

## RAJYA SABHA

Thursday, the 2nd March, 1978/the 11th  
Phalgun, 1899 (Saka)

The House met at eleven of the • lock, Mr.  
Chairman in the Chair.

### ORAL ANSWERS TO QUESTIONS

\*211. [The questioner (Shri N. H. Kumbhare) was absent. For answer, vide col. 34 infra].

\*212 [The questioner (Shri U. R. Krishnan) was absent. For answer, vide col. 36 infra].

\*213. [The questioners (Shrimati Rathnabai Sreenivasa Rao, Shrimati Saraswati Pradhan, Shrimati Pratibha Singh and Shrimati Sushila Shankar Adivarekar) were absent. For answer vide col. 37 infra].

\*214. [The questioner (Shri Guru-dev Gupta) was absent. For answer vide col. 38 infra].

\*215. [The questioner (Shri Janardhana Reddy) was absent. For answer vide col. 40 infra].

#### Elected body for the administration of the Andaman and Nicobar Islands

\*216. SHRI SYED NIZAM-UD-DIN:  
SHRI MULKA GOVINDA  
REDDY: f SHRI R. D. JAGTAP  
AVERGOANKAR: SHRI  
NAGESHWAR PRASAD

SHAHI: SHRI SANAT KUMAR RAHA:  
Will the Minister of HOME  
AFFAIRS be pleased to state:

(a) whether Government are aware that there is a pressing demand from the residents of the Andaman and Nicobar Islands for an elected body for the administration of the Islands;

fThe question was actually asked on the floor of the House by Shri Mulka Govinda Reddy.

1949 RS—1.

(b) whether there is any proposal under Government's consideration to set up a territorial council or any other similar body to be elected by the residents for administering the Islands; if so, what are the details thereof; and

(c) if the reply to part (b) above be in the negative, what are the reasons therefor?

THE MINISTER OF STATE IN THE  
MINISTRY OF HOME AFFAIRS (SHRI  
DHANIK LAL MANDAL): (a) Yes Sir.

(b) and (c) Government has yet to take a decision in the matter.

SHRI MULKA GOVINDA REDDY: I would like to know from the hon. Minister whether they have realised the necessity of having an elected body for the Andaman and Nicobar Islands and, if so, how long will the Government take to decide about the question of constituting an elected body for the administration of the Andaman and Nicobar Islands?

SHRI DHANIK LAL MANDAL: Even today there are elected bodies— there are the panchayats, there are the municipal boards and there are the tribal councils. So, I do not quite understand what the hon. Member means when he says that.

SHRI MULKA GOVINDA REDDY: As in the case of Goa or Pondicherry, are you thinking of having an elected assembly for the administration of these Islands, to be treated on a par with the other Union Territories?

SHRI DHANIK LAL MANDAL: Government are aware that there is a demand like this that these Islands should be upgraded on the model of Arunachal Pradesh, Goa and other Union Territories, as the hon. Member said. But we have not been able to finalise it; it is still under consideration.

SHRI B. N. BANERJEE: My question is different. How many Ministers

of the Central Government have in the past three years visited the Andaman and Nicobar Islands so that they can appreciate the aspirations and demands of the people there, including their case for having an elected country council and things like that?

SHRI DHANIK L'AL MANDAL: I have myself visited the Andaman and Nicobar Islands.

SHRI B. N. BANERJEE: It does not answer my question.

MR. CHAIRMAN: Others also might have.

SHRI DHANIK LAL MANDAL: At the moment I do not have the figures; I will need notice for that.

DR. V. B. SINGH: It is not a question of any survey or research by the Minister; it is a question of basic values for which the country stands. We are a democratic country, we are a republican country. The Andaman and Nicobar Islands are a part and parcel of the Indian Republic and therefore it is a question of giving them a responsible government. The hon. Minister said that they had elected panchayats and municipal boards there. Local self-government cannot be equated with responsible Government. What about a responsible institution thereof the type you have in the context of Goa and other Union Territories? I can understand—the Government will take a little time. But this is a matter of fundamental value for which the country stands and therefore it should not take much time. I will be grateful if the Minister indicates how much time he will take.

SHRI DHANIK LAL MANDAL: There is difficulty because of the fact that there are 500 islands making inter-communication difficult. In the Andamans the population is 1.5 lakhs according to the 1971 census. Also there is a tribal population. There are 21 belonging to one tribe and 95 to another tribe. AH these are the

difficulties and therefore we are taking time.

DR. V. B. SINGH: I am sorry, the Minister is evading the issue. Already Andaman sends its representative to the Lok Sabha. If there can be an election to the Lok Sabha, why don't you diffuse it at the State level? I am not using the term 'State' in the legal sense of the word.

MR. CHAIRMAN: The Minister says that it is under consideration,

SHRI MORARJI R. DESAI: This is\* not a question which can be decided by an academic discussion. The Lok Sabha Member can be elected. That has to be done once in five years. That arrangement can be made. But with so many islands the other local election is difficult. They have been given one Lok Sabha seat, even though the population is much less, so that they may have a proper representation in a democratic institution. But if other democratic institutions are to be set up, that requires far wider consideration and larger arrangements.

SHRI NABIN CHANDRA BURAGOHAIN: May I know from the hon. Home Minister as to what is the policy of the Government of India in regard to the original inhabitants of the Andamans? Will they be allowed to carry on their life undisturbed or will they be developed on the modern lines by giving them education and other developmental works?

SHRI DHANIK LAL MANDAL: As regards tribes such as Great Andamanese, Ongies and Sompens, they have been taken care of. As far as Jarwars and other communities are concerned, we are not able to make contacts with them.

\*217. [The questioner (Shri Lakshmana Mahapatrao) was absent. For answer, vide col. 41 infra].

**Restrictions on Palestinian students during; President Carter's visit**

\*218. SHRI KHURSHED ALAM KHAN: SHRI GANESH LAL MALI: SHRI JAGDISH JOSHI: SHRI IBRAHIM KALANIYA: SHRI BHUPESH GUPTA:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that the Palestinian students residing in Delhi were asked to stay indoors or to go out of Delhi during President Carter's recent visit to this country;

(b) whether it is also a fact that the Palestinian offices in New Delhi were searched by the Police; and

(c) if so, whether Government are aware of the resentment of the Arab countries in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. D. PATIL): (a) There was reason to believe that the Palestinian students were planning to stage rowdy demonstration in Delhi during the visit of President Carter. In order to prevent any untoward incident, the Foreigners Regional Registration Officer, New Delhi, in exercise of his statutory powers as the civil authority under the Foreigners Act, 1946, issued appropriate orders restricting the movements of 12 Palestinian students who were registered in Delhi. These students were directed to stay at the places of their residence/hostel for a period of 10 days from December 29, 1977. Similarly, 5 Palestinian students who were registered at other places were also directed on 31st December, 1977, to leave Delhi immediately and report back to their original places of stay/registration.

(b) No, Sir.

(c) Some Arab Representatives had spoken to the Foreign Minister in this regard.

†The question was actually asked on the floor of the House by Shri Khurshed Alam Khan.

SHRI KHURSHED ALAM KHAN: Sir, in the instance, I would like to say that the hon. Minister has stated that there were valid reasons. I would like to know whether he would like to disclose those valid reasons or not. The impression is that there were no valid reasons, but in fact this action was taken as desired by one of the foreign Governments. I would like to know from the hon. Minister whether this impression is well founded or not. Besides, what was the reaction of the Arab countries when they spoke to the Foreign Minister? Did they convey their resentment? These things have to be stated clearly.

SHRI S. D. PATIL: I repudiate the suggestion of the hon. Member that it was done at the instance of any foreign Government. It was done in the interests of security and for protocol reasons because earlier the Police had to resort to baton charge in the case of six students and one Indian student. Six Palestinian students were taken into Police custody. The matter is still *sub judice*. The case has been filed under sections 145, 147 and 327 on 28-12-77. The incident was just on the eve of the visit and we had to take all possible care because the guest had been invited to us and we had to maintain security and for safety reasons we had to take all necessary care.

SHRI KHURSHED ALAM KHAN: Sir, I do not understand what protocol reasons were there. The honourable Minister said that protocol reasons were there. Besides, they had not indicated any intention of doing any mischief at the time of the visit of the US President. Therefore, I would like to know whether it was fair on our part to meet out such a treatment to our student guests who were studying in this country. We have always been talking of friendship with the Palestinian students, Palestinian people and the Palestinian refugees.

SHRI S. D. PATIL: Sir, we had to take all possible care under the

Foreigners Act. Under Section 11, the Government has the power to impose restrictions on movements, to direct by an order in writing that any foreigner shall comply with such conditions as may be prescribed in the order in respect of his place of residence, his movements, his association with any person or class of persons specified in the order, etc., etc. The Government had advance information that these Palestinian students were likely to create some disturbance which will not be in keeping with the dignity of the country because we had invited the foreign guest.

SHRI GANESH LAL MALI: Sir, I want to know whether the protocol reasons that came to the notice of the Government were at the instance of the Government of India or at the instance of some other country outside.

MR. CHAIRMAN: He has already replied.

SHRI S. D. PATIL: Government of India.

MR. CHAIRMAN: Mr. Jagdish Joshi. Not here. Yes, Mr. Ibrahim Kalaniya.

श्री इब्राहीम कलानिया : श्रीमन्, भारत में पिछले सालों में इजराइल के बारे में आर०एस०एस० और जनसंघ वाले लगातार प्रदर्शन करते थे। जब भारत की इजराइल के बारे में विदेश नीति तय थी तो क्या जनता सरकार बनने के बाद उस विदेश नीति में परिवर्तन हुआ है? क्या जनता सरकार ने अपने मैनिफेस्टो में अपनी राय या अपना विरोध प्रकट करने में सभी देशवासियों को पूरी आजादी देने का वचन दिया है और इसके बावजूद भी इन पैलेस्टेनियों के आन्दोलन के बारे में भारत के तथा दूसरे मुल्कों के भारत में पढ़ रहे विद्यार्थियों ने अपने विचार व्यक्त करने के लिए प्रदर्शन किया तो उनको जेलों में ठूस दिया और मार-मार कर उनको प्रदर्शन नहीं करने दिया गया और जेल में भेज कर उनको जमानत भी नहीं दी गई

इसका क्या कारण है? जनता पार्टी के लोकसभा के एक सदस्य श्री अर्जुनसिंह भदौरिया ने जनता सरकार की इसके लिए आलोचना की है तो सरकार की उस पर क्या प्रतिक्रिया है यह बताने की कृपा करेंगे?

SHRI S. D. PATIL: Sir, this is an omnibus question. I am not able to follow what exactly the honourable Member wants me to reply to.

SHRI KHURSHED ALAM KHAN: Are you trying not to understand it?

SHRI S. D. PATIL: I am trying to understand it.

MR. CHAIRMAN: Mr. Kalaniya, if you put specific questions, it would be better.

SHRI IBRAHIM KALANIYA: I am putting a specific question.

MR. CHAIRMAN: You are trying to read out a lot of things. Put a supplementary directly. What do you want? Don't read out anything. You will be confused and you will confuse others also. Put your supplementary straightway.

श्री इब्राहीम कलानिया : केवल डेढ़ सफा है, ज्यादा नहीं है?

MR. CHAIRMAN: Why not put a straight supplementary?

श्री इब्राहीम कलानिया : मैंने पूछा था कि भारत में जो विदेशी विद्यार्थी पढ़ रहे हैं उनको विचार व्यक्त करने की आजादी नहीं दी गई, उनको जिन्होंने विरोध प्रदर्शन किया उनको मार-मार कर जेलों में डाल दिया, इसकी क्या वजह है?

MR. CHAIRMAN: All right. Please resume your seat.

SHRI S. D. PATIL: Sir, I have followed the question.

SHRI JAGJIT SBXGH AN AND: Now, it is a clear question, Sir. He

spoke only one sentence. What was the difficulty in understanding it?

MR. CHAIRMAN; Mr. Kalaniya, will you repeat it? Or, I think, the Home Minister can reply to it.

श्री चरण सिंह : सभापति महोदय, यह जनता पार्टी के मैनफेस्टो का जिक्र माननीय मित्र ने किया, इसका इससे कोई सम्बन्ध नहीं है, यह नागरिकों की स्वतन्त्रता का प्रश्न है जो जनता मैनफेस्टो में लिखा हुआ है, ये भारतीय स्टूडेंट्स हैं। इनके अलावा एक फारन गैस्ट आया हुआ है तो उनके खिलाफ डिमान्स्ट्रेशन करने का अधिकार इस जनता मैनफेस्टो से नहीं मिलता, उसके सिलसिले में बाकायदा ऐक्ट है, कानून है जिसका जिक्र हमारे सहयोगी ने किया लिहाजा उसको कन्पयूस न करें।

SHRI E. R. KRISHNAN: I would like to know from the hon. Minister, how many foreign students from Delhi and how many from outside were there in the demonstration.

SHRI DHANIK LAL MANDAL: In Delhi there are 17... (*Interruptions*). In Delhi, we have got 17, in Bombay 9, in Poona 5, in Chandigarh 29 and in Punjab 6.

SHRI JAGJIT SINGH ANAND: The hon. Home Minister, while intervening on behalf of his deputy... (*Interruptions*). Well, he is Minister of State. I did not say Deputy Minister. There is no Deputy Minister in Shri Morarji's Cabinet; I know that. He propounded a thesis which is very questionable. He said that the Janata Party manifesto, when it talks of civil liberties, talks of civil liberties of Indian citizens. It is a question of the entire concept of civil liberties. If England is known as the home of civil liberties,, it is because it gave shelter to all those who were thrown out from Europe. I would like to know from the hon. Minister: Is the hon. Minister aware that violation of

liberties of the people residing here also means violation of even the civil liberties to which the Janata Government is pledged? In view of this, will he see to it that the people are not beaten? Even if they are students, they should not be beaten like animals to please a foreign dignitary like Mr. Carter.

SHRI MORARJI R. DESAI: The hon. Member is excited for nothing, if I may say so. I do not know how many students from outside, staying here and" given the facilities of studies, are entitled to make demonstrations against the guests of this country. And how can that form part of liberty? Even if a student does anything like that,, we will have to restrain him and take action against him. But nobody should be beaten unless he takes to violence himself and they cannot help beating him. Otherwise there should be no beating of anybody. On that score I have no doubt. In this matter they behaved very badly. Therefore, they had to be dealt with. Violence has to be met by violence by the police. What else can the police do? I do not know what the hon. Member means by 'civil liberties'.

MR. CHAIRMAN: Next question.

#### Television Centre in Orissa

•219. SHRI BRAHMANANDA PANDA: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether there is any proposal under Government's consideration to set up a T.V. Centre in Orissa during the Sixth Five Year Plan; and

(b) if so, what are the details in this regard?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI LAL K. ADVANI): (a) No, Sir. However, a TV transmitter will be commissioned shortly at Sambalpur under the SITE on-going scheme as part of the Fifth Plan proposals.

(b) Does not arise.

SHRI BRAHMANANDA PANDA: We were given to understand—of course, not by the Minister, but from Press reports—that a T. V. station is going to be established at Sambalpur. Therefore, I put this question.

SHRI LAL K. ADVANI: I think I have stated it very categorically that so far as the Sambalpur station is concerned, it is going to be commissioned very shortly. When the question pertains to any new proposals for the Sixth Plan, I said 'No'. This is a part of the Fifth Plan proposals, which is going to be commissioned shortly.

MR. CHAIRMAN: Second supplementary.

SHRI BRAHMANANDA PANDA: No second supplementary. I am satisfied.

SHRI E. R. KRISHNAN; I would like to know from the hon. Minister what percentage of people residing in India is covered for T. V. transmission.

SHRI LAL K. ADVANI: It is a general question.

MR. CHAIRMAN; It does not arise out of the main question.

SHRI LOKANATH MISRA: May I know from the hon. Minister whether he would consider the possibility of giving the same facilities to certain areas like Cuttack and Bhubaneswar which were enjoying the privilege of television transmission? Could he kindly consider the possibility of giving them a relay station which would give the facilities to these areas for viewing T. V.?

SHRI LAL K. ADVANI: All the proposals relating to expansion of T. V. services are being closely studied and examined. It has to be viewed in the context of overall priorities and proper "evaluations about the cost benefit are being undertaken.

SHRI NABIN CHANDRA BURAGOHAIN: May I know from the hon. Minister how many State capitals are still not covered?

MR. CHAIRMAN: The question specifically pertains to Orissa. Therefore, you cannot go on asking for each State.

DR. V. B. SINGH: The hon. Minister has said that the technique of cost benefit analysis is being applied to the services rendered by the T. V. Does it mean in terms of financial returns or social gains?

SHRI LAL K. ADVANI: Essentially it would be T. V. service and the cost incurred on it would be justified and legitimate only if it can be harnessed for social development. So, it is the social angle of it which is important.

\*220. [The questioner (Shri Bishambhar Nath Pande) was absent. For answer, vide col. 42 infra].

\*221. [The questioners (Shri Sawal Singh Sisodia, Shrimati Hamida Habibullah, Shri Mahendra Bahadur Singh, Shri Prakash Mehrotra and Shri Sat Paul Mittal) were absent. For answer, vide col. 42 infra].

\*222. [The questioner (Shri Shrikant Verma) was absent. For answer, vide col. 43 infra].

\*223. [Transferred to the 10th March, 1978].

#### **Fast unto death by the Junior Officers of the Delhi Armed Police**

\*224. SHRI SITARAM KESRI: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that some junior officers of the Delhi Armed Police had gone on fast unto death before his residence in October, 1977 and that they were forcibly removed to jail;

(b) if so, what are the grievances of these police officers; and

(c) what steps Government have taken to redress their grievances?

THE MINISTER OF STATE IN THE  
MINISTRY OF HOME AFFAIRS (SHRI  
DHANIK LAL

MANDAL): (a) to (c) One sub-Inspector of Delhi Armed Police, against whom certain departmental action was taken, resorted to a fast unto death on 2nd October, 1977 in protest against alleged vindictiveness and high-handedness of supervisory officers of Delhi Police. He had been joined in the hunger-strike by an ex-constable of DAP who demanded his re-instatement. The SI was arrested under Section 3 of Police Forces (Restriction of Rights) Act, 1966, and removed to the hospital by the police on 5th October, 1977. He was released on bail the next day. The departmental proceedings in his individual case have since been finalised. Some other grievances of a general nature made by him, like abolition of personal orderly system, protection of police personnel under Section 45 of the Criminal Procedure Code, and granting of gazetted holidays, including Sundays, have been looked into and suitable measures adopted taking into account the nature of duties and financial constraints.

**श्री सीताराम केसरी :** सभापति जी, मैं आपके द्वारा गृह मन्त्री महोदय से यह जानना चाहूंगा कि यह जो कनिष्ठ पुलिस अधिकारियों ने अनशन किया और जिनके सम्बन्ध में मन्त्री महोदय कहते हैं कि उन पर आरोप थे तो मैं यह जानना चाहूंगा उन पर क्या आरोप लगाये गये। दूसरी बात यह है कि इनकी एक डिमाण्ड ऊपर के आफिसरों के बारे में थी, उन लोगों के तबादले के सम्बन्ध में थी। अक्सर अखबारों में आता रहा है कि बिना किसी ठोस कारण के ये तबादले होते रहे हैं और इसी से प्रभावित होकर उन पर झूठे आरोप लगाये गये। इसलिये मैं मन्त्री महोदय से जानना चाहूंगा कि उन पर क्या आरोप लगाये गये और क्या वे उन आरोपों के विरोध में अनशन कर रहे थे या अपनी मांगों के लिये अनशन कर रहे थे ?

**श्री धनिक लाल मण्डल :** महोदय, उनके विरुद्ध जो आरोप थे और उन पर जो कार्यवाही की गई थी, उसके विरोध में उन्होंने अनशन किया था। लेकिन जब कोई व्यक्ति अनशन करता है महोदय, तो और सारी बातें भी उसके साथ जोड़ ली जाती हैं।

**श्री सीताराम केसरी :** मैंने आरोपों के बारे में पूछा कि क्या आरोप थे ?

— MR. CHAIRMAN: What was the allegation?

**श्री धनिक लाल मण्डल :** उनके ऊपर 7-8 प्रकार के अभियोग थे, वे सब मेरे पास अभी नहीं हैं।

**श्री सीताराम केसरी :** सभापति जी, मैं आपके द्वारा गृह मन्त्री जी से यह जानना चाहूंगा कि जैसा कि सभी जानते हैं कि दिल्ली राजधानी होने की वजह से यहां पर गृह मन्त्रालय का डायरेक्ट प्रशासन है। हम देखते हैं कि इधर कुछ महीनों से यहां पर प्रशासन में ढिलाई के कारण या जिस किसी और भी वजह से लां एण्ड आर्डर की स्थिति बिगड़ गई है। मैं यह पूछना चाहता हूँ कि क्या यह सच है कि कुछ दिनों के अन्दर, तीन, चार, पांच महीनों के अन्दर तीन-तीन डी०आई०जी० का यहां से तबादला कर दिया गया, जिसकी वजह से पुलिस में असन्तोष है और उन्होंने अनशन किया, इसलिये मैं यह जानना चाहता हूँ कि इस सारी अव्यवस्था का कारण पुलिस के अन्दर ऐसी परिस्थिति उत्पन्न होना तो नहीं है ?

**श्री धनिक लाल मण्डल :** महोदय, मैंने इसके पूर्व भी इस सदन में सूचना दी थी आपके माध्यम से कि पुलिस प्रशासन में सुधार के लिये ऐसा किया गया है; क्योंकि यहां जो बड़े-बड़े पुलिस अधिकारी हैं उनके घर यहां हैं या उनका एस्टेडिलेशन यहां है,

बिजनेस यहां है तो ऐसा उचित समझा गया कि ऐसे अधिकारी जिनका खुद का घर यहां है या जिनका कारोबार यहां है, उनको यहां रखना ठीक नहीं होगा और इसलिये ऐसे अधिकारियों को यहां से बदला जा रहा था।

MR. CHAIRMAN: Next question.

SHRIMATI AMBIKA SONI: Sir, how can an officer do business whether in Delhi or elsewhere? Is it permitted under the rules of Government of India? Is it proper for a police officer to have other business besides their official duties whether they are in De/hi or anywhere else? The Minister says that they have been transferred from Delhi because they were found to have some business or some other preoccupation besides their official duties. Is it permitted under the Government of India rules for police officers to have any business other than their official duties?

**श्री धनिक लाल मण्डल :** महोदय, मैंने इतना ही कहा कि जिनका यहां दिल्ली में कारोबार है, घर है, उनको यहां से बदलना उचित समझा गया, पुलिस प्रशासन में सुधार लाने के लिये।

DR. V. B. SINGH: Sir, her question *its* in order. 'Karobar' is the same thing as business.

**श्री चरण सिंह :** महोदय, मैं जरा साफ कर देना चाहता हूँ। माननीय केसरी जी का सवाल यह था कि क्योंकि तीन आई०जी० का एक दम ट्रांसफर कर दिया गया, इसलिये दिल्ली में अज्ञान्ति की भावना थी। यह गलत है। केवल दो आई०जी० का ट्रांसफर हुआ और उनमें से एक आई०जी० का ट्रांसफर खुद उनकी इच्छा से हुआ। डी० आई० जी० के ट्रांसफर की जो बात है, यहां 23 आई०पी० एस० आफिसर्स हैं। इन 23 में 17 बे हैं,

जो यहां के रेजिडेंट हैं। जो कि साउंड एडमिनिस्ट्रेशन के खिलाफ हैं कि कोई आदमी यहां पर बड़ा अधिकारी रहे जहां पर कि वह रहने वाला है। क्योंकि एक बड़ा शहर है और बड़ी आबादी है इसलिए हम सब को तो यहां से नहीं हटाना चाहते हैं, लेकिन कम से कम 11 हम रखना चाहते हैं जो यहां के रहने वाले हों और 11 ऐसे आई०पी० एस० अधिकारी है जो बाहर के रहने वाले हैं। इसलिये कुछ का ट्रांसफर किया गया। बाकी यह कि किस का क्यों हुआ, यह बताना मैं आवश्यक नहीं समझता।

**श्रीमती अम्बिका सोनी :** क्या माननीय मन्त्री जो ने अपना दक्तव्य बदल दिया है? वे इस बात से इन्कार करें कि उन्होंने पहले गलत कारण दिए थे।

•225. [The questioner (Shri Af. Kadershah) was absent. For answer^ vide col. 44 infra].

#### A.I.R. Station at Port Blair

- 226. SHRI NAGESHWAR PRASAD SHAH, SHRI MULKA GOVINDA  
REDDY: SHRI R. D. JAGTAP AVER-  
GOANKAR: .....  
SHRI SYED NIZAM-UD-DIN:  
SHRI LALBUAIA;

Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether there is any proposal under Government's consideration for making the AIR station at Port Blair into a multi-lingual station in view of the multi-lingual community living in the Andaman and Nicobar Islands;

(b) if so, what are the details thereof;

The question was actually asked on the floor of the House by Shri Nageshwar Prasad Shahi.



(c) if the answer to part (a) above be in the negative, what are the reasons therefor;

(d) whether there is any proposal under Government's consideration to instal powerful transmitters and to open up additional channels for relaying daily programmes in the AIR station at Port Blair for the benefit of the residents of the Islands;

(e) if so, what are the details thereof; and

(f) if the answer to part (d) above be in the negative, what are the alternative proposals for better transmission coverage by AIR Station at Port Blair?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI LAL K. ADVANI); (a) and (b) AIR Station at Port Blair is already a multi-lingual station as it broadcasts programmes in Hindi, English, Bengali, Tamil, Telugu, Malayalam and Nicobarese dialect.

(c) Does not arise.

(d) and (e) A proposal for setting up a 100 KW mediumwave transmitter and permanent studios at Port Blair during the 6th Plan is under consideration but its implementation will depend on the approval of the Planning Commission and availability of financial resources. Hon'ble Members of the Committee on Subordinate Legislation, Rajya Sabha, who visited Andaman and Nicobar Islands in the first fortnight of January, 1978 have also written to the Ministry suggesting the strengthening of Mass Media in these islands. Their suggestions are being examined.

(f) Does not arise.

श्री नागेश्वर प्रसाद शाही : श्रीमन्, माननीय मंत्री जी ने बताया कि सभी भाषाओं में प्रसारण होता है, मगर वहाँ के लोगों ने बताया कि ज्यादा प्रसारण केवल अंग्रेजी में

होता है और बंगला में या तामिल में होता है, लेकिन हिन्दी में बहुत कम प्रसारण होता है। मैं माननीय मंत्री महोदय से यह बताना चाहता हूँ कि वहाँ जो लोग बस गए हैं, पहले उनको कैदियों के रूप में भेजा गया था चाहे वे भारत के किसी भी हिस्से के हों, मगर उनकी आपस की भाषा हिन्दी है और सभी लोग आपस में हिन्दी में ही बातचीत करते हैं, चाहे वे तमिल नाडु के लोग हों या बंगाल के लोग हों। हम यह चाहते हैं कि प्रसारण जो है वे तामिल में, तेलुगु में और हिन्दी में ज्यादा हों, जिनको वहाँ की जनता समझे। अंग्रेजी में प्रसारण कम किए जाएं। एक और बात : यह कहना चाहता हूँ कि वहाँ पर एक अखबार भी निकलता है, वह भी अंग्रेजी में निकलता है। अगर यह अखबार तेलुगु, तामिल में निकले तो हम लोगों को बहुत खुशी होगी। इसलिए मैं माननीय मंत्री जी से जानना चाहता हूँ कि क्या वे इस बात का प्रयास करेंगे कि वहाँ के प्रसारण ज्यादा से ज्यादा हिन्दी यानी देसी भाषा में रखे जाएं। तामिल, तेलुगु और अंग्रेजी में कम प्रसारण किए जाएं। साथ ही साथ जो अखबार अंग्रेजी में निकलता है उसको भी देसी भाषा में निकलवाया जाए।

श्री लाल कृष्ण आडवाणी : मुझे इस बात की जानकारी है कि अंडमान, निकोबार आइलैंड्स में साधारण लोगों की सम्पर्क की भाषा हिन्दी है। प्रमुख रूप से वहाँ पर हिन्दी ही बोली जाती है, यद्यपि वहाँ पर तामिल भाषा, तेलुगु भाषा, मलयालम भाषा और बंगला भाषा, ये चार प्रमुख भाषाएँ हैं। यह धारणा सही नहीं है कि आकाशवाणी से वहाँ पर ज्यादा अंग्रेजी में बातें आती हैं। मैंने एक महीने का सैम्पल मंगवाया है। नवम्बर, 1977 का सैम्पल मैं आपके सामने रखना चाहूँगा जिसमें कुल मिला कर जितने स्पोकन वर्ड्स प्रोग्राम थे, म्यूजिक आदि को छोड़ दीजिए, स्पोकन वर्ड्स प्रोग्रामों में 56.32 प्रतिशत हिन्दी के कार्यक्रम हैं,

12.01 प्रतिशत निकोबारीज के प्रोग्राम है। यह बात सही है कि 18 प्रतिशत अंग्रेजी है लेकिन यह कहना कि अंग्रेजी ज्यादा है ठीक नहीं है। बाकी कार्यक्रम तेलगु, तामिल, मलयालम, निकोबारीज में आते हैं। मैंने पहले ही कहा कि हम जानते हैं कि वहाँ की सन्यक्त भाषा हिन्दी है। इसीलिए हिन्दी को यहाँ पर प्रमुख स्थान मिलना चाहिए और उस दिशा में प्रयास चल रहा है।

MR. CHAIRMAN: Is there any second supplementary question?

श्री नागेश्वर प्रसाद शाही : श्रीमन्, मंत्री जी ने कहा कि प्रयास चल रहा है इसी तरह का जवाब हम पिछले 10-12 सालों से सुनते चले आ रहे हैं, हर काम में वही जवाब आता है कि प्रयास चल रहा है। मैं कहना यह चाहता हूँ कि इस प्रयास की कोई सीमा बांधी जानी चाहिए कि एक महीने, दो महीने या साल भर में यह काम होगा, क्योंकि केवल प्रयास की तो कोई सीमा नहीं होती है। इसलिए श्रीमन्, मैं यह चाहता हूँ कि इस प्रयास के लिए कोई सीमा बांधी जाये, जिससे कि काम जल्दी हो जाये।

श्री लाल कृष्ण आडवाणी : कोई सीमा नहीं होती, लेकिन मैंने तो दिशा का संकेत किया है। मैं यह कह सकता हूँ कि विशेषकर 1976 से इस दिशा में और उसके बाद अभी इस महीने में जिसको बिल्कुल काशस एफर्ट कहते हैं वह हुआ है तथा हिन्दी के कार्यक्रम, पांच साढ़े पांच गुना बढ़ गये हैं।

श्री नागेश्वर प्रसाद शाही : फिर वहाँ के हाई कमिश्नर क्यों अंग्रेजी चलाते हैं ?

SHRI MULKA GOVINDA REDDY: Sir, in view of the importance, particularly the strategic importance of these islands and in view of the fact that these islands are cut off from the main land by nearly a thousand miles and also in view of the fact

that communications are very poor and newspapers are not published in any other language except in English and that too a Government newspaper, I would like to know whether the Government will decide to increase the broadcasting time in all the languages from the Port Blair AIR Station and whether they are going to install a powerful transmitter in these islands.

SHRI LAL K. ADVANI: Sir, I appreciate this requirement. The Government is fully conscious of it and in the sixth Plan proposals, there is a proposal to set up a 106 KWH medium-wave transmitter there and that has been included in the Plan. But as I said at the outset, its implementation will depend upon the availability of other resources.

SHRI U. R. KRISHNAN; I would like to know from the hon. Minister whether the Government has taken or collected any statistics by conducting a survey to find out in which language the people there would like to hear the news and other broadcasting programmes.

SHRI LAL K. ADVANI: We have a Department which constantly keeps survey of these programmes and decides how much percentage should be there for different languages. These surveys are taken into account.

SHRI ABU ABRAHAM: Since English is the link language between different language groups, is there not a strong case for increasing the percentage of English broadcasting, because that is probably the language which is followed by the largest number of people, taking Tamils, Bengalis, Bihari, and others all together?

SHRI LAL K. ADVANI: The point of view which is expressed is to explain why 18 per cent of the content is in English. This is also a fact that English-knowing people in any part of the country are small in number, and

the link language in the Andamans and Nicobar islands is Hindi, not English.

MR. CHAIRMAN: Mr. Raha, you want to ask?

SHRI SAN AT KUMAR RAHA: Yes, Sir.

MR. CHAIRMAN: You were also in that Committee?

SHRI SANAT KUMAR RAHA: Sir, there are at least 25,000 refugees from West Bengal rehabilitated in the Andamans. I want to know whether there is any special programme for the Bengali speaking people there.

SHRI LAL K. ADVANI: Bengali is also one of the languages which is used for broadcasts from Port Blair.

#### Swatantra Senani Sadan

\*227. SHRI HARSH DEO MALAVIYA: SHRI NRIPATI RANJAN

CHOUDHURY: DR. V. P. DUTT: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government are aware of the unsatisfactory living conditions prevailing in the Swatantra Senani Sadan in New Delhi;

(b) if so, what steps are being taken or proposed to be taken to improve the living conditions in the Sadan;

(c) what is the annual expenditure incurred by Government on the Sadan during the last three years;

(d) what is the number of officials and other workers who look after the Sadan and what salaries are drawn by them every month; end

The question was actually asked on the floor of the House by Shri Harsh Deo Malaviya.

(e) what is the number of freedom fighters lodged there?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS; (SHRI DHANIK LAL MANDAL): (a) and (b) The Government are not aware of any specific complaint regarding the unsatisfactory living conditions.

(c) 1975-76	Rs. 83,394	
1976-77	Rs. 86,617	
1977-78	Rs. 90,000	(estimated).

(d) Apart from one Gazetted Superintendent, there are 9 Non-Gazetted employees in the Sadan. About Rs. 5,000\$- is spent on their salaries every month.

(e) The present number of freedom fighters lodged in Swatantra Senani Sadan is nine.

SHRI HARSH DEO MALAVIYA: Sir, it is a measure of the lack of knowledge and perception of the hon. Minister that he is not aware whether there has actually been fighting. There has been fighting and beating inside the Sadan. I would request the hon. Minister to kindly find this out as he has a big intelligence staff. Then, why is it that the number of freedom fighters is limited only to nine? Why is it that only nine people have been given preference and who are those nine persons? Can you please inform us?

श्री धनिक लाल मण्डल : नहीं, महोदय वहाँ पर आपस में किसी प्रकार का कोई झगड़ा या मारपीट नहीं हुई। माननीय सदस्य की यह गलत खबर है।

श्री हर्षदेव मालवीय : हुआ है। आपको क्या बताएं ?

श्री धनिक लाल मण्डल : नहीं महोदय, किसी प्रकार का झगड़ा या किसी प्रकार की मारपीट वहाँ नहीं हुई है। एक

माननीय सदस्य वहाँ जो रहते हैं, स्वतंत्रता सेनानी सदन में, उन्होंने अखबार में कुछ बातें भेजी थीं, छपने के लिए। उसके बाद वहाँ उसकी जांच-पड़ताल की गई, उन से मुलाकात की गई, उनसे जानकारी ली गई और उन्होंने यह कहा, वे भी स्वतंत्रता सेनानी थे, कोई दूसरे व्यक्ति थे जो गिर कर धायल हो गए और आवेश में आकर उन्होंने लिखा अखबार में। वे दूसरे थे। स्वतंत्रता सेनानी दूसरे सज्जन थे . . . . .

श्री हर्षदेव मालवीय : मेरा निवेदन था कि मारपीट हुई कि नहीं हुई ? अब ये तो कहते हैं नहीं हुई। फिर कैसे कोई धायल हो गया—बिना मारपीट के कैसे कोई धायल हो गया ?

श्री धनिकलाल मण्डल : गिर गए थे चलने में (Interruption) जी नहीं, मारपीट नहीं हुई।

MR. CHAIRMAN: Will you give the names? He has asked for the names of the nine persons. Have you got it or not?

श्री धनिकलाल मण्डल : नाम इस प्रकार हैं :

- (1) श्री भगन दत्त
- (2) श्री फकीर भाई गोविन्द भाई पटेल
- (3) श्री नरेन्द्र नाथ तुली
- (4) श्री भूपेन्द्र चन्द्र मजूमदार
- (5) श्री पी एस नारायणन
- (6) श्री किशोरी लाल सबसेना
- (7) श्री हरू मल
- (8) श्री प्रेम आनंद
- (9) श्री बेंकट राव ।

श्री हर्षदेव मालवीय : मान्यवर, वहाँ पर हमारे पक्ष परमात्मा हैं जिन्होंने जीवन के

27 साल जेल में काटे हैं और दूसरे वयोवृद्ध लोग रहते हैं। इसी प्रकार से कई और हैं जिन्होंने अपना जीवन स्वतंत्रता संग्राम में अर्पण कर दिया; उनका कोई सुरक्षा का प्रबंध नहीं है, बेचारे पेंशन बर्ग रह पाते हैं। महंगाई के जमाने में पेंशन से खर्चा चलता नहीं। तो मैं जानना चाहूंगा कि क्या माननीय मंत्री जी और सरकार इस बात पर विचार करेगी कि कुछ अन्य प्रदेशों में भी इसी प्रकार के स्वतंत्रता सेनानियों के सदन खोले जाएं और जो बहुत वृद्ध लोग हैं, जो कष्ट में हैं, जिनको बुढ़ापा आ गया है और दस-दस बीस-बीस साल जेल काटी है—क्या उनके लिए भी इस प्रकार का प्रबंध करने का कोई विचार है या नहीं है और अगर नहीं है तो क्या सरकार कोई ऐसा विचार करेगी कि हर प्रदेश में ऐसे सदन खुलवा देगी ?

श्री चरण सिंह : यह स्वतंत्रता सेनानी सदन कुछ और स्टेट में भी खुले हुए हैं, मसलन उत्तर प्रदेश में खुला हुआ है। अब और जगह का मुझ को मालूम नहीं है। वहाँ का प्रबंध उतना ही असंतोषजनक है जितना कि देहली का है जिसकी बाबत आपको शिकायत है। अब और आवश्यक है या नहीं, इस पर विचार कर लेंगे।

श्रीमती अम्बिका सोनी : मैं माननीय मंत्री जी से जानना चाहती हूँ कि उन्होंने कहा कि नौ स्वतंत्रता सेनानी इस सदन में ठहरे हुए हैं। मैं पूछना चाहता हूँ कि क्या गृह मंत्रालय ने पता करवाने की कोशिश की है कि इस सदन में क्या और स्वतंत्रता सेनानी नहीं रह सकते हैं ? यह संख्या केवल 9 तक ही सीमित क्यों है ? और अगर और लोगों के लिये वहाँ जगह है तो क्या कारण है और लोगों को इस में जगह नहीं दी गयी। यह हम सब लोग जानते हैं कि जो हमारे स्वतंत्रता सेनानी हैं आज उन की हालत बहुत शोचनीय है, दर्द से भरी हुई है। हो सकता है कि जो वहाँ लड़ाई झगड़े हुए हैं उन की जांच करने का गृह मंत्रालय को मौका नहीं

मिला हो, समय नहीं मिला हो क्योंकि गृह मंत्रालय और जनता सरकार में ही इतने झगड़े हैं कि उन को दूसरे झगड़ों की ओर ध्यान देने का समय नहीं मिलता। तो मैं जानना चाहती हूँ कि क्या कारण है कि इस पर इतना खर्च हो रहा है, इतना स्टाफ रखा गया है और क्यों केवल 9 लोगों को ही इस में जगह मिली है ?

**श्री धनिकलाल मण्डल :** कारण यह कि उस में कुछ शर्तें हैं। शर्त यह है कि जिस स्वतंत्रता सेनानी के कोई बाल बच्चा न हो, पत्नी भी न हो और उन की देखभाल करने वाला कोई न हो, उस को ही वहां जगह मिलती है।

DR. M. R. VYAS: Will the hon. Minister state, through whom he made the enquiries about the reported quarrel in this House and whether he has personally taken any interest in the matter in view of the fact that 9 of our very senior freedom fighters are involved?

**श्री धनिकलाल मण्डल :** हमारे विभाग के सयुक्त सचिव ने इस की जांच करवाई थी।

#### Permits issued under the National Permit Scheme

\*228. SHRI JAGJIT SINGH ANAND; Will the Minister of SHIPPING AND TRANSPORT be pleased (0 state;

(a) what is the State-wise, number of permits issued to truck operators under the National Permit Scheme during the last three years;

(b) whether it is a fact that the percentage of permits issued is very small in relation to the total number of trucks plying in each State; and

(c) if so, what measures Government propose to take to remove the imbalance in this regard?

THE MINISTER OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) A statement giving the latest available information in regard to number of national permits granted and number of public carriers (trucks plying for hire) in each State/Union Territory is laid on the table of the Sabha. [See Appendix CIV, Annexure No. 13].

(b) Yes, Sir.

(c) The number of national permits will be reviewed at the next meeting of the Transport Development Council scheduled to be held towards the end of 1978.

SHRI JAGJIT SINGH ANAND: Sir, if you examine the statement laid on the Table of the House, you will find that the maximum number of permits issued to a State is 450 i.e. 450 permits for more than 5600\* trucks in Maharashtra. 450 for more than 27000 trucks in Madhya Pradesh, 450 for 21,000 trucks in Andhra Pradesh and 450 for 16000 trucks in Assam. This disparity in the maximum, when actually the trucks plying in Maharashtra is 3/ times more than those in Assam, is causing a lot of discontent. Therefore my question is: Will the Committee give some consideration to, first of all, removing all restrictions on trucks when restrictions have been removed for transportation of rice, wheat and other commodities from one State to another? In this way the truck operators will be paying more fee which will go to the Exchequer of the Government and the Government will not have to present a Budget in which the commrti man is so heavily charged. It will add t: revenues, it will add to free movement and it will add to quicker communication. If it is not prepared to make national permits absolutely-free for whosoever pays the necessary fee, then will it see that there is some rationale between the number of trucks that are plying and the number of permits issued? At least, for Maharashtra there should be

MR. CHAIRMAN: Supposing State 'A' is sanctioned hundred permits. If they utilise only 50, then what about the remaining 50? Are you going to re-examine that?

SHRI CHAND RAM: Surely, Sir.

MR. CHAIRMAN: That is what he wants.

SHRI CHAND RAM: We can examine it.

MR. CHAIRMAN: That is all right. Mr. Harsh Deo Malaviya.

SHRI HARSH DEO MALAVIYA: I would like to know whether the Minister is aware of the fact, or whether it is a fact that these permits have adversely affected the freight income of the railways and, therefore, in order that the income of the railways, which are owned by the State, may not be affected adversely; will there be some scheme evolved to bring about a certain kind of coordination between the truck and the railway freight?

SHRI CHAND RAM: Of course, the railways are raising an objection that we should not issue more permits because they apprehend that it might result in a loss to the railway revenues. Therefore, we have set up....

श्री हर्षदेव मालवीय : आलरेडी रेलवे के रेवेन्यू का लॉस हो चुका है । कितना लॉस हुआ है, यह आपको मालूम हों तो बतायें ।

SHRI CHAND RAM: The complaint, on the other hand, is that the railway wagons are not available. Therefore, Sir, for evolving a national transport policy, we have asked the Planning Commission to set up a committee and a national transport policy will be evolved after....

SHRI JAGJIT SINGH ANAND: But the Railway Budget said something different.

MR. CHAIRMAN: You need not reply to that. Shri Banerjee.

SHRI B. N. BANERJEE: Sir, the hon'ble Minister has, in reply to the supplementaries, mentioned that there is a formula whereby the number of permits for a particular State is fixed. Will the hon'ble Minister please tell us what is the rationale or principle behind that formula which fixes the number of permits as 450 for a State like Maharashtra and the same number for a State like Assam?

SHRI CHAND RAM: If you permit me, Sir, I can read out that formula.

MR. CHAIRMAN: We have got time. You can read it.

SHRI CHAND RAM: As I have said, that formula has been sent to the State Governments and they have not objected to it.

SHRI B. N. BANERJEE: We do not understand how can a formula fix the same number—450—for different States.

SHRI CHAND RAM: I was going to read that formula.

SHRI B. N. BANERJEE: Please read it.

SHRI JAGJIT SINGH ANAND: He can lay it on the Table of the House so that the other questions can be taken up.

SHRI CHAND RAM: States with goods vehicle population of less than 1,000, i.e. Nagaland, Chandigarh, Mani-pur, Meghalaya, Mizoram, Arunachal Pradesh, Sikkim, Dadra and Nagar Haveli—50 each.

States with goods vehicle population of 1,000 but not more than 4,990 i.e. Himachal Pradesh, Jammu and Kashmir, Goa, Daman and Diu—250 each.

State 3 with goods vehicle population of less than 10,000, i.e. Haryana—350 each.

MR. CHAIRMAN: Now they are satisfied.

SHRI KHURSHED ALAM KHAN: In the light of the experience gained— because these permits have been now in operation for more than a year— I would like to know from the hon'ble Minister whether at any stage the whole question was discussed in the Transport Development Council. The hon'ble Member there has raised a point that the Railways are losing freight. I would like to be more specific that the high rate freight from the railway is being diverted to the road. This is the loss which they are causing to the Railways. May I know whether this was discussed in the Transport Development Council or not; and if so, what decisions were taken and what is the reaction of the Railway Minister in this behalf?

SHRI CHAND RAM: Sir, as I said earlier, the railway people are represented in the Transport Development Council. In fact, we invite the Railway Minister but usually an officer of Railways attends the committee of the Development Council. There that There that question was discussed. There was, of course, objection in the part of the Railway that we should not allot more national permits. That is the objection. But for evolving the national transport policy we have now asked the Planning Commission to evolve a uniform policy.

**Revival of the practice of meetings of M.Ps. from Delhi with the Home Minister**

\*229. SHRI JAGDISH JOSHI†

SHRI KHURSHED ALAM KHAN; SHRI GUNANAND THAKUR; SHRI PIARE LALL KUREEL *URF* PIARE LALL TALIB; SHRI IBRAHIM KALANIYA: Will the Minister of HOME AFFAIRS be pleased to state:

†The question was actually asked on the floor of the House by Shri Jagdish .Joshi.

(a) whether it is a fact that some time back meetings between him and the M.Ps. from Delhi were held as a regular feature;

(b) whether it is also a fact that this practice has since been discontinued; and

(c) if the answers to parts (a) and (b) above be in the affirmative, whether the Government propose to resume\* the practice to enable the M.Ps. from Delhi to review matters of public importance with the Minister?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. D. PATIL): (a) to (c) There has been no practice as such. However, whenever it is necessary, meetings are held with Members of Parliament and others concerned to review important matters.

**श्री जगदीश जोशी :** श्रीमन्, क्या मंत्री महोदय यह बताने की कृपा करेंगे, चूंकि दिल्ली का एक विशेष श्रौहदा है और सीधे केन्द्रीय सरकार के जिम्मे उसका नियंत्रण पड़ता है तो यहां के संसद् सदस्यों से समय-समय पर विचार-विमर्श करना क्या गृह मंत्री महोदय आवश्यक नहीं समझते, उपयोगी नहीं समझते ?

**श्री चरण सिंह :** सभापति जी, दो मीटिंगें दिल्ली शहर के प्रतिनिधियों के साथ होम मिनिस्ट्री में हो चुकी हैं। इसके अलावा मेट्रोपोलिटन कौंसिल के चेयरमैन हैं उनके साथ भी कई बार मीटिंग हो चुकी है। इस वक्त दिल्ली मेट्रोपोलिटन कौंसिल को असेम्बली का स्टेटस देने पर विचार हो रहा है। उसके बाद यह सवाल नहीं उठेगा। लेकिन इस बीच में जब कभी आवश्यकता महसूस होती है उनके साथ मिल कर विचार-विमर्श किया जाता है।

**श्री खुरशीद आलम खान :** मंत्री जी ने कहा कि जब आवश्यकता होती है तो विचार-विमर्श किया जाता है। मैं यह

अज्ञ करना चाहूंगा कि पिछले 6-7 महीनों में कोई मीटिंग हमारे साथ नहीं हुई। हमारी लैफ्टिनेंट गवर्नर के साथ मीटिंग करा दी जाती है जहां नालियों को साफ कराने और घरों को गिराने के बारे में गुप्तगु होती है। क्या मैं यह पूछ सकता हूँ कि अखिर हम लोगों के साथ क्यों नहीं मीटिंग की जाती है? जो फायदा हम लोगों को पहले मिला हुआ था वह हमें अब क्यों नहीं दिया जा रहा है?

SHRI S. D. PATIL: The first meeting was held on 19th September, 1977 and the second meeting was held on 26th October, 1977.

श्री चरण सिंह : अस्तुवर को अभी छः महीने भी नहीं हुए।

**Increase in incidents of communal nature in the country**

\*230. SHRI NRIPATI RAN JAN CHOUDHURY; SHRI HARSH DEO

MALAVIYA: DR. V. P. DUTT: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the number of incidents of communal nature which took place in the country during the period from April to December, 1977;

(b) whether enquiries were held into their causes and if so, at what level; and

(c) what follow up action has been taken on the findings of the enquiry reports?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): (a) According to available information 152 incidents of communal nature occurred in the country during the period April to December, 1977.

The question was actually asked on the floor of the House by Shri Harsh Deo Malaviya.

1949 RS—2.

(b) and (c) Under the standing instructions all incidents are investigated. Administrative/Judicial Inquiry is also ordered by State Governments in incidents of serious nature wherever considered necessary. Follow up action is taken by the State Governments on the reports of such inquiries.

MR. CHAIRMAN: Question Hour is over. Papers to be laid on the Table.

SHRI MOHAMMAD YUNUS SALEEM: Sir, the question of communal riots is the most important question. Because you have not given an opportunity to put supplementary questions to be answered by the Home Minister, I would beg of you to give some time for discussion because this is a very important question and everybody is concerned with this question. I would beg of you to ask the Home Minister. It is very important.

MR. CHAIRMAN: It is all right.

