

12.33 hrs.

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

**FORTY-SIXTH REPORT**

Sardar Hukam Singh (Bhatinda): I beg to present the Forty-sixth Report of the Committee on Private Members Bills and Resolutions.

**CORRECTION OF ANSWER TO STARRED QUESTION NO 1193**

The Deputy Minister of Finance (Shrimati Tarkeshwari Sinha): In reply to supplementaries on Starred Question No. 1193 answered in the Lok Sabha on the 13th March, 1959, I stated among other things that "a Departmental enquiry was held after this thing was pointed out by the Public Accounts Committee" I understand that a Departmental enquiry in the formal sense of the term was not held but that the matter had been examined in the Department after it was raised by the Public Accounts Committee. As my original reply is likely to create an incorrect impression, I request that it may be suitably corrected.

12.34 hrs.

**INDIAN ELECTRICITY (AMENDMENT) BILL—contd.**

Mr. Speaker: The House will now take up further consideration of the following motion moved by Hafiz Mohammad Ibrahim on the 4th August, 1959, namely—

"That the Bill further to amend the Indian Electricity Act, 1910, as reported by the Joint Committee be taken into consideration"

I understand that out of five hours that have been allotted for all the stages of the Bill, 2 hours and 45 minutes have already been taken up. 2 hours and 15 minutes remain. I fur-

ther understand that the hon. Minister would like to take half an hour for reply. May I know the wishes of the House as to how much time should be allocated for the various stages of the Bill? Shall we conclude the consideration stage now and proceed with the clause-by-clause consideration?

Shri Surendranath Dwivedy (Kendrapara): We may have four hours for the consideration stage and one hour for the other stages.

Mr. Speaker: Very well. So, we shall conclude this stage at 1.45 and I shall call upon the Minister at 1.15. I am told that no hon. Member was in possession of the House when it rose yesterday.

Some Hon. Members rose—

Mr. Speaker: Hon Members will take five minutes each

Shri Naushir Bharucha (East Khandesh): You may extend the time by one hour; it is in your discretion

Mr. Speaker: At the end of the day, I do extend but not during the middle of the day, normally. Very well. I will allow an agriculturist to speak now. Ch Ranbir Singh

श्री० रणबीर सिंह (रोहतक) : अध्यक्ष महोदय, मिलेक्ट्रिकिटी की रिपोर्ट का समर्थन करते हुये मैं यह कहें बगैर नहीं रह सकता कि अभी तक देश में जो बिजली का फैलाव हुआ है, उसमें देहात का बहुत कम हिस्सा है। इस सम्बन्ध में जो कॉमिल बनने जा रही है, उसमें हिन्दुस्तान की सरकार ने पांच नुमायशे नामीनेट करने हैं।

Mr. Speaker: May I know the hon. Members who want to speak?

Some Hon. Members rose—

Mr. Speaker: I find that Shri Braj Raj Singh, Shri P. R. Assar, Shri Jadhav and Shri Harish Chandra

Mathur want to speak. The hon. Members may be as brief as possible.

श्री० रमवीर सिंह : इन हालात को देखते हुये मैं चाहूंगा कि जब तक हिन्दुस्तान का अस्ती फी सदी हिस्सा बिजली के बारे में पीछे है, तब तक इस कौंसिल के पांचों के पांच मेम्बर देहाती हों और खाम तौर पर कास्तकार हो। आप जानते हैं कि आज अजीब हालत है। बिजली की लाइन का खंभा मेरे खेत में है, लेकिन अगर मैं चाहूँ कि अपने खेत की पैदावार को बढ़ाने के लिये एक पम्पिंग सैट का कनेक्शन ले लूँ—जाने दीजिये बिजली के पम्पे को और दूसरे ऐं-आग्राम के मामान को, लेकिन देश की अनाज की समस्या को हल करने के लिये और देश की पैदावार को बढ़ाने के लिये अगर मैं कनेक्शन लेना चाहूँ तो वह मझे नहीं मिल सकता है। हालांकि मैकड फाइव यीअर प्लान में हम बात को माना गया है कि देश में बिजली फैलाने के सिलसिले में फाइनेशियल ऐम्पेकट के ऊपर बहुत ज्यादा जोर नहीं दिया जा सकता और उसको ध्यान में नहीं रखना चाहिये, लेकिन हम देखते हैं कि अगर जहाँ से बिजली जानी है, वहाँ में मेरा खेत दो मील हो, तो कई स्टेट्स में चालीस हजार रुपये पम्पिंग सैट के कनेक्शन के लिये मागे जाते हैं और कई स्टेट्स में बीस हजार रुपये। इन हालात को देखते हुये और जिन तरह से देश को आगे जाना है, उसे सामने रखते हुये, मैं समझता हूँ कि यह जरूरी है कि कौंसिल के मेम्बरो को नामीनेट करते हुये हम बात का खाम तौर पर ध्यान रखा जायें।

जहाँ सरकारी कारखाने और सरकारी इन्डस्ट्री हों, उसको प्रायर्टी देने के बारे में जो क्लॉज को डिलीट किया गया है, उस की कई इन्टरप्रीटेशन्स की जा सकती हैं। वह बुरा बोग है। अगर उसका मतलब यह ले लिया जाय कि सरकार जिसको जरूरतमन्द समझती है, चाहे वह किसी एक आदमी की

जरूरियात हों—मिसाल के तौर पर एक कास्तकार की जरूरियात हों और वह एक पम्पिंग सैट के लिये कनेक्शन चाहता हो—तो उसको भी प्रायर्टी दी जाये, अगर इसलिये उसको डिलीट किया गया है कि सिर्फ सरकारी कारखाने ही उसमें आते थे, तो मैं उसका स्वागत करूंगा। लेकिन इस क्लॉज को अगर इसलिये डिलीट किया गया है कि सरकारी कारखानों को माइक्रोफैक्टरी के कारखाने के बराबर रख दिया जाये, तो वह गलत बात होगी।

जहाँ तक कम्पेन्सेशन का ताल्लुक है, मैं यह कहें बगैर नहीं रह सकता कि जब एक छोटे से कास्तकार की जमीन ली जाती है, तो हम मान की कीमत की एवरेज लगाई जाती है और वह दी जाती है, चहे जहाँ एक एकड़ का मानिक हो और चाहे पांच एकड़ का। जब हम कम्पेन्सेशन देने हैं, तो उममें डिस्ट्रिबुमिन्टेशन क्या? जहाँ एक कारखानेदार को, बिजली के कारखाने के मानिक को, जिनमें काफी लोगों को परेशान किया, काफी रफ्तार कमाया और कोठी बनवाई, कम्पेन्सेशन देने का मबान आता है, तो माकेंट वैल्यू में भी बीस परसेंट ज्यादा देना पड़ना है और दूसरी तरफ हालत यह है कि अगर कोई एक एकड़ जमीन का मानिक है, उम को भी जब कम्पेन्सेशन देने हैं तो हम साल की एवरेज देखते हैं। मैं समझता हूँ कि यह कोई बहुत अच्छा तरीका नहीं है। यह ठीक है कि गायद कुछ दिन के लिये हम उन कारखानों को उनके जरिये चलाना चाहें, लेकिन असल में हमारा जो नुक्ता-ए-निगाह होना चाहिये, वह यह कि अगर बिजली को देश की तरक्की के लिये इस्तेमाल करना है, तो बिजली पैदा करने का काम सरकार के हाथ में होना चाहिये, चाहे वह हिन्दुस्तान की सरकार हो और चाहे सूबाई सरकार को। कुछ दिन के लिये इसको बर्दास्त किया जा सकता है और वह भी इस गार्त पर कि जब यह बिल एकट

[श्री० रणवीर सिंह]

कम जायेगा, तो मौजूदा हालत में सुधार हो सकता है। लेकिन फिर भी यह देखा गया है कि स्टेट इलेक्ट्रिसिटी बोर्डों में जो कौंसिल बनती है, उसमें धाम तौर पर ऐसे जायगी ज्यादा जा जाते हैं, जिनका सीधा या टेढ़ा वास्ता इलेक्ट्रिसिटी अडरटैकिंग से होता है। उसमें वे अपनी बातें मनवाने की कोशिश करते हैं। हम देखते हैं कि जब हाइड्रो-इलेक्ट्रिक स्कीम की बिजली को डिस्ट्रिब्यूट करने का काम किसी कम्पनी को दिया जाता है, तो जिस रेट पर वह बिजली सरकार से लेती है और बाद में जिस रेट पर लोगों को बेती है, उनमें रात-दिन का अन्तर होता है। उस बीच को ठीक करने के लिये भी यह विधेयक लाया गया है, लेकिन वह तभी हो सकता है जब कि कौंसिल में इलेक्ट्रिसिटी अडरटैकिंग का एक भी रिप्रेजेंटेटिव न हो, क्योंकि एक भी रिप्रेजेंटेटिव बहुत अच्छा बुरा कर सकता है। जो देश के मफ़ाद को सबसे पहले रखते हैं, उनकी ही जगह कौंसिल में होनी चाहिये। मैं चाहूंगा कि यह जो व्यवस्था की गई है कि कौंसिल में इलेक्ट्रिसिटी अडरटैकिंग का भी—मालिकों का भी रिप्रेजेंटेटिव होगा, वह भी हटा दिया जाये।

**Shri Supakar (Sambalpur):** Sir, yesterday, the hon. Minister while speaking of the development of electricity between the year 1910 and the year 1957 probably forgot how the Government machinery has not been keeping pace with the development of the electrical undertaking. I will illustrate this by showing how the legislation itself has been wanting in keeping pace with it.

You will see, Sir, that in the year 1948 the Electric Supply Act was passed and in the year 1953 an advisory Board was set up to look into the necessity of remodelling the Electricity Act with a view to meet the developing needs of electrical energy. This Board submitted its report in the year 1954 and made some valuable

suggestions about the way the Electricity Act should be amended. It suggested that a comprehensive Act to cover both the 1910 Act and the 1948 Act should be formulated. But we see that even that recommendation has not been implemented as yet and certain suggestions that are made in that have not been incorporated so far as the amendment of the 1910 Act is concerned.

Therefore, I feel that this amending Bill, though a high claim is made by the hon. Minister that it fulfils the needs of the developing tempo of electrical development, does not go far enough.

Then, the 1948 Act envisaged the setting up of Electricity Boards in the States and in the Union Territories. The hon. Minister said that some of the Union Territories are so underdeveloped that Electricity Boards have not been set up for the Union Territories. Similarly, in some of the States State Electricity Boards have not been set up. This failure to set up State Electricity Boards takes away much of the validity and effectiveness of the 1948 Act, and it therefore hampers the reasonable growth of electrical development in the country.

You will see, Sir, for example, that one of the amendments suggested and on which I have appended a note of dissent is about the doing away with the clause regarding maximum rates. Explaining this yesterday, the hon. Minister said that since section 57 of the 1948 Act and also the schedules attached to it fixed with more meticulous care the basis on which the electrical rates have to be decided it is not necessary to retain any longer the maximum charge that was fixed under the 1910 Act, and therefore clauses X and XI A should be deleted. But in those States where Electricity Boards have not been formed and in those States where the State Governments as such have no time to look into the complaints of the consumers regarding the reasonable rate at which electricity should be supplied, the people

are without any remedy whatsoever. In this connection, the reasons that were put forward by the hon. Minister regarding the non-functioning of State Electricity Boards apply not only to the Union Territories but also to the States where they have not been formed. In those States where they have not been formed, it is suggested that as soon as State Electricity Boards will be formed they will be subject to many restrictions and taxations whereby it will not be profitable for the State Electricity Boards to function and that is why they have not been formed.

When the 1948 Act was in the Select Committee stage, the Select Committee suggested that the State Electricity Boards, which function mainly through some of the officials who have other duties to perform, should be exempted at least from the central income-tax. But that suggestion of the Select Committee on the Bill relating to the 1948 Act was not accepted by the House. Therefore, the State Electricity Boards are subject to all such regulations. That is why the State Governments in some of the States have not formed such Boards.

Since in many of the States section 57 of the 1948 Act and also the Schedule VI attached to it which fix the rates at which the electric supply companies should claim the rate per unit are practically defunct, it is all the more necessary why these clauses X and XI which fix the maximum rates and also section 3 which provide that the maximum and minimum electricity charge should form part of the licence itself should be retained. There should be no inconsistency whatsoever between the maximum and the minimum, or at any rate, at least in relation to the maximum, and also there should be no inconsistency in respect of this maximum and the detailed way of calculating the reasonable rate as provided by section 57 as well as Schedule VI of the 1948 Act.

Now, I will show some inconsistencies between the 1948 Act and this new Act. Apart from the amendments

brought forward to this Bill, there are certain amendments which have been proposed by our Communist friend Shri Panigrahi. He has suggested that, so far as the taking over of electric supply companies is concerned, the basis of acquisition should be the depreciated book value. But the 1910 Act provided that the acquisition should be at the fair market value. So far as the amendment of sections 5, 6 and 7 is concerned, for the acquisition of a private company by the Government, we find that the market value should be taken. This constitutes an inconsistency and this has been emphasized by the report of the Advisory Board for the Indian Electricity Act constituted in the year 1953. It has made pointed reference to this. At page 9 of the report, while suggesting an amendment to the Act, the Board said:

"When a generating station, main transmission line or an undertaking is to be acquired by the Board either under the First Schedule or under the Third Schedule to the Electricity (Supply) Act, 1948, the price to be paid for such acquisition is to be the "depreciated book cost" as laid down in the Fourth Schedule. On the other hand if an undertaking is to be acquired by the Board under sections 5 and 7 of the Indian Electricity Act, 1910 in pursuance of the provisions of section 71 of the Electricity (Supply) Act, 1948, the purchase price is to be the fair market value."

This provision of the 1910 Act is sought to be amended by this new clause. The same standard of market value is retained whereas the 1948 Act retains the depreciated book value. There is thus some justification for the amendment sought to be moved by our Communist friend that the depreciated book value should be the proper standard so far as the acquisition of the electric supply companies is concerned.

Of course, the Board itself has suggested that the 1948 Act should be

[Shri Supakar ]

amended to bring it in line and to make both the Acts, the 1910 and the 1948 Acts tally. In the 1948 Act also, it is said that the depreciated book value should be the proper standard for acquisition. But as it is, so far as the 1948 Act is concerned, it is not contemplated that there should be an amendment. I think that this amendment should be accepted.

Another thing to which I may draw the attention of the hon. Minister is the official amendment that he proposes to move regarding section 5. He proposes to do away practically, with the different categories in clause 7 of the amending Bill. In clause 7, he wishes to delete practically lines 1 to 6 at page 6, thereby perhaps oversimplifying the legislation on this point. But here also probably the hon. Minister has failed to take into consideration the distinction between the case when an undertaking is sought to be acquired after it has worked for a certain time and the case where it is sought to be acquired ab initio before the security is deposited.

In this connection I may refer again to page 17 of the report of the Advisory Board where the reason for this distinction is elaborated. It is said

"The provision for revocation on the grounds set out in existing section 4(1) (c), has been separated and put in this new subsection. The procedure prescribed in existing section 5 for finding a new licensee on revocation had to be followed in all cases of compulsory revocation including revocation for failure to deposit security or to satisfy Government that the licensee was in a position to discharge his duties and obligations. Clause 1 of the Schedule makes it clear that the licensee has to fulfil these two conditions before he is permitted to exercise any of his powers in relation to the execution of works. Where he fails to fulfil them, there would

normally be no works to value and sell and no necessity to follow the special procedure laid down in existing section 5. All that is required, therefore, is a provision to enable the Provincial Governments to cancel the licence when these two initial conditions have not been fulfilled."

So, the consequence of the oversimplification as suggested by the proposed amendment of the hon. Minister would perhaps result in complications in cases where the proposed licensee has not undertaken any work and his licence could be terminated without any detriment either to himself or to the Government. I hope in moving the amendments the hon. Minister will take these points also into consideration.

श्री आसकर (रनागिर) उम बिल पर फिट्टे अडवशन म भी चर्चा हा चुकी है और वन म इन वार भा चर्चा हा रही है। इसम एक बात यहा भी बतनाई गई है कि यह बिल जिन रूप मे आया है उसमे भी अविश्व विस्तृत और एक्त्रिन रूप म बिल लाया जा सकना था जिनम उपभोक्ताओं को आसानी से और सस्ती बिजली मिल सके। इसम एक बात और कही गई है कि कुछ विविध स्थानो मे ६ के बदले २ आदमियो की माग पर भी बिजली दी जायेगी। यह बात ठीक है परन्तु जब हम खेती को बढ़ावा देना चाहते है तो भी अगर किसी स्थान पर दो आदमी भी न मिले तो एक आदमी की माग पर हम नियम के अनुसार उसको बिजली नहीं मिलेगी। इस बारे मे मेरा यह सुनाव है कि जब खेती के लिये बिजली देनी हो तो एक की माग पर ही आपको उमे बिजली देनी चाहिये। लेकिन इस सुबिया के होने के बाद भी दूसरी दिक्कत यह है कि यदि कही पर स्पेशल लाइन बिछानी हो तो उसके लिये १५ परसेट चार्ज कम्प्युमर को देना

पड़ेगा। इस चीज को कम करना चाहिये। जब हम एक तरफ खुद ट्यूबवेल बना कर खेती को ग्राम स्थान देना चाहते हैं तो कारखानों की मांग की स्थिति को देखते हुये १५ परसेंट बहुत ज्यादा है और इसको कम करना चाहिये।

स्टेट एलेक्ट्रिक बोर्ड बनाये गये लेकिन कमी कमी स्टेट एलेक्ट्रिक बोर्ड खुद भी काला बाजार करने है। इस काले बाजार को रोकने के लिये कोई इलाज नहीं किया गया है। मैं एक उदाहरण देना चाहता हूँ। हमारे यहाँ कोयना प्रोजेक्ट का काम चल रहा है, उसके नजदीक चिपलून नाम का शहर है। पहले वहाँ एलेक्ट्रिक ग्रिड का पावर-हाउस था, लेकिन ग्रिड पावरहाउस को बन्द करके उस शहर को कोयना प्रोजेक्ट पावरहाउस से बिजली दी जाती है। लेकिन चिपलून शहर में बिजली के दाम अब तक कम नहीं किये गये। कोयना में बिजली ६ आ० यूनिट के हिसाब में दी जाती है और वहाँ से दस मील दूर शहर में ८॥ आ० यूनिट के हिसाब से दी जाती है। मुझे पता लगा है कि बाम्ब एलेक्ट्रिक बोर्ड में कोयना प्रोजेक्ट से २॥ आ० यूनिट के हिसाब से बिजली ली है और इस का कट्टा हुआ है। क्या मंत्री जी बतलाने की कृपा करेंगे कि २॥ आ० यूनिट से बिजली लेना और ८॥ आ० यूनिट के हिसाब से बेचना काला बाजार नहीं है तो और क्या है? अगर यह काला बाजार है तो आविर इसके बारे में कड़ा सिकायत करनी चाहिये, इसके बारे में इस बिल में कोई स्पष्ट सुझाव नहीं है जो कि होना चाहिये।

19 hrs.

