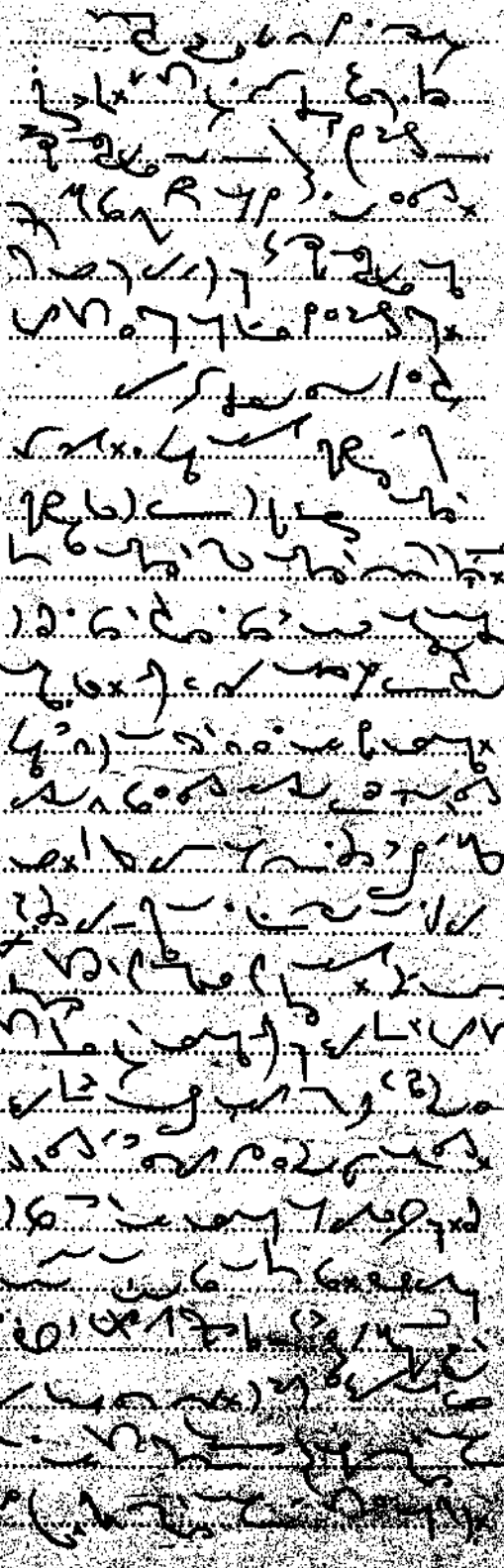
volume 14





{Speech of the Prime Minister, hon. Shri P. V. Narasimha Rao, made in the Lok Sabha on 18th September, 1991.}

**TRANSCRIPTION NO. 287**

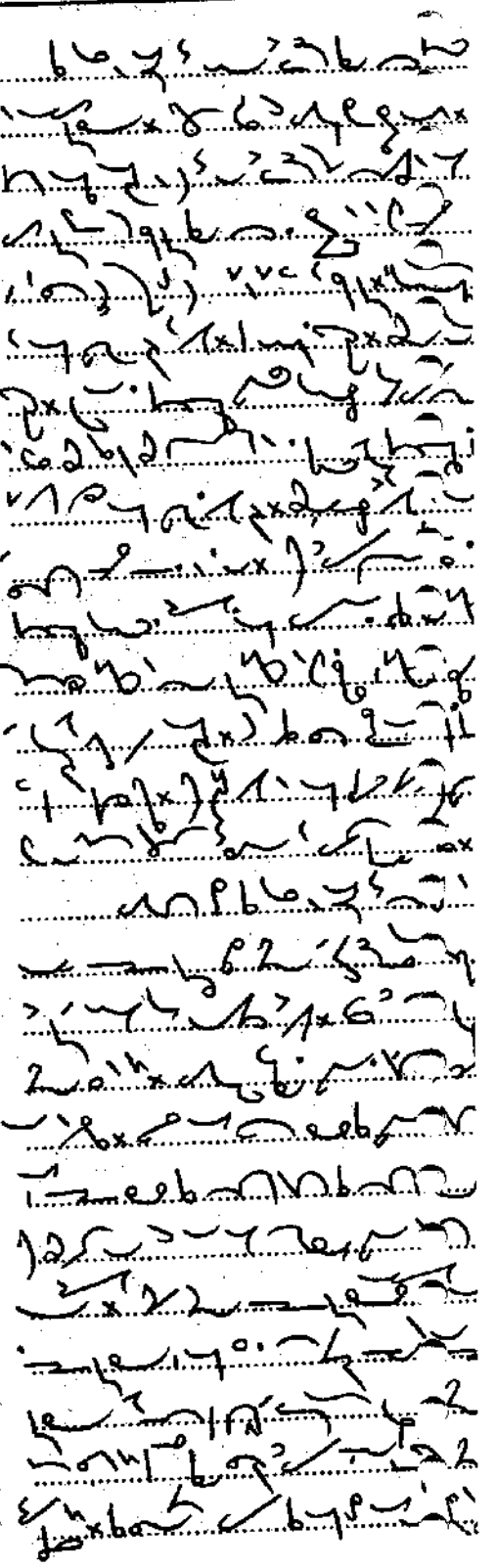
I am grateful to the hon. Members who have made such a meaningful contribution to the debate. I also feel / a little disappointed that this year the Demands of the Ministry of External Affairs could not come before the House / as they have always been coming year after year and I think this should be the last year in which / such a thing has happened. From next year, we should see to it that the Ministry of External Affairs / India's Foreign Policy is brought into FOCUS as it has always been brought.//

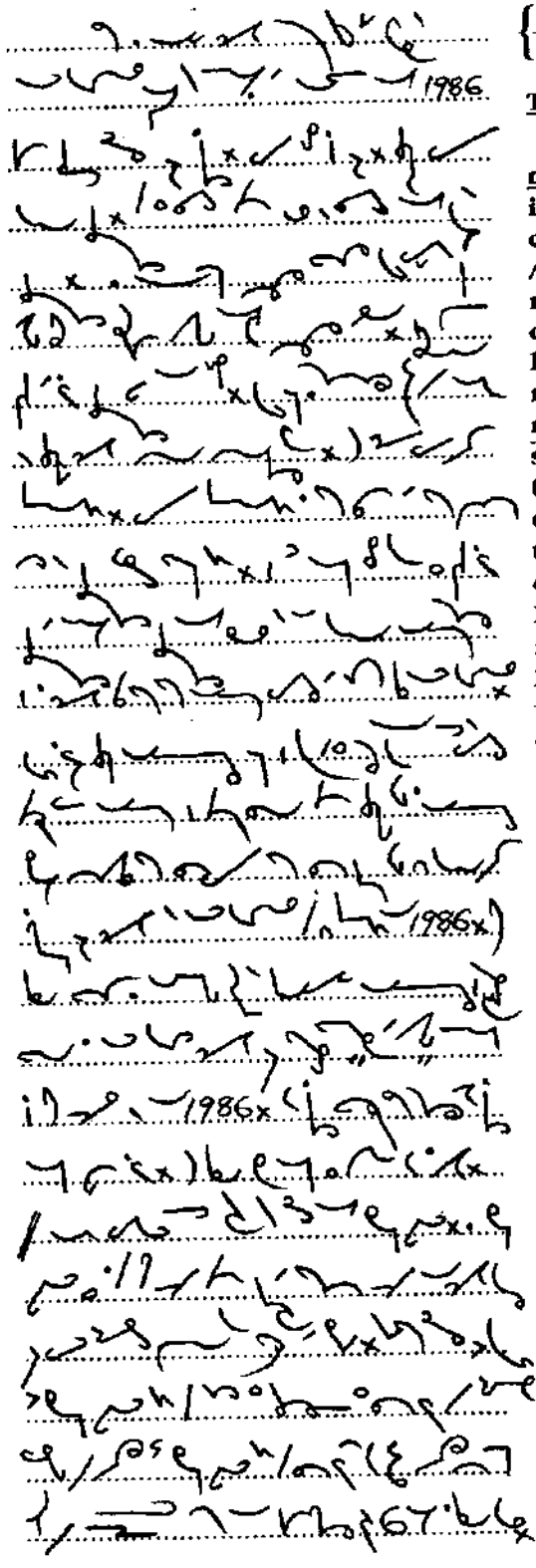
We are really discussing something which has BAFFLED (100) the whole world. The changes in the world during the last few years and probably during the last few months, / have been so quick, so difficult to explain in terms of time, in terms of MOTIVATION, in terms of immediate / or remote cause. So, there is an element of BAFFLEMENT, an element of the unknown, unforseen, unanticipated in all these events. / And therefore, when you are in the midst of such quick baffling changes, what you see in front of / you is a new set of uncertainties. We do not know how this has happened and we do not know (200) equally what is going to happen next. At best, we can only make an assessment of the situation and / on the basis of that assessment, we could perhaps in a FOCUS manner, in a general way, determine the policy / of our Government or determine the policies of other Governments, other powers in the world. So, the interaction also becomes / full of uncertainties and, therefore, today when we talk of foreign policy, when we talk of the international situation, / no one can be sure that what he is saying is bound to happen and what someone else is saying will never happen. (300) So, this is the kind of new uncertainty in which we find ourselves today. There is nothing / wrong in owning this, in admitting this. Since we have had a CONSENSUS on foreign policy / from the beginning, / it is good that all [illegible] which I have had the occasion to listen to [illegible] IMPORT. So, I would say that we are [illegible] a new policy framework for the [illegible] / the movement of Non-Alignment [illegible] Member of the Movement of Non-[illegible] as India per se. (400)

It is for us to ensure that the ending of the cold war does not mean domination of any one / power centre. Precisely on this point, we have had several speeches now. It will be India's endeavour to see, that the / end of the cold war or the emergence of only one power BLOC or superpower does not mean / the SUBJUGATION of all other countries who, on some issue or the other, do not SEE EYE TO EYE with / that superpower. I have no doubt in my mind that India will have to play that role. (500) It need not be CONFRONTATION. There is no need for confrontation. Even in a democratised United Nations, for instance, for which we are / making all efforts, there is possibility, there is likelihood of a difference of opinion, and if that democratisation continues / on the right lines, India will have a role to play. There is no question of the role of India / and similar countries coming to an end. Therefore, what we are looking for is a democratised functioning of the world/ community wherein the decision is not on the basis of armaments, on the basis of money power, on the basis of other considerations, (600) but on the basis of justice and fairplay, and that should be our endeavour. So, it is the / same struggle in a different context, with different tools perhaps. Therefore, I do not think that the role of India / which we have CHERISHED so far will ever end and I am absolutely certain that we will continue this.

We have also said it is for us to ensure that the emergence of new economic powers such as Germany and Japan / works for the betterment of the poor and not only for the enrichment of the rich. (700) This is what my visit to Germany is all about. We have found that it is not a UNI-POLAR world in all respects. / Yes, in the military sense it is uni-polar; but in the economic sense it is multi-polar; / it is MULTI-CENTRIC. Therefore, there is really no point in only emphasizing the uni-polar nature of the world. / There are so many economic power centres in the world. India is not an economic power centre but India has / an importance which cannot be ignored by any economic power centre, and that came out loud and clear in my visit to Germany (800).

I am happy about it because it is not simply what we are going to get from / Germany tomorrow that we discussed about. It is something much more...where does India stand in the new set-up of Europe? (840 words)





{Speech of the Prime Minister, hon. Shri P. V. Narasimha Rao, made in the Lok Sabha on 18th September, 1991}

**TRANSCRIPTION NO. 288**

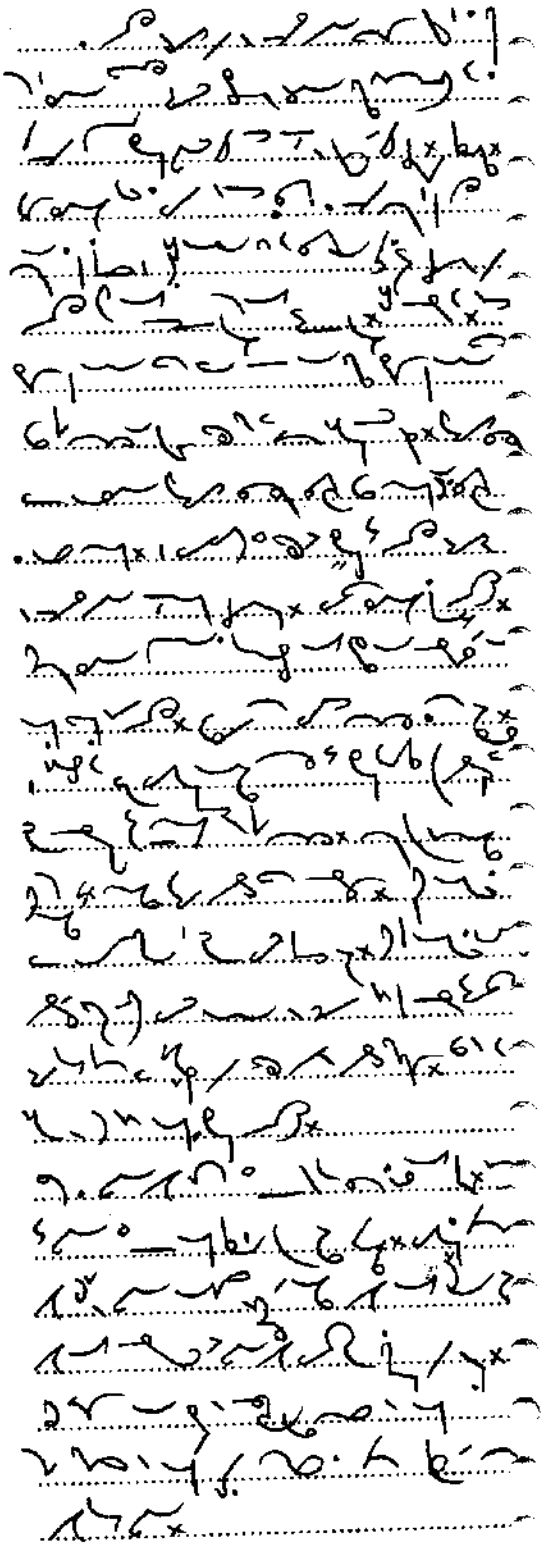
Sir, the new world order based on the philosophy of non-violence INITIATED by Gandhiji and incorporated in the / 1986 Delhi Declaration — what happens to that commitment ? We stand committed to that. It is true that / we are having disarmament. Much has happened, much more needs to happen in the field of disarmament. The intermediate MISSILES / more or less have been WIPED OUT, and then there is SIZEABLE reduction in the other missiles and so on. / But there is nothing like total and complete disarmament yet in sight. Even today, the armaments that they have are (100) enough to destroy the world many many times over. So, what are we really talking about ? We are talking about / a very slow and very limited amount of disarmament that has been brought about. But what India stands for is total, / complete disarmament and not only disarmament in the sense of not having NUCLEAR arms, but a world which is / free from nuclear weapons and also it is non-violence. If you completely destroy nuclear weapons today but after 10 years / if another kind of weapon, which may not be called 'nuclear' but which may be something much more destructive (200) than a nuclear weapon, suddenly emerges from somewhere, from some power, then you have not really contributed to that world / of non-violence which you talked about in 1986. Therefore, it is not merely the negative / aspect of doing away with nuclear weapons, but positively creating a non-violent world to which President Gorbachev and Rajiv Gandhi/ committed their countries to in 1986. That commitment, Mr. Speaker, Sir, remains, and that commitment / India will complete. So, it is not as if India is left without a role.

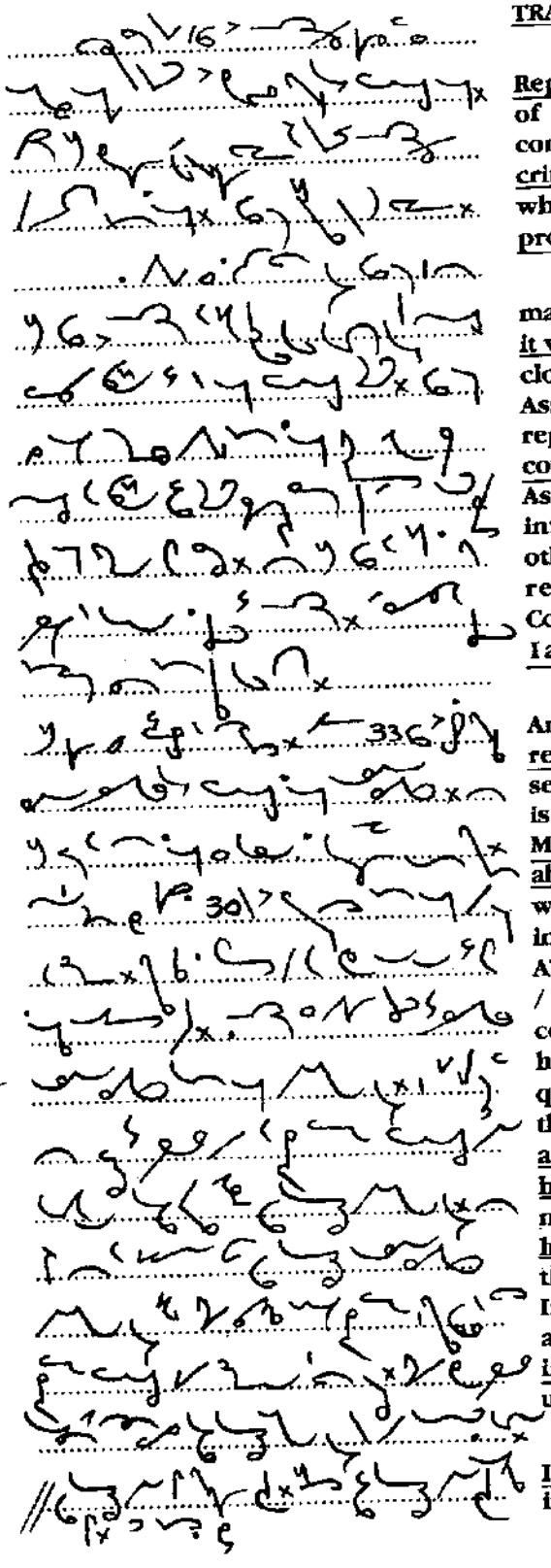
Now, we have been again BAFFLED (300) by what happened in the Soviet Union. The Soviet Union is a much larger country, much more powerful and / very important country in world affairs, to which we have always been looking for friendship and support. Apart from what / happens to the future of the Soviet Union about which I am not as PESSIMISTIC as some people are, / I would like to say that in respect of our relations with the Soviet Union, about which some people might think / that these relations may get SHATTERED, our economic cooperation might be in DOLDRUMS, I believe this is only a passing phase. (400)

The relations between our two countries are not merely based on a treaty or on certain agreements, but we have SUBSCRIBED to / certain principles, and I am quite sure that a large country like the Soviet Union just cannot go to / pieces and just disappear; it is not possible. They will certainly find a way of again CONSOLIDATING the country, / MAYBE on different lines, maybe in a different context, but I do not see anything beyond that happening, which would completely DISRUPT our relations either in the economic field or in the political field. I do not expect that.(500) I cannot spell out anything more, nor can any Members spell out anything more than this at the moment, not even the / friends abroad with whom I have had occasion to speak. Everyone seems to be equally uncertain; everyone seems to be / hopeful this minute, not so hopeful the next minute. But, we would say, as friends of the Soviet Union, / that the relations between the two countries are not going to be disrupted. We will certainly continue the relationship. There may be / certain LACUNAE, for instance, in the supplies, in exports and in the NITTY-GRITTY of our relations. (600) These are important; we cannot minimise the importance of these things. But I understand that whenever we have taken up any of these / matters with the Soviet authorities, they have responded with whatever EXPEDITION that they could manage at the moment; / maybe after two months, three months or four months, they would respond more EXPEDITIOUSLY. / There had never been a COLD SHOULDERING on whatever we have taken to them. There had never been a negative / response from them and, therefore, we have nothing to worry about it except that we will have to wait for the time (700) when on the other side our friends are able to respond properly. That is all that / I have to say about Indo-Soviet relationship.

Sir, the UN role also has come up for some comments in the / debate. I am sure that the UN has come into its own after all these changes. We have had/ a much more important role ASSIGNED to UN in the last two or three years and in this role, in the / assigning of this role, in the expansion of the UN role, we also have contributed our bit. (800)

There is hardly any speech of the External Affairs Minister of India or the Prime Minister of India which did not / emphasise a much more DECISIVE and important role for the UN. (840 words)





TRANSCRIPTION NO. 289

Mr. Speaker, Sir, Part XVI of the Commissioner's Report deals with his investigation into the operation of the safeguards provided / for the Anglo-Indian community. Last year, I was severely and even bitterly critical of that part of the Commissioner's / Report which related to my community. This year, I do not propose to be so critical.

