

Second Series, Vol. XI—No. 2  
11th February, 1958 (Tuesday)

# LOK SABHA DEBATES

Gazetteer & Library Section  
Parliament Building  
Room No. F. 325  
Block 'G'  
Acc. No. 25774.....  
Dated 07.05.2015.....



(Vol. XI contains Nos. 1—10)

LOK SABHA SECRETARIAT  
NEW DELHI

THREE MILLION (THREE MILLION)

## C O N T E N T S

	<b>COLUMNS</b>
<b>Oral Answers to Questions—</b>	
Starred Questions Nos. 1 to 7 and 9 to 18 . . . . .	47—82
<b>Written Answers to Questions—</b>	
Starred Questions No. 8 and Nos. 19 to 49 . . . . .	83—102
Unstarred Questions Nos. 1 to 75 . . . . .	102—46
<b>Death of Shri N. Somana . . . . .</b>	146—47
<b>Papers laid on the Table . . . . .</b>	148—52
<b>Statement re : Demands for Supplementary Grants . . . . .</b>	152
<b>Business Advisory Committee—</b>	
Seventeenth Report . . . . .	[152]
<b>Calling attention to matter of urgent public importance—</b>	
Indo-Pakistan Canal Water Dispute . . . . .	152—53
Correction of Answers to Starred Questions . . . . .	153—54
<b>Requisitioning and Acquisition of Immovable Property (Amendment) Bill—</b>	
Motion to consider . . . . .	154—246
Shri Anil K. Chanda . . . . .	154—63, 237—42
Shri Naushir Bharucha . . . . .	163—69
Pandit Thakur Das Bhargava . . . . .	170—81
Shri Tyagi . . . . .	182—86
Shri P. S. Daulta . . . . .	186—96
Shri Pattabhi Ramam . . . . .	196—98
Shri Biren Roy . . . . .	198—305
Shri D. C. Sharma . . . . .	206—12
Shri Jadhav . . . . .	213—16
Shri K. C. Reddy . . . . .	216—28
Shri Braj Raj Singh . . . . .	228—32
Shri N. B. Meiti . . . . .	232—34
Shri Radha Ramam . . . . .	234—37
Clauses 2 and 1 . . . . .	243—46
Motion to pass, as amended . . . . .	246
Shri Anil K. Chanda . . . . .	246
<b>Criminal Law Amendment Bill—</b>	
Motion to consider . . . . .	246—70
Shri Datar . . . . .	246—55
Shri V. P. Nayar . . . . .	256—64
Shri Raghubir Sahai . . . . .	264—68
Shri Ajit Singh . . . . .	268—70
<b>Daily Digest . . . . .</b>	271—78

**NOTE :** The sign - marked above a name indicates that the Question was actually asked on the floor of the House by that Member.

25774

07.05.2015

## LOK SABHA DEBATES

47

### LOK SABHA

Tuesday, 11th February, 1958.

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER in the Chair]

### ORAL ANSWERS TO QUESTIONS

#### Floods in Ceylon

+  
1. Shri Radha Raman:  
Dr. Ram Subhag Singh:  
Shri Mohan Swarup:  
Shri Bhakt Darshan:  
Shri S. C. Samanta:  
Shri Raghunath Singh:  
Shri Supakar:  
Shri Vajpayee:  
Shri N. R. Munisamy:  
Shri D. C. Sharma:  
Shri A. K. Gopalan:  
Shri Kodiyan:  
Shri Jagdish Awasthi:  
Shri Harish Chandra Mathur:  
Shrimati Ila Palchoudhuri:

Will the Prime Minister be pleased to state:

(a) Whether the Government of Ceylon had approached Indian Government for help to relieve flood distress in Ceylon in the later part of December; and

(b) if so, the details and extent of aid sought and given?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon):  
(a) Yes, Sir.

(b) The Government of Ceylon appealed to the Government of India for

48

the loan of helicopters for rescue and relief work and for assistance in the shape of food supplies, clothing, medical supplies; etc.

The Government of India sent six Dakotas, three Fairchild Packets and two Bell Helicopters along with a unit of Army engineers equipped with collapsible assault boats for rescue work and para medical units equipped with medical supplies for relief operations. The I. A. F. aircraft flew over 150 sorties on a round-the-clock schedule and airdropped a total of over 6 lakhs lbs. of food and medical supplies. They rescued 300 stranded persons from various places and conveyed medical teams to the affected areas. They also carried out a number of reconnaissance flights with Ministers and officials of the Ceylon Government on board the aircraft.

The army rescue teams were dropped near Pooneryn in Jaffna and at Amparai in the Gal Oya Valley. They ferried supplies to inaccessible regions and transported people back to safety. They also repaired roads and bridges.

The Government of India has given a gift of textiles worth Rs. 50,000/- The Indian Red Cross Society, the Textile and Pharmaceutical Industry and Trade have altogether sent donations of cloth, blankets and medicines etc. to the value of Rs. 1,90,000/-

A further gift in kind of Rs. 10 lakhs will be given by the Government of India in the shape of goods and supplies which the Government of Ceylon may require from time to time.

Shri Radha Raman: May I know the total personnel employed in these operations and whether they were able to save any lives also?

**Shrimati Lakshmi Menon:** I have already pointed out that 300 stranded people have been saved by them.

**Shri Supakar:** May I know the total amount of expenditure incurred by the Government of India in this operation?

**Shrimati Lakshmi Menon:** It is yet to be calculated.

**Shri S. C. Samanta:** May I know whether this is the first time that aid was sought from us or whether it was sought and given previously also?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** Is the hon Member talking about Ceylon only?

**Shri S C Samanta:** Yes.

**Shri Jawaharlal Nehru:** I have no recollection of any major aid given in the past, but probably on various occasions aid in minor forms might have been given.

भी भवय दर्शन क्या में जान सकता हूँ कि पिछले दिनों जो बाढ़ लका में आई थी, उस में प्रवासी भारतीयों का कोई खास नुकसान हुआ था और क्या उन को कोई खास तरह की महायता दी गई—उम महायता के अलावा, जो कि गवर्नरमेट को पहुँचाई गई?

भी जवाहरलाल नेहरू जी हा, बाढ़ ने कुछ पहचान नहीं की कि कौन भारतीय है और कौन नहीं है।

**Shri D. C. Sharma:** It was stated by the Deputy Minister that a sum of Rs. 10 lakhs has been earmarked for further relief to the people of Ceylon. May I know how these ten lakhs are going to be spent?

**Shri Jawaharlal Nehru:** The sum of Rs. 10 lakhs has been offered to the Government of Ceylon—in response to the general appeal they issued for help to various countries, we made this offer to them. But we said that we could give this relief in the shape of certain specified goods. We pointed out the list of goods to them, and

we asked them to intimate to us which of those goods and in what quantity, subject to their availability here, we could supply to them. It is for them to say.

**Shri Radha Raman:** May I know whether any Army personnel is still operating there, and if the I.A.F. personnel have all returned, whether they have submitted any detailed report about the work that they have done there?

**Shrimati Lakshmi Menon:** They have all returned by the 9th of January.

**The Minister of Defence (Shri Krishna Menon):** There has been no Army personnel there. There was only Air Force personnel, they have returned after completion of their mission. Several tributes have been paid to them by the Prime Minister of Ceylon, and the officer concerned has submitted a report.

भी जगदीश अबस्थी क्या में जान सकता हूँ कि जब हमारे देश में इस तरह की बाढ़ आई, तो क्या सिलोन सरकार ने हमारी सहायता की?

भी जवाहरलाल नेहरू जी नहीं, हम ने उन को तबलीफ देने की जरूरत नहीं समझी।

**Narsing Girji Manufacturing Company Ltd., Sholapur**

+  
2. / **Shri Barman:**  
Shri S. C. Samanta:  
Shri Subodh Hasda:  
/ Shri T. B. Vittal Rao:

Will the Minister of Commerce and Industry be pleased to state

(a) whether the 'Somani Committee' appointed to inquire into the working of Narsing Girji Manufacturing Company Limited, Sholapur has submitted its report; and

(b) the present condition of the said Cotton Textile Mill?

**The Minister of Commerce (Shri Kanungo):** (a) No, Sir

(b) The mills remain closed since 8-8-1957. There were liquidation proceedings against the mills in the Bombay High Court; an official liquidator has since been appointed. The Government of Bombay it is understood are taking the mills on lease from the official liquidator to run them till they are sold.

**Shri Barman:** May I know the spindle and loom capacity of this mill, and by what time the Bombay Government may take up the management of the mill and start it again?

**Shri Kanungo:** The spindle strength is about 55,488 and the loom strength 1,011. It is a half-a-century old mill. The Bombay Government are negotiating with the liquidator, and I hope they will be able to do it soon. But the ultimate disposal is by disposal of the mill.

**Shri S. C. Samanta:** May I know whether any interim report has been submitted to the Government; if so, what are the recommendations in it?

**Shri Kanungo:** The final report is being awaited. There have been certain communications in the mean time; it is more or less supporting the idea of the Bombay Government.

**Shri T. B. Vittal Rao:** This Committee was appointed as long ago as seven months and they were supposed to submit their report within two or three months. May I know the reasons given by the Committee for this inordinate delay?

**Shri Kanungo:** Obviously the Committee's business is to see the best way of running the mill, and it is not so easy in this particular case.

**Shri Heda:** Taking into consideration the total assets of the mill and the provident fund due to labour, which is nearly equal, is the Committee considering the proposal put forward by the labour union that the mill may be run by the co-operatives of the labour?

**Shri Kanungo:** Those proposals have been considered by the Bombay Government.

**Shri Goray:** Have the Government taken any relief measures in respect of the workers who have been unemployed?

**The Minister of Commerce and Industry (Shri Morarji Desai):** That would be for the State Government, not for this Government.

**Shri T. B. Vittal Rao:** May I know whether from the provident fund amount due to these employees anything has been paid during this period they have been unemployed?

**Shri Kanungo:** I have no information on that.

#### Kingsway Tenements

**\*3. Shri Gajendra Prasad Sinha:** Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) whether Government have any proposal to transfer ownership rights to the occupants of the Kingsway tenements in Delhi;

(b) what would be the land area to be allotted to each tenement; and

(c) the chargeable value for each tenement?

**The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna):** (a) Except in the case of Reids Lines, ownership of the tenements and shops is transferable in accordance with the provisions of the Compensation Scheme.

(b) About 50 sq. yds.

(c) About Rs. 2068/-.

**Shri Gajendra Prasad Sinha:** What are the existing facilities, that is the civic amenities provided to the residents of this area at present, and how do they compare with the facilities provided to other areas?

**Shri Mehr Chand Khanna:** The existing facilities are: provision of roads, street lighting, storm water

drains and water supply through common hydrants. It is proposed to provide internal water lines and also to lay down underground sewerage, if possible.

**Shri Gajendra Prasad Sinha:** Is Government aware of the fact that there is discontentment on the side of the residents of this area and there has been some suggestion to settle the Outram Line and Hudson Line of the Kingsway Camp on the refugees?

**Shri Mehr Chand Khanna:** The only-discontentment according to my knowledge is that the occupants of these tenements owe about Rs. 20 lakhs in arrears of rent; and now that we are making efforts to realise the dues there is obstruction on their part and that is the only discontentment I know of.

**Shri Gajendra Prasad Sinha:** What has been the average area of the plots settled on other refugees in other areas?

**Shri Mehr Chand Khanna:** If information regarding any particular case is brought to my notice, I shall be able to answer.

**Shri Gajendra Prasad Sinha:** I wanted to know the average area settled on the refugees in other camps.

**Shri Mehr Chand Khanna:** In the initial stages, even in old Rajendranagar, the area is comparatively small. Then, we started developing Delhi on little better lines and the areas have increased in certain cases.

**Shri Radha Raman:** May I know whether the DDA has placed any condition with regard to leaving of open area in each tenement and that is being adhered to by the Rehabilitation Ministry?

**Shri Mehr Chand Khanna:** This question may conveniently be addressed to the Ministry of Health.

**श्री मोरीलाल मालवीय :** क्या मंत्री महोदय बनाने की कृपा करेंगे कि किम्बद्दे

की बैरेस्ट में जो सोने रहे हैं, उन्हें भी क्या उन बैरकों के ओनरेशिप राइट दिये जायेंगे ?

**श्री लेहरवाह बल्ला :** जो मुराली बैरेस्ट में रह रहे हैं उनकी ताशाद तकरीबन १०० है। और भी लोग हैं अनधाकोराइज़ ब्रॉक्युरेंट्स। शुरू में उनको वहां से निकालने की बहुत कोशिश की गई थी और उनको दूसरों जगह ले जाने की भी कोशिश की गई लेकिन उन्होंने जाने से इन्कार कर दिया। मैं कोशिश कर रहा हूँ कि नजदीक ही कोई अच्छी जमीन मिल जाये। वहां उनके लिए हम टेनेमेंट्स बनाने की कोशिश करेंगे, लेकिन अच्छी जमीन नजदीक में मिल नहीं रही है।

**Shri Gajendra Prasad Sinha:** Is it not a fact that 50 sq yds is very small and will Government consider to provide them in the Kingsway Camp?

**Shri Mehr Chand Khanna:** I have answered this question in reply to the supplementary question asked by Shri Radha Raman

#### Non-Europeans in South Africa

\*4. **Shri Shree Narayan Das:** Will the Prime Minister be pleased to state-

(a) whether it is a fact that the Government of South Africa has embarked upon a scheme of getting rid of non-European workers from industry;

(b) if so, the nature of such a scheme; and

(c) how many Indian workers have been affected so far and will be affected in all if the scheme is put through?

**The Parliamentary Secretary to the Minister of External Affairs (Shri Sadruddin Ali Khan):** (a) The Government of India have seen press reports to the effect that the South African Government have decided to reserve all skilled jobs in the clothing industry for white workers.

(b) and (c). Since there is no Indian Mission in South Africa, it is not possible to obtain any factual information.

**Shri Shree Narayan Das:** May I know whether such steps are being taken by the Government of South Africa under any law passed by them or is it otherwise?

**Shri Sadath Ali Khan:** It is reported that the decision is taken in terms of the job reservation clause of the Industrial Solution Act passed in 1956 which enables the South African Government to reserve any job in any industry for any particular racial group.

**Shri Shree Narayan Das:** May I know if any number of persons of Indian origin who have been thrown out of employment have expressed their desire to come over to India?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** There are, although we cannot give the exact figures. Possibly a considerable number of people of Indian origin will be affected by this, especially in Durban where they are largely represented in the textile industry. But the only question is whether they want to come to India. Not that I am aware of.

**वीर रविनाथ तिहः :** सारप धर्मीका की पार्टी की नीति के अनुसार क्या हिन्दू-स्तानी और धर्मीका के लोग ही उसमें आते हैं या आपन और जीन के लोग भी उसमें शामिल हैं?

**Shri Jawaharlal Nehru:** So far as I know, this includes all non-white workers; that is, apart from Indians and Africans, presumably others come in too.

**Shri Ranga:** Do we not have any arrangement with any other Government which is represented there in South Africa to give us information from time to time as to what goes on in regard to Indians and others?

**Shri Jawaharlal Nehru:** Broad information, of course, is available in the public Press, and we may ask occasionally some Government. But in matters of this kind rather intimately affecting us, we do not normally want details particularly through any other Government. It must be remembered again that the position is that all these people are South African nationals that are affected. They are not Indian nationals. We can ask some other Government to take up the case of Indian nationals there. But all these people who are there are people of Indian origin and they are South African nationals so that we do not come into the picture in the strict legal sense.

**Shri Hem Barua:** In view of the fact that South Africa is today in the box in the United Nations Organisation for this discriminatory practice, may I know what steps are being taken to ensure justice to the cause of Indians in South Africa through this international organisation?

**Shri Jawaharlal Nehru:** May I again say that there are no Indians in South Africa?

**Shri Hem Barua:** National of Indian origin?

**Shri Jawaharlal Nehru:** None. They are people of Indian descent which is very different. They are South African nationals or South African citizens for whom the South African Government is or should be responsible. The steps we are taking have been public steps in the United Nations and elsewhere. I do not know what other steps we can take—a sort of declaration of war against the South African Government. We do not propose to do that.

**Shri Tangamani:** May I know what is the status of Indians in South Africa who were born in the princely States of India and were British-protected before India became independent?

**Shri Jawaharlal Nehru:** Their status would be the same as of any other

Indian. That is, the Indians who resided in the so-called princely States of India before independence became all Indian nationals wherever they might be.

**Textile Stocks**

+

\*5. { **Shri Rameshwar Tantia:**  
Dr. Ram Subhag Singh:  
Shri Raghunath Singh:  
Shri S. C. Samanta:  
Shri Warior:  
Shri A. K. Gopalan:  
Shri Punnoose:

Will the Minister of Commerce and Industry be pleased to state:

(a) the effect of the replacement of Sales Tax by the additional excise duty on the accumulation of textile stocks; and

(b) whether there has been an increase in the export of cloth since the reduction of excise duty on medium cloth?

**The Minister of Commerce (Shri Kanungo):** (a) This measure was designed to make flow of cloth from the production to the consuming centres easier. The clearance of stocks from the mills during the month of January, 1958 indicates that this object is being achieved.

(b) There is no excise duty on cloth meant for export. Therefore, the reduction of excise duty is not likely to have any direct bearing on the export price. The export figures for December and subsequent periods are not yet available.

**Shri Rameshwar Tantia:** May I know what was the cloth stock in September when the excise duty was put and what was the stock by the end of December, 1957?

**Shri Kanungo:** There were somewhere about 4 lakhs and odd bales.

**Shri B. S. Murthy:** Please give the correct figure.

**Shri Kanungo:** I think 4,96,000 bales in December.

**Shri Rameshwar Tantia:** What was the reduction in this type of cloth?

**Shri Kanungo:** The reduction was of the order of about 50,000 bales.

**Shri Rameshwar Tantia:** The main reduction was in medium cloth. Is the Government considering relief to coarse cloth also to give benefit to the poorer people?

**Shri Kanungo:** There is no intention of making any other concession at present.

**Shri Tangamani:** To a similar question put in November, the hon. Minister was pleased to state that the stock then was 8 weeks' stock. May I know whether the stock still continues to be 8 weeks' stock?

**Shri Kanungo:** It is about 8 weeks' stock.

**Shri Gajendra Prasad Sinha:** What is the position of stocks of coarse cloth at present? Has there been any sizable reduction in the accumulation of coarse cloth stock?

**Shri Kanungo:** There has been a slight reduction but the effect will be felt after a little while, not now.

**Shri Anthony Pillai:** Has the reduction in the stock of cloth been due to the stoppage of the third-shift working?

**Shri Kanungo:** No.

**Shri Sonawane:** May I know whether the reduction of stocks will help the starting of the textile mills which have recently closed?

**Shri Kanungo:** It is too early to anticipate.

## Dandakaranya Rehabilitation Scheme

eg. { Shri A. K. Gopalan:  
 Shri S. M. Banerjee:  
 Shri Jagdish Awasthi:  
 Shri D. C. Sharma:  
 Shri Jaganatha Rao:  
 Shri Vajpayee:

Will the Minister of Rehabilitation and Minority Affairs be pleased to refer to the reply given to Starred Question No. 132 on the 14th November, 1957 and state:

(a) whether the team of specialists have completed their survey of the area selected for the Dandakaranya Rehabilitation Scheme;

(b) if so, whether the report has been submitted to Government; and

(c) the action taken thereon?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): (a) to (c). A statement is laid on the Table of the Lok Sabha. [See Appendix I, annexure No. 1.]

Shri A. K. Gopalan: May I know whether it is proposed to send the refugees from now and if so how many?

Shri Mehr Chand Khanna: We hope to make a start with a small colony of about a hundred persons before the onset of the monsoon.

Shri H. N. Mukerjee: In view of the Dandakaranya scheme being obviously long-term, will the Government tell us that in the meantime lands in West Bengal and in the neighbourhood would be reclaimed for rehabilitation purposes?

Shri Mehr Chand Khanna: We are going ahead with plans mostly outside West Bengal because in West Bengal there are hardly any lands available.

Shri Hem Barma: Is it a fact that 50,000 acres of land are already reclaimed and 14,000 families from East Pakistan are going to be rehabilitated there and Rs. 10 crores had already been sanctioned for the purpose?

Shri Mehr Chand Khanna: I do not know where the hon. Member got the information from. I have just stated that we are going to make a small start with about a hundred families in Pharsagaon area in the near future.

Shri D. C. Sharma: The statement refers to the work on the first reclamation and settlement project. How many such projects will constitute the whole scheme?

Shri Mehr Chand Khanna: The area is about 80,000 square miles—I think, three times the size of West Bengal. It will take a very long time before I can answer that question.

Shri Vajpayee: Has any detailed scheme been prepared for the development of communications in this area?

Shri Mehr Chand Khanna: Yes, Sir. We are looking into this matter and an integrated scheme will be prepared covering all these aspects, including communications.

Shri Panigrahi: Last time, the hon. Minister told us that 500 refugees would be taken to this area for resettlement in the pilot project. Have they gone there?

Shri Mehr Chand Khanna: If it is considered that a family comprises of about five persons, when I talked about 100 families, 500 persons will be covered. I have just stated that we are taking up that scheme.

Shri V. C. Shakla: Is it a fact that Jagdalpur was previously selected as the headquarters of the scheme and now it is contemplated to change it to Koraput? If so, may I know the reason?

Shri Mehr Chand Khanna: By headquarters, possibly it is meant that it would be the area from which the Chief Administrator will function. If so, one will be Jagdalpur and the other will be Koraput. We are not giving up one in favour of the other.

Shri Dasappa: What is the total number of people that are going to be rehabilitated in that area?

Shri Mehr Chand Khanna: I wish I could tell the hon. Member, I have said that it is a scheme which requires to be looked into and examined and I am hoping that all the surplus population that we have got in West Bengal may be taken to this area. (Interruptions). I am talking about the refugee population.

Shri Goray: May I know the method of selection?

Shri Mehr Chand Khanna: I have got 3,50,000 persons in camps today and I give topmost priority to the camp inmates.

#### Textile Industry in Bombay

7. Shri S. M. Banerjee: Will the Minister of Labour and Employment be pleased to state:

(a) whether he had any discussions with the Chief Minister of Bombay on the growing crisis in the Textile Industry;

(b) if so, the decisions taken; and

(c) whether similar discussion is likely to take place with the Chief Minister of U.P.?

The Deputy Minister of Labour (Shri Abid Ali): (a) Yes.

(b) There was a general review of the situation in the textile industry arising out of the closure of shifts or establishments but no decisions were taken. As the situation has to be kept under constant review the Labour Ministry has set up an Inter-departmental working group to study the problem and make suggestions to deal with such situations.

(c) The situation in U.P. is being watched and if necessity arises the matter will be discussed with the Chief Minister of U.P.

Shri S. M. Banerjee: May I know whether this crisis is genuine or created by some interested agencies to sabotage our production target in the Second Plan and also force the workers to accept rationalisation and wage freeze under threats of retrenchment and closure?

Shri Abid Ali: No such complaints have been received.

Shri Jadhav: What is the total number of employees thrown out of employment?

Shri Abid Ali: About 20,000.

Shrimati Tarkeshwari Sinha: May I know whether the Government has any idea of the productivity of labour per unit in the textile industry in the last two years? Has it increased or decreased?

The Minister of Labour and Employment and Planning (Shri Nanda): This does not arise out of it but I may inform the hon. Member that it is very difficult to measure precisely the changes in productivity. But, there is evidence that it has improved.

Shrimati Tarkeshwari Sinha: In view of the fact that there is this crisis as the hon. Member has pointed out and there are forced retrenchments and so on, what are the reasons for these? Has productivity of labour decreased or has the tempo in the country gone down?

Shri Nanda: In the case of some units regarding which we have some information about closure, the decision is mostly because they are uneconomical units. It may be the accumulated effect of mismanagement in the past or the condition of the machinery. They cannot be run with profit.

Shri Ramanathan Chettiar: How many people are effected by this crisis in Bombay?

Shri Abid Ali: As I have said the total affected is 20,000. For Bombay it will be about 9,700.

Shri Senavane: As a result of the general review with the Chief Minister of Bombay, what steps are contemplated to be taken to start the Sholapur Spinning and Weaving Mills where more than 5,000 employees have been thrown out of employment?

Shri Nanda: This question is being repeated and I think the Commerce and Industry Ministry have also been

dealing with it. So far as this particular mill is concerned, there were several proposals which were being considered but any information in that regard definite decision has been taken.

**Shri Sonavane:** The Government of Bombay have taken a decision to start the Narsing Girji Mills while no similar steps have been taken in the case of the Sholapur Mills. Why?

**Shri Nanda:** That has already been answered. So far as the other mill is concerned, it is under liquidation proceedings and so action could not be taken. In this case it is not applicable.

#### Indians in Burma

Dr. Ram Subhag Singh:  
"9. { Shri D. C. Sharma:  
Shri V. C. Shakia:

Will the Prime Minister be pleased to refer to the reply given to Starred Question No. 559 on the 27th November, 1957 and state the result of representation made by the Indian Ambassador in Rangoon to the Burmese Government in regard to the Burmese Immigration and Registration of Foreigners Acts?

**The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan):** Informal assurance has been given by the Burmese Government that while technically the power to take the ultimate decision will be conferred on the Deputy Commissioner of the district, each case will be reviewed by the Ministry at the highest level before it is submitted to the Deputy Commissioner for decision.

**Dr. Ram Subhag Singh:** Is it true that the Burmese Emigration rules are very strictly applied by the lower officials and therefore, these difficulties have arisen?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** I cannot say anything about it, without a definite enquiry.

**Dr. Ram Subhag Singh:** In view of the remittance difficulties experienced by the Indians who have taken up Burmese citizenship, may I know whether the Government have approached the Burma Government to see that those citizens are allowed to take their dependents in India to Burma?

**Shri Jawaharlal Nehru:** We are constantly dealing with these day-to-day matters. There are certain individual cases which arise. Two friendly governments try to accommodate each other as far as possible. I do not quite know what answer to give.

**Mr. Speaker:** Is it as a matter of policy that the hon. Member wants to suggest?

**Dr. Ram Subhag Singh:** There are Indians who have taken up Burmese citizenship and some of their dependents are here in India, and these people are experiencing difficulties. My point was, whether the Government of India have approached the Burmese Government to allow those Burmese citizens to take their dependents from India to Burma and, if so, what has been the reaction of the Burmese Government.

**Shri Jawaharlal Nehru:** Will the hon. Member tell me of a case? I shall enquire. I cannot answer a vague question like that. Dependents—what does "dependents" mean? I do not understand it.

**Dr. Ram Subhag Singh:** Parents.

**Shri Jawaharlal Nehru:** Parents? Parents normally are not dependents. It is the people who depend upon them.

**Shri V. C. Shakia:** There is an Indian village, half the portion of which lies in the Burmese territory. May I know what is the position of the citizens of that village, the inhabitants of that village, or rather, that portion of the village, which lies in the territory of Burma?

**Mr. Speaker:** How does it arise? The hon. Member will put a specific question.

**Shri D. C. Sharma:** Is it not a fact that there are very strict restrictions under this law for the remittance of money and have the Government done anything to get those restrictions relaxed so that those persons do not suffer?

**Shri Jawaharlal Nehru:** As I said, we are constantly sending communications in each individual case as it arises. Just as we are in difficulties often about foreign exchange, so is the Burmese Government in difficulty. We have to realise it and balance all these difficulties.

**Mr. Speaker:** Next question.

**Shri B. S. Murthy:** This is an important question.

**Mr. Speaker:** I know. Many others too are important.

#### Small Scale Industries in Orissa

**\*10. Shri Panigrahi:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether any systematic study of the conditions of Small Scale industries in Orissa has been made by the Central Investigation Team constituted in July, 1955; and

(b) if so, whether the team have recommended any small scale industries in Orissa to obtain credit facilities from the State Bank of India under its "Pilot Scheme"?

**The Minister of Industry (Shri Manubhai Shah):** (a) The Investigation Team attached to the Small Industries Service Institute, Calcutta, has made a study of the conditions of 14 Small Scale Industries in the eastern region which includes Orissa. Further an area survey of Bhanjnagar (Russel-konda) Pilot Project area in Ganjam District has also been carried out by the Investigation Team.

(b) The 'pilot scheme' of the State Bank of India has not yet been extended to Orissa, but after the working of the present pilot division is known for some time, it is likely to be extended to more areas. In respect of industries for which 'Industry Outlook Reports' have been prepared general recommendations have been made that the State Bank of India should extend credit facilities on liberal terms to the following:

1. Builders' Hardware.
2. Padlocks.
3. Agricultural Implements
4. Bicycle and Parts.

**Shri Panigrahi:** Which particular small-scale industry in Orissa has been investigated into by the team? That is not given in the answer.

**Shri Manubhai Shah:** There are 14 industries which have been investigated into in the eastern region and from Orissa, the industries are, washing-soap industry, boot-making industry, match industry, leather and footwear industry and tanning export industry.

**Shri Panigrahi:** In the Russelkonda pilot project area, the Committee investigated into the matter and made an area survey. May I know which particular industries in that area were investigated into by the Team and have they suggested any loan to be given to the industries?

**Shri Manubhai Shah:** As indicated, those five industries were surveyed. Also, it was recommended that credit facilities should be given to the builders' hardware, padlocks, agricultural implements and bicycle and parts.

**Shri Panigrahi:** What is being manufactured, and may I know whether there is any difficulty in implementing the suggestions?

**Shri Manubhai Shah:** For instance, there are padlocks and hardware manufacturers. Agricultural implements are

being manufactured and the situation surveyed. The Government will now endeavour to give promotion to these industries.

**Professor Zelenovsky**

**\*11. Shri Ansar Harvani:** Will the Prime Minister be pleased to state whether the Government of India have made any enquiries as to the reasons which led to the mental collapse of Professor Zelenovsky working at Indian Statistical Institute?

**The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan):** Yes, but it has not been possible to determine precisely what caused Mr. Zelenovsky's sudden illness. When he first fell sick, his blood pressure was high. Later medical reports described him at different stages, as suffering from "mental imbalance characterised by persecution mania", and "anxiety state with paranoid trends". Mr. Zelenovsky left for Moscow for medical treatment on 2 January, 1958.

**Shri Ansar Harvani:** May I know whether the said professor has at any time approached the Government of India for acquiring Indian nationality?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** No, Sir. Not that I know of.

**Shri Ansar Harvani:** May I know whether the said professor at any time complained of harassment by some of his countrymen in this country?

**Shri Jawaharlal Nehru:** No, Sir. I am not aware of this.

**Shri T. K. Chaudhuri:** May I know whether it is a fact that Prof. Zelenovsky displayed fright when he was approached by Russian officers on the attack of the illness and showed unwillingness to be handed over to them?

**Shri Jawaharlal Nehru:** As has been read out, the medical diagnosis, in so far as it went, was to the effect that he was suffering from some kind of

persecution mania. A person who suffers from that does exhibit fright and obviously he is said to have had a grave mental imbalance. What the past history was, whether it is hereditary or due to some shocks, we cannot say.

**Shri Goray:** Who examined him?

**Shri Jawaharlal Nehru:** He was sent to the Mental Observation Ward, Calcutta. He was sent there on the 26th December.

**Shri Gajendra Prasad Sinha:** What was the finding of the Observation Ward?

**Shri Jawaharlal Nehru:** It has been just read out to the House.

**Mr. Speaker:** The hon. Member was not attentive. Next question.

**Shri Anthony Pillai:** Is the patient..

**Mr. Speaker:** I have called the next question.

**National Productivity Council**

+

*12.	Shri N. R. Munisamy:
	Shri D. C. Sharma:
	Shri Rameshwar Tantia:
	Shri S. M. Banerjee:
	Shrimati Ila Falchoudhuri:
	Shri Naushir Bharucha:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether a National Productivity Council has since been constituted;

(b) if so, the details thereof; and

(c) the manner in which the Council is to be financed?

**The Minister of Industry (Shri Manubhai Shah):** (a) National Productivity Council is expected to be registered in this month.

(b) The Council will be representative of Government, Employers, Labour, and other interests such as consumers, technicians, consultants, experts and small industries. All-

India organisations of employers and labour have been asked to nominate their representatives on it. Representatives of Government, employers and labour will collectively co-opt on it the representatives of other interests.

(c) Finances for the productivity programme will comprise grants by the Government of India, anticipated allotment from Technical Assistance Fund of U.S. Government, and contribution by industry and other organisations in the form of subscriptions to Local Productivity Councils.

Shri N. R. Munisamy: May I know who is likely to be the Chairman of this Council?

Shri Mansbhai Shah: For the present, the Minister of Industry has been nominated as the President of the Council.

Shri Ramanathan Chettiar: May I know whether the representatives from trade, commerce and industries would be represented on this Council?

Shri Mansbhai Shah: Eleven members from each—government, labour and employees, and 27 from other industries and interests.

Shri S. M. Banerjee: May I know whether the central trading organisations have been asked to send their nominees?

Shri Mansbhai Shah: Yes, Sir.

Shri Ranga: In view of the fact that this Council will be granted subsidies and funds by Government and also by various other organisations, have the Government considered the advisability of nominating the Minister himself to be the Chairman since there would be nobody else to examine the financial proposals that may be adopted by this Council?

Shri Mansbhai Shah: Question of finance is not so important here, because the amount to be spent is not of a high order. The real point that all the organisations felt is that as it is being initiated for the first time in this country and the movement has a great potential for increasing produc-

tivity without investment, it would be better for some time at least that the Minister of Industry is the President of the Council.

Shri N. R. Munisamy: What is the amount given by the U.S. Technical Assistance Fund and how much has been provided in the second Five Year Plan?

Shri Mansbhai Shah: As the hon. Member knows, it was not specifically provided in the Second Five Year Plan. But later, discussions took place with the different productive movements of different countries, and it is being initiated only this year. The grant of money and the amount will be known as the movement gathers momentum during the current year.

Shri Achar: Will agriculturists be represented on this Council?

Shri Mansbhai Shah: As is well known, for the present, we are only tackling the industrial part of the productivity movement.

Shri Naushir Bharscha: What procedure is proposed to be adopted to keep Parliament informed of the progress and activities of the Productivity Council?

Shri Mansbhai Shah: Like any other body set up by the Government, the House will always be informed periodically about the progress of this movement.

समाचार वर्गों के लिये भूस्यानुसार पुस्तकी

+  
\*१३. { श्री वस्त्र वक्तव्य :  
श्री तृ० वृ० तात्पत्र :  
श्री दी० वृ० वर्णा :

क्या तृ० वृ० वृ० तात्पत्र मंगी ११ नवम्बर, १९५७ के तारांकित प्रश्न संख्या ३० के उत्तर के सम्बन्ध में यह बताने की रुपा करेंगे कि :

(क) क्या इस वीच समाचार वर्गों के लिये भूस्यानुसार पुस्तकी को लागू कर दिया गया है; और

(क) यदि हाँ, तो क्या उस सम्बन्धित आवेदन की एक प्रति समा-पटल पर रखी जावेगी?

श्री अवलोकन और अस्तारल अंची (डा० केसकर): (क) जी, नहीं।

(क) प्रदेश नहीं उठाता।

श्री अवलोकन: इस सम्बन्ध में जो अधिनियम है, वह कोई महीने पहले स्वीकार किया जा चुका है और ससद में इस विषय में कोई प्रदेश पूछे जा चुके हैं। मैं मंत्री महोदय ने जानना चाहता हूँ कि वे कौन से विशेष कारण हैं, जिनके कारण इस विषय में इतनी देरी हो रही है?

डा० केसकर यह मामला बड़ा महत्वपूर्ण है और इसमें मन-भेद बहुत तीव्र है। भिन्न भिन्न अखबारों के जो व्यापास हैं उन सब की राय अलग अलग है। मैंने मामले में सब से विचार-विनियम किये विना किसी ननीजे पर पहुँचना इम उचित नहीं समझने।

श्री अवलोकन क्या माननीय मंत्री जी यह बताने का बृप्ता करेंगे कि क्या इस प्रदेश को समाप्त करने की आशंका हो गई है, या इस के बारे में कोई आदा की जा सकती है?

डा० केसकर: इसके बारे में पूरी आशा की जा सकती है।

Shri D. C. Sharma: When was the last attempt made by the Ministry to arrive at some kind of agreement with the newspaper men on this subject?

Dr. Kesar: I am not able to give the definite date when an attempt was made. Attempts were made three times and we found that it was not possible not only to have an agreed solution, but to have solutions which are near each other. The differences of opinion are very acute and we are pursuing and exchanging opinions with various groups of interests.

श्री मा० ला० हिंदेशी: आभी मंत्री महोदय ने बतलाया कि विभिन्न अखबारों के मूलों से विचार-विनियम के पश्चात कोई समझौता हो सकता है। मैं जानना चाहता हूँ कि इस विचार-विनियम में अब तक क्या प्रगति हुई है और इस में कब तक समझौता होने की सम्भावना है?

डा० केसकर मैंने यह नहीं कहा कि समझौता की सम्भावना है। मैंने कहा कि सरकार को कोई निर्णय लेने में समय लग रहा है। समझौता करने की कोशिश हम ने शुरू में की, लेकिन कोई समझौता सम्भव नहीं हुआ और इसी लिये अगर हम कोई कदम आगे रखते हैं, कार्ट निर्णय बरसे हैं तो वह मांच समझ कर करना चाहिये।

Shri Jaipal Singh: Are we to understand that the analytical investigation of the Press Commission has been of no assistance to the Government all these years?

Mr. Speaker: That is a question of opinion.

Shri T. N. Singh: In view of the shortage of foreign exchange and inability to import newsprint, is it not desirable that even in the absence of any agreement by the parties concerned a price-page schedule should be introduced?

Dr. Kesar: That is an entirely separate question and it is possible that such a course might be desirable. But a price-page schedule with the objective of conserving newsprint would not be of the same type as one which is meant to avoid what might be called as a wrong type of competition of newspapers.

श्री अवलोकन: क्या मंत्री महोदय को जात है कि इन्हें दिनों तक इस प्रदेश का निर्णय न होने वे कारण छोटे समाचारपत्रों को बड़ी हानी उठानी पड़ रही है? और क्या उन को किसी प्रकार की सहायता देने के बारे में विचार किया जा रहा है?

ज्ञा० क्लेक्टर : अखबारों का सब से बड़ा सवाल हमारे सामने यह पेश था कि बर्किंग जर्नलिस्ट्स एक्ट की वजह से उन पर बड़ा भारी भोक्ता पड़ रहा है। माननीय सदस्यों को भालूम है कि बर्किंग जर्नलिस्ट्स एक्ट का सारा सवाल इस समय सुश्रीम कोर्ट के सामने पेश है। और जो अखबारों का सास दबाव था, हमारे सामने जो इनसिस्टेंस था, वह इस समय नहीं है, लेकिन हम स्वतंत्र रूप से इस भाग का जल्द से जल्द निर्णय करना चाहते हैं।

श्री ज्ञा० ज्ञा० सामन्त : क्या मेरे जान सकता हूँ कि क्या इस के बारे में समाचारपत्र संम्पादक मंडली ने कोई प्रस्ताव पास किया है?

ज्ञा० क्लेक्टर . एक प्रस्ताव उन की तरफ से हुआ है, लेकिन मेरे माननीय सदस्य का व्यान इस तरफ दिलाना चाहता हूँ कि हम सब भूत-भूतान्तर, जितने भी इस बारे में दिये जाते हैं, को व्यान से देखते हैं, लेकिन इस मेरुम्भूतः जो अखबारो-समाचारपत्रों के मालिक हैं, उन्हीं से हमारी बात-चीत हो रही है, क्योंकि अखबार का जो भूम्भूत है, वह उम्में मालिक ही तय करते हैं।

Shri Ansar Harvani: Question No. 45 may be taken up along with Question No. 14.

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): That might be answered separately.

Mr. Speaker: Question No. 14 only may be answered now.

पोलेंड के सब व्यापार

\*१४. श्री ज्ञा० ज्ञा० हिंदेवी : क्या वार्षिक तथा उच्चोग मंत्री यह बताने की कृपा करें कि :

(क) भारत और पोलेंड के बीच हुये व्यापार करार के फलस्वरूप व्यापार में किस हद तक बढ़ि होने की आका है; और

(ख) पोलेंड को निर्यात किये जाने वाले कच्चे लोहे के बदले में भारत द्वे कितने भूम्भूत की किन-किन वस्तुओं का आवाहन होगा?

श्री सतीश चन्द्र (श्री सतीश चन्द्र) : (क) विदेशी व्यापार की उभाति कई बातों पर निर्भर है और उस की बृद्धि करने के अनेक उपायों में इस प्रकार का करार केवल एक उपाय है। इस करार के पहले ही वर्ष यानी १९५६-५७ में भारत-पोलेंड व्यापार में पिछले साल की अपेक्षा आयात दस गुना और निर्यात चार गुना हुआ।

(ख) यह आवश्यक नहीं है कि कच्चे लोहे का निर्यात किन्हीं खास वस्तुओं के आवाहन के बदले में ही हो।

Shri T. B. Vittal Rao: The answer may be read out in English.

Mr. Speaker: Yes.

Shri Satish Chandra: (a) Trade Agreement is only one of the means to facilitate foreign trade which is influenced by a number of factors. However, trade between India and Poland during the first year (1956-57) of the current Trade Agreement increased ten times in the case of imports and four times in the case of exports over that of the previous year.

(b) Exports of iron ore are not necessarily tied up with imports of any specified goods.

श्री ज्ञा० ज्ञा० हिंदेवी : मेरे जानना चाहता हूँ कि भारत मेरे कच्चे भाल भेजे जाने के बारे में जो करार हुआ है, क्या उसके अलावा और कोई भाल भेजे जाने के बारे में तय हुआ है? यदि हाँ, तो कौन सा भाल?

