

# LOK SABHA DEBATES

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*(25th November to 6th December, 1957)*



**THIRD SESSION, 1957**

*(Vol. IX Contains Nos. 11 to 20)*

**LOK SABHA SECRETARIAT  
NEW DELHI**

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LOK SABHA

Friday, 6th December, 1957.

The Lok Sabha met at Eleven of the Clock

[Mr. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Procurement of Foodgrains

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- { Shri Radha Raman:
- { Shri Shree Narayan Das:
- { Shri D. C. Sharma:

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

(a) whether any decision regarding procurement of foodgrains in various States has been taken;

(b) if so, the nature of such decision;

(c) whether any scheme has been drawn up; and

(d) if so, the important features of such a scheme?

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): (a) to (d). Rice is being procured in Andhra, Punjab and Orissa at present. In Andhra, it is procured at the maximum control prices in force in the three delta districts, partly by requisitioning and partly on voluntary purchase basis. In Punjab and Orissa, purchases are being made at prescribed procurement prices from those who offer to sell at these prices. No decision in regard to purchase of foodgrains in any other State has yet been taken.

Shri Radha Raman: Are there any valid reasons why procurement from other States is not resorted to by the Government?

Shri A. M. Thomas: Procurement is desirable mainly in surplus areas. Punjab, Orissa and Andhra are surplus areas and we are having procurement there.

Shri Radha Raman: Is Government contemplating to suggest some new proposals to the States with regard to increased procurement from even surplus areas? In those surplus areas have they resorted to partial procurement or do they procure the entire surplus from that area?

Shri A. M. Thomas: I have already stated that we are having procurement only in these three States. It is a fact that placed as we are, we must mobilise our internal resources to the maximum extent possible, since the rice position is difficult. Even in Orissa, although there may not be any surplus this year, the State Government is proposing to purchase 10 lakhs maunds of paddy for building up a reserve stock for any lean period. In Madhya Pradesh which is a surplus area, as the House knows, the position is very difficult. The general position in the country is difficult for rice, and it may not be possible to insist on procurement in areas wherein there is no possibility of getting substantial quantities.

Shri D. C. Sharma: May I know how the price of rice in the Punjab has been worked out; is it not a fact that rice producers have complained against the way the price has been worked out?

Shri A. M. Thomas: Prices in the Punjab have been arrived at in consultation with the State Government.

The price of rice is, for Dara variety Rs. 14-8, Sela Joshi Rs. 16-8, Begmi Rs. 18, Basmati Rs. 24-8. As the House knows, the Foodgrains Enquiry Committee itself has reported that temporarily for the current year the price that is to be paid is to be fixed, for paddy between Rs. 9-4 and Rs. 11-4 per maund, and for rice between Rs. 15 and Rs. 17 per maund. So that, compared with the prices fixed by the Foodgrains Committee, this price is a reasonable one.

**Shri B. S. Murthy:** May I know why two types of procurement are in force in Andhra, requisitioning as well as voluntary purchase? And may I know the rates fixed for requisitioning as well as for voluntary purchase?

**Shri A. M. Thomas:** The price is the same. The only thing is when people are prepared to give on a voluntary basis we will accept from them. There is no difference in the price. As regards the present price in Andhra, from 14-9-57, we have fixed prices at controlled rates and the rates are: Fine rice Rs. 19-8, 20-4, 20-12, 21-8, and 19; and for coarse variety, Rs. 17, 17-8, 17-8, 18-4, 18-8, 17-8, 18-4 for various varieties.

**Some hon. Members rose—**

**Mr. Speaker:** Next question. It is only yesterday or the day before that we had the Food Debate.

#### Class IV Railway Employees

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- \*947. { **Shri D. C. Sharma:**  
 { **Shri T. B. Vittal Rao:**  
 { **Shrimati Parvathi Krishnan**  
 { **Shri Thimmaiah:**  
 { **Shri Nardeo Snatak:**

Will the Minister of Railways be pleased to refer to the reply given to Starred Question No. 1280 on the 29th August, 1957, and state:

(a) whether the Committee appointed to review channels of pro-

motion of Class IV Railway employees within their own Class and to Class III have submitted its report; and

(b) if not, when the same will be submitted?

**The Deputy Minister of Railways (Shri Shah Nawaz Khan):** (a) No, Sir.

(b) The Committee has informed the Government that it would be able to complete its work by the end of February, 1958.

**Shri D. C. Sharma:** May I know if the Committee issued any questionnaire and called any witnesses; and, if so, what was the nature of the questionnaire and what kind of witnesses have been examined?

**Shri Shah Nawaz Khan:** The Committee issued a questionnaire about August, and they are still examining witnesses. They have already examined a large number of witnesses. They are meeting people from railway unions and any other persons who are prepared to come forward and give evidence.

**Shri T. B. Vittal Rao:** May I know whether this Committee has so far met only the representatives of the recognised unions or even of unrecognised unions?

**Shri Shah Nawaz Khan:** The Committee actually issued the questionnaire only to the recognised unions. But the Committee has had no objection in meeting people from unrecognised unions in their individual capacity.

**Shrimati Parvathi Krishnan:** May I know whether they have been meeting the representatives of the unrecognised unions who are office-bearers of the union or only those who are employees?

**Mr. Speaker:** That is, office-bearers who are non-employees.

**Shri Shah Nawaz Khan:** I think they have been meeting only the railway employees.

**Shri T. B. Vittal Rao:** May I know if they have completed their tour of the various divisional headquarters etc. and are now drafting their report?

**Shri Shah Nawaz Khan:** No, Sir, I do not think they have completed their tour. They propose to tour the country in four shifts, and it will be for a fortnight at a time that they will be out. They will come to headquarters, and then after a short while they will go back again. Like that they will make four different trips. This is necessary because six out of the nine members are officials who have to do their normal duties in addition to the duties on the Committee.

**Shri D. C. Sharma:** May I know if the questionnaire that was issued was sent to Members of Parliament and Members of State Legislatures also; and, if not, why not?

**Shri Shah Nawaz Khan:** It was up to the Committee to decide to whom to send the questionnaire. I cannot answer on behalf of the Committee.

**Mr. Speaker:** The hon. Minister will pass on this suggestion to the Committee.

**Shri Shah Nawaz Khan:** Yes, Sir.

### Trunk Telephone Policy

\*848. **Dr. Ram Subhag Singh:** Will the Minister of Transport and Communications be pleased to state:

(a) whether there has been manifold increase in the trunk telephone traffic in recent years;

(b) if so, whether Government propose to revise its trunk telephone expansion projects in the light of the increase in trunk traffic;

(c) if so, whether Government have prepared any scheme for the same; and

(d) if so, the cost involved in implementing that scheme?

**The Minister of Transport and Communications (Shri Lal Bahadur Shastri):** (a) to (d). A statement is laid on the Table of the Lok Sabha. [See Appendix III, annexure No. 76].

इन्को राम सुभग सिंह : इस स्टेटमेंट को देखने से ज्ञात होता है कि धार्मिक कठिनाइयों के चलते ट्रंक ट्रेफिक के लिये जितनी रकम की आवश्यकता है उस की पूर्ति नहीं होगी क्या मैं जान सकता हूँ कि द्वितीय पंचवर्षीय योजना में जो योजना का "हार्ड कोर" है उसको भली भाँति कार्यान्वित करने के लिए ट्रंक ट्रेफिक का पूरा होना आवश्यक नहीं है ?

श्री लाल बहादुर शास्त्री : जी नहीं उतना सम्भव नहीं होगा क्योंकि लगभग १ लाख ८० हजार टेलीफोन का प्लान में प्रोग्राम रखा गया है और हम अगर बहुत कोशिश करेंगे तो शायद ७५ हजार तक पहुँच जायेंगे ।

### National Welfare Board

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\*849. { **Shri A. K. Gopalan:**  
**Shri T. B. Vittal Rao:**

Will the Minister of Transport and Communications be pleased to refer to the reply given to Starred Question No. 44 on the 16th July, 1957, and state:

(a) whether the special sub-committee of National Welfare Board for seafarers have submitted their report about the scheme for social security for seamen;

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

(c) when action will be initiated for enforcing the same?

**The Minister of Transport and Communications (Shri Lal Bahadur Shastri):** (a) Not yet.

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

**Shri A. K. Gopalan:** May I know when the report is expected to be submitted?

**Shri Lal Bahadur Shastri:** That Committee appointed three sub-committees, and these three sub-committees are meeting. One sub-committee has submitted its report. The other proposes to take a few more months. The third sub-committee can only conclude its work when the two other sub-committees have submitted their report.

**Shri A. K. Gopalan:** May I know, as far as the second sub-committee is concerned, what are the reasons for the delay in submitting their report?

**Shri Lal Bahadur Shastri:** It is true that the committee is presided over by a non-official Chairman. He happens to be the Chairman of two sub-committees. He has finished the work of one sub-committee and now proposes to take up the work of the other sub-committee. We have requested him to expedite and finish the work as early as possible.

**Shri T. B. Vittal Rao:** May I know what are the terms of reference of the various sub-committees in regard to this social security measures for seafarers?

**Mr. Speaker:** All the terms of reference of all the three sub-committees?

**Shri T. B. Vittal Rao:** It is only a social security measure for the seamen. This is a thing which we have been asking for so many years. This hon. Minister himself, when he was the Minister for Transport and Railways, initiated this as long ago as 1954, three years ago.

**Mr. Speaker:** I am not questioning the relevancy of this question. All that I say is, if it consists of a number of terms of reference going over pages, am I to allow a reading of all these?

**Shri T. B. Vittal Rao:** If it goes into pages, they can lay a statement on the Table

**Mr. Speaker:** *Prima facie*, they are long. Let me hear the hon. Minister.

**Shri Lal Bahadur Shastri:** I shall merely give the main subjects with which the sub-committees are dealing. The first sub-committee deals with the question of welfare in ports, the second one will deal with social security schemes and the third has to consider the various methods for raising the necessary finance to meet the expenses on the seamen's welfare work.

**Shrimati Ila Palchoudhuri:** May I know if Government is aware of the reactions of the ship owners as far as the report of the first sub-committee is concerned?

**Shri Lal Bahadur Shastri:** I am not aware of it.

#### Steel Foundry, Chittaranjan

\*850. **Shri T. B. Vittal Rao:** Will the Minister of Railways be pleased to refer to reply given to Starred Question No. 291 on the 24th July, 1957 and state:

(a) which firm has agreed for technical collaboration to set up the steel foundry at Chittaranjan Locomotive Works;

(b) when the work of setting up the foundry is likely to commence; and

(c) the amount involved?

**The Deputy Minister of Railways (Shri Shah Nawaz Khan):** (a) The global tenders for technical collaboration to set up the steel foundry are still under examination.

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

**Shri T. B. Vittal Rao:** In July last we were told that tenders were opened. Now the point is whether to accept the tenders or not.

**Shri Shah Nawaz Khan:** We have not yet decided on the actual finalisation of the contract. Tenders have been received. The tenders were



opened. Fifteen tenders were received. Eleven had to be rejected because they did not come up to the standard. In respect of four other quotations the matter is under consideration. We hope that the contracts will be finalised shortly.

**Shri T. B. Vittal Rao:** This is technical collaboration for which negotiations are being conducted. May I know from which countries to which the four firms which were mentioned belong?

**Shri Shah Nawaz Khan:** From some of the leading industrial countries of the world.

**Mr. Speaker:** If he does not have the information, he may say he does not have.

**Shri Shah Nawaz Khan:** I don't have it just now.

#### Food Production

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\*851 { **Shri Bibhuti Mishra:**  
**Shri Balarama Krishniah:**  
 Will the Minister of Food and Agriculture be pleased to state:

(a) whether Government have formulated any new scheme to produce more food than done uptill now in view of the food scarcity experienced this year; and

(b) if so, nature and gist of the scheme?

**The Deputy Minister of Agriculture (Shri M. V. Krishnappa):** (a) and (b). Besides the normal Grow More Food Schemes, additional minor irrigation schemes of the order of Rs. 250 lakhs have been agreed to for the States of Andhra, Madras, Kerala, U.P., Bihar, Madhya Pradesh and Orissa during the current year with a view to getting quick results.

श्री बिभूति मिश्र . प्रधान मंत्री जी कहते हैं कि १५.५ मिलियन टन पैदा करना चाहिये, श्रोक मेहता कमेटी कहती है कि १०.३ मिलियन टन पैदा करना

चाहिए । मैं योचना चाहता हूँ कि सरकार ने किस आधार पर निश्चय किया है ?

**Shri M. V. Krishnappa:** The Asoka Mehta Committee has said that we may not be able to produce more than 10 million tons. But, according to our own plan, we have planned to increase 15.5 million tons within the next Five Year Plan. We want to keep it up. We are spending with a view to keep up the additional production of 15.5 million tons. Whatever be the reason, we are going to see that it is produced.

प्रधान मंत्री तथा वैज्ञानिक कार्य मंत्री (श्री जवाहरलाल नेहरू) : आप ने श्रोक मेहता कमेटी की चर्चा की । तो माफ कीजिएगा, जो कहा गया है वह कुछ सही है और कुछ गलत है । उन्होंने खुद कहा है कि इतना हो सकता है, अगर पूरी कोशिश की जाये । चुनावे पूरी कोशिश की जाएगी ।

**Raja Mahendra Pratap:** Our hon. Prime Minister has well said that there should be birth control. I think birth control should be bracketed with food production because....

**Mr. Speaker:** Order, order.

**Raja Mahendra Pratap:** I want to know whether the Government is going to do it or not: bracket it with birth control.

**Mr. Speaker:** Government by itself does not embark upon a policy of birth control. It does not arise out of this question.

**Raja Mahendra Pratap:** My friends here say that there should be a reply to my question. Is Government going to bracket it with birth control or not?

**Mr. Speaker:** Order, order. I am saying that hon. Member ought not to abuse the position and telling him that it is irrelevant, while he looks to some other friends behind him and takes advice that it is relevant. Shri Balarama Krishniah.

**Shri Balarama Krishnaksh:** May I know the irrigation schemes which have been agreed to in the current year to improve the production?

**Shri M. V. Krishnappa:** The additional schemes in Andhra that we are going to take up will be the Krishna Barrage. The barrage will be ready. There was no provision in the Andhra scheme to dig canals. For this item we are giving Rs. 5 lakhs during the current year. Orders have been communicated day before yesterday. For digging wells in Telengana, we are giving Rs. 7.50 lakhs. For the restoration of the breached tanks, in Telengana, we have sanctioned some money. In all, Rs. 22.50 lakhs have been sanctioned and orders have been communicated.

**Shri V. P. Nayar:** May I know whether the Government have formulated any scheme for increasing food production on the basis of a remarkable discovery by Dr. Percy Brian of what is called gibberellic acid of which the application of an infinitesimal quantity produces an abnormal growth of all manner of plants, as reported in the Government publication "Agricultural Situation in India" of September?

**Shri M. V. Krishnappa:** We want to make use of every latest discovery. Scientific and up-to-date methods will be used to achieve our target.

**Shri A. S. Saigal:** May I know what are the immediate measures that the Government are taking to solve the scarcity problem in the surplus areas now deficit area?

**Mr. Speaker:** It seems to be a contradiction in terms.

**Dr. Ram Subhag Singh:** He is right.

**Shri Jawaharlal Nehru:** The hon. Member says both surplus and deficit: It is difficult to follow.

**Dr. Ram Subhag Singh:** Chhattisgarh is a surplus area; it has become scarcity area.

**Shrimati Manjula Devi:** May I know whether the money allotted for the old schemes have been spent in all the States?

**Shri M. V. Krishnappa:** They were not able to spend all the money in the previous years due to various defects. These defects have been rectified. Hereafter, I hope every State will be able to spend all the money that we have allotted. In addition to that, we are going to give them additional funds. We have asked all the States to survey minor irrigation schemes and have special staff to execute these minor irrigation schemes.

**Raja Mahendra Pratap:** With all respect to the Chair, I must say that it is an insult to our Hon. Prime Minister to call birth control irrelevant.

**Mr. Speaker:** The hon. Member may table a separate question.

#### Urban Water Supply and Sanitation Schemes

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\*352. { **Shri S. C. Samanta:**  
**Shri Subodh Hada:**

Will the Minister of Health be pleased to state:

(a) how far the Central assistance for urban water supply and sanitation schemes has been utilised by different State Governments up-to-date during the Second Five Year Plan;

(b) whether the fund that was allotted during the First Five Year Plan remained unspent; and

(c) whether that amount has lapsed?

**The Minister of Health (Shri Karmakar):** (a) to (c). A statement containing the required information is laid on the Table of the Lok Sabha. [See Appendix III, annexure No. 77.]

**Shri S. C. Samanta:** I am thankful to the hon. Minister that he has laid a statement on the Table of the House. But the questioners coming from West Bengal are disappointed that there is no mention of West Bengal. May I know why? Hithachal Pradesh to which no amount has been sanctioned under this scheme has been mentioned. Why has West Bengal been omitted?

**Mr. Speaker:** Why all this argument? Hon. Member must put a simple straight question: How is it that West Bengal is omitted from this list.

**Shri Karmarkar:** I suppose that the question related to the First Five Year Plan. I find on a reference that during the current year we have allotted Rs. 12.5 lakhs to West Bengal, but I should like to find out the position because it relates to every State, and I shall supply the House the information necessary.

**Shri S. C. Samanta:** I wanted to know about urban water supply, but in the statement there is no mention of it. May I know whether the amount sanctioned includes that for rural supply also?

**Shri Karmarkar:** No, Sir. The answer was related to the question. The question related to urban water supply. Information, therefore, had to be given about urban water supply.

**Shrimati Parvathi Krishnan:** May I know whether there is any memorandum before Government from the Coimbatore Municipality asking for aid to develop the Shiruvani water scheme?

**Shri Karmarkar:** Normally the State Government processes all these water schemes, and then they forward the schemes to us. I could not tell the hon. Member off-hand whether Coimbatore is one of them, be-

cause we have not got the information district-wise, but we have got the whole list of the schemes; and I shall find out and inform the hon. Member. But, if it has been included in the First Five Year Plan I may say that we had 255 urban water supply schemes to the tune of about Rs. 45 crores of which the States were able to implement only a few, and the Planning Commission have insisted that so far as possible, it is only the spill-over schemes that have to be completed. If Coimbatore is under that scheme, then I am afraid it will have to wait. If it is an old scheme rejected, then also it will not be included. I shall find out.

**Shri Mohamed Imam:** What was the amount allotted to Mysore State, and of this how much has been spent? Is there not a representation from the Mysore State that the amount allotted is not adequate?

**Mr. Speaker:** Is it or is it not in the list? Has the hon. Member looked into the list?

**Shri Mohamed Imam:** No, Sir.

**Mr. Speaker:** Hon. Members are expected to look into the list. They are not expected to put questions here on matters which are already in the list. If anything new has to be asked, by all means let them do so.

**Shri Mohamed Imam:** On a point of clarification. We come just now. I do not know where the list is. It is better if such lists are supplied to us, because I come here and I have not looked into the list at all.

**Mr. Speaker:** I am sorry that the hon. Member who is one of the members of the panel of Chairman should himself complain like this. He must go to the Notice Office where 15 or 16 minutes or half an hour in advance statements are kept for the information of all hon. Members. Nobody is denying that information.

**Shri Warier:** Only 15 minutes are given, and when there are long statements....

Mr. Speaker: All right. I shall increase it to half an hour.

### द्वितीय पंचवर्षीय योजना में बिजली के वितरण की योजनाएँ

\* ८५३. श्री भक्त दर्शन : क्या सिन्हाई और बिजुत मंत्री २० मई, १९५७ के तारांकित प्रश्न संख्या १५० के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) द्वितीय पंचवर्षीय योजना के अन्तर्गत बिजली के वितरण की योजनाओं के लिये ७५ करोड़ रुपये की जिस राशि की व्यवस्था की गयी है उसका केन्द्र व राज्य सरकारों के मध्य किस प्रकार वितरण किया गया है;

(ख) १९५७-५८ में उक्त धन राशि में से विभिन्न राज्यों के लिये कितनी राशि मंजूर की गयी और प्रत्येक राज्य में कितने नगरों और ग्रामों में बिजली लगाई गयी; और

(ग) १९५७-५८ में विभिन्न राज्यों को कितनी वित्तीय सहायता दी जायेगी और इस सहायता से प्रत्येक राज्य में कितने नगरों व ग्रामों में बिजली लगाई जायेगी ?

सिन्हाई और बिजुत उपमंत्री (बी हाथी) : (क) से (ग) : विवरण समा पटल पर रख दिया है। [देखिये परिशिष्ट ३, अनुसूच्य संख्या ७८]

श्री भक्त दर्शन : श्रीमान् मेरे प्रश्न के छपने में जरा विलम्बी हो गयी है। मेरे प्रश्न के पार्ट (बी०) में १९५७-५८ खया है जब कि मेरा प्रश्न सन् १९५६-५७ के बारे में था। इसके लिए तो मुझे मंत्री जी से कुछ नहीं कहना है। लेकिन क्या माननीय मंत्री जी यह बताने की कृपा करेंगे कि द्वितीय पंचवर्षीय योजना का जो पहला वर्ष था यानी १९५६-५७ उस वर्ष में इस योजना के अन्तर्गत विभिन्न राज्यों में कितना रुपया खर्च हुआ ?

Mr. Speaker: Is it correct that the statement refers to a different period?

Shri Hathi: What he says is that he wanted to ask about 1956-57 but through a mistake that has been printed as 1957-58. It is as it is, but he wanted information about 1956-57, but it is printed as 1957-58. Our information relates to 1957-58 only, but he wanted to ask about 1956-57. I will give that also.

Mr. Speaker: Is it laid on the Table?

Shri Hathi: It is laid on the Table for the year 1957-58.

Mr. Speaker: He wants for 1956-57. If he wants a statement, what is the meaning of answering it now?

Shri Hathi: Not a statement, only a figure. The statement is a long one. Only about a particular item he wants a figure.

There are two schemes one of which is for the expansion of power facilities to increase employment opportunities. For that I have got the figures. It was Rs. 60 lakhs in 1955-56 and Rs. 40 lakhs in 1956-57, totalling Rs. 100 lakhs.

श्री भक्त दर्शन : क्या मैं जान सकता हूँ कि यह जो ७५ करोड़ रुपये की व्यवस्था की गयी है राज्यों में इसका वितरण किन सिद्धान्तों पर किया जाता है ? क्या राज्य सरकारें अपनी योजनाएँ बनाती हैं या कि केन्द्रीय सरकार भी अपनी ओर से कोई आदेश देती है ?

बी हाथी : राज्य सरकारें योजनाएँ बनाती हैं और जब ये योजनाएँ यहाँ आती हैं तो उनकी स्क्रूटिनी की जाती है। स्कीमें बनाने का काम राज्य सरकारें ही करती हैं।

Shri Hem Barua: In view of the fact that the amount of Rs. 75 lakhs allocated under the Second Plan for power distribution with the idea of covering as many as 10,000 villages and small towns under this scheme, may I know so far how many small towns and villages have been covered?

**Shri Hathi:** Seven thousand villages have been covered, and we want to add 10,000 more, that is about 18,000 will be the total number electrified during the Second Plan.

**Shri T. N. Singh:** It appears that the authority for distribution and control of power supply is varying in various States. May I know whether Government have got any scheme for a uniform system of control for the distribution of power, and what are the reactions of the States to it? Are they contesting it, or are they co-operating with it?

**Shri Hathi:** Perhaps the hon. Member knows that we have the Electricity Supply Act of 1948. Under that Act there is a provision for having State Electricity Boards who will be responsible for the distribution and transmission of power supply. About nine to ten States have agreed to have the Boards. Some of them have already established Boards—for example, Bombay, Madhya Pradesh, Bengal, Kerala and Rajasthan; I think U. P. also has agreed to that. These are the States which have already formed the Electricity Boards. About nine have already formed.

**Shri T. N. Singh:** How is it that the other States, particularly Madras and some others which are main centres of power production have not yet come into line with the Central Act?

**Shri Hathi:** They are finding some difficulty in finding the technical personnel, and there are other administrative difficulties also, but they are considering the question, and I think they will come into line.

**जी भक्त वर्सन :** क्या मैं यह जान सकता हूँ कि इस योजना को तैयार करते समय या राज्य सरकारों को ज्ञान देते समय इस बात का ध्यान रखा जाता है कि सारे देश के घन्वर जो इलाके पिछड़े हुए हैं, जहाँ कि बिजली का प्रकाश अभी तक नहीं पहुँचा है, उन इलाकों का सबसे पहले क्याल रखा जाय ? और क्या इस बारे में कोई आदेश बिने गये हैं या दिये जा रहे हैं ?

की हाथी . राज्य सरकारें ही इस बात पर विचार करती हैं ।

### Traction System for Railway Electrification

\*855. **Shri A. S. Saigal:** Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that Government is going to adopt the 50 cycle Traction system for Railway Electrification;

(b) if so, will it result in replacing the existing overhead lines of the P. & T. Department by underground cables;

(c) how much this scheme will cost the Government;

(d) will the work be implemented during the period of Second Five-Year Plan; and

(e) whether that new system will bring about better efficiency of the long distance telecommunication circuits?

**The Minister of Transport and Communications (Shri Lal Bahadur Shastri):** (a) Yes.

(b) Yes It will result in replacing overhead lines running alongside the electrified track by underground cable.

(c) The scheme for replacing the existing overhead lines on Sections of the Railways to be electrified during the Second Plan period is likely to cost Rs. 5.58 crores.

(d) Yes.

(e) It is expected that the circuits carried by the cable will be less liable to interruptions than those carried by overhead lines.

### Construction of a Dry Dock

\*856. **Shri Narayanankutty Menon:** Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that a German Expert named Dr. Hensen visited Cochin Port in October, 1957;

(b) if so, whether it is a fact that he gave his opinion regarding the suitability of Cochin Port for building a dry dock in the Cochin Port; and

(c) the suggestions given by the expert regarding the dry dock?

The Minister of Transport and Communications (Shri Lal Bahadur Shastri): (a) Yes, Sir.

(b) He mentioned to the Chief Engineer, Cochin Port, that it would be a good proposition to provide a dry dock at Cochin, especially as it was on the ocean route to the Far East and there was shortage of dry dock facilities all over the world.

(c) He did not make any specific suggestions.

Shri Narayanankutty Menon: May I know whether the Government of India propose to establish a dry dock and if so by what time during the Plan period?

Mr. Speaker: That is what he said.

Shri Lal Bahadur Shastri: It seems it is not possible to take up this project during the Second Plan period.

Dr. Ram Subhag Singh: May I know whether the proposal to have a dry dock at Visakhapatnam has been given up?

Shri Lal Bahadur Shastri: Almost given up because we applied for a loan to the World Bank, but they have not agreed to give us any loan for investing in that project of opening a new dry dock at Visakhapatnam.

Shri B. S. Murthy: May I know whether the giving up is permanent or temporary?

Shri Lal Bahadur Shastri: It is temporary for the time being. If we can get a loan from any other source, we shall certainly take it up.

Shri V. P. Nayar: May I know what was the specific reason on which the application for the loan was turned down by the World Bank?

Shri Lal Bahadur Shastri: I am not fully aware of the reasons, but it seems they do not consider it profitable. After all, if a loan is given to us, they must see that they will get enough out of it.

Shri Narayanankutty Menon: In view of the shortage of dry docks for ocean-going vessels may I know whether the Government propose to have another dry dock in any other port of India during the Plan period?

Shri Lal Bahadur Shastri: If we have to take up we might take up first in Visakhapatnam; but as I said, we are not able to get adequate funds for that purpose. There is no point in considering taking up a scheme for any other port.

### Indian Shipping

\*257. { Shri Heda:  
Shri H. N. Mukerjee:

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

(a) whether it is a fact that Indian shipping interests are against foreign participation in Indian shipping companies; and

(b) if so, the reaction of Government thereto?

The Minister of Transport and Communications (Shri Lal Bahadur Shastri): (a) It is a fact that the Indian shipping interests are mostly against foreign participation.

(b) Government would consider each case on merits in the light of the Government of India, Commerce Department Resolution of 1947, of which a copy has been placed on the Table of the Lok Sabha. [See Appendix III, annexure No. 79.]

Shri Heda: When the Indian Shipping companies are against participation how could the case arise and where would be the proposal and how will Government break this deadlock?

Shri Lal Bahadur Shastri: What I said was, generally they are opposed to it. But, that does not mean that a particular group of particular people who want to set up a new shipping company may not come forward with that proposal. I may, for the information of the hon. Member tell him that already there is a proposal which

has been brought to my notice and we are considering it.

**Shri E. Ramanathan Chettiar:** May I know whether foreign participation will be allowed in the proposed company who intend to launch a shipping service between India and the United States, the news of which appeared in this morning's papers?

**Shri Lal Bahadur Shastri:** It is in a very preliminary stage and we have only received information that they have recently got their company registered. And, probably, it will have to be considered fully and discussed with them later on.

**Shri Bimal Ghose:** The statement placed on the Table of the House does not contain any reference to this. I should like to know, therefore, as to how the statement will help Government in formulating a policy as to whether there should be foreign participation in Indian shipping companies or not because that question was not studied?

**Shri Lal Bahadur Shastri:** The Statement clearly says that the Government of India have accordingly come to the conclusion that in present conditions the criteria to be satisfied by companies to qualify them for treatment as Indian Shipping Companies should be as follows. These are the conditions provided, if any foreign participation is contemplated.

**Shri Bimal Ghose:** This is a committee of 1945 and its terms of reference have no relation to what is stated here.

**Shri Lal Bahadur Shastri:** Perhaps, the hon. Member has not heard what I said. I said that a statement and a copy of the resolution which was passed is placed on the Table of the House. And, the resolution was based on the report of that committee.

**Raja Mahendra Pratap:** What kind of participation is not wanted; foreign seamen or foreign money?

**Shri Lal Bahadur Shastri:** It is not clear to me. I do not quite understand the question. Perhaps, foreign money.

**Raja Mahendra Pratap:** Which they do not want, foreign money of foreign seamen?

**Shri Lal Bahadur Shastri:** There are enough Indian seamen. The question of foreign seamen does not arise. So far as participation is concerned, it is mainly concerning funds or finances.

**Shri Heda:** With particular reference to paragraph 5 of the statement laid on the Table, may I know whether the understanding with His Majesty's Government (now Her Majesty's Government) has been reached with a view to the development of an Indian Mercantile Marine, and, if so, what are the results?

**Mr. Speaker:** Does this arise out of this question?

**Shri Lal Bahadur Shastri:** I do not think so.

**Mr. Speaker:** I also think so.

### पक्षियों पर रेडियो-सक्रियता का प्रभाव

\* ८१८. श्री वासर : क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को यह विदित है कि बम्बई राज्य में रत्नागिरी जिले के मालवण पत्तन के तट पर १५ जुलाई १९५७ और २२ जुलाई १९५७ के बीच कुछ पक्षीय पक्षी मारे हुए पाये गये थे;

(ख) क्या यह सच है कि इन पक्षियों पर वायुमण्डल में विद्यमान रेडियो-सक्रिय तत्वों का प्रभाव पड़ा था;

(ग) यदि हां तो क्या सरकार ने इस सम्बन्ध में कोई जांच की है; और

(घ) यदि हां, तो उसका क्या परिणाम निकला है ?



स्वास्थ्य मंत्री (श्री करमरकर) : (क) तथा (ख). जी, नहीं। रत्नागिरि जिले के मालवण पत्तन के तट पर १५ और २२ जुलाई १९५७ के बीच रेडियो-सक्रिय तत्वों के प्रभाव से परदेशी पक्षियों के मरने के सम्बन्ध में सरकार को ज्ञात नहीं।

(ग) तथा (घ). ये प्रश्न नहीं उठते।

**Shri V. P. Nayar:** In English also.

**Shri Karmarkar:** (a) and (b). No. The Government are not aware of the death of migrating birds on the coast of Port Malwan in District Ratnagiri, between the 15th and 22nd July, 1957 due to radio-active elements.

(c) and (d). The questions do not arise.

As a matter of fact a lot of dead birds were found on the Malwan coast but they were found to be migrating birds. And, in view of the fact that no live bird could be sent to the Bombay Natural History Society to which one dead bird was sent, we could not be definite about the cause of death or the nature of the bird.

**Mr. Speaker:** In fact, subsequently, a number of birds were found dead but they cannot say whether the death was due to radio-active elements.

**Shri V. P. Nayar:** Could we know whether these birds died on account of some epidemic and have Government taken steps to prevent such epidemics?

**Shri Karmarkar:** They might have died of fatigue due to long journey; there may be many other reasons; we could not say.

**Shri Hem Barua:** How could they identify these birds as *pardesi* birds?

**Shri Karmarkar:** They were *pardesi* birds because earlier also such birds were found and they were found to be birds migrating; they were from southern seas.

Sugar

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\*859. { **Shri Sanganna:**  
**Shri Shivnanappa:**

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

(a) whether a seminar on co-operative sugar factories was held at Ettikopaka in the Visakhapatnam district from the 29th October, 1957 to the 31st October, 1957;

(b) if so, recommendations made by the Seminar for the development of the sugar industry in the country; and

(c) whether all the recommendations have been accepted by Government?

**The Deputy Minister of Agriculture (Shri M. V. Krishnappa):** (a) Yes Sir, on 29th and 30th October, 1957.

(b) Copies of the Resolutions passed at the Seminar are placed on the Table of the Lok Sabha. [See Appendix III, annexure No. 80.]

(c) The recommendations are under consideration.

**Shri Sanganna:** In the statement it has been mentioned that some companies have offered machinery and plant for sugar factories on a co-operative basis on deferred payment. May I know the names of such firms?

**Shri M. V. Krishnappa:** I would like to know where it is mentioned in the statement.

**Shri Sanganna:** It is mentioned in Resolution No. 1.

**Shri M. V. Krishnappa:** Resolution No. 1, about the offer of firms on deferred payment?

**Mr. Speaker:** Evidently, the hon. Minister has no information on that.

**Shri M. V. Krishnappa:** There is a little mention about it here. It says:

"The Seminar, therefore appeals that the Central Government may accord high priority to this programme which is an essential part of the second plan



and create, as quickly as possible, conditions in which the implementation of the programme is rendered possible.....".

There is a small reference about that.

Mr. Speaker: The hon Member wants to know what are those firms.

Shri M. V. Krishnappa: I have not got the details.

Mr. Speaker: He could have said that earlier.

Shri B. S. Murthy: What prevents Government from according sanction for the establishment of new sugar factories in Andhra?

Shri M. V. Krishnappa: I did not follow.

Shri B. S. Murthy: What prevents the Central Government from according sanction for new sugar factories in Andhra for which the moneys have already been collected from shareholders?

Shri M. V. Krishnappa: They have fixed a certain target for the Second Five Year Plan at 35 factories all over the country. In Andhra there was a proposal to start 3 factories two at Hindupur and one at Chitpur. They are being considered. If they are not

included in the target, it is left to the Andhra Government to include them.

Shri Sanganna: May I know the financial help given to each State for the establishment of co-operative societies of sugarcane?

Shri M. V. Krishnappa: For each factory we give upto Rs. 15 lakhs as loan to the State Government which, in turn, they invest in the factory. In addition to that, we give guarantee to the IFC and they get upto Rs. 40 lakhs to Rs. 50 lakhs for each factory.

### डाक विभाग की बीमा पालिसियां

\*८६०. श्री अनिलदत्त सिंह : क्या परिवहन तथा संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) इस वर्ष ३० सितम्बर १९५७ तक डाक विभाग की कितनी और कुल कितनी राशि की बीमा पालिसियां जारी की गयीं; और

(ख) ये आकड़े गत वर्ष की इसी अवधि के आकड़ों की तुलना में कैसे हैं ?

परिवहन तथा संचार मंत्री (श्री लाल बहादुर शास्त्री) : (क) तथा (ख). इस सम्बन्ध में सभा पटल पर एक विवरण-पत्र रखा गया है ।

### \*विवरण-पत्र

#### अवधि

#### जारी की गयी डाक-बीमा पालिसियों की/का

#### संख्या

#### अंकित मूल्य

१ जनवरी, १९५७ से ३० सितम्बर, १९५७ तक	५४०५	१,३४,१३,६००
१ जनवरी, १९५६ से ३० सितम्बर, १९५६ तक	८७६०	१,६८,६६,५००

श्री अनिलदत्त सिंह : इस विवरण-पत्र से आता होता है कि १९५६ की अपेक्षा १९५७ में पोस्टल इन्श्योरेंस पालिसीज की संख्या और

उन की रकम, इन दोनों में भारी कमी हो गई है । क्या मंत्री महोदय यह बताने की कृपा करेंगे कि इस का क्या कारण है ?

**श्री लाल बहादुर शास्त्री :** इस के दो बड़ा कारण बतलाने होते हैं। एक तो यह है कि वर्कमेंट ने इन्फोरेन्स को राष्ट्रीयकरण-नैसनलाइजेशन कर लिया है, इसलिए पहले सरकारी नौकरों का जो शुकाब पोस्ट आफिस के इन्फोरेन्स की तरफ था, वह कम हो गया है और अब वे दूसरी तरफ जाते हैं। दूसरी बात यह है कि उस अवधि में बहुत से नए नए सरकारी विभागों ने यह फैसला किया कि वे पोस्टल इन्फोरेन्स पालिसीज लेंगे, इसलिए उन सारांशों में काम बहुत ज्यादा रहा और अब चूँकि उनका इन्फोरेन्स हो चुका है, इसलिए संख्या कम हो गई है।

**श्री भक्त बर्षन :** इस योजना को, जो कि जनता के लिए और सरकारी कर्मचारियों के लिए बड़ी उपयोगी है, लोकप्रिय बनाने के लिए क्या कोई विशेष कार्यक्रम बनाया गया है ?

**श्री लाल बहादुर शास्त्री :** हम इस को लोकप्रिय बनाना चाहते हैं और हम खास तौर पर यह इरादा रखते हैं कि इनको दो तीन विभागों में बढ़ायें। एक तो ट्रांसपोर्ट विभाग और रोडवेज के एम्पलाईज को हम इस का मौका देना चाहते हैं और गवर्नमेंट ने जो कारपोरेशन बनाई है, उन को हम इस से लेना चाहते हैं। यह भी विचार है कि गांवों की पंचायतों के जो पर्मानेंट काम करने वाले हैं, उनको भी इस तरफ प्रोत्साहित किया जाय।

### Rural Credit

\*861. **Shrimati Renu Chakravartty:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether there has been any shortfall in the loans and subsidies given by the Central Government for rural credit to the various States;

(b) if so, by what amount;

(c) the interest charged from the growers; and

(d) the reasons thereof?

**The Deputy Minister of Agriculture (Shri M. V. Krishnappa):** (a) and (b). For expanding Rural Credit

the National Co-operative Development and Warehousing Board sanctioned to State Governments in 1956-57 a loan and subsidy of Rs. 184 and 24 lakhs respectively. Out of this States utilized Rs. 176 lakhs as loans and Rs. 21.20 lakhs as subsidy. The shortfall was Rs. 10.9 lakhs or five per cent only.

(c) Does not arise as the above assistance was given to State Governments and not to growers direct.

(d) The shortfall is due to following reasons:

(1) Reorganization of States

(2) Delay in submission of final proposals by certain State Governments and consequent delay in their implementation.

**Shrimati Renu Chakravartty:** Out of this Rs 176 lakhs given to the State Governments, may I know how much of it goes for the co-operative banks in the rural areas?

**Shri M. V. Krishnappa:** It was not for the co-operative banks. It was just to build up godowns and warehouses for the large-sized marketing societies in the States and other things.

**Shrimati Renu Chakravartty:** May I know what is the total number of warehouses which will come into existence as a result of these loans and subsidies?

**Shri M. V. Krishnappa:** I want notice for that question.

**Shri Sinhasan Singh:** May I know whether the report of the Krishnappa delegation which visited China has been given due consideration by the Government and, if so, what steps are the Government taking to give further credit to the rural people for the growth of agriculture?

**Shri M. V. Krishnappa:** In fact, on that report Government has taken action to increase the short term, medium term and long term loans by about six times that of what was given to the farmers in the first Five Year

**Plan.** From Rs. 25 crores, it is likely to go up to Rs. 220 crores or so per year.

**Gurder Singh Singh:** What is the total amount of loans that were given by the State Bank of India and the Reserve Bank of India to the State co-operative banks during this year?

**Shri M. V. Krishnappa:** The question is about the subsidy that we have given to the States. About the Reserve Bank, it requires a separate question.

**Shri Jadhav:** May I know whether the Government are thinking of an Agricultural Finance Corporation specially for the rural credit?

**Shri M. V. Krishnappa:** There is no necessity. It is too early to say about that.

**Shrimati Renu Chakravartty:** May I know whether apart from the amount which is being given as loan to the State Governments, any amount is being given as loan to the agriculturists directly?

**Shri M. V. Krishnappa:** They get from the Reserve Bank short term, medium term and long term loans, and these loans have reached up to five to six times that which they were getting in the first Five Year Plan.

#### **Tenders for Forest Contracts in Himachal Pradesh**

\*864. **Shri Y. S. Parmar:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that instead of open auctions, the Himachal Pradesh Administration has adopted the system of tenders for forest contracts on leases;

(b) whether it is a fact that tenders for Chamba Churah forests were recently opened at Abdullapur;

(c) whether it is a fact that the amount of each tender was not announced on the spot when the tenders were opened;

(d) whether it is a fact that present contractor had offered to pay Rs. ten lakhs over and above the amount of the highest tender;

(e) whether it is a fact that neither the offer of Rs. 10 lakhs and above every body else's nor highest bid otherwise was accepted but the forest allotted to all tenderers; and

(f) if so, who are those tenderers and what are the amounts they have to pay?

**The Deputy Minister of Agriculture (Shri M. V. Krishnappa):** (a) Yes.

(b) Yes.

(c) No.

(d) After the tenders were opened and amounts announced, a contractor had offered Rs. 7,68,000/- over and above the highest tenders telegraphically but as a rule no such offers are entertained after the tenders are opened, therefore the offer was ignored.

(e) No, the highest offers were accepted.

(f) Does not arise

#### **Medicinal Plants**

\*866. **Shri Jhulan Sinha:** Will the Minister of Food and Agriculture be pleased to state:

(a) which States have submitted schemes for cultivation of medicinal plants on an increased scale during the Second Five Year Plan;

(b) the amount of financial assistance so far afforded to them for implementation of these schemes; and

(c) which are the main plants sought to be cultivated on an increased scale for consumption in the country and also for export?

**The Deputy Minister of Agriculture (Shri M. V. Krishnappa):** (a) Assam, Himachal Pradesh, Jammu and Kashmir and Madhya Pradesh.

(b)

Assam	Rs. 1,33,527
Himachal Pradesh	Rs. 33,200
Jammu and Kashmir	Rs. 50,000
Madhya Pradesh	Rs. 6,750

(c) *Rauwolfia serpentina*, *Ipecac*, *Pyrethrum*, *Artemisia*, *Belladonna* and *Digitalis*.

**Shri Jhulan Sinha:** With reference to the answer to part (b) of the question, may I enquire what is the policy of the Government in regard to this assistance—whether it is the entire amount involved in the scheme, or whether there is any matching grant for the scheme?

**Shri M. V. Krishnappa:** It was a matching scheme, and the factor of assistance depends upon the scheme that the State Governments have submitted to the Government of India.