The Report is a / little more full this year, but may I say this to the Commissioner that I think it would have been / even fuller, if he had maintained closer LIAISON with the All India Anglo-Indian Association. This body is the only organisation (100) representative of my community throughout the country, and if he maintains that liaison with this Association, he will be able to / secure DATA and information which he cannot possibly get from any other source. May I say this that / I had an opportunity recently of having a discussion with the Commissioner? And as a result of that discussion, / I am glad to say some of my doubts have been ALLAYED.

I shall deal first with the question of employment./ Article 336 of the Constitution provides certain reservations for the Anglo-Indian community in certain services. (200) May I say here that my community is facing a FIERCELY acute unemployment problem? My own estimate is that at least / 30 per cent of the able-bodied men of my community are today without work. Perhaps, it is an AFFLICTION / which they suffer in common with the other communities in the country AT LARGE. The Commissioner has rightly observed / that the reservations in certain services for my community are not being filled. But I join issue with him when he says / that the reasons are that suitably qualified Anglo-Indians are not FORTHCOMING for these jobs, and, that is why, (300) these vacancies are not being filled. May I tell him that, on the one hand, while these vacancies in certain services are not being / filled, on the other hand, there are hundreds, not only suitably qualified, but perhaps thousands of / more than suitably qualified Anglo-Indians who are working on mere PITTANCE ? There are several reasons for the same, and the/most important ones for these vacancies not being filled up are in my opinion the following.

These vacancies / are not at all properly advertised. I do not mean that these vacancies are not advertised in the Press at all. (400) What I mean is that the

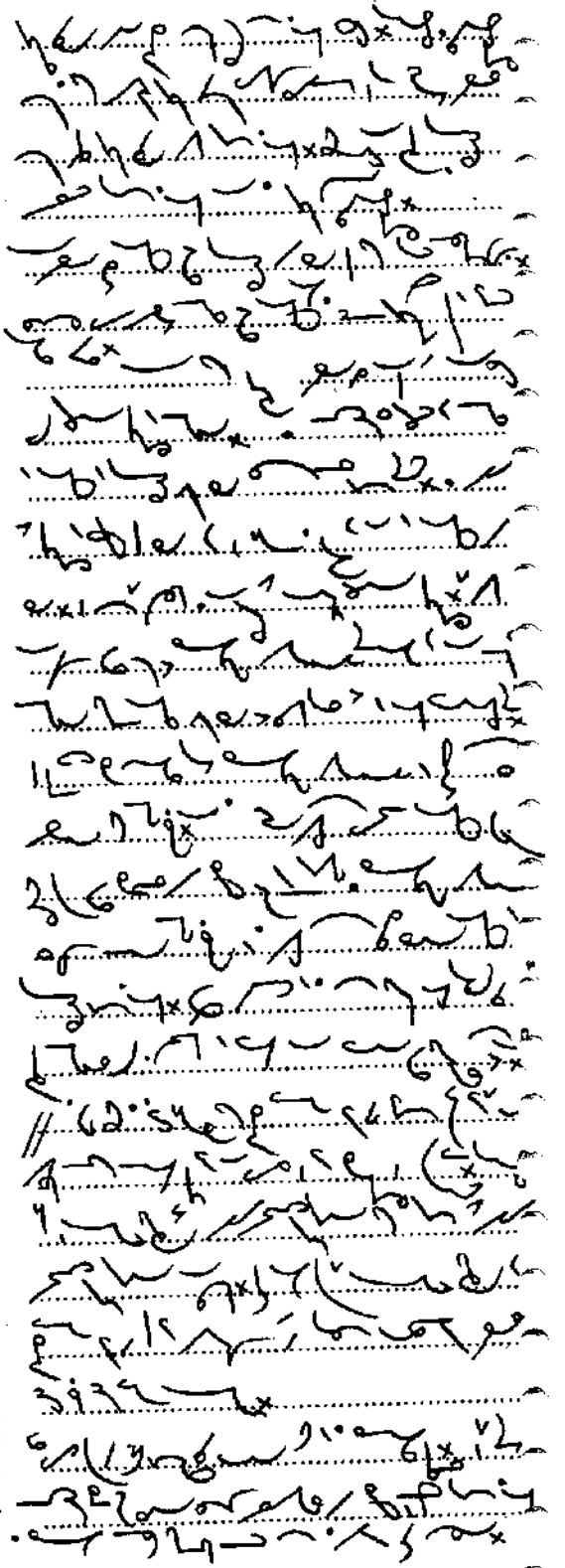
papers chosen are not suitable MEDIA so far as my community is concerned. / For instance, the Hindustan Times may be a very reputable paper, which may be widely circulated, but for whatever the reasons / may be, it is the paper which is not read by my community. There is no point in advertising vacancies / reserved for my community in a paper like the Hindustan Times.

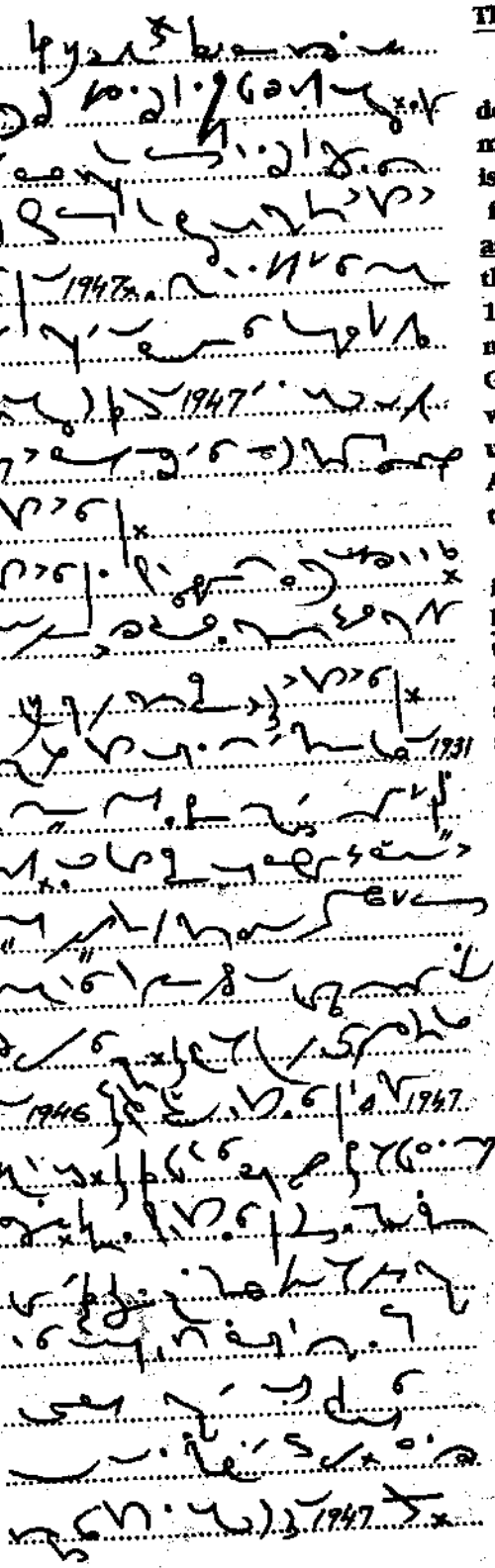
Another reason is that the notices of these vacancies are sent out very often extremely late. Sometimes, we received the copies of these notices only a week before the last date of application for these jobs. (500)

Another very powerful reason is the INDIFFERENCE and unconcern shown by certain Departments / of Government. The Commissioner has observed that copies of notices of vacancies should be sent, as a matter of course, / to my Association. The Railways and the Department of Posts do send them, but I have a feeling that / not all notices are sent. But may I illustrate the incompetence and the INEPTITUDE of certain Departments? I wrote / in July this year to the Central Board of Revenue asking them that IN KEEPING WITH Government practice, notice should be sent (600) to the head office of the All India Anglo-Indian Association. It took more than several months for the/ Central Board of Revenue to state that the matter is receiving their active consideration. In an ordinary routine matter, / with regard to notices, even after three years after these safeguards are supposed to have become OPERATIVE, the Central Board of Revenue / is still giving active consideration to a routine matter such as sending notices of vacancies to my community. / This is the reaction of an important, bright, intelligent official who is displaying Government's usual ALACRITY OF energy in honouring these professions to the minorities. (700)

Then, there is a complaint I have received from suitably qualified people who have told me that / they have applied under registered cover, acknowledgement due, applied not once but applied several times, but they have not been / called. For instance, I had to intervene personally with the Railway Recruitment Board operating from Bombay, and the / Railway Recruitment Board operating in Sealdah. It was only after I intervened personally that suitably qualified people, who had applied repeatedly,/ and who, for some INSCRUTABLE reasons, were not considered, were called for interview. (800)

That is one feature which I wish to emphasize, which is nothing short of a SCANDALOUS disgrace. But I asked the Commissioner as to why, although certain/ small reservations are supposed to exist for my community, the Central Excise Directorate gave me a reply which was amazing. (840 words)





**TRANSCRIPTION NO. 290** { Speech of the hon. Finance Minister }

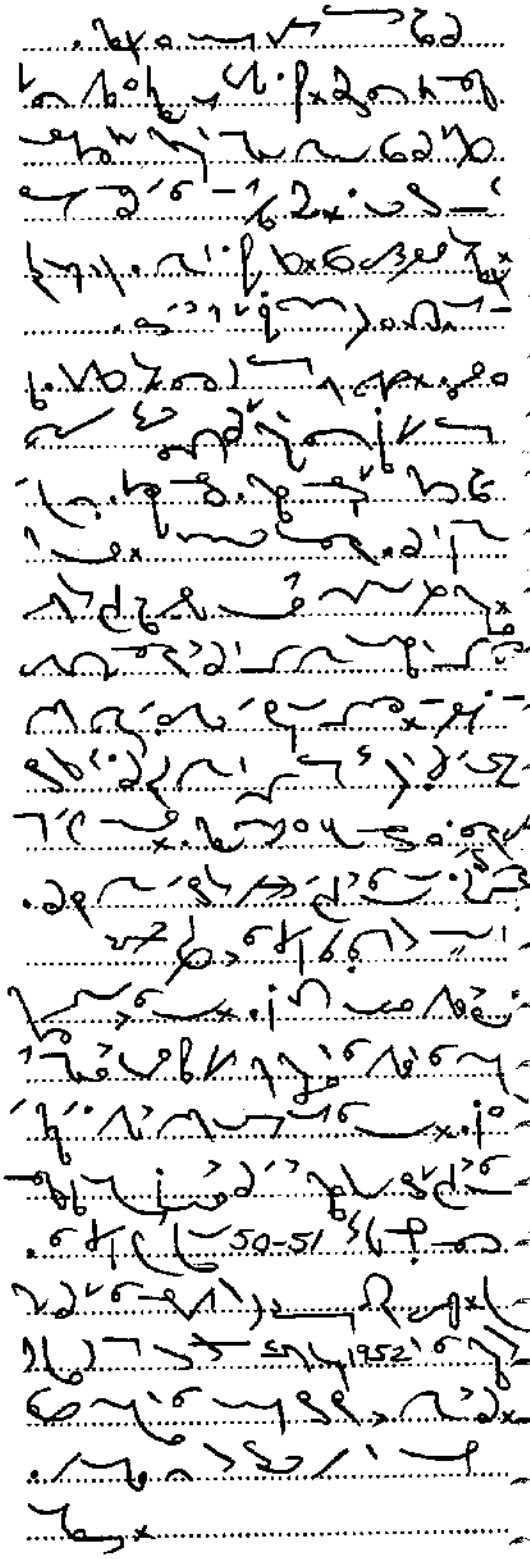
AT THE OUTSET, I wish to clarify that the Bill does not seek to impose a new or fresh CESS,/ much less a cess at a higher rate than what is already in force. The Bill only seeks to provide/ for collection of a cess at precisely the same rate as has been collected for several years now from the / time of the abolition of the salt DUTY in 1947. The LEVY of a charge on the / salt manufactured in private and in Central Government salt factories at the rates now in force was decided upon (100) in 1947, and a notification under rule 37 of the Central Excises and Salt Act/ was PROMULGATED SIMULTANEOUSLY with the abolition of the salt duty.

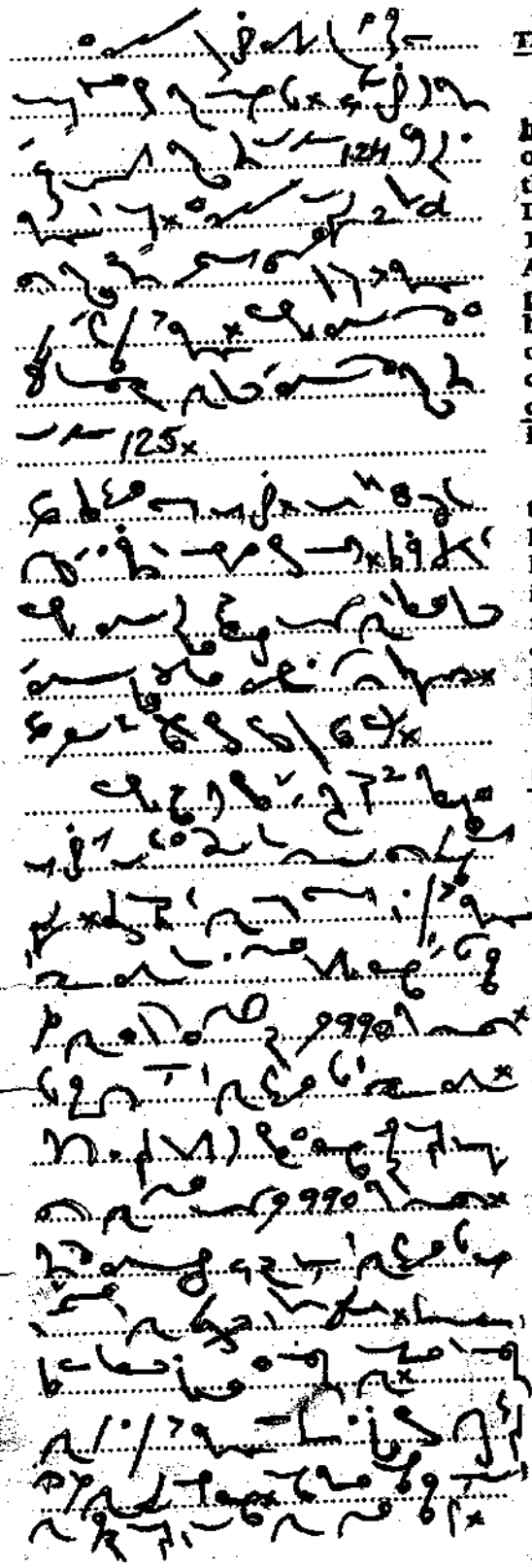
The abolition of the salt duty, a step of historic importance, / is fresh in the minds of all of us. I need not recall to the minds of hon. Members/ the very great importance that was very rightly attached, if I may say so during our freedom struggle, to the / ISSUE of the abolition of the salt duty. The move for such abolition entered an important and dramatic phase (200) in 1931 when Mahatma Gandhi LAUNCHED the satyagraha movement and EMBARKED ON the Dandi march./ The non-violent struggle ended successfully with the signing of the Gandhi-Irwin Pact which permitted certain RELAXATIONS on the collection/ and manufacture of salt by local residents in villages immediately adjoining areas where salt could be made. It was, however, / only after our national leaders ASSUMED office in 1946 that it was possible finally to abolish / the salt duty on 1st April 1947, on the EVE of Independence. It was decided then (300) that salt would not be used, as it was until then, as a major source of revenue. At the time/the step to abolish the salt duty was taken, the Government considered the matter fully and decided that it was necessary / to have an organisation which should not only REGULATE the production of salt in India but also concentrate/on improving the quality, increasing the production and, in short, developing the salt industry in a comprehensive and planned way./ As a means to implement this policy, a notification was issued in 1947 by the Government, (400)

The present Bill is intended to regulate the collection of this cess at the same rates as at present under the / authority of a STATUTE. There has been some doubt expressed in recent times about the PROPRIETY of Government levying / this cess on the basis of the Central Excises and Salt Act and the rules THEREUNDER. An opinion has been / given that it would be better to put the levy on a statutory basis. This is one of the reasons / for the present Bill.

The second, and what I consider the more important object, is to lay down in the (500) Act itself the purposes for which the sums so collected should be utilised. The House is well aware that we have / similar cesses on the production of some other commodities which are collected, and after meeting the administrative expenses, / the PROCEEDS EXPENDED on the promotion of those particular industries. I may mention, for example, the cess on tea, coffee, rubber, / for the development of these RESPECTIVE industries and the marketing of such products. We have also the example of the / cess on coal levied in the interests of coal mine labour welfare and CONSERVATION and safety in coal mines. (600) Quite recently, an Act has been passed that a cess shall be levied on mill cloth with the object of assisting / and encouraging khadi and other cottage industries. The present measure, as I have explained, is a simple one. The cess / is to be levied and spent for the REGULATION and development of the salt industry in a scientific and / planned manner.

I would like to refer, at this stage, to the Salt Advisory Committee, which is consulted by the / Government of India on problems relating to the salt industry. The Committee also includes representatives of the Central Government (700) and the Governments of the various States which are the PRINCIPAL producers of salt, representatives of salt manufacturers and traders and / a representative of the labour engaged in the salt industry. The Committee has expressed itself in favour of the continuance / of the cess and of the proceeds being spent on the development of the salt industry. The Salt Advisory Committee / further advised in 1950-51 that the then existing exemption from the cess on the salt / exported by sea to Calcutta should also be withdrawn. After their advice was acted upon by the Government with effect from (800) February 1952, all salt produced by the LICENSED manufacturers of salt in India has been / subjected to the levy of the cess. The recommendations made by the Planning Commission are of interest in this connection. (840 words)





**TRANSCRIPTION NO. 291** { Speech of the hon. Home Minister }

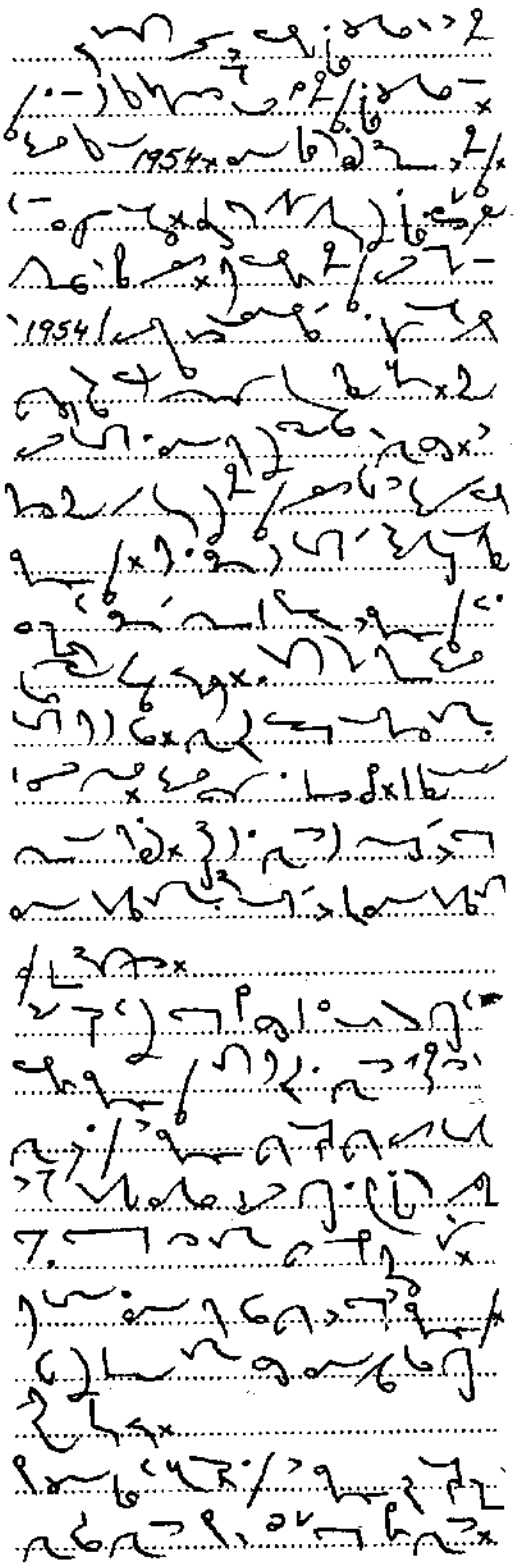
As you are aware, before the Constitution, we had the Federal Court as the highest court in India, of course / subject to the Privy Council then. When the Constitution was framed and when it was INAUGURATED, provision was made in / Article 124 that there shall be a Supreme Court of India. As you are aware, in Schedule / II, Part D, some provisions were made regarding the salaries to be paid to the Supreme Court Chief Justice and/ other Judges of the Supreme Court. In respect of certain matters, as for example leave, pension and certain other matters, (100) provision was made in Article 125.

