

[Shri A. K. Sen]

the entire House and at the appropriate time, we shall consider what necessary steps possible may have to be devised, in consultation with all the representatives of the various groups and parties here for the purpose of seeing if, during the working of the emergency, any further safeguard would be necessary for the protection of officers carrying out their duties.

Shri Hari Vishnu Kamath (Hoshangabad): On a point of order. Sir. Under Rule 110, the Minister has to ask for leave to withdraw the Bill.

Mr. Speaker: It is not withdrawn; he does not proceed with it.

Shri Hari Vishnu Kamath: But it has been introduced.

Mr. Speaker: Yes, but at this time, he does not want to proceed with the Bill.

Shri Hari Vishnu Kamath: Rule 110 says:

"The member in charge of a Bill may at any stage of the Bill move for leave to withdraw the Bill....."

Mr. Speaker: If he has to withdraw it, then alone he may ask for leave.

13.34 hrs.

[SHRI SONAVANE *in the Chair*]

OIL AND NATURAL GAS COMMISSION (AMENDMENT) BILL

The Minister of Petroleum and Chemicals (Shri Humayun Kabir): I beg to move*:

"That the Bill further to amend the Oil and Natural Gas Commission Act, 1959, be taken into consideration."

This is a very simple Bill, and I do not wish to make a long speech on it. The Oil and Natural Gas Commission is carrying on valuable national work in exploring and producing petroleum and natural gas from the resources of the country. Formerly land for this purpose used to be acquired under part 7 of the Land Acquisition Act. After the amendment of the Land Acquisition Act carried out in 1962 and the rules made thereunder, land acquisition for the purpose of companies has become extremely difficult, cumbersome and a long drawn out process. This has interfered with the work of the Oil and Natural Gas Commission and therefore, I have moved that the land for the Commission may be acquired under any of the sections of the Land Acquisition Act, because it is for a public purpose. This will expedite very much the work of the Oil and Natural Gas Commission.

I move that the Bill be taken into consideration.

Mr. Chairman: Motion moved.

"That the Bill further to amend the Oil and Natural Gas Commission Act, 1959, be taken into consideration."

Shri S. M. Banerjee (Kanpur): Sir, while initiating the debate, the hon. Minister has not said anything about those provisions of the Land Acquisition Act wherein it is laid down that if land is acquired from a peasant, he should be paid compensation at the market value plus 5 per cent. I would like to know whether the Minister can give us an idea as to the total land required for the purpose of the Commission and whether that land will be acquired by the State Government and given to the Central Government for this Commission and what would be the rate of compensation to be given to the peasants.

*Moved with the recommendation of the President.

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If land can be acquired with mutual consent and agreement, there may not be any trouble. The Minister has experience of land acquisition for IITs where a lot of trouble arose only because this could not be agreed to by the peasants. So, this point requires clarification. I will request him to kindly let us know how he is going to acquire the land and whether compensation will be in conformity with the Land Acquisition Act passed here.

Shri Oza (Surendranagar): Sir, when the Land acquisition Act was under consideration of the House, contentions were raised by several Members that when land has to be acquired, for companies, they should be treated differently. At that time, I was very unhappy because after all, the companies for which land was to be acquired, were floated for putting up some industries which were consistent with our Plan. It is good that the Oil and Natural Gas Commission has a separate Act for itself, so that they can come before Parliament and get it amended suitably, so that when they want land, they can acquire it easily.

But what will happen to other companies who will also be needing land for industrial purposes? We want to industrialise this country as rapidly as possible, because it is our policy that we want to take off the population from the primary sector, i.e. the agricultural sector, to the secondary sector as rapidly as possible. That is what was being done by the companies. When the Land Acquisition Act was being considered, this was the impediment which was to be faced. Ultimately we realised that the particular Commission is facing this difficulty. In the same way, companies which are engaged in industrially developing the country are also facing the same difficulties. Where will these companies go? They have no Act of their own. They will be experiencing the same dilatory tactics which this Commission is experienc-

ing today. So I wish, because we found that lands cannot be acquired easily, we, ultimately, relax the Act also. I hope the Law Ministry will take into consideration the fact that this is a particular difficulty which the public sector is facing in respect of industries which we have regarded as essential for the development of this country.

As I said, Sir, I fully endorse this Bill. We have to take a lesson from this Bill for amending the Land Acquisition Act. That is the point I want to submit at this stage.

Shri P. R. Patel (Patan): Sir, I support the Bill, and I think this is the proper Bill for the progress of the country. Land is required for drilling by the Oil and Natural Gas Commission. If land is not given, then the progress will stop.

But, Sir, I am at a loss to understand one thing. The Oil and Natural Gas Commission is a Government concern for all purposes. When they go for a survey, whether oil is there or not, naturally they have to pass over certain fields. They may do so and nobody objects to it. But very recently when I had been to Harij Taluka in my constituency, complaints were made to me that trucks and motors are driven through standing crops and no damages are given to the cultivators. Lands of the cultivators may be acquired for this purpose, I do not object. But at least so long as the lands are not acquired, when crops are damaged due to the survey made for oil, I think it is the duty of the Commission to pay full compensation for the damages done. Last year I was at Ranuj and other places. I received the same type of complaints. These persons who work in this Commission think that they form a super-government and they can do any damage. They care very little for the damages done. I would, therefore, request you, Sir, and through you the Commission, that wherever these people go, if they

[Shri P. R. Patel]

have to drive trucks and motrs through standing crops, they may do it but they must then and there assess the damages and manage to pay it to the cultivators.

With these remarks, I support the Bill, and I would say that there is nothing to say against this Bill.

Dr. L. M. Singhvi (Jodhpur): Mr. Chairman, Sir, I only wish to welcome the introduction of this Bill, because it is one of the many measures which would facilitate the progress of one of the most important sectors of our industrial growth.

Many of us were dismayed when the present incumbent of this office was shifted from the charge of the Ministry of Education and Scientific Research and Cultural Affairs to this new ministry, because all those who knew him respected him as a great educationist and as one interested in arts, culture and scientific research. That sense of dismay has, I think, been dispelled by the dynamic leadership he has given to the charge he now has under him. Indeed, Sir, it may be said with a measure of justification that it is on the functioning of this Ministry that the entire progress of this country may depend, because it is through the due development of petrochemicals in this country that, as a matter of fact, we can hope to reach a stage of self-generating economy. It is through development of petrochemicals in this country that we may really hope to achieve a stage breaking through the present stalemate into which we find ourselves. I hope, Sir, that the Minister will be able to tell us, while he is replying to this debate, about blueprint of progress he has in view in the field of petro-chemicals and how he hopes to achieve the economic progress which is very basic to this country today.

