

amendments that may be necessary for the third reading?

Shri Datar: I am not yet ready, Sir.

Mr. Deputy-Speaker: Then we shall have to postpone it till tomorrow and we may take up the next business.

Shri Kamath: And about the time, Sir, for third reading, I would suggest very earnestly that it should not be less than 4 hours.

Mr. Deputy-Speaker: That we will decide when we take it up. Now this will stand over till tomorrow and we will take up the next business.

#### RIVER BOARDS BILL

The Minister of Planning and Irrigation and Power (Shri Nanda): I beg to move\*

"That the Bill to provide for the establishment of River Boards for the regulation and development of inter-State rivers and river Valleys, as passed by Rajya Sabha, be taken into consideration."

Shri V. P. Nayar (Chirayinkil): Sir, I have to submit a very important matter. I submit that under certain provisions of the Constitution this Bill cannot be discussed in the manner in which we seek to discuss it now.

Mr. Deputy-Speaker: That will be considered when the motion is made. When an hon. Member brings forward a motion he has to support that motion. After he has done that, the motion will be placed before the House and then an occasion arises when objections to that can be taken so far as that motion is concerned. The hon. Minister may continue.

Shri Nanda: Sir, I need not take a very long time over this part of the proceedings in respect of this legislation. The House adopted a motion

for the reference of this Bill to a Joint Committee on the 14th September last year with instructions to submit a report by the 21st November. I am happy to say that the Joint Committee has submitted a unanimous report within the short time allotted to them for the purpose, after taking into consideration all the suggestions made in both the Houses in April last year.

After that, this Bill was taken up in the Rajya Sabha and it was passed with very slight modifications. I shall explain very briefly the alterations that were made in the Bill in the Joint Committee. I shall take up one chapter after another.

In chapter I, there is no change made. In chapter II, there are some verbal alterations, in clause 4(1) and clause 5 (2). There is also a verbal alteration in clause 11(2). It is in the nature of a clarification. In clause 9, there is a slight change. That also is in the nature of a clarification. Instead of the word 'constitution', the word 'appointment' has been used. It makes the position very clear and makes it more precise. There are two changes in clause 11 (1) and (2). They are also in the nature of clarifications. These changes are all of a very minor nature.

Changes of a somewhat substantial character have been made in chapter III. In this chapter, in clause 14, the original wording of the Bill provided that the notification shall be made in the official gazette but there was no reference to any consultation with the Governments interested. In order to bring it into line with clause 4 (1) it has now been provided that this notification should also be made after consultation with the Governments interested.

There is a change in clause 15(2) that the Board shall consult the Governments interested and the Central Government in respect of the scheme and after considering their suggestions

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if any, the Board may confirm, modify or reject the scheme. The Joint Committee took the view that it was not enough that the Board should consult only the Governments interested in respect of the schemes because the Central Government is vitally interested in the schemes. They have a bearing on the whole national policy in respect of the utilisation of these resources and the Government of India comes into the picture at various stages. It will have to incur liabilities and undertake a variety of functions in connection with the carrying out of these schemes. Therefore, very rightly, the Joint Committee asked for a provision to be made that the Central Government should also be referred to in connection with these schemes.

There is a change in clause 15(5) also. It provides that a copy of the approved scheme shall be forwarded to the Central Government. It is really linked up with the same kind of provisions in other parts of this clause.

There is a change in clause 20 also. It is of a minor character, but still, it has an importance of its own. The Committee desired that the Central Government should cause every report to be laid before both Houses of Parliament. The reports referred to here, are the annual reports. So, the provision was included in the Bill. Besides these changes, there are one or two verbal changes in Chapter III to which I need not refer.

In Chapter IV, change of a somewhat substantial character have been made. In clause 22(1) and (2) there is a verbal alteration, but in sub-clauses (3) and (4), the changes have a certain amount of substance. It was provided in the Bill that the assessors may be appointed on the recommendation of the Central Government. The Committee, however, thought that in such a matter, the arbitrator's discretion should not be fettered and that he should be in a position to make the choice of assessors

on his own, without reference to the Government. This suggestion was agreed to and the reference to the recommendation of the Central Government was omitted. Also, the original intention was that there may be one or more persons as assessors, but very rightly, the Committee felt that there should be a minimum of two, and that suggestion has been agreed to and incorporated in the Bill.

The modifications in sub-clauses (4) and (5) of clause 22 are matters of clarification of the intention of the Government.

In clause 27, the alteration that has been made brings out the intention and purposes much more clearly than the original wording did, and the modification also makes the position better than in the original Bill. The original idea was that the Board, when it has performed its functions, would be dissolved. But the question may arise as to whether the functions have actually been performed or not, and there may be differences of opinion. In order that there may be no room for any kind of confusion or dispute regarding such a matter, the change in the clause sets all these doubts at rest and makes the position clearer. Whether the Board has performed its functions or not will be a matter to be settled in terms of the opinion of the Central Government so that a decisive position may be obtained in this respect. In the other clauses, there are one or two very slight, minor, and verbal changes made.

So far, I have referred to the alterations made by the Joint Committee. In the Rajya Sabha, there was just one place where a change has been made, and that is in clause 28, dealing with powers to make rules. This change is also in the nature of clarification, and it brings out more clearly what was intended to be done.

That is all I have to say. The Bill stands practically intact in its essential features concerning the various important provisions, as they were, and the changes have been in the nature of improvements to make the

purpose clearer. There has not been any change which will require any lengthy explanation.

**Mr. Deputy-Speaker:** Motion moved:

"That the Bill to provide for the establishment of River Boards for the regulation and development of inter-State rivers and river valleys, as passed by Rajya Sabha, be taken into consideration."

I have to inform the House that the President, having been informed about the subjectmatter of the River Boards Bill, 1955, has, under article 117(3) of the Constitution, recommended to the Lok Sabha the consideration of the Bill.

**Shri V. P. Nayar:** I am very thankful for your making the announcement. In fact, that is the crux of the point which I wanted to argue. I submit I am not against the Bill at all in so far as it goes and I will support it also. But there is a constitutional difficulty and a defect which could have been cured but has not been cured and it makes it impossible for this House to discuss the Bill.

You will kindly refer to article 117 (3) of the Constitution which says as follows:

"A Bill which, if enacted and brought into operation, would involve expenditure from the Consolidated Fund of India shall not be passed by either House of Parliament unless the President has recommended to that House...."  
I underline the word "that"—

"the consideration of the Bill".

In this context, the word "that" cannot mean the Lok Sabha; the word "that" will apply equally to both the Houses.

**Mr. Deputy-Speaker:** It refers to the House which passes it.

**Shri V. P. Nayar:** Yes; but I submit that the Rajya Sabha has not been given the recommendation by the President.

**Mr. Deputy-Speaker:** Is the hon. Member sure that that recommendation was not given?

**Shri V. P. Nayar:** I am sure.

**Mr. Deputy-Speaker:** I am told the recommendation was sent to the Rajya Sabha.

**Shri V. P. Nayar:** We have no indication from the papers which we have with us that the President has given the recommendation to the Rajya Sabha. I am submitting this because there is a distinction between article 117(3) and article 274. In article 117(3), the word used is "that" and in an identical place, the word used in article 274 is "either". I will read the last portion of article 274:

"...shall be introduced or moved in either House of Parliament except on the recommendation of the President".