This is the position that was created under the Constitution. / Now, about eight years have ELAPSED and a considerable amount of experience has been gathered. It is considered desirable that/ in respect of certain aspects of this question, namely, leave of absence, pension and certain other conditions of service, we should have / a law made by Parliament. That is the reason why this Bill has been placed before this hon. House. /

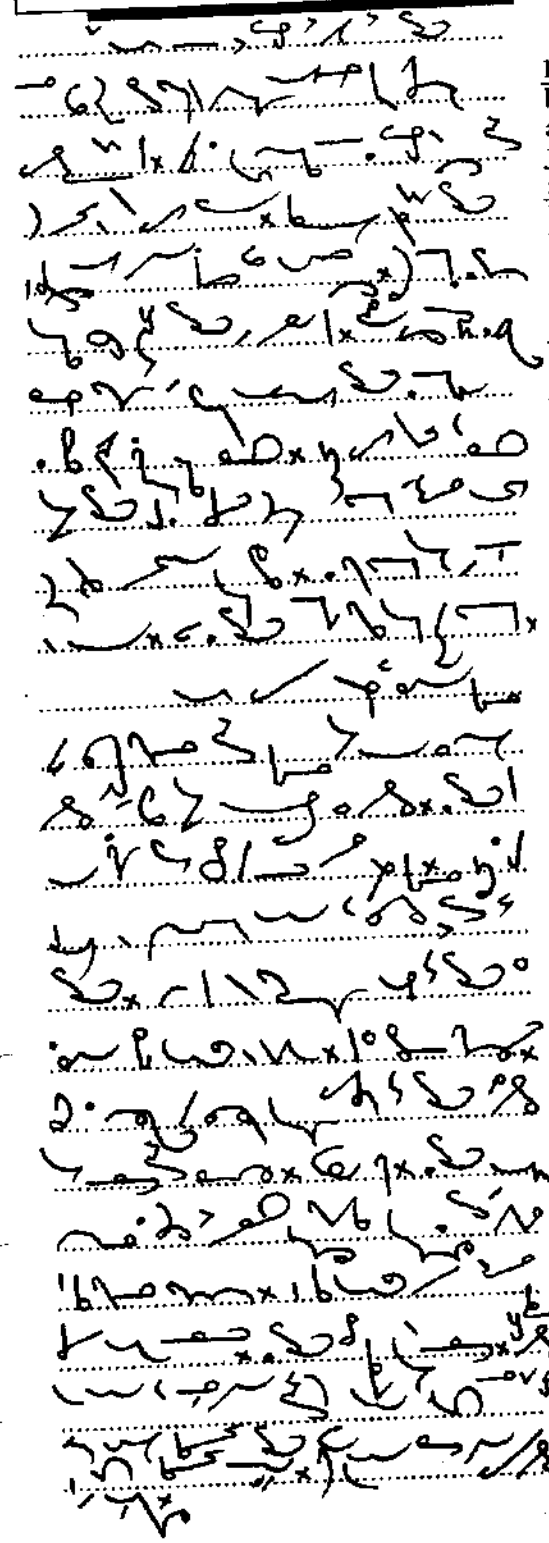
In respect of all these three subjects, I should briefly point out what the present position is under the Constitution (200) and the need that has arisen for making some changes in the Schedule. It has been pointed out that leave / can be granted to a Judge of the Supreme Court on medical certificate for a maximum period of six months/and while he is on such leave, his pay or his allowances would be Rs. 990 per MENSEM. / Then, he can also go on leave otherwise than on medical certificate. There also, the total period was specified/ as six months and he would be entitled to get the same leave allowance, namely, Rs. 990 per mensem. (300) There might arise certain other circumstances when he would have to go on leave otherwise than under the / two categories of leave which have been referred to by me just now. Technically, it is called, for the sake of / convenience, as extraordinary leave. In the case of extraordinary leave which a Judge of the Supreme Court can take, / a condition has been laid down that the total amount of such leave shall not exceed six months. In this / particular case, INASMUCH AS he is going on leave, he will not be entitled to any leave allowance at all. (400)

Here, I may also refer to the fact that in respect of conditions of service of all the High Court Judges, / an Act was passed by Parliament known as the High Court Judges (Conditions of Service ) Act. That was passed in / 1954. Certain advantages or concessions were given to the High Court Judges. That Act is still / in force. It has been very rightly RE-ADAPTED so far as the conditions consequent on the recent re-organisation of States / are concerned. Therefore, in respect of the High Court Judges, we have got the Act of 1954, (500) which we propose to amend in certain respects and a Bill in that respect will be considered by this / hon. House immediately after this present item. Therein, we have followed a certain principle so far as the granting of / leave is concerned. All the terms therein are fairer so far as High Court Judges are concerned than what they were / in respect of the Supreme Court Judges. There, a system was followed and all that we have done / in the present case is to take over that system and make it applicable to the Supreme Court Judges with a (600) few minor changes here and there. The policy or the practice that was followed there was this. Leave was to be / calculated in terms of leave on half allowance. That was merely a technical circumstance. It does not in any way / make any particular concessions. What was done was, a leave account was maintained and to the credit certain periods / of leave were entered, and to the debit certain periods of leave which he took were also mentioned.

I would / point out that so far as the credit side is concerned, it has now been laid down that in respect of the (700) Supreme Court Judges also, there shall be a leave account, and the highest amount of leave to which / a Judge of the Supreme Court will be entitled will be one-fourth of the actual period of service; / but we have laid down a further condition or restriction according to which the AGGREGATE amount of leave will not exceed / there years on the whole. Therefore, following a certain principle, this will be to the credit of the Supreme Court Judge. / Then, so far as the taking of leave is concerned, certain rules have been laid down, and they are being adopted here. (800) Subject to certain conditions that I have pointed out, a Judge of the Supreme Court would be / entitled to take leave on this leave account, subject to what is on the credit side of the leave account. (840 words)



***A select passage for dictation***



**TRANSCRIPTION NO. 292** {Speech of the hon. Finance Minister}

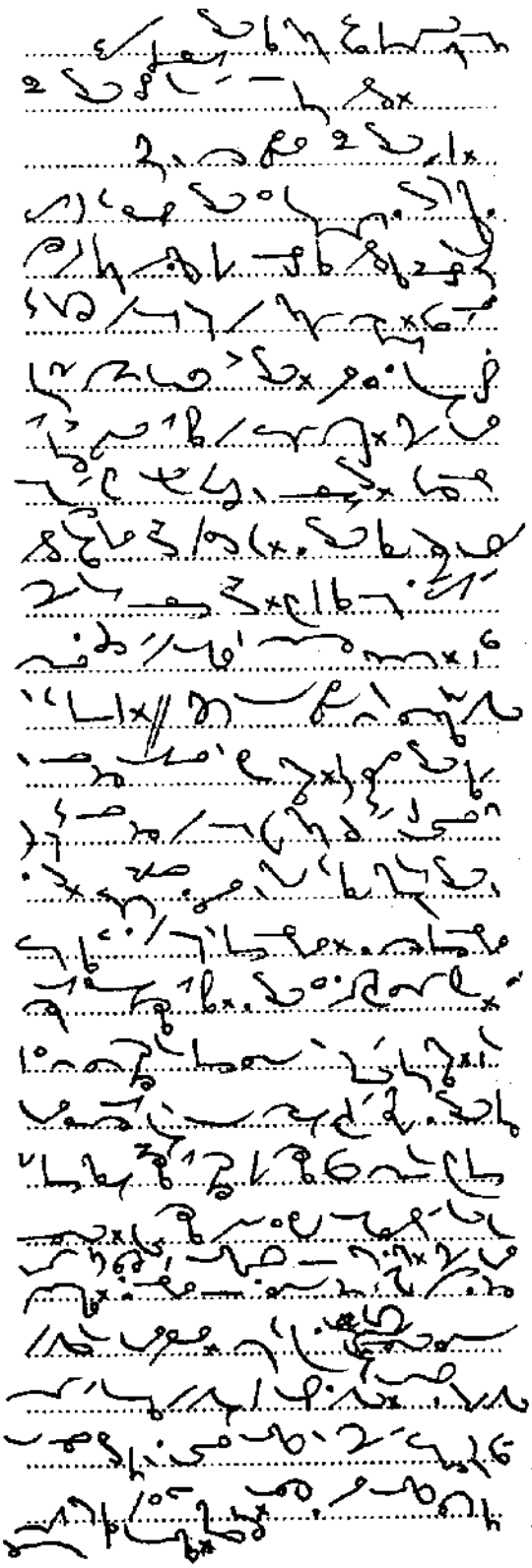
I now come to the question of the role of the Planning Commission because this aspect has been brought up / repeatedly in the course of the debate and it is important that we should be clear about it. Just a few minutes ago, the question of implementation of the Plan was referred to by one hon. Member. It is natural / to speak about the Planning Commission but it has been mentioned in the wrong context, that is, in the context of / implementation. So far as getting the blame for itself is concerned, I do not think the Planning Commission should (100) RESENT it. As the hon. Home Minister pointed out, the First Five Year Plan succeeded very well and everybody, including the / Planning Commission, the Government, the States and the people, contributed to its success. But there was one part of / that success for which the Planning Commission did not deserve so much credit and that was in regard to the / easier position regarding food supplies. The PRINCIPAL credit for that should go to nature. Yet, the Planning Commission got the/ praise for it, which was not correct.

Now, we are BESET WITH certain difficulties which have slowed down the progress (200) of the Plan — difficulties for which nature is mainly responsible and others for which the international situation is responsible. / The Planning Commission had no control over the circumstances which gave rise to such difficulties. But there is a/ general tendency to link up anything that happens to the Plan with the Planning Commission. Let it be very clearly understood / that the Planning Commission has a certain set of functions to perform. It has specific TERMS OF REFERENCE. There is a / MISAPPREHENSION which seems to be fairly WIDESPREAD that the Planning Commission has the responsibility for the execution of the Plan schemes. (300) This is not true. The Planning Commission no doubt makes an assessment of the resources, determines priorities, formulates the Plan / and reports on its progress from time to time. But its functions are always advisory, never executive. The Planning Commission / stands outside the field of execution. I do not disclaim responsibility for anything that goes wrong with the Plan / or for any failure, because I stand here not only on behalf of the Planning Commission alone, but also on behalf / of the Government of India. Therefore, if anything has gone wrong, we are responsible for it and nobody else. (400)

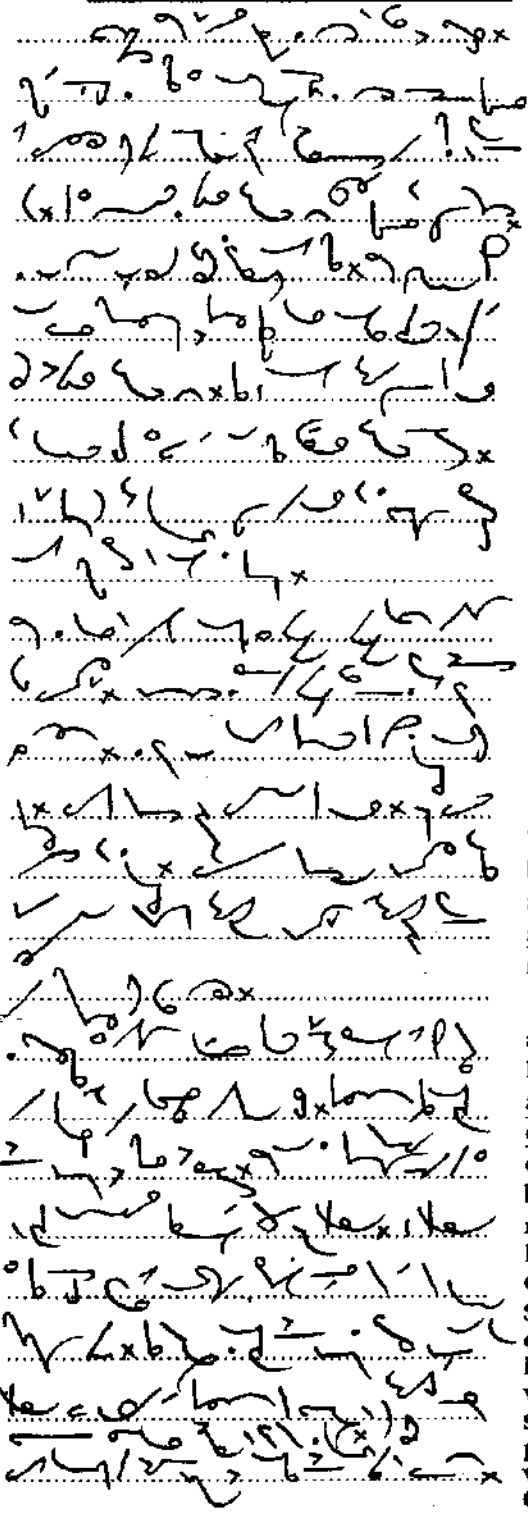
When we are discussing the Planning Commission, it is proper that this DEMARCATION should be kept in view / as to what the Planning Commission stands for and can bear responsibility.

There were two main suggestions as to what the Planning Commission / should do. One was that since the Planning Commission has formulated the Plan or proposed the lines on which / it should be RE-APRAISED, it should extend its responsibilities to the extent of ensuring that the policies recommended by it / are properly implemented. This goes far beyond the LEGITIMATE functions of the Planning Commission. Ours is a FEDERAL Constitution and (500) the powers of the Union and the States are clearly laid down. There are various governmental and other non-official / agencies to execute the Plan. They must accept responsibility for those parts of the Plan which concern them.The Planning Commission / does not possess the necessary machinery for the execution of the Plan. However, it does keep a watch and / makes an assessment and recommendations on important matters from time to time. But that is all that it can do. /

There is also another suggestion made by some members about the revision of cost estimates in the case of several projects. (600) It was suggested that the Planning Commission itself should see to it that the cost estimates are kept within / proper BOUNDS and do not increase beyond a point. Here also, I would request the House to appreciate that / it is not practicable for the Planning Commission to equip itself with a large body of technical experts. The main technical / experts must be in the Central Ministries and the States. The Planning Commission has a relatively small staff. It has / made some arrangements for technical scrutiny of irrigation and power projects. But for various schemes in the field of industry, (700) mineral development and transport, the Planning Commission depends on the technical personnel of the Ministries and the arrangements which the / Ministries themselves make for further technical examination. Even the Ministries are not self-sufficient in this respect and often have / to rely on their consultants who, in a number of cases, come from abroad. There are various limitations. The experts / give a certain estimate and then , later on, the estimates are revised for various reasons. MAYBE that after a / fuller examination, certain other material and facts are REVEALED which necessitate a revision. In many cases, the upward revision in (800) costs has been due to an increase in prices of machinery and equipment, ESPECIALLY those imported from outside, which has / occurred during the past two years. In some cases, the rise in prices is also due to some other factors. (840 words)



## *A well-worded passage*



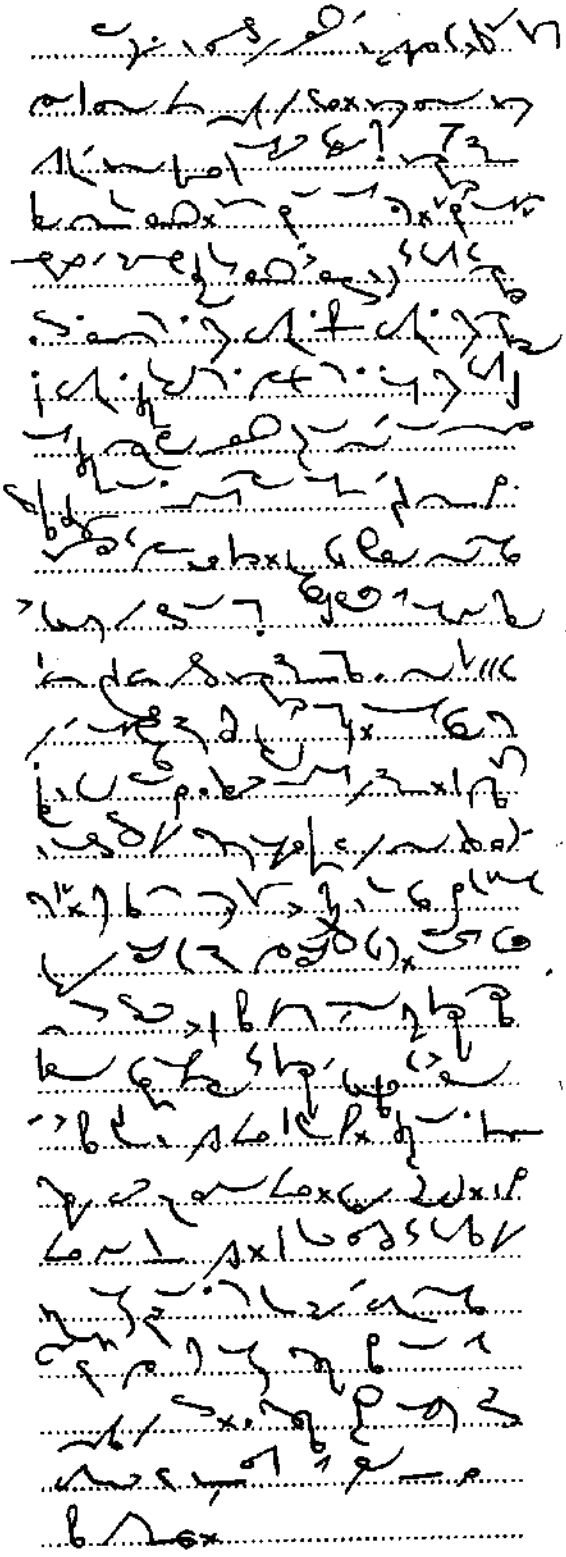
**TRANSCRIPTION NO. 293** { Debate on President's Address }

Mr. Chairman, Sir, I rise to support the motion of thanks to the President. Brief and COGENT, the Address has / UNERRINGLY pointed out the main economic difficulties and the ways and means through which the Government and the people / of this country are trying to OVERCOME them. It has mentioned the achievements that have been made as well as the / difficulties that still remain. The underlying note shows that there is COMPLACENCY in the Address. Sir, living as we do / in close PROXIMITY to the times, it is difficult for us in this generation to judge and assess all the (100) achievements that have been made. It is but natural that we look at things that have not been done AS YET / and not towards those things that have been ACCOMPLISHED. But I dare say that the future will recognise that / a great deal has been done in the brief SPAN of only a DECADE.

Sir, the face of rural India is / changing, changing far more rapidly than we realise. To my mind, the PSYCHOLOGICAL change that is coming over the people / of the country is the most important. The people under foreign domination had lost confidence in their own powers. (200) We had begun to believe that we could not do things. Today, we have regained that confidence. We are beginning / to realise that it is on our INHERENT ability that we shall have to rely, and that we shall be able to / overcome our problems through these means.

