

राम सेवक यादव : कोई सदस्य नहीं चाहता कि हाउस को एक्सटेंड न किया जाये। जिन महत्वपूर्ण विषयों पर चर्चा होनी है, उनको लिया जाना चाहिए।

Shri Satya Narayan Sinha: Therefore I cannot promise anything just now. But all these suggestions which have been made, we shall certainly consider and whatever is possible within the period we shall try to bring before the House.

श्री श्रीकारलाल बेरवा : जो प्रश्न पहले दिये हुए हैं, उनको तो पूरा किया जाना चाहिए।

The Minister of Education (Shri M. C. Chagla): With regard to the question raised by my hon. friend, Shri Madhu Limaye, that we have promised to lay on the Table a White Paper or a statement with regard to the area of India, we will lay that statement some time next week and the discussion will take place after the Constitution (Amendment) Bill, as was suggested by the Speaker, so that Members should have enough time to study that state.

Shri N. Dandekar (Genda): The Minister has not made clear the position about the unfinished business of this week, in particular about the debate on the economic situation. The Government collapsed and reversed the decision they had previously taken. I hope, the debate on the economic situation will in no circumstances be dropped and will be resumed as soon as possible.

Shri Satya Narayan Sinha: It will not be dropped. Immediately after the no-confidence motion and the two important Bills which are replacing the Ordinances, we are going to take it up.

12.29 hrs.

ELECTION TO COMMITTEE

COMMITTEE ON PUBLIC UNDERTAKINGS

Shri D. N. Tiwary (Gopalganj):
Sir, I beg to move:—

"That the members of this House do proceed to elect in the manner required by sub-rule (3) of Rule 254 read with sub-rule (1) of Rule 312B of the Rules of Procedure and Conduct of Business in Lok Sabha, one member from among themselves to serve as a member of the Committee on Public Undertakings for the unexpired term of the Committee, vice the late S. V. Ramaswamy."

Mr. Speaker: The question is:

"That the members of this House do proceed to elect in the manner required by sub-rule (3) of Rule 254 read with sub-rule (1) of Rule 312B of the Rules of Procedure and Conduct of Business in Lok Sabha, one member from among themselves to serve as a member of the Committee on Public Undertakings for the unexpired term of the Committee, vice the late S. V. Ramaswamy."

The motion was adopted

12.30 hrs.

ELECTRICITY (SUPPLY) AMENDMENT BILL—Contd.

Mr. Speaker: First I shall put the amendment by Shri Nambiar to refer the Bill to a Select Committee.

The question is:

"That the Bill be referred to a Select Committee consisting of 12 members, namely, Shri Bhagwat Jha Azad, Shri Bibhuti Mishra, Shri N. Dandekar, Shri Hari Vishnu Kamath, Shri Jaganath Rao, Dr. K. L. Rao, Dr. L. M. Singhvi, Shri U. M. Trivedi, Shri R. Umanath, Shri K. K. Warior, Shri Yashpal Singh and Shri Ananda Nambiar with instruc-

[Mr. Speaker]

tions to report by the last day of the first week of next session". (19).

The motion was negatived

Mr. Speaker: The question is:

"That the Bill further to amend the Electricity (Supply) Act, 1948, be taken into consideration."

The motion was adopted.

Mr. Speaker: We shall now take up clause-by-clause consideration of the Bill.

Clause 2—(Amendment of section 5)

There is one amendment, No. 2. That is not moved.

Then, I will put the clause to the vote of the House.

Shri N. Dandekar: (Gonda): I oppose clause 2.

Clause 2 of the Bill is designed to amend the existing sub-section (6) of section 5 of the Electricity Act. I would like to read the existing section 5 of the Electricity Act because the amendment sought to be made is very important. The existing provision in sub-section (6) of section 5 of the Electricity Act which is sought to be amended reads as follows:

"A person shall be disqualified from being appointed or being a member of the Board if he is, or within the twelve months last preceding was, a member of Parliament or of any State Legislature or any local authority."

The Government in the Statement of Objects and Reasons says that the Members of Parliament and State Legislatures and the Members of the local authorities have to wait for a period of twelve months after they cease to be such members before becoming eligible for appointment as

members of the State Electricity Boards.

Yesterday, there was some general debate about this clause and I was very surprised to hear the explanation given by the Minister for this particular clause which seeks to amend sub-section (6) of section 5. His explanation was that he saw no reason why there should be this period between a person's ceasing to be either a Member of Parliament or of a State Legislature or of a District Board and so on and his becoming eligible to be nominated to the State Electricity Boards. He saw no reason why people should have to wait that long before being considered as qualified to be nominated to the State Electricity Boards.

I would like to emphasise what I said yesterday that in view of the general atmosphere that has been prevailing in this country for sometime and in view of the proximity of the General Elections within a few months from now, this kind of clause, namely, to remove the waiting period, would be totally wrong. I think, Members of Parliament and State Legislatures and Members of District Boards and so on ought not to be looking forward to these appointments nor should they regard a period of twelve months as too long to wait before such patronage is conferred upon them by being nominated to the State Electricity Boards. This whole subject about nominating retired High Court Judges to places of profit, retired civil servants to places of profit and retired Members of Parliament or of Legislatures or of District Boards and so on to places, which if not of profit, afford scope for exercising a great deal of influence and patronage, needs reconsideration. One has really to see what is the effect of all this on the people and on the administration generally. Today the membership of these bodies is being sought after, hankered after, by the people the moment they find they have no future in one or the other

field in which they were previously engaged. I sought that this is not merely an allegation. If the Minister would go round and enquire the extent to which various members of the Legislature, usually members of the ruling party, are nominated to these various statutory bodies, you will find that there is a great deal going on that ought not to be going on. I very strongly urge the House, and I would particularly appeal to the Congress Party because their own reputation in this matter is at stake—the reputation of their administration, of their party politics, of their high-ups, of their High Command, of State units, of the All India Congress Party and so on—not to expose themselves to a thing of this kind even if they will not accept the reasons I have advanced for not having a matter of this kind legislated. I know that this clause will be passed. It is said that it should be passed.

Shri Nambiar (Tiruchirapalli): The Government may accept the hon. Member's proposition. I hope they will accept.

Shri N. Dandekar: If the Minister is accepting my proposal, I will not say anything further.

The Minister of State in the Ministry of Irrigation and Power (Dr. K. L. Rao): May I answer.

Shri N. Dandekar: If he is not accepting it, then let me continue my speech. I have not yet concluded.

In 1948, when the Electricity Act was passed, the atmosphere in this country was one charged with the finer emotions. There was the Central Assembly as it was called in those days which, under the Indian Independence Act, acquired supreme legislative powers. They were the people who, as the Constituent Assembly, framed our Constitution; they were also the people who passed this Electricity Act with that particular provision. I imagine that they had good and sound reasons for that particular

provision. I do not know and I have not been told of a single, good, sound reason for amending that provision excepting the old one that these gentlemen of various legislative bodies ought not to have wait that long.

Secondly, an even more unacceptable reason is the plea that people of capacity are not available, so that the State Governments are only eagerly waiting for people from Parliament and State Legislatures either to say, "we are tired of Parliament or Legislature, please give us a job on the Electricity Board" or, being defeated at the elections, to say "can I have some kind of a recompense". And then men of ability, character and capacity become available in large numbers. This is fantastic!

I, therefore, suggest that this amendment is totally unwarranted as the law that was passed by the previous legislature in 1948 was correct. They did attempt and, indeed, succeed, so far in setting up some standards and I would suggest that the Minister may not take up the responsibility for departing from those high standards by getting passed the second clause of this Bill which seeks to amend the provision which I have referred to.

Shri Nambiar: It may look strange that I am supporting a move of the Swatantra Party. But it is really a right move. That the legislators, immediately after their term is near—should be waiting for an opportunity to get into the Board looks very strange. This is really a think which is coming on the eve of General Elections. This is a direct promise to a particular individual, who may contest on a Congress ticket that, if he is defeated in the elections, he can become a member of the Board. That is one thing.

Shri Umanath (Pudukkottai): If he does not get Governorship . . .

Shri Nambiar: Yes. Another thing is that even if he wins, in case another person is to be accommodated, to be brought into the Government as a Minister, he can be asked to resign his post and that gentlemen can be brought in. The vacancy for the former gentleman can also be found; he can get into this Board. These are the things which are patent. Otherwise what is the necessity? As Mr. Dandeker has pointed out, there was a purpose in stipulating this condition when the Act was passed. What is the change that has come about during the course of this period, of this nature? The hon. Minister must convince the House of the real need for having some people from the legislatures on these boards. To say that there is none else available in the country to fill those posts is very ridiculous. I think it looks glaringly ridiculous. I find that Dr. K. L. Rao is getting ready to accept this, and he seems to be in a hurry to accept this. But I hope he will accept what my hon. friend from the Swatantra Party has said. The Swatantra Party has done the right thing at the right time, at least so far as this matter is concerned. That is what I would like to say, though I may not agree with them on many other points.

Shri Bade (Kharagone): Yesterday I had criticised some of the amendments that were proposed to be made. The hon. Minister's reply was 'well, here, it is not Parliament only which is mentioned, but even State legislatures and local authorities are mentioned. I do not bother about these kinds of small politics, but I am hovering round at a higher level; I do not care for this post or that post or the membership on the board; these are all small things.' That was the vein in which he replied to the criticisms made. I would submit that this is the age of space, and everybody wants to go to the moon. So, I think the hon. Minister also seems to be hovering round in the higher regions.

But I am a person who lives in the mofussil, and I know what is happening in the States.

The hon. Minister said that a member did not get any emoluments or anything of that kind. But I know what membership of the board means. There are so many ways in which, a member can get benefits. He is always interested in his own constituency, and he is always interested in the persons in his own party, and he favours them as a member of the board. So, we find that the members of the Congress Party are appointed on the board. I make bold to say further that even in the case of bans, many of the directors are appointed simply because they are all Congressmen. If any of them leaves the Congress party then he is chucked off, and another member from the Congress Party is appointed.

It has been stated that this Bill has been brought forward because of some High Court ruling. If that be so then why should this particular provision be there? What is the motive behind it? The motive is what my hon. friends Shri N. Dandeker and Shri Nambiar have pointed out. That motive is a political one.

The hon. Minister may say that he is above all this politics and these are all small things and he does not smell any politics in this; but the politics is there, and it goes on everywhere in the country. Therefore, I would request the hon. Minister that this provision should be deleted. I do not know why my hon. friend Shri Yashpal Singh has not pressed his and amendment in this regard.

Shri K. L. More (Hatakanagle): I do not agree with many of the hon. Members who have spoken before me on this point. Yesterday, the hon. Minister had made it very clear that there was no motive in bringing forward this amendment.

Shri Nambiar: Then why is it being brought forward?

Shri K. L. More: As you would see, the amendment is intended to remove the disqualification which is at present there under the present Act.

Shri Nambiar: Why is it being removed?

Mr. Speaker: Let there be no interruptions. Let the hon. Member have his say.

Shri K. L. More: Yesterday, the hon. Minister had made it clear that there was no motive in bringing forward this amendment.