I support this Bill because it is obvious that the existing section 24

is somewhat anomalous. From a bare perusal of the existing section 24 of the Act it is clear that while land required by the Commission was considered to be or deemed to be needed for public purpose, it was provided that such land shall be acquired by the commission as if the provisions of Part VII of the Land Acquisition Act, 1894, were applicable to it and the Commission were a company within the meaning of clause (e) of section 3 of the said Act.

As the Statement of Objects and Reasons shows very convincingly, what is intended to do now is to provide a procedure for acquisition of land which will not be a time-consuming process as has been hitherto. It is only right that the House lends its full support to this measure because this is a measure calculated to take away an anomaly on the statute-book and to effectuate a public purpose which has been recognised in the existing statute as a public purpose.

Sir, I will support the Bill, and I hope that the hon. Minister will be able to give us a glimpse of the working of his mind in the matter of development of the petrochemicals industry about which we have been reading heartening statements in the Press.

Shrimati Yashoda Reddy (Kurnool): Mr. Chairman, Sir, I just stand on this occasion to congratulate this Ministry for having brought this measure. Certainly, land is needed for the Government and it has to be acquired. But I would like to say one thing, that whenever the land is acquired, as has been just said by my hon. friend, Shri Patel, the damages, whatever they are, should immediately be given to the owners. No man rich or poor should feel that the Government has taken away his land without giving him his due compensation.

(Amendment) Bill

Secondly, I would just like to remind the hon. Minister that when he was replying to the debate on the Demands for Grants relating to his Ministry, while he answered many questions he never covered the Godavari Delta area and the Cauveri area where the Oil and Natural Gas Commission people have found enough evidence to say that there is oil. From the geophysical survey that has been conducted by this department and from the data that is available, as far as my information goes, it is seen that the entire area right from Godavari Delta downwards is very rich in its oil finds. I would like to know why, having done the geophysical survey, this Ministry has not gone into the seismic survey which is the second process? I would like to know whether they are going to send at least this year another unit of men—usually in a working period they send two or three units of men to work—to work in that place. I would request the hon. Minister to expedite the work as far as the Godavari Delta is concerned so that the seismic survey is taken up early. I have not seen the chart, but from the information that I have got and the data available from the geophysical survey, I am told that the results are very encouraging, and it will not be surprising if one day this area gives very good yields. Therefore, both from the point of view of national development and also from the point of view of regional development, I would suggest that the hon. Minister should take immediate action in the next working season and send a seismic survey team to Andhra Pradesh, especially to the Godavari area.

Shri Warrior (Trichur): I support this Bill but there are two or three things which I wish to bring to the attention of the hon. Minister. The first thing is that the projects report must be finalised before acquisition proceedings begin. It is well known to the hon. Minister

as to what happened in the case of the phyto-chemicals project. Land was acquired, much money was spent but after all that the project report was not finalised and the project is still hanging fire. So, it is a loss to the public treasury. Not only that, there was so much of harassment to the people. Unnecessarily they were evicted. There are many such projects which have come to our knowledge where the peasants are evicted, the holders of the land were driven away and the project did not come through. Why should that be done? So, until and unless there is finality in the project-making....

Dr. L. M. Singhvi: That is a story of the past.

Shri Warrior: The story of the past must be present in the mind of the hon. Minister for the present and the future.

The second point is that the evicted persons and landholders should not always be left to the tender mercy of the State Governments. I know that this subject comes within the purview of the State Government, but actually the projects are under the Central Government and the money is paid by the Central Government. So, why should the peasants and the landholders suffer at the hands of the State Governments for any matter in which the State Government may find that they cannot make the payment or do some such thing? There is so much trouble in actually paying them in time and in paying them the real market price. There is so much of haggling. I do not know why it is so. There is the Government machinery to evaluate the land and to know what market price is prevalent in the neighbourhood. All these things are there. Still, if the small holders specially are to seek the intervention of the courts for a correct appraisal of the value of their land or for getting redemption from the Government, it is a hardship for them. I know that there are cer-

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tain matters involved in it. In these transactions the State Governments and the Central Government are always making some big adjustments. The aid and loans given by the Central Government to the State Governments will be adjusted by the prices which are given to the landholders; but these adjustments come in the way of having a peaceful settlement of all these accounts. This should not be so.

The third point is that most of these people who are ousted their livelihood are cultivators. They live upon their lands and cultivate something. When they are driven out, there must be a provision to see that prior consideration is given to them for employment. That could be done. At least in the non-technical services these people could be employed usefully. Local employment should also be cheaper to the Government than employing people from distant places. These things must be looked into and taken care of before Government take arbitrary powers to acquire lands and send out those people who are settled there.

More than that, I think, most of the projects even after finalisation are held up for want of sufficient powers with the Government for land acquisition, not only in this Department but in various departments. That aspect also must be considered. It is high time that the Planning Commission itself took this land acquisition problem more seriously and dealt with it as a problem covering the entire land of India so that all the States come within the purview of that and a uniform policy is adopted in this connection not only by this Ministry but by all other ministries. The project should not be held up for want of land acquisition. It is a cumbersome process and it must be simplified more and more so that speedier action could be taken.

With these words, I support the Bill.

Shri S. C. Samanta (Tamluk): Mr. Chairman, Sir, I gladly welcome the Bill and thank the hon. Minister for bringing it before the House. But, at the same time, I would place before him some facts which are worthy of consideration.

About land acquisition the Law Commission made a survey in the country and recommended that according to the Land Acquisition Act, 1894, compensation should be fixed according to the market price prevalent when a notification was made for the acquisition of the land. It may be two, three or five years ago when a preliminary notification was made which is necessary in this case also and the compensation will be calculated according to the market price at that time and not according to the market price at the time when the land will be acquired. That is the difficulty. In order to avoid that difficulty the hon. Minister has brought this Bill so that this important work may be carried out without any impediment. But I would ask the Government one thing. There is so much grumbling in the country. You are aware that about the acquisition of land at Ghaziabad, so many things have been heard in this House and our hon. Prime Minister was forced to say that compensation should be paid according to the market price at the time when the land has been taken. But the Land Acquisition Act has not been amended; so people are not getting even that much amount by which they might be able to acquire at least that much of land elsewhere. These are the difficulties which have been found out and through the hon. Minister I would request the Government to look to the amendment which is urgently necessary. In the fundamental rights we say that no people will be affected by acquisition, but here we have evidence which induced the Government and the hon. Prime Minister to say that those people are being affected. So, the Land Acquisi-

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tion Act should be amended and not that Government should bring forward some legislation for some work and carry on the work. However, in view of the importance of this Ministry this thing is necessary and I wholeheartedly support it; but, at the same time, I request the Government that an amendment of the Land Acquisition Act, 1894 should be brought forward at once.

14 hrs.

