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# LOK SABHA DEBATES

(Sixth Session)



(Vol. XXIII contains Nos. 11—20)

LOK SABHA SECRETARIAT  
NEW DELHI

68 R.P. (INDIAN)

THREE SHILLINGS (FOREIGN)

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## LOK SABHA DEBATES

2261

### LOK SABHA

Monday, 1st December, 1958

*The Lok Sabha met at Eleven of the Clock.*

[MR. SPEAKER in the Chair]

### ORAL ANSWERS TO QUESTIONS

#### Storage Practices in U.S.A. and Japan

\*392. **Shri D. C. Sharma:** Will the Minister of Food and Agriculture be pleased to refer to the reply given to Starred Question No. 466 on the 25th August, 1958 and state:

(a) whether the Food Ministry official team which went on a tour of U.S. and Japan for the purpose of studying storage practices in those countries have submitted their report to Government;

(b) if so, whether it has been examined; and

(c) the nature of their recommendations?

**The Deputy Minister of Food and Agriculture (Shri A. M. Thomas):** (a) to (c). The team was sent at the invitation of certain Associations of Wheat Growers in U.S.A. who wanted to acquaint us fully with the methods of wheat procurement, wheat processing, etc. obtaining in U.S.A. and to bring to their attention any suggestions we might have regarding quality, standards, etc. The team was not sent by the Government of India for making any specific recommendations.

257 (Ai) L.S.D.—1

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**Shri D. C. Sharma:** May I know if any attempt has been made by the Government to standardise storage practices and also to see to it that the damage done to our crops on account of lack of storage is minimised?

**Shri A. M. Thomas:** With regard to storage, we have to take into consideration our own peculiar conditions in this country. Of course, conditions in America are different. Whatever we can copy from them, we copy. But essentially it has to be adjusted to our conditions.

**Shri D. C. Sharma:** May I know what new practices the Government of India are going to embark upon in order to improve storage practices?

**Shri A. M. Thomas:** Besides masonry, that is, traditional godowns, we have now got prefabricated structures and also silos. Recently, there has been some substantial construction of the silo type of godowns.

**The Minister of Food and Agriculture (Shri A. P. Jain):** There are Warehousing Corporations.

**Shri V. P. Nayar:** May I know whether this team also studied the deleterious effects caused by the use of chemicals in storage, and also by the use of chemicals in agriculture in general as observed in America?

**Shri A. M. Thomas:** It is expected that although they may not make any specific recommendations as such, they will give a detailed report about their experiences of the tour abroad. They have just given us a preliminary report with regard to the places they visited and the things they saw. They

may also give some information about the aspect mentioned by the hon. Member.

**Shri Barman:** May I know what is the storage loss due to deterioration in the last three years, and whether it has been minimised?

**Shri A. M. Thomas:** I have not got the figures with me, but compared with storage loss in other countries, our storage loss is much less.

**Shri Thirumala Rao:** Will the Minister be pleased to place a copy of the Report of the team on the Table of the House?

**Shri A. M. Thomas:** After the Team has submitted its report, Government will certainly consider the desirability of placing it on the Table of the House.

**Shri Jagannatha Rao:** May I know if the Government have been benefited by the Report of the team in the matter of processing of wheat?

**Shri A. M. Thomas:** Senior officers of the Ministry have gone and studied these things, so that their experience will certainly be useful to the Ministry.

**Shri Damani:** May I know what is the present storage capacity and by how much it is going to be increased by the end of the Second Five Year Plan?

**Shri A. M. Thomas:** A specific question may be tabled on that point. Of course, our target is 2 million tons, and we have recently made substantial progress in that direction.

**Shri V. P. Nayar:** How many were scientists and how many were administrative officers in this team?

**Shri A. M. Thomas:** The Director General of Food was the leader of the team. Then there was Dr. Pingle, Director, Storage Inspection; he is a technical man. Then there was Shri B. Mukerjee, Additional Regional Director, Food, Calcutta, and one person, Shri Veeramany, representing the flour mills.

**Shri A. C. Gaha:** Was it on a technical co-operation scheme that the team was sent? Or was any foreign exchange spent on the Team? If so, what is the amount involved?

**Shri A. M. Thomas:** No foreign exchange has been spent except to the extent of Rs. 1,000 which has been allotted for entertainment and other sundry expenses.

**Shri Ranga:** Is the Director General of Storage the same person who has been in charge of this for the last six or seven years, because in years past when the control regime was in being, there were a number of committees appointed to advise Government regarding how best to minimise these losses in storage, and they made recommendations? Was he not aware of them?

**Shri A. M. Thomas:** Yes, we have profited by them and we have taken those reports into consideration.

**Shri D. C. Sharma:** May I know how the recommendations in the Report after they have been examined by the Government of India will be made available to the farmers of India and to other persons who are engaged in agricultural pursuits?

**Shri A. M. Thomas:** We have warehousing programmes. Besides, our Extension Service will also give some advice in this matter.

#### Forest Research Centre for Southern Zone

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\*394 { Shri Subodh Hanada:  
      { Shri S. C. Samanta:

Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that there is a proposal to establish a Forest Research Centre for the Southern Zone;

(b) if so, the steps taken so far to establish it; and

(c) the total amount set apart for this centre?

**The Minister of Co-operation (Dr. S. Deshmukh):** (a) Yes, Sir.

(b) A statement is laid on the table of the Sabha.

#### STATEMENT

A scheme at a cost of Rs. 25 lakhs as been included in the Second Five Year Plan for the establishment of Forest Research Centre in the south. This Centre will consist of two units, one at Bangalore and the other at Coimbatore each complementary to the other. Both these units will function under the administrative control of the President, F.R.I. & C., Dehra Dun. There will be no duplication of research at this Centre. The Bangalore unit will conduct research in the forest utilisation aspects of forestry in addition to research on the spike disease of sandalwood which has not been tackled effectively so far; the Coimbatore unit will look after the biological side of forestry development. A beginning has already been made in this direction by acquiring the Forest Research Laboratory of the Mysore Government in 1956.

(c) Rs. 25 lakhs.

**Shri Subodh Hansda:** From the statement, I find that a beginning has already been made by acquiring the Forest Research Laboratory of the Mysore Government in 1956. May I know whether this has been acquired permanently or temporarily?

**Dr. P. S. Deshmukh:** I believe it has been acquired permanently.

**Shri Dasappa:** So far as the scales and other terms of appointment of the officers and others who have now been taken over by the Centre are concerned, have these been finalised?

**Dr. P. S. Deshmukh:** I require notice.

**Shri Dasappa:** In view of the fact that investigation and research on the spike disease of sandalwood is one

of the items that will be taken up at the Bangalore Laboratory, may I know whether there is any expert in virology on this?

**Dr. P. S. Deshmukh:** I am sure when we proceed with the research we will see that competent persons are put in charge.

**Shri Nanjappa:** May I know what is the amount allotted to the Coimbatore unit?

**Dr. P. S. Deshmukh:** No separate amount is allotted. The whole scheme is going to cost Rs. 25 lakhs. I might also say that details of the scheme are yet to be fully approved.

**Shri Subodh Hansda:** May I know whether any compensation has been paid to the State Government for taking over this Laboratory?

**Dr. P. S. Deshmukh:** I require notice. I do not think the Mysore Government has asked for any compensation.

**Shri S. C. Samanta:** The Coimbatore unit will deal with the biological side of forestry development. May I know whether coconut and arecanut diseases, which are very much prevalent in that area, will also be tackled?

**Dr. P. S. Deshmukh:** This refers to forest research and if what the hon. Member mentioned fall by any chance in that category, they will be taken up.

**Shri Wodeyar:** May I know whether the Union Government will take steps to establish one research centre in Malnad permanently because it is called the 'Queen of Forests' rich with all natural and other valuable resources?

**Dr. P. S. Deshmukh:** Let us have at least two first of all; then we will see whether a third is necessary.

**Shri Achar:** May I know the main lines on which the research work will be carried on?

**Dr. P. S. Deshmukh:** It is very difficult to define the main lines of research. Various problems in forestry are intended to be tackled.

**Shri Tangamani:** In the Second Five Year Plan Rs. 25 lakhs has been allotted to two centres, one at Bangalore and one at Coimbatore. May I know when this research centre will start functioning at Coimbatore?

**Dr. P. S. Deshmukh:** It is likely to start shortly.

**Shri V. P. Nayar:** I would like to know how in the Rs. 24 lakh scheme for setting up research centres in the south, both the centres have been located at places outside Kerala while Kerala is the largest forest area.

**Dr. P. S. Deshmukh:** Kerala is at least nearer to these two places than to Dehra Dun.

#### Electrification of Howrah-Kharagpur Section of S.E. Railway

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\*395. { **Shri S. C. Samanta:**  
          **Shri Subodh Hansda:**

Will the Minister of Railways be pleased to refer to the reply given to Starred Question No. 1513 on the 23rd September, 1958 and state:

(a) what preliminary works have been taken up for the electrification of Howrah-Kharagpur section of the South Eastern Railway; and

(b) whether there was any proposal to electrify individual stations during 1957-58 and 1958-59 on this section?

**The Deputy Minister of Railways (Shri S. V. Ramaswamy):** (a) An estimate for carrying out survey work for electrification on this section along with other sections of Eastern and South-Eastern Railways has recently been sanctioned.

(b) Yes—

5 stations in 1957-58.

1 station in 1958-59.

**Shri S. C. Samanta:** May I know whether general development works were held up till this preliminary survey was made?

**Mr. Speaker:** The hon. Member means other work such as maintenance etc. whether it was held up on account of this preliminary survey.

**Shri S. V. Ramaswamy:** What other work, I do not know.

**Mr. Speaker:** The hon. Member may put a specific question—whether a certain particular portion has been held up or not.

**Shri S. C. Samanta:** Development works such as improvement of the stations and other things.

**Shri S. V. Ramaswamy:** Again, it is a general question. What improvement? One thing I can say. I believe the hon. Member refers to the electrification of certain stations. If that is what he wants to know, I will give some details.

**Shri S. C. Samanta:** I wrote a letter to the General Manager of the South-Eastern Railway for some works and he informed me that these works had been held up because of the survey that was being made at present.

**Shri S. V. Ramaswamy:** I am not aware of what the member had written to the General Manager.

**Shri S. C. Samanta:** The electricity grid of West Bengal Government is passing through Machada, Kolaghat and near about Panchkura stations. May I know when these places will be electrified?

**Shri S. V. Ramaswamy:** With regard to electrification, the difficulty is this. Originally, in the beginning of the Second Five Year Plan, we thought of having our own plants. Subsequently, we thought of obtaining power from the Grid of the West Bengal Electricity Board. They now say that it cannot be given. The position is this. If the electrification of the line is carried through we can

draw current from it for the electrification of these stations. Only two stations have been electrified and 13 remain to be done and they will be taken up after the electrification of the line is taken up.

**Shri Subodh Hansda:** May I know whether electrification of individual stations has been done by installing generators or by taking electricity from the grid?

**Shri S. V. Ramaswamy:** As I said, the setting up of generators is not a profitable proposition. We will have to tap electricity from the electrified line when we get it electrified.

#### Retiring Benefits to Railway Employees

\*397. **Shri Harish Chandra Mathur:** Will the Minister of Railways be pleased to state:

(a) how many Government servants who retired more than six months back have not yet been paid their retiring benefits;

(b) what is the number of such cases pending for over a year; and

(c) what steps have been taken to arrange timely payments?

**The Deputy Minister of Railways (Shri Shahnawaz Khan):**

(a)	
Provident Fund cases.	2034
Pension cases.	934

(b)	
Provident Fund cases.	1034
Pension cases.	479

(c) In order to expedite the payment of settlement dues immediately after retirement, the Railway Administrations have already been instructed *inter alia* that every month a list of staff due for retirement in the Calendar month falling six months later should be sent to the Accounts Officer, Co-operative Societies and others concerned so that initial steps for ascertaining recoverable debits and the closure of the Provident Fund Accounts etc. could be taken in time. Also recently the

Railway Administrations have been instructed that November, 1958 should be observed as a clearance month when the officers and staff concerned should make an all-out effort to clear as many cases as possible, particularly those over one year old.

**Shri Harish Chandra Mathur:** May I know if any study has been made with regard to the causes of these proverbial delays? What are the difficulties and causes which account for these delays?

**Shri Shahnawaz Khan:** The main causes are these: In some cases, the service and leave records are not complete; in some cases, provident fund accounts are not complete. Then, we have to take into consideration the commercial and recoverable debits; that also takes time. Sometimes employees refuse to vacate railway quarters; that also delays payment. Sometimes legal documents are not forthcoming.

**Shri Harish Chandra Mathur:** It is obvious that there are thousands of cases in which pensions and provident fund have not been finalised even after a year or more of retirement. May I know what are the reasons for not finalising these documents even at the time of retirement and handing them over to the individuals concerned simultaneously at the time of relinquishing charge?

**Shri Shahnawaz Khan:** As I said, there have been some delays in some cases. Every month over 2,000 employees are retiring on Railways. The Railway Ministry has now set up a target that all the dues of the employees should be paid within 10 days of retirement. A very intensive drive is being launched. Already we have succeeded in achieving good results.

**Shri Harish Chandra Mathur:** May I know if the hon. Minister is aware—he may give figures if he can—of frustration and distress, and how many people have died during this year before their pension and provident fund have been decided?

**Shri Shah nawaz Khan:** For the information of the hon. Member, I would like to quote certain figures. The number of cases pending for more than 6 months on the Central Railway on 30th September, 1957 was 23,34; and the number pending on the same date in 1958 is 103. So, it is apparent that we have made considerable progress.

**Shri Ranga:** He has not answered the question, Sir.

**Shri Thirumala Rao:** With regard to answer to part (c), may I know the longest period for which certain cases are pending for final settlement?

**An Hon. Member:** Sir, the previous member asked for the number of deaths.

**Mr. Speaker:** Probably, the Minister has not got the figures of deaths.

**Shri Thirumala Rao:** May I know the longest period over which these cases have been pending for final settlement?

**Shri Shah nawaz Khan:** As I said in the beginning, there are certain causes which are beyond the control of the Railway Administration; for instance, the submission of legal documents. But, we are trying to expedite payment as early as possible.

**Shri Thirumala Rao:** My question was not about the reasons. May I know if the hon. Minister has got figures for the number of cases pending for long and the longest period for which a case is pending?

**Shri Shah nawaz Khan:** I do not have the figures.

**Shri S. M. Banerjee:** May I know whether the railway workers have not opted for pension? This question relates to retirement benefits. If so, what are the reasons for the same? May I also know the total number of employees who have opted for pension?

**Mr. Speaker:** How does this arise out of the question?

**Shri S. M. Banerjee:** It arises out of retirement, Sir. And, this is one of the reasons why they did not opt for pension.

**Shri Narayanankutty Menon:** May I know in how many cases during 1957-58 pensions have been sanctioned after the death of the employees?

**Mr. Speaker:** He has not got the figures. Next question.

**Shri Narayanankutty Menon:** The question may be answered, Sir.

**Mr. Speaker:** He has not got the figures.

**Shri Ranga:** It was for the hon. Member to say what was the number. He did not say anything at the first time. Whatever was due to the employee should certainly be paid to the heirs.

**Mr. Speaker:** Whoever denies that?

**Shri Ranga:** But, we do not know. That is the reason why we put the question. At first, the Minister avoided giving any reply at all. Another hon. Member has had to put the same question in order to get the reply that he has not got the information.

**Mr. Speaker:** I understood it in a different manner. How many, in absolute frustration, passed away? Nobody can withhold the provident fund. I do not know about pension but so far as provident fund is concerned, nobody can withhold the provident fund and refuse to pay the amount to the heirs.

**Shri Narayanankutty Menon:** Even provident fund is not paid and it is subject to the sanction of the Ministry.

**The Minister of Railways (Shri Jagjivan Ram):** It is our earnest desire to make the final settlement as

quickly as possible. But, as has been explained by the Deputy Minister, there are certain cases where final settlement is not possible unless all the documents are made available from the different sections which are concerned with it. Even in these cases certain percentages are paid to the employees before the final settlement is made and only a portion is retained, to see if any arrears are outstanding against the employee which may be adjusted against the portion that is held up with the administration. But we are trying to see that those difficulties are also overcome and there may be very few cases where the final settlements may remain outstanding beyond ten days or two weeks.

**Shri Harish Chandra Mathur:** The hon. Minister explained that the payments had not been made possible because of certain reasons. Is it not a fact that in 90 per cent of the cases, the delays are due to the Governmental reasons but not because of the individual not giving documents, etc.? Is it not due to the Government imperfections?

**Shri Jagjivan Ram:** No, Sir; I will not agree. Wherever settlements remained overdue, there are causes. There are cases where full information is not supplied by the employees concerned and whenever full information is supplied by the employees concerned, every effort is made to expedite the settlement.

**Shri A. C. Guha:** He has not replied to that definite question. If the employee dies before the final settlement, is that amount paid to the heir of the employee?

**Shri Jagjivan Ram:** That is paid to the heir.

**Shri Narayanankutty Menon:** May I know, Sir, . . .

**Mr. Speaker:** No, Sir. It is not a debating hour. If any information is still to be elicited, there are other methods.

## Report of the Officer on Special Duty on Port and Dock Workers' Demands.

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\*398. { **Shri Tangamani:**  
**Shri S. M. Banerjee:**  
**Shri Dasaratha Deb:**  
**Shri Narayanankutty Menon:**  
**Shri A. K. Gopalan:**  
**Shri Punnoose:**

Will the Minister of Transport and Communications be pleased to state the progress made so far regarding the implementation of the recommendations made by the Officer on Special Duty to enquire into the demands of Port and Dock Workers?

**The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur):** Government's decisions on the recommendations have been indicated in the Resolution of the 20th July, 1958. A statement showing the progress made in implementing the decisions is laid on the Table of the Sabha. [See Appendix II, annexure No. 66.]

**Shri Tangamani:** In reply to an earlier question No. 156, dated 16th May, 1958, the hon. Minister stated that on the question of retirement benefits the recommendations of the P. C. Chaudhuri Committee cannot be accepted by the Government till after the Second Pay Commission report was out. May I know whether since that date, the Government had revised their views about it?

**Shri Raj Bahadur:** I do not think that anything justifying the revision of our view stated in the resolution has happened since then.

**Shri Tangamani:** Serial No. 14 refers to the setting up of an Advisory Committee of Trustees for the ports of Madras, Bombay and Calcutta. May I know when the Advisory Committee for Madras will be set up?

**Shri Raj Bahadur:** The decision is applicable only to the three major ports of Bombay, Calcutta and Madras. The Bombay Port Trust had already



set up an Advisory Committee and Madras and Calcutta are expected to do so soon. The case has been put up to the Port Trusts in the second half of November, 1958.

**Shri S. M. Banerjee:** In the statement there are 29 decisions out of which only in eight cases they have been implemented. May I know what is going to be done with the other 21 decisions? When are the other decisions likely to be taken up for implementation?

**Shri Raj Bahadur:** My estimate of the number of recommendations actually implemented would be a little more optimistic than that of my hon. friend. It may be seen, if an account is taken, that many of them have been implemented and some of them have been implemented more than half and a few are under consideration for reasons which have been stated.

**Shri S. M. Banerjee:** Against the point relating to the rationalisation of pay scales and the setting up of a committee for classification and categorisation of class III and class IV posts of major ports, the position given is that a Committee was set up on the 23rd August, 1958 and is already engaged in its work.

May I know when this work is likely to be completed and what is the composition of the Committee?

**Shri Raj Bahadur:** The composition of the Committee had already been announced by a regular resolution which I may quote for the benefit of the hon. Member. The Committee composes of Shri F. Jeejeebhoy (Chairman), Shri S. Nanjundiah, Shri K. M. Palekar, a representative of the Port under examination to be appointed by the Port Authority concerned, and three representatives of labour: Shri G. H. Kale, Shri Mahesh Chatterjee and Shri Kali Mukerjee.

This was announced by a Resolution published in a Gazette Extraordinary on 29th August, 1958. As the hon. Member might have known from the

statement, the port authorities have been asked to put up their schemes in regard to the classification and categorisation of class III and Class IV workers. Thereafter, the labour representatives would be asked to submit their views. The Committee would itself take some time to consider the views of the Labour and the schemes put up by the Port Authorities. It is expected that the Committee may be in a position to submit its report by April, 1959.

**Shri Narayanankutty Menon:** On a previous occasion, it was mentioned that the Port Authorities before submitting the recommendations to the Committee would be consulting the unions concerned. May I know whether they have consulted the unions before making their recommendations to the Committee?

**Shri Raj Bahadur:** I think the Committee has asked the Port Authorities to submit their schemes by 20th December. I do not think that in this particular case, the Port Authorities have been enjoined upon to consult the labour unions because the representatives of the labour unions will themselves be given an opportunity to put forth their views or objections to the scheme whenever it is put up for consideration to them.

**Shri Tyagi:** Are these workers also made to undertake the accomplishment of any prescribed work-norms every day?

**Shri Raj Bahadur:** Where the piece-rate system obtains, there are certain norms of work per day or per shift but where that does not obtain, it is generally not so.

**Shri Tyagi:** Is it the intention of the Government to prescribe work-norms for these workers?

**Shri Raj Bahadur:** The matter relates to the improvement of efficiency of the ports or the improved outturn of the port which is constantly under examination. I cannot say exactly in respect of which items of work or by



what process these norms could be worked out or whether it is possible for all of them. We have got our eye on the improvement of efficiency, however, that is an essential thing.

**Shri Tangamani:** May I know whether the pay scales recommended by the Chaudhuri Committee had been implemented in the ports of Cochin, Vizag and Kandla and may I also know whether the introduction in contracts awarded by the Port Authorities of the usual 'fair wage' clause has been concluded in all the major ports?

**Shri Raj Bahadur:** The question does not appear to be clear. In the very first item in the statement, we have stated about the appointment of a Committee for this purpose. Certain pay scales have been adopted tentatively and against those pay scales the process of classification and categorisation will be carried out. I do not think the implementation or the grant of pay scale, as recommended by the Chaudhuri Committee, which also is an incomplete thing, can be visualised in this context.

**Shri Tangamani:** Regarding the contracts—the second part of the question—the question was whether the fair wage clauses are included when workers are engaged by contractors in all the three major ports of India?

**Shri Raj Bahadur:** That is kept in view as the statement would show.

#### Seizure of Food grains

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199. { **Shri S. M. Banerjee:**  
**Shri Shree Narayan Das:**  
**Shri Tangamani:**  
**Shri Kam Krishan:**  
**Shri Sarju Pandey:**  
**Shri Muhammed Elias:**  
**Shrimati Renu Chakravartty:**

Will the Minister of Food and Agriculture be pleased to state the

total quantity of foodgrains seized from hoarders and traders by the Centre and the various State Governments during the year under Essential Commodities Act?

**The Deputy Minister of Food and Agriculture (Shri A. M. Thomas):** The information asked for is being collected from the State Governments and will be laid on the Table of the Sabha on receipt.

**Shri S. M. Banerjee:** From the reply of the hon. Deputy Minister, it seems the figures are not available. May I know how many persons had been prosecuted in various States and also whether the Ministry has got any information under the present Act?

**Shri A. M. Thomas:** We have not got the details with regard to them. If a separate question is tabled, we will get that information.

**Shri Basumatari:** May I know whether it is a fact that the rice mill owners themselves are hoarders of rice in the State of Assam?

**Shri A. M. Thomas:** In Assam, about 21.54 maunds of salt paddy, 1,728 maunds of aus paddy and 464 maunds of aus rice have been seized from unauthorised dealers. That is the information that we have got from Assam.

**Shri Basumatari:** Sir, my question has not been answered. I wanted to know whether the rice mill owners are the owners of foodgrains in Assam.

**Shri A. M. Thomas:** I could not follow the question.\*

**Mr. Speaker:** He wants to know whether the rice mill owners themselves are the hoarders. Has the hon. Deputy Minister got that information?

**Shri A. M. Thomas:** We have not got that information. With regard to the quantities seized and the quantities requisitioned we have asked for

information from the State Governments. Since we have not got the requisite information, we have asked for time.

**Shri Jaganatha Rao:** May I know if any prosecutions have been launched in respect of hoarding and smuggling in the Delhi area?

**The Minister of Food and Agriculture (Shri A. P. Jain):** Quite a number of prosecutions have been launched here.

**Shri Rameshwar Tanti:** May I know whether it is a fact that on account of seizure foodgrains went underground and the price of wheat at some places is as high as Rs. 35 a maund?

**Shri A. P. Jain:** There are conflicting opinions about it; some say that because of these operations foodgrain stocks go underground and others say that prices are brought down when stockists do not find it worthwhile to hoard.

**Shri Sinhasan Singh:** May I know what steps Government have taken so far in pursuance of the resolution of the National Development Council to take over control of the wholesale grain market?

**Shri A. P. Jain:** The question is under examination.

**Shri Bimal Ghose:** There is a separate question on that.

**Mr. Speaker:** The hon. Minister is very alert.

**Shri Tangamani:** May I know whether Government propose to purchase the stocks at present in Madras State under the Essential Commodities Act, in view of the decision of the National Development Council for State Trading?

**Shri A. P. Jain:** So far as the question of State trading is concerned, I said it is under examination. It is a big problem and some far-reaching conclusions will have to be arrived at.

**Shri Braj Raj Singh:** Is it a fact that action under the Essential Commodities Act was advised by the Centre at a very late stage of the year; if so, may I know why the States were not advised to take action when the prices of foodgrains had begun to rise in the middle of the year?

**Shri A. P. Jain:** Most of the powers under the Essential Commodities Act are exercised by the State Governments; there is no question of our giving any direction. Even when we gave the direction, it was done in time.

**Shri Sinhasan Singh:** May I know whether the decision of the National Development Council about State trading in foodgrains is binding on the Government or it is only recommendatory in character?

**Shri Bimal Ghose:** Sir, as I said, there is a separate question on that subject.

**Mr. Speaker:** An hon. Member somewhere here started it, and it has now gone to the other bench also. Let hon. Members wait and see the answer to the other question.

**Shri Sinhasan Singh:** Sir, my question may be allowed to be answered.

**Shri A. P. Jain:** Well, Sir, and decision taken by the National Development Council commands high respect from the Government.

**Shri S. M. Banerjee:** May I know from the hon. Minister what other measures are being taken to check hoarding, in addition to application of the Essential Commodities Act?

**Shri A. P. Jain:** The Essential Commodities Act is a host by itself—a large number of its provisions. A general appeal was also made, as the hon. Member must be knowing.

#### Central Rice Godowns in Kerala

\*401. **Shri V. P. Nayar:** Will the Minister of Food and Agriculture be pleased to state:

(a) the stock of rice held in Central Depots situated in Kerala as on 1st October, 1958; and

(b) the quantities moved from such depots to places outside the State in the last one year?

**The Deputy Minister of Food and Agriculture (Shri A. M. Thomas):** (a) About 21,200 tons.

(b) About 8,700 tons of rice were moved out of Central Government depots in Kerala during the twelve months ending on 30th September, 1958. During the same period about 96,400 tons of rice were stocked in these depots.

#### Electrification of Madras Arkonam Section

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\*404. { Shrimati Parvathi Krishnan:  
          { Shri Nagi Reddy:

Will the Minister of Railways be pleased to state:

(a) whether any preliminary survey of the electrification of Madras-Arkonam Section has been made; and

(b) if so, with what result?

**The Deputy Minister of Railways (Shri S. V. Ramaswamy):** (a) Preliminary survey was made in the year 1956-57.

(b) It was then found that electrification of the Madras-Arkonam section would not be financially justified. But in view of the fact that this section is growing important industrially, a fresh investigation has been ordered recently.

**Shrimati Parvathi Krishnan:** May I know when this investigation will be undertaken and how long it will take?

**Shri S. V. Ramaswamy:** The fresh investigation was ordered only last month, I hope it will be progressed as quickly as possible.

**Shrimati Parvathi Krishnan:** May I know what progress has been made in the electrification of the Madras-Villupuram line?

**Mr. Speaker:** How does it arise?

**Shri V. P. Nayar:** "Madras" is common.

**Mr. Speaker:** Anyhow, it started with Madras on both sides.

**Shri S. V. Ramaswamy:** The Planning Commission has now agreed to have the electrification, in the Second Five Year Plan itself, from Tambaram to Chingleput. This is part of the entire scheme of electrification from Tambaram to Villupuram.

**Shri Narasimhan:** May I know whether the electrification of Arkonam-Madras line will involve re-modelling of the Central Station, where there is plenty of platform congestion even at present.

**Shri S. V. Ramaswamy:** As a matter of fact, the real snag is the platform capacity of the Madras Central Station where there are only four platforms. We are trying to expand it up to 10 platforms so that trains may be received and despatched as quickly as possible. There is a phased programme, and attempts are being made to see that the re-modelling of Central Station is taken up seriously.

**Shri Narasimhan:** Before a final decision is taken up, will the comparative traffic necessity of the two lines—Madras-Villupuram and Madras-Arkonam—be examined?

**Shri S. V. Ramaswamy:** My hon. friend seems to think that there is a competition or conflict between the two. It is not so; they are really complementary. Therefore, the question whether the traffic in one is more or less does not arise, because both will be taken up. As a matter of fact, the traffic density is higher in the Madras-Arkonam section than in the other one; but still both are complementary.

**The Minister of Railways (Shri Jagjivan Ram):** I may add that the question of comparative merits or demerits of the two sections does not arise. Electrification from Tambaram to Villupuram has already been sanctioned and the work is going to be taken up.

**Shrimati Parvathi Krishnan:** In view of this re-survey of the Madras-Arkonam section for electrification, may I know what interim measures are being taken to tackle the difficulties of dislocation and density of traffic on that particular line?

**Shri S. V. Ramaswamy:** The present capacity is enough, the steam locomotive is enough for the present; but in anticipation of developments we will have electrification. As I have submitted, there is no competition or conflict between the two. The civil engineering works, as a matter of fact, on the Madras-Villupuram line is going on.

**Shrimati Parvathi Krishnan:** In view of the fact that most of the locomotives there are old ones, is there any step being taken to see that newer locomotives are sent there?

**Shri S. V. Ramaswamy:** I do not admit that they are old.

**Shrimati Parvathi Krishnan:** I can give figures.

**Mr. Speaker:** He only meant that even if they are old they are good.

**Shrimati Parvathi Krishnan:** New locomotives are never sent to the broad gauge section in the south. They are sent there after being used in the north for two or three years. That is a fact.

**Mr. Speaker:** The hon. Member was allowed to stray away from Madras-Arkonam line—the question relates to that—to Madras-Villupuram line. Now she is going from electrification to steam locomotives.

**Shrimati Parvathi Krishnan:** It is very closely related, because electrification is to relieve the density of traffic.

**Mr. Speaker:** All are connected, I agree. We will go to the next question.

**Messrs. Bird & Co.**

**\*405. Shri V. C. Shukla:** Will the Minister of Railways be pleased to refer to the reply to parts (c) and (d) of Unstarred Question No. 1539 on 5th September, 1958 and state:

(a) from what date the retired member of the Railway Board has joined Messrs. Bird & Co. (Private) Ltd.;

(b) on what date the notices terminating the then existing Handling Contractors' approved services at Sakrigalighat and Maniharighat were issued by the Railway; and

(c) on what date the Handling Contracts at the above Ghats were awarded to Messrs Bird & Co, (Private) Ltd ?

**The Deputy Minister of Railways (Shri Shahnawaz Khan):** (a) It is understood that the member of the Railway Board, who retired from service with effect from 1st August, 1955 with the sanction of the Government, joined Messrs Bird & Co (Private) Ltd; on and from the same date.

(b) Notices terminating the then existing handling contracts at Sakrigalighat and Maniharighat, which had already continued for a number of years without ascertaining the market conditions, were issued on 27-9-55 and 29-9-55 in respect of Sakrigalighat and Maniharighat respectively.

(c) Notices inviting tenders were issued early in the year 1956 and the contract was given to the overall lowest tenders on 27-4-56. The contractor commenced working on 1-5-56.

**Shri V. C. Shukla:** May I know whether or not this Bird & Co (Private) Ltd. have extensive dealings with the Indian Railways, and under what circumstances and under which considerations of propriety did the Government give permission to the ex-Chairman of the Railway Board to join this firm?

**The Minister of Railways (Shri Jagjivan Ram):** As a matter of fact,

all the important business houses of the country have dealings with the railways. In the first place, those Government servants who are not covered by the pension rules do not require any permission from the Government, after their retirement, to join any firm or not.

**Shri V. C. Shukla:** May I know if it is not a fact that after the ex-Chairman of the Railway Board joined Bird & Co. (Private) Ltd, the company secured valuable handling contracts at Sakrigalighat and Mamharighat securing huge amounts for extra loads running to lakhs of rupees, against the fact that no other big contractors at those places were given such payments before?

**Shri Jagjivan Ram:** I do not agree to the presumptions and insinuations involved in the question.

**Shri V. C. Shukla:** No insinuations were made

**Mr. Speaker:** He has not finished the answer

**Shri Jagjivan Ram:** The contract was given to Bird & Co not on the consideration that an ex-Chairman of the Railway Board had joined it. Tenders were invited and they were examined on merit and the contract was awarded to the lowest tenderer.

**Shri V. C. Shukla:** Will the Government lay a statement on the Table of the House, giving the comparative figures of the various tenderers with other terms and conditions and mentioning the considerations that weighed with the Government while awarding this contract to Bird & Co?

**Shri Jagjivan Ram:** Yes, Sir. I shall place on the Table of the House the rates quoted by the tenderers for the information of the Members.

**Shri V. C. Shukla:** Also the considerations which weighed with the Government. That also may be mentioned.

**Shri Jagjivan Ram:** I have said that the contract was awarded to the lowest tenderer. That was the consideration. The tender was examined on

merits, and the contract was awarded to the lowest tenderer.

**Shri Thirumala Rao:** Is it not a fact that the comparative figures, before this Bird & Co came into the picture, revealed that the Government have sustained a loss of more than Rs. 2 lakhs on this contract?

**Shri Jagjivan Ram:** I was going to say that. I have just now been comparing what were the rates before the tenders were invited and what were the rates quoted. I find that the Government has benefited very much by inviting the tenders.

**Shri Thirumala Rao:** The date of relinquishing of office of this officer and the date of his joining the new firm are the same—1-8-1955, and the date of finalizing the contract is 27-5-1956. Is it wrong to assume that this gentleman has exercised undue influence for securing this contract for Bird & Co?

**Mr. Speaker:** What is the value of the contract?

**Shri Thirumala Rao:** It is a continuous contract.

**Mr. Speaker:** I am asking the Minister to say what is the value of the contract, so that I might decide whether I can allow further supplementaries or not. That is my concern here.

**Shri Jagjivan Ram:** It will be something like Rs. 11 lakhs to Rs. 12 lakhs per year.

**Shri A. C. Guha:** For how many years?

**The Deputy Minister of Railways (Shri Shah Nawaz Khan):** It is a three years contract.

**Shri Rameshwar Tanti:** May I know whether the tender was accepted by the Government after obtaining the financial concurrence from competent authority?

**Shri Jagjivan Ram:** I presume that all the necessary formalities should have been taken before the contract was awarded.

**Shri Tyagi:** The very fact that this officer has joined the private firm

immediately on the very day when he was relieved from service, leads one to doubt as to whether he was negotiating for his service with the firm previously, before he relinquished charge in the railways. May I know, therefore, whether the Minister was taken into confidence in regard to the negotiations for the new employment?

**Mr. Speaker:** What is the doubt? I am really surprised. How can there be any doubt? He seems to have been talking to them in advance!

**Shri Jagjivan Ram:** I may add one thing more. As a matter of fact, the officer retired a few days earlier than the date when he was due to. Normally, he would have retired some time in September of that year. He retired in August, and he applied for permission and the Government gave permission. He retired and joined the company:

Several Hon. Members rose—

**Mr. Speaker:** This is a very important matter in the sense that it concerns a matter of policy. If persons who are in charge of the administration of railways and who have to place orders with various firms get such jobs immediately on retiring, naturally this House is anxious to know whether any consideration is behind it. For that purpose and without making any insinuation, the hon. Member, Shri Tyagi, wanted to know for how long there has been negotiation regarding the appointment of the officer concerned in this firm. Suddenly, overnight, it could not have been done. That is the object.

**Shri Tyagi:** I also wanted to know whether the Minister was being consulted.

**Mr. Speaker:** Yes; and also when was he consulted.

**Shri Jagjivan Ram:** He was not the Chairman at that time as he was on leave for some time before. Somebody else was officiating. He was

not the Chairman; he was on leave. Negotiations might have taken place. It is too much for me to say. Of course, there is nothing on record to show for whether any negotiation was going on. But certainly he applied for retirement, and he indicated that he was going to join Bird & Co. That is on record. Whether the then Minister was taken into confidence during the period of negotiation or not, it is too much for me to say.

**Shri Tyagi:** What I wanted to emphasize was . . .

**Mr. Speaker:** The hon. Minister does not know when that officer started negotiations with the company.

**Shri Tyagi:** I was interested in emphasizing this point. According to the service rules, no Government officer is permitted to negotiate for any other employment without going through the proper channel so long as he is already employed in Government, whether he is on leave or not.

**Shri A. C. Guha:** If that is the position. (*Interruptions.*)

**Shri Sinhasan Singh:** Did the officer join there with the permission of the Government or not?

**Shri Ranga rose—**

**Mr. Speaker:** Shri Ranga.

**Shri Ranga:** In view of the fact that a rule is already there, and also the undertaking that Government has given to this House, both after 1945 and earlier to that, that no officer holding such responsible position would be allowed to join any private concern which has direct or indirect dealings with a particular Ministry or with the Government except after a particular minimum period, may I know what was the justification for the Government to have given this gentleman special leave to retire and join this private service on the very same day? I do not think there was any precedent for this at any time before.

**Shri Jagjivan Ram:** As I have said, 10 permission from the Government was necessary in his case . . .

**Mr. Speaker:** In this case?

**Shri Jagjivan Ram:** . . . in his case after retirement, to join any firm that he liked, because the rule that stands for permission covers the Railway officers who are on pensionable posts, and not the officers who enjoy only provident fund benefits. The officer concerned was not on pensionable post. He was on provident fund benefits. Though he was not required to take the permission of the Government he still applied for permission and permission was given. (Interruption.)

**Shri Joachim Alva:** One question.

**Shri Tyagi:** This is a matter of great importance I am afraid the administration is becoming too slack. We are doomed.

**Mr. Speaker:** Order, order. I am afraid the Members want one whole day for this business! The hon. Minister replied that technically, the person who changed over to the other service after retirement is not called upon or is not bound under the existing rules to ask for permission because he does not draw pension. It may be provident fund benefit, but that will cover not only his lifetime but some other lifetime also! But, all the same, so long as the rule stands, only persons who receive pension will have to take the permission. In this case, by way of abundant caution, he must have taken the permission. So, why should we pursue the matter?

Several Hon. Members rose—

**Mr. Speaker:** Shri Thirumala Rao.

**Shri Joachim Alva:** One question, at least. He has put three questions.

**Shri Thirumala Rao:** In the reply given at the beginning we were told that the concerned officer has taken the permission of Government. Now, on further examination or recollection, we are told that such permission was not necessary. I would like to bring to

your notice that a great principle is involved in such a thing, because I want to know whether he is a member of the recruitment board for the industrial pool of the Government, the Import and Export Promotion Council and several other bodies in which Messrs. Bird and Company have got inter-linked financial interests?

**Shri Jagjivan Ram:** This question may be put to the concerned Ministries.

**Shri Thirumala Rao:** The whole thing has arisen out of the question relating to the Railway Ministry. I would like to know whether it is within the knowledge of the Railway Ministry that the gentleman's services are being utilised in quasi-government bodies, which will enhance the prestige of this concern?

**Shri Jagjivan Ram:** I am not competent to answer this question.

**Shri Joachim Alva:** Is Government aware Bird & Co. is the wealthiest British firm in India? If you walk into their office, you will see the sign-boards of hundred officers . . .

**Mr. Speaker:** What is his question?

**Shri Joachim Alva:** Is Government aware that names of a hundred officers are there on the sign-boards, among whom not even half a dozen are Indian officers and this was an inducement given to the ex-Chairman of the Railway Board, who has been drawing a six-figure sum as provident fund, over a lakh of rupees?

**Mr. Speaker:** The hon. Member has only given information. I am not able to follow his question.

**Shri Joachim Alva:** Government must possess sufficient information. In Bird & Co. there are not sufficient Indians as executives . . .

**Mr. Speaker:** I am not satisfied that this calls for an answer. He only gives information. Shri Guha.

**Shri A. C. Guha:** Even if it is not technically necessary for a member of

the Railway Board to take permission, when that particular officer has written for permission, why did not the Ministry think it advisable at least to convey to him that this would be in contravention of a general convention prevalent in Government services?

**Shri Jagjivan Ram:** As I said, the officer applied for permission and he brought to the notice of Government that he was going to join Bird & Co.

**Mr. Speaker:** What the hon. Member wants to know is this. The person need not have applied to the Government at all. He knows the rules. But if he thought it was necessary to take permission to avoid any misunderstanding, in spite of the rules being in his favour, what was the great hurry for the hon. Minister to give him permission, without finding out what the implications of this office are and how far the inter-relation will work adversely to the Railway administration? That is exactly what is behind all these questions asked one after the other.

**Shri Jagjivan Ram:** As I have said, we are concerned with this particular contract . . .

**Shri Ranga:** We are not so much concerned with this contract, as with the wrong convention.

**Shri Tyagi:** It is a wrong convention established in the services.

**Shri Jagjivan Ram:** As I have explained, I will lay a statement giving the comparative rates quoted by the different tenderers in this case. The tender was decided on merits; the officer joining or not joining the firm had nothing to do with the matter.

**Shri Tyagi:** May I take it that all members of the Railway Board are free to negotiate while they are still in the service of the Government?

**Mr. Speaker:** Hon. Members evidently want to know if really the officer does not come under the rule.

**Shri Tyagi:** The rule covers it.

**Mr. Speaker:** Whether it covers or does not cover, I will allow a half-an-hour discussion on this matter.

**Shri Sinhasan Singh:** I submit that half-an-hour is not enough. At least two hours must be given, because it is important.

**Shri Jagjivan Ram:** So far as this rule stands, if Parliament feels that no officer after retirement should join any firm having any dealing with the Government, it is for Parliament to decide and we will abide by that.

**Mr. Speaker:** Normally it is only a half-an-hour discussion arising out of a question. But having regard to the importance of this matter, if any hon. Member tables a motion, I will allow 1 hour or 1½ hours, as may be necessary.

**Shri Jagjivan Ram:** I would like to have one clarification. I will be in a position to deal with this particular case only. When the general question is raised, the Railway Ministry as such will not be competent to deal with it. It will be for the Home Ministry to deal with it. So, we will have to consider whether the question is to be dealt with by the Railway Ministry or by the Home Ministry.

**Mr. Speaker:** I expect that all hon. Ministers who are concerned with this will be present here. I will issue notices to all hon. Ministers.

**Shri Feroze Gandhi:** May I point out that it will be good if the Railway Ministry lay a statement on the Table of the House giving details of all the members of the Railway Board who have retired and who have joined private concerns and the intervening period before that?

**Shri Joachim Alva:** Starting with Mr. Bakhle.

**Mr. Speaker:** Why not the other Ministries also? Why only the Railway Ministry? This question started with the Railway Ministry. If the Railway Minister does not find it highly inconvenient to the extent possible, he may gather information within recent



memory, say, since 1947, regarding who were all the Chairmen or members of the Railway Board who have taken to private service and with or without the permission of the hon. Minister. That information may be given to the House.

**Shri Joachim Ajwa:** What is the name of this hon. gentleman?

**Mr. Speaker:** He has been following the question for about 20 minutes without knowing the name? He can find it out. Next question.

#### Calcutta Durgapur Express Way

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\*406. { **Shri Subiman Ghose:**  
**Shri Raghunath Singh:**  
**Shri H. N. Mukerjee:**  
**Shri Muhammad Elias:**

Will the Minister of Transport and Communications be pleased to state:

(a) whether there is a proposal to construct a national express way from Calcutta to Durgapur;

(b) if so, whether the plan and estimates for the same have been prepared;

(c) when the work is expected to be taken up and finished;

(d) what would be the quantum of land required for the purpose; and

(e) how much arable land would be affected?

**The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur):** (a) Yes. The proposal is at present in the preliminary stage of examination.

(b) No, Sir.

(c), (d) and (e). This information can be supplied only after a detailed survey is carried out and plans and estimates prepared, which will take about one year.

**Shri Subiman Ghose:** May I know by how many miles this proposed road will be less than the national 257 L.S.D.—2.

highway between Calcutta and Durgapur?

**Shri Raj Bahadur:** So far as I know, it will be 24 miles less and the total mileage will be about 100 miles.

**Shri Subiman Ghose:** In view of the fact that the proposed road would affect a vast tract of arable land, have we examined at the time of formulation of this scheme whether the same purpose may be achieved by widening the grand trunk road from Calcutta to Durgapur?

**Shri Raj Bahadur:** Initially we thought of widening the existing national highway. But at the instance of the Chief Minister of West Bengal, the new proposal is under consideration. The various aspects pertaining to that proposal are also under examination.

