

एलाऊ करने या न करने का सवाल ही नहीं उठेगा। इसका मतलब तो यह है कि आप मुझे मरवाएंगे, फिरकापरस्त लोग, जो हिन्दुओं और सिखों को लड़ाना चाहते हैं, जो हिन्दुओं और मुसलमानों को लड़ाना चाहते हैं, मुझे कत्ल कर देंगे, मुझे गोली मारेंगे। हमारे देश की सीमाओं की रक्षा नहीं हो पाएगी। उन लोगों ने गांधी को कत्ल करवाया।

मेरी बात सुन लीजिए। जब शुरू में खालिस्तान की बात चली थी, तो मुझे मजबूरन यहां घरना देना पडा था। ये लोग कहते थे कि यह कुछ नहीं है। वही बात अब कितनी बड़ी हो गई है। लाला जगत नारायण के कत्ल के बाद यह मामला बहुत गंभीर हो गया है। आज मैं सिर्फ एक चेतावनी देना चाहता हूं। आज आप राष्ट्र के लोगों से कहिए कि अगर सरकार अपने हथियारों की रक्षा नहीं कर सकेगी, तो वह देश की रक्षा कैसे करेगी।

अध्यक्ष महोदय : मंत्री महोदय ने कहा है कि वह इस बारे में बयान देंगे।

श्री मनीराम बागड़ी : मैं आपसे पूछना चाहता हूं . . .

अध्यक्ष महोदय : मैंने इसको नियम 388 में एलाऊ नहीं किया है। फिर भी हाउस में इतना समय लग रहा है। अगर मैं सब माननीय सदस्यों को इस तरह एलाऊ करूंगा, तो कैसे गाड़ी चलाऊंगा ?

श्री मनीराम बागड़ी : क्या आप सब बातों को एक जैसा समझ रहे हैं ?

अध्यक्ष महोदय : मैं तो सब माननीय सदस्यों का सम्मान करता हूं।

श्री मनीराम बागड़ी : इन्होंने गांधी को मरवाया है।

अध्यक्ष महोदय : प्रश्न के महत्व को समझते हुए ही मैंने आपकी बात सुन ली है यह देश की रक्षा की बात है। मंत्री महोदय इस बारे में बयान देंगे। इन्होंने सूचना मंगवाई है। अगर इस पर बहस करनी है, तो मुझे

कोई एतराज नहीं है। मैं तो आपके बनाए हुए रूज के मुताबिक काम करता हूं। अगर आप सहायता नहीं करेंगे, तो कैसे चलेगा ?

श्री मनीराम बागड़ी : क्या सारा देश इस बारे में चिन्तित है या नहीं ?

अध्यक्ष महोदय : चिन्तित है, इसीलिए तो मंत्री महोदय ने कहा है कि वह बयान देंगे।

### (व्यवधान)

श्री मनीराम बागड़ी : यह राष्ट्रीय महत्व की बात है और ये हंस रहे हैं। देश की अखंडता को खतरा है और चुने हुए लोग मजाक कर रहे हैं और हंस रहे हैं।—प्रधान मंत्री जी आ गई हैं। खुद प्रधान मंत्री इस पर बयान दें। यह कोई मामूली बात नहीं है। प्रधान मंत्री ने कहा है कि देश की एकता सब से प्यारी है। देश की सीमा पर मुतवातिर साजिशें और हथियारों की चोरी हो रही है।

अध्यक्ष महोदय : श्री सत्येन्द्र नारायण सिंह।

## ORAL ANSWERS TO QUESTIONS

### Functioning of Industrial Licensing System

\*618. SHRI SATYENDRA NARAIN SINHA : With the Minister of INDUSTRY be pleased to state :

(a) whether Government are aware of the work of Indian Institute of Public Administration in respect of functioning of Industrial Licensing System ;

(b) if so, whether the report has mentioned about under-utilisation of licensed capacity, production far in excess of licensed capacity and companies which have not actually secured licences from Government ; and

(c) if so, action taken on these points ?

THE MINISTER OF INDUSTRY (SHRI NARAYAN DATT TIWARI) : (a) Yes, Sir.

(b) and (c) A statement is laid on the Table of the House.

### Statement

Optimum utilisation of the installed capacity is the corner stone of Government's

policy and has been stressed as such in the Industrial Policy Statement of July 23, 1980. Being fully aware of the external as well as internal and management constraints on fuller utilisation of capacities, Government have announced a series of policy decisions during the past three years to improve performance in this behalf. Some of these are :

- (i) Installation of a monitoring system in each Ministry/Department to watch performance and to take action to revoke licences where satisfactory progress has not been achieved ;
- (ii) Constitution of a Cabinet Committee on Infrastructure Industries to look into the problems of industries in the key sector ;
- (iii) Setting up of a Control Room in the Ministry of Industry to monitor and remove external constraints in respect of identified key sector industries ;
- (iv) Introduction of schemes to regularise installed capacities on licences and registration certificates under prescribed conditions ;
- (v) Re-endorsement of capacities on the basis of highest production achieved during the past five years .