मंत्री जी ने बताया है कि बिजली पिछड़े हुए लोगों को, छोटे उद्योगों व खेती और फलों के बागानों को बढ़ाने के लिये दी जायेगी। लेकिन यह तो मंत्री जी का मौलिक भावसाधन 143 I.S.—6.

है। इस बिल में इसके लिये कौन सी धारा है। इसे पूरने का कारण यह है कि हमारे यहाँ कोयना प्रोजेक्ट का काम चल रहा है, जो कि भारतवर्ष में सब से बड़ा प्रोजेक्ट है, लेकिन इस प्रोजेक्ट की बिजली दुर्भाग्य से हमारे जिले को मिलने वाली नहीं है। जैसे कल एक माई ने कहा था कि बिजली है, वह हमारे स्थान पर से जाती है, हमारे ऊपर से लादने ले जाई गई है, लेकिन हमारे जिले के लिये बिजली नहीं है। जो भी कुछ इस तरह से हो रहा है वह ठीक नहीं है इसलिये इस पर ध्यान दिया जाना चाहिये।  
(Interruption) I am speaking of Rat-

naguri District. रत्नागिरि डिस्ट्रिक्ट के बारे में मैंने पता लगाया, तनाश करने के बाद मालूम हुआ कि हमारा बिजली केवल चिपलून शहर को मिलने वाली है, रत्नागिरि के अन्य भागों को मिलने वाली नहीं है। हमारा जिला पिछड़ा हुआ है। हम बिजली बैंकवर्ड एरियाज को देना चाहते हैं तो रत्नागिरि डिस्ट्रिक्ट बहुत पिछड़ा हुआ क्षेत्र है, वह दुर्गम प्रदेश माना जाता है। आज वहाँ छोटे छोटे उद्योगों की आवश्यकता है लेकिन छोटे छोटे उद्योगों को खोलने की आवश्यकता होते हुये भी हमारे पास बिजली नहीं है। थोड़े दिन पहले मैंने अपने उद्योग मंत्री के साथ बातचीत की थी और बताया था कि हमारे यहाँ उद्योगों को खोलने की आवश्यकता है। उन्होंने कहा कि उद्योग तो खुल सकते हैं लेकिन वहाँ पर बिजली नहीं है। इस स्थिति को देखते हुये भी जो हमारा पिछड़ा हुआ इलाका है उसके लिये बिजली की सुविधा नहीं है। मेरा यह सुझाव है कि अगर कोयना प्रोजेक्ट की बिजली बीजापुर तक जा सकती है जो कि ४०० या ५०० मील दूर है तो क्या रत्नागिरि डिस्ट्रिक्ट को जो कि कुल ६० या ७० मील की दूरी पर है बिजली मिलना ठीक नहीं है। इस पर मंत्री महोदय ध्यान दें और यह धोषणा कर कि रत्नागिरि डिस्ट्रिक्ट को बिजली मिलेगी। मैं यहाँ पर कहना चाहता हूँ कि

[श्री मासुर]

इतना ही नहीं कि वहा लै लाईन जा १ हे वहा के शहरों में ही बिजली लगे बल्कि वहा के गांव गाव को बिजली देने की व्यवस्था होनी चाहिये। इस चीज पर बहुत मम्मीरता से विचार करने की आवश्यकता है।

सेक्शन ५ के सब-सेक्शन २ के अनुसार जब कोई क्लर्न स्टेट गवर्नमेंट होती है तो मने उस की कीमत के बारे में विगैब किया है क्योंकि बिल में लिखा है

"Shall be the market value of the undertaking at the time of purchase"

मेरी दृष्टि से यह गवत बात है। इस का लाभ क्लर्न वाले उठावगे। इतना ही नहीं, क्लर्न की जो प्रोरिजनल कीमत होगी उस कीमत से भी बहुत ज्यादा दुगुनी, तिगुनी कीमत ली जानी है। इस बारे में मेरा विरोध है प्रीर में मममता है कि यह भाव वैल्यू नहीं होती है। उस की जो कास्ट प्राइम है उस पर डिप्रि-सिएशन कम करने के बाद जो बुक वैल्यू थावे, उसके अनुसार कीमत दी जानी चाहिये नहीं तो कग्शन ज्यादा होगा प्रीर ज्यादा कीमत दी जायेगी। इस का प्रभाव उद्योग धर्मों पर पडगा प्रीर उन को बिजली महंगी पडेगी। इन पर अवश्य ध्यान दिया जाना चाहिये। जितने सदस्य यहा पर बोले हैं लगभग सभी ने यह सुझाव रक्खा है कि मार्केट वैल्यू न दे कर डिप्रिसिएशन बगैरह कम कर के बुक वैल्यू देने की आवश्यकता है। मेरा भी यही विचार है कि यही ठीक रहेगा।

हमारे रूपकार जी ने कहा कि स्टेट एलेक्ट्रिसिटी बोर्ड उपभोक्ताओं पर अच्छी तरह से ध्यान नहीं देता। कई भाई ऐसे हैं जो कि शिकायतें करते हैं, लेकिन उस

शिकायत का संबोध देने या उस शिकायत को दूर करने का प्रबलन स्टेट एलेक्ट्रिसिटी बोर्ड की तरफ से नहीं किया जाता। इस का एक उदाहरण तो बेलगांव में ही पाया जाता है। बेलगांव में आज तीन चार वर्षों से झगडा चल रहा है, अनेक ऐलिकेशन्स भेजी गईं, बहुत लिखा पढ़ी की गई, तो पहले तो स्टेट एलेक्ट्रिसिटी बोर्ड ने जवाब नहीं दिया, पांच छ पत्र लिखने के बाद उसने कहा कि आप का पत्र ही नहीं मिला। उस के बाद एक प्रीर पत्र लिखा गया तो उस पर यह उत्तर आया कि हम इस मामले में इंटरकिंगर नहीं करना चाहते। मैं समझता हू कि जब एक बार दो बार, तीन बार एलेक्ट्रिसिटी के दाम बढ़ा दिये जाते हैं तो उसके बाद प्रीर उसके दाम बढ़ाने हों तो उस के लिये स्टेट एलेक्ट्रिसिटी बोर्ड की न बढ़ाने दे कर एक रेटिंग कमेटी नियुक्त की जाय प्रीर वह कोई फैसला करे। अभी यह चीज लाइसेन्सी पर छोड़ दी जाती है, इस का परिणाम यह होना है कि लाइसेन्सी हर मामले में जीत जाना है प्रीर उपभोक्ताओं को परेशानी होनी है। इस बारे में खास तौर से ध्यान देने की आवश्यकता है।

जो स्टेट एलेक्ट्रिसिटी बोर्ड बने हुये हैं। हर एक बोर्ड में उपभोक्ताओं का प्रतिनिधित्व होना चाहिये। इन बारे में इस बिल में कोई नुबिवा नहीं है। इस दृष्टि से भी विचार करना बहुत आवश्यक है। इन के बाद मेरा यह सुझाव है कि स्टेट एलेक्ट्रिसिटी बोर्ड के अन्दर उपभोक्ताओं की प्रीर से एक या दो प्रतिनिधि ऐसे होने चाहिये जो कि उपभोक्ताओं की शिकायतों को अपने मामले रखे। इन तीन चार बानों पर विचार करके मंत्री जी को आवश्यक समझे उसे करे

श्री ब्रजराज सिंह (फिरोजाबाद) : अध्यक्ष महोदय, जब दूसरे कानून में संशोधन

हो रहा था उस वक्त चाहिये था कि सरकार सारे देश में किस प्रकार बिजली फैलायेगी, खास तौर से पिछड़े हुये एरियाज में, इस पर भी विचार किया जाता और ऐसे कदम उठाये जाते जिस से उन लोगों को बिजली मिल सकती जिन के लिये सारी पंचवर्षीय योजना चलाई जाती बताई जाती है। कहा जाता है कि पंचवर्षीय योजना चल रही है जनता के लिये, लेकिन बिजली की जो पैदावार हो रही है, उस का जो विनरण होता है वह कुछ थोड़े से आदिमियों के लिये कर दिया जाता है और सदन में बार बार यह बात उठाई गई है कि जो लोग अन्न पैदा करते हैं उन लोगों के लिये या जो छोटे उद्योग बंधे चलाते हैं उनके लिये बिजली देने के सम्बन्ध में सरकार की तरफ से कोई विशेष सुविधा दी जानी चाहिये। बार बार यह बात कहा जाती है सदन में, और बाहर भी, लेकिन जब भी सरकार द्वारा बिजली देने का प्रश्न आता है तो बड़े पैमाने पर बिजली देने वाले कुछ ऐसे लोगों को देते हैं जो बड़े बड़े उद्योगपति हैं, उद्योग चलाने वाले हैं। उतार प्रदेश में रिहन्द बाध से बिजली पैदा की जाने वाली है वहा एक बहुत बड़े उद्योगपति को बहुत सी बिजली देने का अभी से करार कर लिया गया है और जो चीज आम जनता को जानी चाहिये थी उसके पास उसके जाने का प्रश्न उठेगा ही नहीं। इसी तरह में देश के दूसरे भागों में इस तरह की बाने चल रही हैं।

ये निवेदन करना चाहूंगा कि सरकार इस बात का ध्यान रखे कि जो हमारे यहां बिजली पैदा हो रही है उस बिजली को उन लोगों के लिये सुलभ करने के लिये कदम उठाये जो कि देश में नये उत्पादन कार्य आरम्भ करना चाहते हैं—जो कि देश का औद्योगीकरण करना चाहते हैं और देश के खाद्यान्न की पैदावार बढ़ाना चाहते हैं। मंत्री महोदय की तरफ से यह

भावना है कि वह राज्य सरकारों से खेती के लिये बिजली सुलभ करने के लिये कहेंगे काफी नहीं होगा। उसके लिये जो निश्चय रूप से कोई कानून बनाना चाहिये जिसमें व्यवस्था हो कि किमी एक पास रेट में ऊपर खेती के कामों के लिये बिजली पर चार्ज ही नहीं किया जायगा। पहले के नियम के अनुसार जब ६ आदमी मिलकर बिजली के लिये प्रार्थना पत्र देते थे तो किमी एक नई जगह के लिये बिजली मिल सकती थी। अब ६ की जगह पर दो आदिमियों द्वारा बिजली कनेक्शन के लिये गुंफलाई करने की व्यवस्था कर दी गई है लेकिन उनसे कोई फ़र्क नहीं पड़ेगा। १५ परसेंट तक का खर्चा उनको ही उठाना होगा और दो साल की गारन्टी रहेगी। अभी हालत में उमका कोई अर्थ नहीं रह जाता। पहले ६ आदमी १५ परसेंट देते थे और अब जो २ ही आदमी कर दिये हैं तो अब उन दो ही आदिमियों को यह १५ परसेंट का खर्चा उठाना पड़ेगा। दो साल तक उन्हें और अधिक छपया देना पड़ेगा। वास्तव में अगर इमको देना था तो पता लगेगा कि जो बिजली के शक्तिवादी करने वाले उपभोक्ता हैं, छोटे छोटे उद्योगपति अथवा छोटे छोटे बंधे चलाने वाले लोग हैं उनको उससे कुछ फायदा नहीं पहुंचेया और दो साल तक १५ परसेंट तक की गारन्टी करनी पड़ेगी। जो पहले से बिजली मस्थान चले आ रहे हैं उन बिजली मस्थानों को उनका ठेके का वक्त खत्म होने पर यदि सरकार लेना चाहे तो उसको बाजार की कीमत पर लेना पड़ेगा, व्यवस्था यहा तक की गई है बाजार की कीमत के ऊपर भी २० परसेंट तक का अतिरिक्त मूल्य दिया जा सकता है अगर आप उन प्राइवेट बिजली संस्थानों को देखें तो आपको मालूम हो जायेगा कि जितनी पूजी लेकर उन्होंने काम आरम्भ किया था उससे कहीं अधिक वे कमा चुके हैं। इसके अलावा यह भी ध्यान रखना



[श्री राजराज, सिंह]

चाहिये कि जिस वक्त उन्होंने पूंजी लगाई थी उस पूंजी की डेप्रीशिएशन लगाने के बाद अब वह कितनी रह जाती है। आज बाजार मूल्य की बात कही जाय और यह कहा जाय कि उस पर २० फीसदी प्रतिरिक्त मूल्य दिया जायगा तो इसके साफ माने यह है कि एक तरफ तो बिजली उपभोक्ता है, छोटे किसान अथवा उद्योगपति है उनको बिजली देने के लिये १५ परसेंट की दो साल तक की गारंटी दी जायगी और दूसरी तरफ उन प्राइवेट बिजली कम्पनियों को यदि सरकार अपने हाथ में लेना चाहे तो उसके लिये हमें आज की बाजार की कीमत देनी होगी और २० फीसदी और प्रतिरिक्त मूल्य देना पड़ेगा। इससे साफ प्रकट हो जाता है कि सरकार किनी भी सुरत में जो प्राइवेट बिजली स्थानों के मालिक हैं उनको कोई किनी तरह का नुकसान नहीं पहुंचाना चाहती। उनको तो सरकार अप्रत्यक्ष रूप से लाभ पहुंचाना चाहती है। लेकिन मैं सरकार में कहना चाहता हूँ कि यह तरीका मुक्त को बनाने और उसमें विद्युत्करण करने का नहीं है। बिजली आज पंखों, रोजनी, गरम पानी और ठंडे पानी के लिये इतनी महत्वपूर्ण नहीं है जितनी कि देश में खाद्यान्न का उत्पादन बढ़ाने में वह सहायक हो सकती है। आज बिजली की सहायता से देश में औद्योगिकरण किया जा सकता है और देश में आम की पैदावार बढ़ायी जा सकती है। इसलिये आपकी इस तरह की दलील देना कि हमारे पास उन प्राइवेट बिजली कम्पनियों का राष्ट्रीयकरण करने के लिये पर्याप्त साधन अथवा रूपया नहीं है, ठीक नहीं है। मैं बड़े विनम्र शब्दों में यह कहना चाहूंगा कि यह सब थोपी दलील है क्योंकि सवाल बाजार कीमत का नहीं है। आज हम जानते हैं कि इनफ्लेशन का जोर है, मुद्रा-स्फीति का जोर है, और आज के जमाने

में पहले जो कीमते होती थीं उनकी ४ गुनी और ५ गुनी हो गई हैं। १० गुनी तक हो गई हैं। बाजार मूल्य के ऊपर २० फीसदी का प्रतिरिक्त मूल्य देना तो किसी तरह न्यायसंगत नहीं है। इसके तो साफ माने यह हो जाते हैं कि हम उन प्राइवेट बिजली संस्थानों को अपने हाथ में लेना नहीं चाहते हैं। मैं निवेदन करूंगा कि सरकार इस पर पुनर्विचार करे। अभी चूकि यह संशोधन विधेयक ही है और ही सकता है कि इस पर विचार न किया जा सके लेकिन मैं चाहूंगा कि सरकार प्रायों के लिये ध्यान रखे कि यदि मुक्त को नये सिरे से बनाना है और पंचवर्षीय योजना को सफल बनाना है तो आपकी बिजली के सर्वाधिक महत्व को ध्यान में रचना होगा। बिजली का इस मामले में बहुत महत्व है और हमें इस बात के लिये प्रयत्नशील होना पड़ेगा कि बिजली गांवों में, किसानों के पास और छोटे छोटे उद्योग वर्गों के बनाने वालों को मुलभ हो सके और सस्ती दर पर मुलभ हो सके। हमें यह देखना होगा कि बिजनी थानी बड़ी बड़ी कोठियों, दस्तारों आदि में रोशनी, पंखों और बगनों को ठंडा और गर्म करने के लिये ही इस्तेमाल में न प्राये बल्कि वह हमारे देहात के किसानों और सर्वसाधारण को जनोपयोगी कार्यों के लिये सस्ती दर पर मिल सके। बड़े बड़े शहरों में बिजली का इस्तेमाल हमेशा दिवाली मनाने के लिये कर के देश का निर्माण नहीं हो सकता और देश प्रगति नहीं कर सकता। बिजली ऐशें आराम की बीज बन कर न रह जाय। बिजली का सही उपयोग तभी हो सकता है जब हम इससे कुछ मौलिक परिवर्तन करें। हमें देखना होगा कि गांवों के अन्दर दूरबैल आदि चलाने के लिये लोगों को सस्ती व मुनासिब दर पर बिजली मिले।