**Shri Jhulan Sinha:** With regard to part (c) of the question and the answer given to it, may I enquire what exactly is the position? May I know whether any of those plants are for export and, if so, to what extent?

**Shri M. V. Krishnappa:** In part (c) of the answer, we have given the names of all those plants. They are being grown in the States.

**Shri Panigrahi:** May I know whether the Government of Orissa has submitted any scheme for growing *serpentina* plant in the State?

**Shri M. V. Krishnappa:** Yes; *serpentina* is one of the medicinal plants that the States are growing.

**Shri Panigrahi:** I wanted to know whether the Government of Orissa has submitted any scheme for any financial assistance for growing such medicinal plants?

**Shri M. V. Krishnappa:** All the States have been asked to grow it, but we have not got any scheme from Orissa itself.

**Shri Joachim Alva:** Is Government aware that foreign pharmaceutical firms are exploiting the medicinal wealth of our forests and has the Government categorised the medicinal wealth of our forests so as to make it available to Indian pharmaceutical firms?

**Shri M. V. Krishnappa:** I think that question has to be addressed to the Health Ministry.

**The Minister of Health (Shri Karmarkar):** We take all care to conserve, and in cases where we think it proper to do so, we also either curtail or restrict the export to a certain extent.

**Shri Kasliwal:** May I know what is the increased assistance being given for cultivation of *rauwolfia serpentina* for export?

**Shri M. V. Krishnappa:** They have submitted certain schemes and we have approved them. For Assam we have given Rs. 1,33,000 odd; Himachal Pradesh, Rs. 33,000 odd; Jammu and Kashmir, Rs. 50,000 and Madhya Pradesh, Rs. 6,700 odd.

#### Riverine Soil Erosion in Punjab

\*867. **Sardar Iqbal Singh:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether any amount had been allotted to the Punjab State during 1956-57 for soil conservation measures for preventing riverine soil erosion; and

(b) if so, the amount and the rivers covered under the scheme?

**The Deputy Minister of Agriculture (Shri M. V. Krishnappa):** (a) and (b). A sum of Rs. 3.16 lakhs was sanctioned by the Central Government for schemes of Soil Conservation in the Punjab in 1956-57, but the schemes received did not specifically refer to the problems of riverine erosion.

**Sardar Iqbal Singh:** May I know whether the Punjab Government has submitted this scheme again and

whether the Government of India have sanctioned this scheme?

**Shri M. V. Krishnappa:** No. In fact, in the Second Five Year Plan, they have got a provision of Rs. 60-62 lakhs for the soil erosion. But they have not included this particular problem about riverine erosion, and it is up to the State Government to include it and get sanction from the Central Government.

#### Detention of Train

\*868. { **Shri Subodh Hasda:**  
           { **Shri S. C. Samanta:**  
           { **Shri M. K. Ghosh:**

Will the Minister of Railways be pleased to state:

(a) whether the 2 Up Bombay Mail was detained near Surdiah Station on the 24th October, 1957, due to a breakdown of the axle of the engine;

(b) whether the accident was averted by the driver of the engine;

(c) what was the type and make of the engine;

(d) whether the engine was examined by the Loco staff before it was placed on the line at Howrah station; and

(e) the number of such breakdowns, which have occurred in the past?

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

(b) The driver brought the train to a stop when he heard an unusual noise on the engine for a 2nd time within 3 miles of the first and found the axle broken.

(c) The engine was a WP class (passenger type).

(d) Yes, normal terminal examination was given.

(e) A statement furnishing the information is placed on the Table of the Lok Sabha. [See Appendix III, annexure No. 81.]

**Shri Subodh Hasda:** May I know whether it is a fact that the engine driver reported it to the loco shed people at Kharagpur and is it also a fact that he was asked to proceed?

**Shri Shah Nawaz Khan:** That is not a fact.

**Shri S. C. Samanta:** May I know whether the driver has been rewarded for finding out this and avoiding the accident?

**Mr. Speaker:** Is it a suggestion for action?

**Dr. Ram Subhag Singh:** Is it not a suggestion?

**Shri Shah Nawaz Khan:** What actually happened was that the driver heard a loud bang once. He stopped the engine, went out and looked at the engine. He could not find anything wrong. He started again. After a short while, there was again a big bang. Then he got down and inspected it again. He found that one of the wheels had derailed. It did not require any effort to find it.

#### Nagarjuna Sagar Project

\*870 { **Shri M. V. Krishna Rao:**  
           { **Shri Balarama Krishniah:**

Will the Minister of Irrigation and Power be pleased to refer to the reply given to Starred Question No. 127 on the 28th March 1957 and state:

(a) the progress since made in the Nagarjuna Sagar Project;

(b) whether it is a fact that Government have received a request from the Nagarjuna Sagar Control Board to allot more funds for this year; and

(c) if so, the amount asked for and the action taken thereon?

**The Deputy Minister of Irrigation and Power (Shri Hathl):** (a) to (c). A statement is laid on the Table of the Lok Sabha. [See Appendix III, annexure No. 82.]

**Shri M. V. Krishna Rao:** May I know whether there is any proposal

from the Government of India to take up this project as a national project?

**Shri Hath:** If the hon. Member means whether it will be financed from the Central Government funds, we have been advancing loans for this project.

**Shri B. S. Murthy:** We want to know whether the Andhra Government has asked for more.

**Shri Hath:** Yes, Sir. They had asked for Rs. 2.5 crores more. We have given them Rs. 1 crore.

**Shri B. S. Murthy:** May I know why the full amount asked for was not given?

**Shri Hath:** Allotment has to be made, having regard to the overall financial position. This is just the amount that the Andhra Government have provided in the budget. They have provided Rs. 6.5 crores. We have given them Rs. 5.5 crores. We are giving them Rs. 1 crore more. That will make it Rs. 6.5 crores, which the Andhra Government has provided in the budget.

**Shri B. S. Murthy:** Is it not a fact that the progress at the Nagarjuna Sagar Project is up to the schedule, and sometimes more than the schedule? Therefore, is it not necessary for the Central Government to encourage it in view of the food scarcity in the country?

**Mr. Speaker:** The hon. Minister has said that the Andhra Government have provided only Rs. 6.5 crores in the budget. Originally, Rs. 5.4 crores were given. The balance has since been paid. Is the hon. Member saying that the hon. Minister must assure the Andhra Government something more notwithstanding the fact that they have made provision for only Rs. 6.5 crores? In the absence of any information from the Andhra Government, what is the point in asking this question?

**Shri B. S. Murthy:** Is it not a fact that the Andhra Government have asked for more grants and also ex-

plained their inability to meet the demand in order to keep up the progress of the work at Nagarjuna Sagar?

**Mr. Speaker:** Over and above what is provided in the budget?

**Shri Hath:** As I have stated, they have asked for Rs. 2.5 crores of additional funds. Rs. 5.4 crores were already provided, that is, they have asked for that and we have already given that loan. Then they wanted Rs. 2.5 crores more. I fully appreciate the hon. Member's anxiety that more funds should flow from the Central Government, as the work is progressing to the schedule. I also know that. I have seen that work is being carried on. But there are certain restrictions. We have to distribute the funds, having regard to the resources that are available. We have been able to make a saving of Rs. 1 crore from one project and that has been given to them.

#### Red Cross Conference in Delhi

\*871. **Shri B. S. Murthy:** Will the Minister of Health be pleased to state:

(a) whether the recent Red Cross Conference passed resolutions requesting for the introduction of Red Cross History and Aims in the school and college curricula; and

(b) if so, the steps taken for the implementation of the same?

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

(b) Government have not so far been requested by the Indian Red Cross Society to take any action in this matter.

#### Conference on Fisheries

\*874. **Shri Warrier:** Will the Minister of Food and Agriculture be pleased to state:

(a) the decisions of the Conference of State Ministers on fisheries held at Bombay in November, 1957; and

(b) the steps taken by Government to implement any of those decisions?

**The Deputy Minister of Agriculture (Shri M. V. Krishnappa):** (a) The recommendations of the Conference are placed on the Table of the Lok Sabha. [See Appendix III, annexure No. 83].

(b) These have been forwarded to the State Governments concerned and the Ministries/Departments in the Centre for necessary action.

**Shri Warior:** In view of the fact that this Conference has discussed only offshore fishing and not fresh water fishing, may I know why fresh water fishing was left out and why the Conference did not make any recommendations in that regard?

**Shri M. V. Krishnappa:** It is true that only offshore fishing was discussed in that Conference. But the question of fresh water fishing will be taken up very soon with the seven maritime States. We intend meeting somewhere in Orissa or in West Bengal to discuss about inland fisheries.

**Shri Panigrahi:** May I know whether the Chilka lake fisheries was taken into consideration by this Conference?

**Shri M. V. Krishnappa:** That was one of the subject matters. In that Conference the Orissa Government was properly represented.

**Shri V. P. Nayar:** I find from the statement that the Conference has made specific recommendations for the introduction of refrigerated wagons in the various railways and for years now we are assured by the Railway Minister that one or two wagons would be introduced. May I know whether the Ministry of Food and Agriculture have a target for the refrigerated wagons and, if so, what is the number and the time within which we will have it on the railways?

**Shri M. V. Krishnappa:** We want to introduce 20 wagons on various gauges. In the Second Plan period all over the country. We invited a global tender for a normal contract for this. But since the number was so small, none came forward to tender for this. So, with the help of the Railway Minis-

try, we have decided to construct them, as far as possible, here in India. I am sure that within eighteen months we will be able to put on the rails about two wagons, especially in the Malabar coast.

**Shri Achar:** May I know what the main decisions are?

**Shri M. V. Krishnappa:** It has been placed on the Table of the House. The Conference concentrated mostly on bringing fishermen under co-operatives, mechanisation of boats, processing of fish and developing inland trade for fish by placing them under refrigeration.

**Shri V. P. Nayar:** In view of the fact that refrigerated wagons are costly, and also in view of the fact that they are difficult to get, may I know whether the Government have requested institutions like the Kharagpur institute to do research and find out cheap method of constructing refrigerated wagons.

**Shri M. V. Krishnappa:** In fact, we are trying to have insulated wagons rather than refrigerated wagons.

**Shri Warior:** May I know whether Government has considered the steps to be taken to eliminate competition by big fishing companies with ordinary fishermen?

**Shri M. V. Krishnappa:** In fact, the big companies are rendering service to the fishermen. They are purchasing all the fish from the fishermen and finding markets for them overseas. They earn us dollars by exporting fish to Ceylon, Malaya and America.

#### **Krishna Barrage in Andhra Pradesh**

**\*875. Shri Balarama Krishnaiah:** Will the Minister of Irrigation and Power be pleased to state:

(a) whether it is a fact that the work on Krishna Barrage in Andhra Pradesh has been held up due to the shortage of steel;

(b) whether Government have received any representation from the



Government of Andhra Pradesh to hasten the supply of the required 1000 tons of steel to complete the work; and

(c) if so, the action taken thereon?

**The Deputy Minister of Irrigation and Power (Shri Hathi):** (a) and (b). No specific report was received from the Andhra Pradesh Government to the effect that work was held up on this Project due to shortage of steel. It was, however, reported by the project authorities that the Krishna Barrage would be completed by the end of November, 1957 except for the erection of gates for which a further quantity of about 431 tons of steel would be required.

(c) The Iron and Steel Controller has been requested by the Ministry of Steel Mines and Fuel to arrange for the supply of the immediate requirements of 431 tons on a top priority basis either from M/s. Tatas or from Imported Stocks

12 hrs.

# **SHORT NOTICE QUESTION AND ANSWER**

## **Supply of Rice to Bombay City**

+

S.N.Q. & { Shri Naushir Bharucha:  
Shri Assar:

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

(a) whether Bombay city has been adequately supplied by the Centre with the requisite quota of rice;

(b) whether Government are aware that people in Bombay city do not get even half a seer of rice after standing for hours in long queues at Fair Price Shops;

(c) what has been the actual supply of rice from the Centre for Bombay city in the last three months; and

(d) what steps Government propose to take to relieve the acute shortage of this basic foodgrain in Bombay city?

**The Deputy Minister of Food and Agriculture (Shri A. M. Thomas):** (a) Consistent with stocks held by Gov-

ernment and the fact that import of rice into Bombay City was free while export of rice out of Bombay City was completely banned, sufficient quantities of Government rice was being distributed in the City.

(b) No, Sir. At present 3 seers of rice is being issued per consumer.

(c) During August, September and October, 1957, 22,750 tons of rice had been distributed in Bombay City.

(d) Government have already started distributing 9,000 tons of rice per month in Bombay city and there are at present no long queues in the shops.

**Shri Naushir Bharucha:** Will the Government give an assurance that Bombay City will be provided with sufficient rice to enable the State Government to honour its obligations under the family identity cards proposed to be issued?

**Shri A. M. Thomas:** We are now supplying at the rate of 9,000 tons of rice for supplies to Bombay City, and 3 seers of rice are being given to each consumer with the condition that the consumer would have to take twice the quantity in wheat also. With the introduction of the card system it is expected that the normal offtake will be 15,000 tons of wheat and 8,000 tons of rice in Bombay

**Shri B. K. Gaikwad:** If an adequate quantity is supplied, may I know why there are long queues? May I know if it is a fact that the number of fair price shops is inadequate?

**Mr. Speaker:** How does one follow from the other? Even in case there is sufficient supply, queues are necessary.

**Shri B. K. Gaikwad:** If there are enough number of shops, necessarily there will be no big queues. There is not enough number of shops.

**Shri A. M. Thomas:** For the months of September and October we allotted 9,000 tons each month. But for November we expected that there would be arrivals from internal sources. So, we reduced the quota to the Bombay



State to 8,000 tons—that is, 4,000 tons for the City and 4,000 tons for the suburbs. But then it was said that there was this phenomenon of long queues, and so we have taken immediate measures and increased the quota to the previous level, namely, 9,000 tons per month to Bombay City.

**Shri B. K. Gaikwad:** May I know whether Government is aware of the population of Bombay City including Bombay suburban, and what is the requirement of Bombay, including Bombay suburban?

**Shri A. M. Thomas:** I have already said that the estimate of the requirements is that it will be about 15,000 tons of wheat and 8,000 tons of rice.

**Mr. Speaker:** I will now go to the next item of business. I have sufficiently allowed questions on this.

#### WRITTEN ANSWERS TO QUESTIONS

##### Drawings for Building Ships

\*854. **Shri Easwara Iyer:** Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that all original drawings for ships being built at Visakhapatnam Shipyard come from France;

(b) if so, what is the average cost of drawings purchased from France, and

(c) the reasons for not making the drawings in the Shipyard itself?

**The Minister of Transport and Communications (Shri Lal Bahadur Shastri):** (a) Generally all working drawings for ships constructed at the Shipyard are prepared by the Shipyard's own drawing office and only basic plans and designs are bought from outside.

(b) The cost of drawings purchased from France is as follows:—

V.C. 135 "ANDAMANS"  
Rs. 68,210.

V.C. 136 (Survey Vessel  
for Indian Navy) Rs. 6,50,000.

(c) The preparation of basic plans and designs needs considerable experience and accumulation of data on past ships, which the Shipyard has yet to acquire.

##### Indian Seamen

\*862. **Shri H. N. Mukerjee:** Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that as stated in this year's Shipping Number of the Malabar Herald Indian seamen signing under the registry of Panama, Liberia and certain other countries get one fifth of the emoluments of foreign seamen and are subjected besides to various social forms of racial discrimination;

(b) whether similar discrimination is also practised by other foreign shipping interests; and

(c) what steps are being taken to prevent it?

**The Minister of Transport and Communications (Shri Lal Bahadur Shastri):** (a) and (b). No, Sir. It is not true that Indian seamen in foreign vessels are getting one-fifth of the emoluments of foreign seamen. It is, however, true that Asian seamen get lower wages than the European seamen because a larger number is needed to man a vessel. Nor are we aware that Indian seamen serving in foreign ships are subjected to any racial discrimination.

(c) Does not arise.

##### Loco Running Staff of the Southern Railway

\*863. **Shri Tangamani:** Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the Loco Running Staff of the Southern Railway have not been confirmed in their officiating posts for over five years;

for Indian Navy) Rs. 6,50,000.

(c) whether permanent posts are not available or the seniority is not determined;

(d) whether they are entitled to the benefits of confirmation with retrospective effect when confirmed; and

(e) what steps are taken to confirm them without any more delay?

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

(b) Confirmations in respect of post-integration vacancies since 14th April, 1951 have not yet been made pending finalisation of combined seniority lists and promotional units in the integrated set up.

(c) Permanent posts are available but combined seniority lists and selections thereafter have yet to be finalised

(d) Yes.

(e) Confirmations have been taken in hand in respect of Drivers 'A' grade. As regards Drivers 'B' grade, confirmations will be taken up as soon as selections are finalised. A senior scale officer has already been deputed to expedite action.

### **Rihand Dam Project**

**\*865. Shri Kalika Singh:** Will the Minister of Irrigation and Power be pleased to state:

(a) the amount out of Rs. 26 crores allocated for the Rihand Scheme of U.P., which is likely to be spent during the Second Plan period on the said project; and

(b) the amount that has been spent up to date on Rihand Scheme out of the total estimated cost of Rs. 45 crores and how much of it is foreign exchange?

**The Deputy Minister of Irrigation and Power (Shri Hathi):** (a) The entire amount of Rs. 26 crores is likely to be spent during the Second Plan period.

(b) The expenditure till the end of October, 1957, was about Rs. 8.98 crores out of which about Rs. 2.65 crores was in foreign currency.

### **Chilka Fisheries**

**\*869. Dr. Samant Singh:** Will the Minister of Food and Agriculture be pleased to state:

(a) since how long the research staff of the Central Government is working at Balugan in Orissa on the Chilka Fisheries;

(b) whether the said research staff has been able to submit any report of their work by this time to the Central Government;

(c) the reasons for decrease in fish production in the Chilka lake;

(d) whether there is any proposal before Government for the protection of this fishery and increase in its production; and

(e) if so, when the proposals would be worked out?

**The Deputy Minister of Agriculture (Shri M. V. Krishnappa):** (a) Since 17-5-56

(b) Yes.

(c) It is too early to state the reasons for decrease if any in fish production in the Chilka lake. Investigations for determining the causes will have to be carried out for a number of years.

(d) and (e) The question of giving protection to this fishery and giving aid to increase the production will be considered when the results of the investigations that are being carried out by the Chilka Investigations Unit are known.

### **Upgrading of Posts**

**\*872. Shri Sambandam:** Will the Minister of Railways be pleased to state:

(a) whether Government have received any memorandum from the

Office of the District Controller of Stores, Negapatam, Madras State on the 31st July, 1957 about upgrading of posts of clerical staff; and

(b) if so, whether Government have taken any action on the same?

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

(b) Yes. The requests of the staff concerned have been considered but not found justified.

#### **Santa Cruz Air Port**

**\*873. Shri Kamalnayan Bajaj:** Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that looking to the immediate future requirement, it is necessary to extend the boundaries and the Air Strips of the Santa Cruz Airport;

(b) if so, whether further lands are being acquired;

(c) what will be the likely cost of the compensation payable to (i) Bombay Corporation and (ii) other parties; and

(d) the names of the industrial concerns whose lands are likely to be acquired?

**The Minister of Transport and Communications (Shri Lal Bahadur Shastri):** (a) and (b) Yes, Sir.

(c) Roughly, it is estimated at Rs. 123 lakhs, but the actual amount of compensation will be determined by the Land Acquisition Authorities in due course.

(d) 1. All India Glass Works (Private) Ltd

2. Vijay Industries.

3. Siesta Corporation.

4. Kamani Engineering Corporation (Private) Ltd.

5. Kamani Metal Alloys (Private) Ltd.

6 Bharat Silk Mills (Private) Ltd.

#### **Poona-Bangalore Line**

**\*876. Shri Mohamed Imam:** Will the Minister of Railways be pleased to state:

(a) the steps taken to convert the Meter gauge section between Poona and Bangalore to Broad gauge; and

(b) what would be the total cost of such conversion?

**The Deputy Minister of Railways (Shri Shahnawaz Khan):** (a) and (b). There is no proposal to convert the Poona-Bangalore section to Broad Gauge. However, the conversion of Poona-Miraj portion to B.G. is being investigated as an alternative to Khurudwadi-Miraj N.G. Conversion.

#### **Compensation for Railway Accident Victims**

**\*877. Shri S. M. Banerjee:** Will the Minister of Railways be pleased to state the amount of compensation, if any, paid so far to the victims of Asansol, Katpadi and Kanpur explosions?

**The Deputy Minister of Railways (Shri Shahnawaz Khan):** An amount of Rs. 2,200 has been paid as interim relief

An amount of Rs. 27,000 has also been deposited with the Commissioners for Workmen's Compensation concerned for disbursement to the parties entitled thereto.

#### **National Extension Service Blocks in Orissa**

**\*878. Shri B. C. Mullick:** Will the Minister of Community Development be pleased to state:

(a) whether Orissa Government have requested the Government of India for sanction of money to open some National Extension Service Blocks in Orissa in January, 1958; and

(b) if so, the decision taken thereon?

**The Minister of Community Development (Shri S. K. Dey):** (a) Yes, Sir.

(b) The State Government have been advised that they could take up pre-extension work in 10 N.E.S. blocks from 1-1-1958, and these blocks could be adjusted against the allotment for April, 1958 subject to availability of staff.

#### Night Air Mail

**\*879. Shri V. C. Shukla:** Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that the Indian Airlines Corporation are contemplating to cancel the stoppage of the Night Air Mail Services at Nagpur; and

(b) if so, the reasons therefor?

**The Minister of Transport and Communications (Shri Lal Bahadur Shastri):** (a) No, Sir.

(b) Does not arise.

#### Roads in Punjab

**\*880. Shri D. C. Sharma:** Will the Minister of Transport and Communications be pleased to state the amount of money given to the Punjab Government out of the Central Road Fund during the First Plan period and the total mileage of roads constructed?

**The Minister of Transport and Communications (Shri Lal Bahadur Shastri):** A sum of Rs 218.41 lakhs was sanctioned to the Government of Punjab, from the Central Road Fund during the First Plan. The State Government utilised Rs. 178.21 lakhs on the construction of 383 miles of roads.

#### Delhi's Water Supply and Sewage Disposal

**\*881. { Dr. Ram Subhag Singh:  
Shri Rameshwar Tantia:**

Will the Minister of Health be pleased to state:

(a) whether it is a fact that several schemes for improving Delhi's water

supply and sewage disposal are being held up; and

(b) if so, the reasons therefor?

**The Minister of Health (Shri Karmarkar):** (a) No, Sir.

(b) Does not arise.

#### Dhanushkodi Pier

**\*882. Shri T. B. Vittal Rao:** Will the Minister of Railways be pleased to refer to the reply given to Starred Question No. 300 on the 23rd May, 1957 and state:

(a) the nature of decision arrived at on the report of the committee of experts appointed to go into the question of shifting the Dhanushkodi Pier to a safer place near Rameshwaram; and

(b) when action on this is likely to be initiated?

**The Deputy Minister of Railways (Shri Shah Nawaz Khan):** (a) As the shifting of Dhanushkodi Pier is closely interlinked with the Sethusamudram Project which is still under consideration of the Ministry of Transport and Planning Commission, no final decision could be arrived at

(b) Does not arise

#### डाक तथा तार विभाग के भवन

**\*८८३. श्री भक्त दर्शन :** क्या परिवहन तथा संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) १९५५-५६ और १९५६-५७ में डाक तथा तार विभाग के भवन निर्माण कार्यक्रम के लिये कितनी धनराशियां निश्चित की गईं ;

(ख) उन में से कितने धन का वस्तुतः उपयोग किया जा सका और कितना धन व्ययगत हो गया ;

(ग) १९५७-५८ में इस कार्य के बिन्दे कितनी राशि नियत की गयी है ; और

(ब) इस सम्बन्ध में अब तक क्या प्रगति हुई है ?

परिवहन तथा संचार मंत्री ( श्री लाल बहादुर शास्त्री ) :

(क) से (ग), इस सम्बन्ध में लोक सभा पटल पर एक विवरण पत्र रखा गया है ।

### विवरण

वृषक-रहित धन-राशि

उपयोजित (utilised) धन-राशि

व्यपगत (lapsed) धन-राशि

\*इन धन-राशियों में जमीन का उपकल्पन (provision) सम्मिलित है ।

(संख्या लाखों में)

\*१९५५-५६ १९५६-५७ १९५७-५८

३,२२\* १,७६ २,६८

१,६६\* १,६६ १७ सितम्बर, '५७

तक

१,५३ ७ —

### Gandak Project

\*884. Shri Bibhuti Mishra: Will the Minister of Irrigation and Power be pleased to state:

(a) whether there is any proposal to raise rupees five crores in five years by selling certificates, like the national savings certificates, for the execution of Gandak project, and

(b) if so, action taken in the matter?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) The Government of Bihar have under consideration a proposal to raise a sum of Rs. 5 crores by selling Gandak Saving Certificates for the execution of the Gandak Project.

(b) The details of the proposal have not yet been finalised by the Government of Bihar.

### Line Between Rourkela Project and Visakhapatnam

\*885. Shri Sanganna: Will the Minister of Railways be pleased to refer to the reply given to Starred Question No. 1292 on the 29th August, 1957 in respect of loan from the U.S.A. and state:

(a) whether any decision has since been arrived at for the construction of railway line between Rourkela Project and Visakhapatnam port; and

(b) if so, with what results?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) No Sir.

(b) Does not arise.

### Purchase of Dredger

\*886. Shrimati Renu Chakravarty: Will the Minister of Transport and Communications be pleased to refer to the reply given to Starred Question No. 535 on the 1st August, 1957 and state:

(a) whether the proposed acquisition of a dredger with a big capacity for Calcutta has been finalised;

(b) if so, what will be its capacity;

(c) whether there will be any surplus capacity left for dredging operations in the Sunderbans area; and

(d) how soon this dredger will start operations?

The Minister of Transport and Communications (Shri Lal Bahadur Shastri): (a) Yes, Sir. The dredger has been constructed and is expected to be delivered in January, 1958.

(b) 5,000 tons per hour.

(c) No, Sir.

(d) By February, 1958.

### Construction of Roads

\*887. **Shri Y. S. Parmar:** Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that the construction work on motorable roads has been stopped in Himachal Pradesh and a large number of gangs disbanded;

(b) whether it is a fact that a large number of beldars have been thrown out of employment;

(c) whether it is a fact that no new roads are being taken up in hand and those in hand in the interior are not being attended to; and

(d) if so, the steps taken to expedite the construction of motorable roads so as to achieve the target laid down in Second Five Year Plan?

**The Minister of Transport and Communications (Shri Lal Bahadur Shastri):** (a) and (b). No, Sir

(c) Effort is now being concentrated on the consolidation of roads started before 1st November, 1956. Work had to be stopped on certain roads which were commenced before 1st November, 1956 without proper sanction but it will be resumed as soon as the projects are approved.

(d) Work is being carried on in accordance with the Second Five Year Plan.

**परियोजना सम्बन्धी कार्यों में  
सीमेंट का प्रयोग**

\*888. **श्री आसफ :** क्या सिन्धु और विद्युत मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को यह विदित है कि बड़ी बड़ी परियोजनाओं के निर्माण कार्यों में सीमेंट का उचित अनुपात में प्रयोग नहीं किया जा रहा है ;

(ख) क्या सरकार ने इस सम्बन्ध में कोई जांच की है ; और

(ग) इसे रोकने के लिये सरकार ने क्या कदम उठाये हैं ?

**सिन्धु और विद्युत उद्यमत्री (श्री हाथी) :** (क) जहां तक सरकार को विदित है, सीमेंट का प्रयोग नियत विस्तृत विवरण (स्पेसिफिकेशन) के अनुसार किया जा रहा है।

(ख) तथा (ग) . प्रश्न नहीं उठते।

### Railway Protection Force

\*889. **Shri Tangamani:** Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the men of the Railway Protection Force who were originally recruited as Railway servants by the Commercial Department and who are willing to go back to that Department have been allowed to do so;

(b) whether it is the policy of Government to transfer to regular Railway employment those who were in service as Watch and Ward men before the 14th April, 1954, on which date the Department was converted into the Protection Force; and

(c) how many are transferred likewise in the Southern Railway and how many who have applied are waiting for such transfer orders?

**The Deputy Minister of Railways (Shri Shah Nawaz Khan):** - (a) Individual requests have been considered and where without affecting the staff position could be complied with, such requests have been accepted.

(b) No.

(c) :—

(i) Number of staff already transferred to other Departments: 48.

(ii) Number of requests under consideration: . 358.

### Prices of Rails

\*390. { Shri Subodh Haada:  
Shri S. C. Samanta:

Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the price of rails supplied by Messrs Tata Iron and Steel Company Ltd. is costlier than that of the imported rails of the same standard and specification;

(b) if so, the difference of cost per rail; and

(c) whether it is a fact that the durability of the rails of Messrs Tata Iron and Steel Company Ltd. is shorter than the imported variety?

**The Deputy Minister of Railways (Shri Shah Nawaz Khan):** (a) No Sir.

(b) Does not arise.

(c) No Sir.

### Electricity Consumption in Delhi

\*391. **Sardar Iqbal Singh:** Will the Minister of Irrigation and Power be pleased to state:

(a) whether any estimate for the consumption of the electricity in Delhi in future has been prepared;

(b) if so, the requirement and supply of electricity in Delhi in the next ten years; and

(c) the steps taken to meet this demand?

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

(b) The estimated demand and supply position is given below:—

Year	Demand	Supply
1960-61	146,000kW	153,000kW
1965-66	187,000kW	197,000kW

(c) Erection of a 20,000kW diesel generating station by the Delhi State Electricity Board, is in progress. In addition, the installation of a 30,000 kW steam plant, with T.C.M. aid, will

be commenced shortly. These two new stations will meet the power requirements till 1960-61, when further power to the extent of 40,000 kW will become available from the Bhakra-Nangal system of the Punjab Government, to meet the increase in demand for a few years thereafter.

### Railways Second Five Year Plan

\*392. **Shri Kalika Singh:** Will the Minister of Railways be pleased to refer to the reply given to Starred Question No 307 on 20th November, 1957 and lay on the Table a statement showing the various items of expenditure involving foreign exchange and state:

(a) the amounts of Foreign Exchange, including loans sanctioned by the World Bank, which have become available so far, giving the amounts and source, with dates separately; and

(b) the names of Power Dams which will be supplying electricity to Railways in their electrification scheme by the end of the Second Plan period with approximate units of supply from each of the dams?

**The Deputy Minister of Railways (Shri Shah Nawaz Khan):** (a) The hon. Member is requested to see statement I laid on the Table of the Lok Sabha. [See Appendix III, annexure No. 84]. Statement II laid on the Table of the Lok Sabha gives the requisite information. [See Appendix III, annexure No. 84].

(b) Power for electrification on Eastern and South-Eastern Railways will be supplied from the combined thermal and hydro-electric grid systems of Damodar Valley Corporation, U.P. Government, Orissa Government, West Bengal Government and Calcutta Electric Supply Corporation. Power for Central Railway will be

available from inter-connected grid systems of Tata, Bombay State Electricity Board and Railway. For the Southern Railway, necessary power will be supplied from Madras Government Grid. As power will be supplied from the interconnected grid systems, it is not possible to state the amount of power which will be supplied by each one of the hydro-electric stations connected to the various grids.

#### Enquiry into Air Crash at Dum Dum

\*893. { Shri D. C. Sharma;  
Shri Viswanatha Reddy;  
Shrimati Mañda Ahmed:

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

(a) whether the Government have received the Report from the Inquiry Committee appointed to enquire into the death of four members of the crew of an Indian Airlines Corporation freighter Dakota which met with an accident at the Dum Dum airport on the 1st September, 1957;

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

(c) what steps have been taken to check the recurrence of such accidents?

The Minister of Transport and Communications (Shri Lal Bahadur Shastri): (a) Yes, Sir.

(b) and (c). The report is still under examination

#### Fraud Cases in Delhi

\*894. Dr. Ram Subhag Singh: Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that there has been a considerable increase recently in the number of frauds perpetrated on citizens by tricksters who enter Quarters and Flats in Delhi in the name of checking telephone; and

(b) if so, the action taken in the matter?

The Minister of Transport and Communications (Shri Lal Bahadur Shastri): (a) No

(b) Does not arise.

#### Demarcation of Flood Zones

\*895. Shri Sanganna: Will the Minister of Irrigation and Power be pleased to refer to the reply given to Starred Question No. 1289 on the 29th August, 1957 regarding the Central Flood Control Board and state the steps since taken by the Ministry of Irrigation and Power in regard to demarcation of Flood zones?

The Deputy Minister of Irrigation and Power (Shri Hathi): As suggested by the Central Flood Control Board, the proposal for enacting legislation for the demarcation of flood zones has been examined by the Government of India. The legal position is that no fresh legislation is necessary for the purpose. The State Governments are being informed accordingly.

#### Forest Department, Himachal Pradesh

\*896. Shri Y. S. Parmar: Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that the Forest Department in Himachal Pradesh is fixing boundary pillars;

(b) whether it is a fact that at times pillars have been fixed in the fields of or at the doors of the land-owners;

(c) whether it is a fact that this has caused great inconvenience to the peasants; and

(d) whether it is a fact that peasants have been in possession of those lands for years and there were no proper records of forest or lands in quite a few of the erstwhile States which now comprise Himachal Pradesh?



**The Deputy Minister of Agriculture**  
(Shri M. V. Krishnappa): (a) Yes.

(b) No.

(c) Does not arise.

(d) In certain cases there have been encroachments on Government land by peasants for purposes of cultivation and grazing etc. These cases are being dealt with on merits. In the erstwhile States where no proper records of undemarcated forests & waste lands were maintained, a regular settlement is now in progress & the rights of the persons concerned are being recorded.

**All India Port and Dock Workers' Federation**

\*897. **Shri Tangamani:** Will the Minister of Transport and Communications be pleased to state:

(a) whether the Government of India have received representation from the All India Port and Dock Workers' Federation for the appointment of a Wage Board for Employees of Ports and Docks in the major ports of India; and

(b) if so, the action Government have taken in the matter?

**The Minister of Transport and Communications (Shri Lal Bahadur Shastri):** (a) and (b). The Federation's demands included the revision of the wage scales of port and dock workers and the appointment of suitable machinery for the purpose. Government did not feel justified in considering a general revision of the wage scales of this class of employees in isolation. They accepted the necessity for undertaking a review of the disparities and anomalies in the pay scales in the light of the recommendations of the 1947 Pay Commission. An Officer on Special Duty was appointed for this purpose. He has submitted a report which has been sent to the Port Authorities for consideration.

**Dredging Operations**

\*898. **Shri Assar:** Will the Minister of Transport and Communications be pleased to refer to the reply given to Starred Question No. 1419 on the 3rd September, 1957 and state:

(a) whether Government are aware that many ports of Ratnagiri District will remain unused on account of having no dredging arrangement; and

(b) whether there is any programme in the Second Five Year Plan for dredging in the rivers of Ratnagiri District?

**The Minister of Transport and Communications (Shri Lal Bahadur Shastri):** (a) Development of minor ports is primarily the responsibility of State Governments. The Government of Bombay have reported that it would not be correct to say that ports in Ratnagiri District would remain unused in the absence of dredging arrangements. The correct position is that navigation in the creeks or rivers in which most of these ports are located is restricted owing to the formation of sand bars at their mouths with the result that vessels using the ports have to wait for the high tide to cross the bars and consequently take more time to reach the internal areas.

(b) Yes, Sir

**International Postal Union**

\*899. **Sardar Iqbal Singh:** Will the Minister of Transport and Communications be pleased to state:

(a) the advantages and benefits derived by India from the membership of International Postal Union; and

(b) whether any contribution has to be made by India for such membership?

**The Minister of Transport and Communications (Shri Lal Bahadur Shastri):** (a) The main advantages and benefits are in the shape of reciprocal facilities in the operation of our

International Postal Services and in the development of International collaboration in this sphere.

(b) Yes.

#### **Kyasanur Forest Disease in Mysore State**

\*442. **Shri Wodeyar:** Will the Minister of Health be pleased to state:

(a) whether there is a fresh outbreak of the Kyasanur forest disease—in Sorab Taluk, Mysore State; and

(b) the preventive measures taken by the Government to check its spreading?

**The Minister of Health (Shri Karmarkar):** (a) There is no fresh outbreak

(b) A statement is laid on the Table of the Lok Sabha. [See Appendix III, annexure No. 85].

#### **Station Masters**

1211. **Shri Assar:** Will the Minister of Railways be pleased to state:

(a) the number of Station Masters on Indian Railways;

(b) the basic salary of Station Masters when they are promoted from Assistant Station Masters;

(c) whether it is a fact that Station Masters do not get material benefit of the new scale if they are promoted from Assistant Station Masters after getting a salary of Rs 100; and

(d) if so, whether Government propose to consider new scale for their benefit?

**The Deputy Minister of Railways (Shri Shah Nawas Khan):** (a) 7340.

(b) The lowest basic salary on promotion will be Rs. 100/-. Actual fixation, however, depends on the pay an Assistant Station Master is drawing at the time in scale Rs. 80-170.

(c) The immediate benefit to an Assistant Station Master who may be drawing more than Rs. 100/- per mensem on promotion as Station Master

will vary from Rs. 1/- to Rs. 6/- depending upon his pay as Assistant Station Master.

(d) No.

#### **Supply of Electricity to Private Firms in Imphal**

1212. **Shri L. Achaw Singh:** Will the Minister of Irrigation and Power be pleased to state:

(a) the number of private firms at Imphal supplied with electric power;

(b) whether the supply was discontinued in the case of any such firm after the installation of the diesel plant,

(c) the number of firms who have now applied for supply of electric power; and

(d) the number of new connections given after the installation of the new plant at Imphal?

**The Deputy Minister of Irrigation and Power (Shri Hathi):** (a) 30.

(b) No.

(c) 33.

(d) 30.

#### **Electricity Supply in Imphal**

1213. **Shri L. Achaw Singh:** Will the Minister of Irrigation and Power be pleased to state:

(a) the number of applications received for electric power and light connections during 1955-56, 1956-57 at present;

(b) the number of applications entertained and the number of those still pending and

(c) whether the approval of the Chief Commissioner is required in granting permission for these new connections?

**The Deputy Minister of Irrigation and Power (Shri Hathi):** (a) to (c). Information is being collected and will be laid on the Table of the Lok Sabha.

**Electrification of Towns and Villages in Manipur**

**1214. Shri L. Achaw Singh:** Will the Minister of Irrigation and Power be pleased to state:

(a) the number of small towns and villages electrified during the First Five Year Plan in Manipur;

(b) the subsidy given to Kakching village for the electrification of the Bazar during the First Five Year Plan period; and

(c) whether it is a fact that the new power plants are to be installed at Thoubal Tehsil headquarters?

**The Deputy Minister of Irrigation and Power (Shri Hathi):** (a) During the First Five Year Plan electrification in Manipur was limited to Imphal only

(b) No subsidy has been paid for electrification of any village in Manipur.

(b)

Name of road	Mileage in Himachal Pradesh	Mileage in Punjab
Pathankot-Dalhousie (45 Miles)	14	31
Pathankot-Kulu (173 Miles)	78	95
Kalka-Simla (55 Miles)	21	34

(c) No; Sir

(d)

Name of road	Approximate maintenance cost per annum
Pathankot-Dalhousie road	Rs. 29,900/-
Pathankot-Kulu road	Rs. 1,50,700/-
Kalka-Simla road	Rs. 51,800/-

**राजिनों को सुविधायें**

**१२१६. श्री बाबूदेवी :** क्या रेलवे मंत्री यह बतान की कृपा करेंगे कि :

(क) क्या यह सच है कि सागर रेलवे स्टेशन के प्लेटफार्म पर छत न होने के कारण राजिनों को बड़ी असुविधा का सामना करना पड़ा है; और

(c) Yes.

**Roads in Himachal Pradesh**

**1215. Shri Hem Raj:  
Shri Daljit Singh:**

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

(a) whether it is a fact that (i) Pathankot-Dalhousie (ii) Pathankot-Kulu (iii) Kalka Simla roads mostly pass through the Himachal Pradesh territory while only small portions pass through the Punjab territory;

(b) the exact mileage of these roads falling within each State territory;

(c) whether the Himachal Pradesh Administration contemplate to take those portions under its own control which fall within its territory; and

(d) the cost of maintenance of those portions of roads which fall within Himachal Pradesh territory?

**The Minister of Transport and Communications (Shri Lal Bahadur Shastri):** (a) No, Sir.

(ख) यदि हा, तो क्या सरकार का वहां छत डलवाने का विचार है ?

रेलवे डायरेक्टर (श्री शाहनवाज खां) :

(क) यह सच है कि प्लेटफार्म पर छत न होने की वजह से कुछ असुविधा होती है ।

(ख) १९५७-५८ के निर्माण कार्य क्रम में पूरे प्लेटफार्म पर छत डालने की व्यवस्था-

की गयी थी लेकिन पैसे की कमी और जरूरी कामों के लिये इस्पात और सीमेंट को बचाये रखने की जरूरत को देखते हुए, रेलवे उपभोक्ता सुविधा समिति (Railway User's Amenities Committee) ने इस काम की मंजूरी नहीं दी। अब यह फैसला किया गया है कि स्टेशन की इमारत के सामने प्लेटफार्म पर १३० फीट लम्बी छत हासी जाये।

इस काम के लिये २५,५६० रुपये की अनुमानित लागत की मंजूरी दी गयी है।

### ग्वालियर रेलवे स्टेशन

१२१७. श्री वाजपेयी : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) मध्य रेलवे के ग्वालियर रेलवे स्टेशन के पुनर्निर्माण पर कितना व्यय होने का अनुमान है ;

(ख) क्या सरकार के सम्मुख ग्वालियर स्टेशन पर बड़ी लाइन तथा छोटी लाइन के दोनों स्टेशनों का एकीकरण करने का सुझाव है ; और

(ग) यदि हां, तो इस सम्बन्ध में क्या निश्चय किया गया है ?

रेलवे उमेश्वरी (श्री शाहनवाज खां) :

(क) से (ग). माननीय सदस्य का मतलब शायद ग्वालियर यार्ड की पुनर्निर्माण योजना (scheme for remodelling) से है, जिसे २०,८०,००० रुपये की लागत पर १९५७-५८ के निर्माण-कार्यक्रम (Works Programme) में शामिल किया गया है। ग्वालियर में मोटर लाइन का कोई स्टेशन नहीं है। वहां बड़ी लाइन के अलावा, ३ फलिंग की दूरी पर एक छोटी लाइन का स्टेशन है। यार्ड के रास्ते को बदलने का एक कारण यह भी है कि बड़ी और छोटी लाइनों का एक ही स्टेशन हो जाय, ताकि रेल के इस्तेमाल करने वालों को सुविधा हो और परिचालन की जरूरत पूरी हो सके। इस

पुनर्निर्माण योजना में वास्तविक नीचे लिखे काम शामिल हैं :

१. मौजूदा माल गोदाम के प्लेटफार्म की जगह डाउन यात्री प्लेटफार्म बनाना।

२. ६ छंटाई लाइन (Sorting Lines) एक गॉटिंग नेक और गण्टी लेने और छोड़ने के लिये ३ लाइनों की व्यवस्था।

३. नयी जगह पर माल गोदाम बनाना, क्योंकि मौजूदा माल गोदाम के प्लेटफार्म की जगह यात्री प्लेटफार्म बनाया जा रहा है।

४. बड़ी लाइन के पास छोटी लाइन के यात्रियों के लिये सुविधा के काम।

### Passenger Amenities

1218. **Shri Vajpayee:** Will the Minister of Railways be pleased to state the passenger amenities provided during the First Five Year Plan at the stations on the following lines:

- (i) the Lucknow-Gonda-Gorakhpur line of North Eastern Railway; and
- (ii) the Gonda-Balrampur-Gorakhpur Branch line of North-Eastern Railway?