श्री सतीश चन्द्र : इस तरह के जो श्री करार हुए हैं, उन की प्रतिलिपिया लाइब्रेरी में रख दी गई है। उस एंट्रीमेंट के अनुसार ४३ जीवे ऐसी हैं, जिन को पोलेंड से इम्पोर्ट करने का हमारा इरादा था। ३८ लाइटन्स एंट्रीमेंट के थे। इस में कुछ बढ़े और बढ़े भी हैं। यह

१६ आइटम्स इम्पोर्ट के द्वारा ५० आइटम्स एक्सपोर्ट के हैं। इन को कुल विस्त देना इस बात मुश्किल है।

**श्री लू. ला० द्विवेदी :** इस व्यापार के अनुगतान का तरीका क्या है—क्या विनियम भारतीय सिक्के में हैं या किसी और सिक्के में? यदि किसी भीर सिक्के में हैं, तो किस सिक्के में?

**श्री सतीश चाल्ड :** करार के मुताबिक यह पेमेंट रूपये में होता है, लेकिन स्पॉन्सिंग अभी बैलेंस आफ पेमेंट का संतुलन ठीक नहीं है, इसलिए कुछ पेमेंट स्टर्लिंग में भी करना पड़ता है। इसी महीने पोलैंड से एक डेलीगेशन इस बात पर विचार करने के लिए आ रहा है कि किस तरह हम इम कठिनाई को दूर कर सकते हैं।

**Shri Khadilkar:** May I know in these items if there is sugar plant machinery and if so, whether some machinery has been imported under the terms of the agreement?

**The Minister of Industry (Shri Manubhai Shah):** Sugar plants are not included in this bilateral agreement.

**Shri Ansar Harvani:** Is it not a fact that the State Trading Corporation received a huge amount of trade enquiries from Poland and only a fraction was satisfied?

**The Minister of Commerce (Shri Kanungo):** That is Question No. 45.

**Shri T. K. Chaudhuri:** May I know what are the imported items in which increase has been registered?

**Shri Satish Chandra:** There has been substantial increase in the imports of iron and steel and machinery.

#### Indo-Pakistan Agreement on Movable Property

\*15. **Shri D. C. Sharma:** Will the Minister of Rehabilitation and Minority Affairs be pleased to refer to the reply given to Starred Question No. 697 on the 2nd December, 1957 and

state further progress, if any, made in the implementation of the Indo-Pakistan Agreement on movable property?

**The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna):** Bank Drafts for Rs. 5.22 lacs and some lists of movable property were received from Pakistan in January, 1958.

A further exchange of fire-arms will be held on February 24, 1958. Exchange of further lists of Post Office Savings Bank Accounts and Postal Certificates will start on the 1st March, 1958. Supplementary lists of movable property, bank drafts for sale-proceeds and further lists of court deposits and lockers and safe deposits will be exchanged on March 25/26, 1958. The transfer of lockers and safe deposits would follow soon thereafter.

**Shri D. C. Sharma:** May I know on how many items there has been agreement so far as movable property is concerned and on how many items there has been no agreement so far and the Minister is making efforts to bring about agreement?

**Shri Mehr Chand Khanna:** There has been agreement practically on almost all items. The difficulty has been about implementation and we are trying to expedite matters.

**Shri D. C. Sharma:** May I know what efforts have been made to strengthen the machinery for implementation both in Pakistan and India?

**Shri Mehr Chand Khanna:** When I visited Karachi about two years ago with a view to see that the agreement is properly implemented, an Implementation Committee was set up between India and Pakistan. The meetings of this Committee are not held regularly. We want them to be held frequently, but sometimes we do not find the same responsive co-operation from the other side.

**Shri Ajit Singh Sarhadi:** May I know whether the agreement also covers those who have vacated the so-called Azad Kashmir territory?

**Shri Mehr Chand Khanna:** The movable property agreement I am talking about covers only those areas which form part of Pakistan. We consider the Azad Kashmir area to be part of India.

**Shri Ajit Singh Sarhadi:** If that is considered part of India, may I know whether any steps are being taken about the properties that are left in Azad Kashmir area by people who are now in India?

**Shri Mehr Chand Khanna:** Payment of compensation covers only those areas which form part of Pakistan. This area forms part of India. So, the question of compensation does not arise. But we are giving them relief and rehabilitation assistance in the same way as we are giving to any displaced person from Pakistan.

**Shri Tyagi:** In view of the fact that these refugees who have come from the other side of the cease-fire line—which, my hon. friend says, is a part of India—have lost all their assets, may I know whether the loans granted to them will be treated on par with loans or grants given to other refugees?

**Shri Mehr Chand Khanna:** There are two categories of refugees—claimants and non-claimants. As far as the claimants are concerned, under the rules they have the right of adjustment. The non-claimants have to pay back their dues. The same rules will apply to these gentlemen from the raiders' held area.

**Shri Tyagi:** In view of the failure of the Government for the last ten years to rescue the property and the assets these people have lost on the other part of Kashmir, will Government not consider it fair not to realise back the few loans which they have granted to these refugees till their properties are recovered?

**Shri Mehr Chand Khanna:** I do not understand the reference to the "failure of the Government". But I will assure the hon. Member that we are

giving them every possible consideration in the matter of grant of relief and rehabilitation.

**Shri Tyagi:** My question is different.

**Mr. Speaker:** Regarding "failure", it was there even when the hon. Member was the Defence Minister.

**Shri Tyagi:** The Government's argument is that they are not being given compensation because the property is *de jure* in India, although it is not in the possession of the Government. Under the circumstances, I want to know whether Government will consider the feasibility of not realising the loans advanced to these refugees till either the property is rescued or some settlement is made finally with Pakistan.

**Shri Mehr Chand Khanna:** Giving relief and rehabilitation assistance is something quite different from the payment of compensation.

**Mr. Speaker:** The hon. Member wants to know whether the recovery of the loans may be put off until something is settled regarding their property.

**Shri Mehr Chand Khanna:** It will not be easy for me to make a categorical statement of that nature. But I have informed the hon. Member in writing that every case is considered on merits, and where we find that there is a case of distress or hardship, we are prepared to give them every possible consideration.

**Shri Tyagi:** There are people on the Government benches who might reply to this particular question.

**Shri Mehr Chand Khanna:** I have already made a categorical reply.

**Purchase of Equipment for A. I. R.**

+

\*16. { **Shri Raghu Nath Singh:**  
          { **Shri S. C. Samanta:**

Will the Minister of Information and Broadcasting be pleased to state

whether it is a fact that the Government of India are purchasing equipment for All India Radio from Australia?

**The Minister of Information and Broadcasting (Dr. Keskar):** Equipment worth Rs. 43,000 was purchased from Australia in 1956. All India Radio is also getting equipment worth approximately Rs. 78 lakhs under the Colombo Plan aid for its development programme.

**जी रवृत्तात्मक तिहः :** जहां तक रेडियो इकिवपर्मेंट का सम्बन्ध है, हालेंड और अमरीका की जो इकिवपर्मेंट है, वह अच्छी होती है। हम लोगों को जब वह वहां से कोलम्बो प्लान के अन्तर्गत प्राप्त हो सकती थी तो भास्ट्रेलिया से लेने की हमारे लिए क्या आवश्यकता थी?

**डॉ केसकर :** अगर हालेंड और अमरीका भी हम लोगों को कोलम्बो प्लान के तरीके पर मुफ्त में देते तो हम उनमें भी लेने के लिए बड़ी खुशी से तैयार थे।

**Shri S. C. Samanta:** May I know whether any attempts have been made to manufacture in India the type of equipments that were imported in 1956?

**Dr. Keskar:** I cannot say about the type of equipments mentioned here whether they will be manufactured in India. But we are taking up the question of manufacturing transmitters and ancillary equipments in the country in collaboration with Bharat Electronics.

**Shri Wodeyar:** May I know whether A.I.R., Bangalore, will receive any equipment from this quota and, if so, for what purpose the equipment is being utilized?

**Dr. Keskar:** This equipment is for the development programme of AIR, which has been passed by Parliament. Whatever is there for Bangalore in the plan will certainly be given to them.

### Tennis Balls

**\*17. Shri V. P. Nayar:** Will the Minister of Commerce and Industry be pleased to state:

(a) the latest position of production of Tennis balls in India; and

(b) how do the sale prices of Tennis balls in India compare with the sale prices of balls made by Dunlops and sold in U.K.?

**The Minister of Industry (Shri Manubhai Shah):** (a) Production of Tennis balls in India has been as follows:

1955	..	..	4222 Nos.
1956	..	..	3982 "
1957	..	..	2727 "

(b) We have no precise information, though the Indigenous Tennis Balls are somewhat cheaper but their quality so far is unsatisfactory.

**Shri V. P. Nayar:** May I know which of the units are manufacturing tennis balls in India at present, and whether any unit is located in the regions where there is natural rubber?

**Shri Manubhai Shah:** This has very little relationship with natural rubber. One is situated in Coimbatore and the other in Calcutta. Both are still struggling hard and it is our endeavour first to see that they are put on proper foundation before any expansion is contemplated.

**Shri V. P. Nayar:** Has Government made any enquiries as to why the quality of indigenous-made tennis balls does not compare favourably with that of the imported balls, when the technique is not very much different and when the same firms manufacture them there as well as here?

**Shri Manubhai Shah:** It is not quite so. The technique is still not learnt either by the manufacturers or the technical experts here. Therefore, we have been asking them to try to see that they join with proper technical collaboration to produce proper quality and in suitable numbers.

**Shri V. P. Nayar:** Is it not a fact that Slazengers are manufacturing them here? They are manufacturing elsewhere also. Why is it that their products here do not compare favourably with their products outside?

**Shri Manubhai Shah:** That is true. They were not properly equipped here and they were not having proper technical collaboration. That is why, as I said earlier, we are taking up this question with the company and with Slazengers to see that their technique is properly modified so that they can manufacture proper quality products.

**Shri V. P. Nayar:** What is the annual requirements in value of tennis balls for India now?

**Shri Manubhai Shah:** During the current year, it is estimated at 3½ lakhs of rupees; about 24,000 dozen for the whole year.

#### Pondicherry

+

\*18 { **Shri H. N. Mukerjee:**  
      { **Shri M. Elias:**

Will the Prime Minister be pleased to state whether the Government of France has intimated any idea as to when *de jure* transfer of Pondicherry to India will be ratified?

**The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan):** No information has yet been received from the Government of France as the subject is currently being considered in French Parliament. The Government of France will no doubt inform us as soon as a decision has been taken.

**Shri H. N. Mukerjee:** In view of the French Government being terribly busy with Algeria and Tunisia, may I know if Government expects the French Government to have a lucid interval early enough for us to complete the integration of Pondicherry and thereby solve the problems in that region which may otherwise be shelved?

**Shri Sadath Ali Khan:** Our Government has been pressing them and we hope this matter will be settled soon.

**Shrimati Renu Chakravarty:** Are we to understand that this matter of the *de jure* transfer of Pondicherry will come up before the present session of the Parliament in France?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** We do not know the time table of the French Parliament.

**Shri H. N. Mukerjee:** So many problems in regard to the administration of Pondicherry are being inevitably shelved on account of the delay in the matter of integration. Now are we to wait on the good pleasure of the French Government, which is too busy with Algeria, Tunisia and other problems?

**Shri Jawaharlal Nehru:** The hon. Member is perfectly correct in saying that a number of problems are held up because of this delay. I confess that I am unhappy about it. But, we have to face the difficulties as they arise. We cannot ignore certain facts. We have been assured for the last year every few months that this is coming soon. I have personally no doubt in my mind that there is no major opposition to it there except the fact that circumstances somehow conspired to delay matters from time to time.

#### WRITTEN ANSWERS TO QUESTIONS

##### विषय: प्रशिक्षण केन्द्र

\*८. श्री नवाज़ प्रभाकर: क्या पुनर्वास्त तथा अन्तर्राज्यक कार्य मंत्री यह बताने की रुपा करेंगे कि :

(क) क्या यह सब है कि पुनर्वास्त अंतर्राज्य द्वारा संचालित जिल्य प्रशिक्षण केन्द्र दिल्ली प्रशासन को सौंप दिये गये हैं ;

(क) यदि हाँ, तो कितने केन्द्र संघि  
य में हैं; और

(ग) इन केन्द्रों में किस प्रकार की  
विकास दी जाती है ?

कुर्ताही तथा अहसंवयक-कार्य बंडी  
(भी नेहरूचाल कम्बा) : (क) जी, हाँ सिवाय  
अरब की सराय के ।

(ख) अः ।

(ग) टेक्नोकल और बोकेशनल ।

#### Film on Steel Projects

\*19. Shri Vajpayee: Will the Minister of Information and Broadcasting be pleased to state:

(a) whether there is a proposal to produce a film on the steel projects now under progress;

(b) if so, the length of the proposed film; and

(c) when the proposal is likely to materialise?

The Minister of Information and Broadcasting (Dr. Keskar): (a) to (c). Yes, Sir. A documentary on Rourkela and Bhilai Steel plants is under production for early release. Documentaries for general distribution are usually from about 1000 to 2000 feet in length.

पाकिस्तानी पुलिस द्वारा भारतीय नावों के छीने जाने के बारे में २२ मई, १९५७ के तारांकित प्रश्न संख्या २४४ के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) पाकिस्तान द्वारा छीनी गई नावें  
तथा सामान क्या इस बीच भारत सरकार  
को वापस कर दिया गया है; और

(ख) भविष्य में ऐसी घटनाओं की  
पुनरावृत्ति को रोकने के लिये क्या पाकिस्तान  
के साथ कोई कंट्रार किया गया है ?

पाकिस्तान-कार्य बंडी के सभा-सचिव  
(भी साथत असी जां) : (क) त्रिपुरा प्रशासन  
में बर्तमान स्थिति पर एक रिपोर्ट जाने वाली है ।

(ख) पिछले कुछ समय में त्रिपुरा-पूर्व-  
पाकिस्तान क्षेत्र में फेरी और मुहरी नदियों पर  
माल और पैदावार की रोक-वायम या उसके  
पकड़े जाने को पांच बारदातें हुई हैं । विरोध-पत्र  
भेज दिये गये हैं लेकिन पाकिस्तानी अधिकारियों ने अब तक सिफर एक मामले का उत्तर  
दिया है । जब सब के जवाब आ जायेंगे, तब  
क्या कदम उठाने हैं इस पर विचार किया  
जायगा । पाकिस्तानी अधिकारियों को याद  
दिला दी गई है ।

#### Pilot Scheme in Koraput

\*21. Shri Sanganna: Will the Minister of Rehabilitation and Minority Affairs be pleased to refer to the reply given to Unstarred Question No. 1869 on the 18th December, 1957 regarding the pilot scheme for rehabilitating displaced persons in the district of Koraput in Orissa and state the progress since made in the matter?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): Pilot Scheme in the district of Koraput is now a part of the Dandakaranya Scheme and the development of the area in Koraput has been associated with the integrated development of the Dandakaranya Project. The road from Malkangiri to Balimela is under construction and steps are also being taken to improve the road from Koraput to Malkangiri. As soon as satisfactory communications are established, further steps to reclaim land and to set up settlements will be taken.

#### National Small Industries Corporation

\*22. Shri Damani: will the Minister of Commerce and Industry be pleased to state the extent to which National Small Industries Corporation has been successful in rendering marketing assistance to small industrial units?

**The Minister of Industry (Shri Manubhai Shah):** A statement is laid on the Table of the Lok Sabha. [See Appendix 1, annexure No. 2].

**Manufacture of Ampulla and Vacuum Flasks**

**\*23. Shri Jhulan Sinha:** Will the Minister of Commerce and Industry be pleased to state the present position with regard to the manufacture of ampulla and vacuum flasks in the country?

**The Minister of Industry (Shri Manubhai Shah):** A Statement is placed on the Table of the Lok Sabha. [See Appendix I, annexure No. 3.]

**Slum Clearance in Calcutta**

**\*24. { Shri Sadhan Gupta:  
Shri Ajit Singh Sarhadi:**

Will the Minister of Works, Housing and Supply be pleased to state the main features of the schemes for slum clearance in Calcutta for which loans and subsidies have been sanctioned to West Bengal Government?

**The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda):** A statement giving the main features of the two slum clearance projects of West Bengal Government sanctioned so far is as follows:

Two slum clearance projects received from the West Bengal Government were sanctioned on the 28th October, 1957, at the approved cost of Rs. 71.04 lakhs 25% of which will be given by the Union Government as subsidy and 50% as loan. The first project formulated by the Construction Board, West Bengal, provides for construction of 384 multi-storeyed one-roomed tenements on Barrackpur Trunk Road, Calcutta, at an approved cost of Rs. 23.04 lakhs for rehousing of 384 slum families at present living in Galiff Street bustees. The second project prepared by the Calcutta Improvement Trust provides for construction of 800 multi-storeyed one-roomed tenements on

Barrackpur Trunk Road and Dum Dum Road, Calcutta, at an approved cost of Rs. 48.00 lakhs for rehousing of 800 slum families at present living in three bustees at the extension of Central Avenue, Baghbazar Street and Galiff Street, Calcutta. Both these projects provide for separate kitchen, and individual bath and W.C. for each unit of accommodation and are due for completion by 31-3-1959.

**Cement Supply to Punjab**

**\*25. Shri Daljit Singh:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether there was any cut in the quota of cement supplied to Punjab State during 1957-58;

(b) the actual quantity of cement supplied to the Punjab State during the above period; and

(c) whether the Punjab Government has requested any increase in the quota of cement during this year?

**The Minister of Industry (Shri Manubhai Shah):** (a) No, Sir.

(b) The allotment to Punjab during 1957-58 was 229,010 tons.

(c) No, Sir.

**Displaced Persons from Kashmir**

**\*26. { Shri Tyagi:  
Shri Ajit Singh Sarhadi:**

Will the Minister of Rehabilitation and Minority Affairs be pleased to state the number of refugees who have migrated from Pak-occupied areas of Kashmir and have settled down in various States in India?

**The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna):** Out of approximately, 1,35,000 Kashmiri Displaced Persons who had migrated from Pakistan occupied areas of Jammu and Kashmir, about 12,609 persons have settled in various States outside Jammu and Kashmir. A list of the Kashmiri Displaced Persons that have settled in the various States other than Jammu and Kashmir is laid on the Table of the Lok Sabha. [See Appendix I, annexure No. 4.]

## Cement Factories

\*27. { Shri Hem Raj:  
        { Shri Padam Dev:

Will the Minister of Commerce and Industry be pleased to state:

(a) the number of cement factories which will be set up during the Second Plan period;

(b) how many of them will be set up in this year, with the names of the places of their location; and

(c) how many of them will be in the private sector and how many in the public sector?

The Minister of Industry (Shri Manubhai Shah): (a) Licences have been issued for setting up 28 new cement factories during the Second Plan period. In addition, 37 expansion schemes have also been licensed.

(b) Five new factories are expected to be set up during the year 1958 at the following places:

- (i) Thiruvattiyur (Madras State).
- (ii) Panyam (Andhra State).
- (iii) Umtyngar (Assam State).
- (iv) Satna (Madhya Pradesh).
- (v) Mancherial (Andhra Pradesh).

The following 10 expansion schemes are also expected to materialise during the current year:

- (i) Kottayam (Kerala).
- (ii) Dalniapuram (Madras).
- (iii) Vijaywada (Andhra Pradesh).
- (iv) Macherla (Andhra Pradesh).
- (v) Mancherial (Andhra Pradesh).
- (vi) Bhadravati (Mysore).
- (vii) Sindri (Bihar).
- (viii) Chaibasa (Bihar).
- (ix) Sawai Madhopur (Rajasthan).
- (x) Dalmia Dadri (Punjab).

(c) All the factories (with the exception of Mysore Iron & Steel Works,

Bhadravati, and Government Cement Factory, Churk), will be set up in the private sector.

## Irrigation Schemes

\*28. Sardar Iqbal Singh: Will the Minister of Planning be pleased to state:

(a) whether the Punjab Government have submitted to the Centre any fresh irrigation schemes to be included in the Second Five Year Plan;

(b) if so, what are the schemes;

(c) the estimated cost of the schemes; and

(d) the action taken by the Centre in this regard?

The Minister of Labour and Employment and Planning (Shri Nanda):

(a) to (d). No new major or medium irrigation schemes have been proposed by the Punjab Government for inclusion in the Second Five Year Plan. As part of the minor irrigation programme, however, three new schemes have been proposed for the development plan for 1958-59. These are—

The Kapurthala Irrigation Scheme,

Construction of small storage along Siwalik Range in Jagadhri, and

Construction of a minor for irrigation in tract between Tejewala and Delhi.

For these a provision of about Rs. 6 lakhs is proposed to be made in the next year's plan.

## Paper and Glass Factories in Bombay

\*29. Shri Pangarkar: Will the Minister of Commerce and Industry be pleased to state:

(a) the number of licences granted for setting up of paper mills and glass factories in Bombay State during 1957-58 so far;

(b) the persons to whom these have been granted; and

(c) the progress made so far?

The Minister of Industry (Shri Manubhai Shah): (a) Two licences have been granted during 1957-58 for setting up paper mills in Bombay State and six licences similarly for glass factories.

(b) and (c). A statement is laid on the Table of the Lok Sabha. [See Appendix I, annexure No. 5].

**Indo-Pakistan Trade Agreement.**

\*30. { Shri Shree Narayan Das:  
Shri Rameshwar Tantis:  
Shri M. L. Dwivedi:  
Shri Bishwanath Roy:  
Shri Vajpayee: .

Will the Minister of Commerce and Industry be pleased to state:

(a) whether the working of the Indo-Pakistan trade pact signed in January, 1957 was extensively reviewed last month at a meeting of the representatives of both the countries;

(b) if so, the result of this review;

(c) whether it is a fact that India has agreed to supply to East Pakistan 10,000 tons of cement; and

(d) if so, on what terms and conditions?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra):

(a) Yes, Sir.

(b) to (d). A statement is placed on the Table of the Lok Sabha. [See Appendix I, annexure No. 6].

**W.I.M.C.O. Match Factories**

\*31. { Shri A. K. Gopalan:  
Shri S. M. Banerjee:  
Shri Jagdish Awasthi:

Will the Minister of Labour and Employment be pleased to state:

(a) whether rationalisation is being introduced in WIMCO Match Factories at Bareilly and Ambarnath; and

(b) if so, whether this is in accordance with the agreement of the 15th Labour Conference?

The Deputy Minister of Labour (Shri Abid Ali): (a) According to the information available with the Government, no further rationalisation is being introduced in the WIMCO Match Factories at Bareilly and Ambarnath.

(b) Does not arise.

**Aluminium Plants**

\*32. { Dr. Ram Subhag Singh:  
Shri Rameshwar Tantis:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether the proposals with regard to the setting up of aluminium plants in the country in the Public Sector have been finalised;

(b) if so, the time by which these plants will be set up and their location;

(c) the estimated cost of each of these plants; and

(d) what are the estimated deposits of bauxite in the country?

The Minister of Industry (Shri Manubhai Shah): (a) Preliminary studies relating to the establishment of an Aluminium plant in the public sector were undertaken by the National Industrial Development Corporation. Recently, however, private parties have shown desire to put up such plants and having regard to the allocation of the financial resources in the Second Five Year Plan, no further steps to set up a plant in the Public Sector are being taken at present.

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

(d) The total reserves of bauxite, of all grades are roughly estimated at about 250 million tons, of which, those suitable for aluminium manufacture were estimated sometime ago to be of the order of 25 million tons. Recent surveys and opinions place them however at a higher figure.

**N.E.S. and Community Projects in Orissa State**

**\*33. Shri Panigrahi:** Will the Minister of Planning be pleased to state:

(a) whether any evaluation officer has been appointed to examine the progress of development works in N.E.S. Blocks and Community Projects in Orissa State; and

(b) if so, whether any report has been submitted by this officer to the Government of India?

**The Minister of Labour and Employment and Planning (Shri Nanda):** (a) and (b). Yes, Sir.

**Italian Film Producer**

**\*34. Shri Ansar Harvani:** Will the Minister of Information and Broadcasting be pleased to state:

(a) whether Roberto Rossellini completed the task entrusted to him before he left India; and

(b) if so, the number and the nature of the films that he produced?

**The Minister of Information and Broadcasting (Dr. Keskar):** (a) and (b). The work entrusted to Mr. Rossellini has not yet been completed. Mr. Rossellini has gone to Europe and is expected to return soon to complete the work.

**Iron Ore**

**\*35. Shri N. R. Munisamy:** Will the Minister of Commerce and Industry be pleased to lay a statement on the Table showing:

(a) the quantity, value and grades of iron-ore contracted to be exported to various foreign countries by the State Trading Corporation of India (Private) Ltd. this year;

(b) the storage capacity of the Corporation as against commitments; and

(c) the steps which are being taken to afford transport facilities for shipment?

**The Minister of Commerce (Shri Kanungo):** (a) A statement showing the quantity contracted to be exported by the State Trading Corporation during the year July 1957 to June 1958 is laid on the Table of the Lok Sabha. [See Appendix I, annexure No. 7] It is regretted that it would not be in the business interest of the Corporation to disclose the grades etc. and other details of the contracts.

(b) The State Trading Corporation have made adequate arrangements for stocking at ports in their own plots as also in the plots of their suppliers.

(c) Available railway capacity is kept in view while entering into commitments.

**पान के पत्ते**

**\*36. श्री अ० ल० हिंदूरी :** क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) जब कि पाकिस्तान ने भारत के पान के पत्तों का बहिष्कार कर दिया है तो भारतीय रेलों द्वारा पूर्वी पाकिस्तान से पदिच्छमी पाकिस्तान को पान क्यों ले जाया जाता है;

(ख) क्या भारत सरकार ने पाकिस्तान से व्यापार करार करते समय भारत से पाकिस्तान को पान के नियंत्रण को जारी रखने के बारे में कोई वार्ता की है;

(ग) क्या पाकिस्तान को पान के पत्तों का नियंत्रण पुनः आरम्भ किये जाने की कोई सम्भावना है; और

(घ) यदि हां, तो इस दिशा में क्या अवल किये गये अधिकार किये जा रहे हैं?

**वाणिज्य तथा उद्योग उपमंत्री (वीर सतीश चन्द्र) :** (क) गाट (तटकर और व्यापार सम्बन्धी सामान्य करार) के मातहत हम पर जो वाधित आते हैं, उनके कारण हम

अपने प्रदेश में से माल गुजराने की सुविधाएं देने से इन्कार नहीं कर सकते।

(क) से (च). पाकिस्तान सरकार न पान के पत्तों के आयात पर १६५५ में रोक लगा दी थी और जब तक यह पाकिस्तानी हटा नहीं ली जाती तब तक भारत से इ-का निर्यात दुबारा शुरू नहीं किया जा सकता। पाकिस्तान सरकार से इस मामले में कोई विशिष्ट बातचीत नहीं हुई है।

#### Sub-soil Water Level in Delhi

\*37. Shri Rameshwar Tantia: Will the Minister of Works, Housing and Supply be pleased to refer to the reply given to Unstarred Question No. 1666 on the 13th December, 1957 and state:

(a) whether the recommendations of the Technical Experts to bring down sub-soil water level in Delhi have been received; and

(b) if so, the steps taken to implement it?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) An interim report has been received. Further investigations are being carried out for submitting a final report.

(b) (i) For ensuring proper surface drainage, investigation into the working of main storm water drains has been made. Proposals for providing relief drains for the main drains, wherever necessary, have been evolved. The estimated cost of such relief drains is being worked out.

(ii) The scheme of lowering the sub-soil water in some areas by means of pumps is being implemented and necessary number of tube-wells have been sunk at appropriate places.

(iii) Research is also being carried out both in the field as well as in the laboratory by the Central Road Research Institute to find out whether

the lowering of sub-soil water table will have any detrimental effects on the foundations of the standing buildings.

(iv) The Geological Department is carrying out subterranean observations as suggested by the *Ad hoc* Committee to obtain data for the solution of the problem of water table.

(v) Regular observations of the sub-soil water table are being carried out fortnightly for further study. The observations system is being extended to the new colonies constructed around New Delhi.

#### Travancore Minerals (Private) Ltd.

\*38. Shri V. P. Nayar: Will the Prime Minister be pleased to refer to the reply given to Starred Question No. 699 on the 2nd December, 1957 and state:

(a) whether any scheme has been drawn up for the expansion of capacity or increasing production of the Travancore Minerals (Private) Limited; and

(b) whether any team of experts have visited the factories, with a view to draw up such schemes?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). The whole question of improving the methods and rate of production of valuable minerals by Travancore Minerals (Private) Ltd. is under active consideration, and arrangements are shortly being made for a team of experts to carry out the necessary survey and report.

#### Bhopal Station of A.I.R.

\*39. Shri Vajpayee: Will the Minister of Information and Broadcasting be pleased to state:

(a) whether it is a fact that the Bhopal station of the A.I.R. is being developed into a short-wave station; and

(b) If so, the time by which the new station would be ready?

**The Minister of Information and Broadcasting (Dr. Keshar):** (a) The Bhopal Station of All India Radio is already a short-wave station with a low power (200 watts) transmitter installed as an interim arrangement. It is being replaced by a 10 KW Short-wave transmitter.

(b) The installation work of this transmitter is already started and is expected to be completed by the end of the year.

सामाज के साने से जाने के बारे में भारत  
और अफगानिस्तान के बीच करार

\*४०. श्री ए० स० तिवारी : क्या प्रधान मंत्री भारत हो कर अफगानिस्तान के माल की निकासी के बारे में २२ मई, १९५७ के ताराकित प्रश्न संख्या २३० के उत्तर के सम्बन्ध में निम्नलिखित जानकारी देने वाला एक विवरण सभापटल पर रखने की कृपा करेगे :

(क) इस सम्बन्ध में केन्द्रीय राजस्व बोर्ड ने, जो इस पर विचार कर रहा था, क्या रिपोर्ट दी है;

(ख) भारत हो कर अफगानिस्तान का कौन-कौन सा माल जायेगा ; और

(ग) इन दोनों देशों की सरकारों के प्रतिनिधियों ने क्या निर्णय किया है ?

बैंडेशिक-कार्य मंत्री के सम्बन्धित (भी सावध असी जा) : (क) माल के साने-सेजाने की कार्यविधि का मसीदा वित्त मंत्रालय (राजस्व विभाग) के पास टिप्पणी के लिये भेजा गया था। कार्यविधि को जो अन्तिम रूप दिया गया है, उसे स्वीकृति के लिये अफगान सरकार के पास किर भेज दिया गया है।

(ख) प्रस्तावित कार्यविधि में भारत से होकर अफगानिस्तान को जाने वाले और

वहाँ के आनेवाले सभी माल शामिल होंगे ।

(ग) यह सवाल नहीं उठता क्योंकि कार्यविधि को अभी तक अन्तिम रूप नहीं दिया गया है।

**Central Building Research Institute, Roorkee**

\*41. **Shri Jhulan Sinha:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether the substitutes for cement viz. lime mortar and other materials have been tested in the Central Building Research Institute, Roorkee in respect of their strength as compared to cement; and

(b) whether the admixture of certain by-products of the chemical industries with cement with a view to effect economy of the original material has been tested?

**The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda):** (a) A research project on lime mortars sponsored by the National Buildings Organisation is under implementation in the Central Building Research Institute, Roorkee. The report on the tests made so far is awaited.

(b) It is not clear which by-products of the chemical industries are referred to. Known substitute materials for cement in building construction are lime and surkhi or cinders. These have been recommended as substitutes in place of cement in mortars and plasters in the report of the Experts Committee on Economy in the use of cement in Building Construction as published by the National Buildings Organisation in July, 1957. The results of the tests on which these recommendations are made are incorporated in the report.

### Cottage Industries in Punjab

**\*42. Sardar Iqbal Singh:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether there is a proposal to develop some more cottage industries in Punjab; and

(b) if so, the nature and location thereof?

**The Minister of Industry (Shri Manubhai Shah):** (a) Yes, Sir.

(b) The Government of the Punjab have suggested the inclusion of certain new schemes in their annual plan of 1958-59. The new schemes which are shown in the statement placed on the Table of the Lok Sabha would involve an expenditure of Rs. 8.85 lakhs. [See Appendix I, annexure No. 8]. The schemes are being scrutinised by the All India Handicrafts Board and the Central Silk Board.

### Textile Mills

**\*43.** { Shri A. K. Gopalan:  
Shri S. M. Banerjee:  
Shri Jagdish Awasthi:  
Shri H. C. Heda:  
Shri Warior:  
Shri Punnoose:

Will the Minister of Commerce and Industry be pleased to refer to the reply given to the Starred Question No. 14 on the 11th November, 1957 and state:

(a) the present position with regard to stock of superfine, fine, medium and coarse cloth separately, lying uncleared with Textile Mills; and

(b) the steps taken by Government to get their stock disposed of?

**The Minister of Commerce (Shri Kanungo):** (a) The total unsold stock with textile industry as on 25-1-1958 is 6.16 lakhs of bales comprising of 3.965 lakhs of unsold bales and 2.206 lakhs of bales sold but not yet delivered. The break up of the

unsold stocks by varieties is as follows:

Coarse	Medium	Fine	Superfine
(Figures in bales)			
93,600	256,200	25,700	20,000

(b) At the current rate of production this will mean that the industry carries just 2.1 months production. It is not abnormal for the Industry to carry stocks of this magnitude.

Individual cases of textile mills requiring Finance for rehabilitation and modernisation of plant and machinery etc., so as to bring down the cost of production and to improve the competitive selling capacity are considered for grant of financial assistance by way of loan from the National Industrial Development Corporation. Moreover, the amalgamation of sales tax with Central Excise by a specific levy of additional excise duty together with the ad hoc reduction of excise duty on medium cloth by 0-0-6 pies per square yard are expected to stimulate better offtakes and to result in liquidating the stocks held by the mills.

### Industrial Estate at Pimpri

**\*44. Dr. Ram Subhag Singh:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government propose to build an Industrial Estate around Pimpri Penicillin Factory;

(b) if so, the cost involved in building that Estate; and

(c) the nature of industries whose establishment will be encouraged there?

**The Minister of Industry (Shri Manubhai Shah):** (a) to (c). It is proposed to develop in due course an Industrial Estate near each of the major industrial Public Sector Project. An Estate near Pimpri with Chemical, Pharmaceutical and Engineering Industries will form a part of such programme.

**State Trading Corporation of India (Private) Ltd.**

\*45. **Shri Ansar Harvani:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether the State Trading Corporation have received a large number of trade enquiries from Poland; and

(b) if so, the result thereof?

**The Minister of Commerce (Shri Kanungo):** (a) Several enquiries were received.

(b) Contracts for the export of 4,50,000 tons of Iron Ore and 54,000 pairs of shoes have been concluded.

**Indo-Pakistan Border Incident**

\*46. { Shri N. R. Munkamy:  
Shri D. C. Sharma:  
Shri Rameshwar Tantia:  
Shri Vajpayee:  
Shri Radha Raman:  
Dr. Ram Suhag Singh:  
Shri Raghunath Singh:  
Shri B. S. Murthy:

Will the Prime Minister be pleased to state:

(a) whether it is a fact that Pakistan Police opened fire on a boat carrying Indian nationals near Dawki on the Indo-Pakistan (Assam-East Pakistan) border on the 4th January, 1958;

(b) if so, how many were injured by the firing;

(c) whether it is also a fact that Pakistan force and some Pakistani nationals crossed into Indian territory and took possession of the boat;

(d) whether the Government of India have lodged a protest; and

(e) whether any compensation has been paid by the Pakistan Government for the injury done to the Indian nationals?

**The Deputy Minister of External Affairs (Shrimati Lakshmi Menon):** (a) to (e). On 4th January, 1958 while an Indian national, Shri Roman

Marak of village Umsiem, United Khasi-Jaintia Hills, was coming to Dawki from Pyrdwah in a boat along the north bank (Indian side) of the Pyain river with his wife, children and father-in-law, four Pakistan Military personnel who were on the southern bank of the river challenged them and at the point of rifles asked them to stop the boat. As Shri Roman Marak did not stop the boat, the Pakistanis fired three rounds at the boat. The Indians in the boat escaped by jumping out and running away, leaving the boat at Khongwang ghat.

None of the Indians was injured or killed.

The Pakistanis immediately trespassed into Indian territory by crossing the river and took away the boat from Khongwang ghat.

Protests have been lodged both at District Officer and State Government levels. The Government of India have also directed the Indian High Commission in Karachi to lodge a protest with the Government of Pakistan.

No compensation has been paid by the Pakistan Government for the loss of the boat.

**सेंधा नमक**

४९. श्री राम सूर्य तिवारी : क्या बालिक्य सेवा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) भारत में किन-किन जगहों से सेवा नमक बनाया जाता है ;

(ल) भारत में सेवा नमक की प्रति वर्ष कितनी मांग रहती है ; और

(ग) क्या भारत में सेवा नमक के निषेपों की स्थिति के लिये कोई अनु-संधान किया गया है, यदि हाँ, तो यह किस स्थान में पाया गया है ?

वातिलक्ष्य तथा उत्तीर्ण उपलब्धी (वृत्तीय वाचन) : (क) सेवे नमक का अवलक्ष्य आयात नहीं होता ।

(ल) सेवे नमक की विशिष्ट भाग नहीं है। भारत में यह नमक आयात करने का एक मात्र स्थान भंडी है जहाँ से प्रतिवर्ष लगभग १ लाख मन बिना साफ किया नमक निकाला जाता है। यह नमक अधिकांशतः पड़ीस के इलाकों में खपता है।

(ग) हाल के बर्षों में की गयी जाव-पड़ताल से पता चला है कि भंडी में नमक का काफी भंडार है और वैज्ञानिक तरीकों से प्रतिवर्ष ६६,००० टन साफ किया नमक निकालने से भंडार कम से कम १० वर्षों तक चल सकते हैं।

#### Indian Standards' Convention

\*48. Shri Vajpayee: Will the Minister of Commerce and Industry be pleased to state:

(a) the decision taken at the first technical session of the Indian Standards' Convention held at Madras in December, 1957;

(b) whether any steps have been taken in regard to evolving a standard on proof correction symbols; and

(c) if so, the result thereof?

The Minister of Commerce (Shri Kanungo): (a) The Convention was held in Madras for purposes of exchange of latest information on techniques and results of research in various institutions throughout the country, which could be used in the preparation of Indian Standards and to bring the message of standardisation to a wider circle of industry and commerce. It was not held to take any decision.

(b) and (c). A draft standard of Proof Corrections for Printers and

Authors has been prepared. It is expected to be finalised and printed this year.

#### Export of Jute Goods

\*49. Sardar Iqbal Singh: Will the Minister of Commerce and Industry be pleased to lay a statement showing:

(a) the quantity of jute goods exported during 1957-58 so far;

(b) the names of the countries to which it was exported;

(c) which of the types of jute goods exported is consumed most in foreign countries;

(d) whether any complaint has been received regarding Indian jute goods from foreign countries; and

(e) if so, the steps taken by Government in the matter?

The Minister of Commerce (Shri Kanungo): (a) to (e). A statement is laid on the Table of the Lok Sabha. [See Appendix I, annexure No. 9.]

#### Payment of Compensation

1. Shri S. M. Banerjee: Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) the number of claims rejected in respect of rural displaced persons because of discrimination existing between the rural and urban displaced persons in the matter of payment of compensation; and

(b) whether steps are being taken to mitigate this hardship?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): (a) and (b). Compensation to urban and rural claimants is paid in accordance with the Rules passed by Parliament. If any case of "discrimination" is brought to the notice of the Ministry, the matter will be examined.

**Payment of Compensation to Displaced Persons**

2. **Shri S. M. Banerjee:** Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) the number of applications for compensation pending on the 1st January, 1958; and

(b) the steps taken to dispose of these cases?

**The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna):** (a) 2,04,943.

(b) The total number of claimants is about 4.67 lakhs. The Ministry had planned to finalise the compensation cases of about 1.00 lakh claimants every year. Efforts are now being made to step up the speed of payment even beyond the figure of 1 lakh per year.

**Accommodation for Government Employees**

3. **Shri S. M. Banerjee:** Will the Minister of Works, Housing and Supply be pleased to state the number of quarters to be constructed for Class III and IV Central Government Employees in Delhi during 1958-59?

**The Minister of Works, Housing and Supply (Shri K. C. Reddy):** It is proposed to take up construction of 352 quarters for employees in the pay-group of Rs. 55-249 and 3084 for employees in the lower pay group. The classification of accommodation goes with pay-groups and not with the classification of services.

**Employment Exchanges**

4. **Shri S. M. Banerjee:** Will the Minister of Labour and Employment be pleased to state:

(a) the total number of skilled, semi-skilled, unskilled and highly-skilled men registered with various Employment Exchanges as on the 1st January, 1958; and

(b) the total number of vacancies existing on the 1st January, 1958 in these categories?

**The Deputy Minister of Labour (Shri Abid Ali):** (a) and (b). The information is given below:

Category	No. of applicants on 1-1-58	No. of vacancies on 1-1-58
1. Skilled and semi-skilled Craftsmen.	71,508	7,261
2. Unskilled workers.	4,60,639	13,294
3. All other categories (including supervisory, clerical, educational etc.)	3,89,952	24,601
<b>TOTAL</b>	<b>9,22,099</b>	<b>45,156</b>

**Disarmament**

5. **Shri Harish Chandra Mathur:**  
Shri Heda:

Will the Prime Minister be pleased to state:

(a) whether the appeal made by him to the Heads of the States of U.S.A. and U.S.S.R. for disarmament and peace is being pursued; and

(b) if so, whether further communications to replies received to the original letter have been addressed?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** (a) Yes, Sir.

(b) There has been some further correspondence.

**Villiers' Colliery, Talcher**

6. **Shri P. G. Deb:** Will the Minister of Labour and Employment be pleased to state:

(a) whether it is a fact that the Government of India have received a memorandum from the local labourers of Villiers' Colliery, Talcher to make their mining operation a centrally administered unit; and

(b) the schemes finalised by the Centre for welfare of labour in the said colliery?