Shrimati Lakshmikanthamma (Khammam): Sir, I am sure that the Oil and Natural Gas Commission (Amendment) Bill, 1964, will gain support from all the hon. Members which is evident from the speeches of hon. Members. I agree with Shri Patel and other hon. Members when they say that adequate compensation should be paid to the owners of land whose lands are acquired by the Oil and Natural Gas Commission. In the statement of objects and reasons it has been said that difficulty is being experienced in acquiring land expeditiously for carrying out oil exploration and production programmes of the Commission and this may adversely affect the target for production of crude oil and gas. After the Chinese invasion specially it has been felt by us how important it is for us to be self-sufficient in oil and natural gas, petroleum, chemicals etc. specially in view of the foreign exchange difficulties which we are facing. I am sure this country is rich in oil and natural gas. I do not think anybody will object to its work. Rather, the people will be too eager to see that there should not be any delay in the implementation of the exploration and production programmes of the Commission. We are anxiously waiting to find places where there is rich deposit of oil and natural gas. My hon. friend Shrimati Yashoda Reddy just now brought to the notice of the hon. Minister how rich the Godavari valley is in oil and natural gas. I also agree with her that immediately without any delay two seismic parties should be sent to that area because even the

explorations so far conducted are very encouraging and further exploration of this area will be very useful in the interest and the prosperity of the country. If we are able to get rich products, there is also the advantage of our becoming self-sufficient in petroleum products which will lead to the development of the petroleum and chemical industries. In view of all these advantages, I support this Bill and I am sure it will get the consent of all the Members of the House.

Shri P. Venkatasubbaiah (Adoni):

Mr. Chairman, Sir, I thank you very much for having given me an opportunity to speak on this Bill. As a member of the Public Accounts Committee, I had an opportunity to go to some of these places, especially to Gujarat, Cambay and other oil fields, where magnificent work is being conducted by the O.N.G.C. There also, during our stay, the same apprehension had been expressed by the authorities concerned that in making the rapid progress in the prospecting of oil and natural gas, the acquisition of land is coming in the way of the O.N.G.C. I am very glad to see that the Minister has come before the House with this amending Bill so as to accelerate the progress of exploration and prospecting of oil and natural gas in our country. According to the Statement of Objects and Reasons of the Bill, it is to overcome the difficulty in acquiring land which is necessary for the purpose. I would like to point to the hon. Minister that at times in our over-enthusiasm to go ahead with this programme, the peasants whose lands are being acquired are put to unnecessary and unwanted difficulties. The authorities assume a sort of superiority and they do not try to know the real feelings of the peasants who part with their lands for the progress of the country. There must be a clear understanding and also a thorough enquiry so as to see that the peasants feel that they get adequate compensation for the lands that they are going to part with for drilling and other purposes.

[Shri P. Venkatasubbaiah]

Coming to the other activities of the O.N.G.C., I could find that there has been the neglect of the areas where there are vast potentialities of oil and natural gas to be produced. The other day, the Chairman of the O.N.G.C. speaking in Madras said that the O.N.G.C. has got a huge programme of conducting seismic and off-shore operations on the coast of Koramandal and because of the lack of jigs, they are not able to pursue this and they are trying to get these from Gujarat. This programme should not in any way be hampered when there are vast potentialities in that area. As many hon. Members have already pointed out, there are vast potentialities in the Godavari area and also in the Cauveri area. The Andhra University has conducted a survey so far as the Godavari area is concerned and their report also must be with the hon. Minister. Keeping in view all these factors, I would only suggest to the hon. Minister that he should see that the activities of the O.N.G.C. are extended to this part of the country.

With these few remarks, I wholeheartedly support this Bill and I hope again request the Minister to see that no farmer, no peasant, suffers for want of adequate compensation when their lands are taken up for this purpose.

Shri D. C. Sharma (Gurdaspur): Mr. Chairman, Sir, I welcome this Bill for more reasons than one. In the first place, I wish to draw the attention of the hon. Minister to the fact that though some parts have been surveyed from this point of view, there are other parts which are still neglected. I feel very happy when I think of the Gujarat State. I do not feel happy when I think of the oil map of India so far as the other States are concerned. Some of my friends have drawn our attention to the Cauvery basin and the Godavari basin. I agree that these basins require to be drilled, require to be surveyed and require to be under the

scrutiny of the programme of the Oil and Natural Gas Commission. I would say, some parts have not been properly dealt with. Of course, there was the Jwalamukhi project. But my feeling is that Jwalamukhi was given up as a bad job before it had been dealt with thoroughly. I also feel that there are certain places in Punjab and also in Uttar Pradesh which require intensive surveying and other things. In the district of Hoshiarpur, some attempt was made to find out oil. But, I think, the attempt was half-hearted and, therefore, nothing happened there which could be made a subject for pride or a subject for rejoicing. My feeling is that the whole of this country which, I feel, is a rich country in oil should be surveyed, taken in hand, and we should see to it that our country becomes rich in oil and gas. There was a talk some time back that we would ask Pakistan for gas and we were enthusiastic about it. Of course, I was not happy about getting any gas from Pakistan because our relations with Pakistan have been degenerating steadily and gradually all these years. Therefore, it is necessary that, in order that India becomes self-sufficient in gas, we should discover our own resources.

Sir, at the same time, I feel that, though our Government is doing something in this direction, there are other foreign companies undertaking this kind of exploration and prospecting. I look forward to the day when our Oil and Natural Gas Commission will spread its beneficent activities all over India and we shall not be at the mercy of or tied to any foreign company. I think that that is what has got to be done. For this purpose we require acquisition of land. I think that anybody who gives land for this purpose is doing something which is highly patriotic. He may not get as much good out of it as he expects, but I am sure that his children and grand-children will reap the benefits of his deed. If India becomes rich in oil, I think that every

citizen of India will reap the profits of it. Therefore, I think that there should be no reluctance on the part of anybody to part with his land for this very beneficent purpose, for this purpose which is patriotic to the highest possible degree.

Now, the point is that we are working under a system which is, I think, outmoded. The hon. Minister of Petroleum and Chemicals is not a person who believes in things which are obsolescent and which are antiquated. I think that he is up to date and progressive in his outlook. The Land Acquisition Act was passed in 1894, before even I was born, and I do not know why it has been kept going all these years. We have had so much of land reform in this country, but the old Land Acquisition Act continues to be in operation. This Act was the gift of the British Government to us. The British Government did not take into account all the possibilities of the uses of this Act, and, therefore, their viewpoint was very narrow; their horizon was very limited and their objectives were very much circumscribed. Of course, it is not the hon. Minister of Petroleum and Chemicals who can bring about a reform of this Land Acquisition Act. But I do feel that that has got to be done, and that has got to be done from two points of view. In the first place, the procedural part has to be made as less unwieldy and as much uncumbersome as possible. Sometimes, the procedural aspect of the problem takes so much time that we feel lost in it, and we cannot see the wood for the trees. Therefore, I would say that this has got to be simplified.