I submit that if it is a question of introduction of the Bill, the President's recommendation to either House is not necessary; but, on the other hand, if it is for consideration, then it comes within the scope of article 117(3) and the word "that" will apply to either House. It is not even now possible for the Minister to tell me the position. From this morning I tried to verify from the Rajya Sabha also whether the President's recommendation accompanied the Bill when it was being discussed in the Rajya Sabha, and I have no indication to show that it did.

The other point is this. If you will kindly examine the Financial Memorandum attached to this Bill, you will see that it violates the mandatory requirements of rule 87. A Financial Memorandum is absolutely necessary, not only that. Any note with the caption "Financial Memorandum" will not be enough. It must necessarily fulfil certain requirements. Rule 87(1) says that "it shall invite particular attention to the clauses involving ex-

[Shri V. P. Nayar]

penditure"; does the Financial Memorandum invite particular attention to clauses? Even granting that it is there, according to the same rule,

"it shall also give an estimate of the recurring and non-recurring expenditure involved in case the Bill is passed into law".

This morning, I tried to get a copy of the Bill as introduced in the Rajya Sabha; but, unfortunately, I could not get a copy. The Bill was introduced in the Rajya Sabha and I distinctly remember that the Financial Memorandum attached to the Bill as introduced in the Rajya Sabha did not fulfil the requirements of rule 87. This is a ground which by itself will make it impossible for us to proceed with the Bill. These are questions involving the interpretation of rules. This is my doubt and I want to be clarified. I would submit that the opinion of some other members may also be obtained, in case we have taken a decision now, because violation of the Constitution is a matter of fundamental importance.

**Mr. Deputy-Speaker:** The hon. Member has referred to article 117(3) of the Constitution which says:

"(3) A Bill which, if enacted and brought into operation, would involve expenditure from the Consolidated Fund of India shall not be passed by either House of Parliament unless the President has recommended to that House the consideration of the Bill"

I agree with the hon. Member that the recommendation must have been conveyed to the other House. The Rajya Sabha has passed it and the Rajya Sabha must have got that recommendation from the President. I find from the River Boards Bill, as

was introduced in the Rajya Sabha that at the end the recommendation is incorporated as follows:

"The President has, in pursuance of clause (3) of article 117 of the Constitution of India recommended the consideration of the Bill by the Rajya Sabha".

That recommendation has been conveyed to the Rajya Sabha and the Rajya Sabha considered the Bill after that.

**Shri V. P. Nayar:** I could not find the recommendation. It is very common that this recommendation is printed at the end of the Bills; it is a stereotyped form. I want it to be verified. Also, that is not the only ground of my objection.

**Mr. Deputy-Speaker:** Everything should be presumed to have been done according to the requirements of the law, unless we have something definite that contradicts it. That recommendation is clearly incorporated in the Bill as introduced in the Rajya Sabha and even after it had been passed by the Rajya Sabha, that recommendation is printed at the end. We can presume that certainly it was done in accordance with the law and rules, unless the hon. Member has got definite information about it that it is wrong. I do not think we need make an enquiry into that at this moment. Here we have only to see that that recommendation is here, so far as our House is concerned. We cannot enter into the enquiry whether that recommendation was there or not when the Rajya Sabha passed it. For the present, we are to be satisfied if that recommendation is here; we have got it before us.

So far as the Financial Memorandum is concerned, the hon. Member has read rule 87 and said that it should have a reference to the clauses. But

I find that reference is also there in the Financial Memorandum; the hon. Member will find it if he just reads it.



**Shri V. P. Nayar:** It is unfortunate that though we were trying to get a copy of the Bill, we have not been able to get it.

**Mr. Deputy-Speaker:** That is certainly unfortunate; but, I cannot also help the hon. Member. The Financial Memorandum is there and the reference to clauses is also there. Therefore, I overrule the objections as having no ground.

**Shri V. P. Nayar:** Since you seem to be having it before you, may I ask whether it also indicates the nature of the estimate of the recurring and non-recurring expenditure involved in case the Bill is passed into law?

**Mr. Deputy-Speaker:** It is put down; but, it is not clear. I have said that we cannot enter into an enquiry at this stage whether the memorandum submitted at that time was correct or not.

**Shri V. P. Nayar:** With great respect, I would submit that rule 87(1) says:

"...and shall also give an estimate of the recurring and non-recurring expenditure involved..."  
etc.

The words "shall also give" makes it all the more mandatory that an estimate of the recurring and non-recurring expenditure involved in case the Bill is passed into law should be given. That is the point on which I wanted you to advise me. If that is also there, then the Bill can be proceeded with. If that is not there....

**Mr. Deputy-Speaker:** The question before us is not that that Financial Memorandum has not been given; it is whether as a consequence of that, this House should throw out the Bill or should not consider it.

**Shri V. P. Nayar:** I never suggested it. The hon. Minister can give a detailed Financial Memorandum; unless that is given, we cannot consider the Bill.

**Mr. Deputy-Speaker:** I will consider that position because I find that even

in the financial memorandum that detail is not given. Anyhow, subject to that—I will look into that—we can proceed with the consideration.

**Shri V. P. Nayar:** Is it, therefore, your suggestion that although the mandatory requirement relating to "an estimate of the recurring and non-recurring expenditure involved in case the Bill is passed into law" is not fulfilled, the discussion can go on till such time? I am offering an easier solution. The Bill has come now as a bolt from the blue. Actually, it ought to have come yesterday. The hon. Minister can take the House into confidence and give the financial memorandum. When we do things, especially as the Parliament of India, we should certainly respect our own rules. There is no question of violating our rules.

**Mr. Deputy-Speaker:** I have heard the hon. Member. We proceed with the consideration subject to that objection and I will take the decision after making an enquiry.

**Shri Kamath (Hoshangabad):** On a point of order. The Bill before the House, a copy of which I have got, does not contain the memorandum.

**Mr. Deputy-Speaker:** I have read out something. The hon. Member was not here.

**Shri Kamath:** Why should it be separately presented?

**Mr. Deputy-Speaker:** That will not invalidate it. Whenever a motion is read—I have read it to the House—the House is in possession of it.

**Shri V. P. Nayar:** The copy which was before me did not indicate it. I should not be misunderstood.

**Shri Tek Chand (Ambala-Simla):** I rise to compliment the hon. Minister for bringing about a measure which ought to have been on the statute book. It is a well known fact that this country of ours is

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blesed—some say it is a curse—with a very large number of rivers. If there is an optimum to the realisation of its waters, it can be harnessed to the service of mankind. If the rivers are permitted to run unharnessed and unsecured, they can bring about devastation. It is also a patent fact that in our country so far, since some years the waters of the rivers of India are utilized to the extent of 6 per cent. only; the rest remain unutilized. Very often it contributes to devastation, depredation, destruction and ruin.