**The Deputy Minister of Labour (Shri Abid Ali):** (a) Yes.

(b) Under various schemes of the Coal Mines Labour Welfare Fund, the following amenities are provided for the coal miners in the Talcher Coal-field where Villiers' Colliery is situated:

**(A) General Welfare.**

(1) Multipurpose Institute and Children's Park which provide recreational facilities like radio, games & sports, Library and Reading room etc.

(2) Grant-in-aid to the primary school at the colliery;

(3) Crches and Pit-head Baths.

**(B) Medical and Public Health**

(1) Anti-Malaria Control Operations;

(2) Lady-Health Visitor for giving ante and post-natal advice to women;

(3) Subsidy is being paid to M/s Rampur Colliery for maintaining dispensary services for the benefit of the miners in the Villiers' Colliery also;

(4) It is proposed to provide Maternity and Child Welfare Centres during the Second Five Year Plan period.

**(C) Housing**

Construction of 92 houses in the Talcher Coalfield has been sanctioned;

**(D) Water Supply**

It is proposed to sink 4 wells in the Talcher Coalfield at an estimated cost of Rs. 12,000/-.

तरकारी मकानों 92 इकायिक स्तर से कठझा

**८. श्री अ० ला० हिंदेहो : क्या निर्बास, आवास और संवरक मंजी यह बताने की कृपा करेंगे कि :**

(क) इस समय किसने व्यक्ति सरकारी मकानों पर अनाधिकृत रूप से कञ्जा किये हुए हैं तथा ऐसे मकानों की संख्या क्या है ; और

(ल) उन को आली कराने के लिये क्या कार्यवाही की गई है ?

**निर्बास, आवास और संवरक मंजी (श्री क० अ० रेहो) :** (क) आस्ति अफसर वे नियंत्रण में रखे गये मकानों में से सरकार द्वारा बनाये गये २७५ मकान इस समय अनाधिकारी व्यक्तियों ने कबजे में हैं। इन मकानों में रहने वाले व्यक्तियों की वास्तविक संख्या मालूम नहीं है, परन्तु अधिकतर उनमें एक एक कुटुम्ब रहता है।

(ल) अनाधिकारी व्यक्तियों को पब्लिक प्रैमेज (एविक्शन) एक्ट, १९५० [Public Premises (Eviction) Act, 1950] वे अन्तर्गत निकाल दिया जाता था। इस अधिनियम में जुटियां पाई जाने के कारण संभद्र में नया विवाह प्रस्तुत करने का प्रस्ताव है जिससे अनाधिकार कञ्जा करने वालों के विरुद्ध प्रभावी कार्यवाही की जा सके। अनाधिकारी व्यक्तियों में को सरकारी कर्मचारी हैं उनसे मकान आली करवाने के लिये उनके प्रशासन विभागों द्वारा दबाव डालने का भी प्रयत्न किया जा रहा है।

मद्रास में यसी बस्तियों को सफाई

**८. श्री अ० ला० हिंदेहो : क्या निर्बास, आवास और संवरक मंजी यह बताने की कृपा करेंगे कि नम्रशिवायपुरम् की यसी बस्तियों की सफाई वे लिये मद्रास सरकार को स्वीकृत २,३६,००० रुपये के छूट और**

१,१६,५०० रुपये की सहायता में से अब तक कितनी धन-राशि दी गई है ?

निर्वाचित, आवास और संवरण उत्तरांशी (भी आविष्कार कु० बाब्दा) : राज्य सरकार को २,३६,००० रुपये के भूग की कुल रकम भी जा चुकी है। मद्रास सरकार ने भी तक अपने-सहायता की रकम नहीं मारी है।

अब और रोजगार मंत्रालय के प्रकाशन

६. भी भ० ला० हिंदूदी क्या अब और रोजगार भवी यह बताने की कृपा करेंगे कि

(क) १६५६ और १६५७ में मंत्रालय द्वारा कितने और कौन-कौन से प्रकाशन निकाले गये,

(ख) हिन्दी और अंग्रेजी में अलग-अलग कितने प्रकाशन निकाले गये,

(ग) सभी अंग्रेजी प्रकाशनों के हिन्दी कपान्तर नियमित रूप में उपलब्ध करने के लिये क्या किया जा रहा है,

(घ) यदि नहीं, तो इसके क्या कारण हैं,

(ङ) इनमें मासिक तथा पालिक वन्ध-पत्रिकायें कितनी हैं;

(च) इनमें हिन्दी और अंग्रेजी की पञ्च-पत्रिकायें अलग-अलग कितनी हैं;

(छ) त्येक पत्रिका में कितने-कितने पृष्ठ होते हैं, और

(ज) प्रत्येक पञ्च-पत्रिका के सम्पादन के लिये कितने-कितने कर्मचारी रखे गये हैं ?

अब उत्तरांशी (भी आविष्कार अली) :

(क) से (ज). सूचना प्राप्त की जा रही है जो सभा की बेंच पर रख ही जायेगी।

ओडिशिक स्वास्थ्य सम्बन्धी समस्याओं का सर्वेक्षण

१०. भी भ० ला० हिंदूदी क्या अब और रोजगार भवी यह बताने की कृपा करेंगे कि :

(क) कारखानों के मुख्य समाहकार ने ओडिशिक स्वास्थ्य सम्बन्धी समस्याओं का सर्वेक्षण करें; जो आठ रिपोर्टें प्रकाशित की हैं तथा जिनका अब और रोजगार मंत्रालय के वर्ष १६५६-५७ के प्रतिवेदन (हिन्दी मस्करण) के पृष्ठ ४४ पर उल्लेख किया गया है, उनमें से प्रत्येक पर क्या कार्यवाही की गई है,

(ख) उक्त रिपोर्ट के पृष्ठ ४४ और ४५ पर उल्लिखित जिन अन्य चार सर्वेक्षणों के बारे में जानकारी एकत्र की जा रही थी उनके सम्बन्ध में क्या प्रगति हुई है, और

(ग) रिपोर्ट के पृष्ठ ४५ पर उल्लिखित भविष्य के अध्ययन के लिये जो ७ सर्वेक्षण तैयार किये गये थे उनमें से प्रत्येक के बारे में क्या प्रगति हुई है ?

अब उत्तरांशी (भी आविष्कार अली)

(क) जिन रिपोर्टों का इस मंत्रालय की १६५६-५७ की रिपोर्ट में नम्बर (१) (२) (४) (५) (६) (७) और (८) में जिक्र किया गया है, उनमें की गई सिफारिशों या दी गयी जानकारी को जल्दी कार्रवाई के लिये राज्य सरकारों के और/या राज्यों के मुख्य कारखाना निरीक्षकों के ध्यान में लाया गया।

मंत्रालय की रिपोर्ट में नम्बर (३) पर जिस रिपोर्ट का उल्लेख किया गया है उसमें की गई सिफारिशों के आधार पर मुख्य सान निरीक्षक ने “डाइडिलिंग और ब्नास्टिंग” आदि में सुरक्षा सम्बन्धी कार्रवाई के लिये सब अध्रक सान-मालिकों को हिदायत दी है।

(क) रिपोर्टे तैयार हो चुकी हैं और प्रकाशित की जा चुकी हैं।

(ग) नकली रेशम के उद्योग म, अमावस्यायिक जोखम सम्बन्धी जांच पूरी हो चुकी है और इसकी रिपोर्ट तैयार की जा रही है। अन्य जांचें अभी नहीं हुई हैं।

#### क्वार्टरों का निर्माण

११. श्री च० ला० डिवेली : क्या निर्माण, आवास और संवरण मंत्री यह बताने की कृपा करेंगे कि :

(क) बम्बई के निकट आटकोपर में केंद्रीय सरकार के कर्मचारियों के लिये, अफसरों के जो क्वार्टर बन रहे थे, क्या वे तैयार हो गये हैं;

(ख) उनके बनाने में किताना खर्च हुआ है;

(ग) क्या ये क्वार्टर रहने के लिये दिये गये हैं;

(घ) यदि नहीं, तो ये कब तक दिये जायेंगे, और

(ड) ये क्वार्टर कब में साली पड़े हैं?

निर्माण, आवास और संवरण मंत्री (श्री क० च० रेही) : (क) बम्बई के पास आटकोपर में क्वार्टरों के बनाने में जो अग्रिम हुई है वह इस प्रकार है :—

१२० क्वार्टर : पूरी तरह तैयार हो गये हैं।

४२ क्वार्टर : Sewer connection के अलावा सब काम पूरा हो चुका है। यह connection बम्बई म्यानिसिपल कारपोरेशन द्वारा है।

२३४ क्वार्टर : मार्च १९५८ के अन्त तक तैयार हो जाने की सम्भावना है।

(ख) जनीन का दाम और बिजली खाली के व्यय के अतिरिक्त इन क्वार्टरों के बनाने में अब तक ३८ '६ लाख रुपया खर्च हो चुका है।

(ग) १२० मकान जो पूरी तरह तैयार हो गये हैं, रहने के लिये दिये जा चुके हैं।

(घ) सवाल पैदा ही नहीं होता।

(ड) तैयार होने के बाद क्वार्टरों को रहने के लिये देने में देरी नहीं हुई। किन्तु इन्हें दिये जाने के दौरान में ११ क्वार्टर लगभग दो महीने साली रहे।

#### शिमला में सरकारी मकान

१२. श्री च० ला० डिवेली : क्या निर्माण, आवास और संवरण मंत्री यह बताने की कृपा करेंगे कि :

(क) इस समय शिमला में कितने सरकारी मकान साली पड़े हैं;

(ख) कितने सरकारी मकान १९५६ में वर्ष भर साली पड़े रहे; और

(ग) इन मकानों के बाली रहने से सरकार को कितनी हानि उठानी पड़ी?

निर्माण, आवास और संवरण मंत्री (श्री क० च० रेही) : (क) १५६।

(ख) कुटुम्बरहित कर्मचारियों के ४७ क्वार्टर समरहिल में, और जनुर्ज खेड़ी के कर्मचारियों के ८५ क्वार्टर।

(ग) लगभग ११,५०० रुपये।

### Handloom Industry

13. Shri V. P. Nayar: Will the Minister of Commerce and Industry be pleased to state:

(a) the total quantity and value of yarn consumed by the handloom industry of India in the years 1952-53 to 1956-57;

(b) the estimated total value of products of the handloom industry for the period; and

(c) the estimated total wage bills in the industry for the above period?

The Minister of Commerce and Industry (Shri Morarji Desai): (a) Quantity & value of yarn consumed by Handloom Industry:

Year	Quantity in bales of 400lbs.	Value in lakhs of Rupees.
1952-53	6,48,452	5,188
1953-54	6,71,120	5,369
1954-55	7,52,329	6,019
1955-56	8,11,848	6,825
1956-57	8,79,995	7,232.

(b) Estimated total value of products of Handloom Industry:

Year	Value in lakhs of Rupees.
1952-53	10,037.9
1953-54	10,389.1
1954-55	11,644.8
1955-56	12,651.8
1956-57	13,742.1

(c) Estimated total wage bills:

Year	Wages in lakhs of Rupees.
1952-53	3,346
1953-54	3,463
1954-55	3,881
1955-56	4,217
1956-57	4,580.

### Electrodes Manufacturing Industry

14. Shri V. P. Nayar: Will the Minister of Commerce and Industry be pleased to lay a statement on the Table showing:

(a) the details of present position of the electrodes manufacturing industry of India at present;

(b) the number of units in this industry and the capital invested therein;

(c) the raw material used and the value thereof for the year 1956-57; and

(d) whether Government have set any target for the country's production in this item?

The Minister of Commerce and Industry (Shri Morarji Desai): (a) to (d). A statement is laid on the Table of Lok Sabha. [See Appendix I, annexure No. 10].

### Zircon

15. Shri V. P. Nayar: Will the Prime Minister be pleased to state:

(a) the annual requirements of Zircon in India as assessed by Government;

(b) the total quantity of Zircon produced in India; and

(c) what are the main uses of Zircon?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). Zircon is at present used in India only for research purposes in Universities and Institutions, and the total annual requirement is extremely small. There is, therefore, no regular or sustained production of zircon.

(c) The mineral zircon is a starting material for making zirconia, zirconium salts or the metal and its alloys. The mineral finds application in ceramics and refractories. Zirconia also finds a market as a refractory and as an opacifier in vitreous enamels. Zirconium sulphate is used in tanning white leather. As regards the metal its main use is in nuclear reactors as a canning and structural material. Its other applications are in electronic instruments and as constructional material in chemical industry.

### Vitamins

16. Shri V. P. Nayar: Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government have precise information about the actual import of each of the vitamins in 1956-57;

(b) the total value of vitamins imported in that year; and

(c) the total value of vitamins produced in India, if any?

The Minister of Commerce and Industry (Shri Morarji Desai): (a) A statement showing item-wise imports of each of the vitamins during Jan-March, 1957 is laid on the Table of Lok Sabha. [See Appendix I, annexure No. 11]. Prior to January 1957, separate figures were not shown in the import trade classification.

(b) The total value of vitamins and vitamin preparations imported during the year 1956-57 was Rs. 22,482,000.

(c) The value of vitamins produced in the country during 1956-57 was as follows:

Nicotinic acid	Rs. 9,330	
Nitotinamide }		
Shark Liver Oil		
(6,000 I.U. of vitamin 'A' activity per gm)	Rs. 29,44,080	
Total.	Rs. 29,53,410	

### Synthesis of Vitamins

17. Shri V. P. Nayar: Will the Minister of Commerce and Industry be pleased to state:

(a) how many industrial licences have been granted so far for the manufacture of synthesis of vitamins;

(b) whether there is any scheme for the production of vitamins from Cashew Apples; and

(c) if so, the details thereof?

The Minister of Commerce and Industry (Shri Morarji Desai): (a) 5.

(b) None.

(c) Does not arise.

### Anti-oxidants

18. Shri V. P. Nayar: Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government have precise information about the various brands of anti-oxidants imported in 1956-57; and

(b) the total value of anti-oxidants required for mineral oils, rubber and vegetable oil industries?

The Minister of Commerce and Industry (Shri Morarji Desai): (a) Precise information regarding import figures for any brand of anti-oxidants prior to January, 1957, is not available as this item was not shown specifically in the Trade Classification which was in force till December, 1956. Only one variety, viz, anti-oxidants (Rubber) is classified from January, 1957 and its imports were as follows:

January-August, 1957

Qty.	Value.
411 tons	Rs. 24,53,000
(b) Precise information is not available	

### Hume Pipe

19. Shri V. P. Nayar: Will the Minister of Commerce and Industry be pleased to state:

(a) the total production and the value of hume pipes in the country in 1955-56 and 1956-57;

(b) the number of units in production and the firm or company running each such unit;

(c) the total profits made by the industry; and

(d) the labour employed during the above period and the wage bills paid in 1955-56?

**The Minister of Commerce and Industry (Shri Morarji Desai):** (a) Figures relating to 1955-56 are not available. The total production during 1956-57 by 57 units which are borne on the lists of the Development Wing of this Ministry was 111,600 tons and its value was Rs. 198 lakhs.

(b) The number is 86, of which 51 are operated by Messrs. Indian Hume Pipe Co. Of this total only 57, including 36 units operated by Messrs. Indian Hume Pipe Co. are reporting their production to the Development Wing.

(c) Information is not available.

(d) About 3,500. Information relating to wages is not available.

#### Non-atomic Wastes

**26. Shri V. P. Nayar:** Will the Prime Minister be pleased to state:

(a) whether the Government of India have investigated the possibilities of utilising the non-atomic wastes occurring in the extraction of ilmenite from beach sands; and

(b) if so, whether a statement showing the details of such investigation will be laid on the Table?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** (a) and (b). The raw beach sands contain the following constituents:

1. Ilmenite	60-75%
2. Monazite	3-4%.
3. Zircon	3%.
4. Rutile	5.5%.
5. Silliminite	7%.
6. Garnet	13%.

Minerals at 1-4 are already being extracted.

A proposal to rationalise the industry with a view to improving production methods and increasing the production of the various minerals con-

tained in the sands and winning of all mineral values is under consideration.

#### China Clay

**21. Shri V. P. Nayar:** Will the Minister of Commerce and Industry be pleased to state:

(a) the total annual requirements of China Clay for the industries of India;

(b) what is the indigenous production and what is the value of imports; and

(c) the requirements of China Clay for India's textile industry?

**The Minister of Commerce and Industry (Shri Morarji Desai):** (a) 1,50,000 tons approximately.

#### (b)

Year	Quant'ity and value of China clay produced indigenously	Value of imports. Value Rs.
	Quantity tons	
1955	1,17,000	22,70,000 25,43,853
1956	97,000	22,71000 14,61,222
1957	Not yet available	6,20,040 (January-June)

(c) 60,000-80,000 tons per annum of all grades.

#### Monazite Extraction

**22. Shri V. P. Nayar:** Will the Prime Minister be pleased to state:

(a) what are the items of production in T.M.P.1 and T.M.P.2 plants of the Travancore Minerals (Private) Limited at present;

(b) whether it is a fact that only in one plant monazite is extracted and that no Zircon is now recovered; and

(c) if so, the reasons therefor?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** (a) Ilmenite, monazite and rutile.

(b) Yes.

(c) Monazite is extracted only in Plant No. 2, as the area containing the richest percentage of monazite is situated in closer proximity to this plant. No zircon is at present recovered for lack of market.

#### Ilmenite

23. Shri V. P. Nayar: Will the Prime Minister be pleased to state:

(a) the cost of production or price naked at works of ilmenite produced at the Travancore Minerals (Private) Limited;

(b) the sale price of the ilmenite;

(c) the average monazite content in ilmenite sands shipped by the company; and

(d) the total production of ilmenite in the eight months after the formation of the company as compared to the corresponding eight months in the preceding two years?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). Ilmenite is sold on naked at works basis. The price varies from £ 4/10 to £ 5/- per ton, depending upon the quantity purchased in a year

(c) 0.1%

(d) About 58,000 tons against 92,000 and 50,000 for the corresponding period during the preceding two years.

#### Ilmenite

24. Shri V. P. Nayar: Will the Prime Minister be pleased to state:

(a) whether it is a fact that ilmenite supplied by Travancore Minerals (Private) Limited, to M/s Travancore Titanium Products Limited T.V.M. is supplied at concessional rates; and

(b) if so, the rate per ton and the quantity supplied in the first eight months since the formation of the former company?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) Yes, up to the end of last year. This was merely a continuation of an arrangement which had existed between the State Government and the Travancore Titanium Products Ltd. The whole question of what concessions, if any, should be extended to the Travancore Titanium Products by Travancore Minerals (Private) Ltd. is under examination.

(b) 1,900 tons at the rate of about Rs. 32/- per ton, which is roughly 50% of the export price.

#### Travancore Minerals (Private) Ltd.

25. Shri V. P. Nayar: Will the Prime Minister be pleased to lay on the Table a statement showing the duties, responsibilities and powers of the Chief Administrative Officer of the Travancore Minerals (Private) Ltd.?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): A statement giving the required information is laid on the Table of the Lok Sabha. [See Appendix I, annexure No. 12.]

#### Travancore Minerals (Private) Ltd.

26. Shri V. P. Nayar: Will the Prime Minister be pleased to lay on the Table (i) a copy each of the articles and Memorandum of Association of the Travancore Minerals (Private) Ltd.; and (ii) a copy each of the proceedings and/or minutes of the meetings of the Board of Directors of the companies held so far?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): Copies of the Memorandum and Articles of Association of the Travancore Minerals (Private) Ltd. are available in the Library of the Sabha.

As the proceedings of the meetings of the Board of Directors of the Company are treated as confidential it will not be possible to lay them on the Table of the Sabha.

**Purchase of Stores**

27. { Shri M. N. Mukherjee:  
Shri Muhammed Elias:

Will the Minister of Works, Housing and Supply be pleased to state the value of stores purchased abroad and in India, separately, during the last five financial years?

The Minister of Works, Housing and Supply (Shri K. C. Reddy): A statement is laid on the Table of the Lok Sabha. [See Appendix I, annexure No. 13.]

**'Training within Industry' Schemes**

28. Shri Damani: Will the Minister of Labour and Employment be pleased to state:

(a) in how many industries 'Training Within Industry' schemes have been introduced;

(b) how far it has been successful; and

(c) the nature of the schemes where it has successfully worked?

The Deputy Minister of Labour (Shri Abid Ali): (a) 'Training Within Industry' programmes are not generally arranged industry-wise. However training programmes have so far been introduced in 140 industrial concerns covering a wide range of industries such as textiles, electricity, glass, cement, rubber, chemicals, heavy and light engineering, and iron and steel.

(b) The Training schemes have proved a success where the managements have fully co-operated.

(c) Training programmes cover Job Instruction, Job Method, Job Relations and Follow-Up. Where Follow-Up has been effectively done, the results have been encouraging.

**Industrial Disputes, Lock-outs and Strikes**

29. { Shri Damani:  
Shri Rameshwar Tantis:

Will the Minister of Labour and Employment be pleased to lay on the Table a statement showing:

(a) the number of industrial disputes, lockouts and strikes which had taken place in different parts of the country, industry-wise during the year 1957-58 so far;

(b) the number of workers who were affected and the man-days lost as a consequence of the industrial disputes, lockouts and strikes;

(c) the approximate loss of national production in rupees that had been sustained as a result thereof; and

(d) the number of industrial disputes pending at present?

The Deputy Minister of Labour (Shri Abid Ali): (a) to (d). The information is not available and the time and labour involved in collecting it will not be commensurate with the object to be achieved. Certain information regarding work stoppages is however available in the monthly publication "Indian Labour Gazette" copies of which are available in the Parliament Library.

**Educated Unemployed**

30. Shri N. R. Munisamy: Will the Minister of Labour and Employment be pleased to state:

(a) whether an investigation was conducted to ascertain the total number of educated unemployed in all categories both men and women such as Matriculates, Intermediates, Arts graduates, professional graduates in each State;

(b) if so, whether a statement will be laid on the Table;

(c) whether any Department of Government is free to appoint candidates without reference to Employment Exchange; and

(d) if so, what are they?

The Deputy Minister of Labour (Shri ABD Ali): (a) No.

(b) Does not arise.

(c) and d). No. The Accounting and Auditing Departments which are under the Auditor General, the Legislative Secretariats which are under the Speaker and Chairman of the Rajya Sabha and the Railway establishments which are under the Railway Board have not yet agreed to recognise the Employment Exchanges as their normal channel of recruitment. All other Departments have been directed by the Ministry of Home Affairs not to appoint candidates without reference to the Employment Exchanges.

#### भरतपुर में विस्थापित घटित

३१ और सरत पांडे. क्या पुनर्जीवन, तथा अन्य संस्थाएँ कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) पूर्वी और पश्चिमी पाकिस्तान से आये हुए कितने विस्थापित व्यक्तियों को मार्च, १९५४ से दिसम्बर, १९५७ तक मूलपूर्व भरतपुर राज्य में बसाया गया;

(ख) कितने विस्थापित परिवारों को दिसम्बर, १९५७ तक प्रतिकर दिया जा चुका है; और

(ग) कितना प्रतिकर अभी देना बाकी है?

पुनर्जीवन तथा अन्य संस्थाएँ कार्य मंत्री (श्री भेहर बहादुर लक्मा) : (क) इस प्रकार के घलग आकड़े नहीं रखे गये हैं और इन्हें एकत्रित करने में जितना समय भीर मेहनत लगेगी उसके बराबर प्राप्त होने वाला परिणाम नहीं होगा।

(ख) ३१-१२-५७ तक २,४६,५९५ दावेदारों को अवासी हो चुकी है।

(ग) बह बक तमाम दावेदारों के केतू कीसला नहीं हो आते ऐसी जानकारी देना सम्भव नहीं।

#### State Trading Corporation of India (Private) Ltd.

22. Shri V. C. Shukla: Will the Minister of Commerce and Industry be pleased to state the total value of business done by the State Trading Corporation of India (Private) Ltd., with the following countries since its formation:

(i) U.S.S.R., China, Mongolia, Poland, Rumania, Bulgaria, Czechoslovakia, East Germany, Albania, North Korea and North Viet-Nam;

(ii) U.S.A., U.K., West Germany, France, Italy, Japan, Indonesia and the West-Asian-Countries?

The Minister of Commerce and Industry (Shri Morarji Desai): (i) and (ii). A statement is laid on the Table of Lok Sabha. [See Appendix I, annexure No. 14.]

#### Export of Iron Ore

23. Shri V. C. Shukla: Will the Minister of Commerce and Industry be pleased to state:

(a) the names of the countries to which exports of iron ore were made by the State Trading Corporation of India (Private) Ltd., during the first year of its working; and

(b) the total tonnage and value of such exports country-wise?

The Minister of Commerce and Industry (Shri Morarji Desai): (a) and (b). A statement containing the required information is laid on the Table of Lok Sabha. [See Appendix I, annexure No. 15.]

गुवार, गुवार की दाल और गुवार गम  
भा निर्यात

३४. श्री आसर : क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) ११ फरवरी, १९५७ और नवम्बर, १९५७ के बीच भारत से कितनी-कितनी मात्रा में और किन-किन देशों को गुवार, गुवार की दाल और गुवार गम का निर्यात किया गया ; और

(ख) ११ फरवरी और ३० नवम्बर, १९५७ के बीच गुवार, गुवार की दाल और गुवार गम का निर्यात करने के लिये किन-किन फर्मों को किस-किस तारीख को परमिट दिये गये ?

वाणिज्य तथा उद्योग मंत्री (श्री भोराट-जी देसाई) : (क) गुवार और गुवार की दाल के निर्यात की अनुमति नहीं दी जाती है। गुवार गम के निर्यात की जानकारी तथा इसका आयात करने वाले देशों के नाम उपलब्ध नहीं हैं क्योंकि भारत के वैदेशिक व्यापार के आंकड़ों में इसके आकड़े अलग नहीं रखे जाते।

(ख) ११ फरवरी और ३० नवम्बर १९५७ के बीच जिन फर्मों को गुवार गम का निर्यात करने की अनुमति दी गयी थी, उनके नाम नीचे दिये जाते हैं :

जितने माल  
क्रमाक निर्यातक का नाम की अनुमति दी  
गयी

टन

१ मैसर्स भिवानी गम एण्ड  
गुवार फैक्टरी, भिवानी ७,७५०

टन

२ मैसर्स हरी दाल घामी एण्ड संस बम्बई	१००
३ मैसर्स चिमनलाल भोजीलाल, बम्बई	५००
४ मैसर्स नरसी मूलजी एण्ड क०, बम्बई	२००
५ मैसर्स नेशनल प्रोडक्ट्स क०, बम्बई	८२५
६ मैसर्स मूसे राम किशन प्रसाद, बबलपुर	३०
७ मैसर्स हजरत एण्ड क०, बम्बई	६३०
८ मैसर्स मेपानी ब्रदर्स, बम्बई	४५१
९ मैसर्स ठाकुर दास मूल चन्द्र, बम्बई	१००
१० मैसर्स नेशनल कमर्शियल क०, बम्बई	१००

उपर्युक्त फर्मों को किस तारीख को लाइसेंस दिये गये, वे तारीखें उपलब्ध नहीं हैं क्योंकि लाइसेंस जहाजों का गज़ाजों के आधार पर दिये गये थे।

गुवार, गुवार गम और गुवार की दाल

३५. श्री आसर : क्या वाणिज्य तथा उद्योग मंत्री ११ नवम्बर, १९५७ के प्रस्तुत संस्था ३२ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) १४ फरवरी, १९५७ से गुवार गम का निर्यात बन्द कर देने के क्या कारण हैं;

(ख) क्या यह सच है कि गत वर्ष ३० नवम्बर, १९५७ तक की अवधि के लिये गुवार और गुवार की दाल के निर्यात के लिये उनके कोटे बढ़ा दिये गये थे ; और

(ग) यदि हाँ, तो उसके क्या कारण हैं ?

वाणिज्य तथा उद्योग मंत्री (श्री भोराट-जी देसाई) : (क) गुवार के भाव बहुत ऊर्जे

होने के कारण गुवाह गम का नियंत्रण देव कर दिया गया था।

(क) जी, नहीं।

(ग) प्रबन्ध ही नहीं उठता।

#### Co-operatives

36. Shri Bangshi Thakar: Will the Minister of Rehabilitation and Minority Affairs be pleased to refer to the reply given to Unstarred Question No. 1803 on the 18th December, 1957 regarding co-operative societies in Tripura and state:

(a) how many of the 58 Co-operatives have been declared as liquidated and how many are on the verge of liquidation; and

(b) the loss incurred as a result thereof?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): (a) None.

(b) Does not arise.

#### Housing Scheme in Punjab

37. Shri Ram Krishan: Will the Minister of Works, Housing and Supply be pleased to state:

(a) the total amount of loan allotted to the State of Punjab for various housing schemes during 1957-58; and

(b) whether the whole amount has been utilised?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) The funds allocated to the Punjab Government for the various housing schemes for 1957-58 are given in the statement placed on the Table of Lok Sabha. [See Appendix I, annexure No. 16.]

(b) No. The State Government expect, however, to be able to utilise almost the entire funds before the close of the current financial year.

#### Trade Agreements

38. Shri Ram Krishan: Will the Minister of Commerce and Industry be pleased to state:

(a) the names of the countries with which trade agreements have been signed during 1957-58; and

(b) the main terms of the agreements?

The Minister of Commerce and Industry (Shri Morarji Desai): (a) Fresh Trade Agreements with four countries viz., Czechoslovakia, Afghanistan, Ceylon and Japan, have been signed during 1957-58. During the same period trade agreements with Bulgaria, China, Hungary, Poland, Rumania, U.S.S.R., Yugoslavia, Italy, Norway, Austria and Indonesia were renewed or extended with some modifications.

(b) Copies of Trade Agreements with all these countries, except Japan, have been supplied to the Parliament Library. The text of the Agreement with Japan is awaited from Tokyo and copy will be supplied to the Parliament Library in due course.

#### Production of Calcium Carbide

39. Shri V. P. Nayar: Will the Minister of Commerce and Industry be pleased to state the present position in regard to the production of calcium carbide in India with the names of units and their actual production in 1956-57?

The Minister of Commerce and Industry (Shri Morarji Desai): Two factories, namely, Messrs. Birla Jute Manufacturing Company Limited, Calcutta and Messrs. Industrial Chemical Limited, Madras with a total annual installed capacity of 4125 tons per year were in production during 1957. Their total production during 1957 was 3596 tons.

### Coir Industry

40. Shri V. P. Nayar: Will the Minister of Commerce and Industry be pleased to state:

(a) the total production of Coir Yarn during the years 1955-56 to 1956-57 for each year State-wise;

(b) the amount of Central aid (State-wise) given to the Coir Industry for the above years; and

(c) the quantity and value of exports of coir and coir goods country-wise for each of the above years?

The Minister of Commerce and Industry (Shri Morarji Desai): (a) No accurate statistics are available about State-wise production of coir yarn. However, total production of coir yarn is estimated at 120,000 tons a year but about 88 per cent. is produced in Kerala State.

(b) The amount of Central Aid given to State Governments for schemes for development of coir industry is as under:—

Year	State	Amount sanctioned	
		Grant Rs.	Loan Rs.
1953-54	Travancore-Cochin	1,5,6273	—
1954-55	Travancore-Cochin	1,00,000	4,00,000
1955-56	Travancore-Cochin	24,569	19,67,500
1956-57	Travancore-Cochin	3,60,921	11,17,250
	Madras	8,000	65,650
	Orissa	1,000	10,625
TOTAL		6,50,763	35,61,025

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

### Consumption of Coir Mats and Mattings

41. Shri V. P. Nayar: Will the Minister of Commerce and Industry be pleased to state:

(a) the quantity and value of coir mats and mattings and coir yarn consumed in India in the years after the setting up of the Coir Board; and

(b) the details of the programmes, if any, in hand with the Coir Board to increase the internal consumption of coir and coir goods and the results achieved?

The Minister of Commerce and Industry (Shri Morarji Desai): (a) and (b). A statement is placed on the Table of the Lok Sabha. [See Appendix I, annexure No. 17.]

### Tea Export

42. { Shri S. C. Samanta:  
Shri Bhakt Darshan:  
Shri Subodh Hasda:

Will the Minister of Commerce and Industry be pleased to lay a statement showing:

(a) the names of the principal countries to which Indian tea has been exported during 1957-58 so far;

(b) the quantity and value of tea exported to each country;

(c) how these figures compare with those of 1956-57; and

(d) the names of the countries from which India had to face maximum competition during this period?

The Minister of Commerce and Industry (Shri Morarji Desai): (a) to (c). A statement showing the quantity of Indian tea exported to different countries in 1957-58 (upto December) with corresponding figures for 1956-57 is laid on the Table of the Lok Sabha. [See Appendix I, annexure No. 18.] Information regarding the value of tea exported during the period is not yet available.

(d) As is to be expected, there has been competition from all tea producing countries.

### N.E.F.A.

43. { Shri Subodh Hasda:  
Shri S. C. Samanta:

Will the Prime Minister be pleased to state:

(a) how many Community Development Blocks and N.E.S. Blocks are at present being operated in N.E.F.A.;

(b) the total acreage of land in N.E.F.A. that has been reclaimed in 1956-57 and 1957-58 for the purpose of growing various types of crops specially paddy; and

(c) the percentage of additional food products obtained as a result of extensive or intensive cultivation in the project areas in N.E.F.A. during 1956-57 and 1957-58?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** (a) Twelve, excluding two now transferred to Naga Hills-Tuensang Area.

(b) and (c) 2,915 acres in all have been reclaimed since the inception of the work. Separate figures for the years 1956-57 and 1957-58 are not available at present. Neither is it possible yet to give precise percentages of additional yield.

#### Recovery of Buried Treasures

44. { Shri R. C. Majhi:  
      { Dr. Ram Subhag Singh:

Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) whether the recovery of buried treasures has been completed;

(b) the amount of money recovered from India; and

(c) the number of persons who have applied in India for the recovery of the buried treasures?

**The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna):** (a) Some more operations still remain to be conducted

(b) Cash and bullion worth Rs. 1.77 lacs has been sealed and sent to Pakistan. Apart from this Rs. 7,538 has been recovered in the form of currency notes. Information is not available in regard to the value of Jewellery which is allowed to be exported under Luggage Certificates issued by the Pakistan Liaison Officer.

(c) 3212.

#### Wage Board for Plantation Industry

45. { Shri A. K. Gopalan:  
      { Shri S. M. Banerjee:  
      { Shri Jagdish Awasthi:

Will the Minister of Labour and Employment be pleased to state:

(a) whether the Wage Board for Plantation Industry has been appointed; and

(b) if so, the composition of the Board?

**The Deputy Minister of Labour (Shri Abid Ali):** (a) No.

(b) Does not arise.

#### Industries in Kerala

46. { Shri A. K. Gopalan:  
      { Shri S. M. Banerjee:  
      { Shri Jagdish Awasthi:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether some industries are likely to be started in the State of Kerala under the Second Five Year Plan, and

(b) if so, what are those industries?

**The Minister of Commerce and Industry (Shri Morarji Desai):** (a) Yes, Sir

(b) A statement is placed on the Table of the Lok Sabha. [See Appendix I, annexure No 19]

#### National Small Industries Corporation

47. Shri L. Achaw Singh: Will the Minister of Commerce and Industry be pleased to state:

(a) what are the types of machines provided so far for the development of Small Scale Industries in Assam, Manipur and Tripura by the National Small Industries Corporation; and

(b) what is the value of machines supplied similarly to the other States?

**The Minister of Commerce and Industry (Shri Morarji Desai):** (a) No machine has so far been supplied to any industrial unit in Assam, Manipur or Tripura. Only one application was received from Manipur, but it was treated as withdrawn as earnest money was not received. Three applications from Assam and two from Tripura have been accepted and they cover the following types of machines:—

Drill-Oil Fired Furnace, Safety-match manufacturing machinery, Band Saw and Electric Motor, Welding Set, Boring Machinery and Grinder.

(b) About Rs. 58.03 lakhs.

#### I.N.T.U.C.

**48. Shri Ram Krishan:** Will the Minister of Labour and Employment be pleased to state:

(a) whether Government have received copies of various resolutions passed by I.N.T.U.C at its 9th Session held at Madurai in January, 1958; and

(b) if so, the nature of the decision taken by the Government?

**The Deputy Minister of Labour (Shri Abid Ali):** (a) Yes

(b) The resolutions are being examined.

#### Pakistani Nationals' entry into Jammu and Kashmir State

**49. Shri Raghunath Singh:** Will the Prime Minister be pleased to state the number of Pakistani Nationals who crossed into Jammu and Kashmir State during last three months and were arrested?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** The latest information available is about the months of October, November and December, 1957. During these months 21 Pakistani Nationals were arrested for entering the Jammu and Kashmir State unauthorisedly.

**State Trading Corporation of India (Private) Ltd.**

50. **Shri Morarka:**  
**Shri Nathwani:**

Will the Minister of Commerce and Industry be pleased to state:

(a) the names of the selling agents appointed by the State Trading Corporation for selling caustic soda and soda ash;

(b) how they were appointed;

(c) the terms and conditions of their appointment; and

(d) the total commission paid to them so far?

**The Minister of Commerce and Industry (Shri Morarji Desai):** (a) (i) Messrs. Imperial Chemical Industries (India) Private Ltd., Calcutta.

(ii) Messrs. Tata Oil Mills and Co., Ltd., Bombay.

(iii) Messrs. Chemical Importers and Distributors Private Ltd., Calcutta

(iv) Messrs. Chemical and Alkali Distributors Ltd., Bombay.

(b) The first three were handling the commodities as agents of the Government of India prior to the canalisation of imports of soda ash and caustic soda through the State Trading Corporation. Their appointment was later continued by the Corporation as selling agents, the fourth firm being an association of importers and distributors in Bombay area.

(c) The selling agents are responsible for the clearance, handling, storage and distributing of the goods at prices fixed by the Corporation. In return they are paid commission at a fixed rate.

(d) The information regarding the period ending 30th June, 1957 has already been given in the Corporation's first Annual Report, copies of which have been placed on the Table of the House.

**State Trading Corporation of India (Private) Ltd.**

51. { Shri Morarka:  
        { Shri Nathwani:

Will the Minister of Commerce and Industry be pleased to state on what basis the provision of Rs. 25 lacs is made for taxation in the indigenous cement account of the State Trading Corporation of India (Private) Ltd. for the period ending the 30th June, 1957 when the surplus shown in the account is over Rs. 5 crores?

**The Minister of Commerce and Industry (Shri Morarji Desai):** A provision of Rs. 25 lakhs was made as a contingent liability, because in the case of some States, it was not clear whether sales tax was leviable on transfer of cement from producers to the Corporation. This provision has no relation to the surplus in the Cement Account.

**State Trading Corporation of India (Private) Ltd.**

52. { Shri Morarka:  
        { Shri Nathwani:

Will the Minister of Commerce and Industry be pleased to state:

(a) the names of the selling agents of the State Trading Corporation for selling cement;

(b) whether these agents are appointed to sell both indigenous as well as imported cement; and

(c) the total commission paid to each such agent and also the basis of such payment?

**The Minister of Commerce and Industry (Shri Morarji Desai):** (a) and (b). A statement is placed on the Table of the Lok Sabha. [See Appendix I, annexure No. 20.]

(c) It will not be in the business interest of the Corporation to disclose the information.

**Licences for Moulding Powder**

53. **Shri V. P. Nayak:** Will the Minister of Commerce and Industry be pleased to state:

(a) the total value of moulding powders for which users' licences have been issued during the period from October, 1957 to March, 1958; and

(b) the total quantity of moulding powders produced in India in 1957-58?

**The Minister of Commerce and Industry (Shri Morarji Desai):** (a) The total value for which actual user licences have been issued during the October-March, 1957-58, licensing period (upto week-ending 28th December, 1957), is approximately Rs. 12 lakhs.

(b) The production of Polystyrene and Phenol Formaldehyde moulding powders during April-December, 1957 was about 1,300 and 900 tons respectively.

**Malabar Spinning Mills Ltd., Kallai (Kerala)**

54. **Shri A. K. Gopalan:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether he has received a memorandum from the workers of the Malabar Spinning Mills Limited, Kallai, Kerala State during his visit to that place on the 13th December, 1957; and

(b) if so, what action has been taken thereon?

**The Minister of Commerce and Industry (Shri Morarji Desai):** (a) Yes, Sir

(b) In the Memorandum it has been mentioned that the spinning machinery of the mills is as old as the mills itself i.e. 72 years and laying off of workers and subsequent partial closure are due to heavy accumulation of stocks. The Government is also requested to take urgent steps to prevent threatened closure and to rehabilitate the mills.

The Government through NIDC have made every effort to rehabilitate the mills by favourably considering their application for loan assistance. The management however had written that they were not interested in obtaining the loan due to their financial position, accumulation of stocks and the condition of the mill. Very recently the excise duty on medium variety of cloth has been reduced by 6 pces which it is hoped would help the mills in clearing their stock. It is, therefore, upto the Management to clear their accumulated stocks, and improve their working.

#### Export of Catechu

55. Shri Rameshwar Tantia: Will the Minister of Commerce and Industry be pleased to state:

(a) the total exports of Catechu and its bye-products used for Tannery purposes during the year 1957.

(b) the countries to which these were exported; and

(c) what steps have been taken to increase their exports?

The Minister of Commerce and Industry (Shri Morarji Desai): (a) 19,543 lbs valued at Rs. 44,442 during January-August, 1957. Figures for later months are not yet available.

(b) Pakistan, Ceylon, Rhodesia, Kenya, Nyasaland, Mozambique and Fiji Islands.

(c) No special steps have been taken to promote exports.

#### Travancore Minerals (Private) Ltd.

56. Shri V. P. Nayar: Will the Prime Minister be pleased to state the reasons for locating the Head Office of the Travancore Minerals (Private) Limited at Quilon instead of at Chavara, in the factories area?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): The Board of Directors of Travancore Minerals (Private) Ltd. decided to locate the head office of the company at Quilon, which is less

than 10 miles from Chavara, after taking into consideration all relevant factors. In taking this decision, they were influenced by such essential considerations as proximity of banking and other commercial houses and availability of accommodation and other facilities.