In the Statement of Objects and Reasons, it has been clearly mentioned that the State Governments have felt difficulty in finding suitable personnel for manning the boards. Further, this amendment is intended to enlarge the field of choice for membership. Yesterday, my hon. friend Shri N. Dandekar had read out just one or two sentences only from the Statement of Objects and Reasons, and he said that this amendment was meant just to give scope to Members of Parliament and of State Legislatures. He ought to have remembered that he was accusing thereby a class of persons to which class he himself belonged, because he is also a legislator now. So, he should have refrained from attributing bad intentions or bad motives to the legislators. Legislators and persons who are in the local bodies etc. are all considered to be above all these motives.

In this connection, I want to submit that the motive in bringing forward this amendment is a very fair one and no political reason should be attributed to it. I support this clause.

Mr. Speaker: Shri S. N. Das.

श्री यशपाल सिंह (कैराना): मुझे भी बोलने का मौका दीजिये, मैं आपके हुकम का इन्तज़ार कर रहा हूँ।

अध्यक्ष महोदय: मेरे हुकम का क्या सवाल है, आपकी अमेण्डमेंट थी, मैं बुलाता रहा आपन कैसे ही नहीं की।

Shri Nambiar: He has requested the Chair to treat his amendment as moved.

श्री यशपाल सिंह जब बड़े साहब बोल रहे थे, तो छोटा कैसे बोल सकता है।

Mr. Speaker: Shri Nambiar is the motivating force here.

Shri Shree Narayan Das (Darbhanga): I would like to point out one thing with regard to this provision in sub-section (6) of Sec. 5 of the principal Act. The present provision is that members of Parliament, State legislatures or any local authority are qualified to be members after a lapse of twelve months of their ceasing to be members of such bodies. What was the intention of the framers of the Act? If Members are to be disqualified, I think they would have been disqualified for ever, if there is anything bad in their being members of State Electricity Boards. It would have been treated as an office of profit. The only objection to the proposed amendments could be that the Government in power may patronise some people who were in the legislatures and by so doing, they may bring those members to their side. This should be prevented. That could be the only objection. But the disqualification in the original Act is only for one year. After the lapse of one year of their ceasing to be members, they become qualified to be members of the Board. Therefore, I do not understand the objection now raised. If the intention of the legislature while passing the original Act was to prevent members of Parliament, State legislatures or local authorities from being members of such boards, they would have disqualified them for . . .

Shri Nambiar: There is no immediate attraction.

Shri Shree Narayan Das: If the members are to be disqualified, I

Shri Shree Narayan Das: If the members are to be disqualified, I think they should have been disqualified for at least five years.

Shri Nambiar: Why?

Shri Shree Narayan Das: Then why for twelve months only?

Therefore, if this provision is removed and Members of Parliament or other bodies made eligible for being members of the Board immediately they cease to be such members, I think there is no harm. What harm is caused? If a person ceases to be a Member of any of these bodies, he becomes an ordinary citizen. When other ordinary citizens can become members of the Board, why should a person who has just ceased to be an MP, a member of a local legislature or local authority be disqualified? Now the local authorities consist of panchayats, block samitis, zila parishads and so on. If the disqualification is extended to them, a large number of persons will be left out. I think there is no purpose in doing so. Therefore, I support the amendment proposed by the hon. Minister and there should be no objection to it.

श्री यशपाल सिंह : अध्यक्ष महोदय मुझे आज्ञा दीजिये, मैं अपनी अमेण्डमेंट मूव करता हूँ।

अध्यक्ष महोदय : अमेण्डमेंट मूव नहीं कर सकते, अगर इस पर कुछ कहना चाहते हैं, तो कह लीजिये। आप यहां पर न होते तो भी बात थी, आप यहां बैठे, मैंने आपको बुलाया और पूछा कि आप मव करना चाहते हैं, लेकिन आपने मव नहीं किया, अब आप कैसे कर सकते हैं।

श्री यशपाल सिंह : मैं क्षमा चाहता हूँ, अब समय दे दीजिये। मैंने यह समझा था कि हनुमान का काम है संजीवनी लाकर रख देना और राम का काम है सिलैक्ट

कर लेना कि कौन सी चाहिये, कौनसी नहीं चाहिये। मैंने हनुमान का काम किया है। खैर, मैं अमेण्डमेंट मूव करता हूँ।

अध्यक्ष महोदय : मूव न कीजिये, कुछ लफज कहना चाहते हैं तो कह दीजिये।

श्री यशपाल सिंह : मैं इस सेशन को प्रपोज करता हूँ।

Shri Narendra Singh Mahida (Anand): Shri Dandeker objected to this Clause. The main object of this Clause is to remove the words "twelve months". That is the only contention I make.

I can point out to hon. friends on this side that in my State of Gujarat to my knowledge we have not a single Member on Electricity Board from either the State legislature or Parliament, nor any Panchayat Member. An ICS officer who had very recently retired was the Chairman, and the other Members are all technical members. What is meant by this changed clause is to remove waiting period of 12 months. The intention is to bring in the Members of the legislature as soon as possible if the State finds that there is shortage of personnel and if it so desires. The idea is only to remove these words "twelve months".

Dr. K. L. Rao: I am surprised that there has been again some agitated feeling on this matter. I thought I had explained sufficiently, though due to shortness of time, I could not explain fully.

I want to submit that the State Electricity Boards are not powerful organisations. There are seven Members on the State Electricity Board, of whom three are permanent—one Electrical Engineer, one accounts man and one administrative-cum-commercially experienced man. There are these three specialists, and the four Members are temporary Members in this

sense that they come on the date of the meeting and nothing more than that.

In the 14 Boards we find only 20 members are non-officials. I tried to find out if there are any people connected with active politics, I find practically there are none. What I mean to say is: if we cannot find 20 honest men in this country, what have we come to? This Bill had been actually submitted in November to Parliament, and it was prepared much earlier when there was not even talk of elections. Only new elections are being talked about. What is wrong in this? Why should we disqualify a man with experience like a Member of Parliament or a Member of the State Legislature?

Shri Umanath: What harm has been created by these "twelve months"?

Dr. K. L. Rao: What is the great thing in this? What is the gentleman going to do merely because he sits in the State Electricity Board?

Shri Umanath: What harm has been done so far by the retention of these twelve months? Let it be explained.

Dr. K. L. Rao: This Bill was drawn up some 12 years back by an Englishman in those days, trying to keep as much as possible of the English Act. In England, the whole Act has been changed and rationalised and we did not have time to do all that. I have promised that in the next Lok Sabha we will have a comprehensive Bill going into the whole aspect. At any rate, I thought hon. Members would take this in good spirit. There is absolutely nothing wrong in this. Even a Member of the Panchayat Board cannot be a Member of this Board. It is absurd. Why should we disqualify very good, experienced, dedicated people? It is not mentioned there that this applies only to Congress Members. Why should there be this suspicion at every stage? I do not think this should be accepted.

Mr. Speaker: Only opposition is there, no amendment is there.

The question is:

"That Clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Shri Nambiar: Let them have it if they want.

Clause 3—(Amendment of section 7)

Shri Yashpal Singh: I beg to move:

Page 2,—

after line 13, insert—

Explanation.—The expressions "State" and "State Legislature" include "Union territory" and "territorial council" respectively'.
(3).

Dr. K. L. Rao: Under the General Clauses Act of 1897, "State" includes a Union territory. That is why we have not included that. And there are no State electricity boards in Union territories.

Mr. Speaker: I put amendment No. 3.

Amendment No. 3 was put and negatived.

Mr. Speaker: The question is:

"That Clause 3 stand part of the Bill."

The motion was adopted.

Clause 3 was added to the Bill.

Clauses 4 and 5 were added to the Bill

Clause 6—(Amendment of section 29).

Shri N. Dandekar: I beg to move:

(i) Page 3,

omit lines 4 to 6. (21).

(ii) Page 3, lines 7 and 8,—

omit "which is estimated to result in a capital expenditure exceeding one crore of rupees". (22).

Shri Bibhuti Mishra (Motihari): I beg to move:

(i) Page 2,—

after line 34, insert—

“Provided that any scheme or schemes shall not be concentrated in one area neglecting the demand of other areas where there is no scheme or schemes so far sanctioned.” (31)

(ii) Page 2,—

after line 34, insert—

“(1A) The Central Government shall keep in mind the statistics of electricity generated in each State while sanctioning schemes and backward States shall be given priority in sanctioning schemes for electricity.” (32)

Shri N. Dandekar: The amendments I have moved are merely in regard to the notification of schemes both at the draft stage as well as the stage when schemes are finalised.

The present position is that every scheme of development has to be notified in the Gazette as well as in such local newspapers as the Board might consider necessary in the draft stage and also in the final stage regardless of the cost or the size of the scheme.

The proposal is this:

“Every scheme sanctioned under this section shall be published in the Official Gazette and in such local newspapers as the Board may consider necessary:

Provided that it shall not be necessary to so publish any scheme which is estimated to result in a capital expenditure not exceeding twenty-five lakhs of rupees.”

I seek to delete that proviso, with the result that every scheme, regardless of the estimated cost of it,

should be published at the draft stage. I will presently explain the reasons. I would like to take these two amendments together.

The second amendment is concerned with the proposed sub-section (3) of the new section 29, which says:

“Before sanctioned any scheme which is estimated to result in a capital expenditure exceeding one crore of rupees, the following procedure shall be adopted.”

And among the procedures to be adopted is that the final scheme has to be published in the Gazette and in such local newspapers as the Board may consider necessary, which means that the effect of this particular sub-section if enacted, will be that while schemes costing or estimated to cost over Rs. 25 lakhs will be published at the draft stage, those up to Rs. 1 crore will not again be published after they are finalised. In other words, the scheme is this: schemes up to Rs. 25 lakhs: no publication at all; schemes over Rs. 25 lakhs and below Rs. 1 crore: publication only once at the draft scheme stage; schemes over Rs. 1 crore: publication twice.

13 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

I listened with great attention to the Minister's reply to the comments I made earlier concerning this, and, quite frankly, I was unable to get a single specific reason why the expenditure on publication of these schemes below Rs. 25 lakhs was regarding as excessive expenditure or the time involved in the publication was considered as excessive. I presume the word “excessive” means disproportionate to the benefits intended by publication. In other words, I expect what is intended is this, that the expenditure incurred and the time lost in publication of schemes over Rs. 1 crore twice over, and in the publication of schemes between

Rs. 25 lakhs and Rs. 1 crore only once, presumably are commensurate with the benefits expected to accrue, whereas if it is a scheme costing only up to Rs. 25 lakhs, no benefits can conceivably arise by drawing the attention of the public to a whole series of invasion of rights, apart from anything else, that is involved in starting schemes. And, though I did not say this yesterday, I would like to say today—the whole lot of political jugglery and skuldudery that is involved in deciding which way a scheme shall proceed, whether we shall develop this area or that tract, can now go on. I do not say this without some knowledge at any rate of what has gone on in a certain Board: the pressure on the Board to go in one direction, the pressure from within the Board to go in another direction; the pressure from technical people, who are concerned more with the financial and other objective aspects of the scheme not to go in certain directions and so on. I presume that those things are regarded as somewhat serious only if the scheme is of over Rs. 1 crore but I must equally presume that if the scheme is small, the attitude should be:

“All right, let these boys play around a bit with public moneys, it does not matter.”