SHRI HARSH DEO MALAVIYA: Let there be a short duration discussion, Sir.

MR. CHAIRMAN: Question Hour is over.

**WRITTEN ANSWERS TO QUESTIONS**

**Promotion to the posts of Data Processing Supervisor in the National Sample Survey**

\*211. SHRI N. H. KUMBHARE: Will the PRIME MINISTER be pleased to state:

(a) what is the number of promotions made to the post of Data Processing Supervisor in the five Data Processing Centres of the National Sample Survey Organization since 1975 and what is the number out of them, which were earmarked as reserved quota of posts for persons belonging to the Scheduled Castes and the Scheduled Tribes;



(b) what is the number of posts to which persons belonging to the Scheduled Castes and the Scheduled Tribes have been promoted in these centres during the above period; and

(c) what steps Government are taking to wipe out the back log in promotion against the reserved quota?

THE PRIME MINISTER (SHRI MORARJI R DESAI): (a) to (c) A statement is laid on the Table of the House.

#### Statement

(a) and (b) The category of Data Processing Supervisor came into existence from the 1st September, 1977. Till then there were three categories of Supervisors, viz. Computing, Punching and Machine Supervisors and according to the recruitment rules, these posts were filled from among Computing, Punching and Machine Inspectors. The following is the number of promotions made to the posts of Supervisors during 1975 upto date:

Year	No. of promotion made	No. of post. reserved including the carry forward, for		No. of reserved posts filled up		No. of reservations carried forward	
		SC	ST	SC	ST	SC	ST
1975	5	1	1	1	..	..	1
1976	2	1	1	..	..	1	1
1977	30	8	4	..	..	8	4
1978	11	10	5	2	..	8	5

(c) All the eligible Scheduled Caste Inspectors have already been promoted. No Scheduled Tribes Inspector is available. Promotions from the lower category of Data Processing Assistants are being made only from 1978 because the posts of Inspectors are being gradually abolished. Ten eligible Scheduled Caste candidates from the cadre of Data Processing Assistants were offered promotions in 1978. Only two of them accepted promotion. Eight of them refused promotion as it involved transfer from Calcutta to Nagpur. The backlog will be reduced if and when the existing Scheduled Caste Data Processing Assistants are willing to accept promotion or more Scheduled Caste Data Processing Assistants become eligible. No eligible Scheduled Tribe Data Processing Assistants is available. In the meantime, the points of reservations have been carried forward.

#### State Planning Boards

•212. SHRI U. R. KRISHNAN: Will the PRIME MINISTER be pleased to state;

(a) whether there is any proposal under the Central Government's consideration to set up State Planning Boards in consultation with the State Governments; and

(b) if so, what are the details thereof?

THE PRIME MINISTER (SHRI MORARJI R. DESAI): (a) and (b) No Sir, there is no fresh proposal requiring consideration of the Central Government. In implementation of the recommendations of the Administrative Reforms Commission, the State Governments have already set

up State Planning Boards in 1971-72. Under a Central scheme in operation since 1972-73, the Central Government shares the cost with the State Governments in the ratio of 2:1.

This assistance will continue to be given during the next Medium-Term Plan.

**Grant of additional increments to Section Officers**

\*213. SHRIMATI RATHNABAI  
SREENIVASA RAO:  
SHRIMATI SARASWATI  
PRADHAN: SHRIMATI  
PRATIBHA  
SINGH: SHRIMATI  
SUSHILA

SHANKAR ADIVAREKAR: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that the Section Officers in the Ministries/ Departments of the Central Government have been allowed additional increments at the stages of Rs. 810 and Rupees 960 in the time scale of Rs. 650—1200;

(b) whether the grant of these additional increments is allowed only to those section Officers who earn "very good" or higher grading on the basis of an overall assessment of their performance;

(c) whether it is a fact that these additional increments granted earlier were intended to compensate for the loss of pay resulting from the merger of the intermediate scale of Grade III with higher Grade II.

(d) if so, whether Government propose to grant these additional increments to all the Section Officers barring those considered unfit; and

(e) if the answer to part (d) above be in the negative, what are the reasons therefor?

THE MINISTER OF HOME AFFAIRS  
(SHRI CHARAN SINGH): (a)

Section Officers of Central Secretariat Service have been allowed two additional increments, one when the officer is due to reach the stage of Rs. 810/- in the revised scale of Rs. 650—1200 or on completion of 3 years' service as Section Officer whichever is later and the second when the officer is due to reach the stage of Rs. 960/- in the revised scale or after he has put in 6 years' service whichever is later.

(b) Yes, Sir.

(c) Yes, Sir.

(d) No, Sir.

(e) Promotions to the old Grade II of Section Officers were being made on the basis of merit and Section Officers who were not well above average did not have chances of getting promoted to that grade. Hence the benefit of these additional increments are granted only to those graded as 'Very Good' or above.

**समाचार एजेंसियों का स्वतन्त्र रूप से कार्य करना**

\*214. श्री गुरुदेव गुप्त : क्या सूचना और प्रसारण मंत्री 23 फरवरी, 1978 को राज्य सभा में अतारंकित प्रश्न 97 के लिए गए उत्तर को देखेंगे और यह बताने की कृपा करेंगे कि :

(क) शीघ्र ही स्वतन्त्र रूप से कार्य प्रारम्भ करने में समाचार एजेंसियों के मामले कौन सी कठिनाइयाँ आ रही हैं ;

(ख) जिन समाचार एजेंसियों को आर्थिक स्थिति डाँवाडोल है उन्हें आर्थिक रूप से सशक्त बनाने की दिशा में सरकार क्या कदम उठाने का विचार रखती है ; और

(ग) ये समाचार एजेंसियाँ कब तक स्वतन्त्र रूप से अपना कार्य आरम्भ कर देंगी ?

### Independent functioning of news agencies

\*214. SHRI GURUDEV GUPTA: Will the Minister of INFORMATION AND BROADCASTING be pleased to refer to the answer to Unstarred Question 97 given in the Rajya Sabha on 23rd Februray, 1978 and state:

(a) the difficulties faced by the news-agencies in starting independent functioning from an early date;

(b) the steps which Government propose to take to make such of these news agencies economically viable as are faced with financial problems; and

(c) by when these news agencies are likely to start independent functioning?]

**सूचना और प्रसारण मंत्री (श्री लाल कृष्ण आडवाणी) :** (क) समाचार एजेंसियों द्वारा व्यक्त की गई कठिनाइयां मुख्यतया वित्तीय हैं, और तभी स्थान टेलीफोन/टेली-प्रिंटर सर्किट के अधिग्रहण, कर्मचारियों की निवृत्तियों से सम्बन्धित कुछ परिचालन समस्याएं हैं ।

(ख) और (ग) सरकार ने कुछ वित्तीय सहायता देना पहले ही मंजूर कर दिया है ताकि समाचार एजेंसियां स्वतंत्र रूप से कार्य करना शुरू कर दें और उन्होंने 15 अप्रैल, 1978 से स्वतंत्र रूप से कार्य करना स्वीकार कर लिया है । इस बीच, एजेंसियों के अनुरोध पर, सरकार ने उन्हें आगे और वित्तीय सहायता देने के प्रश्न की जांच करना स्वीकार कर लिया है ।

[THE MINISTER OF INFORMATION AND BROADCASTING (SHRI UAL K. ADVANI): (a) The difficulties expressed by the news agencies are primarily financial: and there are then some operational problems pertaining to acquisition of accommodation, telephone/teleprinter circuits, positioning of staff., etc

(b) and (c) Government have already sanctioned some financial assistance to enable the news agencies to start independent functioning and they have agreed to do so with effect from the 15th April 1978. Meanwhile, at the request of the agencies, Government have agreed to examine the question of any further financial assistance.]

### Reservation for Tribals for recruitment as labour in industries

±\*215. SHRI JANARDHANA RED-DY: Will the Minister of INDUSTRY be pleased to state:

(a) whether there is any proposal under Government's consideration to make it obligatory on the part of managements in industry to recruit a certain percentage of labour from among the tribals; and

(b) if so, what are the details thereof?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) and (b) A statement is laid on the Table of the House.

### Statement

(a) and (b). A proposal to reserve certain percentage of employment to the members of Scheduled Caste and Scheduled Tribe communities in the private sector undertakings was considered by Government and it was felt that statutory or other measures for ensuring such reservation would not be appropriate. It was considered that the trade organisations might continue to be persuaded to take steps to ensure that an adequate share of employment was given to Scheduled Castes and Scheduled Tribes. In pursuance of this decision an appeal was issued in 1975 to all industrial undertakings in the private sector through Directors of Industries,

[ ] English translation. ^Previously Starred Question 95 transferred from the 24th February, 1978.

technical authorities and Chambers of Commerce and Industries urging them to impress on their constituents the desirability of providing a due share of employment in the private sector to the members of the Scheduled Caste and Scheduled Tribe communities.

As regards public sector undertakings, reservation for Scheduled Caste and Scheduled Tribe communities is governed by the guidelines issued by Government.

**Grant of pension to ex-INA personnel from Orissa**

\*217. SHRI LAKSHMANA MAHA-PATRO: Will the Minister of HOME AFFAIRS be pleased to state:

(a) what is the number of ex-INA personnel from Orissa who have applied for pension;

(b) what is the number out of them who have been granted pension and what is the rate of their pension;

(c) what is the progress in the disposal of the remaining applications; and

(d) whether any applicant has died after applying and before the grant of the pension; if so, who will be paid the pension payable to the deceased?

THE MINISTER OF HOME AFFAIRS (SHRI CHARAN SINGH): (a) 498 applications from ex-INA personnel from the State of Orissa have been received for the grant of pension.

(b) In 221 cases pension has been sanctioned. A living freedom fighter gets Rs-200/- p.m., whereas an eligible member of family gets a family pension from Rs. 100/- to Rs. 200/-per month.

(c) 51 applications have been rejected and 226 applications have been filed for want of acceptable evidence.

(d) Three applicants died after making application but before sanction of pension. In all the three cases widows of the freedom fighters have been sanctioned pension.

**Prosecution proceedings against truck owners for violating the provisions of the Motor Vehicles Act**

◆220. SHRI BISHAMBHAR NATH PANDE; Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that the Delhi Police have issued notices to the owners of about 1200 trucks for violation of the provisions of the Motor Vehicles Act in bringing people from neighbouring states to Delhi in connection with a rally held on the 23rd December, 1977; and

(b) whether prosecutions have been launched against them; if so, with what results?

THE MINISTER OF HOME AFFAIRS (SHRI CHARAN SINGH): (a) and (b) Registration numbers of 1420 vehicles coming from Haryana, Punjab and U.P. on 22nd and 23rd December, 1977, were noted by the traffic police on duty. The concerned registration authorities of these States have been requested to intimate the names and addresses of the registered owners of the vehicles whose numbers were noted down for further action. Challans have been made out in 203 cases where vehicles registered in Delhi were found carrying excessive passengers and these cases are under trial in the court.

**Appointment of two Commissions for Minorities and Harijans and Adivasis**

\*221. SHRI SAWAISINGH SISODIA: SHRIMATI HAMIDA HABIBULLAH: SHRI MAHENDRA BAHADUR SINGH: SHRI PRAKASH MEHROTRA: SHRI SAT PAUL MITTAL: Will the Minister of HOME AFFAIRS

be pleased to refer to the answer to Unstarred Question 712 given in the Rajya Sabha on the 1st December, 1977 and state;

(a) whether Government have appointed a Minorities Commission; if so, what are the terms of reference; and

(b) whether Government have decided to set up two different commissions—one for minorities, and the other for Harijans and Adivasis; if so, what are the details in this regard?

THE MINISTER OF HOME AFFAIRS (SHRI CHARAN SINGH): (a) The Government resolution setting up the Minorities Commission and giving its composition and terms of reference was notified on January, 12, 1978.

(b) Yes, Sir. The composition and terms of reference of the Commission for Scheduled Castes and Scheduled Tribes are expected to be finalised shortly.

#### Theatres in rural and urban areas

\*222. SHRI SHRIKANT VERMA: Will the Minister of INFORMATION AND BROADCASTING be pleased to state;

(a) whether it is a fact that the Film Finance Corporation has decided to build theatres in urban and rural areas in different parts of the country, and

(b) if so, what are the details in this regard?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI LAL K. ADVANI): (a) The Film Finance Corporation is not building theatres on its own but it is planning to finance mini theatres in Urban areas and low cost theatres in Rural areas.

(b) The details have not yet been finalised.

#### Irregularities in the collection of funds by the Chief Minister of Haryana for the Kisan Diwas

\*225. SHRI M. KADERSHAH: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Central Government have received any representation from the M.L.A.s from Haryana regarding the irregularities committed by the Haryana Chief Minister in the collection of funds on the occasion of the Kisan Diwas on the 23rd December, 1977;

(b) whether the matter has been enquired into and if so, what are the details in this regard?

THE MINISTER OF HOME AFFAIRS (SHRI CHARAN SINGH): (a) In a letter addressed to the Union Home Minister by two MLAs of Haryana, it has been alleged that the Chief Minister of Haryana used Government pressure to collect funds on the occasion of Home Ministers visit to Haryana on 17th December, 1977.

(b) The Government of Haryana have been requested to furnish a factual report in the matter.

#### India's Nuclear Policy

\*231. SHRIMATI LEELA DAMO-DARA MENON: Will the PRIME MINISTER be pleased to state;

(a) whether Government propose to make any change in their nuclear policy; and

(b) if so, what are the details in this regard?

THE PRIME MINISTER (SHRI MORARJI R. DESAI): (a) No, Sir.

(b) Does not arise.

#### Tapping solar energy to meet energy crisis

\*232. SHRI S. W. DHABE: Will the Minister of ENERGY be pleased to state:

(a) whether there is any proposal under Government's consideration to

open centres for tapping solar -energy to meet the situation arising out of energy crisis; and

(b) if so, what are the details thereof and what other steps Government propose to take during the year 1978 to reduce the shortage of energy in the country?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) and (b) A statement is laid on the Table of the House.

#### Statement

(a) and (b). There is no proposal under Government's consideration to open centres for tapping solar energy. However, an integrated programme of research and product development has been undertaken to utilize solar energy for various applications like pumping, drying of agricultural produce, electricity generation, water and space heating, cooling and refrigeration and desalination and distillation of water.

Government have been taking several steps to deal with the shortage of electrical energy in the country. In the short term efforts are being concentrated on:—

maximising generation from existing power plants, by improving their availability and performance.

training of operation and maintenance staff of power stations to secure better operation and maintenance of power generation facilities.

reducing transmission and distribution losses.

transfer of power from surplus to deficit areas.

distribution of power following a system of national priorities and discouraging wasteful and ostentation consumption.

expediting commissioning of new generation units.

ensuring early stabilisation of newly commissioned generating units.

These measures will be pursued vigorously to improve the power availability during 1978.

#### Interim report by the Grover Commission

•233. SHRI MULKA GOVINDA REDDY: Will the Minister of HOME AFFAIRS be pleased to state

(a) whether the Grover Commission appointed to enquire into certain charges against Shri Devraj Urs, former Chief Minister of Karnataka has submitted any interim report;

(b) if so, what are its findings; and

(c) what follow up action Government have taken thereon?

THE MINISTER OF HOME AFFAIRS (SHRI CHARAN SINGH): (a) The Grover Commission of Inquiry submitted its First Report on 10th January, 1978 which covers seven allegations in respect of which inquiry has been completed.

(b) A statement is laid on the Table of the House. [See Appendix CIV, Annexure No. 14].

(c) The Report was remitted to the Government of Karnataka for taking necessary follow up action on the findings of the Commission contained in the Report. In respect of one of the allegations covered by the Report, which relates to the grant of 20 acres of land to Dr. M. D. Nataraj, the son-in-law of Shri Devraj Urs, the State Government, after obtaining legal opinion, requested for an investigation by the Central Bureau of Investigation which has thereafter, registered a regular case for investigation.

**Commission to reorganise Ordnance Industry**

\*234. SHRI MAHENDRA BAHADUR SINGH: SHRI SAWAISINGH SISODIA: SHRI SAT PAUL MITTAL: SHRIMATI HAMIDAHABIB-ULLAH: Will the Minister of DEFENCE be pleased to state:

(a) whether Government have set up a high powered commission to go into the question of reorganisation of the Ordnance industry in the country;

(b) if so, what are the terms of reference of the commission; and

(c) by when the Commission is likely to submit its report?.

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI SHER SINGH): (a) and (b). A Committee under the Chairmanship of Shri V. G. Rajadhyaksha, Member, Planning Commission has been set up with terms of reference as below:—

(i) To consider the Slippages in respect of major items of production;

(ii) To suggest remedial measures to prevent production slippages in future;

(iii) To avoid delays in establishing production of new items and augmentation of capacity where necessary.

(iv) To examine the existing working of the DGOF's Organisation and the Factories and suggest suitable reorganisation and restructuring;

(v) Any other item which the Commission may like to consider.

(c) Final report of the Committee is expected by October and interim report by April this year.

**चांदनी चौक कोतवाली परिसर का गुरुद्वारा शीश गंज को हस्तान्तरण**

\*235. डॉ० लोकेश चन्द्र : क्या गृह मंत्री यह बताने की कृपा करेंगे कि सरकार दिल्ली में चांदनी चौक कोतवाली परिसर के शेष भाग को गुरुद्वारा शीश गंज के अधिकाधिकारियों को कब तक सौंपने का विचार रखती है ?

**Transfer of Chandni Chowk Kotwali premises to Gurudwara Sisganj**

\*235. DR. LOKESH CHANDRA: Will the Minister of HOME AFFAIRS be pleased to state by when Government propose to hand over the remaining part of the Chandni Chowk Kotwali premises in Delhi to the Gurudwara Sisganj authorities?]

गृह मंत्री (श्री चरण सिंह) : चांदनी चौक में कोतवाली की भूमि का एक भाग 1968 में गुरुद्वारा प्रबन्धक समिति को हस्तान्तरित किया गया था। परन्तु परिसर के शेष भाग को हस्तान्तरित करना सम्भव नहीं पाया गया क्योंकि यह अनुभव किया गया कि विधि व व्यवस्था बनाये रखने की दृष्टि से कोतवाली थाने को वहीं पर रहना चाहिए जहाँ पर है।

†[THE MINISTER OF HOME AFFAIRS (SHRI CHARAN SINGH): A portion of the land of the Kotwali in Chandni Chowk was transferred to the Gurudwara Prabandhak Committee in 1968. It has, however, not been found possible to hand over the remaining portion of the premises as it was felt that from the point of view of maintenance of law and order the Kotwali Police Station should remain where it is.]

\*236. [Transferred to the 8th March, 1978]

†[ ] English translation.

**Special allowances to personnel recruited from mainland for the Andaman and Nicobar Islands**

•237. SHRI DEORAO PATIL:  
SHRI S. K. VAISHAMPAYEN:  
SHRI SYED NIZAM-UD-DIN:  
SHRI NAGESHWAR PRASAD  
SHAHI: SHRI JAGAN NATH BHAR-  
DWAJ: Will the Minister of HOME  
AFFAIRS be pleased to state:

(a) whether it is a fact that the personnel recruited from the mainland in the Andaman and Nicobar Administration are entitled to special allowance and other facilities which are not given to those recruited locally; if so, what are the details in this regard; and

(b) whether Government propose to extend similar facilities given to the recruits from the mainland to the locally recruited employees also, if not, what are the reasons therefor?

THE MINISTER OF HOME AFFAIRS (SHRI CHARAN SINGH): (a) and (b). Special Allowance at prescribed rates and other facilities, such as rent free accommodation and free sea passages once a year are given to the persons recruited from the mainland including deputa-tionists for service in the Andaman and Nicobar Islands and also to the locally recruited persons posted in the areas other than the place of their recruitment and place of their permanent residence, to compensate for the hardships involved in these postings. It is not possible to extend these facilities to other employees of the Administration since they do not suffer from these hardships.

**Manufacture of computers**

\*238. DR. Z. R. AHMAD-SHRI S.  
KUMARAN: SHRI INDRADEEP SINHA:  
Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that a British multinational company ICL, in collaboration with the Kirloskars has made a proposal to manufacture computers;

(b) if so, what are the details in this regard;

(c) whether it is a fact that the Chairman of the Atomic Energy Commission has raised certain objections against the grant of licence to ICL for the purpose; and

(d) if so, what are the details in this regard and what is Government's reaction thereto?

THE PRIME MINISTER (SHRI MORARJI R. DESAI): (a) to (d) A statement is laid on the Table of the House.

**Statement**

(a) No, Sir.

(b) Does not arise.

(c) and (d) The Chairman of the Atomic Energy Commission, Shri H. N. Sethna, in his capacity as Chairman of the Board of Directors of the public sector corporation, M/s. Electronics Corporation of India Limited (ECIL), had expressed concern about the deleterious effects which the proposed programme of M/s. International Computers Indian Manufacture (ICIM) Ltd., to make ICL 2904 series of computers here, would have on the commercial interests of ECIL, and on the country's efforts towards attaining self-reliance in the strategic field of computers. To ensure that any such possible deleterious effects on the programme of ECIL are avoided. Government have, in the Letter of Intent issued recently to M/s. ICIM to manufacture ICL 2904 series of computers, imposed a condition that this Letter of Intent could be converted into an industrial licence only after M/s. ICIM had reduced its foreign equity to 40 per cent as required in the approval given to them under the Foreign Exchange Regulation Act. The Letter of Intent issued



to M/s. ICIM is for the production of a fixed number of 100,2904 Computers and for the manufacture of computer peripherals that would be needed by M/s ICIM as well as by other agencies in India.

#### Manufacture of electronic watches

\*239. SHRI F. M. KHAN: Will the PRIME MINISTER be pleased to state:

(a) whether there is a proposal under Government's consideration to manufacture electronic watches indigenously; and

(b) if so, what are the details in this regard?

THE PRIME MINISTER (SHRI MORARJI R. DESAI): (a) and (b) 2 Industrial licences and 8 small scale approvals for the manufacture of electronic watches have been given, of these, 3 parties were approved prior to February 1975, with export obligation of 75 per cent, 75 per cent and 60 per cent respectively for small quantities of production viz. 6000, 12000 and 15000 nos. annually, the remaining 7 parties approved since February 1975 are with 100 per cent export obligation. Applications from 2 more parties in the large scale sector and 8 parties in the small scale sector have been received.

#### Rejection of Union Carbide's proposal for manufacture of refrigeration equipment in West Bengal

\*240. SHRI KALYAN ROY: Will the Minister of INDUSTRY be pleased to state:

(a) whether Government's attention has been drawn to a news item which appeared in the Business Standard of the 26th January, 1978 under the caption "Union Carbide's West Bengal Projects rejected";

(b) whether the Union Carbide submitted an application for industrial

licence for the manufacture of refrigeration equipment in West Bengal;

(c) if so, what are the details in this regard and when was the application received by the Central Government;

(d) what are the grounds of rejection of the application;

(e) whether the West Bengal Government recommended to the Central Government for the grant of a licence;

(f) what is the number of licences issued to Union Carbide during the last four years and what are the details thereof; and

(g) whether the Central Government propose to reconsider their decision regarding the issue of licence for the manufacture of refrigeration equipment by the Union Carbide?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) Yes, Sir.

(b) Yes, Sir.

(c) M/s. Union Carbide India Limited submitted a composite application dated 6-6-77 for issue of a Letter of Intent and approval of foreign collaboration for the manufacture of the following items: —

Name of Item	Capacity Proposed
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I. Cryogenic Vessels and Acces-	1,25,000 series
for artificial hisemi-	Litres, nation ana other
applications'	

a. In-trant.it refrigeration system,  
liquid cylinders and accessories, i, 500  
Nos.

(d) The company was informed that as one party in the small scale sector is already manufacturing the proposed item without foreign collaboration and another public sector project was coming up for the manufacture of the same item based on the indigenous technology, the Government of India considered that that a *prima-facie* case for the issue of a licence to the company did not exist.

(e) Yes, Sir.

<f) The number of licences issued to M/s. Union Carbide India Limited during the last four years is as under:

Item of Manufacture.	Name & Location of Unit	L. I. No. & Date
(i) Methyl Isocyanate based pesticides 3000 tonnes	Union Carbide India Ltd <sup>r</sup> , Bhopal.	C.I.L. : 309/75 dt. 31-10-75.
(ii) (a) Expansion of LD. Polyethylene capacity to 20,000 tonnes.	Union Carbide India Ltd <sup>r</sup> , Trombay.	C. I.L. : 254/77. dt. 21-8-77.
b) Benzene, 10,000 tonnes.	Do.	Do.

(g) The company has since submitted its representation to the Government and it is under consideration.

#### Funds for Tripura for Tribal people

284. SHRI P. K. KUNJACHEN: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the amount of funds which the Central Government had allocated for the welfare of the tribal people in Tripura during the last three years;

(b) the amount out of the total allocation, spent in the State for the purpose during the same period;

(c) whether there is any proposal under the Central Government's consideration to increase the amount of subsidy for the development of the tribal region in the State; and

(d) if so, what are the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL. MAN-DAL): (a) During the years 1974-75, 1975-76 and 1976-77 Special Central Assistance amounting to Rs. 115 lakhs has been released to the Government of Tripura for the sub-plan areas.

(b) The total amount spent in the sub-plan areas of Tripura from the State Plan, Special Central Assistance and Central and Centrally sponsored Programmes is Rs. 765-44 lakhs.

(c) and (d). The Annual Plan for the year 1978-79 of Tripura has been finalised recently and a total outlay of Rs. 722.50 lakhs has been earmarked for tribal areas from the State Plan. In addition, the Government of India have made an allocation of

Rs. 115 lakhs as Special Central Assistance. Thus, this outlay represents a substantial step up over the current year's outlay.

#### Reorganisation of Central Bureau of Investigation

285. SHRI P. K. KUNJACHEN: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government have undertaken any review of the working of the Central Bureau of Investigation during the Emergency;

(b) if so, what are the conclusions arrived at as a result thereof;

(c) whether in view of these conclusions Government propose to reorganise the work of the Bureau; and

(d) if so, what steps Government propose to take in this direction

THE MINISTER OF HOME AFFAIRS (SHRI CHARAN SINGH): (a) to (d) The Government are aware that in the course of the inquiry by the Sach Commission some instances of alleged malfunctioning of some officers of the Central Bureau of Investigation during the period of the second Emergency, have come to light. Appropriate action will be considered after the report of the Commission is received. There is no proposal to undertake any separate review.

Efforts to further improve the methods and working of the organisations like the Central Bureau of Investigation are a continuing process. Such measures, as are considered necessary from time to time, will continue to be taken with a view to ensuring that the Central Bureau of investigation func-

tions as an effective instrument for combating corruption and is enabled to cope with the pressures of work and demands for its services.

#### Fund for Tripura

286. SHRI P. K. KUNJACHEN Will the PRIME MINISTER be pleased to state:

(a) the funds which the Central Government allocated for Tripura for various Plan projects during the last three years and the amount out of the total allocation, so far spent by Tripura;

(b) whether there is any proposal under the Central Government's consideration to allocate additional funds to the State in view of its backwardness and rise in the influx of refugees over a period; and

(c) if so, what steps Government are taking in this regard?

THE PRIME MINISTER (SHRI MORARJI R. DESAI): (a) In the last three years 1975-78 Plan outlays amounting to Rs. 42,88 crores were approved for Tripura, as against which the likely expenditure is of the order of Rs. 42.90 crores as shown below:

(Rs. crores")

Year	Approved outlay	Actual expenditure
1975-76	12.03	12.23
1976-77	15.07	14.06
1977-78	15.78	16.61
	(Anticipated)	
TOTAL	42.88	42.90

#### Statement

#### Production of Cycle Tyres and Tubes in Large Scale and Small Scale Sector of Industries

(Rupees in lakhs)

Year	Large Scale		Small Scale	
	Tyres (Nos.)	Tubes (Nos.)	Tyres (Nos.)	Tubes (Nos.)
1975	24,524,695	16,922,752	..	..
1976	23,426,473	16,508,735	786.00	396.00
1977	27,002,866	14,923,437	845.00	468.00

(b) and (c) Plan allocations are made keeping in view all the factors, including backwardness needs of the State, and resource position.

#### Manufacture of cycle tyres and tubes

287. SHRI P. K. KUNJACHEN: Will the Minister of INDUSTRY be pleased to state:

(a) whether the manufacture of cycle tyres and tubes has been reserved for the small scale sector;

(b) if so, what is the production of these items in the small scale sector and the large scale sector, separately, during the last three years;

(c) whether it is a fact that the large scale industries are utilising the loopholes in the Industries (Development and Regulation) Act, 1951; and

(d) if so, whether Government propose to amend the said Act in order to protect the interest of the small scale industry?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (KUMARI ABHA MAITI): (a) Yes, Sir.

(b) A statement is enclosed.

(c) and (d) As a result of reservation for the SSI Sector, additional capacity in the licensed sector is banned. However existing production in accordance with the licensed capacity cannot be debarred, and to this extent, the interest of the SSI Sector may be adversely affected. However, the increasing demand would be left to the SSI Sector to fulfil.

**Industrial development of Tripura**

288. SHRI P. K. KUNJACHEN: Will the Minister of INDUSTRY be pleased to state;

(a) whether the Central Government have formulated any proposals for the industrial development of the States in Eastern Region with particular reference to Tripura; and

(b) if so, what are the details thereof?

THE MINISTER OF STATE IN THE  
MINISTRY OF INDUSTRY

(KUMARI ABHA MAITI): (a) and (b) Outlays agreed to by the Planning Commission for 1978-79 for the development of large and medium industries, minerals and village and small industries for the States/Union Territories in the Eastern Region including Tripura are given in the attached statement.

The programmes/proposals for the industrial development of these States and Union Territories for the next 5 years, 1978-83 are now under formulation.

1

**Statement**

*Outlays agreed to by the Planning Commission for 1978-79 for the Large & Medium Industries, Minerals and Village & Small Industries for the States/Union Territories in the Eastern Region referred to the parts (a) & (b) of Rajya Sabha Unstarred Question No. 288 for answer for the 2nd March, 1978*

(Rs. in lakhs.)

States.	Industry and Minerals.			Total
	Large & Medium Industries	Village & Small Industries	Minerals.	
1. Assam . . . . .	126	284	60	470
2. Bihar . . . . .	801	536	100	1457
3. Manipur . . . . .	54	150	5	209
4. Meghalaya . . . . .	50	65	20	135
5. Nagaland . . . . .	32	46	50	128
6. Orissa . . . . .	130	240	160	530
7. Sikkim . . . . .	44	46	19	109
8. Tripura . . . . .	8	87	2	97
9. West Bengal . . . . .	1015	549	25	1589
<i>Union Territories</i>				
10. Arunachal Pradesh . . . . .	1.00	50.00	..	51.00
11. Mizoram . . . . .	3.50	70.00	..	73.50

**मुजफ्फरनगर और तेनुघाट ताप बिजलीघरों का निर्माण**

289. डा० लोकेश चन्द्र : क्या ऊर्जा मंत्री यह बताने की कृपा करेंगे कि :

(क) मुजफ्फरनगर तथा तेनुघाट में ताप बिजली घरों के कब तक लगाये जाने की सम्भावना है ; और

(ख) इन बिजली घरों में कितने व्यक्तियों को काम मिलने की सम्भावना है ?

**Commissioning of thermal power plants in Muzzafarnagar and Tenughat**

2B9. DR. LOKESH CHANDRA: Will the Minister of ENERGY be pleased to state:

(a) by when the thermal power plants are likely to be installed in Muzzafarnagar and Tenughat; and

(b) what is the number of persons likely to get employment in these power plants?]

**ऊर्जा मंत्री (श्री पी० रामचन्द्रन) :**

(क) मुजफ्फरनगर, जो कि उत्तर प्रदेश में है, में ताप विद्युत केन्द्र स्थापित करने का कोई प्रस्ताव नहीं है। तथापि, मुजफ्फरपुर जो कि बिहार में है, में एक ताप विद्युत केन्द्र स्थापित करने का प्रस्ताव है। मुजफ्फरपुर (बिहार) में 110-110 मेगावाट को दो यूनिटों के प्रतिष्ठान के लिए संशोधित परियोजना रिपोर्ट केन्द्रीय विद्युत प्राधिकरण में जनवरी, 1978 में प्राप्त हुई थी। तकनीकी-आर्थिक मूल्यांकन के लिए यह प्रस्ताव केन्द्रीय विद्युत प्राधिकरण के विचाराधीन है। परियोजना रिपोर्ट के अनुसार 110 मेगावाट को प्रथम यूनिट स्वीकृति की तिथि से 54 महीने के भीतर और दूसरी यूनिट उसके छः महीने के बाद चालू किए जाने की आशा है।

तेनुघाट ताप-विद्युत केन्द्र को 210-210 मेगावाट को दो यूनिटों के प्रतिष्ठान के लिए संशोधित परियोजना रिपोर्ट जनवरी, 1978 में केन्द्रीय विद्युत प्राधिकरण में प्राप्त हुई थी। परियोजना रिपोर्ट के अनुसार, परियोजना को स्वीकृति के उपरान्त प्रथम यूनिट 61 मास में और दूसरी यूनिट उसके बाद छः महीने में चालू किए जाने की आशा है।

(ख) जिन लोगों को इन परियोजनाओं में रोजगार मिलने की सम्भावना है उनकी संख्या के संबंध में सूचना इन परियोजना रिपोर्टों में नहीं दी गई है : तथापि, यह अनुमान है कि इन विद्युत केन्द्रों के प्रचलन और अनुरक्षण के लिए मुजफ्फरपुर ताप-विद्युत केन्द्र पर लगभग 700 से 800 व्यक्तियों को और तेनुघाट ताप-विद्युत केन्द्र के मामले में लगभग 1000 से 1100 व्यक्तियों को काम पर लगाया जाएगा।

[THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) There is no proposal to locate a thermal Power station at Muzzafarnagar which is in U.P. However, there is a proposal to set up a thermal station at Muzzafar-pur which is in Bihar. The revised Project Report for installation of two Units of 110 MW each at Muzzafarpur (Bihar) was received in the Central Electricity Authority in January, 1978. The proposal is under consideration of C.E.A. for Techno-Economic Appraisal. As per the Project Report, the first unit of 110 MW is expected to be commissioned within 54 months, from the date of sanction and the second unit six months thereafter.

The revised Project Report for installation of two Units of 210 MW each of Tenughat Thermal Power Station was received in C.E.A. in January, 1978. As per the Project Report, the first unit is expected to be commissioned in 61 months after the

sanction of the Project and second Unit six months thereafter.

(b) Information regarding the number of people likely to get employment on these Projects has not been indicated in the Project Reports. However, it is estimated that for operation and maintenance of these power stations about 700 to 800 persons would be engaged on Muzzaferpur Thermal Power Station and about 1000 to 1100 in the case of Tenughat Thermal Power Station.]

### ऊर्जा के पन बिजली स्रोतों का उपयोग

290. डा० लोकेश चन्द्र : क्या ऊर्जा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या देश में 80,000 मै० वा० पन बिजली स्रोत का प्रयोग करने के लिए ऊर्जा संबंधी राष्ट्रीय नीति बनाने हेतु एक समिति नियुक्त करने का कोई प्रस्ताव सरकार के विचाराधीन है ; और

(ख) यदि हां, तो इस संबंध में व्यौरा क्या है ?

### Tapping of the Hydro-electric source of energy

290. DR. LOKESH CHANDRA: Will the Minister of ENERGY be pleased to state:

(a) whether there is any proposal under Government's consideration to appoint a committee to evolve a National Policy on Energy for tapping sources for the generation of 80000 M.V. hydro-electricity; and

(b) if so, what are the details thereof?]

ऊर्जा मंत्री (श्री पी० रामचन्द्रन) :

(क) और (ख) इस समय ऐसी कोई समिति नियुक्त करने का प्रस्ताव नहीं है। बहरहाल, देश में तथा देश के बाहर हान ही में हुए विकासों को इष्टिगत रखने हुए ऊर्जा की

वर्तमान स्थिति की विस्तृत जांच करने व अगले 5-15 वर्षों के लिए सम्भाव्यताओं का विकास करने के लिए तथा ऊर्जा के गैर-परम्परागत साधनों सहित ऊर्जा के उपलब्ध साधनों का इष्टतम उपयोग करने के लिए समुचित नीति संबंधी उपायों की सिफारिश करने के लिए योजना आयोग ने एक कार्यकारी दल नियुक्त किया है। इसमें संदेह नहीं है कि ऊर्जा को आवश्यकताओं को पूरा करने के लिए देश में उपलब्ध जल-विद्युत क्षमता का यह कार्यकारी दल ध्यान रखेगा।

[THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) and (b) There is no such proposal at present to appoint separately such a Committee. However, a Working Group has been appointed by the Planning Commission to carry out a comprehensive review of the present energy situation in the light of recent developments both within the country and outside to develop a perspective for the next 5-15 years and to recommend appropriate policy measures for optimal utilisation of available energy resources, including non-conventional resources of energy. This Working Group would no doubt take into account the available hydro-electric potential in the country for meeting the energy requirements.]

### इलैक्ट्रानिक्स विभाग के कार्यालयों में द्विभाषी नाम पटों का प्रयोग

291. डा० लोकेश चन्द्र : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या दिल्ली में उनके इलैक्ट्रानिक्स विभाग के अधीन सभी कार्यालयों में द्विभाषी नामपटों का प्रयोग किया जा रहा है; और

(ख) यदि नहीं, तो इन कार्यालयों में नाम पटों को कब तक द्विभाषी बना दिये जाने का विचार है ?

**Use of Bilingual name plates in offices under the Department of Electronics**

291. DR. LOKESH CHANDRA: Will the PRIME MINISTER be pleased to state:

(a) whether bi-lingual name plates are being used in all offices under the Department of Electronics located in Delhi; and

(b) if not, by when all the name plates are propose to be made bilingual in these offices?]

प्रधान मंत्री (श्री मोरारजी आर० देसाई) : (क) जी, हाँ ।

(ख) यह प्रश्न ही नहीं उठता ।

UTHE PRIME MINISTER (SHRI MORARJI R. DESAI): (a) Yes, Sir.

(b) Does not arise.]

**Visits by the Prime Minister and other Ministers**

292. SHRI IBRAPIIM KALANIYA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the places visited by Prime Minister and other Central Ministers in the country during December 1977 and January and February, 1978;

(b) the purpose of each of their visit;

(c) the names and status of the persons who accompanied each of them during the aforesaid visits;

(d) the amount of expenditure incurred on each Minister and the staff and the security personnel accompanying him, separately;

(e) what was their mode of travel; and

(f) what proportion of this expenditure borne by the Central and State Governments and personally by each of the Ministers?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIKLALMANDAL): (a) to (f) The information is being collected and will be laid on the Table of the House.

293. [Transferred to the 8th March, 1978].

**Sick units run by the National Textile Corporation**

294. SHRI S. W. DHABE: Will the Minister of INDUSTRY be pleased to state:

(a) what is the number of sick units under the National Textile Corporation; and

(b) what steps Government are contemplating to minimise the losses suffered by the National Textile Corporation?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (KUMARI ABHA MAITI): (a) There are 103 nationalised mills, and 2 mills taken over for management under the N.T.C.

(b) Important steps taken to improve the working of these mills are as follows: —

(i) modernisation renovation of the machinery;

(ii) rationalisation of work loads and labour force;

(iii) bulk procurement of raw material on centralised basis;

(iv) diversification in the pattern of production; and

(v) changes in the marketing strategy.

**Super Thermal Power Stations**

295. SHRI S. W. DHABE: Will the Minister of ENERGY be please to state:

(a) what is the number of super thermal power stations, with their

targeted capacity, which Government have sanctioned for the next five years; and

(b) whether Government have received any proposal from any State Government for sanctioning a super thermal power station for that State

and if so, what action Government have taken thereon?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) Approval has been accorded to the following thermal power stations which are either of large size or capable of expansion into large size stations-

Station	Approved installed capacity (MW)	Ultimate capacity (MW)
Singrauli Super TPS	600	2000
Korba Super TPS	1100	2100
Ramagundam Super TPS	1100	2100
Neyveli—2nd mine cut.	630	1260
Chandrapur (Maharashtra)	420	Developing the site to an ultimate capacity of 1300 MW had been envisaged at this site. The proposal for the 2nd stage expansion of 420 MW has been cleared by CEA and is to be processed through the Planning Commission for approval. The project proposals for the 3rd stage expansion is awaited from the State.

(b) Government have received the following proposals from the States for establishment of thermal power

stations where an ultimate capacity of 1000MW and above is envisaged:—

Station (State)	Capacity proposed in the initial stage (MW)	Ultimate capacity envisaged (MW)
Rupnagar (Punjab)	1000	1000
Anpara (UP)	630	1000 (It has been indicated that the station is being designed in such a way that it can be expanded to an ultimate capacity of 2000 MW if necessary)
Bishrampur (MP)	420	It has been mentioned in the Project Report that the site has a potential for an ultimate capacity of 1200/1400 MW.
Bhadrachalam (AP)	420	1000
Colgaon (Bihar)	..	3000
Tenughat (Bihar)	420	1500
Raichur (Karnataka)	420	1050
Ray (Bihar)	630	13000



Among the above, the proposals of Anpara Thermal Power station (630 MW) of U.P. and Raichur Thermal Power Station (420) of Karnataka have been cleared by the Central Electricity Authority and have to be processed through the Planning Commission for approval. Other proposals are in the various stages of techno-economic appraisal in the C-EA.

#### Manufacture of Television Glass shells

296. SHRI RISHI KUMAR MISHRA: Will the Minister of INDUSTRY be pleased to state;

(a) whether there is any proposal under Government's consideration to allow a foreign company to set up a plant for the manufacture of television glass shells;

(b) if so, what are the reasons for which Government propose to allow a foreign firm to set up the plant; and

(c) whether the technical know-how for the manufacture of this type of product is not available in India?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (KUMARI ABHA MAITI): (a) No, Sir.

(b) Does not arise.

(c) The technical know-how for the manufacture of Television Glass shells is not available in India.

#### Gearing up of production in the coal industry

297. SHRI SANTOSH KUMAR SAHU: Will the Minister of ENERGY be pleased to state:

(a) whether there is any proposal under Government's consideration to gear up production in the coal industry; and

(b) if so, what are the details thereof?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a)

and (b) Steps have been taken to gear up production in the coal industry, as a result of which the production has been steadily increasing each month since November, 1977. During the month of January, 1978 production has increased by 15.60 lakh tonnes compared to November, 1977.

#### Review of admission procedure to Sainik schools

298. SHRI SANTOSH KUMAR SAHU: Will the Minister of DEFENCE be pleased to state:

(a) whether there is any proposal under Government's consideration to review the procedure for admission to the sainik schools in order to provide opportunity to more students from the low income families; and

(b) if so, what are the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI SHER SINGH): (a) Yes, Sir.

(b) The Board of Governors of the Sainik Schools Society in their meeting held on 9-12-77 have decided to appoint a Committee to go into the methods of admission to Sainik Schools so as to plug the loopholes in the scheme which come in the way of attracting boys from backward sections of the Society including Scheduled Caste and Scheduled Tribes. Action has already been initiated for the appointment of such a Committee.

राष्ट्रीय स्वयं सेवक संघ के सदस्यों की महत्वपूर्ण पदों पर नियुक्ति

299. श्री गुरुदेव गुप्त : क्या गृह मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का ध्यान 30 जनवरी, 1978 के 'हिन्दुस्तान' में अखिल भारतीय साम्प्रदायिक विरोधी समिति, दिल्ली द्वारा पारित एक संकल्प के बारे में प्रकाशित इस आशय के समाचार की ओर दिलाया गया है कि विभिन्न मंत्रालयों में काम कर रहे

राष्ट्रीय स्वयं सेवक संघ के सदस्य प्रशासन में संघ के प्रभाव को फैला रहे हैं और महत्वपूर्ण सेवाओं और पदों पर संघ के सदस्यों को नियुक्त करने के प्रयत्न किए जा रहे हैं; और

(ख) यदि हाँ, तो सरकार की इस बारे में क्या प्रतिक्रिया है ?

**Appointment of members of R.S.S. to important posts**

299. SHRI GURUDEV GUPTA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government's attention has been drawn to a news item published in the 'Hindustan' of the 30th January, 1978, regarding a resolution passed by the All India Sampradayi-ka Virodhi Committee, Delhi to the effect that the members of the Rash-triya Swayam Sevak Sangh, working in various Ministries, are promoting Sangh's influence in the administration and attempts are being made to appoint members of the Sangh to important services and posts; and

(b) if so, what is Government's reaction thereto?]

गृह मंत्रालय में राज्य मंत्री (श्री धनिक लाल मण्डल) : (क) जी हाँ, श्रीमान्।

(ख) सरकार के पास उक्त प्रेस रिपोर्ट में लगाए गए आरोप के समर्थन में कोई सूचना नहीं है।

[THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): (a) Yes; Sir.

(b) Government have no. information to support the allegation made in the aforesaid Press report.]

t[ ] English translation.

**Registration of FIR against Shrimati Indira Gandhi, ex-Prime Minister**

300. SHRI SULTAN SINGH: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the building where the Shah Commission of inquiry is holding its sittings falls within the jurisdiction of the Criminal Courts, New Delhi or the Tis Hazari Courts; and

(b) whether it is a fact that the FIR against Shrimati Indira Gandhi, former Prime Minister, was registered in the Tis Hazari Courts?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): (a) The building where the Shah Commission of Inquiry is holding its sittings falls within the jurisdiction of the Chief Metropolitan Magistrate, who has jurisdiction in the entire territory of Delhi.

(b) The Shah Commission of Inquiry have filed a formal complaint against Smt. Gandhi in the Court of the Chief Metropolitan Magistrate, Delhi, located at Tis Hazari.

**Annual growth rate in National Economic**

301. SHRI GUNANAND THAKUR: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that the policy resolution of the Janata Party envisages an annual growth rate of 7 per cent in the national economy; and

(b) if so, what concrete measures Government propose to take to achieve this goal?

THE PRIME MINISTER (SHRI MORARJI R. DESAI): (a) Yes, Sir.

(b) The main objective of the strategy of the new five-year plan to be launched on 1st April, 1978 will be to accelerate the growth of employment and the pace of improvement in the

standard of living of the people. Emphasis will therefore have to be given not only to a satisfactory growth rate but also to a pattern of growth which creates employment and income throughout the economy, and meets the basic needs of the people. The plan is under preparation and will be presented to the National Development Council. Details of the strategy and the feasible growth rate should be available by the end of this month.

### केन्द्रीय सहायता के लिये बिहार की मांग

302. श्री गुणानन्द ठाकुर : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि बिहार राज्य में निर्धनता और पिछड़ेपन को दूर करने के लिए उस राज्य द्वारा केन्द्रीय सहायता के लिए समय-समय पर की जाने वाली मांगों को योजना आयोग ने पूरी तरह से पूरा नहीं किया है ;

(ख) यदि हां, तो उसके क्या कारण हैं; और

(ग) क्या सरकार ने इस सम्बन्ध में राज्य की मांग को पूर्ण रूप से पूरा करने के लिए चालू वर्ष की वार्षिक योजना में धन आवंटित करने के बारे में कोई कदम उठाए हैं और यदि हां, तो उनका व्यौरा क्या है ?

### Bihar's demands for Central assistance

302. SHRI GUNANAND THAKUR: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that the demands for Central assistance made by Bihar from time to time for removing poverty and backwardness in the State were not met in full by the Planning Commission;

(b) if so, what are the reasons therefor; and

(c) whether Government have taken any steps to meet the State's demand, on this account, in full, in making allocation for the annual plan for the current year; if so, what are the details thereof?]

प्रधान मंत्री (श्री मोरारजी आर० देसाई) : (क) से (ग) राष्ट्रीय विकास परिषद् से अनुमोदन प्राप्त गाडगिल फार्मूले के अनुसार ही सभी राज्यों को (जम्मू व कश्मीर, हिमाचल प्रदेश और उत्तर-पूर्वी अंचल के राज्यों को छोड़कर) केन्द्रीय सहायता का आवंटन किया जाता है। बिहार को, जो गाडगिल फार्मूले के अंतर्गत आने वाले राज्यों में से है, इस फार्मूले के अनुसार चौथी और पांचवी योजनाओं में केन्द्रीय सहायता का अपना पूरा अंश दिया गया है।

[THE PRIME MINISTER (SHRI MORARJIR. DESAI): (a) to (c) The allocation of Central assistance to all States (except the States of Jammu & Kashmir, Himachal Pradesh and States in the North East Region) is governed by the Gadgil Formula, which has the approval of the National Development Council, Bihar, which is among the States governed by Gadgil Formula, has been given its full share of Central assistance both in the Fourth and Fifth Plans in accordance with this formula.]

पोर्ट ब्लेयर रेडियो स्टेशन में हिन्दी डिप्टी चीफ प्रोड्यूसर का पद रिक्त होना

303. श्री नत्थी सिंह : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि पोर्ट ब्लेयर रेडियो स्टेशन में हिन्दी डिप्टी चीफ प्रोड्यूसर का पद पिछले दस वर्षों से रिक्त पड़ा हुआ है;

(ख) क्या यह भी सच है कि उक्त पद पर नियुक्ति के लिए एक उपयुक्त व्यक्ति का चयन करने के लिए पिछले वर्ष, अप्रैल में एक परीक्षा ली गई थी लेकिन उसका परिणाम अभी तक घोषित नहीं किया गया है; और

(ग) यदि हाँ, तो इसके क्या कारण हैं ?

**Vacancy in the post of Deputy Chief Producer for Hindi in the Port Blair Radio Station**

303. SHRI NATHI SINGH; Will the Minister of INFORMATION AND BROADCASTING be pleased to state;

(a) whether it is a fact that the post of Deputy Chief Producer for Hindi in the Port Blair Radio Station' has been lying vacant for the last ten years;

(b) whether it is also a fact that an examination for the selection of a suitable candidate for appointment to the post was conducted in April last year but the result has not yet been declared; and

(c) if so, what are the reasons therefor?]

