not mean that in each and every case we will give 80 per cent. He wanted to reduce it to 60 or even 50 per cent. Actually, in some cases it may be even less than 50 per cent, but in some deserving cases we may be required to go up to 80 per cent, but it is not compulsory. We have fixed a ceiling of 80 per cent.

Shri Bade referred to three per cent premium provided in the Bill, but I can tell him of our actual experience of the working of this Act last time. We had to make use of it in 1963 and 1965. The maximum premium charged was 1 per cent. In many cases, it was less than that—4, 6, etc. and the maximum was 1 per cent. In the case of emergency, it is better for Government to have a little more flexible power. It is one thing to have a power and another thing to make use of it. In actual practice, we have been very reasonable in this matter.

The other constructive speech came from Mr. H. M. Patel. When we are going to make *ex-gratia* payments, I indicated there will be some principles. Certain assessments will have to be made and they will be based on certain principles. He has suggested one of the principles. I cannot say that it will be the only principle. But certainly that can be taken as one of the guidelines. I apologise to the House for the fact that there was no time for hon. Members to study the Bill. But if hon. Members have any other suggestions to overcome the deficiencies noticed in actual practice I assure you that I will myself come before the House with further amendments. If hon. Members have any suggestion about the scheme which is going to be prepared under the Act—that is the operative part of the Act—I will certainly take that into account.

श्री दरबारा सिंह (होशियारपुर) :
मिनिस्टर साहब बहुत अच्छा बिल लाये हैं।
मैं पूछना चाहता हूँ कि जिन लोगों की क्राप्स
मिलिटरी ने आकुपाई की हुई है, जिनकी फसलें
खराब हो गई हैं और जो रबी की फसल नहीं
बो सकेंगे, क्या उनको भी कनसिडरेशन में
लाया जायेगा।

SHRI YESHWANTRAO CHAVAN :
We are not trying to put it in the straight-
jacket of an Act. We are keeping it to our
discretion. When *ex-gratia* payments are
made, all these factors can be taken into
consideration. Mr Patel's point was, these
people are really suffering because of a
national calamity and emergency and it is
our duty to rehabilitate them. That is the
main principle on which we will proceed.

Mr. Buta Singh had in mind two points.
One was about crops, which I have explain-
ed. The other was about machinery of the
undertaking. In the second Bill I am going
to move, if you see the definition, property
includes the plant, machinery, factory, etc.

SHRI JYOTIRMOY BOSU : Money-
bags' interests are covered by the Bill. What
about workers living in industrial estates ?
(*Interruption*).

SHRI YESHWANTRAO CHAVAN : If
you see the definition of 'factory building',
it includes everything within three kms.
(*Interruptions*)

13 hrs.

SHRI R. V. BADE : They are very good
suggestions.

SHRI YESHWANTRAO CHAVAN : I
said, I will consider it if you make any
specific suggestion about it. His opposition
is political. He says, everything that is being
done for factories is for moneybags. There
are many public sector factories and corpora-
tions also How can he say that ?

SHRI JYOTIRMOY BOSU : You are
non-political ?

SHRI YESHWANTRAO CHAVAN :
Your criticism is based on political prejudice.
I am, of course, political but your criticism
was based on certain prejudices which are of
a political nature.....(*Interruption*)

DR. RANEN SEN (Barasat) : What
happens in regard to workers inhabiting those
areas if they are wounded or are dead ?
That is not clear from the Bill.

SHRI YESHWANTRAO CHAVAN :
That is a different matter altogether. It can-
not be included in goods and undertakings.
That will have to be covered or considered
separately through the Personal Injuries Act
which he mentioned. I have said that it is
our intention to amend that Act. That point
I had made before you came. I specifically
said that that was our intention.

SHRI H. M. PATEL : How long will
the scheme that you have in mind take ?

SHRI YESHWANTRAO CHAVAN : It
will not take much time. Immediately after
I get the assent of the President to this Bill
after its passage through Rajya Sabha, I think
we will notify the scheme.