I think it matters a great deal regardless of whether the cost, Rs. 25 lakhs or one crore or over one crore; they should receive due publicity for the same reason for which schemes costing more than one crore are to be publicised. What are the reasons why schemes costing over one crore are to be published? The Minister never said one word about that. Everything that is relevant by way of justification or reasons for publication twice over, once at the draft stage and again at the final stage, of schemes costing one crore or more is equally relevant to schemes costing less than Rs. 25 lakhs. When I talk about schemes

estimated to cost under 25 lakhs, or over 25 lakhs and upto one crore, I suggest that the order of magnitude is not insignificant. I suggest, therefore, that all the relevant reasons, whatever they are—I would not like to enumerate them; the Minister knows them well; there are very cogent, valid and necessary reasons why schemes costing so much, of a certain magnitude, should be published,—are equally valid for the publication, twice over, of schemes upto 25 lakhs; so that everybody knows what the intended scheme is, to find out if there is any skuldudery around the corner and expose it, if there is any improvement possible, anyone can suggest it, if there are certain bad features, they can be pointed out and eliminated, etc. Even putting it on its own merits, on neutral ground, apart altogether from any odd things around the corner, even on the most neutral grounds whatever reasons are there to justify publication of large schemes are equally valid for publication of small schemes. I, therefore, propose these two amendments which would have the effect that all schemes regardless of these limits that are specified will require publication in the newspapers and in the official gazette twice over, once at the draft stage and again at the finalised stage so that people may know what was intended and what has finally been decided.

श्री बिभूति मिश्र : उपाध्यक्ष महोदय :
मेरा अमेंडमेंट बिल्कुल साधारण सा है ।
इस बिल के क्लॉज 6 में जो पुरानी धारा
दी हुई है वह इस प्रकार है :

“A scheme prepared for any area under section 28 may, subject to the provisions of this section, be sanctioned by the Board either generally or in respect of any part of the area and where a scheme has been sanctioned in respect of part of the area, it may subsequently be sanctioned

[श्री विभूति मिश्र]

in respect of other parts of that area.

इसके साथ मेरा अमेंडमेंट यह है कि :

after line 34, insert—

“Provided that any scheme or schemes shall not be concentrated in one area neglecting the demand of other areas where there is no scheme or schemes so far sanctioned.” (31)

इसी के साथ इस क्लॉज के लिये मैं ने दूसरा अमेंडमेंट भी दिया है कि बोर्ड के खिलाफ सेंट्रल गवर्नमेंट के पास कोई अपील आयीगी तो उसमें यह होगा :

after line 34, insert—

“(1A) The Central Government shall keep in mind the statistics of electricity generated in each State while sanctioning schemes and backward States shall be given priority in sanctioning schemes for electricity.” (32).

मेरे कहने का मतलब यह है कि स्टेट में जो बोर्ड है उस को पहले यह अधिकार दिया है कि वह कोई स्कीम सैंक्शन करे। लेकिन इस में ऐसा हो सकता है कि जहां पहले से ही बिजली का कारोबार होता है, जहां पहले से बिजली लगाई जा चुकी है उसी जगह बोर्ड बिजली पैदा करने की दूसरी स्कीम सैंक्शन कर दे। इसलिये मेरा पहला अमेंडमेंट यह है कि बोर्ड के मामले यह चीज होनी चाहिये कि जहां पर पहले से बिजली पैदा की जाती है वहां के लिये वह कोई दूसरी स्कीम सैंक्शन न करें। और अगर कर भी दे तो यह देखे कि कौन सा एरिया वहां पर है जहां बिजली नहीं है और उस एरिया के लिये वह बिजली बनाने की स्कीम सैंक्शन करे। इस कारण से मैं चाहता हूँ कि मेरे अमेंडमेंट 31 और 32 दोनों साथ-साथ

लिये जायें। मान लीजिये कि किसी जगह बोर्ड ने गलती कर दी और जहां पहले से ही बिजली पैदा होने का स्थान है वही पर कोई दूसरी स्कीम रख दे, तो बोर्ड के ऊपर कोई अधिकारी नहीं है। मैं चाहता हूँ कि सेंट्रल गवर्नमेंट स्टैटिस्टिक्स को देखे कि कहां पर कितनी बिजली जनरेट होती है, कहां पर कितनी बिजली पैदा होती है। अगर उसे पता चले कि वहां पर पहले से ही बिजली जनरेट हो रही है तो सेंट्रल गवर्नमेंट वहां पर दूसरी स्कीम को न चलने दे बल्कि किसी बैंकवर्ड एरिया में चलाने के लिये कहे जहां के लोगों ने मांग की हों कि उन के लिये वहां पर बिजली लगनी चाहिये। वहां पर सेंट्रल गवर्नमेंट स्टेट बोर्ड से कहे कि वह वहां पर किसी स्कीम को सैंक्शन न करे। अगर सेंट्रल गवर्नमेंट स्टेट गवर्नमेंट के हाथ में या स्टेट बोर्ड के हाथ में इंग चीज को देती है और सेंट्रल गवर्नमेंट अपने हाथ में अक्षय्य नहीं रखती तो वह लोग सर्वेवर्षा हों जायेंगे। जैसा कि मंत्री महोदय ने बतलाया कि वही के चेयरमैन रहेंगे, वही के इंजीनियर रहेंगे, कोई दूसरा आदमी नहीं रहेगा, वही का पार्लियामेंट का मेम्बर रहेगा तो वेस्टेड इंटेरेस्ट होगा। हो सकता है कि बोर्ड के चेयरमैन के ऊपर उनका प्रभाव हो जाये। मान लीजिये स्टेट के किसी मिनिस्टर का उन पर असर हो जाये, या जो मिनिस्टर इंचार्ज किसी डिपार्टमेंट के हैं उनका उन पर असर हो जाये, तो जहां पर आलरेडी बिजली कंसंट्रेट है वही पर दूसरी स्कीम भी सैंक्शन हो जायेगी। मैं कहना चाहता हूँ कि अगर बोर्ड कोई ऐसा काम करता है तो इसके बारे में अंतिम अधिकार सेंट्रल गवर्नमेंट के पास होना चाहिये और गवर्नमेंट के पास सारी स्टैटिस्टिक्स होनी चाहिये इसके बारे में और अगर कोई आदमी अपील में आये कि फलां जगह पर स्कीम नहीं रखी जानी चाहिये तो उसको फौमला करना चाहिये।

मैं चाहता हूँ कि हमारे मंत्री महोदय इस अमेंडमेंट को मान लें। उन्होंने कहा कि वह अगली लोक सभा में एक कांफ्रिहेंसिव बिज लायेंगे। अगली लोक सभा में कौन जिन्दा रहेगा, कौन मरेगा, इस को कौन जानता है। उन का इस तरह का ऐंशयोरेंस देना भी बेकार है और हमारा उसको मानना भी बेकार है। आज जिस काम को हमें करना चाहिये उसे हम करें, आगे के लिये क्या वादा किया जा सकता है। इस समय किसी वादे का मवाल नहीं है। जो काम हमारे सामने है हम को उन को देना चाहिये और मेरा जो अमेंडमेंट है उस को सरकार को अपने हित में और जनता के हित में कबूल करना चाहिये।

Shri Nambiar: I shall take only a few minutes. Mr. Dandeker's amendments are reasonable and I am therefore supporting his amendments. In my district there are certain backward areas. Suppose there is a scheme of electrification in those backward areas and if that scheme is not fully or properly drawn up, all the people in that area can know about it and say what improvements are necessary only if it is published. The only argument that the hon. Minister has against publicising it is: why should we waste money on publicity, it could be spent otherwise? That is what he says. Suppose there is a scheme in one area, and there is not any scheme in the other area, if the scheme is published we can say that both the backward areas can be included. The money that is going to be spent by way of advertisement is not very high. So, I suggest that it should be publicised.

Shri Bade: Yesterday, when myself and Mr. Dandeker criticised this clause the reply of the hon. Minister was that there are schemes costing Rs. 2 or 3 crores and Rs. 25 lakhs is a meagre amount. If it is a meagre amount, will there be no scheme? He

felt that it was a drop in the ocean. But what is applicable to the ocean is also applicable to the small drop. That is the argument advanced by Mr. Dandeker. What is the purpose in taking away this publicity for smaller schemes? Whenever any scheme is published, the panchayats and municipalities are interested and they send in their objections and I think the public will be benefited if a small scheme is also published. At the same time, I support the amendment of Shri Bibhuti Mishra. We were opposing clause 2 exactly for the same reason. Shri Bibhuti Mishra said that sometimes the person may influence the Chief Engineer and the Electricity Board may favour one area and hence the other area suffers. Exactly for the same reason, I support amendment No. 32 of my hon. friend, and I request the hon. Minister to accept that amendment also.

Dr. K. L. Rao: I had made my submissions yesterday, and hon. Members do not seem to have followed me. I submitted that this publication was at a time when there was not the present Electricity Board or Boards, and when there were not in existence this Planning Commission, and the other arrangements such as the Central Water and Power Commission, the technical examination committee and so on. I also submitted yesterday that in England, whom we follow, they have since abolished this publication altogether for every scheme. I also said that in future, in the next revision that we are going to make, we are going to think seriously of not having this, because it does not serve any purpose. I also submitted that for large irrigation projects which involve crores of rupees, we are not publishing it though they may concern many people. I do not see much practical use for it, but as a transitional arrangement, we have put in this amount of Rs. 25 lakhs and not less than Rs. 1 crore as the case may be. I do not feel, therefore, that there is any particular point served by accepting these amendments.

[Dr. K. L. Rao]

Coming now to Shri Bibhuti Mishra's amendment No. 31, he said that "provided that any scheme or schemes shall not be concentrated in one area neglecting the demand of other areas where there is no scheme or schemes so far sanctioned." Section 18 of the old Act very definitely says that among the powers and duties of the State Electricity Boards, one of the duties is that they must look to the distribution and supply of electricity with particular reference to such areas which are not for the time being served or adequately served by a licensee and so on. There is already a provision that the State Electricity Boards should look to this point and do this.

Secondly, we are now introducing a uniform rate. Why the Electricity Boards were not doing it before was that they would be incurring a greater expenditure and the rates would have to be varied. Now, we shall be introducing uniform rates, wherever electricity is needed, and the very fact that uniformity will be there, will serve as an incentive for those areas which are in need of electricity and where electricity could be supplied.

Thirdly, section 78A very clearly lays down that the Government have got powers to give policy directions to the State Electricity Boards. If the Government thinks that particular areas have not been served, it could give a direction to the State Electricity Board, asking them to set up a unit there. Therefore, there is no particular point in the amendment.

Shri Bibhuti Mishra: When the consumer does not get justice, he has to go to the Central Government in appeal and say that these areas are being neglected. So, my amendment should be accepted by the Minister.

Dr. K. L. Rao: I have given the reasons already. Already, there is a provision in section 18. I said there is now uniformity of rates. And then section 78A gives them complete powers to give directions to the State

Electricity Boards asking them, to supply electricity to backward areas. To say that a State Government is not using its functions properly cannot be visualised. We should only visualise that a State Government would be exercising its powers and directions properly.