सूचना और प्रसारण मंत्री (श्री लाल कृष्ण आडवाणी) : (क) जी, नहीं ।

(ख) और (ग) प्रश्न नहीं उठता ।  
कि :

[THE MINISTER OF INFORMATION AND BROADCASTING (SHRI LAL K. ADVANI): (a) No, Sir.

(b) and (c) Do not arise.]

अंदमान और निकोबार द्वीप समूह के नामों का बदला जाना

304. श्री नागेश्वर प्रसाद शाही :  
श्री नथी सिंह :

क्या गृह मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार अन्दमान और निकोबार द्वीपसमूह के नाम नेताजी सुभाष चन्द्र बोस की इच्छानुसार 'शहीद' और 'स्वराज' द्वीपसमूह रखने का विचार रखती है ; और

(ख) यदि नहीं, तो इसके क्या कारण हैं ?

**Renaming of the Andaman and Nicobar Islands**

304. SHRI NAGESHWAR PRASAD SHAHI: SHRI NATHI SINGH:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government propose to rename the Andaman and Nicobar Islands as 'Shaheed and Swarajya Islands' as directed by Netaji Subhash Chandra Bose; and

(b) if not, what are the reasons therefor?]

गृह मंत्रालय में राज्य मंत्री (श्री धनिक लाल मण्डल) : (क) से (ख) अण्डमान व निकोबार द्वीप समूह का नाम बदलकर "शहीद तथा स्वराज द्वीप" रखने के लिए 24-2-1978 को श्री समर गुह द्वारा लोक सभा में एक गैर-सरकारी विधेयक पेश किया गया था। उस सदन को यह आश्वासन दिए जाने पर कि इस प्रस्ताव को अण्डमान व निकोबार द्वीप समूह के लिए गृह मंत्री की सलाहकार समिति में रखा जाएगा, विधेयक वापस ले लिया गया ।

**प्रस्ताव सलाहकार समिति की अगली बैठक में उसके समक्ष रखा जाएगा।**

‡[THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): (a) and (b). A Private Members' Bill was moved by Shri Samar Guha in the Lok Sabha on 24-2-1978 to rename Andaman and Nicobar Islands as "Shaheed and Swaraj Dweep". On an assurance given to that House that the proposal would be placed before the Home Minister's Advisory Committee for Andaman and Nicobar Island, the Bill was withdrawn.

The proposal would be placed before the Advisory Committee in their next meeting.]

**तोड़-फोड़ की कार्यवाहियों की जांच**

**305. श्री नत्थी सिंह :**  
**श्री रामानन्द यादव :**  
**श्री प्यारेलाल कुरील उर्फ**  
**तालिब :**

क्या गृह मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या पिछले छः महीनों के दौरान रेलगाड़ी और विमान दुर्घटनाओं तथा तोड़-फोड़ की अन्य घटनाओं की सरकार द्वारा की गई जांच से यह पता चला है कि उनमें किसी संगठित गिरोह का हाथ है;

(ख) क्या जांच करने वाली एजेंसी तोड़-फोड़ की इन घटनाओं के लिए जिम्मेदार गिरोह या तत्त्वों का पता लगाने में सफल हो सकती है; और

(ग) यदि नहीं तो इसके क्या कारण हैं और जांच करने वाली एजेंसी की कार्य-कुशलता में सुधार लाने के लिए सरकार ने क्या कदम उठाए हैं या उठाने का विचार रखती है ?

**[Investigation into acts of sabotage**

305. SHRI NATHI SINGH;  
SHRI RAM AN AND YADAV;  
SHRI PIARE LALL KUREEL urf  
PIARE LALL TALIB;

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the investigations conducted by Government into the train and air accidents and other acts of sabotage, which took place during the last six months, have revealed the involvement of any organised gang in their occurrence;

(b) whether the investigating agency has been able to identify the gang or the element behind these acts of sabotage; and

(c) if not, what are the reasons therefor and what steps Government have taken or propose to take to bring about an improvement in the working efficiency of the investigating agency?]

**गृह मंत्रालय में राज्य मंत्री (श्री धनिक लाल मण्डल) :** (क) तथा (ग). संदिग्ध तोड़ फोड़ के सभी मामलों की जांच पड़ताल विधि प्रवर्तन एजेंसियों द्वारा प्रभावपूर्ण ढंग से की जा रही है। अब तक की गई जांच पड़ताल से यह प्रकट नहीं हुआ है कि इन घटनाओं में किसी संगठित गिरोह का हाथ है। फिर भी हाल की कुछ घटनाओं से उत्पन्न आशंकाओं को ध्यान में रखते हुए राज्य सरकारों को तोड़ फोड़ के सभी मामलों की आसूचना एकत्रित करने तथा जांच पड़ताल करने के लिए विशेष एकक बनाने की सलाह दी गई है। उन को आसूचना प्रयत्नों को बढ़ाने और जहाँ आवश्यक हो केन्द्रीय संगठनों की सहायता मांगने का भी सुझाव दिया गया है।

‡[THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL):

(a) to (c). Investigations into all cases of suspected sabotage are being pursued vigorously by the law enforcement agencies. The investigations conducted so far have not revealed the involvement of any organised gang in these incidents. However, in view of the misgivings created by some recent incidents, the State Governments have been advised to create specialised cells for collection of intelligence as well as investigation of all cases of sabotage. It has, further been suggested to them to step up intelligence efforts and to seek the assistance of Central organisations wherever necessary.]

### नक्सलवादियों की रिहाई

306. श्री रामानन्द यादव :

श्री प्यारेलाल कुरील उर्फ  
तालिब :

श्री ऋषि कुमार मिश्र :

क्या गृह मंत्री यह बताने की कृपा करेंगे कि :

(क) 1 जनवरी, 1978 को राज्यवार कितने-कितने नक्सलवादी निरुद्ध थे और उन्हें अभी तक रिहा न करने के क्या कारण हैं; और

(ख) क्या सरकार इन नक्सलवादियों को तत्काल रिहा करने का विचार रखती है ?

### Release of israxalites

306. SHRI RAMANAND YADAV: SHRI PIARE LALL KUREEL Urf PIARE LAUL TALIB; SHRI RISHI KUMAR MISHRA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the number of Naxalites in detention as on the 1st January, 1978,

Statewise, and the reasons for not releasing them so far; and

(b) whether Government propose to release these Naxalites forthwith?

गृह मंत्रालय में राज्य मंत्री (श्री धनिक लाल मण्डल): (क) तथा (ख). 1 जनवरी, 1978 को सारे देश में निवारक नजरबन्दी के अधीन केवल एक नक्सलवादी तमिलनाडु में निरुद्ध था। उसे अब रिहा कर दिया गया है।

[THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): (a) and (b). There was only 1 Naxalites under preventive detention in the entire country as on 1st January, 1978 in Tamil Nadu. He has since been released.]

ग्रेट ब्रिटेन से मालवाही जहाजों की खरीद

307. डा० लोकेश चन्द्र : क्या नौवहन और परिवहन मंत्री 1 दिसम्बर, 1977 को राज्य सभा में तारकित प्रश्न 355 के दिए गए उत्तर को देखेंगे और यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने ग्रेट ब्रिटेन से छः मालवाही जहाज खरीदने का निर्णय कर लिया है;

(ख) प्रत्येक मालवाही जहाज का मूल्य कितना होगा; और

(ग) क्या ये जहाज जापान से भी खरीदे जा सकते हैं; और यदि हां, तो कितने मूल्य पर ?

### Purchase of cargo ships from Great Britain

307. DR. LOKESH CHANDRA: Will the Minister of SHIPPING AND TRANSPORT be pleased to refer to

the answer to Starred Question 355 given in the Rajya Sabha on the 1st December 1977 and state;

- (a) whether Government have since taken a decision to buy six cargo ships from Great Britain;
- (b) what would be the cost of each cargo ship; and
- (c) whether such ships can be purchased from Japan also; if so, at what cost?]

नौवहन और परिवहन मंत्रालय में प्रभारी राज्य मंत्री (श्री चांदराम) : (क) सरकार ने सिद्धान्त रूप से यह निर्णय किया है कि जहाज भारतीय नौवहन निगम द्वारा प्राप्त किए जाएं और यू० के० इण्डिया संयुक्त परियोजना अनुदान से वित्त पोषित किए जाएं।

(ख) मूल्य नियत करने के लिए भारतीय नौवहन निगम और ब्रिटिश शिपयार्ड के बीच वार्ता चल रही है।

(ग) जी हाँ, मूल्य यू० के० में बने जहाजों के मूल्य से 20 से 30% तक कम होने की संभावना है।

t[THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) Government have decided, in principle, that the ships may be acquired by the Shipping Corporation of India financed out of U.K.—India Mixed Projects Grant.

(b) the final price is under negotiation between the Shipping Corporation of India and the British Shipyard.

(c) Yes, the price is likely to be 20 to 30 per cent lower than that of XIK built ships.]

t[ ] English translation.

### Committee of experts on the working of the State Electricity Boards

308. SHRI JANARDHANA REDDY: Will the Minister of ENERGY be pleased to state:

(a) whether it is a fact that Government propose to set up a committee of experts to rationalise the tariff structure and to suggest measures for improvement in the working of the State Electricity Boards;

(b) if so, what are the details in this regard; and

(c) by when committee is likely to be set up?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) to (c)r The question regarding the working of the State Electricity Boards including, inter-alia, the aspect of tariff structures was discussed at the Conference of the State Power Ministers held at New Delhi on the 23rd and 24th January, 1978. One of the recommendations of the Conference was that in view of the need to review the existing norms of financial performance of the Boards in the context of their overall functioning, an All-India Committee of Experts may be set up to make practical recommendations for rationalising the tariff-structure and improving the working of the State Electricity Boards.

The composition of the Committee and its terms of reference etc., have not yet been finalised.

पर्यटन और नागर विमानन मंत्री के कार्यालय और निवास पर आग लगने की घटना

309. श्री गुरुदेव गुप्त : क्या गृह मंत्री यह बताने की कृपा करेंगे कि :

(क) पर्यटन और नागर विमानन मंत्री के निवास और कार्यालय में आग लगने की घटनाओं के कारणों का पता लगाने के लिए की गई जांच के क्या निष्कर्ष निकले ?

(ख) क्या इस सम्बन्ध में कोई गिरफ्तारियां की गई हैं; और

(ग) ऐसी घटनाओं की पुनरावृत्ति को रोकने के लिए सरकार क्या कदम उठा रही है ?

**Fire incidents at the office and residence of Minister of Tourism and Civil Aviation**

309. SHRI GURUDEV GUPTA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) what are the findings of the enquiry conducted to ascertain the cause of the fire incidents at the residence as well as in the office of Minister of Tourism and Civil Aviation;

(b) whether any arrests have been made in this connection; and

(c) what steps Government are taking to check the recurrence of such incidents?]

गृह मंत्रालय में राज्य मंत्री (श्री धनिक लाल मण्डल): (क) से (ग). पुलिस जांच के निष्कर्षों के अनुसार 30-1-1978 को दिन के लगभग 12.30 बजे ट्रांसपोर्ट भवन के दूसरे तले पर पर्यटन और नागर विमानन मंत्री के कार्यालय के कमरा नं० 201 में वातानुकूलक में शार्ट सर्किट के कारण आग लग गई थी। इससे पर्दों को, कृत्रिम छत, वातानुकूलक तथा मुख्य बिजली स्वीच को कुछ नुकसान हुआ। आग से कोई घायल नहीं हुआ। नं० 1 तुगलक रोड निवास स्थान पर 6-2-78 को दिन के लगभग 12.58 बजे आग लगी। जांच से पता चला कि कूड़े के ढेर में आग लग गई थी। इस पर अग्निशमन प्राधिकारियों ने तुरन्त नियंत्रण कर लिया था तथा जान माल की कोई क्षति नहीं हुई। दोनों आग की घटनाएं आकस्मिक पाई गई थीं।

[THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS CSHRI DHANIK LAL MANDAL): (a) to (c). According to the findings of the police enquiries, the fire at the office of the Minister of Tourism and Civil Aviation in Room No. 201, Second Floor Transport Bhawan on the 30th January 1978, at about 12.30 p.m. was caused by a short circuit in the air-conditioner. It caused some damage to the curtains, false ceiling air conditioner and the main electric switch. No one was injured in the fire. The fire at the residence at No. 1, Tughlak Road occurred on 6th February, 1978 at about 12.58 p.m. Investigations revealed that a heap of garbage had caught fire. It was promptly brought under control by the fire authorities and there was no loss of property or life. Both the fires were found to be accidental.]

**Activities of the former Chogyal of Sikkim**

310. SHRI M. KADERSHAH: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government are keeping a watch over the activities of the former chogyal of Sikkim;

(b) whether Government are aware that some of his activities are against the interests of the country; and

(c) if so, how Government propose to deal with him to ensure that he does not indulge in activities prejudicial to the interest of the people and the Government?

THE MINISTER OF HOME AFFAIRS (SHRI CHARAN SINGH): (a) to (c). The views and activities of the former Chogyal of Sikkim are known. Sufficient powers exist under law to deal with any person indulging in any unlawful activity.



**Return of a disappointed group of  
Rebel Nagas from China**

311. SHRI F. M. KHAN: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that a group of rebel Nagas which went to Yunnan province of China for training in guerilla warfare and for obtaining arms, has returned disappointed to the Kachin area of Burma across Nagaland; and

(b) whether it is likely to help in improving our relations with China?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): (a) and (b) According to information available, two groups of Underground Nagas have returned from China and are now reported to be in Burma across our International border. The Government are not aware of the quantum of assistance received by them nor are they aware of any reaction amongst the Underground Nagas thereto.

**Acquisition of land for Alleppey Bypass of the National Highway 47**

312. SHRI S. KUMARAN: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether it is a fact that about 25 acres of land, belonging to 300 families, acquired by Government in Alleppey District in Kerala for the purpose of Alleppey Town Bypass of the National Highway 47, has been kept frozen;

(b) if so, what are details in this regard;

(c) whether it is a fact that the owners of the land are agitating over the delay in the land acquisition proceedings and are demanding the completion of the acquisition proceedings or in the alternative defreezing of the land;

(d) whether the Kerala Government has drawn the attention of the Central Government to this situation; and

(e) if so, what act/n the Central Government have taken or propose to take in this regard?

THE MINISTER OF STATE IN-CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) and (b) No land has so far been acquired for the construction of Bypass for Alleppey Town on the National Highway 47. However, the Government of Kerala issued a Notification on 25th July, 1975 for freezing the value of the land coming within the alignment of the Bypass.

(c) and (d) Yes, Sir.

(e) Due to the continuing financial stringency and constraint on resources, it has not been possible to take up the work of acquisition of the land required for this Bypass in the Fifth Five Year Plan. Inclusion of this work in the next 5-year Plan will be dependent upon the allocations in that Plan.

**Village Volunteer Force**

313. SHRIMATI HAMIDA  
HABIBULLAH: SHRI  
SAWAI SINGH  
SISODIA:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that the Central Government have asked the State Governments to set up village volunteer force for protection of railway lines at the State level; and

(b) if so, what is the State Government's response in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): (a) and (b) While the Central Government have not specifically asked the State Governments to setup village volunteer force for the task of protecting railway lines, deployment of Home

Guards/Village Volunteer Force is one of the measures suggested to them. It is understood that some States are utilising the services of such organisations for this purpose.

#### **Setting up of industries in urban areas**

314. SHRI s. K. VAISHAMPAYEN: Will the Minister of INDUSTRY be pleased to state:

(a) whether Government have decided not to issue any licence to set up any new industrial units in urban areas like Bombay and Calcutta; and

(b) if so, what are the details in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (KUMARI ABHA MAITI): (a) and (b) The policy followed in regard to grant of industrial licences to new industrial units in metropolitan cities and urban areas is contained in paragraph 31 of the Statement on Industrial Policy laid on the Table of the House on 23rd December, 1977. The Government have decided that no more licences should be issued to new industrial units located within standard urban area limit of a large metropolitan city with a population of more than 1 million and urban areas of city with a population of more than 5 lakhs as per 1971 Census. This decision has been communicated to the State Governments and financial institutions.

#### **Shipyards in Orissa**

315. SHRI SANTOSH KUMAR SAHU: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether the Project Report for the construction of a shipyard in Orissa has been submitted to Government by the foreign consultants; and

(b) if so, what are the details thereof?

THE MINISTER OF STATE IN-CHARGES OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) No, Sir.

(b) Does not arise.

#### **Renaming of the Film Finance Corporation**

316. SHRI SHRIKANT VERMA: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether there is any proposal under Government's consideration to rename the Film Finance Corporation as the Film Development Corporation; and

(b) if so, what are the details thereof?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI LAL K. ADVANI): (a) and (b) The question of future set up of the various public sector undertakings concerned with films under the administrative control of the Ministry of information and Broadcasting is under review. It will take some time before Government's final views on the question crystallise.

#### **Subtitling of regional films in Hindi**

317. SHRI SHRIKANT VERMA: Will the Minister of INFORMATION AND BROADCASTING be pleased to state

(a) whether there is any proposal under Government's consideration to subtitle regional films in Hindi; and

(b) if so, what are the details thereof?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI LAL K. ADVANI): (a) and (b) Pursuant to a recommendation made at the Conference of Information Ministers held in November 1977, the Film Finance Corporation has been asked to prepare a scheme for dubbing of films in various regional languages in consultation with the Film Division and submit the same to the Government

for approval. The Film Finance Corporation is also examining the possibility of acquiring a sub-titling machine which at present is installed in the Film and Television Institute of India, Pune.

**Production of coarse and medium varieties of cloth by textile mills**

318. SHRI SAN AT KUMAR RAHA: Will the Minister of INDUSTRY be pleased to state:

(a) whether it is a fact that the textile mills are exempted from producing coarse and medium varieties of cloth under Government's industrial policy; and

(b) if so, what are the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (KUMARI ABHA MAITI): (a) No, Sir.

(b) Does not arise.

**Items earmarked for small scale and cottage industries**

319. SHRI SANAT KUMAR RAHA: Will the Minister of INDUSTRY be pleased to state what are the names of the items earmarked for small scale and cottage industries under the new industrial policy?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (KUMARI ABHA MAITI): List containing 504 Reserved Items for Small Scale Sector was placed on the Table of the House on 23rd December 1977 when the New Industrial Policy was announced in Parliament.

**Report of the committee regarding credit problems of small scale units**

320. SHRI RISHI KUMAR MISHRA: Will the Minister of INDUSTRY be pleased to state:

(a) whether Government have received the report of Committee headed by Shri I. C. Puri regarding

the credit problems of small scale units; and

(b) if so, what action Government have taken on the recommendations of the Committee?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (KUMARI ABHA MAITI): (a) Yes, Sir.

(b) The recommendations of the Committee are under the consideration of the Government.

**Losses suffered by the State Electricity Boards**

321. SHRI RISHI KUMAR MISHRA: Will the Minister of ENERGY be pleased to state:

(a) what are the cumulative losses suffered by various State Electricity Boards till the financial year 1976-77;

(b) what are their estimated losses during the year 1977-78;

(c) what are the reasons for the losses;

(d) what is the amount of subsidy paid for supply of electricity to (i) agriculture, and (ii) industries; and

(e) what steps Government propose to take to avoid the losses and to raise resources for future expansion programme of these Boards?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) The information in respect of actual losses incurred by the various State Electricity Boards upto the financial year 1976-77 is not readily available as several Boards have not yet furnished the accounts. The available information regarding the losses incurred by the Boards on account of shortfall in payments of interest on State Government loans and depreciation are indicated in the enclosed Statement-I.

[See Appendix CIV, Annexure No.15]

(b) The estimated losses in the various State Electricity Boards for

the year 1977-78 are also given in the enclosed Statement—I.

(c) The main reasons are: —

(i) Inadequate level of performance in capacity utilisation, reducing system losses, inventory control, and generally not maintaining optimum results in every aspect of working of the Boards;

(ii) Inadequate revision of tariff to meet the total revenue expenditure of the Board which includes O&M expenditure, depreciation charges, interest on bonds and debentures and interest on institutional and State Government loans; and

(iii) The present pattern of capital structure of the Electricity Boards, the manner of calculating depreciation on assets and the need for payment of interest on works in progress etc. as provided for in the Electricity (Supply) Act, 1948.

(d) Information regarding the amount of subsidy paid for supply of electricity separately to (i) agriculture and (ii) industries is not readily available. However, some Electricity Boards are receiving subsidy from the concerned State Governments for the losses incurred by them in rural electrification operations, which help agriculture and small scale industries in rural areas. Losses estimated to have been incurred by the Electricity Boards for the year 1975.76 on account of these operations and amount of subsidy obtained from the concerned State Governments are given in the enclosed Statement—II. [See Appendix CIV, Annexure No. 16]

(e) The Electricity (Supply) Act, 1948 is proposed to be amended to enable the State Governments to provide equity capital to the Electricity Boards to give a positive direction to the Boards to earn a surplus, which could be made use of for further investments in power development programmes and to enable the Central Government, in consultation with the Central Electricity Authority, to fix the principles for depreciation. The financial working of the State Electri.

city Boards is being monitored and advice rendered from time to time to improve their performance by raising capacity utilisation, reducing system losses, effecting inventory control etc. Recently, in the light of the discussions that took place in the State Power Ministers' Conference held in January, 1978, it has been decided to set up an All India Committee of Experts to make practical recommendations for rationalising the tariff structure and improving the working of the State Electricity Boards.

#### **Interim report by the Shah Commission**

322. SHRI MULKA GOVINDA REDDY: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Shah Commission of Inquiry has submitted any interim report to Government;

(b) if so, what are the details thereof; and

(c) what follow-up action Government are taking thereon?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): (a) No, Sir.

(b) Does not arise.

(c) Does not arise.

#### **Transfer of Chandigarh and other Punjabi speaking areas to Punjab**

323. SHRI SAT PAUL MITTAL: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether there is any proposal under Government's consideration to transfer the Union territory of Chandigarh and other Punjabi speaking areas to Punjab;

(b) if so, what are the details thereof; and

(c) whether the Central Government have received any communica-

tion from the Punjab Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): (a) and (b) As stated in reply to Un. starred Question No. 212 on 17th November, 1977, the Government do not consider the present to be the opportune time to take up these matters unless the State Governments concerned come up with mutually acceptable proposals.

(c) No, Sir.

**Charges against the Managing Director of the Western India Coal Fields Ltd.**

324. SHRI SYED AHMAD HASH-MI: Will the Minister of ENERGY be pleased to state:

(a) whether it is a fact that some Members of Parliament have submitted a memorandum to the Minister of State in the Ministry of Energy against the Managing Director of the Western India Coal Fields Ltd.; and

(b) if so, what are the details thereof and what action Government have taken thereon?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) No such memorandum signed by several Members of Parliament appears to have been received.

(b) Does not arise.

**Incidents of arson and rape etc. in tribal headquarters in Santhal Parganas in Bihar**

325. SHRI SYED AHMAD HASH-MI: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government are aware of the incidents of arson, rape and torture of tribals near Dumka tribal headquarters of Santhal Parganas in Bihar; and

(b) what action Government have taken to curb such incidents?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): (a) No such incident involving tribals has been reported near Dumka in Santhal Parganas district of Bihar?

(b) Does not arise.

**Urdu Publicity Assistants working in the Press Information Bureau**

326. SHRI SYED AHMAD HASH-MI: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) what is the number of Urdu Publicity Assistants presently working in various Units of the Press Information Bureau in Bombay, Srinagar, Jammu, Bhopal, Patna and Bangalore;

(b) whether it is a fact that a large number of posts of Urdu Publicity Assistants are lying vacant in these units; and

(c) if so, what are the reasons therefor and by when these vacancies are likely to be filled up?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI LAL K. ADVANI): (a) The Press Information Bureau have the posts of Information Assistants for Urdu as under:

<b>Bombay</b>	<b>1</b>
<b>Srinagar</b>	<b>1</b>
<b>Jammu</b>	<b>2</b>
<b>Bhopal</b>	<b>Nil</b>
<b>Patna</b>	<b>1</b>
<b>Bangalore</b>	<b>1</b>

(b) Yes Sir.

(c) Government is considering restructuring of Central Information Service (CIS) the Grade IV of which is proposed to be abolished. Information Assistants belong to the Grade IV of C-I.S. and hence minimum va-

cancies of this Grade are being filled up presently. As soon as a decision on restructuring of the Grade IV of CIS is taken, all the vacancies will be filled in accordance with the decision.

**Posts of Translators in the Press Information Bureau**

327. SHRI SYED AHMAD HASH-MI: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) what is the number of employees at present working in the Urdu wing of the publicity media of Government;

(b) whether it is a fact that ten posts of Urdu Translators are lying vacant in the Press Information Bureau;

(c) if so, what are the reasons for keeping these posts vacant; and

(d) by when appointments to these posts are likely to be made?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI LAL K. ADVANI): (a) The information is being collected and will be laid on the Table of the House.

(b) There are no posts of Urdu translators, as such, in the Press Information Bureau. However, Information Assistants look after the translation work in Urdu. 16 posts of Information Assistants (Urdu) are lying vacant at present at Headquarters and Regional and Branch Offices of the Press Information Bureau.

(c) and (d) The posts of Information Assistants including those sanctioned for Urdu, are included in Grade IV of the Central Information Service, recruitment to which is made through U.P.S.C. No recruitment has, however, been made since 1971, as the question of restructuring of the Central Information Service, the Grade IV of which is proposed

to be abolished, has been under consideration of Government.

In the meantime, the work is being managed by making local and *ad hoc* arrangements.

**Coal production**

328. SHRI SANAT KUMAR RAH A: Will the Minister of ENERGY be pleased to state:

(a) whether it is a fact that the target for coal production has been reduced despite demand, for Indian coal in the markets of Europe and Japan; and

(b) whether it is a fact that the mismanagement of the Coal India Limited has resulted in illegal mining in coal bearing areas?

THE -MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) It is a fact that the target for production of coal for 1978-79 has been reduced to 113.5 million tonnes from the earlier projections of 124 million tonnes. The reduction has been made taking into consideration the various sectoral coal demands including export. The percentage of the coal production which goes in for export is very small being only 0.6 million tonnes per annum at present. The quantum of export, therefore, has only a limited impact on the production programme.

(b) No, Sir.

**Guidelines for a clean administration**

329. SHRI SITARAM KESRI: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that the Prime Minister has stressed the need to resist political pressure in the implementation of Government policies and evolve measures to eradicate corruption at a recent meeting held with the Secretaries to the Ministries;

(b) whether Government have issued any directions/guidelines for the effective and efficient functioning of the

Government machinery in the implementation of Government policies and in evolving suitable measures with a view to providing a clean administration;

(c) if so, what are the details thereof; and

(d) if the answer to part (b) above be in the negative, whether Government propose to issue any directions/ guidelines in this regard

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. D. PATIL): (a) to (d) The Prime Minister met Secretaries to the Government of India on the 2nd February, 1978 and discussed with them ways of making the administration cleaner, more effective and efficient, especially in the context of the new plan to be started from April 1, 1978. The areas particularly stressed were policy planning, evaluation and implementation, eradication of corruption, more effective supervision of programmes, greater accessibility to the public, giving advice to Government without fear and in the national interests, resisting pressure from politicians and others, implementing the prohibition policy, and paying special attention to programmes for Scheduled Castes and Scheduled Tribes. The Prime Minister has also written to the Chief Minister, stressing the need for a clean, effective and efficient administration.

**Films Division Newsreel "1977 in Retrospect"**

330. SHRI VITHAL GADGIL: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether it is a fact that a shot showing Dr. Tonas Salk receiving the Nehru Award was ordered to be cut from the Films Division "newsreel entitled India 1977", and

(b) if so, what are the reasons therefor?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI LAL K. ADVANI): (a) Yes, Sir.

(b) One shot of the event, used in the original compilation, was cut by the Film Division under the impression that it might not be informative enough. However, the shot is now being restored.

**Expenditure on Commissions of Inquiry appointed by the Central Government**

331. SHRI SHRIKANT VERMA A: Will the Minister of HOME AFFAIRS be pleased to state what is the amount of expenditure incurred so far on each Commission of Inquiry appointed by the Central Government since April, 1977?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. D. PATIL): The information is being collected and will be laid on the Table of the House.

**Administrative changes in various Ministries**

332. SHRI SHRIKANT VERMA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that the Department of Personnel and Administrative Reforms has recommended certain administrative changes in various Ministries; and

(b) if so, what are the details in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. D. PATIL): (a) and (b) Review of administrative practices is a continuing process in Government, especially in areas where there common man comes in contact with administration. The Department of Personnel and Administrative Reforms had brought out a brochure on 'Administrative changes for citizen satisfaction' in October, 1977, copies of which were also sent

to the Rajya Sabha Secretariat in November 1977. The brochure is a compilation of the work done in the Department of Personnel and Administrative Reforms, different Ministries and Departments of the Government of India as well as in the States and Union Territories in the area of administrative improvement aimed at greater citizen satisfaction.

#### **Discontent among cotton growers**

333. SHRI JAG JIT SINGH AN AND; Will the Minister of INDUSTRY be pleased to state:

(a) whether it is a fact that there is a great discontent among the cotton growers of Punjab, Haryana, Rajasthan, Gujarat and Maharashtra on the failure of the Cotton Corporation of India to secure the support price to them and also on the corporations failure to lift the stocks and make payments in time; and

(b) if so, what steps Government propose to take to remove the grievances of the cotton growers in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (KUMARI ABHA MAITI): (a) The ruling market prices have been much higher than the support prices fixed by the Government for 1977-78 cotton season on the basis of the recommendations of the Agricultural Prices Commission. The Cotton Corporation of India have been lifting the stocks of kapas soon after the purchase and the payment therefor is also released within a reasonable time.

(b) Does not arise.

#### **Planning<sup>1</sup> from the bottom**

334. PROF. RAMLAL PARIKH: Will the PRIME MINISTER be pleased to state:

(a) whether Government have taken or propose to take any steps to promote planning from "the grass root level;

1949 RS—4.

(b) if so, what are the details there of; and

(c) if the answer to part (a) above be in the negative, what are the reasons therefor?

THE PRIME MINISTER (SHRI MORARJI R. DESAI): (a) and (b) It is proposed to introduce planning at the local level through block level plans guidelines for which are being formulated. The work on the preparation of block plans will start during 1978-79.

(c) Question does not arise.

#### **Television centre at Ahmedabad**

335. PROF. RAMLAL PARIKH: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether Government are aware of the serious functional difficulties in the operation of T.V. programmes at Ahmedabad due to dual control by the Indian Space Research Organisation and the Ministry of Information and Broadcasting; and

(b) if so, what remedial measures Government are taking in this regard?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI LAL K. ADVANI): (a) and (b) There are no serious functional difficulties but minor problems of coordination do arise occasionally and these are sorted out by mutual discussions. Incidentally, among the schemes for TV expansion which are under consideration there is one for setting up a fullfledged TV centre at Ahmedabad but the implementation of the proposal will depend upon the availability of resources and the priority accorded by the Planning Commission.

#### **Use of Hindi in Central Government Offices**

336. PROF. RAMLAL PARIKH: Will the Minister of HOME AFFAIRS be pleased to state:



(a) the progress made so far regarding the propagation of Hindi in the Central Government offices, Ministry-wise;

(b) whether Government propose to take any further measures to accelerate the use of the official language in the Ministries/Departments of the Central Government; and

(c) what is the State-wise arrangement for correspondence in Hindi?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): (a) Information in this regard is being collected from the various Ministries and Departments.

(b) Yes, Sir. The Government have recently strengthened the machinery to watch the implementation of the official language policy. Now inspections will be done on a larger scale. In addition several other steps are also proposed to be taken in this regard, some of which may be stated as follows:—

(1) Offices, where 80 per cent of the Staff possess working knowledge of Hindi, are proposed to be notified under rule 10(4) of the Official Language Rules, 1976.

(2) Some of the notified offices would be specified under rule 8(4) so that in these offices, employees who are proficient in Hindi, use Hindi for specified purposes such as nothing, drafting etc.

(3) All the Ministries, which are required to constitute their Hindi Salahkar Samitis have been asked to do so expeditiously.

(4) Typewriters manufacturing companies have been requested to increase their production of Deva-nagri typewriters so that, as far as possible, typewriters could be supplied to the Ministries | Offices according to their requirements.

(c) The Official Languages (use for Official Purpose of the Union) Rules, 1976 prescribe the following arrange-

ments for correspondence with States, in Hindi: —

(i) Communications from a Central Government office to the States of Bihar, Haryana, Himachal Pradesh, Madhya Pradesh, Rajasthan and Uttar Pradesh and the Union Territory of Delhi shall save in exceptional cases, be in Hindi.

(ii) Communications to the States of Gujarat, Maharashtra and Punjab and the Union Territory of Andaman and Nicobar Islands and Chandigarh shall ordinarily be in Hindi.

(iii) Communications to other States and Union Territories shall be in English.

#### **Technology for rural areas**

337. PROF. RAMLAL PARIKH: Will the PRIME MINISTER be pleased to state:

(a) whether Government have taken any steps for promoting research in appropriate technology for rural areas; and

(b) if so, what are the details thereof?

THE PRIME MINISTER (SHRI MORARJI R. DESAI): (a) and (b) Several government departments have taken measures for promoting research in appropriate technology for rural areas. Departments of Rural Development, Science and Technology, Industrial Department, Ministry of Health, I.C.A.R., C.S.I.R., K.V.I.C; etc. have initiated programmes for promotion of appropriate technology to benefit the rural areas. The Department of Science and Technology has sponsored specific science and Technology programmes like use of algas as biofertilizer, development of biogas technology, development of various types of grain storing silos, use of solar energy for grain drying, solar kiln for drying of timber, low cost solar cells, for use in rural areas, wind mills for pumping water for electricity generation, etc. The Village Industries sector has been implementing pro.

grammes like bee-keeping, pottery making, lime industry, etc. The Council of Scientific and Industrial Research has developed processes for rural based industries which are available for commercial exploitation through National Research Development Corporation of India. The Appropriate Technology Unit, Ministry of Industry has finalised programmes in the field of research feasibility studies concerning the items applicable to rural and backward areas. Some of these are development of water technology, harnessing of wind power, utilisation of waste material and appropriate farm structures, conservation and disinfection of food-grains brick making the single families for self-employment, timber cutting, wood processing, wood seasoning and utilisation of timber waste products, leather tanning, sports goods and footwear, improved technology for rural housing, etc.

**Setting up of Atomic power plants in the country**

338. PROF. RAMLAL PARIKH: Will the PRIME MINISTER be pleased to state;

(a) whether Government have taken any decision to set up more atomic power plants in the country;

(b) if so, what are the details thereof; and

(c) by when the plants are likely to be installed and commissioned?

THE PRIME MINISTER (SHRI MORARJI R. DESAI): (a) to (c). JX'o, Sir. The setting up of new atomic power stations in future would depend upon the resources available, priority in terms of national policy and the most desirable mix of thermal, hydro and nuclear power stations to meet the overall demand for power over a specified time.

**Parking facilities for D.T.C. buses and private cars on Market Road, Gole Market, New Delhi**

339. SHRI SYED AHMED HASHMI: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that no facilities have been provided for the parking of D.T.C buses and private cars near the St. Columbas School on the Market Road, New Delhi and that the buses and cars are parked on the road side resulting into traffic jams and accidents;

(b) if so, what are the reasons therefor and what is the number of challans issued by the traffic police to the erring drivers for wrong parking on this road during the year 1977 and upto 28th February, 1978; and

(c) what remedial steps Government propose to take in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): (a) to (c) (i) There is no authorised parking place for D.T.C. buses and private cars near St. Columbas School on Market Road, Delhi, as there is no suitable place in the vicinity of the School. They are instead being parked on pavement for short duration for dropping the students in the morning and again for picking them up when the School gives over in the afternoon. However, care is taken to ensure that the buses are parked in an orderly manner. Because of the presence of large number of private cars, taxis and scooters at the time of opening and closing of the School, some congestion becomes unavoidable. However, this has not caused any traffic jams or accidents. Traffic policemen are being detailed on duty to regulate the parking on this road.

**Payment of G.P.F. dues to vehicle mechanics of E.M.E., Delhi Cantt.**

340. SHRI BHUPINDER SINGH: Will the Minister of DEFENCE be pleased to refer to the answer to Starred Question 108 given in the Rajya Sabha on the 21st July, 1977 and state:

(a) whether it is a fact that the General Provident Fund dues of the vehicle mechanics who retired from

the Vehicle Depot Workshop, EME, Delhi Cantt, have not been settled so far despite a number of representations from the affected individuals;

(b) if so, what are the reasons therefor; and

(c) by when the dues are likely to be paid to the concerned individuals?

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM): (a) to (c) There is only one Vehicle Mechanic who retired from service from the Vehicle Depot Workshop, EME, Delhi Cantt. in July 1976. Out of Rs. 2563 as his GPF accumulations, Rs. 2348 have already been paid to him. The balance of Rs. 215 is expected to be paid to him shortly. The delay in settling his dues is due to non-linking of certain credits.

### लघु उद्योगों का विकास

341. श्री गुरुदेव गुप्त : क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि देश में लघु उद्योगों के विकास के लिए कितनी नयी योजनाएँ सरकार के विचाराधीन हैं और इन योजनाओं को कब तक अन्तिम रूप दिये जाने की सम्भावना है ?

### Development of small scale Industries

341. SHRI GURUDEV GUPTA: Will the Minister of INDUSTRY be pleased to state the number of new schemes under Government's consideration for the development of small scale industries in the country and by when these schemes are likely to be finalised?

उद्योग मंत्रालय में राज्य मंत्री (कुमारी आभा माईति) : देश में लघु उद्योगों के विकास के लिए सरकार जिन योजनाओं पर विचार कर रही है वे ये हैं :—(क) छोटे तथा ग्रामीण उद्यमियों के लिए अपेक्षित सभी सेवाएँ तथा समर्थन की एक ही स्थान पर व्यवस्था करने के लिए जिला उद्योग केन्द्रों

की स्थापना करना, (ख) केवल लघु क्षेत्र में उत्पादन करने के लिए आरक्षित वस्तुओं की संख्या बढ़ाना, (ग) बहुत छोटे एककों पर विशेष ध्यान देना, (घ) 50,000 से कम आवादी वाले स्थानों में स्थित छोटे एककों को शुरू करने के लिए अपेक्षित धन (सीड) सीमान्त धन योजना बनाना, (ङ) केवल लघु उद्योग क्षेत्र की ऋण सम्बन्धी आवश्यकताओं को पूरा करने के लिए औद्योगिक विकास बैंक में एक अलग स्कन्ध स्थापित करना, और (च) खरीददारी में प्राथमिकता प्रदान करके विपणन समर्थन प्रदान करना। सरकारी विभागों द्वारा केवल उन्हीं से खरीद के लिए आरक्षण और सरकारी तथा निजी क्षेत्र के बड़े उपक्रमों में संरक्षक और सहायक सम्बन्धों की स्थापना।

सभी योजनाओं को काफी हद तक अन्तिम रूप दे दिया गया है।

t[THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (KUMARI ABHA MAITI): The schemes under Government's consideration for the development of small scale industries in the country are (a) setting up of District Industries Centres for providing under the single roof all the services and support re. quired by small and village entrepreneurs; (b) expansion of reservation of items for exclusive production in the small scale sector; (c) special attention to tiny units; (d) seed/mar-gin money scheme for tiny units in places with population of less than 50,000; (e) a separate wing in the Industrial Development Bank to deal exclusively with the credit requirements of small scale sector; and (f) marketing support by purchase preference, reserevation for exclusive purchase by Government Departments and building up of ancillary-parent relationship in public and private large undertakings.

All the schemes have been substantially finalised.]

t [ ] English translation.

**Committee to screen Republic Day tableaux from States**

342. SHRI LAKSHMANA MAHA-PATRO: SHRI JAGJIT SINGH ANAND:

Will the Minister of DEFENCE be pleased to state:

(a) whether Government had appointed a committee of experts to screen the models of tableaux sent by the State Governments and the Union Territories for the Republic Day parade;

(b) if so, what are the details there-of;

(c) what is the number of models of tableaux received and what is the number of models selected for display; and

(d) what are the names of the States and the Union Territories whose models were rejected?

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM): (a) Yes, Sir.

(b) A statement giving the composition of the Committee is attached.

(c) A total of 43 Tableaux Models/Sketch Designs were received from

the various State Governments, Union Territory Administrations, Central Ministries and Departments and Khadi and Village Industries Commission. Some of the State Governments, Union Territory Administrations, Central Ministries and Departments and Khadi Commission submitted more than one alternative designs for selection. 21 Models/Designs were finally selected and 22 Models/Designs were rejected. There being a constraint of time more than 20—25 tableaux cannot be accommodated in the Parade.

(d) The States and Union Territories whose models/Designs were rejected are:

*States*

Andhra Pradesh

Assam

Bihar

Gujarat

Himachal Pradesh

Karnataka

Manipur

*Union Territories*

Chandigarh

Delhi

Goa, Daman & Diu

**Statement**

*Composition of the Tableaux Committee*

1. Defence Secretary	Chairman
2. Shri A. P. Kanvinde, Architect, New Delhi.	Member
3. Shri B. Mukherjee, Principal, College of Art, New Delhi.	Member
4. Shri H. Rahman, former Secretary, Delhi Urban Art Commission, New Delhi.	Member
5. Shri M. V. Desai, Director, Indian Institute of Mass Communication, New Delhi	Member
6. Shri Ashoke Chatterjee, Executive Director, National Institute of Design, Ahmedabad	Member
7. Dr. L. P. Sihare, Director, National Gallery of Modern Art	Member
8. Joint Secretary (G), Ministry of Defence.	Member
9. Shri H. Y. Sharada Prasad, Information Adviser, PM's Office.	Member
10. Deputy Secretary (C), Ministry of Defence.	Member Secretary

**Rejection of two U.S.S.R. Films by the Filmotsava-78 Festival Committee**

343. SHRI LAKSHMANA MAHA-PATRO: SHRI JAGJIT SINGH ANAND:

Will the Minister of INFORMATION AND BROADCASTING be pleased to state-

(a) whether it is a fact that two films of the USSR were rejected by the Filmotsava-78 Festival Committee; and

(b) if so, what are the names of those films and what were the reasons for their rejection?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI LAL K. ADVANI): (a) and (b) The USSR presented the following four films for the Festival:—

1. Choice of a Goal
2. Stephen's Daughter
3. Mayakovsky is laughing
4. Melodies of the Veriskly Neighbourhood

Approximately 115 foreign feature films were entered for the festival (excluding foreign retrospectives and films received exclusively for the market). The selection panel was assigned the task of selecting 70 feature films out of these for the screening programme, on the basis of comparative merit.

The films at 1—3 above were given to the panel for screening. The panel selected only one film i.e. "Mayakovsky is laughing". The fourth film was returned as it had already been screened in the VI International Film Festival of India.

**Incentives to cement units to increase capacity utilisation**

344. SHRI S. KUMAR AN: SHRI INDRADEEP SINHA:

Will the Minister of INDUSTRY be pleased to state:

(a) whether there is any proposal under Government's consideration to

give incentives to cement manufacturing units for increasing utilisation of their existing capacity; and

(b) if so, what are the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF - INDUSTRY (KUMARI ABHA MAITI): (a) and (b) The proposal to give incentives to cement units to help them increase utilisation of existing capacity is being examined by the Government.

**Discontent in Kerala over mechanisation in the production of coir mats**

345. SHRI S. KUMARAN: Will the Minister of INDUSTRY be pleased to state:

(a) whether Government are aware of discontent prevailing among the workers in Kerala over the Central Government's decision to allow mechanisation in the production of coir mats;

(b) whether it is a fact that the Kerala Government has raised objection against the mechanisation in coir industry and has called for a probe into the whole affair; and

(c) if so, what are the details in this regard and what is the Central Government's reaction thereto?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (KUMARI ABHA MAITI): (a) to (c) The question of mechanisation in the production of coir mats is under review in the light of representations received in this regard. Government will take a final view after taking all aspects into consideration.

**Micro-computers for large scale and small scale industries**

346. SHRI INDRADEEP SINHA: DR. Z. A. AHMAD: SHRI M. KADERSHAH:

Will the PRIME MINISTER be pleased to state:

(a) the number of large scale and small scale industries with capacity

and technical skill for making micro-computers;

(b) the names of the large business houses which have got import licences for computer peripherals;

(c) to what extent the small scale industries are likely to be affected as a result thereof;

(d) whether Government have received any complaints from the Hindustan Computers Limited, a Uttar Pradesh Government joint industry, regarding the issue of a licence by the Central Government to a large industrial house in Delhi to import computer peripherals; and

(e) if so, what are the details of these complaints and what action Government have taken thereon?

THE PRIME MINISTER (SHRI MORARJI R. DESAI): (a) About 4.0 large, medium and small scale industries have indicated their desire to develop mini/micro computer based system. As far as Government is aware, of this number, about a quarter have demonstrated their capacity and technical skill to make such systems.

(b) and (c) Information is being collected.

(d) and (e) Yes, Sir. Complaints have been received from M/s. Hindustan Computers Limited regarding the alleged issue of import licences to a large Industrial house in Delhi to import computer peripherals. The complaint is to the effect that the issue of such import licences, which are also reported to cover keyboards or parts thereof, amounts to that large industrial house receiving special treatment amongst electronic calculators manufacturers, and particularly over and above small scale industries and that the Government should look into the matter not only from the point of view of import policy but also with reference to the industrial licences held by the company and products covered by such licences and the MRTP angle. The matter is being looked into.

#### Development of ancillary units

347. SHRI JAGJIT SINGH ANAND: Will the Minister of INDUSTRY be pleased to state whether he has asked the Public Sector Undertakings to draw up concrete time-bound plans for the development of ancillary units and if so, with what results?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (KUMARI ABHA MAITI): The Minister of Industry has drawn the attention of the heads of the public sector undertakings under the control of the Ministry of Industry to certain important issues arising out of the statement on industrial policy which was announced recently, in his letter dated 12-1-1978. In this letter the heads of the public sector undertakings under the control of the Ministry of Industry, have been advised, *inter-alia*, to draw up a concrete time-bound plan for the development of ancillary units. It is too early to assess the results.

#### Seizure of unlicensed firearms and ammunition

348. SHRI BHUPESH GUPTA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the number of unlicensed firearms and ammunition and other weapons which were seized in the Union Territory of Delhi after the proclamation of Emergency till the end of 1976 and in 1977, month-wise;

(b) what are the particulars of (i) the types of weapons seized; and (ii) the persons from whom they were seized; and

(c) what is the number of prosecutions launched and convictions secured in connection there with?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): (a) to (c) Information is being ascertained and will be laid on the Table of the House.

**Thermal power stations in the country**

349. SHRI NRIPATI RANJAN  
CHOUDHURY: SHRI HARSH DEO  
MALAVIYA:

Will the Minister of ENERGY be pleased to state:

(a) whether Government have taken any decision to set up 500 MW thermal power station in the country; and

(b) if so, what are the details thereof?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN). (a) and (b) Government approval has been accorded for setting up of the following thermal stations involving installation of 500 MW Units.

(i) Trombay Extension Project in Maharashtra comprising of installation of one 500 MW unit.

(ii) Korba Super Thermal Station in Madhya Pradesh comprising of installation of three units of 200 MW each and one unit of 500 MW in the first phase.

(iii) Ratnagundam super Thermal Station in Andhra Pradesh comprising of three units of 200 MW each and one unit of 500 MW in the first stage.

**Charges against the Managing Director, Braithwaite and Co. Ltd.**

350. SHRI KALYAN ROY: Will the Minister of INDUSTRY be pleased to state:

(a) whether Government have received representations, dated the 23rd January and 25th January, 1978 from the workers of the Braithwaite and Co. Ltd. regarding malpractices, corruption, misuse of power during Emergency and mass scale victimisation by Major General Sen, Managing Director of the company;

(b) if so, what are the details of the allegations contained in these representations;

(c) whether it is a fact that Major General Sen has been given extension a number of times;

(d) if so, what are the details in this regard;

(e) whether any investigations into the allegations against Major General Sen have been made; if so, when and by whom;

(f) if the reply to part (e) above be in the negative, what are the reasons therefor;

(g) whether Government propose to institute an inquiry into the allegations; and

(h) what steps Government have taken to reinstate the workers who were victimised during the Emergency?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (KUMARI ABHA MAITI): (a) and (b) No representations dated 23rd January, 1978 or 25th January, 1978, have been received from the workers of Braithwaite & Co. Ltd. However, a representation dated 26th January, 1978, has been received from a person who claims to represent the retrenched workers of the company and such workers as are not members of any Labour Union. Allegations of corruption, malpractices and favouritism have been made in this representation.

(c) and (d) Major General Sen retired from the Army in 1971. He joined Braithwaite & Co. (India) Ltd., on the 23rd October, 1973 and has held the following appointments:

1. Managing Director of Braithwaite & Co. (India) Ltd. from 23rd October, 1973 to 31st March, 1975.
2. Custodian of the Undertakings of Braithwaite & Co. (India) Ltd. from 1st April, 1975 to 30th November, 1976.
3. Managing Director of Braithwaite & Co. Ltd. from 1st De-

ember, 1976 to 2nd June, 1977. He is currently working as the Chairman & Managing Director of Braithwaite & Co. Ltd. since 3rd June, 1977. This appointment is till the 14th September, 1979.

(e) to (g) Some of the allegations made have already been examined and found to be baseless. While matters are being looked into, it is not proposed as yet to institute any enquiry against Gen. Sen.

(h) No case of victimisation of workers during the Emergency has been substantiated. Normal disciplinary action was however, taken and some workers were also removed from service. Except two workmen who were involved in theft cases, those removed from service has since been reinstated.