In the second place, we have got to take into account the value which land has acquired during the last twenty years. What was the value of land in my village in West Pakistan? One bigha of land used to sell for Rs. 100 at that time. I had some lands over there, and in 1947 I was offered Rs. 1000 for a bigha of land

in that very village. I was not a prophet, and I did not know that Partition was going to come about; otherwise, I would have sold my land. The land which was selling at Rs. 100 per bigha in 1920 began to sell at Rs. 1000 per bigha in 1947. I do not know what is happening there now, but you can understand how the price of land has appreciated during the last twenty years in this country. Look at the colonisers who have grown rich at the expense of the poor land-owners.

My very respectful submission is that the compensation which is going to be given under the Land Acquisition Act of 1894 is a mockery. I think that there cannot be anything more unsocialistic than this; there cannot be anything more inequitable than this; there cannot be anything more unfair than this. After all, as I said yesterday also, I think that a piece of land does not only mean something in terms of bighas or acres; a piece of land is tied up with our emotional life, with our psychological life and with the traditions of the family or the house; it means so many things. And, therefore, if you want a man to part with his land, you should try to see that he gets a good compensation for it. Further, I would say that if you take a land from somebody here, you should give him land somewhere else, so that the compensation will be land for land and not money for land. Of course, the hon. Minister will say that he has got nothing to do with this and that this is something which comes under another Ministry. All the same, I would request him to see to it that the compensation which is given is adequate. At the same time, I would also submit that the compensation which is given is not delayed so much that the poor man whose land is acquired feels unhappy about the whole procedure, and he has to wait indefinitely and wait for very long before he gets any compensation. If the hon. Minister cannot step up the compensation for the land, if he cannot give the proprietor of land, land for land, he can do at least one thing, namely that he can give him the compensa-

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tion as expeditiously as possible. We acquired land for so many public undertakings but the people whose lands we acquired have been clamouring for the payment of the compensation but they have not got it. Therefore, the expeditious disposal of the compensation claims should be the policy of this Government.

I feel that one of the biggest things that has happened in free India is the discovery of oil in our country and the finding of natural Gas in this country. In this, the Oil and Natural Gas Commission has played a very important part. I must submit that they do not have enough equipment, they do not have enough drilling machines and all that kind of thing. Of course, now, we are having our own drilling machines etc. but we do not have enough equipment. We do not also have the required number of personnel. We do not also have the technological know-how, the up-to-date technological know-how of a country like Rumania or other such countries of the west. In spite of all these things, the Oil and Natural Gas Commission has a record of which it can be proud, and of which the Minister can be proud and of which I think that we all can be proud. I hope that this obstacle in the proper functioning of the Oil and Natural Gas Commission will be removed and things would be so arranged that the other handicaps from which it suffers will also be removed very soon.

I congratulate the hon. Minister on bringing forward this Bill, and I am sure that he will make the map of India in terms of oil much richer than what it is today.

श्री यशपाल सिंह (कैराना) : सभापति महोदय, इस बिल के लिये मैं माननीय मंत्री महोदय को मुबारकवाद देता हूँ, और साथ ही उनसे यह भी निवेदन है कि जमीन लेते वक्त इस बात का खयाल रखा जाए कि जब जमीन ली जाती है उस वक्त काम शुरू किया जाए। कई जगह ऐसा होता है कि

जमीन दो दस तीन तीन साल तक बेकार पड़ी रहती है, जिसे नेशनल लास होता है क्योंकि उस पर खेती भी नहीं हो सकती। मैंने इस बिल में यह संशोधन पेश किए हैं :

"Page 1, line 8,—for "its functions substitute "oil exploration and production programmes".

"Page 1—after line 10, insert— "Provided that if the land so acquired is of no use at a later stage to the Commission, it shall be offered to the owners from whom the land was acquired."

इस तरीके से जमीन लेने का इस वक्त जो कायदा है वह कायदा बदलना चाहिए। आप सारी कॉलिनी के लिए जमीन एक्वायर करते हैं तो वह उचित नहीं है। दरअसल सिर्फ ड्रिलिंग के लिए और एक्सप्लोरेशन के लिए जो जमीन चाहिए वह जमीन ली जाय बाकी लोगों को बसाने के लिए और आप अपने अफसरान की कॉठियां बनाने के लिए जो जमीन लेते हैं उसका म्यूआविजा मार्केट रेट से दिया जाय और मार्केट रेट के ऊपर वह खरीदी जायें। केवल वह जमीनें जो कि एक्सप्लोरेशन और ड्रिलिंग परपोज़ के लिए जरूरी हों वे एक्वायर की जायें लेकिन इसके अलावा जो भी जमीन आप और लेते हैं उनको मार्केट रेट पर परचेज़ करना चाहिए। जब इन जमीनों की जरूरत न रहे तो उस वक्त यह जमीनें खास तौर से उन्हीं मालिकान को दी जायें जिन मालिकों से यह एक्वायर की गई थीं। जमीनें आप एक्वायर और रिक्विजिशन प्रॉडक्शन के लिये करते हैं लेकिन अगर तीन, चार साल के बाद आप की वह स्कैम कायदा नहीं हो सकती है तो वह जमीनें पुनः उन्हीं काश्तकारों और किसानों को लौटा दी जायें जिन्हें वह ली गई थीं।

इसमें दिक्कत यह होती है कि तीन, तीन और चार, चार साल के बाद सरकार के एक्सपेरीमेंट्स फेल हो जाते हैं और सरकार तीन, चार साल के बाद जमीन को ज्यों का त्यों छोड़ जाती है। इसलिए

सरकार की यह इयूटी होनी चाहिए कि जमीन जिस सूरत में ली गई थी उसी सूरत में वह उन्हें वापिस भी की जाय। जो गड्डे खोदे गये हैं उनको पूरा करना सरकार का काम होना चाहिए। आयल ऐंड नेचुरल गैस कमिशन के पास लाखों लोग हैं जो कि उन जमीनों को ठीक कर सकते हैं और वह जमीनें जब भी उन्हें वापिस दी जायें तो उन्हें उसी शकल में लौटायी जायें जिस शकल में वह जमीनें उनसे ली गई थीं।

इसके अलावा सरकार जो जमीनें अपने प्रॉडक्शन परपोजेज के लिए ऐक्वायर करती है उसके बारे में कोई पालिसी इस तरह की निश्चित होनी चाहिए कि अगर साल में, दो साल में या जो भी अवधि सरकार मुनामिब समझती हो, एक फिक्सड डेट तय होनी चाहिए कि अगर उतनी अवधि में वहां पर वह काम न कर सके और अगर वह जमीनें ऐक्सप्लोरेशन और ड्रिलिंग के लिए कामयाब न हो सकें तो फिर वह जमीनें उन्हीं काश्तकारों को वापिस कर दी जायेंगी।

14-23 hrs.