Shri M. S. Murti (Anakapalle): The Centre itself is encouraging regional imbalances.

Dr. K. L. Rao: Then, I come to amendment No. 32. I agree with the hon. Member who has moved it. It is a very good one. It says that "the Central Government shall keep in mind the statistics of electricity generated in each State while sanctioning schemes and backward States shall be given priority in sanctioning schemes for electricity." It is a very good amendment and it is one which I am in entire agreement with. It is also in the best interest of the country, because the entire country should prosper. The prosperity of the country depends upon the development of the whole country. Therefore, I quite agree with it. But unfortunately, it does not come into this clause or amendment, because, under section 29, you will find that the sanctioning of power for these schemes is only by the Electricity Boards and for projects which cost more than Rs. 1 crore sanctioning is done in consultation with Central Electricity authority. The Central Government has nothing to do with the sanctioning of these projects. But we are doing it. It is only from the administrative point of view, and not from a legal point of view. We are just sanctioning those projects and they accept them because the Centre is giving the money. Otherwise, there is no legal status. Therefore, the amendment in question cannot come in that way here, legally. I have consulted my friends in the Law Ministry and they feel that this cannot come into this at all.

Shri M. S. Murti: Unless some saving clause is there, how are you going to prevent it?

Dr. K. L. Rao: If it is moved by the hon. Member as a regular motion, I am sure he will carry the whole House with him, and the hon. Minister of Irrigation and Power will stand behind it. Some sort of directive to the Central Government and the Planning Commission could be given. But the amendment does not come into this. That is the unfortunate thing. That is why I regret I am not in a position to accept it. Otherwise, I am in complete agreement and sympathy with it. Coming as I do from a backward State I will also be greatly benefited. My own State is one of the backward States; but still I am afraid, taking the legal aspect of the question into consideration, we cannot accept the amendment.

I am sorry I have to oppose all these amendments.

Mr. Deputy-Speaker: I will put amendment Nos. 21 and 22 to the vote.

Amendments Nos. 21 and 22 were put and negatived

Mr. Deputy Speaker: Does Shri Bibhuti Mishra want me to put his amendments to the vote?

Shri Bibhuti Mishra: If he does not want to accept amendment No. 32, and if he gives some explanation on behalf of the Government that he will bring in some resolution to that effect, so that the backward areas may be protected. I shall not press it.

Dr. K. L. Rao: As I have already explained, while we have every sympathy with the hon. Member and while the Minister of Irrigation and Power will stand behind it, we cannot do that here and it does not come into this legislation. That is the only trouble.

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

Shri Bibhuti Mishra: I beg leave to withdraw my amendments.

Amendments Nos. 31 and 32 were, by leave, withdrawn.

Mr. Deputy-Speaker: The question is:

“That clause 6 stand part of the Bill.”

The motion was adopted.

Clause 6 was added to the Bill --

Clauses 7 to 10 were then added to the Bill

Clause 11— (Substitution of new section for section 49)

Shri Bibhuti Mishra: I beg to move:

(i) Page 4, line 29, after “development in”, insert “agricultural”. 33

Page 4, after line 32, insert—

“(cc) the rates or charges for agricultural purposes shall be an average rate prevailing over the whole of India and losses incurred by States shall be met by the Central Government;” (34)

Mr. Deputy-Speaker: The amendments and the clause are before the House.

श्री विभूति मिश्र : मेरी ये जो अमेंडमेंट हैं ये बहुत साधारण सी हैं। क्लॉज 11 का जो बी है, वह इस प्रकार है :

“co-ordinated development and supply and distribution of electricity within the State in the most efficient and economical manner, with particular reference to such development in areas not for the time being served or adequately served by the licensee.”

इस में मेरी एक अमेंडमेंट है कि “डिवेलेपमेंट इन” के वाद “एग्रीकल्चरल” जोड़ दिया गया है। यह एक साधारण सा अमेंडमेंट है और मैं समझता हूँ कि मंत्री महोदय इस को स्वीकार कर लेंगे। यह खेतिहान के इंटेरेस्ट

[श्री बिभूति मिश्र]

में होगा। एक शब्द एग्रीकल्चरल जोड़ना है।

दूसरी मेरी जो अमेंडमेंट है इसी क्लाज में वह इस प्रकार है :

“the rates or charges for agricultural purposes shall be an average rate prevailing over the whole of India and losses incurred by States shall be met by the Central Government.”

सभाध्यक्ष महोदय, सरकार लोगों को खिलाने के लिये जो बाहर से गल्ला मंगाती है उस गल्ले के ऊपर वह सबसिडी देती है। सरकार और चीजों पर भी सबसिडी देती है। जब हमारे देश में पर्याप्त मात्रा में अन्न पैदा होगा, तो सरकार को बाहर से गल्ला नहीं मंगाना पड़ेगा और सरकार जो सबसिडी इस समय देती है, उस को देने की जरूरत नहीं पड़ेगी। जहां तक खेती की पैदावार को बढ़ाने का प्रश्न है, पानी सर्वोपरि आवश्यक है। किसानों को या तो नहर का पानी दिया जाये और या बिजली के द्वारा जमीन में पानी निकाल कर दिया जाये।

जहां तक बिजली के रेट्स का सम्बन्ध है, हमारी स्टेट में उत्तर बिहार में 22 पैसा प्रति यूनिट का रेट है, जब कि दक्षिण बिहार में 18 पैसे प्रति यूनिट का रेट है। आप स्वयं सोच सकते हैं कि इतना पैसा दे कर कौन किसान अपने खेत को पानी देगा और इन प्रकार अपनी खेती से वह जो पैदावार करेगा, उस की प्राइस कहां तक इकानोमिकल होगी उपाध्यक्ष महोदय, आप की स्टेट में बिजली का रेट 5 पैसा प्रति-यूनिट है, मद्रास में 7 या 8 पैसा प्रति यूनिट हो गया है। लगभग यही स्थिति आन्ध्र प्रदेश में है। आज स्थिति यह है कि देश की एक स्टेट में इतनी कम कीमत पर बिजली दी जाती है और दूसरी स्टेट में बिजली का रेट इतना ज्यादा है। मैं निवेदन करना चाहता हूँ

कि हम इंडियन यूनियन का अंग हैं। हमारा सारा कारोबार प्लान के अन्तर्गत चलता है और इरिगेशन एंड पावर मिनिस्ट्री भी उस का पार्ट एंड पार्सल है।

इस अवस्था में मैं यह चाहता हूँ कि सारे हिन्दुस्तान के लिये बिजली का एक एवरेज रेट निकाला जाये और अगर किसी एक स्टेट में बिजली का रेट सारे हिन्दुस्तान के एवरेज रेट से ज्यादा है, तो सेंट्रल गवर्नमेंट उस को सबसिडाइज करे। मैं समझता हूँ कि यह नीति और न्याय की बात है। अगर सरकार ऐसा नहीं करती है, तो उस के दारे में लोग कहेंगे कि वह अन्याय करती है कि एक जगह बिजली का रेट पांच पैसे है, एक जगह सात पैसे है, एक जगह आठ पैसे है और एक जगह अठारह या बाइस पैसे है। ऐसा कदम उठाना खेती के हक में है। ऐसा करने से खेती की पैदावार में वृद्धि होगी। सरकार लाखों करोड़ों रुपया बाहर से गल्ला मंगाने में खर्च करती है और यहां सबसिडी देती है। इस लिए यह बात किसानों के हित में है कि जहां पर बिजली का चार्ज आल-इंडिया एवरेज से ज्यादा है, वहां पर सेंट्रल गवर्नमेंट सबसिडी दे और एवरेज रेट लागू करने में किसी स्टेट को जो लास या हानि होती है, वह उस को पूरा करे। इस से किसानों को लाभ होगा और हमारे देश की खेती की पैदावार में वृद्धि होगी।

जहां तक मेरे पहले अमेंडमेंट का प्रश्न है, पेज 4, लाइन 29 में शब्द “डेवलपमेंट इन” के बाद शब्द “एग्रीकल्चरल” को जोड़ दिया जाये।

मैं आशा करता हूँ कि मंत्री महोदय मेरे इन सीधे सादे अमेंडमेंट्स को स्वीकार करेंगे।

Shri Himatsingka (Godda): I feel it is not necessary to add “agriculture”, as Mr. Bibhuti Mishra wants, because the word “area” is a much wider term. But Government must keep that

in view and when agriculturists want connections in certain areas which are not adequately served, then even if the number of applications is not much, those connections should be given, because people take time to become accustomed to electricity. If the rules require 12 applications and if only 10 apply, those 10 connections should be given, because later on when electricity comes to that area, the other people also will be tempted to apply. There should not be any hard and fast rule about the number of applications initially for agricultural purposes or for irrigation, unless it is absolutely impossible or it is so difficult that it cannot be thought of. Recently I understand there has been some modification in this respect that connections will be given, even if the number is much less, but in practice it is not done. That is the biggest grievance of the agriculturists. Government wants more food to be produced. Water is the main source which can help in this, but this difficulty is there. This should be kept in view by the Government.

श्री विभूति मिश्र : उनाध्यक्ष महोदय, एक बात मुझे और अर्ज करनी है। मंत्री जी ने बताया है कि केवल पांच फी सदी बिजली किसानों को मिलती है और बाकी की 95 फीसदी बिजली और कामों में प्रयुक्त होती है; ऐसी स्थिति में जब तक सम्बद्ध धारा में "एग्रीकल्चरल एरिया" का उल्लेख नहीं किया जायेगा, तब तक किसानों को केवल पांच फी सदी बिजली ही मिलती रहेगी।

Dr. K. L. Rao: As has been already stated "area" includes agricultural area also. It is a much wider term. I consulted the framers of this Act and they say it is neither desirable nor necessary to include the word "agriculture" because it would create unnecessary complication. So, I appeal to the hon. member that this amendment is not really necessary.

Regarding the other amendment No. 34, that can be dealt with by the State

Government. As I said, it is not possible now to have a uniform rate all over the country, nor is it rational at the moment, because we do not have the common grid and transmission lines. We are trying our best to see that the rate is uniform in a particular State. I am glad that most of the States have accepted it, except four or five. They have also promised to accept it as soon as some schemes are completed. For instance, M.P. has said that as soon as the Satpura scheme is commissioned, they will have a uniform rate.

I am afraid it is not possible to accept a uniform rate for the whole of India at the moment, though that will be our ultimate aim. I hope as early as possible, in the course of the next 5 or 10 years it will be possible to have a uniform rate throughout India, which is really laudable.

Mr. Deputy-Speaker: Is he withdrawing his amendments?

Shri Bibhuti Mishra: Yes, Sir I withdraw my amendments.

Amendments Nos. 33 and 34 were, by leave, withdrawn.

Shri N. Dandekar: Before you put the clause to vote, I want to seek a clarification from the Minister.

Mr. Deputy-Speaker: I am sorry. Both the clause and amendments were before the House and the Minister has already replied.

Shri Hari Vishnu Kamath (Hoshanabad): What are you sorry for? Before every clause is put to vote, any member is entitled to speak. Under what rule are you acting?

Shri N. Dandekar: The Minister replied to the amendments. Now that the amendments have been withdrawn, I want to seek a clarification on the clause as a whole. I do not want to make a speech, but I only want to ask a question.