**Money lenders in the Eastern Coalfield Ltd.**

351. SHRI KALYAN ROY: Will the Minister of ENERGY be pleased to refer to the answer to Unstarred Question 486 given in the Rajya Sabha on the 24th November, 1977 and state:

(a) what progress has been made regarding the transfer of 193 persons of the Eastern Coal-field Limited to various coal mines as per direction of the Ministry of Energy as part of the drive to curb money lending activities;

(b) what is the number of persons so far transferred to various coal mines and what are the names of those persons and the mines to which they have been transferred;

(c) when were their transfer orders issued; and

(d) what is the number of persons who have complied with the transfer orders?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) to

(d) It was impressed upon the Company to transfer these persons as soon as practicable. No direction was issued by the Ministry. The Company has so far issued orders transferring two of these persons viz Shri H. Singh and "Shri B. B. Singh to Khudia and Amritnagar Collieries respectively. These orders were issued in February, 1978 and the persons concerned are yet to move.

**Demands of the All India Defence Employee's Federation**

352. SHRI KALYAN ROY: Will the Minister of DEFENCE be pleased to state:

(a) whether Government are aware that the employees of the Defence establishments all over the country observed a Demands Week from the 16th to 21st January, 1978 under the banner of the All India Defence Employees' Federation;

(b) if so, what are their demands;

(c) what steps Government propose to take to meet their demands;

(d) whether Government propose to revive the standing negotiating machinery which was withdrawn in 1960;

(e) if not, what are the reasons therefor;

(f) whether Government propose to hold discussions with the representatives of the All India Defence Employees' Federation on their demands; and

(g) if not, what are the reasons therefor?

THE MINISTER OF DEFENCE. (SHRI JAGJIVAN RAM): (a) to (g) A statement is attached.

**Statement .**

(a) to (e) On the call of the All India Defence Employees Federation, some members of affiliated unions of the Federation observed a 'Demands Week' from the 16th January, 1978 to



the 21st January, 1978 to project the following demands:—

1. Removal of anomalies in the pay-scales of defence and other Central Government employees.
2. Reinstatement of all victimised employees.
3. Revival of Permanent Negotiating Machinery which was arbitrarily withdrawn in 1960.
4. Removal of discrimination between industrial and Non-industrial employees in all respects.
5. Payment of CDS amount, merger of DA with pay.

The position in respect of the demands is as follows:

1. Removal of anomalies in the pay scales of defence and other Central Government employees.

The pay scales of all the civilian posts in the lower formations of this Ministry have been revised w.e.f 1st January, 1973 as a result of the re-recommendations of the 3rd Pay Commission. However, anomalies in pay scales in respect of uncommon categories of Defence civilians are examined by the Anomalies Committee set up in the Ministry of Defence.

2. Reinstatement of all victimised employees.

Disciplinary cases of Defence civilian employees which resulted in dismissal, removal or compulsory retirement or reduction in rank, during the last internal emergency are being reviewed, *suo-moto* in accordance with the relevant provisions of CCS(CC&A) Rules, 1965. In some of the cases, the review has been completed and necessary action has been taken to reinstate the concerned employees, wherever it was considered justified as a result of the review proceedings.

3. Revival of Permanent Negotiating Machinery which was withdrawn in 1960.

The matter has been considered by the Government, who are of the view that the Negotiating Machinery in its previous form does not fit into the Joint Consultative Machinery Scheme and it is, therefore, not considered necessary to revive it.

4. Removal of discrimination between industrial and Non-industrial employees in all respects.

The conditions of service of Industrial and non-industrial employees are different and, therefore, there is bound to be some difference in certain respects in the rules governing them. One of the matters *viz* removal of disparity in leave entitlement between industrial and non-industrial employees was discussed in one of the meetings of the National Council (JCM). It was, however, not possible for the Government to agree to the demand of the Staff Side to have the same rules in regard to leave for the two categories of employees in view of the recommendations of the Hlrd Pay Commission in this regard.

5. Payments of CDS amount, merger of DA with pay

Repayments of compulsory deposit amounts are to be made in accordance with the provisions of the Additional Emoluments (Compulsory Deposit) Act, 1974. Government have no proposal under consideration for refunding the *entire* amount of compulsory deposits (together with accrued interest) to the employees, as such a step will result in injection of a large amount of money into the economy and lead to accentuation of inflationary pressures. Premature repayment is, however, allowed under certain circumstances.

The question of the merger of the dearness allowance sanctioned to the Central Government employees to cover the index average of 272 points was raised by Staff Side of the Natio-

•nal Council (JCM) in its last ordinary meeting held on the 26th/27th August, 1977. As decided in that meeting, the item has been remitted to a Committee of the Council for consideration. The report of the Committee is awaited.

(f) and (g) Meetings are held with the representatives of the All India Defence Employees Federation to discuss their problems/demands, whenever such meetings are considered necessary.

**Office of the Publicity Officer in the Andaman and Nicobar Islands**

353. SHRI MULKA GOVINDA REDDY; SHRI SYED NIZAM-JUD-DIN;  
SHRI JAGAN NATH BHARDWAJ; SHRI DEORAO PATIL; SHRI S. K. VAISHAMPAYEN:

Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

^a) what is the number of persons, category-wise, working in the office Or' the Publicity Officer in the Andaman and Nicobar Islands;

lb) what are the, functions assign\* ed to this Office;

(c) whether there is any proposal under Government's consideration to upgrade the office; and

(d) if so, what are the details thereof?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI LAL K. ADVANI); (a) There are two Field Publicity Units and one Information Centre of this Ministry in the Andaman and Nicobar Islands, each of v/hicb is manned by the staff as per details mentioned in the attached statement.

(b) The two Field Publicity Unite carry out publicity in support of Government policies and programmes •whereas the Information Centre is

broadly responsible for distributing press material to local papers.

(c) and (d) Hon'ble Members of the Committee on Subordinate Legislation, Rajya Sabha, who visited the .Andaman and Nicobar Islands in the nrst fortnight of January, 1978, have written to the Ministry suggesting tha strengthening of mass media in these Islands. Their suggestions i\_n this regard are now being examined.

**Statement**

I. The sanctioned strength of each of the two Field Publicity Unite stationed in Andaman and Nicobar Islands is as follows:—

Sl. No.	Designation	Number of posts
1.	Filed Publicity Officer . . . . on	
2.	Field Publicity Assistant	one
3.	Lower Division Clerk	one
4.	Driver	one
5.	Peon	one
6.	Cleaner	one
7.	Chowkidar	one

II. The staff strength of Information Centre stationed in Andaman and Nicobar Islands is as follows:—

1.	Assistant Information Officer	one
2.	Stenographer (Junior)	one
3.	Librarian.cum-clerk	one
4.	Projectionist	one
5.	Receptionist-cum-clerk	one
6.	Peon	one
7.	Chowkidar.cum-farash	one

**Setting up of forest oriented indus. tries in the Andaman and Nicobar Islands**

354. SHRI DEORAO PATIL-SHRI JAGAN NATH BHARDWAJ; SHRI SYED NIZAM-UD-DIN; SHRI S. K. VAISHAMPAYEN:

Will the Minister of INDUSTRY be pleased to state;

(a) whether it is a fact that the Andaman and Nicobar Islands are very rich in forest wealth; and

(b) if so, what steps Government propose to take to set up forest oriented industries there?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (KUMARI ABHA MAITI): (a) and (b) A detailed Industrial Potentiality Survey of the Union territory of Andaman and Nicobar Islands has already been carried out by the Small Industries Development Organisation wherein it has been suggested that a number of wood based items could be developed in the islands. Schemes have also been prepared for the manufacture of items from wood which could be taken up by the entrepreneurs in Andaman and Nicobar Islands.

**Appointment of Police Commissioner for Delhi**

355. SHRI SAWAISINGH SISODIA:  
SHRIMATI HAMIDA HABI-  
BULLAH:

Will the Minister of HOME AFFAIRS be pleased to state by when Government propose to appoint a Police Commissioner for Delhi?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHAWIK LAL, MANDAL): Government is keen to introduce the Police Commissioner system in Delhi at the earliest. Necessary legislation for this purpose has been drafted. The recommendations of the Delhi Metropolitan Council thereon are awaited.

**Rise in Salt prices in U.P.**

356. SHRI NATHI SINGH: SHRI  
NAGESHWAR PRASAD  
SHAHI:

Will the Minister of INDUSTRY be pleased to state.-

<sup>f</sup>Previously Unstarred Question 10, transferred from the 21st February, 1978.

(a) whether it is a fact that in the North Uttar Pradesh, particularly in the District of Gorakhpur, the rate of salt per kg. suddenly rose from 20 paise to 40 paise during the last month; and

(b) if so, what were the reasons therefor and what steps Government are taking to check its recurrence?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (KUMARI ABHA MAITI): (a) and (b) Due to shortage of covered wagons, supplies of salt to certain districts in Uttar Pradesh including Gorakhpur have been adversely affected leading to a rise in retail selling prices from about 25 paise to 40 paise per kg. during January, 1978. Steps have been taken to arrange for the required number of wagons to ensure adequate supplies to these districts.

**12 Noon**

**PAPERS LAID ON THE TABLE**

**Report and Accounts (1976-77) of the National Small Industries Corporation Limited, New Delhi and related papers**

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (KUMARI ABHA MAITI): Sir, I beg. to lay on the Table a copy each (in English and Hindi) of the following papers, under sub-section (1) of section 619A of the Companies Act, 1956:—

(i) Twenty-second Annual Report and Accounts of the National Small Industries Corporation Limited, New Delhi, for the year 1976-77, together with the Auditors' Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

(i) Review by Government on the working of the Corporation. [Placed in Library. See No. LT-1628/7S for (i) and (ii).]

**.Notification of the Ministry of Industry  
(Department of Heavy Industry)**

KUMARI ABHA MAITI; Sir I also Taeg to lay on the Table a copy (in English and Hindi) of the Ministry of Industry (Department of Heavy Industry) Notification S.O. No. 854(E), dated the 24th December, 1977, publishing a Corrigendum to Government Notification S.O. No. 406(E), dated the 21st June, 1977, under sub-section (6) of section 3 of the Essential Commodities Act, 1955. [Placed in Library. See No. LT-1629/78].

**I. Report and Accounts of the National Hydro Electric Power Corporation Limited New Delhi for the Period from November 7, 1975 to March 31, 1977 and related papers.**

**II. Report and Accounts (1976-77) of the North Eastern Electric Power Corporation (Private) Limited, Shillong and related papers**

**III. Report and Accounts (1976-77) of the National Projects Construction Corporation Limited, New Delhi and related papers.**

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): Sir, I beg to lay on the Table, under subsection (1) of section 619A of the Companies Act, 1956, a copy each (in English and Hindi) of the following papers:—

I. (a) First Annual Report and Accounts of the National Hydro Electric Power Corporation Limited, New Delhi, for the period from November 7, 1975 to March 31, 1977, together with the Auditors' Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

(b) Review by Government on the working of the Corporation. [Placed in Library. See No. LT-1631/78 for (a) and (b).]

II. (a) First Annual Report and Accounts of the North Eastern Electric Power Corporation (Private) Limited, Shillong, for the year 1976-

77, together with the Auditors' Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

(b) Review by Government on the working of the Corporation. [Placed in Library. See No. LT-1632/78. for (a) and (b)].

III. (a) Twentieth Annual Report and Accounts of the National Projects Construction Corporation Limited, New Delhi, for the year 1976-77, together with the Auditors' Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

(b) Review by Government on the working of the Corporation, [Placed in Library. See No. LT-1630/78 for (a) and (b)].

**Report and Accounts (1976-77) of the Mogul Line Limited, Bombay and related papers**

THE MINISTER OF STATE IN-CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): Sir, I beg to lay on the Table:

I. A copy each (in English and Hindi) of the following papers, under sub-section (1) of section 619A of the Companies Act, 1956:—

(i) Ninety-ninth Annual Report and Accounts of the Mogul Line Limited, Bombay, for the year 1976-77, together with the Auditors' Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

(ii) Review by Government on the working of the Company. [Placed in Library. See No. LT-1637/78 for (i) and (ii)].

**I. Accounts (1976-77) of the Bombay Port Trust and the Audit Report**

**II. Accounts (1976-77) of the Madras Port Trust and the Audit Report**

### III. Accounts (1976-77) of the Mormu-gao Port Trust and the Audit Report

SHRI CHAND RAM: Sir, I also beg to lay on the Table a copy each (in English and Hindi) of the following papers, under sub-section (2) of section 103 of the Major Port Trusts Act, 1963:—

(i) Annual Accounts of the Bombay Port Trust for the year 1976-77 and the Audit Report thereon. [Placed in Library. See No. LT-1634/78].

(ii) Annual Accounts of the Madras Port Trust for the year 1976-77, and the Audit Report thereon. [Placed in Library. See No. LT-1635/78].

(iii) Annual Accounts of the Mormugao Port Trust for the year 1976-77, and the Audit Report thereon [Placed in Library. See No. LT-1633/78].

### Notifications of the Ministry of Shipping and Transport

SHRI CHAND RAM: Sir, I also beg to lay on the Table a copy each (in English and Hindi) of the following Notifications of the Ministry of Shipping and Transport under sub-section (3) of section 122 of the Major Port Trusts Act, 1963:—

(i) G.S.R. No. 1464, dated the 5th November, 1977, publishing the Board of Trustees of the Port of Madras (Procedure at Board Meetings) Amendment Rules, 1977.

(ii) G.S.R. No. 1465, dated the 5th November, 1977, publishing the Board of Trustees of the Port of Calcutta (Procedure at Board Meetings) Amendment Rules, 1977. [Placed in Library. See No. LT-1636/78 for (i) and (ii)].

### Motor Vehicles (Driving Licence Fee) Rules, 1978

SHRI CHAND RAM: Sir, I also beg to lay on the Table a copy (in English and Hindi) of the Ministry of Shipping and Transport Notification G.S.R.

No. 763(E), dated the 19th December, 1977, publishing the Motor Vehicles (Driving Licence Fee) Rules, 1978, under sub-section (4) of section 133 ed in Library. See No. LT-1908/78]. of the Motor Vehicles Act, 1939. [Plac-

### Delhi Motor Vehicles (Sixth Amendment) Rules, 1977

SHRI CHAND RAM: Sir, I also beg to lay on the Table a copy (in English and Hindi) of the Ministry of Shipping and Transport Notification No. SECE. 3(30) 177-Tpt| 16452—66, dated the 23rd December, 1977, publishing the Delhi Motor Vehicles (Sixth Amendment) Rules 1977, under sub-section (3. of section 133 of the Motor Vehicles Act, 1939, together with an Explanatory Memorandum on the Notification. [Placed in Library, See No. LT-1638/78]

### Dock Workers (Regulation of Employment) Amendment Rules, 1978

SHRI CHAND RAM: Sir, I also beg to lay on the Table a copy (in English and Hindi) of the Ministry of Shipping and Transport Notification S.O. No. 256. dated the 28th February, 1978, publishing the Dock Workers (Regulation of Employment) Amendment Rules, 1978. under subsection (3) of section 8 if the Dock Workers (Regulation of Employment) Act, 1948. [Placed in Library. See No. LT-1724/78].

### Export and Accounts (1976-77) of the Bharat Ophthalmic Glass Limited, Durgapur and Related Papers

KUMARI ABHA MATT: Sir, I also beg to lay on the Table, under sub-section (1) of section 619A of the Companies Act, 1956, a copy each, (in English and Hindi) of the following papers:—

(i) Fifth Annual Report and Accounts of the Bharat Ophthalmic Glass Limited, Durgapur, for the year 1976-77, together with the Auditors' Report on the Accounts and the comments of the Comptrol-

ler and Auditor General of India thereon.

(ii) Review by Government on the working of the Company.

[Placed in Library. See No. LT-1639/78 for (i) and (ii)].

**Report (1974-75) of the Commissioner for Scheduled Castes and Scheduled Tribes**

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL); Sir, I beg to lay on the Table a copy (in English and Hindi) of the Twenty-third Report of the Commissioner for Scheduled Castes and Scheduled Tribes for the year 1974-75, under clause (2) of article 338 of the Constitution. [Placed in Library. See No. LT-1641/78].

**Notifications of the Ministry of Home Affairs (Department of Personnel and Administrative Reforms)**

SHRI DHANIK LAL MANDAL: Sir, I also beg to lay on the Table a copy each (in English and Hindi) of the following Notifications of the Ministry of Home Affairs (Department of Personnel and Administrative Reforms) under sub-section (2) of section 3 of the All India Services Act, 1951:—

(i) G.S.R. No. 13(E), dated the 6th January, 1978, publishing the Indian Forest Service (Fixation of Cadre Strength) Amendment Regulations, 1978.

(ii) G.S.R. No. 14(E), dated the 6th January, 1978, publishing the Indian Forest Service (Pay) Amendment Rules, 1978.

[Placed in Library. See No. LT-1640/78 (i) and (ii)].

**Notifications of the Ministry of Home Affairs (Department of Personnel and Administrative Reforms)**

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. D. PATIL): Sir, I beg to

lay on the Table under sub-section (2) of section 3 of the All India Services Act, 1951, a copy each (in English and Hindi) of the following Notifications of the Ministry of Home Affairs (Department of Personnel and Administrative Reforms):—

(i) G.S.R. No. 1700, dated the 24th December, 1977, publishing the All India Services Death-cum Retirement Benefits) Fourth Amendment Rules, 1977. [Placed in Library, See No. LE-1730/78].

(ii) G.S.R. No. 1717, dated the 31st December, 1977, publishing the All India Services (Conduct) Second Amendment Rules, 1977. [Placed in Library. See No. LT-1642/78].

(iii) G.S.R. No. 5(E), dated the 4th January, 1978, publishing the Indian Administrative Service (Pay) Second Amendment Rules, 1978.

(iv) G.S.R. No. 43, dated the 14th January, 1978, publishing the Indian Administrative Service (Fixation of Cadre Strength) First Amendment Regulations 1978.

(v) G.S.R. No. 44 dated the 14th January, 1978, publishing the Indian Administrative Service (Fixation of Cadre Strength) Second Amendment Regulations, 1978.

(vi) G.S.R. No. 45, dated the 14th January, 1978, publishing the Indian Administrative Service (Pay) First Amendment Rules, 1978.

(vii) G.S.R. No. 46, dated the 14th January, 1978, publishing the Indian Administrative Service (Fixation of Cadre Strength) Third Amendment Regulations 1978.

[Placed in Library. See No. LT-1730/76 for (iii) to (vii)].

(viii) G.S.R. No. 151, dated the 28th January, 1978, publishing the All India Services (Conduct) Amendment Rules, 1978. [Placed in Library. See No. LT-1642/78].

(ix) G.S.R. No. 215, dated the 11th February, 1978, publishing the Indian Administrative Service (Pay) Third Amendment Rules, 1978.

(x) G.S.R. No. 216, dated the 11th February, 1978, publishing the Indian Police Service (Pay) Second Amendment Rules, 1978.

(xi) »S.R. No. 217, dated the 11th February, 1978, publishing the Indian Police Service (Pay) First Amendment Rules 1978.

(xii) G.S.R. No. 76(E), dated the 17th February, 1978, publishing the Indian Administrative Service (Recruitment) Amendment Rules, 1978.

(xiii) G.S.R. No. 252, dated the 18th February, 1978, publishing the All India Services (Death-cum-re-tirement Benefits) Amendment Rules, 1978.

(xiv) G.S.R. No. 253, dated the 18th February, 1978, publishing the All India Services (Death-cum-Re-tirement Benefits) Second Amendment Rules, 1978.

(xv) G.S.R. No. 254, dated the 18th February, 1978, publishing the All India Services (Leave) First Amendment Rules, 1978.

(xvi) G.S.R. No. 80(E), dated the 22nd February, 1978, publishing the Indian Administrative Service (Regulation of Seniority) Amendment Rules, 1978. [Placed in Library. See No. LT—1730/78 for (ix) to (xvi)].

**I. Report and Accounts (1976-77) of the Hindustan Aeronautics Limited, Bangalore and related Papers**

**II. Report and Accounts (1976-77) of the Bharat Dynamics Limited, Hyderabad and related Papers**

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (PROF. SHER SINGH): Sir, I beg to lay on the Table a copy each (in English and Hindi) of the following papers under sub-section (1) of section 619A of the Companies Act, 1956:—

(1) (a) Annual Report and Accounts of the Hindustan Aeronautics Limited, Bangalore, for the year : 1976-77, together with the Auditor's

Report on the Accounts and the comments of the Comptroller and Auditor-General of India thereon.

(b) Statement by Government accepting the above Report. [Placed in Library for (a) and (b). See No. LT- 1644/78].

(2) (a) Seventh Annual Report and Accounts of the Bharat Dynamics Limited, Hyderabad, for the year 1976-77, together with the Auditors' Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

(b) Statement by Government accepting the above Report, [Placed in Library. See No. LT-1643/78 (a) and (b)]

**REFERENCE TO FIRING IN THE SWADESHI COTTON MILLS, KANPUR**

SHRI JAGJIT SINGH ANAND (Punjab): Mr. Chairman, Sir, I want to mention the matter of firing in the Swadeshi Cotton Mills, Kanpur. Sir, as the House is aware, there was firing on the workers of the Swadeshi Cotton Mills on December 6, 1977, and the matter was raised by one of my colleagues here the very next day. Sir, these mills are owned by the Jaipurias. When the old man died, he had an adopted son and a son. It is the quarrel between those two sons that has brought misfortune to these mills. Otherwise, Sir, the Jaipurias bought this mill in 1947 and out of the profits of this mill they created five more prosperous mills in other parts of the country and also a synthetic fibre mill in Kanpur which today commands a very much inflated share price. Now the trouble is that ever since the new Jaipuria, that is, Rajaram, took over from Sitaram, the mill began going into the red. The profits of this particular mill were shifted to other mills so much so that from 1974, ever since, the workers wanted their wages, they had to resort to gherao.

I am saying this because the new Government thinks that gherao is a red rag and the moment it is there, there should be shooting. But gherao has been a normal practice since 1974 in these mills and the workers never got their wages without repeated gheraos. Also, Sir, the Government used to lend money for that. Now what happened was that there was a gherao even on October 26. The feature of the gherao was that the workers themselves would start a telephone with the officers. The workers continued production and the arrangement was that the shift that was on production would not join the gherao and only the other shift would point it. Sir, they never got their wages after 1974 without a gherao. In this condition, Sir, a Receiver was appointed. The real fact is that the past U.P. Government of Mr. Narain Dutt Tiwari was in league—and the present Government also—with Sitaram Jaipuria and they appointed a Receiver—not for the other five mills, because they are prosperous—but only for Kanpur because they did not want the workers to receive their wages. This is the biggest mill among the northern Indian textile mills through whose profits the other mills had come up. Now, Sir, I have no time to go into greater details. The gherao took place at 2 P.M. There were two police men sitting there when the gherao took place. It was the same spot as in the case of the 26th September gherao. Telephone lines were being brought for the service of the guard officers when the police attacked from outside and it was a horrible massacre in which 227 workers remain untraced. I have to bring to your notice some very urgent suggestions at this stage because of the situation. First, there should be a judicial inquiry because the inquiry by three eminent persons, a leading journalist, Mr. Nikhil Chakravarty, a leading Member of the ruling party in Lok Sabha, Mr. A.K. Roy, and a leading academician, has held that horrible conditions are there. Then, Sir, immediate steps should be taken to ensure that the lock-out is

lifted and the management is not allowed during the lock-out to remove the property of the mill. (*Time bell rings*) : I will finish in a minute. Then, Sir, as a result of the dirty squabble, the quarrel between the two persons, the workers being allowed to sell this polyester fibre mill to the Thapars and other big houses. My suggestion is that it should be taken over by the Industrial Development Bank of India. The mills should be taken over by the Industry Ministry under the scheme of take-over of sick mills so that the workers who were serving so long and who are untraced, by a large number—more than 200—get their due share. Thank you.

#### REFERENCE TO APARTHEID, AND RACIAL DISCRIMINATION IN SOUTH AFRICA AND RHODESIA

श्री श्रीकान्त वर्मा (मध्य प्रदेश) :  
सभापति महोदय, पिछली एक शताब्दी में दक्षिण अफ्रीका में काले लोगों का नर-संहार चल रहा है और उन्हें हर तरह से अपमानित करने की कोशिश की जा रही है। 14 साल पहले दो भारतीयों जार्ज नाइकर और मुनुस्वामी को रंग भेद की नीति का विरोध करने के अपराध में जेल में डाल दिया गया। 14 साल पूरे हुए और पिछले सप्ताह वे जेल से छूटकर आये और उसके बाद फिर दक्षिण अफ्रीका की सरकार ने उनको जेल में डाल दिया और उन पर प्रतिबन्ध लगा दिया और इस तरह से उनका जीवन असम्भव बना दिया। महोदय, यह कोई छिट-पुट घटना नहीं है। 6 महीने पहले जाहान्सबर्ग में 97 भारतीयों को गिरफ्तार किया गया था। वस्तुस्थिति तो यह है कि दक्षिणी अफ्रीका में सबसे ज्यादा अत्याचार भारतीयों के साथ ही हो रहा है। यह बड़े आश्चर्य की बात है कि जो लड़ाई रंग-भेद की नीति के विरुद्ध महात्मा गांधी ने आरम्भ की थी, वह कहीं जाकर रुकी हुई लग रही है। यह लड़ाई हम नहीं लड़ रहे हैं, हम भारतीय



[श्री श्रीकान्त वर्मा]

नहीं लड़ रहे हैं, बल्कि यूरोप के निवासी लड़ रहे हैं। मैं जितना साहित्य और जितने समाचार-पत्र पढ़ता हूँ, उससे तो यही लगता है कि यूरोप के लोग रंग-भेद की नीति के ज्यादा विरोधी हैं, बजाय हमारे, क्योंकि हम लड़ नहीं रहे हैं, हम विरोध नहीं कर रहे हैं। आज यूरोप के बहुत से दार्शनिक, लेखक, बुद्धिजीवी और कुछ हद तक राजनेता भी दक्षिण अफ्रीका की रंग-भेद नीति के विरुद्ध एक अभियान चला रहे हैं। लेकिन हमारी सरकार ने इस विषय में उदासीनता बरती है। यह बड़ा दुःखद विषय है कि रोडेेशिया में भी यही हो रहा है और दक्षिण अफ्रीका में तो यह पहले से ही हो रहा था। सभापति महोदय, मैं आपके माध्यम से सरकार का ध्यान इस ओर आकर्षित करना चाहता हूँ और यह कहना चाहता हूँ कि वह दक्षिण अफ्रीका में जिन भी भारतीयों को गिरफ्तार किया गया है, उनको छोड़वाने के लिये मध्यस्थ सरकारों के जरिये प्रयत्न करे। वहाँ भारतीयों के साथ जो भी जुल्म हो रहा है, उसे बिल्कुल बन्द कराने का प्रयत्न करे। मैं भारत सरकार की विदेश नीति का प्रशंसक हूँ, लेकिन उसमें चार चाँद और लग जायेंगे अगर वह रंग-भेद विरोध की नीति को अपनी बुनियादी नीति के रूप में स्वीकार कर लेगी। धन्यवाद।

#### THE CHILD MARRIAGE RESTRAINT (AMENDMENT) BILL, 1978

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): Sir, I move:

"That the Bill further to amend the Child Marriage Restraint Act, 1929, and to make certain consequential amendments in the Indian Christian Marriage Act, 1872, and the Hindu Marriage Act, 1955, as passed by the Lok Sabha, be taken into consideration."

[MR. DEPUTY CHAIRMAN in the Chair]

Sir, this Bill seeks to amend the Child Marriage Restraint Act, 1929 for the purpose of increasing the minimum age for the purpose of marriage. It provides also that offences under the Child Marriage Restraint Act may be investigated by the police under the Code of Criminal Procedure as if they were cognizable offences, but the police is not sought to be conferred the power for effecting arrests without a warrant or an order of a Magistrate.

Sir, as the House is aware, the Child Marriage Restraint Act, 1929 was enacted with a view to prevent child marriages, namely, a marriage of a male person if he was under 18 years of age and a female person if she was under 14 years of age. Subsequently, this age limit for a female was raised to 15 years as a result of an amendment Bill, 1948 which was brought forward by Pandit Thakurdas Bhar-gava in the Constituent Assembly, Legislative Wing. A provision was made in that Bill for increasing the age of a male also from 18 years to 20 years and that of a female from 14 years to 15 years. The Bill was, however, referred to a Select Committee which agreed with the proposal, but finally the Bill was ultimately passed providing only for the raising of the minimum age for the females from 14 to 15 years and the position in regard to the males continued to remain the same, namely, 18 years. The proposal to increase that age from 18 to 20 years was dropped when the Bill was enacted as an Act.

Now, Sir, apart from the fact that marriage is such a solemn institution, being the foundation of a family it is such an important social institution also having very important impact on the happiness of individuals and on the growth of the society, that it is necessary that people who enter into a marriage should be in a position to clearly understand for themselves the implications of it, they should have

the conscience, they should have become mature not merely physically but mentally also and they should be able to take a conscious decision about their own marriage. Therefore, there has been a long-standing demand that the minimum age for marriage should be so raised that a person should be competent to marry only if he has become mature in every possible way. It has been a long-standing demand on behalf of various social institutions also. And so by this Bill now it is sought to meet that long-standing demand to provide that even girls would be competent to marry only when they attain every kind of maturity at the age of 18 years and in the case of boys they would be competent to marry only when they become 21 years old and are in a position to stand on their own feet in a way and become mature.

Apart from that, Sir, if I may say so, the age of marriage has also an impact on the question of growth in population. As the whole country is aware and as this House is aware, this growth in population has an important problem particularly for this country. The population of this country, which was of the order of 30 crores 30 years before when we achieved independence, is now more than 60 crores, it is about 62 crores; so that the population has been increasing so fast that every year in the matter of population we are adding almost the population of the whole of Australia. One can immediately see as to what consequences are there. Any amount of development which takes place to a very great extent is off-set by the growth in population which occurs every year in this country. So, it is necessary and I am very happy to say that the whole country realises that all proper measures required to be taken to check this explosion in the population of this country, have to be taken. The Government is conscious, as was also clear in the address of the President to the joint session of the two Houses very recently, of all the steps which have to be taken. Of course,

I would like to sound a note of warning there. They have to be all proper steps, namely, the dignity of human beings has to be respected and all steps which have to be taken in that direction must be steps which are firstly in accordance with the rule of law, which is now firmly established in this country and which is also the foundation for democracy in a country; and secondly, they must be consistent with the dignity of a human being. Human beings cannot be treated in a manner that they cease to be human beings; they cannot be treated like cattle or animals and so on. So, consistent with this approach, measures will have to be taken very firmly which may have an impact on the growth of population. Sir, this Bill, although a small measure in that direction, is a significant step in that direction of checking, to some extent, the growth of population in this country.

Now, Sir, I must make it clear that these social problems cannot be fully met merely by pieces of legislation. A lot of education to create social consciousness, awareness, etc., has also to go side by side. Neither mere social education nor mere legislation would be enough, as I see, to achieve the desired objectives. Legislative measures as well as social awareness and social education have to proceed in step so as to achieve the desired objectives. I hope that the social institutions which have been carrying on good work in this country would also continue to carry on that good work so that social education also proceeds in this country and people become more and more conscious as to why it is necessary to increase the minimum age for marriage, and the desired objectives are achieved. At the same time, it has also been our experience that if there is no sanction and if an offence under Acts of this kind are not made investigable by the police, namely, if they are not cognizable, then such a far-reaching statute remains, to a very great extent, a dead-letter. That is why, Sir,

[Shri Shanti Bhushan]

an attempt has been made through this Bill to give power to the police to investigate offences under this measure as if they were cognizable offences. At the same time, it was also realised that if an offence is made cognizable without any safeguards, then sometimes there is the possibility of the police abusing their powers and harassing the citizens, etc., particularly since this measure would be applicable to such a vast population. Therefore, in order to avoid the possibility of harassment of the people particularly in the countryside, it has been provided that while the offence would be cognizable for the purpose of the police's powers to investigate, it will not give the police powers to effect an arrest for alleged contravention of a provision of this Act without a warrant from the magistrate or the appropriate authority. Therefore, that safeguard has been provided. With this safeguard that has been provided, I believe this Bill will prove an effective measure and it will be able to achieve the desired objectives.

With these words, Sir, I commend the Bill, as passed by the Lok Sabha, for the consideration of the House.

The *question was proposed.*

SHRIMATI LEELA DAMODARA MENON (Kerala): Sir, the intentions of the Bill are very good. And if the hon. Minister wants the sanction of this House, I do not think anybody will stand against it. But I doubt whether the purposes of the Bill will be in any way met by the amendments that have been placed before us. Sir, 50 years ago the original Act was passed which provided that the marriageable age of a girl would be 14 years. Later on it was raised to 15. Now, we are raising the age to 18 for girls and to 21 for boys. But all the same what happened was there was no impact of it. When the other Bill was before the Select Committee, 12,320 petitions that were then received, opposed that, not because the people could not want their children to

be happy and a better social order brought into this country, but merely because the social order was such, the customs were such, that it was not possible to change them. The *vivaha samskara*, at that time insisted that a girl should be married before she attained the age of puberty. Of course, some changes have been made. But the fact remains that even after 50 years of the earlier legislation, the situation has not changed much. And unfortunately we do not have enough data. Even the latest Census Report does not contain any information on this aspect. The questionnaire distributed for census figures does not contain a column for girls below the age of 10 obtaining marital status. It is a fact that cases have been reported where girls below 10 were married and they are married even today in this country. As far as the data that is available now to some extent shows a very discouraging picture. The estimated average age for marriage between 1901 and 1911 and between 1960 and 1970-71 moved up for males from 20.2 to 22.2 and for girls from 13.2 to 17.2. But these figures in some way are again misleading because the average age of marriage for girls in Kerala is over 20. But at the same time we find that in Madhya Pradesh, U.P., Rajasthan and other States the average age of girls today is 15. A large number of girls are married when they are even below the age of 15 as things stand today. The 1971 Census shows that in rural areas 13.6 per cent of the girls are married between the ages of 10 and 14, in spite of the law against it. The parents of the girl are not worried about the three months' imprisonment or the fine for violation of the law, if they could marry off their girl when the time comes. The parents are not at all bothered about the penal provision that already exists. The Minister said that this would also result in checking some sort of population explosion. While going through the proceedings of the Lok Sabha I noticed that the honourable Minister said that the aim of the Bill was not to check population explosion. I do not know

whether his speech was misquoted.  
(Interruptions)

SHRI SHANTI BHUSHAN: What I said was, the aim was not merely—I said, not merely to...

SHRIMATI LEELA DAMODARA MENON: Then I stand corrected. Of course,, family planning conferences all over the country have been asking for it. I would like to ask the Minister whether any statistics have been collected with regard to fertility of girls below 15. From the statistics that are available on the fertility pat, tem we find that for girls below the age of 19 it is only 1.3,, between the ages of 20 and 24 it is 2.1 and it increases progressively so that between the ages of 35 and 45 it comes to 6.3 or something like that. The National Sample Survey also indicates that it is not the age of a girl, as the honour, able Minister said in this House, that matters but the social conditions. We find that no matter what the age is, 46 per cent of the illiterate wives are not for family planning while only 6.4 per cent of the college-educated gni3 are not for family planning. That means education has a very serious impact on the fertility point. Therefore, no matter what the age is,, when 46 per cent of the illiterate women ar<sub>e</sub> against family planning—whatever the age group is—how is it going to have any material effect if we just pass a law of this nature raising the age limit from 15 to 18? Sir, you have now made the law a little more severe. But I am a little amused to find that the penal provisions are very cautiously worded. The law empowers the police officers to investigate the offences under the law as if they are cognizable. It is very good that they have no power to arrest, without a Magisterial order or warrant. But I would like to say that even som<sub>e</sub> of the police constables are in the same social order. Everybody makes the law. But even the authorities who hav<sub>e</sub> to enforce the legal provisions will be incapable o'f implementing them when the matter concerns them, selves. Very often they close their

eyes to such things happening. Even when they have the authority, it will not be used. I would like,, in this connection, to place one example before the House.

A couple of years ago, I had an occasion to see a girl married at the age of 12 years. I was indignant. I asked the girl's mother: "Why are you getting your daughter married at this age against the law?" She said: "Madam, we are very poor. On this occasion one man came without any demand for dowry. So, we are getting her married. If you provide the dowry,, then I would have delayed her marriage upto the prescribed age". So, the Child Marriage Restraint enactment is colsely linked with the Dowry Prohibition Act. To enforce one, you break the other. It is all combined. It is not one particular Act that matters. The problem of child marriage is linked up with other things such as custom, taboos, etc. It is also linked up with education. We have the next year's Budget before us and we will be discussing it shortly. Let us see what progress we have made with regard to women's education and education of girls. After 50 years, will you again b<sub>e</sub> bringing another piece of legislation before the House raising the girl's marriageable age from 18 to 21? Then also we will be seeing girls of 12 years getting married without anybody taking any action. These factors should come within the purview of our discussion because these are all inter-linked.

We are in the International Women's Decade. We have the International Children Year round the corner. Between these two things, what is the status of women and what is the status of our girls? How are they able to face the challenges? It is a strange factor that even in the developed countries, the girls are able to make their own choice even though their average age of marriage has come down to sixteen. Still, it is not creating any havoc in the society. In some of the European States the l average age of marriage is just six-

[Shrimati Leela Damodara Menon]

teen. They make their own choice. The society is not worried about it because the girls are independent and they are capable of looking after themselves. When we make this provision that girls below 18 years cannot be married, what provision are we making to see that these girls have something worthwhile? Or, are we asking the parents to keep them in the houses? If that is the case, I am afraid we are going to have the problem of unmarried mothers. To avoid that, you have to give them education; you have to give them employment. As it is, they do not have anything else to do. At present nobody bothers as to what happens to the women of the country where they are the most backward and most illiterate. This is going to create a very serious problem and it is going to have very serious repercussions. My apprehension is that the law will be misused and lot of heart-breaking will be there. This problem is not going to be solved by bringing this Bill before the House. I would touch upon another point.

According to law there is equality between men and women in this country. All these rules are void so far as the girls are concerned. The legal provisions are there. But then there are anomalies also in these things. That honourable Minister has again stated that it will be for all communities and religions in this country. Again, I would like to read out from the report of the proceedings of the Lok Sabha. I find from the consequential amendments that it only deals with the Christian Marriage Act and the Hindu Marriage Act. But there are other communities also in this country and there are other religious groups in this country. What happens to the Muslim girls?

SHRI SHANTI BHUSHAN: The Child Marriage Restraint Act is applicable to all the communities. Therefore, raising of the age will apply to all communities.

Bill, 1978

SHRIMATI LEELA DAMODARA MENON: I am speaking of the consequential amendments.

SHRI SHANTI BHUSHAN: Certain Acts are applicable to certain communities. But this Act is applicable to all the communities. I must make it quite clear at this stage.

SHRIMATI LEELA DAMODARA MENON: I hope that this will be accepted and enforced in all the communities.

SHRI SHANTI BHUSHAN: Oh, yes.

SHRIMATI LEELA DAMODARA MENON: Again, Sir, the honourable Minister has said—I am again quoting from the proceedings of the Lok Sabha—that the case will be referred to some other authority like the pan-chayats. But what is the harm in getting all the marriages registered? If it is done, we can have a record of the age of the girl and of the boy and then I think it will be more deterrent than taking any penal action after the event, after the marriage is done. After the marriage is done, what are you going to do? The marriage is over. The girl is below the specified age. Are you going to penalise the parents? Are you going to make the marriage invalid? Are you going to break that marriage? You may penalise the parents. That is different. So, I would say that for the sake of reference, for the sake of collection of data, for our information, we must have all the marriages registered. We can also know as to how far this enactment is respected or violated and for how long it is violated. At least for this purpose the marriages must be registered and it will be a good thing if it is done. I would also like to point out one more thing. The honourable Minister himself has said just now that this has got to be enforced along with certain other measures. But the Minister has not specified what those other measures are. Does education come under that? Does employment come under that?

Sir, I would like to place one fact before this House. Instead of imposing any deterrent punishment, instead of having any provision, any penal provision, I think it would be better if we have something else. I would like to suggest that we should do what is being done in England. In England, when a child is born, the Queen sends a gift to the eldest boy. I do not know whether it would be possible for us to make a similar provision here. We can, if possible, make a provision that if till two years after the marriage a couple does not have a child, a gift will be given to the first child. I think this would have a more powerful psychological effect and, probably, it would act more as a deterrent than the present penal provision that we have, because, I am afraid, Sir, that this penal provision will not be of any use.

I feel, Sir, that this enactment, as it stands today, is like one arm growing when the other arm does not continue to grow which is an atrophied growth. I hope that the honourable Minister will consider all these things seriously. Let us hope that he will not have to come back to this House and say that it has been violated. Thank you very much Sir.

**श्री कल्पनाथ राय (उत्तर प्रदेश) :**  
आदरणीय उपसभापति महोदय, जो बिल मंत्री जी की तरफ से बाल विवाह रोकने के सम्बन्ध में पेश किया गया है, मैं उसका समर्थन करता हूँ।

मंत्री महोदय ने इस बिल को पेश करते समय देश की जन-संख्या समस्या की तरफ भी ध्यान आकर्षित किया है। मेरा कहना है कि हमारे देश में बाल विवाह को एक अपराध घोषित करना चाहिए और रेडियो और अखबार के माध्यम से इस देश की 60 करोड़ जनता के मन में और उसके बीच में इन साधनों से यह बतलाना चाहिए कि बाल-विवाह करेंगे उन्हें यह सजा दी जाएगी। लेकिन दुर्भाग्य है कि इस देश की सरकार देश की समस्याओं के मसले पर विचार न

करके अपने रेडियो और अखबार का इस्तेमाल केवल राजनीति के उद्देश्य से कर रही है। उपसभापति जी, इस कानून को लाने के पहले भी सरकार का उद्देश्य यह रहा कि हमारे देश में जनसंख्या की जो बाढ़ आ रही है उस पर नियंत्रण कैसे किया जाए और यह हिन्दुस्तान के लिए एक बहुत बड़ी समस्या है। आप जानते हैं जब हम लोग इकट्ठे थे यानी हिन्दुस्तान, बंगलादेश और पाकिस्तान और हम तीनों आजादी की लड़ाई लड़ रहे थे उस समय हिन्दुस्तान की आबादी 40 करोड़ थी। अब कुल आबादी केवल हिन्दुस्तान की 62 करोड़ है, बंगलादेश की 12 करोड़ है और पाकिस्तान की 10 करोड़ है यानी 80 करोड़ हिन्दुस्तान की आबादी हो चुकी है। हम अपने देश में जो भी विकास कर रहे हैं इस हमारे विकास के शिशु की बढ़ती हुई जनसंख्या के राक्षस ने एकदम ग्रास लिया है और हमारे विकास के नवजात शिशु को इस बढ़ती हुई जनसंख्या के राक्षस ने दबोच लिया है इसीलिये पिछली सरकार ने परिवार नियोजन के लिये एक युद्ध स्तर पर काम शुरू किया था। लेकिन हुआ क्या? पिछले साल 70 लाख परिवार नियोजन हुए लेकिन वर्तमान जनता सरकार के इस एक वर्ष में दो लाख भी परिवार नियोजन नहीं हुए।

देश की जनता में परिवार नियोजन के संबंध में जहाँ वैज्ञानिक प्रचार होना चाहिये था वहाँ जनता सरकार और उनके घटकों ने इतना गंदा और कुत्सित प्रचार किया जिसके कारण देश के अन्दर एक बड़ा ही विपाक्त वातावरण बन गया। मैं आपसे कहना चाहता हूँ कि जब पिछली सरकार इस देश में श्रीमती इन्दिरा गांधी के नेतृत्व में काम कर रही थी तो उस समय परिवार नियोजन का युद्ध स्तर पर काम हो रहा था। उस जमाने में हमारे इलाके में बाढ़ आई हुई थी। बाढ़ के खतम होने के बाद गाँवों में बीमारी की रक्षा के लिये डाक्टर लोग गाँवों में जाकर चेचक के टोके लगा रहे थे तो विरोधी पार्टी के लोग जिनकी

[श्री कल्पनाथ राय]

हुकूमत आज है [इन्होंने और राष्ट्रीय स्वयं सेवक संघ के लोगों ने यह प्रचार किया कि ये टीके चेचक के नहीं हैं बल्कि ये टीके ऐसे हैं जिससे लोग नपुंसक हो जाएं और उनके कभी बच्चे पैदा न हों। इस तरह से पूरे देश के अन्दर कन्याकुमारी से लेकर काश्मीर तक एक झूठा और गलत प्रचार करके इस देश के अंदर जो कार्य परिवार नियोजन के लिये हो रहा था उसे रोक दिया गया। मैं कानून मंत्री महोदय से कहना चाहता हूँ कि परिवार नियोजन का कार्य अगर इस मुल्क में नहीं हुआ तो इस देश में यह जनता सरकार तो क्या ऐसी हजार जनता सरकारें आ जाएं, इस समस्या का हल नहीं ढूँढ़ पायेगी।

हमारे हिन्दुस्तान का जनसंख्या का 1/3 अमेरिका की जनसंख्या है। हिन्दुस्तान से अमेरिका का क्षेत्रफल चार गुना बड़ा है और हिन्दुस्तान से रूस का क्षेत्रफल सात गुना बड़ा है। हिन्दुस्तान की पापुलेशन का 1/3 अमेरिका की पापुलेशन है यानी 20 करोड़ की उसकी आबादी है और रूस की पापुलेशन भी हिन्दुस्तान की पापुलेशन का 1/3 है यानी उसकी आबादी भी 20 करोड़ है। दो सौ वर्षों से विकसित अमेरिका, कम्युनिज्म के अन्दर विकसित रूस की आबादी हमारे से 1/3 है। इधर हमारे देश ने जिसको आजादी लिये 30 वर्ष ही हुए हैं उसने जितनी भी इस दौरान प्रगति की, आर्थिक प्रगति की, वैज्ञानिक प्रगति की, सामाजिक प्रगति की, सांस्कृतिक प्रगति की इस सब को इस बढ़ती हुई जनसंख्या के राक्षस ने एकदम दबोच लिया है इसलिए हम विकास दिखाई नहीं देता।

उपसभापति जी, कानून मंत्री जी कहते हैं कि ह्यूमन डिगनिटी, इंडिविजुअल डिगनिटी को कम न करने के लिये, लोकतंत्र की स्थापना करने के लिये हम कोई जोर-जबर्दस्ती नहीं करेंगे। आप दिल्ली स्टेशन पर जाइये वहाँ पर एक लाख आदमी प्लेट फार्म पर सोये हुए

मिलेंगे। उससे आगे बढ़िये, कानपुर चले जाइये वहाँ पर भी प्लेट फार्म पर एक लाख आदमी सोये हुए मिलेंगे। यह है ह्यूमन डिगनिटी, आपकी लोकशाही और आपका जनतंत्र आप रेलों में सैकिंग क्लास के डिब्बों को देखे तो लगेगा कि जैसे आदमियों की एक बाढ़ सी आ गई है। आज आप स्कूलों में जाइये, वहाँ भी भर्ती के लिए जगह नहीं है। युनिवर्सिटी में जाइये, वहाँ भी भर्ती के लिए जगह नहीं है। नौकरियों के लिए इस मुल्क के अन्दर 10 करोड़ बेकार और अर्धबेकार लोग फँसे हुए हैं। इस मुल्क के अन्दर आज यह स्थिति हो गई है कि आप किसी भी बस स्टैंड पर चले जाइये, आपको जगह नहीं मिलेगी। बसों में कोई जगह नहीं है ट्रेनों में जगह नहीं है। प्लेटफार्मों पर लोगों को सोने के लिए जगह नहीं मिलती है। दिल्ली और लखनऊ जैसे बड़े शहरों में रहने के लिए मकानों की महान समस्या पैदा हो गई है। हजारों और लाखों लोग कलकत्ता के अन्दर फुटपाथों पर सोये रहते हैं। आज हमारे देश में जनसंख्या की समस्या पूरे राष्ट्र की समस्या बन गई है। मैं समझता हूँ कि जब तक इस देश के सभी दल, सभी पार्टियाँ युद्ध स्तर पर इस समस्या का हल ढूँढ़ने की कोशिश नहीं करेंगे तब तक यह समस्या हल नहीं हो सकती है। चाइल्ड एक्ट और मेरिज एक्ट बना देने मात्र से यह समस्या हल नहीं हो सकती है। हमारे देश में परिवार नियोजन का कार्य सबसे महान कार्य है। जब तक इस कार्य को युद्ध स्तर पर नहीं किया जाएगा तब तक जनसंख्या की समस्या हमारे देश में हल नहीं हो सकती है। यह बात मेरी समझ में नहीं आती कि—  
Human dignity only for Shanti Bhu-shan.  
Human dignity only for Charan Singh.  
Democracy only for Kalp Nath Rai and millions of people of this country. मैं यह स्पष्ट रूप से कहना चाहता हूँ कि लोकशाही की बात करने वाले अगर समाजवाद की दिशा में कोई कदम नहीं बढ़ाएंगे तो लोकशाही को कोई नहीं बचा सकता है।

आदरणीय उपसभापति महोदय, जनता पार्टी की सरकार जब से सत्ता में आई है तब से इन्होंने न तो रेडियो के माध्यम से जनसंख्या पर नियंत्रण करने के लिए कोई प्रचार किया है और न ही परिवार नियोजन से क्या लाभ हैं उसके संबंध में रेडियो पर या अखबारों में कोई प्रचार किया गया है। आज आवश्यकता इस बात की है कि जनता को परिवार नियोजन के बारे में शिक्षित किया जाय। आज अखबारों के अन्दर और रेडियो पर इस बात का प्रचार नहीं किया जाता है कि अधिक बच्चे होने से क्या नुकसान होता है और बाल-विवाह करने से क्या हानियाँ होती हैं। जब से जनता पार्टी की सरकार सत्ता में आई है, इन 12 महीनों में केवलमात्र चरित्र हनन का वातावरण देश के अन्दर रेडियो और अखबारों के माध्यम से बनाया जा रहा है। इन माध्यमों से केवल मात्र जवाहर लाल नेहरू की निन्दा करने, नेहरू परिवार को बदनाम करने और श्रीमती इंदिरा गांधी को भ्रष्ट बताने पर ही सारा समय व्यतीत किया जा रहा है। यह जनता पार्टी की सरकार दूरी की पूरी कांग्रेस पार्टी को बदनाम करने पर तुली हुई है और श्रीमती इंदिरा गांधी के खिलाफ ही सारा प्रचार किया जाता है। मैं यह स्पष्ट रूप से कहना चाहता हूँ कि अगर इस देश में यह भावना फैल गई कि इस देश के नेता बेईमान हैं, पूरा नेहरू परिवार बेईमान है, श्रीमती इंदिरा गांधी बेईमान हैं और यह भावना उनके अन्दर घर कर गई तो इस देश से जनतंत्र का अन्त हो जाएगा। उसी दिन से इस देश में इस पार्लियामेंट की हुकूमत नहीं रहेगी। सारा शासन प्रबन्ध मिलेट्री के हाथ में चला जाएगा और फिर इस देश की समस्याओं का कोई हल नहीं निकल सकता है। ऐसी स्थिति में यह देश खण्ड-खण्ड और टुकड़े-टुकड़े हो जाएगा। जिस देश की जनता ने आपको केबिनेट का मेम्बर बनाया है आप उसको भूल गये हैं। इतिहास उठाकर आप देख लीजिये, क्या कहीं भी किसी मुल्क में जब राज-सत्ता में कोई परिवर्तन होता है तो इस प्रकार के

परिवर्तन के बाद जो दल सत्ता में आता है वह केवलमात्र पिछड़े दल की निन्दा करने और चरित्र-हत्या करने में लगा रहता है? अमेरिका के अन्दर राज-सत्ता में एक निश्चित समय में बाद परिवर्तन होता है, लेकिन वहाँ पर पिछले दल की निन्दा नहीं की जाती है। इसी प्रकार से इंग्लैण्ड के अन्दर भी राज-सत्ता के अन्दर परिवर्तन होता रहता है और इज्राइल के अन्दर भी इसी प्रकार से परिवर्तन होता है। लेकिन जो दल सत्ता हटता है वह पिछले दल के सम्बन्ध में कोई निन्दा नहीं करता है, बल्कि अपनी नीतियों को कार्यान्वित करने के लिए ठोस और समयबद्ध कार्यक्रमों पर अमल करता है। कांग्रेस सरकार की नीतियों को इस देश की जनता अच्छी तरह से जानती है और यह भी जानती है कि चाहे श्रीमती इंदिरा गांधी के शासन ने गलतियाँ की हों, लेकिन उसका कांग्रेस की नीतियों में दृढ़-विश्वास है। वह इस सरकार की निन्दा संबंधी बातों को स्वीकार नहीं करती है।

SHRI G. LAKSHMANAN (Tamil Nadu):  
On a point of order, Sir What is under discussion in this House?