[Mr. Deputy-Speaker in the Chair]

इसके साथ ही साथ इस बात का भी खयाल रखना है कि जहां काम अटका हुआ है पांच, पांच और छ, छ साल से और कोई नतीजा हासिल नहीं हो रहा है वहां के लिए जल्द से जल्द कोई कमेटी बिठाई जाय और वह कमेटी बैठ कर यह तय करे कि वाकई यह जमीनें सही ली गई हैं या नहीं। जैसा कि वैज्ञानिक लोग कहते हैं जैसा कि स्पेशलिस्ट्स लोग कहते हैं भारत को भगवान ने इतना बड़ा जखोरा दिया है कि अगर हम उस तेल को निकालने में सक्सेसफुल हो जायें तो इतना तेल पैदा हो जायेगा कि उससे जहां भारत की अपनी जरूरियात भी पूरी हो जायेंगी वहां हम उसे बाहर भी भेज सकते हैं। लेकिन हम लोग फेल हो रहे हैं। जो काम हमें ६ महीने में करना था वह काम हम ४ साल 506 (A) LSD—6.

में भी नहीं कर रहे हैं। इस काम में देरी न होनी चाहिए और इसके लिए सब से पहले हमें लोगों को इंसेंटिव देना चाहिए जो हमारे वर्कर्स हैं, जिन्होंने काम किया, है जिन्होंने रेकार्ड कायम किया है उनको अच्छे भत्ते दिये जायें, उनकी तनख्वाह बढ़ायी जाय। उनके रैंक को उन्नत किया जाय लेकिन हम देखते हैं कि इस लाइन में सरकार कोई इंसेंटिव उन्हें नहीं दे रही है। उनकी मेहनत को एप्रीशिएट नहीं किया जा रहा है। जब तक वर्कर्स को उनकी मेहनत के लिए पूरी तरह से इनाम नहीं दिया जायेगा, पुरस्कार नहीं दिया जायेगा तब तक यह काम नहीं हो सकता है। इसलिए मैंने जो आपके सामने ३, ४ मुझाव रखे हैं उनको सरकार मंजूर करे। मेरे बहुत इन्वोस्ट मुझाव हैं। उनमें कोई पार्टी या अपोजीशन की बात नहीं है बल्कि यह तो स्वयं आप के फायदे की बात है जो कि मैं आपको कह रहा हूं। यह देश हमें भी उतना ही प्यारा है जितना कि आपको प्यारा है। लेकिन किसान जो गेहूँ पैदा करता है, जो चना पैदा करता है उस किसान को इसमें तकलीफ होती है जब कि पांच साल के बाद सरकार यह कहती है कि ऐक्सपेरीमेंट फेल हो गया। वह जमीनें किसानों तक वापिस नहीं जाती हैं। इसलिए वह जमीनें किसानों को दी जायें, उसी तरीके से हमवार कर दी जायें जैसी कि उनसे ली गई थीं। उनको ऊंची, नीची, जमीनें न दी जायें। किसानों को जो मुआविजा दिया जाये वह मुआविजा भी उनको मार्केट रेट से दिया जाये। इसके अलावा जो जमीनें कौलिनीज के लिये या अफसरान की कोठियां बनाने के लिए दी जायें वे ऐक्वायर न की जायें बल्कि वे बाकायदा खरीदी जायें।

मैं एक बार फिर मंत्री महोदय को धन्यवाद देता हूं और यह आशा रखता हूं कि हमारे देश के पेट्रोलियम की जरूरियात जल्द पूरी हो जायेंगी।

Shri Himatsingka (Godda): I support the provisions of the Oil and

[Shri Himatsingka]

Natural Gas Commisison (Amendment) Bill. It is a welcome measure. It is absolutely necessary that when land is acquired for any useful purpose like that of the Commission, there should be no delay so that the Commission's work of exploration can be started immediately. In fact, that applies to all useful purposes for which land may be acquired.

Along with the land being made available to the party requiring it, it should also be seen that compensation for such acquisition is paid to the owner as quickly as possible. So far as the price is concerned, I think the Land Acquisition Act takes ample care that the price will be market price plus 15 per cent for compulsory acquisition. So the question of price does not stand in the way. The question is of expedition. If land is acquired under a particular part of the Act, it takes a longer time than when it is acquired under another part, under Part II as has been proposed in this Bill.

I therefore, give my wholehearted support to the Bill and hope that the hon. Minister will be able to push through the work that the Commission is doing so that our country may be self-sufficient in oil products and may not have to depend on imports which means a lot of foreign exchange expenditure and other things.

Shri C. K. Bhattacharyya (Raiganj): This Bill is a very simple one. When the Oil and Natural Gas Commission requires land, it must be made available to it as expeditiously as possible. In this connection, I am reminded of the opinion expressed by a Russian expert in one of his lectures in Calcutta University when the proposed Express Highway from Calcutta to Durgapur was being designed. He happened to be in Calcutta at that time and in a lecture at the University, he said that in a place where food is scarce, agricultural land should be

taken up for any such purpose as little as possible. That was the opinion expressed by him in reference to the proposed Express Highway.

But if land is to be acquired for any purpose, it is for the purpose given in this Bill. If acquisition of land is justified for any object, that is the object given in the Bill moved by the hon. Minister today. As I think of it, I am reminded of the hon. Minister's statement in the Rajya Sabha that oil may be found in Port Canning area or the southern part of Bengal. That encourages me further to give my support to the Bill. Sometime back, there was a report in the newspapers that oil may be found even in North Calcutta. That is the area from which I come. If the hon. Minister can succeed in finding oil in North Calcutta, we shall give him whatever area of land he requires, though land there is very costly.

In any case, this proposal made in the Bill should be considered. I would urge only one caution as uttered by Shri Samanta, that is, when land is acquired and people are ousted from the land, they should be given compensation to meet their requirements for getting themselves rehabilitated in another part of the same area as quickly as possible. With that amount of concession made for the persons or villagers whose land would be acquired, we give our wholehearted support to this Bill.

Dr. M. S. Aney (Nagpur): I want to make only one suggestion. This Bill is very useful. But in one or two cases after the acquisition of land there has been a dilatory process. I know of instances where steps were taken for acquiring land, and then having acquired it years were taken for making any use of that land. For the sake of example I may mention only the case of the Hingoli-Khandwa line. The land was acquired for years together. Then nothing was done. The

scheme which was started was abandoned even, and the people thought that their land was gone and it was not used by the Government. The compensation was not being received by them for a long time. On account of this dilatory process people are disgusted with this procedure under the Land Acquisition Act. I want the hon. Minister to be particular about this matter. No doubt this is a matter for the State authorities, but if there is pressure from the Central Government to have it done by a particular time and particular care is taken to see that those persons whose lands are acquired will get proper compensation and that in proper time, then there will be a good realisation and support on the part of the people. For, after all, the people's support is required for the success of the work that is started there. This was the main thing that I wanted to press upon the attention of the hon. Minister.