[Shri N. Dandekar]

In sub-section (4) of the proposed section 49, what is the implication of saying "The Board shall not show undue preference to any person"? It does not say "a class of persons" but "any person". Does that mean that they are now authorised to show preference, but not undue preference, to particular persons?

Dr. K. L. Rao: I myself thought over it. The point is, if we do not have the word "undue" it will lead to a terrible amount of litigation. Whenever any rate is fixed, immediately a litigant will say "Preference is being shown to that man". That is why "undue" has been put in, to see that it leads to less amount of litigation. Litigation cannot be sustained unless he proves that undue preference has been shown.

Mr. Deputy-Speaker: The question is:

"That clause 11 stand part of the Bill."

The motion was adopted.

Clause 11 was added to the Bill.

Clause 12 (Insertion of new section 60A):

Mr. Deputy-Speaker: There is a Government amendment to clause 12.

Amendment made:

Page 5, line 23.—

for "1965", substitute "1966"
(30)

(Dr. K. L. Rao)

Mr. Deputy-Speaker: The question is:

"That clause 12, as amended, stand part of the Bill."

The motion was adopted.

Clause 12, as amended, was added to the Bill.

Clause 13 was added to the Bill.

Mr. Deputy-Speaker: There is no amendment to clause 14 also.

Shri Sree Narayan Das: Sir, I want to speak on clause 14.

Mr. Deputy-Speaker: There is no more time left.

Shri Hari Vishnu Kamath: You cannot hustle matters. Let Government extend the session, if necessary.

Mr. Deputy-Speaker: We have already exceeded the time by one hour.

Shri Hari Vishnu Kamath: The House is the master of time. The Government is responsible. Let them push the Bill to the next session. It is their headache. Why should the Chair bother about it.

Shri Sree Narayan Das: Sir, by clause 14 of the Bill, section 67 of the principal Act is going to be amended. With regard to the first part of the clause I have nothing to say, but with regard to the second part, sub-clause (ii) which seeks to substitute a new sub-clause for sub-clause (x) of the principal Act, I want to say a few words. The existing provision in section 67 reads:

"The revenues of the Board shall, after meeting its operating, maintenance and management expenses and after provision has been made for the payment of taxes on its income and profits, be distributed as far as they are available in the following order, namely:—

Then there are separate items listed. Item (x) says:

"of the balance remaining, one-half in the reduction of tariffs or for such other purposes beneficial to electrical development in the State, as the Board may think fit, and the remaining one-half to the Consolidated Fund of the State."

Now, if this clause 14 is adopted, it will read like this:

“(x) the balance to be appropriated to a fund to be called the Development Fund to be utilised for—

- (a) purposes beneficial; in the opinion of the Board, to electrical development in the State;
- (b) repayment of loans advanced to the Board under section 64 and required to be repaid;

Provided that where no such loan is outstanding, one-half of the balance aforesaid shall be credited to the Consolidated Fund of the State.”

What I would like to point out is this. The existing provision is that if there is some balance, half of it will be utilised for reduction of tariffs. Now that is going to be removed. Suppose a State Electricity Board makes some profit and that profit is to be spent for some purposes, I support the idea that it should be appropriated to the Development Fund but what I want to say is that some portion of it, if it remains, should be spent for the reduction of tariffs. Why is the hon. Minister taking out that provision? Suppose some State Electricity Board want to reduce the tariffs if it gets sufficient profits out of the transactions, why should that State Electricity Board be prevented from doing so? Why is the hon. Minister removing these words that are there in the existing section? These are healthy words for the benefit of the consumers as a whole. Why should all the money be appropriated to the Consolidated Fund of the State? Why should not some part of it, if the State Electricity Board makes profit, go towards the reduction of tariffs as well. Therefore, the present section is not bad and it should be allowed to remain as far as this particular matter is concerned.

Dr. K. L. Rao: I may submit, Sir, that the original section also provides for 50 per cent to the Consolidated Fund. It is only 50 per cent that that can be taken up either for reduction of tariffs or for development of the electrical industry or both. As the hon. House has been insisting that we should proceed with the development of electrical industry as quickly as possible, it is necessary for us to build up the electrical industry in the country. Therefore, there is no use taking away a little money from that. That is the idea. If you can take away from the Consolidated Fund, it is quite all right. The provision for the Consolidated Fund remains the same. One half goes towards that and it is only the other half that is to be shared between reduction in tariffs and development. The Electricity Boards in the country today, I am sorry to say, are running at very heavy losses. The percentage of return in many cases is less than the rate of interest. A Committee was appointed in 1964, a Committee of Ministers all over the country. They have submitted a very good report in which they have suggested that we should see that the percentage of return for the Electricity Boards should be about 11 per cent. In any case, that does not affect the tariffs.

Shri Sree Narayan Das: My point is, if the State Electricity Boards are running at a loss they will not reduce the tariffs, but if they are running at a profit, why should they not be allowed to reduce the tariffs if they so desire?

Dr. K. L. Rao: That money is going to the common good, for the development of electrical industry, which is a much more desirable thing than giving a little reduction in tariffs to a certain section of the people.

Shri Sree Narayan Das: What I object to is, why should the remaining part go to the Consolidated Fund of the State? There are certain provisions for spending the profit that

[Shri Sree Narayan Das]

has been made by the State Electricity Board. One of the items should also be that reduction in tariffs may be considered. What is the objection in this regard?

Dr. K. L. Rao: I have submitted already that one half goes to the Consolidated Fund. It is only the other half that is to be shared for the benefit of the community. Now under the provision that has been made here, it will benefit the country as a whole with the development of electrical industry in the whole country, whereas if there is some tariff reduction it will only benefit certain consumers. That is why we have put it for much nobler purpose so that as much money as possible will accumulate for that purpose. I am afraid, the hon. Member has to accept it:

Mr. Deputy-Speaker: The question is:

"That clause 14 stand part of the Bill."

The motion was adopted.

Clause 14 was added to the Bill.

Clause 15—(Substitution of new section for section 68).

Mr. Deputy-Speaker: There is a Government amendment to clause 15. Amendment made:

Page 6,—

(a) line 14, after "the assets" insert—

"after taking into account the sums already written off and set aside in the books of the Board,";

(b) line 18,—

omit "as defined in Sixth Schedule";

(c) for lines 30 to 32, substitute—

"for repayment of the principal of any loan raised under section 65 or for repayment of sums paid

by the State Government under guarantees under section 66.

Explanation.—In this section, "prescribed period"—

(i) in relation to an asset which became available to the Board for its use in its business before the commencement of the Electricity (Supply) Amendment Act, 1966, means the prescribed period as defined in the Sixth Schedule reduced by the number of years during which such asset was used or capable of being used, such years being computed from the beginning of the year next following that in which that asset became so available to the Board and upto the end of the year ending on or after such commencement;

(ii) in relation to any other asset, means the prescribed period as so defined in the said Schedule." (18).

(Dr. K. L. Rao)

Mr. Deputy-Speaker: The question is:

"That clause 15, as amended, stand part of the Bill."

The motion was adopted.

Clause 15, as amended, was added to the Bill.

Clauses 16 to 20 were added to the Bill.

Clause 21—(Amendment of Sixth Schedule).

Mr. Deputy-Speaker: There are some amendments to clause 21.

Dr. K. L. Rao: Sir, I beg to move:

(i) Page 8,—

for lines 33 to 38, substitute—

"Provided that where the undertaking is purchased by the

Board or the State Government, the amount of the Reserve computed as above shall, after further deduction of the amount of compensation, if any, payable to the employees of the outgoing licensee under any law for the time being in force, be handed over to the Board or the State Government, as the case may be.”; (7).

(ii) Page 9, line 25,—

after “(iv-a)” insert “(iv-b)”.

(iii) Page 9, line 28,—

for “sub-clause” substitute “sub-clauses”. (9).

(iv) Page 9,—

after line 32, insert—

“(ii-b) the amount of any debentures issued by the licensee;” (10).

(v) Page 9, line 36,—

after “deposited” insert “in cash”.

(vi) Page 10, line 10,—

for “following sub-clause”, substitute “following sub-clauses”. (12).

(vii) Page 10,—

after line 14, insert—

“(iv-b) interest on debentures issued by the licensee”. (13).

(viii) Page 10,—

for lines 17 to 19, substitute—

“(xii) contributions to provident fund, staff pension and gratuity computed under any law for the time being in force or any such scheme as is approved by the State Government;” (14).

(ix) Page 10, line 23,—

for “following clause”, substitute “following clauses”. (15).

(x) Page 10,—

after line 27, insert—

“(c-2) an amount equal to one-half of one per centum on the

amounts realised by the issue of debentures;” (16).

Shri N. Dandekar: Sir, I beg to move:

(ix) Page 9,—

omit lines 20 to 22. (24).

(ii) Page 9, line 38,—

after “sub-clause (iv), insert—
“and (vi). (25).

(iii) Page 10, line 7,—

for “at the close” substitute—
“at the beginning” (26)

(iv) Page 10,—

omit lines 33 to 40. (27).

(v) Page 11,—

omit lines 1 to 15. (29).

Shri Bibhutj Mishra: Sir, I beg to move:

Page 8,—

after line 6, insert—

“Provided further that All India average rate shall be levied for agricultural operations and any deficit shall be met by the Central Government by subsidisation”. (35).

Shri N. Dandekar: Sir, I will have to speak separately on each of these because they deal with different matters. Amendment No. 24 seeks to omit lines 20 to 22. This is concerned with what shall be included in the capital base. What the clause seeks to do is to say that for the words “cash and bank balances” occurring in the appropriate Schedule, paragraph and clause, the words and brackets “cash and bank balances (whether credit or debit)” shall be substituted. I have been an accountant and in finance and income-tax and all that kind of thing. I cannot imagine what is meant by “cash—whether credit or debit”. A cash balance, if I have one, is a debit balance in my cash book. It can

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never be a credit. Cash balance can only be a debit. I can never have a credit balance in my cash book. That does not mean anything at all. Let me try to interpret it in terms of the bank balance, "whether credit or debit". Again, if I have a positive balance in bank, then, in my books it is a debit balance and in the books of the bank it is a credit balance. If I have overdraft in the bank, in my books, it is a credit balance and in the books of the bank it is a debit balance. Frankly, then, what does this mean? I am not able to understand it. I think it will result in a lot of confusion which can easily be avoided if you simply say "cash or bank balance". Either you have a cash balance or you do not. If you say "cash balance, whether credit or debit" it is just senseless and "bank balance, whether credit or debit" is even worse. If it is a debit balance in your books, then it is a credit balance in the books of the bank. Similarly, if it is a credit balance in your books, it is a debit balance in the books of the bank. So, what does this "cash balance, credit or debit" mean? I, therefore, suggest that this meaningless mumbo-jumbo should be deleted. I am, therefore, suggesting that lines 20 to 22 should be omitted altogether.

Now I come to my amendment No. 25, which is concerned with inserting "and (vi)" in line 38. I will read the words because it is a very important thing. It says that:

"in sub-clause (iv)" of subparagraph (1) of Paragraph XVII of the appropriate Schedule "... the words 'at the beginning of the year of account' shall be inserted at the end."