**The Deputy Minister of Railways (Shri Shah Nawas Khan):** A statement is laid on the Table of the Lok Sabha. [See Appendix III, annexure No. 86]

### Passenger Amenities

1219. **Shri Vajpayee:** Will the Minister of Railways be pleased to state the passenger amenities provided during the First Five Year Plan at the stations on the following lines:

- (i) the Gwalior-Bhind;
- (ii) Gwalior-Shivpuri; and
- (iii) Gwalior-Sheopur Kanan Branch lines (narrow gauge of Western Railway?

**The Deputy Minister of Railways (Shri Shah Nawaz Khan):** A statement is laid on the Table of the Lok Sabha. [See Appendix III, annexure No. 87].

### Central Godowns in Andhra Pradesh

**1220. Shri M. V. Krishna Rao:** Will the Minister of Food and Agriculture be pleased to state the stock position of foodgrains in the Central Godowns in Andhra Pradesh in the month of October, 1957?

**The Deputy Minister of Agriculture (Shri M. V. Krishnappa):** The following were the stocks of foodgrains towards the end of October, 1957:—

1. Visakhapatnam	..	7,617
2. Hyderabad	..	54,787
3. Kakinada	..	2,700

### Anti-Corruption Organisation

**1221. Shri M. V. Krishna Rao:** Will the Minister of Railways be pleased to state the work done during 1956-57 by the anti-corruption organisation of the Southern Railway?

**The Deputy Minister of Railways (Shri Shah Nawaz Khan):** During the year 1956-57, 130 cases of corruption and allied irregularities were discovered, 69 employees have been punished during the year 1956-57. The details of punishments inflicted are as shown below:—

Dismissal	..	1
Removal	..	5
Reduction	..	6
Withholding of increments	..	22
Other punishments	..	25

### National Agricultural Credit Fund

**1222. Shri Panigrahi:** Will the Minister of Food and Agriculture be pleased to state:

(a) the amount of money sanctioned to the Government of Orissa from the National Agricultural Credit (long term operations) Fund for contribution to share capital of co-operative credit institutions;

(b) the amount of money advanced to the State Co-operative Bank of Orissa from the above Fund as medium-term loans; and

(c) the amount of money that has been drawn by the Government of Orissa and the State Co-operative Bank till October, 1957, from the amounts sanctioned by the Centre?

**The Deputy Minister of Agriculture (Shri M. V. Krishnappa):** (a) Rs. 46.65 lakhs.

(b) Rs. 19.67 lakhs.

(c) In 1956-57, an amount of Rs. 6.28 lakhs by way of loan and Rs. 2.94 lakhs by way of subsidy was sanctioned to the State Government out of which the entire amount of loan and Rs. 2.93 lakhs from the amount of subsidy sanctioned were drawn by the State Government.

During the current year the Central Government have conveyed an allocation to the Government of Orissa of Rs. 13.90 lakhs, comprising Rs. 9.15 lakhs as loan and Rs. 4.75 lakhs as subsidy but not amount has yet been drawn by the State Government.

The Central Government do not sanction financial assistance direct to State Co-operative Banks.

### वनस्पति

१२२३. श्रीमती मंगा देवी : क्या जलदायक कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) वनस्पति की के निर्माण के लिये कितने प्रतिशत बिनीले के तेल का प्रयोग किया जाता है ; और

(ख) १९५५ की तुलना में १९५६ में हमने कितनी प्रतिशत वृद्धि हुई है ?

कृषि उपमंत्री (श्री मो० च० कुलकर्णी) :  
(क) १९५५ में ७.४ प्रतिशत और १९५६ में १६.३ प्रतिशत ।

(ख) ११.६ प्रतिशत ।

### त्रिपुरा में बाढ़ नियन्त्रण

१२२४. श्री चांडक : क्या सिचाई और विद्युत् मंत्री यह बताने की कृपा करेंगे कि त्रिपुरा शासन ने बाढ़ों की रोकथाम के लिये क्या कदम उठाये हैं ?

सिचाई और विद्युत् उपमंत्री (श्री हाथी) : त्रिपुरा प्रदेश में मूल्यवान् संपत्ति की बाढ़ से रक्षा के लिये निम्नलिखित योजनाएं स्वीकृत की जा चुकी हैं और उन पर कार्य या तो आरम्भ हो गया है या होने जा रहा है।

योजना का नाम	स्वीकृत राशि (रुपये)
(१) होरा नदी की बाढ़ से अग्रतल्ला नगर की रक्षा .	१३,६३,०००
(२) गुमती नदी की बाढ़ से रक्षा के लिये दुर्गापुर तथा सोनापुर के वर्तमान तटबन्धों की विशेष मरम्मत .	५३,७७०
(३) गुमती नदी द्वारा कट.व (इरोजन) रोकने के लिये सोनापुरा नगर के पास कटाव-स्थल पर दोहरी क्षेपिकाएं (डबल ग्राइन्स) और तोड़े हुए पत्थरों तथा घनी झाड़ियों आदि की रोक बनाना .	२८,७३२

योजना का नाम	स्वीकृत राशि (रुपये)
(४) अग्रतल्ला नगर के समीप होरा नदी पर स्पर तथा क्षेपिकाएं बनाना .	४,८५०
(५) खोवाई नदी की बाढ़ से खोवाई नगर की रक्षा ।	४८,३२२
(६) दुर्गापुर में गुमती पर दोहरी क्षेपिका (ग्राइन्स) वाले और एक अनुदैर्घ्य क्षेपिका (लॉन्गिट्यूडिनल ग्राइन्स) से जुड़े हुए सपरों को बनाना ।	११,८२०
(७) उदयपुर नगर के समीप गुमती नदी पर अस्थाई लम्बे स्परों को बनाना	६,६२२
(८) मोगरा मार्ग के विस्तार पर जौयनगर के पास टूटे हुये हिस्सों का भरान, तटबन्ध के ढाल पर टूटे हुए पत्थर बिछाना और क्षेपिकाओं की मरम्मत करना .	१६,६००
(९) रंगामातिया गांव की गुमती की बाढ़ से रक्षा .	४,२००

बोखवा का नाम	स्वीकृत राशि (रुपय)
(१०) ककराबन गांव की गुमती नदी के कटाव से रक्षा	५,२००
(११) मानू नदी की बाढ़ से कालासहर नगर की रक्षा	१,३१,६००
(१२) उदयपुर नगर की गुमती के कटाव से रक्षा	५,७१५
(१३) खोवाई नदी के कटाव से नली-मुरा गांव की रक्षा	१२,८४०
(१४) सद्म नगर की रक्षा के लिये स्परों को बनाना	५,०००
(१५) डलाई नदी के कटाव से कोलाई बाजार की रक्षा	३,१००
(१६) गुमती की बाढ़ से मोनामुरा नगर की रक्षा	५८८००
कुल जोड़	१७,३१,०७१

क्रम संख्या (३) से (८) और (१४) पर दी गई योजनाएं पूरी हो चुकी हैं और क्रम संख्या (१) वाली योजना पूरी होने वाली है।

#### Restaurant Cars

1225. Shri Biren Roy: Will the Minister of Railways be pleased to state:

(a) whether Government are aware of the insanitary condition of food and

of the kitchen in the restaurant cars attached to Indian Railways;

(b) whether Government are aware that no printed price or menu cards are available to any passenger before ordering a meal from a carriage; and

(c) whether it is proposed to take early steps to remove the difficulties of long distance railway passengers as well as foreign tourists?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) No. On the contrary the condition of food and of the kitchens in the restaurant/dining cars running on Indian Railways is generally satisfactory.

(b) and (c). While on some Railways printed or hand-written menu cards are supplied to the bearers, who show these to passengers on demand, on others the passengers are verbally acquainted with the details of the menu and prices by the bearers.

Instructions are now being issued that the practice of supplying menu cards to bearers should uniformly be followed on all Railways.

#### Transmission of Telegrams

1226. Shri Assar: Will the Minister of Transport and Communications be pleased to state:

(a) whether Government are aware that telegrams are sent a day later on account of heavy congestion of telegrams in Chiplun Telegraph Office District Ratnagiri (Bombay State); and

(b) if so, steps Government propose to take in this direction?

The Minister of Transport and Communication (Shri Lal Bahadur Shastri): (a) No. There is occasional congestion due to line interruptions and delay in such cases is about 4 hours.

(b) Additional line from Bombay to Chiplun has been opened for reducing the traffic load from Chiplun Combined Office.

**Commercial Clerks on Railways**

1227. **Shri Assar:** Will the Minister of Railways be pleased to refer to the reply given to Unstarred Question No. 1544 on 11th September, 1957 and State:

(a) the amount of money recovered during the last financial year from commercial clerks to make good the debits as a result of their accidentally accepting base coins of short collections at counters; and

(b) why the allowance is not paid to commercial clerks for the shortage of collections at counters as is being done in the State Bank and other industrial concerns?

**The Deputy Minister of Railways (Shri Shahnawaz Khan):** (a) The amount recovered was Rs. 2,13,857/10/1.

(b) Such an allowance is not considered justified nor is it granted to similar staff in the State Bank.

**Water Supply at Karjat**

1229. **Shri Assar:** Will the Minister of Railways be pleased to refer to the reply given to Unstarred Question No. 269 on the 15th November, 1957 and state:

(a) the reason for increasing the rate of water supplied to Karjat Grampanchayat;

(b) whether Government are aware that neighbouring village Dahinali Grampanchayat is being supplied water by pumping set at six annas per thousand gallons;

(c) whether there was any deputation from Karjat Grampanchayat requesting to reduce the rate of water supply; and

(d) if so, whether Government propose to consider that case?

**The Deputy Minister of Railways (Shri Shahnawaz Khan):** (a) The charges for water supplied to Karjat Grampanchayat were increased as a result of the overall revision of the rate for water supplied to outsiders

and outside bodies, on an all Railway basis, due to general increase in the cost of labour and stores, etc.

(b) No.

(c) There was no deputation but representations were, however, received from the Sarpanch of the Karjat Grampanchayat, who was informed that it was not possible to reduce the rate, explaining the reasons thereof.

(d) It is not possible to agree to a reduction in the rate, as it would entail loss to the Railway in view of the fact that the present rate of Re. 1 per 1000 gallons is the average on an all railway basis of the actual expenditure incurred and does not include any element of profit.

**खार**

१२३०. श्री आसर् : क्या खार तथा कुचि मंत्री यह बताने की कृपा करेंगे कि खार ग्राम, खार गम गाँव के पोषक तत्वों की परीक्षा करने के लिये भारतीय पशु-चिकित्सा गवेषणा संस्था, इज्जतनगर में जो परीक्षण किये गये हैं, उनका परिणाम निकला है ?

**कुचि उपमंत्री (श्री मो० वें० इब्न-ए-अली) :** खार गम, खार बीनस और खार मील के कुछ नमूनों पर भारतीय पशु-चिकित्सा अनुसन्धान शाला, इज्जतनगर में पोषक तत्वों की जानने के लिये परीक्षण किये गये। इन प्रयोगों के नतीजों का एक विवरण सभा पटल पर रख दिया गया है। [देखिये परिशिष्ट ३, अनुबन्ध संख्या ६८]। इस से मालूम हो जायेगा कि खार मील में बाकी दोनों वस्तुओं की निम्नतम अधिक प्रोटीन होता है।

**Medical College at Burla (Hirakud) Orissa**

1231. **Shri P. G. Deb:** Will the Minister of Health be pleased to state:

(a) whether any request has been made to the Centre by the Government of Orissa for financial aid for the establishment of a Second Medical College at Burla (Hirakud) in the District of Sambalpur;



(b) whether it is a fact that the Utkal University has recommended to the State Government of Orissa for the above mentioned Medical College at Burla (Hirakud); and

(c) whether the Government of India are willing to give financial aid for the proposed colleges which is the crying need of the State?

**The Minister of Health (Shri Karmarkar):** (a) A request has been received from the Government of Orissa for the establishment of a second medical college to be located at Sambalpur.

(b) Yes. The Syndicate of the Utkal University has passed a resolution recommending the establishment of a Medical College at Sambalpur.

(c) The matter is under consideration.

#### Seeds of Foodgrains

**1232. Shri Pangarkar:** Will the Minister of Food and Agriculture be pleased to state the quantity of seeds of various foodgrains supplied to the Bombay State during 1957 so far?

**The Deputy Minister of Agriculture (Shri M. V. Krishnappa):** No seeds of foodgrains have been supplied to the Bombay State during 1957 so far, excepting for a quantity of 137 maunds of Improved New Pusa Wheat supplied by the Indian Agricultural Research Institute, and its sub-stations for further multiplication and distribution to the farmers of the State.

#### Wells

**1233. Shri Pangarkar:** Will the Minister of Food and Agriculture be pleased to state the amount of loan and grant sanctioned by the Central Government to the Government of Bombay for well-sinking and well-repairing schemes during 1957-58 so far?

**The Deputy Minister of Agriculture (Shri M. V. Krishnappa):** A loan of Rs. 34.97 lakhs and a grant of Rs. 8.43 lakhs have been sanctioned.

#### Wheat Seeds

**1234. Shri D. C. Sharma:** Will the Minister of Food and Agriculture be pleased to state the quantity of seeds of wheat and grain dispatched to the Punjab State in 1957 (upto the 30th of November, 1957)?

**The Deputy Minister of Agriculture (Shri M. V. Krishnappa):** No seeds of wheat and grain have been despatched to the Punjab State in 1957, so far, excepting for a quantity of 665 mds. 25 seers of recently bred New Pusa wheat, supplied by the Indian Agricultural Research Institute.

#### International Farm Youth Exchange Programme

**1235. Shri Bibhuti Mishra:** Will the Minister of Food and Agriculture be pleased to state the number of youths trained in the U.S. under the International Farm Youth Exchange Programme who have been employed in the various States?

**The Deputy Minister of Agriculture (Shri M. V. Krishnappa):** Ten.

#### Stores Purchased from Abroad

**1236. Shri D. C. Sharma:** Will the Minister of Transport and Communications be pleased to state:

(a) the total value of stores purchased from abroad in 1956-57 relating to the Transport Department;

(b) the total value of indigenous purchases made during the same period; and

(c) the steps, if any, taken or proposed to be taken for immediate and effective economies in respect of foreign purchases?

**The Minister of Transport and Communications (Shri Lal Bahadur Shastri):** (a) and (b). The information is being collected and will be laid on the Table of the Sabha.

(c) In view of the prevailing shortage of foreign exchange, the possibility of avoiding foreign purchases is examined in detail and no stores are pur-

chased from abroad unless it is inevitable. For the future requirements as well, every effort is being made to develop indigenous capacity for the manufacture of stores at present imported from abroad.

#### International Convention for the Prevention of Pollution of Sea by Oil

1237. { Shri D. C. Sharma:  
Shri Raghunath Singh:  
Sardar Iqbal Singh:

Will the Minister of Transport and Communications be pleased to refer to the reply given to Starred Question No. 1178 on the 26th August, 1957 and state whether India has since accepted the International Convention for the Prevention of Pollution of the Sea by Oil, which was drafted at the International Conference held in London on the 12th May, 1954?

The Minister of Transport and Communications (Shri Lal Bahadur Shastri): No. Government have not yet taken a decision in the matter.

#### Revision of Fares in D.T.S. Buses

1238. Shri D. C. Sharma: Will the Minister of Transport and Communications be pleased to refer to the reply given to Starred Question No. 1295 on the 29th August, 1957 and state:

(a) whether any decision with regard to the revision of rate of fare for children between 3 and 12 years of age by the Delhi Transport Service has since been taken; and

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

The Minister of Transport and Communication (Shri Lal Bahadur Shastri): (a) and (b). The Delhi Road Transport Authority has recently decided to make a general reduction in the Delhi Transport Service fares. It is estimated that this reduction will reduce the Authority income by about

Rs. 6 lakhs per annum. The revised fares are likely to be introduced with effect from 1st January, 1958. It is, therefore, not possible for the Authority to make any other concessions in its fares without watching for some time the effect of the reduced fares on its financial position. The Authority has accordingly decided to postpone a decision on the question of granting half fare concession to the children for a period of six months.

#### Foreign Tourists at Bhakra Nangal

1239. Shri D. C. Sharma: Will the Minister of Transport and Communications be pleased to state the number of foreign tourists who visited Bhakra Nangal during 1956-57?

The Minister of Transport and Communications (Shri Lal Bahadur Shastri): 452 foreign tourists.

#### Class IV Railway Employees

1240. { Shri D. C. Sharma:  
Shri T. B. Vittal Rao:  
Shrimati Parvathi Krishnan:  
Shri Thimmliah:

Will the Minister of Railways be pleased to refer to the reply given to Starred Question No. 1280 on the 29th August, 1957 and state:

(a) the names of the Members of the Committee appointed to review the channels of promotion to Class IV Railway Employees;

(b) whether it is a fact that this Committee has refused to receive representations from certain Railway Trade Unions on the ground of non-recognition;

(c) if so, whether any complaint has been received by Government in this regard; and

(d) if so, the action taken in the matter?

The Deputy Minister of Railways (Shri Shashinwar Khan): (a) 1. Shri G. D. Tapse—Chairman.

2. Shri B. B. Mathur, Senior Deputy General Manager, Northern Railway—Member.

3. Shri C. V. Cunningham, Senior Deputy Director-General, Posts and Telegraphs—Member.

4. Shri A. P. Sharma, Vice-President, National Federation of Indian Railwaymen—Member.

5. Miss Maniben Kara, President, Western Railway Employees Union—Member.

6. Shri S. S. Jagota, Deputy Chief Mechanical Engineer, Chittaranjan Locomotive Works—Member.

7. Shri J. N. Roy, Deputy General Manager, Eastern Railway—Member.

8. Shri B. N. Datar, Director, Labour and Employment, Planning Commission—Member.

(b) The Committee sent their questionnaire to and have interviewed recognised railway unions, individuals and public men but not representatives of unrecognised railway unions, except in their individual capacity.

(c) Yes.

(d) As in addition to recognised unions, individual railway employees and others are given a hearing, no further action has been considered necessary.

#### Fertilizers

Dr. Ram Subhag Singh:

1241. Shri Hoda:

Sardar Iqbal Singh:

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

(a) whether Government have decided to restrict the import of ammonium sulphate;

(b) if so, by what amount the import of ammonium sulphate will be cut; and

(c) what other kinds of fertilizers will be imported in its place and from what countries?

The Deputy Minister of Agriculture (Shri M. V. Krishnaswami): (a) and (b). Ammonium Sulphate has been the most popular nitrogenous fertiliser and is the only such fertilizer at present manufactured in the country. Under the expansion programme of Sindri and the new fertiliser factories that are being set up, urea, ammonium sulphate nitrate and calcium ammonium nitrate will be manufactured. With a view to popularise these new fertilizers before our factories go into production, they are being imported in larger quantities which has necessarily meant restricting the imports of ammonium sulphate. Due to the shortage of foreign exchange the import of ammonium sulphate has had to be further restricted. Out of a total of 3 lakh tons of imports during 1958-59, we would be importing only about one lakh tons in the form of ammonium sulphate.

(c) Urea, Ammonium Sulphate Nitrate and Calcium Ammonium Nitrate will be imported. The countries from which these fertilizers will be imported will be known only after contracts for 1958-59 purchases have been finalised.

#### Red Rain in Kerala

1242. { Shri S. C. Samanta:  
Shri Subodh Hasda:

Will the Minister of Transport and Communications be pleased to refer to the reply given to the Starred Question No. 675 on the 6th August, 1957 and state:

(a) whether the sample of the red water collected has been analysed;

(b) if so, the details of the report;

(c) whether it is also a fact that on the 1st September, 1957 yellow rain fell on some parts of the Tamluk Municipality in the district of Midnapur, West Bengal; and

(d) if so, whether the chemical composition of the yellow water and

the cause of the colour have been analysed?

The Minister of Transport and Communications (Shri Lal Bahadur Shastri): (a) Yes, Sir.

(b) A copy of the report is laid on the Table of the Lok Sabha. [See Appendix III, annexure No. 89].

(c) Except for a newspaper report to this effect, Government have no information on the subject as there is no meteorological observatory at Tamluk. The Government of West Bengal have stated that the news is unconfirmed.

(d) Does not arise.

#### उत्तर प्रदेश में पर्यटन का विकास

१२४३. श्री भक्त वर्मन : क्या परिचालन तथा संचार मंत्री १७ अगस्त, १९५७ के धारांकित प्रश्न संख्या ६६३ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) उत्तर प्रदेश सरकार की पर्यटन विकास से सम्बन्धित जिन परियोजनाओं पर विचार किया जा रहा था उनमें से प्रत्येक के लिये १९५७-५८ में कितनी कितनी धनराशि नियत की गई है;

(ख) उत्तर प्रदेश सरकार ने उपरोक्त सहायता के अतिरिक्त पर्यटन के विकास के लिये और किस प्रकार की सहायता मांगी है; और

(ग) इस सम्बन्ध में क्या निर्णय किया गया है ?

परिचालन तथा संचार मंत्री (श्री लाल बहादुर शास्त्री) : (क) केन्द्र द्वारा स्वीकृत सहायता पूंजी निम्न प्रकार है :-

(१) पर्यटन कार्यालय (टूरिस्ट ब्यूरो)-  
३५,००० पैसे

(२) हिमालय स्थित तीर्थ-मार्गों पर बने भस्मियों के प्रवास-गृह—१,००,००० रुपये

(३) आगरा, अयोध्या और लखनऊ स्थित कम धामदानी वाले लोगों के लिये विश्राम-गृह—कुछ नहीं, क्योंकि अयोध्या और लखनऊ के कम धामदानी वाले विश्राम-गृह की व्यवस्था को स्वीकृत-पर्यटन योजना में शामिल नहीं किया गया है और आगरा में कम धामदानी वाले लोगों के लिये विश्राम-गृह के लिये राज्य सरकारों से पूछे गये विस्तृत विवरण और प्राक्कलन अभी तक प्राप्त नहीं हुए हैं ।

(ख) तथा (ग). उत्तर प्रदेश सरकार से कोई दूसरा प्रस्ताव प्राप्त नहीं हुआ है । फिर भी राज्य सरकार को झोखला के पर्यटकों को बी जाने वाली सुविधाओं की व्यवस्था के लिये ३० हजार रुपये का अनुदान दे दिया गया है ।

#### Foodgrains

1244. { Shri Nagi Reddy:  
Shri B. S. Murthy:

Will the Minister of Food and Agriculture be pleased to state the States to which the grains purchased so far in Andhra Pradesh have been diverted?

The Deputy Minister of Agriculture (Shri M. V. Krishnappa): Kerala, Madras, West Bengal and Bombay.

#### रेलवे स्टेशनों पर चोरियाँ

१२४५. श्री वासर : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि मुसाबल और नासिक के बीच के रेलवे स्टेशनों पर यात्रियों के माल असबाब की चोरियों की घटनाएँ बढ़ती जा रही हैं और रेलवे मंत्रालय को इस सम्बन्ध में कोई शिकायत प्राप्त हुई है ;

(ख) क्या सरकार ने ऐसी घटनाओं के कारणों की जांच की है और यह पता लगाया है कि उनके लिये कौन उत्तरदायी है;

(ग) क्या सरकार को यह विदित है कि कई रेलवे स्टेशनों पर गुब्बों के गिरोह हैं और वहाँ के चौकीदार और पुलिस उन से मिली हुई है;

(घ) क्या सरकार का इस सम्बन्ध में कोई कड़ी कार्यवाही करने का विचार है; और

(ङ) यदि हाँ, तो किस प्रकार की ?

रेलवे डपमन्त्री (श्री शाहनवाज खान) :

(क) मध्य रेलवे में भुसावल और नासिक के बीच के स्टेशनों पर यात्रियों के सामान को चोरी की घटनाओं में कोई खास बढ़ती नहीं हुई है। लेकिन, चोरी के मामलों की जब-सब रिपोर्ट मिलती रहती है।

(ख) रेलवे पुलिस ने ऐसे मामलों को दर्ज करके उन की जांच की। बहुत से अपराधी पकड़े गये और उन्हें सजा दिलायी गयी। पुलिस की जांच के दौरान में यह भी पता चला कि ये चोरियाँ किसी हद तक यात्रियों की लापरवाही के कारण भी हुईं।

(ग) गुब्बों का कोई संगठित गिरोह नहीं है और न इस बात का सन्देह करने का कोई कारण है कि रेलवे सुरक्षा दल या रेलवे पुलिस इन गुब्बों से मिली हुई है।

(घ) सवाल नहीं उठता।

(ङ) सवाल नहीं उठता।

#### Appointment of Dr. Hansen in the C. W. & P. Commission

1246. Shri Narayanankutty Menon: Will the Minister of Irrigation and Power be pleased to state:

(a) whether Dr. Hansen, the German Expert on Harbour Engineering, who was appointed by the Central Water and Power Commission has made any suggestion to overcome the silting of the channels in the Cochin Port;

(b) if so, the nature of the suggestions;

(c) whether Dr. Hansen has given any opinion regarding the construction of the Tammirmukkam bund in the Vembanat lake in Kerala; and

(d) if so, what are the suggestions made by him?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) and (b). Yes. His suggestions are to either modify Mattancheri Channel or to construct Ernakulam channel above the rail and road bridge.

(c) and (d). Yes. He is of the opinion that the Thannermukkam bund will not affect adversely the Port of Cochin. He has, however, suggested repetition of the experiments already made at the Central Water and Power Research Station, Poona, with a different set of conditions regarding the range and periods of tides.

#### Push Button Telegraph Machine at Central Telegraph Office, Bombay

1247. Shri Asrar: Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that a Push Button Telegraph Machine installed in Bombay Central Telegraph Office is not working well;

(b) if so, whether there is any possibility of repairing this machine; and

(c) the amount proposed to be spent on its repairs?

The Minister of Transport and Communications (Shri Lal Bahadur Shastri): (a) The Semi automatic tape relay system (push button system) installed in Bombay Central Telegraph Office has been in operation since June, 1957. The performance of the system is being watched.

(b) The possibility of changes in design to improve the traffic handling capacity is under consideration.

(c) Vide answer to item (b). The matter is still under consideration.

### Opening of a Station at Kunnur

1248. **Shri R. Narayanasami:** Will the Minister of Railways be pleased to state:

(a) whether any petition has been received requesting to open a station at Kunnur in Madura Bodinayakanur Railway, Periyakulam Taluq; and

(b) if so, the steps taken in regard thereto?

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

(b) The proposal for opening a station at Kunnur, between Vallanadi Road and Teni Railway Stations on Madura-Bodinayakanur branch line, was examined; but it was found lacking in justification, either financially or on grounds of volume of passenger traffic expected to be dealt with thereat. Consequently the proposal was not accepted.

### Naraj and Tikrapada Projects

1249. **Shri Sanganna:** Will the Minister of Irrigation and Power be pleased to refer to the reply given to Starred Question No. 1289 on the 29th August, 1957 and state:

(a) whether the Government of Orissa have since sent any proposals for the Naraj and Tikrapada projects; and

(b) if so, the results thereof?

**The Deputy Minister of Irrigation and Power (Shri Hathi):** (a) The answer is in the negative.

(b) Does not arise.

### Technical Personnel of River Valley Projects

1250. **Shri Sanganna:** Will the Minister of Irrigation and Power be pleased to refer to the answer given to Unstarred Question No. 1021 on 29th August, 1957 in respect of the Technical Personnel of River Valley Projects and state:

(a) whether necessary instructions have since been issued to the State

Governments for implementation; and

(b) if so, what is the position in each project covered by these instructions?

**The Deputy Minister of Irrigation and Power (Shri Hathi):** (a) In May, 1956, the Irrigation and Power Minister requested the Chief Ministers of the various States concerned with the major river valley projects, to issue necessary instructions for the establishment of employment exchanges at the project sites.

(b) Project employment exchanges are functioning at the Damodar Valley and Hirakud Projects. The State Governments agreed to the setting up of the employment exchanges at all the projects except Bhakra-Nangal and Tungbhadra Projects but the exchanges have not so far started functioning.

### Railway School at Rayagada

1251. **Shri Sanganna:** Will the Minister of Railways be pleased to refer to the answer given to Unstarred Question No. 1014 on the 29th August, 1957 in respect of the Railway School at Rayagada and state:

(a) whether steps have since been taken to provide additional rooms; and

(b) if so, with what results?

**The Deputy Minister of Railways (Shri Shah Nawaz Khan):** (a) and (b). Yes, Sir. Funds have been sanctioned for extension of the school building last month.

### Import of Foodgrains

1252. { **Dr. Ram Subhag Singh:**  
**Sardar Iqbal Singh:**

Will the Minister of Food and Agriculture be pleased to state the cost of foodgrains so far imported since the beginning of 1957?

**The Deputy Minister of Agriculture (Shri M. V. Krishnappa):** The cost of

foodgrains including freight imported on Government account in 1957 upto 31st October is about Rs. 143 crores.

**राज्य के लिए सिमलों का बिन्दु**

१२४३. श्रीमत् निजीबाला : क्या स्वास्थ्य मंत्री यह बताने को कृपा करेंगे कि :

(क) क्या सरकार को यह नीति है कि दिल्ली राज्य मकान बनाने के लिये गैर-सरकारी बस्तियाँ बसाने वालों को भूमि को विकसित करने और प्लाटों को बेचने के लिये प्रोत्साहित किया जाये ;

(ख) इस नीति को कार्यान्वित करने के लिये क्या कदम उठाये गये हैं ; और

(ग) इन गैर-सरकारी बस्तियाँ बसाने वालों ने विभाजन के पश्चात् कितनी और कौन कौन सी बस्तियाँ बसाई हैं और प्रत्येक बस्ती का स्वामी कौन है ?

स्वास्थ्य मंत्री (श्री करमरकर) : (क) नीति विषयक ऐसा कोई निर्णय नहीं किया गया है ।

(ख) यह प्रश्न नहीं उठता ।

(ग) सरकार को कोई जानकारी नहीं है ।

#### Transport Problem in Himachal Pradesh

1254. Shri Y. S. Parmar: Will the Minister of Transport and Communications be pleased to state:

(a) whether Government are aware that the bumper Kachhi fasal potato crop in Tehsil Prebhad, District Sirmur, Himachal Pradesh, could not be brought to the markets from Saraban and nearabout places on the Simla road because of lack of transport facilities;

(b) whether it is a fact that the Transport Department would not supply trucks, unless the growers agreed

to pay empty haulage from Nahan to Saraban; and

(c) whether it is a fact that no private or public operator can ply any truck for hire on that road i.e. Simla route?

The Minister of Transport and Communications (Shri Lal Bahadur Shastri): (a) No complaint regarding lack of transport facilities for the purpose mentioned by the Hon'ble Member has been received.

(b) No.

(c) Yes.

#### Theft of Telegraph Wires

1255. Shri Raghunath Singh: Will the Minister of Transport and Communications be pleased to state how many cases of telegraph and telephone wire cutting and theft were reported or detected during last three months?

The Minister of Transport and Communications (Shri Lal Bahadur Shastri): No. of copper wire theft cases reported or detected during the past three months (viz., August to October, 1957):—1153.

#### Semaria Ghat Accident

1256. Shri Bibhuti Mishra: Will the Minister of Railways be pleased to state:

(a) how many suits and for what amount in respect of Semaria Ghat accident on the 7th September, 1955 are pending before the courts and what is the extent of claim;

(b) whether any amount was recovered by sale of salvaged sugar;

(c) if so, whether it was given to the consignors;

(d) if not, why not;

(e) the amount which the Railway has spent over the suits in that connection and how much more they expect to spend over the litigations; and

(f) whether any terms of compromise were offered to the parties?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) 9 suits involving an aggregate sum of Rs. 1.1 lakhs (approximately).

(b) Rs. 9,800.

(c) No.

(d) As the salvaged sugar could not be allocated to the different consignments no amount has been paid so far to either the consignees or consignors of any of the consignments.

(e) The expenditure so far incurred by the Railways amounts to Rs. 219.16 nP. and no estimate can be made at this stage of the total expenditure that is likely to be incurred.

(f) No.

रत्नागिरि, बम्बई राज्य में आयुर्वेदिक  
गवेषणा केन्द्र

१३५७. श्री आसतः : क्या स्वास्थ्य  
मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को यह विदित है कि  
बम्बई राज्य के रत्नागिरि जिले में औषधीय  
जड़ी बूटिया बहुतायात से होती हैं; और

(ख) यदि हा तो क्या सरकार का वहां  
कोई आयुर्वेदिक गवेषणा केन्द्र स्थापित  
करने का विचार है ?

स्वास्थ्य मंत्री (श्री करमरकर) : (क)  
सरकार के पास ऐसी कोई सूचना नहीं है ।

(ख) रत्नागिरि जिले में कोई आयुर्वेदिक  
गवेषणा केन्द्र स्थापित करने का विचार नहीं  
है ।

#### Golden Rock Railway Workshop

1258. Shri Tangamani: Will the  
Minister of Railways be pleased to  
state:

(a) whether it is a fact that for the  
last two years letter painting and  
stencilling of wagons in the Golden  
Rock Railway Workshop is being done  
in open sun and rains, due to want  
of shelter;

(b) whether any steps have been  
taken to construct sheds for this pur-  
pose; and

(c) how many wagons are being  
turned out every month in the work-  
shop and how many are forced to  
work in the open air?

The Deputy Minister of Railways  
(Shri Shah Nawaz Khan): (a) Letter  
painting and stencilling of wagons is  
being done in the open but not in the  
hot sun or rains. This has been the  
practice for a long time and not  
adopted only two years back. During  
inclement weather lettering and sten-  
cilling is done under cover by spread-  
ing out the work load over a longer  
period.

(b) There is no proposal to con-  
struct additional covered sheds for  
letter painting and stencilling.

(c) On an average 270 wagons in  
terms of 4-wheelers are turned out per  
month. About 15 men work in the  
open for one to two hours per day for  
lettering and stencilling the wagons.

#### Chira

1259. Shri L. Achaw Singh: Will the  
Minister of Food and Agriculture be  
pleased to state:

(a) whether it is a fact that the  
Manipur Administration sold Chira at  
Dimapur (Assam) by public auction;

(b) if so, the reasons for selling in  
Assam and not in Manipur; and

(c) the quantity sold by auction at  
Dimapur from the 1st January to  
October, 1957 and the margin of profit  
per manud of Chira?

The Deputy Minister of Agriculture  
(Shri M. V. Krishnaappa): (a) Yes.  
Sir.

(b) and (c). Chira is surplus to the  
requirements of Manipur. So far  
about 750 mds. have been auctioned  
at a profit about Rs. 1/- per manud.



### Procurement of Rice from Andhra Pradesh

1260. Shri B. S. Murthy: Will the Minister of Food and Agriculture be pleased to state:

(a) whether there has been any delay in the payment to millers or ryots for rice procured in Andhra Pradesh; and

(b) if so, the reasons therefor?

The Deputy Minister of Agriculture (Shri M. V. Krishnappa): (a) No, Sir.

(b) Does not arise.

### Extension of Service to Staff

1261. Shri Daljit Singh: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that extension of services is being given on the Northern Railway to particular persons;

(b) if so, the reasons why some particular persons are given extensions instead of increasing the age limit; and

(c) the effect on services of such extensions?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) Yes. Extension of service has been given in only one case on Northern Railway.

(b) The extension in this particular case has been given in the exigencies of service. Being a solitary case the question of raising the age limit does not arise.

(c) Does not arise in view of reply to part (b) above.

### Food Values of Paddy and Maize Stalks

1262. Shri Jhulan Sinha: Will the Minister of Food and Agriculture be pleased to state:

(a) whether any research has been carried on the subject of food values of paddy and maize stalks (straws);

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

(c) whether it is a fact that these common cattle fodder really do harm to their health in the way they are fed to the animals?

The Deputy Minister of Agriculture (Shri M. V. Krishnappa): (a) A good deal of research has been carried out on the food value of paddy straw, but none on maize stalks.

(b) and (c). A statement on the results of feeding paddy straw to cattle is laid on the Table of the Lok Sabha. [See Appendix III, annexure No. 90].

### Ferozepore-Delhi Train Service

1263. Sardar Iqbal Singh: Will the Minister of Railways be pleased to state:

(a) whether there is a proposal to introduce a fast express train service from Ferozepore to Delhi and Ferozepore to Patiala-Ambala in day time and

(b) if not, whether Government propose to take a decision in favour of this proposal at an early date?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) No.

(b) In view of the limited provision of passenger coaches and locomotives made in the Second Five Year Plan, it has been found necessary to use them on a priority basis for introduction of additional trains on the sections where the need is more pressing.

### Railway Coaching Stock

1264. Shri Asrar: Will the Minister of Railways be pleased to state:

(a) the number of effective coaching stock of Central Railway in January, 1956;

(b) the number of effective coaching stock of Central Railway in February, 1957;

(c) whether it is a fact that there was a shortage of coaches at the end of February, 1957; and

(d) if so, the reasons therefor?

**The Deputy Minister of Railways (Shri Shah Nawas Khan):** (a) and (b). The number of coaches owned by Central Railway were as follows:—

January '56	2353
February '57	2294

(c) There is no shortage but there has been a reduction in the holding.

(d) The reason for reduction in holding is the transfer of ownership and repair of stock used on certain trains to other Railways for rationalised maintenance, e.g. stock of Delhi-Madras Janata Rakes transferred in ownership and for maintenance to Southern Railway.

#### **Jamsola Bridge on Subarnarekha River**

1265. { **Shri Subodh Hasda:**  
**Shri S. C. Samanta:**

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

(a) the reasons for delay in completing the Jamsola over-bridge on the river Subarnarekha connecting the Bombay Road (Highway No 6) from one side of the bank to the other; and

(b) when it is likely to be completed?

**The Minister of Transport and Communications (Shri Lal Bahadur Shastri):** (a) The original borings done at the bridge site suggested the presence of rock at fairly shallow depth and on this basis a design with open foundations for piers in the bed of the river was first adopted. During the actual execution of the work, it was, however, found that good firm rock stratum for foundations was not available at shallow depth and accordingly open foundations would not be suitable. It was then decided to modify the design of the foundations for some of the piers from open founda-

tations to well foundations. It is now clear that the peculiar foundation conditions existing at site require the adoption of pneumatic sinking. A special plant is being brought to the site for this purpose. All this has resulted in the programme of construction being delayed;

(b) By the middle of 1959.

#### **टेलीफोन आउटेज**

१२६६ { **श्री सादीबाला :**  
**श्री राधे लाल व्यास :**  
**श्री क० भ० मालवीय :**

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

(क) क्या यह सच है कि टेलीफोन चालकी को बदलिया बहुत जल्दी जल्दी होती है,

(ख) उन टेलीफोन चालकी को, जो किसी विशेष एम्प्लिफायर से पूरी तरह परिचिन हो जाते हैं, जल्दी जल्दी बदलिया करने के क्या कारण हैं,

(ग) क्या टेलीफोन चालका को जल्दी जल्दी बदली करने की नीति का टेलीफोन विभाग की कार्य कुशलता तथा उस के सुचारु रूप से कार्य करने पर कोई बुरा प्रभाव पड़ा है; और

(घ) यदि हा, तो क्या सरकार इस नीति में कोई परिवर्तन करने पर विचार कर रही है ?

**परिवहन तथा संचार मंत्री (श्री लाल बहादुर शास्त्री):** (क) जी नहीं।

(ख) से (घ). ये प्रश्न नहीं उठते।

#### **Remodelling Ahmedabad Station Yard**

1267. **Shri Yajnik:** Will the Minister of Railways be pleased to state:

(a) whether it is a fact that notices were served on all the tenants occupying lands in the compound of Madho-

bhai Mills at Ahmedabad to acquire their lands for constructing the Ahmedabad Remodelling Yard by a Notification in the Bombay Gazette dated the 6th June, 1957;

(b) whether Government have received representations from the Madhobhai Mill Colony Tenants' Association requesting them to acquire other suitable lands so as to prevent the closure of their factories and the unemployment of their workers;

(c) if so, the action taken with a view to solve their difficulties and to consider their suggestions; and

(d) whether Government would postpone consideration of the Remodelling Yard Scheme till an over-all and more comprehensive scheme could be implemented for remodelling both the broad gauge and the metre gauge stations of Ahmedabad?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) Yes, Notification under section 4 of land Acquisition Act has issued.

(b) Yes.

(c) and (d). The Railway Administration has been asked to re-examine the matter in consultation with the State Government with a view to find out if it was possible to acquire an alternative site or reduce the scope of acquisition of the land belonging to Madhobhai Mills. The proposed remodelling of Ahmedabad is an urgent matter and the details of the scheme are under examination.

**Central Mechanised Farm at Jammu**

1263. Shri N. R. Munisamy: Will the Minister of Food and Agriculture be pleased to state the profit or loss incurred in the central mechanised farm at Jammu in 1955-56 and 1956-57?

The Deputy Minister of Agriculture (Shri M. V. Krishnappa): The farm incurred a loss of Rs. 1.18 lakhs and Rs. 2.40 lakhs during 1955-56 and 1956-57 respectively. The above figures are provisional and relate to crop year,

i.e. from the period July to June each year.

### Town Inspector's Examination

1269. { Shri A. K. Gopalan:  
Shri Warrier:

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

(a) whether Government had received any complaint from the P & T employees regarding the results of the Town Inspector's Examination held on 14th July, 1957 in New Delhi; and

(b) if so, the action taken thereon?

The Minister of Transport and Communications (Shri Lal Bahadur Shastri): (a) Yes.

(b) The allegations were enquired into and found to be baseless and a reply was sent to the complainants.

### ट्रेन दुर्घटना

१२७० { श्री आसकर :  
श्री रजुनाथ सिंह

क्या रेलवे मंत्री यह बनाने को कृपा करेंगे कि

(क) क्या यह सच है कि १४ नवम्बर १९५७ को रानाघाट-बानपुर लाइन के बबूना स्टेशन पर रेल दुर्घटना में ४ व्यक्ति घायल हुए थे,

(ख) क्या यह सच है कि स्यालदा शाखा पर ७ दिन के अन्दर यह तोसरो दुर्घटना हुई है;

(ग) यदि हाँ, तो क्या सरकार ने इस शाखा पर बार बार होने वाले रेल दुर्घटनाओं के कारणों की जांच करने के लिये कोई कार्यवाही की है;

(घ) यदि हाँ, तो उस का क्या परिणाम निकला है;

(क) क्या सरकार ने इस प्रकार की दुर्घटनाओं की पुनरावृत्ति को रोकने के लिये कोई उपाय किये हैं; और

(ख) यदि हाँ तो उनका स्वरूप क्या है ?