#### T.B. Survey in Orissa

\*407. **Shri Panigrahi:** Will the Minister of Health be pleased to refer to the reply given to Starred Question No. 479 on the 25th August, 1958, and state:

(a) whether parts of Orissa were included in the National Pulmonary Tuberculosis Survey; and

(b) whether incidence of T.B. in Orissa has been assessed from any other source?

**The Minister of Health (Shri Karmarkar):** (a) The National Tuberculosis Survey was not taken up in any part of Orissa.

(b) No, Sir.

**Shri Panigrahi:** The Tuberculosis Adviser to the Government of India has stated that nearly 5 lakh persons are dying of T.B. every year. May I know whether Orissa has been included in that figure?

**Mr. Speaker:** Does the figure include that for Orissa also?

**Shri Karmarkar:** Orissa is part of India.

Shri Panigrahi: But no survey has been carried out there.

Mr. Speaker: Obviously he wants to know that since Orissa has not been included in the survey whether the figures relating to Orissa were also included in the figure.

Shri Karmarkar: This was a sample survey to decide the incidence of T. B. and this figure of 5 lakhs includes that for Orissa also.

#### Short Notice Question

12 hrs

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\*S.N.Q. No 4 { Shri Naval Prabhakar:  
Shri Balmiki:  
Shri K. B. Malvi:  
Shri Bholu Rant:  
Shri Umrao Singh:

Will the Minister of Health be pleased to state:

(a) whether it is a fact that a Harijan woman admitted in the Lady Hardinge Hospital, New Delhi, for her delivery and after the successful delivery, was strangled to death on the bed in the maternity ward on the night of 21st November, 1958; and

(b) if so, what further action has been taken to enquire into the matter?

The Minister of Health (Shri Karmarkar): (a) A Harijan woman, who was recently delivered, was found dead in her bed on the night of 21st November, 1958, with a piece of cloth tied round the neck.

(b) the matter was immediately reported to the police for making necessary inquiries and investigations are still in progress.

श्री नवल प्रभाकर : क्या मैं जान सकता हूँ कि जिस समय उस के परिवार के लोगों को सूचित किया गया और वे आये तो वहाँ पर जो सोल झूटी पर थे उन्होंने उन को उस महिला से मिलाने से इनकार कर दिया ?

Shri Karmarkar: I shall have to enquire about the matter.

श्री नवल प्रभाकर : क्या मैं जान सकता हूँ कि जिस समय पुलिस आई उस समय उस के पति से और जो दूसरे रोगी आस पास में थे उन से कोई स्टेटमेंट नहीं लेने दिया गया ?

Shri Karmarkar: The matter is still under investigation. I have no information as to whose statements were taken by police. In the circumstances, I am unable to say what the police did.

श्री नवल प्रभाकर : क्या मैं जान सकता हूँ कि पांच बजे जब उस के पति उस से मिलने के लिए गये और जब वह अच्छी हालत में थी और साढ़े नौ बजे जब उस की मृत्यु हुई, इस बीच में उस का नर्सिंग से कोई झगडा हुआ था ?

अध्यक्ष महोदय : वह यह नहीं जानते हैं, सब कुछ इन्वेस्टिगेशन में है ।

Shri Karmarkar: She was all right when she was visited by her husband. She died at about 9 o'clock. Regarding quarrel with nurses, I have no information. But I should like to inform the House that she delivered in the early hours of the morning of the 21st November. She was progressing well and she was all right when she was found to go to sleep. At 9 o'clock when a nurse went to the ward she found her dead with a piece of cloth tied round her neck. The matter was immediately reported to the police. The matter is under investigation and, as I said before, as and when further facts come to notice, we shall make them available.

श्री नवल प्रभाकर : क्या मैं जान सकता हूँ कि इस सिलसिले में कोई गिरफ्तार किया गया है ?

Shri Karmarkar: No, so far as I know, I do not think anybody has been arrested.

Mr. Speaker: Not even the husband?

Shri Karmarkar: No, not even the husband.

Shri Tangamami: May I know whether this strangling took place after the child was born or it took place before the child was born?

Shri Karmarkar: As I said, she delivered the child and after that she was quite all right at 5-30 p.m. in the evening. At 9 p.m. she died. It is obvious that. . . .

Mr. Speaker: The child is not strangled?

Shri Karmarkar: No, no. Only the lady died with a piece of cloth round her neck.

Mr. Speaker: So, it took place after the child birth?

Shri Karmarkar: Of course.

Mr. Speaker: Then why ask a question whether it was after or before the child birth?

Shri Karmarkar: So far as I can see, the child is there.

श्री रा० क० वर्मा : क्या श्रीमान् ने यह जानने की कोशिश की कि वह किस कारण से मरी है ?

श्री करमरकर : सब कुछ जानने की कोशिश की है। मेरे पास और भी इन्फार्मेशन है लेकिन मामला अभी सबजुडिस है।

अध्यक्ष महोदय : अभी सब कुछ सबजुडिस है और वहां पर इन्वेस्टिगेशन किया जा रहा है।

Shri Braj Raj Singh: It cannot be sub judice because the case is not in the court.

अध्यक्ष महोदय : यह सब माफूम है।

## WRITTEN ANSWERS TO QUESTIONS

### Late running of Trains between Delhi and Rewari

\*293. { Shri Ram Krishan:  
Sardar Iqbal Singh:

Will the Minister of Railways be pleased to state:

(a) whether it is a fact that all the trains between Delhi and Rewari Stations on metre-gauge section of the Northern Railway generally run late;

(b) if so, the reasons therefor; and

(c) the steps Government propose to remedy the situation?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) No, but performance of some trains was not satisfactory.

(b) The main reasons which contributed to the unpunctual running of some of the trains between Delhi and Rewari were:

(i) heavy sand storms and unusual heavy rains this year, which necessitated the imposition of speed restrictions and piloting of trains in the interest of safety;

(ii) heavy incidence of alarm chain pulling;

(iii) working of the Delhi-Rewari section to saturated capacity, as a result of which late running of one train affects the running of others which in turn spoils the overall punctuality performance; and \* \*

(iv) operational causes, such as, accidents, engine and interlocking failures etc. \*

(c) All possible steps are being taken to improve the punctuality performance of trains on the Delhi-Rewari section. There is already some improvement in the performance of trains on the section.

### Restoration of Telephone System in Delhi

\*396. Shri Sanganna: Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that a heavy amount was spent for the restoration of Telephone system in New Delhi and Delhi consequent on the occurrence of heavy floods in the month of July, 1958;

(b) if so, what is the actual amount of damage;

(c) whether any officers are responsible in any way for the damage; and

(d) whether any safeguards have been provided to meet such exigencies?

The Minister of Transport and Communications (Shri S. K. Patil): (a) to (d). A statement is laid on the Table of the Sabha.

### STATEMENT

(a) An expenditure of about Rs. 40,000 was incurred for restoring the telephone system in New Delhi and Delhi consequent to the dislocation in the service caused by heavy rain-fall on the night of 20/21st July, 1958.

(b) All the leading-in cables from the subscribers and the junction cables from other Exchanges and cables carrying miscellaneous circuits, such as, external extensions, P.B.Xs. and teleprinter circuits, were affected due to the floods.

(c) and (d). The Director General, Posts and Telegraphs, has up an Enquiry Committee to investigate into the matter. The findings and recommendations of the Committee are expected to be submitted by the middle of December. Further action, if any, will be taken in the light of the Report.

### Teams of Helpers

\*400. Pandit D. N. Tiwary: Will the Minister of Food and Agriculture be pleased to refer to the reply given to Starred Question No. 1652 on the 27th September, 1958 and state:

(a) whether the expenses of Agricultural Operation Teams ("Teams of Helpers") for Rabi crops has since been calculated for the Union Territories; and

(b) the total amount spent in Union Territories and expenditure per team?

The Minister of Food and Agriculture (Shri A. F. Jain): (a) Yes, in respect of Delhi which is the only Union Territory covered by the present Rabi Production Drive.

(b) So far Rs. 890 or about Rs. 21 per team.

### Devnour Hydro Electric Project

\*402. Shri T. B. Vittal Rao: Will the Minister of Irrigation and Power be pleased to refer to the reply given to Starred Question No. 317 on the 20th August, 1958 and state:

(a) whether the investigation of the Devnour Hydro Electric Project, Andhra Pradesh, has since been completed; and

(b) if so, when the work on the same will commence?

The Deputy Minister of Irrigation and Power (Shri Nathi): (a) Preliminary investigations of the Devnour Hydro electric project have been completed and the preliminary report is under scrutiny by the Central Water and Power Commission.

(b) The question of taking up the scheme can be considered only after detailed investigations have been completed.

### Anti-Leprosy Work

\*403. Shri Kadiyan: Will the Minister of Health be pleased to state:

(a) whether Government have made any estimate as to the number of

doctors that may be required for anti-leprosy work during the Second Plan period;

(b) the number of doctors available at present; and

(c) what steps Government have taken to increase the training facilities for anti-leprosy work?

The Minister of Health (Shri Karmarkar): (a) Yes, Sir.

(b) The information is being collected and will be laid on the Table of the Sabha in due course.

(c) A scheme for the training of 60 Medical Officers during each year in three batches of 20 each is under consideration of the Government.

डाक-तार विभाग के भवन और कईबारियों के क्वार्टर

\*४०८. { श्री नवल दर्शन :  
श्री नवल प्रसाद :

क्या परिवहन तथा संभार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि १९५७-५८ के वित्तीय वर्ष में डाक तथा तार विभाग के भवन-निर्माण-कार्यक्रम के लिए जो धनराशि संभार की गई थी, उसका पूरा उपयोग नहीं हो पाया है;

(ख) यदि हां, तो कितनी धनराशि का उपयोग नहीं किया गया है;

(ग) उस धनराशि का उपयोग न करने के क्या कारण हैं;

(घ) इस स्थिति में सुधार करने के लिए क्या कार्यवाही की जा रही है; और

(ङ) बाकू वित्तीय वर्ष में इस विषय में सब कुछ क्या स्थिति रही है ?

परिवहन तथा संभार मंत्री (श्री स० का० पाटिल): (क) से (ङ). इस सम्बन्ध में एक विवरण सत्र-पटल पर रखा गया है।

विवरण

(क) जी हां।

(ख) १९५७-५८ में १६६ लाख रुपये की धनराशि उपयोग में नहीं आयी गयी।

(ग) इसके उपयोग न करने के कई प्रमुख कारणों में से एक कारण यह था कि वित्त-मंत्रालय ने २०,००० रुपये से अधिक लागत के सब नये भवनों पर रोक लगा दी थी। इस रोक के कारण वे भवन, जिनका निर्माण कुर्छों से ऊपर नहीं हुआ था, उन्हें बन्द करना पड़ा। कुछ एक भवनों पर उक्त रोक की हटाने जाने के लिए वित्त मंत्रालय को लिखना पड़ा। यह रोक जून में लगायी गयी थी और इसके उठाये जाने तथा केन्द्रीय लोक-निर्माण विभाग (C.P.W.D.) द्वारा भवन-निर्माण-कार्य को बाकू कराये जाने में पर्याप्त समय लग गया। केन्द्रीय लोक-निर्माण विभाग के अधिकारियों द्वारा भवन के निर्माण-कार्य में दिखायी गयी धीमी प्रगति भी इसका एक कारण है।

(घ) केन्द्रीय लोक-निर्माण विभाग के अधिकारियों को लगातार कहा जा रहा है कि वे डाक-तार विभाग की भवन-निर्माण सम्बन्धी आवश्यकताओं को पूरा करने के प्रयोजन से अपने विभाग का पुनर्गठन करें। भवन-निर्माण-कार्य की प्रगति को फिर से धाकने के लिए निदेशालय एवं परिमण्डल-स्तर पर सामयिक बैठकें की जाती हैं। \* ०

(ङ) डाक-तार विभाग ने इस वर्ष नये भवनों के निर्माण के लिए १६२ लाख रुपये निर्धारित कर रखे थे। केन्द्रीय लोक-निर्माण विभाग के अधिकारियों ने यह कहने की कृपा दी है कि वे बाकू वर्ष में १५० लाख रुपये से अधिक राकम खर्च नहीं कर सकेंगे।

### International Sugar Conference

- Shri N. E. Muniamy:  
 Shri Bibhuti Mishra:  
 Shri Raghunath Singh:  
 Dr. Ram Subhag Singh:  
 \*409. Shri Subbiah Ambalam:  
 Shri Muhammed Elias:  
 Shri Ram Krishan:  
 Shri Panigrahi:

Will the Minister of Food and Agriculture be pleased to state:

(a) what is the outcome of the International Sugar Conference held in Geneva;

(b) whether India has become a party to the new International Sugar Agreement to replace the existing one expiring in December, 1958; and

(c) how far the inclusion of India in the Agreement would help other Countries?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) India has been offered a basic quota of 1 lakh metric tons and a special reserve quota of 50,000 metric tons (raw value) for export during each of the three years 1959, 1960 and 1961.

(b) The matter is under consideration.

(c) Different countries are likely to have different views about the desirability or otherwise of India joining the Agreement. India will join the agreement only if it is considered that it would be in India's own interest to do so.

### Procurement of Rice from Andhra Pradesh

\*410. Shri Narayanankutty Menon: Will the Minister of Food and Agriculture be pleased to state:

(a) the total amount of rice procured by the Central Government from Andhra Pradesh during September and October, 1958; and

(b) what Government has done with the procured rice stock?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) About 8,000 tons were actually delivered by the rice millers during the months of September and October, 1958.

(b) The procured rice was moved to Central Storage Depots situated in different States including Andhra Pradesh, for distribution later in the needy areas.

### Detention of Trains in Bangaon Section of Sealdah Division

\*411. Shri Subman Ghose: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that trains in Bangaon Section of Sealdah Division in Eastern Railway are detained by smugglers of betel and betelnut in the border area causing much inconvenience to the passengers; and

(b) if so, what steps Government proposes to take in the matter?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) Yes, but the number of cases have come down considerably during recent months.

(b) The following steps were taken to prevent such occurrences:—

- (i) Extra police force from the State Reserve was requisitioned and posted to combat alarm chain pulling by the miscreants;
- (ii) close liaison is being maintained with the G.R.P.
- (iii) the Excise Department intensified the check for smugglers of betel-nut who were pulling the alarm chain to facilitate smuggling;

The following measures are also under consideration:

- (a) The Railway staff to be directed to arrest the offenders at the spot for prosecution before the Railway Magistrate;

- (b) The Railway Magistrate should hold a mobile court in that section to be available for a spot trial of the offenders.

#### Pollution of Yamuna Waters in Delhi

\*412. Shri Vajpayee: Will the Minister of Health be pleased to state:

(a) whether the Council of Scientific and Industrial Research propose to conduct investigations in regard to the pollution of Yamuna Water near the Wazirabad weir; and

(b) if so, the nature of these enquiries and the progress made so far?

The Minister of Health (Shri Karmarkar): (a) Yes, Sir.

(b) A research Unit is investigating the physical, chemical, bacteriological and biological conditions of the 13 mile stretch of the river Yamuna between Wazirabad & Okhla at 8 selected points.

The Survey was started at the beginning of 1958 and has been sanctioned for a period of two years.

#### Forest Industries in Beas Area

\*413. Shri Hem Raj: Will the Minister of Food and Agriculture be pleased to refer to the reply given to the Unstarred Question No. 1599 on the 5th September, 1958 and state:

(a) whether the report of the Finnish Experts has since been received from the setting up of the Forest Industries in the Beas area

(b) if so, what are their main recommendations; and

(c) whether a copy of the report will be laid on the Table?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) Yes.

(b) A summary of the recommendations is placed on the Table of the Sabha. [See Appendix II, annexure No. 67.]

(c) Yes Sir, as soon as sufficient copies are received.

#### Sharavathy Hydro Electric Project Mysore State

\*414. { Shri Mohammed Imam:  
Shri Wodeyar:

Will the Minister of Irrigation and Power be pleased to refer to the reply given to Starred Question No. 1235 on the 15th September, 1958 and state:

(a) whether any decision has since been taken to provide the necessary foreign exchange for the import of equipment and machinery needed for the Sharavathy Hydro-Electric Project, Mysore State; and

(b) if so, the nature thereof?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) and (b). Not yet, Sir. The question was recently considered in consultation with the Planning Commission and the possibilities of finding the required foreign exchange are being explored.

#### Construction of National Highways in Mysore

\*415. Shri Wodeyar: Will the Minister of Transport and Communications be pleased to state:

(a) the mileage of National Highway Roads constructed in Mysore State during the Second Five Year Plan period so far; and

(b) how far Bombay-Kanyakumari Road in West Coast National Highway Road Scheme has progressed?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) Work carried out on National Highways in Mysore so far during the current Plan period relate to the consolidation and improvement of the existing National Highways. No new construction of National Highways has been undertaken.

(b) West Coast Road is not a National Highway. Out of the total Second Plan provision of Rs. 4 crores for this road, expenditure during the first three years of the Plan is anticipated to be Rs. 1.31 crores. We have recently sanctioned a large number of bridge and road projects and the tempo of progress is expected to increase in the remaining two years.

#### Malaria in Delhi

- \*416. { Shri A. K. Gopalan:  
Shri Kumbhar:  
Shri Narayanaswamy Menon:

Will the Minister of Health be pleased to state:

(a) whether the Government have seen press reports about the increase in the incidence of Malaria in Delhi this year;

(b) whether the Government have investigated into the causes of this increase in Malaria cases;

(c) if so, what are the causes; and

(d) what steps Government propose to take to control this?

The Minister of Health (Shri Karmarkar): (a) Yes.

(b) Yes.

(c) Following are the causes:

(1) Extra-ordinary heavy rains;

(2) Intermittent floods;

(3) Inhabitants of villages in the North of three miles belt area and especially residents of village Burari, situated on the right bank of the river Jamuna, evacuating with their animals to the urban areas;

(4) Villagers returning from the neighbouring villages, which are not under the Malaria Control Programme of Delhi Administration, after the recession of the floods.

(5) The existing staff of the Anti-Malaria Organisation could not

cope with the continuously increasing construction on all sides.

(d) Prompt action was taken to spot all fever cases in the affected villages by house to house visits and afford treatment to all those found positive for malaria. The situation is now fully under control. In pursuance of the Eradication Programme in the area, action has also been taken to intensify the control measures to afford complete coverage and to prevent all transmission.

Scheme to stimulate original thinking among employees

\*417. Dr. Ram Subhag Singh: Will the Minister of Railways be pleased to state:

(a) whether Government have introduced any scheme in different coaches, locomotives and other types of Railway factories and work-shops in the country to stimulate original thinking among the employees of those factories; and

(b) if so, how that scheme has been working?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) Yes. A Scheme has been introduced whereby staff at all levels are encouraged to make new suggestions or devices for improving the existing methods of work in all phases of railway activities.

(b) The Scheme is working satisfactorily.

#### Bakra Dam

- { Shrimati Ba. Falchoudhuri:  
Shri Menon Raj:  
Shri S. M. Banerjee:  
\*418. { Shri Ram Krishan:  
Shri Ajit Singh Sarin:  
Shri Gopal:  
Shri N. S. Muniswamy:

Will the Minister of Irrigation and Power be pleased to state:

(a) whether it is a fact that a serious land-slide occurred in the



Bhakra Dam area on the 29th October, 1958;

(b) if so, the full details of the occurrence;

(c) whether any damage has been caused to the Bhakra Dam; and

(d) if so, to what extent?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) to (d). A statement giving the information is laid on the Table of the House.

#### STATEMENT

(a) and (b). A land slide of rock upstream of the main Bhakra Dam occurred on the right abutment at 13.40 hours on the 28th October, 1958. The quantity involved was about 8,000 c.yds. of work. The slide occurred in a rib lying between the upstream face of the Dam and the heelclay stone. The rib does not form part of the foundation of the Dam. All men and equipment were removed before the slide took place. No damage has been caused to the Bhakra Dam or the heelclay stone, but a footing constructed at a cost of Rs. 10,000 to carry the Dinkey track to the heelclay stone has been damaged. The land slide has, however, created additional work inasmuch as the fallen rock will have to be removed. This may give a slight set-back to the concreting but the overall schedule of the completion of the Dam is not likely to be affected.

(c) No, Sir.

(d) Does not arise.

#### Misappropriation of Funds in Patna City Booking Office

\*419. Shri Aurobindo Ghosal: Will the Minister of Railways be pleased to state:

(a) the actual amount misappropriated in the Patna City Booking Office which is run by a contractor;

(b) when the fraud was detected and what action has been taken against the contractor;

(c) when the said City Booking office was taken over by Government and the amount of expenditure involved therein; and

(d) whether it is running at a loss?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) The accounts scrutinized so far indicate that an amount of Rs. 46,660 had been misappropriated.

(b) On 8th April, 1957.

The Security deposit (Rs. 20,000) of the contractor and his commission bills for sale of tickets have been withheld for adjustment against the amount due from him.

The matter is also under investigation by the police authorities.

(c) On 1st June, 1957.

The amount of expenditure is about Rs. 14,000 per year.

(d) No.

#### Procurement of Foodgrains in Manipur

\*420. Shri L. Achaw Singh: Will the Minister of Food and Agriculture be pleased to state:

(a) whether Government have any plan to procure foodgrains in Manipur during the next harvest season; and

(b) if so, whether the procurement of rice will stand at the former price?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) and (b). Yes, Sir.

#### Central Council of Health

\*421. Shri Jadhav: Will the Minister of Health be pleased to state:

(a) how far the principle accepted by the Central Council of Health that in conformity with the rest of the world there should be one uniform standard of education in modern medicine at the University degree standard

has been adopted by the Government; and

(b) what steps have been taken to implement the same?

**The Minister of Health (Shri Karmarkar):** (a) The principle has already been accepted in its entirety.

(b) The recommendations of the Central Council of Health were commended to all State Governments. Moreover, the matter was considered by the Medical School Education Conference as early as November, 1938, who recommended that one uniform minimum standard of training and qualification for practitioners of modern scientific medicine should be established throughout India and that the standard should be such as should satisfy the requirements laid down by the Medical Council of India. As a result of this recommendation, all the medical institutions imparting licentiate training except one, viz., the Arya Medical School, Ludhiana, have either been upgraded or closed.

#### Rural Electrification in Bombay State

\*422 **Shri Pangarkar:** Will the Minister of Irrigation and Power be pleased to state:

(a) whether the Bombay Government have requested the Centre for any aid for rural electrification in the State; and

(b) if so, what action has been taken by the Centre in this regard?

**The Deputy Minister of Irrigation and Power (Shri Hathi):** (a) Yes, Sir

(b) The State Government have been informed by the Planning Commission of the pattern of Central assistance for rural electrification schemes under the Second Five Year Plan.

#### Rajasthan Desert

\*423. **Shri Jhulan Sinha:** Will the Minister of Food and Agriculture be pleased to refer to the reply given to Starred Question No 488 on the 25th

February, 1958 and state whether the measures so far taken by the Central and State Governments have succeeded to any extent in checking the expansion and spread of the Rajasthan desert?

**The Minister of Food and Agriculture (Shri A. P. Jain):** The results of the measures taken could be assessed only after a lapse of years; as the work is of a long term nature. At present it is only in an experimental stage.

#### Wheat from Australia

\*424. **Shri Hem Barua:** Will the Minister of Food and Agriculture be pleased to state.

(a) whether it is a fact that Australia proposes to provide India shortly with 9,000 tons of wheat;

(b) if so, what is the estimated price of this wheat, and

(c) how do Government propose to utilise the sale proceeds of it?

**The Minister of Food and Agriculture (Shri A. P. Jain):** (a) The Government of Australia supplied in October, 1958, about 9.45 thousand tons of wheat as a gift, under the Colombo Plan.

(b) The C.I.F. value of this wheat is approximately Rs 31 lakhs.

(c) The matter is under consideration.

#### Family Planning

\*426. { **Shri Assar:**  
**Shri Ram Krishan:**  
**Shri N. R. Munisamy:**  
**Shri S. M. Banerjee:**  
**Shri Tangamani:**

Will the Minister of Health be pleased to state:

(a) whether it is a fact that the Family Planning Board met in Delhi

on 15th November, 1958 to consider the progress of the Family Planning Programmes achieved so far;

(b) if so the progress made upto now; and

(c) the decisions taken by the Board?

The Minister of Health (Shri D. P. Karmarkar): (a) Yes, Sir.

(b) and (c). A note is laid on the Table of the Sabha. [See Appendix II, annexure No. 68.]

#### State Trading in Foodgrains

\*427. { Shri S. M. Banerjee:  
Shri Shree Narayan Das:  
Shri Ram Krishan:  
Shri Panigrahi:  
Shri Bimal Ghose:  
Shri Mahanty:  
Shri N. R. Munisamy:  
Shri Assar:  
Shri Vajpayee:  
Shri Naushir Bharucha:  
Shri L. Achaw Singh:  
Shri Sadhan Gupta:

Will the Minister of Food and Agriculture be pleased to state:

(a) whether a decision has been taken by the National Development Council to have State Trading in Foodgrains;

(b) if so, whether the Union Ministry of Food and Agriculture and the Planning Commission are drawing up a scheme to this effect;

(c) if so, what will be the outline of the scheme; and

(d) the date from which this scheme is likely to be implemented?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) Yes, Sir.

(b) to (d). The details are being worked out by a Group of officers for the consideration of the Government.

#### Location of Second Shipyard

{ Shri D. C. Sharma:  
Shri Ram Krishan:  
Shri Padam Dev:  
Shri Kodiyar:  
Shri V. C. Shukla:  
Shri Damani:  
Shri Narayanankutty  
\*428. { Menon:  
Shri Mohammed Imam:  
Shri Wodeyar:  
Shri A. K. Gopalan:  
Shri Punnose:  
Shri Vasudevan Nair:  
Shri Nagi Reddy:  
Shri Jadhav:

Will the Minister of Transport and Communications be pleased to state:

(a) whether the High Level Committee appointed to examine the report of the British Shipyard Mission regarding location of Second Shipyard has finalised its work;

(b) if so, what are the recommendations of the Committee;

(c) the place finally selected by Government for establishing the second shipyard; and

(d) the steps taken to get financial assistance for the second shipyard?

The Ministry of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) Not yet. The Committee are still examining certain technical points.

(b) to (d). Do not arise.

#### Jackal Menace in Delhi

\*429. { Shri Ram Krishan:  
Shri Bhakti Darshan:  
Shri Naval Prabhakar:

Will the Minister of Health be pleased to state:

(a) whether it is a fact that Jackal menace is increasing day by day in parts of New Delhi, particularly in the new colonies; and

(b) if so, the nature of steps taken so far or proposed to be taken in the matter?

The Minister of Health (Shri Kar-markar): (a) In the old inhabited areas of New Delhi, the number of jackals has been reduced considerably. In the newly developed colonies the problem has its own peculiarities, but it is not possible to state categorically whether there has been any appreciable increase in the number of jackals in these areas.

(b) Regular beats are organised and the services of three dog-cum-jackal shooters armed with shot guns are utilised by the New Delhi Municipal Committee for killing jackals.

#### All-India Women's Food Council

\*439. { Shri Subodh Hansda:  
Shri S. C. Samanta:

Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that the All India Women's Food Council have been receiving a large amount every year as grant-in-aid,

(b) whether any other organisation is receiving such grant, and

(c) whether there is any arrangement for checking the accounts of such institutions to which grant-in-aid is given?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) No, since 1957-58 the All-India Women's Food Council has not been receiving any grant from this Ministry

(b) Apart from an ad hoc grant sanctioned last year to the Meals for Millions Association no other grant has been sanctioned to any other similar organisation by this Ministry.

(c) Whenever any grant is paid the recipient has to satisfy Government that the grant has been spent for the purpose for which it was sanctioned.

#### Subsidiary Port at Calcutta

\*431 { Shri S. C. Samanta:  
Shri Subodh Hansda:  
Shri Ram Krishan:  
Shri Rajendra Singh:  
Dr. Ram Subhag Singh:  
Shrimati Jia Palchoudhri:  
Shri Vajpayee:  
Shri Raghunath Singh:  
Shri Bimal Ghose:  
Shrimati Masida Ahmed:  
Shri Panigrahi:  
Shri Tridib Kumar  
Chaudhuri:  
Shri H. N. Mukerjee:  
Shri S. M. Banerjee:  
Shri Aurobindo Ghosal:

Will the Minister of Transport and Communications be pleased to state:

(a) the progress of work done so far to implement the World Bank Technical Mission's recommendations to set up a deep draft port on the Western Bank of the River Hooghly;

(b) how many foreign experts have examined the possibilities of the proposed deep draft Port;

(c) the places they have surveyed;

(d) whether it is a fact that Government propose to establish the said Port at Haldia;

(e) whether Government is aware that places at Haldia and south of it are liable to be affected with periodic cyclonic storms; and

(f) if so, whether a chart signifying the cyclonic storms in those areas will be laid on the table?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) to (f). A statement is laid on the Table of the Sabha.

#### STATEMENT

(a) The matter is still in the stage of technical investigations which are in progress, for the selection of a site for the new Port.

(b) The possibility of setting up an auxiliary Port to Calcutta has been

under investigation by M/s Rendal, Palmer & Tritton, the Consulting Engineers to the Calcutta Port Commissioners and Mr. Posthuma, Deputy Director of the Port of Rotterdam. In addition, the Government of India have had the benefit of a Report on the subject by Professor Larras, a French Engineer.

(c) The places that have been surveyed are Geonkhali, the mouth of the Haldia, Jensen Sands outside the outer bars of the River Hooghly, and Kanika Sands due north of the mouth of the Dhamma River.

(d) No firm decision has yet been taken to set up a Port at Haldia. The question of selection of a site for the new Port is still under technical investigation.

(e) The Haldia region which is about 25 miles from the mouth of the River Hooghly is not exposed to cyclonic weather conditions. But the mouth of the River is exposed to atmospheric depressions.

(f) A chart is under preparation and will be laid on the Table of the Sabha as soon as it is available.

#### Foreign assistance for Indian Merchant Shipping

\*432. Shri Harish Chandra Mathur: Will the Minister of Transport and Communications be pleased to state:

(a) what is the source and quantum of foreign assistance offered to build up Indian Merchant Shipping; and

(b) how do Government propose to avail of this foreign assistance?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) and (b). The only substantial foreign assistance for shipping which has actually materialised so far is the Yen line of credit from Japan. Out of a total credit of 18 billion Yen promised by the Government of Japan, an amount of 5 billion Yen has been earmarked

for shipping. Orders have been already placed in Japan for the building of one tanker and one cargo ship against this amount. The question of placing a few more orders to utilise the amount fully is under active consideration.

#### Import of Foodgrains from U.S.A.

{ Shri S. M. Banerjee:  
Shri Subodh Banada:  
Shri S. C. Samanta:  
\*433. { Shri R. C. Majhi:  
Shri Ram Krishan:  
Shri H. N. Mukerjee  
Shri Muhammed Elias:

Will the Minister of Food and Agriculture be pleased to state:

(a) whether a new agreement for the import of foodgrains has been signed with U.S.A. in September, 1958:

(b) if so, the quantity of foodgrain likely to be received this year under this agreement; and

(c) the terms of agreement?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) and (c). An Agreement was signed on the 26th September, 1958 with the Government of U.S.A. for the supply of foodgrains. A copy of it is available in the Library of the Parliament.

(b) It is not in the public interest to disclose such information about import programme.

#### Inland Water Transport Services in Bihar and Uttar Pradesh

\*434. Shri Shree Narayan Das: Will the Minister of Transport and Communications be pleased to refer to the reply given to Starred Question No. 1477 on the 23rd September, 1958 and state:

(a) whether the scheme for resuming the inland water transport services formerly run by the Joint Steamer Companies in the Bihar and U.P. has since been finalized; and

(b) if not, the reasons therefor.

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) No, Sir.

(b) The views of the Governments of Bihar and U.P. are awaited.

#### Canals at Konar Dam, Bihar

\*435. Shri Shri T. B. Vittal Rao: Will the Minister of Irrigation and Power be pleased to state:

(a) whether it is a fact that irrigation canals have not yet been dug at Konar Dam, Bihar though the dam was completed two years ago;

(b) when the same is likely to be undertaken; and

(c) the amount likely to be spent on it?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) Yes, Sir.

(b) No direct irrigation from the Konar Reservoir was visualised even at the time the Damodar Valley Projects were first planned. It was intended, however, to utilise a part of the Konar waters for irrigation through the Durgapur Barrage and the Canal System in West Bengal. Investigations revealed that the Konar area is too undulating to permit of a satisfactory flow irrigation system and, therefore, no irrigation scheme has been planned, so far as this reservoir is concerned.

(c) Does not arise.

#### Indian Labour Conference

\*436. Shri Narayanankutty Menon: Will the Minister of Railways be pleased to state:

(a) whether Government have considered the decisions of the 15th and 16th Sessions of the Indian Labour Conferences held in July, 1957 and May, 1958 respectively; and

(b) if so, the action taken in implementing the decisions regarding the recognition of Unions?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) and

(b). The matter is under examination in consultation with the Labour Ministry.

#### Accident near Talabaru Station

\*437. { Shri Subiman Ghose:  
Shrimati Ha Palchoudhuri:  
Shri Raghunath Singh:  
Shri S. C. Godwara:

Will the Minister of Railways be pleased to state:

(a) whether it is a fact that an accident took place near Talabaru Station in South Eastern Railway on the 13th October, 1958;

(b) if so, the number of persons died and injured;

(c) the cause of the accident; and

(d) whether any compensation has been paid to the families of the dead and the injured.

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) Yes, Sir.

(b) Three persons were killed and 57 received injuries.

(c) According to the provisional finding of the Government Inspector the accident was caused by the failure of Railway staff.

(d) Not yet, but the following ex-gratia payments have been made:

Rs. 100 each, in respect of the three persons killed;

Rs. 100 each, in respect of four injured; and

Rs. 50 each, in respect of sixteen injured.

#### Bridges on Pipili-Konarak Road

\*438. Shri Panigrahi: Will the Minister of Transport and Communications be pleased to state:

(a) whether the sites for construction of the three proposed bridges on Pipili-Konarak Road in the district of Puri in Orissa, have been selected;

(b) if so; their location; and

(c) whether estimates of expenditure have been prepared for these bridges?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) Yes.

(b) and (c)

Name of Bridge	Location	Cost as per estimate already prepared
		Rs.
(1) Bhargavi bridge.	Near the existing fair weather road close to Haripur Village in 3rd mile of Pipli-Konarak Road .	5,15,730
(2) Dhanua bridge.	Near the existing fair weather road close to Gorpada Village in 7th mile of Pipli-Konarak Road .	3,08,190
(3) Khushabhadra bridge.	Near the existing fair weather road close to Neemapara village in 13th mile of Pipli-Konarak Road. .	5,53,500

#### G. T. Express

\*439. { Shri N. R. Munisamy;  
Shri Raghunath Singh;  
Shri Sarju Pandey:

Will the Minister of Railways be pleased to state:

(a) whether it is a fact that Grand Trunk Express proceeding to New Delhi on the 25th October, 1958 was held up at Vedayapalam wayside station near Nellore (on Southern Railway) for over six hours on account of disturbances by students' strike;

(b) if so, the details thereof;

(c) the arrangements made for passengers regarding their essential

requirements such as refreshments, tea and other things; and

(d) the extent of damage caused to Railway property at the Nellore station?

The Deputy Minister for Railways (Shri Shah Nawaz Khan): (a) and (b). The students of a local college at Nellore abstained from their classes from 1st October, 1958 as a protest against the increase of college fees. A hartal was organised with the support of some local labour unions on 25th October, 1958. A mob of students and others entered the premises of Nellore station in the morning and interfered with train working. The 9 Up Bombay-Madras Mail was detained due to this. The mob was dispersed at 11.00 A.M. The crowd collected again in the afternoon and interfered with the reception signals and damaged the signalling and interlocking gear. No. 15 Down Madras-Delhi Grand Trunk Express was detained at Vedayapalam for 343 minutes on the grounds of safety of passengers.

(c) The passengers were served refreshments etc. on arrival of the train at Nellore station.

(d) Damage caused to railway equipment, telephone and signal wires was to the extent of Rs. 5564-50 nP. Anticipated claims on account of slight damage done to a few consignments is Rs. 50.

#### Works Committee of Indian Agricultural Research Institute

\*440. Shri Tangamani: Will the Minister of Food and Agriculture be pleased to refer to the reply given to Unstarred Question No. 395 on the 28th November, 1956 and state:

(a) whether the Indian Agricultural Research Institute and Agricultural and Industrial Workers Union were consulted in the formation of Works Committee in the Indian Agricultural Research Institute as required under the provisions of Industrial Disputes Act, 1947 and rules made thereunder;

(b) if not, the reasons therefor; and

(c) the manner in which the Works Committee was formed?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) to (c). A Labour Committee under the Chairmanship of a Head of Division with three other officers as members has been formed in the Institute. Works Committee as required under the Industrial Disputes Act, 1947, is yet to be formed.

#### Indo-Soviet Shipping Pact

\*441. { Dr. Ram Subbaj Singh:  
Shri N. B. Manikam:  
Shri Raghunath Singh:  
Shri Nagi Reddy:

Will the Minister of Transport and Communications be pleased to state:

(a) whether the working of the Indo-Soviet Pact on shipping was reviewed recently;

(b) if so, what has been the experience of shipping operations so far under this Pact; and

(c) what improvements are likely to be effected as a result of this review?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) Yes, Sir.

(b) and (c). A statement is laid on the Table of the Sabha. [See Appendix II, annexure No. 69].

#### भारतीय चिकित्सा परिषद्

\*442. { श्री रघुनाथ सिंह :  
श्री अजीत सिंह सरहदी :

स्वास्थ्य मंत्री यह बताने की कृपा करेंगे कि क्या यह सच है कि भारतीय चिकित्सा परिषद् के अध्यक्ष डा० सी० एस० पटेल ने भारत सरकार के पास यह सुझाव भेजा है कि भारत में केवल प्राथमिक चिकित्सा पद्धति को ही मान्यता दी जाये ?

स्वास्थ्य मंत्री (श्री कान्होबा) :

सरकार को पता है कि भारतीय चिकित्सा परिषद् के अध्यक्ष डा० सी० एस० पटेल ने ३१ अक्टूबर, १९५८ को अपने अध्यक्षीय भाषण में परिषद् के सदस्यों से भारतीय चिकित्सा परिषद् का विचार व्यक्त करते हुए कहा था कि भारत में केवल एक ही चिकित्सा पद्धति होनी चाहिए, यर्थात् प्राथमिक चिकित्सा पद्धति ।

#### Co-operative Sugar Factories in Bombay

\*443. Shri Pangarkar: Will the Minister of Food and Agriculture be pleased to state:

(a) whether the Government of Bombay have asked for any help in the shape of foreign exchange to import machinery for opening co-operative Sugar Factories in the State; and

(b) whether their request has been acceded to?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) and (b). Of the 16 co-operative societies granted licences for establishing sugar factories, 14 have been given foreign exchange for importing machinery.

#### One-man Tribunal

\*444. Shri Aurobindo Ghosal: Will the Minister of Railways be pleased to refer to the reply given to Starred Question No. 522 on the 1st August, 1957 and state:

(a) whether the One-man Tribunal of the Railways has since submitted any award with regard to grievances of Railwaymen; and

(b) if so, the nature thereof?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) Yes.

(b) A summary of the Award of the Tribunal will be laid on the Table of the House as soon as Government come to a decision on the various items of the Award.



**Food Situation in Manipur**

\*445. **Shri L. Achaw Singh:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether the food situation has worsened in the Union Territory of Manipur since the harvesting of the early crop this year;

(b) what is the actual stock held in the State godowns in Manipur; and

(c) whether it is a fact that rice crops have failed in the northern and eastern parts of the Manipur valley?

**The Minister of Food and Agriculture (Shri A. P. Jain):** (a) No, Sir

(b) 32,149 maunds of rice on the 15th November, 1958

(c) Some damage is reported to have been caused to the rice crop by insects in certain areas in the northern and eastern parts of Manipur

**Delhi Electricity Power Control Board**

146. { **Shri Ram Krishan:**  
**Shri Harish Chandra Mathur:**  
**Shri Shree Narayan Das:**  
**Shri Vajpayee:**  
**Shri U. L. Patil:**

Will the Minister of Irrigation and Power be pleased to state:

(a) whether it is a fact that Delhi Corporation has requested the Union Government to abolish the Delhi Electricity Power Control Board;

(b) if so, the reasons thereof; and

(c) the action taken thereon?

**The Deputy Minister of Irrigation and Power (Shri Hathi):** (a) Yes, Sir

(b) The Corporation feel that power supply position in Delhi does not warrant any control on supply, distribution or utilisation of electrical energy, and that it should have the freedom to arrange distribution of energy in accordance with the provisions of the Delhi Municipal Corporation Act, 1957.

259 (A) LSD-3.

(c) The request of the Corporation is being examined.

**Shipping Board and Development Fund Committee**

\*447. **Shri Harish Chandra Mathur:** Will the Minister of Transport and Communications be pleased to state:

(a) whether National Shipping Board and Shipping Development Fund Committee envisaged under the Merchant Shipping Act, 1958, have been constituted;

(b) if so, the names of the persons appointed to the Board and Committee, and

(c) whether rules framed for the conduct of business by these two organisations would be laid on the Table?

**The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur):** (a) No, Sir. Not yet. The matter is however under active consideration

(b) Does not arise for the present.

(c) The rules will be laid on the Table when framed.

**Yamuna Hydel Project**

\*448. { **Shri S. M. Banerjee:**  
**Shri Bhakt Darshan:**  
**Shri Naval Prabhakar:**

Will the Minister of Irrigation and Power be pleased to refer to the reply given to Starred Question No 278 on the 20th August, 1958 and state:

(a) whether work on the second stage of Jamuna Hydel Project has been started in U.P.; and

(b) if not, the reasons for its delay?

**The Deputy Minister of Irrigation and Power (Shri Hathi):** (a) No, Sir.

(b) The investigations for the second stage of Yamuna Hydel scheme are still in progress.

**Wheat Destroyed in West Bengal**

\*449. { Shri Subhman Ghose:  
Shri C. K. Bhattacharyya:

Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that about 10,000 maunds of wheat were damaged recently in the yard of the Asansol Railway Station;

(b) if so, the causes thereof;

(c) whether it is a fact that this wheat was imported from Australia; and

(d) the foreign exchange expended for such import?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) No, Sir. Only sixty-three bags (approximately weighing 121 maunds) of wheat were damaged.

(b) The damage was caused by rain after unloading.

(c) No, Sir. It was American wheat.

(d) The wheat was imported under P.L. 480 Agreement from U.S.A. and was to be paid for in rupees

**Agricultural Administration Committee**

Dr. Ram Subhag Singh:  
Shri N. K. Munisamy:  
Shri Panigrahi:  
Shri Sanganna:  
Shri Supakar:  
Shri Subbiah Ambalam:  
Shri Tridib Kumar  
\*450. { Chaudhuri:  
Shri Sarju Pandey:  
Shri Sadhan Gupta:  
Shri Adhar:  
Shri Bimal Ghose:  
Shri Hem Barua:  
Shri M. C. Jain:

Will the Minister of Food and Agriculture be pleased to state:

(a) whether the Expert Committee set up by Government under the Chairmanship of Raja Surendra Singh

of Nalagarh for studying the agricultural situation has submitted its report;

(b) if so, what are the chief features of that report; and

(c) whether Government have decided to implement that report?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) and (b). The Committee was appointed to study the Agricultural Administration and the working of the Agriculture Departments in the States and not the agricultural situation in the country. It has submitted its report which has already been placed on the Table of the House.

(c) The report has been sent to the State Governments who are principally concerned with the recommendations for implementing such of the recommendations as may be considered feasible. Action on a few of the recommendations in which the Government of India are interested, would be initiated after receiving the views of the State Governments on such recommendations.

**Development of Minor Ports**

\*451. { Shri Sambandam:  
Shri N. K. Munisamy:  
Shri Panigrahi:

Will the Minister of Transport and Communications be pleased to state:

(a) whether the National Harbour Board at its meeting held in Madras recently discussed the question regarding development of minor ports in the country;

(b) if so, what are the specific recommendations made;

(c) whether the Government of Orissa were represented in the Board meeting; and

(d) if so, whether the Government of Orissa have submitted any proposals for development of their minor ports?

The Minister of State in the Ministry of Transport and Communications

(Shri Raj Bahadur): (a) to (d). A statement is laid on the Table of the Sabha. [See Appendix II, annexure No. 70].

#### Price of Rice

\*452. Shri Tangamani: Will the Minister of Food and Agriculture be pleased to state:

(a) whether a meeting of the Food Ministers of Southern Rice Zone was held in New Delhi on the 7th November, 1958;

(b) if so, the nature of the meeting and the decisions taken; and

(c) whether it is a fact that price of rice has increased considerably in Madras State?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) and (b). A meeting of the Food Ministers of the States comprising the Southern Rice Zone was held in Delhi on the 7th November, 1958 to review the working of the Zone. Various matters were discussed, and it was decided to intensify anti-smuggling measures and to create a five-mile no-movement belt along the border of the Southern Rice Zone with the State of Bombay.

(c) Yes, Sir. There has been some rise in the prices of rice in Madras State.

#### Palam Airport

595. Shri D. C. Sharma: Will the Minister of Transport and Communications be pleased to state the steps taken by Government to expand and modernise the Palam Airport, Delhi?