#### Low Income Group Housing Scheme

57. Shri Nek Ram Negi: Will the Minister of Works, Housing and Supply be pleased to lay on the Table a statement showing the details of the loans granted under the Low Income Housing Scheme to Mahasu District so far?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): Out of a sum of Rs. 5,16,726 so far disbursed to the Himachal Pradesh Administration under the Low Income Group Housing Scheme, a sum of Rs. 2,26,200 has been advanced by the Administration as loan to 79 persons in Mahasu District. A sum of Rs. 58,100 was advanced to 22 applicants in Mahasu District during 1955-56, while a sum of Rs. 1,68,100 was advanced to the remaining 57 applicants during 1956-57. No amount has so far been disbursed during 1957-58.

#### Plastic Goods Manufacturing Factories

58. Shri Heda: Will the Minister of Commerce and Industry be pleased to lay a statement showing:

(a) the number of major and small factories that manufacture plastic goods;

(b) their output in 1957 showing the major and small ones separately; and

(c) what are the requirements of the country?

The Minister of Commerce and Industry (Shri Morarji Desai): (a) Major 36

Small 30

(b) Goods valued at Rs. 422 lakhs and Rs. 118 lakhs respectively.

(c) Being utility or consumer item, it is difficult to estimate the demand of the country. The total production and the quantity imported may be taken as the demand. The value of import during the 8 months ending August, 1957 was Rs. 10 lakhs.

**Indian Delegation to U.N. General Assembly**

59. **Shri Madhusudan Rao:** Will the Prime Minister be pleased to state the total amount of money spent by Government on the Indian Delegation to the 12th Session of United Nations General Assembly concluded in December, 1957?

**The Prime Minister and the Minister of External Affairs (Shri Jawaharlal Nehru):** The actual figure is not yet available, but it was estimated that a sum of Rs. 3,78,000 would be spent.

**Transmission Executives in A.I.R.**

60. **Shri B. S. Murthy:** Will the Minister of Information and Broadcasting be pleased to state:

(a) the number of cases where the posts of Transmission Assistants were replaced by the posts of Transmission Executives;

(b) the number of persons selected for the posts of Transmission Executives; and

(c) the number of those selected from existing officers of the A.I.R.?

**The Minister of Information and Broadcasting (Dr. Keshar):** (a) Thirty-two.

(b) and (c). Eight posts reserved in the promotion quota have been filled by departmental candidates. Applications for the remaining 24 posts to be filled by direct recruitment have been called for. The interviews of candidates will commence shortly.

**Officers in the Ministry of Commerce and Industry**

61. **Shri D. C. Sharma:** Will the Minister of Commerce and Industry be pleased to state:

(a) the reasons for the shortage of suitable officers for promotion in the Ministry of Commerce and Industry in place of the retired ones;

(b) whether any representation has been made that re-employment of retired officers is injurious to the interests of those who are ripe for promotion, and

(c) the extra expenditure involved in the re-employment of retired officers?

**The Minister of Commerce and Industry (Shri Morarji Desai):** (a) There has been no shortage of suitable officers in so far as promotions are concerned;

(b) No representation has been received in the Ministry of Commerce and Industry against re-employment of retired officers,

(c) No extra expenditure is involved in re-employment

**National Development Council**

62. { **Shri N. R. Munisamy:**  
**Shri Barman:**  
**Shri Vajpayee:**  
**Shri Punnoose:**  
**Shri Vasudevan Nair:**

Will the Minister of Planning be pleased to lay a statement showing:

(a) the subjects discussed at the meeting of the Standing Committee of the National Development Council held in January, 1958;

(b) the important suggestions and recommendations made by it; and

(c) the steps proposed to be taken to implement those recommendations?

**The Minister of Labour and Employment and Planning (Shri Nanda):** (a) At the meeting held on January 18,

1958, the Standing Committee of the National Development Council considered the following subjects:—

- (1) Measures needed for stepping up agricultural production with special reference to irrigation, multiplication and distribution of improved seeds, fertilisers and local manurial resources, strengthening of the agricultural extension organisation and cooperative credit.
- (2) Preliminary consideration of recommendations made by the Study Team for Community Development and National Extension Service which was set up by the Committee on Plan Projects with Shri Balwantrai G. Mehta as leader.

(b) and (c). Statements are laid on the Table of Lok Sabha. [See Appendix I, annexure No. 21].

#### Textile Mills in Punjab

63. Shri Daljit Singh: Will the Minister of Commerce and Industry be pleased to state:

(a) the number of applications received so far from the textile mills in the Punjab State for the allotment of spindles; and

(b) the number of applications which have been accepted?

The Minister of Commerce and Industry (Shri Morarji Desai): (a) In all 25 applications for licences for spindles under Industries (Development and Regulation) Act, 1951, have been received from parties in Punjab State.

(b) Eight applications have been accepted.

#### Uranium

64. Shri Shobha Ram: Will the Prime Minister be pleased to state:

(a) the names of places where Uranium Ores are exploited in India; and

(b) up to what percentage of Uranium deposit the Uranium mines are exploited?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) Departmental development and mining work for uranium ores has been undertaken by the Atomic Minerals Division of the Department of Atomic Energy mainly in the States of Bihar and Rajasthan. Systematic and detailed survey and prospecting work for uranium ores is however being carried out in various parts of the country.

(b) Mining of uranium ores depends upon the nature and extent of the ore and its amenability to treatment. Uranium ores containing a fraction of 1 per cent. U308 can be mined, the lowest economical limit being about a half of 1 per cent. U308.

#### Displaced Persons' Claims

65. Shri Shobha Ram: Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) the number of the displaced persons in the Matsya Division whose claims have been admitted; and

(b) the number of applications of the displaced persons which are pending in the Division?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): (a) Upto December, 1950 the claims were registered in the regions by the Registering Officers. Thereafter they were received by post in the Central Office. In the Central Office they were not classified according to regions. Therefore, the number of claims registered in Matsya Division up to December, 1950 only can be given. The number is 2,007.

(b) 150 claims of this Division are pending for judicial action.

#### Export of Agricultural Machines and Implements

66. Sardar Iqbal Singh: Will the Minister of Commerce and Industry be pleased to state:

(a) what is the prospect of the export of Agricultural Machines and implements from India at present; and

(b) the names of countries to which these goods are exported?

**The Minister of Commerce and Industry (Shri Morarji Desai):** (a) and (b). Agricultural machinery and implements, including centrifugal pumps and low horsepower diesel engines have been exported to countries like British East Africa, Saudi Arabia, Singapore, Thailand, Ceylon, Iran and Afghanistan. Sample shipments have also been sent to the USA and the USSR. The value of such exports during 1956 was of the order of Rs 18 lakhs, while that for 1957 was about Rs 22.5 lakhs. With good export promotion drive, there is every prospect of improving on these figures.

#### Closure of Factories in Punjab

**67 Sardar Iqbal Singh:** Will the Minister of Labour and Employment be pleased to state

(a) the number of textile and other factories that have been closed in Punjab State during the year 1955-56 and 1956-57,

(b) the number of shifts that have been closed in various factories during that period,

(c) the number of persons rendered unemployed by the closure of these mills and factories,

(d) the reasons for the closure of the factories and shifts, and

(e) the measures taken by Government to secure the opening of the mills and the shifts and for the re-employment of workers?

**The Deputy Minister of Labour (Shri Abid Ali):** (a) to (e). According to the information available, one Textile Mill was closed in the Punjab State during the years 1955 to 1957, on account of financial difficulties. The number of workers affected was about 1,500. The Ministry of Commerce and industry have ordered an investigation into the affairs of the mill under the

Industries (Development & Regulation) Act, 1951. No information is available regarding the closure of other factories in the Punjab State during 1955-57.

#### Custodian of Enemy Properties

**68. Sardar Iqbal Singh:** Will the Minister of Commerce and Industry be pleased to state:

(a) the reasons for the delay in the disposal of cash securities and properties of Japanese nationals now lying vested with the Custodian of Enemy Properties; and

(b) the annual cost of administering these properties?

**The Minister of Commerce and Industry (Shri Morarji Desai):** (a) The Disposal of properties of Japanese nationals lying vested with the Custodian of Enemy Property awaits conclusion of certain negotiations with the Government of Japan which are now in progress.

(b) The annual cost of administration of enemy properties pertaining to all 'enemy' countries is about Rs 64,000.

#### Ambar Charkha

**69. Sardar Iqbal Singh:** Will the Minister of Commerce and Industry be pleased to state

(a) the results of the experiments conducted under the Experimental Project Programme launched by Government in 1955-57 and 1957-58 so far regarding the use of Ambar Charkha,

(b) the amount of yarn produced and the number of people who could get employment under the said programme,

(c) how much and in what way this programme has helped the future progress,

(d) the extent to which this programme had been a success or otherwise;

(e) if it was unsuccessful the reasons thereof; and

(f) the action taken in that connection?

**The Minister of Commerce and Industry (Shri Morarji Desai):** (a) to (f). The reply to the points raised is contained in the answer to the identical question, Unstarred Question No. 1805, which was answered in the Lok Sabha on the 18th December, 1957.

#### Export of Tea to America

**70. Sardar Iqbal Singh:** Will the Minister of Commerce and Industry be pleased to state:

(a) the position which has prevailed during the last six months regarding export of Tea to America;

(b) the details of tea exports which are exported to America;

(c) whether best quality Tea is exported to America; and

(d) if so, the reasons therefor?

**The Minister of Commerce and Industry (Shri Morarji Desai):** (a) and (b). Presumably the Hon'ble Member has in mind the import of tea into America from the various Countries. A statement giving the information for the period July-December, 1957 with corresponding figures for 1956 and 1955 is placed on the Table of the Lok Sabha. [See Appendix I, annexure No. 23.]

(c) and (d). America like other countries imports all grades of tea. She does not import good quality tea alone.

#### Import of Books, Newspapers and Periodicals

**71. Sardar Iqbal Singh:** Will the Minister of Commerce and Industry be pleased to state:

(a) the quantity of books, newspapers and periodicals imported in 1955-56 and 1957-58; and

(b) the foreign exchange spent by India on this account?

**The Minister of Commerce and Industry (Shri Morarji Desai):** (a) and (b). A statement showing

quantity and value of books, newspapers and periodicals imported in 1955-56 and 1957-58 (April-August, 1957) is placed on the Table of Lok Sabha. [See Appendix I annexure No. 23.]

#### Import of Tractors

**72. Sardar Iqbal Singh:** Will the Minister of Commerce and Industry be pleased to state:

(a) what is the total number of various types of tractors imported annually; and

(b) the names of countries from where these are imported?

**The Minister of Commerce and Industry (Shri Morarji Desai):** (a) Figures of recent imports are given below:

1955-56	2624 Nos.
1956-57	4468 Nos.
1957 (April-June)	1215 Nos.

(b) The following are the countries from which large imports have been made since April, 1956:

The United Kingdom, West Germany, The United States of America, Czechoslovakia, Austria and the U.S.S.R.

#### Khadi and Gramodyog Institutions in Punjab

**73. Sardar Iqbal Singh:** Will the Minister of Commerce and Industry be pleased to state:

(a) the number of private Khadi and Gramodyog institutions certified by the Khadi Commission in the new Punjab State;

(b) the amount paid in the form of grants and loans to these institutions for the years 1954-55, 1955-56 and 1956-57;

(c) whether the above institutions have submitted their audited annual reports for these years to Government; and

(d) if so, whether a copy of the report will be laid on the Table?

The Minister of Commerce and Industry (Shri Morarji Desai): (a) Eight.

(b) The amounts paid to these institutions as grants and loans are as under:

Year	Grants (Rs.)	Loans (Rs.)
1954-55	4,73,513	9,68,000
1955-56	19,62,667	19,00,000
1956-57	45,41,969	37,51,500
<b>TOTAL</b>	<b>69,78,149</b>	<b>66,19,500</b>

(c) and (d). As regards grants for Khadi, the practice is that the institutions have to incur the expenditure out of their own funds, which is later reimbursed to them by the Khadi and Village Industries Commission on the basis of their actual output of work after verification of their claims.

As regards the utilisation of other grants and loans, audited accounts showing utilisation have not yet been received from all the institutions. Efforts are being made to obtain them. The extent to which such certificates remain outstanding, is indicated in the annual appropriation accounts. It will not be possible to obtain audited annual reports of these institutions, which are private organisations, for the purpose of laying them on the table of the House. They are required only to furnish utilisation certificates and audited statement of accounts of such amounts as were sanctioned to them through the All-India Khadi and Village Industries Board.

#### Blacksmithy Training Centres

76. Sardar Iqbal Singh: Will the Minister of Labour and Employment be pleased to state:

(a) the number of blacksmithy training centres opened in Punjab during 1955-56 and 1957-58;

(b) the places where these centres are located; and

(c) the number of students who have received or are receiving training in these centres?

The Deputy Minister of Labour (Shri Amd Ali): (a) and (b). No such centres were opened in Punjab during the years 1955-56 and 1957-58. There were, however, three Training Centres in Punjab which imparted training in Blacksmithy during these years. These centres are located at Ferozepur, Jullundur and Rohtak.

(c) The number of students who have passed out was 39 and 36 in the years 1955-56 and 1957-58 respectively and in the end of December, 1957, 45 students were receiving training in Blacksmithy at these centres.

#### Rural Housing in Bombay

75. Shri Pangarkar: Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether any amount has been allotted to Bombay for expenditure on rural housing during the Second Five Year Plan period; and

(b) if so, the amount allotted?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) and (b). A State-wise allocation of funds for Village Housing Projects for the entire Plan period is being determined and is likely to be communicated to all State Governments shortly. The allocation for Bombay for the current financial year is Rs. 5.25 lacs.

—  
12 hrs.

#### DEATH OF SHRI N. SOMANA

Mr. Speaker: I have to inform the House of the sad demise of Shri N. Somana, who passed away in Mysore on the 28th January, 1968, at the age of 53 on account of heart attack.

Shri Somana was a Member of the First Lok Sabha from Coorg.

I am sure the House will join with me in conveying our condolences to the family of Shri Somana.

The House may stand in silence for a minute to express its sorrow.

The Members then stood in silence for a minute.

Shri Braj Raj Singh (Firozabad): May I know why it was not made yesterday?

Mr. Speaker: Because information was not received yesterday.

Shri Braj Raj Singh: Will action be taken against the District Magistrate concerned?

Mr. Speaker: Let us see. I am trying some method by which hon. Members will report to me. I expect normally the Leaders of various Groups will constantly be in touch with what happens to the Members of their party and inform us from time to time. Otherwise, from newspaper reports, the Secretariat gathers such information. If anything comes to my notice, I will certainly bring it up. There is no intention to delay or avoid reference at the earliest possible opportunity.

**PAPERS LAID ON THE TABLE**  
**STATEMENT CORRECTING REPLY GIVEN TO**  
**UNSTARRED QUESTION**

The Minister of Commerce and Industry (Shri Morarji Desai): I beg to lay on the Table a copy of the statement correcting the reply given on the 10th December, 1957 to Unstarred Question No. 1420 regarding production of gur.

**Statement**

In the reply given to part (a) of the unstarred question No. 1420 answered in the Lok Sabha on the 10th December, 1957 the production of gur against Bombay State was stated as "235" thousand tons. The correct figures are, however, "236".

Information in respect of Rajasthan and Tripura, which was not given in the reply, is as follows:—

Rajasthan	— — 35
Tripura	— — 5

**NOTIFICATION ISSUED UNDER ESSENTIAL COMMODITIES ACT**

Shri Morarji Desai: 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) S.R.O. No. 2308, dated the 22nd October, 1955, containing the Cotton Control Order, 1955.

(2) S.R.O. No. 204, dated the 11th February, 1956 making certain further amendment to the Cotton Textiles (Control) Order, 1948.

(3) S.R.O. No. 1198, dated the 28th May, 1956, making certain further amendment to the Cotton Textiles (Control) Order, 1948.

(4) S.R.O. No. 1199, dated the 26th May, 1956, making certain further amendments to the Cotton Textiles (Control) Order, 1948.

(5) S.R.O. No. 1679, dated the 28th July, 1956, containing the corrigendum to the Ministry of Commerce and Industry Notification No. S.R.O. 1199, dated the 26th May, 1956.

(6) S.R.O. No. 2142, dated the 24th September, 1956, making certain further amendment to the Cotton Textiles (Control) Order, 1948.

(7) S.R.O. No. 2144, dated the 24th September, 1956, making certain further amendment to the Cotton Textiles (Control) Order, 1948.

(8) S.R.O. No. 2278, dated the 6th October, 1956, making certain further amendment to the Cotton Textiles (Control) Order, 1948.

(9) S.R.O. No. 2319, dated the 11th October, 1956, making certain further amendment to the Cotton Textiles (Control) Order, 1948.

(10) S.R.O. No. 2896 dated the 1st December, 1956, making certain further amendment to the Cotton Textiles (Control) Order, 1948.

(11) S.R.O. No. 3017, dated the 18th December, 1956, making certain further amendment to the Cotton Textiles (Control) Order, 1948.

(12) S.R.O. No. 1233, dated the 20th April, 1957, making certain further amendment to the Cotton Textiles (Control) Order, 1948.

(13) S.R.O. No. 2897, dated the 14th September, 1957, making certain further amendment to the Cotton Textiles (Control) Order, 1948.

(14) S.R.O. No. 47, dated the 4th January, 1958, making certain further amendments in the Ministry of Commerce and Industry Notification No. S.R.O. 1150, dated the 30th May, 1955. [Placed in Library. See No LT-506/58].

#### AMENDMENTS TO EMPLOYEES' PROVIDENT FUNDS SCHEME

The Minister of Labour and Employment and Planning (Shri Nanda): I beg to lay on the Table, under sub-section (2) of Section 7 of the Employees Provident Funds Act, 1952, a copy of Notification No. S.R.O. 331, dated the 25th January, 1958, making certain further amendments to the Employees' Provident Funds Scheme, 1952 [Placed in Library. See No LT-507/58].

#### AMENMENTS TO INDUSTRIAL DISPUTES (CENTRAL) RULES

Shri Nanda: I beg to lay on the Table, under sub-section (4) of Section 32 of the Industrial Disputes Act, 1947, a copy of Notification No. S.R.O. 141, dated the 11th January, 1958, making certain further amendments to the Industrial Disputes (Central) Rules, 1957. [Placed in Library. See No. LT-508/58].

#### AMENDMENTS TO TEA RULES

The Minister of Commerce (Shri Kanungo): I beg to lay on the Table, under sub-section (3) of Section 48 of the Tea Act, 1953, a copy of Notification No. S.R.O. 158, dated the 11th January, 1958, making certain further amendments to the Tea Rules, 1954. [Placed in Library. See No. LT-509/58].

#### AMENDMENT TO COFFEE RULES

Shri Kanungo: I beg to lay on the Table, under sub-section (3) of Section 48 of the Coffee Act, 1942, a copy of Notification No. S.R.O. 200, dated the 18th January, 1958, making certain amendments to the Coffee Rules, 1955. [Placed in Library. See No LT-510/58].

#### STATEMENT CORRECTING REPLY GIVEN TO UNSTARRED QUESTION

Shri Kanungo: I beg to lay on the Table a copy of the statement correcting the reply given on the 19th November, 1957, to Unstarred Question No. 397 re cottage industries.

#### Statement

In reply given to part (a) of the unstarred question No. 397 answered in the Lok Sabha on 19th November, 1957, instead of the existing amount given against Khadi (including Ambar Khadi) and Village Industries for 1956-57, 1957-58 and the "Total", the following may please be substituted:

Name of Industry	(Rs. in lakhs)	
	1956-57	1957-58
Khadi (including Ambar Khadi)	91.95	137.48
Village Industries	18.96	10.51
Total	110.91	154.99

Shri T. N. Singh (Chandauli): With regard to this correction of answer, may I suggest that they be circulated to all Members because laying on the Table does not make available to the

Members the nature of the corrections made. These questions are generally asked in the House itself.

Mr. Speaker: They are printed.

Shri T. N. Singh: These corrections to the answers that are given in the House by the Minister concerned should also be circulated.

Mr. Speaker: This is an unstarred question.

Shri T. N. Singh: Sometimes corrections to answers to Starred questions are also made.

Mr. Speaker: That does not arise out of this question.

Shri T. N. Singh: Only a few moments before, the Minister read a similar statement.

Mr. Speaker: Normally, I think the procedure should perhaps be that if a correction is made here of an answer to a starred question, the hon. Minister should intimate to me and I give notice of it to the Member who has tabled the question and in the presence of the Member the answer should be read out in the House. It is only with regard to unstarred questions that this practice need not be followed. I will bear this in mind and have it examined.

Shri V. P. Nayar (Quilon): With reference to the corrections, will you give us time to go through the corrections and give notice of Half-an-hour discussion because the rule for that is that the question should have been recently answered. Can we bring notices based on that?

Mr. Speaker: The hon. Member is a good lawyer. Hypothetical questions would not be answered. When the matter comes up, let me see.

#### ANNUAL REPORT OF NATIONAL SMALL INDUSTRIES CORPORATION PRIVATE, LTD.

The Minister of Industry (Shri Manubhai Shah): I beg to lay on the Table, under sub-section (1) of Section 639 of the Companies Act, 1956, a copy of the Annual Report of the

National Small Industries Corporation Private Limited along with the Audited Accounts of the Corporation for the year 1956-57. [Placed in Library. See No. LT-512/58].

#### DEMANDS FOR SUPPLEMENTARY GRANTS

The Minister of Finance (Shri T. T. Krishnamachari): Mr. Speaker, I beg to present a statement showing Supplementary Demands for Grants in respect of the Budget (General) for 1957-58.

#### BUSINESS ADVISORY COMMITTEE

##### SEVENTEENTH REPORT

Sardar Hukam Singh (Bhatinda): I beg to present the Seventeenth Report of the Business Advisory Committee.

#### CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

##### INDO-PAKISTAN CANAL WATER DISPUTES

Shri Vajpayee (Balrampur): Under Rule 197, I beg to call the attention of the Minister of Irrigation and Power to the following matter of urgent public importance and I request that he may make a statement thereon:—

“Talks held with Mr. Iliff, Vice-President of the World Bank, in regard to the Indo-Pakistan Canal Water Dispute.”

The Minister of Irrigation and Power (Shri S. K. Patil): Sir, with your permission, I beg to make the following statement.

Mr. W. A. B. Iliff, Vice-President of the International Bank for Reconstruction and Development, was in New Delhi from January 28, to February 1, 1958. On his way here from Washington, he had stopped for about four days in Karachi for discussions with the Government of Pakistan.

During his stay in New Delhi, Mr. Iliff met the Prime Minister. He also

[Shri S. K. Patil]

met me and held informal discussions with officers of the Ministry of Irrigation and Power.

These discussions aimed at exploring the possibilities of various approaches towards a settlement of the Canal Waters question. No concrete proposals have so far emerged from these discussions. The House will appreciate that, until various aspects of the suggestions, which were mentioned in the talks by Mr. Iliff, have been examined and further discussions regarding any concrete suggestions that may be made are held with the Bank, Government are not in a position to make a detailed statement on these exploratory discussions.

#### CORRECTION OF ANSWERS TO STARRED QUESTIONS

##### STARRED QUESTION No. 210.

The Minister of State in the Ministry of Education and Scientific Research (Dr. K. L. Shrimali): I rise to correct the reply which I gave to a supplementary in connection with Starred Question No. 210 answered on 18-11-1957 about the number of non-Hindi-speaking areas in the country.

"In addition to the nine States mentioned in the reply given, the State of Punjab and the Union Territories of Manipur, Tripura, Andaman and Nicobar Islands and Laccadive, Minicoy and Amindiv Islands, are also non-Hindi-speaking areas."

##### STARRED QUESTION No. 332

Dr. K. L. Shrimali: In reply to Supplementary Question No. 2 asked by Shri Barman in connection with the Starred Question No. 332 asked by Sarvashri Barman and S. C. Samanta, I had stated that "this matter was discussed with Earl Home when he came here in October, 1956...We follow-

ed this with another note which we sent on 10th February, 1957....The High Commission of India have recently informed us that they have reminded the Commonwealth Relations Office to expedite a reply to the note which was handed over on 10th February, 1957." The first date should be October, 1956; and the other dates would be 10th February, 1956; and 10th February, 1956 respectively.

Mr. Speaker: Both are starred questions. Therefore, they have been answered here.

#### REQUISITIONING AND ACQUISITION OF IMMOVABLE PROPERTY (AMENDMENT) BILL

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): Mr. Speaker, I beg to move\*:

"That the Bill further to amend the Requisitioning and Acquisition of Immovable Property Act, 1952, be taken into consideration."

I may be permitted to refer briefly to the past history of this law. The substance of this law began with the last Great War in 1939 when, under the stress of circumstances, the Government of the day had to requisition considerable properties, immovable properties, both lands and buildings, for public purposes, mostly in connection with the war. From that time on, from time to time, through various laws, ordinances and rules, this power has remained with the Government.

In 1951 Government very closely studied the question whether it was possible for the Government to divest itself of the powers given under the laws of requisition and acquisition at that time. Government came to the conclusion that the circumstances did not warrant such a step, and therefore, in 1952, Government brought

\*Moved with the recommendation of the President.

before Parliament a very comprehensive Bill covering the whole question of the powers of requisition and acquisition of immovable property by Government for public purposes.

This Bill, when it was presented before Parliament, I must say, encountered heavy weather, and there was persistent demand from all sides of the House that the Bill should be referred to a Select Committee. The Select Committee presented a unanimous report, which I believe was rather an unusual thing, on this Bill, and the Government accepted all the recommendations of the Select Committee barring one. The Select Committee had recommended that an assurance should be given that all properties which had been requisitioned for more than ten years would be forthwith de-requisitioned.

The recommendations of the Select Committee were not very welcome to the Government of the day. In fact, Shri Gadgil, who was the Minister in charge of Works, Mines and Power in those days, practically failed to recognise his child. He said:

"The main object with which the Bill was introduced has been, I do not say sabotaged, but considerably modified by the provision that the life of this Bill is limited to six years. What will happen after those six years is more than I can prophesy, but whatever happens, the Government of the day will certainly deal with it. All that we can say now is that the necessity of having such power is clearly established by the experience that we have gained in the course of the last ten or twelve years."

What Shri Gadgil said in 1952 holds good today also. We have now practically an experience of nearly two decades over this, and we have come to the conclusion that it is impossible for us to divest the Government of the powers of requisition and acquisition of private properties for public purposes under stress of circumstan-

ces, and therefore, with your leave, I have brought this Bill to give a permanent life to this Bill and to put it on the statute-book as a permanent measure.

At the very outset I will admit that it is certainly an encroachment by the Government on the realm of private property, but it is not a power which has to be exercised without any due consideration; it is a power which is limited in certain directions.

Perhaps I may be permitted to quote what my distinguished predecessor in office, the late Shri Buragohain, had said when he presented this Bill before Parliament in 1952:

"The main features of the Bill are as follows. It empowers the Central Government to requisition or acquire any immovable property which it deems proper in certain specified and well-defined conditions. It does not, however, empower the Central Government to act in an arbitrary or unreasonable manner. The principles and other matters connected with the determination of payment of compensation have been laid down after considerable amount of thought, and these will be found in clauses 8 and 9 of the Bill. I am quite clear in my mind that these provisions will ensure to the Central Government the use of the land and buildings it needs and also give a very fair deal to the owners from whom the property is taken over by Government. If any safeguards were needed, they will be found in clauses 10 and 11 of the Bill which provide for appeals against orders of requisitioning and the determining of the compensation."

So, as I said, we have very carefully looked into the question of the need for this law, and we feel, however regretful it may be, that the Government must be invested with the power of requisition and acquisition of the private property if the need so arises.

[Shri Anil K. Chanda.]

For one thing, though the war is over, the scope of the work of the Government of India has increased beyond measure. A quotation of the budget figures of 1939-40, 1947-48 and 1957-58 will show the intensity of the increase of the scope of work of the Government of India. In 1937-38 the total budget of the Central Government and the State Governments, both on the revenue account and the capital account, was about Rs. 222.25 crores; in 1947-48 it went up to Rs. 892 crores; in 1957-58 the total figure is Rs. 2,259 crores. This considerable extension of the scope of work of the Government automatically means that there would be a very great demand both for office accommodation and for residential accommodation of the officers who are to carry out the various works of the Government.

I will give you here a brief summary of the Government requirements so far as office accommodation and residential accommodation are concerned. The Government have taken stock of the existing situation to see whether the properties already under requisition could be released. Their total requirements of office accommodation in Delhi, Calcutta and Bombay aggregate to 80.49 lakh sq ft, and the residential accommodation requirement is 64,701 units. The respective figures of availability are 71.29 lakh sq. ft., and 21,995 units out of which, however—this is very important—23.43 lakh sq. ft. of office accommodation and 309 units of residential accommodation should in actual fact be left out of consideration as they will have to be pulled down, being very temporary. These are the temporary huts which were put up during the war years. The real shortage in terms of percentage being 40 per cent of requirements in respect of office accommodation and 66 per cent in respect of residential accommodation, release of the property already under requisition is obviously not practicable.

I have made a rough calculation of the amount that would be needed if we are to put up constructions to cover this gap. Roughly speaking we require 33 lakh sq. ft. of office accommodation, and at the lowest estimate, the construction cost per square foot of office accommodation is Rs. 30. Therefore, for 33 lakh sq. ft. the cost will be nearly Rs. 10 crores. We require roughly 43,000 units of residential accommodation, varying from "A" grade which is for officers drawing Rs. 3,000 and above, down to the lowest grade, the "G" type. A very moderate average estimate is Rs. 7,500 per unit. Therefore, for 43,000 units, the cost would come to Rs. 32 crores. Therefore, if the Government were to de-requisition the residences and office buildings which they have now under their control, it would mean immediately a figure of Rs. 43 crores for construction purposes alone.

I would like to add that this does not include the cost of land. The cost of land has increased thousandfold in certain areas, and certainly tenfold and hundredfold in most areas. Therefore, it is very clearly an impossible proposition.

I should, however, say that so far as actual construction of Government buildings is concerned, Government have done very creditably. During the First Five Year Plan, we were allotted Rs. 12 crores for construction work, and we had constructed for a little over Rs. 11 crores. Under the Second Five Year Plan, the allotment is Rs. 18 crores. Owing to the very acute financial difficulties through which the country is passing at the moment, there has been some slowing down in the intensity of construction, but if better times come, and if all this money is made available to us, I am sure in the remaining three years of the Second Plan, we shall be able to complete practically this sum of Rs. 18 crores, and build for both office and residential purposes.

Now, I come to the question of the various properties which are under requisition by the Defence Ministry. As a matter of fact, very considerable requisitions were made during the war years. The present position, so far as the defence establishment is concerned, is as follows. Out of a total of 8,927 lands and buildings which were hired during the war for defence purposes, no less than 9,574 have been released, leaving a balance only of 353. Of these 353, 166 are held under mutual hire agreement; that is, in fact, they are not requisitioned properties, but they are just an ordinary deal between the tenant and the owner. The position of the remaining 187 properties which are actually under requisition is as follows. 85 projects are required to be retained permanently, and they will, therefore, have to be acquired. So, the Defence Ministry propose to acquire these 85 projects straightway, because they are permanently needed by the Defence organisation. Of the remaining, 78, though not required to be retained permanently, are likely to be retained beyond March, 1958, when the Requisitioning and Acquisition of Immovable Property Act, 1955 expires. The remaining 24 projects are required temporarily for short periods and are likely to be disposed of before the expire of the Act.

As regards the 85 projects which, I said, would be permanently needed by the Defence organisation, and which would, therefore, be required to be retained permanently, it is closely linked with what is called the KLP of the Army—the term KLP stands for 'Key Location Plan'. The planning of works projects' regarding construction of permanent accommodation, and station planning in a number of stations are still to be carried out, and as such, cases for acquisition of lands in such stations cannot be put up before the M.O. of Defence. Then, the KLP of some stations and installations has not yet been finalised, and hence some of the properties may not be required permanently. Though under the KLP,

certain existing installations are to be closed down, still in view of the enormous stocks held in those depots, it is anticipated that it will take five to ten years to wind up those installations. Though the KLP for certain stations has been finalised, the requisitioned properties can be made available for release only after alternative accommodation has been provided by new construction which cannot be completed before the expiry of the Act.

In view of the position explained above, we consider that until 1960-61 by which time most of the accommodation for the Army under the Second Plan is expected to be completed, the only appropriate and economical way to retain the requisitioned lands and buildings is to extend the life of the Requisitioning and Acquisition of Immovable Property Act in one form or the other.

With regard to the properties which are under requisition by the Defence Ministry, the necessity of retaining them is reviewed quarterly by the Headquarter Command and the Army Headquarters to ensure that no property is retained unless absolutely essential for defence requirements.

Then, there is a rather interesting fact that sometimes, we laymen see lands lying vacant under the control of the Defence Ministry, and we conclude that possibly these are not needed, and yet through some inadvertence possibly, they are still being requisitioned and held by the Defence Ministry. But in fact, in certain cases, some pieces of land used for cultivation etc., may outwardly appear to be of little real use from the strictly military point of view, but the release of such pieces of land may not be possible for security reasons, particularly, if they are surrounded by military installations.

So far as the actual working of the Act is concerned, Shri Gadgil, the then Minister in charge, had given certain assurances to Parliament, and I am happy to say that those assurances have been very faithfully

[Shri Anil K. Chanda.]

carried out. In the main, an assurance was given by Shri Gadgil that property constructed in Delhi subsequent to 1st January, 1951 would not be requisitioned for a period of ten years. It is an index of Government's determination to honour this assurance that no building constructed in Delhi subsequent to January, 1951 has been requisitioned.

As regards pre-1951 buildings, the position is that the total number under requisition in New Delhi and Delhi on the commencement of the Act was 430. The number released from requisition until the end of 1957 aggregated to 346. The new requisition during this period has been 163. The total number of requisitioned structures as on 1st January, 1958 thus comes to 247. The Estate Officer in Delhi has requisitioned no property during the years between 1955 and 1957, and the total requisition between 1952 and 1954 was no more than 12. He had de-requisitioned 168 units during the period between 1952 and 1957, and the property held under requisition by him as on 1st January, 1958, was 147.

In respect of the Delhi Administration, the position is that they de-requisitioned 178 units during the period between 1952 and 1957 and requisitioned only 151. The total under requisition with them as on 1st January, 1958 was 30.

The overall picture for the whole country is as follows. These statistics had to be collected from all over the country, and there might be a slight mistake here or there. The total requisition from 1952 to 1957 was 398. The total number de-requisitioned during 1952-1957 was 529, and the total number under requisition with the Government of India today spread all over the country, is 990 residential units.

I would frankly admit that in the working of the law, here and there

there might have been lapses, and there might have been too much rigidity in certain cases, but it is our intention to go over the whole case and find out which of the properties have been longest under requisition and whether they can be de-requisitioned, and we propose to de-requisition those properties as expeditiously as possible, subject, of course, to the needs of public purpose, that is, the needs of the State.

If there are any particular cases where Members have information that grave hardship is being caused to owners and if hon. Members would kindly draw our attention to such cases, we shall certainly do our very best to give relief to the parties concerned. With these words, I move.

Mr. Speaker: Motion moved

"That the Bill further to amend the Requisitioning and Acquisition of Immovable Property Act, 1952, be taken into consideration".

Shri Naushir Bharncha (East Kandesh) I beg to move

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 7th March, 1958".

Apart from this, I wanted to say something else

Mr. Speaker: He may say what all he wants to say.

Shri Naushir Bharncha: So far as the form of the Bill is concerned, there are only two clauses in it. The effect of clause 2 is to make the Act permanent, which really means that all the clauses of the Act are being made permanent. Now as the form of the Bill stands, it is not open to any hon Member to move any amendment to the various clauses, and I was wondering whether Government would consider the desirability of sending the Bill to a Select Committee so that all the clauses might be scrutinised. It is quite possible that

hon. Members may agree to certain clauses on the basis that the Bill is temporary.

Mr. Speaker: Why did not the hon. Member give notice of an amendment for referring the Bill to a Select Committee?

Shri Naushir Bharucha: So far as Opposition Members are concerned, it is extremely difficult to comply with the rule that the consent of all hon. Members should be obtained to serve on the Select Committee. It is impossible to obtain the consent of any of the Congress Members because they are under party discipline.

Mr. Speaker: He could have come with such Members as agree to serve on the Committee.

Shri Naushir Bharucha: I am simply putting forward a proposal and awaiting the reaction of the Government.

Mr. Speaker: There are rules regulating this matter. When a motion is moved that the Bill be taken into consideration, any hon. Member can give notice by way of an amendment that the Bill be circulated. The hon. Member has done that. What prevented him from tabling a motion for referring the Bill to a Select Committee? If hon. Members who, according to him, ought to be there in a representative capacity refuse to be there, he might choose such Members as he likes and put them on the Select Committee. If the others object, they will bring it in by way of an amendment. But I cannot understand this procedure unless it be that there is not one other hon. Member among the 100 who has agreed to sit on the Committee. I do not know; he can put himself there and say that it be referred to a Select Committee!

He does not give notice of an amendment for reference to a Select Committee. He moves another amendment and goes on speaking on this. Why should I allow it?

Shri Naushir Bharucha: My difficulty is...

Mr. Speaker: I do not know if there is any difficulty. He should have one other Member, or he can say, a Select Committee consisting of a sole individual, himself. I shall consider that position. He must have given notice of an amendment to that effect. This kind of vague suggestions on the floor only take away the time of the House. Therefore, let him confine himself to the amendment he has moved.

Shri Naushir Bharucha: So far as my amendment is concerned, I submit that the Bill be circulated for eliciting public opinion. The hon. Minister in charge of the Bill has himself said that when the Bill was first enacted, it encountered heavy weather. I do not know how when a temporary Bill encounters such weather, a Bill which seeks to make all those same clauses permanent will not encounter similar weather. It is very necessary that not only the experience of Government in the working of the Act should be ascertained but the reactions of the public as well should be made available to us.

So far as the reasons given by Government are concerned, I shall speak on them when we are on the substantive portion of the Bill. At the moment, I am simply confining my remarks to the fact that the Bill should be circulated. Or, shall I speak on the entire Bill?

Mr. Speaker: He may speak both on the original motion for consideration and on his amendment.

Shri Naushir Bharucha: The reasons given by Government for making this Act permanent, if I may say so, are not reasons but excuses, and the excuses are worse than the crime. In the Statement of Objects and Reasons, the hon. Minister says that 7 to 8 lakh square feet of office accommodation and nearly 42,000 units of

[Shri Naushir Bharucha.]

residential accommodation are necessary. He goes on to say that 18 years experience has shown that these powers have now become absolutely necessary to be made permanent. I ask, what have Government done during their tenure of office for 11 years, if at the end of 11 years we are told that the Government are still short of 7 to 8 lakh sq ft. of accommodation for office and 42,000 units of accommodation for residential purposes. I am afraid I cannot pay any compliment to the Ministry of Works, Housing and Supply for its performance.

The hon. Minister has also tried to point out and justify his demand for making this Act permanent on the basis that in 1939 or thereabouts, the total amount of budget came to about Rs. 395 crores—roughly Rs. 400 crores—as against Rs. 2100 crores today. But he forgets that, really speaking these Rs. 2100 crores represent largely inflation and fall in the commodity value of the rupee. Therefore, Rs. 400 crores of 1939 today really mean Rs. 1600 crores. Hence, the budget, in effect, has risen by hardly 25 per cent

Now, what is the justification for a Government whose activities must be presumed to have risen not more than 25 per cent to claim such vast powers? In the State of Bombay, we have got similar legislation, known as the Bombay Land Requisition Act, enacted in 1948. When first it was enacted, far from encountering heavy opposition, it met with very great reception, because we felt that this was going to do away with corruption, namely, the landlord being offered pugree for obtaining premises. Then the working of the accommodation control department was such that everybody, irrespective of party affiliation—whether Congressmen or Opposition—cried with one voice that the department should be closed—and I think it is going to be closed by the end of this year. Now, we are asking

for similar powers here. How are they going to be utilised?

The only beneficiary under this Act is the Central Government, and this Act is not for the benefit of the public at all. Today the position is that in the Territory of Delhi, or for the matter of that, wherever the Central Government chooses to extend their long arm, obtaining of premises on rent is impossible. In Bombay, it is even illegal for a landlord to rent out any premises to any tenant. It is in the charge of the accommodation control department. Notice of vacancy has to be given and the department furnishes the tenant. I do not know in how many States there is similar legislation, but if there exists in certain States legislation of this kind, the legal consequence of it is that no man can go and rent any premises as a tenant from any landlord.

If we consider the clauses of the Bill, it vests terrible powers in the hands of Government. It can uproot a man from existence. If a man has got his business premises for years together, he can be thrown out after the expiry of a notice of 15 days sent to him asking him to show cause why he should not be thrown out; thereafter, if the competent officer feels and is satisfied, he can be given a month for being thrown out of a place where he may have been residing for years and where he may have developed his business.

I therefore submit that this House must consider this very carefully, when the state of law in the country is such that an uprooted man has nowhere to go, when he cannot legally rent any shelter from any landlord because the law prevents him from doing so. In such circumstance, what is to happen to him? My hon. friend will say that we have got a clause under which he can be provided alternative accommodation, provided the alternative accommodation, in the opinion of the competent officer, is

suitable. He may provide a hovel virtually, and the man may have no choice whatsoever.

Before, therefore, investing the Central Government with such vast powers, which ultimately will be exercised by a so-called competent officer—I do not know who is going to be the competent officer here; and the law lays down that the satisfaction of the competent officer, which is subjective satisfaction, cannot be questioned—the House must consider this matter very carefully.