**SHRI SATYENDRA NARAYAN SINHA :** From the statement it appears that the Government has taken a series of policy decisions to improve the performance of the industries. It has been said that the Government have installed a monitoring system in each Ministry and Department to watch the performance and take action to revoke licences where satisfactory performance has not been made. May I know if Government are aware that there are many industries in which there is idle capacity due to over-licensing? Has any study been made to see whether this over licensing was done deliberately, just to siphon off the raw materials, by these industries for profit to themselves and to the detriment of the economy? Have government taken any action against any industry which has been found to have unsatisfactory progress?

**SHRI NARAYAN DATT TIWARI :** This question which was asked by the hon. member covers a vast area and I would require a specific example, because we do not have any detailed information regarding over-

licensing of capacity just now. We ourselves are very careful so that we do not over-license of course there has been under-utilization of capacity in many sectors. But under-utilization has been because of many factors, factor of infrastructural constraints, lack of power etc. And then, I would repeat, I would require more information. from the hon. member before I can answer, the question regarding over-licensing. because I cannot agree that there has been over-licensing.

**SHRI SATYENDRA NARAIN SINHA :** The general practice is that they are keeping their factories under utilized and they are selling all the raw materials in the black market to make profit. I hope this will be brought to the notice of the Minister. Have government taken any action to revoke the licences of some of the factories which have not been showing satisfactory progress? Has any action been taken so far against any industry?

**SHRI NARAYAN DATT TIWARI :** I am advised there is no specific provision to revoke licences just because they have not been showing satisfactory results. The state Governments are also there in the picture. We have to consider specific cases. Then this specific power is not there under the Industrial Development and Regulations Act ; and we ourselves are considering amendments to the Industrial Development and Regulations Act to further streamline the functioning of the Act.

**SHRI SATYENDRA NARAIN SINHA :** In the policy decision you have said that monitoring system has been restored to take action. It is there in the statement. In the statement, they have said that there is a monitoring system to watch performance and to take action to revoke licence where satisfactory progress has not been achieved." What does that mean? If the government does not have the power, why should they have said it?

**SHRI NARAYAN DUTT TIWARI :** The individual administrative Ministries have been asked to look after the monitoring and implementation of letters of intent and licences ; and to make matters more specific, we are proposing necessary amendment in the Industrial Development and Regulations Act. We have also advised by the Law Department in this respect.

**SHRI SATYENDRA NARAIN SINHA :** How many industrial units belonging to MRTP companies and FERA companies are having capacity in excess of licensed capacity? If this excess has been regularised, in how many cases has such action given monopolistic or near monopolistic hold of the market to these units?

**SHRI NARAYAN DUTT TIWARI :** This is a general question and it should be addressed to the Ministry of Company Affairs. As far as this particular report is concerned, I would like to say that we have received this report. It is under detailed study. Correctives in terms of system of policy application as are considered necessary will be applied.

**PROF. MADHU DANDAVATE :** I would like to know from the hon. Minister whether his attention has been drawn to the report of Indian Institute of Public Administration in which they have tried to show grouping if violators of licensed capacity; and whether it is true that in this report, they have actually given the range of excess capacity utilization as per-centage of licensed capacity in which they have said: between 100 and 200, the percentage total is 37, between 20, and 300, it is 8, between 300 and 400, it is 50 between 400 and 500, it is 3 and 500 and above, it is 9. The total comes to 62.

These are the 62 cases mentioned in this report, which are violators of licenced capacity. If this report is correct and in case through mistake you have studied it, will you be able to tell us the concrete actions that are going to be taken to see that these violators are taken to task and at least, it does not become a precursor for further violation in future.

**SHRI NARAYAN DATT TIWARI :** It is exactly this report which is the subject matter of the original question. And I have already replied to that. As a matter of fact, while answering the last question put by the hon. senior Member, I mentioned that the report was received in February. It is under detailed study. Corrections in terms of systems or policy applications as are considered, will be applied.

**PROF. MADHU DANDAVATE :** I asked a specific question that these are the ranges in which the increased capacity has been given. Therefore, what concrete, steps are being

taken? You say that the report is under study. During your study, having applied your mind, have you at least come to some tentative conclusions as to what steps can be taken? The report was available long time back. That is why, I asked this question.

**SHRI NARAYAN DATT TIWARI :** The report was presented in this year itself. I have got the report. I can send a copy of it to the hon. Member.

**PROF. MADHU DANDAVATE :** These statistics are already available with you. This is only compilation. They have only compiled and placed before you. In fact, they have collected this information from the agencies available to you.

**SHRI NARAYAN DATT TIWARI :** This information has been compiled in this study by quoting the annual reports of individual companies. We have to go into this and then only we can give a firm opinion. For example, the report itself says at page 16 that there are many aspects which require further investigation.

**PROF. MADHU DANDAVATE :** Other aspects all right. But what about this aspect?

**SHRI NARAYAN DATT TIWARI :** Therefore, I just cannot say that everything that has been said in this report is correct.