SHRI KALP NATH RAI: It is a discussion on Child Marriage Act relating to population.

SHRI G. LAKSHMANAN: Thank you. I wanted only this clarification from you.

SHRI KALP NATH RAI: It is a discussion on Child Marriage Act and the Minister of Law said that he was bringing this Act in Parliament to check the growth of population. He said that the population was exploding and if it was not checked, then the entire country could be finished. He touched the population problem. Therefore, I have to reply to him.

इसीलिए हमें उनके प्रश्नों के जवाब देने पड़ते हैं। हमारे देश में आज स्थिति यह हो गई है कि रेडियो और अखबारों के माध्यम से



[श्री कल्पनाथ राय]

परिवार नियोजन का कोई प्रचार नहीं किया जाता है। अगर पांच मिनट के लिए भी रेडियो, टेलीविजन और अखबारों के माध्यम से इस संबंध में प्रचार किया जाएगा तो उसका बहुत बड़ा प्रभाव जनता पर पड़ेगा क्योंकि आज हर गांव और हर हरिजन बस्ती में रेडियो है और वहां पर अखबार जाते हैं। बाल विवाह अपराध है, जो बाल विवाह करेगा उसको हम दो साल की सजा देंगे। बाल विवाह बन्द किया जाय, इससे हमारे देश का नुकसान है। यदि 5 मिनट आप बाल विवाह को रोकने के संबंध में, 5 मिनट या आधा घंटा समय परिवार नियोजन के संबंध में देते तो आप देश की 60 करोड़ जनता को शिक्षित कर सकते थे। लेकिन मेरा तो यह कहना है कि आप अपने नशे में हैं, पूरी गवर्नमेंट नशे में है। उनका नशा है कि दुनिया की महान नेता श्रीमती इंदिरा गांधी की चरित्र हत्या करना, कांग्रेस पार्टी की चरित्र हत्या करना और जनता को यह समझाना कि वह गलत है। आदरणीय उपसभापति महोदय, इस चरित्र हत्या की राजनीति का परिणाम यह हुआ कि आज 9 महीने के अन्दर दक्षिण भारत में मुंह की खानी पड़ी। कानून मंत्री बड़ी-बड़ी बात करते थे कि कांग्रेस पार्टी को क्या हक है। इसलिये 9 महीने में विधान सभा के चुनाव कराये आपको थोड़ी शर्म और हया भी नहीं आती। दक्षिण भारत में चुनाव हारकर क्यों नहीं आप पार्लियामेंट को भंग करते हैं। पार्लियामेंट के चुनाव कराओ तो हम आपको जाने। कहाँ गये श्री जयप्रकाश नारायण के...

(Interruptions)

डा० मदन मोहन सिंह सिद्धू: (उत्तर प्रदेश) : जनता पार्टी के लोगों ने ज्यादा विश्वास पाया है, वनिस्वत उस वक्त के, जब कि लोक सभा का चुनाव हुआ था, यानी कि एक-एक दो-दो, आये थे उन प्रान्तों से।

श्री कल्पनाथ राय : आदरणीय उप-सभापति महोदय, हमारे डा० सिद्धू जैसे लोग भी मानसिक रूप से दीवालिया हो जायेंगे, यह मैं नहीं समझता था। चुनाव हुआ। दुनिया के इतिहास में कोई भी रूनिंग पार्टी 9 महीने के अन्दर इतनी गहरी पराजय नहीं प्राप्त कर सकी या इतनी बदनाम नहीं हुई।

श्रम तथा संसदीय कार्य मंत्रालय में राज्य मंत्री (डा० राम कृपाल सिंह) : उप-सभापति महोदय, आन्ध्र प्रदेश और कर्नाटक दोनों प्रदेशों में इससे पहले भी कांग्रेस की सरकारें थी। वहां जनता पार्टी के विधायकों की संख्या कितनी थी पहले और अब कितनी हो गई है, क्या यह माननीय सदस्य को भालूम है ?

श्री कल्पनाथ राय : आदरणीय उप-सभापति महोदय, जिस समय जनता सरकार बनी, उस समय 9 प्रान्तों में ही नहीं बल्कि सम्पूर्ण उत्तर भारत में कांग्रेस पार्टी की हुकूमत थी। लेकिन कांग्रेस पार्टी की हुकूमत को जनता ने (Interruptions)

श्री श्रीकान्त बर्मा (मध्य प्रदेश) : आप को तो कन्डीडेट्स भी नहीं मिलें। कांग्रेस के जिन कन्डीडेट्स को टिकट नहीं मिला, उनको आपने खड़ा किया। तो फिर आप यह कैसे कह सकते हैं ?

श्री कल्पनाथ राय : आदरणीय उप-सभापति महोदय, पूरे उत्तर भारत में कांग्रेस की हुकूमत थी (Interruptions)

SHRI HAMID ALI SCHAMNAD (Kerala): Sir, I want to know whether the hon. Member is supporting the Bill or opposing it. We would like to be enlightened.

SHRI KALP NATH RAI: I am supporting this Bill. But the question is...

**श्री उपसभापति :** आप समाप्त कीजिये ।

**श्री कल्पनाथ राय :** आदरणीय उपसभापति महोदय, मैं आपसे यह कहना चाहता हूँ कि मैं कह रहा था कि जयप्रकाश नारायण जिन्दा है, लोकनायक बन कर, मोरारजी देसाई, चौधरी चरणसिंह और कानून मन्त्री लोकतन्त्र के महान उपदेशक यहाँ मौजूद हैं । वे दिन रात यही कहते थे कि 9 प्रान्तों में विधान सभाओं को हमने इसलिये खारिज किया क्योंकि आप जनता का विश्वास खो चुके हैं । तो हिन्दुस्तान की पांच प्रान्तों की विधान सभाओं में हजारों हजार करोड़ रुपये खर्च करने के बाद भी आप चुनाव में पूरी तरह हारे हैं, इसलिये पार्लियामेंट को भंग करो । लेकिन यह क्या कि 'मीठा मीठा गप, खट्टा खट्टा थू' ।

आदरणीय उपसभापति महोदय, यह जो . . .

**श्री उपसभापति :** अब समाप्त कीजिये ।

**श्री कल्पनाथ राय :** इस बाल विवाह को रोकने के लिये देश की ही नहीं बल्कि दुनिया की महान नेता श्रीमती इन्दिरा गांधी ने परिवार नियोजन कार्यक्रम को युद्धस्तर पर चलाया था । लेकिन इन जन-घाती और राष्ट्र-घाती ताकतों ने, कुछ घटकों ने मिल कर—जनसंघ और राष्ट्रीय स्वयं सेवक संघ ने देश की विरोधी पार्टियों को मिला कर देश की करोड़ों करोड़ गरीब जनता को गुमराह किया । उन्होंने इसका गलत प्रचार किया । अगर कोई दवा देते थे तो यह कहते थे कि तुमको नपुंसक बनाने की दवा दी गई है । इस तरह का कुत्सित और घृणित प्रचार करके, देश की गरीब जनता को बहका कर, उन्होंने परिवार नियोजन के खिलाफ प्रचार किया । परिवार नियोजन के खिलाफ गन्दे जहरीले प्रचार के पेट से पैदा यह जनता सरकार है । इस सरकार को इसका मुकाबला करना होगा । आदरणीय उपसभापति महोदय,

यदि जनता सरकार सत्ता में आएगी तो बेकारी को खत्म कर देगी, ऐसा इन लोगों ने वायदा किया था । इस देश में 10 करोड़ बेकार हैं और एक साल में . . .

**श्री उपसभापति :** कृपया समाप्त करें ।

**श्री कल्पनाथ राय :** आदरणीय उपसभापति महोदय, मेरा कहना यह है कि सरकार को पूरे देश के बड़े पैमाने पर विरोधी विरोधी पार्टियों को बुलाना चाहिए और शान्ति भूषण को अग्रवाही करनी चाहिए और हमेशा मोरारजी देसाई और राजनारायण से डरना नहीं चाहिए, जी हुजूरी नहीं करनी चाहिए बल्कि नौजवान कानून मन्त्री हैं हिम्मत के साथ उन्हें आगे आना चाहिए और कहना चाहिए

(Interruptions)

SHRI G. LAKSHMANAN: He has touched the names of only some Cabinet Ministers. Some more are left. Let him touch their names also.

**श्री उपसभापति :** अब बहुत समय हो गया है . . .

**श्री कल्पनाथ राय :** आदरणीय उपसभापति महोदय, मेरा कहना है कि इस बाल विवाह की समस्या को हल करने के लिए सभी विरोधी दलों की मीटिंग यहाँ बुलानी चाहिए उसमें प्रचार मन्त्री श्री आडवाणी जी को भी बुलाना चाहिए और उन्हें कहना चाहिए कि इस परिवार नियोजन को युद्ध स्तर पर सफल बनाने के लिए जैसे आजादी की लड़ाई के सवाल पर सारा देश एक हो गया था वैसे ही परिवार नियोजन के सवाल पर बाल विवाह को रोकने के सवाल पर लड़ना चाहिए । इस लड़ाई को कामयाब बनाने के लिए हमें रेडियो, अखबार और दूसरे प्रचार-तंत्र का प्रयोग करना चाहिये ताकि देश जनसंख्या के कारण मिट न जाए । आज हिन्दुस्तान की आजादी खतरे में है, आज हिन्दुस्तान की एकता खतरे में है क्योंकि विकास की जबरदस्त भूख हिन्दुस्तान के गांव में

## [श्री कल्पनाथ राय]

हैं। आप लोग भी मन्त्री हैं, संसद सदस्य है। अगर जनसंख्या इतनी तेजी से बढ़ती रही तो विकास मन्द गति से होगा। अगर जनसंख्या तेजी से बढ़ेगी तो बढ़ती हुई जनसंख्या का राक्षस इस विकास के शिशु को दबोचेगा, उसको खा जाएगा और फिर एक गरीबी के महासमुद्र में विकास का एक छोटा सा चिराग दिखलाई देगा। इसलिए इस सवाल को राष्ट्र का सवाल बना कर, युद्ध स्तर पर आपको लड़ना चाहिए। मेरा तो यह कहना है कि शारदा एक्ट बना हुआ है लेकिन बाल विवाह बन्द नहीं होता है। आदरणीय उपसभापति महोदय, मैं गांव का रहने वाला हूँ। मेरे गांव या मेरे देहातों में जो पिछड़े वर्ग के लोग है विशेष कर वहाँ दो, तीन, चार या पांच वर्ष के बच्चों की शादियां होती हैं और बाल विवाह को इतना जबरदस्त बढ़ावा मिला हुआ है कि अभी इस जनता को जानकारी भी नहीं है कि बाल विवाह कितनी घातक चीज़ है। मैं जनता सरकार के कानून मन्त्री से निवेदन करूंगा कि वे अपने रेडियो से 10 मिनट बाल विवाह के लिए रखें और यह तब तक चलता रहे जब तक बाल विवाह बन्द नहीं हो जाता है। यदि इसके बावजूद भी बन्द नहीं होता है तो इसके लिए इतने कड़े दण्ड की व्यवस्था की जाए ताकि एक व्यक्ति को दंडित होने पर पूरे देहात के लोग बाल विवाह करने की हिम्मत न कर सकें। जब तक यह कड़े कदम सरकार के द्वारा नहीं उठाए जाते तब तक बाल विवाह को नहीं रोका जा सकता। मैं जनता सरकार को और इसके कानून मन्त्री से कहना चाहता हूँ कि वे परिवार नियोजन के सवाल को देश का, राष्ट्र का सवाल बना कर युद्ध स्तर पर हल करने की कोशिश करें वरन् हिन्दुस्तान की आजादी भी इसके कारण खतरे में पड़ सकती है, देश की एकता खतरे में पड़ सकती है और देश का भविष्य भी खतरे में पड़ सकता है। आदरणीय उपसभापति महोदय, हमने देश को 6 करोड़ टन की जगह 12 करोड़ टन का मल्ला दिया। हम दुनिया का दसवाँ

आणविक राष्ट्र बन गए। लेकिन हिन्दुस्तान में 60 प्रतिशत जनता पावर्टी लाईन के नीचे रहती है। इसका कारण है कि हिन्दुस्तान की जनता को विकास में हिस्सा नहीं दिया गया। जब तक हम परिवार नियोजन पर कड़ा नियन्त्रण नहीं रखेंगे तब तक हम इस मुल्क का विकास और तरक्की नहीं कर सकते। इसलिए उपसभापति महोदय, इन शब्दों के साथ मैं कानून मन्त्री द्वारा लाये गये इस कानून का समर्थन करता हूँ और शान्ति भूषण जी से, जो इस सरकार के मन्त्रिमण्डल में नौजवान व्यक्ति है, अपील करता हूँ कि वे हिम्मत के साथ देश के सवाल को आगे बढ़ायें। वे मरे हुए लोगों की बात न सुन कर देश को एक नया कार्यक्रम दें। इसके बाद ही हिन्दुस्तान इन्दिरा गांधी और नेहरू के सपनों का राष्ट्र बन सकेगा, एक शक्तिशाली राष्ट्र बन सकेगा और तभी एक नये भारत का निर्माण कर सकेंगे, तभी हम अतीत को सामने रख कर भविष्य का निर्माण कर सकेंगे जिससे कि आने वाली भावी पीढ़ियां सुखी रह सकेंगी।

धन्यवाद।

SHRI SANAT KUMAR RAHA ("West Bengal): Mr. Deputy Chairman, Sir, I support this Child Marriage Restraint (Amendment) Bill, 1978, with some reservations. Sir, marriage is purely a social institution; it is a social problem also. This child marriage has an impact on the growth of population as well. We have seen how Sharda Act was infructuous. We know by our last 50 years' experience that merely by legislative measures, laws for such a social reform cannot be implemented. It requires adequate machinery to educate the people, their orientation and thought. We also have got 30 years' experience since the last amendment, regarding the marriageable age of 15. We had all these legislations but without sufficient campaign, without a national campaign, without sufficient orientation and education for the people. It cannot be implemented with-

out the necessary infrastructure. Hence, I suggest to the Law Minister to take steps in this regard for the proper development of these girls till they attain maturity, so that they are not taken to be a burden on the family.

It is a fact that due to our socioeconomic order we generally think that sons are the security during the old age of the parents and the daughters are a liability in the family. This outlook cannot be changed without any socio-economic advancement. The Minister says that the maturity age for the girls is 18. I think the maturity does not depend on age only. It also depends on education. It is also a fact that the girls are not covered by the literacy campaign. They are generally left out and are neglected. It is only in the case of sons that we give consideration for education. In a society where poverty is rampant, where poverty does not allow the parents to afford sending their girls to the schools, we find the girls as helpless tools in the hands of the parents. These girls, even after attaining the age of maturity, that is 18 years, continue to depend on their parents; they have no other option. They are given away in marriages according to the parents' wishes. This is, Sir, the norm of the society and the order of our society. How can you change it? We cannot change it by some legislative measures unless we educate the public opinion by dramas and cinemas. All such type of radio, through television, theatres, dramas and cinemas. All such type of media can be utilised to educate our people. Therefore, these are I P.M. the substantial things. Along with the passing of this Bill, Government should take some ancillary and subsidiary measures for implementing this law. This is very vital to check the population growth. The Bill is mainly meant to check the population growth. This is a partial picture. This is a partial view in regard to the subject which is very vital to the nation today. I would

urge the hon. Minister not to take a partial view of the matter that this is meant only to check the population growth. This is a vital thing for our new society which is emerging. This is a vital thing for the changing society. This is a vital thing for the progressive forces. This is also a vital thing for the forces which are urging for transformation. This is vital for a shift from the present social order to a better and progressive order.

Then, I would like to know from the Minister what machinery is there for implementation. I would also like to know whether this machinery will go right up to the village level so that this machinery can work in a comprehensive manner to implement the law throughout India from the smallest village to the metropolitan cities. There is a provision in the Bill for punishment in cases where there are marriages before the marriageable age. If you look at it from another angle, it has a negative feature. If there is a case of early marriage, which is an offence, it will go to the police. I would like to know whether there can be a negotiating machinery at the village panchayat level so that this can act as a preventive check. There should be an adequate machinery which will be able to prevent such things before it goes to the police. If these things come into the hands of the police, the problem would not be solved. I am speaking from my experience of the police. This will only breed corruption. It has also been stated that on the order of the magistrate, the police will take action. Who will inform the magistrate? Is there any machinery? Who will give information to the magistrate? This is a socio-economic problem. This is also a problem affecting the general polity of our country. The entire population should be taken into confidence. The various trade union organisations, agricultural labour organisations, organisations of landless peasants, youth and student organisations, women organisations

[Shri Sanat Kumar Raha]

and so on should be taken into confidence and their co-operation should be sought in fulfilling the objectives of the law. The Bill also does not say how this law will be implemented simultaneously with the reorientation of public opinion. This is essential in today's situation when people are more conscious than ever before. Fifty years have passed without there being any effect of the Sharada Act. We have already gone through thirty years without the beneficial effects of the various legislations reaching the people. The time has come. We have already reached a stage of consciousness when we can implement this law with a vigorous campaign starting from the national level right up to the village level. There is another point which is also very vital. Government should create such an infrastructure which will help the girls to develop in a proper way in the field of education and various other social fields. All these are a part of national perspective. So, I want that the Minister should state in his reply, what measures will be taken by the Government after passing of this Bill to see that this law becomes a popular law, that the people extend their whole-hearted co-operation and willingness.

Lastly, Sir, I also appeal to the Minister to see that this law, as it is harmless and affects no religion, is made applicable to all communities in India, irrespective of their religion.

With these words I support the Bill.

**श्री उपसभापति : सदन की कार्यवाही सवा दो बजे तक के लिये स्थगित की जाती है।**

The House then adjourned for lunch at six minutes past one of the clock.

The House reassembled after lunch at twenty-onc minutes past

two of the clock, THE VICE-CHAIRMAN, (Shri H. M. Trivedi) in the Chair.

**श्री महादेव प्रसाद वर्मा (उत्तर प्रदेश) :**

माननीय उपसभाध्यक्ष जी, आपके द्वारा मंत्री महोदय जी को मैं एक चेतावनी देना चाहता हूँ इस बिल के बारे में। वैसे देखने पर बड़ा साधारण सा लगता है लेकिन शायद इस बात को नज़र अंदाज़ किया गया कि यह कानून हिन्दुस्तान की सारी जनता के ऊपर जितना लागू होता है उतना शायद कोई दूसरा कानून लागू नहीं होता। यह भी याद रखने को बात है कि पिछली गवर्नमेंट भी नेक नीयती से नसबंदी लागू करने की कोशिश की थी लेकिन उस अष्ट मशीन ने एक जुल्म ढाह दिया। आपकी नेक-नीयती में भी कोई सन्देह नहीं जिस नेक-नीयती से आप इसको करना चाहते हैं लेकिन याद रखिये उससे भी बड़ा जुल्म ढाया जाएगा। क्यों? पीछे 1929 शारदा एक्ट बना था। उसमें कोर्गनिज़िबल आफेंस नहीं था और इसे आपने कोर्गनिज़िबल बना दिया। कितना बड़ा विस्फोट हो जायेगा गांव की जिन्दगी पर, खासकर जितने गरीब लोग हैं उनकी जिन्दगी पर। इसका शायद अनुमान नहीं लगाया गया। इसका अनुमान लगाने के लिये थोड़ी सी मैं आपके सामने इसकी पिछली हिस्टरी रखना चाहता हूँ। 1929 में असेम्बली में शारदा जी ने यह बिल पेश किया था। मैं उस समय बनारस में हिन्दू युनिवर्सिटी में छात्र था। गांधी जी और नेहरू जी वहाँ मीटिंग में गये। जहाँ मीटिंग रखी गई थी वहाँ गांधी जी पहले पहुंच गये थे और नेहरू जी बाद में पहुंचे। नेहरू जी फाटक पर पहुंचे ही थे कि तब तक कम से कम कई हजार का जुलूस पंडे भी थे, उनके चेले भी थे, संस्कृत कालेज और स्कूलों पाठशालाओं के छात्र भी शामिल थे। उन्होंने उस फाटक पर हमला कर दिया इसी झू को लेकर। उस समय घोर आंदोलन इसके खिलाफ बना था। जगह-जगह पर लोग कहते थे कि हमारे धर्म के ऊपर सीधा आक्षेप है।

‘अष्ट वर्षों भवेत् गौरी, नव वर्षे च कन्यका ।  
आठ वर्ष की लड़की गौरी हो जाती है और  
नौ वर्ष की कन्या होती है और बारह वर्ष की  
बन जाती है विवाह के लायक । अगर तब तक  
शादी नहीं करते तो उसके मां-बाप को, उसके  
परिवार को नरक में जाना पड़ना है । उस  
आंदोलन का नतीजा यह हुआ कि नेहरू जी  
फाटक पर खड़े थे । हम 20-40-50 स्टूडेंट्स  
उनके साथ खड़े थे । उसी समय तीन आदमी  
लाठी लेकर आए और उसमें से दोने नेहरू  
जी के मस्तक पर लाठी मार ही दी । हम लोग  
बगल में खड़े हुए थे । मुझे गर्व है इस बात का  
कि हम लोगों ने हाथ ऊपर कर लिये लेकिन  
नेहरू जी हिलके नहीं, हटे नहीं वहां से । मुझे  
भी लाठी लगी थी और मेरी उंगली का नाखून  
उड़ गया था उसी से । इतने में पुलिस आ गई ।  
उसने पटाखे वगैरह छोड़े और भीड़ को हटाया ।  
सारे हिन्दुस्तान में एक घोर आंदोलन उसके  
खिलाफ चला । और लोग यह समझे कि यह  
धर्म में हस्तक्षेप है । दूसरी बात मैं कहना चाहता  
हूँ कि इस समय हमारे देश की जो स्थिति  
है और जिस प्रकार का प्रशासनतंत्र हमारे पास  
है उसमें अष्टाचार बहुत फैला हुआ है । चूंकि  
शारदा एक्ट में कांगनिजिबल आफेंस की  
बात नहीं थी । इसलिए उसके पास होने के बाद  
लोगों ने समझा कि यह तो एक तूफान था  
जिसमें किसी प्रकार का कोई दम नहीं है ।  
नतीजा यह हुआ कि उसको लोगों ने सीरियसली  
नहीं लिया । इस बिल के खिलाफ भी आप  
इस वक्त कोई हवा नहीं देख रहे हैं । इसका  
कारण यह है कि लोगों ने यह समझ रखा है कि  
जिस प्रकार से शारदा एक्ट को लागू नहीं किया  
जा सका, उसी प्रकार का यह भी कोई कानून  
होगा । अगर उनको यह मालूम हो जाय  
कि इस कानून के अन्तर्गत पुन्डिस  
डायरेक्टली शिकायत दर्ज कर सकती  
है और मुकदमा चला सकती है तो आप  
यह सोच लीजिये कि देश के अन्दर एक बहुत  
बड़ा तूफान पैदा हो जाएगा । मैं समझता  
हूँ कि इस एक्ट में जो बातें कही गई हैं वे  
अच्छी हैं । लेकिन कोई भी सामाजिक सुधार

का कानून बिना पृष्ठभूमि के तैयार किया हुआ  
जनता पर लागू किया जाता है तो उसका  
विस्फोटक परिणाम हो सकता है । आप इस  
बात को अच्छी तरह से जानते हैं कि पिछली  
सरकार ने कितनी नेक-नीयती से नसबंदी  
की योजना लागू की और इस देश की जनसंख्या  
को रोकने की कोशिश की, लेकिन इस देश  
की अष्ट मशीनरी ने उसका इतना दुरुपयोग  
किया कि उसका खामयाजा उसको भुगतान  
पड़ा । इसीलिए मैं आपको आज यहां पर  
चेतावनी दे रहा हूँ कि छः महीने के बाद जब  
लोगों को पता चल जाएगा और उनको  
यह भी पता चल जाएगा कि यह एक कांगनिजि-  
बल आफेंस है तो फिर लोग इसके विरुद्ध  
खड़े हो जाएंगे । मैं यह मानता हूँ कि 50 साल  
तक शारदा एक्ट लागू रहा, लेकिन उसके अधीन  
कोई कार्यवाही नहीं की जा सकी । इसका  
कारण यह था कि जब तक कोई आदमी  
कम्प्लेंट नहीं करेगा तब तक उस संबंध में  
कोई कार्यवाही नहीं की जा सकती है और  
आज न तो किसी पार्टी ने और न किसी  
सामाजिक सुधार की संस्था ने उसकी  
उपयोगिता के संबंध में कोई कदम उठाया  
है । मैं यह भी मानता हूँ कि इस प्रकार के  
काम कानून द्वारा होने वाले नहीं हैं । इसके  
लिए जब तक पृष्ठभूमि नहीं बनाएंगे तब तक  
इस प्रकार के कानूनों का कोई फायदा होने  
वाला नहीं है । अगर बिना किसी पृष्ठभूमि  
के कोई कानून बनाएंगे और उस पर जनता  
को चलने के लिए कहेंगे तो उसके भयंकर  
परिणाम हो सकते हैं । इसलिए यह मेरा बड़ा  
विनम्र निवेदन है कि लोक सभा से यह बिल  
पास हो चुका है और यहां पर भी पास हो  
जाएगा । लेकिन मैं चाहता हूँ कि इस संबंध  
में हमारा कैबिनेट फिर से विचार करे और  
इस बिल में डायरेक्टली पुलिस को हस्तक्षेप  
करने का जो अधिकार दिया गया है उसको  
हटाया जाय । इसके लिए कौन सी विधि  
हो सकती है जिससे उसको कार्यान्वित किया  
जा सके, इस पर विचार किया जा सकता है  
और कोई रास्ता निकाला जा सकता है :

**[श्री महादेव प्रसाद वर्मा]**

लेकिन जबदस्ती इसको लागू करने की कोशिश भगवान के लिए मत कीजिये। आपने देश को इस लायक तैयार नहीं किया है कि वह इस प्रकार की चीजों को ग्रहण कर सके। इसमें किस की गलती थी, इसमें मैं इस वक्त नहीं जाना चाहता हूँ। लेकिन हमारे देश में यह एक अत्यन्त महत्वपूर्ण प्रश्न है कि इस बारे में आम जनता को किस प्रकार से शिक्षित किया जाय। जनता की मर्जी के खिलाफ कोई इस तरह का कानून समाज में लागू नहीं किया जा सकता है। अब तक इस प्रकार के कानून के लिए उचित षष्ठमूमि देश में नहीं बनेगी। तब तक इस प्रकार के कानूनों को लागू करने में काफी दिक्कतें सामने आएंगी। इसलिए आज जरूरत इस बात की है कि इस प्रकार के कानूनों को जबदस्ती लागू न किया जाय।

अब मैं कुछ मुश्किलों की तरफ भी आपका ध्यान दिलाना चाहता हूँ। गांवों के अन्दर पैदाईश का कोई रजिस्टर मैनटेन नहीं होता है जिससे देखकर यह बताया जा सके कि कोई आदमी कब पैदा हुआ।

किसी लड़की की उम्र 18 साल की हुई या नहीं हुई, इसका सर्टिफिकेट कौन देगा। भ्रष्टाचार की एक और जड़ पैदा हो गई। डाक्टर के पास जाय या कोई दूसरा सर्टिफिकेट देगा। कोई इसके लिए एजेंसी है नहीं। फिर किस तरह से आप सर्टिफिकेट देंगे कि लड़की 18 साल की हो गई। लड़के की बात छोड़िये। यदि हर एक आदमी को सिविल सर्जन का सर्टिफिकेट लेना होगा तो उसमें क्या दिक्कतें पड़ेंगी, उसका आप अनुमान लगाइये। तो सबसे पहले मुसीबत तो यह आयगी कि शादी के पहले हर एक मां-बाप को सर्टिफिकेट लेना पड़ेगा, उन बच्चों का। उस सर्टिफिकेट की कोई एजेंसी आपके पास है नहीं, जो कि आसानी से उसको मिल जाय। चोरी का एक दरवाजा खुल गया। दूसरी चीज यह है कि इस समय बिहार में, मध्य प्रदेश में और उत्तर प्रदेश में आमतौर से

गांवों में पांच-पांच, सात-सात वर्ष के बच्चों की शादियां हो रही हैं और आप एक दम से उसको रोक कर 18 साल और 21 साल कर रहे हैं। जो शहर है वहां के युनिवर्सिटी के स्टूडेंट्स, छात्र और छात्राएं हैं, जो शहर की आबादी है, आप केवल उनको ही न देखिये, जो पांच-पांच, सात-सात साल में अपने बच्चों की शादी करते हैं गांवों को भी देखिये। आपकी मंशा तो सुन्दर है, लेकिन उस सुन्दर से सुन्दर और अच्छी से अच्छी मंशा को, अगर आप समझा नहीं सकते तो यह जबदस्ती उनके साथ कैसे चलेगी? इसलिये यह जरूरी है कि अगर इस कानून को आप बना रहे हैं, तो उसमें जितनी मुश्किलें पड़ेंगी, उनको भी आसान बनाने का रास्ता कैसे निकाला जाय, इसको भी देखें। अब्वल डिफिकल्टी यह पड़ेगी कि किसी गांव की लड़की की सर्टिफिकेट एज क्या होगी, वह सर्टिफिकेट कौन देगा, कहां जाने से वह सर्टिफिकेट उसे मिलेगा। यह है नम्बर एक बात। नम्बर दो बात, कि अगर कोई दावा करे तो उसके ऊपर कार्यवाही होगी। सब की ही लड़के-लड़कियां हैं, बच्ची-बच्चियां हैं, इसलिये गांव में ऐसा निकलना मुश्किल है, जो इस काम को करे। इसलिये आपका यह सब करना फल हो जायगा। अब अगर आप इस चीज को पुलिस के हाथ में देते हैं कि पुलिस उसका नोटिस ले, खुद मैजिस्ट्रेट के यहां वह रिपोर्ट करे तो तय रखियें कि एक इलाके में अगर 500 शादियां होती हैं और यदि इनमें से 5 शादियों में भी कोई दरोगा घूस लेगा तो सारे इलाके में हल्ला हो जायगा कि लूट मच गई और होगा यही कि पच्चीसों से पैसा बसूल कर जो बहुत दबंग है, उनके खिलाफ वह दावा दायर करेगा। इस तरह इतना बड़ा लूट का धंधा आप खोल रहे हैं। आज जनता परेशान है भ्रष्टाचार से और अहलकारों के कारनामों से। जनता इससे जितनी परेशान है उसका अनुमान नहीं लगाया जा सकता है। और यह ऐसी चीज आप खोल रहे हैं जिससे कोई भी बच

नहीं सकता। सारे परिवारों के लड़के-लड़कियां हैं, जिनकी शादियां होती हैं, इस तरह से वह डाइरेक्ट पुलिस के कन्सर्न में आ जायेगा। आप इसके कन्सोक्वेंस नहीं सोच रहे हैं। इससे करपशन और हरेसमेंट अपनी चरम सीमा पर पहुँच जायेगी। आपकी मंशा सही है। देश के अन्दर आवादी भी बढ़ रही है। कोई रिपोर्ट आपके पास आई होगी कि अगर मेरेजेबुल एज बढ़ा दी जाये तो इतनी फीसदी आवादी कम हो जायेगी। इस रिपोर्ट के आधार पर, लगता है कि आप सोच रहे हैं कि इससे आवादी पर असर पड़ेगा। श्रीमन्, मैं आपको याद दिलाऊँ कि सन् 1949 में बनारस प्रदेश कांग्रेस कमेटी की मीटिंग थी। टंडन जी उसके अध्यक्ष थे। नेहरू जी भी मौजूद थे, पंत जी भी मौजूद थे। संयोग से सवाल पापुलेशन का आ गया। मैं गांव का रहने वाला हूँ और गांव का ही रहने वाला नहीं 21 से लेकर 42 तक जिन्दगी और मीत के फैसले लिये और लड़ाई की—थिक इन दि फाइट। तो मैंने यह सवाल उठाया कि यह जो आवादी बढ़ रही है इससे देश की तरक्की में बहुत बड़ी बाधा पड़ेगी। जो कुछ इस लहजे में देहाती भाषा में कहा जाता है और वह यह है कि 'ये अखडये के बियान कहाँ जायेंगे'। 'अखडये के बियान' के मायने यह है कि जो पैदा होता चला जा रहा है। नेहरू जी प्रतापगढ़ में घूमे थे। उनको यह कथन याद था। तो वह हंस पड़े। समझ गये और हंस पड़े। मैं हंसी के मूड में नहीं था। बहुत सीरियस था। मेरी निगाह पड़ी तो मैंने देखा कि पंडितजी हंस रहे हैं। मैंने उनसे कहा याद रखिए इस सवाल को हंस कर के आप टाल रहे हैं और 25 साल के बाद आपका जो भी उत्तराधिकारी होगा इसी सवाल के ऊपर उसको गद्दी छोड़नी पड़ेगी। मुझे यह मालूम नहीं था कि 25 साल के बाद श्रीमती इंदिरा गांधी ही रहेंगी। मैं तो यह समझता था चाहे कोई भी होगा उसके सामने यह बकट प्रश्न आएगा और चूंकि यह सवाल हल नहीं होगा इसलिये

मुल्क की गाड़ी आगे नहीं खिसकेगी। लोगों को याद आया सन् 1947 के बाद 1968 में और याद आया तो उसको इस भोड़े ढंग से शुरू किया। उसका नतीजा क्या हुआ? आज कोई परिवार नियोजन का नाम ले ले तो गांव वाले जूता उठा लेते हैं। आज आपने फिर वही भोंडा ढंग अपनाते की शुरुआत की है। इसको कागनिजिबल आफेंस बना कर के आप आवादी को रोकने का प्रश्न हल करना चाहते हैं। श्रीमती इंदिरा गांधी भी हमेशा यह बयान देती थी कि मैंने कभी भी कोई ज्यादाती नहीं कराई। लेकिन क्या रोक पाए? आप भी आइंडर देंगे कि खबरदार कोई पुलिस वाला नाजायज न करे लेकिन क्या ऐसे रोक पायेंगे? नहीं रोक पायेंगे। वही भोंडा ढंग होगा। श्रीमन्, मैं इसको बहुत ही महत्वपूर्ण सवाल समझता हूँ, इस सरकार के लिए भी, इस देश के लिए भी, इसलिये मैं आपसे पांच मिनट और मांगता हूँ। तो आवादी के प्रश्न के ऊपर भी आपका ख्याल है, देश का जो भी प्रबुद्ध आदमी है उसे इस तकलीफ का ख्याल है लेकिन उसको दूर करने का जो ढंग नसबंदी की तरह से फील हुआ वही ढंग भयंकर रूप से फेल होगा, यह तरीका ठीक नहीं है। श्रीमन्, मुझे दर्द होता है। सन् 1948 में मैंने एक पुस्तक लिखी थी 'हमारा संदेश क्या है, इस देश का संदेश क्या है'। मैंने उसमें दिखाया था अगर इस देश को संदेश देना है तो उसको अपने आर्थिक, सामाजिक, राजनैतिक ढांचे को दुनिया के सामने नमूने के साथ पेश करना चाहिए। इस समय दुनिया के सामने दो ही संदेश हैं एक रूस का, चीन का और एक पश्चिमी देशों का। अगर उनको लेना है तो फिर चाहे को आप अपना दिमाग परखान करतें हैं। अगर आपको गांधी के आदेश के अनुसार दुनिया को संदेश देना है तो आपको सारी पुठभूमि तैयार करनी पड़ेगी जो संदेश दे सके और उसको तैयार करने के लिए आपको उसके बुनियादी सवालों को भी हल करना पड़ेगा। ऐसे 6 बुनियादी सवाल हैं। जात-



[श्री महादेव प्रसाद वर्मा]

घात नम्बर-1, गरीबी नम्बर-2, भ्रष्टाचार नम्बर-3, तालीम जो केवल पैरासाइटिक क्लास पैदा कर रही है नम्बर-4, बढ़ती हुई आबादी नम्बर-5, भाषा और प्रांत का सवाल नम्बर-6। मैंने उसमें लिखा था आप एक भी सवाल जिसको कमजोर समझते हो छोड़ दें और 5 को हल मान ले तो वह अकेला सवाल इस देश को बरबाद करने के लिए काफी है। अगर छः के छः सवाल पड़े रह गए तो इस देश को भगवान भी नहीं बचा पाएगा। जैसे हजारों वर्षों से नहीं बचा है। एक दूसरी चीज इन छः में से अगर किसी एक को हल करना चाहें तो भी नामुमकिन है। ऐसा नहीं हो सकता। यह सब एक दूसरे से जुड़े हुए हैं जिनको आप अकेले अकेले हल नहीं कर सकते। कभी भी किसी प्लान के अन्दर सारे सवालों को सामूहिक रूप से हल करने का क्या कोई प्रयास किया गया आबादी का सवाल भी इन से जुड़ा हुआ है। यह जुड़ा हुआ है जात-पात से, गरीबी से और भ्रष्टाचार से। इसमें अगर हायल होगा आपके एक एक्ट में सब से बड़ा भ्रष्टाचार हायल होगा जिसको मूचरू रूप में कार्यान्वित करना है। यह सारे सवाल एक दूसरे से जुड़े हुए हैं। आप अकेले कैसे इसको हल करने की कोशिश कर रहे हैं।

इसलिए मेरा आपसे फिर विनम्र अनुरोध है कि आप इसको फिर से कैबिनेट के सामने रखें, इसको री-कंसिडर करें इसको कार्यान्वित न बनायें। हाँ, प्रचार के जरिये से या किसी और तरह से अगर कोई विधा हो और आप इसकी एज लिमिट को उठा सकें, जनता के अन्दर इस भावना को भर सकें तो देश की बहुत बड़ी सेवा होगी। परन्तु अगर आपने बगैर प्लैटफ़ॉर्म तैयार किये हुए कानून के जरिये से इस सवाल को हल करना चाहा तो आपकी पार्टी की सरकार की और जनता की बहुत बड़ी क़सेवा होगी। आप इस बात को याद रखिए इस इतना ही मूझे कहना है।

SHRI M. KADERSHAH (Tamil Nadu): Mr. Vice-Chairman, Sir, the Bill seeks to increase the minimum age for the purpose of marriage both for gents and ladies. It also lays down that the offences committed under the Act should be investigated by the police under the Criminal Procedure Code similar to cognizable offences, but the police officers have, no powers to arrest a person without a warrant or without an order of the Magistrate.

The question of raising the minimum age for marriage has been under Government's perusal for a long time and during the last 40 or 50 years since the Act of 1929 was passed, the marriageable age has been raised marginally. The question of minimum age has a direct effect on the population and when this problem of population comes in, it is but natural and correct that there should be an appropriate increase in the age of marriage which, to my mind, will check the growth of population to an extent. But I am quite clear in my mind that mere passing of the legislation would not eradicate child marriage completely. As we all know, our rural society would not accept very easily the limitations imposed by this Act as the people are reluctant to say good-bye to the existing customs and conventions. These are things which cannot be effectively dealt with by mere legislation. The legislation has to be combined with adequate publicity, proper atmosphere, encouragements to social institutions to popularise the concept of late marriage, the comparative advantages and disadvantages accruing therefrom, the negation of a healthier life in respect of early marriages and so on. All these have to be put together with the legislation before us. Nobody would like to differ with the objects of the Bill and its purpose to bring about a social consciousness that greater happiness lies in adopting the norm of late marriages. But let me be very clear. Is the Government sincere about it? Does the Government really desire to

uplift our people from the agony involved in child marriages? Are the paraphernalia required for this vast social renaissance adequate? And is the political will and determination forthcoming? The answer which perhaps the Minister would give is "no". Had there been serious and planned efforts on the part of the Government in this direction, a comprehensive Bill outlining the measures would have been before us, not this Bill in a half-hearted manner. Is the question of illiteracy and the facilities for proper education not important? Are our young boys who have yet to enter into life conscious of this problem in the absence of reasonable publicity among them? The perspective at the national level is also of equal importance, and the socio-economic condition of the people, to whom this is meant, have also to be correctly assessed before actually the objective of the Bill can be realised.

Sir, registration of marriages is another important aspect which would discourage early marriages. You may not make non-registration of a marriage an offence for a certain number of years in the initial stages. But once you have it and back it up with adequate publicity, I think it would become part of the marriage ceremonies, and this would also help to minimise child marriages. The small family norm, on which we have spent large resources in the past and achieved very little or negligible results, has not served the purpose. The innocent and illiterate villagers have a feeling that their life is a financial burden on them. Their deep-rooted social customs, traditions and superstitious, can only be eradicated if we are capable of ushering in an era of social revolution together with steps for economic regeneration. The economics of the villagers and their life-style compel a rural family to have a large number of members for their very survival. How then will this piece of legislation achieve the desired objective? I belong to a

minority community and I am conscious of the fact that even today Muslims all over the country with a weaker economic base would prefer to marry off their daughters at a comparatively younger age. Without going into the details of this custom, no voluntary organisations or institutions have come forward to enlighten them of the advantages of delayed marriages. This is an important Bill and I am not here to oppose it. The Bill reflects one of the vital problems facing our society. Our emphasis, of course, should be on bringing legislation and social reforms progressively closer hand in hand, so as to make them complementary to each other. Therefore, social awakening and well-informed public opinion has to play a decisive part in the implementation of a legislation like this. This, to my mind, is a similar attempt to restructure the social aspect of the legislation. Before I conclude, I would urge upon the honourable Minister one point and that is the implementation of this good legislation if it is to succeed, must be thoroughly and comprehensively planned with the cooperation and active assistance of all voluntary organisations and agencies together with individuals also so that the bureaucratic set-up does not get an opportunity to get this legislation only on the statute almirah and put it to use only when some people are to be harassed for the sake of harassment. This is a safeguard which I would like the honourable Minister to keep in mind. Sir, I conclude by supporting the contents of this Bill.

SHRI S. K. VAISHAMPAYEN (Maharashtra): Sir, I rise to give my full support to the Bill which has been brought forward by the honourable Law Minister. The Minister and the House will agree that these measure is a belated one. It should have come pretty earlier. However, since it aims at social reform and population control, it is a welcome measure. The Minister has done well in amending his original proposal before the Lok Sabha raising

[Shri S. K. Vaishampayan] the marriage age of girls from 16 to 18. I think that is a right step in the right direction. Secondly, the Minister has made the offence a cognizable offence with the reservation that unless the offender is produced before a magis-strate, the police would not be able to arrest him. These two features should really be welcomed by one and all and therefore I extend my support to this Bill.

I have been a consistent supporter of social reforms and measures which aim at population control. With that end in view when I was in the Ra.iya Sabha during the period between 1964 and 1970 I had myself moved a Bill proposing that marriage age should be raised. But when I ceased to be a Member of the Rajya Sabha, my Bill naturally lapsed. Therefore, I extend my whole-hearted support to this Bill now.

The Bill is a very simple measure. But it has its own implications and we must try to understand those implications, when we are going through a period of freedom as such. One implication is that it is a step towards social reform, and the second implication is that this measure aims at population control. In respect of social reforms I agree with the honourable Member there that we have to be very careful and we must try to enlighten the people. At the same time the measure is more or less overdue. Our whole social fabric is such that still we are deeply embedded in old customs, certain old prejudices, certain old practices, which he must overcome. And thus we must be bolder in taking steps towards social reforms. We have been rather very slow in the matter, or rather we have been very hesitant. We often hesitate because of the consequences of a particular piece of legislation. Take, for instance the family planning programme. It is necessary to check the population of our country. I would only draw the attention of this House as well as the

Government that this particular programme has suffered a set back because of an atmosphere of political confrontation. I think this particular atmosphere should not be there for the success of the programme. If the family planning programme has to be successful, then this atmosphere of political confrontation should cease and stop. For that the responsibility lies as much on the Parliament as on the Government. At the same time I agree that there should be no compulsive elements in the programme. We must try to educate the people and offer them certain incentives. We must also try to see that certain devices are formulated for the success of the programme. And this particular Bill is one of such devices because by raising the marriageable age of a boy or girl we also exercise a check on the population increase. By doing that, we will be able, to bring about a reduction in population in future. I would have very much wished that the Law Minister had raised the age limit of girls to 21 and boys to 24. I moved a Bill to this effect in the Rajya Sabha in 1967.

Now, Sir, I will give certain figures for the information of the House. I have taken these figures from the population statistics for 1971. I will give the figures on child marriages between the ages of 10 and 14 among males. The figure is 1.5 millions. In the same age group the number of child marriages among girls is 3.7 millions. The next age group is between the ages of 15 and 19. Here the figures for males is 4.3 millions whereas among girls the number of child marriages in this age group is 12.5 millions. The figures are revealing. If you try to put together all the figures, then you will find that there are 22.1 million child marriages in our country within the age group of 10 and 19 years. There are also instances where child marriages take place in certain parts of the country below the age of 10 years. If we have to see that these child marriages

are stopped, we must have a legislation by which a boy or girl can marry only at a particular age and not below that.

I will not go into the details. But what is most revealing is that 90 per cent of these 22.1 million child marriages are in rural areas. I wish the Law Minister and the Government take note of this. Another revealing thing from these figures is that the child marriages among females are two times the number of child marriages among males. In the age group of 10 to 14 years, the figure for male child marriages is 1.5 million, but for females the figure is 3.7 millions. It is almost three times, not two times, in the same age group. This factor also has to be taken into consideration. When we administer this legislation, we have, therefore, to keep a watch over child marriages among females particularly. They should not be allowed to marry below the age which has been laid down in this Bill. Secondly, as I said, 90 per cent of these child marriages are taking place in rural areas.

So, the Act must operate well and effectively in respect of these two things. It must operate well in the case of girls and it must be effective in the rural sector. I agree with the honourable Member over there that we must try to educate the people first and, at the same time, we must see that the law is there. I also agree with the Law Minister that this particular offence should be made a cognizable offence. But the operation of the Act should be very very strict and we will have to be more careful about the operation of this Act.

So far as the girls are concerned, we must also adopt another measure, as has been pointed out by another Member here, and that is that we must also look into the educational aspect of the problem. If we try to educate the girls up to the age of 15 at least and devise measures to see

that the education of girls particularly in the rural areas is more effective and more meaningful and if we also see that the girls in the rural areas take to education, I think that will help very much in avoiding any sort of compulsion so far as the implementation of any legislation is concerned. I am saying this because I have certain figures relating to Kerala which will prove my point. I won't go much into the details. But I will only mention certain figures relating to Kerala. In the Kerala State, you will find that literacy percentage amongst women is 53.9 while the all-India average is only 18.44. Then, the average marriage age in Kerala for girls is 19.85. while the all-India average is 16.1. The result of this female literacy being higher and marriage age being higher in Kerala is that the birth rates and the death rates are considerably and comparatively lower than what they are for the whole of India. So, we have a State, the State of Kerala, where you will find that literacy is greater and marriage age is at a higher level and these together affect the birth rate also. All these facts are very revealing and we should see that we also take some lessons from these facts.

Then, Sir, there is also one more thing, one more device, which we must undertake. Besides having the family planning programmes and besides raising the age of marriage of boys and girls, we must also think of one more device to which very much less attention has been paid. It is another device which we have to undertake in order to control our population or overcome this menace of population explosion and it is to see that the married couples space their children. That is also very important. Spacing of children is one more device and we shall have to see and persuade the newly married couples.

SHRI HAMID ALI SCHAMNAD:  
You will require another Bill.