MR. DEPUTY SPEAKER : The ques-
tion is :

"That the Bill to make certain provis-
ions for the insurance of goods in India
against damage arising from emergency
risks and matters connected therewith or
incidental thereto, be taken into consid-
eration."

The motion was adopted.

Clause 2—(Definitions)

SHRI DASARATHA DEB : Sir, I
move:—

Page 2, line 38,—

add at the end—

"or agricultural standing crops in the
field" (1)

[Shri Dasaratha Deb]

My amendment is very clear. In the definition of 'goods' I want agricultural standing crops in the field to be included. Even after hearing Shri Chavan that it is a compulsory thing and that if we include agricultural standing crops, which covers a very wide range of people, it may not be possible for these poor people to pay the premium, I have moved this amendment because I know that even before Pakistan started a regular war against India, there was a lot of shelling taking place in wide areas bordering Bangla Desh, particularly in Tripura but in West Bengal, Meghalaya and Assam also.

SHRI JYOTIRMOY BOSU : Punjab also.

SHRI DASARATHA DEB : I had seen that quite a lot of agricultural standing crops were completely damaged and destroyed by shelling and the people in the border areas had to leave their places.

MR. DEPUTY-SPEAKER : He has explained that.

SHRI DASARATHA DEB : He has said that some sort of *ex-gratia* help is to be given to the affected people. I agree, but what does this *ex-gratia* payment mean? That depends on the bureaucracy. I have seen it in my place. I personally went to the officer and I sent the people. They have already approached the Tripura administration. But some people were given Rs. 10 and some Rs. 20. That is not something which is going to help. That is why I want that poor people's agricultural standing crop should be included here and it should not be made compulsory. People who want to insure can insure but it should not be on a compulsory basis. I again request Shri Chavan to accept at least this amendment.

SHRI YESHWANTRAO CHAVAN : I have explained that. The entire scheme of this Bill is based on compulsion. Therefore, if I accept this amendment, it will neither be serving the purpose for which it is meant nor the Act will be a meaningful Act. I would request him to accept my clarification. It is not merely a clarification but, really speaking, it is a commitment that I am making on

behalf of Government. Therefore, I cannot accept this amendment.

MR. DEPUTY SPEAKER : Now, I put the Amendment No. 1 moved by Shri Dasaratha Deb to clause 2.

Amendment No. 1 was put and negatived

MR. DEPUTY SPEAKER : Now, I put clause 2 to the vote of the House. The question is :

"That clause 2 stand part of the Bill"

The motion was adopted

Clause 2 was added to the Bill

Clause 3 was added to the Bill

Clause 4—(Ownership)

SHRI YESHWANTRAO CHAVAN : It appears there are some printing errors in the Bill. I would like to move verbal amendments so that there may not be any difficulty in future.

I beg to move :

page 4, line 41,—

for "or" substitute "of" (2)

Page 5, line 3,—

for "or" substitute "of" (3)

MR. DEPUTY SPEAKER : The question is :

Page 4, line 41,—

for "or" substitute "of" (2)

Page 5, line 3,—

for "or" substitute "of" (3)

The motion was adopted.

MR. DEPUTY SPEAKER : The question is :

"That clause 4, as amended, stand part of the Bill."

The motion was adopted

Clause 4, as amended, was added to the Bill

MR. DEPUTY SPEAKER : There are no other amendments.

The question is :

“That clauses 5 to 17, Clause 1, the Enacting Formula and the Title stand part of the Bill.”

The motion was adopted

Clauses 5 to 17, Clause 1, the Enacting Formula and the Title were added to the Bill

SHRI YESHWANTRAO CHAVAN : I beg to move :

“That the Bill, as amended, be passed”

MR. DEPUTY SPEAKER : The question

is “That the Bill, as amended, be passed”

The motion was adopted

13 07 hrs

MOTION UNDER RULE 388

SUSPENSION OF PROVISIO TO RULE 66 IN RESPECT OF EMERGENCY RISKS (UNDERTAKINGS) INSURANCE BILL

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) : I beg to move :

“That this House do suspend the proviso to Rule 66 of the Rules of Procedure and Conduct of Business in Lok Sabha in its application to motions for taking into consideration and passing of the Emergency Risks (Undertakings) Insurance Bill, 1971.”