It is a happy augury that this Bill, as presented, promises to have a machinery whereby the waters of this great land are going to be harnessed to the service of mankind. There is one noticeable fact—I was about to say a regrettable fact—that in this land of large and long rivers, very few rivers are navigable. So far as hydro-electic scheme are concerned, thanks to our experts, a good number of them are under way.

I would have preferred that instead of having a River Boards Bill, we had the River Board Bill. My suggestion to the Government would have been that instead of having several river boards, if there had been one central board, anyone of its functionaries could have engaged itself with a view to taking the problems connected with a particular river or with a few rivers, being restricted to a certain territorial area, because that would have facilitated considerably so far as co-ordination was concerned. The Bill visualizes that there should be a number of boards which should function in this country.

The other comment which I wish to make—and I implore through you that if the hon. Minister in charge may be pleased to attend to the suggestions which I offer by way of constructive criticism, I will be grateful—is that I notice that though the objects are extremely laudable, desirable, urgent and imperative, un-

fortunately, the Bill itself contains certain obstacles, certain difficulties which the Government is likely to notice as the boards begin to function. It is better to point out those defects now in order that the river boards should function effectively. It is necessary that they should have potency within the law; they should have the power. But what is the power that is being conferred on the boards under this Bill? To my mind, the power—I would not say it is illusory—is not effective.

Firstly, under clause 4, which is the first clause in Chapter II which contemplates the establishment of river boards, before a river board can into existence at all, there must be a request made by the State Government to the Central Government. Therefore, the existence of a river board is conditioned by on a request being made by a State Government. Then again, you will notice, clauses 13, 14 and 15 deserve careful scrutiny in so far as, to my mind, they happen to be the pivotal clauses. You will notice that the important function of the board is advisory. Clause 13(a) provides that a board may be empowered under subsection (1) of section 14 to perform all or any of the "following functions" and the first function, which is the most important function, is contained in clause 13(a), which is advisory. That is to say, the board may initiate a scheme, but so far as giving effect to the scheme is concerned, it can only tender an advice. An advice is not a command. It is for a particular State Government or State Governments concerned to accept it or to reject it as they choose. The most important function of these boards is the maximum utilisation of water resources, covering irrigation, hydro-electric power, flood control, navigation etc. They may prepare a scheme. But that scheme cannot come into effect, that scheme cannot come into existence. They have only to tender an advice. It will be for the State Government concerned to accept the advice or to reject the advice.

**§ P.M.**

Then again, clause 14 deals with the functions of the Board and among the functions which are indicated in sub-clause (3) of clause 14, it is stated that in performing its functions under the Act, the board shall consult the Governments interested at all stages. So far, so good. But what follows is a little bewildering. It says "and endeavour to secure, as far as may be practicable agreements among such Governments". I submit in all humility that in a legislative measure there is no room for a provision like sub-clause (3). The Board can only advise. It is a body of advisers. Once an advice is given, it cannot run the advice down the throat of an unwilling Cabinet of a State. That being the position, after having tendered an advice, a good, practical and desirable advice, how is it possible for that Board to endeavour to secure agreement among such Governments? I can understand the Central Government endeavouring to secure agreement. That is understandable. That is feasible. But how can this Board manned by some functionaries, however important, endeavour to secure agreement among the Governments when they do not happen to agree inter se. All that the Governments will say is: "You have prepared a scheme. You have tendered your advice. It is for us to consider the advice, consider its feasibility from the point of view of desirability, from the point of view of the burden upon our financial resources and other points of view that we may have. Once an advice is tendered, the option is exclusively and entirely ours to accept it or to reject it." If they turn down the advice, there is no machinery provided under clause 14(3) which makes it obligatory upon an intransigent State, if I may say so, upon an unwilling State, to accept the advice.

Then again, if the advice is not accepted, what is the nature of the endeavours that the board is going to make with a view to bring about

agreement between the Governments? What is the machinery? The only machinery will be some sort of persuasion, some sort of endeavour to say: "It will be in your interests", some sort of advocacy, but beyond that it is not open to these Boards to give effect to their schemes howsoever important, howsoever imperative, howsoever urgent.

Then again, clause 15(5) reads:

"Every approved scheme shall be forwarded to the Governments interested and the Board may advise them to undertake measures for executing the scheme and a copy of the approved scheme shall also be forwarded to the Central Government."

You will find that after labour has been spent, after experts have devoted their thought, time and attention and considerable money has been spent, what happens? The Board merely advises. Again, in sub-clause (6), you see:

"The Central Government may, on a request received in this behalf from any Government interested or otherwise, assist the Governments interested in taking such steps as may be necessary for the execution of the scheme."

The whole thing becomes dependent upon requests made and advice which may or may not be accepted.

Then again, Chapter IV beginning with clause 22 requires more than a passing notice. Clause 22 reads:

"Where any dispute or difference arises between two or more Governments interested with respect to—

- (a) any advice tendered by the Board under this Act

any of the Governments interested may, in such form and in such manner as may be prescribed, refer the matter in dispute to arbitration."

I do not see any room for such arbitration. What is the dispute?

[Shri Tek Chand]

There is no dispute. A particular Government says: "Very good. Your advice is received and rejected." The other Government concerned may say: "Advice received. It is very valuable. We propose to accept your suggestion." When one State accepts it, it is equally competent for the other sister State to reject it. Where is the dispute? It will not be open to the tribunal which is going to arbitrate to tell a State: "Although it is within your right or power not to accept the advice, in so far as the advice has been accepted by the other State there is a dispute and we propose to arbitrate so that you may accept the advice." So long, virtually in every relevant clause you have scrupulously used the difficult expression "advice". Advice can connote only one thing that the option is with the person to whom the advice is tendered to accept or reject it. Is it open to the arbitrators to say that the advice is equal to a command and therefore the State rejecting it should accept it? What is the machinery by which the tribunal can order that the advice must be accepted? To my mind clause 22(1) (a) is not a point upon which any reference is possible because there can be no dispute as to the acceptance or rejection of the advice. It is a matter within the option and exclusive will or caprice of the State concerned. The weakness I find is that the powers that you are conferring upon the River Boards are not effective. It will not be open to them or even to the Central Government, as I read the Bill, to compel a State to accept the advice or put the scheme into execution.

My fears are that any particular State can torpedo a scheme, howsoever useful it may be, for any reason, good, bad or indifferent. That is a lacuna which deserves early eradication. A certain amount of power may be given and there must be at least a provision by which the Central Government can say: "Very good. We have considered your

objection. We over-rule your objection. You must perforce accept the scheme and give effect to it." Unless there is some provision whereby a scheme considered by the Board can be given effect to either at the behest of the Board or the Central Government, my fears are that this Bill may not have the desired effect. So, while I am in complete agreement with the spirit and the sentiment underlying the Bill, I do feel that in order that the Bill may be utilised to the best advantage, the changes I have suggested should be incorporated so that it should not be possible for the States to say "no" once a scheme has been arrived at.

I commend the Bill.