SHRI S. K. VAISHAMFAYEN: That is a different thing. But we must persuade the newly married couples to see that they space their children. That will help in population control. These are some of the suggestions with regard to enacting this particular piece of legislation and the Government should not stop there. It must see that this is implemented well and it operates well and also it operates without any corruption or compulsion affecting it which is very very important. At the same time, Sir, we should also give proper education to the girls, particularly in the rural areas, and see that education becomes more effective and more meaningful to them. Programmes of population control must also be promoted and the newly married couples must space their children. Thank you, Sir.

**श्रीमती लक्ष्मी कुमारी चूडावत (राजस्थान) :** माननीय उपसभाध्यक्ष जी, यह जो चाइल्ड मैरिज रिस्ट्रेंट एक्ट हमारे सामने रखा गया है, कोई भी साधारण विचारों वाला व्यक्ति होगा तो वह इसका स्वागत करेगा। इसमें कोई दो राय नहीं हो सकती। हम सभी चाहते हैं कि लड़का और लड़की की शादी उम्र होने पर हो और जिस प्रकार से परिवार बढ़ता जाता है वह नहीं बढ़ना चाहिए। इस पर रोक लगनी चाहिए, बंदिश लगनी चाहिए। इसमें भी कोई दो राय नहीं हैं। मंत्री महोदय ने जिस नीयत के साथ इसे रखा है वह भी बहुत ठीक है लेकिन इस एक्ट को देख कर कई ऐसे प्रश्न मेरे दिमाग में पैदा हो जाते हैं जिन्हें मैं मंत्री महोदय के सामने पेश करना पसंद करूंगी।

आपने जो चाइल्ड मैरिज रिस्ट्रेंट एक्ट रखा है इसमें आपने उम्र रखी है। 18 और 21 साल। आपको पता है यह कोई बाल-विवाह की उम्र नहीं होती है। इस उम्र के बालक तो मेजर हो जाते हैं। इसलिए मेरा सुझाव है कि इस बिल का नाम इंडियन

मैरिज एक्ट ही क्यों न रखा जाए। पहले तो हमारे दिमाग में शुभा था कि शायद यह बिल मुसलमानों पर लागू नहीं होगा परन्तु आपने यह स्पष्ट कर दिया कि यह मुसलमानों पर भी लागू होगा तो मेरा आपसे यह निवेदन है कि इसे इंडियन मैरिज एक्ट का रूप ही क्यों नहीं दे दिया जाता।

**श्री शान्ति भूषण :** यह पहले से जो एक्ट बना हुआ है उसमें एक संशोधन है।

**श्रीमती लक्ष्मी कुमारी चूडावत :** जी, मैं जानती हूँ जो शारदा बिल बना था वह बदलते-बदलते स्वतः ही दूसरा बिल बन गया। यह कहने की मेरी मंशा है।

आपने जो बिल रखा है उसमें अगर आप यह सोचते हैं कि कानून बनने के बाद यह कागजों में सजा रहेगा या दुनिया के दूसरे मुल्कों के सामने शान से यह कहेंगे कि हमने इतने-इतने सुधारक कानून बनाये, यहाँ तक तो आपका सोचना ठीक है लेकिन अगर हम व्यवहार की दृष्टि से देखते हैं तो इसमें दो राय नहीं है, कोई शंका नहीं है कि आप इस कानून को व्यवहार में नहीं ला सकते।

[The Vice Chairman (Shri Shyamlal Yadav) in the Chair]

1929 में जब शारदा एक्ट बना तब से लेकर आज तक आपने यही धारणा रखी। इसके ऊपर कभी इम्प्लीमेंटेशन नहीं हुआ। वह कानून उसी रूप में चलता आ रहा है। कागज में कानून को रखना और बात होती है और मंत्री जी उसका इम्प्लीमेंटेशन करना और बात होती है। अभी मुझ से पहले मेरे बुजुर्ग भाई ने भी कहा कि बिहार वगैरह ऐसी जगहें हैं जहाँ 4-4, 5-5 वर्ष के बच्चों की शादी हो जाती है लेकिन मैं आपसे यह कहना चाहती हूँ कि राजस्थान में हमारे यहाँ जो शादी होती है वह बच्चों को थाली में बैठा कर होती है। मैंने देखा है कि दुल्ह की मां बच्चे को अपनी गोद में लेकर और दुल्हन की मां अपनी बच्ची को छाती से

दूध पिलाने हुए शादी कराती हैं। इस प्रकार की शादियां वहां हो रही हैं। तो इससे होगा क्या? इस कानून के बनने के बाद पुलिस वालों की बन आएगी। पुलिस वाले उन्हें परेशान करेंगे और रुपया खायेंगे। अभी हमारे यहां राजस्थान में एक कानून है 'भत भोज कानून'। उसमें भी लोगों को पकड़ा जाता है और इसी तरह के जुर्मनि वगैरह होते हैं। नतीजा क्या होता है? जिस व्यक्ति के घर में आदमी मर जाता है तो उसको दो प्रकार के भोज के खर्च करने पड़ते हैं। एक तो अपने घर के भोज का खर्चा और दूसरा पुलिस वालों को देने का खर्च। इस कानून को अगर आप वाकई इम्प्लीमेंट करना चाहते हैं, कागजों की शोभा नहीं बढ़ाना चाहते तो इसका यह होगा कि एक तरफ तो शादी का खर्चा और दूसरी तरफ पुलिस वालों को देने का खर्चा। आपने तो ठीक कहा कि पुलिस वाले उनको गिरफ्तार नहीं कर सकेंगे। मजिस्ट्रेट के वॉरेंट आयेंगे तब ही पकड़ सकेंगे। पुलिस वाले इतनी जरूरत ही क्यों समझेंगे कि मजिस्ट्रेट के पास जाया जाए, उनका काम पहले ही वहां चल जाएगा। जैसे वहां राजस्थान में कोई आदमी मर जाता है तो पुलिस वाला पहले ही पैसे वसूल करने के लिए वहां पहुंच जाता है। इसी तरह से थानेदार साहब भी शादी में पहुंच जायेंगे और इस बिल का कोई नतीजा नहीं निकल पायेगा।

मैं आपको बताना चाहती हूं कि उनको पास एक नहीं अनेकों बहाने हैं। आपने जो उम्र रख दी है। 18 और 21 की इससे गांव वालों पर कोई असर नहीं पड़ेगा। गांवों वालों के पास कोई तरीका नहीं है अपने बच्चों की उम्र का सबूत देने का। स्कूल सर्टीफिकेट उनके पास होता नहीं जन्मपत्री उनके पास होती नहीं। आप गांव वालों से उनकी उम्र पूछें तो वह कभी अपनी उम्र सही नहीं बतायेंगे। क्योंकि उन्हें पता ही नहीं होता। वह कहेंगे कि होगी हमारी उम्र 50, 60 के करीब। अगर लड़के के बारे में पूछेंगे तो कहेंगे कि होगी 20-25 साल

की। उनको अपनी उम्र का पता ही नहीं होता। वे आपके सामने क्या सबूत पेश कर सकेंगे अपनी उम्र का। एक सबसे बड़ी दिक्कत आपके सामने यही आएगी। आज कल तो जाली जन्मपत्रियों से भी लड़कों और लड़कियों की शादी हो जाती है। जाली जन्मपत्री बनाने में देर ही कितनी लगती है पर पुलिस वाले तो उनको परेशान करेंगे ही।

अभी मेरे से पहले बोलने वाले माननीय सदस्य ने ठीक ही कहा कि इससे जनता में असंतोष होगा। आप इम्प्लीमेंट करेंगे तो पुलिस वाले रिश्बत लेंगे, पैसे खायेंगे और इससे बड़ा शोर मच जायेगा कि पुलिस वाले रिश्बत लेते हैं। यह जनता में असंतोष का कारण बन जाएगा, चाहे आपकी सरकार हो या हमारी सरकार हो। जो भी दृकूमत करने वाली सरकार होगी उसी के खिलाफ लोगों में एक नाराजगी पैदा हो जाएगी।

तीसरे मेरे दिमाग में यह प्रश्न उठता है कि आपने लड़की की उम्र 18 वर्ष रखी है और लड़के की उम्र 21 रखी है। आजकल ज्यादातर लोग इस राय के बनते जा रहे हैं कि वोट देने की उम्र 18 साल कर दी जाए। जनता पार्टी भी इस को मानती है। गुजरात और मध्य प्रदेश सरकार ने तो शायद अपनी राय दे दी है। 18 साल की उम्र में लड़का इतना व्यस्क हो जाता है कि उसे राजनीति जैसी बड़ी भारी जिम्मेदारी को पूरा करने में लगाया जा सकता है। यह बात समझ में नहीं आती कि जब आज इस प्रकार का मत व्यक्त किया जा रहा है कि 18 साल के आदमी को वोट देने का अधिकार होना चाहिए तब यह सवाल सामने आता है कि 18 साल के आदमी को अपनी जीवन-संगिनी बनाने का अधिकार क्यों नहीं दिया। इस दृष्टि से आपने जो 21 साल की उम्र का प्रावधान किया है वह मेरी समझ में नहीं आता है। वैसे तो मेरा स्वयं का यह विचार है कि 21 साल की उम्र भी कम है और 21 साल किमी व्यक्ति की शादी के लिए रखना कोई बहुत

[श्री मनी लक्ष्मी कुमारी चुंडावत]

बड़ी उम्र नहीं है। मैंने स्वयं अपने लड़कों की शादियां 27 साल में करवाई हैं। जब तक लड़के पूरी तरह से सेटल नहीं हो जाते हैं तब तक उनकी शादी करना उचित नहीं है...

(Interruptions) । मेरी शादी तो 20 साल में हो गई थी। लेकिन इस वक्त यह सवाल नहीं है। इस वक्त हमारी जैसी सामाजिक स्थिति है उसमें 18 साल की उम्र लड़कियों के लिए रखना उचित नहीं है। चीन ने अपने यहां इससे भी ज्यादा की उम्र रखी हुई है। हो सकता है कि उनकी सामाजिक स्थिति दूसरी प्रकार की हो। लेकिन मेरा पक्का विश्वास है कि हिन्दुस्तान में लड़कियों के लिये 18 साल की उम्र रखना उचित नहीं है और यह उम्र कुछ ज्यादा है। मैं समझती हूँ कि यह उम्र 16 साल रखी जानी चाहिए। अगर आपने 18 साल की उम्र रखी तो इससे तो अनेक समस्याएँ पैदा हो जायेंगी और खासतौर पर गांवों के अन्दर इससे समस्याएँ पैदा होंगी। गांवों के अन्दर लड़कियां पढ़ी-लिखी नहीं होती हैं और उनको रात-दिन काम भी करना पड़ता है। शहरों की बात दूसरी है। यहां पर तो 20-21 या 22 साल के बाद भी शादी हो सकती है। गांवों के अन्दर 13-14 साल की लड़कियों की बहुत बड़ी चर्चा होने लगती है और अगर लड़की 18 साल ही की जाएगी तो उसकी और भी चर्चा होने लगेगी। अगर हम चर्चा की बातों को भी छोड़ दें तो भी हमें इस बात का पता होना चाहिए कि गांवों में लड़कियों को अकेले में जंगलों में काम करना पड़ता है। अगर कभी कोई बात हो जाये तो लड़कियों का भविष्य ही खतरे में पड़ जाएगा। गांवों के अन्दर कोई बात छिपी नहीं रहती है। हम लोग तो बयस्क हैं, इसलिए हमें जो कटु सत्य है उस को मानना चाहिए और उस पर विचार करना चाहिए। अगर हम लड़कियों की उम्र 18 साल ही करते हैं और यदि कभी कोई विवाह से पूर्व बच्चा पैदा हो गया तो क्या हम उस बच्चे की जिम्मेदारी को लेते ?

क्या समाज इस प्रकार की घटनाओं को उदारता की नजर से देखेगा ? शहरों की बात दूसरी है। यहां की लड़कियां होजियार होती हैं। वे कानूनों से वाकिफ होती हैं। गांवों की लड़कियों के अन्दर इतनी समझ नहीं होती है। मुझे एक बार नागपुर जाने का मौका मिला तो सालवे साहब की मिसेज ने मुझसे कहा कि आपने पार्लियामेंट में बैठकर महिलाओं के लिए एक बहुत उपकार का काम किया है। मैं इस बात को समझ नहीं पाई कि उनका क्या मतलब है। फिर उन्होंने कहा कि आपने एवोरशन का कानून बनाया, इसलिए हम डाक्टर लोग अब महीने में हजारों एवोरशन करते हैं। मेरे कहने का मतलब यह है कि इस प्रकार कि समस्याओं का शहरों में बड़ी आसानी से समाधान निकल आता है। इसके विपरीत अगर गांवों के अन्दर इस प्रकार की समस्या सामने आ जाएगी तो गांवों के लोग या तो लड़की को शफीम खिला कर मार देंगे या क्रूर ढंग से उसको खत्म कर देंगे। इसलिए मेरा यह निवेदन है कि आप इन सारी बातों पर अच्छी तरह से विचार कर लें।

यहां पर यूरोप का उदाहरण दिया जाता है। यह ठीक है कि वहां पर 18 या 20 साल के बाद शादी होती है। चीन में 22 साल की उम्र में शादी होती है। लेकिन जैसा मैंने कहा, उन देशों की सामाजिक स्थिति दूसरे प्रकार की है। आपने इस बिल को सदन के सामने रखते हुए यह कहा है कि शादी की उम्र ज्यादा रखने से बच्चे कम पैदा होंगे। मैं समझती हूँ कि यह बिल्कुल ठीक नहीं है। यह ठीक है कि दो तीन साल अगर देर से शादी होगी तो बच्चे कम होंगे, लेकिन सोचने का विषय यह है कि दो तीन साल देर से शादी होने के बाद भी अगर आदमी फॅमिली प्लानिंग के उपकरणों का उपयोग नहीं करेगा तो 21 साल के बाद भी शादी करने के बावजूद 30 साल की उम्र तक उसके 10 बच्चे पैदा हो जाएंगे। तो ऐसी कई बातें हैं, जिन्हें हमें ध्यान से सोचना

पड़ेगा। हमारे अपने कानून में—मैंने खुद कहीं नहीं देखा, मुझे कहीं नजर नहीं आया, लेकिन मुझे पता चला है कि शारदा एक्ट में 6 महीने की सजा का प्रावधान है। यदि छोटी उम्र में बच्चों की शादी कर दी जाये तो 6 महीने की सजा मां-बाप को मिलती है। अब अपने शादी की उम्र ली है 18 और 21 साल। मान लीजिये कि कोई लड़का 20 साल और 10 महीने का है और वह दो महीने पहले शादी करता है तो उसकी सजा मां-बाप को दी जायेगी वा उसे दी जायेगी। इसको इन कानून में कहीं स्पष्ट किया गया है या नहीं किया गया है। मेरी समझ में वह बात नहीं आई थी। मेरा मनो महोदय से निवेदन है कि वह मुझे बताये की कृपा करें कि ऐसे मामले में सजा किसको मिलेगी। मेरा कहने का मतलब यह है कि इस प्रकार के हमारे सामाजिक सुधार के कार्य हैं, जैसा कि पहले हमारे विद्वान सदस्य ने कहा कि, उसके साथ कई अन्य बातें जुड़ी हुई हैं। इसके लिये जरूरी हो जाता है कि हमारे सामाजिक रीति-रिवाज में बदलाव हो, हमारे सोचने के तरीके में बदलाव हो, जो हमारी संस्कृति है उसमें भी कुछ सोचने की जरूरत है। जब ये सारी बातें मिलेगी तब जाकर इस प्रकार की चीजों का हम उन्मूलन कर सकेंगे। जहां पहले बच्चों की शादी पांच-पांच साल में हो जाती थी, अब वहां 15-17 सालों की लड़कियों की शादी मां-बाप खुशी के साथ कर रहे हैं, क्योंकि अब वह इन बातों को समझने लगे हैं। जमाना बदलता जा रहा है और उसके अनुसार वह अपने आप को ढाल रहे हैं। यह कानून आपने बना दिया, बहुत अच्छा है। इसमें मुझे एतराज नहीं है लेकिन उसके इम्प्लीमेंटेशन में सारी दिक्कतें आयेंगी, परेशानियां होंगी, यह मेरा कहना है।

**श्री इन्द्र मोहन मिश्र (बिहार) :**  
उपसभाध्यक्ष जी, मैं आपके माध्यम से प्रेस दीर्घा में जो बंधू बँडे हुए हैं, उनसे कहना चाहता हूँ कि मेरा नाम उनके द्वारा

हमेशा मदन मोहन मिश्र दिया जाता है, उसे जरा शुद्ध कर ले। मेरा नाम महेन्द्र मोहन मिश्र है और मैं इसके लिये आपका प्रोटेक्शन सीक करता हूँ।

श्रीमन्, यह बात सही है कि बढ़ती हुई आबादी को देखकर हमारी जनता सरकार यह विधायक लाई है। जो हमारी पिछली सरकार थी, उसने बिना कानून का सहारा लिये, इस बढ़ती हुई आबादी को रोकने के लिये बहुत से कार्यक्रम किये। इसलिये हमारे विधि मंत्री जी जिस तरीके से इस विधेयक को लाये हैं, मैं उसका समर्थन करता हूँ। मैं चाहता हूँ और हमारी पार्टी भी चाहती है कि देश की आबादी रुके। यह केवल हमारे देश की ही समस्या नहीं है बल्कि यह एक विश्व-व्यापी समस्या है और उस समस्या को हल करने के लिये पिछली सरकार ने बहुत ठोस कदम उठाये थे। लेकिन हमारे माननीय मित्र श्री वर्मा साहब ने अभी जो इशारा किया, इसके इम्प्लीमेंटेशन में, इसके कार्यान्वयन में, उस वक्त भी हमारे अधिकारियों के कारण जो हुआ उसकी सारी बदनामी हमारी पार्टी के सिर पर आई और जिसका जनता पार्टी को लाभ हुआ। जनता पार्टी ने हमेशा ही नसबन्दी कार्यक्रम को राजनीतिक मुद्दा बनाकर पेश किया और उसी के परिणामस्वरूप वह शासन में आये। लेकिन अब खुशी इस बात की है कि अब वे इसकी अहमियत को समझ रहे हैं और यह मानने लगे हैं कि देश की बढ़ती आबादी रोकनी चाहिए। मैं भी चाहता हूँ। अभी वर्मा साहब ने कहा कि इसके लिये एक राष्ट्रीय चेतना की जरूरत है और राष्ट्रीय मंचों पर सामाजिक और सोशल रिफार्म से ही यह हो सकता है। इसके लिये इन मंचों से जनता को इस बारे में समझाने की आवश्यकता है। यदि लोगों को नहीं समझायेगे और कानून को केवल कानूनी रूप में लिया जायेगा, तो इसका कोई अधिक लाभ नहीं होगा। इस बारे में शारदा एक्ट का भी जिक्र आया।



[श्री महेन्द्र मोहन मिश्र]

इसलिये मैं चाहूंगा कि जिस तेजी से आपने इसे लोक सभा में कराया वैसे ही आप इसे राज्य सभा में भी पास करा दें। लेकिन इसको इम्प्लीमेंट करने में, जो आपकी इच्छा है, जो आपका सिद्धान्त है कि देश में यह बढ़ती हुई आबादी रकनी चाहिए, मैं समझता हूँ कि इसमें आप कारगर नहीं होंगे। इसलिये मैं चाहता हूँ कि इसे आपको हड़बड़ी में नहीं लाना चाहिए। इसको हर मंच पर, जितने भी देश के मंच हैं, राजनैतिक और सामाजिक मंचों पर इसको रखे और इसका प्रचार करे। यह राष्ट्रीय स्तर की समस्या है, किसी पार्टी विशेष की समस्या नहीं है। यह केवल जनता पार्टी की समस्या नहीं है, हमारी भी समस्या है। अतः इस समस्या का हर एक मंच पर प्रचार करे और नेशनल प्रोग्राम के रूप में लोगों के बीच में जाने दें और फिर उसके बाद कानून बनाकर उसको इम्प्लीमेंट करें।

अभी हमारे बहुत से सदस्यों ने इसके लिए जो सुझाव रखे हैं उनकी तरफ मेरा भी इशारा है। उन्होंने यह कहा कि कार्गनिजिबल आफेंस होगा लेकिन खास कर मैं विधि मंत्री महोदय का ध्यान आकृष्ट करना चाहता हूँ। इसमें सजा का 6 महीने का जो प्रावधान रखा गया है यह सम्मन केस की तरह होगा वारंट केस की तरह नहीं होगा। श्रीमन् आप भी वकालत कर चुके हैं। इसलिए मैं माननीय मंत्री जी से यह कहूंगा कि इसमें कानूनी मुद्दे को भी देखें। इस विधेयक को अमली जामा पहनाने के लिए देश में एक इनफ्रास्ट्रक्चर चाहिए वह अभी तक तैयार नहीं हुआ। श्रीमन् आप जानते हैं हमारे बहुत से सिनेमा हैं। जिसमें कुछ इस तरह की तस्वीरें आती हैं जिससे नौजवानों पर बहुत बुरा असर पड़ता है। मैं चाहूंगा कि इन लोगों की तरफ से कोई कोआ-प्रेसन जब तक नहीं मिलेगा तब तक यह विधेयक केवल विधेयक बन कर ही रह जाएगा। उसी तरह से नारियों के बीच में जहाँ तक मुझे ज्ञान है कि आठ प्रतिशत नारियाँ शिक्षित हैं।

इसलिए फीमेल एजुकेशन की तरफ भी सरकार का ध्यान जाना चाहिए। तभी वे इसके महत्व को समझ सकते हैं। समाज के इनफ्रास्ट्रक्चर को भी तैयार करने में, स्त्रियों के बीच शिक्षा का प्रचार करना एवं आर्थिक समस्याओं को भी दूर करना है। इस तरह तो पढ़े लिखे लोग तो यह जानते हैं कि किस तरह से सुखी परिवार रहे। जहाँ तक वीकर सैवशन वालों की बात है उनकी तरफ सरकार को ज्यादा ध्यान देना पड़ेगा। उनके समझ सुखी परिवार का नक्शा नहीं है। इसलिए उन लोगों के बीच में इस बात के लिए हमारा कार्यक्रम होना चाहिए कि छोटा परिवार रहने से आनन्द और सुख होगा। इस तरह का वातवरण जब तक देश में नहीं बनेगा केवल विधेयक बना देने के बाद पापुलेशन रुक जाएगी। मैं समझता हूँ कि वर्मा साहब ने ठीक ही कहा कि यह सब कागजों में रह जाएगा। जहाँ तक आपने कहा कि पुलिस को अधिकार दे दिया है। मैजिस्ट्रेट से स्वीकृति लेली लेकिन व्यवहारिकता यह है कि पुलिस एफ० आई० आर० लाज कर के मैजिस्ट्रेट के चैम्बर, में जाती है और वारंट पर हस्ताक्षर कर लेती है। जैसे कि चूडावत जी ने कहा कि गरीब के घर पर जब पुलिस पहुंच जाएगी तो वह बेचारा अपने गहने को बेच कर भी पुलिस से जान बचाएगा इसलिए वर्मा साहब ने ठीक ही कहा कि देश में इस तरह का वातावरण हो जाएगा जैसे कि कांग्रेस के कार्यकर्ता नसबंदी का प्रचार करने के लिए जब गांव में जाते थे तो वे उनके पीछे दौड़ते थे। उसी तरह इस कानून के पास हो जाने के बाद लोग लाठी लेकर पीछे दौड़ेंगे। यह तो ठीक है इस प्रकार के कानून में केवल कानून मंत्री जी की ही उत्सुकता नहीं है बल्कि सारे देश की उत्सुकता है। मैं चाहूंगा कि इसमें जो आपने कार्गनिजिबल रखा है उसके स्थान पर उसे नान कार्गनिजिबल यानी on a complaint filed before a magistrate कर दिया जाए। नहीं तो इसका महा दुरुपयोग होगा। हमारे गांव में, इलाके में पंचायतों में कई प्रकार की आर्थिक समस्याएं हैं। पुलिस

अफसरों को स्वागत करने में उसकी सारी कमाई बिक जाएगी। उससे लाभ नहीं होगा, आपके उद्देश्य की पूर्ति नहीं होगी। इसलिए आप कागनिजीबल आफेंस बनाने के लिए जो तेजी दिखला रहे हैं वह ठीक नहीं है। आपको सोशल रिफार्म करने चाहिए। यह कानून के माध्यम से सम्भव नहीं है। सोशल रिफार्म के लिए आपको एक मोर्चा बनाना पड़ेगा जिसमें शान्ति भूषण जी जाएं, चुडावत जी जाएं। हमें लोगों को समझना होगा। जब तक इस तरह का इनफ्रास्ट्रक्चर तैयार नहीं होगा, तब तक पुलिस के माध्यम से, सरकारी महकमों के माध्यम से, आप देश की आबादी को नहीं रोक सकते। इस संबंध में हमारा कटु अनुभव है। इसलिए आपने इसको जो कागजीबल आफेंस बनाया, उस प्रावधान को इमानदारी से हटा दें और इस बिल को अभी पास न करें। इसको आप सेलेक्ट कमेटी में विचार के लिए भेजे इस पर दो तीन महीने देश में राष्ट्रीय चिंतन करवाएं लेकिन लोगों को समझएं। यह देश की समस्या है, कोई जनता पार्टी की समस्या नहीं है। समाज के लोगों की समस्या है। इसके ऊपर विस्तृत विचार किया जाए तब आप इस कानून को लावें। हम समझते हैं कि उस समय यह हो जाएगा। इसलिए मैंने कहा कि इस विधेयक में सेफटी मेजर्स नहीं हैं। इन मुद्दों पर काफी सदस्यों ने इशारा किया, प्युनिटिव मेजर्स पर इशारा किया अतः इसको इतनी तेजी से लाना ठीक नहीं है। उम्र का जहाँ तक संबंध है 18 और 21 की बात है इसमें कुछ सदस्यों ने कहा कि उम्र 24-25 की जाय तो उसको नहीं करना चाहिए क्योंकि एक एकट के मुताबिक आप अभी 18 साल तक के लोगों को वोटिंग देने जा रहे हैं इसलिए इसमें सालमेंल नहीं बेंटेगा। बात यह है कि आई० ए० एस० आई० पी० एस० 19 वर्ष में ही कम्पीट कर सकेंगे और डिस्ट्रीफ का एडमिनिस्ट्रेशन कर सकेंगे लेकिन शादी नहीं कर सकेंगे यह दूसरी बात है। मैं इस बात पर नहीं जाना चाहता, मैं इतना ही कहना चाहता हूँ कि इतनी हड़बड़ी नहीं करनी चाहिए। यह बिल बहुत अच्छा है हम इसका दिल

में समर्थन करते हैं मगर इस पर नेशनल डाय-लाग होना चाहिए, बात होनी चाहिए, इसका प्रचार होना चाहिए। यह जो कागनिजीबल आफेंस मान लिया गया है इससे आपका या देश का अथवा जनता का भला नहीं होगा। शारदा एकट की तरह इसका भी सत्यानाश हो जायगा। इन्ही शब्दों के साथ मैं आपको धन्यवाद देता हूँ।

SHRI HAMID ALI SCHAMNAD; Mr. Vice-Chairman, Sir, I oppose this Child Marriage Restraint (Amendment) Bill. This is rather misleading. In the Bill itself, the definition of the child is given as that the child means a person who, if a male, has not completed 21 years and so on. So, a person who is 20, according to this definition becomes a child. I really feel, Sir, that this Bill is uncalled for at this juncture. We need not hurry up to bring this Bill. I quite agree that social reforms are necessary. I also agree that social problems are there in this country; but we cannot solve these social problems, or we cannot make people socially reformed by enactments. Every Member who spoke here, beginning with Shrimati Leela Damodara Menon admitted that this is not properly implemented. The Child Marriage Restraint (Amendment) Act of 1929 is not being implemented in the villages and I do not know how you are going to implement it now.

It is admitted—and one Member spoke about it also—that in Kerala, because the percentage of educated persons is high and percentage of literacy among the women is high, the marriageable age there has also gone up. It is not because of the law there. So, I submit that you could have educated the people, you could have reformed the people by social reforms and not by bringing in these enactments. This enactment would firstly offend the sentiments and feelings of some of the people and minority Muslims. Here, Sir, the age for the girl is given as 18 and that of the boy as 21. I do not

[Shri Hamid Ali Schanand] know why this difference in age is being given. The honourable learned Law Minister pointed out that when a man gets married, he should be physically matured and mentally matured and only then he should be married. I agree with it but what is the criterion that only at the age of 18 and 21 they will get mentally and physically matured. Sometimes, it may be at the age of 17 in a family where the parents may think that she should get married. Why should that privilege be not given to them? Why should you provide that only at the age of 18 and 21, they should get married. Why should there be this compulsion? As a matter of fact, you would find that the bulk of the educated boys in our country do not get married at the age of 25 even. They get married only after completing their education and after getting some job somewhere. Even when there are marriage proposals, they will say that they should get some employment and that they should be able to stand on their own legs before they can think of getting married. Therefore, the question of their getting married at the age of 21 does not arise at all. I think, this Bill should not have been brought forward in a hurry. Child marriage does not exist today in the country? When the Child Marriage Restraint Act was enacted in 1929, there were cases where a girl of five got married to a boy of seven, nine, ten or eleven. Those were the days. Then this Bill was of a Necessity. It was known as the Child Marriage Restraint Act. Now, under this Bill, a boy of twenty would come under the definition of child and he would be prevented from getting married. That is why I feel this should not have been

brought forward in a hurried and hasty manner. Public opinion should have been ascertained. This should have been sent to a Joint select Committee. They should have asked the people as to what was wrong. The people would co-operate with you only when you get their consent.

Now, you have brought forward this Bill, But the law which is already there is not being implemented. There is the Sharda Act under which girls could get married only after they attain the age of fifteen. Shri-mati Leela Damodara Menon admitted and she said, very, rightly, that this is not being implemented. This is the case in many villages. You would find that in her own district, which is very orthodox, girls at the age of eleven or twelve get married. How are you going to improve matters merely by increasing the age from fifteen to eighteen? That is why I say you should have educated the people. Reforms should be brought forward voluntarily. For example, prohibition is in force in some States. But is it being successfully implemented in those States? Admittedly, it is not being implemented successfully. As a matter of fact, it has been admitted by my hon. friend who spoke here. He gave some statistics. He has stated that in Kerala, the percentage of literacy among women being high, the age at which girls get married has also gone up. This is not because of a compulsion and this is not because of any law or any enactment. You should have appointed some committee to go into this matter. You should have educated the people and you should have gone into their problems and so on. There may be some genuine cases. Let us say, there is a girl of seventeen. Why should she be deprived of getting married? Sometimes, the parents would like to go abroad giving their daughter in marriage. Sometimes, a girl may fall in love with somebody. Should she not have the right to get married? What I say is that freedom should not be taken away. They should have freedom. I am not, of course, in favour of a child getting married. Definitely, I am against it. This is a social evil and this social evil cannot be eradicated by mere enactments. This will create many problems in villages. I am quite sure about it. Have you taken any statistics? The

Law Minister, before Winging forward this Bill, should have asked the State Governments to furnish facts and figures to show what is the percentage of women who have married below the age of eighteen and what is the percentage of men who have married below the age of twenty-one. They should have found out in which class of society this was prevalent, whether it was among the Harijans or among the other backward communities like the Girijans and so on or among the Muslims. Instead of bringing forward this enactment, they should have studied the problem and seen to its eradication. If you do not do this, you will be creating only more problems in this country. Now, you are making it a cognisable offence and you have given powers even to the police officers in the villages. They will be going to the illiterate people in the villages and they will be harassing them. Now, you have said that they must get an arrest warrant from the magistrate. They will be able to get it. Getting an arrest warrant issued is not a big thing. This will definitely do more harm than good to the society as a whole. This is my feeling.

Before I conclude, I would suggest that there should be an exemption clause. If any particular individual wants to get married, if both of them are physically and mentally matured and if they are able to prove to the authorities that they are physically and mentally matured they should be exempted and they should be entitled to get themselves married. So, at least that should have been there. That also is not there. I am afraid you are giving more powers to your bureaucrats, to your police officers. They will be harassing illiterate people, ignorant people, orthodox people and especially those who come from backward areas. They will be in the hands of your officers, they will be at the mercy of your officers.

-With these words, I conclude.

SHRI N. G. RANGA (Andhra Pradesh):  
Mr. Vice-Chairman, Sir, I am surprised that even at this late hour, in our social revolution some of our friends should have serious doubts as to the need for a legislation like this. Sir, even though the Sharda Act had not been respected by all the people all over India, it has had a salutary effect upon a large section of the people who at one time had been extremely orthodox, who thought it their divine duty to get their daughters married before they reached even the age of 13. The result is that those orthodox people also managed somehow or other to reconcile themselves to the dictates of that legislation and began to wait until their daughters reached at least the age of 14 years, even if they had not passed the 14th year. In that manner it has had a definite effect upon our social custom, our social practice and for a long time in the past, since 1929, this marriageable age has been going up. From one section of society to another people began responding to the call of the times and also to the legislation that was placed on the Statute. So much so, today it is more an exception than the rule that it is not being observed and there are no child marriages in the sense that there used to be child marriages before that Act was passed. I am hoping, Sir, in a similar manner this legislation also would come to have a very good effect upon social practices of our people and upon the expectations of our girls and boys in regard to the time when they should get married when they would expect their parents to help them to get married. And that is why I welcome this legislation.

True, the police are likely to play mischief. That fear was there also in 1929 and many people urged that because the police were all too powerful and too keen in taking bribes, they should not have that Child Marriage Act. Similar objection is being raised now. But are you going to be sure that the rural masses in whose

[Sbri N. G. Ranga] names so many of our friends have spoken and whom I dare say they know very well, even one-tenth of them are as ignorant or as helpless as they used to be 10 or 20 years ago? Have not these elections and the political propaganda that is associated with it and all the awakening that has come in the wake of it also influenced our rural people? Have not our rural women and men begun to think in terms of social reform and social revolution? Had it not been for the fact that the rural people have come to be awakened, it would not have been possible for Indiraji to have won in the recent elections in the South. I might inform my hon. Members that it is the backward classes and the Harijans who have risen to her call and given the required response. These are the people who have got to respond to this legislation also. These are the people who are now trying to get their girls educated, their boys educated, so that they could gain some employment.

SHRI HAMID ALI SCHAMNAD: But don't you think that the backward classes, whom you are referring, are going to be harassed by police, by prosecution?

SHRI N. G. RANGA: These people are not so ignorant as they used to be in the past. They are well aware of their rights and it is because of that that in Northern India one minority section which somehow or other had a kind of queer notion that they should go on multiplying their population as much as possible and the majority community which also had been suffering from the same mania of producing more and more children.... (Interruptions) just these two classes of people—reacted to the family planning programme that was launched by Indirajis administration, with the result that both of them combined in defeating her party and rising against the bureaucracy and its officers. Against whatever oppres-

sion there might have been, they themselves, took advantage of the electioneering, exaggerated whatever mischiefs the bureaucracy had done or the police had perpetrated and went against the Government itself. They defeated the whole of the Government over the whole of the Gangetic valley. These are the rural people for whom my hon. friend seems to have a very poor notion of their sense of self-reliance.

SHRI HAMID ALI SCHAMNAD: You are speaking about population and all that. The hon. Minister himself has said that this is not a measure to check population.

SHRI N. G. RANGA: Yes, my friend, it is because our friends have also come to realise the urgency of the problem of population control and also they fought shy of adopting methods that were followed by the earlier Government in achieving or in trying to achieve population control that they have thought of this particular piece of legislation. It is a poor piece of legislation, I agree. It is tinkering with the problem.

(Interruptions)

My friend, just behind me here, who spoke a little earlier has given a very interesting information from the census report of 1971 as to how many million child marriages had taken place according to age between 13 and 14 in respect of the boys and the girls also. It is because of those marriages that the population had gone up more and more and, therefore, we have got to draw the line somewhere. Where should we draw the line? At one point they put it at 14. Later, they wanted to raise it to 15. And, as the Minister has said, now they want to raise it to 18. Is there anything wrong with the figure 18? There is a general opinion in the House, which was voiced the other day, that the voters' age should be reduced to 18. Therefore, it is good enough.

SHRI HAMID ALI SCHAMNAD: Why not the ma]e age b<sub>e</sub> reduced to 18? When they can rule the country, why can't they get married at the age of 18?

SHRI N. G. RANGA: My hon. friend is willing t<sub>0</sub> allow the girls to go on producing soon after 18.

SHRI HAMID ALI SCHAMNAD: It i<sub>s</sub> not a question of producing.

SHRI N. G. RANGA; Ther<sub>e</sub> is no objection. But h<sub>e</sub> would like the same privilege t<sub>0</sub> b<sub>e</sub> given t<sub>0</sub> the boys also. But the trouble is that the boys who are capable of producing children can do so through their ow\*n wives and also through others. So they have got to b<sub>e</sub> controlled more. I do not know whether this possibility ever entered the mind of the Law Minister or others when they were thinking of raising the marriageable age of the boys to 21. Nevertheless, they thought of the age of 21 and I d<sub>0</sub> 'not se<sub>e</sub> any objection to that.

Now ther<sub>e</sub> could only be on<sub>e</sub> objection—that the girl<sub>s</sub> are not a<sub>s</sub> well educated as the boys and therefore and girl's age should be 18. But the boys are better educated and, therefore, they can be expected to wait fo<sub>r</sub> two or three years more. My hon. friend fn><sub>m</sub> Kerala has said that the boys are now employment-minded. Therefore, they would have a higher sense of responsibility; they v<sup>^</sup>ould be thinking as to how they could possibly maintain their wives and children that would result therefrom, and so it is but natural to expect the boys to have a little more patience with themselves and wait till they are 21 and get married. Where i<sub>s</sub> the difficulty?

SHRI K. K. MADHAVAN (Karala): Professor. ma<sub>v</sub> I ask whether child marriage is a deterrent I<sub>,-</sub> women's education?

SHRI N. G. RANGA: Even if a few millions ignore the existence of this legislation and continue their

earlier evil and silly practice of getting themselves married which is much earlier than what is prescribed here, some good, in any case, would result as it has resulted from the Sharda Act also. Eve<sub>n</sub> though millions of people did not observe it, yea? after year, nevertheless, the number of the people who were breaking the law was coming down steeply yea<sub>r</sub>, by year, decade by decade «o much so that today no parent would lik<sub>e</sub> to indulge in this child marriage. If they do it they do it slyly. They are ashamed of it. They do not publicise it- They do not go about saying that they ar<sub>e</sub> defying the-law. This in itself is a very useful restraint on people tending to go against this legislation. Supposing some peopl<sub>e</sub> go oVi breaking this law, even then much good would have resulted because more people would b<sub>e</sub> respecting the law and to that extent it i<sub>s</sub> a good contribution to our social harmony and also to this population problem.

Some of our friends maintain that there will be police trouble if it is made cognizable and without warrants. There sunrmcAis would come to be issued and there will be so much trouble and so on. It i<sub>s</sub> high time. Sir that scm<sub>p</sub> such restraint has got to be imposed upon our people. We have waited far too long from the dat<sub>e</sub> of Raja Ram Mohan Roy, Iswar Chandra Vidyasagar. Ramaswamy Naicker, Ramaswamy Choudhury and varioug social reforms that we have had in our country, long long enough, whos<sub>e</sub> fault it is that even today tehs of millions of our people are not yet ready for this kind of social revolution? It is th<sub>e</sub> fault of our social workers th<sub>e</sub> fault of our national leadership also. All glory to Mahatma Gandhi. It was he for the first time wh<sub>0</sub> on a national scale inaugurated the era of women's emancipation But so many of us who claim to have been his disciples have not done even half of what was expected of u<sub>s</sub> in promoting this women's emancipation and social re-

[Shri N. G. Ranga] form. There has been much talk of total revolution and so on. It was Manatma Gandhi who practised it. It was conceived much earlier but it was Mahatma Gandhi who gave teeth to this campaign. He started the anti-untouchability campaign. He roused the women and started the women's emancipation. He was the man who developed our village industries campaign as well as the khadi campaign side by side with the national political revolution that he was engineering in our country. He was also developing various other campaigns. Most unfortunately for us, after we have become free we have achieved our government and have donned this parliamentarism upon ourselves we began to glory in silver robes and we began to underplay the social aspect of our national revolution. It is high time we began doing something. Indiraji has done very much. But then the present Government also is welcome to do it. Every government, why, every political party, every social organisation has got to play its own role in the development of the necessary climate that has got to be created in our country for achieving total revolution, and in this let us compete one with the other. If is no good denigrating each other. That is why I welcome the sentiments expressed by one of my friends that we should treat it as a national problem, however small this contribution may be, and strive towards working out this atmosphere of national revolution. Sir, there is very great need for population control. Communists in People's China had at one time thought that they need not bother about it. They wanted more and more population. They welcomed people producing more and more. Their great leader was the author of that campaign and after ten years of that kind of fast multiplication of population, he became wiser. Then he put a stop to it and began to talk of population control and China is now carrying on a dynamic campaign of

population control. We also need it in this country not only to demonstrate that our development is so very high but also to achieve the abolition of poverty. It is no good having children being born here in our country only to be treated as mere stones and pebbles on which we would be walking in a merciless manner. If we make ourselves responsible for the birth of children, then we must be prepared to look upon them as the children of God, respect them, cherish them and help them to grow into healthy, wholesome and progressive citizens. How can we do it unless we are prepared to do this elementary thing of not producing as many as we are producing, restrain ourselves and bring down the birth rate as fast as we possibly can? By doing so. Sir, we will be respecting the wishes of all our prophets from Mohammad to Jesus Christ, Rama and Krishna. Whichever religion we may belong to, if we are really respectful towards our own prophets and their teachings, then it is our duty that we should respect our children. In order to be able to offer better and better conditions of life to them, we should restrain from producing children as far as possible. Thereafter, once we begin to produce children, let us learn to look after them well and let us be capable of looking after them well. And it was only to do that, Sir, that Mrs. Indira Gandhi paid a very high price.

I am one of those people who was defeated by Mrs. Indira Gandhi and her party, but I never bore any ill-will towards her or her party, I realise that people who voted for her were mostly from the rural areas. They were poor people, men and women, kisans, mazdoors, artisans and various others and those are the people who need this kind of thing. But unfortunately, the way in which the population control came to be practised and implemented in the various States, especially in the North made those very same people who voted for her turn against her.

tod that is a kind of warning to all our politicians, all our political parties and all our successive Governments. So, we cannot afford to go too fast but, at the same time, we cannot afford to go too slow either, and when we begin to move in a dynamic way we must make sure that social consciousness and social morale of the people are raised and roused and kept in tune with whatever legislation we pass.

I wish the present Government all success in its efforts in this direction. But let it not stop with the passing of this legislation. Let it do its best to win the co-operation of other political parties and all other social organisations and then create the necessary climate which would be favourable for the implementation not only of this legislation but also several similar other legislations in this direction so that we can move as far as we possibly can to achieve total revolution.

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): Shri Shahi. Kindly take five minutes only.

**श्री नागेश्वर प्रसाद शाही (उत्तर प्रदेश):**  
श्रीमन्, आपकी आज्ञा शिरोधार्य है। मैं 5 मिनट लूँ या 10 मिनट लूँ, लेकिन मैं इस विधेयक का समर्थन करने हुए एक नोट आफ वार्निंग जरूर देना चाहता हूँ और मेरा नोट आफ वार्निंग यह है कि हमारे देश की जैसी पुलिस है और वह जिस प्रकार से अपने अधिकारों का दुरुपयोग करती है उसकी जानकारी मंत्री महोदय को भी पूरी-पूरी है। इसकी जानकारी मंत्री महोदय को भी पूरी-पूरी है। यह सही है कि पुलिस को बिना वारंट के गिरफ्तार करने का अधिकार नहीं दिया गया है। लेकिन श्रीमन्, जिस देश की पुलिस सरकार से जरा सा इशारा पाने पर लोगों को गिरफ्तार कर लेती है, वहाँ इसमें जो विधान है वह कहां तक उचित है। मंत्री महोदय को इस बात की जानकारी है और मुझे भी यह अनुभव है कि

एक दफा 399 है। उसका मतलब यह है कि जहाँ कहीं भी 10-5 आदमी डकैती करने को तैयार हों या वहाँ प्लान बना रहे हों डकैती का, तो उनको गिरफ्तार किया जाय। उस दफा की आड़ में पुलिस करती क्या है कि 5-7 आदमियों को जिनको चाहे उनको पकड़ लेती है और कहती है कि थाने में कोई काम है। वहाँ ला कर उनको रात में एक साथ ले जाती है किसी जंगल में, नदी के किनारे या सुनसान स्थान पर और वहाँ 10-20 सिपाही रहते हैं। कुछ उनके पैटेंट गवाह रहते हैं वहाँ और वह हल्ला करते हैं कि डाकू डाकू और वह उनको पकड़ लेते हैं और अपनी डायरी में नोट करते हैं कि पुलिस पार्टी इस रास्ते से पास कर रही थी, वहाँ 7-8 डाकू जिनके हाथ में बल्लम, भाले आदि थे जो डाका डालने की तैयारी कर रहे थे, उनको पकड़ा गया। ऐसा ही दफा 109 है। इसमें अंग्रेजों के वक्त यह हिदायत थी कि एक साल के अन्दर एक थाने में इतने केस जो 109 या 110 निश्चित थे, जरूर होने चाहिए। जब उनको 109 केस नहीं मिलते तो किसी भी राहगीर को पकड़ लेते हैं, थाने में लाकर बिठा देते हैं और रिपोर्ट बना लेते हैं डायरी में कि फलां आदमी के मकान के पीछे यह आदमी छिपा हुआ था और इसने पुलिस को देखकर भागने की कोशिश की और पुलिस उसके पीछे दौड़ी और उसको पकड़ लिया। उसके पास कुछ नकदी, सवारी, दियासलाई और बीड़ी मिली। तो अपने देश की पुलिस जिस तरह से फर्जी मुकदमे बनाती है, उसका अनुभव सभी को है और मंत्री जी को भी है। इसको देखते हुए मुझे सिर्फ यह कहना है कि इस विधेयक की जो मंशा है, जो इसका उद्देश्य है, इस बिल का जो आवेक है, उसका किस सीमा तक दुरुपयोग होगा, इसको सोचा नहीं जा सकता है। दूसरी बात यह कि यह पता कैसे चले कि लड़के की उम्र 21 साल हो गई। कोई डायरी में नटेन नहीं करता हमारे गांवों में। हमसे अगर आप पूछें कि तुम्हारा सही-सही जन्म दिन क्या है, तो मैं नहीं जानता। हमारे



[श्री नागेश्वर प्रसाद शाही]

पिताजी ने जो स्कूल के रजिस्टर में लिखा रखा है, वही हम जानते हैं। वही हमारी डेट आफ बर्थ जानते हैं और जानते क्या हैं, उसके लिये भी उन्हें ज्योतिषी को पुछना पड़ेगा और वह हमारी कुंडली खोलकर ही यह बता सकेगा। मैं एम० ए० पास आदमी नहीं जानता तो जिस देश में 70 फीसदी लोग इलिट्रेट है, अनपढ़ हैं, अपना नाम तक नहीं लिख सकते कागज में, तो उस देश के लोग यह ठीक-ठीक कैसे पढ़ सकते हैं कि अब मेरा बेटा 21 साल का हो गया या मेरी बेटी 18 साल की हो गई। अब हमको इसकी शादी कर देनी चाहिए। यह बड़ा मुश्किल काम होगा और इस सख्ती का फायदा केवल पुलिस वाले उठायेंगे। हमारे देश में श्रीमन्, यह भी है कि अगर लड़का हो भी गया 21 साल का या लड़की भी 18 साल की हो गई और अगर कागजों में दर्ज नहीं है, कहीं उन्होंने नोट नहीं कराया तो उस हालत में पुलिस ने कहा कि तुम्हारी शादी तो हो गई लेकिन आप बताएं कि तुम्हारे लड़के की उम्र 21 साल है या नहीं है। अगर नहीं है तो हम तुम्हारा चालान करेंगे वरना 500 रुपये दे दो। उसके सामने एक ही आल्टरनेटिव यह होगा कि वह अपनी जमीन बेच कर पांच सौ रुपये पुलिस वाले को देगा। वह नहीं चाहेगा कि उसका लड़का 21 साल का होते हुए भी साल भर कचहरी में दौड़े। कभी गांव से कचहरी जाए और कभी कचहरी से गांव जाए। बकीलों के पीछे भागना पड़े। इससे अच्छा है उनको दे कर अपनी जान छुड़ाओ। यह धारणा आम तौर पर होती है। तो इसके पीछे जो खतरा है दुरुपयोग का वह बड़ा भारी खतरा है। एक बात और मैं कहना चाहता हूं कि जो व्यवहारिक बात है। अपने देश में पहले नियम था कि जब लड़की की उम्र प्युविरेटिटी की हो जाए उस समय उसकी शादी कर देनी चाहिए। यूरोपीय देशों में एक सर्वे निकला था कि 13 साल 14 साल की उम्र की लड़कियां अपने

स्वाय फ्रेंड को तय कर लेती हैं और उनको लेकर कमरे में चली जाती हैं। ठंडे देशों में जब यह हालत है कि 13 या 14 साल की लड़कियों को इच्छा होती है तो इस गर्म मुल्क में बड़ा स्वाभाविक है और स्वाभाविक होने के कारण ही अपने यहां शादी के लिए आयु निश्चित की गई। इसी स्वाभाविक प्रक्रिया के कारण ही निश्चित की गई थी, उस समय पापुलेशन की समस्या नहीं थी। इसी ख्याल से आयु निश्चित की गई थी कि जब लड़की की उम्र 14 साल की हो जाए तो उसकी शादी कर दो

(Interruptions)

श्रीमती लक्ष्मी कुमारी चूडावत : शास्त्रों में 16 साल है...

(Interruptions)

श्री नागेश्वर प्रसाद शाही : तो यह बात बहुत अच्छी है। अगर लड़का और लड़की दोनों 25 साल की आयु तक लड़का, लड़की को न देखे और लड़की 18 साल तक किसी लड़के को न देखे तो बहुत अच्छी बात है। लेकिन आपकी जितनी पत्रिकाएं है जितनी किताबें रेलवे स्टेशन के बुकस्टाल पर मिलती हैं उन पर लड़कियों की नंगी तस्वीरें नज़र आती हैं।

श्री रणवीर सिंह (हरियाणा) : और सिनेमा में ?