That is a sound proposal, namely, that the amount to be deducted from the capital base in respect of the amount standing to the credit of the Tariffs and Dividends Control Reserve should be the amount so standing at

the beginning of the year. I am suggesting that we should give the same treatment in regard to item (vi), namely, the amount carried forward in the accounts of the licensee for distribution to the consumers under Paragraph II, which is concerned with another kind of reserves. In other words, I am really taking forward an excellent idea that is contained in the sub-clause as it already is, as proposed by the Minister, namely, that the deduction shall be with reference to the amount at the beginning of the year of accounting.

Amendment No. 26 is, again, concerned with the same sort of matter which, I suppose, has been overlooked, namely, the amount to be deducted in respect of the amount set apart to the development reserves. Shall it be the amount as at the beginning of the accounting year or shall it be the amount at the close of the accounting year? The proposal here, for some reasons which I am quite unable to understand, is that it shall be the amount as at the close of the accounting year. When in respect of the other reserves it has got to be the amount as at the beginning of the accounting year, why in respect of the development reserve alone it should be the amount at the close of the accounting year, I am not able to understand in spite of all my research. It is an unknown quantity until at the end of the year. Until one has worked out all the accounts, dividend, profit, everything, until the accounts are closed, until you have decided how much you are going to provide and whether it is necessary to provide anything at all to the credit of the development reserve, you cannot know what is the amount at the end of the accounting year. So, whatever be the logic—and there is considerable logic—for providing in regard to item (iv), the amounts standing at the beginning of the year to the credit of the Tariffs and Dividends Control Reserve and item (vi), the amount carried forward in the accounts of the licensee at the beginning of the year

for distribution to the consumers under paragraph II, exactly the same logic applies in regard to the amount set apart for development reserve, namely, that it should be the amount at the credit of that account at the commencement of the accounting year.

Now I come to what is the most important group of amendments I have, namely, amendment Nos. 27, 28 and 29 which suggest the complete deletion of sub-sub-clause (4) of sub-clause (a) of clause 21 of this Bill. I said a few words about it yesterday. I will elaborate it a little further today.

The structure of the Act in regard to what amount of return should be allowed to electricity companies is clear enough, namely, profit means profit calculated in a certain way; that profit must not exceed a certain amount computed in a certain way. And the most important element in that amount is the return of the standard rate. At present the fair return is a return secured by two circumstances; one, the capital base computed in accordance with the Act and, two, the rate of return on that capital base. I am concerned with the rate of return, and for this the present standard rate is the prevailing bank rate at the commencement of the year plus two per cent. That perfectly simple and straightforward thing is now sought to be bifurcated into two parts. In the first place, computation of capital base has got to be divided up into capital base as on 31st March 1966, according to the amendment which the hon. Minister has already tabled, and the capital base added subsequently to the 31st March 1966. On the first part, the rate of return is actually to be reduced from what is today the admissible rate, from what it has been over the last two years since the bank rate has been what it is the present admissible rate of 6 plus 2 per cent, is now sought to be reduced to 7 per cent. In relation to the capital base thereafter, that is to say, the capital base

added after the 31st March 1966, the rate is to be the same as it is now.

I am suggesting, Sir, this the whole thing ought to be deleted because I can see no justification whatsoever for any of these exercises that are planned by this particular amendment to the existing provisions.

By depositing money in a bank for a period of five years, today you can get a return of 7½ per cent with no risk involved. Even the electricity licensees, if they have got surplus funds, would be foolish, under the proposals made here, to invest their money in their own concerns, because they could get only half per cent additional return on it. They can get 7½ per cent at any rate in a bank; they could get only 8 per cent in an electricity company. If that is so low, even under the present law, they are to a certain extent compensated by the fact that the rate of 8 per cent is on the total block. But what is suggested by the amendment is: the older you are, the worse off you must be.

I find that what the Minister said day before yesterday contains a statement as to the number of licensees in this country, and the amount of capital invested by those licensees. He said—I am reading from the summary circulated by the Lok Sabha—

“with respect to licensees there were 214 licensees in the country and they had investments of Rs. 130 crores.”

He went on to say that it was the aim of the Government to see that these licensees are gradually taken over when Government finances permit so that electricity might become a public undertaking. I am not quarrelling with that proposition, because this is not the proper time to argue about it. But my point is that until such time as the Central Government and the State Governments have enough money to cope with all the development plans they have plus additional funds to take over these

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existing undertakings, all the existing licensees are to go on, and I presume they are to go on efficiently, I presume they are to go on developing, I presume they are to modernise when necessary, and rationalise wherever necessary; to replace the plants and machinery wherever necessary and so on and so forth.

Then, what is it that they are supposed to do it for? They are to take this up for 7 per cent return on the existing block plus one extra per cent on the bloc they add! I asked the other day, and I repeat it today: are the officers and the Minister in the Ministry of Irrigation and Power still living in a dreamland? Are they still thinking that this is the rate of return which the private sector should get? Either you have the private sector or you do not. As I said, the official policy is in due course, to take over these undertakings. Very good. I am not quarrelling with that, because it is irrelevant for the present purpose. But it is admitted that this private sector has to go on until then. It is admitted that it should not run inefficiently. It is admitted, I hope—indeed, not only admitted but I think it is accepted,—by the Government that the private sector should continue to run efficiently, modernise and replace, expand and develop and do all the things that are necessary to remain on their toes and render the consumers proper service in terms of supply.

Shri K. D. Malaviya (Basti): How can it run inefficiently?

Shri N. Dandeker: And all this is to be done at a rate of return which is totally out of accord with any rate that you wish to take in terms of return on investment. You can take the rate of borrowing. The best of companies cannot borrow in the open market today at under 8 per cent. Or you can take the rate for preference capital: the best of companies cannot float preference capital at under 9½

per cent. Or you can take the amount of return you can get by simply doing nothing, putting the thing in a bank in a five-year deposit and you can get 7½ per cent. You can put the money in the Unit Trust of India units and you can get 7 per cent of which income up to Rs. 1,000 per annum is totally excluded from your income, regardless of what your other total income is. So, if there is somebody reasonably well off and has got some money to invest, if he invests in the Unit Trust of India units, he can in fact get a gross return of as much as 10 per cent because the rate of tax is going up and if Rs. 1,000 are excluded from his total income he can get as much as 10 per cent.

In these circumstances what is it that the Government are trying to do? I do not understand what the objectives are because so long as the objective is that these licensees should continue, with the possibility that when Government have got enough money, not printed or deficit finance money, I hope, but genuine money, a rupee that one can look at, they can take over that industry. That is fair enough. But is this the kind of way by which you are going to have an efficient basic industry that is power? Power, transport, coal and things of that kind are basic to the essential needs of this country; whether it is industry, agriculture, transportation or anything at all, power is fundamental. Is this the way in so far as that particular sector of the power generating, supply and distribution by private licensees is concerned it is supposed to serve the country?

I admit it is a rhetorical question because the answer is obviously "No; it cannot be done". I, therefore, suggest that the strange antics they are trying to attempt by this amendment—it is not really an amendment—it is not really an amendment about the percentage of return on old investment and new investment—is utterly unnecessary, futile, pointless

and in fact retrograde. I therefore, propose through my amendment that these lines on pages 10 and 11 which are concerned with this particular sub-clause be deleted.

श्री विभूति मिश्र : उपाध्यक्ष महोदय, हमारे मंत्री जी ने अपने भाषण में कहा कि हिन्दुस्तान में कुल 214 प्राइवेट लाइसेंसदार हैं और उनकी कुल पूंज 120 करोड़ रुपया लगी है। उनको हम यह अधिकार देते हैं कि :

“Provided also that nothing in the Schedule shall be deemed to the prevent a licensee from levying with the previous approval of the State Government, minimum charges for supply of electricity for any purpose.”

जो भी प्राइवेट लाइसेंसदार हैं अब वह अपना चार्ज करेंगे और चार्ज के बारे में स्टेट गवर्नमेंट से पूछेंगे। मैं आप के सामने एक बात रखना चाहता हूँ। हमारे संविधान में है कि किसी की ज़िम्मेदारी नहीं रहेगी, और ज़िम्मेदारी उठ गई। लेकिन एक हज़ारी ही ऐसी स्टेट है जहाँ जमशेदपुर और टाटा नगर में टाटा की ज़िम्मेदारी बनी हुई है। अगर स्टेट गवर्नमेंट और प्राइवेट लाइसेंसदार के मिल कर रेट तय करने को बात आयेगी तो मैं नहीं समझता कि जो कंज्यूमर्स हैं उनका रेट कम होगा, खास तौर से एग्रीकल्चरल के सम्बन्ध में। कल हमारे साथी श्री यमुना प्रसाद मंडल ने कहा कि इन के यहाँ प्राइवेट लाइसेंसदार हैं और उन को बिजली की दिक्कत होती है। इस बात को सारे साथियों ने सुना है। इसलिये मैं चाहता हूँ कि जो प्राइवेट लाइसेंसदार हैं उन के ऊपर केन्द्रीय सरकार का कंट्रोल रहे। कंट्रोल इस तरह रहे कि जो देश का एवरेज रेट हो, प्राइवेट लाइसेंसदार से जो बिजली ली जाये उन के लिये वही चार्ज किया जाये। अगर एवरेज रेट ऐसा है जिस में प्राइवेट लाइसेंसदार को घाटा पड़ता है तो सेंट्रल गवर्नमेंट प्राइवेट लाइसेंसदार को सब्सिडाइज करे क्योंकि स्टेट गवर्नमेंट इस मामले में आप की तरफ देखती है। कल

प्लैनिंग मिनिस्टर ने कहा कि वह इस पर चौथी पंचवर्षीय योजना में 200 करोड़ रुपये खर्च करने जा रहे हैं। अगर स्टेट गवर्नमेंट से मिल कर वह रेट तय करेंगे तो मैं समझता हूँ कि इस से किसानों का बहुत हित नहीं होगा। अगर स्टेट गवर्नमेंट ने ऐसा रेट तय कर दिया जो कि किसानों के देने की ताकत से बाहर है तो किसान उस से फायदा नहीं उठा सकते हैं। इस लिये अगर एवरेज रेट से ज्यादा खर्च प्राइवेट लाइसेंसदार को पड़ता है तो जरूरत इस बात की है कि सेंट्रल गवर्नमेंट उस पर सब्सिडी दे। अगर ऐसा नहीं किया गया तो मैं नहीं समझता हूँ कि इस बिल का कोई फायदा होगा।