Dr. Rama Rao (Kakinada): I welcome this Bill particularly in view of the great trouble we have had in connection with river valley projects. You may know that in connection with the Tungabhadra project, particularly the Tungabhadra high level canal, there has been a lot of trouble. Only recently the Planning Commission was able to bring about some understanding between the Mysore Government and the Andhra Government. Originally, the Tungabhadra project was conceived nearly a century ago, and it is very fortunate that at least now it has been completed. The Tungabhadra high level canal is a part and parcel of the original scheme. But unfortunately, the area where the Tungabhadra dam is situated is in the Mysore State.

And the worst part of it is that while the Tungabhadra high level canal is to benefit the famine-stricken area of Rayalaseema, the Mysore Government had taken an unhelpful attitude, as a result of which major work on this area had to be delayed for almost two years. I hope that at least hereafter, the work will go on more speedily, and the Planning Commission's assistance will be of great help to the Andhra State.

All this trouble, all this delay, all this bad blood and constant loss to the country have arisen because there has not been a machinery to settle these inter-State river disputes. This has been the case not only with regard to the Tungabhadra waters but even in regard to many other rivers. For, almost all our rivers pass through various States, and the percentage of water to be utilised by each State has got to be decided. So, at every stage, there is trouble. Sometimes, the implementation of the schemes has got to be done by one State, while the benefit would be derived by another State; in some cases, one State may derive more benefit than the other States.

For settling all these things, it is essential that we should have a measure of this nature.

While speaking on the States Reorganisation Bill, I had occasion to speak about Sirivantha. I had pointed out then that Sirivantha now in Madhya Pradesh is predominantly Telugu-speaking. The proposed project at Ichampalli on the river Godavari is going to be situated in that area. We have tried our best to avoid the trouble of having the headworks on the major project situated in another State, but unfortunately, we have not succeeded so far.

Apart from linguistic considerations, sometimes, the headworks or the main works may be situated in one State, whereas the major benefits may be derived by another State. In a federal government like ours, in order to effect a settlement in all these cases, it is very necessary that there must be power vested in the Central Government to set up a machinery or authority to enforce the decisions in a judicial and reasonable way. One particular State should not be in a position to obstruct the work which would benefit another State, just because it may not benefit another State, just because it may not benefit that first State equally well.

I heartily support this Bill, and I would request Government to take effective steps to bring this measure into effect, and decide all matters of dispute, whether they relate to the percentage of water to be utilised or to the responsibilities of construction or distribution. Water is the very life-blood of our people. In the rural areas, some times even murders take place on the question of the distribution of even small quantities of water; while, in States where major projects are situated, huge quantities of water will be available for distribution. In order that no State can take an unhelpful attitude, it is very necessary, I would say, it is the duty of the Central Government to have a suitable machinery to come to the rescue of the States and to direct that no water is lost, and no developmental project is delayed.

As for the points which Shri Tek Chand has made, I hope Government will look into them.

With these words, I support the Bill and I welcome it.

**Shri Zaghavachari (Penukonda):** While the original Bill was under consideration, I had occasion to make some observations on it. I do not wish to repeat them now. I welcome this Bill in the present form.

But on examination, I find that there is probably one defect in this Bill. If I am wrong, I would be very happy to be corrected. There is no definition of the word 'river'; we do not know whether a river includes the tributaries of the river. That is somewhat troubling my mind. I have felt this difficulty, and I feel like drawing the attention of the Minister to it.

In my district, most of the rivers that flow are coming from the Mysore State. Some decades ago, there was some agreement to the effect that nothing could be built or done on the upper reaches of the rivers because otherwise, we will be deprived of the waters that would otherwise flow down it. The Mysore

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Government strictly interpreted the word 'river' to mean only the main river. And they started bunding the tributaries, and thus they deprived the main river of the full flow of waters. Water on tributary after tributary was banded, with the result that the water flowing down the main river was very little. They interpreted that a river meant only the main river and not its tributaries.

**Shri Nanda:** May I point out to the hon. Member that in clause 4(4) we have made it clear by saying 'river (including its tributaries, if any)'?

**Shri Raghavachari:** I am very happy. If that is so, I very much welcome this Bill. My only hope is that these river boards will be constituted very soon, so that the disputes may be settled more quickly, especially now that we are forming new States; it is the feeling that another State is a foreign country or that the people of that particular State are different and not our own people, that has, so far, been responsible for all these troubles.

I am glad, therefore, that provision has been made to cover tributaries also. With these words, I welcome this Bill.

**Sbri L. Jogeshwar Singh (Inner Manipur):** I welcome this Bill, more particularly because there is an inter-State river dispute between Manipur and Assam now, on account of which many developmental schemes have been held up. So far, in the absence of a measure of this nature, the Planning Commission or the Ministry of Irrigation and Power have not been able to come to any definite decision.

There is a proposal to have some scheme on the Barak river in Manipur State. This river flows from Manipur and goes through Assam. There it takes a different name and flows under the name of Surma when it reaches the lower Assam valley; finally, it enters East Bengal.

This Barak river is a very important river, so far as Manipur and Assam are concerned. Waterborne trade and commerce are carried on on this river. The many valuable things that are available in the western part of Manipur are brought down this river to Assam and other parts of the country.

Though the Barak river forms the boundary between Manipur and Assam, yet the toll tax and other taxes on the ferries, that are levied are enjoyed only by the Assam Government and the Manipur Government have not so far been able to enjoy the benefits from this river. So, there is a dispute between Manipur and Assam on this matter. According to some old treaty, it is said, that Manipur has no right over the Barak river. Once these river boards come into existence, these problems can easily be solved, and some decision can be arrived at, whereby justice may be done to that part of the country where the river has its source. So far, the State where the source of the river is located has not got the benefits that flow from this river.

Another point is this. The Planning Commission have in their mind the launching of a river valley and hydro-electric power generation scheme on the Barak river somewhere near its head in Manipur. If power is to be generated from that river, it will serve a vast area. It is a very important river. The Assam Government wanted to utilise this river in the Manipur State area. The Manipur State did not like to give that portion of the river to the Assam Government. So a dispute arose. The Manipur State also wants to enjoy the benefits of this river. When this River Board comes into existence, the portion of this river which falls within the area of Manipur State will come under the control of this Board. Then any plan with regard to river development schemes will be taken by them. Then the people living in Assam and Manipur

can enjoy the benefits arising from that development.

But one problem crops up in this connection. If any scheme is to be launched, then the people living in lower Assam will enjoy the benefits of this river whereas the people living in Manipur, in the hilly areas, will not be in a position to do so. The reason is this. The river flows through Assam. It never flows towards the valley of Manipur. It goes through the Assam side; it never comes into Manipur State. So if any scheme is launched, for the time being the whole cost thereof should, in my opinion, be borne by the Planning Commission and Assam Government. Unless Manipur is in a position to enjoy the benefits of this river, she should not be asked to contribute her share. Only the Governments interested in it should share the cost.

My point in saying so is this. As the river flows in the area of Manipur, Manipur should also get some share of the benefits. But she cannot contribute her share for launching any scheme on this river. When the scheme is in progress and Manipur enjoys the benefits directly as a result of the scheme, then Manipur may be asked to contribute her share. This is with regard to the contribution of this share by the interested governments. Apart from this, Manipur should have the right to claim compensation against launching any scheme and for such contingencies as may arise out of launching such schemes.