The President's Address has rightly FOCUSSED attention on the fact that the Central / and the State Budgets are DEFICIT and that our foreign exchanges are being STRAINED. At the same time, it is the / endeavour of the Government to keep to the targets of the Second Plan. Sir, in an ADMITTEDLY backward country which (300) has to develop in many ways, it is natural and absolutely necessary to have deficit financing. But deficit financing has / its CONCOMITANT evils and the INFLATIONARY SPIRAL goes up and up, if not properly checked. It is obviously the endeavour / of the Government to keep a balance TO GO IN FOR deficit financing when necessary and, at the same time, / be careful to see that we do not expect greater sacrifice of the present to build up the future. / There is one factor which I would like to bring to the notice of the Government which is of equal importance. (400)

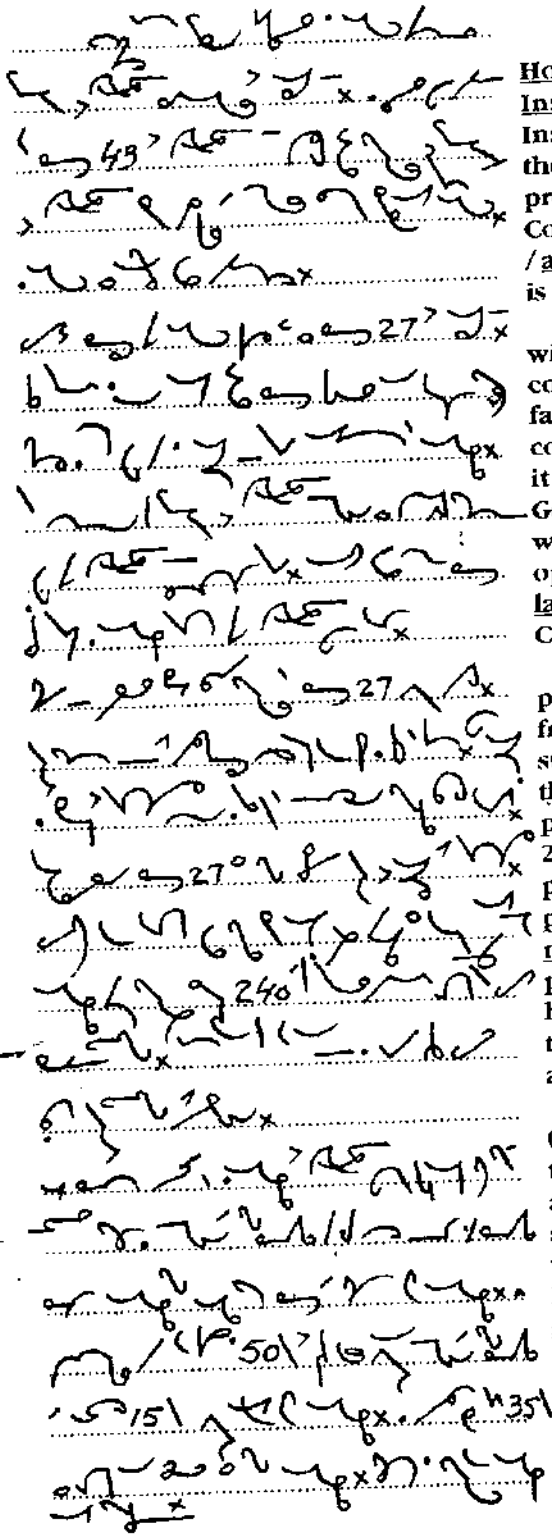
In our zeal to HUSBAND our resources and to utilise them to the best of our ability, let us not / do something which may IMPERIL our efforts. Too much scrutiny, too much RED TAPE and too many difficulties put / in the way of those who are trying to implement the actual work does not make for success. I am speaking / not in the air. I speak in the light of experience and I would like to say that it is/ essential for the success of the Second Plan to see that the authority that implements the Plan, a scheme or (500) a project, whether it be a State Government, whether it be a project implementing committee, whether it be a district official or a local authority or a community project authority down in the district, must have sufficient resources both/ in money and in materials placed at its disposal in a co-ordinated manner in time and be able to make such / alterations that local needs demand. If this is not done, then as we have seen, many months of the financial year / are spent in getting sanctions and the unfortunate person on whom DEVOLVES ultimate responsibility to implement the work gets (600) the money AT THE ELEVENTH HOUR, and in the last few months of the year there is FEVERISH activity. Naturally, / this is not very CONDUCIVE TO efficiency; nor is it the best way of carrying out our work. It leads / also to unspent balances which are very, very injurious at a time when our money position is so very tight. /Therefore, it is my EARNEST appeal to the Treasury Benches to avoid this situation, FOR I know that if we are / anxious, they cannot be less anxious than us. In regard to the allocations made by the Planning Commission to (700) the different States, which will be going through the administrative Ministries at the Centre, they should be made / in such a manner that the administrative and Finance Departments, that of the Centre and of the States, do not have / too IRRITANT checks at every stage. It is true that in a democratic procedure we have to have / certain checks. These are essential. But such checks should not become irritant. It often happens that the authorities which are / to BRING ABOUT enthusiasm to the people in an area have to wait and wait for months while the people (800) lose their enthusiasm, FRUSTRATION sets in and that imperils our Plan. The President's Address has said that in the first year / of the Plan, we have not been able to go ahead and the reason given is the States re-organisation. (840 words)



**TRANSCRIPTION NO. 294**

**(About Life Insurance Corporation)**

**{ Speech of the hon. Finance Minister }**



Mr. Chairman, I am placing on the Table of the House a notification which makes applicable to the Life Insurance Corporation/ certain provisions of the Insurance Act. The House will recall that Section 43 of the Life Insurance Corporation Act/ lays down that these provisions would be made applicable to the Life Insurance Corporation, subject to such conditions and modifications / as may be specified in the notification. The notification is in pursuance of this requirement.

One of the Sections / which the notification deals with is Section 27 of the Insurance Act. It is, by now, common knowledge(100) that this Section defines in fairly PRECISE terms the AMBIT within which an insurer could operate in the matter of investments. / By making it applicable to the Life Insurance Corporation, Government is laying down the frame-work within which the Life / Insurance Corporation can similarly operate. In short, this modified Section contains, by and large, the investment policy which the Life / Insurance Corporation will follow.

There are good reasons as to why the SALUTARY provisions of Section 27 should be / retained. Both the freedom given and the restrictions imposed by it have stood the test of time. While ensuring the (200) safety of the policy-holders money, the possibility of AUGMENTING profits has also been afforded/ For this reason, Section 27 / has proved satisfactory both to the insurers and the policy-holders. We, therefore, have followed these principles, subject only / to such changes as have become necessary owing to the fact that investments which were previously spread over 240 / odd companies are now held by one single Corporation. I may add that in coming to our decision / we have consulted both the Corporation and the Reserve Bank of India.

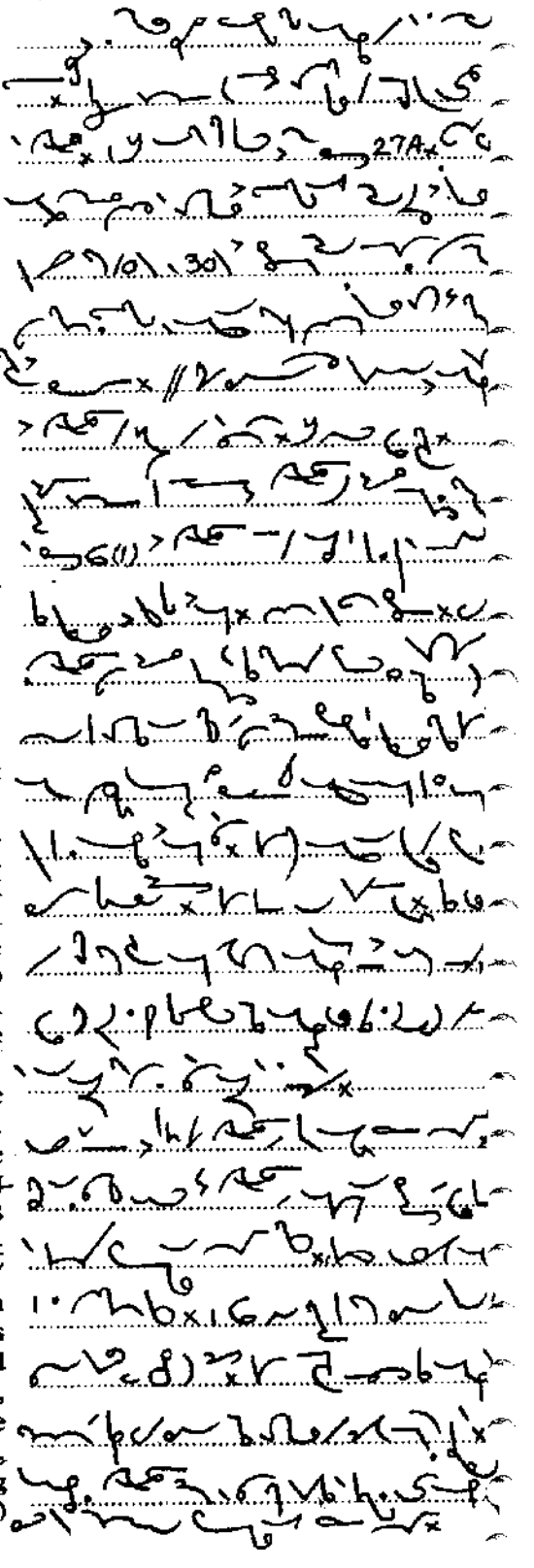
Under the scheme referred to, the investments of (300) the Life Insurance Corporation will be divided into three broad categories: firstly, the Government and approved securities which generally mean / GILT-EDGED securities; secondly, investments approved under this very Section and, thirdly, other investments. The limitations are that at least / 50 per cent of the total funds should be held in Government and approved securities and not more than 15 per cent / should be held in the form of other investments. The result is that about 35 per cent / is held in what is known as approved investments. There is also a provision for investment in the private sector. (400)

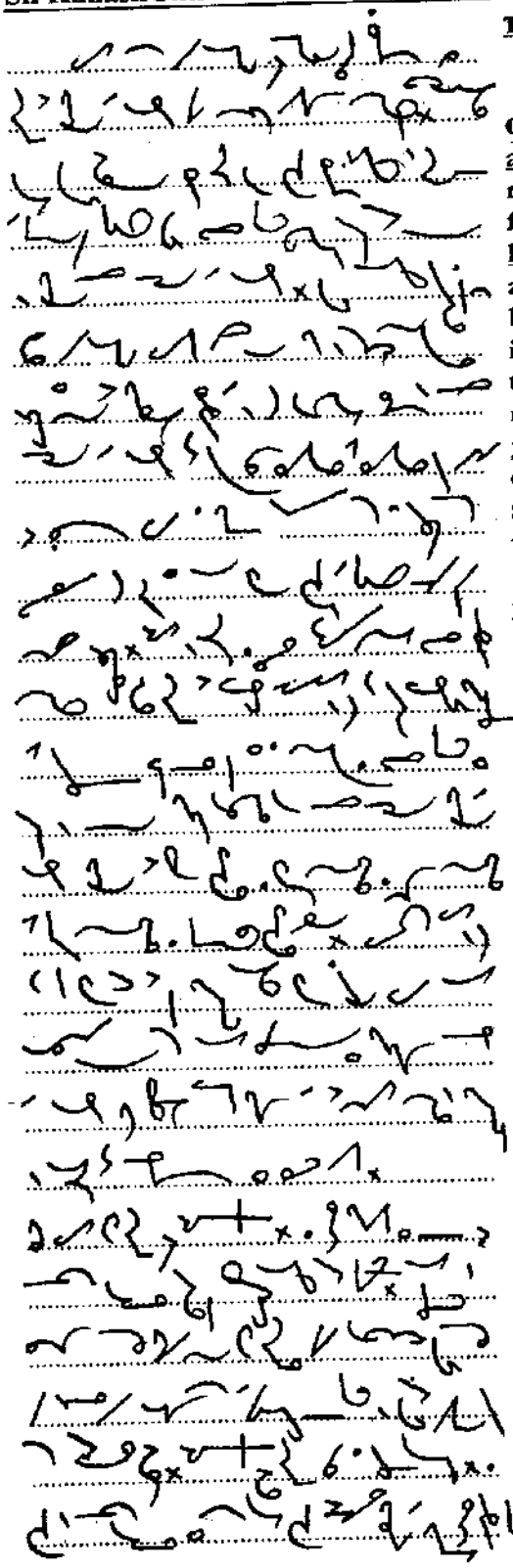
To a large extent, the modifications suggested in respect of approved investments are of a minor character. It was necessary / to make them because of the altered conditions which obtain after nationalization of Life Insurance. But I shall, in particular, / draw attention to the modified Section 27A. While the former enables the maximum limits of HOLDINGS of the / Corporation in the ordinary shares of the companies to be raised from 10 per cent to 30 per cent of / the subscribed ordinary capital, the LATTER modification will permit the Corporation to invest in private limited companies also, with the prior approval of the Central Government. (500)

There are certain other matters PERTAINING TO the investment policy of the Life Insurance / Corporation which, I feel, are of some importance. I shall mention these briefly.

To begin with, I would like to / make it quite clear that the Life Insurance Corporation shall always keep in mind the provision of Section 6(1) / of the Life Insurance Corporation Act, which ENJOINS ON it the duty of carrying on its business to the best / advantage of the community. Let me be more specific. Whereas the Life Insurance Corporation will always bear in mind that (600) its primary OBLIGATION is to its policy-holders whose money it holds in trust, and will work as far as possible / on business principles, it will never lose sight of the fact that, as the single largest investor in India, / it has to keep before it the interests of the community as a whole. It will, therefore, invest in VENTURES / which FURTHER the social advancement of the country. It will take no PAROCHIAL view. Its funds are drawn from all / over India and they will be invested for the good of the entire country. Thus, there shall be a STEADY (700) DIVERSIFICATION of its INVESTIBLE funds which is an essential requirement of any insurer, particularly the SOLE insurer of a country. /

Next, I come to the attitude which the Life Insurance Corporation should adopt in relation to the stock markets. / There is not the slightest intention that the Life Insurance Corporation should indulge in SPECULATION and thus take advantage of temporary / FLUCTUATIONS in market prices. It must necessarily invest on a long-term basis. But this should not PRECLUDE it from / certain buying and selling operations when circumstances so WARRANT. It will actively examine its investment PORTFOLIO from time to time (800) and decide whether certain of its holdings are worth keeping, or DISPOSING OF. If, for instance, the Life Insurance Corporation / were to sell during periods of DEPRESSION, the national interest would be served by removing fluctuations in the stock market. (840 words)





**TRANSCRIPTION NO. 295** { Speech of hon. Minister for Industry }

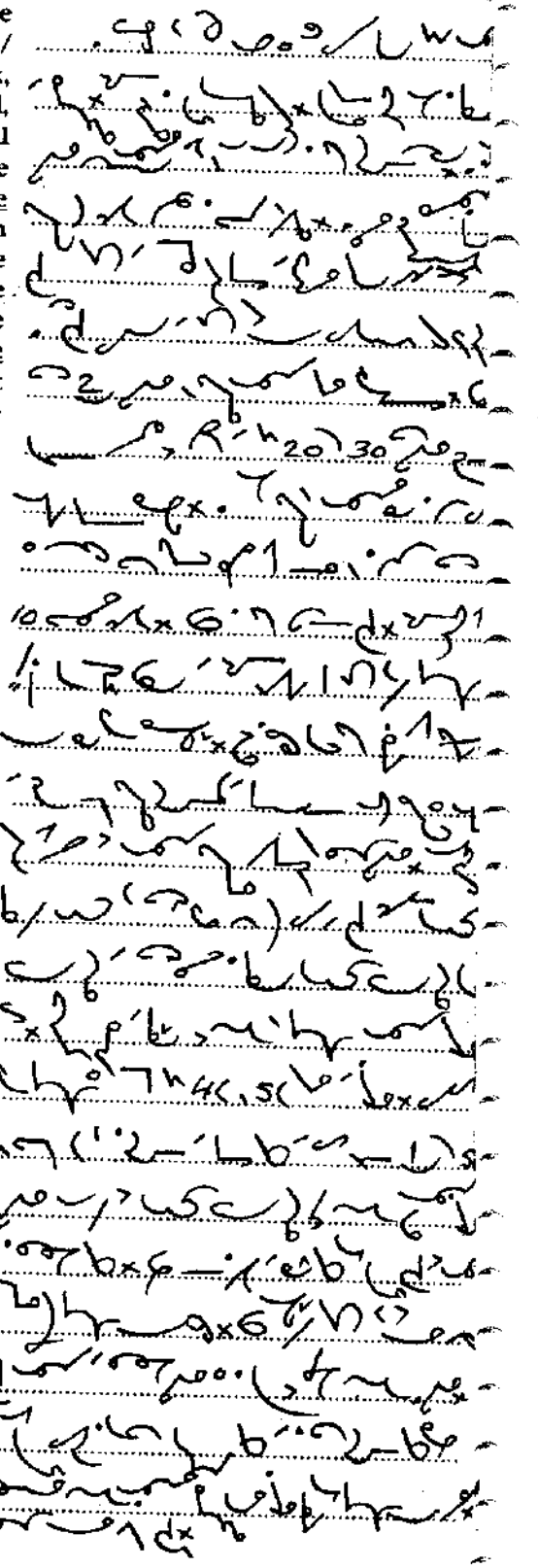
One important recommendation to which Government attaches considerable importance is the aspect of the training and inspection which the mover / rightly emphasised. More than anything else, if the future of this industry is to be assured, if development has to be made / on the basis of scientific and technological advances, then the greatest attention will have to be paid by / the industry to training, cost accounting and inspection. Even in the past, before this committee made this recommendation, we had / lost no opportunity to remind the manufacturers to train as many of the personnel as possible and to so EVOLVE (100) the system of cost accounting and inspection that the AFTER-SALE SERVICE and the service to be rendered to the / consumer, whether a truck operator or a passenger car user, was established as in every developed and advanced country which had / MOTORISED to a considerable extent. I want to assure the House that we are laying the greatest possible emphasis / on this aspect of the question and we want to see that both in respect of the private sector and / the public sector, when it comes out as a manufacturer, the greatest attention is paid to giving proper facilities for (200) cost accounting, training and inspection, training of the staff at all levels, the FLOOR managers, the middle managers, and the / top managers, the technicians at all levels and so on. We also want to see that at every point of / the different production analysis, every component, whether in the ANCILLARY industry or in the large-scale industry, is properly COSTED / and inspected through statistical quality control and all the modern methods of productivity to ensure that the customer is served right. /

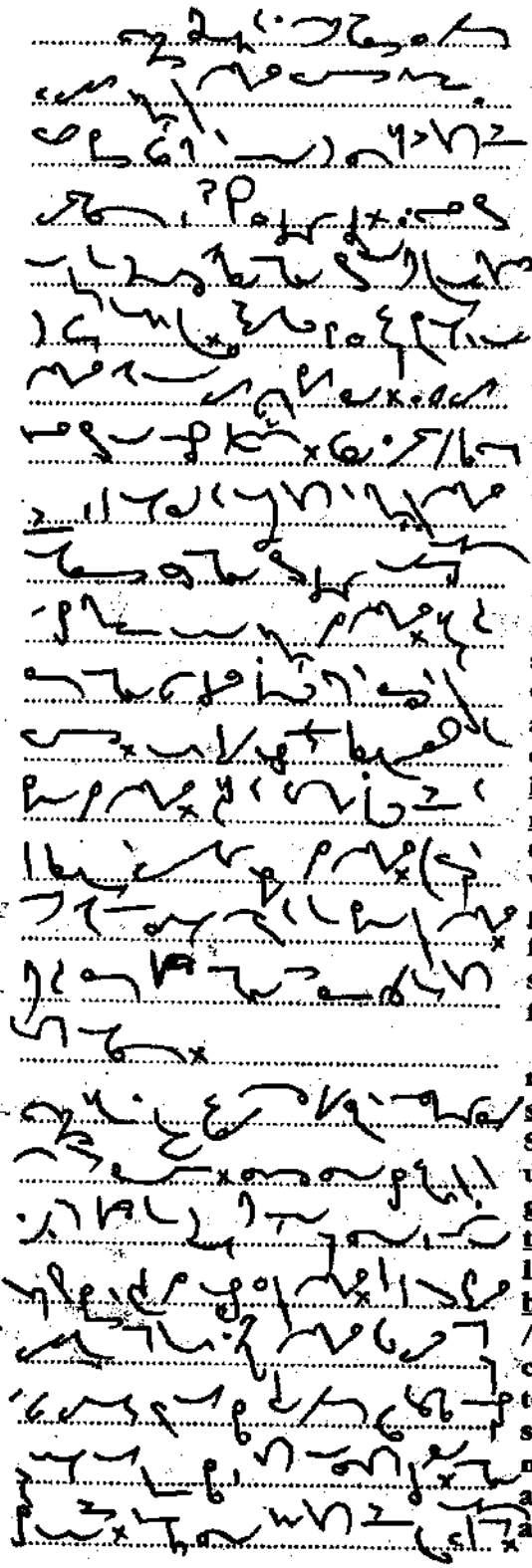
There is one other aspect to which I would like to draw attention. The highest priority is given to (300) the commercial vehicles by this Committee as has been done in the past by the Tariff Commission. In the discussion / on small cars, there are many other aspects which are far more important than even the cars, which of course / are undoubtedly important, and which have not been given attention to even by the reading public, or by the hon. Members / of this House. I would like to draw attention to this aspect which is a basic fact. The development / of COMMERCIAL VEHICLES is important for the development of the country's transport and should be given the highest possible attention. (400)

The question that arises next is as to what we are doing about the ancillary and spare parts. I would like / to place a few facts before the House. Five years back, there were only a dozen units making ancillaries / and, that too, not in a very scientific manner. The annual production was worth less than a crore of rupees. / The House would be glad to know that as a result of the continuous developmental policy and guidance, both technical / and otherwise, being rendered by the Government, the Development Wing, and also by the industry, we have now been able (500) to establish more than 200 units to produce ancillary parts all over the country. This figure relates to the / last year and about twenty or thirty more units would have come into the picture since then. The annual production / of ancillaries is not a low one, as my friend, Mr. Bhargava, suggested and it comes to a little more than / ten crores of rupees worth. This is a very welcome development. I would like to assure the House, and / the Jha Committee have pointed out this thing, and I would like to REITERATE it also, that our automobile industry (600) is not over-centralised. All these concerns have been very CONSIDERATE right from the beginning and whatever could be produced / scientifically and technically under their supervision is undertaken by them and the rest of the ancillary products are taken up / by small units. In the third Plan, it is our intention that more than the efforts made so far, we / should develop, what are called, functional industrial estates, and more than half a dozen functional industrial estates have been planned. / They are to be made suitable and designed to the manufacture of automobile ancillary components. Every automobile has got (700) about 4,000 to 5,000 parts and components. We want to group them on a scientific and technical basis and / want to create 100 or 50 units in each of the functional industrial estates which would manufacture these ancillary components / on a small-scale basis. This will give a real and SOUND basis for the future development of the ancillary / products so far as the automobile industry is concerned. This is in line with our policy that all the industries / must develop ancillary and small-scale units as a FEEDER to the large-scale manufacturing units. (800)

Therefore, in the future we shall have a far more FIRMER basis and a more scientific basis as far as the small-scale industries / manufacturing ancillaries, spare parts, various components, etc., for the automobile industry are concerned. All these small industries should be developed.

