कि अगर हम जहाज ख़रीदने के लिए ग्रांट को यूटिलाइज़ नहीं करेंगे, तो यह ग्रांट लैप्स हो जायेगी, और उनके लिये अगले सालों में ग्रांट को बढ़ाना नामुमकिन हो जायेगा। इंगलैंड की मिनिस्टर फ़ार ओवरसीज़ एड, मिसेज़ जूडिथ हाट, ने मुझसे कहा है कि उनके लिए आगे ग्रांट को बढ़ाना मुश्किल हो जायेगा। जहां तक क्वालिटी का सवाल है, शिपिंग कारपोरेशन ने अपना सटिसफ़ेक्शन कर लिया है कि इन जहाज़ों की क्वालिटी वगरह ठीक है। क्वालिटी के बारे में शिपिंग कारपोरेशन ने अपनी सटिसेफ़क्शन कर ली है कि क्वालिटी वगैरह ठीक है।

SHRI O. V. ALAGESAN: The hon. Minister has stated that he does not have enough capacity to manufacture the tonnage that is required and he has also stated that the Government propose to have two more new ship-yards to manufacture ships. Now, there is a wondereful site near Madras called Pulicat. Will the hon. Minister consider having one of the two new proposed ship-yards at Pulicat?

श्री चांद राम : मद्रास में शिपयार्ड बनाने के लिए कोई प्रोपोज़ल नहीं है। एक टेक्नो एकोनोमिक कमेटी बनी थी उसने यह सिफारिश की है कि पारादीप और हजीरा जो गुजरात में है, ये साइट सूटेबल है। प्रेलिमिनरी प्रोजेक्ट रिपोट हमें मिल गई है, डीटेल्ड प्रोजेक्ट रिपोर्ट सरकार ने इन दो साइटस के लिए मांगी है।

Amendment of Cr. P. C. in relation to Anticipatory Bail

*409. SHRI D. G. GAWAI: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the question of amending the Criminal Procedure Code has been engaging the attention of the Government for some time past so far as it relates to anticipatory bail;

(b) if so, whether a decision has been taken in the matter;

(c) if so the particulars thereof; and

(d) if not, the reasons for delay in taking a decision in this regard and when a final decision in the issue is likely to be taken?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. D. PATIL): (a) to (d). A Bill amending the Code of Criminal Procedure, 1973 and *inter alia* deleting Section 438 of the Code relating to the grant of anticipatory bail was passed by the Rajya Sabha in August, 1976. However the Bill lapsed on the dissolution of the Fifth Lok Sabha. The question of amending some other provisions of the Code of Criminal Procedure including anticipatory bail is also being examined. An Amendment Bill in this regard is proposed to be brought before Parliament in due course.

श्री डी० जी० गवई : अध्यक्ष महोदय, मैं जानना चाहता हूं कि जनता सरकार के आठ महीने के शासन काल में आज तक कुल कितने व्यक्तियों ने कितनी बार इस धारा 438 के अन्तर्गत जमानत ली है और क्या इस कारण उनके ऊपर मुकदमे चलाने में देर और सरकार को परेशानी हुई है?

SHRI S. D. PATIL: I have no information in my possession as far as the first part of the question is concerned. As regards the cases in wheich investigation was delayed. I have got figures in respect of as many as 17 States where persons were granted anticipatory bail under Section 438 of the Criminal Procedure Code. The figures are: Haryana—88; Bihar—290; —West Bengal—35; Maharashtra—538; Andhra Pradesh—571; Himachal Pradesh—172; U.P.—2,613; Rajasthan—487; Karnataka—102; Gujarat—40 Orissa—554; Pondicherry—12; Madhya Pradesh—2,323; Tripura—9 and Manipur 1.

As regards the cases where investigation was adversely affected in rela-

tion to identification, the figures are: Andhra Pradesh—5, U.P.—142, Rajasthan—5, Karnataka—10; Gujarat—3; Orissa—1; Pondicherry—2 and Madhya Pradesh—177.

As to where the cases were affected under Section 27 of the Indian Evidence Act, the figures are: Haryana—10; Maharashtra—22; Andhra Pradesh—23; Himachal Pradesh—19; U.P.—34; Rajasthan—59; Karnataka—24; Gujarat—12; Orissa—1; Pondicherry—5; Madhya Pradesh—328 and Manipur—1.

For other reasons, the figures are: Haryana—8; Maharashtra—76; Andhra Pradesh—14; Himachal Pradesh—14; Uttar Pradesh—225; Rajasthan—56; Karnataka—4; Gujarat—3; Orissa—3; Pondicherry—6 and Madhya Pradesh—213.

श्री डी० जी० गवई : मंत्री जी ने बताया है कि एक संशोधन विधेयक यथा समय लाया जायेगा, मैं जानना चाहता हूं कि यथासमय का क्या मतलब है—कुछ दिन, कुछ महीने या कुछ सदियां ? क्या सरकार के विचार में धारा 438 का हटाया जाना जरूरी है ?

SHRI S. D. PATIL: It will be introduced in due course, in a reasonable time. It may not be in this Session, but it will be coming soon, next year.