श्री नागेश्वर प्रसाद शाही : उसके ऊपर भी आ रहा हूं। पत्रिकाओं और पुस्तकों की बिक्री बढ़ाने के लिए निश्चित तौर पर कवर पेज पर नंगे चित्र दिए जाते हैं और सिनेमा में तो हर दीवार पर नंगी तस्वीरें रहती हैं। इसका क्या मतलब है। यह सारी प्रक्रिया कामुकता को बढ़ाने के लिए है। एक तरफ कामुकता को बढ़ाने के लिए सारे इंतजाम हैं। फिर फिल्मों में सेंसरशिप है। पता नहीं कहां है सेंसरशिप। जानबूझ कर फिल्म सेंसरशिप बोर्ड में ऐसे लोग रखे जाते हैं जिनको सिनेमा वाले लाख दो लाख रुपया टिकाते हैं और जो फिल्म चाहते हैं वह पास करा लेते हैं। मैं उपसभाध्यक्ष महोदय,

आपका ध्यान दिला रहा था कि एक तरफ तो कामुकता को बढ़ाने के लिए सारी व्यवस्था है और अपनी सरकार तो खैर शराब पर रोक लगा रही है। पिछले 20 वर्षों में शराब की बिक्री इस देश में हजारों गुना बढ़ाई गई।

गली कूचों में शराब की दुकानें खोली गईं।

4 P.M. एक तरफ यह व्यवस्था है तो आप रोक लगा रहे हैं कि शादी मत करो। शादी मत करो तो फिर बिना शादी के क्या होगा।

**श्री विश्वम्भर नाथ पांडे (नाम-निर्देशित):** क्या आपका विचार यह है कि इससे व्यभिचार बढ़ेगा ?

**श्री नागेश्वर प्रसाद शाही :** व्यभिचार का खतरा है। आप बुजुर्ग हैं, आपको ज्यादा अनुभव होगा। पांडे जी इस बिल से उसका खतरा है कि जैसे यूरोप में व्यभिचार है कि लोग शादियां नहीं करते हैं और ब्वाय फ्रेंड या गर्ल फ्रेंड रख लेते हैं। यह प्रथा यहां पर भी लार्ज स्केल में चल जायेगी अगर आप शादियों को रोकेंगे। क्योंकि बहुत ज्यादा उम्र तक आदमी अपने आपको रोक नहीं पाता है। हम तो देख रहे हैं। रंगा साहब तो कह रहे थे कि ब्रह्मचारी भी नहीं रोक पाते हैं।

**एक माननीय सदस्य :** रंगा साहब कैसे जानते हैं।

**श्री नागेश्वर प्रसाद शाही :** जानते हैं। जब ब्रह्मचारी लोग कर रहे हैं तो गृहस्थी में रहने वाले आदमी जो मिर्च मसाले, तेल, खटाई खाते हैं वे कैसे... (Interruptions) आप अगर यह नहीं समझ पायें तो मैं क्या करूँ।

**एक माननीय सदस्य :** वे चाहते हैं आप खोलकर समझायें।

**श्री नागेश्वर प्रसाद शाही :** श्रीमन्, मैं कह रहा हूँ कि इस विधेयक से एक ओर यह लाभ होगा कि पापुलेशन कंट्रोल में इमदाद मिलेगी।

(Interruptions)

**एक माननीय सदस्य :** दूसरी ओर व्यभिचार बढ़ेगा।

**श्री नागेश्वर प्रसाद शाही :** इससे हम बच नहीं सकते हैं। दूसरी बात यह कि यूरोप में तो हर जगह एबार्शन का इंतजाम है, हर गली कूचे में इंतजाम है (Interruptions) परन्तु यहां अभी व्यवस्था नहीं हुई है। हास्पिटल नहीं बनायें और कानून बना लें यह ठीक नहीं है। श्रीमन्, मुझे किसी ने बताया कि एक एबार्शन की फीस प्राईवेट लेडी डाक्टर 6 सौ रुपये लेती हैं। जिस लड़की को अगर जान न देनी हो और खैरियत के साथ एबार्शन करवाना हो तो लेडी डाक्टर की फीस 6 सौ रुपये है यानी इतनी मंहगी व्यवस्था है।

**श्रीमती लक्ष्मी कुमारी चूंडावत :** अस्पतालों में फ्री है।

**श्री नागेश्वर प्रसाद शाही :** वहां पर फ्री हैं मगर कितने अस्पताल हैं। गांव में क्या व्यवस्था है ?

**SHRI HAMID ALI SCHAMNAD:** How much is charged by a male doctor?

**श्री नागेश्वर प्रसाद शाही :** गांव में तो रानी साहिबा में आपके सामने एक उदाहरण बताऊँ।

**श्रीमती लक्ष्मी कुमारी चूंडावत :** नहीं नहीं उदाहरण मत दीजिए।

**श्री नागेश्वर प्रसाद शाही :** हमारे गांव के पास एक महिला को बच्चे की तकलीफ

[श्री नागेश्वर प्रसाद शाही]

हुई। पहले तो गांव में जो व्यवस्था होती है लोगों ने उसकी कोशिश की मगर जब नहीं हुआ तो और यह देखा कि स्त्री के प्राण चले जायेंगे तो वहां से लेकर शहर की ओर दौड़े 8 मील के बाद सड़क मिलती है, थोड़ी देर बाद उनको बस मिली और किसी तरह से उनको बस में बैठाया गया, बस स्टार्ट हुई और थोड़ी देर के बाद बस में ही बच्चा हो गया। गांवों की यह हालत है, 30-30 मील तक कोई अस्पताल की व्यवस्था नहीं होती है, महिला अस्पताल की व्यवस्था नहीं है। तो इस कानून के अनुसार तो एवाराशन की जरूरत बड़ेगी फिर उसके लिए भी कोई व्यवस्था नहीं है और अगर आप गौर करें तो यह बात अपने सती सावित्री जैसे देश के लिए यह प्रेक्टिस अगर बड़े तो यह हमारे संस्कारों और संस्कृति के लिए एक बहुत ही अनुचित बात होगी। अपने यहां जो सामाजिक नियम हैं उनके लिए यह बहुत ही अनुचित बात होगी। यह नहीं कि हमारे देश में दोष नहीं है मगर बहुत कम है। दूसरे देशों, पाश्चात्य देशों के मुकाबले में बहुत कम है। लेकिन यह विधेयक इस दोष को बढ़ावा देगा। ( Time bell rings ) आपका हुक्म है आप नहीं चाहते हैं इसलिए मैं खत्म करूंगा।

उपसभाध्यक्ष (श्री श्यामलाल यादव) :  
आप 15 मिनट बोल चुके हैं।

श्री नागेश्वर प्रसाद शाही : इन शब्दों के साथ मैं निवेदन करता हूँ कि मंत्री जी इस पर पुनः विचार करें तो ज्यादा अच्छा होगा। एक तो पुलिस इसका दुरुपयोग करेगी दूसरे एक यह कठिनाई आयेगी कि बिना शादी के ब्याय फ्रेंड और गर्ल फ्रेंड वाला सिस्टम फैलेगा जो इस देश की संस्कृति और सभ्यता के लिए बहुत ही विपरीत असर डालेगा जिससे एक बहुत ही खतरनाक बात हो जायगी। यह और एक बहुत ही खतरनाक बात होगी इसलिए मैं निवेदन करूंगा कि पापुलेशन कंट्रोल

के और बहुत से उपाय हैं, उन उपायों पर ज्यादा जोर देकर, यह शादी की जो उम्र वाली बात है इसके ऊपर कुछ थोड़ा पुनः विचार किया जाए तो ज्यादा अच्छा है। धन्यवाद।

उपसभाध्यक्ष (श्री श्यामलाल यादव) :  
5 मिनट लें।

श्री रणवीर सिंह : उपसभाध्यक्ष जी आपका हुक्म तो शिरोधार्य है लेकिन मामला बड़ा गंभीर है। आप जानते हैं, यह कानून जब सेन्ट्रल असेम्बली में विधेयक के तौर पर आया था तो वह एक आर्य समाजी का विधेयक था ; श्री हरबिलास शारदा जी ने इसको पेश किया और आर्य समाज के पुराने धर्मशास्त्री यह मानते हैं कि जिसमाक्त ब्रह्मचर्य आश्रम भी था, हमारा समाज 4 आश्रमों में बंटा होता था—ब्रह्मचर्य, गृहस्थ, वाणप्रस्थ और संन्यास—और जहां समाज के अन्दर सिनेमा जैसी कुरीतियां नहीं थीं और आज का आधुनिक प्रचार नहीं था, उस वक्त भी ऐसा माना जाता था भारत के अन्दर, वैदिक युग के समय, कि 16 साल की उम्र के बाद पुत्री शादी के लायक हो जाती है। अब 16 की बजाए मंत्री महोदय 18 साल विवाह की आयु करना चाहते हैं . . . . .

(Interruptions)

श्री विश्वम्भर नाथ पांडे : चाँधरी साहब, तुलसीदास जी ने कहा—वरस 18 की सिया, 27 के राम।

श्री रणवीर सिंह : पांडे जी, वह सारी व्याख्या आप कीजिए ; मैं अपनी व्याख्या करूंगा।

मुझे इस बात में कोई ऐतराज नहीं होता अगर बच्चे की, लड़के की आयु 21 वर्ष से 25 वर्ष कर देते क्योंकि यह वैदिक सभ्यता के मुताबिक होता लेकिन यह तो न वैदिक सभ्यता के मुताबिक है और न इस देश की हालत के मुताबिक है। यह तो कुछ पाश्चात्य सभ्यता के दृष्टिकोण से यह बिल लाया गया

हैं। तो जहाँ तक इसकी भावना का संबंध है, उपसभाध्यक्ष जी, मैं इतना ही निवेदन करना चाहता हूँ कि शारदा जी ने जब वह विधेयक पास कराया था तो उस वक्त इक्ठ्ठा (अविभाजित) पंजाब था। तो सब से पहले जब वह कानून आया उस वक्त वहाँ पुलिस को अधिकार नहीं था कि जिससे कोई दरखास्त दे तो उस पर गौर हो सकता था। सबसे पहले मेरे पिता जी ने छोटी उम्र में शादी करने वालों के खिलाफ दावा किया था। मैं भी बच्चों की शादी के हक में नहीं हूँ। प्रौढ़ होने पर शादी होनी चाहिए, इसलिए नहीं कि फैमिली प्लानिंग का इससे कोई ज्यादा सम्बन्ध है, वह तो 16, 18 या 25 के बाद कितने बच्चे पैदा कर सकते हैं। तो उससे बहुत ज्यादा संबंध जोड़ना, यह बात सही नहीं है लेकिन यह बात जरूर सही है कि हमारा देश एक ऐसा देश है जिस के अंदर आपस में बैर भी है। कोई थानेदार को घूस देकर किसी को गिरफ्तार करा लेगा, या फिर गांव में ऐसी हालत होगी कि कोई बताएगा नहीं कि 14 साल की शादी है या 16 साल की शादी है, वह थानेदार कुछ कर नहीं सकेगा, या ऐसा भी है कि उसके विपरीत कहेगा कि उसकी उम्र 19 साल है तो उसको भी 17 साल साबित करने की कोशिश की जाएगी; बच्चे की उम्र 22 साल है तो उसको 20 साल साबित करने की कोशिश की जाएगी। तो यह मुकदमेबाजी देश में बढ़ाना अच्छी चीज नहीं है। देश के अन्दर तरह-तरह के समाज हैं और देहात के अन्दर आप जानते हैं कि शादी के मायने कुछ होते नहीं। असली शादी तो जब होती है जब लड़का दुबारा आता है, और उसकी उम्र 18 या 21 साल हो तो कोई बात नहीं। शादी तो एक जरिया है गरीबों के अन्दर लड़के और लड़कियों का सम्बन्ध बांधने का। कई बार उनकी आर्थिक हालत अच्छी नहीं होती और इसलिये दो, तीन इक्ठ्ठे कर के शादी कर देते हैं और उसमें किसी की उम्र छोटी भी हो तो कोई परवाह नहीं करता।

वह शादी कर देता है। लेकिन आज भी हमारे समाज में है कि 14 या 16 साल से कम उम्र में जिसको सेविड मैरिज कहते हैं वह करते नहीं। जो विदेशी सभ्यता है उसके मुताबिक जिसको मैरिज कहेंगे वह हमारे यहाँ नहीं होती। वह सेविड मैरिज में होता है। आप जानते हैं कि शादी के बाद लड़के लड़की को इक्ठ्ठा रहने नहीं दिया जाता। समाज की इसके लिये इजाजत नहीं है। तो वह शायद शादी 14 साल की उम्र में हो या 16 की, उससे कोई फर्क नहीं पड़ता। और 18 के बाद अगर सेविड मैरिज होती है तो उस से कोई फर्क नहीं पड़ना चाहिए। तो सामाजिक हालात की बिना पर जो मजबूरियाँ होती हैं उन की दृष्टि से छोटी उम्र में शादी कर देते हैं। वह एक तरह से सम्बन्ध में बांधना है और फिर उँसा कि शाही साहब ने कहा, हमारे देश में जैसा सरकारी काम चलता है उस की सजा हम आज इधर बैठ कर भोग रहे हैं और उसका आनन्द हमारे मंत्री जी उधर बैठ कर ले रहे हैं? हमारा जुर्म क्या था? वह जुर्म भी था क्या? लेकिन 60 साल वाले बूढ़े को पुलिस वालों ने पकड़ लिया। उसने कहा कि मेरे तो बच्चे हैं, बीबी नहीं है, तो पुलिस वाले उससे कहते हैं कि अभी हम तुमको 35 साल का जवान बना देंगे। तो आज भी पुलिस वाले वही हैं। न वह आई पी एस बदले हैं और न वह थानेदार बदले हैं। हम तो बदल गये। और वह जो उनकी शिक्षा दीक्षा है वह भी नहीं बदली। आज इस बहाने से कह देना चाहता हूँ जिनकी नवलिफिकेशन का बड़ा दिडोरा पीटा जाता है वह बड़े लायक हैं, वह काहे के लायक हैं। पहले वह हमारे एजेंट थे, आज वह हमारे खिलाफ एप्रुवर हैं। आज वह आपके एजेंट हैं और कल आपके खिलाफ एप्रुवर बनेंगे। एजेंट बनना आई ए एस और आई पी एस लोगों का धंधा हो गया है। अगर आप को गिरफ्तारी करानी है तो आज ही करा दीजिए। हम तो तैयार बैठे हैं। इसके कारण क्यों कराना चाहते

[श्री रणवीर सिंह]

हैं। यह अधिकार जो दे रहे हैं कि पुलिस वाला मैजिस्ट्रेट के पास भी न जाये और वैसे ही बांध ले, यह बहुत ज्यादा है। आप लोग भी कहीं इस री में न बह जायें। आप क्यों नहीं हमसे शिक्षा लेते। हमारा इरादा तो बड़ा नेक था। देश की आवादी बढ़ती जा रही थी और देश की बढ़ती आवादी पर काबू पा सकें इसके लिये फैसला किया गया कि फैमली प्लानिंग हो और मैं मानता हूँ कि हमारी भूत-पूर्व प्रधान मंत्री जी जो थीं उनको भी शायद पूरी तरह से पता न हो और संजय गांधी जी को भी पता न हो कि उसके प्रोग्राम को लेकर क्या-क्या हुआ। किस तरह से 60 साल के बुड़े को 35 साल का जवान बनाया गया। (Interruptions) चौधरी साहब आपका भी नम्बर आ सकता है। कहीं कांग्रेस वालों का राज हो गया तो आप यकीन रखिये कि वह आपके खिलाफ शहादत लेकर पेश होंगे और आप दिखाते रहियेगा कि हम सेंट्रल गवर्नमेंट के मिनिस्टर हैं और हमारे लड़के की उम्र का यह सर्टिफिकेट है। आप भी जानते हैं और हम भी जानते हैं कि देहात के अन्दर जो जन्म तिथि लिखी जाती है तो उसमें बच्चे का नाम नहीं लिखा जाता। ऊटपटांग नाम लिख देते हैं और उसको कहीं भी जोड़ा जा सकता है। उसका नाम कुछ और मिलेगा और वहाँ कुछ और नाम मिलेगा और जन्म तिथि से साबित नहीं हो सकेगा कि आपका यह लड़का 18 या 21 साल का हो गया है। चौधरी साहब आपकी मजबूरी आयेगी।

श्री विश्वम्भर नाथ पांडे : चौधरी साहब यह साबित नहीं कर सकेंगे कि यह उन्हीं का लड़का है।

श्री रणवीर सिंह : चौधरी साहब आपके ऊपर भी मजबूरी आयेगी, मेरे ऊपर भी आयेगी। लेकिन मैं चाहता हूँ कि आप इस पर गौर करें। यह तो एक बड़ा लम्बा चौड़ा

भाईचारा है। हमारे मंत्री महोदय के जितने समर्थक हैं जो आज हमारे जैसे मुखालिफ हैं वह झूठ लगायेंगे या इनको हमारे खिलाफ लगायेंगे। तो इस समाज के अन्दर आप एक नई राजनीति का मोड़ क्यों देना चाहते हैं। आप समझते हैं कि जो एजेन्ट थे वह आज अप्रुवर हो गये, इस लिए आप उन पर विश्वास करने लग गये। वह आज अगर अप्रुवर हो रहे हैं तो जो आपके आज एजेन्ट हैं वह कल अप्रुवर बनेंगे। लेकिन एक बात आप समझ कर चलें कि देश के अन्दर जो हालत है, इस देश का तौर-तरीका जो है, यह सब देखकर चलें। यहाँ श्री किशन चन्द का नाम सबसे ज्यादा लिया जाता था, आज वह सबसे बड़ा अप्रुवर हो गया। कोई बात आये तो किशन चन्द यह कहते हैं, वह कहते हैं। जो सबसे बड़े एजेन्ट थे वे सबसे बड़े अप्रुवर हो गये हैं। चाहे सरकारी मुलाजिम का हिसाब लगायें चाहे किसी का, श्री साही जी इतने साल पार्लियामेंट में रह गये, ऐसेम्बली में रह गये, इनको मालूम नहीं। कि इनकी जन्म तिथि क्या है। शायद मंत्री महोदय को पता होगा, दूसरे मंत्री महोदय को पता न हो।

(Interruptions)

लेकिन मैं आपको कहता हूँ कि मुझे मालूम है कि मेरी जन्म तिथि यह है, लेकिन मैं साबित नहीं कर सकता। जिस रोज मैं पैदा हुआ, पता नहीं मेरे से पहिले और बाद भी मेरे भ्राता पैदा हुए हैं। उस रोज रजिस्टर में पता नहीं मेरा क्या नाम लिखा होगा, रणवीरसिंह तो नहीं होगा। वह तो बाद में हुआ होगा। तो यह साबित करना मुश्किल है। अदालत को साबित करना बड़ा मुश्किल है। यह बात तो साबित करना और भी मुश्किल है। तो मंत्री महोदय इस देश के ऊपर एक दूसरा फैमिली प्लानिंग का प्रहार चलाने का कार्य आप कर रहे हैं। जरा सोचें। और भी कुछ नहीं तो कम से कम आप एक्सप्लेनेशन में दे दें कि

विवाह के माने सैकिड मैरिज, जिसे गौना कहा जाता है, वह होगा। वह तो एक रास्ता है। कहीं फेरे देकर, कहीं बात पक्की कर दी जाए तो हमारे यहां कह दिया जाता है कि शादी हो गई। इसके अलावा विवाह की रजिस्ट्री बगैरह कुछ नहीं होता। मैं कसंगा सगाई और शहादत आयेगी कि ब्याह कर दिया। तो मैं कैसे साबित कसंगा कि ब्याह नहीं हुआ। जिसका चालान होगा वह कैसे साबित कर सकता है कि शादी नहीं हुई। जो मुकदमा चलायेगा पुलिस वाला उसको तो शहादत, सबूत मान लिया जाएगा, लेकिन जिसकी शादी होगी या सगाई होगी उसको मुश्किल हो जाएगा यह साबित करना कि नहीं हुई है। तो हमारे समाज के अन्दर जिस तरह से आप एक बन्धन देना चाहते हैं उनको बांधना चाहते हैं वह नहीं हो सकता। इरादा आपका अच्छा है, फर्क इतना है कि आप 16 साल की लड़की के बजाय 18 साल की लड़की को शादी के योग्य मानते हैं, गांव वाले 16 को मानते हैं। शहर में चाहे कम हो, लेकिन गांव में 16 साल की लड़की बड़ी हूष्ट पुष्ट, तगड़ी होती है। हमारे ऊपर यह जुल्म क्यों करना चाहते हैं। यह अच्छा नहीं है। लेकिन फर्ज किया कि आप इसमें कोई संशोधन करने के लिए तैयार नहीं होते और हमारे साथी सब भाग गये, मैं अकेला रह गया तो हमारा मामला वैसे ही गया। नहीं तो आपको हम यहीं पर हरा सकते थे। वैसे कोरम का सवाल उठाकर मैं आपको हरा सकता हूँ, लेकिन यह अच्छा नहीं लगता। एक प्रचार हो जाता। इसलिए आप से मैं यही कहना चाहता हूँ कि आप यह कहिये कि शादी के माने न सगाई है, न फेरे हैं, शादी के माने दरअसल में एक विवाह के बाद स्त्री-पुरुष का जो सम्बन्ध स्थापित होना है, वह सम्बन्ध है। उसके ऊपर आप रोक लगाना चाहते हैं। तो जो सगाई देकर या फेरे देकर लड़के-लड़कियों का जो हम रोकना कहते हैं वह शादी नहीं है। बरना मामला बड़ा बल्लेबुल होने वाला है। वह तो यह कहेगा कि यह तो बजीर का मामला है, उनका

हुकम है मैं इसे कैसे मना कर सकता हूँ। मैं अगर इसको नहीं करता तो मुझे गिरफ्तार कर लिया जाता या नये मीसा में बंद कर दिया जाता। इसलिये मेरा कहना है कि जरा सोच कर, समझ कर इस पर शांति से गौर करें। हमारे जो पुलिस वाले हैं, दूसरे महकमें हैं, कार्यकर्त्ता हैं उनकी क्या दिमागी अवस्था है इसको भी देखें कि किस तरह से वे काम करते हैं। इन सारी बातों को ध्यान में रख कर इसमें कोई संशोधन लायें तो इससे आपका भी भला है, हमारा भी भला है और समाज का भी भला है।

**श्री शान्ति भूषण :** माननीय उपसभाध्यक्ष जी, मुझे प्रसन्नता है कि अधिकांश माननीय सदस्यों ने इस बिल का समर्थन किया है। लोकसभा में जिस प्रकार से सदन के हर ओर से समर्थन हुआ था इस विधेयक का उतना यहां पर नहीं हुआ। क्योंकि कुछ चिन्ताएं भी व्यक्त की गई हैं जो कि लोकसभा में व्यक्त नहीं की गई थीं। शायद लोकसभा के एक माननीय सदस्य ने, जो राजस्थान के हैं कुछ चिन्ता व्यक्त की थी। बरना लोकसभा में इसको पूर्ण समर्थन मिला था। बल्कि कुछ लोगों ने तो यहां तक कहा कि 21 साल की उम्र कम रखी गई है इसको आपको बढ़ाना चाहिये।

**श्री नागेश्वर प्रसाद शाही :** इस राज्य सभा का काम यही है कि लोक सभा से जो बिल आए उसको हम यहां ठीक करें।

**श्री महेन्द्र मोहन मिश्र :** यह अपर हाउस जो है।

**श्री शान्ति भूषण :** मुझे इस बात की प्रसन्नता है कि कुछ चिन्ताएं यहां व्यक्त की गईं जिससे यह जाहिर होता है कि राज्य सभा के माननीय सदस्य कितने सजग हैं उन्होंने जो चिन्ताएं व्यक्त की हैं मेरा यह कार्य है कि उन चिन्ताओं को दूर करूं। उनको यह बतलाऊं—कि उनकी चिन्ताएं क्यों ठीक नहीं हैं। उनकी चिन्ताओं का कोई कारण

## [श्री शान्ति भूषण]

नहीं है। चिन्ताएं क्यों व्यक्त की गई हैं इसका जहां तक मैं कारण समझा हूं वह यह है कि मेरे समझाने की भूल रही है, शायद मैं ठीक तरह से व्यक्त नहीं कर पाया हूं। उनकी शंकाएं मैं अब दूर करना चाहूंगा।

एक चिन्ता यह व्यक्त की गई कि विधेयक का जो प्रारूप है उसमें जो लिखा है उसके, हिसाब से यह बिल सब धर्मों के मानने वालों पर लागू होगा या नहीं क्योंकि बीच में हिन्दू मैरिज एक्ट और क्रिश्चियन मैरिज एक्ट आदि का इसमें वर्णन है। शायद उन्होंने इससे यह मतलब समझा कि यह बिल सब धर्मों को मानने वालों पर लागू नहीं होगा। मैं एक बात यह साफ कर दूं कि यह चाइल्ड मैरिज रिस्ट्रेंट एक्ट वही है जिसको शारदा बिल कहा जाता है। 1929 में जो बिल पास हुआ था उसका नाम चाइल्ड मैरिज रिस्ट्रेंट एक्ट ही था। क्योंकि इस बिल को माननीय शारदा जी ने पेश किया था इसलिये सब लोग उसको शारदा बिल के नाम से पुकारने लगे। वही 1929 वाला शारदा एक्ट आपके सामने है। एक दूसरा संशोधन करने के लिये यह विधेयक लाया गया है इस सदन में। यह चाइल्ड मैरिज रिस्ट्रेंट एक्ट हर धर्म मानने वालों पर, हर भारतीय के ऊपर लागू था और अब भी लागू होगा और इसी को संशोधित किया जा रहा है। यह संशोधन भी सब धर्म के मानने वालों पर लागू होगा।

मुझे खुशी है कि श्रीमती लीला दामोदर मैनन ने कुछ आंकड़े भी दिये। एक ऐसी भावना हमेशा से रही है कि शारदा बिल पास तो किया गया, कानून भी बनाया गया लेकिन फिर भी इसका कोई असर नहीं हुआ। जो सामाजिक चेंज आया, क्रांति हुई उसमें इसका कोई योगदान नहीं था, ऐसा मैं नहीं समझता मैं समझता हूं इसका बहुत महत्वपूर्ण योगदान था। अगर कोई चीज लाई जाए और 100 फीसदी उसमें कामयाबी हासिल न हो तो यह नहीं कहा जा सकता कि वह फेल हो गई।

माननीय श्रीमती लीला दामोदर मैनन ने आंकड़े दिये जिससे यह पता लगता है कि एवरेज ऐज मैरिज की किस तरह से देश में बढ़ती चली गई। आज जो ऐज की अवस्था है वह एवरेज ऐज से बढ़ती जा रही है। एवरेज ऐज के ऊपर है। कुछ लोगों की तो उससे ऊपर और कुछ लोगों की उससे कम ऐज में शादी होती है। औसतन मिनिमम ऐज जो बताई जाती है उसके ऊपर भी शादी होती है लेकिन फिर भी 100 फीसदी कामयाबी हासिल नहीं हुई है। यह एक बहुत ही महत्वपूर्ण विषय था और इस पर विचार करने की जरूरत है। मैं समझता हूं कि इस संबंध में समाज का भी बहुत बड़ा उत्तरदायित्व है।

**श्री नगेश्वर प्रसाद शाही :** श्रीमन् ये जो आंकड़े दिए गए हैं वे केवल शहरों के आंकड़े हैं। गांवों के आंकड़े इनमें शामिल नहीं हैं।

**श्री शान्ति भूषण :** यह तो देखने की बात है। लेकिन मेरा ख्याल है कि ये सिर्फ शहरों के ही आंकड़े नहीं हैं।

माननीय सदस्य इस बात से पूर्णतः सहमत होंगे कि जो गोद में लेकर विवाह करने की प्रथा है, वह एक सामाजिक बुराई है। मैंने तो इस प्रकार के विवाह नहीं देखे और न ही इस बारे में मुझे कोई परसनल तजुर्बा है, लेकिन मैं यह कहना चाहूंगा कि इस प्रकार की प्रथाओं को समर्थन देने की आवश्यकता नहीं है। अगर लड़के और लड़की को शादी गोद में बैठाकर की जाती है तो इसका कोई मतलब नहीं होता है। जब तक लड़के और लड़की इस बात को न समझें कि विवाह का क्या मतलब है तब तक विवाह का अर्थ वे नहीं समझ सकते हैं। मैं समझता हूं कि लड़के और लड़की के अन्दर विवाह के उत्तरदायित्व को समझने की पूर्ण क्षमता होनी चाहिए और तभी उनका विवाह भी किया जाना चाहिए। मैं समझता हूं कि इस प्रकार की प्रथाओं में सुधार करने की जरूरत है।

श्री नागेश्वर प्रसाद शाही : श्रीमन, मेरा एक व्यवस्था का प्रश्न है। कांसेप्ट आफ मेरिज और फिलोसफी आफ मेरिज में भिन्नता है। हमारे देश में विवाह करने की जो प्रथा है उसके पीछे भिन्न विचारधारा है। अन्य देशों के अन्दर जो यह कहा जाता है कि लड़के और लड़की को एक दूसरे की पूरी जानकारी प्राप्त कर लेने के बाद विवाह करना चाहिए, वह कांसेप्ट अपने देश में लागू नहीं होता है। अपने देश में तो विवाह के पीछे एक दूसरा ही उद्देश्य है।

उपसमाध्यक्ष (श्री श्यामलाल यादव) : यह व्यवस्था का प्रश्न नहीं है।

श्री शान्ति भूषण : महोदय, यह न तो व्यवस्था का प्रश्न है और न ही अव्यवस्था का प्रश्न है। यह तो केवल मात्र एक प्रश्न है। यह बात ठीक है और इस प्रकार की बातें भी सदन में आनी चाहिए जिससे कि इन पर विचार किया जा सके।

जो असली चिन्ता की बात इस विधेयक के संबंध में व्यक्त की गई है वह यह है कि इस विधेयक में जो तीन महीने की सजा और जुर्माने की बात कही गई है, कहीं उसका पुलिस अधिकारियों द्वारा दुरुपयोग तो नहीं होगा क्योंकि इस विधेयक में काग्निजेबल शब्द का प्रयोग किया गया है। माननीय सदस्यों द्वारा इस बात पर भी चिन्ता प्रकट की गई है कि इस विधेयक में काग्निजेबल शब्द का प्रयोग करने से पुलिस अधिकारियों को मनमानी करने और बेईमानी करने का मौका मिल जाएगा और वे लोगों को परेशान किया करेंगे। इस चिन्ता को मैं थोड़ा दूर कर देना चाहता हूँ। मैं यह स्पष्ट कर देना चाहता हूँ कि इस जुर्म को काग्निजेबल स्थिति में नहीं रखा गया है। केवलमात्र कानून की भाषा में इस शब्द का प्रयोग किया गया है क्रिमिनल प्रोसीजर कोड में काग्निजेबल शब्द

की स्पष्ट डिफिनिशन दी गई है जो इस प्रकार है—

"Cognizable offence means an offence and a cognizable case means a case in which a police officer may, in accordance with the First Schedule or under any other law for the time being in force, arrest without warrant."

मेरे कहने का मतलब यह है कि पुलिस अधिकारी किसी भी व्यक्ति को बिना वारन्ट के गिरफ्तार नहीं कर सकते हैं। इसमें यह लिखा है कि पुलिस अधिकारी को इस बात का अधिकार नहीं होगा कि वह किसी को बिना वारन्ट के गिरफ्तार कर दें। हमेशा कोई भी पुलिस अधिकारी किसी व्यक्ति को वारन्ट के आधार पर ही गिरफ्तार कर सकता है। हाँ, इमरजेंसी के दौरान इस प्रकार की बातें हुई कि ब्लैक पेपर पर मजिस्ट्रेटों ने दस्तखत कर दिए, लेकिन आम व्यवस्था में इस प्रकार की अनुमति नहीं है। आमतौर पर यह प्रथा है कि मजिस्ट्रेट जब वारन्ट देता है तो यह अच्छी प्रकार से देख लेता है कि क्या किसी कानून का उल्लंघन हुआ है। मजिस्ट्रेट का यह उत्तरदायित्व होता है कि वह इस बात को देखे कि किस प्रकार का जुर्म किया गया है। जब तक इस संबंध में समुचित साक्ष्य नहीं होंगे तब तक कोई भी वारन्ट जारी नहीं हो सकता है। इसलिए मैं यह कह रहा था कि इस अपराध को काग्निजेबल जुर्म नहीं बनाया गया है। यह इस बात से ही साफ है कि इस विधेयक में यह लिखा है कि पुलिस अधिकारी को बिना वारन्ट के गिरफ्तार करने का अधिकार नहीं होगा। इसमें सिर्फ काग्निजेबल शब्द का प्रयोग किया गया है। क्योंकि काग्निजेबल जो जुर्म होते हैं उनका किस तरह से इन्वैस्टिगेशन होगा जांच-पड़ताल कैसे की जायेगी इसकी व्यवस्था कोड-आफ क्रिमिनल प्रोसीजर में दी गई है तो उसके लिये यह कहने के बजाय इस विधेयक में कहा जा सकता है कि यह काग्निजेबल नहीं है इसकी जांच पड़ताल जो होगी इस तरीके



[श्री शान्ति भूषण]

से होगी यह कहने के बजाय क्योंकि यह कह दिया गया कि जांच पड़ताल करने का तरीका वही होगा अगर यह कांग्जनेबल आफेंस होता जुर्म होता तो जो जांच करने वाला तरीका होता उसी तरीके से इसकी जांच पड़ताल की जायेगी यानी सिर्फ इस लिये किया गया कि पुलिस आफिसर के पास ऐसी कोई खबर आये तो वह उसमें जाय क्योंकि उपसभाध्यक्ष महोदय जैसा कि सभी माननीय सदस्य जानते हैं कि गांवों में भी जो बच्चे पैदा होते हैं तो उनकी जन्म की तारीख रजिस्टर में इंटर होता है ...

(Interruptions)

श्री महेन्द्र मोहन मिश्र : तारीख सही नहीं होती तारीख लिखी जाती है नाम सही...

(Interruptions)

श्री शान्ति भूषण : मैंने नाम का जिक्र नहीं किया मैंने कहा कि जो बच्चे पैदा होते हैं उन बच्चों को पैदायज दर्ज की जाती है।

श्री महेन्द्र मोहन मिश्र : होता नहीं

श्री शान्ति भूषण : होता है

श्री महेन्द्र मोहन मिश्र : कानून भले ही है पर नहीं होता।

श्री शान्ति भूषण : हमारे देश में इसकी व्यवस्था अच्छी है यह हो सकता है कि कभी कभी कोई गलती हो जाय लेकिन ऐसी व्यवस्था जो रही है वह अच्छी रही है तो मुल्क में...

(Interruptions)

श्री महेन्द्र मोहन मिश्र : कानून है लेकिन पंचायत थाने में किसी पंचायत के सरपंच या मुखिया के पास ऐसी कोई व्यवस्था नहीं जिससे पता चल सके जिसमें नाम दर्ज

हो चिन्ता तो इस बात की है कि पता चलता नहीं है इसलिये पुलिस अधिकारी परेशान करेंगे यदि यह रहे कि यह पंचायत में दर्ज हो या थाने में दर्ज हो यह चिन्ता की बात नहीं।

श्री शान्ति भूषण : अगर नहीं है तब भी कोई परेशानी नहीं है

श्री महेन्द्र मोहन मिश्र : उपसभाध्यक्ष जी चिन्ता हम लोगों को इस बात की है और जो इस सदन के माननीय सदस्यों को रही है वह यह है कि जन्म की तिथि का कोई अच्छा सबूत हमारे देहातों में नहीं है इसमें जो पैतल प्राविजन बनाये हुए हैं उससे उन लोगों की परेशानी बढ़ जायेगी अगर ऐसा जैसा कि म्युनिसिपैलिटी में शहरों के लिये होता है...

उपसभाध्यक्ष (श्री श्यामलाल यादव) : आपकी बात स्पष्ट है समझ गये हैं आपको इसका जवाब दे दिया जायेगा

श्री महेन्द्र मोहन मिश्र : एक बात और है हमारे मंत्री महोदय इसके कानूनी मुद्दे पर सफाई दे रहे हैं जैसा कि उन्होंने कहा कांग्निजेबल आफेंस का एक प्रोसीजर है लेकिन यह बात स्मरणीय है और माननीय न्याय मंत्री जी बहुत अच्छे अधिवक्ता रहे हैं, कि कांग्निजेबल आफेंस केवल एक साल से ऊपर वालों के लिये ही किया जाता है लेकिन आपने प्रोविजन में दिया कि

It has to be treated as if this is a cognizable offence.

तो आप ऐसा तालमेल नहीं बिठा रहे हैं कि कांग्निजेबल केस नान-कांग्निजेबल केस भी होगा इसका अपना प्रोसीजर है और कांग्निजेबल केस का अपना प्रोसीजर है इतना विधि मंत्री महोदय ने कहा है लेकिन सजा तीन महीने है इसमें मजिस्ट्रेट तो ट्रीट करेगा कि यह नान-कांग्निजेबल केस है

**श्री रणवीर सिंह :** उसमाध्यक्ष जी, मंत्री महोदय हाई कोर्ट के वकील रहे हैं। जो जिरही स्तर के वकील होते हैं उनको पता है कि पुलिस जो है, किस तरह से दस्तखत करा लेती है। शायद ऐसा भी मौका हो कि उस वक्त थानेदार चला जाये। कौन कागज देगा। वहां तो आदमी की इज्जत का सवाल हो जाता है। उप-समाध्यक्ष जी, इन बिजली वालों को तो कोई अधिकार नहीं है गिरफ्तार करने का। परन्तु बिजली वालों की अगर मिठाई न दें तो बिजली नहीं आ सकती और इसलिये बारात से पहले बिजली वालों को मिठाई देनी होती है। यह एक दूसरा टैक्स आप हमारे ऊपर क्यों लगाने जा रहे हैं ?

**श्री शान्ति भूषण :** इसलिये मैं कह रहा हूँ कि जब पुलिस बिना बात के गिरफ्तार कर सकती है तो इससे क्या हो जायगा। अगर सचमुच ऐसा है कि पुलिस वाले को खपे की जरूरत है और वह बिना बात के गिरफ्तार कर सकता है तब तो इससे कोई असर पड़ने वाला नहीं है। लेकिन मैं ऐसा नहीं मानता कि ऐसी बात है।

(Interruptions)

**श्री महेंद्र मोहन मिश्र :** श्रीमन् . . .  
(Interruptions)

**श्री शान्ति भूषण :** माननीय सदस्य ने जिस बात को उठाया वह दंड के बारे में थीं कि क्या तीन महीने की सजा कागनिजेबल आफेंस में निर्धारित करेंगे। माननीय सदस्य शायद समंस केस और वारंट केस के बारे में चिन्ता व्यक्त कर रहे हैं। समंस केस और वारंट केस जैसा कि माननीय सदस्यों को मालूम है, वह बात दूसरी है। समंस केस और वारंट केस में दो साल की सजा या मौत या लाइफ इम्प्रजनमेंट है, उसकी ट्राइल का प्रोसीजर वारंट केस होता है।

**श्री महेंद्र मोहन मिश्र :** एक साल है।

**श्री शान्ति भूषण :** दो साल है।

**SHRI HAMID ALI SCHAMNAD:** But after undergoing this imprisonment, or whatever it may be, the marriage is invalidated.

**SHRI SHANTI BHUSHAN:** Warrant case means a case relating to an offence punishable with death, imprisonment for life, or imprisonment for a term exceeding two years. Summons case means a case relating to an offence and not being a warrant case.

जाहिर है कि दो साल से अगर ज्यादा सजा का जुर्म है तो वारंट केस होगा। उसका ट्रायल दूसरे तरीके का है और कम सजा का है तो ट्रायल का दूसरा तारीका होगा तो यह समंस केस होगा। यह तो ट्रायल की बात हुई ट्रायल जब पहुंचेगा तो उसमें क्या प्रोसीजर लगेगा। लेकिन पुलिस अधिकारी जो जांच करेगा वह जांच जो कागनिजेबल केस होता है जिसमें उसको बिना वारंट गिरफ्तार करने की इजाजत होती है, अधिकार होता है उसी तरीके से जांच करेगा। लेकिन इस विधेयक में यह साफ कर दिया गया है कि उसे कोई अधिकार नहीं होगा कि गिरफ्तार कर के थाने में ले जाए और परेशान करे। क्योंकि सरकार इस के बारे में पूर्णतया सजग थी। सजग होने की वजह से इस तरह का प्रावधान इस विधेयक में किया गया कि पुलिस अधिकारी को ऐसा अधिकार न मिल जाए जिसके द्वारा जिसके दुरुपयोग के द्वारा किसी को परेशान कर सके और गांव में जो अपने ग्रामीण क्षेत्र हैं उनमें लोगों को परेशान कर सके। परेशान करने का पुलिस अधिकारी के पास हथियार होता है कागनिजेबल में। नान-कागनिजेबल में इसलिए कोई चिन्ता नहीं होती है। कागनिजेबल और नान-कागनिजेबल की बात जो माननीय सदस्य ने उठाई मैं समझ गया हूँ कि क्यों उठाई। क्योंकि एक बात इतनी अच्छी तरह से लोगों के दिमागों में बैठ गई है पुलिस वाले क्योंकि नान-कागनिजेबल आफेंस होता है परेशान नहीं कर पाते चाहे जुर्म बना हुआ है। जो

[Shri Shanti Bhushan]

कांगनिजेबल आफेंस होता है तो उसमें मौका होता है, क्यों होता है। कांगनिजेबल और नान-कांगनिजेबल में यही अन्तर है जो डैफी-नेशन दिखलाती है। कांगनिजेबल में पुलिस को बिना वारंट के गिरफ्तार करने का अधिकार होता है। ठीक है कल को वह जमानत करा ले लेकिन परेशान तो हो गया लेकिन नान-कांगनिजेबल में नहीं होता है इसीलिए इसको नान-कांगनिजेबल रखा गया है, कांगनिजेबल नहीं रखा गया है और बिना वारंट के गिरफ्तार करने का अधिकार नहीं दिया गया है। क्योंकि बात यह है कि अगर कानून बन जाए लेकिन कोई प्रशासन की ओर से कोई ऐसा वर्ग न हो, कोई ऐसी व्यवस्था न हो कि जिससे अगर कोई जुर्म होता है तो उसकी जांच के लिए मजिस्ट्रेट के पास असली तथ्य पहुंच जाएं। अब एक चिंता यह व्यक्त की गई है कि जो ग्रामीण होगा-ठीक है उसने कोई जुर्म नहीं किया लेकिन उसके पास सबूत कैसे होगा। किस सबूत से वह साबित करेगा कि उसने जुर्म नहीं किया। लड़का उसका 18 साल से ऊपर है लेकिन वह ऐसे साबित करेगा जो बर्थ रजिस्ट्रार है उसमें नाम नहीं लिखा जाता। दूसरा यह भी कहा गया कि हमेशा उसमें एंट्री नहीं होती। मान लीजिए ऐसा है कि उसको साबित करने का सबूत या और कोई तरीका नहीं है लेकिन उसका तो इसमें फायदा है। अगर सबूत नहीं है कि लड़के या लड़की की उम्र उससे कम है जिसका विवाह हुआ है। उसको साबित करने का बर्डन आफ प्रूफ उसके ऊपर नहीं है। जो मुलजिम है वह साबित करे।

**श्री महेंद्र मोहन मिश्र :** ऐसा विधेयक में तो नहीं है।

**श्री उपसभाध्यक्ष (श्री श्यामलाल यादव) :** बाद में पूछ लीजिए। पहले उनको नमाप्त करने दें।

**श्री शान्ति भूषण :** विधेयक में यह कहा गया है कि... आपसे निवेदन कर रहा हूँ कि

कानून यही है। विधेयक में यह बात नहीं रखी जाती है लेकिन यह पूर्णतया पक्का कानून है। पुलिस का यह काम है कि वह साबित करे। अगर कोई साबित नहीं होता है उसमें कोई संशय की बात हो जाती है। 20 साल भी हो सकती है, 16 साल भी हो सकती है तो उसके ऊपर मुकद्मा नहीं चल सकता।

**श्री महादेव प्रसाद वर्मा :** एक सवाल में...

**श्री उपसभापति (श्री श्यामलाल यादव) :** कृपया सवाल मत पूछिए।

**श्री महादेव प्रसाद वर्मा :** मुझको पूछने दीजिए। 10 मिनट और लग जाएंगे तो क्या हुआ। क्या हिन्दुस्तान तबाह हो जाएगा मैं यह कह रहा हूँ कि पुलिस ने तलब कर दिया कि डाक्टरी के लिए हाजिर करो। क्या कर सकेगा कि नहीं? अगर 12 साल की लड़की, 13 साल की लड़की है तो क्या डाक्टरी करने के लिए पेश कर सकते हैं या नहीं?

**श्री शान्ति भूषण :** मैं उत्तर देता हूँ। पुलिस जब तक कोई प्राइमा-फेसी सबूत पेश नहीं करेगी मजिस्ट्रेट के सामने कि जिससे यह साबित हो कि लड़की की या लड़के की उम्र जो इस में लिखी हुई है उससे कम है तब तक कोई यह नहीं कह सकता कि इसको मंडीकल एग्जामिनेशन के लिए पेश किया जाए। पहले उसको प्राइमा-फेसी करना होगा।

**श्री महादेव प्रसाद वर्मा :** ब्यान हलफिया तो दे सकता है... (Interruptions)

**श्री शान्ति भूषण :** ब्यान हलफिया किस तरह से दे सकता है। पहले तो यह फौजदारी के बाद ब्यान हलफी नहीं होता है और दूसरे जहाँ होता है तो उसमें भी यह कहना होता है कि जातीय इलम से कहा है कि ब्यान हलफी दें। कैसे उसको माफूम है।

श्री नानेश्वर प्रसाद तारा : एक प्वाइंट आफ़ आर्डर सर । होता यह है कि ऐसे केसेज हुए हैं, हम लोगों की जानकारी में हुए हैं कि किसी के 2 लड़कियां या 3 लड़कियां हैं एक लड़की की उम्र 20 साल है और दूसरी की 17 साल । वे 20 साल वाली की शादी कर रहे हैं और 17 साल वाली पहले मर गयी । यू० पी० में जब से पंचायत राज़ एक्ट लागू हुआ है तब से थाने में दर्ज कराने वाला एक्ट खत्म हो गया है । 1950 से पंचायत राज़ एक्ट के अंदर हर एक व्यक्ति का यह कर्तव्य है कि जिस दिन बच्चा पैदा हो उसके 10 दिन के अंदर जाकर जो हर गांव के अंदर बर्थ रजिस्टर होता है, उसमें दर्ज कराये कि फलां बच्चा पैदा हुआ । परन्तु इस रजिस्टर में केवल यहीं दर्ज होता है कि फलां बच्चा लड़का या लड़की पैदा हुआ । और तारीख भी लिख दी जाती है । उसमें नाम तो लिखा नहीं जाता है । इसलिए कभी ऐसा हो सकता है कि जो लड़की 20 साल की है उसके बाद कोई लड़की पैदा हुई और उसकी उम्र 17 की होती है अगर वह मर गयी या उसके साथ कुछ हो गया तो पुलिस को यह मौका होगा कहने का कि बर्थ रजिस्टर के अनुसार यह लड़की 17 साल की है । ऐसी परिस्थिति में क्या मंत्री जी कृपया से ऐसा प्रावधान करेंगे कि जहां इस तरह की बात हो वहां पुलिस के लिए मेडीकल सर्टिफिकेट दाखिल करना जरूरी हो ताकि हर तरफ से कुछ ऐसा कर दिया जाय जिससे कि कोई हरास न हो सके . . . .