The worst part of this Act is that nobody can go to the High Court and request the High Court to take into consideration whether the evidence produced before this officer is satisfactory or not. On the most flimsy evidence on which you cannot even hang a fly, the competent officer, if he says that he is satisfied, will straightway requisition the premises. These are the powers that we are now going to vest permanently in the Government. I strongly protest against these powers being vested in the Government because, in the State of Bombay, we have got the terrible experience of this Accommodation Control Department.

When Government claims to make this Act permanent, what is the meaning of that? It means that Government helplessly admit that during the Second Five Year—or for the matter of that during any number of Five Year Plans—they will not be able to construct sufficient accommodation for their own purposes. What a confession of helplessness and incompetence on the part of the Government, I ask!

It has been stated also that the Government requires 42,000 tenements—residential units—for its employees. Why does this Government merely pounce upon residential units constructed by private people? The Central Government has been a preacher, loudly preaching to the industrialists that it is their moral duty to provide

housing accommodation for their own employees. But, what it preaches, the Central Government does not propose to practice for itself. It does not want to construct the tenements for its own employees. It is only pouncing upon the tenements of other persons because they have to provide their employees. I say it is most unfair and unjust and all that requires to be stoutly opposed.

There is one more point which I should like to make clear. The hon. Minister, while stating figures, has said one thing; that Rs. 32 crores would be required for the purpose of constructing these tenements if the Government were to undertake to stop all the deficit and shortage it is now experiencing. I ask, in the Second Plan of Rs. 5600 crores, what is this Rs. 32 crores?

Mr. Speaker: I think he said Rs. 43 crores.

Shri Naushir Bharucha: Even assuming it is Rs. 43 crores, it is less than 1 per cent of outlay on Plan for providing the most primary necessity, the fundamental need of humanity, namely, shelter. It means that we shall not provide even 1 per cent. Is cost the excuse of the Central Government for uprooting from their settled residences and places of business people who have worked for years and years together in certain places? Is money an excuse for uprooting human beings from their places?

I could have understood if the hon. Minister had said, this is a plot of land which we require for the construction of a power-house. I say, it must be taken because the need of the community is to be looked to first, not merely the cost of construction. I could understand that if a plot is so situated that it alone can satisfy the requirements of a project which might otherwise be held up; then, in that case, I would be the first to say that the requisitioning powers must be there for that purpose. I would have supported the Bill if the public purpose mentioned was of that character. But, what does the Government

[Shri Naushir Bharucha]

do? It wants to pass on its liability to provide quarters for its employees on the heads of other people. That is what I protest against. I think the least that Government has to do is to accept my amendment or to send the whole matter to the Select Committee where the whole matter may be considered clause by clause by the Select Committee. The Select Committee might even say that certain clauses may be dropped in view of the fact that this Bill is going to be a permanent statute.

I also protest against the method and manner in which this Bill is being sought to be rushed through and placed on the statute-book.

**Mr. Speaker:** Let me formally place this amendment before the House.

Amendment moved:

That the Bill be circulated for the purpose of eliciting opinion thereon by the 7th March, 1958.

Now, both the motion and the amendment are before the House.

The time allotted by the Business Advisory Committee is 3 hours if it goes to the Select Committee and 4 hours if it does not go to the Select Committee. It does not appear that there is any motion for Select Committee. Therefore, 4 hours shall be the time allotted. Hon. Members will kindly restrict their speeches to 15 to 20 minutes each.

Pandit Thakur Das Bhargava.

**पंडित ठाकुर दास भार्गव :** (हिसार) : जनाब स्पीकर सहाब, यह बिल जो हमारे सामने आया है....

**Mr. Speaker:** May I know how much time can be given for the general discussion and how much for the amendments?

**Shri Naushir Bharucha:** Three hours may be allotted for general discussion.

**Mr. Speaker:** The amendments may be relating to the time, 9 years, 10 years or 11 years. So, we can have half an hour for the actual amendments. Hon. Members who speak may also speak in support of their amendments.

**पंडित ठाकुर दास भार्गव :** जनाब स्पीकर सहाब, यह इस किस्म का बिल इस मामले के मुतालिक पहला बिल नहीं है। जहां तक मुझ को याद है पहला बिल सन् १९४७ में आया था, और उसके बाद सन् १९५२ में आया, और अब सन् १९५८ में आया है। जनाब....

**The Minister of Works, Housing and Supply (Shri K. C. Reddy):** May I request the hon. Member to speak in English, if he has no objection?

**Pandit Thakur Das Bhargava:** I have no objection to speak in any language; if the hon. Minister wants me to speak in English I shall speak in English.

This is not the first occasion that we have got a Bill of this character. I remember, in 1947, for the first time, we got a Bill of this nature; and then, again, in 1952. Thus, this is the third time that a Bill of this nature has come before us after independence.

12-47 hrs.

[**SHRIMATI RENU CHAKRAVARTTY** in the Chair.]

I am rather astonished at the nature of this Bill. If the Government of India wanted to have a new Bill it ought to have come frankly before this House and enabled this House to legislate afresh. But, to bring a Bill of this nature with one clause is, to say the least, to usurp the rights of the Legislature to have proper legislation on the subject.

So far as this Bill is concerned, no amendment can possibly be given except of the nature just indicated by the hon. Speaker; that is, that it should be there for a temporary period, say, for 5 years, or 6 years or 10 years. But, none of the provisions of the Bill can be touched as the law stands at present. Therefore, my humble submission is that this Bill robs the Parliament of its right to legislate with due regard to the circumstances which are obtaining at present. The circumstances of the country have changed since the last 6 years and there is no occasion for Government to adopt this subterfuge of doing away with the rights of Parliament.

We appreciate the difficulty of Government, the difficulty to have buildings etc. The Government says that they require accommodation to a very large extent and that it is not possible for them to have it at present. If that is the purpose of Government, it should be stated. The Government should have come out with an open mind and enabled the Parliament to do something for them.

Now, we are helpless. I do not know what to do with this Bill; either accept this clause or not accept it at all. If I do not accept this, I am in a difficulty. This Act shall expire in 1958 and something should be done to see that things go on. If I do not accept it, Government will be in great difficulties; if I accept it, then, I am perfectly sure that I will not be doing justice to the general public.

I was present in this House when this was enacted for the first time as well as for the second time. If the Members of this House care to go through the proceedings when the 1952 Bill was enacted, they will see that many objections were raised by me and other Members on that occasion. The objections raised in 1947 were more drastic in character than in 1952. But, in 1952 also, we raised

many objections which should have been met by Government.

In this Bill no attempt has been made to meet any of the objections. On the contrary, this Bill, which we even then did not approve because of many amendments that were made at that time, has come to us in a different form.

So far as the law of acquisition and requisition is concerned, the law before this Government came into power was contained in sections 35 and 36 of Act I of 1894.

The principles which were contained in that Act were of such a character that they commanded public confidence. That worked very well. But this Bill is of a different kind. There must be requisition and then acquisition—acquisition of requisitioned property. Requisition is acquisition for the time being, for a temporary purpose. Acquisition is not so. This is the difference between acquisition and requisition. The principles which apply to acquisition do not strictly apply to requisition as such. They stand on a different footing altogether.

Government gave us to understand in 1952 that it had some difficulties. It was also prepared to see that requisitioned properties were released as soon as possible. But even then people complained that for long periods Government was in possession of these properties. It had not released them. Then it was said that attempts would be made to release them. I do not think it was done on any appreciable scale.

Government has a right to acquire any property for a public purpose because a public purpose is certainly greater than the needs of a private man and private needs may be absolutely disregarded. But it could not be done if the public purpose becomes a sort of a private purpose. Here the Government wants to house its own employees in houses meant for the

[Pandit Thakur Das Bhargava]

public in general. It is not a public purpose. If the Government cannot find accommodation for its employees, let it build accommodation. How can the poor people build? But, if it is a different purpose, say, factories, electricity establishment or other purpose, every person has got a sort of a feeling that the Government should be able to acquire property for this purpose.

Apart from the purpose, the question arises: at what cost? I know the policy of the Government. Whatever other people might say, I have seen that the Government's practice is to pay fair compensation to those whose properties are acquired. When the Reserve Bank and the Imperial Bank were nationalised, Government paid fair compensation. We took good care of it even when we changed our Constitution in this regard. If lands etc. were acquired for a social purpose such as zamindari abolition, full compensation was not given because that was our declared policy adopted in the Constitution. In the case of the property of individuals which are acquired by the Government for other purposes—not for such a large social purpose as zamindari abolition—Government is bound to pay good compensation. Even when the law was changed the Government spokesman said that full compensation would be given. But what have we got here?

It was said in 1952 by the Government that land value had risen from 25 to 125 per cent whereas the prices of urban property had risen from 300 to 500 per cent in general; in Delhi it might be even 1000 per cent. What was the proposal made at that time? We thought that it was for six years. It would not be difficult, we felt, for the Government to go on and we thought that it might not acquire the properties. Even if they required them, it might not be, we felt, of such a large scale as contemplated now. In spite of my amendments and pro-

tests, the House then agreed that the price would be either the market value or twice the amount of price which it would have fetched at the time when it was requisitioned, whichever was less. I then submitted that it was not a fair proposition. There is no reason why the Government should give less price than the present market value. In Act I of 1894, it would be 15 per cent more than the market value. According to this law only twice that amount or the market value whichever is less is to be given.

Suppose a person has a big family and he had a big house and it is requisitioned, some ten years ago. If that is acquired, only twice the old price will be given. If he wants to acquire a house in the open market, how much will he have to spend? He will get a house not more than one-fifth of the size of the house which was taken over by the Government at that time. This is not a fair proposition. You should give him the same amount of money which will bring him house or land of the same kind. That is the right principle and that principle was departed from and twice the old value was taken to be a fair proposition.

I remember that some spokesman mentioned in this House at that time that they arrived at a compromise in the Select Committee. I repudiated it and said that there was no compromise. We wanted that full compensation should be given to everybody whose property was taken over by the Government. Government could not benefit by it. I submit that no private person should be asked to do more sacrifice than the other members of the community have to make. This Bill is only perpetuation of the rules made 6 years ago. Prices have risen ten times or even more. To give only twice the old price is sheer injustice because the man will not be able to get a similar house for the same amount. I can understand

if you give him the same kind of house or land. That is not possible since you are short of accommodation.

This is an unjust rule and should not be perpetuated. The provisions relating to the fixation of rent, recovery of rent etc., are so unjust that no Member of the House can accept these propositions. According to section 25 of the 1952 Act, Government can fix the rent and damages and recover also. The same person is the policeman, Judge and the executioner. . . . .

**Shri Naushir Bharucha:** And also the appellate authority.

**Pandit Thakur Das Bhargava:** Here in this country, we have adopted the rule of the law. The same rule should be applicable whether it is a private property or Government property. We do not want to depart from that rule. For a temporary period we saw the difficulties of Government and we were agreeable to have a different rule. But we have had enough experience of it.

13 hrs.

May I in this connection remind the House of the assurances given by Shri Gadgil in 1949 to the refugees? I was a party to those assurances; I got those assurances from Shri Gadgil and I have been telling this House that those promises have become not Gadgil's promises but gal gal promises. Government itself broke those promises in our face. The houses were demolished. But ultimately Government had to come down on account of one rule which was a brain-wave of our Prime Minister. He made it a rule that no man would be turned out of his house until he was given alternative accommodation. But for that rule people would have been put to inconceivable trouble. On account of that rule Government could not do such things as would have excited disaffection against them, though to a certain extent things were done in such a way that people were very much inconvenienced.

Nobody was given any compensation though there was a provision that compensation would be paid. Ultimately the matter went to the Assurances Committee and Government agreed to pay a paltry compensation. The so-called competent authority, behind the back of those promises, revised all the rents one fine morning. The person who had to pay Rs. 15 was asked to pay Rs. 30. The rents were suddenly revised and notices were given to the occupants either to vacate the premises or to pay the revised rents or damages. Ultimately I appealed to Shri Mehr Chand Khanna that this was very unjust to the refugees. I told him that at their back rents had been doubled and asked him how they could pay them. I should in this connection pay him a tribute that he gave us an assurance that those orders would be revoked. The orders were accordingly revoked and there was some satisfaction. Anyhow, I for one would never agree to the proposition that the same authority should be the authority fixing the rent, the authority recovering it and the authority turning people out by force.

Government, perhaps, does not know what is happening in private houses, if a tenant gets into a private house how difficult it is to turn him out. Government on its part have got the authority to turn out any person, to levy damages, etc. But the private landlords has not got any of these privileges. I do not want Government to have those powers which we gave them in times of emergency. There is no emergency of that kind now. The emergency is that you have not built enough houses. This kind of emergency is bound to continue for all time, if you do not build houses for yourself. But what is emergency for Government is emergency for the people as well

If prices have gone up, if Government expenditure has increased, what have people done? Are the public also not affected by this? Can the

[Pandit Thakur Das Bhargava]

public get the same amount of property for the same amount of money? Government can complain; but the public cannot complain. Therefore I see no reason why you should keep the rate of compensation at the rate at which it stood in 1952. That was for a temporary period and we accepted it. Now we are not going to accept it. I am not at all satisfied that compensation will be paid at this rate. The compensation should be paid as under the other Acts. What have these poor people whose property was requisitioned a long time ago done? When for the ordinary people you give compensation under Act I of 1894 why should these people not be given the same amount of compensation?

In this Bill you will find that the valuable principles adopted in everyday life are departed from. How is the requisitioning made? A notice is sent that within fifteen days the party should show cause why the property should not be requisitioned. If he does not show satisfactory cause then the property is requisitioned. Supposing the land is requisitioned, but possession is not taken, what is to happen? I know that in Delhi lands were requisitioned, fifteen years have passed, yet they have not been acquired by Government. I know that in the Punjab lands are requisitioned and for years Government sleeps over it and the poor people whose lands are requisitioned are neither given compensation, nor the land acquired and the people have to bear the consequences. This must be happening in other States also. This is a very sad state of things, under which Government does not care for the people.

Another lacuna which I notice here is this. According to one section before land is requisitioned the party shall be asked to show cause. The next section says Government may issue notice for releasing that requisitioned land. There is no time lag that after such time Government will be forced to release the land. Supposing

a land is requisitioned and Government later finds that the purpose for which it was requisitioned does not materialise. You have not fixed the period for which it will be under Government control with the result that people are helpless.

The purpose of requisitioning is this. You get a person's land or house for a temporary period. According to ordinary laws you should not make any additions or alterations to that property. You should not utilise that land for any purpose except for which it was requisitioned. This is given in the notice of requisition; that is given in all the tenancy laws of this country, that a person who has got temporary right has no right to build upon it. That is not in consonance with the purpose for which the land was requisitioned.

13-07 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

What do we find. We find in section 7 that if Government builds upon those places and spends some money, after some time it can acquire them. First of all you take my land, you take my house, build something upon it without my consent and make that an excuse for acquiring it. The rule says that if Government finds that it will be beneficial to Government to spend some money on it, Government can determine unilaterally whether the land is to be acquired or not. Government proceeds to acquire it and says: all right, you can get twice the price and no more. I think this is not just.

Then again, when we took objection in 1952 to some of the provisions some improvements were made in the Bill. But still it did not go far enough. At that time I submitted that when the land is acquired after being requisitioned, the ipsi dictu of an officer sitting in the Secretariat should not be enough. For merely

acquiring land not for a public purpose but for the purpose of reserving to itself the enhanced value, an appeal should be provided. Supposing the highest officer in the land decides that the land acquired is for a public purpose, I would readily agree, not only agree, but feel satisfied. But this was not done. I submitted that an appeal should be provided against the order of a subordinate officer.

**Shri Anil K. Chanda:** Order of requisition or acquisition?

**Pandit Thakur Das Bhargava:** So far as requisition is concerned you have provided an appeal to the Central Government. But when it is ultimately acquired after ten years after it had been requisitioned, then you have not provided for any appeal. I submitted even at that stage that you were taking my property permanently and when you did that, you were to provide an appeal so that I could go to the Government who is the highest authority in the land and say to it, "For God's sake, do not take my house, I will not get another," and then the Government may choose not to acquire.

Even in ordinary acquisitions today, when the Government acquires houses and lands, a person is unable to go and tell the Government 'For God's sake, do not acquire this property. It is useful to me and not so useful to the Government'. Therefore my humble submission is, if they had brought in a fresh Bill, I would have insisted that they should provide an appeal against the order of a subordinate to the Government itself. It is not that those who are raising these objections have got no faith in the Government. Not that. But, at the same time, public interests require that if you take away a person's house that person should be enabled to go to the highest authority and make an appeal. If the Government do not do that, I do not think they will be doing justice.

So far as the Act relating to the requisitioning and acquisition of property is concerned, I could understand it, but so far as section 25, which was subsequently added, is concerned, I feel sure that this was not a proper part of this Act. I should think that all these laws which are obtaining in this land require review. We do not want any further to see that the Government reserves to itself the sole right of fixing damages and rents and then by its own order recover them and do all sorts of things.

This law is foreign to the principles which we have adopted in our Constitution. It is foreign to the principles which we have adopted in our country for other laws and the very basis of this law is quite different and discriminatory. Therefore, I would like to submit that all these laws which come here should be reviewed. The manner in which the hon. Minister has brought this Bill has really not enabled us to do the right thing by the people. I would, therefore, request him either not to proceed with the Bill or to proceed with it and take these powers for a year or so, so that ultimately, after going through all the laws which have relevance here and after going through all the circumstances, when the House may be able to submit suggestions for consideration of the Government, the Government may bring a separate and full Bill in which all the principles may be reviewed and the House may be able to legislate afresh. This kind of subterfuge in which the Government bring forward a Bill of one clause and say that it shall remain permanent is tantamount to a negation of the powers of the House. There are many provisions to which I took exception then, and to which I take exception today also.

There is one point with regard to the requisitioning and acquisition. There is a world of difference in respect of this matter. Any ordinary persons, when they own property and leave it, then, to a certain extent by the laws of this country relating to rents, etc., they are unable to realise

[Pandit Thakur Das Bhargava]

it to a certain extent in a given set of circumstances. But requisitioning is there, and the Government fix it for all time, whatever the change in the rests of the houses owned by other people.

But so far as requisitioning is concerned, there can be no increase in the amount of rent or the requisitioned money. This Bill does not speak of any increase either, whereas in ordinary life we know owners of the houses increase their rent. Not only that. If there are certain laws which are applicable to ordinary property, the principles that Government formulate are not applicable to requisitioned property. If there are circumstances in which the leasing of houses for a certain period is to be ended, those principles also do not apply to requisitioning. Therefore, in this matter of requisition, if the House will excuse me for the moment for saying it, I say that it is just like the difference between *jatka* and *halal*. If you requisition a house in one case, for fifteen years, that man does not get a whit more than the requisitioned amount. Suppose there are two neighbours. One owns a house and the other owns another property. One is requisitioned and the other is not requisitioned. The man in whose case there is no requisition gets an advantage over the man whose house is requisitioned by way of the fact that the rents are increasing. The unfortunate man stands by, looks at the thing, and only curses himself that he owned this house and not that house. So, the proposed law is discriminatory. This is very wrong.

The price of land has increased many times, but so far as this matter is concerned, the person cannot get more than twice the amount. It is not fair. I would only ask the Government to consider the question from this standpoint and see that the right thing is done by the people. I would request them to bring another Bill in which these principles may be discussed.

Shri Tyagi (Dehra Dun): In all humility, I beg to repeat the appeal which my hon. friend, one of the senior-most Members of this House, has just now made to the Government. I agree with him that a Bill of this nature, bringing only one clause and giving life to the whole of the previous Bill with all the clauses therein, is rather unfair to this House. I think that at least to show respect to this House, the Government might agree to the suggestion made to it. I hope the Government will appreciate the position. The House might gracefully agree to an extension of the life of this Bill by one year, as my friend has said. So, there will be enough time for the Government and other Members of this House to make up their minds.

If there are sections in the Bill which do deserve a reconsideration or review, they must be reviewed. Such Bills are surprise Bills which should not be brought to the House in the manner in which it is done. Without trying to cause any disturbance to the programme of the Government, I would appeal to my friends to consider this question. Either they should postpone consideration of the Bill today or accept the amendment suggested. They could consult their colleagues and others, if my hon. friend the Minister feels like consulting others, because the whole Government is committed to the programme that this Bill should be discussed this afternoon. Or, if he could take liberties—I hope he can, and such liberties could always be taken by a Minister—he could exercise his own judgment and either accept the amendment of extending the life of the Bill by one year or let him take time to reconsider what to do about it.

I do not want to talk on the merits of the Bill just now. Enough has been said. In one clause, all the rest has been hidden, and those things have not come to this House for consideration. As my hon. friend has

stated, it would be irrelevant to talk on those clauses unless they were made part of the Bill. They are the real clauses which deserve the consideration of this House.

But I would like to make one remark. The difficulties of the Government are partly due to the fact that they have not been quite successful in removing many of the redundant offices from Delhi. Another little omission on the part of the Government has been that they have not fully utilised the surplus accommodation lying vacant for years together in many other towns.

Recently, Nagpur has been vacated. It was a full-fledged capital of the State. There are big mansions, Secretariat buildings, offices and residential quarters too. The people of Nagpur are crying hoarse that some offices may be located there, because their economy has been disturbed badly. But then Nagpur is not going to be occupied. Their are many houses lying, in Mussoorie and in other stations too

An Hon. Member: Hyderabad.

**Shri Tyagi:** They would not be occupied for one reason or the other. I was also one of the members of the Committee which was appointed by the Cabinet to try to shift offices outside Delhi. Quite a number of offices were decided to be shifted. Decisions were practically taken. I do not know what happened, but as people say, and I also think perhaps—sometimes my friends talked to me and others also, about this—the main reason is that the employees in the offices and the officers are not willing to go out. That is one thing where I really shudder to think what will happen to our State if things go at that rate and if we are so much after popularity that every little man must be consulted before Government takes a decision as far as Government's own offices are concerned.

I must give credit to the Defence Ministry not because I was associated with it, but because of the fact that within one month or so of the orders, the whole of the establishment of the Northern Command comprising hundreds of officers and thousands of men and their families shifted, not because they were happy to shift, but because the order was given to them. Our armed forces are always happy to carry out orders. It is their biggest pleasure. They carried out the order punctually and they shifted to Simla. Likewise I would appeal to my friend to insist upon his colleagues to see that those offices which are not required to stay in Delhi are shifted from there. Also, if the accommodation lying vacant in the various former headquarters of States is occupied, that will relieve the burden congestion he is carrying on his shoulders on account of this crowded city of Delhi.

Another point is this. There was one housing factory about which we used to talk long ago, but for some time, since my friend Mr. Kamath has gone out, we have forgotten that factory on which I think Rs. 1½ crores were wasted. The bigger people were always in support of the housing factory, saying "it has been successful; it will give houses of which we are badly in need". For four years that housing factory has been shifting from one portfolio to another. I do not know whether it is in the portfolio of Health or under my friend's portfolio...

**Shri K. C. Reddy:** It is working at a profit now

**Shri Tyagi:** From the beginning we were told it was a healthy project and would give profits. But it has not given houses. The housing factory was established for the purpose of relieving you of your requirements of houses, but it has not given houses. It has given profits to my friend no doubt. So, I suggest that some means must be thought out whereby this congestion may be relieved and the

[Shri Tyagi]

spare accommodation wherever available may be utilised. I think this can be done only when my friend becomes more effective.

**Shri B. S. Murthy** (Kakinada—Reserved—Sch. Castes): Does it mean that he is not effective now?

**Shri Tyagi:** It is not an aspersion on the person of my friend. I do not discuss his personality. But I suggest that all his colleagues, including the Prime Minister, should not be only visionaries talking of principles and advising people; they must also be effective. The defect with the Government has been that they lack in effectiveness. They do think rightly, but they do not implement it. My suggestion is that they should become more effective. If they make up their mind to resolve this problem, it can be resolved.

**Mr. Deputy-Speaker:** If he has failed when he was inside, he is not likely to succeed when he is outside.

**Shri Tyagi:** I claim succeeded when I was inside as far as my little zone was concerned.

**Shri Nath Pai** (Rajapur): Is that why he is outside now?

**Shri Tyagi:** It is not because of that, but because better people have come in now.

**Mr. Deputy-Speaker:** I did not mean that he has not succeeded in his own portfolio when he was inside. But even then he must have been advising his colleagues to be more effective and he did not succeed so far as his advice was concerned. Now he is giving that advice from outside.

**Shri Tyagi:** The difficulty was when I was there, I was not a member of the Cabinet and I was deprived of making suggestions here also. What I could suggest was only on the pages of those files which I could touch. There I made suggestions and it went on quite smoothly. For the last

five years or more, we have been considering the question of shifting offices from Delhi. I want my friend to let us know as to what is happening to those proposals that will relieve him to a great extent.

With regard to this Bill, I would again repeat that it will be a good gesture to the House and I hope the Government will rise in everybody's estimate if they sportively accept the suggestion that the House will be prepared to accommodate them to the extent of giving them freedom for another year and let them go on so that their work will not be disturbed. But in all fairness to the country and the citizens at large, let the House get an opportunity of looking into all the details of the Bill. That would be very fair and I appeal to him to consider this. I am sorry that for the first time the House and the Members individually also heard of this Bill coming in such a surprise manner.

**श्री प्र० सिं० दौलता (झज्जर) :**

जनाब डिप्टी स्पीकर, मैं इस Requisitioning and acquisition of Immovable Property (Amendment) Bill की पुरजोर मुख्तालफत करता हूँ। पिछले दिनों से गवर्नरमेंट के पार्ट पर यह टेंडेंसी देखी जा रही है कि जो एक्सट्राआर्डिनेरी पावर्स उसने वार डेज़ में हासिल की थीं, उनको वह पीस टाइम में छोड़ने के बजाय उनसे चिमटे रहना पसन्द करती है.....

**श्री मू० च० जैन (कैथल) :** १९५२ में वार कहां से आ गई?

**श्री प्र० सिं० दौलता :** यह उससे पहले का कानून है, हुजूर। यह डिफेंस आफ इंडिया रूल्स के तहत १९३६ के कानून से है। मैं इस कानून की मुख्तालफत इसलिये भी करता हूँ कि गवर्नरमेंट ने जो एक्सट्राआर्डिनेरी पावर्स वार डेज़ में हासिल की थीं

कि एक आदमी को गवर्नरेंट विद्याउट ट्रायल दिटेन कर सके, वह पावर्स तकरीबन तकरीबन परवानेंट हो जाती है। इसी तरह जमीनों को गवर्नरेंट परपत्र के लिये हासिल करने का कानून सहस्र है और वह कानून किसानों के लिये उसी तौर पर सहस्र है जैसे कि डिटेनान विद्याउट ट्रायल प्राइवेट लिंकर्टी के लिये है।

मैं देख रहा हूँ कि यहां पालियार्मेंट में जो आनंदेवल मेम्पर्स बोले हैं वह वडे प्राइवेट शापरटी होल्डर्स के लिये बोले। मेरी समझ में सब से बड़ा विकिटम और सब से ज्यादा असर अगर इस कानून का हुआ है तो वह छोटे किसानों पर ही हुआ है। उनकी जमीनें गवर्नरेंट ने कौशियों के मोल हासिल की और उस बजह से जो उजड़ रहे हैं वे इसी मूल्क के बाशिन्दे हैं और उनको इस मूल्क में बसने का हक्क है।

यह कानून लैंडलाईंस पर एकेट नहीं करता। यह मेरा १८ साल का तजुर्बा है। देखा यह गया है कि जब कभी किसी एरो-ड्रोग, रेलवे या और किसी परपत्र के लिये किसी लैंडलाईं की जमीन जब में आगई, तो वह फौरन दफतरों में पहुँच कर उस रिक्वी-जीशन के आईंटर को केसिल करा देता है और उसके बदले छोटे-छोटे किसानों की जमीनें आहिस्ता आहिस्ता एक्वायर होने लगती है। उसकी पहुँच दफतरों में हो जाती है क्योंकि वहां उसका, कोई भाई भतीजा होता है और उसकी बजह से वह अपनी जमीन निकलवा कर छोटे किसानों की जमीनों को एक्वायर करवा देता है और देखने में मही आया है कि कभी इस कानून से लैंड-लाईंस एकेट नहीं हुए।

लेकिन अगर कोई लैंडलाईं यह चाहेगा कि उसकी जमीन रिक्वी-जीशंड हो जाय तो वह एक्वायर हो जायगी। मेरे पास इस किस्म के ईस्टांसेज बोकूर हैं कि जब कोई एक लैंडलाईं ट्रैकेट को इकेट नहीं कर

सका तब उसने गवर्नरेंट से कोशिश करके अच्छा जास्ता कम्पेसिशन ले करके अपनी जमीन को गवर्नरेंट के लिये एक्वायर करा दिया। यह कानून लैंडलाईं-स पर कभी मार नहीं करता, यह तो छोटे छोटे किसानों पर ही मार करता है और बहुत किंद्र की मार करता है। अगर यह छोटे छोटे किसान मृदूरों की तरह आर्गेनाइज्ड होते और हड़ताल करना जानते होते या मूद़डा जैसे बड़े बड़े लैंडलाईं-स की तरह बारसूक होते तो मूल्क की हालत दूसरी होती। आज यिछले १८ सालों में जो उनकी जमीनें हासिल की गई हैं वह इस बजह से कि वे आर्गेनाइज्ड नहीं हैं और उनकी कोई ट्रैड मूनियन नहीं है।

जनाब डिस्ट्री स्पीकर, गवर्नरेंट कहती है कि हमें जमीनों की जरूरत है और यह बताने के लिये कि गवर्नरेंट को जमीनों की जरूरत है, फिरां दो हैं और उसका कहना है कि इस बास्ते हम यह कानून बना रहे हैं। ठीक है, साहब, आपको जमीनों की जरूरत है मकान बनाने के लिये और सरकार के दूसरे और प्रोग्रामों को पूरा करने के लिये, लेकिन मैं पूछता हूँ कि उसके लिये मूल्क के लालों और करोड़ों किसानों को उजाहने का क्या हक्क है? जिस की तमाम भीलाद, जिस की रोटी, जिस की तमाम जिन्दगी, जिसका सोशल स्टेट्स ये तमाम चीजें इस जमीन से बाहरस्ता हैं। मैं अब जरूर करना चाहता हूँ कि जो लैंडलाईं है, वह उजड़ कर बस सकता है। आपने देखा है कि पंजाब का पार्टिशन हुआ। वहां पर ऐसा ही हुआ है। लेकिन जो पीजेट प्रोप्राइटर है वह अगर एक बार उजड़ जाता है और उसको अगर जमीन नहीं मिलती है तो वह तबाह हो जाता है। मजदूर एक शहर से जाकर दूसरे शहर में काम कर सकता है। लेकिन जो पीजेट प्रोप्राइटर है जिसके पास ३०-३५ बीघा जमीन होती है, वह सरम हो जाता है।

**Shri Anil K. Chanda:** May I intervene for a moment? I am afraid, what the hon. Member is referring to has absolutely no connection with this Bill, because no small kisans are affected. I have given the figures. Since 1952 no lands have been requisitioned by the Defence Ministry.

So far as the other part is concerned, requisitioning of buildings, whether it is a small kisan or a big kisan, nobody is affected. In urban areas residences have been acquired by Government for office or residential purposes or lands had been requisitioned by the State for different purposes. But I can categorically say that since 1952 no single piece of land has been acquired by the Defence Ministry. And so far as lands which have been requisitioned by the Defence Ministry are concerned, out of 9900 and odd, only 187 are today under requisition.

**Shri Biren Roy** (Calcutta-South West): Question.

**Shri Anil K. Chanda:** What question?

**Shri Pr. S. Dasgupta:** मुझे यह सुन कर हैरानी होती है कि हमारी भिन्नस्टरी जिन्होंने यह बिल पेश किया है, उनका नानिज कितना आर्थिक है। जिन लोगों की जमीन आप एक्यायर करते हैं, वह पंजेंट प्रोप्रोइटर्स की जमीन होती है। यह जितने भी दिल्ली के पास पास लोग उजड़ते जा रहे हैं.....

**Shri Anil K. Chanda:** Again, if land is acquired under the Land Acquisition Act, it has nothing to do with this Act.

**Mr. Deputy-Speaker:** That is a different law. Those lands are being acquired under the Acquisition Act.

**Shri Pr. S. Dasgupta:** उसको आप दूसरे कानून के मात्रहत कहते हैं। लेकिन

जो डिफेंस डिपार्टमेंट ने जमीनें भी है और लेकर छोड़ रखी हैं, और जो पिछले सोलह साल से एक बड़ा लैंडलाउंड बना हुआ है, डिफेंस डिपार्टमेंट.....

**उत्तमलक्षण बहुदय :** भिन्नस्टर साहब ने कहा है कि कोई ६,००० में कोई एक सौ बीघा जमीन ही उनके पास है और वाकी सब छोड़ दी गई है। यह वह कह रहे हैं।

**श्री प्र० सि० दासगुप्ता :** मुझे आपकी कॉस्ट-ट्रयुएंसी के ही एक नेस का भालूम है। एक जगह पर २५० बीघे से ज्यादा जमीन एक्यायर की गई है और वह डिफेंस डिपार्टमेंट के पास है। सोलह साल हो चुके हैं। ला कोर्ट्स में भी जा चुके हैं और हर तरह की कोशिश की जा चुकी है। आज तक उस जमीन की कोई कम्पेनेशन नहीं मिली है। मैं बहादुरगढ़ एरोड्रोम की मिमाल देता हूँ। १२ साल से उसको एक्यायर नहीं किया गया है। उसको रिक्विजिशन करने पर तत्त्व छोड़ा गया है। कोई कम्पेनेशन नहीं दी गई है। किमान लड़ा देल रहा है। एस्टेट आफिस ने उसको किसी दूसरे को पट्ट पर रिश्वत ले कर दे दिया है। अगर उसको पट्टे पर देकर ही काश्त करवाना है तो क्यों नहीं वह उसके मालिक को दी जाती है जो त्वाद काश्त कर सकता है। डिफेंस ने दिल्ली नें पास चार गांवों को रिक्विजिशन किया है। उनके बारे में हम नेहरू साहब के पास भी गये हैं और प्राइम मिनिस्टर साहब से भी गिरफ्त ले चुके हैं। गोपालन साहब भी हमारे साथ गये थे। किस लाके नहत इसको एक्यायर किया जा रहा है। इसको सेंट्रल लाके मात्रहत ही नो एक्यायर किया गया है।

**Shri Anil K. Chanda:** I have to intervene again. The hon. Member is referring to things which are not covered by this Bill.

**Shri P. S. Dasgupta:** By what law is the aerodrome acquired?

**Shri Anil K. Chanda:** It is acquired under the Acquisition Act.

**Mr. Deputy-Speaker:** What law governs that, that is a different thing altogether.

**Shri Biren Roy:** Many lands which were requisitioned under the Defence of India Act are still in their possession. Under what law are they being administered?

**Mr. Deputy-Speaker:** That can be found out. They have not been acquired under this law.

**Shri Biren Roy:** They are maintained under this law.

**Mr. Deputy-Speaker:** He will answer that when he replies. That is not relevant here, if they are not taken over under this law.

**Shri P. S. Daulta:** So far as I am concerned, I know cases in Punjab.

**Mr. Deputy-Speaker:** The hon. Member can give one or two instances

श्री प्र० सिंह बौलता जनाब डिप्टी स्पीकर साहब, मैं यह अर्ज करना चाहता हूँ कि जहा तक पीजेट प्रोप्राइटमेंट की जमीन का ताल्लुक है, जिननी भी जमीन इम बक्ट डिफेंस इपार्टमेंट द्वारा पास पड़ी है और जिननी भी जमीन का यह पट्टे पर देना है, वह सारी की सारी जमीन छोड़ दी जानी चाहिये। अगर उसको काश्त ही करनाना है तो भी न उसको मालिक काश्त करे। गवर्नरमेंट को जब ज़रूरत होगी तब वह उसे ने मैरीनी है।

एक और निहायत ही ज़हरी बात यह है कि जिस जमीन को रिकिवरिजिन विधा जाये उसको या तो दो माल वे अन्दर एकवायर कर लिया जाये वर्ना उसको छोड़ दिया जाना चाहिये।

जहा तक कम्पेसेशन का ताल्लुक है, मैं यह अर्ज करना चाहता हूँ कि जिस बक्ट जमीन को एकवायर किया जाये, उसकी मार्किट वैल्यू से उबल अगर थोड़ी है या

मार्किट वैल्यू आज की थोड़ी है, वह मिलेंगी किसानों को उनकी जमीनों वे निये। मैं नहीं समझता कि जो जमीन १६४२ में या १६४३ में रिकिवरिजिन हुई थी प्राज तक उसको एकवायर नहीं किया गया है इसकी क्या वजह है। आज उस जमीन की कीमत दस गुना या पन्द्रह या बीम गुना बढ़ गई है। वह दुश्गुनी क्यों ले? वह कम्पेसेशन मार्किट वैल्यू के हिसाब से क्यों न ले? वह उननी क्यों ने? जमीन में बाढ़ आ जाती है, खेत बरबाद हो जाते हैं, आप विसानों को यह नहीं कहने हैं कि तुम ये दाने ले लो, आप उनकी मदद करने हैं। इर्द' वर्द' से उस जमीन वे पास आवादी वे बढ़ जाने वा पा किसी दूसरे कारण में उसकी जमीन का भाव बढ़ जाना है, तो उसको उस बढ़े हुए भाव का उनना ही फायदा उठाने का हक्क हासिल है जिनना कि मुमीचन। वक्त वह उठाना है।

वा मैं यह अर्ज करना चाहता हूँ कि जिननी भी जमीनें डिफेंस : पास या गवर्नरमेंट आफ इतियाहुँ द्वारा भक्तमो : पास पड़ी हुई है जिनको कि उनका डिप्टी डिप्टी जमीन नहीं है, उनका उन्हें उन, मानिको को रेस्ट्रार कर दर्ना चाहिये। यह बाम जन्दी में ज दी हाना चाहिये।

जहा नव एकिवर्तिजिन का ताल्लुक है मैंसे पता नहीं कि कौन ये कानून : मानहन इनको लिया जाता है। दिनों : नजदीक जो छोटे छोटे पीजेट-प्रोप्राइटर ह उन : पास कई कर्म गई हैं। ये कर्म काफी बारमूल थी। उनसे उन्होंने कहा कि इस भाव पर तुम अपनी जमीने हमे दे दा। जब वे लाग उस भाव पर देने को नैयार नहीं हो : ह तो कहा जाता है कि गवर्नरमेंट इनको एकवायर कर नेगी। ऐसा ही होता है। नीन महीने वे अन्दर गवर्नरमेंट की तरफ से एकिवर्तिजिन का नोटिस चला जाता ह और कह तैयार जाता है कि इनका एकवायर कर निया

## [श्री प्र० डॉ दौलताला]

है। इस तरह की चीजों को रेहडी साहब के नोटिस में लाया गया है। सरकारी मुलायिम अपनी इंडिपिन्डेंस कॉर्पोरेशन में इन लोगों के पास जाते हैं और इनको कहते हैं कि तुम अपनी जमीन को हमें इस बाब पर दे दो। जब वे लोग उस बाब पर देने के इन्कार कर देते हैं और कहते हैं कि मार्किट बैल्यू दो तो दूसरी बाल चली जाती है। सरकारी मुलायिम अपनी कोलाप्रेटिव सोसाइटी बना लेते हैं और उसके बाब जमीन को रिक्विजिशन करता लेते हैं। वे हाँड़ फैब्रिम हैं जो मेरे आपके सामने रख रहा है। किसान बेचारा बेकाता रह जाना है। वह कुछ कर नहीं सकता है।

जनाबे बाला, मैं अर्ज करता हूँ कि सरकार लैडलाइंग न करे। जिन जमीनों की इसको आबास्यकता नहीं है, वे उनके मालिकों को रेस्टोर कर दे। ये जो दिल्ली के करीब जमीने हैं, जिनको कि गवर्नरमेंट आफ इंडिया न रही है, बेरियस पर्पिज़र के लिये उनमें बड़ी भारी करण्यान चली हुई है। अपरोक्षी की तरफ से बड़ी भारी ज्याकली हो रही है। बेचारे किसान अपनी बात को कई बार आपके नोटिस में ला चुके हैं आप से मिल भी चुके हैं। उनके साथ इसाफ नहीं हा रहा है। आपको उनकी तकलीफों की तरफ भी च्यान देना चाहिये। मैं अर्ज करूँगा कि यह ला परमानेट नहीं बनाया जाहिये। जो आर्डिने ला है वह काफी है। नेशन के लिये जो ला है वही गवर्नरमेंट के लिये होना चाहिये। किसान को हक हासिल है कि वह अपनी बारणेनिंग पावर से गवर्नरमेंट के साथ बात करे। उनको यह कहने का हक हासिल होना चाहिये कि इतना क्या हो तब मैं बैचूगा। जिस तरह से कॉटेक्ट एस्ट के बातहूत दो पार्टीज होती हैं और वे की होती हैं उसी तरह से वे भी की होते चाहिये। उनको किसी किस्म

की बांधा का, किसी किस्म की हिंडरेंस का सामना नहीं होना चाहिये। उनको किसी किस्म की तकलीफ नहीं होनी चाहिये। आज क्या होता है। पहले तो जमीन की काष्य में कर लिया जाता है। उसकी जमीन का पोखेशन पहले ही मेरे लिया जाता है। इसका नतीजा यह होता है कि किसान की जो बारणेनिंग पावर है वह पहले ही खर्च हो जाती है। उसका कम्बा अपनी जमीन पर से निकल जाता है। फिर वह एक्वायर होती है। इस पर आर्डिनेशन एक्ट एक्साइन ही होता है। सिविल कोर्ट से यह दिलाई है। ये तमाम की तमाम एक्सट्राडायालिनरी पावर हैं। आप भी बहृसियत बाहूक के मार्किट में जायें। आपने ये पावरी खों हासिल की ही हैं उन लोगों के लिलाक जिन की जिन्दगी ही ३०-३५ बीघा जमीन पर निवार करती है। दिल्ली में आज आप बड़ी बड़ी इमारतें बेलते हैं। कुछ अर्सा पहले १२१ गाब उठे थे। आज हम उनको ट्रैम नहीं कर सकते हैं। आज हम यह पता नहीं लगा सकते हैं कि उन गाबों में जो लोग रहते थे, उनका क्या बना है? वे बजहूरी कर रहे हैं या क्या कर रहे हैं। आज उन का नामेनिशान मिट चुका है। पता नहीं वे लोग कहा गये और कहा नहीं गये। जब आप एक्वायर करे या रिक्विजिशन करें तो आप इन्सानी पहलू को न भूले। इसमें एक लूप मन कैप्टर है जिसको आपको नज़रअंदाज नहीं करना चाहिये: जो दूसरा है वह गूँगा है, बोल नहीं पकता है, उसकी कोई प्रायाज नहीं है, उसके पीछे कोई पोलिटिकल पार्टीज नहीं है। वह हड़ताल नहीं कर सकता है। आप कहते हैं कि दिल्ली बड़ रही है। यह बड़ नहीं रही है। आप बिन्द मार्ग की जलों पर न देखिये। इस जमीन पर किसी बक्स हल चलता चलता चा। उनका आज नामेनिशान नहीं है। उन जोगों के द्विर पर तबाहार लटक रही है

इस कानून की। गवर्नमेंट भी जर्मीन को लेने में एक पार्टी होती है। लेकिन वह किसान से एक पार्टी की हैसियत से नहीं उपरान्त है। वह उसकी जर्मीन पर एक दूसरान की हैसियत से, अपनी तबाह ताकत से कल्पा करती है। इसके बाद कम्पेन्सेशन का सबाल पैदा होता है। कम्पेन्सेशन उसको कब मिलता है। कम्पेन्सेशन उसको उस बक्त भिलता है जिस बक्त वह किसान उड़ड़ चुका होता है, कहीं का कही जला जाता है। जितना कम्पेन्सेशन उसको देना होता है वह सारे का सारा रिस्वत देने में ही लाभ हो जाता है। आपको चाहिये कि आप एक किसान की जर्मीन की एक चप्पा भर जर्मीन भी उम बक्त तक न में जब तक कि आप कम्पेन्सेशन न दें दें। इस में भी क्या गजब है? आप कम्पेन्सेशन बोडा दे रहे हैं? हम यह चाहते हैं कि यह तय कर दिया जाय कि गवर्नमेंट कल्पा तब देंगी, जब कि वह पहले किसान को दोबारा आवाद होने के लिये कम्पेन्सेशन दे चुकेगी। किसी भी सिविलाइज्ड गवर्नमेंट का यह फर्ज है कि अगर वह किसी को उड़ा रही है, तो वह पहले उस को पैसा दे दे और फिर उड़ाए, ताकि वह गरीब दूष बेच कर ही सही, किसी तरह अपना गुजारा तो कर सके। आज-कल हास्त यह है कि कई कई बरस पैसा नहीं भिलता है। मैं उन गूंगे सोनों की तरफ से उन पीड़ित प्रोप्राइटर्ज की तरफ से इस बिल की मुखालिफत करना चाहता हूँ, जिस की रूप से गवर्नमेंट एक्स्ट्राज़ाडिनरी पावर को पर्मानेंट तौर पर हासिल करना चाहती है। यह उतना ही लालैस सा है, जितना कि सिविल लिवर्टीज के मामले में प्रिवेटिव विटेंशन एक्ट है। आप जब सरमायादारों के पास जाते हैं, तो उन को कम्पेन्सेशन देते हैं और उन की सुशामद करते हैं, लेकिन जब किसानों का सबाल आता है, तो एक दूसरे कानून पर अवल किया जाता है, जिस के मुखालिफ कीरन जर्मीन को एक्स्ट्राज़र कर दिया जाता है, जिस में अपील की ओर इकात नहीं है। मैं शर्य करना चाहता हूँ

कि यह तो गविंग है। हम चाहते हैं कि जो मैयार बाकी के ग्राहकों के लिये मुकर्र है, वही मैयार गवर्नमेंट घपने लिये भी मुकर्र करे। इन ग्राहकों के साथ मैं इस बिल के पर्मानेंट होने की मुखालिफत करता हूँ।

**Shri Pattabhi Ramam (Kumbakonam):** Sir, the Act, with which we are concerned now is Act XXX of 1952 and section 1, sub-section 3 gives it a life of six years from the date of the commencement of that Act, that is to say, it will cease to be in force after 14th March, this year. Therefore it is that there is some urgency about this measure which is before the House.