आज जब हम मिनिस्टर सैंड्रीवय के मुंह से यह सुनते हैं कि प्राइवेट बिजली कम्पनियों

का राष्ट्रीयकरण करने की उनमें सामर्थ्य नहीं है तो बोगा भक्तोस होता है क्योंकि इस तरह की निराशापूर्ण बातें कह कर हम उन प्राइवेट बिजली कम्पनियों को और मनमानी और मुनाफा उठाते जाने के लिए प्रोत्साहित करते हैं। एक जमाना था जब कुछ इसी तरह की बातें हमारे लिये भयोज्य शासक कहा करते थे। भयोज्य कहा करते थे कि हिन्दुस्तानियों से आजाद होकर अपने देश का कामकाज बनाने का क्षमता नहीं है लेकिन समय ब सिद्ध कर दिया कि उनका ऐसा कहना कितना गनत था। ठाक वही भयेजा वाली बात हमारी भारतीय सरकार द्वारा कही जा रही है। बिजली के प्राइवेट सम्पत्तियों का राष्ट्रीयकरण करने की हम में सामर्थ्य नहीं है। मेरा कहना यह है कि अब वक्त आ गया है जब हम भारत समस्या पर पुरो तरह से साचना पड़ेगा। आखिर कब तक हम हाथ पर हाथ धरे बैठ रह सकते हैं? सरकार को बिजली मन्त्र। दर पर जनता का किसानों को और सवभारण का सुलभ करने का सक्रिय प्रयत्न करना चाहिए। अगर हम वक्त कुछ नहीं किया जा सकता तो जल्दी से सन् १९४८ के कानून का लेंते हुए और इस कानून को भी लेंत हुए पुनर्विचार करके एक दूसरा कानून लाय जिसमें सारी व्यवस्था पर पूरे तरीके से विचार किया जाय। और यह साचा जाय कि हम जा कुछ कर रहे हैं उससे क्या देश के उत्पादका को फायदा हान वाला है या बिजली सन्धाना को फायदा हान वाला है। आज हकीकत यह है कि प्राइवेट बिजली कम्पनिया एक इंच भी पीछे दबने को तैयार नहीं है। आज वक्त की पुकार है कि हम उन प्राइवेट कम्पनियों की मुनाफाखोरी को रोकें। मुझ विश्वास है कि अगर उन कम्पनियों के बारे में जाच की जायगी तो पता चल जायगा कि जितनी पूजी से उन्होंने अपना काम शुरू किया था उससे कहीं ज्यादा वे अब तक कमा चुकी हैं। मैं मानता हू कि सारे देश भर के लिए हम एक यूनिफार्म

बिजली की दर नहीं तय कर सकते क्योंकि जाहिर है कि जिस स्थान में बिजली पैदा होती है वहां पर बिजली सस्ती मिलेगी बनिस्वत उस जगह-के जो २०० मील की दूरी पर है क्योंकि जाहिर है कि वहा तक लाइन डालनी पड़ेगी और खर्चा भायेगा और दूरी के स्थान पर बिजली की दर कुछ ऊंची होगी। लेकिन इसके लिए भी मेरा कहना है कि सरकार इसका ठीक से हिसाब लगा कर देखे कि जिस स्थान पर बिजली बट रही है और वहा जो बिजली की दर है उसको देखते हुए वहा में २०० मील की दूरी पर जहा कि पाइप लाइन के जरिये बिजली पहुंचायी जा रही है वहा पर बिजली की दर क्या रखनी जाय। आजकल देखने में आता है कि बहुत सारे खर्चा डाइरेक्टरों की लम्बी-लम्बी तनखाहो, भत्ता और उनके दफ्तरो को ठंडा गर्म करने में हो जाता है और उसका भार उपभोक्ता को उठाना पड़ता है। इसलिए हिसाब लगाकर यह निश्चित किया जा सकता है कि उस स्थान पर जहा कि लाइन ले जाई गई हैं उनमें होने वाले खर्च को देख कर एक निश्चित माप से अधिक वहा पर बिजली की दर नहीं होगी। एक साम मुनाफा लिया जायगा और प्रशासन का ज्यादा होने वाला खर्च उसमें शामिल नहीं किया जायगा। कोशिश यह की जानी चाहिए कि वितरण की जो दरे हो व कम हों। जो भी हिसाब लगकर दर बिजली की निश्चित की जाय उससे बिजली की ज्यादा कमत उपभोक्ताओं से लेन का कोई सवाल नहीं होना चाहिए।

मुझे आशा है कि मैंने जो कुछ निवेदन किया है सरकार उस पर गंभीरता से विचार करेगी और अगर अभी उसके लिए कुछ करना सम्भव न हो तो वह शीघ्र ही सदन के सामने कोई एक दूसरा बिल लायेगी जिसमें कि वह इस कानून और सन् ४८ के कानून को सम्मिलित कर देगी और उस पर इस सदन में विचार किया जायगा कि कौसे सुल्क के जो

[श्री बृज राज सिंह]

घराली उत्पादक हूँ चाहे खेती के क्षेत्र में हों चाहे उद्योग के क्षेत्र में हों उनको हम कैसे फायदा पहुँचा सके और सस्ती दर पर पर्याप्त बिजली सुलभ कर सके ।

श्री आश्व (मालेगाव) माननीय अध्यक्ष महोदय, जिस समय पहले यह बिल सदन के सामने आया था और इसको ज्वाइंट सिलेक्ट कमेटी को भेजा गया था, उस वक्त यह चाहा गया था कि उस बिल में बहुत परिवर्तन हों, लेकिन दुःख के साथ कहना पड़ता है कि इस बिल का जो प्रिम्बल है, उस प्रिम्बल में यह बिल बनाने का हमारा मकसद क्या है, इसको अच्छी तरह से नहीं बताया गया है । जैसे शिपिंग के बारे में मकसद बताया गया, एटामिक पावर के बारे में हमारा मकसद बताया गया, वैसे ही इस बारे में हमारे कानून बनाने का मकसद क्या है यह बताया जाता तो बहुत अच्छा होता ।

लेनिन ने अपने देश को बनाते वक्त कहा था Democracy and electricity is socialism यह बात भ्रमण है कि रूस में डिमाक्रेनी नहीं रही इलेक्ट्रिसिटी है । लेकिन मैं कहना चाहता हूँ कि एक देश के बनाने में इलेक्ट्रिसिटी कितनी महत्वपूर्ण रखती है । किसी देश में औद्योगिक तरक्की कितनी है यह जानने के लिये उस देश में बिजली का कितना इस्तेमाल किया जाता है यह देखा जाता है । जवाहरलाल जी ने कहा है कि और दुनिया प्रभुयुग में है, लेकिन हम गोबर की कीमत भी नहीं जानते हैं । मैं कहना चाहता हूँ कि हमारी गवर्नमेंट गोबर की कीमत भी नहीं जानती और बिजली की कीमत भी नहीं जानती । हम ने पहली पंचवर्षीय योजना बनाई, दूसरी पंचवर्षीय योजना बनाई और अब तीसरी पंचवर्षीय योजना बनाने जा रहे हैं पर हम यह नहीं कर सके कि जो बिजली पैदा होती है इसका हम राष्ट्रीयकरण या समाजीकरण कर सकते

जा रहे हैं । मैं कहना चाहता हूँ कि इस बारे में गवर्नमेंट को ठीक कदम उठाना चाहिये या और चाहिए या कि इसी बिल के प्रिम्बल में गवर्नमेंट हमारा यह मकसद जाहिर कर देती । यह बात माननीय मंत्री जी आपके सामने रखेंगे ऐसा मैं कहना चाहता हूँ ।

प्राज गवर्नमेंट बड़े-बड़े डैम बना रही है । उनमें से जो हाइड्रो इलेक्ट्रिसिटी पैदा होती है उसका इस्तेमाल कहा होना चाहिए इसके बारे में गवर्नमेंट ने कुछ अपनी नीति नहीं बनाई है । अभी अभी श्री घासर जी ने कहा कि कोयला से जो बिजली पैदा होने वाली है उसका इस्तेमाल उस डिस्ट्रिक्ट के किसानों के लिए और छोटे उद्योग चलाने वालों के लिये होता जहाँ से वह गुजरने वाली है, तो उचित होता । मैं मानता हूँ कि कुछ लोगों को भी वह बिजली दी जायेगी, लेकिन ज्यादा से ज्यादा उम बिजली का इस्तेमाल बम्बई के जो करोड़पति हैं उनके घरों के लिये उनको फायदा पहुँचाने के लिए होना चाहिए । इसके बारे में गवर्नमेंट को अपना खास धोरण ले करना चाहिए । इतना ही नहीं, हमारे हिन्दुस्तान में जो बड़ी बड़ी नदियाँ हैं उन नदियों में कितनी बिजली पैदा करने की ताकत है, इसका सर्वे होना चाहिए और वह सर्वे करने के बाद इस बात को उठाना चाहिए कि ज्यादा से ज्यादा बिजली हम हाइड्रल पावर में पैदा करे ताकि उसका इस्तेमाल हम अपने किसानों के फायदे के लिए कर सकें । प्राप जानने हैं कि किसान को घनाज पैदा करने के लिए कितना परिश्रम करना पड़ता है, रात दिन मेहनत करनी पड़ती है । वह पूरा घनाज तभी पैदा कर सकते हैं जब हम उनकी सारी जरूरतों को पूरा करें ।

कई माननीय सदस्यों ने बहुत कहा है कि इर्रिगेशन के लिए हमें बिजली देनी चाहिए । उन्नीसवीं सदी को हम बाष्प की लकीरें

सकते हैं, लेकिन बीसवीं सदी हमारे हिन्दुस्तान में बिजली की सदी बननी चाहिए। हमको ज्यादा से ज्यादा पावर किसानों को देनी चाहिए। जो छोटे-छोटे इन्जिन डीजल से चलने वाले हैं उनका इस्तेमाल बहुत लोक नहीं जानते हैं और उनको उसका बहुत दाम भी देना पड़ता है। लेकिन अगर हम किसानों को बिजली दे सकें तो उनको उमरें बहुत फायदा होगा। अगर गवर्नमेंट यह बात अपने सामने रखेगी तो बहुत अच्छा होगा।

दूसरी बात में यह कहना चाहता हूँ कि जितनी जल्दी स्टेट इलेक्ट्रिसिटी बोर्डम् सब स्टेट्स में बनने चाहिए ये वे नहीं बने। जैसा मैंने कहा, और जैसा कि दूसरे ग्रान्तीय सदस्यों ने कहा है सरकार को किसानों को और छोटे धन्धों को बिजली देने की तरफ जल्द ध्यान देना चाहिए। आप देखते हैं कि ज्यादा से ज्यादा सांग शहरों में एकत्र हो रहे हैं। वे लोग वहाँ क्यों जाते हैं? इसका कारण यह है कि देहात में उनके पास पूरे बाल भर खेती में काम करने को नहीं होता। वह तीन चार महीने खेती पर काम करते हैं, बाकी दिन उनके पास काम नहीं रहता। इसलिए वे काम की तलाश में देहात को छोड़ छोड़ कर बड़े शहरों में चले जाते हैं। उत्तर प्रदेश से लोग बम्बई अपनी रोजी रोटी कमाने के लिए जाते हैं। वह वहाँ क्यों जाते हैं? इसका कारण यही है कि उनको अपनी खेती में ज्यादा फायदा नहीं होता, काफी पैसा नहीं मिलता। इसलिए वे चले जाते हैं। अगर उनके लिए देहात में खेती के काम के बाद छोटे छोटे धन्धे करने के लिए हों तो वे वहाँ ठहर सकते हैं और अपने गांव का नक्सा बदल दे सकते हैं। मैं भालेगाव में जाता हूँ। वह एक महादूर गांव है। मैंने वहाँ के बुनकरों की हालत सन् १९२९-३० में देखी थी जब वे हाथ में लूम चसाने का काम करते थे और वहाँ बिजली नहीं थी। आज वहाँ के लोगों

को बिजली मिलने लगी है। और वह पावर का इस्तेमाल करते हैं। अब गांव का नक्सा ही बदल गया है। उन लोगों की जिन्दगी ही बदल गई है। हर घर का हर भादमी, छोटे बच्चे में लेकर बूढ़ा तक काम करना है और अपनी रोजी रोटी अच्छी तरह कमाता है। इसके मानी यह है कि अगर लोगों को मोटिव पावर मिल जाती है तो वह अपनी जिन्दगी को सुधार सकते हैं। इसलिए मैं कहना चाहता हूँ कि किसानों को और देहात में छोटे धन्धे करने वालों को बिजली मिलनी चाहिए। इसकी तरफ सरकार को ध्यान देना चाहिए।

13.26 hrs.

[MR. DEPUTY SPEAKER in the Chair]

दूसरी बात में यह कहना चाहता हूँ कि सरकार को कज्युमस के हितों का भी संरक्षण करना चाहिए। इलेक्ट्रिक कम्पनियाँ जिस प्रकार बिजली का वितरण करती हैं उसको सरकार नहीं देखनी है। मुझे मालूम है कि इगतपुरी में रेलवे की सरप्लस इलेक्ट्रिसिटी ट्रेक्शन के लिए दी गई थी। उसमें से कम्पनी को बिजली डायै आने प्रति म्युनिसिपैलिटी के हिसाब में दी गई लेकिन डिस्ट्रिब्यूटिंग कम्पनी जनता को बिजली घाठ आने यूनिट पर दे रही है। आप देखें कि इस तरह ने कितना काला बाजार होता है, कितनी मुनाफाखोरी होती है यह गवर्नमेंट को देखनी चाहिए। अगर इस चीज को रोकना है तो हमको यह काम पब्लिक सेक्टर में लेना होगा। अगर यह पब्लिक सेक्टर में हो तो इस पर कुछ रोक लगायी जा सकती है। इसलिये मैं चाहता हूँ कि गवर्नमेंट इस तरफ ध्यान दे।

दूसरी बात में यह कहना चाहता हूँ कि कम्पनियों से पावर हाउस लेने के लिए जो गवर्नमेंट ने दाम देने का फारमूला बनाया है वह भेरी खराब में गलत है। उनकी डिप्रिसियेशन बुक बेल्यू को देखकर कीमत तै करनी चाहिये।

[की जायव]

कमन्समेंट ने इस पर विचार क्यों नहीं किया  
वह मेरी समझ में नहीं आया है ।

Dr. Malkote (Raichur): Mr. Deputy-Speaker, Sir.....

Mr. Deputy-Speaker: I hope he would be very brief. There are other hon. Members who want to speak and we have already spent the time that we had. We are struggling for time.

Dr. Malkote: I shall not touch upon any point that has already been dealt with.

I welcome the amendment that has been brought about today. I expected that it would be far-reaching. But it is not so. Even so, I welcome it.

A good deal of debate has taken place here and I have felt that during the debate discussion went on in a manner which was not quite logical from the scientific point of view. It may be due to lack of information. Therefore I would place this before the hon. Minister for his consideration whether it would not be advisable in the public interest to publish literature in a manner which the common man could understand with regard to the different aspects of generation of electricity, its transmission, its supply to the consumers and to the big manufacturing concerns as well as the rate structure. These things are of an entirely technical nature which, unless it is placed before the public in a clear manner, the public would not understand and that is why debates of this nature take place in a House of Parliament.

There is one aspect of the question which one has to take up very seriously. That is with regard to the generation of electricity. At present electricity is being generated by water power, by coal and by diesel oil. These are the three main types of electricity that are being generated but their cost structure in India is varying extremely. The cost of diesel oil being heavy the rate per unit goes up

to a rupee or more. In the case of coal though the rate structure comes almost to the rate structure of hydel power, still so far as supply to the consumer is concerned, whether it is to a big manufacturer or to a small unit, it is uniform in some places and is high in certain other places.

We are nationalising the generation and supply of electricity, which is a welcome feature. But keeping a uniform rate all over India has still not taken place. Unless this is done the competition in the market between a person who has got to use electricity generated through coal or through diesel oil and one who is supplied with electricity generated with hydel power at a cheaper rate would vary in the cost of production of the material. As such the consumer at one place has got to pay a little more and at different places less for the same product. Competition would vary, and the business community always puts up a fight with the Government whenever the rate of electricity goes up. This is only one aspect of the question.

There is the other aspect of the question which particularly is relevant to India in mixed economy. That is, where materials are produced by a small man in the village sector and the same material is produced by a big industrialist, where the big industrialist is supplied with power at a cheap rate whereas the rate of supply of power to the small man for the production of the same material, like cloth, varies greatly; there the competition between the small man and the big man becomes so enormous that the small man has to go extinct. This is an aspect which many people have pressed here. Therefore it would be necessary, if we have to increase the employment potential, that the rate structure of the material which is produced in a big industry and a small industry must be comparable, and that rate structure should be uniform. If that facility is given

to a small consumer and the rate is brought down he can certainly compete with the big industrialist.

The second aspect is with regard to the big industrialist himself, as between the different types of electricity produced, whether by coal or by hydel power. Unless these rates are also made uniform, the competition between these two types of commercial people will vary, and the consumer at one place has to pay much more than what has to be paid by another. If uniformity in the rate structure is brought about, if a little more rate is added to the power generated by hydel power and a little lower rate fixed for the power generated by coal, the same rate structure would follow suit to the benefit of the manufacturer as well as the consumer. This is an aspect of the question which has got to be looked into by the Ministry.