रेलवे डायरेक्ट्री (बी शाहनवाज खाँ) :

(क) १४-११-१९५७ को सुबह लगभग ७ बजकर ५५ मिनट पर जब एस-३९१ ग्रप सवारी गाड़ी पूर्व रेलवे के सियालदह डिब्बोजन में रानाघाट-बानपुर सेक्शन के बगूला स्टेशन में दाखिल हो रही थी, उसके इंजन के साथ वाले ५ डिब्बे पटरी से उतर गये । ३ घादमियों को (न कि ४ को जैसा कि सवाल में कहा गया है) चोट आयी । इन में से एक को सख्त चोट लगी ।

(ख) जो नहीं, सवाल में बताया गयी अवधि में सियालदह डिब्बोजन में केवल यही एक दुर्घटना हुई । सवाल में जिन दूसरी दो घटनाओं का जिक्र किया गया है वे शायद ये हैं :—

(i) १०-११-५७ को बरानगर रोड स्टेशन के सेमी आटोमोटिक सिगनल के पास ३३० डाउन सवारी गाड़ी और एस-१९६ डाउन लोकल सवारी गाड़ी के पिछले सिरे एक दूसरे से टकरा गये; और

(ii) १२-११-१९५७ को सी० सी० लिंक केबिन के बाहरी सिगनल के पास एस-११५ ग्रप लोकल सवारी गाड़ी और ७ ग्रप माल गाड़ी के पिछले सिरे एक दूसरे से टकरा गये ।

ये दुर्घटनाएँ पूर्व रेलवे के हावड़ा डिब्बोजन की कसकता कांड लाइन पर हुईं ।

(ग) तथा (घ). ऊपर जो तीन दुर्घटनाएँ बतायी गयी हैं, उन की जांच सरकार के रेलवे निरीक्षक, कलकत्ता ने की है । उनकी आक्षेपी रिपोर्ट अर्थ: नहीं मिली है ।

(क) तथा (घ). इस दौरान में मौके पर गयी कार्यवाहियाँ की गयी हैं :—

(i) बगूला सेमी दुर्घटनाओं की रोक-थाम के उपाय—

जब इंजन रौड से बाहर जाये और रौड में घाये, तो उस के हर एक पुर्जों की पूरी जांच की जाय ।

(ii) कलकत्ता कांड सेमी दुर्घटनाओं को रोकने के उपाय—

यह व्यवस्था की गयी है कि आटोमेटिक सेक्शन पर काम करने वाले हर एक ड्राइवर के पास क्षमता का नया प्रमाणपत्र हो, जिसमें यह बताया गया हो कि वह आटोमेटिक सेक्शन पर काम के नियमों को जानता है । जो ड्राइवर इस सेक्शन पर काम करना नहीं जानते, उन के साथ कंस्ट्रक्टर ड्राइवर बलें जो उस सेक्शन के काम को अच्छी तरह जानते हों ।

इस सेक्शन को देखभाल के लिये सुपर-वाइजर रखे गये हैं जो ड्राइवरों को आगाह करते रहते हैं कि बेनियमों का ठीक-ठीक पालन करे ।

खतरे की हालत में ड्राइवरों को आटोमेटिक सिगनलों को पार करने की आज्ञा देने से सम्बन्धित नियमों को रद्द करने का आदेश जारी कर दिया गया है । अब ये सिगनल "ठहरो और रुको" (Stop and Stay) समझे जाते हैं ।

#### Bridge at Dingraghat

1271. Shri Mohammed Tahir: Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that the Ganges-Darjeeling Road in Purnea District (Bihar) has been declared as National Highway;

(b) if so, whether the construction of bridge at Dingraghat on the said road has been included in the Second Five Year Plan; and

(c) if so, the time when the work is to be taken up?

**The Minister of Transport and Communications (Shri Lal Bahadur Shastri):** (a) and (b). Yes, Sir.

(c) The construction of the bridge will be taken up as soon as the tenders which are now under scrutiny have been finally approved.

#### **Forced Landing of Trainer Aircraft at Udaipur**

**1272. Shri Assar:** Will the Minister of Transport and Communications be pleased to state:

(a) whether a trainer aircraft of the Madhya Bharat Flying Club, Indore was compelled to make a force landing at Udaipur aerodrome on the 17th November, 1957;

(b) whether any inquiry has been made into this incident; and

(c) if so, the findings thereof?

**The Minister of Transport and Communications (Shri Lal Bahadur Shastri):** (a) No, Sir, it was not a case of forced landing, but the aircraft in question while landing after making a cross-country flight, nosed over and was damaged.

(b) and (c). The accident is under investigation

#### **Cyclone on Konkan Coast**

**1273. Shri Assar:** Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that there was a great cyclone on the Konkan Coast from Bombay to Vengurla from the 10th to the 12th November, 1957; and

(b) if so, what was the total loss on the Konkan Coast?

**The Minister of Transport and Communications (Shri Lal Bahadur Shastri):** (a) Yes Sir. A severe cyclonic storm was located in the East Central Arabian Sea, about 300 to 400 miles off the Kanara Konkan Coast, between the 10th and 12th

November, 1957. It weakened into a storm of moderate intensity before it reached the coast.

(b) Information has been called for from the State Government concerned and will be placed on the Table of the Lok Sabha as soon as it is available.

#### **Aerodrome at Udaipur**

**1274. Shri Assar:** Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that a new aerodrome has been constructed at Udaipur; and

(b) if so, when the resumption of a regular air service between Delhi and Udaipur is expected?

**The Minister of Transport and Communications (Shri Lal Bahadur Shastri):** (a) Yes, Sir.

(b) This is being examined by the Indian Airlines Corporation.

#### **Sugarcane Crop in Orissa**

**1275. Shri Sanganna:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether Government are aware that the sugarcane crop in Orissa has been greatly affected by the cane pest disease during this year; and

(b) if so, the steps taken in this regard?

**The Deputy Minister of Agriculture (Shri M. V. Krishnappa):** (a) Yes, Sir. In certain parts of Orissa, the sugarcane crop is reported to have been affected by two diseases namely, Red Rot and Chlorosis.

(b) The following steps have been taken by the State Government for the control of these diseases:—

(i) For control of Red Rot, a Sugarcane Development Centre has been started in Banki area and the staff are advising the cultivators

about various measures for its eradication. Establishment of another centre in Athgarh is under consideration.

(ii) Observations regarding the behaviour of Chlorotic disease on various cane varieties are in progress and suitable control measures will be adopted as soon as possible.

#### Unity Conference of Railwaymen's Federations

1276. { Shri Tangamani:  
Shri S. M. Banerjee:  
Shri Rajendra Singh:

Will the Minister of Railways be pleased to state:

(a) whether he convened a Unity Conference in Delhi during November, 1957, of the All India Railwaymen's Federation and the National Federation of the Indian Railway men; and

(b) if so, the outcome of the Conference?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) and (b). Yes, Sir, the Minister called the two groups to a meeting between themselves on 19th and 20th November at which the representatives of the two groups decided to implement the Unity agreement reached by them in March, 1956, by July 31, 1958.

#### Post Office Building at Busta

1277. Shri K. C. Jena: Will the Minister of Transport and Communications be pleased to state:

(a) whether any amount has been sanctioned for the construction of a Post Office building at Busta, District Balasor, Orissa;

(b) if so, the amount sanctioned and the date of sanction; and

(c) the progress made so far?

The Minister of Transport and Communications (Shri Lal Bahadur

Shastri): (a) and (b). Administrative approval and expenditure sanction to the construction of the building at a cost of Rs. 31,790/- was issued on 31.10.56.

(c) The work could not be executed as the C.P.W.D. authorities were unable to fix the contractors for its execution. The question of awarding the work by negotiations is under consideration.

#### Wool Extension Centres

1278. Sardar Iqbal Singh: Will the Minister of Food and Agriculture be pleased to refer to the reply given to Starred Question No. 696 on the 14th March, 1956 and state the names of the places State-wise where 396 Sheep and Wool Extension Centres are proposed to be established?

The Deputy Minister of Agriculture (Shri M. V. Krishnappa): A statement is laid on the Table of the Lok Sabha. [See Appendix III, annexure No. 91]

#### Tourism in Jammu and Kashmir

1279. Sardar Iqbal Singh: Will the Minister of Transport and Communications be pleased to state the main features of the programme of Jammu and Kashmir Government for the development of tourism in that State during the Second Five Year Plan?

The Minister of Transport and Communications (Shri Lal Bahadur Shastri): A statement in two parts, one showing the schemes already included in the Second Five Year Plan for the State and the other showing further schemes suggested by the State Government for being approved by the Planning Commission is laid on the Table of the Lok Sabha. [See Appendix III, annexure No. 92]. The inclusion of schemes mentioned in Part II in the Plan is under consideration.

### Non-Departmental Telephone Operators

**1280. Sardar Iqbal Singh:** Will the Minister of Transport and Communications be pleased to state:

(a) whether there are non-departmental telephone operators employed in the Punjab Circle; and

(b) if so, their number?

**The Minister of Transport and Communications (Shri Lal Bahadur Shastri):** (a) Yes.

(b) 29.

### Telephone Exchange at Guruharsahai

**1281. Sardar Iqbal Singh:** Will the Minister of Transport and Communications be pleased to state:

(a) whether there is a proposal for providing a Telephone Exchange at Guruharsahai in Ferozepore District; and

(b) if so, when this proposal will be implemented?

**The Minister of Transport and Communications (Shri Lal Bahadur Shastri):** (a) and (b) The present demand for telephone connections does not justify the opening of an exchange.

### Trunk Telephone Lines to Ferozepore

**1282. Sardar Iqbal Singh:** Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that the trunk telephone lines to Ferozepore are frequently out of order and un-serviceable; and

(b) if so, the reasons therefor?

**The Minister of Transport and Communications (Shri Lal Bahadur Shastri):** (a) All Trunk telephone circuits connected to Ferozepore are working with over 90% efficiency with the exception of one circuit connected to Delhi which has an efficiency of 88%.

(b) The comparatively low efficiency of the circuit connected to Delhi

is due to the fact that is built up through Ludhiana and Ambala and the lack of adequate spare lines between Ambala and Delhi. This defect has now been rectified.

### Community Development and N.E.S. Blocks in West Bengal

**1283. Shri Ghosal:** Will the Minister of Community Development be pleased to state:

(a) the number of National Extension Service Blocks and Community Development Blocks of West Bengal; and

(b) the People's contribution in 1956?

**The Minister of Community Development (Shri S. K. Dey):** (a) Post-intensive Blocks 12.

Community Development Blocks. 16. N.E.S. Blocks 90.

(b) Approximately Rs. 36 lakhs in cash, kind and labour.

### Post Office Savings Account

**1284. Shri Assar:** Will the Minister of Transport and Communications be pleased to state the number of cases and the amount thereof during 1947 to 1957 so far where the account has been declared as "Dead Account" on account of the respective parties having lost their Post Office Savings Pass Books and consequently the amount not being paid to them?

**The Minister of Transport and Communications (Shri Lal Bahadur Shastri):** Does not arise as an Account is not treated as "Dead" on loss of Pass book. Depositor can obtain a duplicate.

### Passenger Amenities

**1285. Shri Radhamohan Singh:** Will the Minister of Railways be pleased to state:

(a) whether any express trains are proposed to be run on the Allahabad-Katihar Section of the North Eastern Railway;

- (b) if so, since when;  
(c) if not, why not; and

(d) what passenger amenities are proposed to be provided on this section and on Ballia-Shahgunj section during the Second Five Year Plan?

**The Deputy Minister of Railways (Shri Shah nawas Khan):** (a) No.

(b) Does not arise.

(c) There is no traffic justification for the introduction of an additional train on the Allahabad-city-Katihar section.

(d) The passenger amenities, which are proposed to be provided during the Second Five Year Plan are indicated in statement laid on the Table of the Lok Sabha [See Appendix III, annexure No 93]. But these are subject to the approval of the Railway Users' Amenities Committee and availability of funds and material.

### Overcrowding in Trains

**1286. Shri Radhamohan Singh:** Will the Minister of Railways be pleased to state:

(a) whether there are any proposals to remove overcrowding in trains on the line between Ballia and Chupra Junction; and

(b) if so, what are they and when they are expected to be enforced?

**The Deputy Minister of Railways (Shri Shah nawas Khan):** (a) There is no overcrowding in trains on Chupra-Ballia section

(b) Does not arise.

### Grow More Food Schemes

**Shri Ghosal:**  
**1287. Shri T. K. Chaudhuri:**

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

(a) the additional production of foodgrains obtained during 1956-57

in West Bengal through Grow More Food Schemes; and

(b) the amount spent thereon?

**The Deputy Minister of Agriculture (Shri M. V. Krishnappa):** (a) and (b). Complete information regarding the additional production obtained during 1956-57 through Grow More Food Schemes and the amount spent thereon have not been reported by the Government of West Bengal. The reports so far received show the additional production as 24980 tons and the expenditure as Rs. 82.15 lakhs only. (Long term loan Rs. 11.56 lakhs, Short term loan Rs. 62.76 lakhs and grant Rs. 7.83 lakhs).

### Fair Price Shops in West Bengal

**1288. { Shri Ghosal.  
Shri T. K. Chaudhuri:**

Will the Minister of Food and Agriculture be pleased to state the quantity of foodgrains distributed through the Fair Price Shops of West Bengal from April, 1957 to September, 1957?

**The Deputy Minister of Agriculture (Shri M. V. Krishnappa):** The following quantities of rice and wheat have been distributed in West Bengal during the period April to September, 1957.

Rice 66,900 tons

Wheat 275,400 tons.

गन्ना

१२८६. श्री मोहन स्वर्कर : क्या खाद्य तथा कृषि मंत्री २५ नवम्बर, १९५७ के प्रतारकित प्रदन संख्या ६५३ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) नवम्बर १९५७ में बिहार में कितनी चीनी मिलें चालू हो गयी हैं ;

(ख) उत्तर प्रदेश और बिहार में इस मास में फेरे गये गन्ने से कितनी चीनी काबरो ई है ;



(ब) कितनी चीनी मिलें गन्ने का मूल्य पये से ७ आने प्रति मन के हिसाब से चुका रही हैं और कितनी इस से अधिक और कितनी इस से कम; और

(घ) यदि मूल्य में कोई मित्रता है तो उस के क्या कारण हैं ?

कुचि उग्रवंशी (श्री मो० बे० कुण्णप्पा) :

(क) १६ चीनी मिलें ।

(ख) उत्तर प्रदेश और बिहार में नवम्बर १९५७ में चीनी की रिक्करी क्रमशः ८.३ प्रतिशत और ९.२ प्रतिशत अनुमान की जाती है ।

(ग) उत्तर प्रदेश और बिहार की सभी चीनी मिलें गन्ने का न्यूनतम मूल्य नेट दिल्लीरो पर १.७.० प्रति मन और बाहर रेल केन्द्र पर १.५.० प्रति मन के हिसाब से चुका रही हैं ।

(घ) प्रश्न नहीं उठता ।

बरेली-मेरठ राष्ट्रीय राजपथ

१२६० श्री मोहन स्वच्छर : क्या परिचालन तथा संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) बरेली-मेरठ राष्ट्रीय राजपथ को चौड़ा करने के कार्यक्रम में अब तक क्या प्रगति हुई है;

(ख) द्वितीय पंचवर्षीय योजना काल में उत्तर प्रदेश तथा बिहार में कितनी सम्बन्धी राष्ट्रीय राजपथ की सड़कों को चौड़ा किया जायेगा; और

(ग) उन पर कितना व्यय होने का अनुमान है ?

परिचालन तथा संचार मंत्री (श्री जाल बहादुर झा) : (क) मेरठ-बरेली सड़क का केवल गड़मुक्तेस्वर-बरेली भाग ही राष्ट्रीय राजपथ संख्या २४ पर पड़ता है । दूसरी पंचवर्षीय योजना के अन्तर्गत इस भाग में पांच मील सम्बन्धी भाग को चौड़ा करने का निश्चय किया गया है । यह काम पहले ही शुरू किया जा चुका है और पूरा होने ही वाला है ।

(ख) तथा (ग) द्वितीय पंचवर्षीय योजना काल के अन्तर्गत उत्तर प्रदेश और बिहार में जिन राष्ट्रीय राजपथों को चौड़ा करने का इरादा है उन की सम्बाई क्रमशः ५४१ और ५१.५ मील है । इन पर जो खर्चा किया जाने का इरादा है वह क्रमशः २६३.०० लाख और ३५.७० लाख पये है ।

Chain Pulling and Ticketless Travel

1291. Shri Ganpati Ram: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that cases of chain pulling is a common feature between Allahabad and Meja Road and Mandal Road and Karchana stations;

(b) whether it is a fact that most of the passengers on the Meja Road-Allahabad passenger trains, travel without tickets;

(c) whether it is a fact that a gang of lancers, and goondas travel by the train without tickets;

(d) whether it is also a fact that Travelling Ticket Examiners and Guards on duty are sometimes beaten and even threatened to death if objection is raised against such ticketless travel;

(e) what measures Government propose to take to prevent such lawlessness and ticketless travels; and

(f) whether it is also a fact that these goondas travel in 1st class and often threaten the 1st class passengers?

**The Deputy Minister of Railways (Shri Shahnaswas Khan):** (a) There have been some cases of alarm chain pulling over the sections mentioned but these were not abnormal except in respect of train No. 1-MA over the section Naini-Allahabad.

(b) No.

(c) No.

(d) There was only one such incident, when train staff were threatened by a ticketless traveller.

(e) The measures usually adopted to combat ticketless travel will be continued and intensified so far as train No. 1-MA over the Naini-Allahabad Section is concerned for a period it was run with the vacuum apparatus disconnected. This may have to be resorted to again, should there be recurrence of the conditions which prevailed previously.

(f) Except for the one incident mentioned against item (d) above, there have been no other reports.

#### Diphtheria Cases in Delhi

**1292. Shri Rameshwar Tandia:** Will the Minister of Health be pleased to state:

(a) the number of diphtheria cases in Delhi during 1957-58 so far;

(b) the number of inoculation centres operating in Delhi;

(c) whether any deaths have been reported so far; and

(d) whether diphtheria vaccine is manufactured in India?

**The Minister of Health (Shri Karmarkar):** (a) 1080 cases were reported in Delhi from the 1st January to 23rd November, 1957.

(b) Children below 10 years are inoculated against Diphtheria in 34 Maternity and Child Welfare Centres and in schools located in Delhi and New Delhi. In addition, inoculation is also given to contact cases at their

residence when diphtheria is reported in a locality.

(c) 98 deaths were reported in Delhi during the above mentioned period.

(d) Yes.

#### PAPERS LAID ON THE TABLE

##### STATISTICAL INFORMATION REGARDING THE WORKING OF PREVENTIVE DETENTION ACT, 1950.

**The Minister of Home Affairs (Pandit G. B. Pant):** Sir, I beg to lay on the Table a copy of each of the following papers:

- (1) Statistical Information regarding the working of the Preventive Detention Act, 1950, during the period 31st March, 1956 to 31st October, 1956.
- (2) Statistical Information regarding the working of the Preventive Detention Act, 1950, during the period 31st October, 1956 to 30th September, 1957. (Placed in Library, See No. LT-421.)

##### NOTIFICATION UNDER ESSENTIAL COMMODITIES ACT

**The Deputy Minister of Agriculture (Shri M. V. Krishnappa):** Sir, on behalf of Dr. P. S. Deshmukh, I beg to lay on the Table, under sub-section (6) of Section 3 of the Essential Commodities Act, 1955, a copy of the Himachal Pradesh Seed Potato (Control) Order, 1957, published in Notification No. S.R.O. 3504, dated the 30th October, 1957. [Placed in Library, See No. LT-422[57].]

##### NOTIFICATIONS UNDER MOTOR VEHICLES ACT.

**The Minister of Transport and Communications (Shri Lal Bahadur Shastri):** Sir, I beg to lay on the Table, under sub-section (3) of Section 133 of the Motor Vehicles Act,

1939, a copy of each of the following  
 Notifications:—

- (1) S.R.O. No. 537, dated the 3rd March, 1956, making certain amendments to the Motor Vehicles International Circulation Rules, 1938.
- (2) S.R.O. No. 538, dated the 3rd March, 1956, making certain amendments to the Motor Vehicles (Third Party Insurance) Rules, 1946.
- (3) S.R.O. No. 2510, dated the 30th October, 1956, making certain amendments to the Motor Vehicles (Third Party Insurance) Rules, 1946.

[Placed in Library. See No. LT-423/57].

#### STATEMENT REGARDING SUPPLEMENTARY DEMANDS FOR GRANTS FOR 1957-58

The Minister of Finance (Shri T. T. Krishnamachari): Sir, I beg to present a statement showing Supplementary Demands for Grants in respect of the Budget (General) for 1957-58.

Shri T. B. Vittal Rao (Khammam): May we know the total amount?

Mr. Speaker: It is in the statement.

Shri T. B. Vittal Rao: We will see it in the evening. Can't it be said now, the amount, one word?

Mr. Speaker: A statement has been laid. Hon. Members will go through it leisurely.

Shri T. B. Vittal Rao: It is the supplementary budget.

Mr. Speaker: We are not entering into a discussion on it now.

Shri T. B. Vittal Rao: I wanted only the total amount.

Mr. Speaker: Let him look into it half an hour afterwards. I do not want to start a bad practice.

Shri T. B. Vittal Rao: I wanted it only because it is supplementary demand.

Mr. Speaker: Supplementary demand is also a statement.

#### BUSINESS OF THE HOUSE

The Deputy Minister of Defence (Shri Baghuramiah): Sir, with your permission, on behalf of Shri Satya Narayan Sinha, may I inform this House that Government business for the week commencing Monday, the 9th December, 1957 will consist of the following items:

- (1) Preventive Detention (Continuance) Bill.
- (2) Any item of business carried over from today's order paper.
- (3) Union Duties of Excise (Distribution) Bill.
- (4) Estate Duty and Tax on Railway Passenger Fares (Distribution) Bill.
- (5) Supplementary Demands for Grants for 1957-58.
- (6) Parliament (Prevention of Disqualification) Bill.
- (7) Indian Tariff (Second Amendment) Bill.
- (8) Criminal Law Amendment Bill.
- (9) Countess of Dufferin's Fund Bill; and
- (10) Indian Reserve Forces (Amendment) Bill, as passed by Rajya Sabha.

#### STATEMENT RE: FORMATION OF A RUPEE COMPANY TO EXPLOIT THE OIL RESERVES IN ASSAM

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): As the hon. Members are aware, negotiations were being conducted with the Burmah Oil Company/Assam Oil Company for the formation of a Rupee

[Sardar Swaran Singh]

Company to exploit the oil reserves discovered in Nahorkatiya, Hugrijan and Moran areas in Assam. These negotiations were suspended in May 1957 and resumed on the 18th November, 1957. An Agreement has now been concluded between the Government of India and the Burmah Oil Company/Assam Oil Company and this will be executed shortly. The broad features of the agreement proposed to be executed are:—

(1) The Rupee Company will undertake production of oil and will also arrange for the construction in two stages, and operation of a pipeline or such other related facilities as may be considered necessary for the transport of the Crude Oil upto Barauni. During the first stage the pipeline or other related facilities will be laid up to an intermediate locality to be approved by the Government of India and the Burmah Oil Company and during the second stage the extension of the pipeline or other facilities from such intermediate locality to Barauni will be taken in hand. The timing of the commencement of each of the two stages shall be determined by the Government of India.

(2) The oil produced by the Rupee Company will be sold to two refineries sponsored by the Government of India and to be established in the public sector. The delivered price of crude oil payable by each such refinery shall be either the lowest price delivered Calcutta at which such Crude Oil can be secured by the refinery from any alternative source or the cost incurred by the company together with a reasonable commercial return, whichever is less, such price being fixed by the company with the approval of the Government of India after examination of costs and subject to review every half year.

The Burmah Oil Company have offered to advance a Sterling loan to the extent of 10 million pounds to the Rupee Company on terms to be agreed between that Company and the Government of India to meet the foreign exchange content of the cost of the first stage of construction of the pipeline and other related facilities. In the context of this firm commitment given by the Burmah Oil Company, it is proposed to have a refinery located at the intermediate stage between the oilfields and Barauni in addition to having a refinery at Barauni. Government have already appointed consultants to undertake pipeline survey from the oilfields to the refinery sites and also for the refinery projects studies. The sizes, actual location and the patterns of production to be adopted for the two refineries now proposed to be established in the public sector will be determined after receipt and examination of the project reports. The first of the two refineries is likely to be located somewhere in Assam and it is possible that this refinery will be on stream within about three years.

## ELECTION TO COMMITTEE

### CENTRAL COMMITTEE OF THE TUBERCULOSIS ASSOCIATION OF INDIA

The Minister of Health (Shri Kar-markar): I beg to move:

“That in pursuance of clause 3 (vii) of the Rules and Regulations of the Tuberculosis Association of India, the Members of Lok Sabha do proceed to elect in such manner, as the Speaker may direct, two Members from among themselves to serve as members of the Central Committee of the Tuberculosis Association of India.”

Mr. Speaker: I shall put the motion to the House.

The question is:

"That in pursuance of clause 3(vii) of the Rules and Regulations of the Tuberculosis Association of India, the Members of Lok Sabha do proceed to elect in such manner, as the Speaker may direct, two Members from among themselves to serve as Members of the Central Committee of the Tuberculosis Association of India."

*The motion was adopted.*

# CRIMINAL LAW AMENDMENT BILL\*

The Minister of Home Affairs (Pandit G. B. Pant): I beg to move for leave to introduce a Bill further to amend the Indian Penal Code, the Prevention of Corruption Act, 1947 and the Criminal Law Amendment Act, 1952.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Indian Penal Code, the Prevention of Corruption Act, 1947 and the Criminal Law Amendment Act, 1952."

*The motion was adopted.*

Pandit G. B. Pant: I introduce the Bill.

# UNION DUTIES OF EXCISE (DISTRIBUTION) BILL\*

The Minister of Finance (Shri T. T. Krishnamachari): Mr. Speaker, Sir, I beg to move for leave to introduce a Bill to provide for the distribution of a part of the net proceeds of certain Union duties of excise among the States.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill to provide for the distribution of a part of the net

proceeds of certain Union duties of excise among the States."

*The motion was adopted.*

Shri T. T. Krishnamachari: I introduce the Bill.

# ESTATE DUTY AND TAX ON RAILWAY PASSENGER FARES (DISTRIBUTION) BILL\*

The Minister of Finance (Shri T. T. Krishnamachari): Mr. Speaker, Sir, I beg to move for leave to introduce a Bill to provide for the distribution of the net proceeds of the Estate duty and the tax on railway passenger fares among the States.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill to provide for the distribution of the net proceeds of the Estate duty and the tax on railway passenger fares among the States."

*The motion was adopted.*

Shri T. T. Krishnamachari: I introduce the Bill.

# COUNTESS OF DUFFERIN'S FUND BILL\*

The Minister of Health (Shri Karmarkar): Sir, I beg to move for leave to introduce a Bill to provide for the transfer of the Fund known as the Countess of Dufferin's Fund to the Central Government.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill to provide for the transfer of the Fund known as the Countess of Dufferin's Fund to the Central Government."

*The motion was adopted.*

Shri Karmarkar: I introduced the Bill.

\*Published in the Gazette of India Extraordinary Part II-Section 2, dated 6-12-57 pp. 926-929, 921-25, 939-39 and 930-32 respectively.

†Introduced with the recommendation of the President.

**BUSINESS ADVISORY COMMITTEE  
FOURTEENTH REPORT**

**Shri Rane (Buldana):** I beg to move:

"That this House agrees with the Fourteenth Report of the Business Advisory Committee presented to the House on the 5th December, 1957."

**Some Hon. Members:** We can't hear?

**Mr. Speaker:** Is it not in the Order Paper?

Motion moved:

"That this House agrees with the Fourteenth Report of the Business Advisory Committee presented to the House on the 5th December, 1957."

**Shri Braj Raj Singh: (Firozabad):** I want to move an amendment.

**Mr. Speaker:** Has he given notice of the amendment?

**Shri Braj Raj Singh:** No.

**Mr. Speaker:** I am not exempting from notice.

**Shri Naushir Bharucha: (East Khandesh):** May I request, at least, that the time for the Preventive Detention Bill should be raised from 8 to 10 hours?

**Mr. Speaker:** Hon. Members know full well that when a notice of motion is given, they should table amendments if they propose to move the amendments on the floor of the House.

**Shri Naushir Bharucha:** This was presented only in the evening yesterday. There was hardly any time to table anything.

**Mr. Speaker:** All right. What is the amendment?

**Shri Naushir Bharucha:** Instead of eight hours, ten hours be allotted to the Preventive Detention (Continuance) Bill.

**Shri Braj Raj Singh:** May I submit, Sir, when this Bill came up in 1954, 15 hours were allotted for the discussion of the Bill? Now, three years have passed. We have got more grounds to discuss on this matter. Fifteen hours may be allotted.

**Pandit Thakur Das Bhargava:** May I submit, Sir, in the Business Advisory Committee, it has been accepted by everybody that eight hours is more than enough. As a matter of fact, this Act is not under discussion under this Bill. We will not be allowed to move any amendment to the original Act. This Bill is only meant for continuance of life. Eight hours are more than enough. I do not know what else is going to be discussed except whether it should be continued or not. Therefore, eight hours will be enough.

**Shri Braj Raj Singh:** In 1954, the Bill was for continuance and fifteen hours were allotted.

**Pandit G. B. Pant:** This recommendation, so far as I am aware, was made unanimously by the Members of the Business Advisory Committee in which all parties were represented. I think it would be a bad precedent to vary the unanimous recommendation of the Business Advisory Committee.

**Shri Naushir Bharucha:** Why bring it for confirmation here at all?

**Pandit G. B. Pant:** In the hope that except where there is division among the Members, the unanimous recommendation will always be accepted by all here. The parties who have committed themselves will not move any amendment against the commitment made by their own representatives.

**Shri Naushir Bharucha:** I do not belong to any party.

**Pandit G. B. Pant:** He must belong to some party.

**Shri B. K. Gokhale (Nasik):** On behalf of the Republican Party, I

say, no representative has been taken on the Committee. So, it cannot be said that it was agreed to by all the parties.

Shri Braj Raj Singh: May I submit.....

Mr. Speaker: I have heard enough. He wants 15 hours. Normally, we invite representatives of the various Groups to attend where there are formal Groups, in addition to those other persons whom we invite. Hereafter, I shall try to invite Shri Nausahir Bharucha. The difficulty is, there are 15 or 20 Independent Members. If an Independent Member consents, another can get up and say, I am not a party. Generally, there is absolutely no need for such things. All these have been considered. Anyhow, I will put the amendments to the vote of the House. Ten hours or 15 hours?

Shri Nausahir Bharucha: Ten hours.

Shri Bimal Ghose (Barrackpore): There was a suggestion in the Business Advisory Committee that if an extension is considered necessary, it may be left to your discretion. We may accept that.

Mr. Speaker: If it is left to my discretion, it may be half an hour or one hour. That is normal.

Shri Bimal Ghose: That is better. This will be rejected.

Mr. Speaker: Do I take it that hon. Members do not want to press the amendments?

Shri Braj Raj Singh: In 1954 when this Bill was taken into consideration, the hon. Minister said that one hour would be enough. Fifteen hours were allotted.

Mr. Speaker: Things have changed. If it is left to the discretion of the Chair, I will extend it by an hour. I have no objection. If they want to press, I will put it to the vote of the House. Do I take it that they are not pressing?

The question is:

"That this House agrees with the Fourteenth Report of the Business Advisory Committee

presented to the House on the 5th December, 1957."

The motion was adopted.

# INDIAN RAILWAYS (AMENDMENT) BILL—contd.

Mr. Speaker: The House will now resume further discussion on the Indian Railways (Amendment) Bill, 1957. Out of three hours allotted for all the stages of the Bill, 44 minutes have already been availed of leaving a balance of 2 hours and 16 minutes.

Shri Sinhasan Singh may continue his speech.

श्री सिंहासन सिंह (गोरखपुर) : अध्यक्ष महोदय, कल मैं इस विधेयक के सम्बन्ध में कह रहा था कि यह जो पुराने अधिनियम का नवीनीकरण किया जा रहा है यह एक तरह से उस का भ्रामूल परिवर्तन हो रहा है। पुराने अधिनियम में ट्राइब्यूनल को मुकर्रर करने के लिये यह जरूरी था कि जो व्यक्ति नियुक्त किया जाये वह या तो उस समय हाईकोर्ट का जज हो या हाईकोर्ट का जज रहा हो। पुराने अधिनियम के सेक्शन ३४ में यह था :

"(1) There shall be a Tribunal, called the Railway Rates Tribunal, for the purpose of discharging the functions hereinafter specified in this Chapter.

(2) The Tribunal shall consist of a President, and two other members appointed by the Central Government; and they shall hold office.....

(3) A person shall not be qualified for appointment as a member of the Tribunal unless he is or has been, or is qualified for appointment as, a Judge of a High Court."

किन्तु जो हम यह रखने र वह यह है कि एक जज हाईकोर्ट का रहेगा और दो ऐसे व्यक्ति रहेंगे जो रोजगार के

## [श्री सिद्धान्त सिंह]

कारोबार में या कमर्स के सम्बन्ध में जान-कारी रखने वाले हों। अब नियम यह है :

"The Tribunal shall consist of a Chairman and two other members to be appointed by the Central Government."

"A person shall not be qualified for appointment as the Chairman of the Tribunal unless he is, or has been, a Judge of the Supreme Court or of a High Court and the other two members of the Tribunal shall be chosen from among persons who, in the opinion of the Central Government, have special knowledge of commercial, industrial or economic conditions of the country or of the commercial working of the railways."

इस त

थे वहाँ पर अब दो ऐसे व्यक्ति होंगे जिन का जूडीशियल अनुभव कुछ नहीं होगा बल्कि वे तिजारात के मामले में और कारोबार के मामले में जानकार होंगे। पहले ऐक्ट में सेक्शन ३५ में प्रसेसर्स के बारे में यह नियम था कि ट्रेडर भी रहेगा, एग्रीकल्चर वाला भी रहेगा और कमर्स का भी रिप्रेजेंटेटिव रहेगा और रेलवे का भी रहेगा। लेकिन अब इस नियम में केवल कमर्स और रेलवे के कारोबार के जानने वाले रहेंगे, एग्रीकल्चर इत्यादि के कोई नहीं रहेंगे। तो मेरा विरोध यह है कि ये जो दो प्रादमी नये रखे जा रहे हैं वे ऐसे व्यक्ति हैं कि जो मुल्क के जयाल से और रेलवे के भी जयाल से धायव बाधक होंगे क्योंकि जो फैसला होगा वह फैसला अधिक मत संख्या की ओर से होगा। तीन प्रादमियों में से जो दो प्रादमी एक तरफ फैसला करेंगे वही अन्तिम फैसला होगा। उस की कोई अपील नहीं है। यहाँ पर एक तरफ इंटरैस्ट बणिक समाज का है और दूसरी तरफ इंटरैस्ट रेलवे और नेशन का है क्योंकि इस में किराया प्रादि

बढ़ाने की बात हो सकती है। स्वाभावतः अपने अपने इंटरैस्ट के विचार से क्लैस होगा और इस में एक मत होने की सम्भावना नहीं है। और जहाँ तक एक ही वर्ग के दो व्यक्ति हैं उन की प्रभुता होगी और जो वह फैसला करेंगे वही फैसला होगा। वह जो ट्राइबुनल बनने जा रहा है इस में हार्ड कोर्ट का जब बिल्कुल निकम्मा व्यक्ति होगा, वह तो एक तरह से सुनता हुआ बैठा रहेगा। दो प्रादमी जोकि कमर्स के प्रतिनिधि होंगे जैसा वह चाहेंगे वैसा वह फैसला कर लेंगे और उस फैसले की कोई अपील नहीं है तो मेरी राय में ऐसा परिवर्तन करने से रेलवे और नेशन के हितों की बहुत हानि होने की सम्भावना है। जो पुराना अधिनियम था उस में कोई ऐसी शराबी नहीं मालूम होती कि हम उस में इस प्रकार परिवर्तन करें जैसाकि हम करने जा रहे हैं इस परिवर्तन से क्या लाभ देश का या रेलवे का होगा यह बताया जाना चाहिये था। अगर इस से देश का कुछ लाभ हो तब तो इसे मानने की बात भी हो सकती है। लेकिन महज परिवर्तन के लिये ही परिवर्तन न किया जाये। पहले जो लोग प्रसेसर की हैसियत से बैठते थे वे ही अब निर्णायक की हैसियत से बैठेंगे। पहले ये लोग केवल राय दे सकते थे और उस राय को मानना या न मानना जब के अधिकार में था। अब उन की राय को मानने या न मानने का सवाल ही नहीं रह गया है। अब तो उन की राय की प्रभुता होगी, जिधर वे चाहेंगे से जावेंगे। तो मैं जानना चाहता हूँ कि रेलवे मिनिस्ट्री ने क्या लाभ देख कर इस विधेयक को इस सदन के सामने प्रस्तुत किया है। जब नये कानून से देश का हित न बढ़ता हो और पुराने कानून से भी देश का अधित न होता हो तो मेरे जयाल में पुराने कानून में तबदीली नहीं होनी चाहिये। यह नहीं होना चाहिये कि हम कोई न कोई अधिनियम तबदीली के लिये लाते ही रहें। जबकि कब ही इस



वे कोल बियरिंग एरिया के बारे में अधिक-  
नियम पास किया। उस के अन्दर यह मसला  
था कि गवर्नमेंट उन खर्चों पर भी सूद देगी  
जैसे कि सलासी और मजदुराने पर भी जोकि  
कोल बियरिंग एरिया का लाइसेंस होल्डर  
खर्च कर चुका है। पहले कानून में केवल यह  
था कि जब से उस ने लाइसेंस लिया।  
से बाद से सारे खर्चों पर सूद दिया जायेगा।  
लेकिन उस को बदल दिया गया और कहा  
गया कि जब से काम शुरू हुआ, बातचीत  
शुरू हुई तब से जो भी खर्चा हुआ है सब पर  
सूद दिया जायेगा। केवल सूद के परिवर्तन  
के लिये वह कानून लाया गया है और पास  
किया गया। केवल इसीलिये वह परिवर्तन  
किया गया कि व्यवसायी वर्ग का लाभ किस  
तरह से हो। अगर उसी के लाभ के लिये  
बैठ कर हम कानून को बदला करें तब तो  
यह परिवर्तन ठीक हो सकता है। लेकिन  
अगर मुल्क के लाभ का ध्यान है तो मेरे  
खयाल में जो नियम पहले था वही रहना  
चाहिये। उस में किसी प्रकार का परिवर्तन  
वेश के हित में नहीं होगा।

12:27 hrs.

[PANDIT THAKUR DAS BHARGAVA in the  
Chair]

दूसरी बात यह है कि पुराने नियम में  
यह था कि अगर एक जज ने फैसला दे दिया  
और किसी को उस में संतोष नहीं है तो वह  
उस की फुल बैच के सामने अपील कर सकता  
था और वह बैच अपील की सुनवाई कर  
सकती थी। लेकिन अब यह सब निकाल दिया  
गया है। अब एक बारगी फैसला किया जायेगा  
जोकि अंतिम होगा और यह फैसला करने  
वाले तीन जजों में दो व्यक्ति ऐसे होंगे जिन  
का खुद का स्वार्थ है और वह फैसला उन के  
ही हित में होगा। इस नियम में यह भी नहीं  
है कि ये दो व्यक्ति जोकि कमर्स के जान-  
कार हों इन का तात्पर्य किसी बालू व्यवसाय  
से न हो। बालू व्यवसाय के व्यक्ति भी इस  
के अन्दर आ सकते हैं। मसलन हमारे यहां  
बड़े बड़े व्यवसायी हैं जैसे टाटा या बिड़ला।  
इन के प्रतिनिधि भी इस में आ सकते हैं

और बैठ सकते हैं। और सब का व्यवसाय  
बालू है। हम जब कभी जब मुकदमे करते  
हैं तो इस बात का ध्यान रखते हैं कि कम से  
कम ऐसा व्यक्ति निर्णायक न हो जोकि किसी  
व्यवसाय से सम्बन्ध रखता है। लेकिन इस  
विधेयक में कोई ऐसी शर्त नहीं है कि वे  
दो आदमी जो कमर्स की जानकारी वाले होंगे  
जैसे व्यक्ति होंगे जोकि किसी बालू व्यवसाय  
से सम्बन्ध न रखते हों।

दूसरे इस के अन्दर यह भी हो सकता  
है कि रेलवे के जानकारी आदमी रख लिये  
जायें, रेलवे के रिटायर्ड आदमी जोकि  
कर्मशियल डिपार्टमेंट का काम करते थे वे  
रख लिये जा सकते हैं। इस के अन्दर ऐसा  
सुपहोल है कि इन लोगों को रखा जा सकता  
है। ऐसा हो सकता है कि इस में रिटायर्ड  
आदमियों का ही समूह हो जाये। गवर्नमेंट  
की यह जो धारणा चल रही है कि रिटायर्ड  
व्यक्तियों को स्थान दिया जाये इस के प्रति  
मेरी कुछ तात्त्विक विरोध है। मैं समझता  
हूँ कि रिटायर्ड आदमियों को सक्रिय काम में  
लगाना देश के हित में नहीं हो रहा है। यह  
चीज नौजवानों और बहुत से आदमियों के  
हित में हानिकारक सिद्ध हो रही है। इस  
के अलावा जो आदमी रिटायर होने के बाद  
फिर काम में आता है उस को कोई प्रमोशन  
आदि की आशा नहीं रहती। आदमी की  
ईमानदारी और कांक्षमता को बढ़ाने  
के लिये यह जरूरी है कि उस को प्रमोशन  
का खयाल हो, उस को इस बात का डर हो  
कि अगर मेरा काम अच्छा नहीं होगा तो मेरा  
प्रमोशन रुक सकता है। लेकिन रिटायर्ड  
आदमी को वह डर नहीं हो सकता क्योंकि  
वह समझता है कि अगर आप नाराज होंगे  
तो हटा देंगे। रिटायर्ड आदमियों के जरिरे  
यह काम चलाने का फैसला मेरे खयाल में  
अच्छा नहीं है और इस से लाभ के बजाये  
हानि की ही सम्भावना अधिक है।

मैं ने देखा है कि बहुत से  
रिटायर्ड आदमियों को आफिसर आन स्पेशल

[श्री सिंहासन सिंह]

इयूटी बना कर रख लिया जाता है। इस कारण काम में एकीकृति बढ़ने के बजाये घटती जा रही है। हर जगह शिकायत आ रही है कि काम में ढिलाई है और उस का कारण यही है कि जिस आदमी को असल बैठना चाहिये वह सक्रिय काम में लगा दिया जाता है। नीचे वाले कहते हैं कि जब तक ये नहीं हटते हम को भीका नहीं मिल सकता। इसलिये काम में ढिलाई हो रही है।

मुझे डर लगता है कि इस तरह से कहीं वहां पर रिटायर्ड आदिमियों का समूह ही न बैठ जाय। मुझे यह कहते हुए शर्म लगती है कि पहले रिटायर्ड हाई कोर्ट जज कम एपायंट हुआ करते थे, लेकिन अब से हम लोग भाये हैं, अनेकों रिटायर्ड हाई कोर्ट जजों को एपायंट किया जा चुका है। कुछ समय पहले एक सवाल के जवाब में बताया गया एक हाई कोर्ट जज को, जोकि १९३६ में रिटायर हुआ था, १९४७ में—ग्यारह बरस के बाद—री-एपायंट किया गया। जब वह रिटायर हुआ था, तो उस की उम्र साठ बरस की थी और जब उस को री-एपायंट किया गया, तो उस की उम्र ७१ बरस की थी। एक भाष बरस के बाद वे मर गये। इस बात का मैं विरोध करता हूं और मैं चाहता हूं कि हाई कोर्ट जज रिटायर्ड नहीं होना चाहिये। सिर्फ हाई कोर्ट जज ही चेयरमैन बनने के लिये क्वालिफाइड होना चाहिये।

मूल एक्ट की इस धारा में धामूल परिवर्तन किया जा रहा है—एक बिल्कुल दूसरा रूप दिया जा रहा है, जिससे मुझे खतरा है कि यह बात रेलवेज के हित में न होगा, बल्कि इस से उस का ग्रहित होगा। मैं समझता हूं कि माननीय मंत्री इस पर विचार करेंगे।

ट्राइब्यूनल के क्लेसलों में परिवर्तन कराने के लिये गवर्नमेंट के पास सिर्फ एक ही धारा

है। अगर क्लेसला होने के एक साल बाद गवर्नमेंट यह समझे कि अब वाकयात या परिस्थितियों बदल गई हैं, तो वह ट्राइब्यूनल के सामने जा कर उस को पुनर्विचार के लिये लिये कह सकती है और अगर ट्राइब्यूनल उचित समझे तो वह अपने फैसले में परिवर्तन कर सकता है। उ.उ.ओ रद्द कर सकता है। मगर उस को उसी व्यक्ति के पास जाना होगा, जिस के प्रति हमें यह आस्था नहीं हो रही है कि वह ठीक क्लेसला करेगा या नहीं। इस तरह गवर्नमेंट ध्यान दे और पुरानी व्यवस्था ही रहने दे और इस को इन्डोइयूस न करे, तो कोई हानि नहीं है, बल्कि कुछ लाभ ही होगा। जब तक हम को यह न बताया जाय कि पुराने ट्राइब्यूनल से क्या खराबियां हुई, क्या रकावटें पैदा आईं और उस में परिवर्तन करना क्यों जरूरी है, तब तक हम हम इस नई धारा का समर्थन नहीं कर सकते हैं।

जो असेसजं को निकाला जा रहा है, वह जरूरी था। जब उन की राय की कोई बुक्कत न हो, उन को रखना न रखना बराबर हो और खर्चा हो रहा हो, तो उन को निकाल देना ही उचित था। जब सेशनल कोर्ट्स से उन को निकाल दिया गया, तो यहां से भी उन की निकाल देना चाहिये था।

अन्त में मैं फिर यह कहना चाहता हूं कि को-ऑपरेटिव के माल के लिये भी इस बिल में सुविधा देने की व्यवस्था की जाय।

Mr. Chairman: Now, the question is we have got about three hours more for this Bill. Now how much time should be allotted to the consideration of the clauses and how much time to Third Reading? There are about 16 Clauses and 36 amendments.