It is true, as has been pointed out by the Deputy Minister, that it is really in the nature of a war or emergency measure. The Act is all-embracing. For example, it gives power to the Authority to requisition immovable property, to take possession of the property within 15 days thereof, at the most about a month thereafter, and it confers rights so far as the Union Government is concerned to requisition the property. And then, on top, it gives power for acquisition of the property after due notice. We have a Competent Authority or Arbitrator as he is called. Finally, there is the bar so far as civil courts are concerned. I am saying all this only to impress on the House that this is an all-embracing measure with far-reaching implications. There is no doubt about that and if there are some anxieties on the part of Pandit Thakur Das Bhargava and others, I can well understand them.

I submit, so far as I can gather, that the main objection seems to be that by amending, as the Government is trying to do now, one sub-section here, it seeks to make the Act permanent. That is to say, the House is not seized of the other sections of the Act. The House is concerned only

[Shri Pattabhi Raman]

with one section and the other sections become permanent without the House giving serious thought to them. I thought that that was the main objection to the passing of the Bill and making the Act a permanent measure in the statute-book.

I concede, there may be some validity so far as that part of the objection is concerned. But, the fact remains that our main aim is to have a plan for the future of our country and to see that it catches up with the other advanced countries. We have an elaborate plan structure before us. Are we going to allow a bottle-neck to ensue as a result of this Act lapsing? Unless there is this Act, the Government cannot act in a summary manner, requisition houses and take possession of those houses or other buildings wherever they may be when it becomes essential. Unless they are armed with it, the Plan itself will lag behind. I take it that that is the justification for the Government to come with this measure before the House.

I would now say that I have an amendment which seeks to give life to this enactment for another six years. The original Act was for six years. I seek to amend it by substituting the word 'twelve' for 'six', which means, it will be in force till 14th March, 1964. If that is acceptable to the Government, it will allay the fears in the minds of many Members of this House. There will be good enough time then to discuss the measure clause by clause, amend such clauses as are necessary, give up such of the clauses as are unnecessary and add new clauses that may become necessary. It is not necessary at this juncture to go into the various police powers of the State and powers of acquisition for public purposes. All these are envisaged in Chapter III of the Constitution. We have had recently an amendment to article 31 of the Constitution. The State can always get hold of properties and houses for

public purposes. Nobody can question that. Here we have a measure which has got an elaborate paraphernalia and provides for an Arbitrator, for compensation, for notice, for acquisition. We learnt from the hon. Minister that they will need another six years to see that all provision is made not only for officers' buildings, but also for various public purposes. That is what fell from the hon. Deputy Minister. If that is so, my amendment will just suit the purpose. After all, I am asking for a further life of six years for the Act and I would submit again that if the Government considered the acceptance of my amendment, it will allay the fears in the minds of hon. Members.

**Shri Biren Roy** (Calcutta—South West): Mr. Deputy-Speaker, I would be failing in my duty to the people and my constituency if I do not protest vigorously to the making of this Act permanent in the manner in which it is being sought to be done. This is not only slighting the intelligence of this House, but this sort of back-door policy through piecemeal legislation does not give any opportunity to go into the relevant clauses in the Act and therefore, we cannot accept that the Act should be made permanent. If we had been allowed that opportunity, we could have thought of amending certain clauses and making it possible for giving relief to the people. Here, all the previous speakers practically have voiced the same opinion as the Minister in charge was telling us, when the hon. Member from the Punjab was saying that lands of many kisans have been taken away for nearly 17 years and they were not being paid anything. The same situation has happened in West Bengal. It is not only a question of refugees not being provided land for rehabilitation now, it has become a serious problem of many West Bengal permanent citizens being completely displaced from the lands they were in possession of and even now they do not know what would happen to them.

I am particularly bringing to the notice of the hon. Deputy Minister the case in South Calcutta of the Alipore Aerodrome in particular. This Alipore Aerodrome was on requisitioned land, specially the outskirts of it which extended even into the Behala municipality, from the Calcutta Corporation. When it was the aerodrome, part of it, actually the air strip belonged to the Port Commissioners. On one day's notice after the end of war, that is, about 1947-48, a Flying Institution that was carrying on flying training, a very essential thing for the Government, was turned out from this land because of the fact that the Government wanted to hand over the land to the Port authorities. But, when this was done, the result was that most of this land was leased out by the same Port people for profit. Crores of rupees were spent and wasted on this particular air field. Even if one strip of that was maintained today, Government would not have to requisition and take over by permanent acquisition at a cost of Rs. 30 or 40 lakhs, one mile south of it in Behala municipality, further land, about 256 acres for another air field. And not only that. In between these two, the proposed air field and the present air field, there is the outskirt which formed the exact boundary of Calcutta and the Behala Municipality. Many persons who had houses and small plots of land there were cleared out from that area in 1940-41 on one day's notice. At that time I happened to be the Chairman of the Municipality, and I had to go about to each and every Minister there to accommodate these people, or allow them to stay even for 24 hours which they were not allowed, and somehow I managed only their goods to be...

**Shri Anil K. Chanda:** Which year was it?

**Shri Biren Roy:** 1940-41. I am telling you about the Defence of India Act which is referred to in your Statement of Objects and Reasons also.

After that, when the war was over, some of these people who were influential could manage to get their properties de-requisitioned, but those who were not influential could not; and there are lots of them, and they are still coming to us. They have made plans, they have submitted that they may now be allowed to return to these small bits of land where they had their houses because they are now practically homeless, but they have been told: "No, these lands have now been permanently acquired. You will be given the rents which prevailed in 1940-41," notwithstanding the fact, which has been already pointed out in the House, that due to inflation the rates today are more than five times. It has also been argued here that the budget figures were about Rs. 400 crores in 1947-48 whereas today they are Rs. 2,200 crores, more than five times, but as Shri Bharucha has pointed out, Rs. 400 crores of that time are equal to Rs. 1,600 crores today; that means that there is only an expansion of 25 per cent. And what happened to all these poor people? In many cases they have not even paid the rent for the whole period of 18 years for which the requisition went on and inflation increased.

It has been stated in the Statement of Objects and Reasons:

"The conditions which necessitated resort to requisitioning are, therefore, likely to persist for a long time to come. The experience of the last 18 years during which Government have had power to requisition or to continue under requisition property for essential Union purposes [first under the Defence of India Act, 1939, subsequently under the Requisitioned Land (Continuance of Power) Act, 1947, and lately under the Requisitioning and Acquisitioning of Immovable Property Act, 1952]...."

Therefore, the thing is the same. It is only a continuance of the policy. And then you will say it will be

[Shri Biren Roy]

under the permanent Act of 1958. And what kind of a permanent Act—making the whole thing permanent only by an amending clause, without our being given an opportunity of going into each and every one of the clauses,—just having a discussion—practically a backdoor way of making it permanent.

Not only that. The question as he raised is not a question merely of land, but the question of many houses. Quite right. Now, both houses and lands are requisitioned for essential purposes. In Calcutta, especially in South Calcutta, there are today pending more than 6,000 cases before the tribunals for which rents have not been paid for the last ten years. These questions were raised in Parliament last time but were practically not answered because the session was over.

Many of them again applied that some of their houses may be de-requisitioned. I know of houses in South Calcutta where the officers even went away on transfer, but because the houses were nice, they would not leave them. Some houses continued to be vacant for more than one year, and still the landlords could not get them back for their use, or even make the Government agree that leases of these houses may be made with them. Often it is not even the whole house, just one flat in the house, where the upstairs flat is given today at three times the rent of the downstairs flat which is still continuing under requisition. The officers come back after two or three transfers back to the same place. I cannot mention individual cases here, but if necessary I will submit the information.

Then there are other cases. I know of persons who were citizens of Bengal—undivided Bengal—staying in Calcutta who had properties in East Pakistan. Many of the properties were taken by the Defence Department, and part of the properties was also taken by the Civilian Depart-

ments of the Government of India under the same Defence of India Act. The figures of compensation run into thousands, and even lakhs of rupees in some cases. The funny thing is they are not able to find out today actually what property was requisitioned for defence purposes and what property for civilian purposes. Why?—because, the Government, it seems, have accepted that all those which were for defence purposes will be paid for, but those which were for civilian purposes would be paid for by the Pakistan Government. That means that money they will have to forego.

Even if they ask for information as to which of their properties were acquired for defence purposes, this information is not supplied to them. It is said to be a State secret. If it is a State secret, some other ways must be found to give that information. Then an answer was given to one particular gentleman I know that as he was not an emigrant from Pakistan and he was staying in Calcutta, his case might not be considered; it was only a question of displaced persons from East Pakistan. What kind of law is this?

A person as a citizen of India, had properties at that time in that part of Bengal which was part of India. When his property is taken over, the Defence Department is responsible for payment of compensation, but you make this invidious distinction that just because he happened to be a resident of Calcutta, his property taken over by the Defence Department will not be paid for, but if he could show that he was staying in Comilla or some other place in East Pakistan, he would be paid, although he had a house in Calcutta.

At that time, most of the landlords who had properties in East Pakistan were also practically absentee landlords in Calcutta. During the war they did not go to that side, and after the war when the partition came, you cannot expect them to go there. So, what is happening is that they have

lost there and they are also losing here, and nobody is trying even to give the information as to what will happen to their property. It is not known what properties were transferred from the civilian to defence, and from defence to civilian departments. It may be that some of the papers are not available with this Government, but why not these persons be given the advantage of meeting the officials and getting the proper and correct figures, whatever is available. They cannot even get access to them. This is another hardship to which these people are put.

Now I come to certain other aspects of these tribunals and the question of settling the proper rental value, or even the value of these properties. The Government of India at some time mentioned that the tribunals sitting in various places should decide very quickly, and as expeditiously as possible, all these questions. I am afraid I do not know of the position in the other States, but in Bengal, and in Calcutta in particular, 10 to 11 thousand cases are still pending, and in some cases for the last six to ten years, where not only rents have not been paid, but even the quantum of rent payable has not been decided.

**Shri Anil K. Chanda:** On a point of information. Is it with regard to properties requisitioned by the Central Government or by the West Bengal Government?

**Shri Biren Roy:** It is with regard to properties requisitioned by the Central Government. I am not speaking about the West Bengal Government. That is quite a different thing.

**Shri Anil K. Chanda:** Do I understand him correctly that thousands of cases are pending with regard to property requisitioned by the Central Government?

**Shri Biren Roy:** Yes. I will give you the figures.

16 Mr.

Now comes again this problem, the quantum of rent. If there was a rent control Act for the whole of the country, I would have gladly welcomed it; then people would have known actually what the rent would be, but there is always discrimination. It is only the person who has some influence who can get the rental value fixed at the rate he likes. But the others who have got to file a case or who have not got that amount of influence do not know what happens, because in some cases, the rental value is fixed on the basis of municipal taxes, which some people might have got reduced from the municipal authorities as a result of which they are in a mess; in some other cases, it is also dependent on the value of the property which prevailed at that time in 1940-41; in other cases, they can again take that the value at that time would be also determined by the age of the house, notwithstanding the fact that the person has perhaps maintained it at a level which is very habitable, and even the rental value that he was getting before would not be considered. This is a great hardship to these people.

It has been pointed out by the previous speaker just to justify this Bill that because there is a competent authority and because there is a tribunal and so on, everything will be above board. But it is not so. Practically, there is no appellate authority. There is nobody to whom you can go in cases where the house is acquired or even requisitioned, I should say, maliciously. I know of certain cases of Central Government officers in this connection. I shall not name them here. In one case, the officer took the key from a particular gentleman to have a look at the house just as a friend; he entered and inspected the house, and then returned the key. The next day, he went to the Central Government authorities who were the requisitioning authorities to go through the West Bengal Government, and the

[Shri Biren Roy]

notice was sent immediately on the next day. But the gentleman was saved only because there were witnesses and evidence that the officer took the key from him and entered the house, although he was at the same time enjoying a requisitioned house at some other place, and because his wife liked this place. The matter went up to the High Court and just before the case was up, the officer withdrew from that house asking that the house might be immediately de-requisitioned because he did not need it, the real reason being that the case would have brought out all these facts.

These are the ways in which the people are harassed. There should have been some clauses in this Bill to avoid such harassment, but we cannot discuss those clauses. We do not say on principle that Government do not need any houses; we do not say on principle that Government do not need any lands. We do not say that they should not have these powers. They should have these powers, but we say that everything should be done above board, and as far as possible the condition of the harassed people should be ameliorated. These were the points on which we wanted to have a discussion on the floor of the House, but we have not been given that opportunity. The whole thing is coming by the back-door, and this Act is being made permanent for six years. What objection could have been there, since there is still a month left, to discuss the clauses or even to have a Select Committee to go through the Bill, or even to have the Bill sent for circulation? Or we might just extend the Act for one year, and then we can come to an agreed decision. I think such a course would have been fair to everybody, and even the Congress Members who spoke were in favour of that proposition. I do not see why Government should object so stubbornly that that should not be done. If they would agree to such a course, that would be quite fair.

Mr. Deputy-Speaker: Now, Shri D. C. Sharma.

Shri N. B. Maiti (Ghatal): May I speak?

Mr. Deputy-Speaker: I have called Shri D. C. Sharma now. I shall call the hon. Member afterwards.

Shri D. C. Sharma (Gurdaspur): There have been three types of arguments against this Bill. Two hon. Members from both the Benches have drawn the attention of the House to the hardships which have been implicit in the process of requisitioning and acquisition. They have given concrete instances. I would say that if there has been any kind of discrimination in the matter of fixing of rents or in the matter of fixing of price of land, such discrimination should be done away with, and this Act should be implemented in as fair and square a manner as possible. All individual grievances, whether they be in Punjab, or in West Bengal or in any other State of India should be looked into, and should be redressed properly.

I was shocked to hear from my hon. friend who spoke earlier that there are certain cases which have been pending for the last ten or twelve years as the tribunals have not arrived at any judgment with regard to them. These things are really deplorable. I hope the Ministry will see to it.....

Mr. Deputy-Speaker: Order, order. There is another voice as loud as the one that I have allowed.

Shri D. C. Sharma. My voice is very feeble when compared with that voice.

I would submit most respectfully that such grievances should not mar this Bill.

A constitutional point has also been raised. I am rather very doubtful

about it, and I think you, Sir, are in a better position than anyone of us to give your verdict on it. In fact, that constitutional issue has been worrying me also all the time, and that is this. Is the Minister constitutionally within his province in bringing forward this socio-economic measure in this way? I can understand that measures which deal with law and order, which deal with the safety of the State, which deal with our defence, which deal with the integrity of our country, and which deal with big issues of that nature can come in this way. But this is a measure which is not on a par with those measures. This is a socio-economic measure, if I may so put it. Can a socio-economic measure of this nature be brought forward in this way? Has it got that amount of urgency that it can be piloted in the House in this way? This is the constitutional issue that has been worrying me, and I submit most respectfully that you are the proper person to deal with it.

It has been said that this Bill should have been there before us in a full-fledged form with all the clauses and sub-clauses. But I do not see any point in that. Whether the Bill is there before us in a full-fledged form or not, I think every section has been brought under fire, and when this has been done one can say that that kind of approach would not have mattered very much.

One of the hon. Members of this House made a speech on this Bill when it was brought forward in 1947. He made a speech on the Bill again when it was brought forward in 1952. Again, he has made a speech on this Bill when it has been brought forward in 1958. I think he has put forward all the arguments that he gave on the earlier occasions in 1947 and 1952. He has put under fire all the sections. Even though this Bill consists of one clause technically,.....

Shri Braj Raj Singh (Firozabad): But amendments cannot be brought to the sections.

Shri D. C. Sharma: ....still, so far as this House is concerned, all the sections have been put under fire, and we understand the whole picture of this Bill, and we understand the complete shape and figure of this Bill. So, I do not think there would have been very much of an advantage if the Bill had been brought forward with all the provisions. But I must say that the Minister has not used the right kind of strategy in bringing forward this Bill. The strategy should have been different, in which case there would not have been much point in what some of my hon. friends have urged. The strategy should have been that they should have sent us in advance some kind of a memorandum explaining to us what has happened as a result of this Act, and what this Bill was asking for for the future. Then I think there would not have been so much of opposition to this Bill. The difficulty is that they have not taken the House fully into confidence so far as to what the working of the Act up to this time has been. Of course, the Deputy Minister made a speech and gave us some figures and all that. But I should think that for the complete information of the House, the Ministry should have circulated a memorandum so that we would have been in fuller possession of the facts of the case. Apart from this, I am wholeheartedly in favour of the principle underlying this Bill.

It has been said that the Government are doing this and that. Some Members have raised a voice in favour of the owners of houses. Even the Deputy Minister, when he was speaking, did say in a very gentle way something about the owners of these houses. I think all of us have some experience of the owners of these houses. I believe that even though this Bill is not going as far as it should, is not going in the right direction as much as possible, it has a very salutary effect upon the house-owners. I

[Shri D. C. Sharma]

know that these house-owners, like other persons, raise a hue and cry whenever anything is done to curtail their activities. I do not want to use any hard word, but I would say that the power of Government to acquire houses and to requisition immovable property is there as a salutary reminder to these persons that they cannot have everything in their own way. Moreover, the rents that Government fix are such as make the ordinary man feel what the real rent should be. Therefore, whenever the owner of a house tries to fix a rent out of all proportion to the utility of the house, out of all proportion to the dimensions of the house and out of all proportion to the situation of the house, the Act is there for the ordinary tenant to see that the house-owner has done well or ill by him.

I would, therefore, say that this measure is not going to do much good to the Government. From the facts and figures given by the Deputy Minister, I find that it is not a measure which is going to be of such a magnitude as has been described by some hon. Members who spoke before me. It is not going to be like that a very comprehensive measure. But I say that this measure is going to do a great deal of good to the public, to the tenants of these houses, to the people who rent these houses. They can compare the rent which they pay on their own with the rent which Government pay, and there is a salutary reminder to the house-owner not to rack-rent these houses.

It has been asked: what was the value of the house when it was built? What was the value of the land when it was acquired? It was said that the cost of land had increased from 100 per cent to 1000 per cent, and that the value of houses had increased from 100 per cent to some other percentage. If Mr. Lloyd George had been present today in this House, he would have been very uncomfortable after listening to these arguments which

have been given about the increase in price and about the increase in the cost of buildings which were constructed 10 or 15 years ago.

Sir, there is something like unearned income also in this world. If a house in Delhi is today worth Rs. 10,000 while it was worth only Rs. 1,000 some years ago, I say it is a case of unearned income. I say that living as we do in a socialist State, professing as we do a socialist pattern of society, we have every right to see to it that this unearned income which goes to these landlords and other persons is put under some kind of check. I believe that this is a very small measure which is going to put these things under check; otherwise, I think there will be no limit to the power to grab and grasp, get and acquire, appropriate and hold, which these persons, who are thought to be house-owners or landlords, have. Looked at from that angle, this Bill is a very wholesome measure.

It has been said that the budget of India was so many crores of rupees in one year and it has gone up by so many crores during this year, but the value of the rupee is 4 annas today while it was full one rupee before and so on. I do not know how these people arrive at these calculations. But I say that this kind of measure is necessary, even urgent, in view of the development-mindedness of our country.

The Deputy Minister said that they would require Rs. 10 crores for building offices and Rs. 32 crores for building residential quarters—Rs. 42 crores in all. If the overall picture were taken, perhaps it would come up to very much more. At a time when we are in the midst of the Second Five Year Plan and when we require every pie in order to save the core of the Plan and when we are going to this country and that to augment our resources, I do not see any reason why we should not take the help of these nationals of this country to save

Rs. 42 crores. I think this is a very patriotic Act. This measure is, I should say, a call to patriotism in a way, because Rs. 42 crores which we would be spending on these houses and offices, will be saved and will be utilised for other more urgent and more useful development purposes.

This is really a time of emergency. It was said that this measure was a war-time measure and there was no emergency. I see everyday in the papers all the Ministers, of the Central and State Governments, saying that we are living in a state of emergency.

What is the emergency? We have to save every penny. We have to make our Second Five Year Plan a success. It is a great economic emergency; it is a great financial emergency. If by passing this Bill, we can guard ourselves against that economic and financial emergency to some extent, I do not see any reason why some persons should jib at it. Of course, I would say that the State—when I say State I mean both the Centre and the States—should be the master builder. The State should give shelter to everyone.

But, that is talking in terms of principle; and principles are very good. We have also to talk in terms of our resources; we have to talk in terms of our limitations and talk in terms of those things which cripple us in some way. Therefore, when we talk in terms of the possible—and politics is the science of the possible—when we talk in terms of the possible, I say this Bill serves a very useful purpose.

Some of my friends printed very lurid pictures of the working of this Act, people being uprooted and people being denied this thing and that thing. Some of my friends are very excellent advocates and they can advocate a cause with a great deal of eloquence and force. I know that. But, if anybody has spoken today about this

measure in terms of its legality or in terms of something else, if anybody has done that, I would say that he has done so at the cost of the social good. Social good should take precedence over everything else. Shri Pattabhi Raman referred to agencies that are there to bring justice to people. I do not want to go into that question again. But, I would say that so far as social good is concerned, it is the paramount necessity in India today. Everything has got to be subordinated to that social good. Social good does not mean only public utility. Of course, public utility is there. But, it means also the utility of the nation and the utility of the people who are running the machinery of the nation.

I believe from that point of view this measure is very helpful. Sometimes, our draftsmen word these things in a very fine fashion, that I sometimes wonder what kind of draftsmen are they. 'Also reinforce the hands of Government to retain these powers indefinitely.' I have come across this word 'indefinitely' hundreds of times in my life.

**Shri K. C. Reddy:** It is permanent make the measure a permanent one.

**Shri D. C. Sharma:** I have come across this word very often and it is a very unfortunate word. Nowhere has this word been misused in a greater way than here. I say this word should not have been used.

**Mr. Deputy-Speaker:** Where is the word, 'indefinitely'?

**Shri K. C. Reddy:** It is the Statement of Objects and Reasons.

**Shri Tyagi:** In the Statement of Objects and Reasons.

**Mr. Deputy-Speaker:** Is the hon. Member criticising the draftsman for putting these words in the Statement of Objects and Reasons? He might object to some words being used in the Bill itself.

**Shri D. C. Sharma:** Who drafts the Statement of Objects and Reasons?

**Shri Tyagi:** The signatory is responsible for this.

**Shri K. C. Reddy:** Please read the last sentence.

**Shri D. C. Sharma:** I say that this Bill should be looked at from the point of view of social good and I say that the principles of this Bill are in accordance with social good.

**Mr. Deputy-Speaker:** Shri Jadhav, I would request hon. Members to condense their remarks in ten minutes; other hon. Members also want to speak.

**चौधुरी जापव (मालेगांव):** मिस्टर डिप्टी स्पीकर सर, यह जो बिल हाउस के सामने है उस के बारे में जो मान्यवर में सदस्य भूमिका जी मैं कहा हूँ कि या तो इस को बिल्कुल द्राप कर दिया जाय या इस को ज्वाइंट कमेटी के सामने पेश किया जाये, उस से मैं सहमत हूँ।

मुझे बहुत आश्चर्य होता है कि जब गवर्नरमेट के सामने कुछ न कुछ मूसीबत होती है तो वह इम मदन के सामने ऐन भौके पर कोई बिल रख देती है। सदन को उम बिल पर अपनी राय जाहिर करने का पूरा भौका नहीं मिल पाता। इस कानून की मुहूर्त मार्च में खाल हो रही है। ऐसे भौके पर यह बिल सामने आता है।

गये ११ साल के आजादी के दौर में हमारी सरकार के सामने अगर कोई सब से बड़ा अहम बवाल था तो वह या तो गवर्नरमेट के बास्ते या अवाम के बास्ते ज्यादा मैं ज्यादा भकान बनाने का था और जो कुछ भी दूभरी अहरतें हो उन को सामने रखने का था। गयी जंग के बाद अंग्रेजों ने या जर्मनी ने इस बारे में काफी तरक्की की है। कुछ भूमि में इंगलैण्ड और अमरीका ने तीन तीन चार चार साल के यूनिट एक एक साल में बनाये हैं। हमारी गवर्नरमेट ने इस बारे में क्या किया है यह मैं नहीं समझ सकता।

इस बिल को सामने रखने के लिए जो वजहात दिये गये हैं उन में यह बताया गया है कि गवर्नरमेट की यह परेशानी है कि लैंडलार्ड्स उस पर यकीन नहीं करते। लैंडलार्ड गवर्नरमेट के साथ लीज करने के लिये तैयार नहीं होते। जो लोग हमेशा गवर्नरमेट पर यकीन करते हैं ऐसे लोग अगर गवर्नरमेट के साथ लीज करने के लिये तैयार नहीं होते तो गवर्नरमेट की इस हालत पर दुःख होता है। मेरी कास्टीट्यूएंसी में नासिक जिले में डिफेंस के बास्ते सरकार ने १७,००० एकड़ जमीन किसानों की रिक्वी-जीशन की। उस के एकवीजीशन की प्रोटी-डिफेंस चली। सन् १९५२-५३ में ये प्रोटी-डिफेंस चली लेकिन उन को अभी तक पैसा नहीं मिला है। गई पार्लियार्मेट के समय में मैंने इस बारे में सबाल भी पूछा था तो बताया गया पैसा देने के लिये स्टेट गवर्नरमेट को कहा गया है। लेकिन जब मैं स्टेट गवर्नरमेट के मान्यवर मंत्री के पास गया तो उन्होंने बताया कि उन के पास ऐसी कोई मालूमात नहीं है। कलन्टर के पास गया तो उन्होंने भी कहा कि हम को मालूमात नहीं है। लेकिन जब मैं ने उन को सबाल का जवाब बताया तो वह बोले कि हम इस का बन्दोबस्त करेंगे। लेकिन आज तक भी वह पैसा नहीं मिला है। अगर अवाम को आपस में कोई मुसीबत होती है तो उम का फैसला कोट में हो सकता है। लेकिन अगर गवर्नरमेट के खिलाफ कोई बात हो तो कहा जाये। उम के लिये भी एक अपील की जगह है लेकिन उस में खचा बहुत पड़ता है। गवर्नरमेट की तरफ से बताया गया है कि गवर्नरमेट को सात माठ लाल स्क्वायर फीट में ४० या ४२ हजार यूनिट्स बनानी है। इस के लिये गवर्नरमेट ने आज तक किनाना पैसा खर्च किया है। जो हमारा मैर्किड काइव इयर प्लान है उस में गवर्नरमेट ४८०० करोड़ रुपया खर्च करने जा रही है। लेकिन स्लम्स को दूर करने के लिये जो कि हिन्दुस्तान में बहुत है, गवर्नरमेट ने इस का एक पर सेन्ट भी नहीं रखा है। अगर गवर्नरमेट के सामने प्रायरिटी

नहीं होगी तो मैं कहता हूँ कि इस से मुझे बहुत दुःख होगा ।

आज जो इस बिल के द्वारा गवर्नमेंट खर्च करना चाहती है उस के लिये सोच विचार करने को हमें काफी भौका होना चाहिये पहले तो इस बिल की जरूरत ही नहीं है । मैं समझता हूँ कि अगर गये दस घारह साल में गवर्नमेंट ने अवास के दिल में अपने प्रति यकीन पैदा किया होता तो आज यह बिल लाने की जरूरत ही न होती । जो रिक्वीजीशन की हुई प्राप्टरी है उस के लिये अगर गवर्नमेंट समय पर पैसा देती तो लीज करने में कठिनाई न होती । लोगों के बिल में यह यकीन होना चाहिये कि अगर हम गवर्नमेंट के साथ लीज करेंगे तो हम को उस का पैसा बत्त पर मिलेगा । अगर गवर्नमेंट ने लोगों के दिल में यह यकीन पैदा किया होता तो आज यह भौका न आता कि यह कहा जाये कि लैंडलाउंग गवर्नमेंट के साथ लीज करने के बास्ते तैयार नहीं होते ।

आज जो बड़े बड़े लैंडलाउंग हैं वे मकान बनाना चाहते हैं लेकिन उन को डर है कि गवर्नमेंट उन मकानों की रिक्वीजीशन करती है तो हम को उन का जो मूल्य रेट के हिसाब से या कीमत के हिसाब से मिलना चाहिये वह नहीं मिलेगा । गवर्नमेंट को चाहिये या कि वह ज्यादा से ज्यादा मकान बनाती । पर गवर्नमेंट ने नहीं बनाये हैं । अभी एक मान्यवर सदस्य ने कहा है कि “गवर्नमेंट शुद्ध वी ए मास्टर बिल्डर” । लेकिन ऐसा है तो नहीं । जो बड़े बड़े लैंडलाउंग हैं उन के दिल के अन्दर गवर्नमेंट को यकीन पैदा करना चाहिये ।

यह स्लम किलयरेस का एक अच्छम सबाल है । अगर गवर्नमेंट इस के हल के लिये सामने आती तो गवर्नमेंट को काफी पैसा मिल सकता चाहिये । इतनी ही नहीं, गवर्नमेंट जो पैसा खर्च कर रही है उस में से भी उसे इस काम के लिये बचाना चाहिये । अगर ऐसा किया जाता तो इस बिल को लाने की जरूरत ही न होती । इसलिये मैं गवर्नमेंट से अपील करूँगा कि वह इस बिल को लोटा ले । कहा जाता है कि

गवर्नमेंट के सामने परेशानी है । लेकिन इस परेशानी को ऐन भौके पर सदन के सामने रखा जाता है और सदन को इस विषय पर बहस करने का और सोच विचार करने का भौका नहीं दिया जाता । इसलिये मैं कहता हूँ कि इस बिल को ड्राप कर दिया जाये या इस को ज्वाइंट कमेटी के सामने रखा जाये ताकि इस के जो सारे संक्षण हैं उन पर काफी सोच विचार किया जा सके । आज कहा जाता है कि गवर्नमेंट के सामने कुछ ऐसे संकट हैं कि अगर यह बिल पास न किया गया तो गवर्नमेंट को काफी परेशानी उठानी पड़ेगी । मैं चाहता हूँ कि यह बिल ज्वाइंट कमेटी के सामने भेजा जाये । इसके बाद मैं जो भूक्ता साहब ने कहा है उस से मैं सहमत हूँ । गवर्नमेंट इस पर सोचे । और मैं कहता हूँ कि जो पैसा लोगों का गवर्नमेंट की तरफ भाकी है अगर उस को जल्द से जल्द देने की व्यवस्था की जाये तो गवर्नमेंट की तरफ लोगों को काफी यकीन पैदा हो जायेगा ।

**Shri K. C. Reddy:** My hon. colleague when making the motion has advanced the arguments as to why the Government had come forward with a Bill of this kind of this juncture and so I do not think it is necessary on my part to recapitulate the same ground. An amendment has been moved that this Bill be circulated for eliciting public opinion. This Bill was introduced here about two months ago and during all this period it was quite possible for the public to express the opinion on the several aspects connected with this Bill. It seems to me that there is no real case made out on that ground for circulating this Bill.

Some other points were raised by some hon. Members. I would not like to deal with all of them. My colleague will deal with some of them and I would like to content myself with some of the broad aspects. I am glad that by and large there has been a unanimous feeling on the part of the Members that the principles underlying this Bill are fairly sound and that the objective of this Bill is

[Shri K. C. Reddy]

good and that Government should have powers of requisition and acquire immovable property in certain circumstances.

Only one hon. Member, Shri Bharucha, has said that this Bill is intended for the interest of the Central Government and not for the interest of the general public. I am amazed by this argument. The Central Government is here to serve the interests of the public. To say that this Bill is being brought forward in the interest of the Central Government forgetting that the Central Government is here to carry its responsibilities and duties to the public is baseless. Government has brought forward this Bill mainly in the public interest.

During the last few years Governmental activities have increased by leaps and bounds. My colleague referred to the increase in the Budget expenditure during the last few years and said that it could be inferred that the activities of the Government have expanded. It was necessary to take such measures as were needed to create the necessary conveniences for carrying on the increased activities of the Government. It was said that if Government had made up its mind for going in for construction activities on a large scale, Government would not have been in this unhappy position of bringing a Bill of this kind to acquire immovable property.

I think figures have been given to show that during the last few years—five to six years—Government have done their utmost to carry out and execute a construction programme which, by and large, may be said to be satisfactory. I do not want to give the figures here at present, but during First Five Year Plan and during the two years of the Second Five Year Plan, the construction activity has been very satisfactory and if still we find today that we are in need of more and more accommodation, it is because of the fact that governmental activities have proceeded

ed on a very fast pace. That explains the present necessity for this Bill.

So far as accommodation is concerned, figures have been given by my colleague. So far as Delhi is concerned, we require about 40-lakh sq. ft., of accommodation for governmental purposes. I am giving only approximate figures. Out of this 40-lakhs sq. ft., Government have today taken into account the additional construction that have come up, which is in all about 18-lakhs sq. ft., of permanent accommodation. About 18 or 19 lakh sq. ft., of accommodation is provided by hutments which are of a temporary character and which will have to be pulled down in the course of the next three to four years. About 6-lakh sq. ft., of accommodation has been leased—princely houses and other residences. Even after all this, we are short of accommodation to the extent of about 5-lakh to 6-lakh sq. ft., in Delhi alone. In Bombay also the position is not better. In Calcutta and other places, the position is the same. From this it will be seen that even if we increase our construction programme by two or three times the present scale which we are now resorting to, it will not be possible during the next five years to provide all the governmental accommodation that the Government will require for their office accommodation purposes.

The same thing holds good in respect of residential accommodation also. It will be of some interest to the Members to know that so far as Delhi is concerned,—I am again giving only the figures for Delhi—40,000 units of accommodation are necessary for officers of the Government. We are short by about 40,000 units. All these years we have been able to build only to an extent of 35,000 to 40,000 government units. Roughly, about 50 per cent. of the demands we had been able to satisfy, and anyone who runs may see that during the last few years what an amount of building construction programme has been taking place in Delhi alone. In fact, everyone is amazed at the

amount of building activities that have gone on. But, in spite of it, we are short of accommodation. It is because of the compelling fact that we are short of accommodation that we have been obliged to come forward to this House for making this measure a permanent one.

Then, it has been said that this Bill has been brought forward in a peculiar manner before this House. What is the procedure that we have adopted? We have adopted, as the House knows, the procedure of bringing a one-line amendment seeking to make this temporary Act, or the Act which was put into operation only for a particular period of time, a permanent one. In submit this is not a novel procedure or a very abnormal procedure which the House is being introduced to for the first time. In recent years, there have been several cases where Bills have been brought forward to extend the life of various Acts from time to time.

**Shri Braj Raj Singh:** Not for being made permanent.

**Shri K. C. Reddy:** I will give one or two instances relating to such Bills also. For example, take the Rent Control Act. In 1947 and thereafter there were several Acts in respect of the Rent Control measures, and I remember on two or three occasions Bills were brought forward to extend the life of those Acts by two or three years. That procedure has been adopted and on those occasions it was not possible for the Members of this House and this House to address themselves to bring forward an amendment to the substantive provisions of such Bills.

The life of the Preventive Detention Act was sought to be extended from time to time. It was extended for three years. Even on the last occasion, a simple Bill was brought forward to extend the life of that Act. Some of these arguments which were advanced on this occasion were also advanced on that occasion and effective replies were given. I do not want to repeat the same arguments on this occasion.

Relating to socio-economic measures or financial measures to which reference may be made, I should like to draw the attention of the House to one important Act that was passed in August, 1957. I am referring to the Foreign Exchange Regulations (Amendment) Bill. This was a temporary measure, and the Government came forward with a Bill to make it permanent. The main purpose of that Bill was to make that temporary Act a permanent one, and the House in its wisdom put its seal of approval on that Bill and passed that Bill, and it became an Act.

Also, if I am not mistaken,—in 1956, I believe—the Capital Issues Control Act, which was a temporary Act, was made a permanent one by adopting a procedure more or less of this kind. So, it is not a new procedure that we are following.

My hon. friend, Pandit Thakur Das Bhargava, in his speech covered more or less the same arguments that he advanced when this Bill was introduced in 1952 and which became an Act then. He was pleased to say, that we are depriving the right of the legislature to go into the merits and demerits of the substantive provisions of the Act when amendments of this kind to make such Acts permanent are brought forward. In a restricted sense, it may be so. But, in a broader sense, it is not so. If it is conceded that it is open to the House to refer to the substantive provisions of the Bill and express their opinion, whatever it may be, on the substantive provisions of the Bill, it may be that they are not in a position to move amendments, because rulings to that effect have given by the Chair. But it is open to them to express their views on the substantive provisions of the Bill, and this has been done on previous occasions also. What will be the outcome of such expression of opinion? Will it result in any amendment or any change in the Bill whose life is being sought to be extended or which is sought to be made permanent? What I can say is this. Any Government which is respon-

[Shri K. C. Reddy]

sible to Parliament, as this Government certainly is, will take note of such observations and will certainly give its attention to the criticisms that might have been made by the Members on occasions like this, and the Government will review the position and see in what respect amendments will be necessary for Acts of this kind. And then, in course of time, after due consideration, if they feel that amendments are necessary, they will bring forward amendments to these Acts. That is the procedure that has to be followed. It has happened in some cases before; and I would not be surprised if it comes to happen in other cases also in the future.

So, opinions expressed by Parliament will not be ineffective or infructuous. Only, it may take sometime before they ripen and before the Government can devote its attention to them and bring forward amendments to the measures. So, I submit that the procedure which has been adopted is nothing very abnormal nor has there been any intention on the part of the Government to deprive the House to express its legitimate views whatsoever.