I find another provision in this Bill which needs reconsideration. Interested governments are not allowed to send their representatives to the River Board. Only the Central Government are to select certain experts for appointment to the Board. I would like to suggest that interested governments should also send their representatives, both official and non-official. These representatives on the Board should use their rights as full-fledged members.

**Shri Raghavachari:** Then disputes will never be settled.

**Shri L. Jogeshwar Singh:** Here nothing has been mentioned about the members of the Board. It is only stated that experts are to sit on this Board. On this Board, not only experts, but representatives of interested governments, both official and non-official, should be allowed to sit. The interests of every State should be safeguarded by the representatives coming from the States concerned. This is my point of view.

Then I find that an Advisory Board is going to be appointed. I do not know who are going to be appointed to this Board.

So far as the Bill is concerned, I welcome it. I hope that it will be passed very soon. I also hope that after passing this Bill, many places which are economically backward will get benefits from the work of this Board. There are many important rivers which still remain unutilised and untapped, whose resources are still untapped but can be harnessed for the benefit of the masses. This is so more especially in the eastern part of the country which is economically backward.

Now there are a number of disputes between one State and another as to the enjoyment of the benefits from river development. These disputes also can be settled with the passage of this Bill and the Inter-State Water Disputes Bill.

I have nothing more to add except to repeat that I welcome this Bill and hope that after its passage, the river Barak which flows through our area will be usefully tapped and harnessed for the benefit of the people living in that area.

**Shri T. Subramanyam (Bellary):** Rivers in India have played a very important part in the history of this country from the earliest times. People have attached a special sanctity and sacredness to them right from the Ganga to Godavari and Tamraparni in the south.

[Shri T. Subrahmanyan]

There are three river systems in our country. One is the Himalayan system from the Punjab to Bengal. The next covers the rivers falling in to the Arabian Sea—the Tapti and the Narbada. The third group consists of the rivers flowing into the Bay of Bengal—the Mahanadi, Godavari, Krishna, Cauvery and Tamraparni. I welcome this Bill because rivers afford the greatest source of our happiness and health and of our success in industry also.

The functions of the River Boards, as at present contemplated, are purely advisory. I suggest to the Government that merely advisory powers are not enough. They must have comprehensive powers. For instance, these Boards are to advise the concerned State Governments with regard to the regulation and development of these rivers and river valleys and also in the matter of navigation, generation of electric power and all those things. But the powers that have been given to these River Boards are, in my opinion, not adequate.

At present, we are only using 5.6 per cent. of the water of the various rivers. There is still scope for generating 30 to 40 million kilowatts of electricity from the various rivers, taking into account hydro-electric sources alone. Now we irrigate only one-fourth of the agricultural area. We have to irrigate a lot more. Of course, now big multi-purpose projects are being undertaken. But if we have to utilise all the river systems and maximise the benefits from these rivers, I submit that these Boards must be vested with greater powers.

Sir Arthur Cotton, who was a great engineer, envisaged a navigation system for the whole of India. It is no exaggeration to say that he was a great English engineer. He worked in the Madras State. He was responsible for the Godavari anicut, the Krishna anicut and for the Cauvery-Coleroon irrigation system. Even in

1876, he was subjected to a severe cross-examination by a Committee of the House of Commons because he had the boldness and vision in those days to say that India needed more irrigation and navigation canals and less of railways. But his word was not heeded. In fact, I was reading the other day a book written by his daughter. It is remarkable that he envisaged the linking up of the Ganga river right from Calcutta to Cape Comorin connecting Mahanadi, Godavari, Krishna, Tungabhadra, Cauvery and Tamraparni, taking the water right up to Cape Comorin. Again, he envisaged a canal on the west coast up to Karwar, a canal from Madras to the west coast and from Nellore to Wardha. He recommended linking up of all these rivers, Narbada and Tapti also included.

It was a great vision in those days. In those days, he had to face not only the conservatism but the active and positive opposition of the British who were interested more in the development of railways and less in irrigation and navigation canals. Now that India is free, we can act with vision. We have got the C.W.P.C. and we have got excellent personnel also. It is not necessary for us to have one River Board for every river. As a friend of mine was saying just now, we must have a River Board for many systems of rivers.

Under the States Reorganisation Bill which we are going to enact soon, we are going to have some Zones. I would suggest that there should be a River Board for each Zone, in the first instance, so that all the river systems in the various Zones are connected to maximise the benefits for the generation of electricity as well as for irrigation and other facilities. Then, it will be possible ultimately, though not immediately, to link all the systems which Sir Arthur Cotton had in his mind.

I welcome this measure. It contemplates giving the Boards powers to conduct research. The Chairman and the members are expected to be



experts, people with knowledge of irrigation, electrical engineering, soil conservation afforestation and various other subjects. In all these matters they are supposed to have great knowledge and experience. Therefore, it is no use having such excellent first-class bodies for each river. We must have one for each Zone so that after some time we can connect all these three systems of rivers, the Gangetic group, the group of rivers flowing to the west—to the Arabian Sea—and those southern rivers flowing into the Bay of Bengal. Most of the rivers in South India take their origin in the Western Ghats and flow to the east. I welcome this measure.

We are at the commencement only. If we are to maximise the benefits from the great rivers to which we have attached special sanctity from the earliest times to the present time, I submit that more power should be vested in the Boards. They should not be merely advisory bodies; they must have powers to see that their suggestions are implemented by various Governments.

**Shri D. C. Sharma (Hoshiarpur):** I come from the land of the rivers. (Interruption). I am therefore bound to take some special interest in the River Boards Bill. It has been said that these Boards will be constituted to regulate and develop inter-State rivers and river valleys. It is a very laudable object.

But one humble suggestion that I would like to make is this. The definition of the river should be widened and a river should not mean only a river which is perennial but also a river which is seasonal. I believe that unless that is done, this Bill will not achieve the maximum of advantage which is aimed at. In our country there are big and small rivers. There are also rivers capable of destruction and capable of doing good things which are not always flowing. I believe it will be in the interests of the country that this thing is done. For instance, I come from a part of the country where we have rivers of great intensity, frequency and magnitude; but they are not always there

and the amount of havoc that they do is very very great. I would, therefore, request the hon. Minister who is unluckily not here.....

**The Deputy Minister of Irrigation and Power (Shri Nathi):** I am here.

**Shri D. C. Sharma:** But, I think, he is to reply to the debate and not you.

I would say that the definition of the word 'river' should be widened.

**Shri Baghavachari:** There is no definition of 'river'.

**Shri D. C. Sharma:** The second point that I want to make is this. I am very happy that River Boards are going to be constituted which are functional in nature. We in India are overridden by the idea of executive authority. Executive authority is very good and we have got to make use of it. But, I believe, we have also to make an experiment in what has been called by a very great writer, 'functional democracy'. I believe that these River Boards which are going to be functional will be useful and they will work under the Central Ministry or the State Ministries and their powers will be kept under check.