Shri S. V. Ramaswami (Salem): 40 minutes are already over. There are only 2 hours and 20 minutes left.

Mr. Chairman: Yes, out of this time, how much time do the House propose

to devote to the consideration of the clauses? May I take it that we may divide the time half and half.

**Shri Ghosal (Uluberia):** Not more than one hour for the consideration of the clauses.

**Mr. Chairman:** We will divide the time half and half.

12-34 hrs.

**Shri Ghosal:** Mr. Chairman, this Bill is mainly based on the recommendations of the Freight Structure Enquiry Committee. Indeed the remodelling of the Railway Rates Tribunal on the basis of the Report is the main feature of this Bill. The Railway Rates Tribunal, as it exists today, was evolved through different successive stages on the basis of experience. Previously, when Railways were privately-owned business, there was no control or little control over the railway rate structure. Only the Government used to come into the picture in order to regulate the net profit of the Railways which may not exceed 10 per cent. of the capital outlay, and all other things were left to the Railway authorities and the public for amicable settlement amongst themselves. But, as the State began to own the railways the necessity of regulating the rates of freights and fares became urgent. Many machineries were set up for this regulation.

The establishment of the Railway Rates Tribunal was first suggested by the Ackworth Committee in 1920. But it did not materialise and in 1926 the Railway Rates Advisory Committee was set up, though in 1937, again, the Wedgewood Committee recommended about the establishment of the Railway Rates Tribunal, that also did not materialise till 1949 when the Railway Rates Tribunal came into existence.

Let us probe into the reasons why the successive committees recommended about the establishment of the Railway Rates Tribunal. The main reason was that in the case of disputes with the public regarding freights, fares or classification of goods there should be an impartial judicial tribunal to adju-

dicate those disputes. With that purpose in view these successive Committees recommended about the establishment of the Railway Rates Tribunal. Of course, I also support the comment of Shri Bharucha regarding the abolition of assessor system. But my objection is to the curtailment of the powers of the Railway Rates Tribunal. Though I appreciate that the Railways have got an important role to play in the sphere of nation building works, still that does not imply that all powers should be endowed on the executive of the Railway authorities, and they should be endowed with arbitrary powers. Nowhere in the Report of the Enquiry Committee, it has been stated that due to the decisions of the Railway Rates Tribunal any Railway work or the economy of the Railway suffered. Therefore, in the absence of some such grievance there is no necessity of curtailing the powers that were conferred on the Railway Rates Tribunal under Section 41.

Now, the dilatory and the cumbersome procedure for which this panel system was responsible has been done away with. Therefore, my objection is to the bringing of this Railway Rates Tribunal to an advisory forum.

As regards the present tendency of the Government to enlarge the forbidden zone of the lawyers, I do not say that lawyers are always for truth and justice. But, this much I can say that wherever lawyers have been restrained, those places have been the cockpits of bribery and corruption. This is at least my personal experience in the working of the Bengal Agriculturist Debtors Act and the West Bengal Bhag Tenants Act and the West Bengal Estates Acquisition Act where the lawyers are not allowed to conduct those cases.

This report has further recommended the establishment of a high level committee. Our experience tells us that these high level committees are nothing but high-brow committees rendering little help to us in solving

[Shri Ghosal]

real difficulties. This Committee has also recommended that the Railway Rates Tribunal should form an informal bureau in order to prevent the lawyers from taking part in those proceedings. I do not know whether the railway authorities or the Railway Rates Tribunal is going to establish this informal bureau; but that will be again a source of dilatoriness and bungling.

I would conclude after drawing the attention of the hon. Deputy Minister to these aspects and I would request him not to put so much powers in the hands of the railway executive in the name of national urgency, which will ultimately affect the trade and industry and the consuming public at large.

**Shri Naldurgker (Osmanabad):** Mr. Chairman, Sir, I have moved this amendment that this Bill be circulated for the purpose of eliciting opinion thereon by 30th January, 1958.

After a first perusal of the clauses of the amending Bill with a comparative study of the relevant sections of the principal Act, the importance of this Bill was very perceptible. After reading whole sections of the principal law and after taking a retrospective view of the progress and development of the railways and their administration, one can conclude that this is an important Bill, as it will affect whole sections of the people engaged in trade as well as in commercial and industrial undertakings.

I submit that classification, reclassification, rates to be charged thereon are very important matters connected with the public connected with commercial and industrial concerns, as well as consumers, railway passengers and this matter has been engaging the attention of the Government for more than 6 decades past.

With that end in view, first a resolution was passed by the Government of India on 12th April, 1887. In that resolution, at that time, a very important principle was enunciated and that

has been embodied in that resolution. That resolution is as follows:

"that, although in the interests of the public, Government should abstain from direct interference in the matters of rates and fares, (because at that time the railway administration was not under the control of Government) yet there are certain ruling principles which Government, as the guardian of public interests, must see complied with by the railway administration. There should be no undue preference, in other words, railway administration ought not to be permitted to make preferential bargain with particular persons or companies, such as granting them scales of charges more or less favourable than those granted to the public generally. Again, in cases where the traffic offering is sufficient to justify these arrangements, railway administration must give reasonable facilities for public traffic between any two railway stations, each railway administration being contented to receive for its share of the through rate, less than its ordinary local rate."

I would point out that this subject was again considered two or three times, as my predecessor has already referred to. The Ackworth Committee was set up in 1920 and that was set up with a specific view to eliminate undue preference and partiality and to examine and report whether the system of control by Government of rates and fares and the machinery for deciding disputes between the railways and the traders was satisfactory or not.

After that, in 1926, the Railway Rates Advisory Committee was also set up. And that was with a view to deal with certain complaints of undue preference and unreasonable rates. After that, in 1937, the Wedgewood Committee was set up and finally, in 1949, the Railway Act was amended after independence, by our Govern-

ment. All these principles were duly respected and all these complaints of the public as to partiality or injustice of regarding classification, reclassification or rates and fares to be charged thereon were duly considered.

I was amazed to see that the same Government which introduced a progressive law in 1949 is now introducing a retrogressive law in respect of the same matter. The importance of the matter has already been taken into consideration by the Mudaliar Committee, which is called the Railway Freight Structure Enquiry Committee. On page 100, it is said:

"In the replies to the questionnaires and in the oral evidence, there have been requests for a widening of the functions of the Railway Rates Tribunal, on the analogy of the Inter-State Commerce Commission in the U.S.A. and the Transport Tribunal in England. There is no doubt some force in the argument that in view of the State ownership and management of railways, there should be an independent authority to exercise control over railway rates, particularly in the context of the policy of a mixed economy and the growing importance given to the Government sector of industry."

I submit that there should be a separate machinery or separate Tribunal unbiassed, free from all political as well as administrative influence to exercise this sort of control over the rate policy or over the policy of classification and reclassification. Therefore, the constitution of a Tribunal has been, no doubt, admitted by the Committee (the Mudaliar Committee which is called the Railway Freight Structure Enquiry Committee). But the grounds that have been advanced by them as regards the curtailment of the powers of the Tribunal, I can say with great respect, I differ from them. This is nothing but a sort of departure from the fundamental principles which we have already set up before us especially in a Parliamentary demo-

cracy. I think there should be a separate machinery or Tribunal which is rather expected to have comprehensive powers of revision of the decisions regarding classification, reclassification and increase or decrease of rates freight charges.

One point is to be noted, namely, that two members of this Committee have differed. They have appended their dissenting notes. They were of the view that the powers of the tribunal should be rather comprehensive, though, according to their opinion, they should be advisory and not mandatory. Still, there is a difference, as far as the investment of the powers is concerned.

I am of the opinion that during these days, especially under the parliamentary rule of democracy, it is advisable that there should be the highest tribunal to check and counter-check with revising powers over the administrative machinery, and with this view, I differ from the opinion of the hon. Members of the Committee and concur with the opinion that the Railway Rates Tribunal should be vested with comprehensive powers; not only should their decision be advisory but that their decision should be binding on the railway administration.

I shall refer to clause 14(3) of the amending Bill. In this clause, it has been stated that some matters could be referred to the tribunal. It says:

"On receipt of a report under sub-section (2), the Central Government may take such action as it considers suitable in respect of the matters dealt with in the report."

With great respect, I submit that this clause is derogatory to the dignity and status of the tribunal presided over by a dignified personality like the high court judge or a judge of the Supreme Court. Therefore, considering all these matters of importance, (the classification of commodities and the freights to be charged thereon), I am of the opinion that the Railway Rates

[Shri Naldurgker]

Tribunal should be vested with comprehensive and exhaustive powers, and if their powers are curtailed, I think there would be more resentment, distress and dissatisfaction among the public.

Again, there is another clause—clause 18. I think if this clause is enacted, there would not only be dissatisfaction among the people but the Government, as well as the competency of this House, will be subject to criticism. This clause relates to pending cases. I submit that this is a fundamental principle of law that for every wrong there is a remedy, and when the right for remedy is created, that is a substantive right. That right cannot be taken away by any subsequent enactment or a statute. But this principle has been undermined with the result that there will be suspicion and discontent.

12.52 hrs.

[SRI MATI RENU CHAKRAVARTY in the Chair]

I reiterate that when once the right is created, that right cannot be taken away by any subsequent statute. I, therefore, suspect the competency even of this House to pass such an enactment as far as the pending proceedings are concerned. Clause 18 reads as follows:

"If, immediately before the commencement of this Act, there is pending any proceeding before the Railway Rates Tribunal constituted under the Indian Railways Act, 1890, as in force before such commencement, the proceeding shall stand transferred to the Railway Rates Tribunal constituted after such commencement (hereinafter referred to as the new Tribunal) and the new Tribunal shall decide and dispose of that proceeding in accordance with the provisions of the said Act as in force after such commencement; and for the removal of doubts, it is hereby declared that the proceeding, in so far as it relates to

any complaint in respect of which the new Tribunal has no jurisdiction, shall abate".

It is a very surprising amendment. What is to be done as far as those pending proceedings are concerned? Is it not a deprivation of those substantive rights by bringing up a statutory ban? I request that the hon. Minister should convince me as to what remedies have to be provided for pending cases, in spite of the fact that he will be considering that certain proceedings "shall abate"?

I suspect the competency of this House to enact in such a way as to take away the substantive right already created. It will be subjected to criticism. It will be subjected to contempt. Many writ applications in the high courts and in the Supreme Court will be filed challenging the competency of such enactments. I, therefore, submit that as far as pending cases are concerned, there should be a remedy. No provision is made in the Act for redress. This is a flaw or disregard to fundamental principles. As far as I know, there must be a remedy for every wrong. There are, therefore, no reasonable grounds to have a departure from this important and fundamental principle of the law?

I, therefore, request that the hon. Minister should convince me in what way he is going to provide for redress for those people whose cases are pending. If you enact in that way, your competency will be contemptuously challenged. I, therefore, request the House to consider this matter very seriously, because when the competency is once challenged by some litigants there will be a great dissatisfaction among the people. How are you going to provide for this? I say, you should provide for this, taking into consideration all these important aspects.

I am of the opinion that, taking into consideration all these important aspects, this amending Bill is a very



important one, as it is going to affect the interests of a great class, commercial as well as industrial, of our country. Therefore, I am of the opinion that this Bill be circulated to elicit opinion thereon by a specified date. This suggestion has already been embodied in my amendment No. 18.

With these words, I conclude.

**Shrimati Parvathi Krishnan** (Coimbatore): Madam Chairman, at the outset I would like to refer to the fact that we did ask for more time in order to study the important report of the Railway Freight Structure Committee, the recommendations of which are being sought to be implemented in this Bill. The Minister, when he was speaking, made general observations and said that some of the recommendations were being accepted, that they were urgent, and so on. But, unfortunately, on this occasion, he has not gone into much detail as to what are the recommendations and why these particular recommendations are being implemented and also in such a hurry. He has not also explained why some of the recommendations are being implemented only partially.

This is particularly of interest, because recently there seems to be rather a general practice of Government to reject the recommendations of the committees that they set up to go into various issues. It is a welcome change that at least in the Railway Ministry, which has rejected reports from time to time, there is now a departure from the usual practice, and there is an attempt to take up recommendations of their committees.

The time that I have, madam Chairman, is very limited, and I realise it. Therefore, I will not go into very great detail. But I would only join issue with the Minister on one statement that he made, and that is, that he thought that the provisions of this Bill were all non-controversial and therefore it was a very simple matter. And he asked us all to co-operate in speedily passing this measure at this very session.

Perhaps the principle of underlying the Bill is non-controversial. Perhaps some of the recommendations that are there, some of the clauses in the Bill, are non-controversial. But, at the same time, there are also some points which are matters of deep controversy. For instance, there is, I think, general unanimity that the abolishing of the system of assessors is a very sound principle and the setting up of a tribunal is good. But, as the tribunal is being sought to be formed in this Bill, will it fulfil the requirements of the small traders, the requirements of the consumers, and will it be in a position to safeguard those interests of a very important section of our community? That is what we have to go into. As Mr. Bharucha has pointed out in his speech yesterday, the powers that are given to this Tribunal are very limited and those limitations will tend to militate against those very interests that we seek to protect by a Bill such as this.

13 hrs.

Now the three tasks that are given to the Tribunal are: deciding cases under section 28 of the Railway Act, deciding reasonable charges between specified stations and the levy of unreasonable freight charges.

When the Tribunal is supposed to go into these matters and come to some judgment on them, it is indeed surprising that they are not given, at the same time, the power of issuing stay orders whenever application is made to them and where it might be necessary. Because, we have experience in this country of how, when parties go to the courts for redressal of their grievances, it takes days, months and years for cases to be taken up, for cases to be heard. And I don't think in this case this particular Tribunal is going to have such God-given power that it can overcome the ramifications that are there in the legal system in this country. This being the case, there may be occasions when it may be necessary for stay order, when it may be in

[Shrimati Parvathi Krishnan]

the interests of the parties that approach the court for the stay order, and therefore, if the Tribunal is there, and we have the powers, it will be a fair-minded Tribunal, which will give fair judgments. We should have confidence that such a Tribunal has the necessary powers and it should be in a position to give stay orders only in such cases, where it is absolutely necessary, imperative, only in such cases where it will be really just. I hope that when we come to the clause by clause discussion, we will be in a position to discuss this point again. I do not wish to take up the time of the House by dilating too much on that.

Apart from this, I would like to make two general observations on two other clauses in the Bill. One is in regard to clause 3. In that we find that the Central Government can, by general or special order, "give special facilities for or preference to, the transport of any such goods or class of goods, consigned to the Central Government or to the Government of any State or of such other goods or class of goods, as may be specified in the order".

I feel rather diffident, I feel rather apprehensive at this blanket clause, as I would call it. I think it would be far more valuable, far more helpful and more specific if we add here what type of goods should be given such priority and what type of goods the Government would have the right to include in such an order, because we know what sort of goods Government tend to transport, from place to place, from time to time.

Of course, I realize that when we are trying to implement the Second Five Year Plan, when various developmental programmes are in hand, it may be necessary to issue orders and to speed up the movement of goods that are necessary for the development programmes, and to make

sure that these goods reach in time so that the Plan is not delayed. If that is specified, that such goods as are necessary for development programmes, such goods as have to be urgently transported from one place to another will come within the scope of such orders, if that is specified, then I would not have any quarrel with the Ministry on this score.

Secondly, I would like to refer to clause 11, section 42 of the principal Act. This is where I would put before the hon. Members that this hurrying through and not giving sufficient time to read the report in detail does tend to give the Government an opportunity to place before the House a Bill that seeks to fulfil the recommendations half-heartedly and we are not in a position to go into that unless we can study the report.

Now, take that particular section. Here one part of the recommendation is being fulfilled and that is that the Central Government alone shall have the power to classify or re-classify any commodity and to increase or reduce the level of class rates and other charges. This has been recommended by the Committee. At the same time, the Committee has argued why it is necessary. They have also pointed out that the Government should place such order that they issue from time to time before Parliament, and give Parliament and the representatives of the various interests in the country an opportunity to discuss those orders, to criticise them and, maybe, if necessary, also to revoke such orders, if they go against the interests of the community.

Therefore, it is very important that this idea of giving the Central Government these overall powers, and more or less authoritarian powers should not come in the way of giving an opportunity to Members of Parliament to question these orders. While it may be necessary that Government have such powers, at the same time,



it is equally important and necessary that Parliament should be given an opportunity to discuss these matters, because we are the sovereign body and because we are the peoples' representatives, who have to wake up to these orders, and we are really those who sit in final judgment as to what is right and what is wrong and which order may have been correct and which may have been incorrect.

With these words I would like to conclude and when the clause by clause consideration comes up I hope we will have more opportunity to discuss these various points in detail.

Mr. Chairman: Before the hon. Member begins his speech, I would like to know how much time will he take.

Shri Jaganatha Rao (Koraput): I will not take more than ten minutes.

I welcome this Bill which seeks to implement one of the recommendations of the Railway Freight Structure Enquiry Committee in regard to the constitution and powers of the Railway Rates Tribunal. But I am disappointed to find that some of the more salutary recommendations of the Committee have not been implemented and the hon. Minister, while moving this motion for consideration of the Bill, has not given any reason or any statement when the Government are going to implement the other recommendations of the Committee.

While introducing the Railway Budget in May this year, the Railway Minister said, rather he gave an assurance to this House, that the report was received late in April, that it is under consideration and the Government would implement the recommendations as soon as possible. I now refer to one of the salutary recommendations of the Committee, which relate to the liability of the railways for loss of goods in transit. They recommended that the railway should bear the loss as a common carrier, but not as a bailee; under the present law the consignors are put to great hardship. They are not getting compensation or damages for goods

lost. If goods are lost in a running train, railways do not accept liability. This is a salutary provision which the Government should implement. Since the freights have been increased, there is no reason why the Government should not give a corresponding advantage to the consignors.

With regard to the provisions of the Bill, I have nothing to say about the constitution of the tribunal. The public opinion, which was gathered by the Committee, was against the continuance of this type of Committee, which is rather too legalistic. So, the constitution of this committee is sought to be changed and it is entirely in pursuance of the recommendations of the Committee.

Regarding the powers and the jurisdiction of the Committee, I am in agreement with the provisions of this Bill. It is not possible for me to accept the suggestion that this Tribunal to which disputes are referred there should be the power for granting stay or injunction. There is no meaning in giving such powers to the Tribunal. It has only to classify goods and specify the rates. So, I don't think it is necessary to give the Tribunal the same old power it used to enjoy. If it is given that power, the very object of the recommendation would be defeated.

Clause 14 of the Bill seeks to substitute a new section 45 for the present section in the principal Act. Clause (2) of the new section reads as follows:

"Notwithstanding anything contained in sub-section (1), the Central Government may make a reference to the Tribunal in respect of any of the matters specified in that sub-section and where any such reference is made in respect of any matter, the Tribunal shall make an enquiry into that matter and submit its report thereon to the Central Government."

It is only the Central Government that is given the power to refer some

[Shri Jaganatha Rao]

matters to the Tribunal's advisory jurisdiction. I say, why not the consignor also be given the power to refer it. That was, as a matter of fact, the recommendation of this Committee. The Committee observes at page 102 of its report as follows:

"Hence, we are of the opinion that in matters of classification, the Tribunal should have no mandatory powers, but at the same time, it should have wider advisory jurisdiction in regard to the reclassification of a commodity, either upwards or downwards, or, of classification of a commodity not classified hitherto. When there is a difference of opinion between Government and the Trade, this may be referred to the Tribunal for its advice. On a complaint received directly from parties concerned or on a reference from the Central Government, regarding classification or reclassification of any commodity, the Tribunal shall make a recommendation in the form of a report to the Central Government."

So, the proposed section 45 should also, I think, give the power to the consignor to move the Tribunal direct. That appears to me to be a significant omission in the proposed amendment.

With regard to the other point raised by Shri Naushir Bharucha that lawyers would be prohibited from appearing before the Tribunal, I do not share the fear which my hon. friend entertains. The Tribunal said that while the Tribunal sits in deciding matters, the award being of a mandatory character, a legal practitioner is entitled to appear before it, but in matters where it has advisory jurisdiction a legal practitioner may not be allowed to appear. The Bill does not seek to follow that recommendation. Because, the Tribunal, under section 40 of the Indian Railways Act has the powers of a civil court, and under section 44(2) (e) the

Tribunal is given the right to frame rules regarding "the right of audience before the Tribunal provided that any party shall be entitled to be heard in person, or by a representative duly authorised in writing, or by a legal practitioner". This section is not sought to be amended. And section 46B says that "the Tribunal may transmit any order made by it to a Civil Court having local jurisdiction, and such Civil Court shall execute the order as if it were a decree". So the Tribunal's character as a civil court is there. The right of a legal practitioner is not sought to be taken away, and I do not see any reason why my hon. friend should have that fear. Let us not put any idea into the minds of the Government when they themselves do not want to do any such thing; let sleeping dogs lie.

There is another aspect which Shri Samanta referred to regarding the right given under the proposed section 41A which gives the power to the Government to move for a revision of the order if there is a change in the circumstances, his objection being that the same power is not granted to the party. But my reply would be that when Government moves for revision of the order or for modification, certainly notice would be given to the party; the Tribunal would not Act behind the back of the party affected. So there is no scope for any doubt that the party would be adversely affected because he is not given the right.

With regard to the point raised by Shri Naldurgker about pending proceedings, I am inclined to agree with him that when the Tribunal had jurisdiction to entertain a matter and the matter is pending before it, the right that accrued to the party cannot be taken away by a subsequent Act, because section 6 of the General Clauses Act comes into operation. Under that section, where a right has accrued or a liability is incurred and the matter is pending before a Tribunal or a Court, that right cannot be taken away by a subsequent Act.

There are other salutary amendments to the Indian Railways Act, which Government have not chosen to bring forward in this Bill, but it is not open to us to suggest any amendments not covered by the scope of this amending Bill. So in general I support the Bill and commend it for the acceptance of the House.

**The Deputy Minister of Railways (Shri Shah Nawaz Khan):** Madam Chairman, I am very thankful to the hon. Members who have taken so much interest in this Bill and who have given us such valuable suggestions. Some of the provisions in this Bill have received almost unanimous support from all sections of the House, such as doing away with the assessors, and I shall not dilate on that point any further.

13:16 hrs.

[**PT. THAKUR DAS BHARGAVA** in the Chair].

There are, however, certain sections on which the Bill has been criticised. This is due mainly to the basic difference of approach, and before touching upon the points raised by individual Members, I would like to comment very briefly on the scope of the amending Bill—because that would clear up many of the points that have been raised by hon. Members.

The two most important aspects of the Bill are the composition and the jurisdiction of the Railway Rates Tribunal. I shall first explain the basic position about the jurisdiction of the Tribunal and deal with the several items of criticism.

In the matter of railway rating, there are two fundamental aspects, namely, that pertaining to the adequacy of the total railway revenues and that pertaining to the relativity of individual rates which might give room for complaints of undue preference and undue prejudice from the traders.

Railway rates for the transportation of goods are divisible into two groups—Class rates and station-to-station rates. Commodities are classified under several classes, and for each class there is a scale of rates increasing with distance. The scale of rates is of fundamental importance for ensuring that adequate revenues are secured by the Railways from the transportation of goods, as by a lowering of the scale of rates generally railway revenue resources can be jeopardised. Similarly, also, if there is any downward revision in the classification of any important commodity the total goods revenues of the railways will be seriously affected.

Parliament, even in the year 1949, when Chapter V constituting the Railway Rates Tribunal was first passed, appreciated this fundamental position. It was their intention clearly to keep aspects of the sum total of railway revenue from goods traffic as a matter vested with the Government under Parliamentary control. It is for this reason that under section 42(2) they have very specifically provided that the Central Government alone shall have the power to increase or reduce the level of Class rates, scheduled rates, terminals and other charges.

In regard to classification of commodities, however, the provisions that were made in the Act were to the effect that the Central Government alone shall have the power to classify any commodity which has not so far been classified, that the Tribunal alone shall have the power to reclassify any commodity in a higher class, but such power shall not be exercised except on application by the Central Government and that both the Tribunal and the Central Government shall have the power to re-classify any commodity in the lower class.

[Shri Shah Nawaz Khan]

The Railway Freights Structure Enquiry Committee which included within its Members, three hon. Members, I might say, very prominent Members of this House, are of the view that in the context of our developmental economy and the conditions that now prevail, the position in respect of classification should be altered. A number of hon. Members referred to this point. My hon. friend Shri Naushir Bharucha thought that the Committee was trying to whittle down the powers of the Tribunal. But, I can assure him that there is no such attempt. It is being done, I might say, in the national interests.

In this connection, I would better like to read out certain extracts from the report which would amply justify their arriving at this conclusion. The report says:

"We have given a good deal of thought to this matter"

Some of the hon. Members said that the whole thing was being done in a great hurry. This matter has been carefully considered by them and after due consideration they have said:

"We have given a good deal of thought to this matter and we consider that it will not be in the public interest to confer mandatory powers on the Railway Rates Tribunal in regard to the level of freight rates. It is unthinkable that Government's control over Railway revenues which form a sizeable and important part of the total revenues should be voted down and rendered ineffective by interference from an independent statutory body. In the context of the rapidly increasing tempo of activity in every field, it will be a real impediment if Government's decisions about changes in freight rates are subjected to the approval of the Railway Rates Tribunal or are liable to question

by that body. Apart from this fact, there is also another and more fundamental point and that is that the Railways are being run directly by the Government and hence, the Supreme authority, of Parliamentary control is in a sense infringed if budgetary proposals involving a general increase in classifications have to be approved by an outside authority."

I would like hon. Members to pay particular attention to this point. They have gone further and said:

"Another reason is that even at present, the proceedings before the Railway Rates Tribunal tend to be dilatory and expensive. However much the procedural rules may be improved upon for expeditious decisions, important questions of policy regarding freight rates having extensive financial repercussions cannot be decided quickly by an independent outside authority having no administrative responsibility. It is one thing for the experienced business executive to decide on the right course of action and implement it and quite another to build up a case and convince an independent body about the correctness of the proposed measures through the procedure of public hearing. The resultant delays will be inescapable. This will be an impossible situation during a period of rapid growth.

"When the Railway Rates Tribunal was created in 1948, we may have been guided by the practice in the U.K., but we have now to face a highly dynamic situation which will characterise the advance in India in the next several years and in this context, the urgent need for Government to have full freedom and flexibility in fixing freight rates to assist

the high tempo of industrialisation is paramount."

Herein lies the real secret of the Bill. The Committee goes on further to say:

"By limiting the mandatory powers of the Tribunal to the complaints falling within the three categories mentioned above, the Tribunal has been deprived of its mandatory powers in respect of complaints falling under section 41 (e) of the Act, viz., complaints that a Railway Administration has unreasonably placed a commodity in a higher class. We are, however, recommending that the Tribunal may be conferred certain advisory jurisdiction in regard to several matters and amongst them may be included matters in regard to which the Tribunal shall no longer have mandatory powers."

Here, I might add that although the Tribunal will not have mandatory powers in respect of classification, every consideration will be given to their recommendations and maybe, in certain cases, matters will be referred to them by the Government for advice and I dare say their advice will, in most cases, be accepted. This position, I would submit, follows quite clearly from the fundamental concept of governmental responsibility subject to parliamentary control for the ensuring of adequate total railway revenues.

There are certain other cases in which no change in the mandatory powers of the Tribunal has been made. Trade and industry are substantially concerned with the rates charged for specific commodities between specific points both in respect of their basic reasonableness and in respect of their being moved without undue prejudice and without undue preference. So far as those aspects are concerned, the Railway Rates Tribunal will exercise full mandatory jurisdiction and there will be no change whatsoever consequent on the Bill that is before the House.

My hon. friend—unfortunately he is not here—Shri Naushir Bharucha suggested that by taking away the question of classification, a number of cases which had, in the past, been before the Railway Rates Tribunal would no longer lie within its jurisdiction. I may inform him that out of 25 cases that had been filed before the Railway Rates Tribunal since its inception, 22 cases were such that they would lie also within the amended mandatory jurisdiction of the Tribunal. The other three cases would be those which would come under the proposed advisory jurisdiction.

Here, I would also like to clear some misgivings on the part of certain hon. Members that, when this Tribunal consisted of three members having judicial experience, they could act singly and act as three different courts and the disposal of cases would probably be much more rapid than it would be otherwise. From the time that this Tribunal was instituted in 1949, up to 1957, that is a period of approximately eight years, there has been a total of 25 cases before this Tribunal. That, I am sure you will agree with me, is not very much, an average of about three cases a year, and it would be possible for any Tribunal to decide three or four cases in a year quite easily without having the necessity to split up into smaller and single courts.

Some hon. Members apprehended that there would be some difficulty caused to the public and to the commercial interests by not allowing an advocate or a lawyer to appear before the Tribunal. The idea, I think, was misconceived, and I am very grateful to my hon. friend Shri Jaganatha Rao for clearing up that point very efficiently. So, I shall not dilate on that any further.

Also, I think, some hon. Members were under the impression that previously all the members of the Tribunal were Judges of the High Court. That actually was not the correct

[Shri Shah Nawaz Khan]

position. Only the Chairman was in fact or had been a Judge of the High Court.

Shri Naldurgker: That was not my point. I only said "presided over by a Judge".

Shri Shah Nawaz Khan: The other members were experienced advocates and lawyers who were eligible to be Judges of the High Court. It is not that they were actually Judges or had been Judges of the High Court. In the re-constituted Tribunal it is mandatory that the Chairman of the Tribunal will be a Judge of the Supreme Court or a High Court, and the two other members would be persons having plenty of experience in commercial matters and would be experts in matters relating to the economics of the country.

There is, I think, a misplaced apprehension among certain hon. Members that the Chairman of this Tribunal would be rendered ineffective because the other two members could vote against him and have their own way. I got a feeling while listening to the speeches of some hon. Members that they thought that the two other members besides the Chairman would possibly be persons representing business interests and that they would have their own way. I would like to assure the House that our intention is not to put businessmen there. Our idea is to have a Chairman who would, of course, be a Judge of the Supreme Court or the High Court and two other persons to assist him. One of them in all probability will be a senior and experienced railway officer who would be an expert in dealing with commercial matters, and the other member would be an economist, a well-known economist, of the country, and I think the House can rest assured that we will not put persons there who would whittle down the powers of the Chairman and get things done in favour of the trade.

We will try and ensure that everything we are doing would be in the best interests of the country.

My hon. friend Shri Samanta quite rightly suggested that in addition to persons having special knowledge of commerce and industry and economic conditions, some persons representing the agriculturists' interests should also be on the Tribunal. We are not taking it in the narrow sense of the word, and I take it that the words "commercial and economic" would cover agricultural interests and the movement of foodgrains and agricultural commodities. So, the hon. Member can rest assured that we will have the interests of agriculturists before us.

Another point made by Shri Samanta was that whereas specific provision was made by clause 10 at page 3 of the Bill for the railway administration to reopen a case before the Tribunal consequent on conditions having altered since the Tribunal's previous decision, no similar provision has been made for the reopening of a case by the aggrieved private parties. This point was also brought by the hon. Member opposite, Shrimati Parvathi Krishnan. I would like to explain a provision in this regard already exists under section 41 of the Act as at any time all complaints against the railway administration by traders are to be heard and decided upon by the Tribunal.

Shri S. C. Samanta (Tamluk): The question of revision.

Shri Shah Nawaz Khan: It is for the reason that the statute as now framed does not give a similar power to the railway administration to reopen a case consequent on altered conditions that the provision to which Shri Samanta has invited reference had to be included in the Bill.

A number of hon. Members dwelt at great length on the pending cases. I would like to inform the hon. Members that there are at present only



four cases pending before the Tribunal, and these four cases would in all probability be dealt with fully before the new Tribunal is constituted.

My hon. friend Shri Sinhasan Singh, who is also unfortunately not here, suggested that preference should be given to co-operative societies for the movement of their goods. This, of course, is the policy of the Government, and we are trying to do everything in our power to encourage the successful working of co-operative societies, and we have in the past given preference to the movement of goods belonging to co-operative societies. There is also scope in the present Bill as it is to give priority to co-operative societies. Of course, we will have to judge very carefully the merits of each society.

I think, Sir, I have transgressed my time-limit as you are looking at the clock. Within the limited time available it is not possible for me to cover all the points that have been raised by various speakers. I have covered those points that seemed to me to be more basic. I would assure you, Sir, that all the points raised have received serious consideration, and I am convinced that the measure as put forward deserves the full consent of the House. I accordingly commend it for acceptance.

Mr. Chairman: I shall now put Mr. Naldurgker's amendment to the vote of the House.

Shri Naldurgker: I would like to withdraw.

*The amendment was, by leave, withdrawn.*

Mr. Chairman: The question is:

"That the Bill further to amend the Indian Railways Act, 1890, be taken into consideration.

*The motion was adopted.*

**Clause 2.— (Amendment of section 27)**

Now, we proceed to clause by clause consideration of the Bill. There is no amendment to Clause 2.

The question is:

"That clause 2 stand part of the Bill."

*The motion was adopted.*

*Clause 2 was added to the Bill.*

**Clause 3.— (Amendment of section 27A)**

Mr. Chairman: There is an amendment by Shrimati Parvathi Krishnan.

Shrimati Parvathi Krishnan: Sir, I beg to move:

That on Page 1, line 19,—

after "class of goods" insert—

"as are necessary for development programmes".

I have already spoken on this amendment when I spoke in the First reading, and it is really following on that that this particular clause which gives too wide a power to the Government should be restricted, and the goods that should be given special facilities of transport should be such goods as are necessary for development programme. As the amendment speaks for itself, I do not think it is necessary for me to dilate any further on it.

Mr. Chairman: The amendment is before the House.

Shri Shah Nawaz Khan: I think that amendment is not quite necessary.

Shrimati Parvathi Krishnan: I want it to be put to the House.

Mr. Chairman: The question is:

after "class of goods" insert—

"as are necessary for development programmes".

*The motion was negatived.*

[Mr. Chairman]

The question is:

"That clause 3 stand part of the Bill."

*The motion was adopted.*

*Clause 3 was added to the Bill.*

*Clauses 4 and 5*

Mr. Chairman: The question is.

"That clauses 4 and 5 stand part of the Bill."

*The motion was adopted.*

*Clauses 4 and 5 were added to the Bill.*

*Clause 6.—(Amendment of section 34)*

Shri Naushir Bharucha: Mr. Chairman, I may be permitted to say one word on this clause. If we turn to sub-clause (5) of this Clause, it says:

"A person who holds office as the Chairman or other member of the Tribunal shall, on the expiration of the term of his office (not being an office to fill a casual vacancy), be ineligible for re-appointment to that office".

The Freight Structure Enquiry Committee has said that in suitable places they should be eligible for appointment. May I know the reason for the Government not accepting that recommendation.

Then, with regard to sub-clause (7):

"No act or proceedings of the Tribunal shall be deemed to be invalid by reason merely of any vacancy in, or any defect in the constitution of, the Tribunal."

Now, here if two people are absent—supposing the Chairman is absent and another Member is absent—still the proceedings would be valid. Surely, it cannot be the intention of the Government that even one member who has no legal knowledge whatsoever and who knows something

only about the commercial side of the working of the Railway should be deemed as a full-fledged Tribunal, and his decision should be final. I think, this is a point which the Government should take into consideration. Even at this late stage if the Government gives the assurance that as a matter of administrative practice they will see to it that such a contingency does not occur, I think, that might still serve the purpose, otherwise it would place the matter in a very ridiculous position, viz. one member constituting the Tribunal in place of three, still nobody can challenge the proceedings of the Tribunal.

Shri Shah Nawaz Khan: Regarding the first question raised by my hon. friend, while we have not accepted the recommendation of the Tribunal that in very special cases the period of a member's term for serving on this Tribunal may be extended, we have deliberately not agreed to give an extension, because we wanted to ensure absolute independent working of the Tribunal. Certain people might get a feeling that if we had kept this provision it might be an incentive to certain members to continue. Also, Sir, most of the Members who will be working on this Tribunal will be elderly people, and having served for a period of five years, I think, they will have had enough.

Regarding the other point raised by my hon. friend, that only one man could constitute the Tribunal, Sir, previously the Tribunal used to be assisted by assessors. That practice we have given up. The job of the assessors was to act as the expert advisors on commercial matters. Now, these two members will be acting as the expert advisors on commercial and economic matters to the Chairman. And, I think, I can safely assure the hon. Member that there will be very rare occasions when only one member will be constituting the Tribunal.



**Mr. Chairman:** The question is:

"That clause 6 stand part of the Bill?"

*The motion was adopted.*

*Clause 6 was added to the Bill.*

*Clauses 7 and 8*

The question is:

"That clauses 7 and 8 stand part of the Bill."

*The motion was adopted.*

*Clauses 7 and 8 were added to the Bill.*

**Clause 9.—** (Amendment of section 41).

**Mr. Chairman:** May I take it that Amendments 2 and 3 are not going to be moved?

**Shri Naldurgker:** I do not wish to move.

**Shri Naushir Bharucha:** In this connection I would like to invite the attention of the House to the provision contained in this Clause. In the course of the First reading it was observed that the jurisdiction and the powers of the Tribunal were being severely curtailed. Let us examine one of the categories of disputes which we refer to the Tribunal. Under sub-clause (b) it is said:

"(b) is charging for the carriage of any commodity between two stations a rate which is unreasonable, or"

In other words the Tribunal is given the power to judge the reasonableness or unreasonableness of a particular rate. When we come down to the proviso, we find:

"Provided that the rate to be fixed under clause (b) of sub-section (1) shall be within the limit of the maximum and minimum rates fixed by the Central Government under sub-section (1) of section 29."

It means further restricting the discretion of the Tribunal to pronounce whether particular rates are reasonable or unreasonable. Supposing the Government, with an eye on the revenues, were to prescribe the minimum itself so very high as to be unreasonable, the Tribunal cannot pronounce a judgment that such a thing is unreasonable. I would like to know what is going to be the administrative practice in this connection. How is the Government going to know whether it is not overcharging and overburdening the consumer, because the Government will prescribe a particular minimum and maximum and the Tribunal has to give a judgment within that range. The Tribunal is not even free to pronounce that the range prescribed by the Government itself is unreasonable. I should like to know why the Government has done that

**Shri Shah Nawaz Khan:** As I have just stated, under the reconstituted Tribunal, the experts will be there and they will be quite competent to judge

**Shri Naushir Bharucha:** But even the experts cannot pronounce beyond the minimum and maximum, they have got to abide within the range.

**Mr. Chairman:** The question is:

"That clause 9 stand part of the Bill."

*The motion was adopted.*

*Clause 9 was added to the Bill.*

*Clause 10 was added to the Bill.*

**Clause 11.—** (Substitution of new Section for Section 42)

**Shri Ghosal:** Sir, I beg to move:

Page 4, line 9,—

add at the end "subject to the final orders of the Tribunal"

Sir, as regards this amendment I have already spoken in the general

[Shri Ghosal]

discussion and it has already been emphasised by many speakers, about the putting of so much power into the hands of the Central Government. In order to give facilities to the consumers for placing their grievances, if any, before the Tribunal, I have brought this amendment. Disputes regarding reclassification of any commodity and increasing or decreasing the level of class-rates and other charges should be fixed by the Central Government; but it should be subject to the order of the Tribunal.

Nowhere in the report has it been mentioned by the Committee that due to this power which was vested in the Rates Tribunal the railways have been hampered or the economy of the railways suffered for that. Therefore, I have moved this amendment.

Shri Naushir Bharucha (East Khadesh): I would like to have information from the Government on one point. Under clause 11, exclusive power has been reserved to Government for classifying or reclassifying any commodity. Supposing a party is aggrieved by the classification, may I know from Government, whether that party has any remedy whatsoever? As the amending Bill stands, in case of a most important category of disputes, the Government have rendered the aggrieved party completely helpless. I should like to know from the Government what remedy a party has got if he is dissatisfied with the classification of a particular commodity. He cannot approach the Tribunal; that is obvious. Later on you will see that the power to refer to the Tribunal any question of classification on which the Tribunal may pronounce judgment in its recommendatory capacity is reserved only to the Government. Who can take the initiative? This is a very important point which I want to know. As the Bill stands, the aggrieved party has no remedy.

The second point is that when the Tribunal pronounces judgment that a particular rate is unreasonable and,

therefore, should be reduced, it might indirectly operate as a reclassification of that particular commodity in the lower grade. Then the Government will say, "No, the judgment entrenches upon the powers exclusively reserved to the Government. It indirectly reclassifies the commodity". If the Tribunal comes to the conclusion that the rate charged is high and it should be substantially lowered, then, it virtually means that the commodity is reclassified, though they may not say so in so many words.