MR. DEPUTY SPEAKER The question is :

“That this House do suspend the proviso to Rule 66 of the Rules of Procedure

and Conduct of Business in Lok Sabha in its application to motions for taking into consideration and passing of the Emergency Risks (Undertakings) Insurance Bill, 1971.”

The motion was adopted

13 08 hrs

EMERGENCY RISKS (UNDERTAKINGS) INSURANCE BILL

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) : I beg to move :*

“That the Bill to make certain provisions for the insurance of certain property in India against damage arising from emergency risks and for matters connected therewith or incidental thereto, be taken into consideration.”

Sir, I have practically the same arguments which I gave for the other Bill that was for “goods” and this is for “Undertakings” including factories. I do not think I need take the time of the House in repeating the same arguments.

SHRI JYOTIRMOY BOSU (Diamond Harbour) : I am not wanting to rub things into the skull.....

MR. DEPUTY SPEAKER : Order, order.

SHRI JYOTIRMOY BOSU : Why are you so anxious to save the Government from its failures and lapses ? You talk about relevancy even if we say one line. At least there should be an appearance of impartiality.

Mr. Chavan has not cleared one thing. Is he going to, in substance, give general insurance policy to handle this business and, if not, what is the reason ?

*Moved with the recommendation of the President.

[Shri Jyotirmoy Bosu]

Secondly, we want a clear and categorical assurance and the date-line about giving coverage to industrial and ancillary workers against loss of life, injuries and loss of earnings and also a date-line for the other Bill, that is, the Personal Injuries Emergency Provisions Bill. We want to hear from you on that.

Then, we cannot understand if they are anxious to give coverage to the undertakings which have other forms of insurance, general funds, to cover losses and damages. You are most reluctant to give coverage to the poorest man in society, the weaker section, who has only one article belonging to him and that is the standing crop. You are granting insurance to plantations against crop. What is this? You want to discriminate the stronger section against the weaker section? You have to explain that. Because you have the garb of socialism, that is why we want to ask you... (*Interruptions*) Why has it been included? They are talking in terms of undertaking. I have asked this question. I have very scant knowledge of English. Is not 'agriculture' an undertaking? Why have you gone out of your way to exclude 'standing crops' from the purview of 'undertaking'? We want to know it.

We do not want him to say anything here. But we want to ask him, 'Have you done the civil defence estimate?' It is inter-linked. Your actuary will be asking you, 'What are your casualties and estimates?' and the premium rates will depend on that. We want you to tell us here whether you have done it or not. You need not tell us the details.

Then, premium payable in instalments in advance, for your knowledge, at annual rates, not at enhanced smaller period rates.

These are the two things we want to know.

*SHRI E. R. KRISHNAN (Salem): Mr. Deputy Speaker, I am grateful to you for

giving me an opportunity to say a few words on behalf of my party, the Dravida Munnetra Kazhagam, on the Emergency Risks (Undertakings) Insurance Bill, introduced by the hon. Minister of Finance.

I extend my wholehearted support to this measure and I should unhesitatingly commend the efforts of the Government in bringing this Bill at this most appropriate time when there is an emergency in the country. I would like to raise only a few points which are relevant to the Bill.

I would like to know from the hon. Minister whether our public undertakings like Oil Refineries, the Steel Plants etc. are covered by this Scheme. As the country's economy is completely dependent on these vital installations, they should be brought under this scheme forthwith.

The Bill provides for a maximum rate of premium of three per cent of the insurable value per annum. I would like to say here that the undertakings worth hundreds of crores are owned by big capitalists and monopolists who are capable enough to pay a higher rate of premium to protect their assets. Therefore, I am strongly of the view that the rate of premium in the maximum should at least be 5% and I wish that the Government give consideration to my suggestion.