(840 words)





**TRANSCRIPTION NO.296**

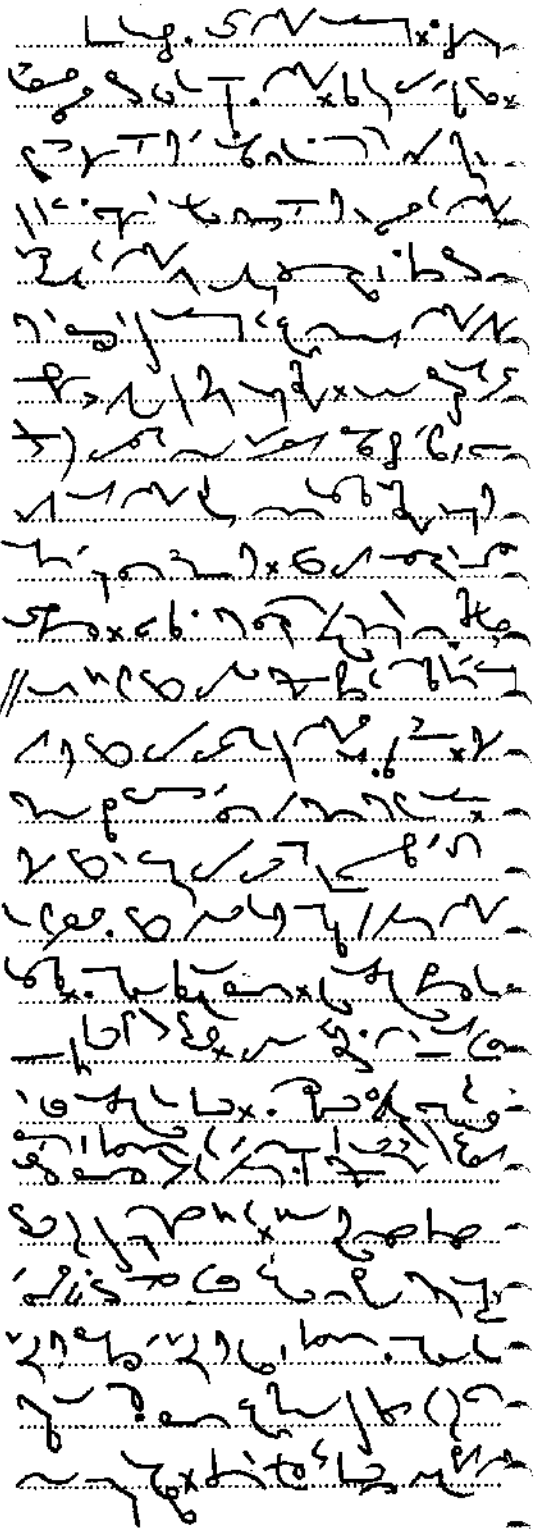
Mr. Chairman, there is no doubt that a measure of this kind is required when we want to PROMOTE public / libraries in our country and I am glad the hon. Minister has taken this opportunity of giving us some idea / of the policy of the Government with regard to this matter but what he has said is DISMALLY disappointing. / The Congress has been in power for so many years and the present Government has been there, after the new Parliament / was elected, for about five years. All that we have been told is that they had set up only two (100) new libraries and that another one will be started soon. The first one, of course, has been in existence / for a long time. This is not a record which does credit to the Government but it only shows that / in so far as the policy of promoting public libraries in this country is concerned, Government has been dismally NEGLIGENT in / the matter and has done practically nothing to promote such libraries. I think that ON THAT SCORE, Government well deserves / CONDEMNATION from all sections of public opinion in our country. Now, do we understand that the Government does not have (200) resources for starting such libraries? I do not think that that will be the CONTENTION of the Government that / it does not have the WHEREWITHAL to start such libraries. They have plenty of cash and they can certainly employ that / for starting public libraries. Therefore, on that score at least, Government cannot seek justification for the policy followed in this matter. /

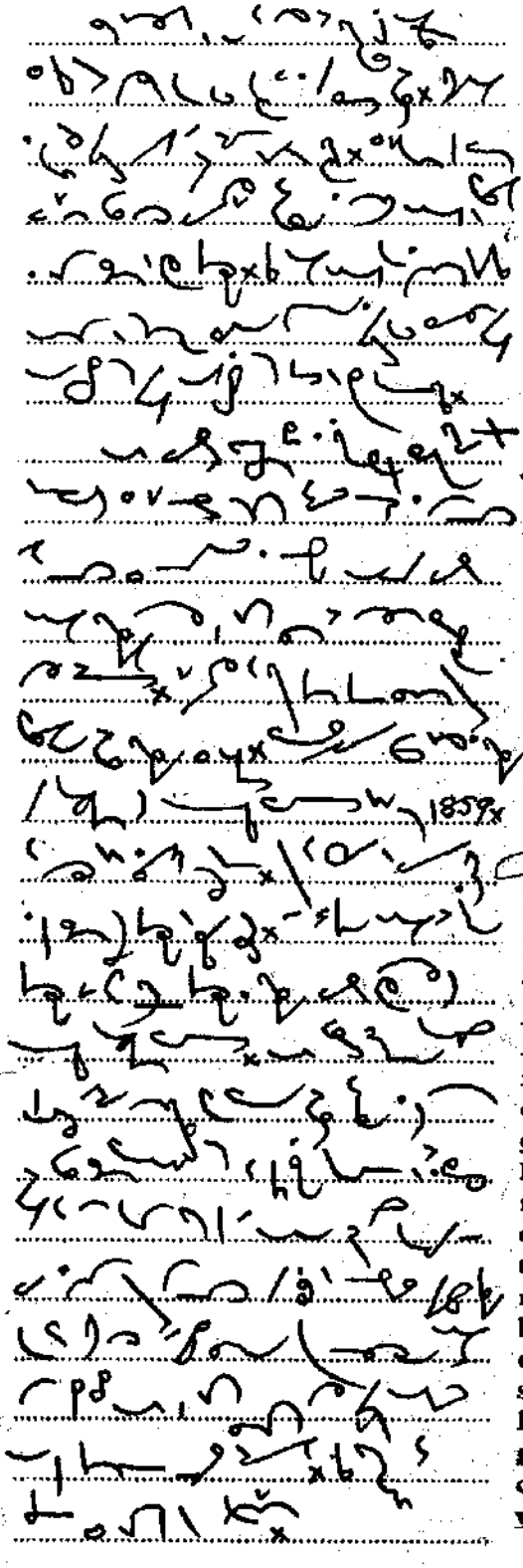
Mr. Chairman, I have a feeling that these are matters which are considered to be of extremely secondary importance / by the Central Government. Sometimes, something is done with a view to putting up a show or at least for (300) saying that they are going to do something but actually no better step is taken to develop such institutions as / public libraries. HAD it been otherwise, we would have got by now a larger number of libraries than we have / got today and, yet, we know that the people in the cities, at any rate, require these facilities extended to / them, not only in the big cities but also in smaller towns and so on. Government has done nothing / of the kind. I can tell you something about the policy of the Government even when it acted in the matter. (400)

Take, for instance, the National Library in Calcutta. A DISREPUTED Viceroy's House has been found for ACCOMMODATING the library. / It is far away and out of place. People cannot easily go there and unless you have a car or / you are prepared to put up with a great deal of inconvenience, you cannot go there to use that library. / I am not saying that that library should be shifted to some other place but a demand has been made from / all sections of public opinion in Calcutta that with a view to making the library readily ACCESSIBLE to the reading public, (500) there should be better transport. Nothing has been done in that regard by the Government so far / with the result that many of our research SCHOLARS, students and others who care to read in the library do not have the / minimum facilities of transport to get there in time and to do some work there. This is one example / of CALLOUSNESS in regard to such matters. Yet, it is a very simple matter which could have been REMEDIED by / improving transport facilities.

Now, about other places, we find from the Government statement that Madras, Bombay and Calcutta are the (600) three places where we will have public libraries under the AEGIS of the Government. There are very many cities / in our country and some are very important from every angle. There are places of culture where we have got big / universities and also for other reasons the places are known for their activities which require library facilities. The Government / does not have any scheme. Even in the Second Five Year Plan such matters have not been given due attention / at all by the planners. We know that there has been a lot of cut in the allocations of funds (700) in the Second Five Year Plan for education. The Ministry of Education has justifiable grievance on that score but /, at the same time, they should make it known to the public that these are the INDISPENSABLE schemes for which they require / aid from the Government or the Planning Commission so that public opinion could be MOBILISED about that. I know / there have been Ministers, Deputy Ministers and Secretaries who have complained against the allocations that have been made / as being very very inadequate. I share their SENTIMENTS and I share their views but at the same time the Government (800) have not produced any ARRESTING scheme with a view to attracting public opinion behind them so that more money / could be had for this purpose. It is a matter of misfortune that the Education Ministry should not have started libraries.

(840 words)





**TRANSCRIPTION NO.297** { Speech of the hon. Law Minister }

Sir, I am happy to note that most of the provisions contained in this Bill, as passed by the Lok Sabha, / have found favour with a large section of this House. There are only a few points which have been / urged and to which I would like to reply briefly. As I have made it clear, when I made this / motion, we realize that this is not a measure intended to overhaul the whole system of civil administration. It is only / intended for a limited purpose, namely, to remove certain LACUNAE which have been found as a result of change (100) in circumstances, or change in the Constitution or on account of several other factors.

Now, with respect to the criticism / as to why a comprehensive Bill is not being brought forward by government, I can only say, as I explained / earlier, that we have appointed a Law Commission and that Commission is carrying on an exhaustive enquiry with respect to / not only procedural matters, but also some of the most important substantive laws of the country. I realise that probably / it may take sometime before the overhauling of this procedure is undertaken. Honourable Members are aware, this is (200) almost a procedure which for the first time was introduced in our country about the year 1859. / That means about a hundred years back. Before that, as we are all aware, there was a different system / so far as the administration of justice was concerned. And with the ADVENT not only of the Company Administration but / the other British Government Administration, the procedure with respect to civil matters was introduced for the first time in our country. / Now, that has been working for the last one hundred years and I would impress upon every Honourable Member (300) of this House that it is not an easy matter to change this system OVERNIGHT or without due consideration / being given to all the consequences that might follow from it and nothing would be lost if we could wait a / little before the Law Commission which consists of experts, JURISTS, etc., have applied their mind and suggest something after examining / not only the law as it stands now, but also similar laws which might be in operation in different democratic countries / of the world. It is from that point of view that the task is held up for a long time. (400)

With respect to the limited nature of this legislation which has been called PIECEMEAL, I would like to bring to / the notice of the House the nature of this law which is being tried to be amended. Procedural in its/ very nature, even as I said, this procedure was first introduced in 1859. I think there were / more than thirty amendments that were introduced by the Government from time to time, because in its very nature / a procedural enactment like this does require change from time to time. In spite of these, overhaul is left to be (500) done and I think I need not take much time of the House. As Honourable Members are aware, / I categorised the different amendments. Some of them are due to change in the Constitution; some of them are due to / change in ideas with respect to what is JUST and proper; for instance, with respect to the question of allowing / interest, and all those similar matters. Then, there are certain other things which have been found necessary as a result of the / working of this Act. As I have said, in its very nature a piece of legislation like this (600) has to UNDERGO slight changes which are necessitated by circumstances from time to time and this is only one of / those measures. I need not, therefore, take more time of the House with respect to the charge that we are not / introducing a more comprehensive Bill.

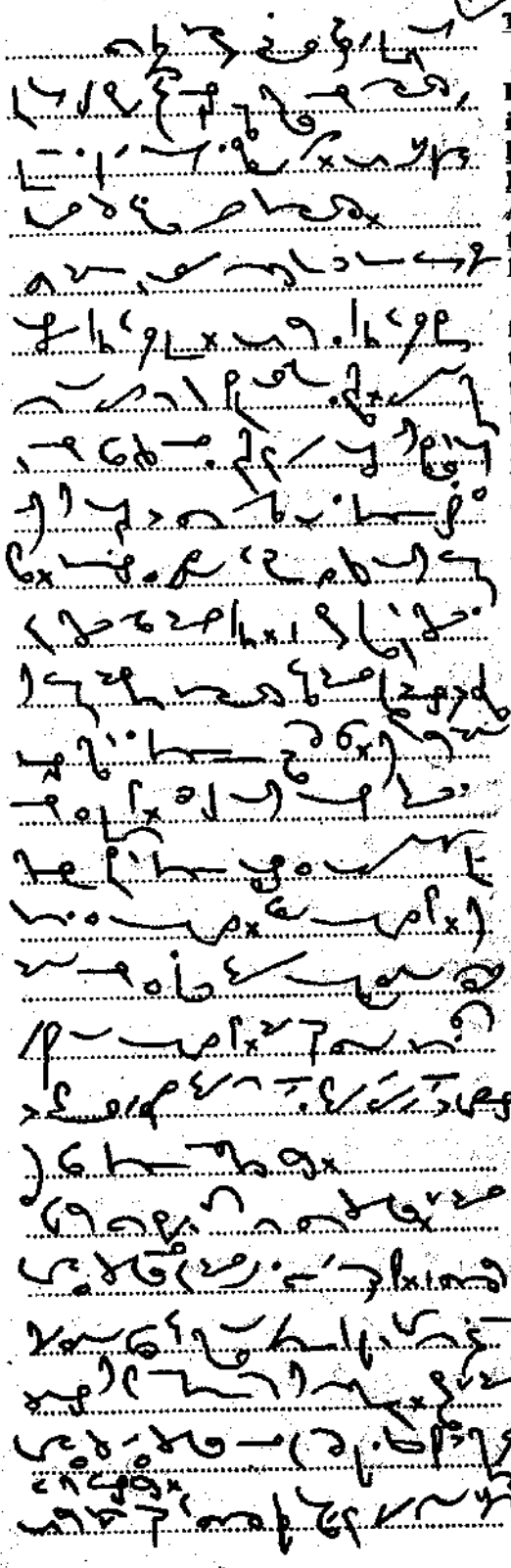
Then, Sir, there are only two or three matters with respect to which / I think I need reply. One of them is with respect to the decrees of what are known as former Indian / States and the former British India. I have tried to explain it as exhaustively as I could. (700) As a matter of fact, I would claim that it was at my instance that this clause was first introduced. It was clause 5 / in the original Bill. But when the matter was discussed in both the Houses and was considered by the / Select Committee and looking to the fact that six years, as I said yesterday, have ELAPSED since the passing of / the Constitution, it was decided to OMIT it. If all those Indian States had not merged, probably this question / would not have arisen. What is the problem now before us? I would again refer to it briefly. (800)

There are some High Courts which held that decrees which were passed EX PARTE in former Indian States, which were then regarded as / foreign courts, could not be EXECUTED in British India. Now, as a result of the Constitution, there is no difference.

(840 words)

9.55 am 19-6-96





**TRANSCRIPTION NO. 298** (Speech of hon. Home Minister)

Mr. Deputy Chairman, I am obliged to the Honourable Members of this House, who took part in the debate, / for the general support that they have extended to its provisions, except my honourable friend, who took quite a different and naturally a surprising line. Now, I shall deal with the various points that have been raised by my honourable friends. /

First of all, I would like to answer my friend for what I can call the highly unsatisfactory attitude that / he took. Now, Sir, the attitude that he has taken may in one word be stated to be "hands off the tribals." (100) We are not prepared to accept this position, because the tribal people are Indians and they are citizens / of India, and therefore they are entitled to the same rights under a democratic Constitution as others. I can understand / his suggesting that whatever is the best in their culture ought to be preserved, and that is always the attitude. / But subject to the advisability of preserving their culture, I would submit to my honourable friend that it is always / advisable, to the extent to which it is possible, to extend the principles of a democratic Government to these areas as well. (200) Therefore, Sir, I would not accept his DICTUM at all. What is done in their interest by way of a progressive set-up of democratic institutions is UNWARRANTEDLY DUBBED by him as interference. That is not interference at all. / Therefore, I would not accept his CONTENTION that we are introducing certain measures which constitute any interference at all. / I would point out something to him, as also to the other hon. Members who suggested that we might go / the other way and we should go to the fullest extent so far as this democratic experiment is concerned. (300)

Then, Sir, Mr. Sapru also made some observations. I always value his observations because they always show a great and earnest study. / But sometimes, Sir, there are certain elements that he brings in which make it difficult to follow him completely, / because, to a certain extent, they are either academic or they are impracticable. Subject to this, I always value his / points and his observations because they arise out of a vast study of the problems with which that particular question / is concerned.

Now, Sir, I might point out that sometimes it is difficult for those people who are long ISOLATED. (400)

On account of this isolation, as I stated in my opening remarks, they are a people who have to be / gradually told what is in their interest. They are more SUSCEPTIBLE to a feeling of suspicion and MISGIVING than the / other sections. We have just opened up our AVENUES so far as the democratic life is concerned, and that is / the reason why I suggested that we propose to hasten, but slowly. And, therefore, certain provisions have been incorporated in / this Bill. Well, Sir, in the light of the peculiar conditions that obtain there, we have to be a bit careful. (500) That was the reason why we could not straightway elect the village authorities, in spite of our desire to / go to the fullest extent possible. Therefore, Sir, I would submit to the hon. Members of this House that this is / an experiment which we hope will be fully successful, and in the course of the next few years, / we might come before this House for introducing further amendments on the lines that the hon. Members have pointed out. /

/ The next question that arose was as to whether the Chief Commissioner of the State should be believed or should not be believed. (600) I would point out, as one of my hon. friends has stated during the course of the debate, / that it is the Central Government or rather it is the Parliament that is supreme over all these officers and / therefore these officers, the Chief Commissioner for example, will not be acting in an entirely unreasonable manner or in an / ARBITRARY manner. I would point out that there is an Advisory Council which has already been appointed with effect from the / 1st November 1956. Some hon. Members on the other side wanted to know whether a (700) Council of Advisers has or has not been appointed. I would point out to them that it has already been / appointed by the orders of the Government issued on the 21st November, 1956, according to which / there is a council consisting of five advisers, and, therefore, it is not an arbitrary administration by a Chief / Commissioner who is not accountable to any person at all. So, we have to approach the question of interference / or otherwise, so far as these officers are concerned, from that particular point of view, viz., that ultimately whatever is done (800) in Manipur is subject to the control and supervision of this hon. House, and, therefore, I request that no misgivings / should be entertained so far as exercise of these powers by the Chief Commissioner or the Deputy Commissioner is concerned.