(Interruptions)

उपसभाध्यक्ष (श्री श्यामलाल यादव) : मैं माननीय सदस्यों से अनुरोध करूंगा कि मंत्री जी को समाप्त करने दें ।

श्री शान्ति सूबग : माननीय सदस्य ने जो कहा शायद वह जल्दी में कह गये । वह यह कहना नहीं चाहते थे क्योंकि मैं समझा कि उनकी चिंता यही थी कि कहीं ऐसा न हो कि किसी लड़की के बाप को बिना वजह मेडीकल इन्जामिनेशन के नाम पर परेशान किया जाय । क्योंकि मेडीकल इन्जामिनेशन कोई अच्छी बात

नहीं होती । इसलिए पहली बात यह है कि इसमें पुलिस को यह साबित करना पड़ेगा, उसका यह उत्तरदायित्व होगा कि वह मजिस्ट्रेट के पास जब केस को लेकर जाय रजिस्टर कराने के लिए तो उसमें वह सुबूत दे कि वह किस सुबूत की बिना पर यह कहते हैं कि लड़के या लड़की की आयु कम थी । माननीय सदस्य ने कहा कि बहुत से बच्चे होते हैं और नाम नहीं लिखा जाता है । यह मुझे भी मालूम है क्योंकि नामकरण तो उस दिन नहीं होता है, नामकरण तो कुछ दिन बाद ही होता है । इसलिए नाम नहीं लिखा जाता है केवल बाप का नाम लिखा जाता है, किस गांव का रहने वाला है यह लिखा जाता है । यह ठीक है कि कई कई लड़कियां हों 2-2 साल बाद हुई । एक लड़की थी फिर दूसरी हुई फिर तीसरी हुई, ठीक है ऐसा होता है लेकिन अगर वे लड़कियां जिन्दा हैं तो फौरन यह होगा कि यह वाली लड़की इस साल की है, यह जिन्दा है उसकी ये उसकी वो है । उन्होंने कहा अगर मर जाय । इसमें मेरा कहना यह है कि अगर वह मर जायगी तो उसका नाम मौत रजिस्टर में आ जायेगा कि फलां लड़की फलाने की फलां दिन मर गयी । जब मां बाप कहते हैं कि नहीं यह तो उस लड़की का है जो उस साल में मर गयी तो उस मां बाप की ही बात मानी जायगी । (Interruptions) लेकिन मां बाप को पता तो होता है कि वह लड़की तो मर गयी चाहे समुदाय में मरी या यहां म लेकिन उसको खबर तो होती है (Interruptions)

इंदराज एक जगह होगा अगर आवश्यकता होगी तो एक जगह से आ जायगी । अगर मां बाप का यह कहना है कि यह इंदराज लड़की का है जो समुदाय में जाकर फलां गांव में मर गयी थी तो यह पुलिस की जिम्मेदारी होगी कि वह वह जाकर पता लगाये उसका इंदराज ले और देखे । जब तक मजिस्ट्रेट के पास पूरा सबूत नहीं हो जायगा— क्योंकि गुजाईश कोई भी रहेगी पहले मां बाप को पता है कि कौन सी लड़की किस साल में हुई थी । उनका बयान माना जायगा पुलिस को साबित करना होगा कि नहीं ऐसी बात नहीं है । पुलिस को साबित करना होगा

[श्री शान्ति भूषण]

कि यह जुर्म है। मैं समझता हूँ कि माननीय सदस्य को अगर यह कानूनी बात साफ हो जाय कि कोई साबित करने का उत्तरदायित्व मां बाप का नहीं है। मान लिया कि लड़की कम उम्र की है तो यह मां बाप का कर्तव्य नहीं है कि वह साबित करें कि लड़की ज्यादा उम्र की है या नहीं। ऐसा नहीं है, यह मां बाप का उत्तरदायित्व नहीं है। मुल्जिम का कोई उत्तरदायित्व नहीं है। यह पुलिस का उत्तरदायित्व है कि हर पहलू से साबित करके दिखाये। उसका असर यह होगा कि जब तक कोई ऐसा साफ केस नहीं होगा। यह जरूरी नहीं है कि हर बात में ही केस चलाया जाय। अगर संशय की बात रह गयी कि 18 से नीचे है या 18 से ऊपर है तो कोई केस चलाने की बात नहीं है। कोई केस रजिस्टर करने की बात नहीं है क्योंकि ऐसी मंशा नहीं है इस विधेयक की, कि संशय भी रह जाए लेकिन हर आदमी को सजा दिलाना बहुत जरूरी है बल्कि हमारे कानून की यह व्यवस्था है कि चाहे 90 आदमी जिन्होंने जुर्म किया है वे छूट जायें लेकिन 10 ऐसे आदमियों को ज़रा भी सजा होने का विचार नहीं होना चाहिए जिन्होंने जुर्म नहीं किया। तो यह चीज इस कानून में सब से ज्यादा ज़ार से लागू होगी क्योंकि विधेयक का तात्पर्य यह है कि लोगों को इस बात की समझ आए कि हाँ, इस तरह से छोटी उम्र में शादी करना न देश के हित में है न बच्चों के हित में है न परिवार के हित में है। इसलिए इस बात को, इस उत्तरदायित्व को समाज के प्रति वे समझें और सजग हों। अगर कोई संशय वाला केस है तो रजिस्ट्रेशन होने की बात नहीं है क्योंकि थोड़े से भी जो केस होंगे उनसे सामाजिक चेतना होगी।

जो और सुझाव दिये गये हैं, जैसे कि इसका प्रचार होना चाहिए यह कानून है

और ऐसा नहीं करना चाहिए उन सुझावों पर जरूर कार्य होना चाहिए। बहुत से माननीय सदस्यों ने कहा सिर्फ कानून बनाने से काम नहीं चलेगा और भी कारणों को देखना होगा। शिक्षा की जो बात है गरीबी की जो बात है, जो और सामाजिक परेशानी है उन सब को करने की बात अपनी जगह पर सही है लेकिन सब चीजें साथ-साथ चलें इसके लिए एक विधेयक लाने से ही बात नहीं होती है। हर काम विधेयक से नहीं हो सकते हैं। मैं तो अभी सिर्फ एक छोटा सा विधेयक लेकर आया हूँ और बाकी जो चीजें हैं उनके बारे में जो सरकार कार्यवाही करेगी, उन सब का इस विधेयक में जिक्र नहीं हो सकता था। उनके प्रति सरकार अपने उत्तरदायित्व को समझती है और सजग है।

माननीय श्रीमती दामोदर मैनन ने यह भी सुझाव दिया था—जो लोक सभा में भी कुछ सदस्यों ने दिया था—कि कंपलसरी रजिस्ट्रेशन आफ मैरिजेंस भी होना चाहिए था, तो जब कोई शादी हो और बाद में कभी कोई लड़का लड़की को छोड़ दे और वह दे विवाह नहीं हुआ...

श्री रणवीर सिंह : यह शहरों के लिए कर दीजिए।

श्री शान्ति भूषण : आजकल तो गांव वाले शहरों से ज्यादा आगे हैं। बेचारे शहर वाले तो पीछे हैं। गांव वाले ज्यादा सजग हैं...

श्री रणवीर सिंह : गांव वाला कोई भी सुझाव नहीं देगा जो उन्होंने दिया है।

श्री शान्ति भूषण : दूसरा सुझाव यह भी दिया गया कि अगर विवाह के 2 वर्ष बाद पहला बच्चा हो तो सरकार की ओर से कोई इनाम दिया जाए, कोई गिफ्ट दिया जाए जैसा दूसरे देशों में होता है जिससे लोग इस

बात की कोशिश करें कि 2 साल तक कोई बच्चा न हो क्योंकि इनाम मिलने के लालच में वह दो वर्ष तक रुके रहें। खैर, यह अगर व्यावहारिक भी होता तो भी मैं सहमत नहीं हूँ क्योंकि दो वर्ष के बाद बहुत से बच्चे पैदा होंगे और सरकार की ओर से कोई मेडल दे दिया गया तो उससे कोई हानि नहीं है जब तक कोई अच्छा पुरस्कार नहीं है जिसकी वजह से कोई इंसेंटिव समझा जाए। पर जो बड़ा बोझ उससे शासन के ऊपर आएगा, और आप जानते हैं शासन तो जो भी कोई रुपया खर्च होता है कहीं बाहर से नहीं लेता है, जनता से ही लेता है इसलिए कर लगाने के लिए उनकी ऐसी मन्शा हो कि कर लगाया जाए, तो मैं फाइनेंस मिनिस्टर साहब से कहूँगा इस पर विचार करें।

श्री रणवीर सिंह : फेमिली प्लानिंग वालों से बंटवा दें।

श्री शान्ति भूषण : बाकी तो. . .

उपसभाध्यक्ष (श्री श्याम लाल यादव) : समाप्त हो गया।

श्री शान्ति भूषण : समाप्त ही हो गया। माननीया श्रीमती लक्ष्मी कुमारी चूडावत ने कहा—16-18 की उम्र। तो बहुत वर्षों से यह प्रश्न चल रहा है और यह विचार हुआ लोक सभा में भी—बल्कि किसी ने कहा कि 18 भी कम है, ज्यादा बढ़ा दें, मैंने कहा बहुत बढ़ाना है तो 80 ही करने का सोचना होगा।

इसके बाद मैं समझता हूँ मेरा कर्तव्य रह जाता है कि मैं माननीय सदस्यों को धन्यवाद दूँ कि उन्होंने इस विधेयक को अपना समर्थन दिया है और उनसे यह सिफारिश करूँ कि वे इसको पास करें।

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): The question is:

"That the Bill further to amend the Child Marriage Restraint Act,

1929, and to make certain consequential amendments in the Indian Christian Marriage Act, 1872, and the Hindu Marriage Act, 1955, as passed by the Lok Sabha, be taken into consideration."

*The motion was adopted.*

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): We shall now take up the clause-by-clause consideration of the Bill.

*Clause 2 to 6 were added to the Bill. The Schedule was added to the Bill.*

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

SHRI SHANTI BHUSHAN; Sir, I move:

"That the Bill be passed."

*The question was put and the motion was adopted.*

#### THE MERCHANT SHIPPING (AMENDMENT) BILL, 1978

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): Sir, I beg to move:

"That the Bill further to amend the Merchant Shipping Act, 1958, as passed by the Lok Sabha, be taken into consideration."

Sir, I may say a few words by way of amplification and clarification. The necessity for bringing forward this Bill before the House has been in some detail brought out in the Statement of Objects and Reasons. As has been explained, the Shipping Development Fund which was created in 1959 has been found inadequate. Therefore, now we are making a pro-

[Shri Chand Ram] vision to enable this Committee to sell debentures and bonds and thus collect money from the public. We are also making certain amendments to utilise this fund not only for acquisition and maintenance, but also for modification, reconstruction, etc., and also to meet the short-term requirements of the shipping companies in view of the crisis that has overtaken the shipping trade throughout the world. We are also making some amendments so that the directors on the Board shall be indemnified against all the liabilities. I think, in view of the expansion that has taken place, this Bill is a necessity and I should not say much at this stage. If any Member likes to say something, of course, by way of clarification or amplification, I am prepared to reply to that.

*The question was proposed.*

SHRI KALYAN ROY (West Bengal): Sir, I will try to be short and brief, but I do want to draw attention of the House to this sinister piece of legislation.

Sir, you are aware that the entire shipping industry in the capitalist countries in the West, such as Japan, England and other places, is undergoing a severe period of recession. The shipping yards are lying idle. Hundreds and thousands of workers have been laid off and there is a strong demand in the House of Commons that the Government should take over the shipyard industry because a large number of people are employed there and because it has a strategic importance. This industry has got a definite and vast, strategic defence importance for a country. Here is an opportunity for a developing country, with developing shipyards, with a large number of highly skilled technicians and expanding commerce to develop the ship-building industry and to go into the field of merchant

shipping in a big way. But, Sir, not only in this period but over the last several years, we have found, both under the earlier regime and the present regime, that the Fund which is available is being channelised to the big business, to the big monopoly and large industrial houses. As a matter of fact, I had put a question about the percentage of Government loans which were given to the various ship-building firms and concerns and this House was informed that besides the public sector Indian Shipping Corporation, the Fund is going to the pockets of the Scindias, Birlas, Chowgules and Singhanias and other big business houses. And there is no proper scrutiny of the funds which Government makes available to these big business houses. As you know, there is a big racketeering going on with the Government funds because, Sir, you also know that when an order is placed for a new ship, you don't have to pay the entire amount immediately. You have to pay 5 or 10 per cent of the amount then. It takes about 11 to 2 years to get the ship and it is at that stage that you pay the entire amount. In between, what happens to the money, nobody knows. There is a lot of financial manipulation. You heard the other day, when Mr. Patel replied to one of my questions, how Mr. Jit Paul of M/s. Arin Chand Pearey Lai cheated the Government of India in buying four foreign ships from abroad. So, Sir, instead of handing over more money to the big houses in the private sector, I thought the Janata Government with its new philosophy would promote small shipowners. But here we find that the entire Government loans are in the hands of a few large business houses, and Government money, public money, the money which is coming today from the pockets of the poor people, will be straightaway placed in their hands. And there is no scrutiny at all; there is no proper accounting.

Nobody knows what has happened to it. So this type of sweeping powers

to the Government at this stage, and particularly a large amount of financial help to the private sector, are absolutely dangerous.

As I started by asking in the beginning—what is the policy of the Government? They want that there should be more employment of our people. They have said that they will eradicate unemployment in ten years. But now I find that they are silent about it. They do not talk about unemployment at all. Mr. Bhandari—I was listening to him when he was speaking on the President's Address—remained silent on the issue of unemployment. This is because he knows that the Government is not going to solve the unemployment problem. Rather the policy of the Government is contributing to unemployment every day. Admiral Dev was the Chairman of the Garden Reach Dockyard and he was to float a ship. But, Sir, I think now he has been transferred and has become the Chairman of the Indian Shipping Corporation. He said it openly before the press, before the Chief Minister of West Bengal and, I think, before the Minister who is present here, that it is a shame that when our shipyards are starving for lack of orders, when the public sector shipyards like the Garden Reach Dockyard and Rajabagan Dockyard are being starved for orders, when thousands of our skilled workers are lying unemployed, when there is such idle capacity both in Bombay and Calcutta, orders are being placed abroad. Take, for example, the fishing trawlers. You have allotted 5 P.M. Rs. 100 crores for fishing trawlers to be bought from Brazil when you have such surplus capacity that you can manufacture hundreds of them. In October, I was in Bombay and Mr. Ganguly an international famous expert, met me and asked me what was the Government doing. He said that we have brilliant men but they are forced to go to Singapore, to

Bankgok for helping them to build ships and here the ship-builders have no orders. This Government goes to Brazil, they go to Argentina, they go to England to buy ships. As a matter of fact when the Prime Minister lately visited the Government shipyard in order to float a new ship which they had built the representatives of the recognised union met him and presented him with a petition and urged him to stop this policy. I had told in this House about the loan from the United Kingdom Government and the loan had to be utilised. But that loan has to be utilised in England. The England shipyard will get orders while our skilled people remain unemployed. Everybody knew that they had no policy at all. But the policy today is suicidal and dangerous for the Merchant Navy, dangerous for the Defence of India. So this whole attitude needs to be changed.

Finally, I would again ask the Minister, before I sit down, not to give money to the private sector. The first step should be not to give anything to them. I feel very strongly about it. If you are to develop shipping give money to your own Corporation, to the Moghul Lines but not a single paisa should go to the private sector, to these big business houses, to the Chowgules, the Scindias. Till the other day Mr. Charan Singh spoke so much against big business. And now you are giving, not one lakh or two lakhs, but crores and crores to them. This money is not going to the manufacture of cotton textile or sugar. This hundreds of crores of rupees you are handing over to them. What protection is there to the public sector? The isirlas, the Chowgules, the Scindias will have total control over the finances. What will your one or two directors do? How does the Parliament come in? Is there any scope of Parliament intervening to see that there is no misuse of money? Where is the restriction? Nothing at all. Is it not a direct attempt, direct support to the big business to play with the Government money?



[Shri Kalyan Roy]

Whose money is this? This money is of the Government of India which is going to be handed over to them without any scrutiny, without any proper inspection. So, Sir, this is absolutely a dangerous and suicidal attitude, even the reversal of the policy, whatever policy was there. I was not happy with the Minister's reply that so many crores have been handed over to the Birlas, the Chow-gules and the Scindias. Therefore even the earlier policy is being reversed. You are encouraging their financial sickness. How does sickness arise? Have you made any enquiry? Is it only because of recession in industry? How much the Birlas and the Chowgules have looted? Have you made any investigation into that aspect of the matter? You have made arrangements for their short-term financial requirements. What do you mean by short-term financial requirement? These people are the great Moghuls of this country and you are handing over all the money to them. Under the Industrial (Development and Regulation) Act there should be thorough scrutiny. The bank comes in. The Government comes in. But here for their short-term sickness the Government is going to give them money. Parliament is totally in the dark about it. The experts are totally in the dark about it. It may be a private deal between the Ministry of Transport or the Janata Government and the great Moghuls. Tomorrow if I raise the question that you have given so much money in the name of these short-term financial requirements, well, there may be an underhand deal. You cannot rule it out. I cannot rule it out because of the experience I had for the last five years during this regime and the past regime. There have been underhand deals between big business and the Government in power. And what is the guarantee that it will not be repeated now? How do I know that the present Shipping Minister would not take money from

the great Moghuls when he hands over some crores of rupees under short-term financial requirements. What is the obstruction, what is the impediment, what is the obstacle? Nothing we know of; nothing at all. So, Sir, I would request the Minister to think about this problem about the actual fear and apprehensions which have arisen in our minds that there is an unholy understanding between the Shipping magnates and the Government in power and that through this there will be canalising of money straightway into their pockets which may not at all be used either to buy ships, to construct new ships or to meet any financial difficulties. They may just take the money and divert it, siphon it off, to some of the industries.

Where is the guarantee that they will check it? Where are the men? Where is parliamentary scrutiny? How do you scrutinize it? How do you know about it? So there should be a special clause that the money is only for the public sector. That is number one. Number two is, there should be stringent restrictions or a sort of inbuilt arrangement whereby these loopholes can be plugged. There is nothing at all. Otherwise it will be a straightway gift to Chowgules about whom you have heard the question raised last week that he has an income of four to five crores of rupees. Those are the people who will flourish now because Janata is against heavy industry and ship-building. So, this is the face of Janata. They say one thing to the people and quietly they hand over whatever money is available through excise duties and indirect taxes to the very great Moghuls who have ruined the country and who have not developed the shipping industry. Already you have provision for development rebate. These people are getting a lot of money from the banks and public financial institutions. So, what is the need for this? At least in the public sector I can understand the difficulty. Then the Government will come to its rescue. But when

the great Moghuls and the great shipping magnates are in temporary difficulties, there are other arrangements, there are other avenues for them to get the money. And if at all you are so desirous of helping the big monopoly houses, my dear Janata Government please have some in-built arrangement so that this misuse may not take place. Well, the Bill does not say a word about it. Supposing I, as a shipping magnate, take ten crores of rupees, how do you prevent me from misusing the money? Tell me. You may say the Public Undertakings Committee is there, but again that is post-mortem only. Where is the arrangement to stop it because already there are a lot of rumours that Government mofaey given to the shipping magnates is misused. How are you going to stop it, prevent it, without further widening the scope of misuse?

So, from all these angles this Bill should be thoroughly overhauled, modified and changed. As it is, unfortunately, I cannot support it at all. Thank you.

SHRI H. M. TRIVEDI (Gujarat): Sir, I rise to welcome some of the provisions of the Bill, but I would like to offer a few comments arising from the provisions which have been incorporated in the Bill.

In so far as it is intended to alter some of the sections relating to the functions and powers of the Shipping Development Fund Committee and the manner in which the Fund may be used, I welcome them. But arising from the use of which it is now intended to make the funds available to the Shipping Development Fund Committee, there are certain implications which arise, particularly when such funds are going to be used for meeting any short-term financial requirements, etc. Sir, there is also a provision for amending the constitution of the Shipping Development Fund Committee. The membership is proposed to be raised from 6 to 12. Now, Sir, offering my com-

ments on the sections one by one, I would very briefly touch upon those sections where I have only very brief comments. Firstly, in sub-section (1) of section 15, the membership is proposed to be raised from 6 to 12. I would like to know from the hon. Minister: Who are intended to be added to the Shipping Development Fund Committee. In fact, I would warn him against this Committee being packed with further six officials, Deputy Secretaries of six Ministries not now represented on the Shipping Development Fund Committee. I would certainly urge on the hon. Minister to consider non-official representation other than shipping on the Shipping Development Fund Committee. I would also urge that the Chairman of the Committee should be the hon. Minister himself. Now, that is so far as the composition of the Committee is concerned.

Sir, in so far as the parties to whom the Shipping Development Fund Committee can grant funds are concerned, I welcome the widening of the powers of the Shipping Development Fund Committee, that it would now be able to do so not only for the acquisition of vessels but also for meeting short-term financial requirements and will also be looking after the long ones for the ship-yards. I am sorry that opportunity has not been taken, while amending this particular section of the Merchant Shipping Act, to add two other things to this particular section, which could have been added, which could have been useful also, as far as this Government is concerned. Whether they are put into force or not is another thing, because even with regard to meeting the short-term financial requirements, that power will be exercised only when necessary. Similarly with regard to the Indian ship-yards. I would like to know why in fact two other provisions could not have been added, one for the construction of the ship-yards, and the other for operating a Freight Equalisation Fund. Sir, as the hon. Minister is now already well aware,

[Shri H. M. Trivedi] one of the major difficulties in bringing about a cohesive co-ordination between the difficulties of the shippers and the difficulties of the shipowners, and particularly in relation to the shippers, one of the cries<sup>^</sup> has been with regard to the level of freight rates which are obtaining from time to time. I cannot see any avenue or any method by which we can take care of the interests of the Indian shippers and simultaneously take care of the interests of Indian shipping as such, namely, the Indian ship-owners, except in Selected cases operating a Freight Equalisation Fund. Now the Shipping Development Fund Committee could be well utilised for such a purpose. This is one of the comments.

I shall now come to the comments with regard to meeting the short-term financial requirements. In so far as the other provisions are concerned, those are normal provisions about the appointment of a Director, immunity for the Director, the right of the Shipping Development Fund Committee to raise bonds, etc. I welcome those provisions and I also welcome the provision for the exemption of the Committee from income-tax and wealth tax.

I shall now come to the implications. I am afraid I do not wholly share the views of my colleague Shri Kalyan Roy, that, arising from this Bill, we should go to the extreme of not making funds available to private shipping companies for acquisition of vessels or even for meeting short-term financial requirements. I am afraid I cannot share that view. But I do share to some extent the view expressed by him that, if, in fact, funds are going to be made available to shipping companies for meeting short-term financial requirements, then obviously the need for stringent Governmental control or the laying down of stringent terms for the manner in which these funds are being used, is very necessary. Now, Sir, I would also say that, if this is being done in relation to the

shipping industry, it is necessary to recognise that we are in fact according—the Government is in fact by this provision according—rather a singular treatment to the shipping industry. There is no other industry for which a Government non-lapseable Fund exists, from which funds are made available for meeting short-term financial requirements. In other words, we are, in fact, departing—and departing for good reasons: in order to prevent shipping companies coming into difficulties where no other avenue will be left open except liquidation of assets. We do not want to face such a situation. I, therefore, welcome the provision but the provision certainly calls for the most stringent conditions being laid down

(a) initially even when such financial assistance is being contemplated and  
(b) after it has been granted as to the manner in which it is being used. Now, therefore, as I said, it is a kind of similar thing.

As far as the safeguards are concerned, I would say that there are at least three or four safeguards which we should be able to enforce: First, as of today, despite the fact that in fact the Shipping Development Fund Committee has made available large funds to the shipping companies, there is no provision either in the agreements making the fund available or otherwise for any re-visionary audit by the Government. If, in fact, funds are now going to be made available for short-term financial requirements, some provision in the agreements should be made for at least the right to conduct re-visionary audit. Secondly, Sir, I would say that if and when, in fact, the shipping companies are unable to meet their short-term requirements with assistance from the Shipping Development Fund Committee, it should be possible for the Directors appointed on the Shipping Committee to see that all the statutory provisions in relation to provision of initial depreciation are made and that provisions relating to depreciation as

prescribed by the Indian Companies Act and the statutory provisions relating to general reserves etc. are fully observed. It is only after that that the question of even consideration of dividend can arise. And that brings me to the third safeguard which must also be put in, namely, that no dividend whatsoever should in fact be declared except with the permission of the Government. This would be after the right for revisionary audit and all the necessary provisions both prescribed by the Indian Companies Act and those which are necessary for prudent financial management of shipping companies are in fact provided for.

SHRI KALYAN ROY: Do you think that the Minister will accept such an honest suggestion from a Janata Party M. P.?

SHRI H. M. TRIVEDI: He may accept as far as possible.

SHRI CHAND RAM; what is your fourth suggestion?

SHRI H. M. TRIVEDI: The suggestion is that dividends should not be declared except with the approval of the Government.

SHRI CHAND RAM; That was the third suggestion.

SHRI H. M. TRIVEDI: Now I am coming to the fourth suggestion actually. The fourth is much wider. We have, over the last 20 to 25 years—I agree with my friend, Shri Kalyan Roy—made large funds available for the expansion of shipping industry.

SHRI KALYAN ROY: To the big business.

SHRI H. M. TRIVEDI: Not necessarily. I would say that the largest amount has been made available to the public sector.

I am now coming to the fourth suggestion. In fact, such funds have been made available for acquisition. If we

are now going to rescue the industry, I believe we should and must do so because it is over the years—we have with great difficulty—with large funds being invested in the industry that we have been able to build up a certain international position in terms of tonnage and in terms of the rights of the Indian shipping. But, if we are now going to do it, if we have done it in the past and if we are going to do it in the future, then I for one would like that the Government must have some control over the deployment of India's tonnage. When I say this, I subscribe to the view that it should not be open to an Indian shipowner to say that the employment, the deployment or the manner of deployment of his ship assisted in acquisition by the Government, is entirely at his own free-will while in fact he continues, to claim assistance both for the acquisition and for meeting difficulties in a financial crisis as now. I am not one of those who believe that there should be any direct control. In fact, the Government does exercise some kind of a tentative control through its licensing of the trade or the routes on which Indian ships can be employed. Some tentative control is being exercised. But I am on the much larger issue, namely, that this sickness or these difficulties of Indian shipping can, to a large extent, be mitigated—not totally resolved because it is a world phenomenon, but can certainly be mitigated—if.. (*Interruptions*)

SHRI KALYAN ROY: It is a capitalist phenomenon.

SHRI H. M. TRIVEDI: ...in fact, under the auspices of the Government, two steps can be taken: one, making all ship-owners sit together, both with regard to tramp cargoes and with regard to general cargoes and forge, if possible, a voluntary consensus for the deployment of the tonnage in the national interest and in the best financial interest of the companies themselves. This presently is not being done. It is only a kind of

[Shri H. M. Trivedi]

tentative control exercised by way of licensing. Secondly, I would have hoped that while proposing these amendments to the Merchant Shipping Act, the Government would have taken the opportunity of, in fact, proposing amendments to sections 406 to 411 of the Indian Merchant Shipping Act which would enable the Government to bring about that kind of deployment over all Indian tonnage in the interest of the country and in the interest of the companies themselves. The sections from 406 to 411 give the Government at present power for certain licensing, but as far as I can see, those provisions are not sufficient for the Government to be able to bring about, if a voluntary consensus does not emerge, that kind of deployment. I still hope that a future opportunity will certainly be taken for amending sections 406 to 411 to enable the Government to acquire this power.

Sir, then I would go to the other major aspect. If you are going to funnel funds, is it not better that at least the quantity of funds that we are going to funnel to the shipping companies is limited? In other words, is it not better that steps are taken for bringing about economic viability of operation of the Indian shipping companies, rather than that they should go sick, they should feel the stringency of financial resources and then the Government should rescue them? In relation to conferring economic viability, I have two or three major suggestions. Firstly, the effective rate of interest which Indian ship-owners are paying today on foreign exchange loans negotiated over the last few years is somewhere near 10 1/2 to 11 per cent. In view of our very comfortable foreign exchange position, I would suggest and very strongly urge that a great portion of the foreign exchange loans incurred by Indian ship-owners be paid off. In fact, the hon. Finance Minister in his Budget speech has proposed making use of foreign exchange reserves in relation to appropriate

avenues where such resources could be used. I would suggest that this is one of the avenues where we can liquidate a substantial portion of the foreign exchange loans of Indian companies so that as far as their ability to service the debt as well as the interest liabilities is concerned, it will confer a certain benefit on them, which would add to their economic viability.

Now, what is better—to funnel funds or to make cargoes available, Government-owned and Government-controlled cargoes through the STC or the MMTC? Sir, no agreed procedure exists today within Government for pre-emptive shipment of cargoes sold and bought by the STC or sold and bought by the MMTC. No agreed procedure between Ministries exists for pre-emptive shipment of these cargoes on Indian vessels. Now, I have been urging the hon. Minister to take some steps in this regard. Both these organisations, the STC and the MMTC, have been enjoined by the Government by guidelines that they shall sell C.I.F. and buy F.O.B. as far as possible. I recognise that it is not always possible for us to lay down the terms of trade. It may be that in some cases you have to sell FOB and you have to buy CIF. But these guidelines are not being observed. That is one. Secondly, take the instance of sugar. STC used to sell sugar CIF. It started selling it FOB. MMTC used to buy fertilizers from the European Continent FOB. It started buying it CIF, Indian shipping being excluded from the carriage of these cargoes. I would, therefore, very strongly urge—as I said—rescuing the industry from financial difficulties is one part, but to buttress their economic viability is the other and more important part, to my mind. Therefore, I would suggest that very early steps must be taken by which TRANSCHART which is an organisation in the Ministry of Shipping and Transport, is enabled to make use of India ships pre-emptively, and the whole question of rate namely, at what rate the cargo should be carried should be taken away from

any controversy between STC and the Indian shipping. It is in that respect that I made a suggestion about a freight equalisation fund being operated by the SDFC. If there is any argument between a shipowner and the STC or MMTC with regard to the rate, it is a domestic issue. The cargo must be carried on an Indian vessel for one have been feeling very strongly that our public undertakings, the trading organisations, have not been observing the guidelines, and, as a matter of fact, everybody has been arguing, both the shipowner as well as the organisation, about the rate at which the cargo should be carried, while in fact—we very often talk about Japan—we never hear, we never even hear, we do not even read in any newspaper, any shipping journal, of the manner in which the Japanese settle their rate for their cargo for carriage on their vessel. You never know, you do not get any inkling of it on world charter market, you do not get even an inkling of it anywhere. Is this an issue beyond our comprehension, beyond our capacity, to resolve? Therefore, I would strongly urge that some steps must be taken.

Finally I come to the phenomenon. We are one of those benevolent developing countries where we have the most bizarre, most uncontrolled, systems of shipment of our cargoes. You will be interested to know that you do not need any more than a name-plate and a letter-head to become a freight broker to canvass cargo in this country to be served to foreign flag vessels; you do not need any more than a name-plate and a letter-head to become a shipping agent in this country; you do not need any more than a name-plate and a letter-head to become a stevedore, etc. licensed from the Bombay Port or from any other Port Trust agencies. Now, none of these agencies which are involved in the booking and shipment of cargoes have any inducement whatsoever to make cargoes available to Indian ships. It is to our shame that—I must

(confess—literally, I repeat literally, we are the only developing nation in which a foreign flag vessel can come and call at an Indian Port at any time it likes and pick up cargo for any destination in the world without anybody being wiser for it. In terms of cargoes lately, over the last six months, West Asia cargoes have been lifted from the west coast of India, from Bombay, by foreign flag tramp vessels which gave undue inducements via the freight brokers, via the shipping agents, etc. Nobody knew who the owner of these vessels was; nobody knew who the charterer of these vessels was; yet they lifted cargoes worth crores of rupees. And not only did they carry them they deliberately, systematically, miscarried cargoes worth crores of rupees to destinations for which they were not intended. Sir, this is the situation as far as our country is concerned, literally, as I said, without any control whatsoever. A seminar was recently held at Calcutta where all the vested interests joined up in an orchestrated concert opposing a proposal which I have been advocating for some time namely, the setting up of a national shipping agency with statutory authority—I am not suggesting control of anybody, I am not suggesting that anybody be eliminated from business—for no more than the canalisation of cargoes so that (a) these cargoes are preferentially made available to Indian vessels; (b) they are made available to vessels which are interested in regularly serving Indian interests, because everybody knows that we cannot serve 100 per cent of our imports and exports and therefore canalisation is necessary; and (c) it is only such an agency which will be able to resolve the difficulties of shippers with regard to availability, regularity and frequency of services and the type of vessels which will leave the destination ports, etc. I would strongly urge that the hon. Minister should give very early attention to this despite the so-called protest of the interested parties. Sir, all the interests were represented at the semi-

[Shri H. M. Trivedi]

nar in Calcutta except, I would submit, the national interests. As one unconnected with any interests whatsoever in the shipping world, I claim that I am suggesting here something which is of a paramount interest to the country. It is in this context that I would say that the time has arrived for framing some kind of framework for a national shipping policy the details of which can be worked out. As regards the contour of such a policy, I would only read out what I said elsewhere in this connection.

(i) Plan expansion of tonnage with a bold thrust at diversification with co-operation of all Indian owners—both public and private.

(ii) Enforce the existing guidelines on public sector trading organisations both with regard to terms of trade and pre-emptive shipment on an Indian vessel at the going world charter rate by isolating the argument on freight between the organisation and the owner.

(iii) Forge a consensus for the integrated overall deployment of Indian tramp tonnage—irrespective of the owner—for fulfilling the obligation to serve Indian bulk cargoes and compete as a consortium for share in the world's cross trades with operational flexibility.

(iv) Forge a consensus for the integrated overall deployment of all Indian Liner Tonnage—both public and private—irrespective of existing rights—to preserve our established shares in the Liner trades and provide service to shippers including promotional services where needed; and finally,

(v) Establish a National Shipping Agency with statutory authority for the canalisation of cargoes to the benefit of both Indian shippers and Indian shipping.

SHRI D. P. SINGH: Mr. Vice-Chairman, I really feel grateful per-

sonally and I must pay open compliments to the hon. Member who spoke just now for the wide knowledge and learning—even though he is in bad company these days—he has imparted on the subject. Many of the failings in the trade and in the shipping industry that have been brought put will, I am sure, be taken note of by the hon. Minister. Sir, there are two or three salient facts which need to be mentioned. One is that like every effort of the Janata Party, this is also one very, very undesirable step calculated to play havoc on the economy and political life of this country. I say this because it is understandable if it is said that money should be advanced to an industry or a shipping organisation since large sums of money are required and they cannot afford it and, therefore, to give encouragement to our people to buy ships this is being done and provisions are made in the Bill for giving loans on liberal terms. One can understand this. But what is happening? Large sums they are getting and the interest on the loans is minimal and the repayment is spread over a large number of years with some respite in the initial years and I should have thought that that was sufficient. But, Sir, this provision for advancing these loans for meeting any short-term financial requirements is alarming, to say the least. It is alarming. What does it come to? You advance moneys to buy ships; you advance money to tide over their difficulties, and you provide them with all facilities, and, ultimately, give them rebate also. Therefore, they carry home the entire savings and they pocket the investment and all that. Therefore, the most significant fact is this: This is a departure from the traditional policy of encouraging the public sector. I find, like all the policies of the Janata Party Government, this policy is being pursued, that is, the public sector is systematically denigrated and the emphasis is put on the private sector, on the individual, and still they talk of socialism and this talk of socialism

is still rampant and it is being talked about in season and out of season. But they go on running down the public sector and they go on killing the resources of the public sector and they go on encouraging the individuals to become big and to become that and that is how socialism is going to be brought about in this country. Lip-service is being paid to the poor, to the suffering humanity here, which is really hypocritical, to say the least. Therefore, Sir, I strongly oppose the introduction of this clause, this amendment, for the purpose of advancing loans for meeting any short-term financial requirements. That would really be anarchic and that would really be providing statutorily a source of corruption and the money will find itself in the pockets of the Janata Party, the Janata Party people, who are in high positions and the people here will be defrauded, looted, cheated and all that is the apprehension.

Here is your Shipping Corporation; here is your Moghul Lines. Yet, we are trying to look for other people to whom the money will go. If we wanted ships, we could have acquired more ships with the public money. If in running these organisations there were difficulties, one could understand the public sector being advanced moneys which are spent properly by them so that they would be in a position to reap profits and benefits and they would be in a position to reap profits and benefits and they would be in a position to plough them back or they would belong to the nation. But giving it over to these people is, to say the least, alarming and it creates in our minds more suspicions and, therefore, Sir, I oppose this.

Sir, the honourable Member, Shri H. M. Trivedi, is all knowledge in this matter and he has made some healthy suggestions and has brought to the notice of this House, very very important matters. Sir, to leave the various kinds of cargo available in this country for shipping abroad or cargo from abroad to be brought in-

1949 RS—9.

to this country absolutely in the hands of the foreign shippers provides one known source of leakage of foreign exchange for which this country had to pay very heavily. Sir, this House would remember that in the matter of the PL 480 imports alone, although it was said that the repayment of wheat could be made in fifty years and so and it appeared very attractive initially, the first thing that the United States Government insisted on was that the payments for the transport would be made straightway and the goods would be carried in the American ships. That is how crores and crores of rupees in foreign exchange were made. That was one of the conditions precedent. The hon. Member has pointed out various abuses in the process where the various foreign ships are able to pick up cargo at short notice by corrupting and bribing the unscrupulous agents, getting cargo at short notice. They do not obey the laws, they do not obey the mandate and they do not obey the directions. It was in the 50's that this matter was brought to the notice of the House and there was a furore. We had assured in the United Nations all the developing countries, the backward countries and the countries of Africa that as far as South Africa was concerned, our mode of sanction would be that we would not export jute. And that was a way of crippling their trade, crippling their import or export of goods, or wheat for that matter. But later on, it was discovered that the shippers from India bought wheat to take it to one country—Britain, for instance—and in the mid-ocean those cargoes used to be diverted to South Africa, which directly we intended to prohibit. So that here is an instance of what the hon. Member has said here. This was brought to light in this nation and brought before this House also. Now, these leakages are there. And what is required is a little amount of patriotism, a little amount of foresight a little amount of circumspection.

Sir, we are exporting heavy mat\*



[Shri D. P. Singh]

rial like coal, for instance, or like iron ore, for instance, which is in great demand. Some day we will have to consider whether we can sell off these commodities so cheaply and in such greater bulk. But at the moment we are exporting these. And the elementary precaution that we have not taken is that these should be transported in our ships. As the hon Member suggested, it may not be possible all the time or in every case, but if the insistence is there on behalf of the MMTC or the STC, as a matter of policy, then perhaps at least in some cases we may be able to succeed and there alone we may be able to achieve a certain advantage.

So these are the things to which the attention of the hon. Minister was drawn. And they may be taken care of. But, prominently, Sir, again I reiterate that an amendment of this nature has dangerous potentials, and we suggest that whereas moneys could be obtained for buying ships, it is really dangerous to make the same available to the companies for tiding over the present financial difficulties.

Thank you, Sir.

SHRI M. KADERSHAH (Tamil Nadu): Sir, I rise to support this Bill. I welcome some of the good aspects introduced in this amendment. These will go a long way in the development of merchant shipping.

In this connection, I would like to express some of my views.

First of all, I want to mention about the shipping service to the Andamans from the mainland. The passenger fare and freight rates have been increased. There is no justification at all for this increase. The passenger fare is almost equivalent to the air fare. Most of the passengers who travel by these ships are poor labourers working in the islands. If the service is incurring any loss, it may be due to mismanagement and not due to want of passenger traffic. Service to Andamans is a social compulsion. Andamans are a part of the

nation which we cannot forget. There is also the defence strategy and necessity. There are more than 320 islands which form part of Andamans and Nicobar. Without regular shipping service, some islands were occupied by foreigners and they are arrested. We should also bear in mind that Andamans is closer to countries like Indonesia, Malaysia and Thailand than to our mainland. Hence even if passengers are not there, shipping service must be run regularly to Andamans.

Having said this, I would like to tell from my own personal experience that tickets are being sold at exorbitant prices. Generally, the passengers have to wait for hours together at the ticket counters of the unscrupulous shipping agents. I can even cite instances of overloading in these ships. Due to dire necessity, some people are prepared to travel even in the cargo space. The Minister can get more information if he makes a surprise check. I hope he will undertake an on-the-spot study. So, Sir, it must be ensured that Andamans is connected with the mainland through regular and cheaper shipping service.

Secondly, the Minister's claims that we have exceeded 30,000 tonnage is not a big achievement. For a country having a coastline of 5600 kilometers, the total tonnage of 30,000 is a flea-bite. It does not redound to our credit that in 30 years we could have only 30,000 tonnes and that too by ships bought from foreign companies. We have thus frittered away valuable foreign exchange running into several crores. We should develop indigenous ship-building capacity. There are not enough ship-building yards in India at present. We are now getting ships from countries like Japan and Yugoslavia at a high cost. We are all aware that Japan is having no mine. They import iron ore from India, build ships in their docks and sell them to us at an abnormal rate. Now, I am happy that the new Minister has thought of providing funds for shipbuilding yards. This will not only help us to save foreign exchange but

also give employment opportunities to many of our people.

Sir, I come from the southernmost part of the country, namely Tamil Nadu and I am proud that our maritime history is centuries old. Even before Christ was born, Tamil Nadu had, centuries ago, sent ships to the eastern and western countries from its ports. We all know that Vasco de Gama had discovered the sea route to India. But the fact that he was guided by a South Indian mariner from the Cape of Good Hope in Africa to Calicut in India is not known to many. Why do I mention this? It is because all these ancient ports are now lying unexploited. I would like to mention particularly about Nagapattinam which was worst hit by the recent flood and cyclone. Already the Government's ban on onion has affected hundreds of port workers of this place. They have all been thrown out of job since the loading work has come to a standstill. The Government should rebuild the Nagapattinam port. I would like to stress that one of the new ship-building yards should be located in Tamil Nadu in view of its strategic position in the Indian Ocean. Sir, there is no adequate dry dock facility in our country now. Many of the ships, including the prestigious passenger liner of the Shipping Corporation of India M. V. Chidambaram, are sent to foreign dry docks. If the Corporation ships are sent to other countries, then what to say of other ships of private companies? We should pay attention to this. Sir, I support the suggestion of my esteemed friend, Mr. Trivedi, that Indian goods must go in Indian ships. I am very sorry that the Ministries, while negotiating the agreements with foreign countries do not insist that our goods must go in Indian bottoms. It is strange that we should ourselves sponsor foreign lines. Even if the freight earnings go to private Indian shipping companies, they will come to our country only.

Sir, the merchant shipping cadets do not have insurance facility. It is

a sheer coincidence that the 'Emperor Ashoka' exploded in the air and the 'M.V. Samudragupta' grounded into the water, sir, the victims of these ill-fated ships had not been covered by insurance. In consequence, their dependents have been left high and dry. This is so in private shipping companies. The casual labour in the merchant shipping routes are actually slaves in the year of Grace 1978. They have no service conditions and even for a legitimate demand, they are disgorged on port outside India and they have to fend for themselves.

Then, Sir, the Government has not mentioned about small shipping companies. The funds from the SDFC must go to small companies and not to big crocodiles. There is a proverb that big fish catch small ones for their survival and the shipping companies seem to be no exception.

Finally, Sir, before I conclude, I would like to say something about nationalisation. As a step towards nationalisation of the shipping industry, the Government should think of nationalising shipping agents who are fleecing the public like anything. It is surprising that the shipping companies with huge investments are incurring heavy losses while these agents who are very unscrupulous are minting money with less investment.

With these words, Sir, I support this Bill.

SHRI CHAND RAM: Sir, I am happy that some hon. Members have made constructive suggestions while others criticised some of the provisions of the Bill. Mr. Kalyan Roy has dubbed this Bill as a very sinister Bill. Another hon. Member has also opposed it bitterly. Sir, so far as Mr. Kalyan Roy's arguments about the starving of our shipyards are concerned, I have got figures with me. The Hindustan Shipyard Limited at Visakhapatnam has just six orders on hand and it is not starving. The CSL has three orders and it is not starving. The Gardenreach has also six orders on hand. There are in total 15 orders

[Shri Chand Ram]

on these three shipyards. Therefore, it is not correct to say that our shipyards are starving from orders. In fact, as I have said so many times before, we are proposing the setting up of two shipyards and had these present shipyards been starving, we would not have opted for this. We are proposing to set up one or two shipyards in future, so that our requirements may be met by indigenous manufacture. Sir, the hon. Member has also raised the question of trawlers. Sir, this Ministry is not concerned with the acquisition of fishing trawlers. This Ministry is concerned with the acquisition of big shipping vessels. The fishing trawler is the concern of the Agriculture Ministry. Of course, we have drawn the attention of the Agriculture Ministry to the fact that certain indigenous manufacturers are ready to manufacture the fishing trawlers. Now it is up to the Heavy Industry Ministry or the Agriculture Ministry to find out whether they have the capacity and whether they can meet the requirements of fishing trawlers. But so far as small vessels are concerned, there is a separate fund to the extent of Rs. 2 crores, out of which we have advanced Rs. 1 crore for the acquisition of small ships for small fishing trawlers. In the next plan also we will continue with this scheme.

Then, Mr. Kalyan Roy also said that we were advancing loans to the big business and that we were unnecessarily financing the private sector. Now, Sir, may I say that during the last thirty years we have been able to increase our tonnage 30 times? It is only because of this thing that we have been able to do it. Our tonnage, when we achieved independence was just about 1.92 lakh G.R.T. But the present tonnage is about 5.35 million GRT. Everybody knows that this shipping business is a capital intensive business. Small companies or small people cannot start this business. It is only those people who have the capital with them or those who have some enterprising spirit, who can set up such a business.

Therefore, it is but essential that we advance them the loans. So far as the question of a check or supervision over them is concerned, we have made a statutory provision of nominating a director on the Board. But even before it was legally provided in the Act, we had a director on the Board who could oversee and supervise the working of these companies.

Now, so far as the Shipping Development Fund is concerned, there is a provision in section 16 of the Act which says that the Comptroller and Auditor General shall check the accounts of this Fund. Its report is also placed before Parliament. Therefore, it is through this procedure that Parliament exercises a check over the advancement of loans by the Shipping Development Fund.

Now, so far as the question of loans that have been given to the various shipping industries is concerned, may I say that out of about Rs. 1,035 crores of loans sanctioned so far, about 60 per cent of them have gone to the Shipping Corporation of India or the Mughal Lines and to the private sector we have sanctioned only Rs. 406 crores. You can thereby see that we give preference to the public sector, i.e. the Shipping Corporation of India or the Mughal Lines.

One of my hon. friends here raised the question that we are now advancing loans for short-term finances. Now, with great difficulty we have been able to achieve this much of tonnage and so far we have not been able to achieve the target that was set for the Five Year Plan and now he says that we should not finance them when all over the world we find that the shipping industry is passing through a crisis. I am given to understand that in Japan, which is traditionally a ship-building country, some shipping companies have gone into liquidation. Yet our hon. friend says that having achieved this much of tonnage, we should not advance them loans when they are in need. This Fund has been created only to meet

the short term requirements because there is a crisis in freight, there is a crisis in shipping industry and it is with a view to overcoming these difficulties that this amendment has been brought in. But he has ignored to mention that by this very amendment we have also provided to advance loans to the indigenous ship-builders. Such a provision was lacking. Now, he has not said anything to the effect that this Fund will also be utilised to advance loans to the shipyards directly. Previously we used to advance loans to shipping companies which may acquire ships from the Indian shipyards. May I say that this Shipping Development Fund Committee grants also to the extent of 90 per cent of the price in respect of new ships acquired from abroad and 95 per cent in the case of ships acquired from the Indian shipyards. So, we are already giving preference to the shipping companies acquiring ships from the Indian shipyards.

Mr. Kalyan Roy also raised an objection about our purchase of ships from the U.K. He said that we are acquiring these ships by loan. I think he is not aware of the position and I take this opportunity of removing this impression. That loan is an outright grant given by the United Kingdom Government. Had we not utilised that grant, it would have resulted in not only denying ourselves of this aid by not utilising this aid this year but also we could not have asked the U.K. Government to increase that aid, and this point was made clear.

Mr. Trivedi has been in this Ministry for quite a long time. He has, of course, made very constructive suggestions. He is a member of the Consultative Committee also and he has been making these suggestions off and on. I would have been indeed happy if, when he was in office, he could have implemented them. He had the opportunity to implement all these suggestions when he was in this Ministry. But I can assure him—he is an hon. friend, a valuable colleague...

SHRI H. M. TRIVEDI: May I say that I am, in fact, repeating those which I initiated?

SHRI CHAND RAM: That is why I said that he has made very constructive and very healthy suggestions and these will be discussed with him. \* called a meeting only two weeks back of all the shipping interests and I met them and so, I can assure Mr. Trivedi, that his suggestions have already received my attention and I can say that the suggestions that he has made, will be given full due and sympathetic consideration.

Some Members said some unnecessary things about wheat being diverted to South Africa and all that. I can only say that I am at it and I want that all Indian cargo, for imports and exports, is carried, as far as possible, in the Indian ships. For this purpose, Sir, I have addressed a letter not only to our Prime Minister but to other Cabinet Ministers also suggesting or requesting them to see that whenever there are agreements between the countries, bilateral agreements or multilateral agreements, this should be seen that the cargo, whether it is for imports or exports should, as far as possible, be carried only in our Indian bottoms.

Sir, certain Members, particularly from Tamil Nadu, and Mr. Kalyan Roy also suggested setting up of a dry dock and a shipyard in Tamil Nadu. We are considering as to how to meet the demand. I myself know that we have shortage of ship repairing yards and our ships have to go for repairs abroad and we lose valuable exchange. We shall consider this aspect also. We have, of course, made a provision for a ship repairing yard to be set up at Haldia. Two new shipyards are also proposed to be set up and, therefore, I can assure the hon. Members that this Janata Party Government is not supporting the big business. We will make a provision so that these advances for acquisition maintenance, modification etc. are not misutilised,

[Shri Chand Ram] In fact, I have withdrawn the grant of certain loans to some companies on this score when I was given to understand that some shipping companies have been misutilising and have been declaring dividends beyond the limits permitted by the Government. We are exercising our utmost vigilance in these matters. With these words, I would request the hon. Members to give their approval to this measure.

SHRI H. M. TRIVEDI: On a point of clarification. In regard to the composition of the SDFC, I had suggested to the hon. Minister that there should be some non-official representatives.

SHRI CHAND RAM: I think, in the Act itself, under section 15, there is a provision. There is no bar for nominating non-officials. He knows it. Therefore, we are not proposing any amendment to that. We have made a provision that the number of directors should be increased from six to twelve. But it does not necessarily mean that only officials would be nominated. We will consult our friends.

SHRI H. M. TRIVEDI: I hope it will not be so.

SHRI CHAND RAM: -Well, we have to associate the Agriculture Ministry; we have to associate the Company Affairs Department. There are certain interests which have to be associated so far as the grant of loans is concerned. But there was a suggestion from the Members of the Lok Sabha and

there were also suggestions from hon. Members here that some non-officials should be associated. I can assure the Members that this suggestion of theirs would receive our due consideration.

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): The question is:

"That the Bill further to amend the Merchant Shipping Act, 1958, as passed by the Lok Sabha, be taken into consideration."

*The motion was adopted.*

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): We shall now take up the clause-by-clause consideration of the Bill.

Clauses 2 to 8 were added to the Bill.

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

SHRI CHAND RAM: Sir, I beg to move:

"That the Bill be passed."

*The question was put and the motion was adopted.*

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): The House stands adjourned till 11 A.M. tomorrow.

The House then adjourned at nine minutes past six of the clock till eleven of the clock on Friday, the 3rd March, 1978.