The Deputy Minister of Civil Aviation (Shri Mohiuddin): A scheme for the construction of a new runway (10,500 ft x 150 ft.) at Palam Airport for use by Jet transport aircraft has recently been approved by Government. This project is estimated to cost Rs. 180 lakhs (approximately).

#### Post Offices

596. Shri D. C. Sharma: Will the Minister of Transport and Communications be pleased to state:

(a) the number of post offices of all categories, telegraph offices, public call offices opened with names of places, during the First Five Year Plan period in the Gurdaspur district in the Punjab State:

(b) the number opened during the Second Five Year Plan period so far; and

(c) the number to be opened during the remaining period of the Second Five Year Plan?

The Minister of Transport and Communications (Shri S. K. Patil): (a) A statement is laid on the Table of the Lok Sabha. [See Appendix II, annexure No. 71].

(b) Opened upto 31st October, 1958:

- (1) Post offices of all categories
- (2) Telegraph Offices
- (3) Public Call Offices

(c) (1) Post offices of all categories

- \* (2) Telegraph Offices
- \* (3) Public Call Offices

\*Note — Further proposals, if any, will be sanctioned if found justified.

#### Recommendations of Air Transport Council

597. { Shri D. C. Sharma:  
Shri Ram Krishan:

Will the Minister of Transport and Communications be pleased to refer to the reply given to Unstarred Question No. 613 on the 20th August, 1958 and state:

(a) whether Government have since implemented all the recommendations made by the Air Transport Council;

(b) if not, the nature of recommendations not implemented so far; and

(c) when these are likely to be implemented?

The Deputy Minister of Civil Aviation (Shri Mohiuddin): (a) to (c). The main recommendations of the Council relate to the objectives of rate-making and passenger fares and these have been accepted and implemented. The recommendations regarding reasonable freight rates are still under consideration.

#### Posts and Telegraphs Museum

598. Shri D. C. Sharma: Will the Minister of Transport and Communications be pleased to refer to the reply given to Unstarred Question No. 848 on the 25th August, 1958 and state the further progress made so far for establishing an Indian Posts and Telegraphs Museum?

The Minister of Transport and Communications (Shri S. K. Patil): As a preliminary step, the CPWD have since taken in hand certain additions and alterations to the Stamp Centenary Hall for establishing the proposed Museum.

#### Pumping Station at Najafgarh Lake (Delhi)

599. Shri D. C. Sharma: Will the Minister of Food and Agriculture be pleased to refer to the reply given to Unstarred Question No. 374 on the 16th August, 1958 and state the further progress made so far with regard to the erection of a pumping station at Najafgarh lake in Delhi State?

The Minister of Food and Agriculture (Shri A. P. Jain): The survey of Najafgarh Lake has shown that some storage would be available only when the water stands at a level of 688 feet above mean sea level. At these levels, however, large areas of cultivable land will be submerged. In view of this, it has now been decided to prepare a scheme for draining water away from the lake and thus prevent damage to standing crop in the area and reclaim more land.

#### Improvement of Signalling and Telecommunications

600. Shri D. C. Sharma: Will the Minister of Railways be pleased to refer to the reply given to Unstarred Question No. 373 on the 16th August, 1958 and the progress made so far in regard to the improvement of Signalling and Telecommunications on Railways?

The Deputy Minister for Railways (Shri Shahnawaz Khan): A statement showing the progress made so far is laid on the Table of the Lok Sabha. [See Appendix II, annexure No. 72]

#### Train Derailment

601. { Shri Nagi Reddy:  
Shri N. R. Munisamy:

Will the Minister of Railways be pleased to state:

(a) whether there was any derailment of a goods train on the 28th September, 1958 between Madimangalam and Polur on Katpadi-Villupuram line on the Southern Railway;

(b) what is the amount of damage to the rolling stock and the railway track,

(c) the causes of the derailment; and

(d) the action taken in the matter?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) On 28th September 1958 at about 11.20 hours while No. 2123 goods train was on run, fourteen wagons of the train got derailed between Madimangalam and Polur stations on the Southern Railway.

(b) The approximate cost of damage to—

(i) Rolling Stock	Rs. 5,000
(ii) Permanent Way	Rs. 2,000
	<hr/> Rs. 7,000

(c) and (d). A Senior Officer's Committee investigated the accident. The report submitted by the Committee is under examination.

### Travel Agencies

602. **Shri Damani:** Will the Minister of Transport and Communications be pleased to lay a statement on the Table showing:

(a) number of Travel Agencies working in India and the rates of commission they are getting from Indian Airlines Corporation and Air-India International;

(b) commissions allowed to them by foreign managed air companies; and

(c) the total amount of commissions allowed by Indian Airlines Corporation and Air-India International, during 1956-57, 1957-58 and 1958-59 so far?

The Deputy Minister of Civil Aviation (Shri Mohiuddin): (a) to (c). A statement is laid on the Table of the Lok Sabha. [See Appendix II, annexure No. 73.]

### Fair Price Shops in Punjab

603. **Shri Ram Krishan:** Will the Minister of Food and Agriculture be pleased to state:

(a) the number of fair price shops at present in Punjab, District-wise;

(b) the prices at which foodgrains are being sold at these shops; and

(c) the prices of foodgrains obtaining in open market?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) to (c). A statement furnishing the requisite information is laid on the Table of the Lok Sabha. [See Appendix II, annexure No. 74.]

### Projected Brahmaputra Bridge

604. **Shri Ram Krishan:** Will the Minister of Railways be pleased to state the total amount spent so far on the projected Brahmaputra Bridge between Pandu and Amingaon?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): Approximate expenditure incurred upto the end of September, 1958 is Rs. 8,36,000.

### Engines on the Metre Gauge Lines of Western and Northern Railways

605. **Shri Ram Krishan:** Will the Minister of Railways be pleased to state the number of engines now used on the metre gauge lines of Western and Northern Railways?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): The holding of Metre Gauge Locomotives as on 30-9-58 is given below:—

	Steam	Diesel	Total
Western . . . . .	796	20	816
Northern . . . . .	321	..	321

### Railway Quarters at Delhi and New Delhi

606. **Shri Ram Krishan:** Will the Minister of Railways be pleased to state:

(a) the number of quarters proposed to be constructed at Delhi and New Delhi for the Northern Railway;

(b) the number of essential employees at Delhi who have not been provided with quarters; and

(c) by what time the quarters will be provided for essential staff?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) Apart from 44 units of different types of quarters, which will be completed during this year, a total number of 147 quarters comprising of different types have been programmed for construction during 1958-59.

(b) Class III 605 and Class IV 2,206.

(c) Due to limitation of funds and also due to progressive increase in the number of essential staff, it will take time before all essential staff is housed.

### Raised Platforms at Stations from Howrah to Burdwan

607. **Shri Subiman Ghose:** Will the Minister of Railways be pleased to state:

(a) the number of stations and halts in the new chord line from Howrah

to Burdwan where there are no raised platforms;

(b) whether there is any proposal to construct raised platforms on these stations and halts;

(c) if so, when the work is proposed to be taken up; and

(d) the order of priorities in which the stations will be provided with raised platforms?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) Six consisting of four flag stations and two halts.

(b) Yes.

(c) and (d) The works will be taken up shortly and progressed more or less simultaneously. The question of giving any preference to any of the stations, therefore, does not arise.

#### Survey of Fishery Resources in Brahmaputra River of Assam

608. Shrimati Masda Ahmed: Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that an officer of Central Inland Fisheries Research Station has been deputed to Assam by Government for arranging survey of River Brahmaputra to explore feasibility of catching fish in the river; and

(b) if so, the findings of the officer?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) and (b) Yes. The Officer was deputed in October, 1958, to make preliminary arrangements for conducting the survey. He has provisionally selected 19 sampling stations of fishery importance along the river Brahmaputra from Dibrugarh to South Salmara. It is proposed to conduct the survey during February-March, 1959.

#### Food Stocks in Orissa

609. Shri P. K. Deo: Will the Minister of Food and Agriculture be pleased to state:

(a) the total stock of rice and paddy both fine and coarse (in tons)

in possession of the Central Government and the State Government in the various districts of Orissa;

(b) the sources from which and the price at which the same has been procured; and

(c) at which rate they are to be supplied to the buyers?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) 8,200 tons of rice and 12,000 tons of paddy.

(b) These stocks were procured internally by the State Government at the following prices:

	(Price in Rs. per maund)		
	Common	Fine	Superfine
Rice	15.50	16.00	16.75
Paddy	8.75	9.25	9.75
	10		
	9.00		

(c) The State Government is issuing rice/paddy at the following prices:—

	(Prices per maund in Rs.)		
	Common	Fine	Superfine
Rice	18.00	19.60	21.60
Paddy	10.00	11.37	12.81

The prices of rice are inclusive of sales tax, no sales tax is levied on paddy.

#### Fair Price Shops in Orissa

610. Shri P. K. Deo: Will the Minister of Food and Agriculture be pleased to state:

(a) the number, district-wise, of fair price shops at present in Orissa;

(b) the prices at which foodgrains are being sold at these shops with particular reference to the Kalahandi and Phulbani district; and

(c) the prices of foodgrains obtaining in open market?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) to (c). A statement showing the district-wise number of fair price shops, the prices at which rice/paddy and wheat are being sold from these shops and the prices of rice/paddy obtaining in the open market is laid on the Table of the Lok Sabha. [See Appendix II, annexure No. 75.]

#### Indian Red Cross Society

612. Shri U. C. Patnaik: Will the Minister of Health be pleased to state:

(a) the amount of the financial help that the Indian Red Cross Society obtained from International Red Cross during the last five years;

(b) the amounts donated to it by the Union and State Governments during this period;

(c) the amounts collected from the public; and

(d) the income from lotteries and sweep stakes in India?

The Minister of Health (Shri Karmarkar): (a) The Indian Red Cross Society received the following financial help from the International Red Cross Committee and the National Red Cross Societies of various countries during the last five years:—

	Rs.
1953 . . . . .	36,474
1954 . . . . .	1,76,478
1955 . . . . .	2,77,617
1956 . . . . .	1,13,054
1957 . . . . .	35,846

(b) The grants received by the Indian Red Cross Society from the Union Government during the same period were as follows:—

	Rs.
1953 . . . . .	84,697
1954 . . . . .	2,77,371
1955 . . . . .	2,28,949
1956 . . . . .	4,27,000
1957 . . . . .	6,05,701

Government have no information regarding the grants given by State

Governments to the State Branches of the Indian Red Cross Society.

(c) The amounts collected by the Indian Red Cross Society through its all-India Fund Raising and Membership Drive held in the month of November during the last five years were as follows:—

	Rs.
1953 . . . . .	3,86,078
1954 . . . . .	3,86,909
1955 . . . . .	5,24,578
1956 . . . . .	5,42,241
1957 . . . . .	6,29,107

(d) Lotteries have been organised by the West Bengal and Punjab Branches of the Indian Red Cross Society. Government have no information regarding the amounts collected.

#### Foodgrains Godowns in Orissa

613. Shri U. C. Patnaik: Will the Minister of Food and Agriculture be pleased to state what progress has been made about building the Central foodgrains godown at Berhampur-Ganjam (Orissa) which was decided upon some years ago?

The Minister of Food and Agriculture (Shri A. P. Jain): Nil. On subsequent review, it was decided to defer the proposal.

#### Railway Stations in Bombay

614. Shri Pangarkar: Will the Minister of Railways be pleased to state:

(a) the total number of Railway Stations in Bombay State at present;

(b) whether Government propose to increase the number of Railway Stations in that State during 1959-60; and

(c) if so, the names of such Stations under consideration and the time by which the work will be started?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) 1,362, open for traffic, as on 1-11-1958.

(H) Yes.

(c) A statement is laid on the Table of the Lok Sabha. [See Appendix II, annexure No. 76.]

#### Railway Protection Force

615. Shri Pangarkar: Will the Minister of Railways be pleased to state:

(a) the quota reserved for Scheduled Castes and Scheduled Tribes in the Railway Protection Force on the Central Railway for the year 1958-59; and

(b) the number of persons selected during the same period belonging to these castes and tribes?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a)

	Sch. Castes	Sch. Tribes
Class III .	16	9
Class IV .	129	152
(b) Class III	5	1
Class IV .	136	14
(As on 30-10-1958)		

#### Pigs in India

616. Shri V. P. Nayar: Will the Minister of Food and Agriculture be pleased to state:

(a) whether the Government of India are encouraging the rearing of better stocks of pigs in India;

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

(c) whether the Government have any scheme to improve the breeds of pigs in India; and

(d) if so, details thereof?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) to (d). The Government of India recently sponsored an All-India Piggery Development Scheme under the Second Five Year Plan both for rearing and improving the breeds of pigs. A note indicating the main features of the scheme and the present position about its implementation is laid on the Table of the Lok Sabha. [See Appendix II, annexure No. 77.]

#### Food Value of Fish

617. Shri V. P. Nayar: Will the Minister of Food and Agriculture be pleased to state the food value of fish in calories as compared to rice, wheat and millets?

The Minister of Food and Agriculture (Shri A. P. Jain): The calorific value of fish may vary from fish to fish based on its protein, fat and other mineral contents. It may vary anywhere from 75 to 200 calories for 100 gm of fish. The calorific value of cereals like rice, wheat and millets is naturally high and it varies from 300 to 450 calories per 100 gm.

#### Poultry Products

618. Shri V. P. Nayar: Will the Minister of Food and Agriculture be pleased to state:

(a) the present production of poultry products and meat and meat products, State-wise; and

(b) how far it has increased from the 1947 level?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) and (b). Information is being collected and will be furnished to the Lok Sabha in due course.

#### Small Scale Fishing Harbours

619. Shri V. P. Nayar: Will the Minister of Food and Agriculture be pleased to state:

(a) whether the two harbour specialists engaged by the Government of India to conduct a survey and recommend suitable centres to develop small-scale fishing harbours have submitted their report, and

(b) if so, whether a copy of their report will be placed on the Table?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) Not yet.

(b) Does not arise.



### Fish Oils

620. **Shri V. P. Nayar:** Will the Minister of Food and Agriculture be pleased to state:

(a) what is the total value of Fish Oils produced in India at present; and

(b) what is the value of such oils consumed as food/medicine?

**The Minister of Food and Agriculture (Shri A. P. Jain):** (a) About Rs. 9 lakhs per annum.

(b) According to figures available, the value of such oils consumed as medicine is about Rs. 8 lakhs. No information is available regarding its use as food.

### Yield of Foodgrains in States

621. **Shri V. P. Nayar:** Will the Minister of Food and Agriculture be pleased to state:

(a) the latest position of per acre yield of foodgrains in the various States of India as compared to the per acre yield in 1950-51; and

(b) the per acre consumption of chemical fertilisers in the above States for foodgrains?

**The Minister of Food and Agriculture (Shri A. P. Jain):** (a) A statement is laid on the Table of the Lok Sabha. [See Appendix II, annexure No. 78.]

(b) This Ministry do not have firm figures of per acre consumption of fertilisers for foodgrains in the various States. However, on the basis of available information about the quantities of nitrogenous fertilisers reported to be distributed in different States under GMF and where this information is not yet available, on the basis of the quantities of nitrogenous fertilisers allotted to the States for various agricultural crops, estimates of average per acre consumption have been framed and are given in Statement No. 2. The estimates have been arrived at by dividing the figures relating to the quantities of fertilisers distributed or allocated by

the figures relating to total area under major foodgrains, i.e., rice and wheat during 1957-58. It may again be stated that the figures given in the Statement are only estimated averages framed on the basis of information available with the Ministry and may not be treated as firm figures.

In addition to the nitrogenous fertilisers, some quantities of phosphatic fertilisers are also distributed under GMF, but they are relatively less important for foodgrains.

### Production of Fish

622. **Shri V. P. Nayar:** Will the Minister of Food and Agriculture be pleased to state the latest figures for the annual production of fish meat, leafy vegetables and milk and milk products in each of the States in India?

**The Minister of Food and Agriculture (Shri A. P. Jain):** About 12.33 lakh metric tons of fish were produced in India in 1957. State-wise figures of production are not available. As regards the production of meat, milk and milk products, statements indicating the annual State-wise production in India are laid on the Table. [See Appendix II, annexure No. 79.] No information regarding annual production of leafy vegetables is available.

### Grant for Fisheries Schemes in States

623. **Shri V. P. Nayar:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether the Central funds allotted for the various States for fisheries schemes have been utilised in full or whether in several States there is a shortfall; and

(b) the latest position and the extent of shortfall in the various States in grants and aids made by the Centre for fisheries schemes?

**The Minister of Food and Agriculture (Shri A. P. Jain):** (a) There is a shortfall in several States.

(b) Two statements for the years 1956-57 and 1957-58 are appended. [See Appendix II, annexure No. 80.]

#### **Fish Canning Industry**

634. Shri V. P. Nayar: Will the Minister of Food and Agriculture be pleased to state:

(a) the present position of the fish canning industry in India; and

(b) the quantity of canned/tinned fish exported annually?

The Minister of Food and Agriculture (Shri A. F. Jain): (a) The Malabar Fisheries Co. at Beypore (Kerala) and the Madhu Canning Co in Bombay State have been doing canning of Sardine and Mackerel and Pomfrets respectively on a limited scale. Canning of prawns is being done on a fairly large scale in four factories in Cochin.

(b) All the canned fish is sold in India itself. At least 50,350 lbs. of canned prawns were exported during the period from January to September, 1958.

#### **Fish Preservation**

635. Shri V. P. Nayar: Will the Minister of Food and Agriculture be pleased to state:

(a) the estimated quantity of ice used in fish preservation and storage in India at present;

(b) the number of ice plants and fish freezing units in India at present;

(c) the total frozen fish produced; and

(d) exported per year?

The Minister of Food and Agriculture (Shri A. F. Jain): (a) It is difficult to estimate the quantity of ice used in fish preservation and storage as the number of ice plants has increased recently and shows prospects of further increase in the private sector. Such plants cater to the requirements of fish preservation as well as other commodities.

(b) There are at least 8 freezing units engaged in fish freezing. Information about the number of ice plants is not readily available.

(c) The information is being collected.

(d) About 450 to 500 tons per year.

#### **Production of Fish**

636. Shri V. P. Nayar: Will the Minister of Food and Agriculture be pleased to state:

(a) the total annual production of fish by Pisciculture in the various States in 1957-58; and

(b) how do these figures compare with the figures of 1956-57?

The Minister of Food and Agriculture (Shri A. F. Jain): (a) and (b). Information is being collected from the State Governments and will be placed on the Table of the House.

#### **Mechanised Fishing in India**

637. Shri V. P. Nayar: Will the Minister of Food and Agriculture be pleased to state:

(a) the present position of mechanised fishing in India; and

(b) the capital invested so far under the Second Plan for the mechanisation of the Fishing Industry?

The Minister of Food and Agriculture (Shri A. F. Jain): (a) Mechanisation of fishing craft has taken a progressive step in the States of Bombay, Kerala and Madras; more than 1,200 boats have been mechanised. Programmes of mechanisation in Mysore, Andhra and Orissa have already been initiated. Provision has been made to a limited extent for providing shore facilities and improved methods of fishing. Boat building yards are being established in Bombay, Mysore, Kerala, Madras and Andhra. Improved types of fishing gear are supplied to fishermen at

subsidised cost. Training in handling and maintenance of mechanised boats is provided in 9 centres in the States of Bombay, Mysore, Kerala, Madras and Andhra. A Special six-month course for training State Government Officers of the maritime States in designing and construction of small power fishing boats was organised under the supervision of the F.A.O. Naval Architect from 1st July to 31st December, 1957. A second course of this nature has been initiated on 1st July, 1958. Two F.A.O. Harbour experts have undertaken a survey of some of the important centres in Bombay, Mysore, Kerala and Madras for developing fishing harbours.

(b) During the Second Plan period, the following provision has been made for the mechanised fishing schemes:—

	(Rs. in lakhs)
1. Improvement of fishing craft . . . . .	54.82
2. Supply of fishing requisites . . . . .	54.45
3. Development of fishing harbours . . . . .	109.00
4. Improvement of tackle . . . . .	15.83
<b>TOTAL</b>	<b>234.10</b>

The actual figures of the capital invested so far in connection with the mechanisation of the fishing industry under the Second Plan are not available.

#### Assam Section of N.E.F. Railway

628. **Shrimati Masda Ahmed:** Will the Minister of Railways be pleased to state:

(a) in which stations facilities for overhauling locomotives, passenger bogies and wagons exist in Assam section of N.E.F. Railway;

(b) whether any overhauling work to engines, passenger bogies and wagons is pending; and

(c) if so, the number of each category and the time by which the overhauling which has fallen due will be done?

The Deputy Minister of Railways (Shri Shah Nawas Khan): (a) to (c). A statement furnishing the required information is laid on the Table of the Lok Sabha. [See Appendix II, annexure No. 81.]

#### New Railway Lines

629. { Shri D. C. Sharma:  
Shri Daljit Singh:

Will the Minister of Railways be pleased to state:

(a) the names of the Railway lines constructed so far during the Second Five Year Plan period; and

(b) the names of the lines to be constructed during the remaining years of the Second Five Year Plan?

The Deputy Minister of Railways (Shri Shah Nawas Khan): (a) A statement giving the new lines constructed so far and now under construction is laid on the Table of the Lok Sabha. [See Appendix II, annexure No. 82.]

(b) These are under consideration.

#### Zoo in Delhi

630. { Shri D. C. Sharma:  
Shri Ram Krishan:  
Shri Daljit Singh:

Will the Minister of Food and Agriculture be pleased to refer to the reply given to Starred Question No. 949 on the 5th September, 1958 and state the further progress made towards the construction of a Zoological garden in Delhi?

The Minister of Food and Agriculture (Shri A. P. Jain): Since the answering of Starred Question No. 949 on 5-9-58 in the Lok Sabha progress achieved further in the Establishment

of the Delhi Zoological Park is given below:—

1. Estimates and designs for the under-mentioned construction works to be taken up during the current and subsequent financial years have been prepared and completed.

- (i) enclosures for Rhino; (to be taken up in 1958-59).
- (ii) enclosures for elephants; (to be taken up in 1958-59.)
- (iii) enclosures for giraffes and ostriches.
- (iv) enclosures for brown bear.
- (v) enclosures for small hoofed animals.
- (vi) construction of hospital and quarantine.
- (vii) construction of convenience section.
- (viii) construction of parking spaces, sheds for 1000 cycles and compound walls.

2. The site for laying out a Japanese garden has been selected and estimates for the construction of water-ways and ponds, roads and culverts and provision of water distribution lines in the area covered by the Japanese garden have been completed.

3. A preliminary lay-out of the Botanical garden and a list of plants to be grown in it have been prepared and estimates have been framed for roads, ponds, and water-ways and laying unfiltered water lines in the garden.

4. Work on the eleven animal enclosures which was stated to be in progress in the last reply has reached an advanced stage of construction and in addition work in respect of one more enclosure has been started. These are all expected to be completed during this financial year. Work on the construction of main entry gate and booking offices has also been started and is expected to be completed by 31st March, 1959.

5. Work on the administrative block is also in an advanced stage and part of the building is expected to be ready after about a month for housing essential offices. \*

6. Codal formalities regarding eleven animal enclosures viz. leopards, bears, lions, elephants/Rhinos and large birds have been completed and work on these is expected to start shortly.

7. Further addition to the animals of the Zoo will be five kangaroos and twenty-four birds which have been offered as free gift by the Sydney Zoo, Australia. These animals are expected to reach the Zoo during the first week of December, 1958.

#### Stray Cattle in New Delhi

632. Shri Ram Krishan: Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that New Delhi Municipal Committee has sought aid for bringing stray cattle nuisance under effective control; and

(b) if so, the nature of the action taken by Government in this regard?

The Minister of Food and Agriculture (Shri A. P. Jais): (a) and (b). The New Delhi Municipal Committee have approached the Delhi Administration for arranging a grant of Rs 60,000 from the Ministry of Food and Agriculture for this purpose. The proposal is under the consideration of the Delhi Administration.

#### Jagadhri-Chandigarh-Rupar-Ludhiana Line

633. Shri Ram Krishan: Will the Minister of Railways be pleased to refer to the reply given to Starred Question No. 796 on the 2nd September, 1958 and state:

(a) whether the report on the traffic survey for Jagadhri-Chandigarh-Rupar-Ludhiana line has since been received;

(b) if so, the details thereof; and

(c) when the construction work on this line is likely to start?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) Not yet, Sir.

(b) Does not arise.

(c) This line is not included in the programme of new lines approved by the Planning Commission for construction during the Second Plan.

#### Dam on River Beas

634. { Shri Ram Krishan:  
Shri D. C. Sharma:  
Shri Hem Raj:

Will the Minister of Irrigation and Power be pleased to refer to the reply given to Starred Question No. 1382 on the 18th September, 1958 and state:

(a) whether the investigations regarding construction of Dam on the river Beas have been completed; and

(b) if so, the details thereof

The Deputy Minister of Irrigation and Power (Shri Jaisukhlal Hathi):

(a) The project is still under investigation by the Punjab Government

(b) Does not arise

#### Telephone Exchange at Charkhi Dadri

635. Shri Ram Krishan: Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that Government has decided to establish telephone exchange at Charkhi Dadri-Punjab during this year;

(b) if so, whether the work for setting up telephone exchange has been started;

(c) if so, by what time the work will be completed; and

(d) if the work has not been started since, the reasons therefor

The Minister of Transport and Communications (Shri S. K. Patil): (a) Yes.

(b) to (d). The installation is expected to be taken up early in December, 1958, and completed by the middle of the same month.

#### Fuel Consumption Committee

636. { Shri S. C. Samanta:  
Shri Barman:  
Shri Subodh Hansda:  
Shri Harish Chandra  
Mathur:  
Pandit D. N. Tiwary:  
Shri T. B. Vittal Rao:  
Shri Rameshwar Tantia:  
Shri Vidya Charan Shukla:

Will the Minister of Railways be pleased to refer to the reply given to Starred Question No. 834 on the 2nd September, 1958 and state:

(a) whether the Railway Board have since examined the report of the Fuel Consumption Committee;

(b) if so, the main recommendations made by the Committee and the decisions taken thereon; and

(c) the steps taken by Government to see that poor quality of coal is not supplied to Railways and that it conforms to the grades specified for supply?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) The report is under examination.

(b) A summary of the recommendations is placed on the Table of the House. [See Appendix II, annexure No. 83]. Action has been initiated on some of the recommendations.

(c) (i) The Ministry of Steel, Mines & Fuel have been requested to:

(i) introduce travelling picking belts on the surface of the coal mines to ensure efficient hand-picking of shale and dirt and loading of coal to specified grades,

(ii) expedite grading of the coals of the outlying fields,

(iii) revise the present grading of the Bengal & Bihar coals which is now over ten years old,

(iv) expedite the introduction of the contract system under which Railways can enter into contracts with individual collieries for the

procurement of Railway coal supplies. The contract conditions will include suitable clauses for imposing penalties in respect of supplies inferior to specified grades.

(c) (2) It has been decided to set up a Railway Coal Inspectorate at Dhanbad, which will in due course cover inspection of the entire supplies of coal to Railways from different coalfields.

Periodical quality surveys on a large scale will be carried out by Railways as a check on inferior supplies.

#### Soil Erosion in Himachal Pradesh

637. { Shri Barman:  
Shri Subodh Hansda:  
Shri S. C. Samanta:

Will the Minister of Food and Agriculture be pleased to state whether large scale erosion in Himachal Pradesh has been going on due to denudation of forests?

The Minister of Food and Agriculture (Shri A. P. Jain): Yes, Sir; but, only in the case of un-demarcated Forest and Waste Lands. Five Soil Conservation Schemes, 4 Forestry and 1 for Agricultural lands were sanctioned during 1958-59 at a total cost of Rs. 2.58 lakhs and work is progressing satisfactorily. Waste lands are being closed and afforestation and gully plugging works carried out.

हिमाचल प्रदेश में कृषि सम्बन्धी आंकड़े

६३८. श्री पद्म देव: क्या साख तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या हिमाचल प्रदेश में कृषि संबंधी आंकड़े इकट्ठे करने और उनमें सुधार की कोई योजना प्रारम्भ की गई है;

(ख) यदि हां, तो उस में अब तक क्या प्रगति हुई है; और

(ग) यदि उपरोक्त भाग (क) का उत्तर नकारात्मक हो, तो यह योजना कब प्रारम्भ की जायेगी।

साख तथा कृषि मंत्री (श्री ए० प्र० जैन): (क) अभी तक नहीं।

(ख) प्रश्न ही नहीं होता।

(ग) १९५६-६० में।

मन्त्री जिन (हिमाचल प्रदेश) में वसु-पालन योजना

६३९. श्री पद्म देव: क्या साख तथा कृषि मंत्री यह बताने की कृपा करेंगे कि हिमाचल प्रदेश के मंडी जिले में प्रारम्भ की गई वसु-पालन योजना के अन्तर्गत अब तक क्या प्रगति हुई है ?

साख तथा कृषि मंत्री (श्री ए० प्र० जैन): पूछी हुई जानकारी का एक विवरण सभा पटल पर रख दिया गया है। [देखिये परिशिष्ट २, अनुबन्ध संख्या ८४]

#### पञ्जुर्बों के रोम

६४०. श्री पद्म देव: क्या साख तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) हिमाचल प्रदेश के किन-किन जिलों में रिडरपेस्ट के उन्मूलन की योजना चालू की गई है; और

(ख) उक्त योजना के अन्तर्गत अब तक कितना काम किया जा चुका है ?

साख तथा कृषि मंत्री (श्री ए० प्र० जैन): (क) बिलासपुर और मंडी जिलों में।

(ख) इस योजना के अन्तर्गत बिलासपुर जिले में कार्य पूरा कर दिया गया है। मंडी जिले की सुन्दर नगर और मंडी तहसीलों में कार्य चालू है। दोनों जिलों में अभी तक १,१०,००० डोटों की टीके लगाये जा चुके हैं।

**Supply of Foodgrains to West Bengal**

641. { Shri S. M. Banerjee:  
Shri Halder:

Will the Minister of Food and Agriculture be pleased to state:

(a) the quantity of foodgrains supplied in November, 1958 and to be supplied in December, 1958 to West Bengal; and

(b) whether this quantity will be sufficient to meet the requirement?

The Minister of Food and Agriculture (Shri A. P. Jais): (a) 41,000 tons rice and 61,000 tons wheat have been allotted to West Bengal from the Central Reserve for the month of November, 1958. The allotment of rice and wheat for the month of December, 1958 is under consideration.

(b) Yes, Sir.

**Food Self-sufficiency in Hill Areas**

642. { Shri S. M. Banerjee:  
Shri Bhakt Darshan:  
Shri Naval Prabhakar:  
Shri Nagi Reddy:

Will the Minister of Food and Agriculture be pleased to state:

(a) whether a Committee has been set up to plan for Food self-sufficiency in Hill Areas; and

(b) if so, the composition of the Committee?

The Minister of Food and Agriculture (Shri A. P. Jais): (a) Yes, a Committee called the "Inaccessible Area Committee" has been set up.

(b) A statement showing the composition of the Committee is laid on the Table of the Lok Sabha. [See Appendix II, annexure No. 88].

**Contributory Health Service Scheme for Civilian Defence Employees**

643. { Shri S. M. Banerjee:  
Shri Tangamani:  
Shri Bhakt Darshan:  
Shri Naval Prabhakar:

Will the Minister of Health be pleased to state:

(a) whether the Contributory Health Service Scheme is not applicable to Civilian Defence Employees whose headquarters are Delhi but who reside in Shakurbasti;

(b) whether this Health Service Scheme is also not applicable to Civilian Defence Employees whose headquarters are Delhi Cantonment; and

(c) whether Government have any proposal to extend the Health Scheme to such Civilian Defence Employees?

The Minister of Health (Shri Karmarkar): (a) The Contributory Health Service Scheme is at present applicable to Civilian Defence Employees having their headquarters in Delhi/New Delhi and residing in areas covered by the C.H.S. Scheme. The Scheme is not applicable to any category of Government servants residing in Shakurbasti as the territorial jurisdiction of the Scheme has not been extended to that locality.

(b) The C.H.S. Scheme has not so far been extended to Civilian Defence Employees with headquarters in Delhi Cantonment;

(c) There is a proposal for the extension of the C.H.S. Scheme to Civilian Defence Employees of all categories working in Delhi Cantonment. No final decision has been taken so far.

डाक और तार विभाग में सतर्कता संगठन

६४४. श्री श्रीनारायण दास : क्या परि-  
बहन तथा संचार मंत्री यह बताने की कृपा  
करेंगे कि :

(क) क्या डाक और तार विभाग में  
अप्रत्याचार और अन्य दुराद्यों के उन्मूलन के

लिए सतर्कता संगठन स्थापित किया जा चुका है;

(ख) यदि हां, तो इस संगठन की क्षमता क्या है और किस स्तर पर किस प्रकार के पदाधिकारी रखे गये हैं; और

(ग) इस संगठन ने अब तक किस प्रकार का कितना काम किया है ?

परिवहन तथा संचार मंत्री (श्री स० का० पाटिल) : (क) जी हां ।

(ख) पिछले जून में सरकारी कर्मचारियों के प्रति की गयी शिकायतों का नपटान करने तथा भ्रष्टाचार व दुराचारों का सामना करने के निमित्त दण्ड देने तथा रोक-थाम रखने के उपायों को कार्यरूप देने के लिए १७ उच्च स्तर के अफसरों को १७ परिमण्डलों/प्रशासन-दफ्तरों में सतर्कता-अफसर नगाये जाने के प्रयोजन से चुना गया था ।

(ग) उनके द्वारा किये गये काम के प्रकार व उसकी मात्रा के विषय में अभी कुछ नहीं कहा जा सकता ।

#### Hotels and Indian Dress

645. Pandit D. N. Tiwary: Will the Minister of Transport and Communications be pleased to state:

(a) whether there are any Hotels in the country which do not allow Indians in Indian dress namely Dhoti and Kurta to enter their precincts;

(b) if so, their names; and

(c) the steps being taken to put down such discriminatory behaviour?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) No, Sir.

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

#### Repairs of Roads in New Delhi

646. { Pandit D. N. Tiwary:  
Shri Harihar Chandra Mathur:

Will the Minister of Health be pleased to state:

(a) whether all the roads damaged by rains in July, 1958 in New Delhi area have not been repaired as yet;

(b) if so, the number of roads which still await repairs; and

(c) the estimate of damage and the cost of repair of such roads?

The Minister of Health (Shri Karmarkar): (a) and (b). All the roads in New Delhi area damaged by rains have been repaired.

(c) The estimated expenditure on the repairs is Rs. 10,000/-.

#### Model Town Planning Legislation

647. Shri Ram Krishan: Will the Minister of Health be pleased to state:

(a) whether it is a fact that Government is considering the question of introducing "a Model Town Planning Legislation"; and

(b) if so, the progress made so far in this direction?

The Minister of Health (Shri Karmarkar): (a) and (b). A draft Model State Town Planning Legislation prepared by the Institute of Town Planners India was circulated to State Governments in October, 1957, for their comments. This matter was considered in the meeting of the Central Council of Local Self Government held in New Delhi from 27th to 29th October, 1958 when it was decided that the Central Regional and Urban Planning Organisation should convene a conference of representatives of State Governments at an early date to examine the problem of Town Planning in the country in all its aspects and make their recommendations. Further action in this regard will be taken when the recom-



recommendations of this conference are available.

#### Re-modelling the Sirhind Canal

648. Shri Ram Krishan: Will the Minister of Irrigation and Power be pleased to state:

(a) whether the work of re-modelling the Sirhind Canal has been completed;

(b) if not, the reasons for delay; and

(c) the probable date by which this work will be completed?

The Deputy Minister of Irrigation and Power (Shri Nathi): (a) Yes.

(b) and (c). Do not arise

#### Punjab State Transport Corporation

649. Shri Ram Krishan: Will the Minister of Transport and Communications be pleased to state.

(a) whether it is a fact that Punjab Government have not agreed to set up State Transport Corporation as suggested by the Planning Commission; and

(b) if so, the reasons therefor?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadar): (a) No. A Corporation known as the PEPSU Road Transport Corporation is already functioning in the former Pepsu area of the existing State of Punjab. The Punjab Government have also agreed to join the tripartite Corporation proposed to be set up for the operation of road transport services on the inter-State route from Pathankot to Manali, the Himachal Pradesh Administration and the Ministry of Railways being the other two participants. The question of setting up a Road Transport Corporation for the remaining areas of Punjab is under the consideration of the State Government.

(b) Does not arise.

MS7 L.S.D.—4

#### Rice from Burma

650. Shri Ajit Singh Sarhadi: Will the Minister of Food and Agriculture be pleased to state:

(a) whether recent changes in Burma have affected in any way supply of rice to India; and

(b) if so, to what extent?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) No, Sir.

(b) Does not arise.

#### Sugar Mills in Punjab

651. Shri Ajit Singh Sarhadi: Will the Minister of Food and Agriculture be pleased to state:

(a) the percentage of recovery from sugarcane in the Jagadhri Sugar Mill area during the year 1957-58; and

(b) the percentage of recovery of sugar in the Phagwara and Bhogpur Sugar Mill areas?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) 9.74 per cent

(b) Phagwara 9.45 per cent

Bhogpur 8.98 per cent

#### रेलगाड़ी पर पत्थर कंकन

६५२. श्री रघुनाथ सिंह : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि क्या यह सच है कि ६ अक्टूबर, १९५८ को कुछ छात्रों ने धारा स्टेशन के पास जैन कालेज के सामने जनता ग्रुप एक्सप्रेस की जंजीर लीची और उस पर ईंट-पत्थर चलाये जिसके फलस्वरूप कई यात्रियों को चोटें आईं ?

रेलवे उपमंत्री (श्री शाहनवाज खां) : जी हाँ। ६-१०-५८ को कुछ विद्यार्थी हावड़ा-दिल्ली जनता एक्सप्रेस में सफर कर रहे थे। छात्रों के झुंडों में से उन्होंने झगड़ा किया और जैन कालेज, धारा के सामने धारा जंजीर लीची। गाड़ी से झटकर कर विद्यार्थियों

ने बोगी नम्बर सी० टी० वाई० ६८८६ पर पत्थर मारे जिसकी वजह से सात मुसाफिरों को चोटें आईं और बोगी की खिड़कियों के शीशे टट गये।

### Land Acquisition Act

**653. Shri Hem Raj:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether Government propose to amend the Land Acquisition Act; and

(b) if so, when the amending Bill is proposed to be brought before the House?

**The Minister of Food and Agriculture (Shri A. P. Jain):** (a) and (b). The Law Commission have made certain recommendations in their Tenth Report in connection with the amendment of the Land Acquisition Act. A decision for amending the Act will be taken in the light of the examination of the various recommendations. This is likely to take some time.

### Transport Capacities of Mines in Orissa

**654. Shri Damani:** Will the Minister of **Railways** be pleased to state the additional railway facilities programmed and implemented during the Second Five Year Plan to increase the transport capacities of mines in Orissa?

**The Deputy Minister of Railways (Shri Shahnawaz Khan):** The additional Railway facilities planned and implemented so far during the Second Five Year Plan for movement of additional iron ore, manganese ore and limestone traffic from mines in Orissa, and as follows:—

(i) Doubling of the line between Rajkharwan and Barajamda (60 miles, of which 53 miles have since been completed).

(ii) Opening of a new 18 miles branch line from Noamundi to Banspani. (This has since been completed).

(iii) Extension to the Barajamda-Barabil branch to Panposh Gorge (6 miles).

(iv) Expansion of Gua, Barajamda-Noamundi and Dangoaposi yards.

(v) Opening of a new branch line from Rourkela to Mumaro (42 miles).

(vi) Provision of two ore loading siding at Jajpur Keonjhar Road. (These have since been provided).

(vii) Improvement to track and rebuilding of Koel bridge on Rourkela-Birmitrapur branch to permit running of WG engines to carry heavier loads.

(viii) Remodelling of Birmitrapur Yard.

The items (i) to (vi) are for movement of iron ore and manganese ore and the remaining are for limestone traffic.

For movement of iron ore from the Kiriburu area via Vizagapatnam Port, new lines are proposed to be constructed from Kiriburu to the proposed Rourkela-Dumaro branch and a rail link between Sambalpur and Titilagarh—the foreign exchange portion to be financed as part of a Foreign Aid Tripartite Scheme and as an addition to original Second Plan works. These facilities will not be available till the Third Plan period.

### Cotton Seeds

**655. Shri Damani:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether researches have been conducted in breeding for increasing the oil contents of cotton seeds; and

(b) if so, result and nature thereof?

**The Minister of Food and Agriculture (Shri A. P. Jain):** (a) Research is in progress at the Cotton Technological Research Laboratory of the

Indian Central Cotton Committee at Matunga to determine the oil content of various strains of cotton available in the cotton breeding experiments at the different Research Centres with a view to collecting the preliminary data on which to base and plan the future line of work for breeding for increased oil content.

(b) Experimental work on the determination of oil content done so far has indicated that, on an average, the oil content of American cotton seed is about 18-19 per cent., and that of the arboreum and herbaceum cotton 17-18 per cent. It was also found that there was no correlation between the oil content of the seeds and other characters like fibre length, fibre weight, etc.

#### Electro-Thaxter for Delhi

656. Shri Ram Krishan: Will the Minister of Health be pleased to state:

(a) whether it is a fact that Government have decided to secure an electro-Thaxter for Delhi for the humane destruction of stray dogs;

(b) if so, whether the instrument has been secured; and

(c) if so, whether its use has been started?

The Minister of Health (Shri Karmarkar): (a) The New Delhi Municipal Committee has made budget provision for the purchase of Electro-Thaxter for use in the Civil Veterinary Hospital, New Delhi.

(b) The Electro-Thaxter has not yet been secured as it is not available with the firms in India.

(c) Does not arise.

#### Overbridge at Ambala

657. Shri Ram Krishan: Will the Minister of Railways be pleased to refer to the reply given to Unstarred Question No. 804 on the 25th August, 1958 and state:

(a) whether the drawings and estimates for the overbridge at the level-crossing in Ambala on G.T. Road have been prepared; and

(b) if so, the details thereof?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) and (b). Approval to the general arrangement drawing for steel girder portion has recently been received from the Punjab P.W.D. Plans for the designs of abutment and foundation are in hand and will be shortly sent to the Punjab P.W.D. for approval. Necessary estimates will be prepared on receipt of State Government's acceptance to the plans.

#### Ganga River Board

658. Shri Bimal Ghose: Will the Minister of Irrigation and Power be pleased to refer to the reply given to Unstarred Question No. 2556, on the 23rd September, 1958 and state:

(a) whether any decision has since been taken on the proposal received from the West Bengal Government for the establishment of a River Board for the Ganga; and

(b) if so, the nature thereof?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) and (b). No, Sir. Collection of certain data that are essential to enable the River Board, when established, to function usefully has, however, been taken up.

#### Bridges over River Ghagra at Dohrighat and Ayodhya

659. Shri Kalika Singh: Will the Minister of Transport and Communications be pleased to state:

(a) what progress has since been made in the construction of bridges over river Ghagra at Dohrighat and Ayodhya; and

(b) what is the time schedule for the completion of the bridges?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) The construction of a permanent bridge over river Ghagra at Dohrighat has been given low priority on account of financial limitations and restrictions

on foreign exchange expenditure and, as an interim arrangement, the question of constructing a temporary boat bridge is being considered.

As regards bridge over river Ghagra at Ayodhya, the work of constructing guide bunds has been sanctioned at a cost of Rs. 80.52 lakhs and is in progress. The plans and estimates for the bridge proper are under preparation.

(b) The temporary boat bridge at Dohrighat is likely to be put up by the end of 1959. The construction of a pucca bridge at Ayodhya will take about three years from the date of commencement of work.

#### Fuel Consumption on different types of Railway Steamers

660. Shri Rajendra Singh: Will the Minister of Railways be pleased to state:

(a) what is the present volume of daily fuel consumption on different types of railway steamers plying in Bihar and Bengal,

(b) whether it is a fact that during the last few years fuel consumption has increased, on these steamers, and

(c) if so, reasons therefor?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) to (c) The information is being collected from the Railways and will be placed on the Table of the House as soon as it is received.

#### Re-appearing of a River in U.P.

661. Shri Raghunath Singh: Will the Minister of Food and Agriculture be pleased to state whether it is a fact that a forgotten river Harinad which ceased to flow centuries ago and is remembered only in folklore has re-appeared in Agra district in U.P. during the recent heavy rains and floods?.

The Minister of Food and Agriculture (Shri A. P. Jain): Due to excessive rainfall in Sujhia area in Aligarh district in August, 1958, there was a

heavy flow of water towards Agra district. The water entered Etmadpur tehsil near village Amanabad and flowed along an old natural depression in that region. It ultimately joined the Sirsa river in Ferozabad tehsil near village Asan. It is expected that it would soon dry up. It is not possible to say definitely from the available records that the forgotten river has reappeared.

#### अंशदायी स्वास्थ्य सेवा योजना

६६२. { श्री भक्त वसंत :  
श्री नवल प्रभाकर :

क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि अंशदायी स्वास्थ्य सेवा योजना अभी तक भारत सरकार की सभी श्रेणियों के कर्मचारियों पर लागू नहीं की जा सकी है, और

(ख) यदि हाँ, तो किम-किम मंत्रालय के किम-किम श्रेणी के कर्मचारी इस मुविधा से वंचित हैं ?