SHRI F. H. MOHSIN: As has been stated by the Minister, the decision to delete the section providing for anticipatory bail was taken by the previous Government and a Bill to that effect was passed by the Rajya Sabha. It was also decided to leave the discretion to the courts to give anticipatory bail as it was in the former Criminal Procedure Code. May I now know whether the Government is reconsidering deletion of the section providing for anticipatory bail, whether they want to reconsider the decision already taken by the previous Government?

SHRI S. D. PATIL: I have already replied that the Bill which was introduced by the previous Government and passed by the Rajya Sabha in August, 1976 had lapsed. Now, along with amendment of section 438, there are other amendments also which Government is contemplating—with reference to sections 13, 18, 25, 473, etc.

SHRI BAPUSAHEB PARULEKAR: I would like to know from the hon. Minister the nature of the amendment which he proposes to bring, whether the Government propose to abrogate completely the provisions of section 438 or they only want to make some amendments. He has not mentioned that in his reply.

SHRI S. D. PATIL: It will be too early to disclose what type of amendment we are contemplating. After considering the pros and cons of the matter, we shall bring a suitable amendment.

श्री बृज भूषण तिवारी : अध्यक्ष महोदय, एंटिसिपेटरी बेल के माध्यम से जो बड़े तस्कर हैं या बड़े लोग हैं जो कि भ्रष्टाचार के आरोपों में पकड़े गए वही इसका फायदा उठाते है । जब अन्य सूबों में जैसे उत्तर प्रदेश में इस धारा को निरस्त कर दिया गया तो क्या मंत्री जी बतायेंगे कि यहां दिल्ली, हरयाणा या आस पास के सूबों में जहां इसका इस्तेमाल करके लोग कार्यवाही में देरी कर रहे हैं वहां इसके हटाये जाने में क्यों देरी की गई ?

SHRI S. D. PATIL: Regarding the first part of the question of the hon. Member about misuse, etc., there was a Committee appointed in 1974. The Committee came to the conclusion that there was a growing trend in the grant of anticipatory bail and cases where investigation was delayed on this account. I have given the figures from 1-4-1974 to 31-12-1974

MR. SPEAKER: You have already mentioned.

SHRI S. D. PATIL: They have also observed that the number of cases where anticipatory bail is granted can, by no stretch of imagination, be associated with political rivalry, but is due to the fact that advantage of this provision is being taken by persons concerned in criminal activities.

I have not got the break-up of the figures of smugglers and others.

News item captioned "Hindustan Photo Films a Parasite on the Film Industry"

*411. SHRI SURENDRA BIKRAM: Will the Minister of INDUSTRY be pleased to state:

(a) whether Government's attention has been invited to the fact that Hindustan Photo Films is a parasite on the film industry as published in Times of India of 14th November, 1977; and

(b) if so, the reaction of Government thereto?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) and (b). The allegations contained in the news item published in the Times of India of 14th November, 1977 are incorrect as there has been in the past few years, significant improvement in the performance of the Hindustan Photo Films Mfg. Co. in terms of production, productivity, profitability, technological improvements and lowering of rejection levels.

श्री सुरेन्द्र विक्रम : क्या माननीय मंत्री जी बतलायेंगे कि पिछले तीन वर्षों में हिन्दुस्तान फोटो फिल्म्ज़ उद्योग के प्रोडक्शन और नफ़े में कितने प्रतिशत की बढ़ोतरी हुई है ?

श्री जार्ज फरनान्डिस : इस कम्पनी में—

	लाख रुपयों का घाटा था ।
1971–72 में	265
1972–73 में	297
1973–74 में	273
1974–75 में	167
	लाख रुपयों का मुनाफा कमाया
1975–76 में	16
1976–77 में	143

इस साल भी उम्मीद है काफ़ी मुनाफ़ा होगा ।

श्री सुरेन्द्र विक्रम : क्या माननीय मंत्री जी बतलायेंगे कि इस कम्पनी में पिछले सालों में टेक्नालाजिकल इम्प्रूवमेंट्स क्या हुए हैं ?

श्री जार्ज फरनान्डिस : इस क्षेत्र में टेक्नालाजिकल इम्प्रूवमेंटस के बारे में कोई ठोस बात अभी नहीं बतला पाऊंगा । सिर्फ इतना ही कह सकता हूं कि फिल्म्ज़ बनाने का जो क्षेत्र है, इस दुनिया में बहुत कम ऐसी कम्पनियां हैं जो इस क्षेत्र में काम करती हैं । हिन्दुस्तान फोटो फिल्म्ज़ का कोलाबोरेशन एक अमरीकी कम्पनी और एक जर्मन कम्पनी के साथ मुख्यतया रहा है, एक फ्रांसीसी कम्पनी के साथ भी रहा है । हमारे टैक्नीशियन्ज इन तमाम कम्पनियों के साथ मिलकर टेक्नोलाजी में जो भी सुधार हो रहे हैं, उनका लाभ उठाने का प्रयास करते हैं और अपनी ओर से भी जितनी रिसर्च संभव है, उस को करने के काम में लगे हैं ।