Then, with regard to the domestic consumption, it is left to the Electricity Boards to arrange for licensing for wirings and other things for domestic consumption. In many States the licensing is so arranged that there is a separate licence for lighting, a licence for power, and a licence for ordinary power for fans and other things. These three kinds of lines have got to be put in. In each case the domestic consumer has to pay separately, he has to purchase wires, he has to pay for the different meters. If only one wire and only one licence is introduced, as in Andhra Pradesh today, the amount of wiring that we purchase from foreign countries would be diminished and we will be saving crores of rupees in the purchase of these materials. Even so with regard to the meters as well. To the consumer it would be a matter of benefit that he has to purchase only one kind of wiring and only one meter. And if the rate structure for all these three types of power is made uniform it will be to his great benefit. This will help many consumers in many parts of the country. It is a matter which is left to be decided upon

by the different Electricity Boards. This is a feature which could have been brought in by this amendment today, and I hope this is within the purview of the Ministry.

Thirdly, so far as agriculture is concerned, many of the hydel schemes give water for irrigation, but they also generate electricity. I have said it several times in this House and I would repeat it again: water flows down, it cannot flow up, but electricity could be made to flow up. In the same village where the river flows, the advantage or benefit of a dam, over which the national exchequer spends crores of rupees, is derived by the agriculturist. Lower down the dam, as well as the electricity. The electricity to a large extent should be given to those people who are deprived of these water facilities, so that they could use it for agricultural purposes, for pumping water. This will give added food-stuffs to the country, because water is one of the means for increased production, apart from manure and good seed. It is said that manure, sufficient manure, would by itself give fifty per cent more foodstuffs, and better seed would give ten per cent more. But if there is adequacy of water it will be 200 to 300 per cent. If electricity is made to flow up where the dam water cannot go, much more land could be brought under irrigation. And if the rate structure for agriculture and cottage industries is lowered it would help the agriculturist to stay in his place instead of running to the town.

These are the three main aspects which I wanted to place before the House as they have not been placed by others. And with this I end my speech.

Shri Ajit Singh Sarhad (Ludhiana): I will confine my observations to two aspects only, namely, the policy with regard to the generating and distribution of electricity as set out in the Bill and, secondly, the price structure.

[Shri Ajit Singh Sarhadi]

It is correct that India has made tremendous progress in the matter of generating electricity as is borne out by the figures given by the hon. Minister, and it is also correct that there is a great potential for generating electricity in the country. But it is also equally correct that electricity is the most important industry, or if I may put it differently, the most important industrial raw material for both the agricultural sector as well as the industrial sector, and the Government should have a set policy about this industry, namely generating of electricity.

When this very Bill was to be referred to the Joint Committee last November, this point was definitely taken up as to what is the policy of the Government pertaining to nationalisation. At that time it was thought that the Government had yet not come to a decision as to what is the policy of the Government with regard to nationalisation, and we expected that Government will be able to come to a definite decision during the course of the proceedings of the Joint Committee. But unfortunately, in the Bill as it has emerged from the Joint Committee we have yet to come across what the policy of the Government is.

Unfortunately, the hon. Minister has rejected outright the question of nationalisation, not on the plea that that is not the policy of the Government, but on the plea that it would cost a very large amount for acquiring the electricity undertakings. The policy of the Government should have been in consonance with the Industrial Policy Resolution laid down in 1956 which gives out that the pattern should be that the basic industries should be in the public sector. I would say that electricity is certainly a basic industry, a key industry to the other industries as well as to the agricultural sector. Therefore it is very unfortunate that nationalisation has not been adopted.

And while bringing in a provision in clause 6 where an option has been given for the acquisition, first to the State Electricity Board, secondly to the State Government, and thirdly to the local body, it has not been provided that whenever a licence is revoked or it expires the concern should be taken over by the State Electricity Board. That should have been there.

As to the purchase or acquisition of the undertaking, a very relevant suggestion was made in the last discussion by Shri Bharucha that compensation could be given by bonds redeemable after twenty years or such period. That too has not been considered by the Government. There would not be so many undertakings requiring acquisition at one time entailing such a heavy amount. Because, the licences expiring at any one time would be a few and it would be progressive acquisition. Therefore, I would request the hon. Minister and the Government and beseech them to consider this again. It is very important that generation of electricity as well as its distribution should be a function of the Government, particularly in view of the developmental economy through which we are passing.

I could only give the case of Punjab to which I draw the attention of the hon. Minister. Punjab has mainly an agricultural economy. It has also got the biggest concentration of small-scale industries. Bhakra is situated there. Unfortunately, to some extent, this point has not been stressed so far, but it is a matter which I would emphasise. There is no heavy industry in the Punjab. The Punjab State Government has approached the Centre for the installation of more power houses for the purpose of generation of electricity because Punjab is starved out of electricity. I come from a Constituency Ludhiana which has the biggest concentration of small-scale industries. When the hon. Minister of Commerce and Industry was

there, he was approached by the industrialists who have, on their own initiative set up the small-scale industries, for which Punjab could justifiably take credit. The reply that was given by the Minister was that he is helpless and it is the concern of the Ministry of Irrigation and Power. It is also a sad aspect that whereas Punjab has got so many power stations at the Bhakra dam, but 40,000 to 60,000 kw have been allocated to Delhi and more than 1 lakh kw to Nangal Fertilizer Factory—this is subject to correction—, and Punjab is absolutely starved out therefore Punjab Government should approach the Centre that it be assisted to instal new power houses. My respectful submission to this hon House and through you to the Government is this. These undertakings should be nationalised for this reason. The Government should take over generation and distribution of power simply for the reason that these backward areas which require assistance in the supply of electric energy should be given such assistance. I am very glad and I am also grateful that the hon Minister has said that he has got certain proposals in mind that certain concerns would be subsidised. We have no clear picture. Nor one has been given. I would certainly stress that this point should be kept in view and these backward areas which need further development and which need further assistance should be given certain priorities. Certain priorities should be fixed. For that reason, I say—I do not say exactly now; that can be taken up later also if amendment cannot be made now but there should be a set policy as to how we are going to give assistance to the backward areas. Everyday we are not having legislation on this subject. This Bill has come after a long time in order to substitute an outmoded Act of 1910. It was in the fitness of things that it should come with a set policy pertaining to the generating and distribution of electricity.

I will not take much time, I thank you for the time given. The next

point that I would take pertains to the price structure. Again, I am not aware of the conditions prevailing in other States. I can only speak of my own State, Punjab. As I said, it depends on an agricultural economy. The canal system that has come recently—we are grateful for that—has led to waterlogging. The water level in the wells has risen up. The soakage capacity of earth has decreased and any time heavy rains create floods. It has begun to be increasingly appreciated that lift irrigation is one thing which is successful in the Punjab. That cannot be successful unless there is electricity and at a cheap rate. At five annas, you will appreciate, how a poor agriculturist could afford to utilise it. It is not being utilised. Of course, as my hon friend the previous speaker said, it is a point which needs thinking and investigation by experts also. There should be a uniform rate. In the agricultural sector, in the small-scale industry sector and in the village and cottage-industry sector, it is for the Government to see and guarantee that cheap electricity is supplied. I hope these points which I respectfully submitted before the hon. Minister will be considered.

**Mr. Deputy-Speaker:** I must repeat my request that hon Members shall be very brief.

**Shri Harish Chandra Mathur (Pali):** I am afraid I will have to take a little time.

In this amending Bill, we have certain provisions which are beneficial to the consumer and there are certain other provisions which give a certain power to the Government for better regulation. We appreciate them and we welcome those provisions. But, I venture to submit that I am deeply disappointed and dissatisfied because I feel that this amending Bill has been brought forward without taking into consideration the changed needs and circumstances obtaining in the country.

This amending Bill is unsatisfactory and disappointing because it has no



[Shri Harish Chandra Mathur]

foundation whatsoever. It is just in thin air. I say it has no foundation because there is no basis which has been taken into consideration. I do not know if the Electricity department or the Ministry of Irrigation and Power have formulated any national policy even to this day. We all know in this House, we have a certain policy in respect of Industry. The Industrial Policy statement has been there. It has been discussed on the floor of the House. It has undergone certain amendments again in 1956. The Prime Minister made here on the floor of the House the other day a policy statement regarding scientific development. But much more important than both these policy statements would have been a policy statement regarding generation and supply of power. Because both industry and science would advance with generation of power. It must be clearly realised even at this stage what our national policy is in respect of generation and supply of power.

I have before me the 1948 Electricity Supply Act. In this Act, in clause 3, an authority has been constituted which is called the Central Electricity Authority. Further down, provision has been made that the function of this Central Electricity Authority is to develop a sound, adequate, uniform national power policy and particularly to co-ordinate the activities of the planning agencies. Quite a few days back, I wrote to the hon. Minister asking him certain information and asking him particularly whether the Central Electricity Authority has formulated any national policy as envisaged in this provision of the Act which was enacted in 1948. They are collecting certain information and they will forward that information to me in due course. I am a bit amazed to know that information regarding the policy which they have themselves formulated has got to be collected from somewhere. I think particularly that information regarding the policy which they have formulated and

which they want to be adopted should be readily available and it should have been made available to me immediately. Because we have not got a really sound national policy all our difficulties arise. That is why I say that this enactment is in the air. If we had a sound national policy, the amendments and the provisions of this Bill would have been entirely different. They would have been related to that policy.

I go a step further and submit that I do not consider that the Central Electricity Authority would be able to formulate a real national policy. What is the composition of the Electricity Authority, I would like to know. A few officials of the Irrigation Ministry, not even the Minister himself. I think a national policy for generation and distribution of electricity should, as a matter of fact, be formulated by the Cabinet, should be submitted before Parliament and only after due deliberation, that should be adopted as the national policy for generation and distribution of power. All these enactments would then be entirely different and will bear some reference to the present needs of the country. We have heard criticism coming forth from all quarters that this factor has not been taken into consideration, that there is no provision in this Bill. There cannot, naturally, be any provision because we have not got any policy, because we have not given proper thought to this matter, this most important matter.

As my hon. friend there pointed out, the entire progress of the Soviet Union was based particularly on one aspect, the aspect which was highlighted and which was given the utmost importance, and that was the aspect of generation of electricity. Their entire programme and plan is basically based on it, and the major yardstick with which they assess their

progress and advancement is naturally the generation of power. Even at present we judge any country by how much power it generates, how that power is distributed, how it is being utilised. Until and unless this nation has got a clear national policy, a policy which is adopted and approved by Parliament, all these enactments would just be fragmentary and of no real value. It is therefore that I would most respectfully urge the hon. Minister for Irrigation and Power to ask the Central Electricity Authority to take into consideration the demands and needs of the time, to collaborate with other non-officials and to formulate a policy, and I would request the Minister to take that policy statement to the Cabinet and place that policy regarding the generation and distribution of power before this House. I hope this will be done.

The hon. Minister made a statement as to what they are doing about small-scale industries, and I was a little surprised and a little amused to find headlines being struck in some papers regarding the subsidy which is being given to the small-scale industries.

The Minister of Irrigation and Power (Hafiz Mohammad Ibrahim): Not at my request.

Shri Harish Chandra Mathur: This statement is being made all the time by the Minister of Industries and I have been asking them at every meeting whenever this point is raised to let me know the figure, the amount, which has been given in subsidy during all these five years to all the small-scale industries in all the various States. You will be surprised that it is a few thousand rupees. I say it is a huge joke against that industry, the small-scale industry. It has given the country a very false impression that so much is being done for the small-scale industry when, as a matter of fact, during all this time you will find only a few thousand rupees have been given by way of subsidy. Is that the satisfactory way of solving the prob-

lem? Is this how we are going to implement our national policies? Is this how we are going to give impetus and initiative to the small-scale industry? We will have to decide what is going to be our treatment of the various places.

We do not know, even after these 11 years, when we are in the midst of the Second Five Year Plan, what are the rates of electricity in different parts of the country. We have, as a matter of fact, made cement as well as steel available to all the parts of the country at a uniform rate. The steel which is imported and the steel which is manufactured in the country is available at Rs 600 per ton in Calcutta as also at Jaipur. Why—because, otherwise there cannot be a dispersal of industries, otherwise, there cannot be a development of industries all over the country, it would be only lopsided. But power is much more important than steel. Steel is required only in a particular sector of industry, steel is required only to a smaller extent, but power is necessary in every little industry. We have not taken this important step so far as power is concerned.

There are certain places where even to the small-scale industry power is available only at eight annas a unit. Do you think any industry can develop in that area, when power is available at 1½ annas or at a cheaper price elsewhere?

All these anomalies are there simply because we have not got any real policy which has got to be implemented. I need not go into it further. This lack of policy has resulted in so many anomalies, so many difficulties and has handicapped the growth and development of the various parts of the country in different ways. The policy statement should also take into consideration nationalisation and all other factors.

Another matter which was referred to was the Electricity Boards. We

[Shri Harish Chandra Mathur]

have given certain preferences to the Electricity Boards in this particular enactment. I should like to have from the hon. Minister a little appraisal about the working of these Electricity Boards. This very enactment tells us that they stand for the Electricity Boards, this very enactment tells us that they want to give a certain preference to the Electricity Boards. May I ask the hon. Minister what his experience is of the Electricity Board here in Delhi itself? Is it not now intended to wind up the Electricity Board and run it departmentally or try some other ways?

These Electricity Boards have been hardly a success anywhere. Instead of going by certain fads and going in that particular direction, I think, before this enactment was made, a survey and assessment should have been made and material made available to this House as to whether these Electricity Boards have been a success and whether we should pursue that policy and give this preferential treatment to the Electricity Boards.

Even this very enactment envisages that the State Government will give first preference to the Electricity Board, and if the Board does not take up the concern, the State Government itself will take it up, which means that certain concerns will be run by the Electricity Board and certain concerns will be run by the State Government. If we have come to a certain conclusion, then we must feel that at least in a particular State all the power generation and distribution should be in the hands of the Electricity Board. There is no question of the State taking it over. Otherwise, we will have two parallel bodies, certain sections being run by the State departmentally and part of the generation and distribution being done by the Electricity Board which would be a highly unsatisfactory state of affairs. And this highly unsatisfactory state of

affairs is envisaged and encouraged by this enactment. Even if they wanted to continue these Electricity Boards in their scheme of things, even if they wanted first preference to be given to Electricity Boards, at least it should have been provided that the State will not take over, the State will not be given any preference. Let there be either of the two, the Electricity Board and the private entrepreneur or the State Government itself. Otherwise, we will create so many complications and so many difficulties.

Then, the question of the association of MPs was referred to by certain Members. I do not know whether the association of MPs in the Central Electricity Board is at all useful. I do not understand what viewpoint is going to be brought up by the MPs. I can understand the association of the MPs in the Central Electricity Authority where policies are to be formulated, and I would strongly urge the hon. Minister to revise the composition and the structure of the Central Electricity Authority and associate not only certain MPs but certain other non-officials who would be able to assist the Government in formulating a correct policy. Actually if you go through the provisions of this Bill, you will find that MPs and MLAs are particularly disqualified from being Members of any of these State Electricity Boards. As a matter of fact, so far as I am concerned my personal views are very clear in this matter that the MPs should never be associated on any of the directorates of these public enterprises. But if M.Ps. are to be associated with other public enterprises—we are having so many of them now—I do not see what justification there is to debar Government from having MPs on the State Electricity Boards. My objection and a very strong objection, is based on the fact that these bodies are executive bodies; they take executive decisions; they take executive responsibilities, and, therefore, no M.P. or M.L.A.

should be associated with it. But how are these bodies different from other public enterprises? They are also executive bodies; they take executive decisions. I think it is time that the hon. Minister, in consultation with his Cabinet friends, comes to a definite decision as to how these boards are to be constituted for the public enterprises. If on the boards in the public enterprises in other sectors, they are going to associate M.P.s and non-officials, then he cannot make an exception in this case.

14 hrs.

Here, in the case of these boards, Government have gone a step forward. It is not merely a sitting M.P. or M.L.A. who cannot be a member of these boards but even one who is not a sitting M.P. or M.L.A. but who had been an M.P. or M.L.A. six months earlier cannot be a member of these boards, unless and until he has left the legislature for one year, he is disqualified from becoming a member. I do not very much appreciate why this particular distinction has been made so far as the State Electricity Boards are concerned, which have been referred to in this particular enactment.

Then I want to invite the attention of the hon. Minister to the very lopsided development of electric generation. There are certain areas which are saturated while there are certain other areas which are completely starved, and for which in the First Plan, there were no schemes, and in the Second Plan also, there are no schemes. The result is that the entire development is absolutely lopsided.

We would like to know from the hon. Minister whether Government have at least got any scheme in this regard, whether they have given any consideration or thought to this matter, as to whether we are to proceed in the same old manner and have a lopsided development in this country, or whether they have got anything in their view, saying that in the Third

Five Year Plan, any particular district which is not served by any of the big Projects will have a 10,000 kw set, so that the needs of that particular district are satisfied to a certain extent. At present, there are entire districts with five hundred to six hundred villages, which are completely starved, and no development is taking place in those areas. So, Government must evolve a certain policy to see that at least those places where there are no big projects coming up are given some consideration, and some scheme is evolved for those places.

I would now wind up by saying that this amending Bill which has only taken into consideration certain very insignificant matters should be reconsidered after a real national policy for the generation and supply of electric power has been formulated. We should have a clear picture of the whole position; at least, we expect the hon. Minister to place before this House a policy statement in the first instance and then we shall see what further amendments should be made.