स्वास्थ्य मंत्री (श्री करमरकर) :

(क) जी हाँ ।

(ख) निम्नांकित वर्गों के केन्द्रीय सरकारी कर्मचारी अंशदायी स्वास्थ्य सेवा योजना के प्रतर्गत नहीं आते हैं :—

- (१) दिल्ली कैप्ट में काम करने वाले प्रतिरक्षा मंत्रालय के दैनिक कर्मचारी;
- (२) बक चाउई स्टाफ जो नियमित संस्थापन पर नहीं हैं;
- (३) केन्द्रीय सरकारी कर्मचारी, जो प्रति-निमित्त में अथवा उन सर्व-सरकारी संस्थाओं में स्वास्थ्य विभागों (दिल्ली नगर निगम के प्रतिरक्षा) की बाध्यता में हैं, जो अंशदायी

स्वास्थ्य सेवा योजना में विधि-  
बत् शामिल नहीं हैं;

(४) रेलवे सेवाओं के (रेलवे बोर्ड  
एवं सम्पर्क-कार्यालय के कर्म-  
चारियों के प्रलावा), वे सर-  
कारी कर्मचारी, जो प्रलग  
नियमों से प्रशासित होते हैं;  
और

(५) ऐसे सरकारी कर्मचारी, जो  
दिल्ली और नई दिल्ली में काम  
करते हैं, लेकिन दिल्ली के  
चारों तरफ बाहरी क्षेत्रों में  
रहते हैं।

#### Yoga Training

663. Shri Ram Kriahan: Will the  
Minister of Health be pleased to state:

(a) whether there is any scheme  
for providing facilities for Yoga train-  
ing during the Second Five Year  
Plan period; and

(b) if so, the main features of the  
scheme?

The Minister of Health (Shri  
Karmarkar): (a) No . . .

(b) Does not arise.

#### All India Institute of Hygiene and Public Health, Calcutta

664. Shri Subiman Ghose: Will the  
Minister of Health be pleased to state:

(a) the number of students in the  
students' Hostel at Singur Health and  
Training Centre of the All India Ins-  
titute of Hygiene and Public Health;

(b) how many of them are from  
foreign countries;

(c) how many trainees have taken  
their training in this Centre uptil  
now; and

(d) in which year trainees from the  
foreign countries came first?

The Minister of Health (Shri  
Karmarkar): (a) 72 students.

(b) 11 students are from foreign  
countries.

(c) 2186 students.

(d) 1944.

#### Corneal Transplantation Surgery

665. Shri N. R. Munisamy: Will the  
Minister of Health be pleased to state  
what was the technique evolved be-  
tween the American Eye Surgeons,  
representing Medical International  
Co-operation, and Madras Ophthalmo-  
logists who met and discussed on the  
25th September, 1958 in Madras as re-  
gards corneal transplantation surgery?

The Minister of Health (Shri  
Karmarkar): No new technique was  
evolved between the American Eye  
Surgeons representing the Medical  
International Co-operation and the  
Madras Ophthalmologists during their  
discussions on the 25th September,  
1958 at the Government Ophthalmic  
Hospital, Madras, as regards trans-  
plantation surgery. The American  
Ophthalmologists, Dr. H. Saul Sugar,  
Dr. Ronald Lowe and Dr. A. Benedict  
Rizzutti are reported to have deliver-  
ed lectures on "Pupil Block in Apha-  
kic Eyes", "Acute Glaucoma require-  
ing cataract extraction" and "Cataract  
Surgery after Glaucoma operation"  
respectively. Thereafter there was  
only a discussion in which one of the  
Medical Officers enquired from the  
visiting Ophthalmologists, whether  
corneal transplantation could be done  
in acute ocular condition to which  
they did not give any definite reply.

#### Indigenous Capacity for Railways Equipment

666. { Shri Halder:  
Shri Ram Krishan:

Will the Minister of Railways be  
pleased to state:

(a) whether it is a fact that at the  
commencement of the Second Five  
Year Plan indigenous capacity for  
certain important items of Railway  
equipment was very low;

(b) if so, what steps the Government have taken for creating and developing indigenous capacity; and

(c) what kind of help was given by the World Bank for import of those essential equipments?

The Deputy Minister of Railways (Shri Shahnawas Khan): (a) Yes.

(b) A statement is laid on the Table of the Sabha. [See Appendix II, annexure No. 86.].

(c) Two Loans aggregating \$ 175 millions.

दिल्ली का बिड़ियाघर

६६७. श्री विभूति मिश्र : क्या साख तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) अब तक दिल्ली के बिड़ियाघर के लिये कितने स्थानों से जानवर लाये गये हैं और वे कौन कौन से जानवर हैं;

(ख) क्या यह सच है कि जो जानवर यहाँ रखे गये हैं उन सब के लिये दिल्ली की चलबायु अनुकूल नहीं है; और

(ग) क्या सरकार इस बात को देखते हुए बिड़ियाघर को किसी और जगह ले जाने का विचार कर रही है ?

साख तथा कृषि मंत्री (श्री प्र० प्र० जैन) :

(क) एक विवरण सभा की टेबल पर रख दिया गया है। [देखिये परिशिष्ट २, अनुबन्ध संख्या ८७]

(ख) जी नहीं।

(ग) प्रश्न ही नहीं होता।

Wheat Seeds Supplied by Punjab

६६८. श्री मोहन स्वराज : Will the Minister of Food and Agriculture be pleased to state:

(a) whether the Punjab Government have supplied wheat seeds to

some States to help Rabi sowing and the Central Government have agreed to supply equivalent quantity of wheat to the Punjab Government in lieu of this wheat seed; and

(b) if so, the quantity of wheat which is being supplied and the names of the States going to be benefited?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) Yes, Sir.

(in maunds)

(1) Rajasthan . . .	1,50,000
(2) Madhya Pradesh . . .	1,00,000
(3) Uttar Pradesh . . .	5,00,000
(4) Bihar . . .	25,000

TOTAL . . . 7,75,000

Electric Train in the Howrah-Burdwan Chord Line

६६९. श्री सुबिमन घोष : Will the Minister of Railways be pleased to state:

(a) whether there is any scheme to introduce Electric Train Service in the Howrah-Burdwan Chord line;

(b) if so, when the scheme is proposed to be taken up and when it is expected to be completed; and

(c) the estimated cost of the scheme?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) to (c). Howrah-Burdwan chord is an integral part of the section Durgapur-Burdwan-Howrah-Docks, electrification of which has already been included in our programme for electrification during the Second Plan period. Due to various reasons such as difficult foreign exchange position, non-availability of power etc. the work on the sections included in the Second Plan period had to be rephased. It has been decided to undertake during the Second Plan period, only the civil engineering work on Durgapur-Burdwan-Howrah-Docks section. The other electrical works i.e. installation of Overhead Equipment, provision of substations, alterations to signals and telecommunications etc. will be executed during the 3rd Plan period so

as to synchronise with the time of availability of power. It is assessed that the cost of electrification of Durgapur - Burdwan - Howrah - Docks section will be approximately Rs. 13.4 crores.

**Gandak, Rapti, Ghagra and Rohini Projects**

670. **Shri Kalika Singh:** Will the Minister of Irrigation and Power be pleased to state:

(a) in what years respectively the Gandak, Rapti, Ghagra and Rohini projects were proposed for the first time and what progress has been made in finalization of plans;

(b) when are the above projects likely to be undertaken for execution; and

(c) what are the tentative estimates, benefits and targets of the above projects?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) to (c). A statement is placed on the Table of the House, containing the requisite information. [See Appendix, II, annexure No. 88.]

**Railway Fare from Titara to Kalol**

671. **Shri P. R. Patel:** Will the Minister of Railways be pleased to state:

(a) whether any representations have been received by Government that the distance for charge between Kalol and Titara Stations should be four miles instead of five miles; and

(b) if so, the action taken thereon?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) Yes.

(b) With effect from 1st November, 1958 passenger fares are being levied on the basis of four miles only.

**Brahmaputra Bridge**

672. **Shrimati Madda Ahmed:** Will the Minister of Railways be pleased to state:

(a) whether contract for the construction of the Brahmaputra Bridge has been settled; and

(b) if not, when it is likely to be settled?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) Yes. Sir. M/s. Hindustan Construction Co. have been awarded the contract for construction of the foundations and substructures of the Brahmaputra Bridge.

(b) Does not arise.

**National Malaria and Filaria Programmes in Andhra Pradesh**

673. **Shri E. Madhusudan Rao:** Will the Minister of Health be pleased to state:

(a) the total amounts of contribution by the Government of India to Andhra Pradesh Government under the National Filaria Control Programme and National Malaria Control Programme, separately, so far;

(b) whether any amount has been allotted for controlling Malaria in Andhra Pradesh under the Malaria Education Programme for 1958-59;

(c) whether any other assistance has been given; and

(d) whether any report has been received by Government from the Government of Andhra as to the amount spent, district-wise, uptil now?

The Minister of Health (Shri Kar-markar): (a) Rs. 11.48 lakhs under the National Filaria Programme from 1955-56 to 1957-58 and Rs. 49.56 lakhs under the National Malaria Control Programme from 1953-54 to 1957-58.

(b) A sum of Rs. 47.57 lakhs has been tentatively allocated to Andhra

Pradesh as Central assistance during 1958-59 under the National Malaria Eradication Programme.

(c) Yes. In addition to the financial assistance and assistance in the shape of material and equipment, technical assistance by the staff members of the Malaria Institute of India, as and when required, is also placed at the disposal of the State Government. The officers of the Central Government are frequently visiting the State to assist the health authorities in the implementation of the programmes.

Ten Medical Officers and two filaria inspectors nominated by the State Government have also been trained at the Filariasis Training Centre at Ernakulam for the implementation of the Filaria Control Programme, 14 medical officers and 5 Malaria Inspectors have been trained in Malariology from Andhra Pradesh so far. Publicity material in the form of posters, brochures and cinema slides etc. have also been supplied to Andhra Pradesh in connection with the National Malaria Eradication Programme Publicity week which was observed in June, 1958.

(d) No district-wise expenditure report either for National Filaria Control Programme or for National Malaria Control Programme has been received from the Government of Andhra. However according to the reports received from the State Government, they have incurred the following expenditure:

	National Malaria Control Programme	National Filaria Control Programme
	Rs.	Rs.
1953-54	6,06,000	..
1954-55	4,37,316	..
1955-56	3,27,503	1,80,343
1956-57	9,05,541	49,311
1957-58	17,09,400	49,508

#### Technical Training Centres of Central Water and Power Commission

674. Shri Kodiyar: Will the Minister of Irrigation and Power be pleased to state:

(a) the number of technicians trained in the Technical Training Centres of the Central Water and Power Commission during the last two years;

(b) the expenses incurred on each trainee and the total expenditure on the training of technicians during these periods; and

(c) the number absorbed in service after the training?

The Deputy Minister of Irrigation and Power (Shri Nathi): (a) 134 persons received training at the Technical Training Centres at Kotah and Nagarjunasagar during the last two years.

(b) The approximate expenditure incurred on each trainee is Rs. 8,000 per year. The total expenditure incurred on each Training Centre during the last two years amounts approximately to Rs. 16.86 lakhs of which Rs. 4 lakhs represent recurring expenditure and Rs. 12.86 lakhs non-recurring expenditure, mainly on account of the cost of machinery and equipment purchased for the Centre.

(c) Out of 134 persons, who have completed training, 83 were absorbed in Government employment, 5 in semi-Government organisations and 9 in private firms. Information regarding the remaining 37 persons is not readily available.

#### Radio License

675. Shri Subman Ghose: Will the Minister of Transport and Communications be pleased to state:

(a) the reason for prohibition for keeping more than one radio-set on one license in the same premises instead of four which was allowed before; and

(b) the reason for insisting on having separate license even for the



unused sets kept in the same premises?

The Minister of Transport and Communications (Shri S. K. Patil): (a) There are two kinds of licences for radio sets (i) for the use of sets, and (ii) for the possession of sets. The second kind of licence is meant for sets which are actually not in use and are mainly for use by the Radio dealers.

(b) Prior to 1st November, 1958, there was no limit to the number of sets in use in the same premises that could be kept under the first kind of licence. This concession has now been withdrawn and individual sets in use have to be licensed. This has been done with a view to prevent unauthorised use of radio sets. Further, licensing fee is charged for the services rendered by the All India Radio broadcasts. The charges are therefore naturally to be levied on the basis of each set in actual use.

No change has however been made in respect of licences for possession of sets and any number of them can still be held under one licence in the same premises provided they are not in use.

#### Floods Protection Measures

676. Shri Jhulan Sinha: Will the Minister of Irrigation and Power be pleased to state whether any assessment has been made of the total area saved from the effects of floods as a result of the flood protection measures taken so far during the last five years?

The Deputy Minister of Irrigation and Power (Shri Hathi): The reply is in the affirmative. Over 50 lakh acres of land, 42 towns and 4,000 villages have benefited by flood protection works executed in the country so far.

#### Renewal of Track on Chupra-Savan Branch Line.

677. Shri Jhulan Sinha: Will the Minister of Railways be pleased to

state:

(a) whether it is a fact that complete replacement and renewal of the track on the Chupra-Savan via Mashrak branch line has been decided upon;

(b) whether it is a fact that the trains on this line had been running inordinately late due to slow movement of the engines as a precaution against derailment on this outworn line and therefore the time-table was revised frequently and all the train timings were advanced by an hour or two to make up the lee-way; and

(c) whether the inconvenience caused to passengers destined for long distance connected trains has been taken into consideration?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) Yes, Sir.

(b) Yes, Sir. The timings of passenger trains on Mashrak-Thawe Section of the line had to be revised with effect from 7-9-58 with slower speed due to old track.

(c) Yes, Sir. Endeavours have been made to provide the maximum number of connections possible at Chupra and Savan Stations.

#### Timber from Andamans

678. { Shri P. K. Deo:  
Shri B. C. Prodhan:

Will the Minister of Food and Agriculture be pleased to state:

(a) the steps taken to export timber from the Andaman Islands; and

(b) whether Government propose to set up plywood and homogeneous wood factories in Andaman forests in Public sector?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) Timber available in Andamans is exported to the Mainland by the Andamans Administration themselves in respect of timber exploited in the South and Middle Andamans and through

contractor, M/S. P. C. Ray & Co. (I) Private Ltd. of Calcutta in respect of the timber exploited in North Andamans. The timber is carried by Government owned ships MV "Andamans" and MV "Nicobar" as well as by Coastal Conference Line's ships so far as Government timber is concerned. M/S P. C. Ray & Co. (I) Private Ltd. bring their timber in their own ship and in ships chartered by them.

(b) There is no such proposal under consideration, as the present production is required to meet the demand of factories located on the mainland.

#### Wild Animals

679. { Shri P. K. Das:  
Shri B. C. Prodhan:

Will the Minister of Food and Agriculture be pleased to state what steps are being taken to preserve the wild buffaloes in the forests of Orissa, Madhya Pradesh and Assam, as it is a vanishing species?

The Minister of Food and Agriculture (Shri A. P. Jain): Steps are being taken to declare Wild Buffaloes as completely protected in Orissa. In Madhya Pradesh the shooting of wild buffaloes is prohibited till 1962. In Assam wild buffaloes are completely protected in wild life sanctuaries and the wild life reserves. The shooting of wild buffaloes is permitted under licence in Class I Forest Reserves in Assam but the shooting of cow buffaloes is prohibited.

#### Quarters for Railway Employees

680. Shri Rajendra Singh: Will the Minister of Railways be pleased to state the number of class III and IV staff who have not been allotted railway quarters Zone-wise in spite of their requests for the same?

The Deputy Minister of Railways (Shri Shah Nawas Khan): Information is being collected and will be laid on the table of the Sabha.

#### Purchase of Rice

681. Shri Nagi Reddy: Will the Minister of Food and Agriculture be pleased to state:

(a) the total quantity of rice purchased by the Centre in the months of July, August, September and October, 1958;

(b) the rate at which rice has been purchased; and

(c) the States to which the purchased cereals have been diverted?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) The quantities of rice purchased by and actually delivered to the Centre are given below:—

	(About tons)
July	12,000
August . . . . .	7,000
September . . . . .	8,000
October . . . . .	3,000

(b) The rates at which different varieties of rice have been purchased are given below:—

#### ANDHRA

Varieties of Rice	Maximum price per maund net weight (82-2/7 lbs) inclusive of the cost of gunny bags.
	Krishna, West Godavari, East Godavari & Guntur Districts
1	2
	Rice Rs. nP.
1. Fine	
K. 12 (Sanna Kusuma)	17.50
Delhi Bhogam (Vankasannam) s . . . .	18.00
SKK (Sanna Krishna Katukulu) . . . . .	18.75
Kichdi (Kichidi Samba)	19.25
Bangaruthagal . . . . .	20.00
Other varieties . . . . .	17.50

1	2
2. Caste	Rs. nP.
Nallariu or other red varieties . . .	15.50
Garikallu . . .	16.00
Basangi . . .	16.00
Kusuma . . .	16.75
Akkullu . . .	17.00
3. Other varieties . . .	16.00

Remark: The prices specified above were the maximum controlled prices for fair average quality subject to cuts as provided for in the Price Control Order.

## PUNJAB

Variety	Price per maund bagged
	Rs. nP.
Begni . . . . .	18.00
Dara and Sela Joshi . . .	16.50
Basmati Raw . . . . .	25.00
Basmati Boiled (Sela) . . .	22.75
Hanaraj, Mushkin, Parmal, Ramjawan and Chahora :	
(a) Raw . . . . .	22.25
(b) Boil . . . . .	20.50
White Tota . . . . .	12.25
Mongra . . . . .	16.25
Kani . . . . .	8.50

Remarks: The prices specified above are for fair average quality conforming to the specifications fixed for each variety and subject to quality cuts as provided in the specifications.

(c) Out of the rice procured in Punjab, some quantity was supplied to the State of Jammu & Kashmir direct. The balance quantity procured in Punjab and the entire quantity procured in Andhra Pradesh were moved to the Central Storage Depots situated in various States including Punjab and Andhra Pradesh, for supply later to the needy areas.

## बीकानेर डिबीजन में सार्वजनिक टेलीफोन कार्यालय

६८२. श्री ए० सा० बाबुपाल : क्या परिवहन तथा संचार मंत्री यह बताने की कृपा करेंगे कि दूसरी पंचवर्षीय योजना की शेष अवधि में बीकानेर डिबीजन की कितनी सहूलियों और मुख्य नगरों में सार्वजनिक टेलीफोन कार्यालय खोलने की योजना है ?

परिवहन तथा संचार मंत्री (श्री स० का० पाटिल) : \*पांच, यथात् कोलावत, लुकरनसर, नोखा, पद्मपुर और श्री हंगरगढ़।

## Roads in Tripura

683. Shri Dasaratha Deb: Will the Minister of Transport and Communications be pleased to state:

(a) the total mileage of District Roads constructed by Tripura Administration during 1958, so far;

(b) the total amount of money spent for these roads;

(c) whether the progress of construction is satisfactory; and\*

(d) if not, what steps are being taken to speed up construction?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) 94 miles were constructed, and 88 miles were improved.

(b) Rs. 84.12 lakhs, including the expenditure incurred on the construction of bridges over Deo, Manu and Khowsai on the Assam-Agartala Road.

(c) Yes.

(d) Does not arise.

## Inspectors of Post Offices

684. Shri Daljit Singh: Will the Minister of Transport and Communications be pleased to state:

(a) the number of Inspectors of Post Offices in the Punjab Circle, Ambala; and

\*अस्तावों के स्वाध-संगत होने तथा उपयुक्त स्थान के मिलने पर निर्भर है।

(b) the number of such Inspectors among them belonging to Scheduled Castes and Scheduled Tribes?

The Minister of Transport and Communications (Shri S. K. Patil): (a) Sixty-five including Head Clerks to Superintendent of Post Offices who are in the same cadre.

(b) Scheduled Castes. Six  
Scheduled Tribes. Nil.

#### Railway Gazette

635. Shri Daljit Singh: Will the Minister of Railways be pleased to state:

(a) the languages in which the Railway Gazette is published;

(b) the time of its publication; and

(c) the yearly expenditure including the salaries of employees therefor?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): A statement giving the required information is laid on the Table of the Lok Sabha. [See Appendix II, annexure No. 89.]

#### Central Council of Local Self-Government

636. { Dr. Ram Subhag Singh:  
Shri L. Achaw Singh:

Will the Minister of Health be pleased to state:

(a) whether the Central Council of Local Self-Government met on the 27th October, 1958, in Delhi; and

(b) if so, what are the chief recommendations of that Council?

The Minister of Health (Shri Kar-markar): (a) Yes

(b) Two statements indicating the main recommendations made in that meeting are laid on the Table of the Lok Sabha. [See Appendix II, annexure No. 90.]

#### Purchase of Ships

637. Shri Raghunath Singh: Will the Minister of Transport and Communications be pleased to state what amount of foreign exchange was spent to purchase the second-hand or new ships during the last 13 years either by private or public sector?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): A statement is laid on the Table showing the amount of foreign exchange released for the purchase of new and second-hand vessels, in so far as the public sector is concerned. [See Appendix II, annexure No. 91.]

Similar information in regard to the private sector is being collected and will be laid on the table of the Sabha as soon as possible.

#### Seeds Farms in Orissa

638. Shri Panigrahi: Will the Minister of Food and Agriculture be pleased to state:

(a) whether any loans and subsidy were sanctioned during the Second Five Year Plan so far to Orissa for setting up seed farms;

(b) whether the Orissa Government has reported any progress in the matter of setting up of such farms; and

(c) if so, what was the target for setting up of seed farms in the State?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) Yes, an amount of Rs. 12.18 lakhs as loan and Rs. 18.75 lakhs as subsidy has been sanctioned so far to Orissa Government for setting up seed farms under the Scheme for the Multiplication and Distribution of Improved Seeds.

(b) The Orissa Government have reported that land acquisition proposals have been initiated in respect of 78 units till the end of 1957-58

and final selection of the sites for another 22 units is in progress. Of these 78 units, 37 units in terms of 25 acres each, have been taken possession of and seed production has started in about 29 units during the kharif season of this year.

(c) 100 seed farms.

#### Damage of Cotton Crops

**689. Sardar Iqbal Singh:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether Government have received reports from any State regarding damage of cotton crops by insects;

(b) if so, the details thereof; and

(c) the steps taken in this regard by the Central Government?

**The Minister of Food and Agriculture (Shri A. P. Jain):** (a) Yes, from the States of Punjab, Rajasthan, Uttar Pradesh and Mysore.

(b) The details are given below:—

(i) In the Punjab attacks of jassids, white-fly, semi-looper, leaf-roller and hairy caterpillar were reported during the months of July to September, 1958.

(ii) In Rajasthan the crop was subjected to mild attack of jassids in the Kapasin area during June, 1958.

(iii) In Uttar Pradesh there was a severe attack of leaf-roller on American cottons during the months of August and September, 1958.

(iv) In the Dharwar Division of Mysore State the crop was subjected to an attack of red leaf blight and black arm disease during October, 1958.

(c) Necessary control measures such as spraying with suitable insecticides were adopted under the Cotton Extension Schemes financed by the Central Government.

#### Railway Stations on Northern Railway

**690. Sardar Iqbal Singh:** Will the Minister of Railways be pleased to state:

(a) total number of Railway Stations on Northern Railway at present; and

(b) total number and names of new Stations constructed during the current year so far?

**The Deputy Minister of Railways (Shri S. V. Ramaswamy):** (a) The total number of stations open for traffic was 1,233 on 31-10-1958.

(b) A statement is laid on the Table of the Lok Sabha. [See Appendix II, annexure No. 92.]

#### Drinking Water Supply in Ferozepur (Punjab)

**691. Sardar Iqbal Singh:** Will the Minister of Health be pleased to state:

(a) whether the Punjab Government has submitted any scheme for the supply of drinking water in Ferozepur;

(b) if so, the details and nature of the scheme;

(c) whether the scheme has been approved by the Central Government;

(d) if so, the amount sanctioned for the scheme so far for each scheme; and

(e) the amount to be sanctioned during the current financial year?

**The Minister of Health (Shri Kar-markar):** (a) Yes.

(b) It is a water supply scheme, the estimated cost of which is Rs. 5.30 lakhs.

(c) Yes.

(d) Amounts are sanctioned for all the approved schemes collectively and not for individual schemes. It is left to the State Governments to allocate the sanctioned amount for each scheme. A sum of Rs. 60.625 lakhs has been sanctioned to Punjab Government up to March, 1958, for their 61 approved urban water supply schemes.

(e) There is an allocation of Rs. 36 lakhs for all the approved schemes of Punjab State for the current financial year and the funds are being released on monthly basis as ways and means advances.

**Quarters for P. & T. Employees**

692. Shri S. M. Banerjee: Will the Minister of Transport and Communications be pleased to state:

(a) whether quarters are being constructed for class III and IV staff of the Posts and Telegraphs at Kanpur;

(b) if so, the number of quarters being constructed; and

(c) the amount sanctioned for the same?

The Minister of Transport and Communications (Shri S. K. Patil): (a) and (b). 72 Units of quarters are being constructed for Class III staff. There are no proposals for class IV staff.

(c) Rs.-6,20,300.

**Construction of P. & T. Buildings, Bhubaneswar**

693. Shri B. C. Mullick: Will the Minister of Transport and Communications be pleased to refer to the reply given to Unstarred Question No. 797 on the 25th August, 1958 and state:

(a) whether the proposal for acquisition of land at Bhubaneswar for construction of building for the office of the Director, Posts and Telegraphs, Orissa and staff quarters has since been sanctioned;

(b) if so, when the construction will take place; and

(c) whether the Government of Orissa has placed any demand for the cost of the land?

The Minister of Transport and Communications (Shri S. K. Patil): (a) Not yet.

(b) The question of construction will arise only after the land is acquired.

(c) Yes.

**Head Post Office Building at Jajpur**

694. Shri B. C. Mullick: Will the Minister of Transport and Communications be pleased to refer to the reply given to Unstarred Question No. 1544 on the 5th September, 1958 and state:

(a) whether the construction of the head post office building at Jajpur has been started; and

(b) if so, the time it will take to complete the project?

The Minister of Transport and Communications (Shri S. K. Patil): (a) and (b). The construction work has not started as yet, as the two tenders received for this work were rejected by the Central Public Works Department due to the high rates quoted therein.

**Post Offices in Orissa**

695. Shri B. C. Mullick: Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that many post offices in Orissa are being housed in the rented buildings; and

(b) if so, what amount of expenditure is incurred every year on this account?

The Minister of Transport and Communications (Shri S. K. Patil): (a) and (b). A statement is laid on the Table of the Lok Sabha.

**STATEMENT**

The number of post offices housed in the rented building in Orissa is 104. The total amount of rent paid yearly is Rs. 61,980-72 nP. The number of post offices in Departmental buildings is 57. There is a proposal for construction of 45 Departmental buildings during the Second Five-Year Plan.

### मोहरी रेल दुर्घटना

६६६. श्री प्रकाशवीर शास्त्री : क्या रेलवे मंत्री २ सितम्बर, १९५८ के अंतराक्षित प्रश्न संख्या १३६३ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) कितने परिवारों को, जिनके सम्बन्धी मोहरी स्टेशन पर हुई रेल दुर्घटना में मारे गये थे, अब तक क्षतिपूर्ति दी जा चुकी है;

(ख) जिन लोगों के सम्बन्धी उक्त दुर्घटना में मारे गये थे, किन्तु जिन के शव नहीं पहचाने जा सके थे यद्यपि उक्त दुर्घटना से उन की मृत्यु होने के ठोस प्रमाण हैं, उन लोगों को क्षतिपूर्ति देने के लिये सरकार ने क्या नीति अपनाई है; और

(ग) क्या सरकार उन लोगों को सहायता देने का विचार कर रही है जिन के इस दुर्घटना के कारण धन भंग हो गये थे और जो अब शेष जीवन कोई भी व्यवसाय करने के लिये प्रयोग्य हो गये हैं ?

रेलवे उपमंत्री (श्री शाहनवाज खाँ) :

(क) ४ ।

(ख) दावा कमिशनर, जो जूरीसियल अफसर होते हैं, सब दावों की जांच कर के उन का फैसला करते हैं। सवाल में जिस तरह के मामलों का जिक्र किया गया है उन में क्षतिपूर्ति देने का अधिकार तदर्थ दावा कमिशनर (ad hoc Claims Commissioner) को है जो इस सम्बन्ध में नियुक्त किये गये हैं।

(ग) दावा कमिशनर ने क्षतिपूर्ति की जो रकम मंजूर की है, उस के देने के अलावा सरकार इस बात पर भी राजी हो गई है कि जिन्हें अकस्मिक हो, उन्हें सरकारी खर्च पर कृत्रिम अंग (artificial limbs) दिये जायें ।

गंगा नदी द्वारा भूमि का कटाव

६६७. श्री तरुण पाण्डे : क्या सिन्धु और बिंदु नदी यह बताने की कृपा करेंगे कि :

(क) गंगा नदी द्वारा भूमि के कटाव

को रोकने के लिये १९५७-५८ में राज्य सरकारों को कितनी धनराशि दी गई; और

(ख) किन-किन राज्य सरकारों ने अब तक उक्त राशि का उपयोग किया है ?

सिन्धु तथा बिंदु उभयों (श्री हाथी) : (क) और (ख). सब स्वीकृत बाढ़ नियंत्रण योजनाओं पर सास भर के धनदर होने वाले खर्च के लिये राज्य सरकारों को हर साल कर्ज दिये जाते हैं। वास्तविक खर्च के आधार पर इन कर्जों की रकमों को थोड़ा बहुत बढ़ाया बढ़ाया जाता है। उत्तर प्रदेश तथा बिहार सरकारों ने गंगा नदी द्वारा भूमि के कटाव को रोकने के लिये १९५७-५८ में निम्नलिखित स्वीकृत योजनाएँ बालू की या समाप्त कीं और इन योजनाओं का खर्चा राज्य सरकारों ने उस साल उन को मिले हुए कर्ज (उत्तर प्रदेश—२८० लाख रुपये, बिहार—२६८ लाख रुपये) में से पूरा किया :—

स्वीकृत योजना का नाम	राज्य सरकार	
	अनुमानित लागत	सूचित
	१९५७-५८ में	हुआ खर्चा
	(लाख रुपयों में)	(लाख रुपयों में)

(१) उत्तर प्रदेश

हरिद्वार के पास कनकल  
सहर के बचाव के लिये  
बाबापुर में ठोकर (स्वर)  
बनाना

बाराणसी में चेतसिंह  
घाट, गुलारिया घाट,  
शीतला घाट, दशावधमेघ  
घाट, विजयनगरम  
घाट, त्रिपुरभैरवी  
घाट, मीर घाट,  
मीर घाट तथा  
ललिता घाट के बीच का  
भाग, बदी परकोटा घाट,  
दुर्गा घाट और ब्रह्म घाट  
की मरम्मत तथा उन को  
फिर से बनाना। ५५ १२ ६ ५७

बाराणसी में आनन्दमयी  
घाट की मरम्मत ३ ०० १.३१

गंगा नदी द्वारा कटाव से ६ ३६ ०.००

बलिया नगर की रक्षा

## (२) बिहार

गंगा नदी द्वारा कटाव से  
बनारस शहर की रक्षा १ ६६ ५ ३३

गंगा नदी द्वारा कटाव से  
मुल्तानगंज शहर की  
रक्षा ० ३१ ०.२६

## Road Accidents in Himachal Pradesh

698. Shri Daljit Singh: Will the Minister of Transport and Communications be pleased to state:

- whether it is a fact that the road accidents in Himachal Pradesh are on the increase;
- the number of fatal accidents during 1958 so far; and
- the measures adopted to prevent these accidents?

The Minister of State in the Ministry of Transport & Communications (Shri Raj Bahadur): (a) to (c). The information required is being collected from the Himachal Pradesh Administration and will be placed on the Table of the House in due course.

## Compensation against Railway Accidents

699. Shri Daljit Singh: Will the Minister of Railways be pleased to state the amount of expenditure incurred during 1957-58 on account of payment of compensation against claims pertaining to railway accidents?

The Deputy Minister of Railways (Shri Shahmawaz Khan): A sum of Rs. 12,11,533.57 was paid during the year 1957-58 in connection with train accidents as compensation towards death, injury and loss of property of passengers.

## Conference of Public Health Engineers

700. Shri N. R. Munisamy: Will the Minister of Health be pleased to lay a statement on the Table of the House showing:

- the recommendations made at the conference of Public Health Engineers held in New Delhi in October, 1958;
- the estimated financial outlay for rural schemes for protected water supply and sanitation facilities; and
- the time by which they are expected to be implemented?

The Minister of Health (Shri Kar-markar): (a) A statement is laid on the Table of the Sabha. [See Appendix II, annexure No. 93].

(b) Under the National Water Supply and Sanitation Programme for rural phase, Rs. 28.00 crores have been provided in the State Plans for the Second Five Year Plan period, half of which would be paid as subsidy from the Central Government. During the First Plan Period, a sum of Rs. 2.8 crores was made available for the rural schemes as Central Subsidy.

(c) 201 Rural Water Supply and Sanitation Schemes are being implemented and are expected to be completed by the end of 2nd Plan Period.



## उत्तर प्रदेश में नदियों पर पुल

७०१. श्री भक्त वर्मान : क्या परिवहन तथा संचार मंत्री १८ सितम्बर, १९५८ के अतारांकित प्रश्न संख्या २३७० के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि नदियों पर पुल बनाने के लिये उत्तर प्रदेश सरकार को अनुदान देने की विचाराधीन प्रस्थापना के बारे में क्या निर्णय किया गया है ?

परिवहन तथा संचार मंत्रालय में राज्य-मंत्री (श्री राज बहादुर) : राज्य सरकार के मुद्दाओं की जांच की जा चुकी है और प्राप्ता की जाती है कि यह विषय जल्दी ही तय कर दिया जावेगा।

## ग्रामीण तथा पिछड़े क्षेत्रों की सड़कों

७०२. श्री भक्त वर्मान : क्या परिवहन तथा संचार मंत्री १८ सितम्बर, १९५८ के अतारांकित प्रश्न संख्या २३७१ के उत्तर के सम्बन्ध में एक ऐसा विवरण सभा पटल पर रखने की कृपा करेंगे जिसमें यह जानकारी दी गई हो कि ग्रामीण तथा पिछड़े क्षेत्रों की सड़कों के बारे में विशेष पदाधिकारियों की रिपोर्ट में, जो विचाराधीन थी, क्या-क्या सिफारिशें की गई हैं और उन के बारे में क्या निष्पत्ति किये गये हैं ?

परिवहन तथा संचार मंत्रालय में राज्य-मंत्री (श्री राज बहादुर) : ग्रामीण सड़कों के बारे में विशेष अफसर की रिपोर्ट में दी गई मुख्य सिफारिशें और उन पर की गई कार्यवाही के विषय में एक विवरण सभा-पटल पर रख दिया गया है। [विक्रम परीक्षित २, अनुबन्ध संख्या ६४] यह निष्पत्ति किया गया है कि इन सिफारिशों पर स्टेट बैंक इंडीनियस की अगली बैठक में विचार किया जावे जो जनवरी, १९५९ में होने वाली है।

207 (A) L.S.D.—8.

## भाउट-एजेन्सियां

७०३ { श्री भक्त वर्मान :  
श्री सरजू पाण्डे :

क्या रेलवे मंत्री १५ नवम्बर, १९५७ के अतारांकित प्रश्न संख्या २५१ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) प्रत्येक रेलवे खंड में किन-किन जगहों पर इस बीच भाउट-एजेन्सियां खोली गयी हैं;

(ख) किन-किन नयी जगहों पर भाउट-एजेन्सियां खोलने का विचार है;

(ग) उन में से प्रत्येक स्थान पर ये भाउट-एजेन्सियां सम्भवतः कब तक खोली जायेंगी;

(घ) भाउट-एजेन्सियों के बारे में अपर्याप्त प्रचार, उन की ऊंची दरों तथा अन्य कु-प्रबन्ध के बारे में किन-किन जगहों में शिकायतें प्राप्त हुई हैं; और

(ङ) उन शिकायतों को दूर करने तथा भाउट एजेन्सियों को अधिक लोकप्रिय बनाने के लिये क्या विशेष कार्यवाही की गई है ?

रेलवे उपमंत्री (श्री साहबबाबू झा) :

(क) में (ङ) एक बयान सभा पटल पर रख दिया गया है। [विक्रम परीक्षित २, अनुबन्ध संख्या ६५]

## P. &amp; T. Buildings in Tripura

704. Shri Bangshi Thakur: Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that difficulties are being experienced to get land to construct buildings for departmental Sub-Post Offices, Telegraph Offices and staff quarters in Tripura;

(b) if so, the main difficulties; and

(c) how long it will take to remove the same?

The Minister of Transport and Communications (Shri S. K. Patil): (a) No.

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

**Amta Drainage Scheme, Howrah District, West Bengal**

705. { Shri H. N. Mukerjee:  
Shri Muhammed Elias:

Will the Minister of Irrigation and Power be pleased to refer to the reply given to Unstarred Question No. 3568 on the 8th May, 1958 and state:

(a) whether Government have since received from the West Bengal Government a report on the points raised in the representations sent by different organisations against certain modifications in the "Amta Drainage Scheme" of Howrah District; and

(b) if so, the action taken in the matter?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) and (b). Comments from the Chief Engineer, West Bengal Government on the various representations regarding the Amta Drainage Scheme were received, and finally, the revised scheme was discussed in the Advisory Committee on Irrigation and Power Projects on 30th October, 1958. The revised scheme has now been accepted by the Planning Commission.

12.06 hrs.

#### PAPER LAID ON THE TABLE

#### NOTIFICATIONS ISSUED UNDER ESSENTIAL COMMODITIES ACT

The Deputy Minister of Agriculture (Shri M. V. Krishnappa): I beg to lay on the Table, under sub-section (6) of section 3 of the Essential Commodities Act, 1955, a copy of each of the following Notifications:

(1) GSR No. 1004 dated the 25th October, 1958.

(2) GSR No. 1082 dated the 15th November, 1958 making certain amendment to the Fertilizer (Control) Order, 1957. [Placed in Library. See No. LT-1060/58]

12.07 hrs.

#### PARLIAMENT (PREVENTION OF DISQUALIFICATION) BILL—contd

Mr. Speaker: The House will now resume further consideration of the following motion moved by Shri R. M. Hajarnavis on 21st November, 1958, namely,—

"That the Bill to declare that certain offices of profit under the Government shall not disqualify the holders thereof for being chosen as, or for being, members of Parliament, as reported by the Joint Committee, be taken into consideration."

After general discussion the clause-by-clause consideration and the third reading will be taken up, for which five hours have been agreed to by the House. Shri A. K. Sen will continue his speech.

The Minister of Law (Shri A. K. Sen): I was dealing on the last occasion with the objections relating to several offices, apart from the Schedule which has been introduced by the Joint Committee. I dealt with the question of Home Guards, the NCC, the Territorial Army and so on.

12.08 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

I made it quite clear that it was not the intention of Government to disqualify these people who, according to us, and I have no doubt according to a majority of Members of the House, are rendering valuable services for the defence of the country.

There are two more offices which remain to be dealt with. I had already

indicated that with regard to Vice-Chancellor the Government will be prepared to accept an amendment. With regard to the office of sheriff, the matter was considered very carefully originally by the Bhargava Committee, which was appointed by the Speaker, and also by the Select Committee. These offices are of ancient origin and exist in the three Presidency towns of Bombay, Calcutta and Madras. They serve for a period of one year only and they are recruited from very important members of the public. They are regulated by rules made by the High Court. Even in England the office of sheriff, which was originally regarded as disqualifying the holder, is now exempt though, of course, in England there is a proviso that the sheriff would not be able to stand in his own constituency or in the area where he is serving. Naturally, of course, so far as the three Presidency towns are concerned, it is no use removing the disqualification without at the same time allowing the sheriff to stand where he is best known or wherein in recognition of his services he has been appointed by the High Court as its sheriff. The Bhargava Committee itself in its report suggests that the sheriff should be exempt. The Joint Committee accepted the original Bill, as it is, and therefore the exemption in favour of sheriff remains.

**Shri Raghunath Sahai (Budaun):** Pandit Bhargava has changed his opinion.

**Shri A. K. Sen:** I am talking of his report and not of his opinion, because that report is the opinion of the entire committee. Personally speaking, apart from the question raised about these sheriffs' disqualification, no valid reason has been shown as to why they should be disqualified. First of all although they technically hold an office of profit, by the very fact that their qualifications and their standing in public life are such that they are appointed as sheriffs and it is not shown why these important members

of the public should be debarred from standing as Members of Parliament specially when in their respective States they are not debarred from standing as members of the local legislatures. If such important men are disqualified, it would be difficult to get important men for such important offices like those of the sheriffs in these three Presidency towns. I do not think any sheriff has ever come to this House until now. But that is a different matter altogether.

**An Hon. Member:** Now the way has been opened.

**Shri A. K. Sen:** The way was always open. They had been qualified for so long. There is a vast difference between a man qualified and a man actually elected to be on the floor of the House. There is a vast area to be covered from the point where a man acquires the qualification to the point where he in fact becomes a Member. So many things have to be considered. So many things have to be done before a man gets himself actually elected. In fact, the primary thing is that he must command the confidence of the electorate.

Though technically the sheriff executes the decrees, orders and writs of these three High Courts, physically he never does it himself. Simply because he does it—might be, he does a very important service because the High Courts from time immemorial, ever since their creation, have felt that this important matter, viz. the execution of the writs and orders of the High Courts on the original side should be left to very important men who are always respected in public life and who have a position in public life and therefore they are appointed to this office—and if they are found fit to be appointed as persons responsible for the execution of the writs and orders of High Courts, I do not see how they are disqualified from taking part in the deliberations of a House like this. It is a question of qualification. Therefore, my submission is that

[Shri A. K. Sen]

the House should be pleased to accept the exemption in favour of these sheriffs.

The next point that was raised was about certain hereditary revenue officers mentioned in clause (j) of section 3 of the Bill, viz., *lambardars*, *malguzars*, *patels* and *deshmukhs*, who are not really officers in the sense that we understand that word, but who get a commission out of the collections made by them. These are persons who discharge very important functions and it is impossible to conceive that simply because a person is *malguzar* or a *lambardar* in a particular place, he should be able to influence the whole constituency of roughly four to five lakhs of people. In fact he may not have any influence whatsoever.

What is argued is that these people are so powerful that the moment they stand for election, others do not have a chance. I refute that submission because I do not ascribe that amount of influence to these officers who have been discharging very important functions usefully for quite a long time. But the Joint Committee introduced one qualification which the Government accepted and the House will be pleased to see the qualification as it now appears in clause (j), viz., "but who does not discharge any police functions".

It was contended that in some places some of these officers are additionally entrusted with police functions. It was argued that as these people discharge police functions in some places, they might be situated in a position which gives them greater advantage compared to their rivals. Whether it is a fact or not I do not know. If it does and that was the apprehension, the Government accepted the amendment which was then introduced in the Joint Committee. Speaking for myself I do not think that in a country like ours, any person exercising police functions has a better chance compared to others who do not discharge police functions. Personally I should

be inclined to believe that people who are discharging police functions are at an added disadvantage compared to others because they might be doing something which may be displeasing to others.

Shri Shree Narayan Das (Darbhanga): But whether people, who discharge police functions, when they come to Parliament will be independent?

Shri A. K. Sen: That is a different matter whether people who discharge such functions are worthy or not. Anyway, the point is academic. We have disqualified those officers who discharge police functions.

Shri Mahanty (Dhenkanal): What is the definition of 'police functions'?

Shri A. K. Sen: That is for the court to say and for us to understand. Our interpretation, I do not think, would be binding on the court. Any statement made by the Government or anyone else to the court would not be binding on the court.

Shri Mahanty: May I humbly submit that when we use the words 'police functions', at least we must be able to understand what 'police functions' are.

Shri A. K. Sen: I have enough faith in the intelligence of this House to appreciate that the words 'police functions' would not be meaningless to us and will certainly convey to us some definite meaning which is well understood by hon. Members of this House. I am sorry I cannot share this view which the hon. Member takes about the intelligence of the House.

Pandit Thakur Das Bhargava (Hissar): Though the House is not unintelligent, may I suggest that there are many hon. Members here—I am one of them—who do not know the exact meaning of the words 'police functions'. We are asked to subscribe

to a matter which we do not understand, I would respectfully ask the hon. Law Minister to kindly elucidate the point as to what are 'police functions'. They have not been defined in the Criminal Procedure Code. They have not been defined anywhere else. Therefore when an hon. Member asks him, to say that the House is intelligent is not a good answer. We would like him to tell us what the police functions are and who are those persons who come under this. According to me there is no *malguzar* who discharged police functions as such. There is none in the whole of India.

**Mr. Deputy-Speaker:** That means that the hon. Member understands and appreciates what police functions are.

**Shri Barrow (Nominated—Anglo-Indians):** I subscribe to be an unintelligent Member. Therefore would the hon. Law Minister kindly elucidate for my unintelligence?