Discovery of oil is one of the most important chains from the point of view of the industrial development of the country in this post-liberty period. If there is anything to our credit which we can show to the world, it is the discovery of oil. I believe we should be able to make good use of that and try to utilise those oil resources in the land as much as possible and as early as possible. I wish the hon. Minister every success in this line.

Shri P. N. Kayal (Jaynagar): After Independence, it should have been the duty of the Government to make the people in general feel that it is their government, that it is a government of the people for the people and by the people. Invariably in all cases where the Government have come forward to acquire any piece of land some sort of a resistance has been put up by the owners of the land. I think this is the experience that can be gathered from all corners of this country. For

having the co-operation of the people, particularly those peasants or small landholders in the village side who are illiterate, Government should be more and more careful in their dealings with the people.

There are two aspects that should be taken into consideration in giving compensation, or whatever it is, to the owner of the land. The first aspect is that the land belongs to the peasant, and that land to the peasant is much more valuable to him than even a few thousand rupees, what to talk of reasonable price or Market price. The man who owns only one acre or two acres of land feels a sense of possession, and he wants to enjoy from his sense of possession. He is poor and starving or half-starving, but he does not want to give up that possession. So that aspect of the matter should be taken into consideration in giving compensation to the people whose land the Government proposes to take away.

The second aspect is this. I would request the hon. Minister to appreciate that, say, for drilling purposes, for exploring oil etc. Government will have to incur heavy expenditure. So, why does he want—as if to deprive the poor peasant of his possession—to take protection under the Land Acquisition Act? He can straightway go to the peasant and tell him, "Here is another piece of land, which is more profitable perhaps than the land which we are going to acquire." Then Government could have very easily carried out its purpose.

So my contention is, not only for this Oil and Natural Gas Commission but for any public purpose, for a purpose which is really beneficial to the whole nation, it is not so easy to make a small man convinced about the real gravity of a particular matter. So it is better to make that illiterate or small landholder feel that whatever he has to give or sacrifice, in lieu of that he is getting something more. Therefore it is that kind of attitude which should be taken up by the Government, so that really we will be

[Shri P. N. Kayal]

servicing a far bigger purpose. That purpose is that the people in this country will begin to feel that the Government is theirs and is not a government run by any foreign ruler.

श्री गोरी शंकर कृष्ण (फ़तेहपुर) : उपाध्यक्ष महोदय, इस वक्त जिस विल पर हाउस में विचार हो रहा है, मैं उसका स्वागत करता हूँ, क्योंकि इसमें यह व्यवस्था कर दी गई है कि इसके अधीन जो ज़मीन एक्वायर की जायेगी, वह एक सार्वजनिक कार्य के लिए एक्वायर की गई समझी जायेगी। प्रायः यह देखा गया है कि जिस ज़मीन पर छोटे छोटे कृषक खेती करते हैं, अन्न की पैदावार करते हैं, वह ले ली गई और उनके जीवन निर्वाह के लिए कोई व्यवस्था नहीं की गई। मुझे इस बात का बहुत खेद है। सरकार को इस बुनियादी सिद्धांत पर विचार करना चाहिए कि अगर छोटे कृषकों को कोई ऐसी ज़मीन ली जाती है, जिस पर फसल होती है, जिस पर अन्न पैदा किया जाता है, तो उनको पूरे दाम दिये जाने चाहिए और ऐसी व्यवस्था की जानी चाहिए कि उनके परिवार भी रोटी चल सके। मैं चाहता हूँ कि इस पर विशेष तौर से ध्यान दिया जाना चाहिए।

इसमें कोई सन्देह नहीं कि हमारे देश को तेल और प्राकृतिक गैस की आवश्यकता है और इसलिये जिस धरती पर वे मिलते हैं, उसको अवश्य लिया जाना चाहिए। परन्तु अक्सर यह देखा गया है कि ऐसी ज़मीन लेने के बाद जब कम्प्लेन्शन का प्रश्न उठता है, तो कृषकों को सालों तक मुकदमेबाजी का शिकार होना पड़ता है फिर भी उनको उचित मुआवज़ा नहीं मिलता है। मैं इस बिल का स्वागत करता हूँ, परन्तु एक बात पर, जो कि बुनियादी है, भारत सरकार को ध्यान देना चाहिए। श्रीमन्,

मैंने देखा है कि संकड़ों एकड़ ज़मीन ऐसी ले ली गई है जिस में दो फसलें होती थी, खरीफ़ की और रबी की परन्तु उन कृषकों के लिए किसी तरह का भी प्रबंध किसी, तरह की भी व्यवस्था ऐसी नहीं की गई कि वे खेती करके अपना जीवन निर्वाह कर सकें। यह बहुत आवश्यक है। विशेष तौर से अन्न जबकि अन्न की कमी है और हमें अन्न बाहर से मंगाना पड़ रहा है, हमारी यांजनार्थ बढ़ती जा रही है और उनको कार्यान्वित करने के लिए हमें धरती की जरूरत है, खेती करने के लिए ज़मीन की आवश्यकता है, इह और आपका ध्यान जाना चाहिये। जो विधेयक हमारे सामने है इसके बारे में ही नहीं जिस काम के लिए इसमें ज़मीन लेने की व्यवस्था है, उसके बारे में ही नहीं बल्कि और जिन किसी कार्य के लिए भी, जिस किसी विभाग के लिए भी इस प्रकार की धरती ली जाए, जिसमें कि अन्न का उत्पादन होता हो, उसके लिए रुपये के रूप में पैसा न दे करके यह व्यवस्था की जाए कि ज़मीन के बदले ज़मीन उनको मिल जाए ताकि खेती करके वे अपना तथा अपने परिवार वालों का पालन पोषण कर सकें।

Shri Hem Raj (Kangra): Mr. Deputy-Speaker, we welcome this Bill which had been supported by all the hon. Members of this House. With its expanding activities, the ONGC should expedite its work and land should be easily available. But it is also very necessary that compensation should be expeditiously paid. In my own area when this Commission started its work some five or six years ago, I had to represent against the delay in payment of compensation. The Commission occupied very wide area, sometimes for drilling purposes or for other purposes. Sometimes good lands are taken but very small compensation is paid. They should be liberal so far as com-

pensation is concerned. Persons who are displaced from the lands should also be cared for. We represented in our area that whenever some works are started, at least in young men of that area should be given some employment in that particular area. But all those requests have not been heeded so far. Sometimes they take land for building roads because drilling takes place in the interior and they have to build roads. In such cases some very good agricultural lands are taken and those persons are displaced. They should take a humanistic view and provide some employment for the people of those areas. Drilling has again taken place in the Jwalamukhi area which the hon. Minister has already visited and I hope that the people of that area will also be given some representation for training purposes.