मंत्री जी ने कहा कि देश की स्वाधीनता के पहले कोई अंग्रेज साहब इस बिल को बना गये थे, और वही बिल हमारी सेंट्रल सेक्रेटेरियट के दफ्तर में पड़ा हुआ था। अंग्रेज सब कागज तो फूंक कर चले गये, जो हम लोगों के खिलाफ मारे कागजात थे उन को फूंक कर चले गये लेकिन किसानों के अहित का कागज जो कि सेक्रेटेरियट में पड़ा रहा उस को आज हमारे मंत्री जी ने स्वाधीनता के 17 वर्षों पश्चात ढूँढ़ निकाला। यह बिल पिछले साल हाउस में आया। यह सन 1965 का बिल है। आज इतने दिनों के बाद यह बिल पास होने जा रहा है। अगर केन्द्रीय सरकार कोई कांप्रिहेंसिव बिल लाना चाहती थी तो इस बीच में ला सकती थी और उस में किसानों का फायदा होता तथा खेती की उन्नति बढ़ती। इस की जरूरत न पड़ती कि 17 वर्षों बाद इस पुराने सेक्रेटेरियट में रखे हुए बिल को पास कराया जाये। कांप्रिहेंसिव बिल को लाने में एक या दो साल और लग जायेंगे। अगले चुनाव में कौन जिन्दा रहेगा, कौन मरेगा, देश की क्या परिस्थिति होगी, कौन जानता है। उस के बाद किसानों के हित में यह बिल आयेगा आज मंत्री जी हमारे अमेंडमेंट के साथ हैं लेकिन उन की हिम्मत नहीं होता है कि वह उस को कबूल करें। मैं चाहता हूँ

[श्री विभूति मिश्र]

कि उन में हिम्मत आये। मैं बहुत दिनों से कहता चला आ रहा हूँ कि गंडक योजना को सेन्ट्रल पूल में लिया जाये, लेकिन हमारे मंत्री जी हिचकते रहे। जब हमारे फखरुद्दीन साहब आये तब उन्होंने इसी सदन में कल कहा कि हिन्दुस्तान को आठ या नौ बड़ी-बड़ी योजनायें हैं, जैसे कि गंडक योजना, उन को गवर्नमेंट सेन्ट्रल पूल में लेने जा रही है। मैं समझता हूँ कि कम से कम किसानों के हित में इस उचित अमेंडमेंट को कबूल कर लिया जाना चाहिये। हम पार्लियामेंट के मेम्बर हैं। मैं स्वयं हमेशा का काप्रेसी हूँ और किसानों का हित चाहता हूँ। लेकिन सरकार इतना भी कबूल नहीं करना चाहती। क्या इस को कबूल न करना डिमाक्नेसी का काम है। आप को चाहिए कि देश के हित में और किसानों के हित में इस अमेंडमेंट को कबूल करें कि जो प्राइवेट लाइसेंसदार हैं। अब तो वह ज्यादा चार्ज न करें, लेकिन अगर ज्यादा चार्ज करें और सरकार को मालूम दे कि ज्यादा है तो वह उस को कम करे।

इन शब्दों के साथ मैं चाहता हूँ कि मेरा अमेंडमेंट सरकार मंजूर कर ले।

Dr. K. L. Rao: I am sorry that the hon. Member, Shri Dandekar, through his amendment No. 24 has distorted actually what is there. What is reads in the original Act is:—

“one-twelfth of the sum of cash and bank balances”

and what we have said now is:—

“one-twelfth of the sum of cash and bank balances (whether credit or debit)”.

It is a very important amendment. The hon. Member has tried to show that it is all ridiculous and so on. It is not; on the other hand it has a deep meaning. What the licensees are doing now unfortunately, in some cases is that they are having a number of accounts in the banks in some of

which they have got credit and in some debit, sometimes very heavy debit also. In order to calculate the capital base we must take one-twelfth of the balance that is there. They want us to take the credit balance only but we must take both the debit and the credit balances and whatever be the net balance must be taken for calculating.

Shri K. D. Malaviya: You will never be able to catch them.

Dr. K. L. Rao: That is why we have said “Whether credit or debit”. You must take both into account, then take the balance and take one-twelfth of that as added to the capital base. In fact, I would not have done it but for the fact that, unfortunately, some people, private licensees, played tricks in this direction. That is why that has been introduced. I am sure, in view of this explanation, the hon. Member will not press for this.

14.00 hrs.

Shri N. Dandekar: I do not press that.

Dr. K. L. Rao: Regarding amendment No. 25, I agree with Mr. Dandekar about this but I only suggest that to put it in that way is not quite proper. I would put it like this:

“Page 10,—

after line 8, insert—

“(vi) in sub-clause (vi) (which provides for deduction of certain amounts), after the words “carried forward”, the words “at the beginning of the year of account” shall be inserted.” (38)

I am doing the same thing as the hon. Member says but in a way that fits with the legal wording.

Then, with regard to the development rebate, he wants at the beginning. It is not really reasonable. This development rebate arises out of income-tax rebate. Under the Income-Tax Act, whenever you purchase new machinery, a certain amount of rebate is given. Now, the Finance Minister's proposals are known in the month of February. These accounts are filed long afterwards in April and May and, therefore, there is sufficient time for them to do the necessary calculations. There is absolutely no complication. Therefore, what we have done is really a proper thing even from the point of view of accounting and it should not be at the beginning. It is not really fair.

With regard to the standard rate, the basic aspect for which we have brought forward this amending Bill is this. I spoke yesterday in detail about this. The most important thing is that we do not want to do any harm to the private licensees. But, at the same time, we must protect the consumers on account of the rise in the bank rate in the month of February, 1965. We have said that 7 per cent will apply to the investment made prior to 1965 and that for the investment made later, the new bank rate will apply, that is, 6 per cent plus 2 per cent. There is nothing unfair in that. I would appeal to the hon. Member that he may kindly consider all these aspects.

As regards the amendment of Shri Bibhuti Mishra, he has been championing the cause of agriculturists about the agricultural rates for agriculture. I wish he took some other forum to do that. This Act does not really go into that aspect. This Act is purely for the purpose of constituting Electricity Boards and functioning of them and having financial control over private licensees. This has nothing to do with the laying down of policies or the directions as to how the business of electricity should be undertaken in the country. This particular clause deals with pri-

vate licensees. Private licensees operate in the urban areas. I have not come across so far any case where they are supplying electricity to agricultural farms. They are all working in urban areas. Even so, we have taken a particular precaution. The Federation of Electricity Undertakings, a very good organisation, in Bombay looks after these undertakings very thoroughly and they have got a powerful secretary who goes on pleading and he has been pleading with us for very many months and has succeeded in making us accept a lot of his suggestions. They did not want the words 'with the previous approval of the State Government'. We have taken a precaution to see that the minimum charge shall be fixed by the State Government. These words were not there before. Actually, the Federation was dead against this. They were saying, "Don't put these words because the State Government goes on troubling us." We have made a provision like this:

"Provided also that nothing in this Schedule shall be deemed to prevent a licensee from levying, with the previous approval of the State Government, minimum charges for supply of electricity for any purpose."

For urban areas, there must be some minimum charges and they are quite justified. We are having this in respect of Electricity Boards. I do not know why private licensees should not impose these minimum charges. With respect to agricultural operations, private licensees are not operating in any extensive way in the agricultural operations. If there is any particular case like that, they cannot charge anything more than what the Electricity Boards are charging. Therefore, I submit, the hon. Member, Shri Bibhuti Mishra, may kindly note that sufficient safeguards have been provided. There is nothing that licensees can do with regard to agriculturists. I would request him to withdraw his amendment.

Shri N. Dandekar: I do not press my amendment Nos. 24 and 25 in view of the reply of the hon. Minister.

Amendments Nos. 24 and 25 were, by leave, withdrawn.

Mr. Deputy-Speaker: Now I will put amendment Nos. 26, 27 and 29 moved by Shri Dandekar.

Amendments Nos. 26, 27 and 29 were put and negatived.

Shri Bibhuti Mishra: I withdraw my amendment No 35.

Amendment No 35 was, by leave, withdrawn.

Mr. Deputy-Speaker: Now, there is the Government amendment No. 38 (MSS).

Dr. K. L. Rao: I move:

Page 10,—

after line 8, insert—

'(vi) in sub-clause (vi) (which provides for deduction of certain amounts), after the words "carried forward" the words "at the beginning of the year of account" shall be inserted.' (38)

Mr. Deputy-Speaker: The question is:

Page 10,—

after line 8, insert—

'(vi) in sub-clause (vi) (which provides for deduction of certain amounts), after the words "carried forward" the words "at the beginning of the year of account" shall be inserted.' (38).

The motion was adopted.

Mr. Deputy-Speaker: There are other Government amendments which

were moved:

The question is:

(i) Page 8,—

for lines 33 to 38, substitute—

"Provided that where the undertaking is purchased by the Board or the State Government, the amount of the reserve computed as above shall, after further deduction of the amount of compensation if any, payable to the employees of the outgoing licensee under any law for the time being in force, be handed over to the Board or the State Government, as the case may be." (7)

(ii) Page 9, line 25,—

after "(iv-a)", insert "(iv-b)". (8)

(iii) Page 9, line 28—

for "sub-clause" substitute "sub-clauses" (9)

(iv) Page 9,—

after line 32, insert—

"(ii-b) the amount of any debentures issued by the licensee." (10)

(v) Page 9, line 36—

after "deposited" insert "incash" (11)

(vi) Page 10, line 10,—

for "following sub-clause", substitute "following sub-clauses". (12).

(vii) Page 10,—

after line 14, insert—

"(iv-b) interest on debentures issued by the licensee." (13)

(viii) Page 10,—

for lines 17 to 19, substitute—

“(xii) contributions to provident fund, staff pension and gratuity computed under any law for the time being in force or any such scheme as is approved by the State Government.” (14)

(ix) Page 10, line 23,—

for “following clause”, substitute—

“following clauses”. (15).

Page 10,—

after line 27, insert—

“(c-2) an amount equal to one-half of one per centum on the amounts realised by the issue of debentures”. (16)

The motion was adopted.

Mr. Deputy Speaker: The question is:

“That clause 21, as amended, stand part of the Bill”.

The motion was adopted.

Clauses 21, as amended, was added to the Bill.

Clauses 22, 23 and 24 were added to the Bill.

Clause 1—(Short title and commencement).

Mr. Deputy-Speaker: There are two Government amendments, No. 6 and 17.

Dr. K. L. Rao: I move:

(i) “Page 1, line 4,—

for “1965” substitute “1966”. (6)

(ii) “Page 1, line 6,—

for “1965” substitute “1966”.

Mr. Deputy-Speaker: The amendment No. 20, by Shri Dandekar is not moved. The question is:

(i) “Page 1, line 4,—

for “1965” substitute “1966”. (6)

(ii) “Page 1, line 6,—

for “1965” substitute “1966”. (17)

The motion was adopted.

Mr. Deputy-Speaker: The question is:

“That clause 1, as amended, stand part of the Bill”.

The motion was adopted.

Clause 1, as amended, was added to the Bill.

Enacting Formula

Mr. Deputy-Speaker: There is a Government amendment No. 5.

Dr. K. L. Rao: I move:

“Page 1, line 1,—

for “Sixteenth” substitute “Seventeenth”. (5).

Mr. Deputy-Speaker: The question is:

“Page 1, line 1,—

for “Sixteenth” substitute “Seventeenth”. (5)

The motion was adopted.

Mr. Deputy-Speaker: The question is:

“That the Enacting Formula, as amended, stand part of the Bill”.

The motion was adopted.

The Enacting Formula, as amended, was added to the Bill.

Mr. Deputy-Speaker: The question is:

"That the Title stand part of the Bill".

The motion was adopted.

The Title was added to the Bill.

Dr. K. L. Rao: I move:

"That the Bill, as amended, be passed".

