

the last two years a tempo which is the future: —

intended to be raised still further in

S. No.	Name of scheme	Progress during 3rd plan	Actual achievement during 1966-67	Anticipated achievement during 1967-68	Target for 1968-69
1	Open wells	4,316	6,840	10,000	10,000
2	Boring in open wells	6,961	3,753	10,000	12,000
3	Diesel pumpsets	4,291	7,800	6,800	8,000
4	Elec. pumpsets	7,300	14,012	15,000	30,000
5	Private tubewells	1,860	1,107	3,500	8,000
6	State tubewells	76	68	100	175

(b) (i) There is already a tractor organisation under the Revenue (Waste land Reclamation) Deptt. of the State Government working on land reclamation and levelling in the State.

(ii) The number of drilling rigs including hand boring plants available with the State Government and those for which orders have been placed are considered to be sufficient for sinking tubewells in the State. Besides this, efforts are also being made to engage private contractors for construction of tubewells.

(c) Does not arise.]

CO-OPERATIVE FERTILIZER FACTORY

447A. SHRI S. S. MARISWAMY:
SARDAR RAM SINGH:

Will the Minister of FOOD AND AGRICULTURE be pleased to state:

(a) whether a co-operative fertilizer factory is proposed to be set up by the Government of India;

(b) the total initial capital production capacity and the proposed location of the plant;

(c) the number of the Board of Directors with their interests and background; and

(d) the time by when the plant is likely to go into production?

•(Transferred from the 7th May, 1968.

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI M. S. GURUPADASWAMY): (a) Yes, Sir.

(b) Total initial capital outlay. Rs. 89.25 crores.

Production capacity in terms of nutrients:

215,000 tonnes of Nitrogen

127,000 tonnes of P₂O₅

66,000 tonnes of K₂O

Proposed location:

Kandla Port

Gujarat State

(c) A statement is laid on the Table of the House. [See Appendix LXIV, Annexure No. 17.]

(d) The plant is likely to go into production during 1971-72.

CORRECTION TO A SUPPLEMENTARY QUESTION ARISING OUT OF STARRED QUESTION NO. 357 ANSWERED ON 1ST MARCH, 1968

THE DEPUTY MINISTER IN THE MINISTRY OF LAW (SHRI MOHAMMAD YUNUS SALEM): Sir, I regret to bring to the notice of this House that a slight inaccuracy has crept into my replies given to Shri A. G. Kul-karni on the supplementaries to Starred Question No. 257 answered in the

Rajya Sabha on the 1st March, 1968. In this connection I beg to make the following statement, namely: —

Provisions of the Income-tax Act, j.961 relating to appeals before the Appellate Assistant Commissioner or the Appellate Tribunal do not require an assessee to deposit in the first instance the amount of tax assessed before the appeal can be filed or admitted. It is only when a reference has been made to the High Court or to the Supreme Court or where an appeal has been preferred to the Supreme Court that the tax becomes payable in accordance with the assessment made in the case notwithstanding such reference or appeal.

SHRI M. M. DHARIA (Maharashtra): Mr. Chairman, Sir, on that day at the time the question was answered I was present in the House. Mr. Kulkarni was all the while requesting the Minister that it was not the position but the Minister was so much assertive that he did not allow Mr. Kulkarni to speak. You can refer to the proceedings. May I request, if the information is not available or if they are not sure, the Ministers should not at least assert in that way that the Member is not even allowed to* explain?

SHRI G. MURAHARI (Uttar Pradesh): At least the Minister should have the grace to apologise to the Member for having made a mistake.

MR. CHAIRMAN; He has expressed his regret.

SHRI MOHAMMAD YUNUS SALEEM: Regret has been expressed.

SHRI BHUPESH GUPTA (West Bengal): Sir, we accept regret only if it is seriously meant.

SHRI M. P. BHARGAVA (Uttar Pradesh): Sir, I have to make a submission in this connection. This question was answered on the 1st March and today is 10th May and we have been sitting for the last two weeks. I would like to know from the Minister when he detected the mistake and

why it took him so long to correct the answer.

SHRI MOHAMMAD YUNUS SALEEM: When the Report of the question and the answer was received in the Ministry it was thoroughly examined and it was discovered that certain discrepancy has occurred in the reply given by the Law Minister. The moment it was brought to his notice he decided to make a statement on the floor of the House expressing his regret and correcting the mistake.