(840 words)

{ *Speech of Hon. Industry Minister* }

**TRANSCRIPTION NO. 299**

**Mr. Deputy Chairman, as Members of this House are aware, the Industries (Development and Regulation) Act was enacted in / 1951. The object of that measure was to bring within the jurisdiction of the Union Government certain industries / of all-India importance and to provide a machinery by which these industries could be developed and regulated / in conformity with the national Plans. This Act actually came into force in May 1952. In / 1953, certain amendments were made to this Act mainly for the purpose of removing certain practical difficulties (100) that had COME TO LIGHT in the working of the measure and for the inclusion of certain additional industries in / the First SCHEDULE to the Act.**

**Hon. Members of this House might remember that when the Industries (Development and Regulation) Act / was originally enacted in 1951, some APPREHENSIONS were entertained and expressed in some quarters / that this measure might interfere unduly with the working of industries and might even RETARD the progress and growth of the / industrial development of the country. This measure has now worked for over four years and we are in a position (200) TO TAKE STOCK OF the situation and, if I may say so, the way in which this Act has been / working during this period goes to show that the original apprehensions were large ly UNFOUNDED. In fact, there has OF LATE / been a demand from the public that the scope of the Act should be enlarged with a view to including / therein some more industries. As a matter of fact, Sir, more and more requests are POURING in from the industries themselves / that some of them may be brought within the purview of the Act.**

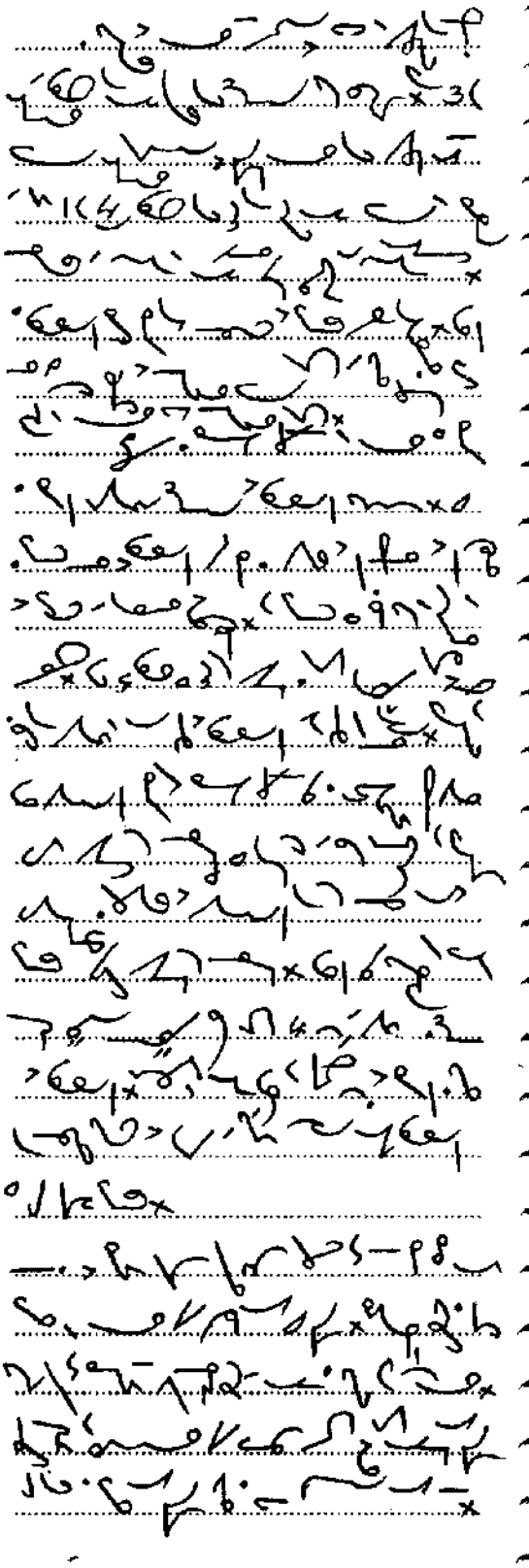
**Before coming to the subject matter (300) of the Bill before the House, I might mention briefly some of the SALIENT facts about the working of this measure / during the last four years.**

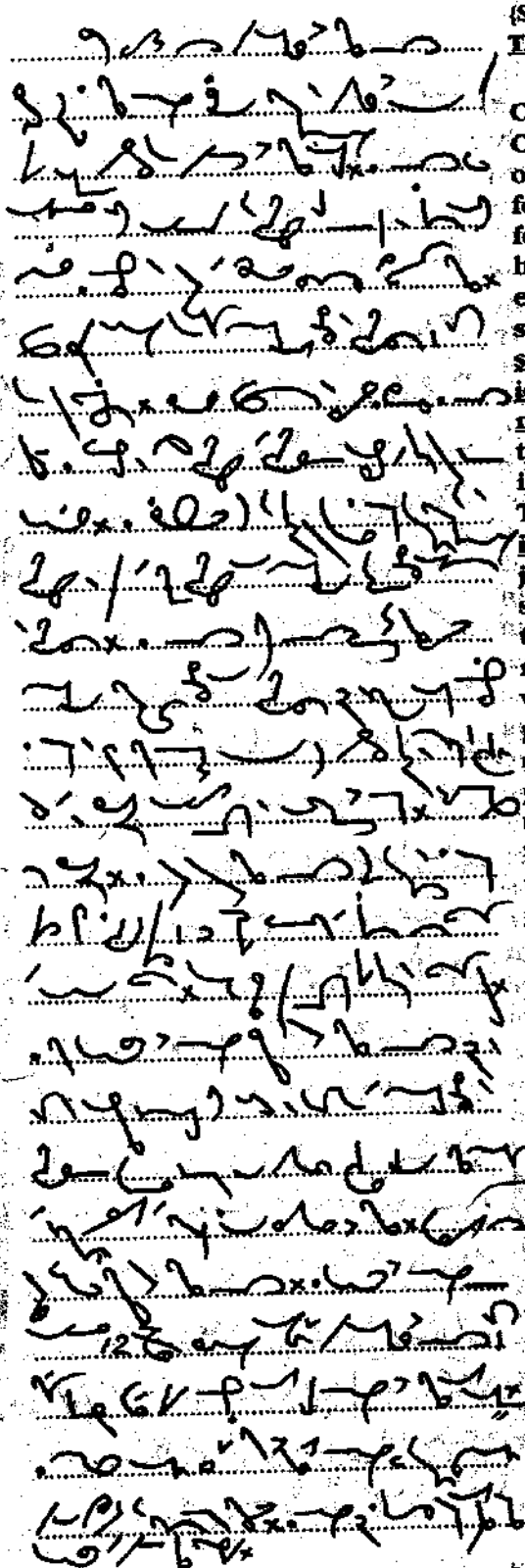
**As laid down in Section 5 of this Act, a Central Advisory Council of / Industries has been established consisting of representatives of industries, labour, consumers and primary producers PERTAINING TO the scheduled industries. / This body has held seven meetings so far and advised Government on problems relating to the scheduled industries. Sir, with your permission, / I take this opportunity of extending my grateful thanks to the members of this Council for their advice. (400)**

The provisions of the Industries Act relating to the grant of registration for existing undertakings and licences for new ventures / have been working very smoothly. Over 3,000 industrial undertakings pertaining to the scheduled industries have been registered under the / Act and about 1,400 licences have been issued for establishment of new industrial undertakings, substantial expansions and / manufacture of new articles which were HITHERTO not manufactured in the country. A Licensing Committee has been set up for /the examination of the applications received for this purpose. This Committee acts as the main instrument of the Government's industrial (500) policy and tries to secure a planned development of industries according to the Government's policy.

As the House is aware, / the Central Advisory Council of Industries has set up a sub-committee to review the working of the Licensing Committee /from time to time. First, the application comes to the Licensing Committee on which sit the representatives of the different / State Governments, of the different Ministries, of the Planning Commission, and officers of this Ministry. That application is considered from / all aspects of resources. Then, when the licence is issued or rejected, the party, if necessary, appeals to the Minister (600) concerned for review of any decision of the Licensing Committee, and that decision becomes final. Over and above that, this/ reviewing committee set up by the Central Advisory Council which is an INTEGRAL part of the STATUTE reviews whether the / rejection or acceptance is fair or not, and, Sir, I can assure the House that every time we have taken into consideration / the observations of the reviewing committee for or against any of the applications which have been rejected or accepted. / This committee which is presided over by hon. Pandit H.N. Kunzru, has so far held four meetings and reviewed the work of the Licensing Committee. (700) I am happy to inform this House that at the last meeting of / the sub-committee, the members have expressed appreciation of the thorough and prompt manner in which the Licensing Committee has / generally dealt with applications.

Coming to the subject of the Bill before us, you will observe that the Act, / as it stands now, applies to industries which are listed in the First Schedule. As I have stated, there has been / a demand from the public that the scope of the Act should be extended so as to include a number (800) of other important industries. It has been pointed out that certain industries which are closely related to those already included / in the Schedule do not find a place in the Schedule, and it is a great LACUNA in the Act. (840 words)





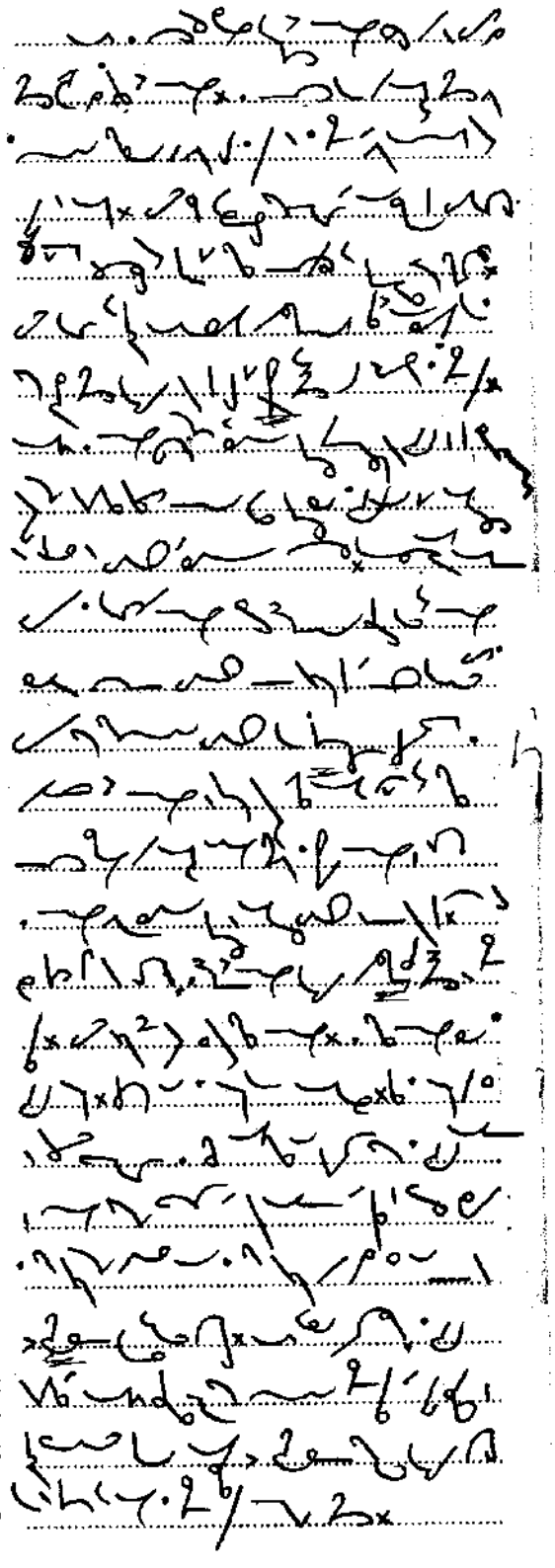
{Statement made by the hon. Minister for Information and Broadcasting}

TRANSCRIPTION NO.300

Sir, one of the main recommendations of the Press Commission has been the establishment of a Press Council consisting PREDOMINANTLY / of representatives of the industry which should undertake responsibility for REGULATION of the Press in general. The Commission found, / in the course of their ENQUIRY, that journalists had not come out to condemn, in their writings, the existence of objectionable / and what is known sometimes as the yellow press. This is, generally speaking, not only for maintaining the standards of / journalism but also for public criticism. Since this is a matter of serious consequence, the Commission POSED the question to (100) most journalists and journalistic institutions who appeared before them to give evidence. The CONSENSUS of opinion was that it would be / better if there is a body formed predominantly of journalists to judge and direct journalists in maintaining ETHICAL standards / in the matter of journalism. The Commission, therefore, came to the conclusion that the best way of maintaining professional standards / in journalism would be to bring into existence a body of people principally connected with the industry whose responsibility it / would be to ARBITRATE on doubtful points and to CENSURE anyone guilty of INFRACTION of the code. (200) I would like to emphasise the word 'censure'. The object before the Press Commission was the formation of a body which will not / deliver a judicial judgment but would point out the CULPRIT and condemn him morally, and nothing more. For that / he is judged guilty at the bar of moral public opinion. The principal functions of the Council, as proposed by / the Press Commission, would be to help newspapers to maintain their independence, to evolve and maintain standards of journalistic ETHICS, / to keep under review developments tending towards monopoly and to promote research and provide common service to the press. (300) These are the main objectives that have been proposed by the Press Commission. The function of the Council, given in clause / 12 of this Bill, is not only in line with the recommendations of the Commission, but also broadly takes up / those which are existing in the general council of the press in the United Kingdom. The emphasis, no doubt, is / on the liberty of the press and the Council, when formed, will undoubt recommend lines on which that freedom / can be preserved. The Council would be an autonomous body in the discharge of its functions and regulate its procedure. (400)

Now, the main points, as far as the formation of the Council is concerned, are two—one is the Chairman / and the other is the composition of the Council. The Commission have recommended that the Chairman should be an eminent / person who should be generally a judge of a High Court and should be nominated by the Chief Justice of India. / We have considered this question very carefully and in considering it we have also been guided, to some extent, / by the debate on the Press Commission's Report that took place here during the last session. We have felt that (500) it would be unnecessarily restricting the choice in searching for a very suitable Chairman if we put it down on / the Statute Book that the Chairman shall always be a High Court judge. No doubt, the Council will be armed / with certain powers which can be considered to be judicial but it has to be remembered that the objective or / the purpose behind giving these powers is not a judicial inquiry, but the enforcement of attendance of witnesses and / certain other matters. For example, in the United Kingdom where a voluntary Council has been working, it has been found that (600) the Council is not able to make witness come before it and cases have not been wanting where very prominent witnesses / have CONTEMPTUOUSLY disregarded the request of the Council to appear before them and it is in that light that the / Press Commission strongly recommended that not only there should be a statutory Council, but also the Council should have certain / powers to enforce witnesses to come before it. My point is that it will not at all be helping the / work of the Council if we restrict the choice of the Chairman to High Court judges. We have to remember (700) what the object is before the Press Council. The Press Council is not a judicial body. It is also not / a body for investigation. It is a body which has to observe carefully the trends in the Press, not purely / from a judicial angle, but mainly from the moral and public angle, and decide on balance as to whether a / particular paper or the writings in a particular paper are such as not come up to the journalistic ethics / that have been laid down. Now, that is not, really speaking, a judicial purpose, and no doubt it is possible to (800) have very eminent High Court Judges and Chief Justices, but it would be, in our opinion, doing injustice to / the journalistic profession if we lay down for all time that only a High Court Judge can be the Chairman.

(840 words)



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*Government style of language*

**TRANSCRIPTION NO. 301**

*Statement made by hon. Transport Minister*

Sir, I would like to say a few words about the changes made by the Joint Select Committee in the Bill / as originally introduced. These changes related mainly to the development and regulation of inter-State transport, period of validity of / permits for operation of transport vehicles, payment of compensation to operators in case of nationalisation and some other matters. / I am glad to say that the Committee, realising the need for developing and expanding transport facilities in the country, proceeded / to make changes so as to produce the desired result.

The Committee felt that the development of inter-State transport (100) is not such as can be taken care of SOLELY by the State Governments as was the case HITHERTO, / and the time has come for the Central Government to step in and take powers to develop, co-ordinate and regulate the / operation of transport vehicles in respect of areas or routes common to two or more States. They accordingly ENDORSED the / principle contained in clause 57 for setting up a Central authority for this purpose, but considered that instead of / two separate authorities as proposed in the original Bill, there need be only one, namely, the inter-State Transport Commission (200) which should have powers to associate with itself representatives of the concerned State Governments as and when considered necessary. This is a DISTINCT improvement over the previous arrangement ENVISAGED in the Bill. The Committee also amended clause 52 and / decided to remove the MILEAGE restrictions for grant of public CARRIERS' permits between places connected by Railways. This will give / greater freedom of movement of vehicles for inter-State operation.

As regards the period of validity of a permit, / the Committee was generally of the opinion that as the prices of vehicles had gone up, the operators needed security of business (300) if they were to invest large amounts of money for providing transport facilities to the general public. One method / of ensuring this, it was thought, would be by increasing the period of validity of permits and, another, by TRAINING / the present provision of giving preference to applications for RENEWAL of permits over new applications. Clause 50 of the Bill / was accordingly amended so that a permit for a STAGE CARRIAGE shall be effective without renewal for a period of / three to five years and a public or private carrier's permit will be effective for a period of five years. (400)

It was also decided to retain the original PROVISO in Section 58 of the Motor Vehicles Act that, / other conditions being equal, an application for renewal shall be given preference over new applications for permits.

In this connection, / I may mention that the Committee also made a provision in the Bill that, other things being equal, the cooperative societies / running transport services should be given preference over new operators. This preference for cooperative societies will, to some extent, / help the policy of Government to encourage the formation of VIABLE units which, it is considered, can promote operational efficiency and better utilisation of vehicles leading to general economy. (500)

The question of payment of compensation to operators displaced as a result of / introduction or expansion of nationalisation of road transport services was discussed by the Committee at great length. It was / generally felt that the amount of compensation provided in the original Bill was far from adequate. It was also URGED / that everytime the compensation should be paid for non-renewal of permits and that the amount payable for / the CANCELLATION of a permit or the modification of the terms THEREOF should be fixed with reference to the earnings of the individual operator concerned. (600) A view was also expressed that it should be OBLIGATORY on a State transport undertaking / to acquire all the assets of a private operator in whose case permits were cancelled or the terms thereof were / modified in implementation of an approved scheme for introduction or expansion of nationalised road transport services.

After careful consideration of / all these points, the Committee decided that the amount of compensation originally proposed should be doubled. The Committee thought / that there was no question of compensation so far as non-renewal of a permit was concerned as it did not involve any loss of business. (700) Compulsory ACQUISITION of assets was also not favoured as it was feared that a good / deal of UNSERVICEABLE vehicles would be passed on to nationalised transport undertakings and that would involve loss to the / tax-payer. The question can very well be left to State Governments who would be willing to take over serviceable vehicles / and other useful equipment from private operators by NEGOTIATION. The Committee also amended clause 37 to provide for directions / being issued by State Governments to the State Transport Authorities to grant permits for alternative routes or areas to operators displaced as a result of nationalisation. (800)

This will help in rehabilitation of displaced operators and also lead to opening of / more routes. Provision has also been made that the private operators should form unions and PLY their vehicles more efficiently.