There is a certain road built by the district board. But that road was cut off when the ONGC constructed its own road. Either the use of the road which has been built by the ONGC should be permitted for traffic purposes or the road built by the district board, now zila parishad, should be constructed by ONGC for transport purposes. Even though representation was made, no heed was paid to it. Whenever they construct such roads, they should be thrown open to the public; they should not be closed. No doubt there may be some security purposes. But if some passes are issued under certain conditions that road can be opened. With these words, I request the hon. Minister to arrange for expeditious compensation, as for expeditious acquisition, and for liberalisation of compensation. With these words, I support this Bill.

Shri Humayun Kabir: Mr. Deputy-Speaker, I am grateful to all the hon. Members who have taken part in this debate. This was one of the occasions when there was unanimity in the House for a constructive purpose.

The remarks made by hon. Members may be grouped broadly under three

heads: reference to acquisition methods, reference to compensation and a large number of references to the need for further exploration. Some of the remarks, though extremely valuable, were not strictly pertinent to this Bill. Acquisition methods are not determined by us; they are laid down in the Act itself and the State Government follows that procedure. I accept in principle the suggestions made by more than one hon. Member that fair price should be paid as expeditiously as possible whenever land is acquired. In certain cases we have deposited the money into the respective treasuries and it is for the State Government to make payments. If we can help in any way in this matter, we shall always be willing.

So far as fair price is concerned it has been mentioned by hon. Members that the prices are fixed according to the law. Where it is taken for a public purpose under any urgency, sometimes prices are slightly higher than the actual market rate at that time.

My hon. friend Mr. Samanta raised a question: sometimes land is acquired at one stage and notice is given and price is fixed at the time of issue of notice; price is actually paid when the land is taken over. This matter also does not directly come into this Bill. This matter should be taken up separately. Perhaps some kind of a fair compromise could be found. If notice is given and land is in the use of the owners of land and at a later date the land is taken over for a public purpose, if compensation has to be paid at the latter rate, it sometimes may make the scheme uneconomic. But this is a matter which should be examined carefully and a settlement should be found which is fair both to the owner of the land and also to the public enterprise.

With regard to compensation, I have dealt with that point; it has to be paid as expeditiously as possible. It was suggested that land should be given for land. Obviously, the ONGC cannot undertake any such responsibility,

[Shri Humayun Kabir]

Where will the land come from? Normally our requirements will not be very much. It is generally a small area we take for drilling purposes. Of course for other purposes, sometimes more land is required. But in all cases, the ONGC will try and see that as little land as possible is taken. We do not also want to tie up the hands of the Commission unnecessarily. That is why this Bill has been introduced. Very valuable equipment used for drilling purposes—sometimes its value at a drilling site may be a crore or more—and very highly qualified technical personnel are employed; any undue delay will slow down the programme and will add very greatly to the cost of exploration and production and thus in a way retard the development of the national economy. That is why we have brought forward this Bill.

Then, many hon. friends suggested that there should be exploration in other areas. I can assure the House that our purpose is to search for oil wherever it is available. A fairly large area has already been covered. About 300,000 sq. kilometres have been covered by gravity survey, and for seismic survey, 23,400 line kilometres have been done. In respect of geological survey, about 31,000 sq. kilometres of detailed mapping and 88,000 sq. kilometres of semi-detailed mapping have been already accomplished, and about 11,000 line kilometres have been traversed. But ours is a vast country—two million sq. miles approximately—and that is why we are anxious that the progress of the Oil and Natural Gas Commission should be expedited.

I am sorry to say that there has been some slowing down in reaching the target of the third Five Year Plan. At the beginning of the Plan, the target had been fixed at about 600 wells but because of the difficulties which have been faced in the first three years, because of the difficulties, in Assam, with regard to the access to the land, and because of the difficulties in Gujarat in acquiring the land

this target had to be revised slightly onwards. I have asked the Oil and Natural Gas Commission to go into the matter once again and see if we can expedite the processes so that as much survey as possible may be undertaken in the remaining two years of the third Five Year Plan.

Shri Oza referred to the difficulty of other companies. I can understand that there may be difficulties, but there is one distinction between the Oil and Natural Gas Commission and the other companies. This is entirely for public purpose, and it may be regarded almost as a limb of the Government, and therefore, the amendment which I have brought forward is logical. It was in fact long overdue. It was only because acquisition for companies in the past was comparatively easy that this had been put in that part of the Land Acquisition Act, but the moment difficulties were faced, we have brought this before the House. I am happy to find that the whole House has supported this measure.

I am grateful to Dr. Singhvi for his extremely kind remarks. He wanted me to give a picture of the petrochemical industry. I do not think this would be the proper occasion for that, but I shall take the opportunity of taking the House into confidence and placing our programmes if the petrochemical industries perhaps early in the next session because by that time some of the studies will also be complete. Broadly, the picture is that we want that the petrochemical industries should develop in different regions of the country, for we feel that through these petrochemical complexes, the economic improvement of the country can be carried out at a more rapid rate than by almost any other type of industry that we can think of.

Some friends might have seen the recent announcement which was made on the occasion of the 70th birthday of Mr. Khrushchev wherein Soviet experts have said that the Soviet Union

made the first giant stride in industrialisation by the electrification of the country and now they are taking the second giant stride by what they call chemicalisation of the country by introducing petro-chemical industries on a vast scale. But, as I said, I propose to place my programmes for petro-chemical industries perhaps fairly early in the next session of Parliament.

There is one point which Shri Warior raised and he is again rising to ask me about it. He asked me if there have been cases where land has been acquired and has not been used. He referred to the phytochemical project in Kerala. For one thing, the phytochemical project is no longer hanging. There will be no phytochemical project in that area. We have already informed the State Government and the State Government is anxious to have that land back, but the case of the phytochemical project and the case of land for the Oil and Natural Gas Commission are entirely different. There we need a large area for development of the industry; here we take the land for exploration, and the exploration is quickly done, and if the land is useful for finding petroleum or gas, we will of course keep it. If it is not, there is no reason why the Oil and Natural Gas Commission should hang to that land. It will be returned as soon as possible. The Oil and Natural Gas Commission will dispose of that land in the best possible manner.

Shri Warior also asked whether we should leave the compensation to the State Government. I have already discussed this with a number of other points raised about this question. It has to be through the State Government, but whatever help we can give in making the fund available—paying the deposit in the treasury or otherwise make it available to the State Government—we shall not fail on our part.