**Shri A. K. Sen:** I have no doubt that the two hon. Members who have been very humble in the expression of their own views understand what police function is. In fact, you, Sir, were the Chairman of the Joint Committee, where the objection was raised that some revenue officers were discharging police functions. The exact words 'police functions' were used when objection was raised to this category of officers who might be discharging police functions. As a result of that this amendment was introduced.

I can only give my personal view to those who would like me to tell them as to what is meant by 'police functions', including Pandit Thakur Das Bhargava, who, I have no doubt, has a precise idea of the expression 'police functions'. It means any function connected with the maintenance of law and order. That is police function. That includes not only the positive part but also the preventive part relating to the maintenance of law and order. That is what is the ordinary meaning of police functions.

It does not really mean watching the streets. It means any function connected with the maintenance of law and order. Under the present law, even some of them are exempt under section 7 of the Representation of the People Act. I do not think the apprehensions expressed that this whole House will be packed with *malguzars* and *lambardars* have any bearing so far as reality is concerned, because, notwithstanding the exemption I do not think we have had any *malguzar* or *lambardar* in this House. The question is, does any person by rendering some useful service to the State, especially when the State is run by a democratic Government, disentitle himself from being a Member of Parliament. If that was the thing, in future, no person will come up or will be available to render useful services for the State, especially when the State is undertaking more and more activities and treading on larger and larger fields which originally were never treated as State domains at all. It is, again, a question of principle. If the House feels that, in a State like ours, whether it is in connection with the carrying out of our Plan or the carrying out of our village reconstruction programmes or social welfare activities, or various other activities on which the sustenance of the State depends, on which the running of the State depends, it is necessary to enlist the active support of certain persons, and if it is conceded further that the functions rendered by some of these persons who are enlisted to work for the State are useful, the question is, simply because they are so enlisted, should they be disentitled from becoming Members of Parliament, notwithstanding the fact that they are not officers of the Government. I have been endeavouring throughout to focus this particular principle which underlies this entire Bill, because there is no question of exempting offices of profit which are technically offices of profit unless we feel that there is need to recognise this basic fact, namely, that in a State like ours, there must be from the very nature of the activities into which the State

[Shri A. K. Sen]

has led itself, there are various persons whose services have to be accepted by the State, who have to render their service to the State and who are, nevertheless, not officers of the State. Is it necessary, in certain cases, to exempt these persons from being disqualified not only for the interests of the State, but also for the purposes of enabling good people to be so enlisted for the purposes of the State?

**Shri Mahanty:** Do you think that only bad people are interested in the State?

**Shri A. K. Sen:** I think the hon. Member has made a statement. It is difficult to cope with his running attacks. They are very pleasant and I am prepared to meet them. But, I suggest that we have to come to some finality at some stage. If the hon. Member is not convinced by my argument, I have no doubt he will vote against me.

**Shri Panigrahi (Puri):** You have got the majority.

**Shri A. K. Sen:** I do not think Government has been really actuated by any idea about the majority behind it. I think in this particular Bill, to be fair to myself and the Members of the Government and also Members of the Joint Committee, I think it is necessary to urge that we have had the very utmost accommodation and tried to accommodate responsive people for the purpose of seeing that we have an agreed solution as regards this particular problem the necessity of which is felt by the entire House.

These are my submissions on the various points and I submit that the House will be pleased to accept the Bill for consideration as recommended by the Joint Committee.

**Shrimati Masida Ahmed (Jorhat):** May I request the hon. Minister to

throw some light on the point of professors and teachers of Govt. aided institutions which was raised by Sri Liladhar Kotoki.

**Shri A. K. Sen:** They are not officers either under the Central Government or under the State Government. The question of exemption does not arise. It is only in the case of offices under the State Government or the Central Government that the question of disqualification arises.

**Mr. Deputy-Speaker:** The question is:

"That the Bill to declare that certain offices of profit under the Government shall not disqualify the holders thereof for being chosen as, or for being, members of Parliament, as reported by the Joint Committee, be taken into consideration."

*The motion was adopted.*

#### Clause 2.— (Definitions)

**Mr. Deputy-Speaker:** Now we take the Bill clause by clause. Clause 2. Any amendments? No amendment is moved.

The question is:

"That clause 2 stand part of the Bill."

*The motion was adopted.*

*Clause 2 was added to the Bill.*

#### Clause 3.—(Certain offices of profit not to disqualify)

**Mr. Deputy-Speaker:** Clause 3.

Those hon Members who want to move amendments may do so.

**Pandit Thakur Das Bhargava:** I beg to move:

(1) Page 2,—

omit lines 19 and 20, 21 and 22.

(2) Page 2, lines 25 and 26,—

omit "or any other body which is an advisory body"

(3) Page 2, line 28,—

add at the end "for a period of not more than six months"

(4) Page 2,—

omit lines 29 to 36

(5) Page 2, line 30,—

omit "(whether consisting of one or more members)"

(6) Page 2, lines 30 and 31,—

after "temporarily" insert—

"for a period of not more than four months"

(7) Page 2,—

after line 36, add—

"Provided that the holder of such office shall not be entitled to exercise his vote in respect of the matter of public importance for which such member has been appointed"

(8) Page 2,—

after line 38, add—

"Provided that such Committee is not invested with any powers which involve exercising of any executive and judicial functions or the Committee or its members are not in a position in which patronage by way of grant of land, scholarships making of appointments or conferment of other benefits can be exercised in any manner or form"

(9) Page 3,—

after line 6, add—

"Provided that the holders of offices whether as chairman or member of such statutory or non-statutory body or any other office of profit within the ambit of the meaning of clauses 1(a) and (2) of article 102 of the Constitution

which have not been examined and included in the Schedule referred to in clause (1) of section 3 or any of the other clauses of section 3 shall not be deemed to be declared by Parliament by law not to disqualify the holder"

(10) Page 3, line 9,—

after "whole duty is" insert "merely"

(11) Page 3, lines 10 and 12,—

for "who does not discharge any police functions" substitute—

"who is not enjoined upon to help the police or to discharge any police functions"

Shri Tangamani (Madurai) I beg to move

(1) Page 3 lines 2 to 6—

omit "but excluding (i) the office of Chairman, director or member of any statutory or non-statutory body specified in Part I of the Schedule and (ii) the office of chairman secretary or member of the standing or executive committee of any statutory or non-statutory body specified in Part II of the Schedule"

(2) Page 3, lines 2 to 4,—

omit "(i) the office of Chairman, director or member of any statutory or non-statutory body specified in Part I of the Schedule and (ii) "

(3) Page 3 line 5,—

omit "or member of the standing or executive committee"

(4) Page 3,—

after line 12, add—

"(k) class III and class IV employees of commercial and industrial concerns under Central, and State Governments and workers in such industrial establishments governed by the Factories Act,

(1) teachers in non-Governmental institutions."

Shri B. Das Gupta (Purulia): I beg to move:

Page 3,—

(i) line 7, for "(j)" substitute "(iii)"; and (ii) after line 12, add—

"(iv) the office of Gram Sevak and Chief Officer—whether called by any other name—under a statutory village or regional Panchayat."

Shri L. Achaw Singh (Inner Manipur): I beg to move:

(1) Page 2,—

omit lines 19 and 20—

(2) Page 2, line 23,—

omit "of Vice-Chancellor of a University or"

(3) Page 3,—

omit lines 7 to 12.

Shri Dasappa (Bangalore): I beg to move:

Page 3, line 6,—

omit "Part II of".

The Deputy Minister of Law (Shri Hajarnavis): I beg to move:

Page 3,—

after line 12, add—

"Explanation.—For the purposes of clauses (h) and (i), the office of chairman or secretary shall include every office of that description by whatever name called."

Shri Mohammed Imam (Chitaldrug): I beg to move:

Page 2, line 24,—

for "chairman or member of the syndicate" substitute—

"member of the"

Shri Lakshtar Koteki (Nowgong): I beg to move:

Page 2,—

omit lines 16 to 18.

Shri Raghunath Sahai: I beg to move:

(1) Page 2,—

omit lines 21 and 22.

(2) Page 2, lines 30 and 31,—

for "temporarily" substitute—

"for a specified period".

(3) Page 3, lines 2 to 6,—

for "but excluding (i) the office of chairman, director or member of any statutory or non-statutory body specified in Part I of the Schedule and (ii) the office of chairman, secretary or member of the standing or executive committee of any statutory or non-statutory body specified in Part II of the Schedule;" substitute "provided that such office does not entitle the member to any other emoluments notwithstanding whether he draws such emoluments or not;"

Shri N. R. Munkamy: I beg to move:

(1) Page 2, line 28,—

add at the end—

"provided the stay outside India does not exceed six months."

(2) Page 3, lines 2 to 6,—

for "but excluding (i) the office of chairman, director or member of any statutory or non-statutory body specified in Part I of the Schedule and (ii) the office of chairman, secretary or member of the standing or executive committee of any statutory or non-statutory body specified in Part II of the Schedule" substitute "but excluding the member of any statutory or non-statutory body specified in Part I and Part II of the Schedule."

Shri Jagannath Das (Koraput): Amendment 65 stands in the name of Shrimati Sucheta Kripalani.

Shri Mahanty: How can you move it, then?



Mr. Deputy-Speaker: It can be permitted if it is thought necessary.

Shri A. K. Sen: I think we shall accept it.

Mr. Deputy-Speaker: It is on that understanding or that impression that I am allowing it to be moved by Shri Jaganatha Rao.

Shri Jaganatha Rao: I beg to move:

Page 2,—

for lines 23 to 26, substitute—

"(f) the officer of chairman or member of the syndicate, senate, executive committee, council or court of a University or any other body which is an advisory body connected with a university;"

Mr. Deputy-Speaker: All these amendments are now before the House.

Pandit Thakur Das Bhargava: My first amendment is 16 seeking to omit lines 19 and 20, i.e. (d) which reads:

"the office of a member of a Home Guard constituted under any law for the time being in force in any State;"

In regard to home guards, when the committee on offices of profit appointed by the hon. Speaker went into this question, only some incidents of this office was brought to the notice of that committee, and it was thought that home guards were on the same footing as the members of the Territorial Army and the NCC. It was under that impression that that committee stated that the home guards might also be exempted. But in the Joint Committee, many Members threw light on the work and the incidents of the office of home guards, and it appears that home guards are nothing but a part of the police.

Mr. Deputy-Speaker: Clause 3 and the schedule are the only two places where we shall have to stop and discuss. May we divide the five hours

which we have got between these two?

Pandit Thakur Das Bhargava: These are the two important things, and the time may be divided.

Mr. Deputy-Speaker: Would two hours be enough?

Pandit Thakur Das Bhargava: Just as you please. I have nothing to say.

Mr. Deputy-Speaker: I just wanted to have an idea.

Pandit Thakur Das Bhargava: We were told that it is not in an emergency that the home guards are called, but that they could be called at any time. Judging from their duties, they are part and parcel of the police. I am not very much acquainted with what they are doing in the whole of India, as in the Punjab we have not got the institution of home guards. In the Joint Committee, Members coming from States where there are home guards, told us many things. It was said that many home guards were called in at the instance of the officers of the home guards themselves even where they were not needed, because they get something from the Government, perhaps Rs. 2 or Rs. 2-4-0 per day, but it is not the emolument I object to. They may even get nothing. Those who perform voluntary duties in emergencies are certainly not regular members of the police force, but the position of the home guards is such that they are nothing but members of the police force practically speaking, and they are out to see that they are called because of the payment. That means they are people who are even less qualified than members of the police force themselves, because they are out to see that their services are utilised because they are to be paid something.

We have excluded the police. They may be getting more or less, but they are excluded, because in the British law as well as in our law, it has been said that members of the public who

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are paid by the Government are Government servants. The rule is quite clear that Home Guards constitute an office of profit. There is no doubt, because they get something from the Government. Similarly, all these offices which are mentioned here are all offices of profit. To start with, therefore, we must think that they come within the purview of article 102 of the Constitution. If any person wants to say that he should be exempted, the onus is on him to show that, as a matter of fact, they are discharging such duties by virtue of which they ought to be exempted, that they ought not to come within the mischief of the law.

In regard to home guards I do not see any redeeming feature at all. The NCC and the Territorial Army only work for Government in emergencies, and even under the Criminal Procedure Code any person can be asked to become a constable or a head constable or sub-inspector in emergencies. Such people may be exempted because they perform a patriotic duty. There is no reason why they should not be exempted. But persons who are practically police officers ought not to be exempted, and this is the criterion for all the other offices also. When I come back to them, I will have occasion to show that it is entirely wrong to think, as our hon. Law Minister thinks, that any person who gives some sort of service to the Government ought to be exempted. This is the basis on which he has proceeded and told us that even those who come under (j) should be exempted.

So far as Home Guards are concerned, I hope hon. Members who follow me will be able to tell us how they have been working. I was impressed by the speeches of hon. Members who took part in the discussions, and I was of the view that it was no use exempting home guards as they did not perform any such patriotic duties as should earn any exemption for them.

Then I come to amendment 17, seeking to omit lines 21 and 22, i.e., the office of sheriff in Bombay, Calcutta or Madras. We were told that the sheriffs were performing very responsible duties. The only duty that we were told about at the time we were considering the question in the committee on offices of profit was that when high dignitaries, like Governors etc., came, they were regarded as first citizens, and they did honour to them and they arranged for their reception etc. Now, I find from the hon. Law Minister's reply to the consideration motion, that they are regular officers of the High Courts, they keep custody of persons, that persons are brought to the High Court by them. If they are paid officers of the Government, or even if they are unpaid, if their duties are such that they are within the control of the Government, then I see no reason why they should be exempted.

It is said that there are only three sheriffs in the whole of India. There may be three, one or three hundred. That is absolutely immaterial to my mind. The only question is whether they are people who can be said to be civil officers. Even if they are not officers of the Court, they are still officers of the Government, they perform executive functions, and they do some kind of service to the High Courts. There is no reason why they should be exempted.

We find in the British Act the sheriffs are not exempted. In the schedule, we find the following words:

"Sheriff, salaried sheriff, substitute or interim sheriff, substitute appointed under the Sheriff Courts (Scotland) Act, 1907."

In the other parts of that country, there are other sheriffs also apart from the sheriffs mentioned under the head 'judicial officers'. The sheriff being a judicial officer, his functions are practically the same as have been mentioned for our sheriffs by the Law Minister. If they are not exempted there, I

do not see any reason why they should be exempted here. The old idea that they were persons who were regarded as first citizens of the particular town or city, and that they only were responsible for the receptions held in honour of Governors etc. is quite wrong. As a matter of fact, they perform very specific functions of the High Court, and they do also execution work, practically execution work in this sense that they are also responsible for execution of decrees etc. So, my humble submission is that there is absolutely no reason why sheriffs should be exempted. If we made a mistake there in the committee, I am here to own it. If the duties of sheriffs mentioned by the hon. Law Minister in reply to a question from my hon. friend Shri Raghuraj Sahai, are considered by the House, the House will come to the conclusion that it is absolutely unnecessary to exempt sheriffs even if there be only three sheriffs in our country.

I now proceed to my amendment No. 18 which reads thus:

"Page 2 omit lines 23 to 26"

Lines 23 to 26 read as follows:

"the office of Vice-Chancellor of a University, or of chairman or member of the syndicate, senate, executive committee, council, court or any other body which is an advisory body connected with a University."

So far as the office of Vice-Chancellor is concerned, I understand that the Law Minister is pleased to accept that part of the amendment, and, therefore, I do not want to discuss that point at length and waste the time of the House.

In regard to the other offices, my humble submission is that the yardstick which we have applied to other offices should be applied here. The other offices are:

"chairman or member of the syndicate, senate, executive com-

mittee, council, court or any other body which is an advisory body .."

Shri Hajarnavis: May I interrupt the hon. Member? I understood him to say that sheriffs were not exempted under the UK Act. May I know on what provision of the UK Act he relies for this statement of his?

Pandit Thakur Das Bhargava: I have not fully heard the hon. Minister.

Mr. Deputy-Speaker: He wants to know under what provision of the UK Act sheriffs have not been exempted.

Shri Tyagi (Dehra Dun): May we also know whether the sheriffs draw any pay?

Mr. Deputy-Speaker: He had argued like that.

Pandit Thakur Das Bhargava: I have got a copy of the Act in my hand, and at page 1 the words are as I have just read out.

"Sheriff, salaried sheriff, substitute or interim sheriff, substitute appointed under the Sheriff Courts (Scotland) Act, 1907."

And this is given under the heading 'judicial offices'. I do not know how my hon. friend says like this.

Shri Jaganatha Rao: To which schedule is the hon. Member referring?

Pandit Thakur Das Bhargava: I am referring to the First Schedule. May I pass on my copy to the hon. Minister, if he so likes?

Shri Hajarnavis: No, I have got the copy here.

Pandit Thakur Das Bhargava: I submitted that so far as the office of vice-chancellor was concerned, I need not waste the time of the House by dealing with that point, because I understand an amendment in this respect is

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being accepted by the hon. Law Minister. The other offices are:

"chairman, or member of the syndicate, senate, executive committee, council, court or any other body which is an advisory body connected with a University;"

First of all, I object to the words 'which is an advisory body connected with a University'. In regard to advisory bodies in general, we have made it a rule that an office in an advisory body as such is not to be exempted. Every committee, statutory or non-statutory, has been examined, and should be examined with a view to find out the actual position. In name, it may be an advisory body, and yet the advisory body may be discharging functions which are of an executive or judicial nature; we do not know.

We have got a definition of 'statutory body' and 'non-statutory body', and we have just passed clause 2 defining these bodies. And there can be no body which is neither statutory nor non-statutory, provided it is a body. Therefore to say 'which is an advisory body', and then limit it again, is quite vague. So far as I am concerned, whenever an office comes before us in any committee or in any body, it is our duty to examine it fully and then decide the position and not leave it again to the court officer or the High Court or the election tribunal or the appellate authority next to the election tribunal. This is not right, when we have accepted some principle, there is no justification for making a schedule unless it be this that we want to decide matters in such a way that law may be clear, definite and unambiguous. In the report itself, you, Sir, have been pleased to say that the basis of the schedule is that everything must be clear and unambiguous. Now, again, if we leave it to some other person to decide whether it is an advisory body or not, then we make it ambiguous. My complaint in regard to sub-clause (j) also is the

same, as I shall have occasion to point out later. We had the entire material before us, and yet, we failed to do our duty. The duties that we had to discharge were to find out in regard to every committee and every office and make it certain whether such and such office in such and such a committee would disqualify or not. The Joint Committee has not discharged its duties, so far as this question is concerned. The words 'or any other body which is an advisory body' makes the position uncertain and ambiguous again. That means that before the Joint Committee, there was no other body to be considered, or there were some bodies which were yet to come into existence. I would submit that we should not give a blank cheque to any person, so far as this question is concerned, because, according to the hon. Law Minister himself, the Joint Committee had to decide about specific offices and say whether they came within the mischief of article 102 or not. If this is the view—and this is the right view, for, I understand that the Law Minister was pleased to tell us at the time when the motion for reference to Joint Committee was under discussion that it was to be determined by the Joint Committee whether specific offices came within the mischief of article 102 or not—then, to say 'or any other body which is an advisory body' and leave it in such a condition of uncertainty, is not fair. Therefore, these words 'which is an advisory body' are an anathema; they are unjustifiable. It is acting contrary to the principles which the Joint Committee itself has enunciated in its report.

Then, again, it is not clear to me whether 'chairman or member of the syndicate, senate, executive committee, council, court or any other body' is paid or unpaid. What are the functions of those persons? How are they exempted? As you know, there are various universities, and there are different rules in regard to the different universities. So, to lay down a

general rule without going into the actual functions of these committees etc. is not fair.

So far as the office of Vice-chancellor is concerned, we are not going to exempt it on the basis that it is a whole-time job, it is a case in which the appointment is made by Government, and the removal can also be made by Government, and moreover, a vice-chancellor is paid by Government from Government funds or from such funds as Government provide for the university. The same argument applies to each one of these offices. So, my humble submission is that the mere fact that they belong to an educational body such as syndicate, senate, executive committee etc. is alone not a fair criterion. As I have submitted, there are many offices in this country which we respect very much, and the holders of which discharge very useful functions, as for instance, our magistrates, the judges of the High Court and Supreme Court etc. And yet all those persons are not allowed to become members of the Houses of Parliament for various reasons. Those were the reasons applied to these persons also. They discharge very good functions, they are valuable. I have nothing against them. I have got nothing against any person. Even in regard to *lambardars* etc. it is not that I despise them or treat them with contempt. I treat them with all the respect that is due. All these officers are our countrymen and they are performing very useful functions. But that is not the basis for this, that is, whether they discharge useful functions or not. The basis is whether they are persons who are connected with Government in such a way that they will not show their independence here in this house. Similarly, the persons in the educational field are persons who are practically people connected with Government and will be under their thumb. They will not have the heart to say 'no' to a proposal which comes from Government, as we Members can do. This is the real basis. We want independent people. So this exemption on the basis of their function has not been justified. A

general provision has been made in respect of every University, whereas the functionaries belong to different Universities with different constitution of India.

Then I come to the next provision (g)—the office of a member of any delegation or mission sent outside India by the Government of India for any special purpose. If you kindly see article 101(4) of the Constitution, you will see that therein provision is made for absence of Members. If any Member is absent for more than sixty days, as interpreted in that article, he is disqualified. I am submitting that if a person goes in a delegation for any special purpose, the period of six months is more than enough. If a Member is to remain outside for the full five years of his tenure, of the tenure of this House, I should think he should not be exempted. After all, every Member has a duty to discharge towards his constituency and towards this House when he becomes a Member. If he is absent from India for all the five years or four years or three years or two years, it means that for the time being the House is deprived of his advice and consultation and his services in every way. The constituency is also, as a matter of fact, deprived of its right of representation in the House. Therefore I am submitting that in such people go outside to discharge very onerous duties so far as the country is concerned, they may be exempt, but it should not be for more than six months. I want to limit the period to six months which, in my opinion, will be sufficient for all practical purposes. Therefore, I have an amendment to the effect that not more than six months should be allowed and if he is absent for more than six months, he ought to be disqualified.

I proceed to the next item (h)—the office of chairman or member of a committee (whether consisting of one or more members) set up temporarily for the purpose of advising Government or any other authority in respect of any matter of public importance or for the purpose of making an inquiry into, or collecting statistics in respect

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of, any such matter, etc. etc. When I spoke on the motion for consideration, I had enough to say and I do not want to repeat all those things. But with your permission, I want to say one or two things even in regard to this. In the first place, I do not understand what is the meaning of the words "whether consisting of one or more members". I understand that when there is more than one member, it is called a body. If there is only one member, it should not be called a body—advisory body. This is only to see that if any hon. Minister wants to set up a single adviser, he can do so, and if a Minister wants to have four advisers all at one time not constituting a body, he can have even four advisers at a time. If it is said that it will be an advisory body, will it be a statutory advisory body or a non-statutory advisory body? It cannot be both; it must be either the one or the other. If it is advisory body, we have already defined statutory and non-statutory bodies in (i). Such advisory body must be included in (i). There is no occasion for having this provision on (h). According to me, it is idle to have this provision. So far as the Schedule goes, there are many such committees which are meant only for the purpose of collecting statistics and making inquiries. We have already said that they may be exempted but I do not know why this has been put in here for the purpose of duplicating matters. It is only with one purpose. That is what I suspect. If it had been said there that a single advisor is going to be appointed, the House would never have agreed. This is only. I should say, a camouflage for concealing that we are appointing some committee who is quite distinct from (i). It is not distinct from (i) and, I make bold to say, it cannot be distinct from (i). There is no occasion for enacting (h).

Then it is further said—'advising the Government or any other authority'. What is that 'authority'? Are the Government going to appoint some authority for the purpose of advising

any University professor or any Vice-Chancellor or what? I can understand Government taking powers for setting up a Committee to advise them. But I cannot understand this provision any other authority. My humble submission is, it is too vague and is too wide of the mark. If we allow things to go on in this way, we do not know what is going to happen. We do not want to travel along a line, the implications of which we do not know. These words 'in respect of any matter of public importance or for the purpose of making an inquiry into....' are vague. There is no doubt that we have exempted those bodies already and we propose to exempt such bodies, if any, that come into existence. But in view of the fact that the Joint Committee has also made a recommendation for the appointment of a Parliamentary standing Committee, it does not stand to reason at all to have an omnibus provision like this which may lead us to a very dangerous situation. When already we have said that all kinds of bodies which are created in future will have their composition gone into by the Standing Committee, it does not stand to reason that we have another clause in which we do not know what will be included. Because this is giving sanction for future committees of all kinds which will not be gone into by that Committee at all. If you retain (h), it means that in future any advisory committee may be appointed by the Government, and the Standing Committee will not be able to go into its composition, because after all, apart from (i) all the other offices are practically offices which may come into existence in future or which are at present being occupied by certain people. So that according to me, the provision (h) is the most dangerous provision in this Bill, and we should not be a party to a provision like this, whose implications we do not know.

Then again, it is said 'temporarily for the purpose of'. I cannot understand what is the full significance of the word 'temporarily'. An advisory body constituted for any purpose, if

it is good, is good whether temporarily or permanently. The sole purpose seems to be that some special Members of Parliament may be appointed, just as in England, as Private Secretaries to dance attendance upon the Ministers. The Minister may do what he pleases. The Private Secretary will be the conscience keeper of the Minister on all matters and everybody will look up to him as the giver and dispenser of all favours, whatever may lie in the hands of the Minister. It will not benefit the Minister. The Minister will be criticised. It will not benefit the Member. The Member will be regarded as a sort of deputy to that Minister. We do not want to have 'Under-Ministers' in this House without their being called as such. Surely we have provided for Minister of State and Parliamentary Secretary. Now they want to have advisors from within the House who may be able to dance attendance upon them.

Apart from this, if you kindly look at the UK Act, you will be pleased to find that they have limited even the number of Ministers and the votes of the Ministers. There they have said that not more than 70 votes will be exercised by such people. Now the vote of any Member of this House who becomes an adviser to a Minister or any other person in authority is practically gone to the other side, which means that in addition to the votes of the Ministers in the pockets of Government, they will have so many advisers whose votes will also be assured to Government. Then the House can be swamped by the Ministers and there will be no independence in Members, and the laws that will be passed by the votes of the Government will have that defect if this rule is abused. I do not have any apprehension in my mind that our Ministers will abuse it, but there may be likelihood of it being abused; there may be possibility of abuse. I am really fighting a phantom in regard to this Disqualification Bill. The Ministers are not behaving in this manner; the Government is not going to behave in this

manner. Even if they do, I know Members of the House are not going to be seduced from their duty. At the same time we do not know what will happen in future. We are making this law for all time. It is this likelihood that I am fighting against. Therefore my apprehension is that this is the worst kind of phantom with which we have to contend. I respectfully ask the hon. the Law Minister to look into it rather carefully and not be a Party to enacting a measure whose full implications are not clear to many Members and perhaps may not be clear to the Minister himself.

13 hrs.

Having said this I come to sub-clause (i). In regard to this sub-clause I have given notice of many amendments some of which I have moved. I want to call the attention of the House to two or three of these amendments. I have submitted that so far as the schedule is concerned we have not gone through the composition of all the committees. I also pointed out that it was not made possible by Government. According to my view the Joint Committee should not have made a schedule and only stated: all right such and such office may or may not be exempted. It was in the pleasure of the House to accept it or not to accept it. Not only that the Schedule has been made in a complicated manner, with two negatives. We have not definitely said: all right, these are the committees in which a Member shall not be allowed to be appointed a Chairman, Member or Director. These are the committees in which a Member can go, but not as Chairman or Director. We have not said so. We have said that all the committees on earth, whether statutory or non-statutory are exempted, which means that all the committees the composition of which we do not know and have not been examined by Part I are exempted by this. This is not understandable. I submit that it is absolute dishonesty to put sub-clause (i) here in this form. It means that we are exempting those committees the com-



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position of which we do not even know. With one stroke of the pen we are trying to achieve this. The duty which we are expected to discharge is to find out the membership of which committee should disqualify and the membership of which should not disqualify. Unless we know the composition of all the committees we will not be in a position to do this. Without going through them to give a blank cheque is not just, legal or honest. The duty which the Constitution has cast on us is to find out which offices do qualify and which ones do not. We may in the discharge of our duties commit mistakes; I do not mind that. But the House without even knowing the composition of the Committees is asked to pass a measure. This is not right. A piece of legislation like this is not just and we are not doing our duty by the Constitution. We are—if I may use such an expression—committing a fraud on the Constitution if we make a provision like this without considering the pros and cons of the matter.

Secondly, as I have submitted we should only exempt those committees which we have examined. In regard to the other committee we should say that if they satisfy the conditions or the criteria which we applied to the committees in the Schedule they may be exempted; otherwise not. I also suggest that a committee of the Houses should be appointed to go into the composition of the other committees and make their report within six months, based on which Government may bring a supplementary measure completing the Schedule.

I find that a good many Members have given notice of amendments, some of them suggesting the inclusion of certain committees and some others exclusion of certain committees. I am rather happy that the schedule has been put through this examination by Members. I would in this connection like to submit a difficulty which confronted Members of the House. Though

the Members of the Select Committee were supplied with papers relating to the composition of the committees, the Members who were not Member of Select Committee have not been treated alike. I find that many Members of the House experience great difficulty in discharging their obligations to the House and I am one of those unfortunate Members who experiences this difficulty some times when so treated.

When a Bill comes to this House as reported by the Select or Joint Committee, Members who were not on the Committee have to pass judgment. All the literature supplied to Members of the Committee are not supplied to all the Members, and they are not in a position to know the factors which influenced the Committee to come to a conclusion. Unless the whole literature is supplied to all the Members I fail to see how Members would be in a position to find out whether a particular committee could be exempted or could not be exempted. For instance, there is the Delhi Rent Control Bill. So many representations were made to the Committee. It is very kind of the Chairman of the Committee to have placed all the evidence on the Table of the House. But all the papers on which we can interpret the evidence have not been given to us. The same difficulty is experienced in regard to this Bill as well. How can a Member decide whether a particular committee should or should not be exempted, unless he is supplied with all the literature furnished to Members of the Committee.

Mr. Deputy-Speaker: These matters ought to have been raised in the Joint Committee, because it is for the Joint Committee to direct what papers produced before it or taken cognizance of, shall be supplied to the Members. There ought to be no complaint about it now.

Pandit Thakur Das Bhargava: Even if it had not been brought to the



notice of the Joint Committee we are here to see whether these amendments ought to be accepted or not. Some hon. Members have given notice of amendments in regard to committees of which even the Members of the Joint Committees were not supplied with materials, as for instance Hindustan Steel Private Limited and Oils Limited. Suppose I am asked to give my opinion in regard to committees the composition of which I do not know, how will I be able to judge whether this committee should be exempted or not?

**Mr. Deputy-Speaker:** The Member who is moving the amendments will give the particulars and it is for the House to accept it or not.

**Pandit Thakur Das Bhargava:** I need not dilate upon this point as you have much more experience than I myself.

**Mr. Deputy-Speaker:** I do not claim that.

**Pandit Thakur Das Bhargava:** It is on account of your modesty that you do not claim that. As a matter of fact, if a Member stands up here and gives the composition of the committee I will not be able to follow or appreciate whether this committee should be exempted or not. After all I must get some time; I must go through the composition of the committees; I must find out for myself whether the committee is such that it bestows some patronage on the person. These are not ordinary matters. These are serious matters. And the difficulty is that the composition of the committee, the notification or resolution under which it was constituted are not before the House. I am submitting on behalf of myself and other Members that until and unless we get these details we will be only giving our opinion blindfold which we do not wish to do. I therefore suggest that the Parliamentary Committee the constitution of which I have suggested may be requested to

go into the composition of the other committees and give their recommendations. That will be the data which the House will scrutinise. Our going into these matters at this stage will not be so good or decisive and we cannot have an intelligent exercise of our minds in regard to that matter until and unless these materials are furnished. Therefore, I am submitting that so far as these amendments are concerned you may please order that when the committee goes through these matters and gives its opinion, the hon. Members may be supplied the materials—they may either be placed on the Table of the House for 7 days *or outside—so that we may be able to say whether any body should be exempted or not*.

Anyhow, I would request this House either to postpone the consideration of this Bill or to pass it in such a way that it may not be enforced on the 31st December 1958, but, as there was a proposal, this may come into force on 1st September, 1959 and the old Act may continue till such time as this comes into operation. During that period the composition of these committees may be gone into and we may ultimately decide. In that case there will be two scrutines—one scrutiny has already been made in so far as the schedule is concerned and another scrutiny will be there by the Standing Parliamentary Committee and no hon. Member shall have any complaint whatsoever. If he is given an idea of the composition of these committees, he can judge for himself whether any committee should be exempted or not. There will be double scrutiny and the decision which the House will be giving will be more *pukka*. This is the point which I want to place before the House and Government for their consideration, to see that the old Act is continued till September 1959 and this Bill comes into operation then. So, there will be about 8 months to go into the composition of these committees and find out which committee should be exempted and which committee ought not to be exempted.

**Mr. Deputy-Speaker:** Just now we have taken a decision that we proceed to consideration of the clauses of the Bill. Can we now again go back and say . . .

**Pandit Thakur Das Bhargava:** I am not submitting that we should not continue consideration of the Bill.

**Mr. Deputy-Speaker:** Just now the hon. Member said that the consideration should be postponed.

**Pandit Thakur Das Bhargava:** I am submitting that so far as the schedule is concerned. There is a proposal of the Joint Committee that there shall be a Standing Parliamentary Committee and that committee be authorised to go through the composition of these committees. There are some amendments to add clause 3A. The recommendation is that this Standing Committee should be enabled to go through all the committees whether contained in the schedule or otherwise—in regard to future committees also—and it shall have an advisory function. I think this function has been accepted by Government. Therefore, so far as Government and the other hon. Members are concerned, there is no difference of opinion in regard to this.

Therefore, my submission is why should we duplicate matters? Why not we agree that this Committee shall go into the composition of all the committees and come to a decision. Then, we will be able to scrutinise it again. I am not against continuing the discussion of this Bill. If my proposal is accepted, the previous Act will continue till 1st September 1959 and during this period the Parliamentary Committee will do its work and this Bill may be enforced from 1st September 1959. I will come to this as I have submitted an amendment to add clause 3A; but, to some extent, I have anticipated it.

Now, I come to sub-clause (j). With regard to that, today, we had the benefit of hearing the hon. Law Minister. I put a question to him and the reply

to it, according to me, was not satisfactory. We look up to the hon. Minister who is a very distinguished lawyer, and at the same time a very distinguished man otherwise, to give us some guidance in understanding the provision. But, instead of giving us that guidance he twitted us. He did not give a fair reply to the question put by my hon. friend Shri Mahanty and also by myself and other hon. Members.

I for one, as a matter of fact, do not know the exact implication of the words 'discharging police functions'. I consulted the Criminal Procedure Code; it does not give any guidance at all. So far as the Police Act is concerned, I have not seen it, but I understand that there is no definition of 'police functions' there. What fell from the hon. Minister was that law and order functions may be regarded as police functions. My submission is that if this is so, then the lambardars in Rajasthan and Punjab do certainly discharge police functions. According to the rules of lambardarship etc. which are contained in the *Land Revenue Manual* they have to help the police. They are the helpers of the police. If that is so, they clearly come within this definition. Either you exempt all these lambardars etc. or you do not exempt them at all. I do not want the sword of Damocles to be always hanging over the heads of these persons.

I appreciate the feeling of the hon. Law Minister when he says that these persons, when they collect revenue, do a sort of duty to the Government. I do not deny that. I have got every respect for all those officials. Even the meanest official of Government does a certain function. Who denies that? At the same time, may I know the basis for not giving the same exemption to a *chaprasi* of the *tehsil* or to another official who does the same thing? He also does the same thing. The *Tehsildar* and the *Naib Tehsildar* and *Patwari* also collect revenue. If they get their pay, the *lambardar*, *patel* or *deshmukh* gets no

pay but gets a commission. What is the difference? Moreover a lambar-dar is not a revenue officer at all according to the definition given in Land Revenue Act. He is a village officer only. They do not collection work in a voluntary capacity, they are paid by Government. Sometimes when the land revenue collected is very high, the emoluments are also high because actually they get some 2½ per cent or 5 per cent. When they are remunerated not by pay but by fees, what is the difference in capacity? Their capacities are the same, they discharge functions in the nature of public functions and they are in a way government servants; they are helpers of Government. The same rule that goes against government servants applies to them also. They hold offices of profit. If they do not, there is no case for exempting them. In so far as exemption is sought Government think that they are holding offices of profit. I really do not know the real basis for the distinction. All those are officers who perform duties to Government, why not they all be exempted? You have forgotten that you are placing them in such a position that they will not thank you for it. I can understand it if it is something minor, if they are not under the influence of Government, if they are not under the thumb of Government. From our experience I believe that they are all under the thumb of Government and they will not be independent when they come here. If you suppose my conclusions are wrong then exempt them. But do not put them in such a position that they come up for scrutiny and it depends upon the scrutinising officers to exempt them or not.

Now, it is not that the Government is at fault because Government supplied all the material to the committee. We have got the duties of the lambar-dars, malguzars, deshmukhs etc. Here they want to exempt these officers. Instead of deciding on the basis of those duties, about which we have got all the information, we have not done our duty by them and we have put them in a state of uncertainty. I would

rather like that on the basis of the material it may be decided once for all who is to be exempted or who is not to be exempted. You leave it to the scrutinising officer to decide whether they will be allowed to stand or not and whether this will be regarded as an office of profit under article 102. Supposing he succeeds or fails there, there will be an election petition and ultimately the matter will be decided by the court. My hon friend has said that there are 45 lakhs of such people. What have they done to get this sort of a law from this House? They ought to be certain of their position and know where they stand.

**Mr. Deputy-Speaker:** Does not the hon Member recollect that we felt that difficulty in the Joint Committee also? These names are used in different places with different functions.

**Pandit Thakur Das Bhargava:** We felt the difficulty in the Committee on Offices of Profit because the duties of all these persons were not before us. We made a suggestion that whenever another Committee sits, all their duties must be placed before that. So far as the Government could get them, they placed all the duties before us. If they did not place the duties before us, it is the Government to be blamed.

**Mr. Deputy-Speaker:** The hon Member has said that all the duties were placed before us. That is one statement. In certain places the lambar-dars are innocent men, taking the office by heredity, they had nothing to discharge and nothing to do. So, we thought he was innocent in that respect and exemption may be given. At another place, the same title lambar-dar carried certain functions—to help the police and do certain other things.

**Shri D. C. Sharma (Gurdaspur):** Are there any lambar-dars in this House from whom you can get an interpretation. (Interruptions)

**Mr. Deputy-Speaker:** Pandit Thakur Das Bhargava is himself a lambar-dar.

**Shri Jaganatha Rao:** . . . Was a lambardar.

**Pandit Thakur Das Bhargava:** You know, Sir, that I was not a lambardar as such.

**Mr. Deputy-Speaker:** There are certain lambardars who are lambardars and there are others who are not as such. There is a distinction . . . (Interruptions.)

**Shri Hajaranavis:** There are lambardars who hold their offices and who do these duties and come under the influence of the Government; there are others, who are not influenced by the Government and they are not lambardars as such . . . (Interruptions.)

**Mr. Deputy-Speaker:** My friend is rather speaking in a lighter vein—not to be taken very seriously.

**Pandit Thakur Das Bhargava:** Sir, I do not treat your remarks lightly at any time but today since you yourself have been pleased to tell me that they were to be taken in a lighter vein, I will certainly submit to you.

There are some lambardars who are only lambardars in name; they do not discharge those functions. I have known very big lambardars who are owners of the entire villages. I happened to be the sole proprietor of a village and was appointed a lambardar but I did not discharge those duties for a single day and I do not know what the lambardar usually does. I never went after any revenue officer or after any police man. When I came to the House, I resigned that and they must have appointed somebody else who is not a proprietor; they may have appointed. But I know of many big people who are owners of lakhs of acres and they are also lambardars though they do not discharge any function. But at the same time, I have \*got no less an authority than your goodself as to how these lambardars behave . . .

**Mr. Deputy-Speaker:** We have to make a distinction between one set of lambardars and another set of lambardars.

**Pandit Thakur Das Bhargava:** Perfectly right. If we could not distinguish then we ought to see what the majority is like. I should say that even among the Government servants, there may be people much more independent than even many Members of Parliament of our House. There is no doubt there are all kinds of people. But at the same time, the majority will not be independent; the majority of such people. I know, will not behave independently if they came to this House. In regard to lambardars, you were pleased to give me a description which I do not have the courage to repeat in this House. Whenever an officer comes, what do we see. I have seen those officers coming during the fifty years of my practice. I know how officers come and how the lambardars are treated. As soon as they come, they are treated in such a manner which one must be ashamed of. All sorts of pressure are put upon them. During the national struggle, all these lambardars—of course with some exceptions—most of them appeared as police witnesses and the High Court judgments are there which say that these are police stock witnesses and even a confession made before them is regarded as inadmissible because they are regarded as persons of authority and they are the helpers of the police according to the rules. I who know what a lambardar is, myself do not know whether he discharges any police functions. If you want the exemption of these people, it is not my view to object to it; I am quite amenable to the will of the House. If the House wants to exempt them, let it be done. But take away those words 'discharges any police function'. I do not want to put them in this uncertainty as I do not want to put others too.

You were pleased to criticise me and say: if the whole material was there, why did you not do it. That is my com-

plaint. If the whole material was before us, we should have done. We should do it now. The entire material can be placed before the House. If the entire material is not there, let the Government say so and take the blame.

In the Representation of the People Act, in section 123(a) what have we done? We do not even enumerate all these things, all these offices. We say, without enumerating them: 'and the like'. I am glad that 'and the like' is not here. But at the same time the words are 'or by other name'. Even the names are not known. The Law Minister does not know even the names of these officers whom he wants to exempt! It is not fair; it is not the way in which law should be enacted in this House. The law should be quite exact, accurate and unambiguous. You do not even give the names. Who will supply the names whenever a question arises? Something will arise for decision whether it comes within the definition of this law or not. The best thing is to take away this village revenue officer who according to law (Land Revenue Act) is not a revenue officer even. If you take it away nobody will be put to any grievance; even the lambarbars will have no grievance. In this Bill, we are not taking into account all the kinds of offices under the Sun which come under article 102. May I just exemplify by saying that we do not say anything about pensioners, about the servants of the local bodies, honorary magistrates—like the Justices of the Peace—and so on. We have not said a word about them; we have not touched them. We have neither qualified them nor disqualified them; we have left them in the lurch as they were previously under the mischief of article 102. There are many offices which have not been gone into by us and therefore, you cannot say whether they are exempted or not. This provision is ambiguous and does not help. If you leave it out nothing will be lost. All these lambarbars will continue to enjoy their present position. So, I think we are not justified in enacting

sub-clause (j). It is possible that opinions may differ. Let them be resolved on another occasion. After all this is not the last Bill on the subject; other Bills may come and then there may be ample material and we can understand it better. In this way as it is now, we leave it to the scrutinising officer. Even now the scrutinising officer shall have to decide and there is no occasion for having this (j) at all.

Clause 3 contains many offices which ought not to be exempted. This contains many offices which we have not even considered and yet we have exempted them without consideration. It contains many offices which have yet to be determined by the scrutiny officer in the courts. It means that if my amendments are not accepted, clause (3) will act in such a way that ultimately the same difficulty will arise, as they will arise without having enacted this legislation. My humble submission, therefore, is that either the House may be pleased to accept some of these amendments, especially in regard to (h) and (i), or else my feeling is that we will not have done our duty to the people of this country by enacting this clause 3.

Shri D. C. Sharma: Mr Deputy-Speaker, Sir, the whole basis of this clause shows that there is no logic in this. The various provisions in the clause show a kind of arbitrariness of decision which is not conducive to any good legislation. I believe, in the first place, that the various provisions in this clause should have been made as firm, precise and definite as possible. I submit very respectfully that with the intention of plugging some loopholes this clause is going to create a larger number of loopholes.

Sir, I judge this Bill and this clause by one criterion and it is this. Will it increase the number of election petitions or will it diminish the number of election petitions? I am interested only in this aspect, and I think the Ministry is also interested in this aspect. After looking at this clause, and its provisions from that aspect, I find that any person elected on the

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basis of this Bill will not feel safe after he has been elected. The sword of election petition will be dangling over his head all the time, because there will be hardly any Member elected who will not come under the mischief of the provisions of one clause or another of this Bill. I can say that without the fear of any contradiction. For instance, Sir, take sub-clause (c) or sub-clause (d). Certain things are mentioned there, but I feel that instead of having this omnibus clause we should have said that all persons who are serving the Government in an honorary capacity or in a capacity which does not yield more than the compensatory allowance a Member gets be debarred from being under the office of profit. We should have made some general definition like that. But the more you think about it, I think, the more you get tied up in this knot of the office of profit.

The hon Member who preceded me showed an apprehensive mind, and I think anyone who reads this Bill will have that kind of apprehensive mind. Nobody will be able to fight his election with any freedom from fear. Even after he has been elected, I think he will be a victim of the fear all the time till the period for submitting election petition is over.