The third point that I want to make is this. I have not been able to understand the composition of these Boards. Here the Minister is going to collect a number of specialists. I am very happy that there are so many specialists; but who is going to sit in judgment over these specialists? (An Hon. Member: Parliament). Who is going to see to it that what a man says is correct or not correct? For instance, you have a specialist in navigation. Who is going to sit in judgment upon this gentleman's ideas about navigation? I think the working of democracy all over the world shows that there should not be too many specialists in any Board. I believe there are so many specialists here that it will be very difficult to arrive at a decision which is workable. It will be very difficult to make for co-ordination and harmonisation. I would, therefore,

[Shri D. C. Sharma]

say that these Boards should not consist entirely of specialists. At the same time, I think there should be a rule here that there should be no superannuated persons. I know that sometimes new things are set up in order to absorb superannuated persons. I would say that it should be seen that no superannuated person, unless he happens to be a towering specialist of great magnitude, is there. Otherwise, it will become a sort of haven for persons who have retired from government service and who are looking forward to membership of these Boards.

Again, I do not want that any member of the Board should be a part-time worker. We know what a part-timer is. Part-timers are not able to devote that attention and devotion to the subject as whole-time workers. I think this idea of having part-timers as members of the Board should be given the go-by and there should be only whole-timers in it.

Advisory bodies are going to be there. I know the working of advisory committees in the Government of India and I can say that they do not always fulfil their duties and obligations as adequately as they should. They do good work; but we expect much more from these advisory committees and I think there is a desire to multiply these advisory committees. We want to have advisory committees in every Ministry and yet we never know what they accomplish. We do not know what they do and what advice they give. I feel this is only a way of bringing in some persons. We have to watch these advisory committees very carefully because they are not coming for doing such acts as they should do.

I would submit that the audit of the accounts of these Boards should have been specified here. Who is going to audit the accounts of these Boards? Of course, we have been discussing on the floor of this House whether the Auditor-General has any control over this body or that body and whether the Auditor-General should have his finger in this pie

or that. We have been discussing all these things. But I must say that it is not useful to leave the Parliament in the dark about this thing. We should have been told who will be responsible for the auditing of accounts of this body. It should not have been left like this.

Much has been said about the principle of arbitration. An hon. Member of this House said that this process is not very wholesome. I believe in the process of arbitration which has been given in this Bill and it is an entirely democratic process. If the process of arbitration is to be resorted to, I think it should be done in a democratic and constitutional manner. I think the provision for assessors to be associated with the arbitrator makes the process fully democratic, and I endorse this clause --clause 22.

As a member of the Subordinate Legislation Committee, I must make some observations on this clause—clause 28. Recently we took a decision at a sitting of the Subordinate Legislation Committee that along with the Bill the Ministers or other persons who bring forward the Bills should also give us the rules and regulations which constitute a very major part of these Bills. For instance, there are clauses running from (a) to (k) about which rules have to be framed. As a member of that Committee, I know that very often the Executive have gone beyond the power which has been given to them. Very often the Executive have framed rules which were not in conformity with the spirit of the Bill. Some of our reports have come before you and others will come before you, and you will see that in many cases the Executive have not kept within the four walls of the Bill. I see here that the Ministry has been given powers to frame rules from (a) to (k) and also to frame regulations from (a) to (d).....

Shri Nanda: Not (a) to (k), but only (a) to (j).

**Shri D. C. Sharma:** I submit with respect that it is from (a) to (k). From (a) to (j), the rules are specified, and (k) gives blanket powers to the Ministry to frame any rules. Therefore (k) is much more dangerous than all the clauses (a) to (j). In future, it should be made obligatory on the part of the Ministry to give us the rules which they are going to frame, because afterwards we have to enter into correspondence with them and wait for their replies and then try to decide the issue, which is very difficult. It should be made compulsory now that the rules which are to be framed should be framed as early as possible. Sometimes the rules are framed six months after the Bill has been passed. I know all this as a member of the Subordinate Legislation Committee. I would like that the rules should be laid on the Table of the House within 30 days of the passing of the Bill, and if necessary, they can be discussed.

With these remarks I welcome this Bill, and I hope the hon. Minister will be good enough to consider the suggestion which I have made.

**श्री १० ब० मिश्र (जिला बुलन्दशहर) :**

उपाध्यक्ष महोदय, यह बिल जो कि पेश किया गया है, इसका मैं स्वागत करता हूँ। हमारे देश में बहुत सी नदियाँ हैं जिन्होंने हमारे देश को उन्नत किया है। इन दरियाओं और नदियों को ठीक तरह से डिवेलप न करने का एक बड़ा कारण यह रहा है कि जो नदियाँ कई स्टेट्स में से हो कर बहती हैं यह स्टेट्स मिल कर के धापस में उनका डिवेलपमेंट करे। लेकिन कई बार ऐसा होता था कि झगड़े उठ सके होते थे और धापस में तसफीय नहीं हो पाता था। इस वास्ते जरूरत इस बात की थी कि सेटुल गवर्नमेंट इन मामलात को तय करे और इन रिबर्ज का ठीक तरह से डिवेलपमेंट हो। इसी चीज को मद्दे नज़र रखते हुये जो अब यह बिल पेश किया गया है, उसका मैं स्वागत करता हूँ। हमारे बिधान की एंटीरी ५६ में

यह लिखा गया है कि इन काम के लिये-पातिपामेंट कोई कानून बना सकती है और उस को ध्यान में रखते हुये यह कानून लाया जा रहा है।

लेकिन इसके साथ ही साथ मैं यह भी देखता हूँ कि यह कानून एक वँग शक्त में हमारे सामने लाया गया है। इस तरफ मैं माननीय मंत्री जी का तथा इन सदन का ध्यान खींचना चाहता हूँ। इन कानून को देखने से पता चलता है कि एक हो बोर्ड नहीं बल्कि दो, तीन, चार या उससे भी ज्यादा बोर्ड्स कायम किये जा सकेंगे। लेकिन इन बोर्ड्स का क्या नक्शा होगा उनको कोई खास शक्ल हमारे सामने नहीं रखी गई है। कुछ एक बातें तो सामने आई हैं कि एक बोर्ड होगा जो मन्त्रिबरा देगा और इन तरह की बहुत सी बातें लिख दी गई हैं और कह दिया गया है कि ठजुर्बकार बड़े बड़े आदमी इन बोर्ड्स में लिये जायेंगे जो कि स्कीमें इत्यादि तैयार करेंगे।

अगर ये बोर्ड जो मन्त्रिबरा देंगे उसको स्टेट गवर्नमेंट्स नहीं मानेंगे तो यह भी कह दिया गया है कि मामले को आडिशन के लिये भेजा जा सकेगा और जो बात वहाँ तय होगी, यह फाइनल होगी, इत्यादि।

मैं समझता हूँ कि गवर्नमेंट को हमारे सामने वे स्कीमें जिनके बारे में कि झगड़ा हुआ है या हो रहा है और कितने बोर्ड्स को स्थापना इस वकत उसका करने का विचार है, रखनी चाहियें थीं। गवर्नमेंट को हमें बतलाना चाहिये था कि इन साथ या अगले साथ या अगले पांच साला प्लान में तकरीबन कितने बोर्ड स्थापित करने की उसे आवश्यकता पड़ेगी। साथ ही साथ इन बोर्ड्स पर तकरीबन कितना खर्चा होगा, कितने मेम्बर रखे जायेंगे, कितनी तनस्वाह उनको दी जायेंगी कितना बड़ा सैन्टेटोरियट होगा; उसमें कितना स्टाफ होगा, इन सब बातों के बारे में कुछ भी नहीं बतलाया गया है। अगर यह बतला दिया