Hypothetically, for argument's sake, I am saying that the House is at perfect liberty, and it has the undoubted right, to say, that this measure which has been enacted in 1952 by the former House—I am not referring to the present House which has been constituted after the 1957 elections—is not acceptable to the House now and that it wants to throw it overbroad or do this and that. But I submit that this Parliament is a continuous body,—and what its predecessors have done at any point of time has also to be regarded as being somewhat weighty and sacrosanct by the succeeding House.

What happened on the last occasion, in 1952? This Bill, the Bill that was introduced then and which became an Act in 1952, was gone into in great detail by the House. The matter was referred to a Select

Committee, which made several recommendations. As my hon. colleague pointed out, the Government accepted almost all the recommendations of that Select Committee and it was after going through the process of the Select Committee that the Bill became an Act on that occasion. The only thing that has now happened is, whereas at that time it was said that the life of the Bill might be only six years, now we are making it permanent. The merits or the demerits of the various clauses of the Bill were then gone into carefully and it is on the strength of that fact, because of the consciousness that the merits of the various provisions were discussed threadbare about five or six years ago that we have brought forward this simple amending Bill to make it permanent and we have given the reasons why it should be made permanent.

This has not been brought forward with a view to deprive the private person of his legitimate rights; it is not with a view to ride roughshod over his rights. Of course in governmental activities, it becomes necessary to have recourse to various measures. I do not want to give all the examples where the Government steps in and to a certain extent regulates the rights of private persons or curtails the proprietary rights, if I may say so, in public interest. The Constitution itself has been amended recently; I am referring to article 31(2) of the Constitution relating to compensation. Again, there was a Bill before the House 6 or 9 months ago wherein it was laid down that certain mining leases etc. will have to be acquired in order to produce more coal in the public sector and the principles of compensation were laid down there. It was not merely a question of market value only. Other considerations also came in and formulae were evolved. This House itself has given approval to such formulae and methods of compensation.

The glaring example of the acquisition of zamindari rights is there.

Recently only during the last session, this House considered certain amendments in connection with the Delhi Development Authority Bill. There were certain provisions in respect of acquisition of land there. Did they say then that the acquisition should be at the market value at the time it is acquired? No; they laid down a specific formula. They related the compensation to be paid to the market value prevalent at a particular point of time before the Delhi Development Authority came into existence. The Delhi Development Authority has taken certain measures, spent government money, developed certain areas in Delhi and so on. Because of that governmental activity, the price of the land has gone up. Could it be said that the private person from whom the land has to be acquired today has to be given the entire depreciation of the land on the basis of the market value? This House itself has decided otherwise and laid down a particular formula for acquisition of land and the compensation that has to be paid under such circumstances.

So, these things will have to be viewed in the broader context of the national necessity and the requirements of the Government and public interest. Of course, I do not mean to say that the Government should be arbitrary or adopt a policy of confiscation of private property. No. That is why even in 1952 when this Bill was passed, several safeguards have been provided in this Act at the time of requisitioning immovable property. It is not for any and every purpose that notice could be issued to the party saying that his immovable property should be requisitioned. It should be for a definite and specific purpose and it should be made clear in the notice that is issued. Then, the party will have an opportunity to have his say. Some time is given to him to make his own statement and then the competent authority decides in public interest to requisition such and such property. I do not want to read the relevant clauses in the Act, but if the party is not satisfied, then it is open to him to go to the Ministry

concerned, up to the Minister in appeal. It is only then if the Central Government decides that it is absolutely necessary that the property is requisitioned.

I would like to say that in the matter of compensation and rent payable when the property is requisitioned, very elaborate provisions have been laid down. It is not to be some arbitrary compensation decided upon by the competent authority or the Government. I am referring to section 8 of the Act which deals with principles and methods of determining compensation. It says that Government should take into account the pecuniary loss due to requisitioning, expenses on account of vacating the requisitioned premises, expenses on account of reoccupying the premises upon release from requisition and damages caused to the property during the period of requisition, including expenses that may have to be incurred for restoring the property to the condition in which it was at the time of requisitioning, etc. All these details have been laid down in the Act. As I have already said, it is not merely a competent authority that can ultimately decide arbitrarily as to what the compensation has to be.

About compensation, let it not be forgotten that the party has got a right of appeal to the High Court. It is not as if an administrative officer, his subjective experience coming into play, decides that the compensation should be such and such and his decision is going to be final. The High Court does come into the picture when the matter of compensation comes in.

There are all these safeguards and it was after a good deal of consideration by the Select Committee at that time and by the Government that this Bill became an Act. I do not want the House to get the impression that what we are trying to do on this occasion is something very arbitrary, something very detrimental to the ordinary rights of private citizens.

**Pandit Thakur Das Bhargava:** Is a ceiling of twice the amount fair?

**Shri K. C. Reddy:** It all depends on one's approach to the question. I know of some Members and some public personalities also who hold the opinion that twice the amount is not necessary and that the market price at the time it was requisitioned is quite sufficient. But some say it must be three times or four times or it must be the market value prevailing at the time of requisitioning taking into account all the improvements that have come about because of the activities of the defence department having built a colony at the place where the land was requisitioned, etc. Views may differ, but we have got to arrive at some sort of workable formula, a compromise formula, if you want to call it that way and then proceed. It is not as if any solution or any formula that is evolved will be satisfactory to all.

There are all these safeguards and I would like to repeat once again that it was after a good deal of consideration that this Bill became an Act on that occasion. At present we are proceeding only to the extent of extending the life of this Act.

Several other points were made by some hon. Members. Some criticism has been made about the working of this Act during the last five or six years and that there has been it was said delay in the matter of payment of compensation. With regard to that, it is laid down in the Act that when the arbitrator makes the award, in the award itself he has to specify as to how and when it has to be paid, etc. There cannot be any undue delay. If there are any such cases of undue delay, and if we are informed about them, we will certainly look into them.

**Shri Jadhav:** What is undue delay?

**Shri K. C. Reddy:** There may be certain cases where there has been some delay and certain cases where there has been undue delay. I know of two or three cases where there is undue delay and we are taking every possible step to prevent it and see that justice is rendered.

15 hrs.

Some suggestions were made that we have got to galvanize our building activity. I agree. We have got to go in for building construction programme in a larger scale. But, here again it is a question of funds, financial resources, our budgetary position, our foreign exchange position, availability of raw materials like iron and steel and cement etc. Even if you have got money, you cannot build overnight or within a period of two years when you are meeting such a large shortage of cement and steel. So, there are all these factors to be taken into account. And I feel that during the last five years whatever building activity we have been able to take up and complete is one about which we may fairly be satisfied. Of course, one would like to do better. It all depends upon the factors which I have mentioned just now. So, all these aspects we have to bear in mind.

My friend, Shri Tyagi, asked: why don't you do something about the shifting of offices from New Delhi to other places? To some extent, we can do so, and within the next few days when an opportunity comes, I hope I will be able to tell the House that we have taken certain firm decisions about shifting some offices to other places. But, to what extent will it solve the overall problem? We can shift offices for example, to the available space outside Delhi, which we can commandeer or we can take over, which as stated a little while ago, is about 1½ lakhs to 2 lakhs sq. ft. Our shortage is nearly 20 lakhs to 25 lakhs sq. ft. So, how will the shifting solve the main problem? It will just be a freebite. Still, we have got to do it, and we have got a programme of doing it to the maximum extent possible.

These have been the considerations that have weighed with the Government to bring forward this Bill. The procedure that we have adopted is nothing very unusual or novel. It is a procedure which has been adopted in the past several years. It is only

the compelling necessity on the part of Government in the public interest to carry forward the governmental activities that have made us resort to this measure. I have also indicated that we will do everything possible consistent with, and in the context of, the resources available to increase our building activity.

In the light of these views, I hope the House will be pleased to give its approval to this Bill, which we have brought forward. It may be, I concede, that with regard to certain matters there is scope for change or improvement regarding the substantive provisions of the Bill. No one can be dogmatic about it, and I don't want to be dogmatic about it. There again, if in the opinion of one member a certain amendment is necessary or called for, in the opinion of another member, that may not be a suitable solution, and a completely contrary view-point may be put forward, saying that is not the amendment that is necessary but something opposite to it. We have to consider all these matters.

As I indicated earlier in the course of my speech, Government will certainly keep in mind all the points that have been made and, at an opportune moment, after due consideration, it will be open to the Government to come forward with an amending Bill, if it is considered essential.

With regard to the proposal that the Bill should be made a permanent one, an appeal has been made to me instead of making it permanent, why not its life be extended by one year, two years or three years, and meanwhile Government may take an opportunity of examining the whole question of bringing forward a comprehensive Bill. Government have not been oblivious of the various points that have been already put forward by the various hon. Members. They have considered it and, as I explained in the Statement of Objects and Reasons, Government have come to the decision that it should be en-

acted as a permanent measure. That does not mean that it will remain in the same form for all time. It may be amended or it may be replaced. That is a matter to be considered later on in the future. That is the position.

Then an appeal has been made that the life of the Act may be restricted to some period, instead of making it permanent. Well, I have not got a closed mind on that subject, and if any reasonable period of time is indicated, I will consider accepting such a proposal. I do not know the amendments that have already been tabled in respect of this matter.

**Shri Pattabhi Raman:** I have got my amendment.

**Shri K. C. Reddy:** My difficulty is that I do not know whether the amendments that have been tabled can be taken up now and express my views.

**Mr. Deputy-Speaker:** After we have closed the general discussion, we will take up the clause by clause consideration.

**Shri K. C. Reddy:** At that time, I will consider whether I can accept any amendment. Any other point that may have to be advanced with regard to other detailed criticisms that have been made by the hon. Members, I think I should leave to my hon. colleague.

**श्री बजरान सिंह :** उपाध्यक्ष महोदय, मैं इस विधेयक के उद्देश्यों का स्वागत करता हूँ। इस संशोधन विधेयक के सम्बन्ध में जो यहाँ पर कहा गया है कि यह एक बहुत ही अन्यायी कानून बनेगा मैं ऐसा नहीं मानता लेकिन साथ ही साथ मैं यह भी सोचता हूँ कि इस विल को इस तरह से एक व्यापक कानून का कह कर उसे पास कर दिया जाये और उसे स्थायी बना दिया जाये। मैं समझता हूँ कि यह हल एक अच्छी परम्परा नहीं ढाल रहे हैं। हम देश जूँके हैं कि निवारक निरोध अधिनियम के लियाँसिसे मैं किस तरीके से इस सदन में उस की मियाद बढ़ाने का भी विरोध किया गया। जब भी

## [श्री चतुराज तिह]

इस तरह के कानून को सुनन में लाया जाये, होना यह चाहिये कि उसके पूरे क्लाऊज और सब क्लाऊज पर सदन को अपने विचार प्रकट करने का मौका दिया जाना चाहिये। अगर ऐसा किया जाता तो ज्यादा अच्छा था। लेकिन यह कहा कि यह प्राइवेट प्रापरटी पर हमला है, यह मकान बनाने के काम को खत्म कर देगा या उस में रुकावट आयेगी, मैं समझता हूँ कि यह सही दृष्टिकोण नहीं है। लेकिन साथ ही साथ यह मानना पड़ेगा कि जहाँ इस में मकानों के साथ साथ जमीन को भी एकवायर करने की एक व्यवस्था की गई है, उस से मैं समझता हूँ कि खास तौर से किसानों को नुकसान होने वाला है।

अभी यह बताया गया और मुझे इत्य है कि डिफेंस मिनिस्ट्री द्वारा कहीं कहीं हजारों एकड़ जमीन किसानों की एकवायर कर ली गई है और वह बेकार पड़ी हुई है और इस तरह से किसानों का नुकसान हुआ है और उस से जो अप्रक्रिया उत्पादन बढ़ सकता है वह भी रुक जाता है। मैं चाहता हूँ कि इस बिल में कोई इस तरह की व्यवस्था होती कि इस का उपयोग सिर्फ़ अप्रिसेज या रेजिडेंशियल एकोमोडेशन एकवायर करने के लिये ही होगा और लेती की जमीन को एकवायर करने के लिये नहीं होगा चूँकि इस में सिर्फ़ एक क्लाऊज को ले कर इस को स्थायी बनाने की व्यवस्था है, इसलिये कोई इस तरह का संबोधन नहीं आ सकता जिस में यह कहा जा सके कि इस बिल का स्कोप सिर्फ़ रिहायशी मकानों और दफ्तरों की जगहों तक ही सीमित होगा और यह ठीक भी है क्योंकि गवर्नरमेंट को अप्रिसेज के लिये मकानों और कार्यालयों के लिये ही तो जगह चाहिये। इसलिये जहाँ तक गवर्नरमेंट द्वारा उन जगहों के लेने का सवाल है मैं समझता हूँ कि यह एक अच्छा उद्देश्य है और इस का विरोध करना मैं ठीक नहीं समझता क्योंकि यह ४३ कोडोड व्यवहार इस चीज पर जर्ब छर्ट के बचाय गवर्नरमेंट इस रकम को किसी दूसरे काम पर जर्ब कर सकती है। इस रूपे

को अप्रिसेज के लिये मकान बनाने और दफ्तर बनाने पर जर्ब करना मैं मुनासिब नहीं समझता।

आज विचेयक में यह व्यवस्था की गई है कि जिस शास्त्र के पास केवल एक मकान है, एक जायदाद है अथवा जायदाद का वह हिस्सा जिसका वह अथवा उस का परिवार अपनी रिहायश के लिये इस्तेमाल करता है, उस को एकवायर नहीं किया जायेगा और ऐसी व्यवस्था के भीजूद रहने में नहीं समझता कि किसी मकान मालिक को इस से क्या नुकसान हो सकता है। एक ऐसे शास्त्र के जिस के पास बीस मकान हैं, सरकार एक मकान उस के बास्ते छोड़ कर अगर शेष मकान सरकारी कामों के लिये लेना चाहती है तो उस से बहुत अधिक आदमियों का नुकसान होने वाला नहीं है और वह समाज के हित में होता है। सरकार इस विचेयक का उपयोग समाज हित में करेगी।

मैं इस चीज से इंकार नहीं करता हूँ कि इम बिल का जो उद्देश्य है, उम का सरकारी मशीनरी कहीं कहीं ठीक तरह पालन नहीं करती है और यह देखा जाता है कि जब कभी किराये मुकर्रर करने का सवाल आता है तो उस में पक्षपात से काम लिया जाता है। उस पक्षपात को दूर किया जाना चाहिये।

दिल्ली के बारे में मैं जानता हूँ कि १५ लाख लोग ऐसे हैं जिन के पास अपने मकान नहीं हैं, जो किरायेदार हैं और जो दूसरों के मकानों में रहते हैं। अखबारों में हमारे देखने में आया कि इसी मकानों की समस्या को लेकर दिल्ली के कुछ लोग भूल हड़ताल किये हुए हैं। वे चिल्ला रहे हैं कि किरायेदारों को कुछ सुविधायें मिलनी चाहियें। मकान मालिक किरायेदारों को सुविधायें नहीं देते हैं। यदि जब कि हमारे वहां पर मकानों की समस्या भीजूद हो और मकान कम हों, तो जिन लोगों के पास मकान हों, उन की तरफ से वह आवाज उठाई जाये कि सरकार अगर मकानों को लेती है तो गवर्नरी करती है,

मैं समझता हूँ कि उन का ऐसी भावाज उठाना उचित नहीं होगा । मैं समझता हूँ कि सरकार को मकानों और ऐसी जगहों को एकत्रायर करने का अधिकार होना चाहिये अलबता किसी व्यक्ति के लिये उस के व्यक्तिगत उपयोग के लिये एक मकान को छोड़ कर । व्यक्तिगत उपयोग में आने वाले मकान अथवा बिज़ुइस प्रीमिसेज को छोड़ कर गवर्नरमेंट को शेष सब जगहों को हासिल करने का अधिकार होना चाहिये और इस भावना का स्वागत किया जाना चाहिये ।

यहां पर कहा गया कि इस बिल को संयुक्त प्रबर समिति को मौप दिया जाता तो अच्छा होता । मैं उस प्रस्ताव का और उस भावना का प्रादार करता हूँ । अब भी अगर हमारे माननीय मंत्री इस बोर्ड को मान सके कि इस बिल को ज्वाइंट सेलेक्ट कमेटी के मुपुर्दे किया जाय तो उसमें कोई नुकसान होने वाला नहीं है । जहां इस समय यह एक दृष्टिकोण यहां पर आया है कि इस बिल को नाया ही नहीं जाय वहां पर यह दृष्टिकोण भी आ सकता है कि इस बिल की जो भावना और उद्देश्य हैं, उन को और अधिक कानूनिकारी बनाया जाय ताकि हम ने जो इस देश में समाजवादी समाज की स्थापना का अपना उद्देश्य धोपित कर रखता है और जिस सामाजिक ढांचे के भीतर आमदनी का इस प्रकार न्यायोचित वितरण होगा कि जहां पर एक आदमी के पास बहुत से मकान और जायदाद न हो और सबको रहने के लिये मकान मिल सके, वह पूरा हो सके ।

इस बिल के उद्देश्यों से मुझे पूरी सहमति है लेकिन साथ ही साथ मैं यह भी नियेदन करना चाहता हूँ कि जहां आप पब्लिक परपत्रिक के लिये सरकारी काम के लिये इस तरह से मकानों अथवा जमीनों को लेना चाहते हैं, उसी तरीके से आप को किरायेदारों की समस्या को भी तुरन्त हल करना चाहिये । किरायेदारों को जो मकान मालकों द्वारा आये दिन परेशान किया जाता है और उन को जो कठिनाइयां

पेश आती हैं उन को भी हल करने के लिये सरकार को जल्द एक उचित कानून लाना चाहिये और उस के जरिये सरकार को फौरन जो किरायेदारों की बेदखलियां हो रही हैं उन को रोका जाना चाहिये । ऐसा होने से सब लोग अच्छी तरह से मुख से रह सकेंगे । इस दृष्टि से मैं इस बिल का स्वागत करता हूँ । अगर किसी आदमी के पास उस की जरूरत से ज्यादा मकान और जगह है तो उस को सरकार अगर समाज हित में एकत्रायर करती है, तो उस आदमी को कोई ऐतराज नहीं होना चाहिये । मैं इस बिल के उद्देश्य का स्वागत करता हूँ लेकिन यह मेरी इच्छा है कि मंत्री महोदय इस विधेयक को संयुक्त प्रबर समिति को सौप दे ताकि उस में जितनी बातें आई हैं, उन सब बातों पर अच्छे तरीके से विचार हो जाय और लास तोर से ऐसी जमीनें किसानों की जो कि डिफेंस डिपार्टमेंट द्वारा ली जाती हैं और ऐसी हजारों एकड़ जमीन बेकार पड़ी रहती है, उन जमीनों को इस में से निकाल दिया जाय तो वह बिल बहुत सुन्दर हो जायेगा और इस से जनता को बहुत लाभ होगा ।

Shri N. B. Maiti: Sir, I rise to support the Bill as it has been brought forward by the Government.

A question has been raised whether the Government can bring forward a Bill of this kind and whether the State has inherent power to acquire or requisition property for public purposes. Political science, I think, has allowed such powers to the State. My hon. friend Shri D. C. Sharma raised this question when he asked whether socio-economic measures such as this could be brought forward. He raised a doubt. But, I think that if a State has to run its administration and do its day to day work, then, it should have power of this kind conferred on it. The question is whether there is an emergency to allow this. There is no gainsaying the fact that India is passing through times of emergency.

[Shri N. B. Maiti]

Not that there is any war continuing in India or going on in India; but, developmental work, if I can say so, is going on throughout the country. Therefore, the State has all the more reason to have such power as it wants through this measure.

15-17 hrs.

[PANDIT THAKUR DAS BHARGAVA in the Chair]

Then, there is another point about this measure. I think the drafter of this Bill has been rather considerate when he has said that the Government desire to retain powers indefinitely. That does not mean permanently. There is a difference between the two, indefinitely and permanently. That is to say, this Bill can be repealed on any suitable occasion. That is the import of the word "indefinitely"; not that it will go on permanently for ever and ever. If we take the history of legislation for several years past, we have seen....

Shri Vajpayee (Balrampur): May I point out, Sir, that there is no quorum in the House?

Mr. Chairman: The bell is being rung...Now, there is quorum. The hon. Member, Shri N. B. Maiti, may continue.

Shri N. B. Maiti: Then, Sir, this Bill is not an arbitrary one. It has safeguards. Though it gives power to requisition property or acquire it, it does not function arbitrarily, because there are principles and methods that are to be followed for compensation. Compensation is paid, and the people who think that they are not properly treated might go to the higher authorities for redress of their grievances, but I should think that what the hon. Minister has just now said should set at rest their objections. He has stated that after some time if the Members think there should be certain amendments to the provisions of the Bill, they might bring them before the

House in their capacity as non-official Members, or the Government itself may bring forward an amending Bill. In that case, there should be no objection to the passing of this Bill giving power to the Government to continue to administer the Act as at present. During the last two decades this has gone on. There has not been much difficulty, and the heavens have not fallen. So, we can continue for some time more and then an amending Bill can be brought forward if it is found that there is scope for harassment. After all, these clauses went before the Select Committee and were approved by them. Therefore, I would support the Bill as it is on the basis of the statement made by the hon. Minister just now.

Shri Radha Raman (Chandni Chowk): Chairman, Sir, I rise to make certain observations with regard to the Bill that has been placed before the House for consideration by the hon. Minister.

He has told the House what has prompted him to bring the Bill. I somehow feel that the suggestion made by your hon. self and also by Shri Tyagi deserves full attention by the hon. Minister.

The Act as it stands has, in its working, brought to light certain deficiencies, and unless it is properly examined and those deficiencies are removed, in my opinion it would be wrong to perpetuate it. I therefore, feel that there is sufficient ground for the hon. Minister to attend to the suggestion that there should be a comprehensive Bill after due examination. It may either go to a Joint Select Committee, or the Ministry may by itself examine the Bill in detail and remove those shortcomings and bring forward a more comprehensive Bill which might be put on the statute-book permanently.

Though there are safeguards in the parent Act, I find they are not enough to do justice to the people at large. It

It is said in the Statement of Objects and Reasons that whenever the Government requires immovable property for purposes of the Union, primarily for public purposes, it will requisition the property or acquire the land that is required for that purpose, but I think "public purposes" are very vaguely defined, or, in practice they are not properly interpreted.

I find even in Delhi there are many houses where the owner is hard put. Government requisitioned the house ten, twelve years ago. Since then the family has grown. The house in which he was living did not belong to him. It was owned by somebody else, and that owner wants the house to be vacated. The poor man looks to the Government, and the Government is unable to derequisition that house, and he is still suffering.

In the same way I find that in some cases the house belongs to the owner who is really putting up with a lot of inconvenience and discomfort. He approaches the Government. The Government also feels that it is a hard case, and decides that the house should be derequisitioned, but the man who is occupying that house sticks on for his own comfort, and in spite of the decision of the Government, the owner is unable to get that house for himself.

Such cases have really brought to light many things and we believe that there are reasons for asking that the purposes for which houses are requisitioned or property acquired should be better defined, and there should be a more definite policy of the Government.

It is said that governmental activities are expanding. I fully realise, that at the present moment, it is difficult for the Government to cope with the demand for houses or accommodation for the expanding activities of Government. Some ways must be devised, and this is one of the ways, that the Government has the authority, or takes the authority, to requisition

houses or acquire property. But I think that justice demands that what the Government does should not put any individual to any hardship which would tantamount to injustice.

The Government says that it will fix rents for the properties that it acquires or the houses it requisitions. The rent is fixed, I think, according to their own choice, but when I compare it with the rent that is charged by the Government from other people I find there is a great deal of disparity. I have seen that in the Theatre Communication Building, for a small room, which is hardly able to accommodate three tables, Government charges Rs. 70, but when it comes to paying the owner for the same space, the Government does not pay at the same scale. There must be some justice and fairness. If the Government wants that it should be paid a certain fixed rent for a certain space, I think the same treatment should be given to the person from whom they requisition a house or acquire property.

Again, several hon. Members have also drawn the attention of the Minister to the fact that several houses which were requisitioned in Delhi and elsewhere long ago, that is, about fifteen or twenty years ago are still continuing at the same rate of rent. Although there can be justification for such continuity, I do not see any reason why only about fifty people whose houses were requisitioned fifteen or sixteen years ago should continue to suffer while the owners of the new houses are let free. I feel that Government should certainly make the rest of them also share the inconvenience that is caused to these few people. Why should there be long suffering on the part of a few persons while the others are allowed to continue with their houses without any requisitioning? If accommodation is needed, then some way must be found by which the suffering is shared by all persons who own more than one house rather than by a few persons who had been chosen long ago and who have continued to suffer for a long time.

[Shri Radha Raman]

I feel that for these reasons Government should examine the entire Bill from beginning to end and remove the disparities and deficiencies, so that it becomes a wholesome and comprehensive measure, and it does full justice to everyone, and there will be no case for anyone to point out that he has been unnecessarily put to great hardship.

The Bill as it stands can commend itself to the House, provided it is not desired that it should be a permanent one. I support the suggestion made by Shri Tyagji and yourself that the Bill, for the time being, may be extended by one or two years, during which period we shall be able to examine the entire provisions contained in the parent Act, and if we find that there are any deficiencies which require to be removed, we can do so, and then, if necessary, the Bill in comprehensive form can come up before this House and be made a regular Act.

I fully appreciate that the present requirements of Government do need a Bill of this type. My only contention, however, is that the Bill which is at present before us, if made into a permanent Act, will continue to inconvenience some section of the people, without its justification and will, therefore, not be justified. So, I support the suggestion that the life of the Act should be extended only by a short period. In the meanwhile, a comprehensive Bill may be drafted removing all the deficiencies that have been found as a result of experience and the opinions gathered, and then it should be brought forward before this House for its final acceptance.

**Shri Anil K. Chanda:** As I rise to reply to this debate I feel my burden very considerably lightened after the intervention by my Minister in this debate. He has, if I may say so, very effectively dealt with the points raised by Shri Naushir Bharucha and our

senior Member of the House, Pandit Thakur Das Bhargava.

So far as Pandit Thakur Das Bhargava is concerned, he has fought very valiantly on this Bill, over this period of a decade. He fought in 1947. He fought in 1952. And he has fought today. I hope he will not mind my so saying, that it is good for the society with its socialist objective in view that his fight for increasing the quantum of compensation has not been successful. I do not see any reason why somebody who has done nothing for improving his properties should get financial advantage for actions taken by others.

I have a particular case in my mind and it is not a very unusual case. I am referring to my own university at Santiniketan. When Tagore started that school in 1901, it was more or less in an area which you can describe as a desert. There were only two trees there, two sentinels, which still exist. And you could have land in those days over there for the merest asking. As a matter of fact, the landlords were very eager to get rid of their land even for four annas a bigha. When I was a student there in 1921, a bigha used to sell for about Rs 5 I know of some of my teachers of those days, who had the foresight, I should think, and had thought of the development of that place, who had invested and acquired considerable areas. Now, in course of time, thanks to the activities of that school, the whole place has now become a place of extreme importance in the country. As I said, in 1921, the land used to sell for about Rs. 5 a bigha. In our parts, a bigha is one-third of an acre. In 1939, when the war began, a bigha was costing about Rs. 250. Now, you are very lucky if you get a bigha there for anything less than Rs. 3000. I do not see any reason why the neighbouring landlords who have not planted a single tree, who have not made an inch of road, who have not dug a single well there should take advantage of something done by

somebody else and reap a rich harvest at the expense of the society.

So, I think there is nothing to be said with regard to the quantum of compensation to be given for lands acquired or requisitioned earlier. Also, this matter relating to the quantum of compensation on acquisition is a justiciable matter.

With regard to what has been said by my hon. friend Shri P. S. Daultab from Punjab, who spoke very eloquently and with passion, I am afraid he did not speak sense. He referred to acquisition of lands which have nothing to do with....

**Shri Nath Pal:** Sense is the monopoly of Government!

**Shri Anil K. Chanda:** At the moment, it is.

I now come to what my hon. friend Shri Biren Roy said, particularly with regard to lands acquired by Government during the war for the aerodrome at Alipore. He mentioned about thousands of cases which are still pending. This is a matter which is not directly dealt with by my Ministry. It is the Defence Ministry's concern. But we have got certain briefs from the Defence Ministry, and you will be surprised to know the figures which have been given to us by the Defence Ministry. I am sure they are the correct and authentic figures, I mean, the figures which I am giving out here on the basis of what has been supplied to me by the Defence Ministry; if Shri Biren Roy thinks that there is any mistake, he may kindly draw our attention to it, and we shall check that up. The figures refer evidently to the Eastern Command; so far as the Alipore lands are concerned, the position is as follows.

The total number of disputes that have arisen was 575 in the case of lands and 274 in the case of buildings. And mind you, the hon. Member referred to thousands. The number of cases since settled is 434 in the case

of lands and 229 in the case of buildings. The number of cases still outstanding is 140 in the case of lands and 45 in the case of buildings. The number of appeals filed in High Court is 2 in the case of lands and 13 in the case of buildings. I do not know where my hon. friend got his figures from; I believe he might have through mistake added one or two more zeros in his figures.

The description of the land, so far as the Alipore aerodrome area is concerned, is as follows. The total area requisitioned during the war was 473.61 bighas. The total area already derequisitioned was 347.99 bighas. The area still under requisition is 125.62 bighas. The compensation paid annually for the area still under requisition is Rs. 1,03,420. The actual area occupied by the Defence Ministry out of the area still under requisition is 52.02 bighas and area in occupation by displaced persons from East Pakistan, 73.60 bighas. That is the picture, which my hon. friend referred to as thousands of cases still pending. With regard to individual cases about which he mentioned, obviously I cannot have the details with me. But if he will write to us, we shall certainly look into those cases.

My hon. friend, Shri Radha Raman, had spoken about certain injustice here and there. Possibly, he was not present in the House when I made my opening speech.

**Shri Jadhav:** What about 17,000 acres of land acquired from Nasik district?

**Shri Nath Pal:** The Defence Ministry does not know!

**Shri Anil K. Chanda:** Why should I not know? Evidently, it refers to the Western Command—total number of disputes arisen, 6 with regard to lands; cases still outstanding 6, appeals in High Court 2.

**Shri Jadhav:** These 17,000 acres of land cover about 17 villages.

**Shri Anil K. Chanda:** I have not got those figures with me, but as I said, these cases are still pending. In my opening speech, I have said that there are certain cases where the Defence Ministry have not been able to finalise their plans about the key location plan. Possibly, the hon. Member was not present when I was explaining the Defence Ministry's case.

**Shri Nath Pai:** The figures given by the Minister are hopelessly inadequate. We have had them submitted to us by our constituents. We have never heard even a mention of that. Land has been acquired by the Defence Ministry. So also at Khadakvasla. No compensation has been paid and no kind of good attitude has been adopted. He is showing too much reliance on the figures of the Defence Ministry and I do not think we will be justified in accepting them.

**Shri Anil K. Chanda:** If my hon. friend challenges my figures, he can certainly write to me. I will check up. I have to go by the figures supplied by the Defence Ministry. This is not the information collected by me directly. If the hon. Member has any information to the effect that my figures are not correct, he will kindly take the trouble of writing to me and I will certainly make inquiries, and if there are any amends to be made, I will certainly do it.

**Shri Tyagi:** I think generally the Khadakvasla lands were acquired by the Bombay Government

**Shri Nath Pai:** No, no, by the Ministry of Defence.

**Division No. 1]**

**AYES**

Assar, Shri  
Awasthi, Shri  
Banerjee, Shri Pramathanath  
Banerjee, Shri S. M.  
Bharucha, Shri Naresh  
Brij Raj Singh, Shri  
Chakravarty, Shrimati Renu  
Digvijay Singh  
Elia, Shri M.  
Gaikwad, Shri B. K.  
Ghose, Shri S.

Goray, Shri  
Gounder, Shri Shanmuga  
Helder, Shri  
Imam, Shri Mohamed  
Jadhav, Shri  
Jaipal Singh, Shri  
Ker, Shri Prabhat  
Katti, Shri D.A.  
Kodiyani, Shri  
Menon, Dr. K. B.  
Mohan Swarup Shri

Mullick, Shri B. C.  
Nath Pai, Shri  
Nayar, Shri V. P.  
Rai, Shri Khushwant  
Rao, Shri P. B. Vittal  
Sharma, Shri H. C.  
Siv Rai, Shri  
Tangemanji, Shri  
Valpaje, Shri  
Velvi, Shri  
Warior, Shri

**Shri B. K. Gaikwad (Nasik):** By the Central Government.

**Shri Anil K. Chanda:** Let us not fight over details.

**Mr. Chairman:** Order, order. Here the general question is being debated. If the figures given by the Minister are not correct or more information is necessary, the hon. Members may write to the hon. Minister and he will certainly give a good reply.

**Shri Anil K. Chanda:** I was referring to the remarks made by my hon. friend, Shri Radha Raman. He referred to certain instances where apparently injustice was being done or had been done. Possibly, he was not present in the House when I made my opening speech. Then I said that there had been occasionally mistakes and lapses and default on our part. After all, no human machinery is absolutely perfect. I had also said that it is our intention—of my senior colleague and mine—as soon as the Bill is passed to look into those cases in detail and where properties have been under requisition for a very long number of years, we shall do our level best to release those properties, subject to the conditions permitted.

15:46 hrs.

[MR SPEAKER in the Chair]

**Mr. Speaker:** Now, I shall put the motion for circulation to vote. The question is:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 7th March, 1958".

**The Lok Sabha divided:** Ayes 33;  
Noes 88.

15:47 hrs.

## NOES

Ambalam, Shri Subhish  
Arumugham, Shri R. S.  
Arumugham, Shri S. R.  
Badiwal, Shri  
Barupal, Shri P. L.  
Basappa, Shri  
Bhargava, Pandit Thakur Das  
Bidesi, Shri  
Brijeshwar Prasad, Shri  
Chanda, Shri Anil K.  
Chandra Shanker, Shri  
Chaturvedi, Shri  
Chettiar, Shri R. Ramanathan  
Das, Shri K. K.  
Dasappa, Shri  
Desai, Shri Morari  
Deshmukh, Shri K. G.  
Dwivedi, Shri M. L.  
Elayaperumal, Shri  
Ganpati Ram, Shri  
Goudar, Shri K. P.  
Hajernath, Shri  
Handa, Shri Subodh  
Hazarika, Shri J. N.  
Hem Raj, Shri  
Jain, Shri M. C.  
Jandge, Shri  
Jyotiishi, Pandit J. P.  
Kamble, Dr.  
Kasliwal, Shri

Kayal, Shri P. N.  
Kedaria, Shri C. M.  
Lehiri, Shri  
Lal, Shri R. S.  
Majithia, Sardar  
Malhotra, Shri Thakur Das  
Maiti, Shri N. B.  
Masuriya Din, Shri  
Mishra, Shri Bibhuti  
Mehta, Shrimati Krishna  
Mohideen, Shri Gulam  
Morarka, Shri  
Murmu, Shri Paika  
Nader, Shri P. T.  
Neldurgker, Shri  
Nayar, Dr. Shushila  
Nehru, Shri Jawaharlal  
Nake Ram Nagi, Shri  
Padam Dev, Shri  
Parmar, Shri Deen Bandhu  
Pattabhi Raman, Shri C. R.  
Patel, Shrimati Maniben  
Patel, Shri Rajeshwar  
Prasad, Shri Mahadeo  
Radha Raman, Shri  
Raghbir Singh Shri  
Raj Bahadur, Shri  
Ramakrishnan, Shri  
Ramananda Tirtha, Swami  
Ramaswami, Shri S. V.

Ramaswamy, Shri K. S.  
Ram Saran, Shri  
Rane, Shri  
Ranga, Shri  
Reddy, Shri K. C.  
Rungta Suresh, Shri  
Sadhu Ram, Shri  
Sahu, Shri Rameshwar  
Samanta, Shri S. C.  
Sardar, Shri Bholi  
Serkadi, Shri Ajit Singh  
Satyabhama Devi, Shrimati  
Selku, Shri  
Shankaraiya, Shri  
Sharma, Shri D. C.  
Sharma, Shri R. C.  
Shobha Ram, Shri  
Siddappa, Shri  
Singh, Shri T. A.  
Sinha, Shri Gajendra Prasad  
Sinha, Shri Satya Narayan  
Somen, Shri  
Subramanyam, Shri T.  
Sumet Prasad, Shri  
Tiwary, Pandit D. N.  
Umrao Singh, Shri  
Upadhyaya, Shri Shiva Dutt  
Varna, Shri M. L.  
Vyas, Shri R. C.

The motion was negatived.

**Mr. Speaker:** I shall now put the original motion for consideration to vote.

The question is:

"That the Bill further to amend the Requisitioning and Acquisition of Immovable Property Act, 1952, be taken into consideration."

The motion was adopted.

**Clause 2—(Amendment of section**

1)

**Shri Naushir Bharucha:** I beg to move:

Page 1, line 6,—for "sub-section (3) shall be omitted" substitute "in sub-section (3) for the word 'six', the word 'seven' shall be substituted".

The effect of this amendment is to extend the life of the Act by only one year.

**Shri Pattabhi Raman:** I beg to move:

Page 1, line 6,—for "sub-section (3) shall be omitted", substitute "in sub-section (3) for the word 'six', the word 'twelve' shall be substituted".

**Mr. Speaker:** Shall I put this amendment first or the other one? If this is carried, the other one goes. But if the other one is carried, I have my own doubts whether this goes. I can still put it because the time can be extended. If 'twelve' is carried 'seven' goes. So, I will put this first.

**Shri Jaipal Singh (Ranchi West—Reserved—Sch. Tribes):** Twelve may include seven. But, if, on the other hand, twelve is negatived, seven is also excluded.

**Mr. Speaker:** I will now put Shri Pattabhi Raman's amendment to vote. The object of this amendment is not to make it permanent but to extend the life for a period of six years.

**Shri K. C. Reddy:** I have just a word to say. In the course of my speech I said that when amendments are moved to extend the life of the Act to particular periods of time, I will give my thought to the matter and say what the Government's opinion is. In view of the fact that a large volume of opinion has been expressed by hon. Members that the Bill may not be made permanent but may be extended by a particular period of time, I am prepared to accept this amendment to substitute 'six' by 'twelve'.

**Mr. Speaker:** Now, I will put Shri Pattabhi Raman's amendment to vote.

The question is:

Page 1, line 6,

for "sub-section (3) shall be omitted", substitute "in sub-section (3) for the word 'six', the word 'twelve' shall be substituted."

The amendment was adopted.

**Mr. Speaker** Shri Bharucha's amendment is now barred.

**Shri Naushir Bharucha:** It is making it semi-permanent.

**Mr. Speaker:** The question is:

"That clause 2, as amended, stand part of the Bill"

The motion was adopted.

Clause 2, as amended, was added to the Bill.

Amendments made:

(i) Page 1, line 1,—for "Eighth Year" substitute "Ninth Year".

(ii) Page 1, line 4,—for "1957" substitute "1958".

[**Shri Anil K. Chandal**]

**Mr. Speaker:** The question is:

"That clause 1, as amended, stand part of the Bill."

The motion was adopted.

**Mr. Speaker:** What I find is that hon. Members from a particular party want to support an amendment. But nobody says so. I expect, the hon. Minister for Parliamentary Affairs and his other whips to be ready to support or oppose any amendment and not put me in a dilemma as to what I have to declare.

**The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha):** Very sorry for your dilemma.

**Mr. Speaker:** The question is:

"That the Enacting Formula, as amended, and the Title stand part of the Bill"

The motion was adopted.

The Enacting Formula, as amended, and the Title were added to the Bill.

**Shri Anil K. Chanda:** Sir, I move:

"That the Bill as amended, be passed"

**Mr. Speaker:** The question is:

"That the Bill as amended, be passed."

The motion was adopted.

#### CRIMINAL LAW AMENDMENT BILL

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** Sir, I beg to move that the Bill further to amend the Indian Penal Code, the Prevention of Corruption Act, 1947, and the Criminal Law Amendment Act, 1952, be taken into consideration.

The object of this amending Bill is to tighten the law regarding the prevention of corruption amongst government servants and others. So far as the present Bill is concerned, Government have got some experience of the working of the Prevention of Corruption Act and also the Indian

Penal Code to the extent that it bears on corruption. Now, it is found that there are certain lacunae as a result of which those who are otherwise corrupt or those who are liable sometimes escape. That is the reason why this amending Bill has been brought forward.

It deals with the amendment of three Acts; one is the Indian Penal Code; the other is the Prevention of Corruption Act and the third is the Criminal Law Amendment Act. So far as the Indian Penal Code is concerned, the House is aware that there is a section dealing with the definition of public servants in general. Recently, as the House is aware, this Government as also the State Governments have had numerous industrial and other concerns. There are companies and statutory bodies and the question of corruption arises in respect of officers or employees of these bodies as well. But, in view of the fact that the words 'public servant' did not include all these persons, it was likely that these persons might escape from the punishment due to them under the law. That is the reason why in this amending Bill an addition has been made to section 21 of the Indian Penal Code. There are definitions of 'public servants' in the various clauses up to eleven. Now, a sub-clause has to be added for the purpose of extending the definition to those who are working under a local body or under these industrial concerns which are carried on or managed or worked either by the State Government or by the Central Government. If this amendment is accepted by the House, the definition would be wide enough to include all such persons. They would be 'public servants' and therefore proper action can be taken against them and they are bound by certain obligations inasmuch as they are 'public servants'.

Secondly, they have to carry on their work in a proper manner. In case any dishonest act is done by them, any act of the nature of corruption is done by them, then, naturally, they would be answerable. So, you

will find this particular lacuna. It is therefore necessary to have the definition widened so as to include all such persons or categories of persons.

16 hrs.