With these words, I once again thank all the Members who have taken part,

and I am grateful to them for their support.

Dr. Ranen Sen (Calcutta East): Is it a fact that natural gas has been found in the waters of the river Hooghly and that the Oil and Natural Gas Commission is investigating into it and, if so, what is the actual position?

Shri Humayun Kabir: It is not strictly relevant to this Bill. But I will tell my hon. friend that I had a letter to that effect from an hon. Member of the other House; I have asked him to give me further details.

Mr. Deputy-Speaker: The question is:

"That the Bill further to amend the Oil and Natural Gas Commission Act, 1959, be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: We shall now take up clause-by-clause consideration. Clause 2. Shri Yashpal Singh has got two amendments.

Shri Yashpal Singh: Sir, I beg to move:

(i) Page 1, line 8,—

for "its functions" substitute—
'oil exploration and production programmes'. (1)

(ii) Page 1,—

after line 10, insert—

'Provided that if the land so acquired is of no use at a later stage to the Commission, it shall be offered to the owners from whom the land was acquired.'

यह जो मेरे अमेंडमेंट है उनको मंजूर करने में सरकार को कोई दिक्कत नहीं होनी चाहिये क्योंकि यह सरकार के फायदे के लिये है। एवम् अमेंडमेंट तो यह है कि सरकार सिर्फ डिप्लिंग परपज के लिये ही जमीन ले

[श्री यशपाल सिंह]

सकती है। कालोनी वगैरह के लिये जमीन को अक्वायर करना किसान के साथ ज्यादाती करनी होगी। इसलिये जैसा मैं पहले भी कह चुका हूँ, मेरे अमेंडमेंट का मतलब यह है कि जो जमीन सिर्फ़ ड्रिलिंग परपज के लिये चाहिये वही अक्वायर की जाये। कालोनी और अफसरों की कोठियों के लिए जो जमीन ली जाती है वह मार्केट वैल्यू पर ली जाये, जैसा कि मैंने अपने अमेंडमेंट में भी कहा है कि :—

Page 1.—

after line 10, insert—

“Provided that if the land so acquired is of no use at a latter stage to the Commission, it shall be offered to the owners from whom the land was acquired.

जब जमीन की जरूरत न रहे तो जिस हालत में जमीन ली गई थी उसी हालत में वह किसान को वापस की जाये। यह नहीं कि जमीन को ऊंची, नीची करके किसान को वापस की जाये। हाथ ही अंगरजिनाली जिससे जमीन ली गई है उसी को वापस की जाये। किसान को मार्केट वैल्यू दी जाये। ऐसा न हो कि किसान के साथ जबर्दस्ती की जाये। किसान की देशभक्ति का यह सब से बड़ा सबूत है कि वह सरकार के कहने पर अपनी जमीन देने के लिये तैयार हो जाता है इस न्यिये उसको किसी तरह का नुकसान नहीं होना चाहिये।

इन शब्दों के साथ मैं अपने अमेंडमेंट पेश करता हूँ

Shri Humayun Kabir. I take it that my hon. friend has moved both the amendments simultaneously and so my reply also will be together, to both of them. The first amendment that he wants to be carried is that the function of the oil exploration and production programme should be res-

tricted. The Oil and Natural Gas Commission explores not only for oil but also for natural gas, and there are many other ancillary activities. The functions of the Oil and Natural Gas Commission have been defined fairly carefully. I do not think it would be proper to put any restriction. I may inform the House that the land that we require is not generally a very large area; the expectations are a few hundred acres only per year. Therefore, the fears which my hon. friend has are not justified.

Regarding the second amendment, if the Oil and Natural Gas Commission is not using the land, of course, it will be disposed of. I do not think there should be any restriction in the way in which it is used. But I can assure him through you, Sir, that we shall give executive instructions to the Oil and Natural Gas Commission that wherever possible, if the original owner wants to come back, he should be given the first preference. I do not think it will be proper to impose any restrictions by law on the Oil and Natural Gas Commission for this purpose.

I therefore regret that I cannot accept either of the amendments.

Mr. Deputy-Speaker: Does the hon. Member withdraw his amendments?

Shri Yashpal Singh: There is no question of withdrawal.

Mr. Deputy-Speaker: Then I shall put them to the 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.

Clause 1, the Enacting Formula and the Title were added to the Bill.

Shri Humayun Kabir: I move:

"That the Bill be passed."

Mr. Deputy-Speaker: The question is:

"That the Bill be passed."

The motion was adopted.

INDIAN MEDICAL COUNCIL (AMENDMENT) BILL

The Deputy Minister in the Ministry of Health (Dr. D. S. Raju): Sir, I beg to move:*

"That the Bill further to amend the Indian Medical Council Act, 1956, be taken into consideration."

The Indian Medical Council Act has been in force for the last few years. At the time of its coming into force, Jammu and Kashmir was not included in that, because there was no medical college then. Subsequently a medical college was started there and now the final year students are appearing for the examination in May this year. So, with the intention of bringing those medical graduates under the purview of this Act, this Bill has been brought forward.

Actually the State Government of Jammu and Kashmir have been requesting us for sometime and the university also are anxious that this Act should be amended, because that will give the facility to doctors of Jammu and Kashmir to seek service anywhere in India. They can come and practice here and there will be emotional integration also. From that point of view, this is a very good feature.

In our experience of the working of the Act, we have found some lacunae in it and in order to plug them, we have brought forward a few more amendments also. One of the important things is now we are providing for compulsory registration of all medical graduates. Whether they are M.B.B.S. degree-holders or licentiates they must be registered before they can practice or seek Government employment or give any certificate or give medical evidence in a court of law. They must be registered either in the National Register or in the State Register. If they do not do it and if they contravene the provisions of this section, they are liable to punishment, which may extend to Rs. 1,000 fine or imprisonment of one year or both. Of course, the courts have the power to reduce it.

Secondly, the Indian Medical Council is authorised to prescribe ethics and code of conduct for the medical practitioners. It is also an important provision.

As hon. Members know, there is very rapid expansion of medical colleges in India. Now there are about 80 medical colleges. Whenever there is such a rapid expansion of medical education, there is bound to be some lowering of standards in any country. It has happened in Russia, China and other countries. So, we are afraid that this dilution or lowering of standards may occur in India also. To safeguard against this contingency, we are investing the Indian Medical Council with certain powers. Before, also, the Indian Medical Council has been sending medical inspectors to the universities and various medical colleges at the time of the examination. We have found that this is not adequate. So, the Council is now authorised to go into the question a little deeper and to study the question of standard, syllabus, the curricula that are prescribed, the equipment provided, the qualifications of teachers, etc.

*Moved with the recommendation of the President.