SHRI A. G. KULKARNI (Maharashtra): Sir, I am sorry to point out — perhaps the Deputy Minister is not aware—it was not the Ministry which found out the mistake. It was I who wrote to the Minister as per your advice because you always advise us to write to the Ministers and I wrote. Then he acknowledged it and said there had been a mistake. So it is not as if the Ministry found it out.

SHRI BHUPESH GUPTA: Sir, I request you to refer this matter to a Committee of the House to find out how he rectified the error.

(Interruptions)

MR. CHAIRMAN: I quite agree that the correction should have been made earlier. In fact when Mr. Kulkarni referred it to me I told him to write to the Minister so that it could be corrected.

SHRI BHUPESH GUPTA: That is not the point, Sir.

SHRI A. G. KULKARNI: Sir, I always follow your advice.

SHRI BHUPESH GUPTA: The Ministers are so habituated to telling untruth that even in regard to this matter when he was asked as to how he came to correct the mistake, he gave an incorrect answer. Instead of stating that it was as a result of the letter from Mr. Kulkarni that the mistake was corrected he said that they came to know in the Ministry, this and that. Therefore, Sir, you kindly tell him that it is not merely enough to express regrets but they

[Shri Bhupesh Gupta]
must be truthful in their behaviour, in their thinking, in their utterances, in everything.

MR. CHAIRMAN: We have said enough. Let us go to the next item.

SHRi G. MURAHARI: Sir, another objectionable feature is that the Minister himself should have come here and made the statement instead of asking his Deputy to do it especially when it is a question of expressing regrets.

**CALLING ATTENTION TO A
MATTER OF URGENT
PUBLIC IMPORTANCE**

**REPORTED RESIGNATION BY A JUDGE OF
THE CALCUTTA HIGH COURT**

SHRI BHUPESH GUPTA (West Bengal): Sir, I beg to call the attention of the Minister of Home Affairs, who does not seem to be present here ...

. AN HON. MEMBER: He is there.
SHRI BHUPESH GUPTA: . . . to the reported resignation by a Judge of the Calcutta High Court on grounds of "status, prestige, emoluments and various service conditions undermining the dignity of the judiciary."

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA): Sir, Shri Justice Arun Kumar Dutt, Additional Judge of the Calcutta High Court, in his letter dated 20th April, 1968, addressed to the President, has tendered resignation of his office with effect from 16th May, 1968, under proviso (a) to clause (1) of Article 217 of the Constitution. Shri Justice Arun Kumar Dutt was appointed Additional Judge of the Calcutta High Court with effect from 16th February, 1967.

Shri Justice Arun Kumar Dutt has stated that immediately after he assumed office of Additional Judge he was appointed as the Presiding Officer of the First Industrial Tribunal, West Bengal. He has also added that although he knew that he would be

required to do some industrial disputes cases as a Judge of the Calcutta High Court he had no idea that his appointment as a High Court Judge was made only to fill a vacancy in the cadre of Presiding Officers of the Industrial Tribunals. He is of the view that an Industrial Tribunal, from the nature of its set-up and that jurisdiction, is a subordinate or inferior tribunal and that such a Tribunal, to some extent, is also under the executive control of the appropriate Government.

Since he was appointed as an Additional Judge for one year in the first instance, he thought he should give the Government's proposal a trial. Inasmuch as the other Industrial Tribunals in the State are presided over by members of the State Higher Judicial Service, he felt that a distinction ought to be made when such Tribunals are presided over by a sitting High Court Judge. With that object in view, he made certain suggestions for amendment of the procedural rules, but no action was taken by the State authorities. He is of the view that his appointment was not made against any regular vacancy in the Calcutta High Court. In these circumstances, he has felt that he should not continue to hold the office of Judge of the High Court any longer.

In his letter addressed to the President, Shri Justice Arun Kumar Dutt has also referred to the salary and other conditions of service of High Court Judges which he considers to be inadequate. In particular he thinks that the age of retirement which is 62 years is too low, and the pension of Rs. 6000 per annum which he would get is inadequate. After resigning as Additional Judge Shri Dutt can resume practice in West Bengal; if he retired after being appointed a permanent Judge, it would not be permissible for him to do so. For these reasons, he has decided to resign his office of Additional Judge of the Calcutta High Court.