Clause 6 of the Bill prohibits insurers carrying on general insurance business from competing with the Government under this scheme. I would like to say that both the life insurance and the general insurance have been nationalised by the Government and as such there is no private insurer at all in country. I don't think that there is any necessity for having this clause in this Bill. This clause could be deleted safely.

Under clause 10, if a particular property is to be removed to any other locality, the cost of such removal will be paid by the

*The original speech was delivered in Tamil.

Government out of the Emergency Risks (Undertakings) Insurance Fund. At a time when the nation is threatened with external aggression and all the resources of the country are to be mobilised to protect the security of the country, I do not think that this kind of generosity on the part of the Government is warranted. I would like the hon. Minister to clarify the position in this regard.

I am sure that the hon. Minister of Finance in his reply will deal with these specific points raised by me. I wholeheartedly support the Bill, which has been introduced at the most appropriate time for the good of the country.

With these words, I conclude.

SHRI H. M. PATEL (Dhandhaka) : I would like again to emphasize the same point here. In effect, in so far as undertakings are concerned, it should be easy for the Government to provide for the gap that exists, by regarding the ordinary insurance, to cover war risks; that is all that it means. That is a simple provision which can and should be made.

I would also like to ask one question of the hon. Finance Minister. Why was this particular Bill was not brought in much earlier. They must have known that war, a state of hostilities, a state of belligerency — that is the term used—exists and damage was taking place on our side of the border well before the date of the declaration of emergency. Undertakings were known to exist in the danger zone, and could have been provided for even during the no-emergency period. I believe, for instance, in the shipping industry; shipping continued to be under war risk which was provided for by payment of special premium even during the non-emergency period. The same kind of arrangement could have been made knowing that we were passing through a period of belligerency. In the case of undertakings, there would have been no hardship caused to anybody. In fact, one could have had it even on a voluntary basis. Whether on a voluntary basis or otherwise, all these undertakings which are contemplated under this

Bill would all have very readily agreed to pay the additional premium for insuring themselves against war risks. These are merely questions which I ask. Of course, I welcome the fact that this Bill is before us now.

SHRI YESHWANTRAO CHAVAN : I think most of the points have been repeated. New points were made only by the hon. Member from the DMK. He had raised two or three important points. One point requires to be answered. He has asked whether when a certain machinery or industry is shifted from one place to other, Government would take the responsibility of bearing the cost of that shifting. I would submit that the most important thing during an emergency is to see that the economy runs normally. Industrial production is the most important factor in the days of the emergency. It is really the economic capacity of the country which is the most important weapon in the hands of the country.

SHRI JYOTIRMOY BOSU : Industry without the workers ?

SHRI YESHWANTRAO CHAVAN : The workers are with us. Let not the hon. Member bother about it. They are not with him, but they are completely with us. He is angry with them because they are not with him now.

SHRI JYOTIRMOY BOSU : I think he knows it better than I do.

SHRI YESHWANTRAO CHAVAN : Therefore, it is necessary that Government should undertake to cover this risk, because as part of the general responsibility one has to do that.

Shri Jyotirmoy Bosu had asked who was going to run it. Naturally, it is the Government department which will run it.

SHRI JYOTIRMOY BOSU : Not the general insurance department.

SHRI YESHWANTRAO CHAVAN : If it is part of routine work, then we shall

[Shri Yeshwantrao Chavan]

appoint a person as an agent as is provided in the Bill, but the scheme will be run by the Government Department.

SHRI JYOTIRMOY BOSU : After having nationalised general insurance, he is again making a duplication of it.

SHRI YESHWANTRAO CHAVAN : In the case of general insurance we have just taken one step. At present, we are running their managements. We have yet to convert them into corporations and take over the entire ownership. That next step is yet to be taken. I think the hon. Member is still unaware of it.

SHRI JYOTIRMOY BOSU : I am aware of the fact that Government are paying Rs. 28 lakhs to them per mensem because they had helped their party substantially during the last elections. I am well aware of this.

SHRI YESHWANTRAO CHAVAN : I am glad that he is aware of it.