**840 words**

**TRANSCRIPTION NO.302**

Sir, we have just heard the hon. Minister for Revenue and Civil Expenditure tell us the circumstances in which / this Bill has come before this House. He has also told us that it is one of the very important items / of revenue so far as the States are concerned. Till the other day, we had Part B States in our country / and those States used to levy internal CUSTOMS duties, but after 1st April 1955, / under the Constitution, those Part B States which used to levy customs duties were BARRED and, instead, the alternative revenue (100) for the loss they SUSTAINED by GIVING UP customs duties under the Constitution was the sales tax. I can say from / my personal experience that as far as Rajasthan was concerned, when we gave up the customs duties we were / very much afraid about ways and means of filling up the gap, but it was a matter of satisfaction that / during the course of a year or two, by LEVYING this sales tax, we were, to a very great extent, / able to MAKE UP that loss which we had sustained by giving up the customs duties. Till the Constitution (Sixth Amendment) Act (200) was passed, the Central Government had no powers in regard to the passing of laws for the levy of / taxes on inter-State transactions, but after that Act was passed, powers were ASSUMED, and now it is good / that the Government have come forward with the formulation of certain principles which would guide the imposition of taxes on / inter-State trade. Under the last amendment of the Constitution, Government have taken power to define as to what will be / an inter-State transaction and also to prescribe the rates of sales tax to be levied on such transactions. (300) The Bill provides that in the case of certain important items, the State Governments can impose a Sales tax of 2 per cent., / and not more, while on transactions between registered dealers there would be a UNIFORM levy of 1 per cent. / This is what the hon. Minister said and that is what has been provided for in the Bill before us./ One ANOMALY that we are seeing is that the tax VARIES from State to State. Before November, / 1956, Punjab had a sales tax, whereas we, in Rajasthan, did not have this tax for a long time. (400)

Sir, the REPEAL of the Essential Goods (Declaration and Regulation of Tax on Sale or Purchase) Act, 1952, / would mean that articles which are not liable to taxation will be taxed now. The hon. Minister mentioned / about the repeal of this Act and further mentioned a number of articles which were essential, but under clause 14 / of the Bill before us, there are only six items which have been declared as articles of special importance / for purposes of inter-State trade or commerce. The State Governments are expected to raise their revenues to meet their expanding expenditure. (500) The hon. Minister has just now said that they are the representatives of the people and that they themselves / would see that they do not levy heavy taxes as otherwise they will become unpopular in their own constituencies and / with the people who elected them. Sir, I would like the hon. Minister to look into the proceedings of the / Rajasthan Assembly for the last two years. In a hurry to raise more money, they had passed certain Bills imposing / tax on the sale of certain articles. An agitation took place and they had to change the laws. (600) They added certain more items and then again an agitation took place resulting in those items having to be dropped again. / If we look into the proceedings of the Rajasthan Assembly for the last two years, we would find that the original / Act had been changed so much in the course of this period that it would be very difficult to recognise / the original one. So long as there is a one-party Government in this country, this sort of argument would not CARRY WEIGHT. When there are two parties, equally balanced, then this argument would count, but in the present circumstances, this argument will not count. (700) I would like in this connection to know from the hon. Minister as to whether / Government have got power to add any items to the list included in clause 14 if they consider that / certain States are levying a heavy sales tax on them without, of course, amending this Bill. If they have not / got such powers, then this will naturally go against the interests of the people.

Lastly, I come to the question / of foodgrains. The hon. Minister referred to the various meetings that seemed to have taken place between the various Finance Ministers and between the various Chief Ministers of States. (800)

They were very ADAMANT that these items in clause 14 should not be expanded. I would submit that the argument which has been given by the hon. Minister is not convincing.

**840 words**

(Report of the Election Commission)

*Government of India style of language*

**TRANSCRIPTION NO. 303**

Suggestions have, however, been made to the Election Commission that a Chief Electoral Officer appointed under the present system might / find himself to be too much under the control of the State Government and that he might not sometimes be / free to act independently in his capacity as the Chief Electroal Officer, particularly in respect of matters which have a / direct or indirect BEARING on questions involving a political COMPLEXION or implication. It has been represented that there is a / risk of his acting as a mere MOUTH-PIECE of the State Government in such matters, and of the Commission (100) being DEPRIVED OF the benefit of DISPASSIONATE and independent advice as also of objective reports which the Chief Electoral Officer might feel himself DEBARRED from TENDERING in the present scheme of things. The Commission is not UNMINDFUL of this risk / and, in fact, has at times felt that some Chief Electoral Officers may not have always been able to express / themselves freely in controversial matters. It is quite possible, however to minimise such a risk by adopting a suitable procedure / in dealing with such matters.

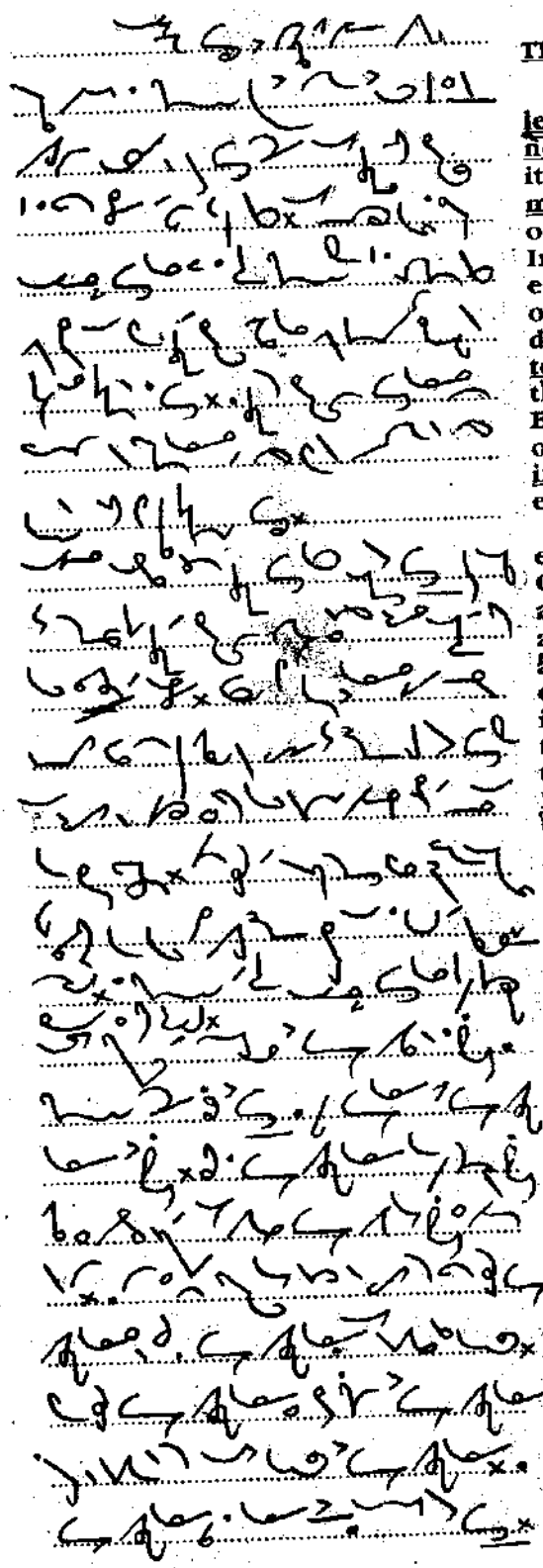
The Commission has already taken steps to ensure that the Chief Electoral Officer no longer acts (200) or is even regarded as a LIMB of the State Government but that in regard to his statutory duties he / may act more and more as an independent authority under the direct control of the Election Commission. So far as / he has to utilise the State Government and act as a LIAISON officer between the State Government and the Commission, / the Commission has always insisted that the Chief Electoral Officer must be given an adequate SECRETARIAT status in the State Government, / e.g., that of a Secretary, Joint Secretary or Deputy Secretary. Without such a status, he cannot deal with the (300) subordinate officials with the authority of the Government and would have to go up to the Department concerned in / every little matter in which a Government order is considered necessary. There would perhaps be technical difficulties in giving an / officer imported from outside a secretariat status in the State Government, in which case he would in the end prove / ineffective in practice. The Commission does not accordingly consider it necessary in the present circumstances to DEPART FROM the present / practice of appointing an officer of the State Government as the Chief Electoral Officer and this practice should be followed. (400)

An effective answer to the criticism LEVELLED against the present system would be to divide the duties and functions of / a Chief Electoral Officer into two DISTINCT categories, viz., electoral and administrative, and to DEMARCATE the two categories as clearly / as possible. In respect of electoral matters, the Chief Electoral Officer would be required to correspond and deal with the / Commission directly, without the necessity of obtaining any prior CONCURRENCE of the State Government. The State Government need not, / in fact, be troubled with any of such matters, with which it would not be directly concerned. (500) If it is felt desirable or necessary that the State Government's views should also be available to the Commission, copies of the correspondence between / the Commission and the Chief Electoral Officer would be communicated to the Chief Secretary to the State Government for the purpose. / In respect of all administrative matters, however, the Chief Electoral Officer would function in full consultation with, and with / the CONCURRENCE of, the State Government. In fact, this procedure has already been brought into operation and has been working satisfactorily. /

In the light of the experience gained during the last eight years, the Commission has come to the conclusion (600) that the Chief Electoral Officer of a State should be a senior officer of the State Government, preferably with the / status of a Joint Secretary at least. Except for a year or so during the general elections, there is no objection / to his being a part-time officer but in every such case a junior whole-time officer should INVARIABLY / be made available to him as his Deputy. The Commission has noticed that many part-time Chief Electoral Officers find / it difficult, in view of their other PRE-OCCUPATIONS, to undertake tours to the districts and this INEVITABLY results in (700) the loss of an effective touch between the Chief Electoral Officers, on the one hand, and the district officers / and the other election officers in the districts, on the other. Experience has also shown that occasional, if not frequent, inspections / of election offices in the district headquarters and the subdivisions have a SALUTARY effect in TONING UP the efficiency and / removing the working defects of these offices. Such inspections also afford a very valuable opportunity to the local election officers / to APPRISE the Chief Electoral Officer and, through him, the Election Commission of the practical difficulties, if any, (800) they experience in CARRYING OUT the provisions of the law and the directions of the Commission and the Chief Electoral Officer. / Not UNOFTEN has it been found that a particular officer has EVOLVED some procedure in detail or introduced some INNOVATION.

*840 words*

(Report of the Election Commission)



**TRANSCRIPTION NO. 304**

In view of the fact that elections to the legislatures and the local representative bodies are now a permanent feature / of the life of the nation, it has become urgently necessary to put the election machinery in the districts and / their subdivisions on a more satisfactory and well thought-out basis. In the Commission's view, a separate NUCLEUS election office / with an adequate permanent staff on a whole-time basis should be set up in every district and subdivision and / this office should be temporarily strengthened by additional hands at the time of an election. The District or subdivisional Election Officers (100) may normally be part-time officers who must, however, be RELIEVED OF most, if not all, of their other / duties at the time of the elections.

In the course of inspections of some district election offices undertaken by the / Election Commission, it was noticed that the organisation at the district and sub-divisional level is almost always inadequate and / very often HAPHAZARD and unsatisfactory. This is not at all fair to the officers who are expected to CARRY ON / this important duty and it is not to be wondered that the work done by the election staff in (200) between two general elections is very often below the REQUISITE standard and comes in for severe CRITICISM. Much more SUSTAINED / and better organised efforts would be called for in future than HITHERTO, if even such routine work is to be done / in an efficient and business-like manner. A permanent and adequate nucleus election office at each administrative centre is / therefore essential.

In regard to the preparation and maintenance of the ELECTORAL ROLLS of a constituency, the permanent machinery consists / of the Election Commission, the Chief Electoral Officer and the Electoral Registration Officer of the constituency. There is an Electoral (300) Registration Officer for each Assembly constituency and it is his responsibility to prepare and annually revise the electoral roll for the / constituency as required by law. The law has made provision for the appointment of one or more Assistant Electoral / Registration Officers to assist the Electoral Registration Officer in the performance of his functions. Every Assistant Electoral Registration Officer is, / subject to the control of the Electroal Registration Officer, competent to perform all or any of the functions of the / Electoral Registration Officer. The Electoral Registration Officer who is an officer of the Government is nominated by the Election Commission. (400)

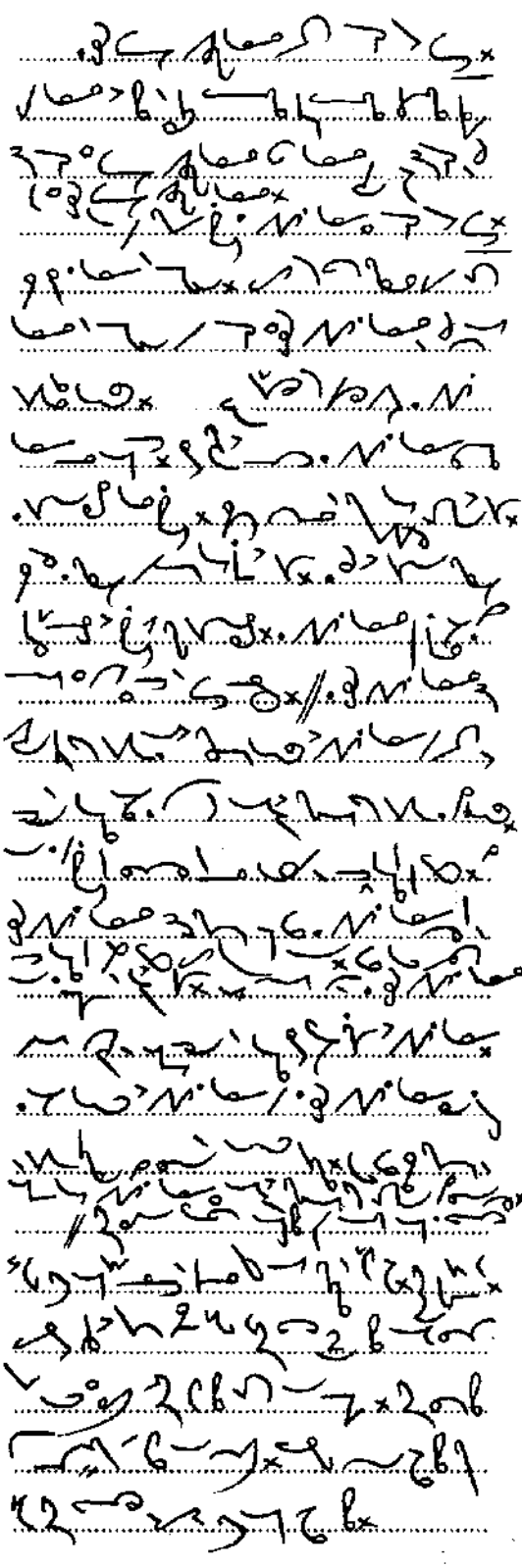
The Assistant Electoral Registration Officers are also appointed by the Election Commission. Generally, officers of the status of Deputy Commissioners, / Collectors, Deputy Collectors, Tahsildars, etc., were appointed as Electoral Registration Officers while officers junior to them were appointed to assist / them as Assistant Electoral Registration Officers.

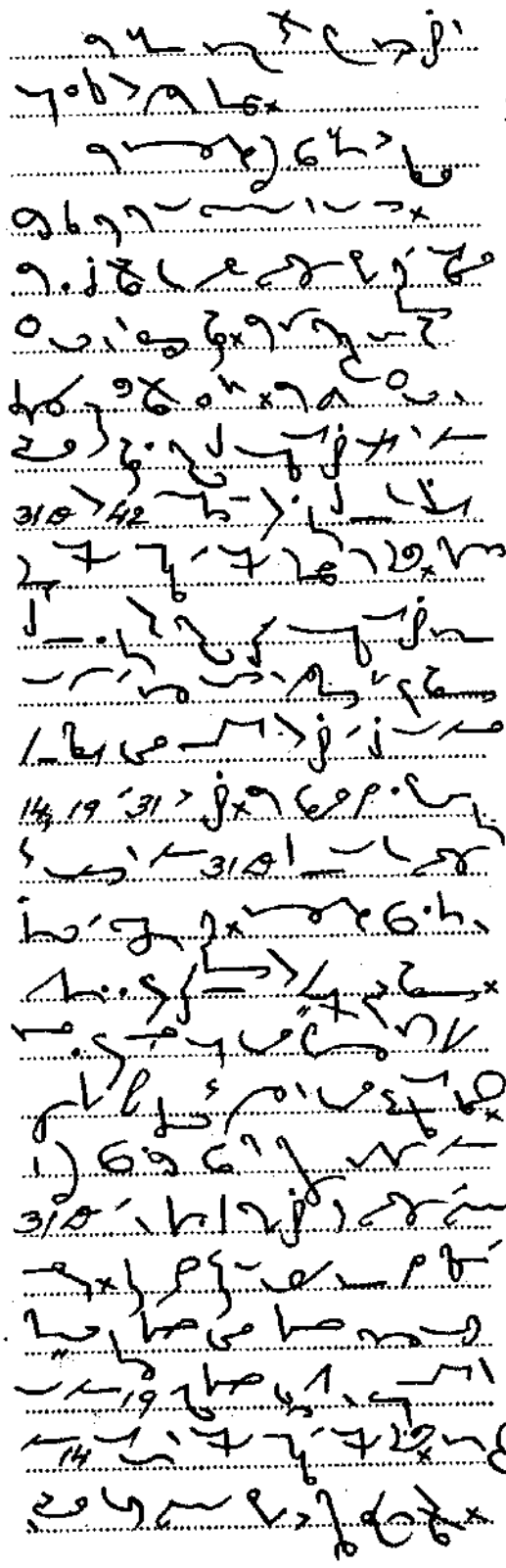
For each Parliamentary constituency, a RETURNING OFFICER is appointed by the Election Commission. / He has to be an officer of Government. One or more persons who are also officers of Government are appointed as / Assistant Returning Officers to assist him in the performance of his functions. (500) Whenever by-elections or general elections are to be held, the Returning Officer comes into action. Subject to the approval of the Commission, the Returning Officer selects the / polling stations for his constituency. He also makes all preparatory arrangements for the holding of the poll. He appoints the / PERSONNEL required for the conduct of the poll. The size of the polling personnel depends on the extent of the / constituency and the number of polling stations. The Returning Officer's duty continues until the last candidate has LODGED his account / of election expenses.

The Assistant Returing Officers were originally DEBARRED from performing any of the prescribed functions of the Returning Officer (600) which related to the counting of votes unless the LATTER was unavoidably prevented from performing such functions. In a / large constituency, it sometimes becomes necessary to count votes at different places. As the Assistant Returning Officers were not permitted / to do this, the Returning Officer himself had to count votes at all such places one after another. This often / resulted in a good deal of avoidable delay. Under the amended law, the Assistant Returning Officers are now eligible to / undertake the counting of votes subject to the over-all control of the Returning Officer. (700) The only function of the Returning Officer which an Assistant Returning Officer is not competent to perform at present is the SCRUTINY of NOMINATION papers. / Even this, he is permitted to undertake if the Returning Officer is unavoidably prevented from holding such scrutiny himself. /

There were certain former Indian States which had entered into an agreement with the then British India about the execution of / DECREES passed in the territories of either of them. There was no difficulty about that. With respect to the decision / of the Bombay High Court, I find that there were more than two hundred States in that small part known (800) as Saurashtra and there were other States also in Gujarat. There were some States like Kohlapur and others in Maharashtra. / In respect of many of these States, probably, I think there were agreements between the British India and these States.

*840 words*





{*Speech of the hon. Law Minister*
made in the Rajya Sabha on 23rd December, 1977}

**TRANSCRIPTION NO. 305**

Sir, I beg to move:

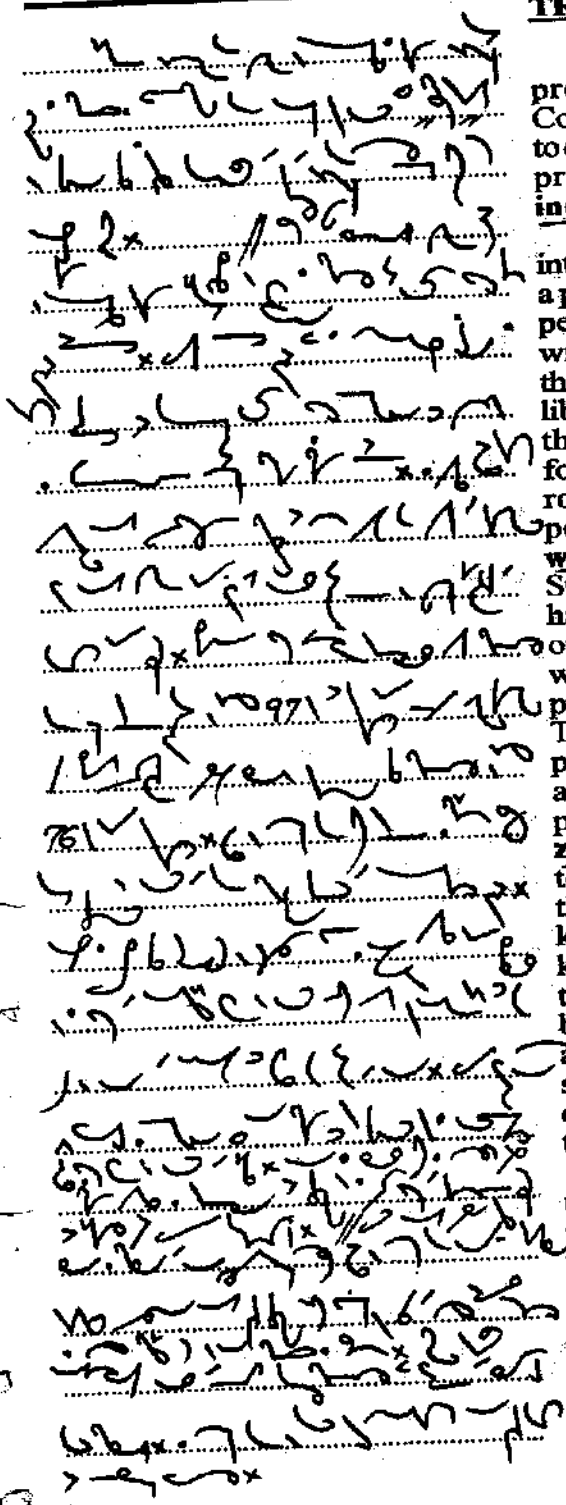
"That the Bill further to amend the Constitution of India, as passed by the Lok Sabha, / be taken into consideration."