I want a clarification with regard to these two points. First, when a party has a grievance against Government regarding the classification what is the remedy and secondly, when the Tribunal pronounces its judgment that the rates are unreasonable and should be lowered which the Government may interpret as a reclassification of the commodity, it being their exclusive jurisdiction under this Act, what will be the remedy and how will you get over this difficulty?

Shrimati Parvathi Krishnan: Sir, I beg to move:

Page 4, after line 9, add—

"Provided that any order of the Government under this section shall be laid on the Table of Parliament within three months of the issuing of such order."

I have already referred to this matter earlier. The amendment that we have proposed provides that the order of the Government under this section shall be laid before the Parliament. This seeks to implement in full the recommendation contained in the report of the Railway Freight Structure Enquiry Committee. The Committee has recommended that the Government should have the power to classify and reclassify various commodities in the competitive context when it may be necessary for various commodities to be given priority as a result of the various programmes that exist in the country. This is what the Committee says. In this period of dynamic progress it is

essential that Government should retain the powers of classification etc. At the same time, and this is a point of importance, there should be proper safeguards to the public. When Government have taken a decision affecting particular interests of the people, then, their representatives in Parliament should be kept fully in the picture.

This is a very important part of the recommendation because as the Committee has put it, in all cases where it may be necessary for Government to be given certain special powers, one must bear constantly in mind the necessity also of safeguarding and upholding democratic methods and also of upholding the interests of the general public. It is for this reason that we have come forward with this amendment. I hope the Deputy Minister, who is usually quite reasonable and who has at heart the interests of the people and the safeguarding of democracy will accept this amendment.

Mr. Chairman: The two amendments are before the House.

Shri Shah Nawaz Khan: I am very grateful to the hon. Member for the compliments she has paid but I do not think I deserve them.

The decision of the Central Government with regard to the classification or reclassification and increase or reduction in the level of class rates are brought to the general public through the normal channels of tariff. The laying of such orders on the Table of Parliament does not seem to serve any particular purpose. So, I am afraid I cannot accept it.

Shri Naushir Bharucha: What about my question?

Mr. Chairman: If the hon. Minister wants to make a reply he can do so.

Shri Shah Nawaz Khan: All I can say is that the Government will not act in an arbitrary manner.

Shrimati Parvathi Krishnan: What is the safeguard?

Mr. Chairman: I will now put the amendments to vote.

Mr. Chairman: The question is:

Page 4, line 9, add at the end:

"Subject to the final orders of the Tribunal".

The motion was negatived.

Mr. Chairman: The question is:

Page 4,—

after line 9, add—

"Provided that any order of the Government under this section shall be laid on the Table of Parliament within three months of the issuing of such order."

The motion was negatived.

Mr. Chairman: The question is:

"That clause 11 stand part of the Bill".

The motion was adopted.

Clause 11 was added to the Bill.

Clauses 12 and 13.—

Clauses 12 and 13 were added to the Bill.

Clause 14.—(Substitution of new section for section 45. Bar of jurisdiction of the Tribunal).

14 hrs.

Shri Naldurgker: I beg to move:

Page 4, line 17, before "Nothing" insert "Except as provided in clause (d) of sub-section (1) of section 41".

Page 4, line 30, for "report" substitute "order".

Page 4, line 31, for "report" substitute "order".

Page 4, lines 32 and 33, for "may take such action as it considers suitable in respect of the matters dealt with in the report" substitute—

"shall carry out that order as specified in section 39".

**Shri Shahmawaz Khan:** I beg to move:

Page 4, line 22, after "scales of charges" insert "levied".

**Shrimati Parvathi Krishnan:** I wish to move amendment Nos. 26, 27, 28, 29, 30 and 31.

**Mr. Chairman:** Amendment 27 is the same as 11; 28 is the same as 13; 29 is the same as 14 and 30 is the same as 15; 31 also. Amendments 27, 28, 29, 30 and 31 are not allowed.

**Shrimati Parvathi Krishnan:** I beg to move:

Page 4, line 25, after "sub-section (1)" insert "on approach by any association or organisation of trade, industry or agriculture"

**Shri Ghosal:** I beg to move:

Page 4, line 26, for "may" substitute "shall".

Page 4, line 27, after "sub-section (1)" insert "on approach by any association or organisation of trade, industry or agriculture".

Page 4, line 30, for "report" substitute "recommendations".

Page 4, line 31, for "a report" substitute "recommendations".

Page 4, line 32, for "may" substitute "shall".

Page 4, line 32, omit "as it considers suitable".

**Mr. Chairman:** These amendments are now before the House.

**Shri Naldurgker:** Amendment Nos. 5, 6, 7 and 8 relate to clause 14. According to this clause, my humble submission is, there are certain matters which are to be referred to the tribunal by the Government. Whatever opinion may be given by the tribunal that should be binding upon the Government. Therefore, I have moved all these amendments in such a way that those decisions should be made of a binding nature. What matters are to be referred to the tribunal

the Government may exercise that discretion. But when, once the decision is given by the tribunal, that should be binding upon the Government. Otherwise, it will be useless merely to refer matters for the decisions of the tribunal, which is not to be executed. Therefore, I have only made some minor amendments saying that instead of "report" the word "order" may be substituted in sub-clause (3). Otherwise, there will be no use getting the opinion of the tribunal.

I think the hon. Minister will accept these amendments.

**Shri Ghosal:** As regards amendment Nos. 11 to 16, I want to achieve two purposes. If any grievance or complaint is lodged with the Central Government, that complaint should be sent to the Rates Tribunal, and the decision of the tribunal which should be given in the shape of a report, should be accepted and be binding on the Government. That is the motive of all these amendments.

I beg to submit further that the last two amendments to sub-clause (3) are consequential amendments arising from sub-clause (2). There is no utility of the sub-clauses (2) and (3) if really the Central Government has got every power to accept or reject the report which is made and which is submitted by the Rates Tribunal. There is no utility of these sub-clauses, and they will become useless,—sub-clauses (2) and (3) of section 45—if the tribunal is not given any power to decide these matters. For this purpose, I have moved those amendments.

**Shrimati Parvathi Krishnan:** I have moved amendment No. 26—which stands in my name. I am proposing it to ensure that opportunities are given to the people, and to ensure also that Government is approached by various organisations or interests, they will immediately act upon it. For, there is a tendency with regard to the Government and more so it is one of the disease—with the Ministries, that when there is issue brought before the Government,

they go into various stages such as consideration, active consideration and then still more active consideration and so on and so forth. Then the various interests are left to the tender mercies of the nimbleness or agility of the particular members of the Government. Therefore, when you get these various powers being given to the Government, and when you are setting up the tribunal, it is necessary that there should be provisions to ensure that the fullest use is made of the tribunal and that every interest has a quick approach to it. If there is a compulsion that the Government should refer the matter to the tribunal when a reference is asked for by various interests, then that will certainly help to speed up matters and safeguard against those various stages of consideration that have become the Government's disease in our country today.

So, I hope the hon. Deputy Minister will accept this very mild amendment, but, at the same time, a very important one.

**Shri Shah nawas Khan:** About amendment No. 25, I wish to say only this. This was an omission. The word "levied" may be included.

**Mr. Chairman:** I shall put amendment No. 25 to the vote of the House.

The question is:

Page 4, line 22,—

after "scales of charges" insert "levied".

The motion was adopted.

**Shrimati Parvathi Krishnan:** What about the other amendments? The Deputy Minister has not told us whether he accepts them or not.

**Mr. Chairman:** I gave him an opportunity. He has not replied. If he wants to reply, let him do so.

**Shri Shah nawas Khan:** All the amendments moved by Shri Naldurgker relate to sub-clause (2) and also to sub-clause (3) as a consequence. They seek to bring the classification

within the mandatory jurisdiction of the tribunal. It is a basic change which we have not accepted. So, I am sorry I cannot accept any of those amendments. Others are all consequential amendments which cannot be accepted.

**Shri Naldurgker:** I beg leave to withdraw amendments No. 5, 6, 7 and 8.

The amendments were, by leave withdrawn.

**Mr. Chairman:** I shall now put amendment Nos. 11, 12, 13, 14, 15, 16 and 26 to the vote of the House.

**Mr. Chairman:** The question is:

Page 4, line 25, after "sub-section (1)" insert "on approach by any association or organisation of trade, industry or agriculture".

The motion was negatived.

**Mr. Chairman:** The question is:

Page 4, line 26 for "may" substitute "shall".

The motion was negatived.

**Mr. Chairman:** The question is:

Page 4, line 27, after "sub-section (1)" insert "on approach by any association or organisation of trade, industry or agriculture".

The motion was negatived.

**Mr. Chairman:** The question is:

Page 4, line 30, for "report" substitute "recommendations".

The motion was negatived.

**Mr. Chairman:** The question is:

Page 4, line 31, for "a report" substitute "recommendations".

The motion was negatived.

**Mr. Chairman:** The question is:

Page 4, line 32, for "may" substitute "shall".

The motion was negatived.

**Mr. Chairman:** The question is:

Page 4, line 32, omit "as it considers suitable".

*The motion was negatived.*

**Mr. Chairman:** The question is:

"That clause 14, as amended, stand part of the Bill".

*The motion was adopted.*

Clause 14, as amended, was added to the Bill.

Clause 15.— (Amendment of section 46).

**Shri S. V. Ramaswami (Salem):** I beg to move:

Page 5, for lines 2 and 3, substitute—

'(a) in clause (ii), after the words "or reduce" the words "or cancel after due notice in the manner prescribed by the Central Government" shall be inserted.'

There is not much to argue about it. In the original Act, the words are "increase or reduce". Now we are adding the word "cancel" also. We say that they can cancel it after notice is given in the manner prescribed by the Central Government. I think Mr. Ghosal has also got a similar amendment. He just wants that there should be a notice. I am suggesting that the notice may be in the manner prescribed by the Central Government. That is my only amendment.

**Shri Ghosal:** I beg to move:

Page 5, line 3, after "cancel" insert "after due notice".

**Mr. Chairman:** The amendment is before the House.

**Shri Shah nawas Khan:** I do not find any difficulty in accepting the amendment of Shri S. V. Ramaswami, that is, amendment No. 32.

**Mr. Chairman:** What about the amendment of Shri Ghosal.

**Shri Shah nawas Khan:** I understand that the hon. Member is prepared to withdraw the amendment.

**Shri Ghosal:** I accept Mr. Ramaswami's amendment.

**Mr. Chairman:** If the hon. Member wants to withdraw the amendment, he can do it. If he insists, I will put the amendment to the vote of the House. I find that the hon. Member wants to withdraw amendment No. 17. I will put it to the vote of the House.

*The amendment was, by leave, withdrawn.*

**Mr. Chairman:** I will now put amendment No. 32 to the vote of the House.

The question is:

Page 5, for lines 2 and 3, substitute—

'(a) in clause (ii), after the words "or reduce" the words "or cancel after due notice in the manner prescribed by the Central Government" shall be inserted.'

*The motion was adopted.*

**Mr. Chairman:** The question is:

"That clause 15, as amended, do stand part of the Bill".

*The motion was adopted.*

Clause 15, as amended, was added to the Bill.

Clause 16 was added to the Bill.

Clause 17.— (Amendment of section 46C).

**Shri Shah nawas Khan:** I beg to move:

Page 5, line 11, for "small" substitute "small's".

It is a printing error. It is now being corrected.

and Mr. Chairman: I move amendment No. 34 to the vote of the House.

The question is:

Page 5, line 11, for "small" substitute "small".

The motion was adopted.

Mr. Chairman: The question is:

"That clause 17, as amended, stand part of the Bill".

The motion was adopted.

Clause 17, as amended, was added to the Bill.

#### New Clause 17A

Mr. Chairman: I am afraid that amendments Nos. 19, 20 and 21 are out of order. They are making amendments to sections in the principal Act which are not mentioned in this Bill. They are not connected with the clauses in this Bill. They are absolutely independent. They are making amendments to sections 72A, 77 and 140 of the principal Act. If any hon. Member wants to say anything about their admissibility, he may do so at this stage. If any hon. Member can convince me that they are in order, I will allow them. I find that no hon. Member wants to say anything. I, therefore, rule those amendments out of order.

Clause 18.—(Disposal of pending proceedings)

Shri Naidurgker: I beg to move:

Page 5, for lines 29 to 32, substitute—

"the said Act which was in force just before the commencement of this Act and no proceedings shall abate merely by the enforcement of this amended Act".

The hon. Minister has stated that only four cases are pending now. But what is important is not the question of the number of pending cases but

the question of right. That is invaluable. As far as those four cases are concerned, it would be better if the present Tribunal is given power to dispose of those four cases, according to the provisions of the present Act. That would not make any material change. I therefore, request the hon. Minister to accept the amendment of mine and the present Tribunal be vested with the power to deal with the four pending cases, according to the provisions of the present law.

Mr. Chairman: The amendment is before the House.

Shri Shah nawaz Khan: As I said in my speech, there are only four cases and they will in all probability be disposed of before the new Tribunal comes into being, otherwise pending case will abate.

Mr. Chairman: I will now put amendment No. 9 to the vote of the House.

The question is:

Page 5, for lines 29 to 32, substitute—

"the said Act which was in force just before the commencement of this Act and no proceedings shall abate merely by the enforcement of this amended Act".

The motion was negatived.

Mr. Chairman: The question is:

"That clause 18 stand part of the Bill".

The motion was adopted.

Clause 18 was added to the Bill.

Clause 1, Enacting Formula and the Title were added to the Bill.

Shri Shah nawaz Khan: I beg to move:

That the Bill, as amended, be passed.

Mr. Chairman: Motion moved:

"That the Bill, as amended, be passed".



**Shri S. C. Samanta:** We are glad that this Bill is going to be transformed into an Act. It was a long felt need but the time was not opportune. In order to avoid prolonged and expensive procedure, this amendment has been brought before the House. I want to know from the hon. Minister what action is going to be taken by the Tribunal for expedition, in comparison with the Tribunal that exists.

I understand from the hon. Minister that cases are very few. So, I do not know how the proceedings can be inexpensive. Only the assessors have gone. The three members of the Tribunal exist. Will the remuneration and allowances to be paid to these members be less? Or do Government want to effect these proceedings within a very short time?

Since this question of expense was in the mind of the Government, I hope the Government will see to it that it is really inexpensive and the Government settles the cases to the satisfaction of the public in a very short time.

**Shri Nanshir Bharucha:** Mr. Chairman, the third reading of this Bill affords us an opportunity to view in correct perspective the type of Tribunal which this hon. House is going to create, a Tribunal which is impotent, with its jurisdiction cut and its judgment fettered. In fact, it will be a mockery of its former self.

What have we done? We have created a Tribunal, which would have no voice whatsoever in one of the most important categories of disputes, namely, classification and reclassification. It may, perhaps, not have struck this hon. House, but the effect is that once we reserve the power of classification and reclassification of commodities to the Government, even if the judgment of the Tribunal is against the Government on a particular issue, the classification and reclassification powers can be so manipulated that the judgment can be easily circumvented. It is possible by manipulation of these powers to

set at nought, practically render null and void, a judgment which may have been arrived at by the Tribunal. Their powers have been curbed and curtailed.

I am inclined to believe that later on the clause giving this exclusive power to the Government will be so interpreted that at every stage the Tribunal may feel hampered in giving its judgment.

Also, it is very surprising that a very reasonable amendment that was moved by my hon. friend over there, that only in the case of development projects that Government consignments must receive priority, even that assurance has not been forthcoming. The implied idea is this that when the State enters into trading activities, the State will manipulate this power of giving priority to its consignments for the purpose of securing an undue advantage. Where was the harm in accepting this simple amendment that only for the purpose of development projects this power in clause 3 should be utilised? I would still appeal to the Minister in charge of the Bill to give an assurance that only in cases of development projects this extraordinary power will be utilised.

Also, the hon. Minister has turned down an amendment to clause 14 which refers to the Government's power to make a reference to the Tribunal in respect of any matters specified in the sub-section and where any such reference is made in respect of any matter the Tribunal shall make an enquiry and make a recommendation. There, what we pleaded was that an aggrieved party should have at least the initiative to refer the matter to the Tribunal even for recommendatory jurisdiction even for that was not accepted. May I request him to give an assurance that as a matter of administrative practice, at least where a particular trade complains about a grievance and desires that the matter should be referred to the Tribunal, Government should as a matter of administrative practice



refer it to the Tribunal. Will the Government be generous enough to go to this extent atleast? Or is it the desire of the Government that whatever be the injustice to the consumer, since it has the exclusive power of referring complaints to the Tribunal, it will not refer them at all. We have got bitter experience with regard to similar power exercised by Government under the Bombay Industrial Relations Act, the power to refer to Industrial Tribunals; and even where strikes take place and where the other side appeals to Government to refer it to the Tribunal, Government does not exercise this power. Why? Because, it does not choose to give justice to that particular trade union as it belongs to a different political body. Similarly, we do not know how these powers are going to be used, whether it is really the intention of the Government to see that the consumer's interests are protected, that no injustice is done to the consumer. Why not then give that opportunity of initiative to the consumer? We are not asking that you should put it down in the Act. You have rejected that suggestion. But atleast give an assurance that as a matter of administrative practice, whenever there is a grievance from a responsible body like a Chamber of Commerce, such matter would be referred to the Tribunal in the recommendatory jurisdiction. After all, what is Government going to lose? The power is reserved under the Act that it can turn down that recommendation. Then where is the harm? Surely, some justice should be done to the consumer class.

I submit it is rather unfortunate when we want to create a Tribunal which would be effective and quick, what have we got here? A halting, limping tribunal, tied and fettered in its judgment and discretion, with the Government superimposing itself on it like a huge octopus. This is not what we wanted. I am really sorry we have created this type of Tribunal. And if I were asked to serve on such a tribunal, I would say,

"No, thank you, I am not prepared to serve on such impotent tribunals."

**Shri Shah nawaz Khan:** I do not have much to say. My hon. friend Shri Samanta wanted to know how it was proposed to expedite the disposal of cases. I think my hon. friend is aware that one of the factors which was responsible for the delay were the assessors: assessors had to be called, sometimes they did not turn up and then dates had to be given. Doing away with the assessors by itself would be a step which would expedite the disposal of cases very much.

**Shri Naushir Bharucha:** You have taken away the cases themselves.

**Shri Shah nawaz Khan:** One member, the Chairman is a judicial authority; the others are experts. And I think they will be able to take decisions very quickly.

**Mr. Chairman:** The question is.....

**Shri Naushir Bharucha:** He has not yet finished.

**Mr. Chairman:** What is the objection, may I know?

**Shri Naushir Bharucha:** The Minister has not finished his speech.

**Mr. Chairman:** He sat down and therefore I take it that he has finished. And it is not necessary that he should reply to Shri Bharucha's arguments; I cannot force him to give a reply if he thinks that those arguments do not need and reply.

**Shri Naushir Bharucha:** He was on his legs when you got up, Mr. Chairman.

**Mr. Chairman:** The question is:

"That the Bill, as amended, be passed".

*The motion was adopted.*

# **PAYMENT OF WAGES (AMENDMENT) BILL**

**The Deputy Minister of Labour (Shri Abid Ali):** Sir, I beg to move:

"That the Bill further to amend the Payment of Wages Act, 1936, be taken into consideration."

Sir, the Payment of Wages Act, to which the present Bill proposes to make certain amendments, was enacted in 1936. This was an experimental piece of legislation, and its working has shown that the Act requires to be amended in certain respects. The proposals for amendment have been under consideration for a long time. They were discussed at the Labour Ministers' Conference held in 1940 and 1942 and also with the representatives of employers and workers, and a Bill was prepared and introduced in the then Legislative Assembly in November, 1944 and later circulated for eliciting public opinion. But with the dissolution of the Legislative Assembly in 1947 the Bill lapsed. And in the light of the comments received, the proposals were further examined.

Since then the question of the amendment of the Act has been under the active consideration of the Government, and in view of the importance of the amendments and the necessity for consulting and obtaining the views of various interests concerned, their finalisation has taken some time. The amendments now incorporated in the Bill will, I am sure, go a long way to improve the administration of the Act, and they will also bring under its purview certain categories of labour which hitherto could not enjoy the benefits of the Act.

I shall now proceed to explain briefly the nature and scope of these amendments. The existing wage limit of Rs. 200 was fixed in 1936. The pattern of the wage structure has since undergone considerable change, particularly because of the introduction of dearness allowance. The wages of workers, particularly the

lower wage group, have gone up; but this does not mean that they have ceased to require the protection of the Act. The Workmen's Compensation Act and the Employees State Insurance Act already apply to persons whose monthly wages do not exceed Rs. 400.

**Mr. Chairman:** I take it that the hon. Minister is likely to take much more time.

**Shri Abid Ali:** Yes, Sir.

**Mr. Chairman:** Then he may continue on the next day. We shall now take up Private Members' Business.

14.29 hrs.

# **EQUAL REMUNERATION BILL\***

**Shrimati Renu Chakravartty (Basirhat):** Sir, I beg to move for leave to introduce a Bill to introduce equal pay for equal work for women workers.

**Mr. Chairman:** The question is:

"That leave be granted to introduce a Bill to introduce equal pay for equal work for women workers".

*The motion was adopted.*

**Shrimati Renu Chakravartty:** Sir, I introduce the Bill.

# **BEEDEI AND CIGAR LABOUR BILL**

**Mr. Chairman:** The House will now resume further discussion of the motion moved by Shri A. K. Gopalan on the 22nd November, 1957 that the Bill to provide for regulating employment and work in the factories manufacturing Beedi and Cigar in India, be taken into consideration.

Out of two and a half hours allotted for discussion of the Bill, one hour and 50 minutes were taken up on the 22nd November, 1957 and 40 minutes are still available.

Shri Tridib Kumar Chaudhuri may now continue his speech.

Shri T. K. Chaudhuri (Berhampore): Sir, the other day, I was trying to put the problems of the beedi workers engaged in so-called domestic system or *gharkhata* system of beedi manufacture and the conditions of the workers in Aurangabad in the District of Murshidabad in West Bengal which is the second biggest centre of beedi industry in the whole of India.

The first problem is that of bringing the workers engaged under this system under the purview of minimum wages. The Rege Committee recommended that this *gharkhata* system or domestic system should be abolished altogether. But, if we take the realities of the situation into account, we can fairly come to the conclusion that it is not immediately possible to abolish this domestic system of beedi manufacture altogether because, that would throw thousands of people out of employment. I am afraid, our comrade Shri A. K. Gopalan's Bill, although it is a very commendable measure in itself, does not wholly cover the problem with which the domestic workers in the beedi industry are confronted with. Our comrade Shri Tangamani has therefore given an amendment which remedies this deficiency in the Bill. I hope the Hon. Minister will take that amendment also into consideration.

The real problem is that the workers engaged in this *gharkhata* system or domestic system cannot be very easily brought within the scope of the present definition of workmen. If we style them as self-employed workers as under the definition suggested by comrade Shri A. K. Gopalan, that also is not wholly satisfactory. Although they work in their homes, the raw materials, leaves, tobacco and thread and everything else is supplied by the employer or sub-contractor. The sub-contractor engages them or doles out these raw materials to them, they work wholly at home and then

deliver the goods on payment of wages.

I would like to draw the attention of the House and of the hon. Minister to a very peculiar feature of this industry. I found in the Labour Year Book that the average daily number of workers engaged in this industry is shown 69,736 whereas the real fact is that about 5 lakhs of workers are engaged in this industry. With regard to this figures in Bengal, —identically sort of figures—I find that the average number of daily workers employed in the beedi industry is given as 295 only. Only four factories submit returns. You can easily realise the ridiculous state of affairs obtaining in this industry. Most of the establishments engaged in this industry do not come within the purview of the factory legislation or any sort of industrial legislation or labour legislation. If we take the figures of one centre, which I mentioned in my speech at the outset, Aurangabad, there are at least 50,000 people employed in this industry. But, if you take the factories in the Aurangabad town, you will find that no more than 3,000 or 4,000 people are actually employed on Wage Moll in these factories in various capacities. Even this employment figure is not registered because we find that in the Labour Year Book, the average daily number of workers employed in the beedi industry in the whole of Bengal is given as 294. It seems that in spite of the recommendation of the Rege Committee, and in spite of the fact that most of the States have enacted minimum wages legislation in regard to beedi workers and sought to give the benefit of minimum wages legislation to the beedi workers, an overwhelming majority of them have not been or could not be brought under the purview of this Act or get the benefits of this legislation.

I find from the minimum wages prescribed in the different States that it is no where lower than 10 annas, in most cases, it is nearly Rs. 1-14-0

[Shri T. K. Chaudhuri]

and in some cases, it goes upto Rs. 2-8-0. The position varies from State to State. In West Bengal with which I am particularly concerned, the rate is Rs. 1-12-0 to Rs. 2-4-0 per thousand. But, as I said the other day, in the biggest centre of biri manufacture in Bengal, the average rate that is given nowadays has been reduced. I stated the other day the reasons why the rate had been reduced by the employers. It has been brought down to ten to twelve annas and nothing can be done. So far as this matter is concerned, I may state that there is no difference between the congressmen and the leftists in the district. They have been trying to combine to secure for biri workers the benefits of Minimum Wages Act. Even the Labour Minister of West Bengal went there. But, the state of the law is such that these people cannot be given the benefits of this legislation.

So, I would urge upon the hon. Minister to take into consideration the substantive proposals of this Bill. I would also like to draw his attention to the crying problem of the biri workers who work under this domestic system. Let him at least bring forward some measure which will ensure that these people get some benefits of the minimum wages legislation atleast.

**Shri Narayanankutty Menon** (Mukandapuram): Sir, I wish only to bring before this House one salient point in this Bill. I find from the debates of the last day, the hon. Member Shri Keshava has brought before this House certain points whereby he argued that this legislation is an unnecessary piece of legislation. The point that he has brought forward in support of his argument is that there is a large number of beneficial labour legislation in the country like the Factories Act, the Industrial Disputes Act, Payment of Wages Act, Minimum Wages Act etc., and therefore, this legislation will be superfluous as far as this industry is

concerned. I think Shri Keshava was quite serious when he enunciated certain propositions of law, but I must respectfully submit that this particular industry has been the subject matter of various adjudications before Tribunals, and the hon. Member would like to know that in Madhya Pradesh the erstwhile Nagpur Tribunal, then in Bombay another industrial Tribunal and then in Madras another industrial Tribunal have said that the workers in this industry because of the nature of the employment in this industry are not workers coming within the definition of those Acts, and therefore, the benefits of the Industrial Disputes Act, the Payment of Wages Act and all the other pieces of legislation are denied to them. Therefore, if the argument is that the benefits could be conferred on these workmen through the large number of beneficial legislations already existing, I would submit that unfortunately the position is that these workmen were never given the benefit of these Acts because the Tribunals have held that those who are engaged in this industry are not workmen under those Acts.

Coming to the Factories Act, which alone covers these workers the employers are resorting to certain types of tactics. Because this can be done almost as a cottage industry, only workmen up to nine in number are employed by them so that they would not be governed by the provisions of the Factories Act. Therefore, no piece of legislation existing today, including the piece of legislation that the hon. Deputy Minister has introduced in the House, namely Payment of Wages (Amendment) Bill, will help these biri workers in any way, and therefore there should be an overall piece of legislation whereby the biri workers will be recognised as workmen under atleast one enactment, and the sum total of the minimum benefits conferred by the Factories Payment of Wages Act and all the other Acts could be conferred on them.

There is another point, that is the necessity of this legislation not in respect of or in relation to labour alone. For example, today in Kerala minimum wages have been fixed for the beedi workers. Even though it was extended to the erstwhile district of Malabar by the intervention of the High Court, that notification has been squashed recently. Immediately the minimum wages were fixed, the industry began to move to the contiguous areas of Mysore and Madras States—I can well understand why my hon. friend Shri Keshava was so much vehement about this industry—because no minimum wages have been fixed in those States, and the employers could very well pay the wages they liked. Because the State of Kerala decided to pay these workers the minimum wages and treat them as human beings, as it is being said is the policy of the Central Government, is Kerala State to be penalised by allowing the industry to migrate to the neighbouring States?

This is not only a disadvantage to the workers in the district of Malabar and the other parts of the State, but the industry itself will be at a very serious competitive disadvantage, because if minimum wages are fixed in the State of Kerala and no minimum wages are fixed in the States of Mysore and Madras, the industry is likely to migrate from one place to another; secondly, the industry in Kerala State will not be competitive and the factories in Malabar will be compelled to close down.

Therefore, in view of all these aspects, if the Government is not going to accept this Bill since according to them it may be defective in certain respects, I urge upon the Government to bring in a comprehensive legislation in their own manner incorporating these provisions and giving the benefits to these workers of the other beneficial legislations present today.

श्री बालकृष्ण बालकृष्ण (भंडारा—  
रजित-अनुसूचित जातियाँ) : समापति

महोदय, यह जो बिल हाउस के सामने धामा है मैं समझता हूँ कि इस बिल से मजदूरों की पूरी जो समस्याएँ हैं वह पूर्ण रूप से हल होंगी, ऐसा मेरा विश्वास नहीं है ।

बीड़ी के उद्योग और उसके नेबर को यदि ध्यान में रखें तो पावेंगे कि इस बिल में फैक्टरी की जो व्याख्या की गई है उससे वे मजदूर जो घरवाले में बीड़ी बनाते हैं उनके लिए वह कोई खास उपयोगी सिद्ध नहीं हो सकती है और मेरा ऐसा विश्वास है कि इससे उनको कोई मदद भी नहीं पहुंच सकती है ।

इस बिल को यदि ध्यान देंगे तो ध्यानको पता चलेगा कि पहला जो चैप्टर है उसमें डेपेंडेंसी आती है परन्तु आउटर के चैप्टर में जिसमें पेंशनरीज के सम्बन्ध में बात कही गई है उसको यदि छोड़ दिया जाय तो बाकी ऐसी बातें इसमें हैं जो कि दूसरे जो मजदूरों के लिए कानून बनाये गये हैं जैसे पेमेंट ग्राफ बेज एक्ट, मीटरिटी बेंनिफिट एक्ट, वर्कमैन कम्पेंसेशन एक्ट और फैक्टरीज एक्ट उनमें सबमें यह सब बातें आगई हैं और मेरा ऐसा ख्याल है कि वे जरूरी बातें हैं परन्तु इस हाउस में जैसा कि श्री केशव ने कहा था कि यह जो दूसरे कानून मजदूरों के हितों को रक्षा करने के लिए बने हुए हैं उनको यदि पूरी तौर पर मजदूरों के हितार्थ लागू किया जाता है तो इस नये कानून के बनाने की किसी प्रकार की आवश्यकता नहीं है ।

सभापति महोदय, मेरा निर्वाचन क्षेत्र भंडारा हिन्दुस्तान में बीड़ी बनाने का सबसे बड़ा क्षेत्र है और वहाँ पर १ लाख से अधिक मजदूर बीड़ी बनाते हैं । बीड़ी यूनियनों में मैंने काफी काम किया है और कर भी रहा हूँ और इससे उनकी जो समस्याएँ हैं उन समस्याओं को मैं काफी अच्छी तरह से जानता हूँ ; कम से कम भंडारा जिले के बाबत मैं कह सकता हूँ कि उनकी एक महत्वपूर्ण समस्या मिनिमम बेजेंज की है जिसकी

### [श्री बालकृष्ण बासनिक]

धोर ध्यान दिया जाना चाहिए। उनको मिनिमम बेजेज ठीक ढंग से जैसे मिलनी चाहियें, नहीं मिलती हैं। देखा यह गया है कि यदि बेजेज बढ़ा दी जाती है तो लोग कारखाने वहां से उठा कर दूसरी तरफ ले जाते हैं। एक सवाल तो यह बीड़ी मजदूरों के लिए मिनिमम बेजेज का है।

दूसरा सवाल जो बीड़ी मजदूरों का है और जिसकी धोर हाउस में इस विषय पर चर्चा करते हुए किसी भी माननीय सदस्य ने ध्यान नहीं दिलाया, वह बीड़ी छांट का सवाल है। बीड़ियों को खराब बीड़ी कह कर उनको छांट दिया जाता है। इस तरह बीड़ी छांट का जो परिमाण होता है वह केवल १०, २० परसेंट हो, ऐसी बात नहीं है, बहुत दफे १०० परसेंट बीड़ी भी छांट दी जाती है। कंट्रेक्टर के पास मजदूर जब बीड़ी बना कर दे देते हैं तो वह बीड़ी की छांट कर लेता है परन्तु उसके बाद भी जब कंट्रेक्टर उसको टोकने में भर कर एम्प्लायर के पास भेजता है तो अक्सर वह एम्प्लायर भी उनमें से बीड़ियों को दुबारा छांट देता है और कभी-कभी तो पूरा टोकना का टोकना बीड़ी का छांट कर देता है। रेगे कमेटी ने इस बात को महसूस किया और उन्होंने इस सम्बन्ध में अपनी यह राय प्रकट की है :

"The argument of the factory owners that rejections are necessary to check bad work and spoiling of the trade marks is untenable as the application of the Act has not led to any tendency for bad work in industries. It is stated by the C. P. Beedi Industries Committee that no concrete evidence was brought before it to support the contention of the factory owners."

यह जो बीड़ी छांट का कारण बता कर काफी मात्रा में बीड़ी रिजेक्ट कर दी जाती है, मेरा

ऐसा ख्याल है कि यह जो बिल यहां पर प्रस्तुत किया गया है और इतनी देर तक उस पर चर्चा हुई, उसके दौरान यह जो २० प्रतिशत या २५ प्रतिशत मजदूरों की बेजेज का हर रोज नुकसान होता है, उसको रोकने और कम करने के हेतु इस बिल में किसी भी प्रकार का कोई प्रोविजन नहीं किया गया है और इस दृष्टि से मैं समझता हूं कि जो बिल का वर्तमान रूप है उसी रूप में हाउस इस बिल को पास करके बीड़ी मजदूरों के लिए कोई खास उपयोगी इसको नहीं बना रहा है और यह कोई खास उपयोगी उनके लिए सिद्ध हो वाला नहीं है।

मैं चाहूंगा कि सरकार नागपुर हाईकोर्ट ने अपने फैसले में यह जो मान लिया है कि बीड़ी मजदूर फैक्टरी एक्ट के अंतर्गत वर्कमैन है, उसको लेकर यदि कोई ठोस और डेफिनिट कदम उठाती है जिससे कि इन सब बीड़ी मजदूरों को वर्कमैन कहा जाय और फैक्टरी की व्याख्या केवल वही तक के लिए सीमित न रहे जहां पर कि मजदूर बीड़ी बनाते हैं बल्कि अलग अलग जगहों पर जहां कि मजदूर बीड़ी बना कर जिम स्थान पर भेजते हैं और जहां पर कि वह बीड़ी इकट्ठा की जाती है भले ही वहां पर बीड़ी न बनायी जाती हो परन्तु जहां पर बीड़ी के फाइनल डिस्पोजन के उद्देश्य से इकट्ठा की जाती हो, उस जगह को भी यदि फैक्टरी की व्याख्या के अन्तर्गत एनक्लूड कर लिया जाय तो मजदूरों को लाभ पहुंच सकता है। और मेरा ऐसा विद्वान है कि यदि इस बात को शासन ध्यान में रखे और इस सम्बन्ध में किसी प्रकार का कोई एक नोटिफिकेशन जारी करे या कदम उठाये तो इस प्रकार के बिल की कोई आवश्यकता ही महसूस नहीं होगी और बाकी जो मजदूरों के हितों की दृष्टि से अनेक कानून बनाये गये हैं उन कानूनों का साथ भी मजदूरों को पहुंच सकता है।



**The Deputy Minister of Labour (Shri Abid Ali):** Sir, on the face of it the objects of the Bill, on doubt, appear to be laudable. But, in considering the Bill it has to be examined whether there is any real need for a separate legislation. The last speaker made a mention of the Minimum Wages Act—difficulties in its administration. Now the Minimum Wages Act is administered by the State Governments. The hon. Member opposite represents Kerala, and the complaints which he has made here concerning its administration in that State, perhaps could profitably be brought to the notice of the State Government there. It is true that some difficulty has been felt legitimately when industry is situated in two neighbouring States, and if minimum wages are fixed in one State and not fixed in the other State Complaints have also been received on that score. Therefore, Sir, we have evolved a machinery to take care of these situations. And, if this matter cannot be solved by negotiation the Central Government will intervene, with the co-operation of the State Governments, to solve these difficulties.

About Chhatni or rejection of biris referred to by my friend from Bhandara, as the Committee points out, no enactment can take care of this difficulty. What should be the percentage of rejection of the biris for that? For that, there should be negotiation between the workers' representatives and employers. The Union should take care of these matters, not enactment.

I have been examining very carefully the provisions of the Bill under discussion, and I find, that most of these find place in the various enactments which are already made applicable to the Biri workers. Therefore, nothing particularly new has been mentioned, and my submission is, as I have said earlier, that only by passing these Bills or putting the Act on the Statute Book the workers' difficulties will not be eliminated. There are other ways of serving them and

taking care of their legitimate interest.

Sir, the other day a reference was made to the Rege Committee Report, but after its publication the Factories Act and the Minimum Wages Act were placed on the Statute Book. The coverage of the Factories Act has now been considerably widened. It has been made applicable to power-using manufacturing premises having ten or more persons, and non-power-using manufacturing premises employing twenty or more persons. With the coming into force of the Act, a large number of tobacco manufacturing concerns have come under the purview of the Act.

Further, Section 85 of the Act empowers the State Governments to extend the two or any of the provisions of the Act to any workshops irrespective of the number of workers employed. At our instance the State Governments—Andhra, Assam, Bombay, Madras, Mysore, Rajasthan, Madhya Pradesh, Kerala and Tripura—have issued notifications extending the provisions of the Factories Act to biri manufacturing concerns. Thus, such of the workers as are employed in biri factories are getting the protection of the safety, health and welfare provisions in the Factories Act. They are also entitled to the benefits of the Workmen's Compensation Act and the Industrial Disputes Act, Maternity Benefit Act (made applicable to women employees in biri industry).

**Shri Narayanankutty Menon:** Sir, I think this was before the Nagpur, Bombay and Madras Tribunals and they gave decisions that Industrial Disputes Act is not applicable because the relationship between the workers in the biri manufacturing industry and employer is not employee and employer, but contract.

**Shri Abid Ali:** The hon. Member is referring to the work which is done, not in the premises of the employers, but as I was going to make a mention

[Shri Abid Ali]

to it in the later portion of my speech, that workers are allowed to take biri materials to their homes. Of course, there is no difficulty about the applicability of these enactments to biri workers. Certainly, we will remove the difficulty, if there is any.

So, I was submitting that the power using factories employing twenty or more persons are coverable by the Employees' State Insurance Act also. Some of the speakers referred to the practice of employment of children obtaining in the biri industry. The Factories Act prohibits the employment of children below 14 years of age. Similarly, the employment of children below 14 years in such of the biri making workshops as are not covered by the Factories act, is also prohibited under the Employment of Children's Act, 1938. Thus, if children still continue to be employed, it is not due to the lack of legislative provisions, but due to the difficulties in enforcing these restrictions effectively.

In October 1952 the State Governments were requested to conduct investigation into the health of children of tender age working in biri factories. The reports furnished by them reveal that the extent of child employment in biri manufacturing in contravention of the Factories Act was quite large, and that the health of the children was also in danger due to insanitary conditions, long hours of working and unhealthy environments. With a view to minimising the employment of children in biri industries, the State Governments were advised in April 1954 to take action in the following direction:

- (1) To make full and effective use of Section 85 of the Factories Act to extend the essential provisions of the Act to biri factories where child employment is prevalent but to which the Act does not apply;

- (2) to strengthen the Factory Inspectorate and to enforce strictly the provisions relating to the child labour, and

- (3) to make generally the Inspectorate conscious of their responsibility to protect women and child labour.

As I have stated earlier, most of the State Governments have already taken action under section 85 of the Factories Act. They have also been taking action from time to time to strengthen the Factory Inspectorate for effective application of the provisions of the same Act.

Early in 1954 it was also brought to our notice that there was a tendency on the part of employers to resort to devices to circumvent the provisions of the Factories Act, about which the hon. Member just made a reference of splitting the biri concerns into smaller units and also by distributing the raw materials, such as tobacco mixture, leaves, threads etc., amongst the members of the families for making biris. The work was thus distributed, without allowing concentration in a single building so that the Factories Act might not become applicable. In order to assess the situation in all its aspects and to afford maximum legislative protection to the workers, it was suggested to the State Governments that they might appoint a senior officer to visit all important centres of biri manufacture and to report to the Government the measures to be taken in the matter.

15 hrs.

In the meanwhile, the State Governments were requested to take proper steps for bringing within the scope of section 85 of the Factories Act all places where beedi manufacture was being carried on. In pursuance of our suggestion, four State Governments, namely, the former Travancore-Cochin, Madras, Orissa



and Rajasthan Governments appointed special officers to enquire into the matter. The other State Governments did not consider it necessary to appoint such officers as they felt that the action already being taken both under section 85 of the Factories Act, 1948 or other Acts was quite sufficient.

The special officers appointed by the State Governments of Rajasthan, Kerala and Madras have since submitted their reports. The Rajasthan Officer has recommended that the working hours of the beedi workers should be regulated and that the provisions of the Maternity Benefits Act should be made applicable to women beedi workers, that the supply of tobacco and leaves at home and other places where beedis are manufactured should be prohibited except to registered beedi factories. The Rajasthan Government are taking action on the recommendations made in the report.

The Kerala Government have informed us that they are taking action on the report of the special officer and the question of the appointment of staff to look into the conditions of workers also is being considered by that Government.

The special officer appointed by the Madras Government recommended the enactment of a separate legislation for the beedi industry to regulate the working hours, leave with wages etc. The Madras Government had informed us that necessary steps were being taken to undertake legislation.

Reference has been made to the fixation of minimum wages. As already stated, the Minimum Wages Act applies, among others to employees in the tobacco, including the beedi manufacturing industry. The State Governments of Andhra, Bihar, Madhya Pradesh, Madras, Orissa, U.P. Mysore and Rajasthan have already fixed minimum wages for beedi workers.

From what I have stated it will be clear that the workers employed in beedi factories are getting all the protection and benefits available to other workers. They are governed by the Employment of Children Act, the Payment of Wages Act, the Industrial Disputes Act, the Minimum Wages Act, the Factories Act and the Workmen's Compensation Act. Power using factories employing 20 or more persons are covered by the Employees State Insurance Act. Similarly factories employing more than 50 workers are covered by the Employees Provident Fund Act. It is true that owing to the nature of the industry, there are difficulties in the effective enforcement of the provisions of some of the above Acts. The State Governments are doing their best to ensure that the workers get the full benefits of these enactments.

As hon. Members will appreciate, legislation alone will not give them all the protection they need. The workers will have to build their own organisations and develop properly organised trade unions, in order to wield their real strength. The unions can greatly assist in seeing that the enactments which are already there are properly implemented and in bringing to the notice of the departments concerned any deficiencies.

For the reasons explained above, I do not see any justification for a separate all-India legislation for beedi workers. And, I would request Shri Gopalan to withdraw the Bill; otherwise, I would request the House to reject it.