Now, we shall have to take the next step. When we take the next step, possibly some of the suggestions that the hon. Member has made can be taken into account.

The hon. Member repeatedly asked whether we had made any estimate of civil defence costs involved in this I would submit that it is rather difficult to anticipate what exactly the cost would be. I have explained in the financial memorandum attached to the Bill the difficulty which is there, because these are not matters which can be worked out in such detail, saying how much would be the loss to the undertaking, how much would be the loss of human lives and so on.

SHRI JYOTIRMOY BOSU : Still, for his information I would say that it is done. He may ask his actuaries and they will tell him that they do require some basic data to work out the premium rates. To calculate the premium rates, they will tell him that

they must have some basic data in regard to the estimate of civil defence costs.

SHRI YESHWANTRAO CHAVAN : Naturally, when we fix the premium at a certain rate, we certainly have some data with us in regard to what happened before in 1962 and 1965. We have worked out the scheme on that basis, and we have gone into it on a reasonable and rational basis. I have explained this point because Shri Jyotirmoy Bosu had raised it.

I do not think that there are any other points which need further clarifications.

MR. DEPUTY-SPEAKER : The question is :

“That the Bill to make certain provisions for the insurance of certain property in India against damage arising from emergency risks and for matters connected therewith or incidental thereto, be taken into consideration”.

The motion was adopted.

Clause 2—(Definitions)

MR. DEPUTY-SPEAKER : We shall now take up clause 2. There is an amendment by Shri N. Sreekantan Nair. I am accepting the notice of this amendment on an emergency basis.

SHRI N. SREEKANTAN NAIR (Quilon) : I beg to move :

Page 4, line 8—

after “tea estates,” insert—

“rubber estates, coffee estates and cardamom estates,” (1)

Page 4, line 27—

add at the end—

“rubber estates, coffee estates and cardamom estates,” (2)

MR. DEPUTY-SPEAKER : The amendments are before the House.

SHRI N. SREEKANTAN NAIR : I understand and appreciate the explanation given by the hon. Minister in regard to agricultural property. I agree that it should be compensated adequately. I am also prepared to welcome the promise of the Finance Minister that some procedure to insure workers who are made to suffer by this loss of property will also be considered. But when he brings in a provision to cover tea estates, I fail to understand why rubber estates, coffee estates and cardamom estates are omitted. Perhaps it is because they are situated down south in the country. But I want to make it clear that the moment there is an attack on the southern section, all this becomes necessary. We should not leave this gap in the Bill to be attended to if and when the need arises during the inter-session period in any way Government may think fit. These estates should not go unprotected in this emergency. This brings me again to the position of the workers. I want to ensure that if something untoward happens, there should be compensation given and immediately after that the workers should be employed back at their jobs. So the question of including rubber estates, coffee estates and cardamom estates should also be considered.

The second part of my amendment under item (o) is consequential.

SHRI YESHWANTRAO CHAVAN : Really speaking, I have not seen the amendment. In view of that, it is very difficult for me to see the implications. But I know his intention. Possibly I would discuss with him as to how it actually works out. But it is very difficult for me to accept the amendment at his stage. He can understand my difficulty.

MR. DEPUTY-SPEAKER : I shall now put these amendments to vote.

Amendments Nos. 1 and 2 were put and negatived

MR. DEPUTY-SPEAKER : The question is :

"That clause 2 stand part of the Bill."

The motion was adopted

Clause 2 was added to the Bill

MR. DEPUTY-SPEAKER : The question is :

"That clauses 3 to 18, clause 1, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted

Clauses 3 to 18, clause 1, the Enacting Formula and the Title were added to the Bill

SHRI YESHWANTRAO CHAVAN : I move :

"That the Bill be passed."

MR. DEPUTY SPEAKER : The question is :

"That the Bill be passed."

The motion was adopted

13'25 hrs.

The Lok Sabha then adjourned till ten of the Clock on Thursday, December 9, 1971, Agrahayana 18, 1893 (Saka)