श्री कृष्ण चन्द्र (जलेश्वर) डिप्टी स्पीकर  
महोदय, इस बिल के सम्बन्ध में बहुत सी बातें कही जा चुकी हैं। अब समय नहीं रहा है, इसलिए ज्यादा बाने जो मैं कहना चाहना था वह मैं अब नहीं कहूँगा। चन्द बात सिर्फ मिनिस्टर माहब की विदमन में धरन करूँगा।

पहली बात तो यह है कि इस बिल में दो तरह की बातों की गई हैं। लाइसेंस देते वक़्त लोकल भाषारिटी और स्टेट इलेक्ट्रिसिटी बोर्ड का उतना ध्यान नहीं रखा गया जितना कि लाइसेंस रिवोक करने के वक़्त रखा गया है। यह सही भी है क्योंकि जब नये लाइसेंस दिये जायेंगे, जैसा कि माथुर साहब ने कहा है और दूसरे सदस्यों ने भी कहा है, गवर्नमेंट की एक पालिसी होनी चाहिए कि भागे से जो लाइसेंस दिये जायें वे जहाँ तक हो सके पब्लिक सेक्टर में दिये जायें, क्योंकि बिजली का उद्योग एक बड़ा मौलिक उद्योग है। इसके ऊपर सारी दस्तकारियों का, पारे कर्बों का

[श्री कृष्ण चन्द्र]

दारोमदार है। इस बास्ते इस उद्योग का पब्लिक सेक्टर में ही रहना ज्यादा अच्छा है।

दूसरी बात यह है कि यह मानापनी का बंधा है। किसी का इसमें कम्पटीशन नहीं है। जिस क्षेत्र में बिजली का लाइसेंसधार बिजली का वितरण करता है उस क्षेत्र के तमाम कंज्यूमर चाहे बड़े हों या बड़े हों सब अपनी जिन्दगी का मुख्य मुख्य जरूरतों के लिए उसके मोहताज होते हैं जैसे रोशनी है, पंखा है। अगर बिजली का फ्यूज चला जाता है, बिजली की लाइन चली जाती है, और लाइसेंसी अगर उसकी सुनवाई न करे तो बेचारे कंज्यूमर को कोई रास्ता नहीं है सिवाय इसके कि वह इन्तिज़ार करे कि बिजली कम्पनी का धादमी कब आता है और फ्यूज को लगाता है। तब उसको रोशनी मिल सकेगी। मौजूदा कानून में इस सम्बन्ध में यह व्यवस्था थी कि अगर ४८ घंटे में लाइसेंसी इस काम को नहीं करता नोटिस पहुंचने के बाद, तो कंज्यूमर को यह अस्तित्वात होगा कि वह अगर चाहे तो मीटर को बंद तोड़ सकता है और फ्यूज को लगा सकता है। लेकिन अब जो यह मौजूदा बिल लाया गया है, मेरी समझ में नहीं आता, उसमें मेरे कंज्यूमर के मामूली अधिकार को भी क्यों निकालने की कोशिश की गई है। अब केवल यह रास्ता रखा गया है कि लाइसेंसी का यह फर्ज होगा कि वह ४८ घंटे के अंदर उस फ्यूज को ठीक कर दे। अगर वह न करे तो कंज्यूमर के लिए यही रास्ता है कि वह इलेक्ट्रिक इन्स्पेक्टर को दरखास्त दे या गवर्नमेंट को शिकायत करे। और कोई रास्ता उसके पास खुला नहीं है। तो मेरा ध्यानसे यह कहने का मतलब यह है कि जो सप्लायमेंट पहले कंज्यूमर को भी वे भी कहीं कहीं इस बिल के द्वारा घटाई जा रही हैं।

दूसरी बात में यह धर्म कल्याण—में वही बातें कहूंगा जो कि अभी तक नहीं कही गईं

हैं—कि अगर मामूली कंज्यूमर का मीटर गलत ही था तो उसको बहुत पैसा देना पड़ता है और बराबर देना पड़ता है। नई विस्ती में हम लोगों को कई बका यह परेशानी होती है कि मीटर गलत ही जाता है। हमने देखा है कि हमारी कोठी में कोई धादमी नहीं रखा या बहुत कम धादमी रहे फिर भी बिजली का बिल उस महीने में बहुत ज्यादा आ गया। दूसरे महीने में जब ज्यादा धादमी रहे तो बिल कम आया।

उपरोक्त महोदय : मीटर धादमियों की गिनती पर तो इन्त्याका नहीं लगता। वह तो जितनी बिजली जाती है वही बतलाता है।

श्री कृष्ण चन्द्र : जब धादमी कम रहने हैं तब तो बिजली भी कम ही खर्च होती है। जहा बेट्स एंड मेजर्स का सवाल आता है तो गवर्नमेंट उसे रेग्युलेट करती है। अगर किसी का बंट कम होता है तो उसे सजा देती है। किसी को गलत बात से तोलने की इजाजत नहीं देती। इसी तरह से गवर्नमेंट का यह फर्ज होना चाहिए कि इन मीटरों की बराबर देखभाल करे और जो मीटर गलत हों उनको ठीक करवावे। अब अगर किसी का मीटर गलत होता है और वह शिकायत करता है तो वह पैस कर ले, एक स्टैंडर्ड मीटर लगाया जाता है। अगर इसके भी किसी कंज्यूमर को सतीष न हो तो उसे अस्तित्वात है कि वह इलेक्ट्रिक इन्स्पेक्टर को अपनी लने और जो भी फंसला इन्स्पेक्टर कर देगा वह कंज्यूमर को देना होगा। मैं धर्म करना चाहता हूं कि ऐसी ऐसी छोटी छोटी विषयों हैं कि उन का हल नहीं हो सकता है। उन का एक ही हल है कि उन को पब्लिक सेक्टर में ले लिया जाये और पब्लिक सेक्टर में भी लोकल अथॉरिटी को ज्यादा अधिकार दें—अगर वह लेना चाहे, तो उस को मीका देना चाहिये, क्योंकि लोकल अथॉरिटी पर बहुत

के रहने वाले लोगों का बितना कंट्रोल रह सकता है, वहां उन की बितनी बाध होती है, उतनी कहीं नहीं होती है। अगर हम ये विधायकों द्वारा करना चाहते हैं, तो एक ही तरीका है कि शुरू में लाइसेंस देने में और फिर लाइसेंस रिवोक करने पर उस को खरीदने का प्राप्ति देने में लोकल अथॉरिटी को प्रेरित दिया जाय।

श्री सरजू पांडे (रमदा) - उपाध्यक्ष महोदय, इस बिल को लाने में जो मशा भी, मैं समझता हू कि वह मशा तो पूरी हुई नहीं, बल्कि एक उलटी बात हुई। माननीय मंत्री ने यह बिल मदन के सामने रखने हुए यह प्रस्ताव था कि हम इस बिल के द्वारा उपभोक्ताओं की मुविधाओं को बढ़ाना चाहते हैं। साथ ही उन्होंने यह भी कहा कि तमाम उपभोक्ताओं को, चाहे वे प्राइवेट कम्पनियों से बिजली लेने हो और चाहे सरकार से, समान अवसर दिलाना चाहते हैं और साथ ही साथ जो लाइसेंस हैं, उन के उपर केन्द्रीय सरकार भी मदाखलत के लिये यह बिल नाया गया है। मगर हुआ उस का उलटा। हमारी सरकार बार बार ममाजवाद का नाम लेती है और कहती है कि हम ममाजवाद की ओर बढ़ रहे हैं। मगर जैसाकि हर बार देखा जाता है, वह ममाजवाद का नाम तो लेती है, लेकिन काम ऐसा करती है कि हिन्दुस्तान के पूजीपतियों को अधिक से अधिक फायदा हो, जोकि अब तक करोड़ों रुपये कमा चुके हैं। इस कानून में यह व्यवस्था होनी चाहिये थी कि हम कदम-ब-कदम राष्ट्रीयकरण की ओर बढ़ते, लेकिन इस के बजाय यह कहा गया कि राष्ट्रीयकरण नहीं किया जा सकता और जैसाकि अभी एक माननीय सदस्य ने कहा है, वह इसलिये नहीं कि सरकार की नीति नहीं है, बल्कि इसलिये कि उस के लिये बहुत अधिक मुभावजों का खपना देना पड़ेगा। मैं नहीं समझता कि

यह पालिसी कहां तक उचित कही जा सकती है कि जिन कम्पनियों ने मुल्क का बहुत सारा खपना कमाया है, हम लोग उन को फिर और कम्या कमाने का मौका दें और यह भी कहें कि जब कभी सरकार सोचेगी, तो उन को कब्जे में लिया जायेगा, मगर साथ ही साथ उन को जो मुभावजा दिया जायेगा बाजार-माव से भी अधिक। मैं नहीं समझता कि यह कौन सी समाजवादी पालिसी है। कानून में यह व्यवस्था होनी चाहिये थी कि अगर सरकार महसूस करती है—अर्थात् तो सवाल यह है कि सरकार का महसूस करना ही मुश्किल है—वह कब महसूस करेगी, यह कहना ही मुश्किल है—कि किसी कम्पनी को लेना देश के हित में है, तो फिर उस को कब्जे में ले लेना चाहिये। हम खुद प्राइवेट कम्पनियों में बिजली लेते हैं। वे बहुत ज्यादा मुनाफा कमाती हैं। हम ने बार बार प्रांतीय सरकार में प्रार्थना की, लेकिन उन ने इस में कोई मदाखलत नहीं की और वे कन्ज्यूमर्स को मजबूर कर के ज्यादा से ज्यादा पैसा कमाती हैं। इस बिल में यह व्यवस्था होनी चाहिये थी कि अगर सरकार को इत्मीनान हो जाये ता वह कम्पनी को ले ले और मुभावजों की जो व्यवस्था की गई है, वह नहीं होनी चाहिये थी। मुभावजा कम होना चाहिये था।

अभी एक माननीय सदस्य ने कहा कि बिजली के देने के बारे में इस बिल में कुछ परमेटर फिक्स होनी चाहिये थी कि कितनी बिजली खेती-बाड़ी के लिये दी जायेगी, कितनी उद्योग-धंधों के लिये दी जायेगी और कितनी दूसरे कामों के लिये दी जायेगी। दिल्ली में हम देखने हैं कि सारे आफिसेज एयरकंडिशनर बने हैं। दूसरी तरफ गावों में जा कर देखिये। एक तो बिजली मिलती नहीं है और जो मिलती है, वह इतनी मझी है कि साधारण भावमी उस को इस्तेमाल नहीं कर सकता है। थोड़ा दिन पहले मैं बिहार के एक गाव में गया था। वहां बिजली

## [श्री सरजू पांडे]

लगाई गई थी। जिस भावमी के यहाँ मैं टूट रहा था, उस ने बल्ब निकाल लिया था। मैं ने उस से पूछा कि यहाँ बिजली लगी है, आप उस को इस्तेमाल क्यों नहीं करते हैं। उस ने कहा कि साल भर की जितनी हमारी आयवनी है, वह बिजली के टैक्स के बराबर होती है, वह हम कैसे दे सकते हैं, इसलिये मैं इस्तेमाल नहीं कर सकता।

कोशिश तो यह होनी चाहिये थी कि सस्ती से सस्ती बिजली खेती-बाड़ी और छोटे छोटे उद्योग-धंधों के लिये दी जाती। लेकिन उस के लिये कोई व्यवस्था नहीं की गई है। रिहद डैम की बिजली के बारे में सरकार की तरफ से पहले यह कहा गया था कि पूरे पूर्वी उत्तर प्रदेश को ३ नए नंस फी यूनिट के हिसाब से बिजली दी जायेगी। अभी मालूम हुआ है कि अभी बिजली बिडला की किमी कम्पनी को दी जा रही है और पहाड़ी व्यवस्था को बदल दिया गया है। इस बिल में यह व्यवस्था होनी चाहिये थी कि कितनी बिजली एयरकंडिशनिंग के लिये या दूसरी चीजों के लिये दी जायेगी और कितनी खेती-बाड़ी में दी जायेगी। इन बिल में इस की कोई व्यवस्था नहीं की गई है।

अगर सचमुच हमारा उद्देश्य समाजवाद है और हम चाहते हैं कि मुक्त में मुनाफाखोरी न बढ़े और साधारण भावमी बिजली का उपयोग कर सके, तो फिर उस का नेशनलाइजेशन होना जरूरी है। यह कहा गया है कि अगर कहीं गड़बड़ी हो, तो इम्पेक्टर जा कर जांच करे। हम जानते हैं कि हमारे देश में सरकारी अधिकारियों की क्या अवस्था है। गांव के लोग—पैसे वाले लोग दबाव डाल कर अपना काम करवा लेते हैं और वह लोग उन के हक में पैसला दे देते हैं।

अभी एक माननीय सदस्य ने कहा कि एम० पी०० का बोट बना दिया जाये। मैं समझता हूँ कि यह गलत है। यह जरूरी है कि

बाहर के जो लोग इस काम को जानते हैं, उन का बोट बनाया जाय, तो अच्छा है। एम० पी०० और एम० एल० एच०० को भी प्रेशर में आना पड़ता है और गलत काम करते पड़ते हैं।

हमारी पार्टी के सदस्यों ने अपने मिनट प्राफ डिमेंट में कुछ सुझाव दिये थे, जिन को दोहरा कर मैं समाप्त करता हूँ। पहली बात तो यह है कि बिजली को सस्ता बनाने का प्रयत्न करना चाहिये। कोशिश यह होती कि हम कदम-ब-कदम नेशनलाइजेशन की ओर जाने और इस तरह का बानून बनाते। हम चाहते थे कि इन बारे में एक कामिप्रोहेसिव बिल लाया जाय और उस में परमेटेज फिक्स की जाय कि कितनी बिजली खेती-बाड़ी और उद्योग-धंधों को दी जायेगी और कितनी एयरकंडिशनिंग और दूसरे इस किस्म के कामों के लिये दी जायेगी। अगर यह व्यवस्था होनी, तो ज्यादा अच्छा होता। मैं उस धारा का विरोध करता हूँ, जिस के मुताबिक यह रूहा गया है कि अगर सरकार का इत्मीनान हो जाय और वह किसी कम्पनी को लेना चाहे, जिस का ठेका समाप्त हो गया है, तो बाजार भाव में पड़ने परमेट ज्यादा दिया जायेगा। यह कानई नीर पर गलत है और मैं माननीय मंत्री जी से अपील करता हूँ कि वह कम से कम इस धारा को वापस ले ले। इससे देश में मुनाफाखोरी बढ़ेगी और देश की सम्पत्ति उन लोगों के हाथ में जायेगी, जोकि देश को लूट लूट कर बरबाद कर रहे हैं।

**Hafiz Mohammad Ibrahim:** Mr. Deputy-Speaker, since yesterday uptill now we have been discussing the Bill which was introduced in connection with the amendment of the Indian Electricity Act of 1910. I am glad to say that so many speeches made during the discussion were very constructive. The speakers made good suggestions and I am very thankful to all of them.

It is clear now that within the short compass of time available to me at present it will not be possible for me to cover the entire field which has been traversed here during the discussion. I will only try to deal with certain points which have been raised during the discussion in order that I may be able to tell the House through you about the intentions and policies of Government in regard thereto.

My hon. friend, Shri Harish Chandra Mathur, raised a very important question—I am very thankful to him for that. Of course, there should be a formulation of policy; in regard to that, the Electricity Act of 1948, as read out here, has got a clear provision. But at the same time, he already knows, as he indicated when he wrote me a letter and I replied, that we are taking certain steps. I hope that in the near future we will be able to do something in this connection.

Sir, yesterday in my speech I referred—rather hinted at it—that we are intending to amend this Act of 1948 also. It will be examined and wherever it is found necessary, in order that the provisions may cope with the present day needs, amendments will be introduced and the improvements suggested by the hon. Members of this House will also be taken into consideration.

During the discussion one of the points raised relates to nationalisation. In my opening speech I said something about that. On hearing the speeches which have been made on this question I have come to the conclusion that the opinion of the hon. Members in regard to nationalisation is the same as I expressed myself. What I expressed was that electricity being an essential service is a fit subject to be nationalised. I pointed out only that on account of the paucity of funds required for all sorts of expenditure in regard to the development of this country it would not be possible to provide as much money as may be required for this

purpose. Therefore, this sort of policy can be started and continued at a slow speed. Wherever and whenever it is possible it will be done. Wherever it is seen that a certain licensee is not supplying as he ought to do, then nationalisation will come. I wish that the day may come soon when we nationalise it entirely and the whole thing will be in the hands of Government for the benefit of the public here.

Another point which has been raised relates to the cheap supply of electricity for agriculture and small-scale industry. I said yesterday that I quite agree with that. There have been communications between the Centre and the States at present on this subject. In that connection I said that as far as the formula embodied in the Act of 1948 standing in the way of doing something is concerned, I am going to examine that position. If it is found possible then we will be able to do something also for that. As far as the help of the State is concerned, we are prepared to do that. I said yesterday that the Centre will participate in the subsidy which shall have to be given for the purpose of reducing the prices of electricity for small-scale industries and for agriculture. (Interruptions).

Shri P. R. Patel (Mehsana): How many States have implemented this?

Shri Mohammad Ibrahim: The question of implementation by the States does not arise at present because we have written to them only recently. This offer had been made to them in the month of June only.

An hon. Member: Why so late?

Shri Mohammad Ibrahim: Therefore the question of implementation does not arise now. One thing is certain; that is, it will be implemented without the interference of the Central Government or anybody else.



[Hafiz Mohammad Ibrahim]

If you examine the schedule of prices of electricity in each State you will come to the conclusion that each State is charging much less in the case of agriculture and small-scale industry than in the case of domestic use. I have the list with me and if I read it it will take time. I do not think it is necessary for me to read it out. If any hon. Member wants it I will furnish a copy of it to him.

Shri Nagi Reddy (Anantapur): It is better to circulate it.