Sir, I am very happy to say that so far as this item of the business / is concerned, it is free from any **acrimony** of any kind. Sir, the contents of this Bill have received / **universal** support throughout the country and in the other House, as is known to all sections of this House. / Sir, I will very briefly indicate, although it is hardly necessary to do so, as to what this Bill is about. (100) Sir, first of all, as is known to all the hon. Members of this House, a provision had been introduced / in the Constitution in the shape of Article 31D by the 42nd Amendment Act by which a / power had been given for **banning** so-called anti-national activities and anti-national organisations or associations. Parliament had been / given the power by that provision which had been introduced in the Constitution, to make any law and to impose / any kind of restriction on the people of this country which could **transcend** the Fundamental Rights **guaranteed** by the Constitution (200) and contained in Articles 14, 19 and 31 of the Constitution. Sir, this was such a **blanket** power that the / inclusion of Article 31D had come in for universal **condemnation** and criticism throughout the country. / I am very happy to say that this is an attempt to **redeem** the **pledge** which had been given by the Janata Party / to the people of this country. Of course, the pledge goes into various other matters also which are still / at the stage of discussion with the leaders of various political parties in the two Houses. But so far as (300) this is concerned, this particular proposal to **repeal** Article 31D and to **delete** it from the Constitution was / universally and **unanimously** accepted. It was realised that it was not necessary to give such drastic and **Draconian** powers / at the cost of the Fundamental Rights, at the cost of freedoms **enshrined** in Article 19 and even at the cost / of Fundamental Right to Equality guaranteed by Article 14 in the name of anti-national activities and anti-national associations. / I am thankful to all the hon. Members for their unanimous support to the proposition which is being made by this Bill. (400)

Sir, the other provisions of this Bill are equally non-**controversial** as the reactions in the whole country / of all sections of people, of all political parties, as reflected in the proceedings in the other House have already demonstrated. / Now, Sir, certain provisions had also been introduced by the 42nd Amendment of the Constitution which dealt with the / powers of the Supreme Court and the powers of the High Courts as well as the **mode** of exercise of those powers in those Courts, Sir, it had been provided by the 42nd Amendment that High Courts cannot / consider the validity of a Central law, (500) The definition of a Central law did not confine merely to legislation; / it included even a statutory notification with the result that **virtually** whenever any important exercise of power by the Centre was / to be challenged, then in that case, the High Courts had been **deprived of** their power to sit in judgement / over the validity of either a Central legislation or a rule enacted under the Central legislation or even a statutory / notification made by the Centre into those laws. Sir, it is well known that India is a very large country, (600) India is also a country of poor people. If the High Courts which are important courts exercising jurisdiction inside a State / are deprived of their effective jurisdiction of granting relief against the illegal exercise of powers in the shape of / Central laws as so defined, and a person is **compelled** to get relief only through the Supreme Court, then, Sir, / the position is that this remedy of getting relief against orders, against rules, against laws which might unfairly **affect** the / rights of citizens, is virtually taken away from those people because many of these people in a poor country like India, (700) in a country of such large distances, do not find it possible to get a proper relief from the / Supreme Court. So, Sir, while the powers of the Supreme Court had been preserved, virtually an **impediment** which was difficult / to cross for so many citizens of this country had been placed in the way of obtaining justice / on the part of **innumerable** citizens of this country. So, Sir, an effort has been made by this Bill to remove that impediment / from the path of the citizens of this country so that if anything wrong is done in the form of any law, (800) whether it is legislation or any statutory notification by the Centre, the easy method of obtaining justice / in the High Court itself which is more easily **accessible** to the citizens of India may be open to them.

***840 words***

*A luscious passage for lovers of stenography*



Speech of the **Minister of Information and Broadcasting** made in the Lok Sabha on 29th December, 1989

**TRANSCRIPTION NO.306**

I beg to move for **leave** to introduce a Bill to provide for the establishment of a Broadcasting Corporation for India, / to be known as Prasar Bharati, to define its composition, functions and powers and to provide for matters connected **therewith** / or **incidental thereto**.

Sir, while seeking the leave of the House to introduce the Bill, I have the satisfaction / of fulfilling a promise that the National Front had made to the people of the country. We had gone / to the people with a **manifesto** containing a policy declaration to the effect that the National Front Government would liberate (100) the electronic media from the control of the Government. The roots of this policy are to be found in the universal **perception** / of the important role that radio and television play in the life of our people and the influence / that they have come to **wield** on the development and **evolution** of our society. Starting from humble beginnings, radio programmes have / today become available to almost 97 per cent of the population of our country and even television, which started / relatively recently, is now **beaming** its programmes to almost 76 per cent of our population. These two media have, therefore, (200) become the prime sources for the **dissemination** of information and for providing education and entertainment to the people. / In such a situation, it is essential to **zealously** guard the **inalienable** rights of our citizens to a free and **unbiased** flow / of information and their right to be informed about what they wish to know and not only what others / think that they should know. We believe that no matter how **enlightened** the Government is, any control would, by definition, / be an **encroachment** on this free flow of information and ideas. In a sense, therefore, the imposition of such control (300) represents the beginning of the destruction of a really free and democratic society to the ideals of which we are / **firmly** committed.

We have, in the recent past, seen the **brazen** and **uninhibited** misuse of these two media for / narrow, **partisan** purposes, resulting in the total destruction of their **credibility** which is, and must always remain, the most **prized** asset / of any broadcasting system. There have been **aberrations** in the manner in which news and current affairs programmes with / political and social content have been presented. The media have too often been **manipulated** in total violation of the accepted **norms**. (400)

I would like to draw your attention briefly to the background of the Bill which I am presenting today and / to some of its **salient** features. The perception that electronic media can function unbiased only when they are autonomous, is / now new. In our country, however, this perception has sharpened over the time, in keeping with the ever-increasing reach / of radio and television. In 1964, the Government had appointed a committee / under Shri A.K. Chanda which had examined the functioning of AIR, the only electronic medium broadcasting regularly at that time. (500)

This Committee had recommended the constitution of a **separate** corporation for Akashvani with freedom to **evolve** its own methods of recruitment, / regulated scales of pay and conditions of service according to its needs and **devise** a financial and accounting system appropriate / to its creative activities.

In 1977, following the **trauma** of the Emergency, one of the major / objectives of the Janata Government was granting of autonomy to AIR and Doordarshan. A committee had been appointed, / under the Chairmanship of Shri B.G. Verghese, to examine the functioning of the two media and to make appropriate recommendations. (600) On the basis of their recommendations, a Bill called the Prasar Bharati Bill was introduced in the Lok Sabha / in 1979. This effort, however, **came to naught** as the Bill **lapsed** with the **dissolution** of / the Lok Sabha.

In the present Bill, we are proposing initially only one Corporation to be set up, with two wings, / one for Radio and the other for Television. There will be a Board of Governors, with four full-time Governors, / namely, Chairman, Executive Governor, Governor (Finance) and Governor (Personnel). In addition, there will be six part-time Governors (700) who will be people of eminence in various fields of **relevance** to the two media. The two Directors-General of Radio / and Television will report to the Executive Governor. We have provided for a method of appointment of the Chairman and Governors, / which virtually **does away with** the Government's role in the process. They will be appointed by the President / on the recommendations of a committee consisting of the Chairman of the Council of States, the Chairman of the Press Council / of India and a nominee of the President of India. The independence of the Board of Governors has been (800) further strengthened by providing that the Chairman and Governors, before the expiry of their terms, can only be removed / in the same manner as prescribed for the removal of the Chairman and Members of the Union Public Service Commission in the Constitution.

***840 words***

*A Select passage for Select Stenographer*

**Speech of the Minister of Information and Broadcasting**

made in the Lok Sabha on 29th December, 1989

**TRANSCRIPTION NO. 307** *(1000 words)*

Mr. Speaker, Sir, you will notice that we have been at pains to define, in some detail, the objectives which will / guide the Corporation in the discharge of its functions. This is necessary to ensure that the aspiration of the people / of this country, belonging to DIVERSE cultures, languages and regions, are fully met in the programming of these two media / so that the VARIEGATED culture of the country is allowed to evolve, flourish and grow. We have also been / conscious of the need for incorporating, within the structure of the Bill, a MECHANISM which will ensure that the functioning (100) of the Corporation is never allowed to STRAY away from these objectives.

It is equally necessary to ensure that the / rights and sensibilities of individuals and groups of people, which could be hurt by insensitive or biased programming, are not / allowed to be INFRINGED. It is in this context that a provision has been made for the establishment of a / Broadcasting Council. This Council will examine all complaints of unfairness and bias or those relating to programmes not being / IN CONFORMITY WITH THE objectives of the Corporation. This Council will consist of a President who will function whole-time. (200) He will be assisted by ten other part-time Members, drawn from various WALKS OF LIFE so that every aspect of / programming could be brought under scrutiny. There is also a provision which will enable this Council to set up Regional Councils / to cater to regional needs.

All senior appointments within the Corporation will be made by the Board of Governors / and other appointments by Recruitment Boards to be set up by the Corporation under the rules. We have also provided / protection to all categories of employees of AIR and Doordarshan, including officers of Indian Information Service working with these organisations. (300) It will be our endeavour to ensure that all employees are treated JUSTLY and are provided opportunities to / grow and develop in their own fields. I would, however, like to emphasise that the primary objective at all times / would be to achieve EXCELLENCE.

The finances of the Corporation will be UNDERWRITTEN by the Government of India on the / touchstone of public service. NEVERTHELESS, financial autonomy is to be promoted by providing that the Broadcasting Corporation shall have / its own funds, into which shall be paid broadcast receiver licence fees, if any, advertisement revenue, service fees and other earnings. (400)

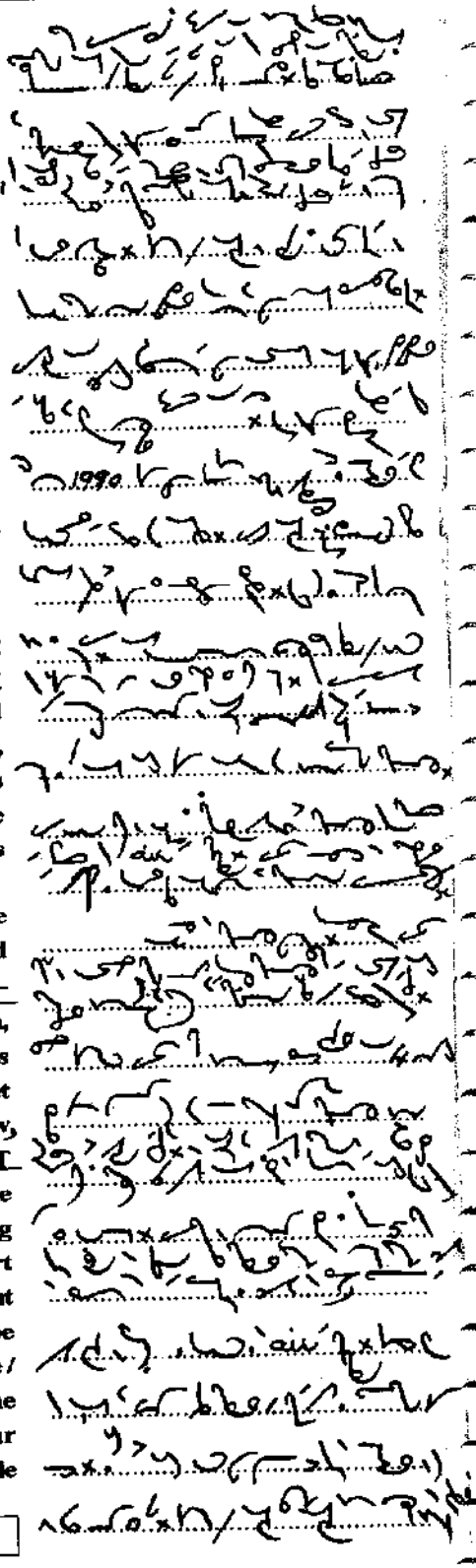
A provision has been made to make the Corporation ACCOUNTABLE to the Parliament. Its Annual Report, incorporating a report / by the Broadcasting Council also, will be placed before both the Houses of Parliament to enable this AUGUST body to exercise scrutiny, / to debate over the manner in which the organisation has functioned, and to give the required directions and guidance. /

Sir, I am grateful to all the parties and their leaders, including the Leader of the Opposition, for their wholehearted support / to the Bill, the main features of which have been discussed with them as well as with several experts. (500)

Sir, we are conscious that we need to move fast to bring the Corporation into being and yet not be/hasty in proposing a structure which does not achieve our stated goals. It is in this context that during the/next few months, before the Bill is actually taken up for consideration, we have planned to encourage different institutions and/organisations to hold seminars, debates and discussions on all aspects of the proposed Corporation in addition to the panel discussions on/the two media at various levels. It will be our endeavour to generate a national debate and to benefit from the (600) many suggestions for improvement that will EMANATE as a result of this debate. We do not have any INHIBITION/on this matter and will incorporate into the Bill such suggestions and ideas that FURTHER the aims and objectives that/we have in mind. If the Bill is taken up for consideration and passed around May 1990,/it will still take time to draft the rules and regulations, appoint the governors, and other FUNCTIONARIES and place/them in position. We shall endeavour to take the CONSEQUENTIAL steps following the passage of the Bill as EXPEDITIOUSLY as possible. (700) Even so, the appointed day may be about a year away. In the INTERREGNUM, Mr. Speaker, Sir, it is not/our intention to be idle or let things proceed as they are today. We are aware that much can be done/immediately to ensure impartiality, objectivity and to give to the media the much-needed independence which will enable them/ to improve the quality of programmes. We intend, therefore, to undertake a comprehensive review of the programmes being BROADCAST and TELECAST/ by AIR and Doordarshan. We will examine all procedures and reconstitute the various Committees involved with programming, wherever necessary. (800)

New kinds of programmes will be considered. For example, we will try to increase the number of current affairs programmes/and encourage independent producers to make them so that fresh, THOUGHT-PROVOKING ideas are placed before the audience. As regards Television, /we will try to make the second channels in four METROPOLITAN cities much more likely so that they can provide/alternative programmes to meet the aspirations of the regional audiences. To ensure that right from now, all this is done/through a process which is ROOTED in the CONCEPT of autonomy and independence, even before the law is enacted. (900) We propose to immediately set up a COMPACT five-Member Board, consisting of distinguished persons from the media, from the/world of cinema, art and culture, the world of scholarship, agriculture and rural development to oversee the functioning of AIR/and Doordarshan. It must, however, be noted that ultimately it is the persons who direct and run the/ Corporation who will count. The eyes of the entire nation will look to the Board of Governors to see/how this goal is achieved. It will be our endeavour, as also the endeavour of my Ministry, to provide all possible assistance.

*1000 words*



*Statement made by hon. Minister of Industry*

in the Rajya Sabha on 23rd December, 1977

**TRANSCRIPTION NO. 308** *(1000 words)*

In its licensing policy, Government will regulate the activities of the large houses to bring them in line with the / country's socio-economic goals. Where large scale units, whether belonging to large houses or not, are already engaged in the / manufacture of items since reserved for the small scale sector, there will be no expansion in their capacity. / On the other hand, the share of these units in the total capacity for these items will be STEADILY reduced and / that of small scale and cottage sector increased. In licensing other activities of large scale industry, particularly of units belonging to (100) large houses, Government would pay due regard to the existing share of these units in the total domestic production of these items. / It will be the policy of the Government to ensure that no unit or business group acquires a / DOMINANT or MONOPOLISTIC position in the market. The present industrial activities of the large houses will be scrutinised so that unfair / practices arising out of manufacturing inter-linkages are avoided.

There will be an expanding role for the public sector in / several fields. Not only will it be the producer of important and STRATEGIC goods of basic nature, (200) but it will also be used effectively as a stabilising force for maintaining essential supplies for the consumer. The public sector / will be charged with the responsibility of encouraging the development of a wide range of ANCILLARY industries, and contribute to the / growth of DECENTRALISED production by making available its EXPERTISE in technology and management to small-scale and cottage industry sectors. /

The Government would also like to clarify its policy regarding foreign investment and foreign companies in India's industrial development. / So far as existing foreign companies are concerned, the provision of the Foreign Exchange Regulation Act would be strictly enforced. (300) After the process of DILUTION under this Act has been completed, companies with direct non-resident investment not exceeding 40 per cent / will be treated on par with Indian companies, except in cases specifically notified, and their future expansion will be guided / by the same principles as those applicable to Indian companies.

The creation of a strong and DIVERSIFIED industrial economy does not / mean that the country should not or need not participate in international trade, both as exporter and importer of / industrial goods. In fact, the favourable changes that have taken place in our foreign exchange situation and the progress (400) that we have made in the industrial field should now enable us to SELECTIVELY DISPENSE WITH import quotas and quantitative restrictions, / while retaining the protection given through TARIFFS.

The Government attaches great importance to balanced regional development of the entire country / so that DISPARITIES in levels of development between different regions are progressively reduced. The Government have decided that no more / licences should be issued to new industrial units in METROPOLITAN cities having a population of more than 1 million and / urban areas with a population of more than 5 lakhs as per the 1971 Census. (500)

A sound price policy has to aim at a reasonable degree of price stability and a fair PARITY between prices / of agricultural and industrial products. There has been a tendency to regulate prices of industrial products which are vital to the / needs of development in a manner which made their production less attractive than production catering to the needs of the ELITE. / It will be the policy of Government to ensure that in cases where there is price control, / the controlled price will include an adequate return to the investor. By the same TOKEN, Government cannot permit EXORBITANT profits being (600) made by industries which are operating well below their capacity or by units which operate in a MONOPOLISTIC ENVIRONMENT.

The most important single resource of any country is the skill and hard work of its people. We, in India, have / an ABUNDANT supply of labour which is capable of acquiring new skills very quickly and also an existing RESERVOIR of / technical and managerial personnel. These resources can be used effectively only in an environment in which the workers and managers / develop a sense of personal involvement in the working of the enterprise. (700) Family control of business, particularly in the field of large scale industry, is an ANACHRONISM, and it will be Government's policy to insist on professionalism in management. / The Government are examining the possibilities of encouraging workers' participation in the EQUITY of industrial units without, in any way, adversely affecting / their interests. Such equity participation together with an active association of workers in decision making from the SHOP FLOOR LEVEL / to the BOARD LEVEL, will provide the necessary environment for a meaningful participation by workers in the management of industry. / One of the disturbing features of the industrial scene in recent years has been the growing INCIDENCE of sickness of both large and small units. (800)

While Government cannot ignore the necessity of protecting existing employment, the cost of maintaining such / employment has also to be taken into account. In many cases where large amounts of public funds have been pumped / into the sick units which have been taken over but they continue to make losses, which have to be financed / by the public exchequer, this process cannot continue indefinitely. In future, the take-over of management of units will be / RESORTED TO selectively and only after careful examination of the steps required to revive the units. (900) It will be the policy of the Government to take quick and effective steps for REHABILITATION and reconstruction of the units and to ensure / professional management of such units on a continuing basis. Industrial development is a COMPLEX PROCESS requiring effective inter-action and cooperation / of all sections of the society. If the objectives of the new industrial policy of ACCELERATING the PACE of industrial / growth, rapid increase in levels of employment, productivity and income of industrial workers and a wide DISPERSAL of small and village industries / have to be achieved, the willing cooperation of industrial workers, trade unions, ENTREPRENEURS and various Government authorities will be essential.

1000 words.