[श्री २० द० मिश्र]

जाता तो हमें पता लग सकता था कि इन बोर्ड्स की स्थापना पर कितना खर्च होने की उम्मीद की जा सकती है। इसके बारे में कोई भी पिक्चर गवर्नमेंट ने हमारे सामने नहीं रखी है। मैं समझता हूँ कि गवर्नमेंट को इस सब चीजों को अब भी हमारे सामने पेश कर देना चाहिये। स्टेटमेंट आफ आबजर्वेन्स एंड रीप्लस में दिया हुआ है कि ऐसे बोर्डों की स्थापना करना बहुत जरूरी है। लेकिन इसके बारे में कोई तो नक्शा गवर्नमेंट के सामने होगा चाहिये था और उसे पता होगा चाहिये था कि एक बोर्ड, दो बोर्ड, तीन बोर्ड या चार बोर्ड उसे स्थापित करने हैं और इन पर कितना खर्चा खर्च आयेगा इस चीज को उसे हमें बतला देना चाहिये था। इससे हमें यह पता लग सकता था कि इतना खर्चा हमें खर्च करना पड़ेगा और इतना स्टेट्स को करना पड़ेगा। . . . .

श्री नन्दा : कितने सगड़े होने यह इस वक्त कैसे बतलाया जा सकता है ?

श्री २० द० मिश्र : अब आप प्लानिंग की तरफ जा रहे हैं तो कोई स्कीम या कोई नक्शा तो आपके सामने होना चाहिये और आपको इसका ज्ञान होगा चाहिये कि एक बोर्ड होगा, उसमें इतने इंजीनियर होंगे, इतना स्टाफ होगा, इस तरह का वह मनिवरा देना और इतना खर्चा उस बोर्ड पर खर्च होगा। आपको कुछ तो भ्रन्दवा उस खर्च का होगा और मैं चाहता हूँ कि आप उसे हमारे सामने रखें। उससे हम भ्रन्दवा लगा सकते हैं कि एक बोर्ड पर इतना खर्च होता है तो अगर दो या चार या उससे ज्यादा बोर्ड स्थापित किये जाते हैं तो उन पर कितना खर्च हो सकता है। जब मैं फार्लेन्गट मीमो-रेंडम को पढ़ता हूँ तो उसमें यह लिखा हुआ पाता हूँ :—

The Bill empowers the Central Government to set up River

Boards as and when they are considered necessary. It cannot be said at this stage how many such Boards should be set up and what functions should be assigned to them. Under clause 17 of the Bill the Central Government may pay to the Board in each financial year such sums as it considers necessary for the performance of the functions of the Board. It is not possible to give an estimate of the expenditure which the Board may incur.

गवर्नमेंट को खुद इस वक्त इस चीज का पता नहीं है कि कितना खर्चा आयेगा। मेरी समझ में यह नहीं आ रहा है कि उसे यह चीज क्यों मालूम नहीं है। गवर्नमेंट के पास कोई स्कीम तो होगी कि इस तरह के बोर्ड यह काम करना चाहती है और इतना खर्चा एक बोर्ड की स्थापना पर खर्च आ सकता है। इस मीमोरेण्डम में गवर्नमेंट ने खुद इस बात को कबूल किया है कि उसको पता नहीं कितना खर्चा एक बोर्ड की स्थापना पर आ सकता है। कोई भ्रन्दवा भी नहीं बताया गया है कि एक लाख ही सकता है, १० लाख हो सकता है या एक करोड़ हो सकता है। अब जब हम इन कानून को बनाने जा रहे हैं तो बात पार्लियामेंट को मालूम होनी जरूरी है।

इस बिल की क्लॉज १७ में मोटे शब्दों में यह लिख दिया गया है कि सेंट्रल गवर्नमेंट बोर्ड को खर्चा देगी। क्लॉज १७ इस तरह है।

"The Central Government may, after due appropriation made by Parliament by law in this behalf, pay to the Board in each financial year such sums as the Central Government may consider necessary for the performance of the functions of the Board under this Act."

इसके बाद आप कांस्टीट्यूशन का प्रॉटिकल ११२(३)(जी) देखिये, जिसमें लिखा है :

"any other expenditure declared by this Constitution or by Parliament by law to be so charged."

इस बिल में हमने जो खर्चा खर्च करना मंजूर किया है, वह वाज्जें समझा जायगा और प्रॉटिकल ११३ के मुताबिक जो खर्चा वाज्जें समझा जाता है, वह पार्लियामेंट की बोट के लिये सबमिट नहीं किया जाता है यानी उसके लिये पार्लियामेंट की बोट नहीं ली जाती है और एप्रोप्रिएशन बिल में इसके मुताबिक प्रॉव्जेंट्स भूष नहीं की जा सकती हैं ; इसका मतलब यह है कि इस बारे में पार्लियामेंट की कुल पावरें उन्त हो गई हैं और वे गवर्नमेंट के पास बनी गई यानी गवर्नमेंट इस बिल के मुताबिक बोर्ड पर कितना ही खर्चा खर्च कर दे और वह कन्सोलिडेटेड फण्ड पर चार्ज समझा जायेगा और एप्रोप्रिएशन बिल में बिना बोट के शामिल किया जायेगा ऐसा करना मेरी समझ में ठीक नहीं मालूम देना । मैं यह धारण करना चाहता हूँ कि हमारे सामने कोई स्लीपर पिक्चर नहीं रखी गई है और एक बेग सी स्कीम यहाँ पर रख दी गई है । मैं मिनिस्टर साहब और फ्रान्सेस डिपार्टमेंट की तबज्जह इस बात की तरफ दिखाना चाहता हूँ कि जब कोई इस किस्म का बिल आए, तो उसके फाइनेंशियल मेमोरेण्डम में इस किस्म की बात नहीं होनी चाहिये कि गवर्नमेंट को यह बात मालूम नहीं है कि इस सिलसिले में कितना खर्चा होना बाता है । इस तरह तो इस हाउस के अस्तित्वागत होने जाते हैं । जैसा कि धर्मी प्रोफेसर डी० सी शर्मा ने कहा है, मुमकिन है कि इस बोर्ड में रिटायर्ड आदमियों को रख लिया जाय और उनको इस तरह की पैन्शन मिलती रहे । वह कुदरती बात है कि हर एक प्राइमी यह ब्याहिस करना कि

उसको इस बोर्ड में ले लिया जाये । मिसाल के तौर पर अगर कोई प्राइमी इरिगेशन डिपार्टमेंट में काम कर चुका है, वह चाहेगा कि उसको इस बोर्ड में ले लिया जाय । उन लोगों को नदी बढ़ी तन्हाह दी जायगी और फिर उनका काम क्या होगा ? सिर्फ एडवाइस करना ।

मैं तो इस बारे में कुछ डाउटफुल भी हूँ । इस मामले में असली अस्तित्वागत स्टेट्स के हैं । सेंटर को इन्टर-स्टेट रिवर्ल्ड और रिवर वैलीज के रेगुलेशन के अस्तित्वागत मिलने और वह रेगुलेशन किस किस्म का होगा, इस बारे में कुछ भी साफ तौर पर नहीं बताया गया है । इस बिल की क्लॉज ४ में लिखा गया है :—

"The Central Government may, on a request received in this behalf from a State Government or otherwise, by notification in the Official Gazette, establish a River Board for advising the Governments interested in relation to such matters concerning the regulation or development of an inter-State river or river valley or any specified part thereof and for performing such other functions as may be specified in the notification."