Hafiz Mohammad Ibrahim: At present I am presenting it only for the purpose of showing that as far as the small-scale industry and agriculture are concerned, the consideration that is being asked for in this House is already being paid by the States or by the Centre.

Shri Harish Chandra Mathur: I think there is some misunderstanding. The question is that the small-scale industry is not getting even the treatment which the big industries are getting. Power is being supplied to big industries at a much lower rate than for the small-scale industries. So far as home consumption is concerned it is quite clear.

Hafiz Mohammad Ibrahim: There is no question of home consumption. By reading this schedule I have come to the conclusion I have expressed. I will ask my hon. friend Shri Mathur to sit with me and discuss it with me. If it is wrong I will correct it. I do not deny that prices have to be reduced for small-scale industries and for agriculture.

Shri Harish Chandra Mathur: We are satisfied.

Hafiz Mohammad Ibrahim: I think this is enough to satisfy the House.

Shri P. R. Patel: Is the price of electricity the same or less for big industries as for domestic purposes?

Mr Deputy-Speaker: The hon. Member wants to know whether the price of electricity supplied to big

industries is less than the price that is charged for domestic purposes.

Hafiz Mohammad Ibrahim: It may be so, I do not deny because I have not examined that.

Shri Naushir Bharucha: It is not so.

Hafiz Mohammad Ibrahim: But I will examine the whole question. After examination whatever is possible will be done.

Shri Harish Chandra Mathur: That is right.

Hafiz Mohammad Ibrahim: Then there was a complaint in some speeches that the rural area has been neglected. I can say that prior to the First Plan no thought was ever bestowed by any Government anywhere in India on the electrification of the rural areas—I mean the villages. But, in the First Plan the idea was entertained and preliminary steps were taken in order to decide what has to be done, how it is to be done and how far it can be done. All these questions were considered. During the Second Plan there has been electrification of 7,985 villages so far. I do not say that it is satisfactory. I do not say it is much. But what I mean is that steps have been taken and we have gone towards that side in order that villages may be provided. (Interruptions)

Shri P. R. Patel: When he says that the rural areas are looked after, I want to know from him why the project that was to be implemented in the First Plan was not implemented. That is the rural area.

Mr Deputy-Speaker: He himself has admitted that not much attention was paid during the First Five Year Plan.

Shri P. R. Patel: That was put by this Government, why was it not implemented?

Hafiz Mohammad Ibrahim: I conceded that during the First Five Year Plan not much attention to this

aspect was paid. I am not saying that that is a satisfactory thing. I said only that a beginning has been made. The hon. Member made a suggestion that so far nothing has been done. We have to make a start. I am pointing out that the start has been made. Let us make an effort that we develop it as expeditiously as possible. (Interruption).

From one speech at least it appeared that this amending Bill has favourable provisions for licences. I want to point out this. I will draw the attention of the hon. Members to a few provisions in it from which it will appear that no provisions detrimental as far as the personal interests of the licensees are concerned are embodied in this. They are embodied in this Bill. I requested the hon. Members not to view these matters from this point of view and think that the Government is pro-licensees or pro-anybody or against anybody. Government has to serve every citizen and has to take interest in every citizen; it should be impartial whatever it may be deemed to be. Now, the period of the licence has been reduced. Is that provision in favour of the licensee? So far the licence could not be amended without his consent. Now it can be done without his consent. Other control measures are provided here and they may be used against him. His security can be forfeited if certain things happened. There is also a new provision. Whatever was paid by the consumer will be deducted out of the compensation which will be paid to the licensee. The required number of consumers has also been reduced from 6 to 2. Much has been said about this yesterday and today; it has been said that one person should be allowed to apply for it. Yesterday, I have pointed out that in the non-compulsory area a licensee is forced to supply if two persons will apply. He will ask the people there and give notice and ascertain whether anyone else wants supply. If he receives

two applications, he will supply. If an area is potential, why should not two people be there? If in a potential area, one man is living and if he wants electricity, it will never be impossible to find out another person. There will be no difficulty. It will be easier than before.

Shri Braj Raj Singh (Firozabad): Why not accept my amendment then?

Hafiz Mohammad Ibrahim: Do these arguments lead to the conclusion that the amendment is necessary? It does not mean that the amendment should be accepted.

As regards the 15 per cent which will be allowed to the licensee, much has been said about it. But this 15 per cent is only in name. If calculation is made, it will probably be reduced to 2 per cent net. Therefore, it is not a thing which should be objected to.

Shri Panigrahi: How does this 15 per cent come to 2 per cent?

Mr. Deputy-Speaker: It would be clear to the hon. Member if he wants.

Hafiz Mohammad Ibrahim: Two things were said about UP. I do not think that I should say much about them because the persons who said them are not here and so I leave them out.

Shri Harish Chandra Mathur: The UP Chief Minister has explained it fully in the Assembly the other day.

Hafiz Mohammad Ibrahim: Not that thing. It has been said that a tenant may not be able to avail the convenience that is going to be provided by this Bill. At the time of vacating the House, the electricity installation may be there. The owner may not pay for it and take it over. The tenant may not also be allowed to take it away. That was the explanation given. I think we should not concern ourselves with that position. Everybody will know the consequences before

[Hafiz Mohammad Ibrahim]

taking electricity: what may happen or what may not happen. One will take action in regard to this matter with open eyes. He is not the owner of the house. When he vacates the house, the owner would rather force him to restore the house to the same condition in which it was found when he occupied it. He may take it away or there may be some compromise between the two. On this ground, it should not be said that the tenant should not be allowed to take electricity. So many are engaged in industry, they are earning their income out of industry, they are helping the country with that industry. They are living in the house of others. For the industry, electricity is required but the owner does not allow that. I came across several such cases in UP where the tenants were not allowed by the owners to take electricity. So, I think it is very necessary and in the interest of the development also this provision should be there. It should not be opposed.

Shri Harish Chandra Mathur spoke about the Members of Parliament being members of the electricity board, provided under the Act of 1948. The only function assigned to that board is to make rules and the rules framed by that board will be placed before this House. That will be considered by the Members of Parliament and in that way Parliament will have the supreme authority. (*Interruption.*)

An Hon. Member: Parliament is always supreme.

Hafiz Mohammad Ibrahim: Then why is it degrading itself? Why are amendments proposed that the Members of Parliament should be given a place among the members of the electricity board. (*Interruptions.*) There should be no such amendment. I do not accept them.

Shri Narayanankutty Menon (Mukundapuram): Regarding the U.P. affair, he has said that the hon.

Members who raised it are not present here. The U.P. question was raised by Shri Panigrahi and he is there. He referred to the loans advanced to Martin Burns Ltd. If there is time, the hon. Minister may answer that.

हाफिज मुहम्मद इब्राहीम : वह बहुत शीका बोले । उन्होंने ने सिर्फ इतना कहा था कि उत्तर प्रदेश गवर्नमेंट ने मार्टन कम्पनी को इसलिये नहीं खरीदा कि उन को बहुत रकम देना पड़ता । मैं ने जो कहा वह दूसरे साहिबान के जवाब में था जिन्हो ने कि रिहन्द डैम और दूसरी चीजों के बारे में कहा था ।

He spoke only about a very small point. I did not think it necessary even to contradict that, although I knew what was the position. His information on that point is not correct that they refrained from purchasing because they have to make heavy payments. There may be so many things on account of which one may refrain from doing something. I do not think that I should disclose a U.P. matter in this House. That was not the position. I was saying about electricity complaints. One hon. Member raised a question about Rihand Dam.

Shri Braj Raj Singh: It was I who raised the question about Rihand Dam, and I am here to hear from him something about that.

Hafiz Mohammad Ibrahim: I am afraid my hon. friend's information is only hearsay, received from others. I was trying to contradict only those who had got firsthand knowledge. But for the benefit of my hon. friend I may point out that today the entire area which was going to be served by Rihand Dam is served by electricity. During my stay there three or four power stations have been constructed and they are going to supply power to each and every district. That area is not suffering now. The idea of Rihand Dam was entertained in the year 1946, twelve years ago. At that

time an area was fixed in regard to that project, to which area that electricity will be taken in order to benefit those people. But now the position has changed. So far U.P. has got no big industry. If it is advantageous for a State to have a big industry and a small industry—both—and U.P. tried to have a big industry there and for that purpose it gives any part of its generation work, I do not think it can be objected to. As far as the suffering of those people in regard to electricity is concerned, I was going to point out—in my face he should have said that that is the part which is not served today by electricity and which was going to be served by Rihand Dam—that the Rihand Dam area is served by electricity today.

श्री प्र० ना० बंसह (बन्दीली) : मैं जानकारी के तौर पर यह जानना चाहता हूँ कि पूर्वी उत्तर प्रदेश में कितने गावों को काटेज इंडस्ट्रीज के लिये बिजली मिल रही है।

हाकिम मुहम्मद इब्राहीम : मुझ को तो यह बात मालूम नहीं है कि कितने गावों को दी गई है। मैं तो साल डेढ़ साल से वहाँ नहीं हूँ। लेकिन मैं भ्रम करना हूँ यकीन से कि वहाँ कोई दो सौ या डेढ़ सौ गावों को बिजली दी गई है।

श्री सरजू पांडे : उत्तर प्रदेश सरकार ने बिडला से समझौता किया है कि इस घे से प्राधी बिजली बिडला कम्पनी को दी जायेगी और प्राधी में में और लोगो को दी जायेगी, क्या यह सही है ?

हाकिम मुहम्मद इब्राहीम : यह मुझ मेरे यहाँ जाने के बाद का है। मुझ को उस के बारे में खबर नहीं है।

Mr. Deputy-Speaker: The question is:

"That the Bill further to amend the Indian Electricity Act, 1910, as reported by the Joint Committee, be taken into consideration"

The motion was adopted.

Mr. Deputy-Speaker: We shall now take up the Bill clause by clause. The Question is:

"That clause 2 stand part of the Bill"

The motion was adopted.

Clause 2 was added to the Bill

Clause 3

Mr. Deputy-Speaker: Are there any amendments to clause 3?

श्री P. R. Patel: Sir, I beg to move:

Page 3,—

after line 5, add—

"(11), 'small scale industry' means an industry worked by electrical energy on a motor of not more than 10 H.P." (54)

Sir, this amendment is meant only to define a small scale industry. The intention is that cheap electricity be given only to very small industries. I do not want to say anything more on this point.

Mr. Deputy-Speaker: Enough has been said.

Shri Naushir Bharucha: Sir, I desire to move an amendment.

Mr. Deputy-Speaker: When was the notice given?

Shri Naushir Bharucha: It is amendment No. 16, Sir, but I want to move it in a slightly modified form.

Mr. Deputy-Speaker: I am told that the Government is prepared to accept it with a little modification. He may move it.

Shri Naushir Bharucha: I am moving it in the modified form. I beg to move.

Page 3, line 8,—

add at the end—

"and includes any Board which functions in that State under sections 6 and 7 of the said Act." (16).

**Mr. Deputy-Speaker:** Is the Government accepting this?

**The Deputy Minister of Irrigation and Power (Shri Hathl):** Yes

**Mr. Deputy-Speaker:** Then I shall put that first. The question is,

Page 3, line 8,—

add at the end—

"and includes any Board which functions in that State under sections 6 and 7 of the said Act" (16)

*The motion was adopted*

**Mr. Deputy-Speaker:** I shall now put amendment No 54. The question is:

Page 3,—

after line 5, add—

"(11) 'small scale industry' means an industry worked by electrical energy on a motor of not more than 10 H P" (54)

*The motion was negatived.*

**Mr. Deputy-Speaker.** The question is,

"That clause 3, as amended, stand part of the Bill"

*The motion was adopted*

*Clause 3, as amended, was added to the Bill.*

**Clause 4**

**Mr. Deputy-Speaker:** What are the amendments to clause 4?

**Shri Panigrahi (Puri):** Sir, I beg to move

Page 3,—

omit lines 30 to 32 (1)

**Shri Supakar:** My amendment No 51 is the same as amendment No 1.

**Shri P. R. Patel:** I beg to move:

Page 3,—

for lines 30 to 32, substitute—

(1) in item (1), after the words "in respect of the supply of energy", the following shall be inserted, namely —

"which in case of supply of energy for agriculture and its allied works and also for small scale industry shall not exceed 10 naye paise per unit" (55)

**Shri Panigrahi:** Sir, I just wanted to submit that the provision for rate regulation existed in terms of clause 11 and the Schedule to the Indian Electricity Act, 1910. After the passing of the Act of 1948, a clear profit or reasonable return of 6 per cent was allowed. So, it was decided to forego this provision in clause 11 and the Schedule to the Indian Electricity Act of 1910. But Sir, I would like to submit that this 6 per cent net profit is enabling the electricity undertakings which are worked privately to manipulate their accounts to such an extent that, even if it is possible for the State Governments or their inspectors to check their books of accounts, whatever profits they earn always come within the margin of 6 per cent with the result that the rate charged per unit of electricity can never be reduced. I can just cite one instance. The rates which are being charged for the last 40 years by the Octavius Company in Cuttack—it has got two power stations one at Cuttack in Orissa and the other in Bihar—are six annas per unit. For so many years, it has been giving more and more dividends and earning more profits, but their books show that they are earning a profit within 6 per cent. Therefore, they charge six annas per unit in Cuttack. It is now getting the bulk of its supply of electricity from Hirakud at a very cheap rate of 10 naye paise per unit. But after getting electric supply for 10 nP per unit from Hirakud, it still goes on charging six annas per unit at Cuttack. So, I would submit that the old provision should also be retained.

that is, the provision about fixing a maximum price limit. So, with a view to this aspect of the matter, I have moved this amendment.

**Shri Supakar:** I shall be very brief in view of the fact that I have appended rather a long Minute of Dissent on this particular point. Apart from those arguments in the Minute of Dissent, I may say that after the 1948 Act was passed, the Advisory Board was formed in the year 1953 to go into both the Acts of 1910 and 1948 and it must have gone into the action and reaction of this particular section, section 3, and clauses X and XIA in the Schedule in the 1910 Act and also section 57 and Schedules VI and VII of the 1948 Act. Even after a thorough study of these two apparently conflicting standards, as is suggested by the Government, they did not suggest any amendment to the Act of 1910.

Now, we are told that unless we do away with the clause regarding the limits of price there will be an inconsistency. But I would submit, as I have submitted earlier, that there will be no inconsistency, and we should see that the present clause prevails inasmuch as, whenever there is a conflict, this clause gives the consumer the rule of thumb or a ready reference as to the amount and the rate that is payable by him

On the other hand, the formulae that are mentioned in Schedules VI and VII and section 57 of the 1948 Act are rather complicated and it is not possible even for the Government to know, as is our experience, on what basis these rates are calculated. Therefore, I would submit that rather than doing away with the limits of price, as is suggested in the present clause, they should so adjust the provisions under the 1948 Act so as to conform to the needs of fixing a maximum. I believe that it will be a great progress in the development of electricity if we retain this clause relating to the fixing of the maximum limit in the body of the licence itself so that it could give a firm indication to the consumer as

to the limit up to which he is liable to pay.

**Shri P. R. Patel:** I have moved my amendment. I have been very glad to hear from the hon. Minister that the Government intends to supply electricity at a cheap rate to the agriculturists for agricultural use. He also said that electricity is supplied at a lower rate for agricultural purposes than for domestic purposes. I think that is always the case everywhere, and electricity is supplied to bigger industries at a lower rate than for agriculture or small industries. But, for the Minister's knowledge, I want to say one thing. When electricity is supplied for agricultural use, there is a minimum charge and even though electricity is not used in the monsoon season, the agriculturists are charged. That works up to the maximum charge and thus the agriculturists have to pay more than that which is charged for domestic purposes.

At the same time, the Minister said that the Government is thinking of supplying electricity for agricultural uses at a cheaper rate. I withdraw my amendment if the assurance comes from the hon. Minister that the Government will take action within six months. I do not think the hon. Minister considers the matter, but if he considers the matter and promises on the floor of the House that the Government will take action within six months or say one year and supply electricity to agriculture and small industries at a cheap rate not exceeding 10 nP per unit, I will be very happy to withdraw this amendment.

**Mr. Deputy-Speaker:** It is better that he sticks to his amendment!

**Shri P. R. Patel:** But the Minister said the other day that if necessary he will amend the Act of 1948. For this purpose, if it could be necessary to amend the Act of 1948, what is the sense in amending the present law which authorises the Government to fix the rate of supply for agriculture or any other purpose? I only desire

[Shri P. R. Patel]

that the Government should have authority to fix the rate of electrical energy supplied in the case of agriculture and small industries I hope the hon. Minister will be good enough to accept this amendment

Shri Krishna Chandra rose—

उपाध्यक्ष महोदय क्या माननीय सदस्य भी बोलना चाहते हैं ?

श्री कृष्ण चन्द्र : मेरे दो प्रमेडमेंटस हैं ।

Mr. Deputy-Speaker: There are 41 clauses that ought to be gone through within one hour which has been fixed by the House. The maximum that I could allow in addition to that one hour has also been exhausted. Therefore, I shall have to put to the vote at 3.45 all the clauses that may be left. If hon. Members want that all clauses should be discussed they should proceed at a quicker pace. That is my request.