**Shri A. K. Gopalan (Kasargod):** First of all, I am sorry that the Deputy Minister of Labour has not understood what the object of this Bill is even after the explanation of my hon. friend Shri T. C. N. Menon. He has not understood, why in spite of the fact that there is the Factories Act we wanted this legislation.

Before that, I want to thank all the Members who have supported me.

[Shri A. K. Gopalan]

My hon. friend, Shri Keshava Iyengar said that he knows that as far as the conditions of the beedi workers are concerned, they are not good and there must be some improvement, though he thinks that this Bill is not necessary because there is legislation already.

Another friend on the other side also said that it is true there are certain difficulties. But, as far as this Bill is concerned, it may not cover all of them; so there must be some other provisions also or there must be some other Bill.

Anyhow, as far the Members of this House who spoke on this Bill are concerned, there was no difference of opinion as far as one thing is concerned, namely, that the conditions of the cigar and beedi workers in India today have to be changed and their conditions are not good and so, something must be done immediately to see that they also are able to enjoy the benefits of legislation as other workers in this country.

As the Minister has also pointed out, the Madras Government is going to bring forward a Bill. The other day, my friend, Shri Tangamani said that the Bill which the Madras Government is going to bring forward also gives protection to the beedi workers who will be doing work at home. That was the reason why Shri Tangamani gave notice of an amendment to this Bill and said that it must also be included.

I want to say that the Madras Government after understanding the agitation of the trade and the workers said that they are going to bring forward a Bill. They have already published that Bill and that itself shows that there is a necessity for legislation.

The Deputy Minister has said that there is no necessity for an all-India legislation. If he said that he would ask the State Governments to see that some kind of legislation to protect

the interests of the cigar and beedi workers is brought out, then, I could have understood him. He did not say that. What he said was that the protection envisaged in the clauses of the Bill are covered either by the Factories Act, the Industrial Disputes Act or other Acts.

As Shri Menon pointed out, the Madras High Court have given a judgement, as far as the south is concerned, that the relation of employer and employee does not exist as far as the industry is concerned. There is only a contract system. When the judgement is there, supposing an employer is asked to give the workers the privileges of the other Acts, certainly, he can go to the court and say that the relation of employer and employee does not exist. After the judgement it becomes very difficult for the workers to get the protection, because it is said that the relation of employer and employee does not exist and that it is only a question of contract. So far as the Industrial Disputes Act and other Acts are concerned, they are definite that these Acts will never apply as far as these workers are concerned.

The next point is that it is true there is a Factories Act. If today Government would find out how many of these 10 lakhs of beedi workers come under the Factories Act, they will see that not even 5 per cent. come. After the Factories Act was passed, what happened was this. Those who had 200 to 500 persons working under them in a factory, divided the factories into 18 or 20 blocks and kept them in several places. And, instead of giving the leaves and tobacco directly to these workers they give it through the contractors as the Rege Committee have pointed out. The workers will be divided in such a way that they live in different places in a town or village and they do not come under the Factories Act. There is no question of even the minimum wages because they are not workers

under the Factories Act. The contractor fixes a wage and he gets the beedis from them and supplies them to the employer. It is true that there is the Factories Act but if a committee were to go into the matter, we will understand that not even 5 per cent of the workers in this industry come under that Act because such factories are not there and the workers work mostly under the contract system. So, one of the workers themselves being a contractor, he gets the leaves, gets the tobacco and fixes the wages and gets a profit, and then distributes to the employees. That is the system as far as the southern States are concerned. I think that is also the system in other places. Where this is not possible, then, instead of having 5 or 8 or 9 workers who do not come under the Factories Act? what is done, is the leaves are sent to the houses and, as my friend Shri T. K. Chaudhuri said, it is done on the basis of a cottage industry.

So, that is the reason why we say that certain legislative protection should be given to the cigar and beedi workers as far as the conditions of the industry today are concerned. The Rege Committee went into the question and they definitely said that it is no wa contract system and middlemen system and that unless and until there is legislation, the conditions cannot be improved. That is why this Bill has been brought forward. If the Central Government does not want to bring in legislation on the basis of what I have said, if there are any defects in the Bill, they may add something more. What we want is that the 10 lakhs of workers who are now working in the cigar and beedi industry should be protected. The Minister has himself admitted that their conditions are not good. Though there are certain Acts such as the Factories Act, according to certain judgements of the courts, these workers do not come under that Act also.

As far as their present method of working is concerned, the workers are divided in such a way that in spite of

the factories, the whole industry looks like a cottage industry and so many lakhs of workers are deprived of the benefit of the Factories Act or any other Act which the other employees in this country enjoy. That is the reason why this Bill has been brought forward.

Under the Factories Act, they can compel that certain things must be implemented. If the Minister had said that he would certainly look into the question and enquire into the condition of the workers, then the Factories Act must be applied. When the workers remain under the contract system, they cannot implement any Act. So something must be done. Something is done by the employers to defeat the Factories Act which gives privileges to the workers. That is the reason why in this Bill it is said that there must be an all-India legislation.

So far as the minimum wages are concerned, when one State gives them, they can shift them to other States so that whatever benefits are there which are given to the other classes of workers in this country, could be given in this case also, and the beedi and cigar workers be enabled to have those benefits.

If the Minister requests me to withdraw it, I know what would be the result. If I do not withdraw it, it is not a question of pressing it either. The question is, will the Deputy Minister say and understand these difficulties? Has he to say anything about the condition of these beedi and cigar workers and say that they are better? Does he also understand that as far as the workers here are concerned five per cent of them even do not come under the Factories Act? If this continues, there will be not a single worker who will have the privileges under the Factories Act. They will simply become cottage industry workers. They are sitting for hours—so many lakhs of youngmen—in our country whose health will be spoiled.

[Shri A. K. Gopalan]

The Committee itself has said that most of them are T. B. patients.

If the Deputy Minister will tell us that the Government—either the State Governments or the Central Government—will certainly examine this question and immediately bring forward some legislation by which certainly these privileges which the other workers are enjoying will be made available to the beedi and cigar workers also, I have no objection. But he has not said that. He has also not said whether the Madras Government is bringing such a measure. It is certainly necessary, or else even the legislation of the Madras Government can be defeated, because they can be moved about to the neighbouring places. So, even if the State Government wants to bring in such a Bill to protect these workers, it will not be possible and it will not be fruitful.

The Minister has also said that these workers have got strength. For the first time, I am very glad that he has admitted it—that the unity and strength of the beedi workers is there. They are responsible for it. I am sure that if the Bill is rejected and if the Deputy Minister does not say that something will be done, then it will give us more strength and will give more strength to the cigar and beedi workers of this country. As the Minister also blessed them, they will organise themselves and force the Government to bring forward legislation. I am sure they will be doing it.

Supposing the union is not very strong, does it mean that the Government should not bring forward a legislation? I do not know. I request the Minister to see that as far as these unfortunate workers are concerned, something should be done. Shri D. C. Sharma has said that even a day or even a minute should not be lost—there should not be a minute's delay even—in bringing forward a legislation in this regard. These are unfortunate workers.

If the Deputy Minister will say that the Central Government will ask the State Governments to see that direction is given to those workers and to see that some legislation or some other method is evolved so that the protection of the Acts which are now existing and which the other workers are enjoying, may be made available to the beedi and cigar workers also, then certainly it is good. Or else, I have to press this Bill. I want to know from the Deputy Minister whether he will act up to do these things.

Shri Abid Ali: I have already assured the House that with regard to the defects or difficulties which have been mentioned, arising out of the decisions of the high courts, we will examine them, and if our intention is not being carried out because of the decision of the high courts, certainly we will take steps to amend the Acts concerned.

About the other matter, we have not received any proposal from the Madras Government. As soon as it is received from the Madras Government or the Kerala Government or any other Government, certainly immediate consideration will be given and the decision will be communicated.

Shri A. K. Gopalan: I said there are workers who do not come under the Factories Act and other Acts, and in order to defeat the Factories Act and other Acts, certain things are done. What about them?

Shri Abid Ali: They will be taken care of. The Factories Act should be applied to them, and if it has not been done, we will take necessary action to see that it is effectively applied.

Shri S. L. Saksena (Maharajganj): Do the Government intend to bring about some comprehensive legislation?

Shri Abid Ali: For what? All these things are covered by the existing Act.

**Shri A. K. Gopalan:** The Minister says that the Factories Act should be implemented. There is no question of implementation of the Factories Act, because, under the Factories Act, there must be a certain number of workers employed. If there is one less, how can he say "Implement the Factories Act" unless there is a new legislation?

**Mr. Chairman:** The hon. Minister has said that so far as the effect of the judgement of the high court is concerned, he will examine it so that the effect is remedied. Secondly, he has further said that if there are other difficulties and if he receives the report from the local Government, he

would look into the matter and see that something is done effectively. In view of that, does the hon. Member want me to put it to the vote of the House? If he wants, I shall put it.

**Shri A. K. Gopalan:** I want that the question be put to the House.

**Mr. Chairman:** The question is:

"That the Bill to provide for regulating employment and work in the factories manufacturing Beedi and Cigar in India, be taken into consideration".

The Lok Sabha divided: Ayes: 81;  
Noes: 95.

#### Division No. 9]

#### AYES

[ 15-21 hrs.

Banerjee, Shri Pramathanath  
Bharucha, Shri Naushir  
Braj Raj Singh, Shri  
Chakravarty, Shrimati Renu  
Chandramani Kale, Shri  
Chandhuri, Shri T. K.  
Dige, Shri  
Elias, Shri M.  
Gaikad, Shri B. K.  
Ghosal, Shri  
Ghose, Shri Bimal  
Godse, Shri S. C.

Gopalan, Shri A. K.  
Gupta, Shri Sadhan  
Halder, Shri  
Kamble, Shri B. C.  
Kar, Shri Prabhat  
Kodiyan, Shri  
Kumbhar, Shri  
Kunhan, Shri  
Mahanty, Shri

Manay, Shri  
Menon, Shri Narayanankutty  
Nair, Shri Vasudevan  
Nayar, Shri V. P.  
Pandey, Shri Sarju  
Panigrahi, Shri  
Rao, Shri T. B. Vittal  
Sahodrabai, Shrimati  
Saksena, Shri S. L.  
Warior, Shri

#### NOES

Achar, Shri  
Achint Ram, Late  
Anjanappa, Shri  
Babdur Singh, Shri  
Bajaj, Shri Kamaldevan  
Balmiki, Shri  
Berman, Shri  
Barupal, Shri P. L.  
Basappa, Shri  
Bhogil Bhal, Shri  
Bidari, Shri  
Birbal Singh, Shri  
Booe, Shri P. C.  
Brahm Perkaash, Ch.  
Chandak, Shri  
Chandra Shankar, Shri  
Daljit Singh, Shri  
Desai, Shri Morarji  
Dindod, Shri  
Elayaperumal, Shri  
Gandhi, Shri Perasa  
Gobsh, Shri M. K.  
Guba, Shri A. C.  
Haremani, Shri Anser  
Hoda, Shri

Iqbal Singh, Sardar  
Jang Bahadur Singh, Shri  
Jinachandran, Shri  
Jogendra Singh, Sardar  
Jyotishi, Pandit J. P.  
Kanakabai, Shri  
Kasiwal, Shri  
Keshava, Shri  
Kotaki, Shri Liladhar  
Krishnamachari, Shri T. T.  
Laxmi Bai, Shrimati  
Mafta Ahmed, Shrimati  
Mait & Shri N. B.  
Malaviya, Pandit Govind  
Malaviya, Shri K. D.  
Mandal, Shri J.  
Mandal, Dr. Pashupati  
Maniyangadan, Shri  
Mehta, Shri J. R.  
Mishra, Shri Bibhuti  
Misra, Shri R. D.  
Narayanaseamy, Shri R.  
Nehru, Shri Jawaharlal  
Nehru, Shrimati Uma

Oza, Shri  
Pahadia, Shri  
Parmar, Shri Deen Bandhu  
Parmar, Shri Y. S.  
Parulekar, Shri  
Petrabhi Raman, Shri G. R.  
Patel, Shrimati Maniben  
Pillai, Shri Thanu  
Raghunath Singh, Shri  
Rajiah, Shri  
Raju, Shri D. S.  
Rameshadas Tirtha, Swami  
Ramaswami, Shri S. V.  
Ranbir Singh, Ch.  
Rane, Shri  
Rangaroo, Shri  
Rao, Shri Jaganatha  
Reddy, Shri Bali  
Reddy, Shri Viswanatha  
Roy, Shri Bishwanath  
Rungtong Sutra, Shri  
Sadhuram, Shri  
Seigal, Shri A. B.  
Samartha, Shri S. C.  
Sanganna, Shri

Sankarpendian, Shri  
Satyabhama Devi, Shrimati  
Selke, Shri  
Sen, Shri A. K.  
Shankaraiya, Shri  
Sharma, Pandit K. C.  
Sharma, Shri R. C.

Siddish, Shri  
Singh, Shri D. N.  
Singh, Shri T. N.  
Sinhassen Singh, Shri  
Soman, Shri  
Subbarayan, Dr. P.  
Swaran Singh, Sardar

Tahir, Shri Mohammed  
Tantia, Shri Rameshwar  
Tewari, Shri Dwarikanath  
Wadiwa, Shri  
Wamlik, Shri Balkrishna  
Wodeyar, Shri

*The motion was negatived.*

# CHILD MARRIAGE RESTRAINT (AMENDMENT) BILL

**Shri D. C. Sharma:** I beg to move:

"That the Bill further to amend the Child Marriage Restraint Act, 1929, be taken into consideration."

This is a very slight but very significant amendment to the Child Marriage Restraint Act. There is legislation in this country, called the Child Marriage Restraint Act, as passed in 1929. It was a healthy reform in the direction of social reform in the country. When this Act was passed, it was observed that nothing is more important than this social reform and Government would not lose anything by this reform. But the difficulty of this legislation is that it has not been properly worked.

A Member of Parliament of a different country wrote a book on child marriage in India and she drew our attention to the fact that it is so, that is, this very wholesome piece of legislation had not been given effect to as effectively and as adequately as it should have been. She wrote:

"The necessity for enforcing respect for law and order has recently been much in the mind and in the lips of those in authority all over India. But laws concerning social reform are being neglected".

The official attitude to this Bill has also not been very favourable. During the British days, after this Bill had been enacted, an offender, one who had given his 10 year old daughter in defiance of the Act, to a village

headman was sentenced to six months' imprisonment, the maximum permissible under the Act. But, instantly, the Punjab Government telegraphed an order that that man should be released.

Even though this legislation is much needed and much desired, since it was passed it has remained a dead letter. The magistracy was not in a mood to give effect to it. It was from this point of view that Shri Harbilas Sharda, in an introduction to a book called "Child Marriage Restraint Act" said that the Act had proved a dead letter.

Afterwards, the Child Marriage Restraint Act was amended. It was amended three times—twice in 1938 and once in 1945. Of course, some of the provisions of this Act were changed and the Act has now become a little more effective. For instance, it was made applicable to the whole of British India. It was also given out what the age should be for marriage for boys and girls. All these things were done. But, in spite of the fact that this Act has been amended thrice, still it continues to be an Act which is almost a dead letter. People are ignorant of it. There are very few prosecutions held under this Act. Child marriages are still solemnized not only in villages, which are more or less backward, but also in the cities.

I can tell you that child marriages are a social blot. The Child Marriage Restraint Act is not a measure of social reform. As stated by Shri Harbilas Sharda at the time of introduction of the Bill, it is something like a preventive measure. It is much more than that. Still child marriages



continue to be the order of the day. Our Government has turned out a blind eye on the child marriages. It has given a deaf ears to those persons who have tried to bring to its notice instances of child marriages.

The law is so complicated and so involved that there are more chances for a person to get away than to be apprehended. In fact, Mr. Tek Chand, a member of the Lok Sabha during the last Parliament, and who is now one of the Judges of the High Court of Punjab, has written in a book that this Act is likely to be infringed, circumvented or ignored. Such is the law that anyone can infringe it without much consequence. Anyone can circumvent it without much danger. Anyone can ignore it without any grave consequences.

So, Sir, this much needed social reform has been treated with the utmost indifference, with the utmost light-heartedness, with the utmost lack of earnestness on the part of our Government. And I believe that the time has come when we should try to adopt a more positive and a more dynamic attitude towards this problem. Therefore I have brought forward an amendment, because I find that this Act is full of self-contradictions, and it is a pity that our Government has not tried to remove those self-contradictions.

For instance, take section 12. Sub-section (1) of section 12 of the Child Marriage Restraint Act, 1929 empowers the Court to issue an injunction against any person who contracts a child marriage, or who having charge of a minor, does any act to promote the child marriage. Of course any one will say that this is a very desirable provision. But sub-section (2) of section 12 of the Act says that no injunction under sub-section (1) thereof shall be issued against any person unless the Court has previously given notice to such person and has afforded him an opportunity to show cause against the

issue of the injunction. Now, Sir, this provision practically nullifies the first provision. By this you take away with one hand what you have given with the other. This provision is, so to say, nugatory of the salutary provision made earlier. If that provision had not been there, there would have been some kind of a deterrent against child marriages. But on account of this sub-section, the Child Marriage Restraint Act becomes in more sense than one, farcical. This sub-section practically nullifies sub-section (1) of section 12. I say that sub-section (2) of section 12 of the Act should be deleted.

There is also another reason. Under sub-section (3) a court may either on its own motion or on the application of any person rescind or alter any order made under sub-section (1) of section 12 of the Act. Therefore, if you take these three sub-sections together, you will find that sub-section (2) to which I am making a reference, is not needed; and if it is there, it is acting, not as a sort of brake upon those persons who are going to disobey the law, but is providing to those persons who are going to violate the law a loop-hole for escape. Therefore I say that this sub-section should be deleted.

I also think that no injustice will be done to any person against whom any *ex parte* injunction order has been passed under sub-section (1) of section 12 of the Act. Therefore, I would say that it is a very minor amendment but a very significant one. And if this thing is given effect to I am sure this Child Marriage Restraint Act, which adorns our statute-book but which is not made applicable even in five per cent. of the cases where it should be made applicable, and which has not brought about the desired reform at which we all aimed when this Act was passed, will really become effective. I am sure by the acceptance of this amendment this Act will acquire significance, force, and some kind of

[Shri D. C. Sharma]

vigour. It will have teeth in it; now it is a measure which has no teeth.

I would therefore request you and, through you, our hon. Minister that he may accept this amendment, so that when this amending Bill is passed this Act may really become a useful piece of social legislation

Mr. Chairman: Motion moved:

"That the Bill further to amend the Child Marriage Restraint Act, 1929 be taken into consideration".

श्री बिभूति मिश्र (बगहा): चेयरमैन साहब, हमारे लायक दोस्त शर्मा जी ने बतलाया कि इस ऐक्ट का तीन बार संशोधन हो चुका है। मैं समझता हूँ कि आज इस ऐक्ट में संशोधन की आवश्यकता नहीं है। अब समाज में सब लोग इस बात को जान गये हैं कि हमको अब बाल विवाह करने की जरूरत नहीं है। समाज में जैसे जैसे शिक्षा दीक्षा बढ़ती जा रही है वैसे वैसे समाज में बाल विवाह के प्रति प्रतिरोध घटती जा रही है। मैं खुद अपना बतलाता हूँ। मेरे दो लड़के कालिज में पढ़ते हैं। एक ग्रेजुएट होने जा रहा है। मैंने उन लड़कों की अभी तक शादी नहीं की है। तो समाज में जैसे जैसे शिक्षा का प्रचार बढ़ रहा है और समाज सुधार का काम होता जा रहा है वैसे-वैसे समाज में बाल विवाह की प्रवृत्ति कम होती जा रही है। हाँ कहीं-कहीं अभी यह चीज है। यह जीज भी, जैसे-जैसे हमारे समाज में शिक्षा दीक्षा बढ़ती जायेगी और समाज सुधार होता जायेगा, दूर होती जायेगी। इसमें कोई खबराने की बात नहीं है। हमारे शर्मा जी चाहते हैं कि यह काम डंडे से किया जाये। वह चाहते हैं कि मजिस्ट्रेट को इतनी पावर दे देनी चाहिए कि वह किसी से पूछे बगैर ही मुकदमा चला सके। आज समाज की स्थिति क्या है। मैं अपने लायक दोस्त से कहता हूँ कि अगर उसको यह काम करना है तो वे

गांवों में जाकर रचनात्मक काम करें और लोगों को बतलावें तो उसका ज्यादा असर पड़ेगा बनिस्वत कानून के। यह ऐक्ट शारदा ऐक्ट के नाम से मशहूर है। इसको चाइल्ड मैरिज रेस्ट्रेंट ऐक्ट के नाम से कोई नहीं जानता। अब इस ऐक्ट का काम खत्म हो चुका है। इसलिए इस ऐक्ट की अब कोई जरूरत नहीं रही है। हाँ, कहीं कहीं यह चीज है तो उसके लिए यह ऐक्ट मौजूद है।

वह कहते हैं कि इस ऐक्ट में एक जगह मेल्यूटरी प्रावीजन है और दूसरी जगह न्यूगेटरी हो जाता है। वह खुद सेल्फ कंट्रोल डिक्टरी बात कहते हैं। इस ऐक्ट में धारा १२ में दो उपधाराएँ हैं। उनके बारे में स्टेटमेंट आफ प्राबजेक्ट्स एंड रीजन्स में कहा गया है:

Sub-section (1) of section 12 of the Child Marriage Restraint Act, 1929 empowers the Courts to issue an injunction against any person who contracts a child marriage, or who performs, conducts or directs any child marriage, or who having charge of a minor, does any act to promote the Child Marriage. But sub-section (2) of section 12 of the Act says that no injunction under sub-section (1) thereof shall be issued against any person unless the Court has previously given notice to such person and has afforded him an opportunity to show cause against the issue of the injunction

इनका तात्पर्य यह है कि जो आदमी लड़के के चार्ज में हो और जो विवाह का काम करे और उसके ऊपर मुकदमा चलाया है उससे पूछ लिया जाये। पर हमारे लायक दोस्त शर्मा जी का मतलब यह है कि उससे पूछा न जाये। भला यह क्या अर्थार्थ है। यह पांच नौ आदमियों की पालिसीयें यह कानून कैसे पास कर सकती है, जो कि सार देश से चुनकर आयी है, कि उससे बगैर पूछे



हुए ही उसे जेलखाने भेज दिया जाये। भला बतलाइये कि दुनिया में कहीं कोई कानून इस तरह का अधिकार दे सकता है कि भाष हमें फांसी पर खटका दें और हम से पूछना भी जरूरी न समझें और हमको सफाई का भी मौका न दें। लेकिन हमारे दोस्त शर्मा जी चाहते हैं उसे पूछा भी न जाये और उस पर मुकदमा चला दिया जाये।

धारा १२ की उपधारा २ में दिया हुआ है:

"No injunction under sub-section (1) shall be issued against any person unless the Court has previously given notice to such person, and has afforded him an opportunity to show cause against the issue of the injunction."

भला बतलाइये। हम लोग जनता का वोट लेकर यहाँ आये हैं, इस देश का राज्य चलाना चाहते हैं, तो हम लोग ऐसा कानून कैसे पास कर सकते हैं कि किसी को बगैर पूछे ही उसके खिलाफ कार्रवाई कर दी जाये। हमारे दोस्त इस उपधारा २ को हटा देना चाहते हैं। मैं अपने दोस्त से पूछना चाहता हूँ कि उनको गाँवों का कुछ ज्ञान है या नहीं। मैं आपको बतलाऊँ कि गाँवों में बहुत से झूठे मुकदमे भी चला दिये जाते हैं। गाँवों की हालत यह है कि वहाँ पर बहुत पार्टी पालिटिक्स चलता है। अगर किसी के भतीजे की शादी होती है और अगर कोई कह दे कि यह लड़का इसके बाज में है तो उस पर बिना पूछे मुकदमा चला दिया जायेगा। भला बतलाइये कि यह कहाँ का न्याय है कि जिसने एक काम नहीं किया उस पर भी मुकदमा चला दिया जाये। हालत यह है कि इस ऐक्ट से जो सेल्यूटरी प्राचीजन है उसी को हमारे मित्र न्यूगेटरी कहते हैं। और उसको हटवाना चाहते हैं। इस ऐक्ट की धारा १२ की उपधारा २ में दिया हुआ है कि मुकदमा चलाने से पहले पूछ लेना चाहिए। पूछ लेने के बाद जब यह समझा जाये कि यह बात सही है तो मुकदमा चलाया जाये। लेकिन शर्मा जी कहते हैं कि इस

उपधारा २ को हटा दिया जाये। इसके हटने से यह हो जायेगा कि जो जिसके ऊपर चाहे मुकदमा चलावा सकेगा। इस सब-सेक्शन से तो यह फायदा है कि किसी से बगैर पूछे उसके खिलाफ कार्रवाई न की जाये। इसलिये जो विधेयक हमारे दोस्त ने पेश किया है मैं उसका विरोध करता हूँ क्योंकि इसके पास होने से समाज में गड़बड़ी पैदा हो जायेगी, न्याय नहीं होगा, किसी को अपनी सफाई देने का मौका नहीं मिलेगा। यह जो बिल मेरे साथी दोस्त ने पेश किया है मैं समझता हूँ कि इसकी आवश्यकता नहीं है। अब समाज में दिन दिन सब लोग इस बात को सोचने और समझने लगे हैं कि हमको बाल विवाह नहीं करना चाहिये। इसलिये अब इस तरह के बिल की जरूरत नहीं है। सब-सेक्शन २ जिसको कि वह न्यूगेटरी कहते हैं वही तो सेल्यूटरी है। अगर यह नहीं होगा तो समाज में अन्धधुन्धी फैल जायेगी। रोज लोग कोर्ट में जा कर मुकदमे करेंगे और देश बरबाद हो जायेगा। धनी पर तो कोई मुकदमा नहीं चलायेगा। जैसे कि हम पार्लियामेंट के मेम्बर हैं। हमारी तरफ कोई नहीं देखेगा। होगा यह कि जो गरीब आदमी है, हमारे हरिजन भाई हैं, वे अगर अपने लड़के लड़की का विवाह करेंगे और अगर किसी से उनकी दुपट्टी हुई तो यह जा कर कह देगा कि इस ने कानून के विरुद्ध शादी की है और उस बेचारे पर बिना उसको सफाई का मौका दिये हुए मुकदमा चला दिया जायेगा। इससे बड़ी खराबी पैदा होगी। इसी को बचाने के लिये तो यह उपधारा २ रखी गयी है।

मैं समझता हूँ कि हमारे साथी दोस्त को गाँवों का ज्ञान नहीं है। वह प्रोफेसर हैं, किताबें इन्होंने पढ़ी हैं और लेक्चर दिये हैं, यह असल बात है। लेकिन गाँवों में क्या बात होती है उसका इनको ज्ञान नहीं है। हम लोग गाँव में रहते हैं और जानते हैं कि वहाँ की क्या हालत है। यह उपधारा २ तो गरीब आदमी को बचाने के लिये रखी गयी है।

[श्री बिभूति मिश्र]

मे समझता हूँ कि अब इस कानून की मियाद पूरी हो गयी, इससे जो फायदा होता था वह हो चुका । अब बाल विवाह को रोकना है तो उसके लिये ग्राम पंचायतों में, कम्युनिटी ब्लाक्स में और एन० ई० एस० ब्लाक्स में । इनके अलावा भी बहुत सी और चीजें हैं । अब गांवों में स्कूल कालिज खुल रहे हैं और समाज में शिक्षा बढ़ रही है । आज कोई नहीं चाहता कि अपनी लड़की किसी मूल के दे । सब चाहते हैं कि हम अपनी लड़की पढ़े लिखे आदमी को दे और पढ़ा लिखा आदमी जब तक लड़का ठीक से पढ़ न जाये उसका विवाह करना नहीं चाहता । आज गांवों में यह भावना पैदा हो गयी है और हमको इस भावना को बढ़ाने में ही मदद करनी चाहिये । इसी तरह से हम इस काम में सफलता प्राप्त कर सकते हैं । मे समझता हूँ कि दुनिया का सारा काम कानून में ही नहीं चलता है ।

शर्मा जी के विधेयक का मे विरोध करता हूँ क्योंकि वह चाहते हैं कि धारा १२ की उपधारा २ को हटा दिया जाये । मे तो चाहता हूँ कि इसको ऐसा ही रहने दिया जाये ।

**Shrimati Renu Chakravartty** (Basirhat): Mr Chairman, the two speeches made by Shri D. C. Sharma and Shri Bibhuti Mishra have raised very important and interesting points regarding the Child Marriage Restraint Act which was passed as early as 1929. There is no doubt about it that only by passing a law, we are unable to restrain child marriages. Many people living in the cities think that there is no such thing as child marriage, because, in the cities such a thing has, more or less, stopped. But, when one goes to the villages,—I myself was shocked to see a case—he can see how small children are still given in marriage. I myself, during the course of the last general elections, came across a baby, a child which could hardly walk. I saw that child with sindoor on head which is

the sign of marriage. I can hardly believe that even today "Gowridan" takes place. I have seen plenty of marriages of girls aged 7 or 9, but I have never seen a child of 2½ years or 3 being married. That is the position now.

I should definitely say that whilst much of what Shri Bibhuti Mishra said is true, that only by legislation we can never do away with social evils like child marriages, I also agree that taking away or amending the clause as suggested by Shri D. C. Sharma, just as it is, without certain further additional clauses may be used as a vindictive weapon against people who are not educated or who are against them owing to village feuds or other causes. Both are correct.

At the same time, I think that Shri Bibhuti Mishra has tried to underestimate the seriousness of the problem. Child marriage is quite widespread in the villages. The reason why Shri D. C. Sharma has brought this Bill is to try to see how we can tighten up this whole law. Firstly, I would like to say that however much we tighten up, unless we take up a huge educative campaign, not only education in the sense of reading and writing, educational campaign especially in the villages amongst the lowest strata of the peasantry, from every angle, from the social reformer's angle, from the political angle, from the point of view of peasant's organisation, it will never be possible to eradicate this social evil. That is certainly the most important factor but I feel that it is also necessary to tighten up the Child Marriage Restraint Act.

For one thing, there are certain occasions when an injunction has to be given. There is no other method to stop the marriage I will give one recent example. This was not about child marriage restraint; but the question was a bigamous marriage. A bigamous marriage was taking place. The Women's Organisation was not

able to intervene and stop it. They could not find out what are the legal methods. At the last minute, they realised that the only method of stopping that was by an injunction. Naturally, they invoked that and they had an injunction. If in that section of the Marriage Act, there was one sub-section saying that there can be no injunction given unless there was the previous permission of the magistrate, the marriage would have taken place and two women's lives would have been spoiled, that of the first wife and that of the second wife. This is true in this particular case. This may also be true in many cases regarding child marriages. Therefore, there are cases wherein an injunction has to be given. It is a question of time. Therefore, this suggestion made by Shri D. C. Sharma that there should be no clause saying that there must be previous intimation given by the magistrate and then only an injunction may be given, is legitimate.

On the other hand, the point which has been made by Shri Bibhuti Mishra is also correct, that people may use it in a spirit of vindictiveness. They may spoil the entire marriage just by raising false charges. The whole marriage will be spoiled. The expenses incurred will be an additional burden. All that is true. Therefore, my suggestion is, in certain cases, this clause, enjoining injunction to be given only in cases where the magistrate has given previous permission, may be taken away, provided there is very strict punishment for all *mala fide* complaints. If there is provision for very strict punishment for *mala fide* complaints, I think that will be a balancing factor to prevent people who may just try and spoil a marriage in order to give vent to their personal vindictiveness. I feel that if we are to pass this particular clause suggested by Shri D. C. Sharma, then we have also to accept this suggestion of mine that regarding *mala fide* complaints something should be done.

On the other hand, I feel there should be something else, that is, that this child marriage should be made a cognizable offence. A few days ago in the papers I found a news item from Bikaner saying that there has been large scale,—they use the word “mass-scale”—mass-scale marriages of children on some particular auspicious occasion. They have some auspicious occasion, and during that festival so many—I think it was some thousands—child marriages took place in Bikaner. This was very openly stated in the press, and I am sure there was not one case of conviction in all those cases. The reason for that is firstly that there is no rousing of public conscience. I do not agree with Shri Bibhuti Mishra that we are now becoming so emancipated and so educated that this is slowly dying out. In the villages at least I have found that this is not so. Yes, in the cities this has happened, but I feel that today public conscience has not been roused to that extent that it is not possible for people to go in for child marriages. We have not reached such a situation yet, and therefore we find that people do not come forward with such complaints. They say: “Yes, it is taking place, but what have I got to do with it? Why should I go to court? What business is it of mine? It means going to the police and rushing to the court and expenditure. I have nothing to do with it”. But it is a social evil which it has become very necessary to overcome. So, one has to take note of this problem and make it a cognizable offence. Government itself should step in and see that these things are stopped.

Shri Bibhuti Mishra feels that such a thing will mean that we are trying to bring about the rule of law by the danda, but I feel that there should be laws not only on paper, but they must be enforced, and especially I feel that it was wrong in 1949 to have amended clause 3 whereby even the very slight punishment of 15 days imprisonment was taken away. Now

[Srimati Renu Chakravarty]

only a fine of Rs. 1000 remains, and even that is not implemented.

So, my point is that however much we may be lax, however much we allow people to develop their minds by just not taking penal measures, we find that things are not improving. Therefore, while on the one hand I still agree with Shri Bibhuti Mishra that it is not only by law that we can implement these things, that we have to undertake a big educational campaign from all angles, from the side of the Government, the women's organisations and of social reform bodies, on the other hand I do feel that there is necessity for Government itself to take measures to see that there is no infringement of the law.

Government passes such things as preventive detention. They think that is the most important thing. but I think Government itself must take up the cudgels in this matter which is even more important because we are in a situation where we still continue with the system of child marriage. The question of poverty is often raised and it is said that we are poor and that is why people are not able to keep their children and they want to give away their children in marriage early. However poor we may be, this is an aspect of social reform which is necessary for our future generations, for our society itself and for our entire economic planning.

That is why while I support the amendment proposed, I feel that having this amendment alone may do some harm as Shri Bibhuti Mishra has pointed out, and therefore provision for mala fide complaints being punished strictly and sternly should also be made so as to neutralise the evil effects which may emanate from having only this clause deleted, that is clause 11, sub-clause (2). I support the Bill with this amendment of mine.

Mr. Chairman: How much time would Shri D. C. Sharma require to reply?

Shri D. C. Sharma: I will require only five minutes.

Mr. Chairman: Then, only five minutes are left. Shri Braj Raj Singh may speak.

Shri V. P. Nayar (Quilon): Is it only up to 4 O'clock?

Mr. Chairman: One hour.

Shri Narayankutty Menon. (Mukandapuram): May I know whether the hon. Minister is replying?

Mr. Chairman: Yes.

श्री ब्रजराज सिंह (फिरोजाबाद) :  
सभापति महोदय, श्री विमूक्ति मिश्र ने इस बिल के सम्बन्ध में जो भाषाकार्य प्रकट की है, मुझे लगता है कि वे बिल्कुल ही भाषाहीन हैं। मूल एक्ट की बका १२(३) न कहा गया है :—

"The court can either on its own motion or the application of any person rescind or alter any order made under sub-section (1) of section 12 of the Act."

श्री दीवानचन्द शर्मा इस बिल के द्वारा उपधारा (२) को निकाल देना चाहते हैं। मैं कहना चाहता हूँ कि उससे कोई नुकसान होने वाला नहीं है। श्रीमती रेणु चक्रवर्ती ने भी इस सम्बन्ध में कुछ कहा है, लेकिन मैं समझता हूँ कि उन का ध्यान उपधारा (३) की तरफ नहीं गया है, जो कि मैं ने अभी पढ़ कर सुनाई है। उपधारा (२) में कहा गया है कि पहले नोटिस दे कर इन्फेक्शन जारी किया जाये। मेरे विचार में उससे नुकसान होता है, जब कि इस उपधारा के हट जाने से कोई हानि नहीं होगी। कर्ज की वजह से अगर कोई गलत इन्फेक्शन किसी पार्टीवादी की बगल से, या किसी दूसरे कारण से, जारी हो जाता है, तो अदालत को पहले से ही अधिकार हासिल है कि वह चाहे, तो वह उस इन्फेक्शन

को रद्द कर सकती है। जिस ब्राह्मणी को उस गलत इज्जतन से नुकसान होने वाला है, वह फौरन उस इज्जतन को हटा सकता है। मान लीजिये कि कल कोई शादी होने वाली है और किसी ब्राह्मणी ने अदालत में जा कर कहा कि एक चाइल्ड मैरिज होने वाली है, तो अदालत फौरन ही सम्बन्धित व्यक्तियों—पंडित, माई या बच्चे के गार्जियन—पर इज्जतन लगा देगी। अगर किसी ने गलत शिकायत की है और उन व्यक्तियों को यह ज्ञात है कि हमारी शादी बरबाद होने वाली है, तो वे फौरन अदालत में जा कर कह सकते हैं कि यह शिकायत पार्टीबन्दी के आधार पर की गई है, इस इज्जतन को फौरन हटा लीजिये और उपधारा (२) के अधीन अदालत स्वयं या किसी ब्राह्मणी के कहने पर इज्जतन को हटा सकती है। इसलिये मैं यह निवेदन करना चाहता हूँ कि उपधारा (२) को हटा देने से किसी नुकसान का डर है, यह कतई नहीं है।

यहां पर-यह कहा गया है कि गांवों में चाइल्ड मैरिज नहीं होते हैं। मैं समझता हूँ कि सिर्फ गांवों में बल्कि शहरों में भी चाइल्ड मैरिज होते हैं। मुझे आश्चर्य है कि श्री विभूति मिश्र जैसे लोग ऐसी बात कह सकते हैं। यह हो सकता है पार्लियामेंट के साढ़े सात सौ मेम्बरों के लड़के, लड़कियां चाइल्ड मैरिज में न दिये जायें, लेकिन मैं यह कहना चाहता हूँ कि हिन्दुस्तान में सिर्फ साढ़े सात सौ ब्राह्मणी नहीं हैं—हिन्दुस्तान में सात लाख गांव हैं, जहां करोड़ों लोग बसते हैं। यह ऐसे लोगों का मुल्क है, जिन में से अधिकतर पढ़े लिखे नहीं हैं। इस के आलावा हमारे यहां ऐसी प्रथाएँ मौजूद हैं कि बच्चे के पैदा होते ही उस की शादी तय कर दी जाती है, बचन दे दिया जाता है और सात दो साल के बाद शादी कर दी जाती है। एस एक्ट के अधीन अदालत को जो अधिकार प्राप्त है, इस उपधारा को हटा देने से उन में क़ान्ना आ सकती है। हमारे यहां सारा एस एक्ट, चाइल्ड मैरिज रेस्ट्रिक्ट एक्ट आदि पहले से ही मौजूद है,

लेकिन फिर भी ऐसी शादियां होती हैं और कोई कार्यवाही नहीं की जाती है। अगर कोई शादी होने लगी है, तो अदालत पहले जो काब नोटिस जारी करती है, तहकीकात करती है और फिर इज्जतन जारी किया जाता है : उसी देर में शादी हो जाती है। अगर मुफदमा चलता भी है, तो भी उबादा सजा नहीं होता है। इसलिये शादी को रोकना बहुत जरूरी है। शादी होने के बाद तो कुछ नहीं हो सकता है। इसलिये उपधारा (२), हटा देने की प्रपोजेस्ट बिल्कुल मुनासिब और उचित है। उस के बिना हमारी प्रगति रुक सकती है।

बाल-विवाह होने के बाद अगर कोई लड़की छोटी उम्र में ही विधवा हो जाती है, तो विधवा-विवाह नहीं हो सकता है। इस कानून के द्वारा यह व्यवस्था की जा सकती है कि जब तक वह समझदार न हो जाये, तब तक उस की शादी न हो।

इन कारणों से इस बिल का किसी को विरोध नहीं करना चाहिये। इस के समाज का कोई नुकसान नहीं होने वाला है और न ही किसी के साथ अन्याय होने वाला है। जिस प्रकार के अन्याय की आशंका की जा रही है, उस का निराकरण करने के लिये पहले ही से एक उपधारा मौजूद है। यह बहुत ही स्वागत करने लायक बिल है और सरकार को इसे मंजूर कर लेना चाहिये। इससे कोई खर्चा नहीं होने वाला है और न ही इससे समाज में कोई आर्थिक या दूसरा परिवर्तन होने वाला है। इससे सरकार पर कोई बोझा नहीं पड़ता है। समाज को छोटे बच्चों के लिये यह बिल लाया गया है और इस लिये इस को पास करना चाहिये।

Shri V. P. Nayar: I support the learned Professor's Bill. My support arises from the present scheme of the Act itself. As far as I find, this is to be tried under the Criminal Procedure Code where unfortunately, you will appreciate, the injunction has

[Shri V. P. Nayar]

not been defined; it is only about an order. Possibly the framers borrowed the words from the Civil Procedure Code. But there is a very patent shortcoming in respect of the provision which Mr. D. C. Sharma objects to. This is not the particular section which he wants to get edited:

"No injunction under sub-section (1) shall be issued against any person unless the court has previously given notice to such person and has afforded opportunity to show cause against the issue of the injunction."

This is a very serious matter where an injunction is the only remedy to prevent mischief. If you go through the Criminal Procedure Code, you will find that in cases of public nuisance, in cases of certain acts, the commission of which will injure some others, the magistrate has ample powers to issue what may be equivalent to an injunction *ad interim*. Here there is some mandatory provision. If there is a complaint before the magistrate, the magistrate shall give notice. He cannot get away from it. So, the use of the word almost renders the injunction infructuous when you consider that this is the only remedy. Supposing an emergency is to take place in five days, and if before that the notice could not be served, as is contemplated under the rules, the mischief would have been done. True it is that for this offence there is the punishment for the man who is responsible for marrying the child, but how does it dissolve the marriage; the marriage once contracted under law will remain, and where is the power under this provision to declare the emergency null and void. As Shrimati Renu Chakravarty pointed out, there are several thousands of marriages. So that you will see that if there is a power to the court to give an order of injunction the court must have the right. It should not be fettered down by a mandatory provision that it shall issue notice to the

opposite party. May be that the Government may say that it may be adduced. Sir, I find that Mr. Sharma's case must be supported, because so long as you give the powers to issue an injunction in one clause, that will be called mandatory provision which obliges the magistrate to the issue of notice to the opposite party. The injunction has no value at all, much less for the prevention of the act. So, Sir, I support the Bill.

Shri D. C. Sharma: I think the time should be extended for the Bill.

Shri Raghunath Singh (Varanasi): What about the fate of our Bill. It is a very important social legislation.

The Minister of Law (Shri A. K. Sen): I am sorry that I have to request the hon. Member, Shri Sharma, to withdraw this Bill. While I do so, I am deeply obliged to him for drawing the attention of the House to an evil which has been a blot in our social life in the past, and still threatens to continue to be so for some time more. Let us hope it will end as soon as possible.

Sir, if I were convinced that the passing of this Bill now introduced by Shri Sharma would once for all wipe out permanently this social blot in our national life, I would be the first man to support it. There is not the least doubt, the voice of this House has been expressed in no unmistakable terms, both from this side of the House as also from the other side. Our social conscience revolts against the continuance of this pernicious social practice. I heard with deep sorrow the instance related by Shrimati Renu Chakravarty—or "My Comrade Chakravarty" as Mr. Nayar put it. I was really shocked to hear her experiences, which are of the recent past, of children hardly three years being made married. We know the consequences of widowhood for such children should they be unfortunate enough to lose their minor husbands.