इसमें कोई बात साफ नहीं है । नोटिफिकेशन में क्या स्पेसिफाई किया जायेगा ? इसका कुछ पता नहीं है । स्टेटमेंट आफ भावजेंट्स एंड रीजन्स में कहा गया कि चूँकि स्टेट्स में इस बारे में झगड़े थे, जिसको वजह से डेबलपमेंट के काम में रुकावट आई । मैं यह अर्थ करना चाहता हूँ कि यहाँ पर साफ तौर से नहीं लिखा गया है कि हम उन झगड़ों को तय करने के लिये बोर्ड बना रहे हैं, जहाँ तलाज होगा, बोर्ड उनको तय करेंगे और सब काम को रेगुलेट करेंगे । यह सब छिपी हुई बात है इसको साफ तौर पर जाहिर नहीं किया गया

[श्री २० द० मिश्र]

है, हालांकि आगे चल कर लिखा गया है कि बोर्ड के अस्तित्वागत में यह भी शामिल है कि यह अगड़ों को तय करेगा। संदुल गवर्न-मेंट ने क्लीयरली कोई अस्तित्वाग्र नहीं लिया है कि बोर्ड सब कन्फ्लिक्ट्स को तय करेंगे और इसके लिये यह बोर्ड बनाना है। हमको पुरा नक्सा मालूम नहीं है कि किस तरह का बोर्ड होगा, उस पर कितना खर्चा आयेगा, वह खर्चा कैसे होगा, वगैरह। लेकिन फिर भी मैं यह महसूस करता हूँ कि यह निहायत जरूरी है कि ऐसे बोर्ड बनें, ताकि हमारा मुल्क जल्दी जल्दी तरक्की करे। इसलिये मैं इस बिल का स्वागत करता हूँ मैं मिनिस्टर साहब से दरखास्त करता हूँ कि यह इस बात का ध्यान रखे कि आइन्दा जब इसके रुज्ज बने, तो उन में यह इन बातों को ले आये। मैं वह महसूस करता हूँ कि कम से कम हमको कुछ मीटर दिया जाना चाहिये था कि कहां डेवेलपमेंट हुआ है, कितना हुआ है, क्या रुकावट आई है, क्या अगड़ा पैदा हुआ है, वगैरह। हम जानते हैं कि बिहार में गंडक के बारे में कुछ अगड़ा है।

श्री १० ना० मिश्र (दरभंगा व भागलपुर) : वहां कोई अगड़ा नहीं है।

श्री २० द० मिश्र : झाड़े ही ही जाते हैं। कुछ पैसा लेने देने की बात हो जाती है। मेरे पास इस वक्त पूरे कागज नहीं हैं, नहीं तो मैं आपको पढ़ कर सुना देता। उस अगड़े को तय करने की जरूरत थी। इस बारे में पूरी कंफर्मेशन और एक क्लीयर स्कीम हमारे सामने आनी चाहिये थी, ताकि हम ज्यादा अच्यो तरह अपनी राय दे सकते।

बाखिर में मैं इस बिल का स्वागत करता हूँ। इसमें दो राय नहीं हो सकती है कि एक रिबर बोर्ड होगा चाहिये, क्योंकि यह हमारे मुल्क की तरक्की में बहुत सहायक होगा और डेवेलपमेंट का काम ज्यादा तेजी से आगे बढ़ेगा।

Sbri Nanda: I feel very happy that there is such a keen appreciation of the need and the utility of this measure. This appreciation is shared by all sections of the House. This measure, it is evident, has a very vital bearing on the whole process of development in the country and the pace of its economic progress for a number of years. It concerns itself with some of the basic resources of the nation, resources which are essential for agricultural development and also, to a large extent, for industrial development. So, it is an obligation cast on Parliament and the Government to consider all ways of maximising the utilisation of these resources and to prevent delays of any kind. I recall the circumstances which held up, in several cases, development of rivers and river valleys for a number of years. Then, it would have been possible to endure it but, certainly it is not possible for us to put up with delay of a single month, now. We want more food and more power; we want raw materials. I need not labour that point. I explained it at length when I moved the motion for reference to a Joint Committee.

It is quite true that, under the Constitution, the actual development work of irrigation and power vests in the States themselves. The Constitution, however, visualises also other overriding considerations. There is a federal structure and there are several States. It has also considered the fact that our precious rivers, in a large number of cases, flow through more than one State. Many of our important rivers are inter-State rivers. Therefore, the Constitution envisaged the need for some provision which will enable the State and the Central Government to provide for co-ordinated development of the rivers and the river valleys to obviate delays and to ensure that sound schemes are framed and carried out properly. On the basis of that provision, the scheme of this Bill has been evolved and framed.

6 P.M.

I fully appreciate the feelings of those hon. Members who, having realised the magnitude of this task before us, its tremendous importance for the progress of the nation, look with some misgivings about the structure of the Bill, which provides several stages and steps, and which appears as if it does not give adequate power to brush aside obstacles in the way of quick development of the water resources of the country.

**Mr. Deputy-Speaker:** How long is the Minister likely to take?

**Shri Nanda:** I will take some 10 or 12 minutes more.

**Mr. Deputy-Speaker:** Is the House agreeable to sit for another 15 minutes?

**Some Hon. Members:** No, no.

**Mr. Deputy-Speaker:** But would the House like to continue and have this Bill finished first tomorrow and then take up the States Reorganisation Bill, or should we resume discussion on that Bill first and then take up this Bill after that is concluded?

**Shri L. N. Mishra:** Let us finish it today.

**Mr. Deputy-Speaker:** At least we will say that the reply of the Minister on this Bill might be concluded first tomorrow and then, if we desire, we shall take up the Reorganisation Bill and thereafter clause-by-clause consideration of this Bill.

Then, before we adjourn I have to make another announcement. We have lost one day, yesterday, So it has been decided that we will be sitting on Saturday the 11th to make up for that deficiency.

We will meet on Saturday the 11th also at 11.0 A.M.

**Shri T. B. Vittal Rao (Khammam):** We will sit from 11 to 5.00.

**Mr. Deputy-Speaker:** All right, from 11.0 A.M. to 5.0 P.M. on Saturday. There will be no Question Hour on that day.

6-02 P.M.

The Lok Sabha then adjourned till Eleven of the Clock on Friday, the 10th August, 1956.