There is also another very important point which deals with certain other offences committed under the Prevention of Corruption Act. During the last 8 or 9 years, it is often found that whenever an officer is prosecuted or convicted, he is not given the punishment which is due to him under a false sense of leniency or some such reason. He escapes with a very light punishment. We have a number of such instances. So, Government considers it necessary that this law relating to the imposition of punishment ought to be tightened up. For this purpose a departure from the ordinary law is made. It is essential that when a Government servant has committed such an offence, the punishment should be adequate. A nominal or lenient punishment would not serve the purpose that the law has in view, namely, of not only punishing the particular man whose misconduct has been proved but also acting as a deterrent to prevent other persons from acting in a similar manner.

Taking all the circumstances into account, Government has come forward with a proposal that the minimum punishment ought to be provided. In certain cases, it is essential that a minimum punishment ought to be provided because the offence is so great. In certain instances, Parliament has agreed to the imposition of a minimum punishment. We have got the Food Adulteration Act. In the case of a first offence, the punishment was left to the Court. If the offence is repeated, a larger punishment has to be awarded both in imprisonment and fine. If the offence is committed again, still larger punishment is prescribed. Parliament also recently passed the Suppression of Immoral Traffic Act. There also, the offence is very heinous and therefore, a minimum punishment of one year has been prescribed. This is the third instance where the Government has come

[Shri Datar]

before the House with a proposal that there ought to be a minimum punishment. The maximum punishment has to be left to the Court.

In all such cases, the offender whose guilt has been established should not escape either with a small amount of fine or with a small measure of imprisonment. So, it is proposed here that where the offence has been held to be proved, the minimum punishment that a magistrate can pass is one year's imprisonment. Naturally, these are matters which deal with judicial discretion. Normally the punishment should not be less than one year. In exceptional circumstances there may be some extenuating considerations where the Judge may conclude that the punishment ought not to be one year. In that case it has been laid down that the court ought to give reasons why it desires that in a particular case the punishment ought to be less than one year. So, the normal punishment, it will be found, is one year or above. But for special reasons, the court can give a less punishment and in such case the reasons are to be given. The court will impose a lesser punishment only when there are stronger reasons. Otherwise, the court would have to follow the ordinary law.

There is another provision also. In addition to the imprisonment it is open to the court to fine the accused if found guilty. Often the fine is absolutely nominal or extremely modest and errs on the side of leniency. That is not at all good. I have a number of cases before me where the fine bears no proportion at all to the amount involved. In all such cases we have laid down in our proposals that it must bear a proportion to the money with the accused or his financial resources. That is why it has been laid down, as I shall point out shortly, that the fine ought to be adequate. It should be proportionate to his financial resources and the circumstances that I have pointed. This is the next amendment that we are going to move.

There is also another point. An officer who received a bribe was committing an offence under the Indian Penal Code under the I.P.C. as it originally was. Till recently, it was not considered advisable to make a man who gave the bribe an offender. But the Parliamentary Committee which was appointed says in its report that the bribe giver should also be considered an offender. In other words, both ought to be punished. So, as you are aware, there was an amendment to section 161(a) providing for the offence of bribe giving as well as taking, under the Indian Penal Code.

It is quite correct that both ought to be equally liable before the law. But there has been one effect of this particular proposition. What happens is this. Whenever a bribe giver gives some information, he is often harassed by the other party. Besides, there are also certain cases known as trap cases. A certain officer may be found guilty of being habitually corrupt. Then, as you may have been aware, under the provisions of the Prevention of Corruption Act, a new offence has been evolved, known as the offence of criminal misconduct. In such cases, oftentimes, it became necessary, and it is always difficult to get evidence to establish a case of corruption. Therefore, it was considered necessary that sometimes trap should be laid for the particular person and then, when a trap has been laid, somebody must go and somebody must offer money to the man, this offer being for the purpose of catching the other man because he is accustomed to take bribes. Under these circumstances, sometimes, when such a trap has been laid out, and when the particular person who is only nominally a bribe-giver, is concerned, attempts are always made on behalf of the other party that inasmuch as he also has admitted that he has given the bribe, he ought to be also an accused in respect of this transaction where a certain amount of money has passed from one person, namely, the bribe-giver, to the other person, namely, the bribe-taker.

This has a very discouraging effect so far as the bribe-givers are concerned. The object is that the administration ought to be absolutely pure and for that purpose it is our desire that there ought to be no corruption so far as government employees or public servants are concerned. That is the reason why the law has been made so strict. But, if the object of the law is likely to be defeated, then no evidence would be forthcoming, and therefore, a certain amount of protection is absolutely essential so far as this bribe-giver is concerned.

That is the reason why we have stated that he should be given protection in proper cases, because he is helping the prosecution for the purpose of establishing corruption so far as the government employee or a public servant is concerned. Hence, an amendment has been proposed in this regard.

Then, oftentimes, as you are aware, we have got cases under the Criminal Law Amendment Act. According to this Act, when the question of corruption was followed very closely with a view to have it completely rooted out from our administration, it was considered necessary that instead of having the cases being taken up either before a magistrate or before the sessions Judge,—it was considered advisable by Parliament—that there ought to be a special Judge or a special court.

**Shri V. P. Nayar (Quilon):** How do you define corruption?

**Shri Datar:** The hon. Member knows corruption more than I, because he is a lawyer of long standing. Corruption is such an insidious thing that attempts have been made to define in the Indian Penal Code and elsewhere as also in the Prevention of Corruption Act but these persons who are corrupt are also extremely clever. Therefore, they try to get out of the clutches of the law. My friend, and all of us have to co-operate in tightening the law and making it as strict as possible. Therefore, as I was pointing out, when the case has to come before a special Judge, certain diffi-

culties are felt. This special judge is held to be something like the sessions court or the sessions judge but not like a magistrate.

Assuming for example that there is a case pending before a magistrate, then that case will go on. It will not necessarily be heard *de novo* or re-heard in a particular manner. The case can go on especially in view of the recent amendment to the Criminal Procedure Code. For example, if the magistrate dies or retires or is transferred from one place to another, in such cases, on the footing that he was a magistrate, it is easy to carry on the case and to pursue the matter before his successor.

Now, certain high courts held, on account of the technical nature of the word used, that the special Judge would not be or would not have this particular power or that these rules would not apply to a case pending before a special Judge. Therefore, the whole thing will have to be gone through again. That aspect had the effect of procrastination. Therefore, it is laid down that in this regard, he should be deemed to be a magistrate. These are the amendments that have been brought forward. Now, I would make a very brief reference to the wordings of this amending Bill.

It will be found that in clause 2, a new sub-clause has to be added, known as the 12th clause which reads:

“Every officer in the service or pay of a local authority”—

the words “local authority” are known and therefore, I need not describe it any further—

“or of a trading corporation established by a central, provincial or State Act or of a Government company as defined in Section 617 of the Companies Act,”—

Then comes the explanation as to what is a trading corporation. It includes banking, insurance or financial corporation, a river valley corporation and a corporation for the supply of power, light or water to the public.

**Shri Tyagi (Dehra Dun):** Not an industrial corporation.

Shri Datar: It does. Then, I have already explained the reason why a minimum punishment has to be provided for. It is stated here that in section 5, for sub-section 2, the following sub-section shall be substituted:

"Any public servant who commits criminal misconduct in the discharge of his duty shall be punishable with imprisonment for a term which shall not be less than one year but which may extend to seven years."

So, you will find that the highest penalty is up to seven years so far as this offence is concerned. He shall also be liable to fine. Naturally, in view of the need to give the court proper discretionary powers, so far as the question of punishment is concerned, it has been rated in the proviso that the court may for any special reasons, not ordinary reasons, for the purpose of giving less sentence, in writing, refrain from imposing a sentence of imprisonment or impose a sentence of imprisonment of less than one year.

So far as the question of fine is concerned, the whole matter has been made absolutely clear by the addition of a new sub-section to the section in the Prevention of Corruption Act and is known as clause 2-A.

"Where a sentence of fine is imposed under sub-section (2), the court in fixing the amount of fine shall take into consideration the amount or value of the property which the accused person has obtained by committing the offence of criminal misconduct or where the conviction is based on the presumption under sub-section (3), the pecuniary resources or property referred to in that sub-section for which the accused person is liable to account satisfactorily..."

Then there is an addition of a new section known as section 8:

"Notwithstanding anything contained in any law for the time being in force, a statement made by a person in any proceeding against a public servant for an

offence under section 161 or section 165 of the Indian Penal Code or under sub-section (2) of section 5 of this Act, that he offered or agreed to offer any gratification (other than legal remuneration) or any valuable thing to the public servant, shall not subject such person to a prosecution under section 165A of the said Code."

Then, the procedural difficulty has been removed by clause 4.

"In particular, and without prejudice to the generality of the provisions contained in sub-section (3), the provisions of Section 35 of the Code of Criminal Procedure, 1898, shall, so far as may be, apply to the proceedings before a Special Judge, and for the purposes of the said provisions a Special Judge shall be deemed to be a magistrate."

These are the main provisions. Certain amendments have been brought forward, the object of some of which is that the minimum sentence should be two years. It is considered that one year is a fairly adequate punishment. It is open to the magistrate or the court to give a greater measure of punishment. The minimum ought to be one year, and two years is likely to be considered as vindictive. That is the reason why the two amendments on this point cannot be accepted.

My friend, Shri Kasliwal, has brought forward an amendment saying that the words "refrain from imposing a sentence of imprisonment or" ought to be removed altogether. There may be certain special circumstances where in the exercise of judicial discretion, the magistrate or the court might consider that he should follow a particular course, matters like what that particular course is, what is the extent of the punishment either of fine or of imprisonment, etc. being left to judicial discretion. The Legislature can lay down certain minimum requirements, because this minimum requirement is necessary in view of the experience that we have of officers of proved guilt escaping with a light punishment.

**Shri Raghbir Sahai (Budaun):** Is the hon. Minister dealing with particular amendments now?

**Shri Datar:** I am not dealing with them particularly now; I am dealing with them only in a general manner. Hon. Members will have full opportunity to deal with them separately. I am just pointing out my general approach. Therefore, I submit that we should as far as possible leave the matter, subject to the minimum requirement of the legislature, to judicial discretion itself.

There are some other very interesting amendments. Government have two formal amendments; there is nothing about them. It has been suggested by one Member that there ought to be a confiscation of property. That objective might be achieved in the indirect manner of raising the fine to the most adequate amount.

Lastly, my friend, Mr. Bharucha, possibly not here now....

**Shri Naushir Bharucha (East Khandesh):** I am here.

**Shri Datar:** I am glad. Recently we had a meeting of the Joint Committee on the Probation of Offenders Act. Possibly he desires that such offenders should not have the benefit of any action under section 562 or corresponding action dealing with admonition or similar matters. I would point out that the offence is so grave and serious that the magistrate or the judge would deal with them in the proper way and it may not be that the magistrate would release them after admonition. It is not a matter for admonition at all; it is a serious matter. Corruption is one of the most heinous offences under the I.P.C. and the Prevention of Corruption Act. Therefore, I can imagine that the fear he has in his mind might be illfounded. All the same, it is open to him to move the amendment.

These are the general matters on which I have based a case for passing this particular Bill before the House. If any other points are raised, I shall be very happy to reply to them.

**Mr. Speaker:** Motion moved:

"That the Bill further to amend the Indian Penal Code, the prevention of Corruption Act, 1947, and the Criminal Law Amendment Act, 1952, be taken into consideration."

Hon. Members have got only two hours and therefore they may be brief and effective at the same time. I shall call Mr. Nayar, Mr. Tangamani, Mr. Mohamed Imam, Mr. Bharucha and Mr. Raghbir Sahai.

**Shri Kasliwal (Kotah):** I have also got an amendment.

**Mr. Speaker:** I will call him also. Now that I find a number of hon. Members wanting to speak, let them be brief. .

**Shri V. P. Nayar:** As I heard the hon. Minister speaking at length on this short Bill, I thought that the real malady lay not in the actual working of the Government machinery, but in the absence of adequate laws. There have been many references in this House about cases of corruption and we know the attitude of Government on such matters. I am not going to describe them here again.

What is the real trouble we have? If you go through the Statement of Objects and Reasons, you find that "the experience gained from the efforts made by the Government to deal with the evil of corruption in the public services has revealed the need for some amendments of the criminal law." Why is it that we are not told the number of cases for which these amendments were necessary? Are we to take it that in order to bring the employees of the Government corporations and other undertakings there is no law at present enabling the Government to do it? Why is it that we are not given figures of the number of cases of corruption which have been brought to the notice of the Government and for which applications have

[Shri V. P. Nayar]

been made for sanction of Government, which is necessary under the Prevention of Corruption Act? In the absence of this vital information, we cannot apply our mind to this amendment and it is not very simple as the hon. Minister seems to think.

I for one always welcome any legislation which is intended and which has as its real purpose the eradication of any evil in our country. But to my mind it appears that it is not because of the absence of laws that we are proceeding in the way in which we are. What is the co-operation of the public in such matters? We know that in several cases, when the subordinate officers find it possible to point out the cases of corruption against their superiors, those very superiors are appointed as enquiry officers and those who point out the corruption of the superiors themselves have to face the trial. Recently there was a case of corruption in the Howrah station in the transport of goods and one of the subordinates, by name Shri R. K. Majumdar, who had occasion to send up a comprehensive note about cases of corruption, is today out of service. He has been suspended and it appears that an enquiry is being made against him by the same officers against whom he alleged corruption. I can point out several cases of corruption like this.

In this House a few years ago, I had pointed out a case of one of our former diplomats holding charge of a Government undertaking as managing director giving an order for architectural work in the same undertaking to a firm in Delhi, the undertaking being in Bangalore and the sole proprietor of the architectural firm being his own son. Is it not corruption which requires to be rooted out? It is not as if we do not have laws. I would again request the hon. Minister to tell us if he is really sincere about the purpose of this Bill. We do not know the number of cases of corruption for which sanctions have been applied for, the number of cases in

which sanction has been given at least at the level of the Central Government, etc. It is idle for us to think that the law is not adequate to meet the situation.

I heard the hon. Minister saying that the Government undertakings, apart from the so-called Government offices, do not come within the ambit of the existing legislation. All of us know that there is a rule by which every Government servant is obliged to send reports about the acquisition of new property. I believe that that is being enforced. But I understand that the statements are very seldom made and even when they are made, they are filed in some corner of an office, never being looked into. The hon. Minister was charitable enough to say, then I interrupted him when he was speaking about the definition of corruption, that I know more of corruption. I certainly know more of the cases of corruption perhaps than the hon. Minister. I can give him many instances.

In the Penal Code, we have provisions by which, if the provisions were applied in right earnest, we can prevent amassing of wealth by secret means. For example, there is the section in the Indian Penal Code which establishes possession. Section 27 says:

"When property is in possession of a person's wife, clerk or servant on account of that person, it is in that person's possession within the meaning of this Code".

I wonder whether the Government have investigated at all the amassing of wealth in the names of servants, uncles, wives and other relations. You find that all these Government servants, when they are corrupt, amass wealth in the names of other persons, and when an enquiry is made, none will be touched. Is it because we do not have law in order to establish the possession of property, which was amassed by illegal gratification or some other means by the officer concerned? We have heard of several

cases; some of them have come to the Supreme Court also. Some of them ended in conviction. But has any effort been made by the Government, at least in the case of the top officials, whose cases can be found out, provided a proper enquiry was made, to find out what bank balances they had in the names of their wives, in the names of their uncles or servants. We know cases where wives of corrupt officers, who did not own one plot of property even in the villages, owning mansions in Delhi, Calcutta, Poona and Bangalore. What is it that the Government have done? Is it because we do not have a law? Is it because our laws were not adequate to bring to book these offenders for amassing wealth in the names of others?

I believe it is not merely because of the law, not because of the lacuna we had in our legislation, but because primarily of the approach of our Government in respect of these corrupt officers which has been basically wrong. Government had a soft corner for these officers. Very often we find that the more corrupt an officer is, the more higher is the posts to which he shoots up. It happens even today. It has become a habit for some officers. Their smiles can be sold for thousands of rupees. Even today in Delhi it happens. What is it that Government have done?

16.32 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

Shri Harish Chandra Mathur (Pali): I thought it would apply only to film stars.

Shri V. P. Nayar: If a film star smiles, she may get a few hundreds. In the case of a higher official, it runs into several thousands, because of the benefits which they are capable of giving. That is the position today. Let us not get away from the fact that some officers are using their position and their power for that. In this context, Government comes and says "Look here, we are for avoiding corruption, we are for preventing it."

Shri Wodeyar (Shimoga): Any special instance? You are referring to officers.

Shri Tyagi: Officers smiling?

Shri V. P. Nayar: I would request the hon. Member, who is very enthusiastic, to come round with me and see for himself with his own eyes how this is happening even in the capital.

Mr. Deputy-Speaker: If smiles bring fabulous prices, what about frowns?

Shri V. P. Nayar: Frowns can ruin people. That is why smiles are costly. So, I am not for a moment prepared to agree with the hon. Minister that it is because of lacuna in the law that we have no ways and means to bring these offenders to book. We have laws. Even those laws which we have now have not been properly used in the matter of fighting corruption. If Government were sincere in the application of the existing law, as it is, I think the Government would not have had any hesitation to come and tell us "this is the number of cases of corruption which we have sent for sanction by Government; this is the number of cases on which we have made preliminary enquiries". Why is it that we should at all have sanction in the case of prosecution for corruption?

Shri Tyagi: They have been publicised a number of times.

Shri V. P. Nayar: They are publicised only when they go to courts. We do not know what percentage of cases have really gone to the court. Secondly, we know that not even a fraction of cases of corruption are covered. That is just because, as I submitted earlier, there is no co-operation to the extent necessary from the public. For example, there is the All India Radio. Why is it that Government finds it impossible to broadcast to the nation the names of corrupt officers? Why is it that when we ask questions of corruption by Government officers, Government spokesmen have to claim "in view of the public

[Shri V. P. Nayar]

interest, we cannot disclose the information" It has happened several times in this House.

I am not for a moment saying that these provisions are not welcome to me. They are certainly welcome. But if these provisions remain, as they have remained in several other laws in the country, and Government continue in their attitude to come forward and say "Look here, this is the thing which we want in order to eradicate corruption", I submit that it will lead us nowhere. It is not panacea to meet the circumstances.

I do not want to go into the legal aspect, because I find my friend Pandit Thakur Das Bhargava, who is very much more competent to deal with that, will go into it. I want to go into the theory of punishment as is contemplated in some of the amendments. I would earnestly urge upon the Minister to consider whether it is not time, especially in view of our Five Year Plan, in view of the developing economy, in view of our ambitious programmes, that we enlist more of public co-operation. We find even when responsible Members of Parliament making statements in the House with a full sense of their responsibility, such statements are not acted upon by the Government. Such statements are not given any weight and officers about whom references are made get away without any sort of even a formal enquiry.

This attitude of the Government must change, and unless it is changed, no amount of legislative reforms will bring us any relief from this corruption. I am sorry to say that when I say we have corruption in our midst in the administration, it is not confined to Government services alone; it extends to public undertakings also. I was wondering whether this amendment was at all necessary to bring within the ambit of our law the employees working in Government corporations, because, as you know, these corporations have been set up by authority of the Government. These

are not undertakings over which Government have no control at all. All these public undertakings and private limited companies, which are owned by Government, have been set up under authority of Government. Naturally, therefore, employment under them will be under some authority of Government. If that were so, I don't think there is even a single test case of any employee of such corporations being proceeded against. It is open to the hon. Minister to tell the House whether any such case has arisen. I do not know of any such cases.

**Mr. Deputy-Speaker:** Why should we take the risk?

**Shri V. P. Nayar:** It is not as if we are taking a risk.

**Mr. Deputy-Speaker:** Whether he will escape or not is not known.

**Shri V. P. Nayar:** I was only trying to point out that it is not as if it is the defect in the existing legislation which has made it impossible to proceed against them. For example, I would very respectfully refer you to section 14 of the Penal Code. What does it say? It says:

"servant of the Government" denote any officer or servant, continued, appointed or employed in India by or under the authority of the Government."

I submit that these corporations have been set up by some authority or other under the Government. Their employees, therefore, must naturally come within the authority of the Government. It is not as if in such cases they should necessarily have resorted to this provision. But at this time to come and say that a large range of employees, who are construed as Government employees, have been left out would very idle, unless we know that this has been the view which the highest courts of our country have held.

I certainly welcome the Bill and the provisions, especially the provisions which enhance the punishment. But I have a feeling that these provisions will remain only in the book, and they are not going to be applied with the rigour which would be necessary to clean our administration of its evil and corrupt influences. I do not want to tire the House by referring again to corruption. But I would say that a very large number of our officers do not deserve the places which they are in. As very rightly pointed out corruption is not defined.

It is not acceptance of illegal gratification alone. It is one form of corruption. Unfortunately, our Penal Code also has not defined corruption as the hon. Minister seemed to think that the Penal Code has a definition of corruption. It does not have. None of our penal laws has a definition of corruption. There is nepotism, there is favouritism, there is graft. Would they come within this? It would appear that only acceptance of illegal gratification and things of that kind will come.

**Shri Tyagi:** That may be true.

**Shri V. P. Nayar:** To my mind, it appears, in the scheme of things and also in view of the provisions of the Penal Code, especially sections 162, 196, 198, 200 and 220, etc., where the word corruptly is used, it refers to money or the production of some false document or something. I say that they are not merely the forms of corruption which we have. In fact, the forms of corruption are more varied as we have it today than the variations in the voice of the hon. Minister who supported this Bill. There is no doubt about it. Therefore, I say that this view should also be taken when we enact a law and we are trying to prevent certain things which we know for certain as evils. In tackling this situation, when we suspect that so many, some of the officers at least—I would not risk by saying so many—some of the officers are corrupt, when we think of cor-

ruption and eradicating corruption, I submit, the Government should have thought very seriously about preventing other forms of corruption, the more notorious forms of corruption, venality and graft. Without this I submit, merely passing this legislation, mere addition of a provision here or there, will not serve any useful purpose although I am forced to welcome the provisions that the hon. Minister has now brought forward. Because, any such provisions will find welcome from us if we know that at least in letter if not in spirit they will give us an idea that the Government are thinking in terms of eradicating some existing evil.

With these words I have pleasure in supporting the Bill. I would urge upon the hon. Minister once again to consider how a very comprehensive legislation can be brought forward which will cover all known cases of corruption. Human ingenuity may have no limit. But, the hon. Minister may have the ingenuity to defeat the ingenuity of all others to the extent of cent per cent.

**Shri Raghbir Sahai:** Mr. Deputy-Speaker, I extend my wholehearted support to this Bill because it has been brought forward with very laudable objectives. As the hon. Minister in his opening speech said, it has been brought forward with a view to widen the scope of the anti-corruption law. With that end in view, the definition of public servant has been expanded so as to include various other categories of servants. It has also been brought forward to ensure that adequate punishment is awarded in such cases and to see that the prosecution in such cases may be decided in an expeditious manner. With that end in view, a minimum punishment of one year has been laid down in this Bill. Also there is a provision that the bribe giver may also not be prosecuted, for instance, when he comes forward to give a clue to the whole thing and also to appear in that case against the accused. These are all very laudable provisions that have

[Shri Raghbir Sahai]

been made in this Bill and there can certainly be no difference of opinion with regard to that.

I entirely agree with my hon. friend Shri V. P. Nayar when he says that along with this Bill, the Government should have provided us with all the cases that had been brought against the corrupt officers under the Prevention of Corruption Act and the Criminal Law Amendment Act with their amendments from time to time so that we might be able to form some idea as to how far corruption has been controlled by the Government. It is not a new thing for the Government. So far as their intentions are concerned, they are quite clear. They are actuated with the best of motives. I do not agree with Shri V. P. Nayar when he recounted so many cases of corruption as if to show that the Government were conniving at them. Nothing like that. Despite Government's wish, corruption is there. In the case of the Preventive Detention Act, the procedure adopted by the Government has been to bring forward before this hon. House statements from year to year and despite opposition with regard to that Act here and there, a large majority of the Members of this House as well as people, outside are convinced that the Preventive Detention Act was being operated in a proper and salutary manner. Why can't the Government produce all these facts and figures of the number of cases that were brought under these two Acts? I think that was certainly a lacuna on the part of the Government and I hope the Government would consider the feasibility of putting all these facts and figures before this House.

**Shri Datar:** All that information is contained in the report of the Vigilance Organisation. Every year, the report is placed on the Table of the House.

**Shri Raghbir Sahai:** That is all right. Along with that, there is also a feeling in the country that corrup-

tion despite these two salutary Acts is increasing. That feeling may be right or that feeling may be wrong. But, we shall have to take note of it that there is a feeling that corruption is on the increase.

Sometimes, whenever there is a talk about corruption, people, and I think, responsible people are prone to say that this corruption cannot be removed root and branch until and unless the public also becomes pure, meaning thereby that it is the public who come forward and encourage officials or government servants to take illegal gratification and become corrupt. It may be partly true. But, here, we are dealing with a Bill which deals with public servants. I am not in the least prepared to condone the acts of the public. The public ought to be educated and it should be made to act in a responsible way and wherever it commits a lapse, let it run the risk. In so far as this Bill is concerned, we are dealing with public servants. We ought to see that public servants behave in an irreproachable manner. These two Acts, as I have said, are very salutary Acts and along with these amendments, the Acts will become more efficacious. But the provisions of these two Acts can only be applied when the offence is proved. The proving of the offence is the greatest hurdle. How is the offence to be proved? We know from our experience that proving the offence of corruption is very difficult. Either the provided for sanction is not there, or if the sanction has been given, it is defective, or the ingredients of criminal misconduct have not been complied with. So, my contention as well as my submission is that proving the offence of corruption is very difficult.

Then in this Bill we are going to introduce a new change, i.e., section 350 of the Criminal Procedure Code is also to be made applicable. It is certainly true that if this section is made applicable, the *de novo* trials

would be obviated, but I do not think that delay in the disposal of cases would be obviated at all.

With your permission, I may say that an ICS officer was removed from service in 1953. The Government appointed a commission of enquiry for the matter to be enquired into by a Judge of the Calcutta High Court. That was done in 1953, but I think it was only a few weeks back that he finally surrendered bail and went to jail. In this way, five years did elapse between the instituting of a formal enquiry and his going to jail actually. I ask the Government whether corruption is going to be controlled in that leisurely manner, and whether an offender of that type would take so many pleas and would waste so much time and would go to jail only after five years. Something should be done so that these cases, where the offence can be proved, are decided more expeditiously; otherwise, the entire effect of this efficacious law is bound to disappear.

From these observations I think it is clear that though the two Acts meant to control corruption are very good, and the provisions now being introduced are also good, the entire problem of corruption is not going to be finally decided with these two Acts alone; corruption is not going to be controlled by them alone.

There may be a difference of opinion whether corruption is present to a greater or a lesser extent, but everybody recognises that corruption is there and that it ought to be controlled. So, it appears that the remedy for corruption lies elsewhere.

In my humble opinion, the first remedy is that the topmost officers should be made responsible to see that corruption does not exist below their very noses, that the rank and file working under them do not indulge in corruption at all. They should be made personally responsi-

ble. My own feeling is that most of this corruption in various departments of Government exists because of the active connivance of the top-level officers. If the top-level officers are made responsible for the rooting out of corruption, then most of this would disappear.

The second remedy that I would like to suggest is that we have to start giving education to people entering Government service. There are so many cadres—the IAS, PCS, IPS etc. From the very beginning they should be taught that not only they should be incorruptible, but they should see that the rank and file working under them is also pure and incorruptible. Moreover, every officer who enters Government service should be asked to give a guarantee in writing that he will remain incorruptible and the moment it comes to the knowledge of Government that he has done something violating the provisions of these Acts, he should be dismissed. Some such type of education is very necessary.

Everybody will agree that it is better that we try to prevent rather than cure corruption, and prevention of corruption can only be achieved by these two methods. Unless and until these two things are done, corruption will remain as it is.

I support the Bill.

**Shri Ajit Singh Sarhadi (Ludhiana):** I do not think there are any two opinions about the Bill, but it is the situation as it prevails that we have got to see.

Shri Nayar rightly pointed out that corruption is of different kinds. It is not only illegal gratification that constitutes corruption. Corruption has got a wider meaning. The Bill in effect only deals with illegal gratification and does not meet the situation that prevails in the country. As Shri Nayar said, favouritism and nepotism are also forms of corruption, but we have got to see whether they can be met by legislation. I personally feel

[Shri Ajit Singh Sarhadi]

that it is very difficult to meet corruption of the kind that he has in mind. Only creation of public opinion can eradicate corruption of that kind.

Coming to the Bill as it is, I have to draw the attention of the hon. Minister to two things. I concede that the Government's activities have enlarged to a very great extent. Government has undertaken now commercial and industrial enterprises and as such the definition under section 21 of the Indian Penal Code calls for an amendment, and as such clause 12 of

the Bill has been rightly brought forward.

17 hrs.

Mr. Deputy-Speaker: I am sure the hon. Member has much to say yet.

Shri Ajit Singh Sarhadi: I have much more to say. I shall continue tomorrow.

Mr. Deputy-Speaker: The hon. Member may continue tomorrow.

*The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, the 12th February, 1958.*

[Tuesday, 11th February, 1958]

Subject	COLUMNS
ORAL ANSWERS TO QUESTIONS	47-82
S.Q. No.	

1. Floods in Ceylon . . . . . 47-50
2. Narsing Girji Manufacturing Company Ltd. Sholapur . . . . . 50-52
3. Kingsway Tenements . . . . . 52-54
4. Non-Europeans in South Africa . . . . . 54-57
5. Textile Stocks . . . . . 57-58
6. Dandakaranya Rehabilitation Scheme. . . . . 59-61
7. Textile Industry in Bombay 61-63
8. Indians in Burma . . . . . 63-65
9. Small Scale Industries in Orissa. . . . . 65-67
10. Professor Zelenovsky. . . . . 67-68
11. National Productivity Council . . . . . 68-70
12. Price-page Schedule for Newspapers . . . . . 70-73
13. Trade with Poland . . . . . 73-75
14. Indo-Pakistan Agreement on Movable Property . . . . . 75-78
15. Purchase of Equipment for A.I.R. . . . . 78-79
16. Tennis Balls . . . . . 80-81
17. Pondicherry. . . . . 81-82

WRITTEN ANSWERS TO QUESTIONS.	82-146
-------------------------------	--------

S.Q.  
No.

18. Technical Training Centres 82-83
19. Film on Steel Projects . . . . . 83
20. Seizure of Indian Boats by Pakistan Police . . . . . 83-84
21. Pilot Scheme in Koraput . . . . . 84
22. National Small Industries Corporation . . . . . 84-85
23. Manufacture of Ampulla and Vacuum Flasks. . . . . 85
24. Slum Clearance in Calcutta 85-86
25. Cement Supply to Punjab . . . . . 86
26. Displaced persons from Kashmir . . . . . 86
27. Cement Factories . . . . . 87-88
28. Irrigation Schemes. . . . . 88
29. Paper and Glass Factories in Bombay . . . . . 88-89
30. Indo-Pakistan Trade Agreement . . . . . 89
31. W. I. M. C. O. Match Factories . . . . . 89-90
32. Aluminium Plants . . . . . 90

S.Q.	Subject	COLUMNS
33.	N. E. S. and Community Projects in Orissa State	91
34.	Italian Film Producer	91
35.	Iron Ore	91-92
36.	Betel Leaves	92-93
37.	Sub-soil water Level in Delhi	93-94
38.	Travancore Minerals (Private) Ltd.	94
39.	Bhopal Station of A.I.R.	94-95
40.	Indo-Afghan Agreement on Movement of Goods	95-96
41.	Central Building Research Institute, Roorkee.	96
42.	Cottage Industries in Punjab	97
43.	Textile Mills	97-98
44.	Industrial Estate at Pimpri	98
45.	State Trading Corporation of India (Private) Ltd.	99
46.	Indo-Pakistan Border Incident	99-100
47.	Rock Salt	100-01
48.	Indian Standards' Convention	101-02
49.	Export of Jute Goods	102

U.S.Q.  
No.

1. Payment of Compensation . . . . . 102
2. Payment of compensation to Displaced Persons . . . . . 103
3. Accommodation for Government Employees . . . . . 103
4. Employment Exchanges . . . . . 103-04
5. Disarmament . . . . . 104
6. Villiers' Colliery, Talcher . . . . . 104-05
7. Unauthorised Occupation of Government Houses . . . . . 106
8. Slum Clearance in Madras 106-07
9. Publications of Ministry of Labour and Employment. 107
10. Surveys of the Industrial Hygiene . . . . . 108-09
11. Construction of Quarters . . . . . 109-10
12. Government Houses in Simla . . . . . 110
13. Handloom Industry. . . . . 111
14. Electrodes Manufacturing Industry . . . . . 111-12
15. Zircon . . . . . 112
16. Vitamins . . . . . 113
17. Synthesis of Vitamins . . . . . 113-14

## WRITTEN ANSWERS TO QUESTIONS

contd.

U.S.Q. No.	Subject	COLUMNS
18. Anti-oxidants . . . . .	114	
19. Hume Pipe . . . . .	114-15	
20. Non-atomic Wastes . . . . .	115-16	
21. China Clay . . . . .	116	
22. Monazite Extraction . . . . .	116-17	
23. Ilmenite . . . . .	117	
24. Ilmenite . . . . .	117-18	
25. Travancore Minerals (Private) Ltd. . . . .	118	
26. Travancore Minerals (Private) Ltd. . . . .	118	
27. Purchase of Stores . . . . .	119	
28. 'Training within Industry' Schemes . . . . .	119	
29. Industrial Disputes, Lock-outs and Strikes. . . . .	120	
30. Educated Unemployed . . . . .	120-21	
31. Displaced Persons in Bharatpur . . . . .	1 22	
32. State Trading Corporation of India (Private) Ltd. . . . .	122	
33. Export of Iron Ore . . . . .	122	
34. Export of Guar, Guar Dal and Guar Gum . . . . .	123-24	
35. Guar, Guar Gum and Guar Dal . . . . .	124-25	
36. Co-operatives . . . . .	125	
37. Housing Scheme in Punjab . . . . .	125	
38. Trade Agreements . . . . .	126	
39. Production of Calcium Carbide . . . . .	126	
40. Coir Industry . . . . .	127	
41. Consumption of Coir Mats and Mattings. . . . .	127-28	
42. Tea Export . . . . .	128	
43. N.E.F.A. . . . .	128-29	
44. Recovery of Buried Treasures . . . . .	129	
45. Wage Board for Plantation Industry . . . . .	130	
46. Industries in Kerala . . . . .	130	
47. National Small Industries Corporation . . . . .	130-31	
48. I. N. T. U. C. . . . .	131	
49. Pakistani Nationals' entry into Jammu and Kashmir State . . . . .	131	
50. State Trading Corporation of India (Private) Ltd. . . . .	132	
51. State Trading Corporation of India (Private) Ltd. . . . .	133	
52. State Trading Corporation of India (Private) Ltd. . . . .	133	
53. Licences for Moulding Powder . . . . .	134	

U.S.Q. No.	Subject	COLUMNS
---------------	---------	---------

54. Malabar Spinning Mills Ltd. (Kerala) . . . . .	134-35
55. Export of Catechin . . . . .	135
56. Travancore Minerals (Private) Ltd. . . . .	135-36
57. Low Income Group Housing Scheme . . . . .	136
58. Plastic Goods Manufacturing Factories . . . . .	136-37
59. Indian Delegation to U. N. General Assembly . . . . .	137
60. Transmission Executives in A. I. R. . . . .	137
61. Officers in the Ministry of Commerce and Industry . . . . .	138
62. National Development Council . . . . .	138-39
63. Textile Mills in Punjab . . . . .	139
64. Uranium . . . . .	139-40
65. Displaced Persons' Claims . . . . .	140
66. Export of Agricultural Machines and Implements . . . . .	140-41
67. Closure of Factories in Punjab . . . . .	141-42
68. Custodian of Enemy Properties . . . . .	142
69. Ambar Charkha . . . . .	142-43
70. Export of Tea to America . . . . .	143
71. Import of Books, Newspapers and Periodicals . . . . .	143-44
72. Import of Tractors . . . . .	144
73. Khadi and Gramodyog Institutions in Punjab . . . . .	144-45
74. Blacksmithy Training Centres . . . . .	145-46
75. Rural Housing in Bombay . . . . .	146

## OBITUARY REFERENCE . . . . . 146-47

The Speaker made a reference to the passing away of Sri N. Somana who was a member of the First Lok Sabha.

Thereafter members stood in silence for a minute as a mark of respect.

## PAPERS LAID ON THE . . . . . 148-52 TABLE

The following papers were laid on the Table:—

- (1) A copy of the statement correcting the reply given on the 10th December, 1955, to Unstarred Question No. 1420 regarding production of gur.
- (2) A copy of each of the following Notifications under sub-section (6) of section 3 of the Essential Commodities Act, 1955:—
- (i) S. R. O. No. 2308, dated the 22nd October, 1955 containing the Cotton Control Order, 1955.

Subject	COLUMNS	Subject	COLUMNS
(ii) S. R. O. No. 294, dated the 11th February, 1956 making certain further amendment to the Cotton Textiles (Control) Order, 1948.		(xii) S.R.O. No. 1233, dated the 20th April, 1957 making certain further amendment to the Cotton Textiles (Control) Order, 1948.	
(iii) S. R. O. No. 1198, dated the 26th May, 1956 making certain further amendment to the Cotton Textiles (Control) Order, 1948.		(xiii) S.R.O. No. 2897, dated the 14th September, 1957 making certain further amendment to the Cotton Textiles (Control) Order, 1948.	
(iv) S.R.O. No. 1199, dated the 26th May, 1956, making certain further amendments to the Cotton Textiles (Control) Order, 1948.		(xiv) S.R.O. No. 47, dated the 4th January 1958 making certain further amendment in the Ministry of Commerce and Industry Notification No. S.R.O. 1150, dated the 30th May, 1955.	
(v) S.R.O. No. 1679, dated the 28th July, 1948, containing the corrigendum to the Ministry of Commerce and Industry Notification No. S.R.O. 1199, dated the 26th May, 1956.		(3) A copy of Notification No. S.R.O. 331, dated the 25th January, 1958, making certain further amendments to the Employees' Provident Funds Scheme, 1952.	
(vi) S.R.O. No. 2142, dated the 24th September, 1956 making certain further amendment to the Cotton Textiles (Control) Order, 1948.		(4) A copy of Notification No. S.R.O. 141, dated the 11th January, 1958 making certain further amendments to the Industrial Dispute (Central) Rules 1957.	
(vii) S. R. O. No. 2144, dated the 24th September, 1956 making certain further amendment to the Cotton Textiles (Control) Order, 1948.		(5) A copy of Notification No. S.R.O. 153, dated the 11th January, 1958, making certain further amendments to the Tea Rules, 1954.	
(viii) S.R.O. No. 2278, dated the 6th October, 1956 making certain further amendment to the Cotton Textiles (Control) Order, 1948.		(6) A copy of Notification No. S.R.O. 200, dated the 18th January, 1958, making certain amendments to the Coffee Rules, 1955.	
(ix) S.R.O. No. 2319, dated the 11th October, 1956 making certain further amendment to the Cotton Textile (Control) Order, 1948.		(7) A copy of the statement correcting the reply given on the 19th November 1957, to Unstarred Question No. 397, re: cottage industries.	
(x) S.R.O. No. 2836, dated the 1st December, 1956 making certain further amendment to the Cotton Textiles (Control) Order, 1948.		(8) A copy of the Annual Report of the National Small Industries Corporation Private Limited along with the Audited Accounts of the Corporation for the year 1956-57.	
(xi) S.R.O. No. 3017, dated the 15th December, 1956, making certain further amendment to the Cotton Textiles (Control) Order, 1948.			

Subject	Columns	Subject	Columns
<b>STATEMENT BY MINISTER OF FINANCE (SHRI T. T. KRISHNAMACHARI) RE: SUPPLEMENTARY DEMANDS FOR GRANTS FOR 1957-58.</b>	152	(i) Correcting the reply given on the 18th November, 1957, to a Supplementary on starred Question No. 210 regarding Hindi Shaikha Samiti.	
The Minister of Finance (Shri T. T. Krishnamachari) presented a statement showing supplementary demands for Grants in respect of the Budget (General) for 1957-58.		(ii) Correcting the reply given on the 21st November, 1957 to supplementary on- Starred Question No. 332 regarding the India Office Library, London.	
<b>REPORT OF BUSINESS ADVISORY COMMITTEE PRESENTED</b>	152	<b>BILL PASSED</b>	154-226
Seventh Report was Presented.		The Deputy Minister of Works, Housing and Supply (Shri Ami K. Chanda) moved for the consideration of the Requisitioning and Acquisition of Immovable Property (Amendment) Bill. The motion was adopted. After the clause-by-clause consideration, the Bill was passed, as amended	
<b>CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE.</b>	152-53	<b>BILL UNDER CONSIDERATION</b>	246-70
Shri Atal Bihari Vajpayee called the attention of the Minister of Irrigation and Power to the talks held with Mr Illif, Vice President of the World Bank in regard to the Indo-Pakistan Canal Water Dispute.		The Minister of State in the Ministry of Home Affairs (Shri B. N. Datar) moved that the Criminal Law Amendment Bill be taken into consideration.	
The Minister of Irrigation and Power made a statement in regard thereto.		The discussion was not Concluded.	
<b>STATEMENTS BY THE MINISTER OF STATE IN THE MINISTRY OF EDUCATION AND SCIENTIFIC RESEARCH</b>	153-54	<b>AGENDA FOR WEDNESDAY, 12TH FEBRUARY, 1958</b>	
The Minister of State in the Ministry of Education and Scientific Research made the following statements —		Further consideration of the Criminal Law Amendment Bill and Consideration of the Indian Reserve Forces (Amendment), as passed by Rajya Sabha	