I find a great deal of arbitrariness made in the choice of exemptions. Well, I am glad the Minister has said that Vice-Chancellors of universities will not be permitted to stand for election. I think it will make for the good governance of universities, for promoting good education in the country, for promoting better relations between Vice-Chancellors and university staff and also, more than this, promoting better relations between Vice-Chancellors and the student community. I am glad that it is so. But I do not understand why my hon. friend over there was so apprehensive about the other persons—chairman, member of the syndicate, senate, executive committee and council, which is an advisory body. I agree with him that this qualification creates

a loophole for the Election Tribunal and the person who has been elected. I think the simple provision should be that any person who is connected with any academic body or any university should be exempted. That is what should have been done. The mere enumeration has made the thing much more difficult than it was before.

At the same time, Sir, I fail to understand what is meant by 'advisory body'. For instance, sometimes universities appoint professors who carry salaries ranging from Rs. 800 to Rs. 1200 or even more. Suppose a Member is put on a selection committee of that type, what will you call it? Will you call it an advisory body or by some other name? Therefore, anyone who is connected with a university or university bodies, because the university bodies are primarily academic, should not come under the mischief of this Act. Sometimes, I think, giving a definition is much more harmful than not giving any definition. What the hon. Minister has done in this Bill is this, that he had tried to define certain things and tried to define them in a way which, I should think, is not comprehensive. Therefore, his definitions are going to do much more harm than the actual definitions would have done. That is why I say that the simple provision should be that anybody who is connected with the academic life of a university, let him be a member of a syndicate or a senate, will not be under the mischief of this clause. Of course, the words "advisory capacity" should be altogether done away with, because otherwise the question will arise whether one is working in an advisory capacity or some other capacity.

I am glad that the hon. Minister has included a provision with regard to the office of a member of any delegation or mission sent outside India by the Government for any special purpose. I suppose there are various delegations which are of a commercial nature. There are some delegations which are of

a judicial nature and there are some delegations which are of a nature which involves matters of high policy. I think there is a difference between all these kinds of definitions. A man who goes to U.N., for instance, is going there for a different reason from a person who is sent to negotiate a deal with some commercial firm. I know that some of our Members are sometimes sent out for that reason also. Therefore, you cannot have a blanket provision like that. Cultural and political activities will have to be distinguished from commercial, business and trade activities for the purpose of this clause; otherwise, Sir, I think the whole purpose of this clause will be stultified.

Again, of course, I do not agree with the hon. Member who preceded me when he said that the term should be restricted to one year or six months. I am not particular about the term. I am particular about the functions of the delegation. It should be a functional thing and not a thing which has to be judged by the number of months or years which a person has to spend.

Then, I think the sheriffs should be left in peace; there are three of them and I do not want to say anything about them; I want to leave them alone. But, Sir, I do feel very strongly about the Home Guards. I do not know why these Home Guards are being exempted. I have some idea about the Home Guards. I know something about the Home Guards. The members of the Home Guard are policemen and they are doing the duties without being called policemen. That is the only difference. One may be a policeman and one may not be called by that name. If you call a rose by any other name it will smell as sweet. But even if you call a bad thing by a good name, that will stink. Therefore, I humbly submit that the Home Guard is not going to bring in new talents to this House, is not going to add to the prestige and dignity of this House, is not going to make

any rich contribution to the debates of this House and is not going to do things which are not done by the Members of this House here. So, the Home Guard should be done away with. The members of the Home Guard are doing purely police duties, and I think if you want to have them, then you should throw open the House to all the members of the Forces.

Again I would say that sub-clauses (h) and (i) are really very vague. I am a student of English and from the study of English I have found that there are two types of English: the English in which you want to make your meaning clear and that type of English, beloved of some types of persons, where you want that the whole thing should be left as confusing as ever. For instance, those of us who have read the book by Mr. J. M. Keynes written after the treaty of Versailles will also agree with me when I say this. He has given some examples of this kind of English. For instance, you can put a simple thing in a very circumlocutory fashion. A simple thing whose meaning is clear can be put in such a way that you should have to scratch your head before you discover the real or the implied meaning of it. I neither understand the implied meaning of these sub-clauses nor do I understand the real meaning. What is at stake here? Who are going to be the advisers and what are going to be their functions? There can be one single adviser which I do not understand though I can understand an advisory committee. But here, you call yourself an adviser in your own individual capacity. Of course, I do not share the fears of my learned friend who preceded me, namely, that all the Ministers will have advisers and those advisers will not act upon their rights. I do not share those fears. But, all the same, I want to know this. We do not need Members of Parliament to go out and collect statistics. I think there is a Statistical Institute and this work can be left to it. I do not



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know if there are any Members of Parliament now who are capable of going out and collecting statistics. This is a new function which the Members of Parliament are called upon to discharge going out to collect statistics. I do not know of any other country where Members of Parliament are called upon to discharge functions like that.

I can understand Members of Parliament going out for an enquiry which is within the purview of the functions of a Member of Parliament. For instance, we can go out for an enquiry into the food situation or some other situation. But I want to ask the hon. Minister what kind of persons he has in view, who will be sent out like an enumerator to collect statistics. Are we going to be permanent members of the Census Commission or Board? Of course we are already members of such Boards and we can be called upon to do that work, but are we going to be permanent members of this kind of Board? This is beyond the comprehension of anybody and is beyond the comprehension of any person who can understand what is meant?

Moreover, I want to say that there are advisers, advisers and advisers. I see nothing but advisers in this Bill. The members of the university are to be there in an advisory capacity. They are to act as advisers. Too many cooks spoil the broth, and too many advisers will spoil the working of my Government. Apart from other things, I see a danger in this. The Ministers will be surrounded by advisers. When you have too many advisers things do not always go right. I would, therefore say that this Government by advisers is not correct. Are we contemplating a thing like that? We do not want a Government only by advisers.

• Shri Baghat Sahai: You may or may not accept their advice.

Mr. Deputy-Speaker: No advice is wanted at this moment!

Shri D. C. Sharma: If the advice is accepted I do not have any quarrel with you; but, if the advice is not accepted, and that will be the case mostly because we know the outcome of the various committees which are appointed, what will happen? What is the action taken by these committees? They are also of an advisory nature. Their advice is not accepted always. Therefore, if the advice is not accepted, the adviser becomes a figure of fun, a figure of contempt, a figure of ridicule and a figure of no consequence. Hence, I would respectfully submit that these sub-clauses should not be there. We do not want so many advisers, and we do not think that the advantages to be reaped from their appointment will be commensurate with their number or anything else.

I now come to sub-clause (j). All that I know about *lambardars* cannot be said on the floor of this House,—whether the *lambardar* is a hereditary office or a non-hereditary office, whether the *lambardar* is only a revenue-collecting being or something else. I think I need not say all that here. Of course, I agree with my friend over there. I respect the *lambardar*, because they are citizens of India. I respect them. But I would submit very respectfully that whenever anybody has to do anything with collecting, I should say, a commission or anything of that kind, he should be debarred from coming to this House. Why have we have debarred contractors from contesting elections to Parliament or Assembly? After all, they also earn a little commission on what they have done. Those persons do not take away all the money. You give a contract for a lakh of rupees, and their profits, I think, amount to ten per cent. Of course they do some work and these *lambardars* also do some work. If one set of persons



profit on what they have done, the others earn a commission on what they have done. The difference between a commission which is sure and a profit which is problematical is not known to me.

I think that a lambardar, so far as the office of profit is concerned, is placed in a more advantageous position than the Government contractor because the Government contractor runs a risk while the lambardar does not run any risk. His money is assured. Therefore, I very respectfully submit that this sub-clause should be done away with. The sub-clause says: "...but who does not discharge any police functions." To think that the lambardar is not responsible for law and order in his village is to think that he does not know what he has to do. The lambardar has many duties to perform. He is a handmaid of the Government and he knows all the functionaries who are running the Government. He is their friend and ally, I do not want to use any hard words about this gentleman, because I know quite a few of them. He is a limb—a very small limb—of the Government. If you are depriving the big limbs of the Government from contesting elections to the Assembly or Parliament, I do not see any reason why you should give the lambardars a chance to contest.

The lambardar should stay where he is. I would request the hon. Minister to leave him in peace; he is happy where he is. If you want to uproot him from his village and from the social context, I would say that we would not be doing justice to him or to anybody. I do not want to say what the police functions are not there; I know those police functions have not changed. So, this clause should be done away with as early as possible.

I was very keen that the Parliament should not be thrown open to members of the National Cadet Corps, Territorial Army, etc., but I think I should not press that point very

much. But I would ask the hon. Minister:—What is the logic or the principles behind all this? Is there any comprehensiveness about these things? Does it satisfy all our needs? I think the answer is 'no'. I would, therefore, ask him to see to it that the persons who come to the Parliament after incurring so much of expenditure and so much of agony of electioneering, are not at the mercy of those persons who try to harass the successful candidates and also at the mercy of those persons whose good lies in legal ingenuity and legal interpretation.

Shri Narayanankutty Menon (Mukandapuram): Mercy to lawyers.

Shri D. C. Sharma: I could request the hon. Minister that he should spare us from that agony and from that kind of trouble.

Shri Narayanankutty Menon: The hon. Law Minister is doing a service to lawyers. We should appreciate that.

Shri Vasudevan Nair (Thiruvella): There have been very serious criticisms about the Bill from all side of this House, but they have been from different angles. We, on this side of the House, look at the Bill from a very different point of view than the one adopted by many hon. Members on the other side. I should say there is no sign of improvement, as far as this Bill is concerned. I would request the hon. Minister even at this late hour to give very serious consideration when they are going to decide whether so many important and vital committees and corporations are going to be taken out of the purview of the activities of hon. Members of this House. I do not want to dilate very much on that, because I have dealt with it last time during the first reading.

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In regard to clause 3(i), I would request the hon. Minister to give consideration to the amendments moved by us—Nos. 4, 5, 6, and 7—and I would entreat him to see whether it is at all possible at least to allow Members of Parliament to be ordinary members of these committees and corporations. Under this Bill, the office of chairman, director or member of any statutory or non-statutory board, committee or commission mentioned in Part I of the schedule cannot be held by Members of Parliament. I would request Members to look at this problem from this point of view—whether a Member can do justice to his work in Parliament if he is going to be an ordinary member of any such committee. Last time I tried to counter the argument if a Member of Parliament becomes a member of some other committee, he will lose his independence and he is liable to become corrupt. I do not want to go over that field again. We should look at this problem from the practical point of view. If he becomes a member of a committee or corporation and if he is not able to do justice to the work in this House, I feel he should not be in that committee. When Pandit Thakur Das Bhargava was speaking on this Bill last time, I feel that on principle he did not object to Members being in such committees. His anxiety, as far as I can understand, is that Members cannot discharge both functions satisfactorily. So, I would request Government at least to accept our amendment No. 6, so that a Member of Parliament can be an ordinary member of a committee, board or corporation. I do not think there is any difficulty for a member to perform these duties simultaneously—be an ordinary member of these committees and at the same time be a Member of Parliament.

If we are going to shut out the representatives of the people—Members of Parliament—from very im-

portant and vital sectors of our economy, when we are going to develop the public sector in the interests of the country, I feel it is a very serious decision that we are taking; we should not take such a decision in haste. We should consider it seriously, because when the Constitution was framed, when many members spoke about article 102, we did not have this idea of various autonomous corporations and the great developments in our economy at that time. We are going to have many more such bodies and we are going to put a large part of our revenue in them.

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Those institutions have to perform very important functions, and it will be unfair not only to the Members of Parliament but also to the people at large to shut out our representatives from such bodies, the net result of which will only be to leave them open to the bureaucrats, the representatives of private business and big business, as it is happening today. So, I would request the Government to look at this problem from that point of view. Pandit Thakur Das Bhargava even today raised the question and said that we will not be able to do justice to our work in Parliament. To me work in such committees is work as a Member of Parliament. What is the work of a Member of Parliament? Sitting in Parliament alone is not the work of a Member. Attending Parliament is not the only work, according to me.

Mr. Deputy-Speaker: Even sitting silently as a Member?

Shri Vasudevan Nair: That can also be a work in Parliament. We go outside. We attend to the problems of our constituency. There are ever so many bodies like the district development committees, advisory committees, community project bodies and so on and work on such bodies is part of the work of a Member of Parliament. This problem should be looked at from that point

of view. So, I would request the Minister to accept at least our amendment No. 6, if he cannot accept our amendments Nos. 4 and 5.

Now I would like to say a word or two about amendment No. 7. We have to remove the anomalies that exist today. In our part of the State, in Kerala, for example, there are two types of laws, as far as the teachers working in aided-schools are concerned. In the Travancore-Cochin area private school teachers in the aided schools can stand for election and participate in the political activities with complete freedom. But in the Malabar area, which was all along under the Madras Government, there is a law which forbids the very same category of aided-school teachers from standing for election and participating in any kind of political activity. As a matter of fact, they have forbidden them even participating in their own teachers' organisations, though there was so much of resistance against it. I am sure that this law exists in other parts of Madras State also. So, there is a demand from the teachers of that particular area, which comprises nearly a third of our State according to my informations nearly 10,000 to 15,000 teachers are working in the aided school in that area—that this restriction must be removed. The present law forbids them from participating in any kind of public and political activities and standing for elections even for the panchayat boards and district boards, not to speak of the Assemblies and Parliament. So, we are moving this amendment to remove that anomaly which exists today, and I am sure the Minister would have no objection in accepting this amendment.

Now, without taking much of the time I would like to say a word or two on some of the suggestions of the hon. Pandit Thakur Das Bhargava. I agree with him that the Vice-Chancellor of a University who has to do full-time work as Vice-Chancellor cannot naturally be a Member of

Parliament. Government is also thinking of shutting out such Vice-Chancellors from the membership of Parliament. But I cannot at all agree with the argument that a member of Senate, a member of the executive committee, council or board or any other body should not be allowed to be a Member of Parliament, and he cannot stand for election. That is a very strange argument. There was some such argument from this side also, and that is why I am referring to that. As far as I know, Senate is such a body which meets only once or twice or, at the most, thrice a year and a member of the Senate has to attend those meetings and contribute what he can in those meetings. Some of the Members of this House are members of the Senate of several Universities. I do not see how the membership of a Senate stands in the way of performing duties as a Member of Parliament. So, that argument cannot be accepted.

Then, I agree with hon. Members that we should know something, more about the functions of the home guards, because in many parts of our country the home guards do not exist. In our area there are no home guards. In Bombay State also there are no home guards. What are their functions? Is it true, as the hon. Shri Sharma has said, that they are real policemen without being called policemen? If that is so, naturally they cannot be representatives of the people, Members of Parliament. So, I would request the hon. Member to enlighten us with some details of the functions of home guards in the States where they exist and function.

Then I come to the membership of delegations. There is an argument that membership of delegations which go out of India and absent from the country for months or years together should come under disqualification. I find there is some reason

[Shri Vasudevan Nair]

in that argument. There are some such delegations which tour other countries, go from one country to another and spent large part of their time in other work than the work of Parliament. So, to put a time limit on that is reasonable, and the amendment of some Members to that effect should be accepted by this House.

Before concluding, I would request the Minister to consider our amendment from another point of view also. Because, there is going to be a very practical difficulty in this sub-clause (i) being accepted by this House. We have already adopted the principle of participation of labour in the management of industries. In our State, in two of the industries the Kerala Government has already invited the representatives of labour and they are participating in the management. The Government of India is also trying to put it into practice and in the Hindustan Machine Tools Factory the representatives of labour are participating in the management. Now if it is decided that such people cannot become Members of Parliament it will be a very unfair decision, as far as the representatives of labour are concerned. These two decisions by this House go contrary to each other. So, we have to think about sub-clause (i) from this point of view also, and I again request the Minister to accept at least our amendment No. 6.

**Shri Mohammed Imam:** I do not want to take much of the time of the House.

**Mr. Deputy-Speaker:** I shall be highly obliged.

**Shri Mohammed Imam:** I have tabled amendments only on three matters. First one is that the Vice-Chancellor and the Chairman and members of the syndicate must not be allowed to serve on the State Legislatures or Parliament when they

are in their offices. The second one is that clause (j), which provides that the revenue officers and others will not be subject to any disqualification, must also be deleted.

Then, I have given notice of amendment to the Schedule whereby in the State of Mysore certain officers, viz., the Chairman and members of the Housing Board and the Chairman and members of the City Improvement Trust and Khadi and Village Industries Boards of Bangalore and Mysore should also come under disqualification. The whole idea is that when a person is elected either to the Parliament or to the legislature he must be in a position to devote his entire and undivided attention to the work of his constituency and in the interest of the people who have elected him. Secondly, he must not use his office or his position as a means for his own personal advancement. Thirdly, he must be in a position to set an example for others and lead a life of righteousness as long as he is a Member of this House.

The Government have not even considered entirely the recommendations of Pandit Bhargava's Committee. This Committee have emphatically pointed out that a person who is holding the office of a Vice-Chancellor, whether he is nominated or elected, will be subjected to disqualification and he cannot be a member of a legislature or of Parliament. But somehow the Government have not thought it fit to accept this recommendation. I am not aware of the reasons that have prompted the Government to ignore the recommendations of this Committee and provide a clause exempting the Vice-Chancellors and the members of the Syndicate from this disqualification.

As I pointed out the other day, Vice-Chancellors may be either appointed by the Government or may be elected. In either case, it must be conceded that a Vice-Chancellor has to devote a good deal of his attention and much

of his time for the affairs of the University. Apart from this, he draws a handsome salary from the funds provided by the Government. As the Vice-Chancellor he exercises considerable influence. There are Vice-Chancellors in various Universities who have been directly appointed by the Government. For example, take the case of the University of Mysore.

**Shri Sinhasan Singh** (Gorakhpur): Banaras Hindu University.

**Shri Mohammed Imam:** Banaras Hindu University and various other Universities. There the Vice-Chancellors are appointed by the Government. They are under the patronage of the Government. They always look to the Government for their continuance or existence otherwise they will be nowhere. Certainly they are not only holding an office of profit but an office of considerable influence and patronage. So, it is really against the spirit of the Constitution to permit an appointed or nominated Vice-Chancellor of a University to serve in the Parliament or in the State legislature.

The same thing applies to a Vice-Chancellor who has been elected by the Senate. It is usually the custom that the Senate submits three names or a panel of names to the Government and out of this panel the Government selects one. So, even in this case, he depends upon the mercy of the Government. It is because of the Government that he has been appointed as a Vice-Chancellor. He draws a salary from the funds of the University and invariably the funds of the University are replenished by the Government because certainly all these Universities are financed out of Government funds. So, it is but reasonable that this provision is taken away. A Vice-Chancellor, however eminent he may be, should not be allowed to stand for election or be a Member of Parliament. But if he has a real desire to serve the country and is very keen it is left to him to give up the trophies and become a full-time member of the legislature.

Again I go to the Syndicate. The Syndicate is presided over by the Vice-Chancellor and is an executive body of every University. They have to devote considerable time. I am not speaking of the Senate but of the Syndicate or the University Council. All the matters of the University, all its affairs are looked after by the Syndicate. They exercise considerable influence on the staff and on the teachers. The teachers and the lecturers and professors look to the members of the Syndicate for the improvement of their personal affairs. I think the members and the Chairman of the Syndicate ought not be allowed to serve in any legislature. Some of our representatives come from the University area. You know there are electoral colleges comprising of the teachers and professors of the University and at the time of elections the members of the Senate and the Vice-Chancellors exercise considerable influence and persuade the members of the staff according to their fancy. So, this is clearly an office of profit and the members of the Syndicate must be subject to disqualification when they hold their trophies.

Now I come to the provision made in sub-clause (j). Till now the village officers were not in a position to contest elections or stand for elections. Their applications were scrutinised and they were disqualified from contesting the elections. As I pointed out this case went up to the Supreme Court. Even the Supreme Court in a judgment recently have held that a village officer by virtue of his office cannot contest elections. Now here the Government want to see that the village revenue officer who does not exercise police powers may contest elections.

It is interesting to study the history of these village officers. It is true that most of them are hereditary village officers, but they owe their existence and emoluments to the Government. The Government can suspend them or may remove them from office. They are entirely at the mercy of the

[Shri Mohammed Imam]

Government. They are full time servants of the Government and when they have to do Government work, how can it be construed that once they are elected they will discharge their duties independently and fearlessly? After all the constitution provides that any Member here should not be subjected to any undue influence from the Government. So, a village officer or a revenue officer, when he is a child of the Government, when he is a nominee of the Government and the Government can remove him or dismiss him, how can he work fearlessly and without favour in a legislature? So, I think it is but right that this entire clause is deleted.

Now, I come to the Schedule and I am sure....

Mr. Deputy-Speaker: We will take up the Schedule later.

Shri Mohammed Imam: Later on.

So, it is but reasonable—and it has been pointed out by many other hon. Members also—that the provision made for Vice-Chancellors and members of the Syndicate as also the revenue officers is deleted. Then I think there will be considerable improvement and I am sure my hon. and respected friend, Pandit Thakur Das Bhargava, will be satisfied.

Shri B. Das Gupta: Sir, I am afraid, if this Bill, as it is, is passed, it will create more confusion....

Mr. Deputy-Speaker: What about clause 3?

Shri B. Das Gupta: I am coming to that—especially sub-clauses (h) and (j) of clause 3. I am dealing with sub-clause (j).

These *lambardars*, *malguzars*, *patels* or *deghmukhs*, or call them by any other name, have been exempted, especially those who have no police functions to discharge. The first thing is, these are officers existing in the villages, in the rural areas from time immemorial. In some places, it is

hereditary; in some places, it is not. It is very difficult to demarcate where the police functions begin and where they end. In our areas, these village revenue officers are called by a different name. Of course, their function is to collect and to help the Government to collect the revenue. Though officially they have no police functions, virtually, every revenue officer of the village functions as the helper of the police and not only the police, but every Government officer, anybody who comes in the village. The magistrate comes in a village; he is at his beck and call. When any Government officer with any Government function comes in the village, he is at his beck and call. To the Returning Officer, it will be a confusion how to demarcate a revenue officer without any police function or with any police function. I can predict that in the next election, the number of election cases will be more than at present.

As regards these *lambardars*, we are put in confusion. I am just citing one instance regarding Rajasthan. In Rajasthan, the *lambardar* is appointed under an Act of 1956. He is a revenue officer. He has got some 15 items of functions. He has to do everything. He has to report if a tree is cut in the village. He has to report also the occurrence of any cognisable crime or any other thing likely to disturb the peace of such area. At the same time, he has to report if any riot has been encouraged or something like that. I do not know if a Returning officer will consider the functions of this *lambardar* as police functions or not. I think there are more anomalies in these sections which will create more confusion for the returning officers and at the same time for us too. On what principle the discharge of any police function has not been exempted, and on what principle have the Home Guards been exempted? Home Guards virtually do police functions. The Home Guards, though they are temporary, have the duty of the police. They have been created to help the police and to maintain law and order

in the country. On what principle the Home Guards have been exempted, on what principle the *lambardars* who do not discharge any police functions have been exempted, and on what principle the *lambardars* who discharge any police functions have been disqualified,—really it is a confusion for us. I submit that in the future, it will be mere confusion for the Returning officer to decide as to whom to allow and whom not to allow to stand in the election. Every revenue officer does all the functions. Whether officially they are police functions, whether police functions have been prescribed for him or not, that is a different thing. Virtually, he does all the police functions. So, it will be very difficult to demarcate where the police function begins and where the police function ends. I do not want to repeat the arguments put forth by my hon. friend, Pandit Thakur Das Bhargava. I appeal to the Minister that he should consider or reconsider very carefully and seriously not to hurry with this provision. I tell you, it is going to create confusion in the country regarding the elections.

Lastly, I quite agree with my hon. friend, Pandit Thakur Das Bhargava, that if you exempt them, you exempt totally and if you do not exempt them, do not just categorise them. It will be very difficult to find out who are doing police functions and who are not doing police functions. In the whole of India, in every State, in most of the villages, such offices have been in existence, for collection of revenue, for maintaining law and order and all these things. If you want to distinguish or demarcate one from the other, simply you will create great confusion. I request, at least in the rural areas, these things should be withdrawn or they should not be pressed. I think that will at least pave the way for more clarification in our future elections.

**Mr. Deputy-Speaker:** Shri L. Achaw Singh. There are still a large number of hon. Members who have to speak or

to support their amendments. Therefore, I request hon. Members to be as brief as possible.

**Shri L. Achaw Singh:** I shall take only two or three minutes. In support of my amendment No. 8 regarding Home Guards, I feel that the Home Guards are at best policemen and they are employed at a time of any emergency. They also enjoy certain favours from the Government and from the ruling party. It is improper that they should be exempted from disqualification. That is why I request the hon. Minister in charge of the Bill to consider this aspect.

Several hon. Members have already given various reasons for....

**Shri A. K. Sen:** I cannot hear anything.

**Mr. Deputy-Speaker:** A little louder, or the hon. Member may move forward.

**Shri L. Achaw Singh:** I will speak louder.

Home Guards are at best policemen. They have got police functions. Practically, they are policemen. So, home guards should not be there in the exemption list.

Secondly, regarding Vice-Chancellors, I have moved an amendment. I feel that the office of Vice-Chancellor is not compatible with the office of a Member of Parliament. He has to carry a very heavy burden as Vice-Chancellor, and it is not possible for him to attend Parliament and also carry out the duties of Vice-Chancellor. He has to engage in various activities in the House. So, this thing also should be considered.

Many hon. Members have already spoken about village revenue officials. I submit that in many States they have the functions of policemen. They, of course, do not get regular pay, but



[Shri L. Achaw Singh]

they are also Government servants everywhere. So, it is not proper that they also should be put on the exemption list.

The village revenue officers in Assam and Manipur are called *maujadars*, and none of them can help a candidate either for the local legislature or for Parliament at the time of elections. It will be a major corrupt practice if any one takes the help of a village revenue official. So, he is a holder of an office of profit, and, therefore, I submit that the village revenue official also should not be included in the exemption list.

श्री सिंहासन सिंह (गोरखपुर) उपाध्यक्ष महोदय इस विधेयक की जो दफा ३ है, उसके अन्दर बहुत से संशोधन आये हैं। मैं उनका बहुत ज्यादा विरोध नहीं करता हूँ लेकिन जो उस की उपधाराएँ, एफ, एच, आई और जे हैं उन के इस में होने से अब तक जो व्यवस्था थी उस में और आगे की व्यवस्था में बहुत अन्तर पड़ जाता है। हम कहाँ और किम को इस परिधि से बाहर रख सकेंगे यह कुछ समझ में नहीं आता। आप आखिर तक चलें, उपधारा 'ज' में कहाँ पर कि हम विलेज रेवेन्यू आफिसरों को मुक्ति दे रहे हैं। उन में हम लम्बरदार, मानगुजार, पटेल और देशमुख भी रख रहे हैं। हमारा उत्तर प्रदेश में "लम्बरदार" शब्द ता है लेकिन लम्बरदार कोई वसूली का काम नहीं करता। मानगुजार वसूली का काम नहीं करता। हमारे यहाँ न पटेल है, और न देशमुख ही है। विलेज रेवेन्यू आफिसर है, जाकि पटवारी है। हम के अन्दर पटवारी का भी एग्जम्पशन दिया जा रहा है। हम ने अपने रिप्रेजेंटेशन आफ पीपल्स एक्ट के अन्दर जो दफा १२३ बना रखा है, जिस के मातहत करप्शन के आधार पर चुनाव याचिकाएँ मजूर होती हैं और बहुत से व्यक्ति पाच, छ वर्ष के लिये बंदे होने से बचि जाते हैं, उस में दफा १२३ के अन्तिम में दिया गया है कि गवर्नमेंट

सर्वेन्ट्स कौन कौन रहेंगे, उस में आखिर में दिया है :

"123 (7) (f) Revenue officers including village accountants such as, *patwaris, lekhpals, talatis, karnams* and the like but excluding other village officers".

लेखापाल वगैरह जो हैं, उन के सबे होने की बात तो दूर रही, अगर वह चुनाव में मदद भी करे तो चुने हुए व्यक्ति के खिलाफ चुनाव याचिका दाखिल होने पर वह मजूर हो जाते हैं और व्यक्ति डिबार किया जाता है अपने पद से।

अभी दफा ४ के अन्दर सरकार की तरफ से जो अमेंडमेंट आया है उस में लिखा हुआ है कि सन् १९५३ का जो प्रिवेंशन आफ डिस्क्वालिफिकेशन एक्ट है उस को रिपील किया जाता है। अगर ५४ नम्बर का जो अमेंडमेंट है, जो सरकार मूव कर रही है, उस के मजूर हो जाने के बाद रिप्रेजेंटेशन आफ पीपल्स एक्ट के अन्दर जा प्रतिरोध है, वह बहुत कुछ दूर हो जायेगा, उस के अन्दर प्रतिरोध यह है कि जिस कानून में ऐसी दफाएँ अन्तर्भाव के रूप में हैं, वे निकाल दी जाये, दफा ४ में यह रक्षा जा रहा है

"the Prevention of Disqualification Act, 1953, and any provision in any other enactment which is inconsistent with this Act are hereby repealed"

इस एक्ट के जरिये रिप्रेजेंटेशन आफ पीपल्स एक्ट की धारा १२३ की उपधारा ७ के एक अंश को भी रिपील किया जा रहा है। जब हम यह करने जा रहे हैं, जब हम एक इतना बड़ा कदम उठाने जा रहे हैं, तब हमें जरा गम्भीरता से सोचना पड़ेगा कि इस से हम पार्लियामेंट के स्तर को ऊँचा कर सकेंगे या और नीचे गिरा देंगे। इस बारे में पंडित ठाकुर दास भार्गव ने बड़ी लम्बी उक्तरी



करते हुए सब बातों पर प्रकाश डालने का प्रयत्न किया। इसलिये मैं अधिक न कह कर इतना ही कहना चाहता हूँ कि रिप्रेजेंटेशन आफ पीपल्स एक्ट में जो बिलेज आफिसर्स को रक्खा गया है, उन को वहाँ पर आप न लायें। वे लोग पिछले एक्ट में अपनी जगह पर सही रखे गये हैं। पहले एक्ट में भी कठिनाइयाँ आई थीं और बहुत सी चुनौतियाँ आयीं। जो पंचायत राज एक्ट था उस में के भी आदमी बहुत से आ जाते हैं। गाँव का सम्भावित आ जाता था। सगपच आ जाता था। उन को भी निकाला गया। लेकिन अब आप इस कं क्षेत्र को और बड़ा कर विलेज रेवेन्यू आफिसर्स को भी निकाल रहे हैं। इस सम्बन्ध में जिक्र किया गया है कि वही आदमी आ सकेगा जो पुलिस का काम न करना हो। यह बड़े झगड़े की बात होगी कि वह कहा पुलिस का काम शुरू करना है और कहाँ तक रेवेन्यू का काम करता है। रेवेन्यू की वसूली में भी पुलिस की जरूरत पड़ जाती है। झगड़ा बहुत बढ़ जायेगा जब कि पार्लियामेंट के स्तर पर इसमें कोई मुद्दा नहीं होगा।

इस के बाद मैं 'जे' के बारे में कहना चाहता हूँ। अभी कहा गया कि यह तो परिशिष्ट में सम्बन्धित है और इस पर बाद में बहस होगी। लेकिन इस के अन्दर मैं इतना ही कहना चाहता हूँ कि हम अपने परिशिष्ट को ज्यादा लम्बा बढ़ाने जा रहे हैं, जिस में कि हम और भी अधिक आदमियों को भुक्त करने जा रहे हैं। जितना ही परिशिष्ट को बढ़ाया जा रहा है उतना ही झगड़ा उस में पैदा हो सकता है कि कौन गवर्नमेंट के अन्दर आता है और कौन नहीं। तमाम दुनिया भर की चीजें हम इस के अन्दर करने जा रहे हैं। ऐसी हालत में आप क्यों नहीं एक साफ कानून बना देते कि पार्लियामेंट के अन्दर आने के लिये किसी तरह का अवरोध नहीं होगा। जैसे कि चीन और रूस आदि मुल्कों में हैं। वहाँ का कमान्डर इन चीफ भी पार्लियामेंट का मेम्बर है। वहाँ पर एग्जीक्यूटिव आफिसर्स और पार्लियामेंट के मेम्बरों में कोई फर्क नहीं है, सब कम्प्यू-

मिस्ट पार्टी के मेम्बर हैं और सब पार्लियामेंट के मेम्बर हैं। अगर हम समझते हैं कि किसी न किसी रूप में अधिक आदमियों को इन्हें यहाँ पर लाना चाहिये तो जरूर लायें। अगर हम इस को अच्छा समझते हैं तो इस के बिना कोई तत्व न रहे। लेकिन हम बहुत धीरे धीरे जो कदम बढ़ा रहे हैं, उस में हमें डर लगता है कि कहीं ऐसा न हो कि जो हमारा स्तर है वह नीचे न गिर जाये और जो हमारा डिमाक्रेटिव रूप आज है, उस में बहुत अन्तर पड़ जाये। हमारे अन्तर करने में अगर सब एक हो जाये तो बात दूसरी है, लेकिन जब तक भलग भलग चीजें रहती हैं, जब तक यह रहता है कि कोई भी एग्जीक्यूटिव आफिसर जो कि सरकार में तनम्बाह पाता है, वह पार्लियामेंट का मेम्बर न बन सके और उस को दूसरे रूप में हम यहाँ लाना चाहें, तो वहाँ बड़ी गड़बड़ पड़ सकती है। मसलन, (आई) में हम ऐसे लोगों को लाना चाहते हैं जो कि किसी कार्पोरेशन या बाडी का चेअरमैन हों। आये दिन हमारे यहाँ पर चर्चा होती है कि अमुक अमुक कार्पोरेशन की कार्यवाही ठीक नहीं हो रही है। अगर उस कार्पोरेशन का आदमी यहाँ आ जाये और पार्लियामेंट का मेम्बर हो जाये, तो यह डर होगा कि हम उस कार्पोरेशन के बारे में नुक्ता चीनी नहीं कर सकेंगे। उस का जो प्रभाव हो होगा वह उस को दूसरे मेम्बरों पर डालने की कोशिश करेगा और कहगा कि जो भी बात हो उसे पार्लियामेंट के अन्दर न आने दो। यह चीज उन सरकारी कार्पोरेशनों पर पार्लियामेंट के एकाधिपत्य को रोकती है, मंशख को रोकती है, और देख रेख को रोकती है। जो भी अपना नियंत्रण आज हम उन पर रखते हैं वह किसी न किसी ढंग में निकल जायेगा। क्योंकि वहाँ का मेम्बर बराबर वहाँ के सदस्यों पर अपना प्रभाव डालना रहेगा इस नियंत्रण के विरोध में। गवर्नमेंट खुद तो ऐसा काम करती ही है लेकिन वह भी इन विषयों को यहाँ पर नहीं आने देगा।

दूसरी बात यह है कि मैं इस सदन के सदस्यों को जरा ऊंची नज़र से देखना चाहता

[श्री सिंहासन सिंह]

हूँ, मंत्रिमंडल की तरफ भी ऊंची नजर से देखना चाहता हूँ। लेकिन बहुत से आदर्श, स्वभाव से पानी की चाँति नीचे गिरते हैं। इसलिये हो सकता है कि हम अपने ही अभिप्राय से अपने मंत्री के पास जायें कि प्रमुख कारपोरेशन में मुझे रख दो। अगर इस तरह से हमारे यहां के लोग मंत्रियों और सेक्रेटारियों के पास पहुंचने लगे तो जो आज हमारी क्षमता या विशेषता है, उस को भी कुछ थोड़ा धक्का पहुंचेगा : आज बहुत सी बातों में हम अपना ज्यादा कंट्रोल रख सकते हैं, मुझे डर है कि अगर इस तरह से हुआ तो हम अपनी स्वतन्त्रता को खो देंगे। यह बात बहुत अच्छी नहीं होगी। इसलिये अगर उपचारा (भाई) न रहे तो इस के देश को कुछ कल्याण ही होगा अकल्याण नहीं होगा।

भाई साहब ने बहुत साफ शब्दों में कहा कि अगर कोई कमेटी बने और गवर्नमेंट की सलाहकार हो तो उस के लिये हम देखना चाहते हैं कि उस के आदमियों के मेम्बर बनने में कोई बाधा न हो। लेकिन हम ने अब एक नई भाषा उस में डाल दी कि वह कमेटी एक की हो या अनेक की। अब तक जब कमेटी का शब्द आया करता था तो हम लोग समझते थे कि उस में कुछ आदमी होंगे। लेकिन अब उसे कोई डिफाइन नहीं कर सकता। एक मेम्बर की भी कमेटी बन सकती है और इस की भी बन सकती है। अब हम ने एक मेम्बर की कमेटी की भाषा को भी उस में रख दिया। इसलिये मुझे डर है कि बहुत से मंत्रिगण बहुत से मेम्बरों को अपने सलाहकार के रूप में रखने का यत्न करेंगे। इस में "सलाहकार" शब्द है। और बिल में यह प्रपोजमेंट है कि उस में से टेम्पोरेरी शब्द निकाल दिया जाये। इस में यह हो सकता है कि अगर कोई मंत्री किसी सदस्य को पांच बरस तक कोई पद न दे सकें तो वे उस को अपने साथ सलाहकार के रूप में नियुक्त कर दें और वह उस के साथ सलाहकार के रूप में रहेंगे जो कर कुछ

एलाउन्स लेता रहे। वहां भी मुझे डर लगता है कि हमारे इस काम में से इस से बाधा पड़ेगी। लेकिन अगर इस में 'बन और मोर' शब्दों को रखना ही है तो इस में से ये शब्द हटा दिये जाने चाहिये कि वह ऐडवाइज करने के लिये हो। इस में ऐसी कमेटी होनी चाहिये जो कि हाउस से चुनी जाय। अगर इस तरह से एक आदमी की कमेटी बने और वह पार्लियामेंट के बाहर बने तो उस से मुझे शंका है। इसलिये मैं इस चीज का साथ नहीं दे सकता।

दूसरी बात डेलींगेशन के बारे में कही गई। "डेलींगेशन एबीड" पर मैंने कुछ नोट आफ डिस्टेंस पढ़े और मैं भी इस विषय के सहमत हूँ कि बिल में इस "डेलींगेशन एबीड" की अवधि निर्धारित करनी चाहिए भी कि वह कितने समय के लिये होगा। वह एक परमानेंट रूप का धारण कर रहा है। आखिर ससद् के माननीय सदस्यों को भी सदन की मीटिंगों से अनुपस्थित रहने के लिए सदन में छुट्टी मागनी पड़ती है और अगर कोई सदस्य बिना किसी नोटिस के लगातार ६० दिन से अधिक सदन की बैठकों में अनुपस्थित रहता है तो मेम्बरशिप से डिबार हो जाता है। इसी तरह मैं चाहूंगा कि "डेलींगेशन एबीड" के लिये भी कोई ४, ५ या ६ महीने की अवधि निर्धारित होनी चाहिए और उसने दिन की मेम्बर हाउस से छुट्टी माग कर जावे और बाहर रहे।

इसके अतिरिक्त क्या यह उचित होगा कि उस मेम्बर को जो कि बाहर "डेलींगेशन एबीड" में रहेगा, उसको बाहर एलाउन्स के रूप में भी रुपया मिले और जो वहां यहां से एक मेम्बर का बेंतन होता है वह बेंतन भी उसको दिया जाय करे हालांकि वह एक दिन भी यहां सदन की बैठक में न बैठे? क्या यह उचित होगा कि पार्लियामेंट के जिन मेम्बरों को बाहर डेलींगेशन में भेजा जाय उनको

यहां से बेंतन भी हैं और उनको बाहर भी रखें ? मेरी राय में आप इसके लिये कोई एक अवधि दो, चार या पांच महीने की रख सकते हैं जैसे कि यू० एन० प्रो० के लिए हमने दो, चार या पांच महीने की अवधि रखी हुई है और जिसका कि मतलब यह समझा जायेगा कि हमने उनको उतने समय की छुट्टी दे दी। लेकिन हमने इस तरह की कोई अवधि इसमें स्पष्ट रूप से नहीं रखी है और मुझे आशंका है कि पब्लिक एक्स्पेंडिचर पर इसका व्यय का भार बढ़ेगा और यह उस स्थिति में कुछ मुनासिब नहीं जंचता है जबकि हम चारों तरफ आर्थिक सहायता मांगते फिरते हैं। मेरी शिकायत यह है कि हम जो पैसा खर्च करते हैं उसके बारे में हम अच्छी तरह से गौर नहीं करते कि आया यह पैसा हम सही तरीके से खर्च करने जा रहे हैं अथवा नहीं और क्या जो पैसे का अपव्यय हो रहा है वह बन्द नहीं किया जा सकता है और रोका नहीं जा सकता है। आखिर हमें यह कभी नहीं भूलना होगा कि यह तमाम पैसा हमें जनता से मिलता है और शासन का यह कर्तव्य हो जाता है कि वह पैसा ठीक से खर्च हो और उसका अपव्यय न हो। मैं चाहता हूँ कि सरकार इस के लिए इस बिल में उचित संशोधन करे ताकि "डेलिगेशन एबीड" की कोई अवधि निश्चित हो जाय, दो या तीन महीने की। इस तरह की एक अवधि मुकदमों होने के बाद अगर कोई डेलिगेशन बाहर जाय तो उस पर किसी को एतराफ नहीं हो सकता है।

इस के बाद वाइस चांसलर के बारे में कुछ सुनने में आया कि शायद सरकार विचार करने जा रही है कि वाइस चांसलर को पार्लियामेंट की मेम्बरी के लिए अयोग्य घोषित कर दिया जाय। लेकिन हमने देखा कि सरकार का कोई इसके लिए प्रमोटमेंट नहीं है। जहां तक मैं समझता हूँ सरकार के दो ही प्रमोटमेंट हैं.....

श्री राधा रमण (चांदनी चौक) : मेरा प्रमोटमेंट है।

श्री सिंहासन सिंह : आपका प्रमोटमेंट है वह तो हो सकता है लेकिन सरकार का तो इसके लिए कोई प्रमोटमेंट नहीं है। अब वह तो सरकार द्वारा आपके प्रमोटमेंट को मानने का सवाल है लेकिन सरकार की तरफ जो प्रमोटमेंट आता है वह तो मान कर ही लाया जाता है और वह तो स्वीकार किया जाना ही होता है लेकिन इसके विपरीत हम लोग जो प्रमोटमेंट देते हैं उनको मानना न मानना सरकार की मर्जी पर है।

मार्गव कमेटी की जो रिपोर्ट है उसमें भी है कि वाइस चांसलर को न रखा जाय और अगर सरकार इसको मान लेती है तो ठीक है।

सिन्धीकेट और सिनेट का मेम्बर पार्लियामेंट का मेम्बर रहे, मुझे इसमें आपत्ति नहीं है।

केवल एक मिनट के लिए मुझे कुछ होम गार्ड्स के सम्बन्ध में सदन से निवेदन करना है और वह यह है कि होमगार्ड्स और पुलिस इन दोनों के काम में समन्वय होना चाहिए। जिस तरह होमगार्ड्स पुलिस का काम करते हैं उसी रूप में अगर बिलेज पटवारी पुलिस का काम करते तो वह क्यों अयोग्य घोषित किया जाये और वह क्यों निकाला जाये ? होमगार्ड्स हालांकि पुलिस का काम करते हैं लेकिन उनको हमने इसमें से नहीं निकाला है और उसके लिए कोई आपत्ति नहीं है तो मेरा कहना है कि जो बिलेज पुलिस के कांस्टेबल का काम करे उनको क्यों डिस्क्वालिफाई किया और निकाला जाये ? मेरा कहना है कि इन दोनों में समन्वय रहे। एक तरफ तो आप होम गार्ड्स को यह फ्रीडम देते हैं कि वह पुलिस का काम करते हुए भी पार्लियामेंट का मेम्बर बना रहे लेकिन गांव में अगर कोई व्यक्ति पुलिस का काम करता है तो वह पार्लियामेंट की मेम्बरी के लिए अयोग्य ठहराया जाय, यह डिस्क्रि-

[श्री सिंहासन सिंह]

नेशन मेरी समझ में नहीं आता और इस लिए मेरा कहना है कि इन दोनों में समन्वय होना चाहिए। इन शब्दों के साथ मैं गवर्नमेंट से अनुरोध करता हूँ कि इसमें आवश्यक संशोधन कर लिया जाय। इस तरह के विधेयक के बिना कोई हमारा काम बिगड़ने वाला नहीं था और उसकी कोई खास जरूरत नहीं थी। हमारे पास सन् १९५१ और १९५३ के कई विधान पहले ही से मौजूद हैं, प्रांतों में मौजूद हैं और मेरी समझ में इन तरह के विधेयक को लाने की कोई खास आवश्यकता नहीं थी। धीरे धीरे सब काम चलता है। मैं उम्मीद करूँगा कि हमारे आनरेबल मिनिस्टर इन चीजों पर विचार करेंगे और ऐसी नीबटन नहों आने देंगे कि हाउस में कहीं गर्द कुल बा मुना अनमुनी हों, जयें और यह धारा ज्यों का त्यों पास हो जाय और आगुदा के लिए हमारे लिए झगड़े के जम्मे खुल जाय।

**Mr. Deputy-Speaker:** Now, Shri Raghurir Sahai. First, I am calling those hon. Members who have got their amendments. They should try to avoid repetition now, and discuss briefly only the points.

**Shri Raghurir Sahai:** I shall be very brief, and I shall confine my remarks only to my amendments Nos. 13 and 14, and if you will permit me, I shall speak on my amendment No. 50 also.