**DR. SUBRAMANIAM SWAMY :** There is the question of relevance of the whole industrial licensing system which is what the original question is about. The government is always studying reports, but does not come to any conclusions. Before this, there was the Wadilal Dagli Committee on licensing, then H.P. Nanda Committee on licensing system. All are under study, permanent study. Only yesterday, the Ministry of Law and Company Affairs gave the answer that the assets of the MRTP companies rose from Rs. 12,000 crores to Rs. 18,000 crores in just two years i.e. from 1979 to 1981. In view of the fact that the report says that many companies are having capacity of 200 to 300 per cent in excess of what is licenced, the relevancy of the licensing system is under question. Is the Government considering a comprehensive review of the licensing system, which is more honest and one which can be implemented?

**SHRI NARAYAN DATT TIWARI :** We are not considering a comprehensive review as

suggested by the hon. Member. Whatever lacunae are there, we will rectify those lacunae. The broad objectives of our licensing system are: optimal utilisation of industrial capacity, need-based requirement of the industry in accordance with the national priority, prevent concentration of economic power, secure balanced development in various parts of country. I think, the past history of industrial licensing system has rightly sub-served the national objective.

**विदेशी नागरिकों का निर्धारित अवधि समाप्त होने के बाद भी भारत में ठहरना**

\* 619. श्री मोतीभाई आर० चौधरी  
श्री रवीन्द्र वर्मा :

क्या गृह मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या विदेशी नागरिक अपनी ठहरने की वधि अवधि समाप्त होने के बाद भी देश के विभिन्न नगरों में रह रहे हैं;

(ख) यदि हां, तो तत्संबंधी तथ्य और ब्यौरा क्या है; और

(ग) इन व्यक्तियों के विरुद्ध सरकार ने क्या कार्यवाही की है ?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI NIHAR RAJAN LASKAR): (a) to (c) Arrival and departure of foreigners is a continuing process. Many of them get their visas extended on compassionate or other compelling grounds. The problem of overstays has been particularly noticed in respect of Pakistani nationals. Action including prosecution and deportation, if necessary, is taken against foreigners who continue to stay unauthorisedly. The State authorities are exercising vigilance to detect overstays.

श्री मोतीभाई आर० चौधरी : आप ने प्रश्न के उत्तर में बताया है कि अधिक अवधि तक ठहरने वाले जो लोग हैं उन के प्रति पता लगाने के बारे में सतर्कता बरती जा रही है। यह कैसी सतर्कता है जहाँ हजारों की संख्या में ऐसे लोग हमारे देश में बस रहे हैं ? मैं

जानना चाहता हूँ—सतर्कता के बारे में आप की मशीनरी कैसी है, किस तरह से इनको पकड़ा जाता है ? पिछले तीन सालों में ऐसे कितने लोग इस देश में आये, अवधि पूरी हो जाने के बाद कितने यहाँ ठहरे हुए हैं, कितनों का पता चला है, कितनों पर मुकदमा चलाया गया है और कितनों को वापस भेजा गया है ? ऐसा भी बतलाया जा रहा है कि ये लोग रहम-दिली के कारण ठहरते हैं, उनका आना-जाना हर रोज का हो गया है। प्रश्न के उत्तर से ऐसा पता चलता है कि इस के बारे में जितनी सतर्कता होनी चाहिये, सरकार की ओर से उतनी सतर्कता मालूम नहीं हो रही है।

गृह मंत्री (श्री प्रकाश चंद्र सेठी) : पाकिस्तान से आने वाले लोगों की संख्या गुजरात में 3924 है। उनमें से ओवर-स्टे के केसेज की संख्या 613 है, इनमें से जो पेण्डिंग डिस्पोजल बचे हैं उनकी संख्या 168 है। 81 ने सिटिजनशिप की एप्लीकेशन दी है जो अण्डर कन्सीड्रेशन है।

SHRI M. RAM GOPAL REDDY : Why don't you straight forwardly reject it?

श्री प्रकाश चंद्र सेठी : इस तरह से माननीय सदस्य देखेंगे कि आने वालों की संख्या ज़रूर ज्यादा है। लेकिन ओवर स्टे के जो केसेज हैं उनको पकड़ने और डिपोर्टेशन के भी काफी मामले हैं। एक्चुअली 1981 में 427 आदमियों को डिटेक्ट कर के डिपोर्ट किया गया 1982 में 348 को डिपोर्ट किया गया। इस प्रकार इस मामले में निरन्तर कार्यवाही की जाती रही है।

श्री मोतीभाई आर० चौधरी : अध्यक्ष महोदय, मेरे सवाल का जवाब पूरा नहीं है। मैंने प्रश्न में पूछा था कि विभिन्न देशों से इस देश में कितने लोग आये हैं, मुझे सभी के आंकड़े चाहिये, केवल पाकिस्तान के बारे में नहीं पूछा है।

SHRI NIHAR RANJAN LASKAR : So far as the nationals of other countries are concerned, this is a very negligible proportion. There are a very few cases.