

The Oil and Natural Gas Commission extracts oil and natural gas from the off-shore wells of the Bombay High. Considering the proximity of the coast of Maharashtra to these oil wells and the large income that is derived by the Central Government from these natural resources, the State Government examined the feasibility of claiming a royalty for the Maharashtra State on the oil and natural gas extracted from the Bombay High.

The Constitution declares India as a Union of States and demarcates the territory of each State as provided in the First Schedule of the Constitution. The continental shelf, as defined in section 6(1) of the Maritime Zones Act (80 of 1976) is the natural prolongation of the land territory to the outer edge of the 'continental margin' in the sea. Thus, Bombay High which produces oil and natural gas is a natural prolongation of Maharashtra.

Under the express provisions of the Constitution and under the law enacted by Parliament under Art. 297(3), the Union has assumed full and exclusive control over the lands, minerals and other things of value within the territorial waters over the continental shelf of India. However, the context in which the relevant provision in Art. 297 was incorporated also needs to be taken into account. The anxieties which rightly prevailed at the relevant time, namely, that even when any maritime State joins Indian union, the territorial waters of that maritime State should also vest in the Central Government are no longer relevant. It is felt that a division of sovereign rights for sharing the resources of the continental shelf needs to be settled in a spirit of cooperative federalism. The most significant form of cooperative federalism is in Australia, wherein an agreement on the redistribution of constitutional responsibility for off-shore areas was reached in 1979 and this agreement was implemented in 1980 by a series of complementary Acts passed by the Commonwealth on the request of the States. Similarly, in the United States, the maritime

States have the right to the sea-bed under the territorial waters and minerals thereunder.

Thus, while as a matter of legal right, the maritime States cannot ask for sharing of off-shore oil and natural gas resources, the Government of India should arrive at such an overall settlement on the resources of the continental shelf in the larger spirit of strengthening the federal polity of the country. It was, therefore, hoped that Maharashtra's claim for royalty on oil and gas exploited from Bombay High and similar offshore structures near Maharashtra would be considered sympathetically.

This subject has been included in the Memorandum presented by the Government of Maharashtra to the Ninth Finance Commission (paragraph 2.45). Under the stated circumstances, I urge the concerned Minister to reconsider the matter and place it before the House. Thank you.

Demand for abolition of practice of carrying Night-Soil on Human heads

DR. NARREDDY THULASI REDDY (Andhra Pradesh): Madam, Deputy Chairperson, my Special Mention is regarding abolition of the abhorrent, inhuman practice of carrying night-soil on heads and to rehabilitate the affected people and also to install human-excreta-based biogas plants in each and every village.

Madam, human being is a rational animal. Rationality distinguishes human beings from other animals. However, one has to think where this rationality vanishes while treating a particular class, that is, the scavengers. Even after 42 years of Independence, the abhorrent practice of carrying night-soil on heads still prevails in our country. It should be abolished immediately and necessary steps should be taken to rehabilitate the affected people. They should be uplifted socio-economically and brought into the mainstream of the society.

[Shri Narreddy Thulasi Reddy]

The 2nd of October 1989, that is, the birth anniversary day of Mahatma Gandhi, was observed as "Scavengers Liberation Day" by Sulabh International all over the country by all its branches. Dr. Bindeshwari Pathak, the founder of Sulabh International, is doing commendable service in this direction. However, it is an uphill task and the process has to be carried on. Everybody should take a pledge to work for the speedy liberation of scavengers. We should create a new social order out of the old.

Madam, by installing human-excreta-based biogas plants in each and every village, we can not only abolish this inhuman practice but also create a new source of energy. Human excreta is not a waste material. If properly utilized, it serves seven purposes. It could even be termed as seven-in-one. The importance increases when we realize that the natural resources will not last for ever. Its significance further enhances when we come to know that energy generated by these biogas plants is cheaper than the energy produced by the various Electricity Boards. It improves sanitation as it minimizes pollution and health hazards caused by open defaecation. It reduces pathogenic bacteria, parasitic ova and thereby reduces chances of communicable diseases. It will reduce the burning of wood and coal and thereby conserves natural resources. It will produce good and rich organic manure. It maintains ecological balance, helps sociological progress and provides employment. So, Madam, I urge upon the Government to install human-excreta-based biogas plants in each and every village and take necessary steps for the abolition of the inhuman practice of carrying night-soil on heads and to rehabilitate the affected people.

Thank you.

श्री ईशबल यादव (उत्तर प्रदेश) :
उपसभापति महोदया, डा० तुलसी रेड्डी ने जो जनहित के महत्वपूर्ण प्रश्न को सदन के सामने रखा है उसका मैं भी

समर्थन करता हूँ। मैं मांग करता हूँ कि इस समस्या के निराकरण के लिए सरकार को क्रियान्वयन कार्यवाही करनी चाहिए।

श्री राम चन्द्र विकल (उत्तर प्रदेश) :
मैं भी इस मांग का समर्थन करता हूँ। मेरा नाम भी इसके समर्थन में जोड़ दिया जाए।

1 P. M.

श्री सुरेन्द्रजीत सिंह ग्रहलुवालिया (बिहार) : उपाध्यक्ष महोदया, मैं तुलसी रेड्डी द्वारा उठाये गये मुद्दे का पूर्ण समर्थन करने के लिए खड़ा हुआ हूँ। यह एक पुराना पद्धति और एक पुराना विचार गांधी जी का है कि हरिजनों को इन चीजों से मुक्ति दिलाने के लिए मल और मूत्र हमारे शरीर के अन्दर रहता है, किन्तु हमारे शरीर से बाहर निकलने के बाद हम उसको नफरत से देखते हैं और हम उसको छूने से भी दूर भागते हैं। पर हमें देखना है कि हमारे समाज में ही रहने वाले असंख्य लोग उसी को ही अपने सिर पर लादकर जगह-जगह ले जाकर सफाई करते हैं और उनको इन चीजों से मुक्ति दिलाने के लिए एक बिल जबर आना चाहिए और जो उन्होंने बायो गैस के बारे में कहा कि ग्रामों में बिजला पट्टीचाने में भी यह बहुत काम आयेगा, कम से कम यह बायो गैस की पद्धति अगर चालू करें और हर गांव में, मोहल्ले में एक सुलभ शौचालय खोल दिया जाये तो उसका बहुत उपयोग किया जा सकता है।

उपसभापति : पूरा सदन इससे सहमत है और जो सदस्य यहाँ नहीं हैं मैं उनकी तरफ से भी कह रहा हूँ कि वह भी जरूर इस बात को कहेंगे कि यह जो हमारा प्रथा है उसको तोड़ना चाहिए, उसके खिलाफ आवाज उठाना चाहिए।

Decision of Eastern Coalfields Limited to close down six of its mines in Raniganj, West Bengal

SHRI SUNIL BASU RAY (West Bengal): Madam, I wish to draw the attention of the Government to the fact that the Eastern Coalfields Ltd., a