Amendment No. 13 relates to sheriffs. I would not weary the House by quoting the functions of sheriff either in England or in India, because last time when I spoke on this I gave everything in detail about it. Everybody knows that it is a whole-time job, although sheriffs in India are only confined to Bombay, Calcutta and Madras. We find from the discussion that took place last time and also this time that everybody in this House is opposed to exemption being given to a sheriff.

The Law Minister, in the course of his remarks, has referred to the report of the Bhargava Committee on office of profit. It is true that that committee made an exemption in regard to the office of sheriff. But, from what Pandit Thakur Das Bhargava himself has said today, and from what we find in his minute of dissent appended to the report of the Joint Committee, we find that he has changed his view.

With regard to sheriffs, it is stated that in England the high sheriff was declared to be ineligible for being elected or remaining a Member of the House of Commons on the ground of incompatibility of duties involved. The U.K. Select Committee on Offices or Places of Profit under the Crown, 1941, reviewed this matter and recommended in the light of modern conditions that the high sheriff should not be disqualified for election to Parliament except from his county or a division of his county or a borough within his county. Now from the British House of Commons Disqualification Bill—the Schedule of which was quoted by Pandit Thakur Das Bhargava as well as by the Law Minister—I find in the first Schedule of offices disqualifying for membership that sheriff, salaried sheriff, substitute or interim sheriff appointed under the Scotland Act of 1907, are subject to disqualification. Proceeding a little further, we find offices mentioned disqualifying for particular constituencies. So far as Scotland is concerned, no sheriff can stand. So far as England and Wales are concerned, we find the high sheriff of a county in England and Wales disqualified for particular constituencies—any constituency comprising the whole or part of the area for which he is appointed. So that for the constituency he is appointed, he is ineligible to stand as a sheriff.

What I mean to say is that even in England after a very long time, they come to the conclusion that the sheriff should be permitted to stand for Parliament which checks and counter-checks.

**Shri Majumdar:** I am grateful to the hon. Member for his clarification. I only want to add that a sheriff appointed in Scotland under the Act of 1907 draws about £1,800—£2,000 per annum as salary. Complete disqualification of the sheriff from standing for Parliament is confined only to Scotland and for those offices where the salary is about £1,800—£2,000, whereas the high sheriff is, as stated by the Law Minister, exempt from disqualification except for the constituency in which his bailiwick is situated.

**Shri Raghunath Sahai:** I am indebted to the hon. Deputy Minister for his clarification.

**Mr. Deputy-Speaker:** And the House is indebted to both.

**Shri Raghunath Sahai:** Everybody knows that so far as an office of profit is concerned, remuneration is no consideration, whether he gets a small petty sum or a big sum. That is immaterial. But the point is that with regard to sheriff, no case has been made out by the Law Minister that if these three worthy persons who are occupying the post of sheriff of Bombay, Madras and Calcutta are debarred from coming to Parliament, Parliament will be any the poorer. On the other hand, if we concede this principle, it will be conceding a very dangerous principle, and I would implore the hon. Law Minister to reconsider his views and also attach some value to the unanimous view expressed in this House.

With regard to the office of Vice-Chancellor, I am glad that the cumulative pressure of this House has prevailed on the Law Minister and he is going to delete the exemption thereof. This is all I have to say.

**Shri Radha Raman:** I do not propose to take much time of the House. I have got two amendments, one of which relates to the exclusion of Vice-Chancellor. About this the House has already heard from my hon. colleagues

and as **Shri Raghunath Sahai** has just said, the cumulative opinion of the House has prevailed on the Law Minister to withdraw the office of Vice-Chancellor from the list of exemptions, I need not take time of this House for this amendment.

Another amendment is No. 89. It is in respect of temporary suspension of disqualification in certain cases. Much is said about clause 3 and its implications. In spite of the fact that best efforts were made by the Joint Select Committee to attach a Schedule, the membership of offices listed wherein will disqualify a Member, it is not yet very comprehensive.

**Pandit Thakur Das Bhargava:** May I submit that the amendment on which my hon. friend is speaking is the subject-matter of a new clause 3A? We are only considering clause 3 now.

**Shri Radha Raman:** I am just adding.

**Mr. Deputy-Speaker:** If he wants to add, he will have another opportunity after we have voted on this.

**Shri Radha Raman:** I thought I might finish my arguments on that also. You will give me opportunity at another time but still I want to say a few words.

**Mr. Deputy-Speaker:** Now there would be none.

**Shri Radha Raman:** I want to say something on the Home Guards. I am of the same opinion as has been voiced by some honourable colleagues. I also feel that the words 'Home Guard' and 'office of the Home Guards' should be deleted. I say this because it has some relation with the police and it not only exists in urban areas but also in rural areas. If they are exempted, it will certainly have not a very good reaction because of the influence that the Home Guards have with police authority. I therefore feel that the Home Guards should not be exempted from disqualification.

[Shri Radha Raman]

I also feel that in (j) the exemption of offices of village revenue officer is equally bad, because these *lambardars*, *malguzars*, *patels*, *deshmukhs* and so on, though possibly not drawing at times any salary or allowance, certainly occupy a position which is of influence and which could always be used to the disadvantage of others. They generally have to carry out certain functions on a regular whole time basis. Therefore, I feel it will not be good to keep sub-clause (j) there; in my opinion, it should be deleted.

In respect of (i), I somehow feel that in this also there is much room for abuse specially in the case of the chairman or director. If these two words are removed, then the clause will, in my opinion, be acceptable.

All that I can say is that we are very sorry that this Bill had to come up in this form because whatever be the precautions the Joint Committee has taken in attaching a list, there is room for considerable confusion and misinterpretation.

Mr. Deputy-Speaker: Now, at this stage we are only discussing the confusion in clause 3 and not the whole Bill.

Shri Radha Raman: I am saying that this Bill as it is and particularly this clause has got sufficient room for confusion and for litigation in the form of election petitions etc.

In the case of Union territories I have got greater fear because there is no Legislature in the Union territories and there are so many committees in which Members of Parliament are associated and need to be associated. We do not know what our position is. Suppose we accept some office which is not in the list, which is not defined, we do not know what our fate may be. We may, at any time, be brought into trouble. I am very apprehensive with regard to the implications of this

clause, particularly, in relation to advisory committees or committees which sometimes even carry compensatory allowance. There will always be a fear in the minds of the Members of Parliament whether to accept it or not. In some cases they may accept it inadvertently and later on find themselves in difficulties.

I would very much like that the hon. Law Minister will take into consideration some of the amendments that are tabled and accept some of them which might improve clause 3 as it stands in the Bill.

Mr. Deputy-Speaker: I will now read out the numbers of the amendments that have been moved. There were certain others which are only duplication of some of these. The numbers are:

53, 56, 8, 13, 18, 65, 9, 39, 20, 21, 22, 23, 61, 24, 25, 28, 62, 27, 29, 12, 30, 4, 5, 6, 7, 86, 76, 77 and 1.

Shri Jaganatha Rao.

Shri Jaganatha Rao: Mr. Deputy-Speaker, Sir, . . .

Mr. Deputy-Speaker: I wanted to call the Minister at 3; we are already getting late. So, I hope the hon. Member will be brief.

Shri Dasappa: I have one amendment, Sir.

Mr. Deputy-Speaker: I will give him also an opportunity.

Shri Braj Raj Singh: Sir, I want to speak generally on clause 3.

Mr. Deputy-Speaker: If there is time.

Shri Jaganatha Rao: I have moved amendment No. 65. It seeks to delete the words 'office of the Vice-Chancellor of a University' from sub-clause

(f) of clause 3. The redrafted sub-clause will read thus:

"(f) the office of chairman or member of the syndicate, senate, executive committee, council or court of a university or any other body which is an advisory body connected with a university;"

I beg to submit that this Bill seeks to remove the disqualification of certain offices of profit under article 102 of the Constitution. We have borrowed this concept of office of profit from England. This phrase 'office of profit' is difficult of definition and so we have taken the interpretation which is being put in England which includes an office that carries with it a pecuniary gain or prestige or honour and influence. This Bill seeks to exempt certain offices of profit which are enumerated in the clauses from the disqualification.

The Vice-Chancellor, in cases where he is appointed by the Government or is removable by Government, though he is paid out of the funds of the university, according to our Supreme Court, holds an office of profit under Government. As this phrase is incapable of definition, we have taken the interpretation which is prevalent in England so as to suit our country's developmental needs and also in welfare state. The Joint Committee Report, page 19, para. 10 reads:

"The Sub-Committee consider that while membership of certain committees may not be objectionable, yet the office of Chairman and Secretary of these Committees ought to incur disqualification as such offices take too much time of the members and involve the exercise of essentially executive functions and confers great influence, prestige and capacity to patronise."

The office of Vice-Chancellor is more or less a whole-time job and so it is submitted that the Vice-Chancellor's office might not be exempted from the operation of the disqualification under article 102.

This Bill proceeds on the basis of the Offices of Profit Committee Report, a committee of which my esteemed friend, Pandit Thakur Das Bhargava was the Chairman. I am surprised that he is disowning his own baby and he objects to several of the clauses which in that report were exempt. For instance, according to that report, the Home Guards were exempt. Some of the State Governments have passed Acts. For instance, the Andhra Government, the Bombay, Punjab, Mysore, West Bengal, and U.P., this office of Home Guard is exempted from disqualification. They are not whole-time servants. Though they have functions of the police, it cannot be said that they tantamount to police officers. Even in England . . .

An Hon. Member: They have been specially appointed to work at the time of elections.

Shri Jaganatha Rao: If he is appointed at the time of election he cannot stand as a candidate.

Shri Braj Raj Singh: What is the difficulty then?

Pandit Thakur Das Bhargava: I have got a circular in my hand which was circulated to us by the Secretariat which says:

"I am further to add that there are at present no Home Guards in the Andhra State, Assam, Kerala, Madras, Orissa, Punjab, Rajasthan, U.P., West Bengal, Jammu and Kashmir and in the Union territories of Delhi, Himachal Pradesh and Tripura."

Shri Jaganatha Rao: My hon. friend, Pandit Thakur Das Bhargava is also objecting to members of the Syndicate and Senate and the executive com-

[Shri Jaganatha Rao]

mittee which is connected with the university. As I submitted earlier, the Committee on Offices of Profit exempted all these offices. I find no additional ground urged by him as to why they should not be exempt now.

So also in clauses (h) and (i), where the offices of chairman, director or membership of a committee, whether statutory or non-statutory, which occupies the full time and which carries with executive powers are sought to be disqualified.

Regarding the offices mentioned in clause (j), it is contended rather seriously by Pandit Thakur Das Bhargava and supported by my elderly friend, Shri Sharma, that they should be allowed to live in peace and they should not be uprooted from their jobs. I hold the view that these offices do not technically come under the definition of office of profit under Government. It may be said that they are persons in the service of Government as is mentioned in section 123(7) of the Representation of the People's Act. They are not whole-time servants and they do not hold any regular cadre as in the case of other government servants. But, nevertheless, by way of abundant caution and to remove any doubt, the Bill seeks to exempt the offices which are enumerated herein. I do not think that these *lambardars* and other people should be denied the privilege or the right of standing for election for the Parliament.

Further, my hon friend Shri Bharucha asked is this House devoid of or bankrupt of talent that we should allow these *lambardars* and others to come in. But every citizen who is aged 25 years is entitled to stand for election. Why deny to these *lambardars* and others, if they are not holders of office of profit, the opportunity to stand for elections? That is an argument which I am not able to appreciate. In brief, I submit that the arguments advanced in favour of these amendments moved by Pandit Thakur

Das Bhargava do not merit consideration. May I also, with your permission, move my amendment No. 67 which seeks to insert a new clause, clause 3(A) for the temporary disqualification of certain cases?

Shri Braj Raj Singh: We are not dealing with it.

Mr. Deputy-Speaker: It would be taken up later on. Now, the hon. Deputy Minister.

Shri Hajarnavis: Sir, there is a small amendment which I have moved. The intention is to make clear that where disqualification is created for a Chairman of a Committee or a Secretary of a Committee, that disqualification is attached to the two offices of Chairman and Secretary even if alternative terms are used. There may be certain committees constituted either by a rule or an order or by an Act in which instead of using the word 'Chairman', the word 'President' may be used or any other name may be used instead of Secretary. If the functions are similar, they would still come under the ban.

Shri Narasimhan (Krishnagiri): Convenor.

Shri Hajarnavis: We will have to examine the functions first and if the functions are those of the Secretary, then they would come under disqualification. That is the intention of the explanation.

Mr. Deputy-Speaker: Shri Dasappa. He may be very brief.

Shri Dasappa: A few minutes as you can allow me.

Sir, I had not the privilege or opportunity of taking part in the general discussion. I feel very much that the Bill has become complicated because of attaching a Schedule. That is my opinion.



With all respect for the authors, I honestly feel in enumerating those offices which you want to exempt as well as those which you do not want to exempt. I am afraid we have landed ourselves in a greatly difficult task—a never ending process for a huge country like ours.

Secondly, democracy as we are working it today does enjoin more and more of active participation of the representatives of the people in the various institutions in the country, working for the good of the country. It would be wholly wrong to import today the meaning and content of certain antiquated ideas which had their origin in a conflict between the Crown and the people's representatives in England. People's representatives themselves are here today, governing the country. If some of the Members of Parliament could take the responsibility of being Ministers and so on, I see no reason why little tasks here and there should not be entrusted to them. That is my view. If there is anything going wrong with them, there are other means of seeing to their rectification than by preventing them from holding certain offices where there is nothing more than compensatory allowances and where we suspect there is some patronage.

15.16 hrs.

[SHRI BARMAN in the Chair]

I have said this by way of introduction just to support my amendment. My amendment simply seeks to do this. In clause 3(i) there should be no two parts, one excluding the chairman, director as well as membership of any statutory or non-statutory body and the other one confining the exclusion only to office bearers as in part (ii). You remove part (i) altogether. It does not matter if a Member of Parliament is a mere member on any one of the bodies enumerated in Parts I and II. Between the two, I see very little difference. For instance, the

advisory committee on Air India International or the Indian Airlines Corporation is there. What does it matter if an hon. Member of this House—my friend, Shri Jaipal Singh who knows so much about airlines becomes a member of the advisory board. Why should we vote ourselves out of such bodies? I believe the hon. Minister will appreciate my point because that exactly was his stand. I have not been able to understand why the Members of Parliament should be so suspicious of our own conduct that we do not even deserve membership of any of these advisory committees.

The office of Chairman, Secretary or even membership of executive committees may entail additional duties which certainly will affect our own main responsibility here of representing our constituencies and attending to the enormous work of Parliament. Membership, however should not entail exclusion. That is the main thing which I have got to say.

Sub-clause (j) deals with the village officers. The Village Officers' Acts are to be found in every State and they are amenable to the discipline of the Government of the day. They can be suspended, fined and dismissed. I ask this question. If I am one of the village officers against whom the Government may have to take action and I am here sufficiently prominent to make my presence felt on the Minister or Ministers concerned, do you think that it will lead to fair and honest administration or efficient Government of the country?

Shri Narasimhan: Independent, also.

Shri Dasappa: It is bound to affect—as the hon. Member says—the independence of the Member on the one hand and also the independence of those entrusted with the governance. I see no object in introducing the village officers here. If they are so minded that they are in a position to represent the country on Parliament, they should not be so selfish as to stick

[Shri Dasappa]

on to the small office and there are ways and ways of unburdening themselves of these petty little responsibilities in the villages. Therefore, I am afraid that we are committing a great mistake here in having these village officers exempted. Even there is a kind of an exemption to the exemption. There is an exemption, there is a further exemption to that exemption and another exemption to the second exemption which says that those who discharge police functions cannot get this exemption. I want to know why there is this partiality. What about revenue functions which are so vitally connected with the day-to-day life of the people in the villages. He is also a powerful man. If he does all those things, namely, reporting against *darkhast*, this and that, against encroachment on land and various other things, why should he be exempted and the disqualification removed? This man who may have a little petty police function cannot exercise that power. Sir, I do not know what it is in other parts, but in my parts the man with police functions is known as 'patel' and the man with revenue functions like writing of accounts etc. is known as 'shanbhog' or 'karnam'. These two are like twin brothers in the administration of a village. What happens according to this is, you prevent the 'patel', the village headman, as he is called, from standing for any of these bodies whereas you permit his clerk—the other man is virtually in the position of the patel's clerk—to stand. I cannot conceive of a more illogical position than that, and I believe it will lead to a lot of disharmony. Either you disqualify both or qualify both; but, in any case, my own personal view is that it is not right that they should be exempted.

श्री बजरंग सिंह समापत महोदय, इस विधेयक की धारा ३ के सम्बन्ध में, जो कि इस विधेयक की जान है, मुझे कहना है कि यह सारी की सारी धारा ऐसी है, जिसे कि इस विधेयक में नहीं होना चाहिए था। प्रवर

समिति में मैंने इसका विरोध किया था और अब भी मैं सोचता हूँ कि इस में जिन पदों को हमने डिसक्वालिफिकेशन से बचाया है, वे पद ऐसे हैं, जो कि पार्लियामेंट की स्वतन्त्रता और निष्पक्षता पर बाधा डाल सकते हैं। मुझे इस बात को खुश है कि अन्तिम समय पर कानून मन्त्री महोदय और सरकार को यह स्वीकार करने के लिए राजी होना पड़ा कि वाइस-चांसलर—उपकुलपति—का पद एग्जम्पशन की लिस्ट से निकाल दिया जाय और यह सही किया गया है। जो व्यक्ति किसी पद पर पूरे वक़्त काम करते हैं, वह अपना काम करेंगे या पार्लियामेंट में भागकर काम करेंगे, वह एक सोचने की बात थी। प्रवर समिति में भी इस पर बहुत जोर दिया गया था और अब इस बात को माना जा रहा है, यह खुशी की बात है।

इस के साथ ही साथ मैं समझता हूँ कि होम गार्ड जैसे पद को एग्जम्पशन की लिस्ट में रखना किसी तरह भी उचित नहीं है। मैं जानता हूँ कि भाज बहुत से राज्यों में होम-गार्ड का अस्तित्व नहीं है। लडाई के जमाने में, जिस वक़्त यहाँ पर ब्रिटिश हुकूमन थी, इस को शुरू किया गया था, लेकिन भाज वह सब जगह नहीं है। यह भी तथ्य है कि उनको फिर से चानाने का प्रस्ताव चल रहा है। होम गार्ड जैसे पद को हम इस डिस्क्वालिफिकेशन से भलग करें और उस को यह मौका दें कि वे लोग पार्लियामेंट में भागकर हिन्दुस्तान भर के लिए कानून बनाने का काम करें, मैं समझता हूँ कि यह उचित बात नहीं है।

सब-क्लाइ (एच) और (आई) में एडवाइज़री कमेटी के चेयरमैन और मेम्बर और किसी स्टैंडिंग या नॉन-स्टैंडिंग बाडी के चेयरमैन और मेम्बर को रखा गया है। इस सम्बन्ध में मेरा निवेदन यह है कि सरकार की ओर से ऐसे पदों पर जो नियुक्तियाँ होती हैं, वे पार्लियामेंट की निष्पक्षता पर बाधा डाल सकती हैं। लेकिन ये नियुक्तियाँ स्वीकर

महोदय की तरफ़ से या राज्य सभा के चेयरमैन की तरफ़ से हों, तो मैं समझता हूँ कि उन से वह लाभ उठाया जा सकता है, जो कि पार्लियामेंट के मेम्बर विशेषज्ञ होने के नाते पहुँचा सकें। लेकिन अगर यह काम सरकार पर छोड़ दिया जाता है, तो वह बहुत ही खतरनाक चीज़ होगी। सुशक्तिमती के अभी हमारी पार्लियामेंट में एक पार्टी के तीन चौथाई मेम्बर हैं, लेकिन धीमे चल कर यह स्थिति बचल सकती है और ऐसा हो सकता है कि ५०० मेम्बरों में से २५३ एक पार्टी के हों और २४७ दूसरी पार्टी के हों और अगर सरकार के हाथ में इस तरह रेवड़ी बांटने का अधिकार रहा, तो वह रेवड़ी बांट कर संतुलन को—बैलेंस को खत्म कर सकती है और इस तरह पार्टी की सरकार बहुत घनस्तेबल हो सकती है। वह इस प्रकार कमजोर हो सकती है और बदल सकती है। निकट भूत का इतिहास हम देख रहे हैं। एक के बाद एक मुल्क फ़ौजी शासन के अन्तर्गत चला जा रहा है और उससे बचने के लिए बहुत ही आवश्यक है कि मुल्क की सरकार स्टेबल हो, मजबूत हो, ऐसी हो जिसे आसानी से न हटाया जा सकता हो। आज की सरकार से विरोध रखते हुए भी, और उसकी नीतियों का इस हाउस में और इस हाउस के बाहर विरोध करते हुए भी, मैं मानता हूँ कि आज इतनी सुरक्षा है कि ऐसी स्टेबल सरकार के होते हुए इस देश में फ़ौजी शासन नहीं हो सकता है। किसी भी देश में जनतन्त्र को कायम रखने के लिए सुस्थिर और स्टेबल सरकार का होना बहुत जरूरी है। इस तरह के पदों को डिस्क्वालिफ़िकेशन से एम्प्लेंट कर के भविष्य में एक ऐसी स्थिति पैदा हो सकती है, जो कि जनतन्त्र के लिए और एक स्वामी सरकार के लिए खतरनाक साबित हो। इन सब-क्लाज़िज़ में जहाँ तक ऐसी संस्थाओं, बाड़ीज़, कार्पोरेशन्स वगैरह के चेयरमैन और मेम्बर को स्पीकर महोदय या राज्य सभा के चेयरमैन की तरफ़ से मनोनीत किया जाता है, वहाँ तक तो मैं चाहूँगा कि उसमें कोई आपत्ति न हो

और वह सिर्फ़ इसलिए कि हमारे देश में इन कार्पोरेशन्स आदि की कार्यवाहियाँ बढ़ रही हैं, उन की संख्या बढ़ रही है और उनमें हमारे मेम्बर शामिल हों, इससे फ़ायदा हो सकता है लेकिन अगर वे नियुक्तियाँ सरकार के हाथ में रहती हैं, तो जनतन्त्र को खतरा पैदा होता है। इसे हद तक मैं सब-क्लाज़ (एच) और (आई) का विरोध करता हूँ।

जहाँ तक सब-क्लाज़ (जे) का सवाल है, उस में लम्बरदार, मालगुज़ार, पटेल, देशमुख को रखा गया है और उसके साथ ही यह बताया गया है कि उस में विलेज रेवेन्यू आफ़िसर का वह पद भी शामिल होगा, जिस को किसी अन्य नाम से पुकारा जाता है —“बाई एनी अद्वर नेम”। यह बहुत ही गोल है। इतना गोल है कि इस के कुछ भी माइने लगाये जा सकते हैं। कुछ राज्यों में जमीदारियाँ खत्म हो गई हैं और अन्त में उन को पूरे हिन्दुस्तान में खत्म होना है। तब तो इस तरह के पद नहीं रह जायेंगे। सरकारी पद पर नियुक्त व्यक्ति ही मालगुज़ारी वसूल करेंगे, जैसे उत्तर प्रदेश में भब गांव के सभापति को यह अधिकार दिया जा रहा है कि वह मालगुज़ारी वसूल करे। ऐसे अधिकारियों को अगर आप यह अधिकार देते हैं कि वह पार्लियामेंट के लिए सज़े हो सकते हैं, तो इससे बहुत ही भयावह स्थिति पैदा होगी। उस को टालने के लिए इस सब-क्लाज़ को कतई निकालने की ज़रूरत होगी। अगर लम्बरदार, मालगुज़ार, पटेल और देशमुख इत्यादि पार्लियामेंट में आना चाहें, तो वे इस्तीफ़ा देकर आ सकते हैं। उन्हें इन दो में से एक को चुनना पड़ेगा। अगर वे पार्लियामेंट में रहना चाहें, तो उनको अपने पद से इस्तीफ़ा देना होगा, अन्यथा वे लम्बरदार, मालगुज़ार, पटेल, देशमुख अथवा लेखपाल के अपने पद पर स्थित रह सकते हैं। अगर किसी नागरिक के दिल और दिमाग में यह भावना है कि पार्लियामेंट के मेम्बर बनकर देश की सेवा करनी है, तो रूपने इस प्रकार के

[श्री इजराज सिंह]

पद से हस्तीका देना कोई बड़ी कुर्बानी नहीं होगी। इस स्थिति में इस उपधारा को निरस्त किया जाना चाहिए।

शेरिफस के बारे में निवेदन कर के मैं समाप्त करता हूँ। हमारे कानून मन्त्री महोदय जानते हैं कि हमारे देश में केवल तीन शेरिफ हैं। ३८ करोड़ व्यक्तियों में से केवल इन तीन व्यक्तियों के लिए कानून में व्यवस्था करना, जिससे और भी ग्रहण जा सकते हैं, मेरे विचार में कोई अच्छी बात नहीं होगी, अगर शेरिफ साहबान पार्लियामेंट के मेम्बर बनना चाहते हैं, तो उन को अपने पद से हस्तीका देना होगा। जिस तरह बाइस-चांसलर के पद को एक्स्पेंशन को खत्म कर दिया गया है, उसी प्रकार शेरिफ के पद को भी वहाँ से हटा देना चाहिए।

इन शब्दों के साथ मैं इस क्लॉज का विरोध करता हूँ।

**Shri Liladhar Ketoki:** Mr. Chairman, Sir, I do not want to take much time of the House because some of the amendments that I have moved have also been moved by other hon. Members and they have advanced arguments in support of those amendments, particularly my amendments numbers 56, 57, 58 and also amendments regarding clause (j).

Sir, this Bill has got certain limitations because it has to fit in under article 102. The purpose of my amendments is to bring it as nearer the spirit and meaning of article 102 as possible. Article 102 of the Constitution says that if a person holds an office of profit under the State Government or under the Central Government he will be disqualified. This is the general

provision in article 102. Power has been given to Parliament to exempt certain offices of profit which are held by Members of Parliament. If we put this test in relation to the Members of Parliament, namely, whether the Members of Parliament can hold offices like a member of the Home Guard, National Cadet Corps, Territorial Army, Reserve and Auxiliary Air Force, etc., and such offices like lambardars, malguzars, etc., then naturally, we shall not be able to do justice to our primary duty in Parliament. According to the spirit of the provision under article 102 to exempt certain offices of profit held by Members of Parliament, the test should be whether our holding of such offices is absolutely necessary for the efficient management of such bodies or corporations.

Reference may be made to sub-clause (e) of section 7 of the Representation of the People Act, 1951. That also categorically says that offices in companies or corporations where Government have got at least 25 per cent shares cannot ordinarily be held by Members of Parliament. So, my own view is that this authority given to Parliament should be utilized only in rare cases where it is felt that we should hold such offices.

Now, by my amendment No. 62, I want to exclude the schedule, both Parts I and II, because, our difficulty as pointed out in the general discussion, is that this very important term of 'office of profit' has not been defined either in the Constitution or in the Representation of the People Act or in the present Bill or even in the General Clauses Act. It is not proper that we should leave this very important term to be left out like that. That is why, we have to labour hard in the Bhargava Committee, in the Joint Committee and in the sub-committee to find out what this mysterious term 'office of profit' means. However difficult the term may be, sooner or later we must define it and if we do

so earlier by putting our heads together—by those who have got the knowledge of law, and we have got so many Members in this House as well as outside with such knowledge—it would be better. Why can we not find out a definition for this term? If we do that, then it will be left to the Government to decide whether they want some of us to participate in some of the important committees in which they think our presence is necessary.

Therefore, my submission is that, if it is not possible within the purview of this Bill to do so, the Government, particularly the Minister in charge of Law, should take early steps to bring an appropriate legislation by way of an amendment to the Constitution or whatever it is. I cannot suggest quite definitely how it should be done and—as to whether that will be possible. But this term 'office of profit' must be defined.

If I get time to speak on the schedule then I will justify why the schedule is not necessary if we take the trouble to define this term 'office of profit'.

With these words, I commend my amendments to the acceptance of the House.

श्री मूल चन्द बुढे (फर्रुखाबाद) : सभा-पति महोदय, जिन मेरे मित्रों ने इस बिल पर हो रहे वाद-विवाद में हिस्सा लिया है उनका विचार यह मालूम होता है कि उनको इस शेड्यूल में और क्लॉज में कोई प्रिंसिपल की, कोई सिद्धान्त की, कोई मिस्टम की, कोई मैग्ज की बात नहीं मिलती। वे इस चीज को ही दूढ़ते रहे कि इसमें कोई प्रिंसिपल की बात हो। मैं उनकी तबज़्जह इस तरह दिलाता चाहता हूँ कि इसमें कोई इन बातों का खिच नहीं है। आर्टिकल १०२ में तो केवल यह लिखा हुआ है कि जहाँ पर कोई आफिस आफ प्राफिट हो तो वह डिक्वालिफाई करेगा और पार्लियामेंट को यह अधिकार है कि वह उस डिक्वालिफिकेशन को हटा दे। वहाँ पर

कोई उसूल की आवश्यकता नहीं है। यह नहीं कहा जा सकता कि क्लॉज आफिस में या क्लॉज पद से अगर डिक्वालिफिकेशन को हटा दिया गया है तो क्लॉज जगह से क्यों नहीं उस डिक्वालिफिकेशन को हटाया गया। यहाँ पर तो केवल बहुमत की बात है। जिस पद के लिए कोई चीज पास हो जायगी उससे तो डिक्वालिफिकेशन को हटा दिया जाएगा और जिस पद के लिए कोई चीज पास नहीं हो सकेगी उससे नहीं हटाया जाएगा। इसमें कोई उसूल की बात नहीं है जहाँ तक आर्टिकल १०२ का सम्बन्ध है।

इस बात का भी मुझे ध्यान है कि बहुत सी हाई कोर्ट्स ने और यहाँ तक की सुप्रीम कोर्ट ने यह कहा है कि आफिस आफ प्राफिट को समझना तो सम्भव है मगर इसका कोई डेफिनिशन नहीं दिया जा सकता। मैं जो उन लोगों ने कहा है, उसको बड़ी श्रद्धा और बड़े आदर में ध्यान में रखता हूँ। लेकिन फिर भी मेरी समझ में नहीं आता है कि जिस बात को आप डिफाइन नहीं कर सकते, जिस बात की आप तारीफ नहीं कर सकते, उसको समझ कैसे सकते हैं। इसका अगर मैं कोई उदाहरण दूँ तो यह मिलेगा कि आप की जो क्लॉज ३ है, उसी को आप देखें तो आपको पता लगेगा कि ज्वायंट कमेटी में बड़े बड़े लायक वकील मौजूद थे, एमिनेंट नायर मौजूद थे, मगर उनकी समझ में यह नहीं आया कि ऑफिस आफ प्राफिट क्या है। क्लॉज ३ को देखें तो उनमें यह लिखा हुआ आप पायेंगे

"It is hereby declared that the following offices, in so far as they are offices of profit, shall not dis-qualify the holder thereof."

उन्होंने कहा है कि मिफं वे जिनको हम शेड्यूल में दे रहे हैं वे आफिस आफ प्राफिट हैं बल्कि यह कहा है कि इन तो फार एण्ड इट इज एन आफिस आफ प्राफिट। ये सब आफिस आफ प्राफिट है यह नहीं कहा है बल्कि कहा है कि

[श्री जल नन्द बुधे]

इन सी फार एंड इट इज, ऐसा उन्होंने नहीं कहा है। इसका मतलब तो यह हो जायेगा कि जहां तक जितना यह आफिस आफ प्राफिट है उतना आफिस आफ प्राफिट यह नहीं हो रहा है। आप यह करते कि यह आफिस आफ प्राफिट है और यह नहीं है। अब यह नहीं कहा जा सकता है और यही कहा जा सकता है कि इन सी फार एंड। तो यह सब चीज जाहिर करती है कि ज्वायंट कमेटी को भी यह बात मालूम नहीं हो सकी कि आफिस आफ प्राफिट क्या है। जब उनके दिमाग में यह बात नहीं आ सकी तो जो एक मामूली धादमी है उसके दिमाग में कैसे यह धायेगी कि आफिस आफ प्राफिट क्या है। जब मामूली धादमी के दिमाग में यह बात नहीं आती है तब यह सवाल पैदा होता है कि वह क्या करेगा। ऐसी हालत में फर्ज कर सीजिये कि आप होम गार्ड्स को एम्प्लॉय करते हैं, एन० सी०सी० को एम्प्लॉय करते हैं तो इसका मतलब यह है कि ये ऐसी चीजें हैं कि उनमें अगर गवर्नमेंट उनको एम्प्लॉयशन न दे और उनको प्रोत्साहन न दे तो उनमें कोई नहीं धायेगा। उनको एम्प्लॉयशन इसलिए नहीं दिया गया है कि उनके कुछ भ्रष्टाचारात हैं, उनमें कुछ ताकत है या गवर्नमेंट उनको अपने हक में कर सकती है बल्कि उनको एनकरेज करने के लिए, उनको प्रोत्साहन देने के लिए उन आफिसिम को एम्प्लॉय किया जा रहा है। इसी तरह से सम्बरदार बगैरह रखे गये हैं। उसमें कोई भ्रष्ट नहीं पड़ता है। लेकिन जिस सिद्धान्त के तहत यहां विरोध किया जाता है वह यह है कि इस में जो मैनबर पार्लियामेंट है उनकी स्वतंत्रता जाती रहेगी। यह भी कहा गया है कि यहां अगर वे लोग गवर्नमेंट की तरफ से पैसा किया गया कोई छोटा मोटा आफिस मंजूर कर लें, या किसी कमेटी के मैनबर हो जायें तो उनकी स्वतंत्रता जाती रहेगी। लेकिन मैं कहूंगा कि आप इस बात पर गौर करें कि आपने १३७ आफिस या कमेटीज या बाडीज ऐसी रखी हैं

जिनको कि आप एम्प्लॉयशन दे रहे हैं। इसका मतलब वह हुआ कि १३७ मैनबर पार्लियामेंट तो इन बाडीज में आ सकते हैं। फिर यह भी कहा जाता है कि धाईया भी जो आफिस सामने धायेंगे या जो बाडीज सामने धायेंगी उनको भी एम्प्लॉयशन दे दिया जायेगा। तो १३७ ती ये हुए और बाद में सी या दो सी या तीन सी और आफिस आफ प्राफिट हो सकते हैं जिन को कि एम्प्लॉयशन दिया जा सकता है। एक स्टेज ऐसी भी आ सकती है जबकि जितने भी मैनबर पार्लियामेंट हैं वे सब किसी न किसी बाडी पर या कमेटी पर हों। अब इतने अधिक आफिसिज एम्प्लॉय होते हैं तो स्वतंत्रता कैसे बनी रह सकती है। गवर्नमेंट के हाथ में आप यह पावर दे रहे हैं कि १३७ ती जैसे ही एम्प्लॉय हो जायें और उसके बाद सी दो सी या तीन सी को भी एम्प्लॉयशन दे दिया जाये जब मौका धाये। इसका मतलब यह हुआ कि चार सी या पांच सी आफिसिस को आप एम्प्लॉय कर रहे हैं। तो जो बेसिम है, जो अंडरलाइग प्रिंसिपल है कि आप मैनबरान पार्लियामेंट की स्वतंत्रता बनाये रखना चाहते हैं वह स्वतंत्रता कैसे बनी रह सकती है। यह ऐसी बात है कि जिस पर मुझ को संशय नहीं होता है।

मुझे बार बार यह खयाल आता है कि हम एक ऐसा काम कर रहे हैं जो किसी तरह से भी ठीक मालूम नहीं देता है। अब मवाल पैदा होता है कि किया क्या जाये। या तो आप आफिस आफ प्राफिट को डिफाइन करने की बात को छोड़ सकते हैं और कुछ आफिसिस को, दो चार या दस को जैसा आप मुनासिब समझें एम्प्लॉयशन दे दें, अगर आप मैनबरों की स्वतंत्रता बनाये रखना चाहते हैं या फिर आप आफिस आफ प्राफिट को ही डिफाइन कर दें। मैं समझता हूँ कि जिस तरह से हम चल रहे हैं उस तरह से हमें नहीं चलना चाहिए। लेकिन सवाल पैदा होता है कि क्या किया

जाये। मैं तो यही कहूँगा कि प्राप आफिस प्राफ प्राफिट की डिफाइन कर दें। लेकिन हमारे प्रानरेबल मिनिस्टर साहब की राय यह है कि यह होना बड़ा मुश्किल है, यह हो नहीं सकता है। अब जो कानून इंग्लैंड में है या जो पहले वहाँ कानून था, उसके अगर प्राप पाबन्द रहें तो कोई भी डेफिनिशन प्राप नहीं दे सकेंगे। उसकी डेफिनिशन के पाबन्द रहते हुए हमें दो ही, तीन ही और चार ही प्राफिस ऐसे रखने होंगे जिन को हमें डिसक्वालिफिकेशन से हटाना पड़ता है। अगर यह बात रहती है तो मैं समझता हूँ कि यह बिल बेकार ही बात हो जायेगी।

तो अब डिफाइन करने का सवाल रहता है। उनका ज्वाब है कि यह सम्भव नहीं है। मैं भ्रष्ट करता हूँ कि अगर इंग्लैंड के पुराने और नये कानूनों को ध्यान में रखा जाये तो मालूम होगा कि कोई तरीका नहीं है इसके डिफाइन करने का। मेरे दोस्त कहते हैं कि इसके लिए कांस्टीट्यूशन को भी बदलना पड़ सकता है। मैं समझता हूँ कि अगर कांस्टीट्यूशन को हमें बदलना भी पड़े तो कोई हर्ष की बात नहीं है। हम जहाँ छः बार कांस्टीट्यूशन को बदल चुके हैं वहाँ पर एक बार और बदल सकते हैं। हम ने साल या डेढ़ साल इस बिल पर विचार करने में ज्वाइंट कमेटी में लगाया है वहाँ इतना वक्त लगा कर कांस्टीट्यूशन को भी बदल सकते हैं। कोई दिक्कत वाली बात मुझे नजर नहीं आती है।

श्री नरसिम्हन् : इससे ज्यादा फायदा होगा और यह आसान भी है।

श्री बूल कम्ब बुबे : मेरा भी यही विचार है।

यह बात भी मेरे दिमाग में है कि जनरल क्लार्कि एंड के एमंडमेंट करके भी यह बात हो सकती है। प्रानरेबल मिनिस्टर साहब की यह राय है तथा पंडित ठाकुर दास भार्गव जी का भी यह सवाल है कि यह नहीं हो सकता है।

लेकिन मैं उनकी इस राय से सहमत नहीं हूँ। मैं उनकी राय की कद्र करता हूँ लेकिन कद्र करते हुए भी मैं उससे सहमत नहीं हो सकता। प्राप की राय यह है कि जनरल क्लार्कि एक्ट में यह इसलिये नहीं हो सकता है कि जनरल क्लार्कि एक्ट वही देखा जायेगा जोकि वह कांस्टीट्यूशन पास होने के वक्त मौजूद था यानी १९५० में जैसा वह था वैसा ही देखा जायेगा। मैं इससे सहमत नहीं हूँ। मैं दरखास्त करता हूँ कि प्राप इस बात को फिर से देखें, फिर से इस पर गौर करें कि अगर जनरल क्लार्कि एक्ट का एमंडमेंट हम प्राज लाते हैं तो हम कह सकते हैं कि यह रिट्रास्पेक्टिव इफेक्ट में होगी, हम कह सकते हैं कि शुरू से ही ऐसा हो रहा समझा जाये। इस में क्या दिक्कत है? मैं तो इसमें कोई दिक्कत वाली बात नहीं समझता हूँ। जनरल क्लार्कि एक्ट में छोटी सी एमंडमेंट करके हमारा परपज सर्व हो सकता है। मैं समझता हूँ कि सिवाय पब्लिक सर्वेन्ट्स के और किसी का डिसक्वालिफिकेशन नहीं रहना चाहिए। रिफ़ पब्लिक सर्वेन्ट्स को डिसक्वालिफाई प्राप करें बाकी किसी को डिसक्वालिफाई करने से कोई फायदा नहीं है। काउन का क्या भ्रष्टचार था और किस तरह वह फेवर करता है वह कोई सवाल प्राज कल नहीं है और न उस तरफ कोई ध्यान देना चाहिए।

अन्त में मैं इतना ही कहना चाहूँगा कि जो बातें मैंने कहीं हैं उन पर भी मंत्री महोदय गौर करें।

Shri Narasimhan: I would like to have one clarification. The Madras State has passed a statutory law making Members of Parliament *ipso facto* members of the State committees, which have become substitutes for various district boards. What I am worried about is, how far it is consistent within the privileges of this Parliament and to what extent it affects the Parliament's privileges. Supposing some State legislature



[Shri Narasimhan]

legislates for the Members of Parliament, is it good or desirable or, is a conflict likely to arise at some stage or other. I want to draw the attention of the House to that point and I hope this will be studied by the Law Minister.

A State legislature passes a law whereby Members of Parliament have become statutorily members of certain bodies in the States. It may be all right now; they have done it with good intention and that confidence in Members of Parliament is fully reciprocated and appreciated; we welcome it. But at some stage or other, it may lead to a conflict. When duties are cast on us by those people without the approval of this Parliament, it is likely to create some difficulty. Whether it should be foreseen or examined is the question which I pose before the Law Ministry to find out whether purely from the legalistic view or from the point of view of privileges of the House, this thing should be defined or not.

**Pandit K. C. Sharma (Hapur):** I have heard arguments with respect to the provisions of the Bill and the proposed disqualifications, but despite my best efforts to reconcile myself to the arguments, I am sorry, I have not been able to see the reasoning thereof. The fundamental principle is that democracy is a social experiment. In a democracy, every citizen has to take responsibility in carrying out the will of the people through the legislature and through the execution of the law. There are, of course, certain limitations which fundamentally have a bearing upon his independence or capacity to discharge the functions efficiently, honestly and with integrity. But unless there is some disability, every citizen should be permitted to partake in this great social experiment.

Under almost all the constitutions in the world, all citizens should have equal opportunity for participating in the administration of the country and

certainly to be a legislator is one of the necessary functions every citizen has to discharge with regard to the governance of the country.

The public servants are excluded not because they are dishonest or they cannot afford to be independent. Any Minister can bear testimony to the fact that Secretaries' notes are sometimes very much different from the wishes of the Minister. So, no Minister can think that his Secretary is not independent. They have their own views and they try to reconcile their views with the views of the Minister. That is how the democratic administration is being carried out. They are not slaves or people who should be just asked to carry out certain things, despite their opinion to the contrary. The public servants are excluded on the principle that they have to execute the policy of the Government.

**Mr. Chairman:** Mr. Sharma is speaking on the considering motion. That stage has passed. Now we are on clause 3 and the amendments. If he wants to support or oppose the whole clause, that is another matter.

**Pandit K. C. Sharma:** My respectful submission is that these limitations are to be mellowed down to the minimum. The very principle of article 102 is that an office of profit under the Government is disqualification for a citizen to become a legislator. Therefore, as we grow on, as education and experience grow on the disability should be narrowed down to the minimum. This provision exists in article 102. By experience, these offices are not offices of profit in the sense that they should be allowed to stand in the way of a citizen to become a legislator. For instance, take (f) about Vice-Chancellor. Objection is raised against the Vice-Chancellors.

**Mr. Chairman:** That is accepted by the Ministry.



**Pandit K. C. Sharma:** Then there are delegations and missions. That is not very seriously objected to. My opinion is that they should be allowed. It is not good to make too many distinctions whether the mission is commercial or political or legal. It is better to do away with the disability, if at all it exists. I do not believe that it exists at all.

Then there is provision about the office of chairman or member of a committee. I think this is a good provision and no objection should be taken to it. When a citizen should do his utmost for the development of the country, there should be no disqualification whatsoever for holding those posts.

Then about the office of chairman, director or member of any statutory or non-statutory body, I have dealt with this question in my first speech. Then objection is taken to home guards. I want to say a word or two about the home guards. In the U.P. Police Act there is a provision that the Superintendent of Police can call upon any citizen to render police service and to act as police constables. In a democratic government, when it is not an engine of oppression, police service is one of the noblest thing that a citizen can be called upon to perform. These home guards are the people who maintain law and order when the ordinary machinery find it difficult to cope up with the problem. Then only these people come into the picture. May I respectfully ask: when people are murdered, is it a crime for certain people to take risks and help the police? Is it a crime to help them to maintain law and order? Then, this is not a class of service which can be put as a permanent service. Does not a lawyer take brief for the Government in certain cases? Still, they can become Members of Parliament. When they are not disqualified on the ground that they are accepting brief of the Government, I see no reason why youngmen who take risks in the cause of peace

and maintaining law and order should be disqualified.

Then, I do not know with regard to other States, but so far as my State is concerned, *lambardar* is a government official in a hamlet. He takes upon himself the work of collecting the Government revenue and depositing it in the Government treasury. I do not know where the Government influence or police influence or District Magistrate influence comes in. I come from a *lambardar* family. Most of my people have joined the Congress movement. *Lambardar* has therefore, nothing to do with influence.