Shri Krishna Chandra. I beg to move

Page 3, after line 28, insert

"(aa) for clause (c), substitute—

"(c) A local authority if it is an applicant for the licence shall be given preference over any other person" (40)

Page 3, for lines 30 to 32, substitute—

"(1) in item (1), after the words "in respect of the supply of energy", the words "which limit shall be kept lower in case of supply of energy for agriculture and also for small-scale industries", shall be inserted" (41)

प्रमेडमेंट नम्बर ४० में मैं ने यह प्रोपोज किया है कि जब बिजली के लाइसेंस के लिये दरखास्तें आयें, उनमें प्रगर लोकल प्रधारिटी की दरखास्त है, तो उस को और किसी प्रादमी के मुकाबले में प्रेफरेंस दिया जाये ।

हाकिम मुहम्मद इब्राहीम : यही कानून है ।

श्री कृष्ण चन्द्र नहीं है । जब लाइसेंस रिबोक किया जाता है, या उस की मियाद खत्म हो जाती है, तब तो कानून में लोकल प्रधारिटी को यह प्राप्पान और किसी शक्स के मुकाबले में दिया गया है, लेकिन जब लाइसेंस प्राट किया जाता है, तो लोकल प्रधारिटी की एप्लीकेसन को किसी दूसरे मामूली शक्स के मुकाबले में भी प्रेफरेंस नहीं दिया जाता है । मेरा प्रमेडमेंट यह है कि प्रगर कोई लोकल प्रधारिटी लाइसेंस के लिये दरखास्त दे, तो उस को किसी मामूली प्रादमी पर प्रेफरेंस दिया जाये ।

कानून में लाइसेन्स देने के बारे में एक यह धार है कि लाइसेंस में लिमिट फिक्स कर दी जायेगी कि उसी लिमिट में—उसी सीमा में लाइसेन्सी बिजली का चार्ज लगा सकेगा, उस से प्रागे नहीं बढ़ सकेगा । अब यह धारा निकाल दी गई है । मैं चाहता हू कि गवर्नमेंट का यह जो अधिकार है, उस अधिकार को बदस्तूर रखा जाय, बल्कि उस में और इजाफा किया जाय और यह शर्त रख दी जाय कि यह सीमा खेती और छोटे छोटे उद्योग-धंधा के लिये अपक्षतया कम रखी जायेगी ।

15 hrs.

The Deputy Minister of Irrigation and power (Shri Hathi): With regard to the amendments of Shri Panigrahi, it is known that in the 1910 Act, this provision of fixing the maximum rate was kept. But subsequently after the passing of the 1948 Act, the profit of the licensee has been restricted by the provision that it should not be more than 2 per cent. above the Bank rate, which is termed as a reasonable return. In no case can he charge more than that. So, whatever the maximum the

profit should be restricted only to that much. In the 1910 Act, this provision did not exist, but now with this provision which is restricting the profit, that maximum prescribed limit is not necessary

Regarding the other point raised by Shri Patel about the agricultural rates, I think the hon Minister has amply clarified the intentions of the Ministries of Food and Agriculture and Commerce and Industry. Up to now, no subsidy was given by the Centre for small-scale industries, but now they have said that 50 per cent of the subsidy will be borne by the Central Government, provided the rate is more than 1½ annas per unit. In that case, the Centre will bear 50 per cent for small-scale and cottage industries. Up to now, there was no mention of subsidy, but now we have prescribed the rate. It should not exceed 1½ annas per unit for small-scale industries. If it exceeds that subsidy may be given and in the subsidy, the Centre will share half.

So far as the Ministry of Commerce and Industry are concerned, they have mentioned the rate and this question of sharing the subsidy. But after all, we know that agriculture is more important and there should not be any difficulty for the State Governments to give electricity to agriculturists at a lower rate. In fact, in many cases, it is given at a lower rate. As the hon Minister mentioned, the rate for agriculture is Andhra 1½ annas, Bihar 2 ¼ annas, Madras 9/10 anna, Mysore 3/4, Orissa 1½ annas.

**Shri P. R. Patel:** What about Bombay?

**Shri Hathi:** For Bombay, I will give all the three rates: 5½ annas for domestic consumption, 2 23 annas for industry and 15 nP for agriculture.

Then, so far as the local authorities are concerned, when an individual licence has to be given, there is a provision in the 1910 Act that the State Government will consult the local

authorities, if they have any objection. That objection will be considered, reasons will be recorded and then only the licence will be given. There is ample provision for consulting the local authorities.

For these reasons, I am not accepting any of the amendments.

**Shri P. R. Patel:** He said that so far as energy used for small-scale industries is concerned, there is some scheme. But is there any scheme regarding energy supplied for agriculture?

**Mr Deputy-Speaker:** That he has made clear by saying that it would not be difficult for the States to supply it at a lower rate.

**Shri P. R. Patel:** Within what time and how?

**Mr. Deputy-Speaker:** If that does not satisfy him, it cannot be helped.

**Shri Panigrahi:** I quite appreciate what the hon Deputy Minister has said with regard to my amendment. But I would bring to his notice the report of the Bombay Electricity Board for 1956-57. They have clearly observed that even after fixing this reasonable rate of return of 2 per cent above the market rate, which comes to 6 per cent, the Board was satisfied that the rates charged were higher. So, they wanted to revise the rates, but the licensee did not agree.

**Shri Hathi:** We can appoint a rating committee.

**Shri Panigrahi:** The rating committee was appointed and it was satisfied that the profits were higher. They wanted to revise the rates, but the licensees went to the courts and got decisions in their favour for higher profits. So even with the 6 per cent we are giving, they are getting scope for getting higher profits and the consumers are being fleeced. I would only request the hon. Deputy Minister, who is very much accommodating, to see



[Shri Panigrahi]

whether he can be accommodating in this matter also

Shri Hathi: I have nothing to add except that the rating committee is there which considers the question. On the question whether the profit is more or less, if the courts come to a different decision, it cannot be helped

Mr. Deputy-Speaker: I will put all the amendments to clause 4 to the House

Amendment Nos 1, 55, 40 and 41 were put and negatived

Mr. Deputy-Speaker: The question is

"That clause 4 stand part of the Bill".

*The motion was adopted*

*Clause 4 was added to the Bill*

*Clause 5 was added to the Bill.*

Clause 6— (Insertion of new section 4A)

Shri Panigrahi. I beg to move

Page 5, omit lines 5 to 8 (2)

This relates to the provision which says that—

"the consent of the licensee should be taken before the undertaking is taken over"

This really gives a power of veto to the licensee and the redeeming feature embodied in new section 4A is nullified by this provision. I would, therefore, submit that this may be deleted

Shri Hathi: If the licensee is unreasonable, then the State Government can go ahead and take over the undertaking

Mr. Deputy-Speaker: The licensee is to be consulted first and an attempt made to secure his consent. But if he refuses to give his consent and is

unreasonable, then the State Government can go ahead without his consent even.

Mr. Deputy-Speaker: The question is

Page 5, omit lines 5 to 8 (2)

*The motion was negatived.*

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*

Clause 7— (Vesting of the undertaking in the purchaser)

Shri Naushir Bharucha. I move amendments Nos 19, 20, 21 and 22. One amendment is the same as a Government amendment. I beg to move

(1) Page 7,—

after line 14, add—

"Provided that where the licensee is required to deliver the undertaking pending the determination and payment of the purchase price of the undertaking, the State Government shall, in issuing such notice under above subsection, also specify therein—

(a) the reference to arbitration of the question of valuation of the undertaking and any difference of dispute relating thereto, and the time, not exceeding four months, for the completion of the arbitration proceedings,

(b) the amount by way of interim payment which the purchaser shall pay to the licensee within one month of the delivery of the undertaking;

(c) the period, not exceeding six months from the date of delivery of the undertaking

within which the balance of the purchase price shall be paid;

(d) payment of interest after the expiry of the above period of six months at the rate of three per cent. per annum above the current Bank rate" (19)

(2) Page, 7, line 24,—

after "the aforesaid date" insert—

"or such further time as the State Government may choose to extend" (20)

(3) Page 9, lines 18 and 21,—

omit "reduced in either case by the value of contributions made by consumers towards the cost of construction of service lines or other capital works" (21)

(4) Page 9,—

after line 23, add—

"Provided that the value of the assets shall be increased by an amount equivalent to the tax, if any, which the undertaking would be liable to pay under section 10, sub-section (2), clause (vu) of the Indian Income-tax Act, 1922 after taking into account the balance, if any, in the Tariff and Dividend Control Reserve created under the Electricity (Supply) Act, 1948". (22)

Shri Panigrahi: I beg to move

Page 6,—

for lines 29 to 40 substitute—

"(d) if the State Electricity Board is not willing to purchase the undertaking, the State Government in any case where the local authority referred to in clause (b) is willing to purchase the undertaking shall by notice in writing require the licensee to sell and thereupon the licensee shall sell the undertaking to that local authority;

(e) if the State Electricity Board is not willing to purchase the undertaking and the local authority is not willing to purchase the State Government shall have the option of purchasing the undertaking;" (4)

Shri Hathi: I beg to move:

(1) Page 6,—

for lines 1 to 8, substitute—

"5 (1) Where the State Government revokes, under section 4, sub-section (1), the licence of a licensee" (36)

(2) Page 7,—

after line 14 add—

"Provided that in any such case, the purchaser shall pay to the licensee, interest at the Reserve Bank rate ruling at the time of delivery of the undertaking plus one per centum, on the purchase price of the undertaking for the period from the date of delivery of the undertaking to the date of payment of the purchase price" (37)

(3) Page 9, lines 18 to 21,—

omit "reduced in either case by the value of contributions made by consumers towards the cost of construction of service lines or other capital works" (38)

(4) Page 9—

for lines 28 and 29, substitute—

"other than (i) a generating station declared by the licence not to form part of the undertaking for the purpose of purchase, and (ii) service lines or other capital works or any part thereof which have been constructed at the expense of consumers, due regard" (39)

Shri Krishna Chandra: I beg to move

(1) Page 6, line 22,—

for "whole" substitute "major portion" (42)

[Shri Krishana Chandra]

(2) Page 7, line 37,—

for "twenty" substitute "ten". (43).

(3) Page 10.—

omit lines 3 to 6,—(44).

(4) Page 10, line 4,—

for "twenty" substitute "ten" (45)

Mr Deputy-Speaker: Amendment No. 44 is the same as Amendment No. 11

Shri Naushir Bharucha I do not desire to take the time of the House I have already referred to my amendments in the course of my speech

Shri Supakar: Regarding Government Amendment No 36, during my speech earlier, I have said that this is rather an over-simplification which may lead to complications in future Therefore, may I suggest to the Government to reconsider it? Even if they do not propose to drop it now, will they at least reconsider it and see what will be the repercussions of the over-simplification at a later stage?

श्री कृष्ण चन्द्र माननीय मिनिस्टर ने बतलाया है कि लोकल एगारिटी की दरखास्त पर कनिडर किया जायगा कि उसे कोई एतराज तो नहीं है। मेरी तजवीज यह थी कि उसको लाइसेंस देना चाहिये। और अब यह मेरा प्रपोजेक्ट है कि लाइसेंस जब रद्द किया जाता है रिवोक किया जाना है या उसकी मियाद खत्म हो जानी है तब इसे बिल में और इस कानून के अन्दर यह प्राविजन है कि उस लोकल एगारिटी को प्रोपान होगा जिसके क्षेत्र में सप्लाय का पूरा क्षेत्र आता है और अगर एरिया आफ सप्लाय का कुछ थोड़ा सा हिस्सा भी उस लोकल एगारिटी के क्षेत्र के बाहर निकल जाये तब फिर लोकल एगारिटी को यह प्रोपान नहीं रहेगा। मेरा प्रपोजेक्ट यह है कि अगर एरिया आफ सप्लाय का अधिकतर भाग लोकल

एगारिटी के एरिया के अन्दर पड़ता है तो उस लोकल एगारिटी को सरीदवारी का प्रोपान होना चाहिये। मेरे प्रपोजेक्ट की यही मशा है।

Shri Panigrahi: I have already moved my amendment No 4 to substitute lines 29 to 40 Now I am moving my amendment No 7 to that clause I hope the Government will accept both my amendments.

I beg to move.

Page 9, lines 8 and 9,—

omit "or intending purchaser" (7)

Shri Hathi. So far as amendment No 7 is concerned, I think the omission of the words "or intending purchaser" may be accepted.

So far as amendment No 4 is concerned, we do not accept the amendment I think we have very clearly stated that the first reference will be to the State Electricity Board, then the State Government and then the local authority Therefore we are not prepared to accept it

Regarding Government amendment No 36, Shri Supakar said that over-simplification might complicate matters As it is, under section 4(1)(c) some procedure is adopted and for the remainder another procedure is adopted We want to have the same procedure for all the case Even if there is a default the procedure should be the same—a notice will be given and all that Therefore, we want to have a uniform procedure I do not think there is any complication

Shri Supakar: The previous one was simpler

Shri Hathi: Previously there were two categories Now we have one category for all cases.

So far as amendment Nos. 38 and 39 are concerned, we are only taking them from the present place and keeping them elsewhere. That is the only thing.

So far as Shri Bharucha's amendment about giving 3 per cent is concerned, we are putting it at 1 per cent. We cannot accept the amendment to make it 3 per cent. We can appreciate the difficulty that when once the undertaking is sold the arbitration might take some time and the man may not get his money for a long time. He has to wait for that.

**Shri Naushir Bharucha:** The Government is notorious for not paying the money in time.

**Shri Hathi:** No, but we think we should leave it at 1 per cent.

**Mr. Deputy-Speaker:** The question is

Page 6,—

for lines 1 to 8, substitute—

"5 (1) Where the State Government revokes, under section 4, sub-section (1), the licence of a licensee" (36)

*The motion was adopted.*

**Mr. Deputy-Speaker.** The question is.

Page 7,—

after line 14. add—

"Provided that in any such case, the purchaser shall pay to the licensee, interest at the Reserve Bank rate ruling at the time of delivery of the undertaking plus one per centum, on the purchase price of the undertaking for the period from the date of delivery of the undertaking to the date of payment of the purchase price" (37).

*The motion was adopted.*

**Mr. Deputy-Speaker:** The question is:

Page 9, lines 18 to 21,—

omit "reduced in either case by the value of contributions made by consumers towards the cost of construction of service lines or other capital works" (38).

*The motion was adopted.*

**Mr. Deputy-Speaker:** The question is:

Page 9,—

for lines 28 and 29, substitute—

"other than (i) a generating station declared by the licence not to form part of the undertaking for the purchase of purchase, and (ii) service lines or other capital works or any part thereof which have been constructed at the expense of consumers, due regard" (39)

*The motion was adopted.*

**Mr. Deputy-Speaker:** The question is:

Page 9, lines 8 and 9,—

omit "or intending purchaser". (7)

*The motion was adopted.*

**Mr. Deputy-Speaker:** Amendment No. 21 is barred, because amendment No. 38 has been accepted. I will now put the rest of the amendments to the vote of the House.

Amendment Nos. 19, 20, 22, 40, 42, 43, 44, and 45 were put and negatived.

**Mr. Deputy-Speaker:** The question is:

"That clause 7, as amended, stand part of the Bill"

*The motion was adopted.*

Clause 7, as amended was adopted.

**Mr. Deputy-Speaker:** The question is:

"That clauses 8 and 9.....

**Shri Panigrahi:** What about section 7A? I have an amendment relating to section 7A which I want to move.

**Mr. Deputy-Speaker:** Section 7A is part of clause 7 which we have already adopted. Now the question is:

"That clauses 8 and 9 stand part of the Bill"

*The motion was adopted.*

*Clauses 8 and 9 were added to the Bill*

*Clauses 10 to 14 were added to the Bill*

**Clause 15—** (*Insertion of new sections 22A and 22B*)

**Shri Naushir Bharucha:** I beg to move

(1) Page 12.—

after line 33, add—

"Provided that the arbitration proceedings shall conclude within six months and that pending such proceedings the establishment referred to in sub-section (1) continues to pay for the energy at the usual rates of the licensee for such category of consumer" (23)

(2) Page 12.—

after line 41, add—

"Provided that in case of difference or dispute as to the rate at which or the terms and conditions on which the supply of energy is to be continued after the termination of any agreement between the licensee and the said establishment such difference or dispute shall be determined by arbitration and the proviso to sub-section (2) shall apply to such arbitration proceedings" (24)

**Shri Krishna Chandra:** Sir, I beg to move

Page 13.—

omit lines 25 to 28. (47).

**Shri Naushir Bharucha:** My amendments are self-explanatory.

**Mr. Deputy-Speaker:** I suppose Shri Krishna Chandra's amendment is also self-explanatory

**Shri Krishna Chandra:** I do not want to say anything.

**Mr. Deputy-Speaker:** Does the hon. Minister want to say anything?

**Shri Hathi:** No, Sir, we do not accept the amendments

**Mr. Deputy-Speaker:** I will put all the amendments together

*Amendment Nos 23, 24 and 47 were put and negatived*

**Mr. Deputy-Speaker:** The question is

"That clause 15 stand part of the Bill"

*The motion was adopted.*

*Clause 15 was added to the Bill.*

*Clauses 16 to 26 were added to the Bill*

**Clause 27—** (*Amendment of section 36A*)

**Shri Panigrahi:** Sir I beg to move

Page 18.—

after line 8, add—

"(j) two members to be nominated by the employees organization,

(k) three members of Parliament" (12)

With regard to the representation or taking in of Members of Parliament the hon. Minister had replied but with regard to (j), that is, regarding my suggestion that two members from the employees working in the electricity undertakings throughout the country should also be represented on this Board, there was no reply given. I think the hon. Minister may accept it

**Shri Hathi:** The hon. Minister had explained the position that on this Board, which is merely a technical rule making body, it is not necessary that hon. Members should be represented

**Mr. Deputy-Speaker:** Not hon Members. He says about labourers and workers.

**Shri Hathi:** There also it would not be proper because this Board is to frame rules with regard to safety etc Therefore I oppose the amendment

**Shri Panigrahi:** I wanted to know about the employees

**Mr. Deputy-Speaker:** There is only difference of opinion Both have understood each other

The question is—

Page 18,—

after line 8, add—

“(j) two members to be nominated by the employees organisation, and

(k) three members of Parliament” (12)

The motion was negatived

**Mr. Deputy-Speaker:** The question is

“That clause 27 stand part of the Bill”

The motion was adopted

Clause 27 was added to the Bill.