Mr. Deputy-Speaker: Motion moved:

"That the Bill, as amended, be passed".

Shri Ranga (Chittoor): Mr. Deputy-Speaker, Sir, I wish to take this opportunity for drawing once again the attention of the Government and the Minister to the long-neglected needs of rural areas and among them also those areas which are specially subject to drought conditions.

Recently we were told that special attention was being given to the proposal that the kisans were making for a very long time, recently backed by some of the State Governments, that for the drought affected areas, special steps should be taken by the Government in order to remove their depression and promote their development. These depressions can be removed and development can be promoted specially by the development of power supply in those areas. It is in these drought-affected areas that underground water supply alone can be depended upon to a greater extent than tanks or other irrigation sources, in order to ensure water supply for agriculture and also drinking water supply.

As it is very well known, Rajasthan, parts of Madhya Pradesh, Orissa, Andhra, Mysore and Maharashtra have been suffering....

Shri Bibhuti Mishra: North Bihar also.

Shri Ranga:... Bihar and hilly areas of U.P. also have been suffering from not only shortage of water not only for irrigation and other agricultural purposes but also for drinking purposes—drinking water for human beings as well as cattle—and this House has been a witness to so many questions and discussions which were raised here over the sufferings of the people of those areas, last year in Rajasthan, and this year in Orissa, Andhra Pradesh and further down south—Mysore and other areas. Whatever steps may be taken by the Government cannot be satisfactory, nor can they be complete unless they give priority to the question of supply of electric power to those areas in order to tap underground resources. I know it for a fact that in my own constituency, Chittoor District, and in the neighbouring districts of Cuddapah, Kolar district in Mysore, Belgaum and Dharwar, ordinary wells have gone dry; the peasants have tried their best by spending whatever funds they could possibly raise either from their savings or from loans, to lower the depth of the wells; however low down they could go, they could not get water because it was simply going down and down. Water could be tapped only with the help of tubewells, with power, and power, most unfortunately, is made very scarce in all those areas.

Therefore, this is a multi-purpose implement, vehicle—power. This multi-purpose thing is just what the Government has been trying to deny to these people.

I was a party to the passing of this Act in 1948 and at that time my late lamented friend, Gadgil, was piloting the Bill and he gave us the impression that he was trying to take over as many of the private suppliers as possible and bring in State ownership, State control, State management of these Electricity Boards and all these things; that they were going to supply the country with a large number of tubewells and power. But all those hopes, though to some extent realised,

have, on the whole, been belied by what has happened.

As if this is not enough, rural people have been discriminated against. My hon. friend himself deplored this and he wanted to help them, but he has, till now, been helpless. And worse than that is the plight of the special areas which need a special treatment. Therefore, I sincerely hope that the Government and their planners—government not only in this Ministry but in all the Ministries—would give first priority for the needs of these drought-affected areas, and the next priority to all the rural areas and I also hope that the people would not have to wait too long to get this much of relief.

Shri K. D. Malaviya: I wish to take this opportunity to support my hon. friend, Mr. Ranga, on what he has said with regard to tapping the underground water and generating more power. This is a very fundamental question which faces the nation.

I would like to raise two points. The first is that all the private power houses in the urban areas, which function only for the purpose of making undue profits, should be taken over. At least this process should start.

The second point is that we should now enter deep into the third strata of underground water. The mighty reservoirs of water are still waiting, since geological times, to be tapped. But enough electricity also has to be generated so that we go down to the deepest strata of water in northern India to bring up waters from 18,000 metres to 20,000 metres. The mighty rivers may have been formed underground waiting to be tapped and they will be regulated rivers controlled for the purpose of rural and urban development. There was a time when international geologists suggested that although we might not have oil in those vast areas of Bihar, U.P. and Rajasthan, but there was no doubt that water coming down from the mighty Himalayas has been deposited there and is only waiting to be ex-

ploited. I hope the Minister will consider this point of drilling down 15,000 metres or 20,000 metres deep, to take out this water and exploit it for general development purposes besides agriculture.

Dr. M. S. Aney (Nagpur): I have only two points to raise.

First I congratulate the hon. Minister for having brought this Bill. It is no doubt a very important Bill and it has come at the proper time. But the experience of the last summer has shown that, unless you have got power, you cannot properly tap the water resources, without which nothing can be done. In the case of Berar, we have not got sufficient surface water for irrigation. Wells have to be sunk and the underground water resources have to be tapped. But there is not enough power. Government must provide enough power for this purpose. Yesterday when I put a question on sinking wells, it was said that he was not concerned and somebody else was concerned with that. Whatever it may be, it is a matter which the Government should consider seriously. I want all those departments which are connected with the work of sinking wells to look into this matter so that there is ample supply of water both for drinking as well as for irrigation purposes. I want particularly the hon. Minister for Irrigation and Power to see that he gives sufficient power to enable the local governments to take up the work of sinking tubewells to proper depth.

With these few remarks, I support the Bill, as amended.

श्री विभूति मिश्र : उपाध्यक्ष महोदय, सब से पहले मैं मंत्री जी को धन्यवाद देता हूँ कि उन्होंने मेरी सब एग्जेंडमेंट्स की स्पिरिट को कबूल किया है। आगे चल कर वह जो बिल लायेंगे, अगर वह उस में मेरी एग्जेंडमेंट्स की स्पिरिट का समावेश करेंगे, तो मैं उन को ज्यादा धन्यवाद दूंगा। मंत्री महोदय ने अपने भाषण में कहा कि किसानों को केवल 5 परसेंट बिजली मिलती है और बाकी की 95 परसेंट बिजली व्यापारियों, शहरों में रहने वालों

[श्री बिभूति मिश्र]

और एयर कन्डीशनिंग भवनों में रहने वालों को मिलती है। मैं उन से निवेदन करना चाहता हूँ कि वह किसानों को कम से कम पचास फीसदी बिजली देने का प्रयत्न करें, ताकि वह खेती के काम में आए।

हिन्दुस्तान में अगर बिजली का रेट अन्डरकॉन्ट्रोल होगा, तो यहाँ का किसान मर जायेगा। आज देश के एक भाग में बिजली का एक रेट है और दूसरे भाग में दूसरा रेट है। मैं निवेदन करूँगा कि जब तक एक ग्रिड सिस्टम नहीं बनता है, तब तक जिन स्टेट्स में बिजली का रेट ज्यादा है, उन को सेन्ट्रल गवर्नमेंट द्वारा सबसिडाइज किया जाये।

५ मंत्री महोदय को पुनः धन्यवाद देता हूँ। जब वह मेरी एमेंडमेंट्स की भावनाओं को समझकर के एक नया बिल लायेंगे, तो मैं उन को और ज्यादा धन्यवाद दूँगा।

Dr. K. L. Rao: I entirely agree with Shri Ranga and other friends when they say that we have got to go in a big way to tap our underground resources. We had not realised this before, and, therefore, we were only thinking of shallow wells all along. It is only during the last few years that we have realised the value of these tubewells. In the substratum area we have got enormous water resources and water wealth, and we should definitely tap it on a more scientific basis, on a more extended basis and in a more comprehensive way.

In the drought areas, this problem acquires added importance. Therefore, it should be the endeavour of the Ministry of Irrigation and Power to pay greater attention to this and to see that we take more energetic steps in order to exploit these very valuable natural resources that we have beneath the ground.

With regard to the private licensees, I must submit that some of the big private licensees have been doing very good work; the Tatas and the companies in Calcutta and Ahmedabad have been mentioned in particular, and they have been doing very good work. But there are quite a large number of private licensees who are not rendering sufficient and proper service. If we do not acquire them now, it is merely because we do not have sufficient funds for that purpose. But any day, we should accelerate the process of taking them over, and it should be our endeavour to see that the private licensees who are not functioning properly and who are charging more than what the State Electricity Boards are charging, shall be taken over at the very earliest.

In the end, I should say that I thank the various hon. Members that have participated in the discussion on this Bill and the various hon. Members who have kindly lent support to this very limited Bill. I quite agree that we must bring forward a more comprehensive measure.

I also agree with Shri Bibhuti Mishra that we should try to find out how to have a separate enactment in order to serve the agricultural classes.

Shri Priya Gupta (Katihar): They should be given subsidy.

Dr. K. L. Rao: At the end of this month, two foreign experts are coming, and we will be discussing on this subject, and we are hoping that they will give us some assistance in order to organise rural electrification co-operatives. In all countries of the world, the electricity business in general is always separate from the rural electricity business. It is always so in every part of the world; one part gives the revenue while the other part cannot give revenue but will serve the public. We have no division like that in our country, and we have mixed up both of them together, and we have got to separate the two.

It is not possible to advance the cause of rural electrification in this way. We have got to put the problem on two distinct base. One would consist of aspects other than agricultural aspects, and we are dealing with that one just now. There, we say that the concerns should earn 11 per cent return, because about 6 per cent would be the interest, about 3 per cent would be necessary to cover the expenditure on developmental activities, and the balance would be for taxes etc. As I submitted yesterday, electricity is a very costly business, and we have got to try to finance this as much as possible, and, therefore, about 3 to 4 per cent would be required for developmental activities, and the balance would be required to cover taxes and so on, and it comes to about 11 per cent. We are saying, therefore that the State Electricity Boards should earn this money in course of time.

But I do admit that there is a strong case for having a separate organisation in this country to deal with the problems of the rural areas and to deal with the agricultural problems. I must accept that Shri Bibhuti Mishra's strong arguments at every stage have forced on me the thought that we should pay attention to this and see whether we could tackle this matter separately apart from this main Bill which relates to the main business of electricity. As I have submitted already, we are having two experts from foreign countries, and I hope that in August, we shall try to discuss this matter with them and try to see how we should do that in our country as well.

In the United States, which is a very rich country, rural electrification is done by financing from Government at a very low rate of interest. They practically charge no rate of interest, and the money is required to be repaid in 40 years. Money is given practically free of interest. That is how they are able to spread electricity to all the rural areas. We have also got to do some such procedures here.

As one of the hon. Members has said, the present practice of asking for a return of 10 per cent in the rural areas practically amounts to denial of power to the rural areas. I would, therefore, submit that our Ministry will endeavour and see how best to pierce this big sphere which we have not served satisfactorily so far and which we should serve. I hope the House will give the necessary assistance when we come forward with a Bill in that connection.

Mr. Deputy-Speaker: The question is:

"That the Bill, as amended, be passed".

The motion was adopted.

14.25 hrs.

COAL MINES LABOUR WELFARE FUND BILL

The Deputy Minister in the Ministry of Labour, Employment and Rehabilitation (Shri Shahnawaz Khan): I beg to move:

"That the Bill to amend and consolidate the law relating to the financing of measures for promoting the welfare of labour employed in the coal-mining industry be taken into consideration."

Under the Coal Mines Labour Welfare Fund Act, 1947, which came into force on the 14th June, 1947, a Fund known as the Coal Mines Labour Welfare Fund has been set up. The object of the Act is to make better provision for financing measures for promoting the welfare of labour employed in the coal-mining industry. The fund is utilised for promoting the welfare of workers employed in this industry. The income of the fund is derived from the levy of a duty of excise on all coal and coke despatched from collieries at such rate not exceeding eight annas per ton as may from time to time be fixed by the Central Government. The