**Pandit Thakur Das Bhargava:** What about *Mukhya*?

**Pandit K. C. Sharma:** That comes under the Criminal Procedure Code.

**Pandit Thakur Das Bhargava:** Your *Mukhya* is a *lambardar*.

**Pandit K. C. Sharma:** I am talking of my State. *Lambardar* has nothing to do with police. He cannot be influenced or terrorised by the district authorities. He is quite an independent man, because he happens to be the biggest co-sharer in the hamlet. His duty is to collect revenue and pay it in the Government treasury. Therefore, I feel that it should not act as a disqualification. Then, as the evolutionary process goes on, as people get educated, more and more people will become independent and so these limitations should be narrowed down to the minimum. You cannot escape the logic. I think these provisions are quite sound in logic and there need be no fear on that score. Therefore, I support the removal of those disqualifications.

**Shri T. Subramanyam (Bellary):** With regard to clause 3, sub-clauses (c) and (d), I would like to say something. Some amendments have been sought to be moved for the purpose of subjecting these people to disqualification. I strongly feel that these people should not be subject to disqualification.

[Shri T. Subramanyam]

I will first take up home guards. I can say something from my own experience. Just on the eve of the Hyderabad police action we have had about 150 miles of border of Hyderabad and all along the border in many of the villages home guards were enlisted. There were about 1,200 to 1,500 home guards and they were enlisted from all walks and callings of life—advocates, merchants, businessmen, students above 21 years and so on. My experience of them has been rather pleasant, and not at all unpleasant. They were very helpful and useful in keeping up the morale at the time of the police action round about Hospet and other places. In this context we must remember that military dictators are there round about us. We have long borders with Pakistan both on the east and the west. So, it would be a good thing if all able-bodied men and women are trained in this movement. It must be made very popular.

**An Hon. Member:** Including among M.P.s?

**Shri T. Subramanyam:** Yes, they must set an example. Therefore, we should welcome this provision. They should not be subject to any disqualification. If any trouble should start, they should keep up the morale of the villagers and they should be a second line and third line of defence. They have no influence at all, and the remuneration that they get is only a pittance and some conveyance allowance for something which is absolutely nominal. So, no significance could be attached to it. Therefore, I strongly feel that the home guards should not be subject to this disqualification.

Then, what I said about home guards applies *mutatis mutandis* to the National Cadet Corps, territorial army and auxiliary corps. We must make them more popular. Young men studying in the colleges, professional, technical or arts, must be trained in the national cadet corps. Then, every citizen should be train-

ed by the territorial army. We must make them popular. My feeling is that just now they are not attracting large number of people as they should. We should make them popular bodies, the second and third line of defence, consisting of citizens from various walks and callings of life, if we have to make our defence position strong and sound. Therefore, they should not be subject to any sort of disqualification. We should make them more popular and attractive. So, I strongly feel that the national cadet corps, the territorial army and the auxiliary air force and the home guards should not be subject to any disqualification. On the other hand, every encouragement or inducement should be given to them so that they may join in large numbers.

16 hrs.

Then, with regard to the Vice-Chancellors the Government themselves have accepted that they should be excluded. With regard to the members of the Syndicate and the Senate, I would submit that they should not be subject to disqualification. It would not be proper and fair.

With regard to the sheriffs of Bombay, Calcutta and Madras—there are only three—I was told some time back that no sheriff of any of these cities has been a legislator or a Member of Parliament. Therefore it assumes more or less an academic character. In these circumstances when we are excluding the Vice-Chancellors I do not see why we should not put them in the same category as the Vice-Chancellor, i.e., exclude them. After all it has no practical importance that they should be included in a separate sub-clause. They could as well be excluded. I would appeal to the hon. Law Minister to exclude that particular sub-clause relating to the sheriffs of Madras, Bombay and Calcutta because more or less it is of an academic character. They have never come in. Then they have got

their own dignity, their own functions and responsibilities. Therefore they should be excluded.

With regard to clause (h), I feel the use of the word 'temporarily' is likely to create some difficulties and confusion. I wish it could be made more precise and a definition given to it so that any difficulty may be avoided in future.

With regard to clause (j), I would suggest to the hon. Law Minister that that may also be excluded because we have got village officers of various categories. Some receive regular monthly salaries and some receive yearly commissions on the amount that they collect. Then whatever they may be ultimately they are the subordinates in the Revenue Department and are subject to discipline and other measures attaching to the administration of the Revenue Department. Therefore, I suggest that clause (j) also should be excluded so that we can make this measure as simple and precise as possible.

Mr. Chairman: Dr. Sushila Nayar. She shall be the last speaker. I will not call any more.

Shri Achar (Mangalore): I want two minutes.

Mr. Chairman: We must finish this Bill today.

Dr. Sushila Nayar (Jhansi): I wish to say just a few words with regard to clause 3 that has been under discussion for some time. As I have tried to understand it, it seems to me that there is no underlying principle on which this disqualification or removal of disqualification is based. In all humility I submit that it is a dangerous procedure to just pick out any odd item and say that this will incur disqualification or this will not incur disqualification. I wish to emphasise with all the force I can that the big long Schedule that has been described is certainly not comprehensive and at the same time it is

debaring Members of Parliament from taking interest in a lot of national activities which are of considerable importance.

We are, in this country, trying to work as a welfare State. We are, in this country, trying to take up more and more developmental activities, industries, social services and other amenities under the wing of the Government which is only correct. At the same time we are trying here to put out of court about a thousand representatives of the people covering both the Houses, the upper and the lower House, from being associated in any way with any of these important activities. They cannot even be members—leave aside becoming the Chairman and the Secretary. I can understand that they should not be made Chairmen and Secretaries because they should retain their freedom to criticize the Government and to raise their voice here against any of the happenings that they consider are not correct. All that is necessary, but I feel that the Members of Parliament should not only be here to talk and express opinions with regard to the framing of policies, but they should be actively associated with putting into practice some of those policies and schemes. From that point of view I think it will be of considerable importance if we did not close the door in this fashion as we have tried to do in this Schedule. We should certainly debar people who are getting pay for those jobs, who are responsible for the execution of schemes actively like being Chairmen, Secretaries or members of the Executive Committee of some of these Boards etc., but I wish to ask how far it is correct to think in terms of ruling them out so completely. They represent their constituencies and the people. They are understanding the needs of those people. Their being associated with these bodies will be useful. Therefore my first submission will be that the Schedule as it is prepared is in need of very considerable and fundamental revision.

[Dr. Sushila Nayar]

I submit to the hon. Law Minister that he might withhold this clause and revise it in such a manner that a clear cut principle is evolved. While doing that, I submit, he should bear in mind that the association of the people's representatives with these various boards and bodies is of importance and should view this in the larger interest of the country. Therefore they should at least be free to be members of these boards so that they can present their point of view if not influence the decisions thereof. I, for instance, cannot understand at all why Members of Parliament can be on the advisory committees with regard to the railways, the National Consultative Committee, this that and the other, but cannot be associated at all with advisory committees with regard to the Indian Airlines or the International Airlines Corporations.

Mr. Chairman: We have not yet come to the Schedule.

Dr. Sushila Nayar: No, I am stating the general principle of clause 3. When we come to the Schedule, further discussion may be carried on at that stage. I have no objection to that. But what I am trying to say is that in this clause 3 we should see to it that the items that we have declared as causing disqualification and items that we are thinking are not incurring disqualification should be based on some general universal principles. They should not be left to the whims and fancies of people who will put one thing as incurring disqualification and another thing as not incurring disqualification. This is what is being attempted at present.

This is a very important Bill—most important I think that we have had for some time—and therefore I submit again in all humility that it should not be rushed through. There is no need to hurry it up. The hon. Minister should give it very careful con-

sideration. He is an able and brilliant lawyer and he is a public man. If he applies his mind, I am quite sure he can find a way by which it is not left to the whims and fancies of individuals but these issues are decided on some guiding principles.

Shri Achar: Sir, it is a short matter. I am referring to sub-clause (j). Of course, these officers, *lambardars*, *malguzars*, *patels*, and *deshmukhs*, who get a share in the revenue collections or who get a commission, are exempted. It happens, in our parts of the country, they are given a very small salary. They are functioning just like *lambardars* or other people who are getting a commission. The commission that they are getting, will be a large amount, much more than the salary that the *patels* are getting. They are getting a very small amount: Rs. 15 or 20. I am only submitting that if, in other parts of the country, they get exemption, just because these people are getting—as it happens to be the position in our parts—a small salary, they should not be disqualified. Their function is also to collect revenue. No doubt they are not paid any commission, nor do they get any share; they get only a fixed salary, a very small amount. I am only submitting that if others are getting exemption, why should not our *patels* also get; just because they get a small pay, why they should not be exempted.

Shri A. K. Sen: Mr. Chairman, I was very delighted to hear the echo of what I had stated when the Bill was first debated on the floor of the House as I listened to the speeches of my esteemed friends Shri Vasudevan Nair, Shri Sharma and others who have today voiced very strong and reasonable feeling that it is very important today to decide whether we are going to convert Members of Parliament into mere talkers or uninformed critics and not allow them to take part in the great revolutionary work that is being done outside the

floor of the House for building up our country. Personally, speaking for myself, I expressed myself in no unequivocal terms when we had a debate on this Bill first before the Bill was sent to the Joint Committee that I conceive it a primary duty of all Members of Parliament representing their different constituencies, not only to debate the general policies of the Government on the floor of the House, but also to actively participate in the great work of the Government which cannot succeed without the co-operation of Members of Parliament, of the people outside Parliament, of every one who feels that the country needs work, co-operation and unified effort. I still believe, and nothing has been said on the floor of the House notwithstanding the very insistent arguments of Pandit Thakur Das Bhargava, and nothing has happened to change my personal opinion on that matter. I personally feel, as more and more we shall be passing through successive plans, it will be apparent that the people who represent the country must participate in the work of the country and they will not be able to discharge that function by merely talking on the floor of the House. It was really for the purpose of giving effect to that increasing recognition of the new role which our legislators must fulfil that we had sought to frame, as it was, the original draft of the Bill, in order to enable Members of Parliament to take an increasing share in the work of the Government, consistent with the general feeling which is also very important that nothing should be done to affect the independence of the Members of Parliament.

I do not believe that by associating Members of Parliament in the work of the Government, we affect their independence. But, that feeling has to be taken cognisance of, has to be taken note of and nothing should be done procedurally which might, in any event, even give credence to that suspicion that the thing has been done

in a manner by which the independence of the Members has been affected. As I said, I was very delighted to find echo of my own feelings in the speeches of the representatives of an important Opposition Group, Shri Vasudevan Nair. Though there have been very strong speeches on our side of the House deprecating any attempt to associate Members of Parliament with any work of Government particularly extreme propositions have been more or less sought to be expressed through the speeches of many of our friends on this side of the House, which goes to the extreme limit of stating that Members of Parliament must not be given anything, that their function is only to sit on the cushions of this House and to talk and do nothing else.

Shri D. C. Sharma: Do we not go to our constituencies and work there?

Shri Narayanankutty Menon: There also, you do talking only. What else do you do?

Shri A. K. Sen: I do not subscribe to that extreme proposition. If I have not understood those hon. Members well, I ask for their apology. Somehow I have had the feeling that some Members at least feel that our function consists only in talking and not doing anything or sharing the responsibilities and burdens of the Government. Anyway, the original Bill has undergone many transformations, one of them being the introduction of a schedule which has the effect of disqualifying many offices which, again, personally speaking, I would have very much liked to be associated actively with our Members.

Nevertheless, I think a great scope is still left in the Bill itself for Members of Parliament to actively participate in the work of Government as I have said. And, as I said at the time of the consideration of this Bill a few days ago, last week, the mind of the Government is quite open even now about the Schedule and we shall be

[Shri A. K. Sen]

prepared to consider any proposal either for the deletion of some of the disqualifying offices from the Schedule or for the introduction of others which, on the merits, might appear to be justified. Personally speaking, again, so far as I am concerned, I would favour deletion rather than addition. Because, as I said, I firmly believe that the work of Government can never succeed completely and fully until and unless Members of Parliament take actively a part in the work of Government, especially, in the various nation-building activities with which the Government today is associated and with which the Government is going to be increasingly associated in a larger and larger measure in the future. There is no escape from that and the work of the Government will become extremely bureaucratic as one of the hon. Members on the other side has said unless we associate representatives of the people in this work, if we do not intend to leave it exclusively as a field where bureaucrats alone will function and none else. Therefore, personally speaking, I would request hon. Members when they are tabling amendments to the Schedule, to think more in terms of liberalising the disqualifications rather than increasing them. I can see quite a number of hon. Members here would be disqualified if the Schedule goes as it is. Our esteemed friends Shri C. R. Pattabhi Raman, Shri Narayanankutty Menon, and many others would be disqualified if the Schedule goes as it is.

Shri D. C. Sharma: That is the objective of the Schedule.

Shri A. K. Sen: It remains for the House to consider whether it is the objective or not. It is only for us to point out what the effect is and what our feeling in the matter is. The objective of the Schedule, certainly, is to disqualify some. The question is, which of these offices have to be finally disqualified and which of them should not be.

Coming to the details, I do not intend to go through each and every amendment separately. I shall take them in their broad categories and deal with them, as much in details as possible.

If we start from clause 3(c) of the Bill, we shall see that a good deal of criticism has been made with regard to the exemption we have extended to the N.C.C., the Territorial Army and the reserve and auxiliary air force. I would like to read out the report of the Joint Committee of the House of Commons when their Bill was under consideration. Their recommendation is as follows:

"The following is the schedule of non-ministerial offices which it is recommended should not disqualify:

Officers and men of the regular forces of the Crown who are in the reserve, retired or military lists, or on half pay or others not on the active service lists; officers and men of the auxiliary or reserve forces including officers in any reserve of officers as such and admirals of the fleet, field marshals and marshals of the Royal Air Force while not holding any office in the Royal Navy, Army or the Royal Air Force respectively."

They have themselves excluded all the auxiliary forces, the N.C.C. and so on. We are possibly less military in these matters or more suspicious. A person voluntarily undertakes military training for the defence of our country, takes the trouble of training himself for the defence of the country, and yet we are told that it is these very people who take all the trouble of voluntarily undergoing a severe and strenuous course of military training only for the purpose of defending the country must stand disqualified.

As I had said earlier, with great respect to the hon. Members who have voiced that sentiment and opinion, I

fall to see any logic, any patriotism, or any proper appreciation or objective appreciation of the facts of life which is necessary for the purpose of appreciating the raison d'être of this provision for exemption.

As I said on an earlier occasion, left to myself, I want that every man and woman in this country should receive military training so that if ever the freedom of this country is threatened, we shall not have one or two lakhs of them ready to bear arms, prepared and trained to bear arms, but hundreds of thousands; and this is not the way to encourage that course, nor is it the way to encourage our young men and women to take up military training for the defence of the motherland. As I said, I shall strongly object to any suggestion that our Territorial Army or the N.C.C. and the like stand disqualified.

Coming to the home guards, I am very glad at the intervention of Shri T. Subramanyam. Those who live near the border areas, or those who live in certain areas of a State like Madhya Pradesh where dacoits at one time more or less ran the daily life of the people in certain and the people were simply cowed down into submission, will appreciate the necessity of home guards. Take for instance the long border we have with East Pakistan, all over West Bengal, North Bengal and Assam, hundreds of miles, where every village is an object of attack any time. In fact, a state of tension is daily the lot of the villagers living on the border. Either a fisherman while casting his net is arrested and taken across the border, or an agriculturist ploughing his land is set upon and his bullocks carried away or his fields pillaged; either he is himself carried away or left in a helpless state. That is the state of every village on the border. The question is: have we got enough police, or enough military, to defend this large border of ours? Is it not necessary that every village has its own home guards so that every

young man, every decent man, knows how to defend his own village? And yet they have to be looked at with such suspicion, they have to be branded with such a stigma, that they will not be fit to stand either for the local legislature or for Parliament. Fortunately, in most of the States where there are Home Guards, there has been exemption by the State law in favour of members of the home guards becoming members of the local legislature, and in very strong language. I was just going through the Bombay Act where it says that notwithstanding anything, any member or officer of the Home Guards will be entitled to stand as a member of the local legislature. Yet we are told that *these people whom we have to recruit* in hundreds all over our border areas and other areas where dacoits have spread out should be disqualified. They have to defend the people, they have to carry all the risks of life, property and everything, and yet they will not be qualified to stand as a Member of Parliament.

I know myself, and in some of the places I have seen that every decent man has joined the Home Guards, or call it the village defence party all along the border; every decent man, whether he is a school teacher or a peon, or an agriculturist, or a zamindar, every one has joined the village defence party all along the border. Otherwise, they cannot subsist. Yet we are told that this is vaguely an attempt to pack this Parliament with homeguards. I do not share either the apprehension or the reason behind such arguments.

Next is about sheriffs. I appreciate the reason which has been put forward by many hon. Members for disqualifying sheriffs, but nothing has been said which would convince us fully that the removal of the disqualification from these offices would cause any injury either to the independence or the quality of this House.

Next is about Vice-Chancellors. We have agreed to delete the



[Shri A. K. Sen]

exemption in favour of Vice-Chancellors, and we shall accept the amendment moved by Shri Jaganatha Rao.

Next is about members of senates, syndicates etc. I have frankly not followed why it has been urged that some of these members should be disqualified. Nor have I been able to follow the reasoning of my esteemed friend Pandit Thakur Das Bhargava that the words "which is an advisory body" imports and uncertainty. There may be many bodies, examiners bodies, ad hoc bodies, set up either under the order of the syndicate or of the senate which may be purely advisory, or which may not be purely advisory. It was said even by the Joint Committee that if such bodies exercise any real executive power, they should not be qualified. That is why the precaution was taken to extend the exemption only to bodies which are of an advisory nature. That was more or less in line with the recommendations of the Bhargava Committee which only wanted to extend such exemptions to purely advisory bodies. I do not see how the limitation of the scope of exemption by the use of the words "which is an advisory body" creates either any uncertainty or unreasonableness.

Then about delegations. I do not think much need be said in answer. So long as this country has the necessity of sending delegations abroad and so long as it is felt that there should be Members of Parliament taken in same delegation or other, it will be futile to try to extend the exemption only to certain types of delegations which will only create confusion again as to what is commercial, what is non-commercial, what is trade, what is non-trade. It may be all right to discuss, but very difficult to decide. After all, the distinction between commercial and non-commercial is very thin at the extreme.

As for sub-clause (h), this is exactly or substantially the same wording as in the present statute, and it is a very important sub-clause, because, as hon. Members are aware, many important Members of this House both from the Government side as also from the opposite side have been taken on various committees for the purpose of informing Government on important public matters.

Take, for instance, the committee which is now in operation under the chairmanship of Shri Tyagi on the question of tax evasion and so on. Now, is it to be suggested that such an important matter should be completely dissociated from the Members of Parliament? Or is it to be suggested that Members of Parliament should have nothing to do with the ascertainment of facts, recommendation of measures or devising various other remedies in the matter of Government and their affairs? Or is it not all the more necessary that in order that such recommendations and such enquiries and such ascertainment of facts are more responsive to the opinion of the House, important Members, important and capable Members, capable of doing the work, drawn from this House, should be associated with this type of work? I do not want to repeat myself, but I do not think there would be many who would share the apprehension that by such withdrawals from the House and by such associations of Members of this House, on matters the like of which we have enumerated in sub-clause (h) either the independence of the House will be affected or that the work of Government would suffer in any way or that Parliament will lose its dignity. If it is felt necessary to associate Members of Parliament with such important tasks, then this sub-clause must be accepted.

Then, I come to sub-clause (i). This is a sub-clause which has been introduced as a result of the schedule. As I have said frankly, the Bill had



not originally introduced a schedule. I opposed the introduction of a schedule originally. Hon. Members will recollect—this is really for the purpose of informing hon. Members; Dr. Sushila Nayar who had raised this point has not waited here to hear the answers to her appeal—I had originally opposed the introduction of a schedule like the present one precisely on grounds which have been mentioned by many hon. Members. I said—hon. Members will recollect—not only here but also in the Joint Committee that a schedule would never be exhaustive, and it is impossible to follow a uniform principle in preparing such a schedule. In fact, Pandit Thakur Das Bhargava was frank enough to admit with candour before the Joint Committee that no single principle could be followed nor could such a list be exhaustive. It is precisely on these grounds that we had originally objected to the idea of introducing a schedule and also because of a further complication namely that even assuming for the moment that we could devise a schedule which is as perfect, as final and as exhaustive as possible, still, in view of the fact that we have fourteen legislatures functioning in fourteen States, apart from Parliament, and the volume of legislation is certainly by no means insignificant, and also taking into account the fact that as the years will roll on, these States and these legislatures will undertake more and more important work, in the course of which hundreds and thousands of new committees are bound to come into existence and are bound to die out from time to time or bound to change their functions and colour, it will be seen that to keep pace with fourteen different States and legislatures and the Centre would be a very odious task, and a very difficult task to accomplish. Even now, I feel that it will be a very difficult task to accomplish; and the standing committee which is proposed to be set up, if the schedule is accepted, would have a tremendous task and a continuous work to keep itself engaged in.

However, so far as the principle is concerned, that finds support from large sections of the House including important Members of the Opposition groups, namely that Members of Parliament must be associated with the work of State undertakings, either statutory or non-statutory, and also with the work of various other bodies, either statutory or non-statutory. The question is: which of these ought to be disqualified. That really brings us to the question of shaping this schedule finally. As I said, when we come to the schedule, our mind will be open regarding the final shape which it should take.

The next is the rather controversial clause about *lambardars*, and *malguzars*. I suppose these people are extremely lucky that they have come so much before the notice of Parliament as they never would have dreamt in their lives, nor possibly will there be a future occasion when they will be so much in the picture as they are today. As I said, basically, it is merely an academic matter. After all, in the near future, I do not visualise many *lambardars* and *malguzars* of the type which would really get elected from a parliamentary constituency. As some hon. Members were pleased to point out, these are really persons who attach more or less a sentimental value to the offices which they have been holding hereditarily. It is a matter of notoriety that in Maharashtra and other parts, the office of the *deshmukh* or *patel* might carry a rupee or two rupees a year, so far as emoluments go, and yet thousands of rupees have been spent in litigation for the purpose of establishing one's right in the office itself. It is not so much a profit as a sentiment attached to the office, like a shebait of an ideal which is simply handed down from generation to generation, coming down from forefathers. This office has a big sentimental value to the holders. As some hon. Members were pleased to point out, and I think Shri D. C. Sharma was pointing it out, they are themselves revenue-payers. They own the largest block possible of the area

[Shri A. K. Sen]

which is in their charge for the purpose of collection of revenue. While they take a share for the collection, they themselves have to forgo a good deal by way of revenue which the Government appropriates. So, it is not that they are recipients all the time. They are also givers at the same time, because they are holders of land.

During the days of our fight for independence, it is a matter of common knowledge and history, hundreds of patels and deshmukhs had taken part in the fight for independence. And it is really forgetting history and doing them extreme injustice if we say that these are people who always put up their hands for the Government that may be there. Even today, in the whole of Maharashtra—it is a matter of common knowledge again, especially to those of our friends who come on the opposite side from Maharashtra—how many of the village officers had supported the candidates standing against the Congress. So, it is no use trying to generalise on these matters. These are ordinary human beings, ordinary good citizens, good cultivators, or good owners of land, paying revenue themselves, and doing a bit of service. There is no reason, apart from a general accusation, which should entitle us to accept the proposition that this large body of holders of hereditary offices who perform useful functions in the villages should be debarred from only standing as Members of Parliament. We are not at the moment thinking of automatically bringing them here.

Shri T. Subramanyam: In Mysore and other places, there are village officers who receive a salary of Rs. 4 or Rs. 5 regularly. It may not come even as a percentage of commission.

They take a very nominal amount. I would therefore urge and request that this small facility may be extended to them.

Shri A. K. Sen: If the hon. Member puts in an amendment, the House will

vote upon it. The point is that the Joint Committee has not thought it fit to introduce them also within the scope of this.

These are my submissions. I would request hon. Members to appreciate the reasons which have really made it impossible for us to accept the amendments except amendments Nos. 65 and 34 and Government amendments. Amendment No. 65 standing in the name of Shrimati Sucheta Kripalani was moved by Shri Jagannatha Rao. I would request the House to accept the Bill as reported by the Joint Committee and remedy whatever injustices there may be when the Schedule comes up for discussion.

As regards amendment No. 34, the hon. Member wants to add the word "society" after the word "board" in page 2, line 2. According to us, that was really covered by the existing clause. But we have no objection to accepting it. It may be clarified by accepting that amendment.

Shri Vasudevan Nair: May I know whether the Minister has any objection in accepting offices of teachers in aided schools?

Shri A. K. Sen: They are not offices of profit either under the State Government or the Central Government. I forgot to mention that. Article 102 debars only those offices which are held either under the State Government or the Central Government.

Shri Vasudevan Nair: But there is one difficulty. They are paid by the Government, although they are working in aided schools.

Shri A. K. Sen: They are not paid by the Government. I do not know what the law in Kerala is. I do not think that is possible. School funds are augmented as everywhere else.

Shri Narayanaankutty Menon (Mukundapuram): In Kerala, those

teachers are directly paid by the Government, though they are working in aided schools. So technically, they come under the category of those receiving payment from Government.

**Shri A. K. Sen:** There is a decision that so far as aided schools are concerned, the teachers are not holding offices of profit at all.

**Shri Narayanankutty Menon:** But the other thing will come. They are receiving salary directly from the Government.

**Shri A. K. Sen:** The hon. Member as a lawyer will appreciate that the decision is that mere receipt of salary does not make an office an office of profit. In the Hansa Mehta case, the salary was received from the University. Notwithstanding that, the High Court held that she held an office of profit under the State, though the funds out of which she was paid were of the University. Some litigation has to be there.

**Shri Narayanankutty Menon:** So that also will have to be tested by litigation. You just now mentioned that the Bill will have to be finished today. So what will be the position regarding sitting of the House?

**Shri N. R. Munisamy:** The hon. Minister was pleased to say that so far as revenue officers were concerned, village revenue officers who did not receive any salary but only a commission would be allowed to contest seats to Parliament. But in Madras State I find that village officers are regularly paid a salary of Rs. 30 or Rs. 28. They are discriminated against those village officers who receive a commission. Either they must be put on the same path as the others or this must be deleted as per my amendment.

**Shri Palaniyandy (Perambalur):** They are called village munsifs. They draw a salary of Rs. 15 or Rs. 20.

**Shri N. R. Munisamy:** I want clarification, Sir.

**Shri A. K. Sen:** There is no clarification. There were hon. Members from Madras on the Joint Committee. Up to now no hon. Member has raised this question. If the hon. Member wanted he could have tabled an amendment. So far as we, Members on the Government side, are concerned, we shall not express any views on that.

**Shri N. R. Munisamy:** I have tabled an amendment to delete the entire clause because there should not be one kind of treatment for persons receiving a commission and another kind of treatment for persons receiving a salary, when they are doing the same kind of work. There should not be any discrimination between the two.

**Shri Keshava:** In Mysore we have got both these categories of persons, Sir, the *karnam* and the *shambhog*.

**Mr. Chairman:** Even if there is no amendment tabled already, if the contention of the hon. Member appeals to the hon. Minister he can accept it.

**Shri A. K. Sen:** If the hon. Member moves an amendment even now I am prepared to waive notice.

**Shri C. R. Narasimhan:** What is the position of the Chancellor.....

**Shri A. K. Sen:** I am not prepared to answer all these questions. There is the court of law.

**Mr. Chairman:** In the meanwhile I will put the other amendments. I am told that this amendment of Shri Subramanyam relates to clause 2.

**Shri A. K. Sen:** He really did not appreciate that clause 2 had already been passed.

**Mr. Chairman:** It can be done at the third reading stage.

**Shri D. C. Sharma:** We want to know when the amending Bill will come now.

Mr. Chairman: I will not put the Government amendment, No. 53, and the other amendment, No. 65, which is acceptable to Government, to the House.

The question is:

Page 2,—

for lines 23 to 26, substitute—

“(f) the office of chairman or member of the syndicate, senate, executive committee, council or court of a university or any other body which is an advisory body connected with a university;”

The motion was adopted.

Mr. Chairman: The question is:

Page 3,—

after line 12, add—

“Explanation.—For the purposes of clauses (h) and (i), the office of chairman or secretary shall include every office of that description by whatever name called.”

The motion was adopted.

Mr. Chairman: Does any hon. Member want to have any amendment put to vote separately?

Shri Vasudevan Nair: No, Sir.

Mr. Chairman: The question is:

Page 3, line 5,—

omit “or member of the standing or executive committee”.

Those in favour will please say ‘Aye’.

Some Hon. Members: ‘Aye’.

Mr. Chairman: Those against will please say ‘No’.

Some Hon. Members: ‘No’.

Mr. Chairman: I think the ‘Noes’ have it.

Shri Narayanankutty Menon: The Ayes have it.

Mr. Chairman: Let the lobbies be cleared.

16.50 hrs.

[Mr. SPEAKER in the Chair]

Mr. Speaker: If hon. Members will kindly resume their seats, I will put amendment No. 6 to the vote of the House.

Shri A. K. Sen: From the Government side we are prepared to accept the amendment.

Mr. Speaker: Very good.

The question is:

Page 3, line 5,—

omit “or member of the standing or executive committee”.

The motion was adopted.

Dr. Sushila Nayar: May I seek a clarification, Sir? Does that mean that Schedules I and II are now one and the same thing because the only distinction was this?

Shri A. K. Sen: No, Sir; that is not so.

Mr. Speaker: Only part of that is omitted—the office of Chairman remains there.

Shri A. K. Sen: Chairman and Secretary become disqualified; members are not disqualified.

Mr. Speaker: The hon. Member will kindly see that it contains reference to the office of Chairman, Secretary or Member of the standing or executive committee of any statutory or non-statutory body. So, the disqualification regarding the chairman and secretary stands.

Dr. Sushila Nayar: Is it in regard to Schedule I? What is the distinction between Schedule I and II? In Schedule I, Chairman, Secretary and Member—all are disqualified and in Schedule II Chairman and Member of the executive committee are disqualified and the members are not disqualified.... (Interruptions.) By this amendment, Schedule I and II are on the same basis. Is that correct?

Shri A. K. Sen: No, Sir; not at all. With regard to Part I Chairman, Secretary and Member—all are disqualified and in Schedule II Chairman and Secretary will be disqualified; not the members . . . (Interruptions.)

Shri Palaniyandy: It also includes members of the standing committee as well as the executive committee.

Shri A. K. Sen: Yes.

Mr. Speaker: Any other amendments? Shall I put clause 3 to the vote of the House?

Shri Keshava: I have an amendment, Sir; it is being accepted by the Government.

Shri A. K. Sen: No, Sir (Interruptions.)

Dr. Sushila Nayar: May I ask a clarification? Is there any reasoning in exempting the Chairman and the Secretary and members of a standing committee from disqualification?

Mr. Speaker: The whole thing has been debated and I am not here competent to give more clarification than what is apparent in the document itself. Now, the three amendments that have been carried are: Nos. 53, 55 and 6. I shall put all the other amendments to the vote of the House.

Mr. Speaker: The question is:

Page 2,—

omit lines 19 and 20, 21 and 22

*The motion was negatived.*

Mr. Speaker: The question is:

Page 2, lines 25 and 26,—

omit "or any other body which is an advisory body".

*The motion was negatived.*

Mr. Speaker: The question is:

Page 2, line 28,—

add at the end "for a period of not more than six months".

*The motion was negatived.*

Mr. Speaker: The question is:

Page 2,—

omit lines 29 to 36.

*The motion was negatived.*

Mr. Speaker: The question is:

Page 2, line 30,—

omit "(whether consisting of one or more members)".

*The motion was negatived.*

Mr. Speaker: The question is:

Page 2, lines 30 and 31,—

after "temporarily" insert—

"for a period of not more than four months".

*The motion was negatived.*

Mr. Speaker: The question is:

Page 2,—

after line 36, add—

"Provided the holder of such office shall not be entitled to exercise his vote in respect of the matter of public importance for which such member has been appointed."

*The motion was negatived.*

Mr. Speaker: The question is:

Page 2,—

after line 36, add—

"Provided that such Committee is not invested with any powers which involve exercising of any executive and judicial functions or the Committee or its members are not in a position in which patronage by way of grant of land, scholarships, making of appointments or conferment of other benefits can be exercised in any manner or form."

*The motion was negatived.*

Mr. Speaker: The question is:

Page 3,—

after line 6, add—

"Provided that the holders of offices whether as chairman or member of such statutory or non-statutory body or any other office of profit within the ambit of the meaning of clauses 1(a) and (2) of article 102 of the Constitution which have not been examined and included in the Schedule referred to in clause (i) of section 3 or any of the other clauses of section 3 shall not be deemed to be declared by Parliament by law not to disqualify the holder."

*The motion was negatived*

Mr. Speaker: The question is:

Page 3, line 9.—

after "whole duty is" insert "merely"

*The motion was negatived*

Mr. Speaker: The question is:

Page 3, lines 10 and 12,—

for "who does not discharge any police functions" substitute—

"who is not enjoined upon to help the police or to discharge any police functions"

*The motion was negatived*

Mr. Speaker: The question is:

Page 3, lines 2 to 6,—

omit "but excluding (i) the office of Chairman, director or member of any statutory or non-statutory body specified in Part I of the Schedule and (ii) the office of chairman, secretary or member of the standing or executive committee of any statutory or non-statutory body specified in Part II of the Schedule".

*The motion was negatived*

Mr. Speaker: The question is:

Page 3, lines 2 to 4,—

omit "(1) the office of chairman, director or member of any statutory or non-statutory body specified in Part I of the Schedule and (ii)".

*The motion was negatived.*

Mr. Speaker: The question is:

Page 3,—

after line 12, add—

"(k) class III and class IV employees of commercial and industrial concerns under Central and State Governments and workers in such industrial establishments governed by the Factories Act;

(1) teachers in non-Governmental institutions"

*The motion was negatived*

Mr. Speaker: The question is:

(i) line 7, for "(j)" substitute "(iii)", and (ii) after line 12, add—

"(iv) the office of Gram Sevak and Chief Officer—whether called by any other name—under a statutory village or regional Panchayat"

*The motion was negatived*

Mr. Speaker: The question is:

Page 2,—

omit lines 19 and 20

*The motion was negatived*

Mr. Speaker: The question is:

Page 2, line 23,—

omit "of Vice-Chancellor of a University or".

*The motion was negatived.*

Mr. Speaker: The question is:

Page 3,—

omit lines 7 to 12.

*The motion was negatived.*

Mr. Speaker: The question is:

Page 3, line 6,—

omit "Part II of".

*The motion was negatived.*

Mr. Speaker: The question is:

Page 2, line 34,—

for "Chairman or member of the syndicate" substitute—

"member of the".

*The motion was negatived.*

Mr. Speaker: The question is:

Page 2,—

omit lines 16 to 18.

*The motion was negatived.*

Mr. Speaker: The question is:

Page 2,—

omit lines 21 and 22.

*The motion was negatived.*

Mr. Speaker: The question is:

Page 2, lines 30 and 31,—

for "temporarily" substitute—

"for a specified period".

*The motion was negatived.*

Mr. Speaker: The question is:

Page 3, lines 2 to 6,—

for "but excluding (i) the office of chairman, director or member of any statutory or non-statutory body specified in Part I of the Schedule and (ii) the office of chairman, secretary or member of the standing or executive committee of any statutory or non-statutory body specified in Part II of the Schedule;" substitute "provided that such office does not entitle the member to any other emoluments notwithstanding whether he draws such emoluments or not;"

*The motion was negatived.*

Mr. Speaker: The question is:

Page 2, line 28,—

add at the end—

"provided the stay outside India does not exceed six months."

*The motion was negatived.*

Mr. Speaker: The question is:

Page 3, lines 2 to 6,—

for "but excluding (i) the office of chairman, director or member of any statutory or non-statutory body specified in Part I of the Schedule and (ii) the office of chairman, secretary or member of the standing or executive committee of any statutory or non-statutory body specified in Part II of the Schedule" substitute "but excluding the member of any statutory or non-statutory body specified in Part I and Part II of the Schedule".

*The motion was negatived.*

Mr. Speaker: The question is:

"Clause 3, as amended, stand part of the Bill."

*The motion was adopted.*

Clause 3, as amended, was added to the Bill

#### New Clause 3A

Shri Jagannatha Rao: Sir, I beg to move:

Page 3,—

after line 12, insert—

"3A. Temporary suspension of disqualification in certain cases.—If a person being a Member of Parliament who immediately before the commencement of this Act held an office of profit declared by any law repealed by this Act not to disqualify the holder thereof for being such member, becomes so disqualified by reason of any of the provisions contained in this Act, such office shall not,

[Shri Jaganatha Rao]

if held by such person for any period not extending beyond a period of six months from the commencement of this Act disqualify him for being a Member of Parliament."

**Mr. Speaker:** That stands in the name of Shrimati Sucheta Kripalani.

**Shri Jaganatha Rao:** I have also given the same motion.

**Shri A. K. Sen:** In his name we are accepting it.

**Mr. Speaker:** Are there any amendments to this amendment?

**Shri Hajarnavis:** I move my amendment No. 54.

**Shri Barman (Cooch-Bihar—Reserved—Sch. Castes):** I have my amendment No. 66.

**Mr. Speaker:** I will come to that afterwards. Now, amendment No. 67 seeking to insert New Clause 3A is before the House.

**Pandit Thakur Das Bhargava:** Sir, in regard to this amendment my own apprehensions are that this is against the Constitution itself. Since the Schedule is not complete and we want that it may be completed before the Act comes into force, I suggested that a new Bill should be brought before the House for the continuance of the old Bill and this Bill should come into operation only on 1st September, 1959. This was one course which, if adopted, would have solved the difficulty. It appears this course is not acceptable to Government, and this amendment of Shrimati Sucheta Kripalani—amendment No. 67—is probably going to be accepted by Government to obviate the difficulties which some Members feel. It is felt that if there are some Members who are members of committees which come within the purview of the Bill, they may not resign before 31st December and they may be in difficulty. Very

probably this amendment is being accepted to obviate that difficulty.

Sir, I am also in sympathy with those Members who are under this difficulty and I also want that difficulty to be solved. But the way I suggested would have given a better solution. Now I am afraid, if this amendment No. 67 is accepted, even then the mischief of article 102 is so great that it is very difficult for the Members concerned to get out of it. If you will kindly see the wording of the amendment it is like this:

*"If a person being a Member of Parliament who immediately before the commencement of this Act held an office of profit declared by any law repealed by this Act not to disqualify the holder thereof for being such a member, becomes so disqualified by reason of any of the provisions contained in this Act, such office shall not, if held by such person for any period not extending beyond a period of six months from the commencement of this Act disqualify him for being a Member of Parliament."*

In the previous Act, if you will kindly have a look, there were two provisions, sections 3 and 4. Section 3 dealt with such offices as were declared by law to be such as would not attract provisions of article 102. So far as section 4 is concerned, it dealt with those committees which did not come within the purview of advisory committees as given in section 3. In regard to section 4 it is clear that the Committees mentioned in clause 4 will not disqualify till the 30th day of April, 1954. This Act was extended and now we have got an amendment that for the year 1954 we may read 31st December, 1958.

17 hrs.

But then what happens on the 1st January, 1959? So far as clause 3 is concerned, they were declared to be



absolutely nondisqualifying for all time but in clause 4, they were declared to be so temporarily. There was no absolute declaration in accordance with which the Committee decided, and it did not come within the purview of this period. So far as the Constitution is concerned, this Parliament is only entitled to declare certain offices which will not be disqualified, but, at the same time, we have got no right to say that in respect of persons who are disqualified the disqualification will not take effect for six months or so. We are not making any declaration about particular offices in this amendment. We have not done that. We can only declare the offices. We cannot extend the period of disqualification. We are incompetent to do so under this Constitution. So, I am afraid whether the solution that has been attempted may not yet put some Members into difficulties. I would rather ask those members to be careful enough and to see that they resign before 31st December, 1958.

Even if this provision is passed, it may be that same authority may hold that this provision is not according to the Constitution. After all, there is a great doubt about the validity of this matter. Even a declaration about office of profit cannot be discriminatory. We are competent to declare certain offices to be such as will not attract the provisions, but, at the same time, we cannot extend the period during which the declaration will or will not take place. Thus an office of profit will affect different members differently. So, my humble submission is this. So far as the Constitution is concerned, it is doubtful whether we can do this. I am using the word 'doubtful', because I know this is going to be accepted by the hon. Law Minister. But I am clear in my mind that so far as I am concerned, this Parliament is not competent to declare that for six months there will be no disqualification. This would be rather suspending the Constitution itself. We are competent to declare that such and such offices are such as will not attract the provisions, but we cannot say that

disqualification will not take place for a period of six months for certain persons only. Therefore, I would request the hon. Minister to look into it and see whether it is valid under the Constitution. Let him not pass it.

We passed the continuance measures in just one minute in the House and it was done without any fuss. But then, even now, there is time enough to pass the Bill in the correct manner, and to extend the committee, so that we also, who are a bit opposed to certain provisions of the Bill, may be able to participate in voting with the hon. Minister. Otherwise, I am afraid if this Bill is sought to be passed through, many persons will feel that honestly enough they cannot vote. The Bill is such that many committees are going to be included and membership of which will qualify, in spite of the fact that these committees have not been seen or examined. I cannot possibly agree to it and I cannot give my vote, in spite of these clauses, because so many committees have not been looked into.

I suggest that recourse may be had to the passing of a new act for continuing the measure and to see that this Bill comes into operation in September, 1959. Nothing is lost if for two months or more the life of the Bill is extended, with a view to solve the difficulty as well as to solve my own difficulty. I would not be able to vote for the passing of this measure if the provisions are put in this way. If they are put in the way we find it, as I have said, it will be a fraud on the Constitution to pass a Bill of this nature. I would respectfully ask the hon. Minister to look at the matter from the point of view which I have stated.

Shri A. K. Sen: There is no difficulty about it. We have examined the position. Under article 102, offices of profit will disqualify unless the Parliament declares by law to the contrary. Parliament has declared by law to the contrary in regard to certain Members who may be able to

[Shri A. K. Sen]

hold offices which are exempt today under the existing law. We are giving them only that exemption for six months.

**Mr. Speaker:** They will be exempted permanently as in the other provisions of the Act. So far as the existing ones which have been declared.....

**Shri A. K. Sen:** ..... the exemption is only for six months. In the meantime, they can take time to find out.

**Mr. Speaker:** Remove the disqualification perpetually or for a period of six months. There is nothing unconstitutional. I am putting the amendment to the vote. The question is:

Page 3, after line 12, insert—

“3A. Temporary suspension of disqualification in certain cases.— If a person being a Member of Parliament who immediately before the commencement of this Act held an office of profit declared by any law repealed by this Act not to disqualify the holder thereof for being such member, becomes so disqualified by reason of any of the provisions contained in this Act, such office shall not, if held by such person for any period not extending beyond a period of six months from the commencement of this Act disqualify him for being a Member of Parliament.”

*The motion was adopted.*

**Mr. Speaker:** The question is:

“That clause 3A stand part of the Bill”.

*The motion was adopted.*

*Clause 3A was added to the Bill.*

**Pandit Thakur Das Bhargava:** I have given notice of two more clauses.

**Mr. Speaker:** I am coming to that. Is there any special reason why we should sit abnormally today?

**Some Hon. Members:** No.

**Mr. Speaker:** All right. Shri Rane.

17.06 hrs.

## BUSINESS ADVISORY COMMITTEE

### THIRTY-SECOND REPORT

**Shri Rane (Buldana):** I beg to present the Thirty-second Report of the Business Advisory Committee.

### RE: HIMACHAL PRADESH LEGISLATIVE ASSEMBLY (CONSTITUTION AND PROCEEDINGS)

**The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha):** I would like to inform the House that five copies of the Supreme Court judgment regarding the Himachal Pradesh Legislative Assembly's constitution and proceedings have been placed in the library of this House.

**Shri Braj Raj Singh:** Five copies are not enough.

**Shri Satya Narayan Sinha:** Five more copies will be placed tomorrow. But five copies are already available.

**Mr. Speaker:** The hon. Home Minister will make a speech tomorrow while moving the Bill for consideration. If there is some difficulty in Members not having sufficient opportunity to study it, that matter will stand over for further discussion and consideration on the next day.

17.07 hrs.

*The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, the 2nd December, 1958.*

[Monday, 1st December, 1958]

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2391

## PAPERS LAID ON THE TABLE

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A copy of each of the following Notifications was laid on the Table under subsection (6) of Section 3 of the Essential Commodities Act, 1955—

(i) G.S.R. No. 1004 dated the 25th October, 1958

(ii) G.S.R. No. 1082 dated the 15th November, 1958 making certain amendment to the Fertilizer (Control) Order, 1957

## BILL UNDER CONSI- DERATION

Further discussion on the motion to consider the Parliament (Prevention of Disqualification) Bill, as reported by the Joint Committee. Clause-by-clause consideration was taken up and was not concluded

2392-2520

## REPORT OF BUSINESS ADVISORY COMMITTEE PRESENTED

Thirty-second Report was presented

## AGENDA FOR TUESDAY, 2ND DECEMBER, 1958—

Further clause-by-clause consideration of the Parliament (Prevention of Disqualification) Bill, as reported by the Joint Committee and discussion on the late running of trams and failure of Railway staff to keep to scheduled timings.