Clauses 28 to 30 were added to the Bill

Clause 31—(Substitution of new section for section 42)

**Shri Krishna Chandra:** Sir, I beg to move:

(1) Page 19,—

after line 7, add—

“(f) makes default in carrying out any liabilities imposed

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on the licensee under the provisions of this Act or the rules made thereunder;” (27)

Page 19, line 8,—  
for “one thousand” substitute  
“three thousand” (28)

(3) Page 19, line 10,—

for “one hundred” substitute  
“three hundred” (29)

(4) Page 19,—

after line 10, add—

“Provided that out of the fines imposed the court shall direct to be paid to the complainant such sum as it may deem adequate to compensate him for the expenses incurred by him.” (30)

इस में एक व्यवस्था है कि कानून या रूल्स के अन्दर लाइसेंसी पर जो आबलियेसस डाले गये हैं अगर वह उनको पूरा नहीं करता तो कंज्यूमर को उस के खिलाफ प्रासीक्यूशन का अधिकार नहीं है। लेकिन अगर कंज्यूमर अपनी जिम्मेवारी को बरा भी पूरा नहीं करता तो लाइसेंसी को उसे प्रासीक्यूट करने का अधिकार है। अगर लाइसेंसी अपनी जिम्मेवारी पूरी नहीं करता तो कंज्यूमर को उसके खिलाफ अदालत में जाने का अधिकार नहीं है।

उपाध्यक्ष महोदय . वह सीषा सर्वनमेंट के पास जा सकता है और उसका लाइसेंस कैंसिल करवा सकता है।

श्री कृष्ण चन्द्र . कंज्यूमर इलेक्ट्रिसिटी इंस्पेक्टर के पास जा सकता है लेकिन उस के ऊपर लाइसेंसी का ज्यादा असर होता है बनिस्बत कंज्यूमर के। तो मेरा सशोधन यह है कि जिस तरह से लाइसेंसी को कंज्यूमर को प्रासीक्यूट करने का अधिकार दिया गया है उसी तरह से कंज्यूमर को भी लाइसेंसी को प्रासीक्यूट करने का अधिकार दिया

[श्री कृष्ण चन्द्र]

माना चाहिये, अगर वह अपने लाइसेन्स को पूरा नहीं करता है जोकि कानून ने और क्लॉक ने उसके ऊपर डाले हैं। अभी दोनों में फर्क रखा गया है। लाइसेंसी का प्रासिक्युशन तभी हो सकता है जब वह गवर्नमेंट की बात नहीं मानता और, उदाहरण के लिये, लाइसेंसी को सिर्फ एक हजार रुपया जुर्माना देना होगा और अगर वह लगातार सरकार की बात की अवहेलना करता रहे तो उसे सी रुपया रोक देना होगा लेकिन अगर कंज्यूमर कोई जुर्माने को उसको ३,००० रुपयाना देना होगा और अगर वह अपने भी वैसा करता रहे तो उसको तीन सी रुपया रोक देना होगा। लाइसेंसी एक बड़ा आवामी होता है उसके खिलाफ कंज्यूमर के लिये चाराजोई करना निहायत मुश्किल होता है। लेकिन लाइसेंसी जब गवर्नमेंट की भी हिदायत नहीं मानता तो उसको सिर्फ एक हजार रुपया जुर्माना देना पड़ता है और अगर वह उस हिदायत को फिर भी न माने तो उसे रोकना सी रुपया देना होगा लेकिन अगर बेचारा कंज्यूमर कुछ भी बुरा कर जाय तो उसको ३,००० रुपया देना होगा और अगर वह उस काम को फिर भी करता रहे तो उसको ३०० रुपया रोकना देना होगा। दोनों में वह तकरीक न हो वही बेच भ्रममेंडेंट है।

**Shri Hathi:** The amendment that he seeks to make is that after line 7 add (f) as under:—

"makes default in carrying out any liabilities imposed on the licensee under the provisions of this Act or the rules made thereunder;"

Section 42 already provides for the various penalties that are imposed upon the licensees for making any default in the licence.

**Shri Krishna Chandra:** It is not there.

**Shri Hathi:** Now if he reads section 42 he will find that there is a clause, which he actually wants. It reads:

"being a licensee or a person who has obtained the sanction of the State Government as aforesaid, in contravention of the provisions of this Act or of the rules thereunder, or in breach of the conditions of license or of the sanction,"

That is included; in section 42. So, what he intended is covered.

**Mr. Deputy-Speaker:** I will put all these amendments together

Amendment Nos. 27, 28, 29 and 30 were put and negatived.

**Mr Deputy-Speaker:** The question is

"That clause 31 stand part of the Bill"

The motion was adopted

Clause 31 was added to the Bill.

Clauses 32 to 39 were added to the Bill.

Clause 40—(Amendment of the Schedule)

**Shri Naushir Bharucha:** Sir, I beg to move—

(1) Page 21,—

after line 25, add—

"(1) for sub-clause (c), the following sub-clause shall be substituted, namely:—

"(c) The audit shall be made and conducted by persons with such qualifications and in such manner as the State Government shall direct" (25).

(2) Page 22,—

after line 2 insert—

'(1a) to sub-clause (1), the following proviso shall be added, namely.—

"Provided that when a licensee is required by the State Government under section 22A of the Act to supply energy to an establishment under sub-section (1) thereof, or to any new industrial or commercial concern making a requisition for supply, the rate for supply of such energy shall not be such as to necessitate an increase in the rates charged to the existing consumers of the undertaking" (26)

Shri Panigrahi. Sir, I beg to move

(1) Page 21, line 32,—

for "two or more" substitute "one or more" (13)

(2) Page 21, line 41,—

for "fifteen per-centum" substitute—

"five per centum for agricultural purposes and ten per centum for industrial and other purposes" (14)

Shri Supakar: Sir, I wish to move my amendment No 52

Mr. Deputy-Speaker It is the same as amendment No 13

Shri Naushir Bharucha: Amendment No. 25 is self-explanatory and amendment No. 26 I have already referred to in my speech

Shri Panigrahi: Sir, with regard to my submission for reducing the number from 'two or more' to 'one or more', I would again like to request the hon Minister to consider this point. In a rural area where the agriculturists or a single enterprising

agriculturist wants to take a distributing main, the private undertakings do not like to undertake any loss. They always want to shift the responsibility on the State Electricity Boards so that the private undertakings can reap the profits and any loss that has to be incurred will be incurred by the State Electricity Boards. So, when the number has been reduced from six to two or more there is no sanctity in the number and it can be reduced to one or more. If any individual enterprising agriculturist in a village wants to take the distributing main and if he applies he must be given that power.

Now, the question may be asked that as it is today in India agriculture is not very much paying. It has also been calculated that for using one kilowatt of power in agriculture, a capital investment of about Rs 1,200 is required. So, when the agriculturist wants to take power for the purpose of producing more food-grains, at least we must have consideration and even if one agriculturist applies he must be supplied with power.

Shri Krishna Chandra: I beg to move

Page 21, line 41,—

for "fifteen" substitute "eight" (32)

जब कोई कनजूमर किसी मेन लाइन को एक्सटेंड कराना चाहता है, तो पहले छ या छ. से ज्यादा की रियायत दी गई थी और अब उस रियायत को दो या दो से ज्यादा कर दिया गया है, लेकिन उन को उस पर जाने वाले खर्च पर पंद्रह फी सदी रिटर्न देने की गारंटी करनी होगी, उस का अडरटेकिंग देना होगा और सिक्योरिटी जमा करनी होगी। जैसा कि माननीय मंत्री जी ने बताया है, यह पंद्रह फीसदी इस बजह से लगाया गया है कि अब तक रीजनेबल रिटर्न लफ्ट था, और अब तक रीजनेबल रिटर्न के जितने सवाल आये, सब में पंद्रह फीसदी या इसलिये पंद्रह फीसदी रकम दिया गया है।



[Shri Krishna Chandra]

हाकिम मुहम्मद इब्राहीम : ऐजेरेज ।

जो कम्पल चार्ज : हा, ऐजेरेज है। इसलिये उस को पंद्रह फ्रीसवी रक दिया गया है। मेरी धारणा यह है कि पंद्रह फ्रीसवी बहुत ज्यादा है। जब इन्फिनिटिमी (सम्पाई) एक्ट में यह निश्चित कर दिया गया है कि लाइसेंस का इतना प्राप्ति हो सकता है और अगर उतना प्राप्ति उस को हो रहा है, तब फिर पंद्रह परसेंट हर बात में, वह ले ले—जहां लाइन एक्सटेंड की, वहां पंद्रह परसेंट ले ले, यह बिल्कुल तलंत है। जैसाकि माननीय मिनिस्टर साहब ने बताया था, यह सिर्फ वहां पर है कि जो उस का कम्पलसरी एरिया नहीं है। वहां अगर लाइन एक्सटेंड कराया, तो उस को देना पड़ेगा। लेकिन अगर कम्पलसरी एरिया में है, तो उस को नहीं देना पड़ेगा। लेकिन ऐसा इस एक्ट में नहीं है। अगर कंज्यूमर लाइन एक्सटेंड कराना चाहे, तो उस को गारंटी का अडरटेकिंग देना पड़ेगा, चाहे उस की लाइन पड़ी हो या न पड़ी हो और चाहे वह कम्पलसरी एरिया में हो कबन हो।

फिर यह भी प्राविजन है कि चाहे लाइन पहले पड़ चुकी हो, चाहे कनज्यूमर की प्रार्थना पर चाहे लाइसेंसी स्वयं चाहे गवर्नमेंट की हिदायत पर लाइन डलवाई है; या दो कंज्यूमर्स की दरखास्त पर लाइन डाली जा चुकी है और उन्होंने ने अडरटेकिंग भी दे दिया कि इतना मुम्हारा खर्च लगेगा, हम को साल बराबर उस पर पूरा कर पंद्रह परसेंट मुनाफा देंगे—यह सब गारंटी दे दी, लेकिन अगर कोई और कंज्यूमर चाहता है कि मेरे वहां भी बिजली आ जाये, तो उस के लिये भी फिर यही प्राविजन है कि उस को भी पंद्रह परसेंट का अडरटेकिंग देना पड़ेगा। मैं पूछना चाहता हूँ कि जब लाइन पहिले ही पड़ चुकी है, मेन लाइन पड़ चुकी है, और मेन लाइन से बिजली देना है उस एरिया में, शुरू हो गया है तो फिर पंद्रह परसेंट की

वर्त क्यों रखी गई है। वह वर्त हटा देना चाहिये।

Shri Supakar: Yesterday the hon. Minister was distinguishing between the compulsory area and the non-compulsory area. That was the argument advanced by him to negative the suggestion that in the place of "two or more" there should be "one or more". But you will see that in the case of clause VII also the Joint Committee had accepted in place of "five or more" the amendment "one or more". That is to say, even one person can take advantage of clause VII, though it is not within the compulsory area. Then why should the same reason not apply in the case of clause VI also?

The distinction is only regarding the laying of mains and extension of service lines. Since the argument that was advanced yesterday by the hon. Minister about the distinction between compulsory area and non-compulsory area does not hold good in the case of clause VII, there is no reason why the same facilities should not be extended in the case of those persons who come under clause VI. And I think that Government should consider extending it even to the case of person where it is only one. And those cases may be the kind of cases referred to by my hon. friend Shri Panigrahi, that is to say one enterprising person may come forward and he may seek the benefit not only for himself but for other persons to be benefited at a later stage.

Therefore, there is no reason why it should be restricted to two or more than two persons. Even one enterprising person should be enough to help the growth of electricity in a particular area. I therefore submit that this amendment which has been moved by my hon. friend and which is supported by me is a very reasonable amendment and should be accepted.

Hafiz Mohammad Ibrahim: Sir, I am on my legs to remind hon. Members of this House that yesterday in

my opening speech I pointed out that with the licensee there are two kinds of areas, compulsory area and non-compulsory area. In the compulsory area, according to the licence, the licensee is under an obligation to provide electricity and to give electricity to those persons who apply for it there. As far as the non-licensing area is concerned it is optional. My hon. friend Shri Krishna Chandra is under a wrong impression that this applies to both. It does not apply to that area which is a compulsory area, this rule does not apply there, its application is confined only to the area which is non-compulsory, which is optional. There this convenience has been provided for the members that instead of six—under the present law it is provided that unless there are six persons applying for connection, the connection will not be given to the person who has applied—that has been reduced to two. So, it is the utmost possible convenience which can be provided there, and if it is reduced to one, then that distinction which is basic and which is provided under the agreement goes away.

There is a compulsory area and a non-compulsory area, and the basic difference between the two is this that in the non-compulsory area the consumers cannot ask so freely and with that freedom with which they can ask for electricity in the compulsory area. Therefore I maintain that according to the contract which is embodied in the licence it has to be continued in this way. So the number has been reduced from six to two, and it is never too difficult to find out.

**Shri Supakar.** What about the distinction between clause VI and clause VII? That way my point

**Shri Hathi:** May I reply to that, Sir, regarding the distinction between clause 6 and clause 7? Clause 6 actually answers the point raised by the hon. Member there. He wanted to know if there is any provision un-

der which, where the mains are laid down, even one person can apply and the licensee is obliged to do it.

Clause VI of the Schedule says: "Where after distributing mains have been laid down under the provisions of clause IV or clause V and the supply of energy through those mains or any of them has commenced, a requisition is made by the owner or occupier"—please note, it is the singular number—"of any premises situate within the area of supply requiring the licensee to supply energy for such premises, the licensee shall, within one month from the making of the requisition" supply the energy.

That is, where the mains have actually been laid, any one person can do it, because that is the compulsory area where the licensee is required to complete his work and lay down the mains within two years. The other area suggested was voluntary where he is not obliged to lay down the mains. It may be ten miles beyond the populated area, where it is not obligatory for him. If a man wants it in an area not included in the licence, then only this question comes.

The distinction between clause 7 and clause 6 is this. In clause 7 what is provided is that where a new main or a new line is going to be laid, the licensee will give a notice and say "if anybody wants let him apply, we shall lay the mains". It is not a question after the mains have been laid down. It is while they are being laid. This is after it has been laid. That is the distinction.

श्री कृष्ण चन्द्र · माननीय मिनिस्टर साहब ने अभी बतलाया कि क्लॉज ६ के अन्दर अब लाइन्स पड गईं और सप्लाय शुरू हो गई तो वह कम्प्लेटी एरिया हो गयी । लेकिन इस क्लॉज के अन्दर है कि उस कम्प्लेटी एरिया में भी, जिसे माननीय मिनिस्टर साहब ने अभी बतलाया कि वह कम्प्लेटी एरिया होगी, उस में भी साइडली को बड़े १५ प्रतिशत मुद्रावर्जे के सामानों का अधिकार होगा । वह क्यों ?

**Haji Mohammad Ibrahim:** No; not at all.

बी क्लॉस बन्न : यह जो इस में है :

Where after distributing mains have been laid down under the provisions of clause IV or clause V, when any consumer applies, he will have to give an undertaking—"within fourteen days after the service on him by the licensee of a notice in writing in this behalf, he tenders to the licensee a written contract, in a form approved by the State Government, duly executed and with sufficient security, binding himself to take a supply of energy for not less than two years to such amount as will produce, at current rates charged by the licensee, a reasonable return—now 15 per cent.

इस के अन्दर जिसे घाप ने कम्प्लेरी एरिया कहा है यह अगर क्लॉस ५ और ६ में कम्प्लेरी एरिया है, तो उस एरिया में भी यह १५ परसेंट की शर्त लागू है। लेकिन क्लॉस ५ में भी बैसा में ने बतलाया है कहीं कम्प्लेरी एरिया का जिक्र नहीं है। मैं क्लॉस ५ पर रहा हूँ :

#### Clause 5

"Where, after the expiration of two years and six months from the commencement of the licence, a requisition is made by six or more owners or occupiers of premises in or upon any street or part of a street within the area of supply—

Not area of compulsory supply. It is only "within the area of supply"

इस में कहीं भी कम्प्लेरी एरिया का जिक्र नहीं है।

**Mr. Deputy-Speaker:** Area of supply is interpreted by the Minister like that

**Shri Nathi:** The difficulty is, rule 13 (d) mentions what is compulsory. The rules made under the Act deal with it

**Shri Naushir Bharucha:** 'Area of supply' has been defined

**Mr. Deputy-Speaker:** Yes; that has been defined.

I shall now put all the amendments to the vote of the House.

Amendments Nos. 25, 26, 13, 14 and 32 were put and negatived.

**Mr. Deputy-Speaker:** The question is:

"That clause 40 stand part of the Bill."

The motion was adopted.

Clause 40 was added to the Bill.

Clause 41 was added to the Bill.

**Mr. Deputy-Speaker:** The question is:

"That clause 1, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

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

**Shri Nathi:** I move:

"That the Bill, as amended, be passed"

**Mr. Deputy-Speaker:** The question is:

"That the Bill, as amended, be passed"

The motion was adopted.

15 45 hrs.

#### DOWRY PROHIBITION BILL

**The Minister of Law (Shri A. K. Sen):** Mr Deputy-Speaker Sir, I beg to move

"That the Bill to prohibit the giving or taking of dowry, be referred to a Joint Committee of the Houses consisting of 45 members; 30 from this House, namely:—Shri J. M. Mohamed Imam, Dr. K. Atchamamba, Shri Nibaran Chandra Lasker, Shri Omkar Lal, Shri Jasti Jayaben Vajubhai Shah, Shri