Sir, the real cause is not the lack of power in courts to issue injunctions without service of notice to the party sought to be affected; the real evil is the extreme apathy of the public in areas where the marriages take place in setting into motion the arms of law. That is a sad commentary on our public spirit. It is not the law which eradicates social evils; it is the public conscience revolting against these pernicious practices and enforcing the law by taking recourse to the court of law, which, to my mind, forms the ultimate sanction against such practices against which all of us certainly are prepared to join in the war to eradicate them permanently. It is possibly desirable that not only this pernicious practice but others also, like inducing minor girls into immoral lives, resorting to the taking of dowries forcibly from helpless parents and various other social evils against which our mind revolts, should be eradicated. It is possibly very desirable that at a time, not very distant, we have to ask ourselves very seriously as to what remedies we must adopt for ourselves to eradicate these evils which still pollute our national and social life. I am convinced, Sir, that only by arming the courts with the powers to grant injunctions *ex-parte* whatever evil consequences of such a procedure might produce we shall not even touch the fringe of the problem. We must educate the people to revolt against the sight of a child being married and to rush to the nearest court of law and take proceedings. Have we been able to do that? It is only when a party is inimical towards certain parties whose children are going to be married below the permissible age that they occasionally take recourse to courts of law. That is an unfortunate experience which we must acknowledge as a fact. No man in the village where the mass marriages about which Shrimati Renu Chakravarty spoke, will move against it. I know that happens in Rajasthan periodically. People from Calcutta go to attend these marriages. They

are advertised a long time ahead of the actual celebration, but not a single soul is to be found who is courageous enough to go to the nearest court of law and ask the court to prohibit such marriages. I think, the punishment envisaged in the Act itself is far too meagre. It does not act as a deterrent. I also think that even this meagre provision is not availed of by people whose conscience should revolt. I think also that mere conferment of more powers of procedure merely to courts would not help matters.

I appreciate the suggestion that is given by Shrimati Renu Chakravarty. I am very much surprised because she is not a lawyer. Possibly, much of the evil is procedural and that may be remedied by making this a cognizable offence so that one could rush to the nearest police station and set the police on the track.

But these are matters which I explained to Shri Sharma when he gave notice for introducing this Bill. These are matters over which we must deliberate coolly, think coolly, survey the field coolly and widely, gather data and facts so that, first of all, we have a comprehension of the magnitude of the evil, the causes of the evil including public apathy and then set for ourselves whatever the remedies may be that we may accept to meet the situation.

I do not support the idea of hurried legislation on one or two matters only. As Shri Bibhuti Mishra had already pointed out, we have had already three amendments to the parent Act. The Hindu Marriage Act would have the effect of making such marriages void; but, even that would not cure the evil. The fear of entering into void marriages does not seem to be a strong deterrent, enough to discourage such marriages. We must make the law more rigorous. The full rigour of the social conscience nation must visit these evil days in the shape of deterrent laws and deal ruthlessly with people who seek to

[Shri A. K. Sen]

give children in marriages against the laws of the land, the conscience of the country, and the basic principles on which our society is based. Such a thing needs investigation, deliberation, planning and good laws. Let us not be accused, at least private Members, of indulging in hurried legislation; let that compliment be reserved for the Government.

Therefore, Sir, while I am deeply obliged to the hon. Member for focusing the attention of this House, and through this House, of the entire country, to this great evil which has still survived and threatens to survive for some time more, and to the hon. Members on the other side who have also joined in the common expression of revolt. I shall be happy if such malpractices are regularly brought before the House so that the country knows what its representatives assembled here think about these outrageous social practices still current and still indulged in.

I have invited Shri Sharma to come and discuss this matter with us later on. Perhaps, in future, we might have to devise special courts to deal with anti-social crimes like prostitution, people who make earnings on immoral lives, people who make earnings on adulterated food and such other practices so that the arms of law may never fall short.

These are matters that must certainly be attended to and attended to seriously. Unfortunately, other great problems get their hold on us so much on the economic side and on other sides that these urgent problems are forgotten in the face of those overwhelming forces. But, it is necessary to bring them off and on and express our disapproval of these forces of evil.

Therefore, having expressed the view of the Government on this matter, I am sure the hon. Member will agree with me that he should withdraw the Bill and await a Bill which should be brought after proper survey

of all facts and after taking into account to what extent the arms of law may be stretched to tackle this problem. And, not only this problem, but other anti-social evils which need to be tackled equally firmly and severely. Therefore, I request the hon. Member to withdraw this Bill; otherwise, we shall have to oppose it.

**Shrimati Renu Chakravartty:** May I just ask one question of the hon. Minister? We have been told and in the past also by the predecessor of the Law Minister that we should withdraw these Bills and the Government will bring forward legislation on the same lines, for instance, the Restraint of Dowry Bill. This was promised to us on the floor of the House. Are we to take it that such matters as the Restraint of Child Marriage, Restraint of Dowry and all these social measures which are of very much importance today will actually be brought on the floor of the House?

**Shri A. K. Sen:** About dowries I cannot say much.

**Shrimati Renu Chakravartty:** There was an assurance on the floor of the House.

**Shri A. K. Sen:** I do not know. I have investigated the problem. The enforcement of it would involve so much, so many obligations; if we could undertake that responsibility at the moment is a matter about which I can give no assurance myself.

**Shri Feroze Gandhi:** What about this Bill?

**Shri A. K. Sen:** About this Bill, the matter, I should think, will be investigated. I can say only this much because I do not know in what shape ultimately the Bill will emerge. I can certainly give this assurance that this problem will not be forgotten and proper steps will be thought of and brought before the House. When, that also I cannot say.

**Shri Feroze Gandhi:** But the Bill will come?



**Shri A. K. Sen:** This evil in all its aspects will have to be tackled.

**Shri T. N. Singh (Chandauli):** Sir, we the non-official Members have brought in certain measures which have been considered to be good by all sides of the House. They were also considered to be necessary and urgent. Every time they are postponed on the ground that a more comprehensive measure may be in the offing and Government will bring measure itself. But, experience has shown that it is not so. Take for instance, the Hindu Code. They had to split up into two or three parts and they had to come piecemeal. I wanted to know how long we are to wait in the pious hope that a comprehensive Bill will come at a future date. Experience has shown that it is better to bring forward these things piecemeal. Since there is nothing very objectionable in the provisions of the Bill with which Government do not agree or which are not possible by amendments or suitable changes by common agreement and discussion, where is the harm and why should Government object to piecemeal legislation in this way? I would like to have a clarification of Government's attitude in regard to very urgent and necessary social legislation.

**Shri Feroze Gandhi:** Otherwise we will accept this amendment.

**Pandit Thakur Das Bhargava (Hissar):** May I say a word about the attitude of the Government? This Child Marriage Restraint Act was passed in the year 1928 or 1929. Since then, I do not know of any measure which the Government has brought to see that this evil is met with or remedied. On the contrary, when we have brought Bills, Government have always opposed them. For instance, I brought a Bill and it was with a great deal of pressure and very much of difficulty and under very difficult circumstances that I could succeed in adding one more year to the age.

So far as this measure is concerned, what would be the comprehensive nature of the Bill which is sought to be brought forward? The Mover wants that only sub-section (2) of a particular section may be taken away. That is, so far as an order is concerned, even today it can be issued by civil courts *ex parte* and when the party comes then it is vacated. I do not understand what other investigation is necessary and how a comprehensive legislation will be brought on this matter.

Government should not stand in the way of people who want to do some things. This is not piecemeal at all. This is part of a comprehensive legislation which is already with us. This is a complete Act, the Child Marriage Restraint Act and Shri Sharma wants an amendment to be made in section 12. I cannot understand what enquiry is necessary for this purpose. Why another very comprehensive Bill should be brought forward after full investigation? What is the difference? Does the Government not know that in lakhs of cases child marriages take place even today? So far as the progress of social reform is concerned, the Government's attitude is such that I should say it is rather an obstructive attitude. If this is passed, thousands of child marriages will be checked. An ordinance will be passed. If a person comes forward, the ordinance will be vacated. There is no difficulty. I should think the Government may be able to perform those promises. But what is the point in standing between the passage of this Bill and another comprehensive Bill? No enquiry is needed for this purpose. It is a very simple provision which Shri D. C. Sharma wants to put into the legislation. I should think Government should revise its attitude and not put obstruction in the way of Shri D. C. Sharma's getting this Bill passed.

**Shri Feroze Gandhi (Rai Bareilly):** May I suggest that as a measure of goodwill the hon. Member may believe the assurance that has been

[Shri Feroze Gandhi]

given, and the Minister can accept the amendment and then bring in a comprehensive legislation later?

**Shri A. K. Sen:** The point was this. I am sorry my esteemed friend Pandit Thakur Das Bhargava did not really follow what I said. What I said was that it has not been proved that in any single case the purpose of the Act has been frustrated by the lack of power on the part of the court to grant *ex parte* injunction. We have not known of a single case where a party has gone to court to nullify the marriage before the marriage took place by an order of prohibition and has not succeeded because time was taken for notice....

**Shri Easwara Iyer (Trivandrum):** I have asked for injunction and the court refused it.

**Shri A. K. Sen:** Obviously, the hon. Member, Shri Easwara Iyer, has got a wider experience. What I said was that it is not the lack of power on the part of the court to grant *ex parte* injunction. It is the apathy of the people to go to courts of law. I further said that as a lawyer—apart from being a member of the Government—I am against allowing courts to grant injunction just on the *ex parte* application of a person.

**Shri Braj Raj Singh:** Section 3.

**Shri A. K. Sen:** It may be there, but the man cannot go, after all, the arrangements are vitiated. It is only to stop the abuse of this provision which is very likely in villages where the party feuds and group feuds are the common order of the day, or in regard to the people who are not well disposed towards other persons to go to courts of law and just get an *ex parte* order and then the invited guests go away.

**Pandit Thakur Das Bhargava:** Will the Government cite an instance of an abuse?

**Shri A. K. Sen:** The abuse has been prevented. The Government is convinced that child marriages have continued not because the courts have not been able to stop them by *ex parte* injunctions, but because people have not approached the courts for the purpose of getting an order of injunction. We are convinced of that. Even today, as Shrimati Renu Chakravartty said, most marriages are advertised in papers even though there is no want of time. People have gone to courts of law and notice does not take long to be issued. But no one has gone to courts to stop. The remedy is elsewhere; as Shrimati Renu Chakravartty has suggested it may be necessary to make these offences.

**Pandit Thakur Das Bhargava:** As if it is not the duty of the Government to stop it.

**Shri A. K. Sen:** Yes; it is the duty of the Government to stop even the prostitutes.

**Pandit Thakur Das Bhargava:** You have passed a law.

**An Hon. Member:** To stop even adultery.

**Shri A. K. Sen:** We are not here having a discourse on the duties of Government relating to society. We are discussing a very limited subject, whether a mere amendment to this section is going to stop child marriages. We are convinced that it will not, and some other measures are necessary.

Therefore, I am afraid we are not able to agree to the proposal which would amount to giving any man the right to go to a court of law, swear on affidavit and stop marriages.

**Shri T. N. Singh:** What is the measure that the Government are thinking of?

**Shri Sinhasan Singh:** The Government, instead of opposing it, should be quiet. Let the House decide whether it wants to pass it or not.

Mr. Chairman: Then, all the objections—

Shri Sankaran Singh: There is no difficulty. I am saying that if the Government wants it to be passed, let it be so. Let them say it. Or else, if the House wants to pass it, let the House pass it. Let the House enjoy the freedom of voting on this matter.

Mr. Chairman: I am not concerned with it. Yes, Shri D. C. Sharma.

Shri D. C. Sharma: Mr. Chairman, I suffer from three handicaps this afternoon. In the first place, I am unfortunately a private Member today. In the second place, I have the misfortune to bring forward a Bill. In the third place, it is very tragic that my Bill deals with a problem of social reform. If my Bill had happened to be something else, perhaps the Government would have been a little more favourable. But since social reform is a much-neglected subject,—the Cinderella of the Government of India—I think it does not command much support.

But I think that the Members who have given me support deserve my thanks. I do not take any notice of what Shri Bibhuti Mishra said. His speech was a speech of self-advertisement. He obviously wanted to tell us how many sons he had and that one of his sons is in the matrimonial market now. I am not interested in that, namely, how many sons a person has. It does not interest me. But I believe and I believe it very strongly that even though I also come from a village, I am very sorry I do not look as rustic as I should look. But I tell you honestly I come from a village. I wish I were more rustic-looking than I am. But I cannot help it. But, all the same, I want to tell you that unfortunately, it is not a problem of town versus village. It is not a problem of rural areas versus the industrial areas. It is a problem which embraces all the towns and villages. It is a problem which covers every part of India, whether rural or industrial. Therefore, to raise the cry of rural

areas versus urban areas will not help.

Again, I would submit, as was said by Shri T. N. Singh, that if we cannot get one rupee in one instalment, why should we be prevented from getting one rupee in three or four instalments? That is to say, if we cannot have a comprehensive Bill in one instalment, why should we not be permitted to move an amendment to the Bill which already exists? If that is denied, I cannot understand the logic of it.

My Bill was looked at from the social angles by Shri Braj Raj Singh; it has been looked at in the same way by Shrimati Renu Chakravarty. It has been looked at from the legal angle by Pandit Thakur Das Bhargava and Shri V. P. Nayar. It has been looked at from a broader angle by Shri T. N. Singh, and everyone has approved of this Bill. I must say in all fairness to the Minister of Law that when he was having a private talk with me he said to me that "I would try to—

Mr. Chairman: The hon. Member's private talk outside should not be introduced here.

Shri D. C. Sharma: I am sorry. I was saying that when I was having a talk, a discussion with him on this subject, he said to me that he would be able to enable me to frame a Bill on this very subject which would be more acceptable to the Government. That is what I think he said.

Shri A. K. Sen: That word still stands.

Shri D. C. Sharma: And in the light of that assurance, I would say that I do not want to pursue this Bill and I hope I would be enabled to bring forward a Bill during the next session of Parliament, which would be satisfactory to him and to all of us.

Mr. Chairman: The question is:

"That the Bill further to amend the Child Marriage Restraint Act, 1929, be taken into consideration."

The Lok Sabha divided: Ayes 35; Noes 70.

Division No. 10]

16.34 hrs.

AYES

Banerjee, Shri Pramathanath  
Bhargava, Pandit Thakur Das  
Bharucha, Shri Neelahr  
Braj Raj Singh, Shri  
Chakravarty, Shrimati Resu  
Chandramani Kalo, Shri  
Dige, Shri  
Dwivedi Shri M. L.  
Eliak, Shri M.  
Gandhi, Shri Feroze  
Ghosh, Shri A.  
Gopalan, Shri A. K.

Gupta, Shri Sadhan  
Iyer, Shri Baswar  
Kamble, Shri B. C.  
Kar, Shri Prabhat  
Katti, Shri D. A.  
Khadilkar, Shri  
Kodiyar, Shri  
Kumbhar, Shri  
Mahanty, Shri  
Mansy, Shri  
Menon, Shri Narayanankutty  
Mukerjee, Shri H. N.

Nair, Shri Vasudevan  
Nayar, Shri V. P.  
Panigrahi, Shri  
Prodhan, Shri B. C.  
Saksena, Shri S. L.  
Singh, Shri L. Achaw  
Singh, Shri T. N.  
Sinha, Shri Singh, Shri  
Siva Raj, Shri  
Tewari, Shri Dwarikanath  
Warior, Shri

NOES

Achar, Shri  
Alva, Shri Joachim  
Anupal, Shri P. L.  
Bhogji Bhai, Shri  
Bidari, Shri  
Birbal Singh, Shri  
Bose, Shri P. C.  
Brahm Perakash, Ch.  
Chandra Shanker, Shri  
Daljit Singh, Shri  
Dessai, Shri Morari  
Dindod, Shri  
Ghosh, Shri M. K.  
Guba, Shri A. C.  
Iqbal Singh, Sardar  
Jang Bahadur Singh, Shri  
Jhunjhunwala, Shri  
Jinachandran, Shri  
Jyotishu, Pandit, J. P.  
Kasliwal, Shri  
Keshava, Shri  
Kotaki, Shri Liladhar  
Krishna Rao, Shri M. V.  
Laxmi Bai, Shrimati

Mafta Ahmed, Shrimati  
Malvia, Shri K. B.  
Mandal, Dr. Paahupati  
Mishra, Shri Bibhut  
Narayanaseamy, Shri R.  
Nathwani, Shri  
Nehru, Shri Jawaharlal  
Nehru, Shrimati Uma  
Neewi, Shri  
Parmar, Shri Deen Bandhu  
Parmar, Shri Y. S.  
Pattabhi Raman, Shri C. R.  
Patel, Shrimati Maniben  
Pillai, Shri Thanu  
Raghunath Singh, Shri  
Rajiah, Shri  
Rastur Singh Ch.  
Rane, Shri  
Rangaroo, Shri  
Rao, Shri Jagannath  
Reddy, Shri Bali.  
Reddy, Shri Viawatha  
Roy, Shri Biswanath

Rungtun Suiss, Shri  
Sadhu Ram, Shri  
Sahodrabal, Shrimati  
Saigal, Shri A. S.  
Samenta, Shri S. C.  
Samantsinbar, Dr.  
Senganna, Shri  
Sankarapandian, Shri  
Satyabhama Devi, Shrimati  
Sen, Shri A. K.  
Sharma, Shri R. C.  
Shukla, Shri V. C.  
Sinha, Shri Anirudh  
Sinha, Shri Jhulan  
Sinha, Shri Sarangdhar  
Swaran Singh, Sardar  
Thakur Das, Lala  
Thummaiah, Shri  
Upadhyaya, Shri Shiv Dutt  
Varma, Shri B. B.  
Varma, Shri M. L.  
Wadiwa, Shri  
Wodeyar, Shri

The motion was negated.

NATIONAL AND FESTIVAL PAID  
HOLIDAYS BILL

Shri Kodiyar (Quilon—Reserved—  
(Sch. Castes): I beg to move:

"That the Bill to introduce a  
uniform system of national and  
festival paid holidays for all  
industrial workers, be taken into  
consideration."

As mentioned in the Statement of  
Objects and Reasons to the Bill, the  
number of paid national holidays and

festival holidays in industrial under-  
takings at present varies from State  
to State, from establishment to estab-  
lishment and from industry to indus-  
try. It is regrettable that so far as  
the question of paid national and fes-  
tival holidays are concerned, there is  
no uniform system at present.

In certain cases no paid holidays  
are given. In certain other cases,  
even though paid holidays are given  
so far as certain national holidays are  
concerned, the festival holidays are  
not at all considered. Even in the

case of paid national holidays, only some of the national holidays are taken into consideration. It is also regrettable that the industrial workers of our country, who sweat and toil for the good of our country, are not allowed in certain industries to take leave or are not allowed holidays even on such important holidays as Gandhi Jayanti, Republic Day and Independence Day.

Therefore, not only from the point of view of giving better amenities to the industrial workers of our country, not only from the social point of view, but also from the point of view of better industrial relationship, it is absolutely necessary that some uniform system of giving paid national and festival holidays to the workers of our country should be introduced. It is with that object that I have introduced this Bill.

The Bill seeks to notify ten national holidays of an all-India character—the New Year Day, Republic Day, May Day, Maha Shivarathri etc. With regard to the May Day I have to say a few words. The May Day, a great day of the working class, a day of international solidarity of the working class is not at all considered in our country as a paid national holiday. It is rather a pitiable state of affairs. The workers of our country, as I have already pointed out, who sweat and toil for the good of our country, who are today working in the front rank for the successful implementation of our Second Plan, are not given their right, which in several other countries has already been recognized. Even in Government-owned factories this May Day is not allowed as a paid holiday.

In Kerala, recently, that is, since the new Government assumed power, May Day was declared as a paid holiday. But, so far as the private enterprises are concerned, it is not in the power of the Government to enforce this new system unless there is some legislation making it obligatory on the part of the private capitalists to give

the workers a paid holiday so far as the May Day is concerned. But in government undertakings in Kerala the workers are so enthusiastic over the decision of the Government to give them a paid holiday on May Day.

Therefore, this measure has become an urgent necessity, as I have already pointed out, from the point of view of promoting industrial relationship and harmony and to have a contented working class.

Apart from the national holidays of an all-India character, ours is a country where so many festivals occur which are of a regional, sectional or religious character. Almost every national section in our country has its own national holidays. For instance, the Malayalee people have their great Onam festival which is celebrated throughout Kerala not only by the rich but also by the poor. During the Onam festival every Malayalee will wear newly bought clothes, children will be seen playing and singing all through the country, and women have their own special plays known as the Onam play. It is the symbol of a great bygone era in the history of the Malayalee people, as the legend says, when the land was ruled by the famous Mahabali, the Asura King, when there was peace and plenty everywhere in the land. The legend further says that in those days there were no thefts, no malpractices. In order to commemorate those happy days of the past, the Malayalee people celebrate this national holiday of theirs in the first month of the Malayalee year. And the people prepare themselves to receive Mahabali on that day. For the legend says that when Mahabali was ruling, the Devas got enraged and envious and approached Maha Vishnu, and Maha Vishnu the God himself came to the rescue of the Devas in the form of an avatar known as Vamana Avatar and begged three steps of land from this Mahabali. This Vamana being a very small man, Mahabali agreed to give him three steps of land. But

[Shri Kodiyan]

actually when Vamana began to measure the land, he grew into a huge person, he grew up to the sky with the result that Mahabali found that the land was not enough to give him as a charity. Unable to keep to his promise, Mahabali was forced to go underground and when he was leaving his land, lamented by the entire people, he begged for a courtesy, and that courtesy was to allow him once a year to return to his own land see his own people. So the Malayalee people every year, thinking that their own old King is coming back, prepare themselves to receive him on that day.

Similarly, there is the great Pongal festival of the Tamil-speaking people. Then there is also the famous Durga Puja or Kali Puja in Bengal. Then there is the famous Holi festival in North India. And several other regional festivals are being celebrated every year throughout our country. And it is sheer justice to say that when the whole people of our country are celebrating the important national days of our country such as Independence Day and Republic Day and Gandhi Jayanti, when all the citizens are in a gay and happy mood celebrating these days, there is no reason why the workers who are sweating and toiling for the good of our country should be tied up on these important days in their factories and work spots.

Therefore I request the hon. Minister to consider this question earnestly. I have also to point out that Government themselves have understood the importance of such a measure, and I understand that Government had appointed a committee to go into this matter. I do not know what happened to that committee. Nothing has been heard about that committee since it was appointed. I want to know whether that committee has functioned and has submitted its report and, if so, what its recommendations are and what action Government propose to take on this particular problem.

With these words I request the hon. Minister to accept this Bill.

Mr. Chairman: The motion is now before the House.

Shri Narayanankutty Menon (Mukandapuram): Judging by the experience of today, when such an innocent and innocuous Bill as the one brought forward by Professor Sharma has not been accepted by the Government, I have absolutely no doubt that the hon. Minister is already on his feet to say that "I oppose this Bill". Still I wish to bring to the notice of the Government the injustice that is done to certain categories of workers by denying them the national holidays when the same holidays have been allowed to other sections of the people.

In certain establishments in the public sector the Government is giving a certain number of holidays, even though those holidays do not come to fifteen days. For example, Republic Day, Independence Day and similar other holidays are being given to the permanent workmen in certain parts of the public sector. But a large number of workmen, coming to millions, are working in the public sector today in various construction projects, and what happens today is that when the permanent workmen of a particular establishment are given the holiday, the construction workmen who are larger in number than the permanent workmen in the same or similar establishment are denied even the right to work on that day on the excuse of its being a holiday. Not only do these men not get any holiday on Independence Day and other national holidays, but they are denied even their wages on those days.

I wish to point out one example that in the Port of Cochin 1,500 permanent workmen are working. Those workmen are granted certain holidays in the year which are considered national holidays and also regional holidays. At the same time, 5,000 workmen are working on the construction projects of the Cochin Port. On these



holidays, in the port, it is declared a holiday. These workmen in the construction projects are not only denied that holiday with wages, but they are denied even the right to work. Consequently, instead of enjoying the Republic Day and Independence Day by going home with wages, these workmen are compelled to starve on these days. The workmen employed in all these construction projects will be cursing the Independence Day and the Republic Day because on that day, they do not get any wages and therefore, they will have to starve.

It is true that the Government may bring in an argument that if this Private Member's Bill is accepted, it will entail a large amount of money even in this year's budget because they may employ a large number of workmen in the public sector. Whatever may be the difficulty that is confronted in this year's budget or in any other way, I request the hon. Deputy Minister who is present to oppose the Bill to explain to us the matter. For once, the Government felt the necessity of standardising and consolidating the holidays to the workmen both in the public sector and private sector and having been convinced of the need, they appointed a committee. As usual, that committee may have made recommendations. I request the hon. Minister to tell the House what were the recommendations of that committee. This dissimilarity and disparity in the number of holidays granted in the public sector itself in different ways and in the private sector in different ways is bringing in a lot of dissatisfaction among the workers. A very large number of industrial disputes, the hon. Deputy Minister knows, have cropped up on the question of these holidays and various industrial tribunals in various regions have decided as to what should be the conception of social justice in relation to these holidays. While one industrial tribunal in the far south says that the conscience of social justice will be satisfied by giving seven days in a year, somewhere in Central India, another tribunal says that fifteen days should

be given. Therefore, provision has been made in this Bill that all the National Holidays should be made compulsory holidays with the additional provision that 15 days should be the minimum number of holidays for all workmen in the country. Apart from the seven National Holidays, the other eight days may be utilized in the various regions to be set apart for regional or state-wide holidays so that the workmen in each region could get holidays on their own festivals.

If this defect is not rectified today, the consequence will be that industrial disputes on this question will crop up everywhere especially in the public sector and there will be a lot of trouble going on as to which holiday should be given and which should not be given and that industrial dispute itself will deprive the State of more working hours than in actually granting holidays themselves.

I will conclude by once again pointing out that stark injustice is being done to these workmen. Because the Republic Day or any National holiday falls on a particular day, they are denied their wages. At least, if the Government find it very difficult at this stage to accept the provisions of this Bill now because of the possible repercussions on the Budget or because of want of time and because of their unwillingness to accept a Private Member's Bill, especially from the Opposition, let the Government rectify this injustice that in any one particular establishment run by the public sector there shall not be any discrimination between the permanent labour and labour employed in construction work. If the Government could not come down and offer a National Holiday with wages to these workmen who are employed in construction work, let the Government not refuse them the day's work, let them be at least allowed to work and get their wages so that, on a National Holiday, when the entire nation is rejoicing, these workmen employed in the construction work in the public sector may not curse the Government and

[Shri Narayanankutty Menon]

the Government policy because they are deprived of their wages on that day. Therefore, for the time being, if the Bill cannot be accepted, let this injustice be removed. After all, it comes to seven days in a year. Let the public sector at least be compelled to give holidays on a national basis to these workmen and also in the private sector, let this statutory provision be made so that the workmen could enjoy the holidays.

Before concluding, I wish to point out an instance of the patriotism of the private sector. Every year, an instance has been pointed out. Government have realised the importance of the May Day. But, when it comes to the private sector, Government is powerless. The Government, in place and out of place are fond of praising the patriotism and co-operation of the private sector. The Labour Minister issues a sort of patriotic appeal to stir the patriotic sentiments of the private sector, advising them to give a holiday on May Day. What sort of co-operation is the Government getting up till now? After issuing 10 circulars in the 10 years since this Government has come into power, 95 per cent of the employers have refused to heed to the request made by the Government. If 5 per cent have done this, it has been done on the specific condition that the workmen shall come and work on another holiday, for example, a Sunday or some other holiday.

Therefore, Government should be convinced by the experience of these ten years that whatever amount of patriotic sentiment is put in their circulars, these employers in the private sector will not learn a lesson unless a statutory obligation is put on them. With this experience, let the Government bring in, if this piece of legislation is not acceptable, another piece of legislation in which the National Holidays are guaranteed to the workmen under the private employers—a minimum number of holidays. I appeal to the Government that this question is not so much of

a revolutionary character. This question is one which will not be opposed by any hon. Member to whatever side he or she may belong and from the side of the Government. Long long before, the Government have recognised the justice of this demand. Whatever might be the technical arguments that the Government could adduce in support of opposing this Bill, I make an earnest appeal to the Government that this standardisation should be done and the National Holidays should be guaranteed to all workmen.

श्री प्र० सि० सहगल (जंजगर) :

सभापति महोदय, यह जो बिल इस सदन के सामने माननीय सदस्य श्री कोडियान लाये हैं, उस पर मैं अपने विचार रखना चाहता हूँ।

यह ठीक है कि जहाँ तक इस बिल का मकसद है और जहाँ तक इसका सम्बन्ध प्राइवेट सेक्टर से है मैं यह जरूर चाहूँगा कि नेशनल जो हमारी चीजे हैं खास कर २६ जनवरी और १५ अगस्त, इन दो दिनों को प्राइवेट सेक्टर के लोगो को बराबर मान्यता देनी चाहिये और जो उनके वहाँ पर कर्मचारी काम करते हैं उनको बराबर इन दोनों दिनों की वेंजेज देनी चाहिये। लेकिन हमारे माननीय सदस्य जो यह युनिफार्म सिस्टम आफ नेशनल एंड फेस्टिवल ऐंड होलिडेज की व्यवस्था चाहते हैं तो मैं अपने उन मित्र से मदद के साथ कहना चाहूँगा कि यह युनिफार्म सिस्टम सन् १९५७ में ज़िम जमाने में हम चल रहे हैं, उसमें शायद यह लागू नहीं कर सकेंगे। उसके बहुत से कारण हैं और बहुत सी दिक्कतें आपके प्राइवेट सेक्टर की और पब्लिक सेक्टर के लोगो की हैं और उन सारी चीजों को अपने सामने रख कर इस चीज को देखना चाहिये कि आया हम उसको कर सकते हैं या नहीं। मैं समझता हूँ कि यदि ठंडे दिमाग से हमारे मित्र बैठ कर इस पर विचार करेंगे तो जैसा कि अभी मेरे से पूर्व बक्ता ने कहा कि अभी तो फिलहाल नहीं लेकिन आगे चल कर



अनुकूल परिस्थितियों में हम इस पर फिर गौर कर सकते हैं, वे भी इसी नतीजे पर पहुंचेंगे और हम तब उस पर विचार कर सकते हैं और जरूर विचार करेंगे ।

आप यदि गवर्नमेंट आफ इंडिया की हालिडेज को देखेंगे तो आप पायेंगे कि वहां पर सायद कुल २२ या २४ हालिडेज होती हैं ।

इस के साथ ही साथ हमें यह देखना चाहिये कि स्टेट गवर्नमेंट्स की छटियां भलग हैं और हमारी छटियां भलग हैं । यह दोनों छटियां मिला कर बहुत ज्यादा हो जाती हैं । इसलिये मेरी भर्ज है कि इन दोनों छटियों को मिलाने के बाद, जैसा कि उन्होंने बिल में कहा है :

"National and festival holidays for all industrial workers."

हालिडेज के रोज बराबर तन्स्वाहें दी जायें ।

17 hrs.

Mr. Chairman: The hon. Member may continue next day.

## HALF-AN-HOUR-DISCUSSION

### ADVANCES AGAINST FOODGRAINS

Shri Sadhan Gupta (Calcutta-East): I am raising this discussion to draw the attention of the House and the country to the failure of the Government to provide an elementary safeguard against speculation with our food.

It has been noticed that there has been a large amount of speculation in foodgrains as a result of which prices of foodgrains have recently soared very high, and it was quite apparent that bank advances had been utilised for the purpose of such speculation. It was, therefore, decided to restrict the amount of bank advances that might be made against foodgrains by raising the margins that are to be kept against foodgrains and also by issuing of directions to speedily reduce the amount of ad-

vances against foodgrains to a certain proportion of advances during the previous year.

The question naturally arises: what if these directions are circumvented? What if bank advances are abused? And there are two possibilities in which the directives can be circumvented and bank advances continued to be used for the purpose of speculation in foodgrains.

In the first place there may be fraudulent transactions by banks by which advances against foodgrains might be shown under other heads, and that way the directive might be circumvented. Secondly, and the more likely way, traders would take advances from scheduled banks against other commodities or other securities and utilise those advances for the purpose of speculation in foodgrains.

That is why I had asked a supplementary question on Starred Question No. 80 which was answered on 13th November, as to whether the Government had looked into the question of evolving a machinery which would guard against the misutilisation of bank advances for the purpose of speculation in foodgrains. The answer given to that supplementary, I would submit with due respect, was astounding.

The Finance Minister replied, and I quote his reply here:

"The process is a continuous one and efforts are being made, but, as I have indicated in my answer at that time to the hon. Member's supplementary question, it is not a problem that can be solved in a day or two; it will take years."

Now, I draw the attention of the House to this last sentence that it will take years, that is to say, it will take years to evolve a machinery to effectively check the continuation of speculation in foodgrains by utilising other advances or perhaps by having fraudulent transactions by banks.

[Shri Sadhan Gupta]

The supplementary referred to was a supplementary to Starred Question No. 841 asked on the 13th August of this year. The answer to that supplementary was on a slightly different note. It did not say it would take years; it said that before long the Government hoped to be in a position to do something about it.

Now I will read that supplementary and the answer to it. I asked on that day:

"May I know whether there is any machinery to see to it that the advances under 'Foodgrains' are not disguised by the scheduled banks as advances under other heads? If so, what is that machinery?"

And the Finance Minister replied:

"The human mind devises quite a lot of methods by which it can get over certain limits fixed by the Reserve Bank. The point that has been mentioned by my hon. friend, namely that you may get advances for some other type of goods and use them for foodgrains is one of the methods of evasion. As to whether there is any machinery to deal with it bank-wise, I am afraid, the Reserve Bank is not in a position to deal with it effectively in that way. But they go upon individual advances given by individual banks and watch the position generally. But we do hope that before long, we shall be able to keep a little more check on these advances. But to reach the position envisaged by my hon. friend opposite, I think it will take some time."

I should have thought that from 18th August to 13th November there would have been some progress, but instead of taking some time, on that date the answer is that it will take years.

These are two answers, but the answer to the main question on which

this half hour discussion is raised is even more strange. Part (c) of that question was: "whether it is a fact that other advances are utilised for the purpose of speculation in foodgrains;" then parts (e) and (f) were: "whether any steps have been taken to check this practice; and if not, the reasons therefor?"

The answer to part (c) is:

"I would invite reference to the answer given to the supplementary to Starred Question No. 841 on 13-8-57. No evidence has been received to indicate that advances to industries etc. are being utilised for the purpose of speculation in foodgrains."

The answer to (d) to (f)—in this obviously (e) and (f) are covered—was: "Do not arise".

So that the Deputy Finance Minister's answer is that the question firstly of taking steps to check this practice, and secondly of giving reasons, does not arise, that is to say, the question of taking steps to check this practice does not arise.

That is a strange contradiction between the two supplementaries, and I think it would be reasonable to conclude that perhaps the Deputy Finance Minister's answer was more correct, more representative of the real state of facts because he was speaking from a prepared answer after having notice, and the answers given by the Finance Minister himself on both the occasions were impromptu, and therefore they did not perhaps represent the correct state of facts. Whatever it be, whether they did not take any measures to check this practice, or whether the measures they took were such as would take years to enable the Government to check this practice. In both cases it is a very strange story because we obviously cannot wait for years for the

purpose of having a machinery for such a check.

Now, our foodgrains position in any year is quite serious. Even in times of normal production the position is quite serious. The prices of foodgrains, even in so-called normal times, are beyond the reach of many, and as a result of speculation prices of foodgrains are shooting up much to the misery of millions of our countrymen. This year, in particular, the situation is likely to be worse as far as speculation is concerned because the foodgrains position is very desperate, particularly the position of rice, which is the staple food of large part of East and South India. There is no doubt that speculators and food hoarders will not sit idle while this prospect of profit remains. Speculation will be indulged in and means will be found to get money for speculative business. It is conceivable that many banks will be able to do a profitable business. In the way of promoting such speculation there is quite a likelihood that both banks and traders will try to evolve ingenious devices, according to the Finance Minister's picturesque description to circumvent the Reserve Bank directive. In these circumstances, no one can deny, that it is necessary to do something to check this practice.

The excuse of the Government is that there is no evidence to show that this practice is being indulged in. In these matters we do not need evidence. We go by human nature, we go by our experience of how trade has behaved during food shortages. We have experience of the famine in Bengal, we have experience of other food shortages, and it is quite conceivable that when such a golden opportunity presents itself of making profits by speculation, none can prevent speculators from evolving such devices. Therefore, we have to provide for such devices. So, the question is what provision are we making for these devices. Are we going to take it for granted that we must wait for years? Is it because we have no

machinery to keep control over the advances of banks? If that is so, is it because the Reserve Bank has no way of checking whether banks are really giving advances against what they purport to advance. For instance, whether advances against other things are not really advances against foodgrains and so on. If that is so, then it is a hard case for taking no risks.

If there is no other way to check it the biggest banks must be nationalised so that the evil may be reduced to a minimum. Otherwise, I want to know what methods the Government will follow to guarantee that this kind of bank advances will not be utilised in this way either with the collusion of the banks or by the ingenuity of the trade. This is the answer which I want from the Government very squarely and this is the answer which the whole country wants.

**The Minister of Finance (Shri T. T. Krishnamachari):** Sir, my hon. friend has given this House the genesis for this discussion. The genesis is two questions that he put in regard to bank advances.

He has now sought to draw a distinction between the written answer which was read by my colleague and the oral answer to a supplementary which I answered. May I set his doubts at rest by telling him that the written answers were framed by me, and if any responsibility attaches to those answers it is mine. So, I hope, it will be possible to set rest any doubts that he has in this regard, though my colleague's answers to the question were really my answers.

What he makes out at the end is to hang on this particular scene which happens to be unfortunately an extremely weak thread—a demand for nationalisation of banks. While the demand by itself may be good or bad, it is for the House to decide, but to connect this demand something like this with the answers to a question is a demand of ingenuity, and if

[Shri T. T. Krishnamachari]

I am not mistaken, I would like to give full credit to the hon. friend opposite for a display of this kind of ingenuity.

Now, I would like, before going to the question of figures, the House to realise this that he says that we know—I do not know quite so well—that advances given for purposes other than financing foodgrains are always and often used for purposes of financing foodgrains. I won't like to hazard a statement of this nature. It is likely, maybe the person who gets an advance for cotton, if he is a man who deals in foodgrains, who deals in jute, cotton and groundnuts might perhaps use the advance taken for one purpose for another. In this context, the hon'ble Member wants a machinery to be set up to see that a man who was getting advances on foodgrains does not use it for cotton and so on. Normally, the machinery will have to be the lending banks which happen to be larger in number in the private sector yet. The Reserve Bank does ask for this information and when they find a bank is over-trading, that the bank is not co-operating then Inspectors are sent to find out the position. But, for me to state in this House at any time that we would reach a time when we will know all about this kind of thing, will perhaps be something which will not be real. A degree of statistical perfection even of that nature would certainly take many years. I have no doubt about it to repeat. It might be a question of amending the banking law. It might be a question of getting information from time to time, and very quickly, from the banks.

Now, Sir, what happens? We got, for instance, the information that I have in my possession—or, rather that was in my possession on Monday—that was dated the 15th November. And, it comes from 20 scheduled banks. The rest we have to depend upon some information which is perhaps more than a month old and fits in the averages so that we get the

entire picture. So my information, when I got it, was perhaps a fortnight old and will be the only information for the coming week until I get fresh information. It is taken from 20 scheduled banks, reporting banks. And the other things are filled up by the past experience. So, to say that I can, at any time, say that all these advances are used for purposes strictly for which they have been given will not be correct. To make a statement of that nature in the House—well, I do not know if it will be possible for any successor of mine to say with any degree of precision—will not be possible. Even for that matter I can set at rest the doubts of my hon. friend. The facts of the situation are that even with all this information and all the facilities that we have—we will be able to get information from 20 reporting banks who will get it from their affiliated banks—it is very difficult for anybody to make a precise statement. All that one can say is that the trends are such and such.

Well, I have answered his point, the gravamen of the charge. Having said that, in the first question it will be very difficult for me to find out whether there is any switching over or to say that there is no switching over, I cannot say in the second that there is a machinery, because it will take us many years to perfect a machinery of that nature. That seems to be the gravamen of the charge. I can tell my hon. friend that even if you nationalise your banks, the very fact that they are functioning in various parts of India would make it very difficult to get any precise information within the period of time that you wanted. All that we have to do is to act on the basis of certain general information from which you draw certain conclusions. You may even call it, if you like, a sort of sample survey.

As the House would like to know the position of the advances on foodgrains, the total quantity pledged with the banks in June last is 517 lakhs of mds. of foodgrains. As a con-

sequence of the directives and warnings issued and also as a consequence of the normal off-take, by about the end of October, it came down to about 131 lakh mds., of which rice and paddy constituted 36 lakhs, as against 169 lakhs for the same time last year; rice and paddy for the same being 51 lakhs.

I have got some further information since then in respect of the end of the third week of November this year. The total advances against foodgrains happens to be 114 lakhs of mds. as a consequence of which the rice and paddy advances have risen slightly higher from about 36 lakhs to about 41 lakhs because of the new crops coming in. The corresponding figure for November, 1956 was 162 lakh mds. Therefore, the facts of the situation indicate that there has been a distinct improvement over the position last year. I think it would only be fair to allow some credit for this state of affairs to the institutions concerned.

The Foodgrains Enquiry Committee recognised this aspect of the matter when it said in its report that a factor of some importance which has influenced the very recent turn in prices of foodgrains is the stricter credit policy enforced by the Reserve Bank of India from early July, 1957. This question of advances generally and for other purposes, that position is also comparatively satisfactory.

I have a statement before me on 15th November from the reporting banks of the scope of advances including bills purchased and discounted by the reporting banks which had fallen by about Rs. 2.86 crores. In the fortnight ending October, 25, 1957, the advances came to a figure of Rs. 702.61 crores, which fell further by Rs. 22.19 crores and stood on 15th November, at Rs. 680.42 crores. There has been a sharp decline even in regard to advances on other commodities, including foodgrains as a whole.

The question of examining how much there is of deflation is a continuous process which is being done

by the Reserve Bank of India. The Reserve Bank sends out questionnaires from time to time to various banks which they think are advancing money on other crops which bank which they might be diverted to other purposes, even of foodgrains and it is their view that oftentimes it happens that a person who is interested in the business of cotton or jute or perhaps groundnut is not interested in foodgrains and the scope for a big scale diversion is not there. In fact, as I have indicated, along with the foodgrain advances, the advances on any other commodities also fell steeply.

So far as plain advances are concerned, which are perhaps slightly on the increase, the position is being watched very carefully. The Reserve Bank is asking for details in the case of those plain advances to find out not merely the question of foodgrain but also the question of speculation on other commodities so that speculation is prevented to a large extent.

But it is a fact that the industrial sector is needing much more money than it did before and therefore this question of fall in the advances which is indicated does throw a certain amount of pressure on the industrial sector. They have also assured me that in regard to advance in the pool market scheme which at the present moment is rather low, there is no such thing so far as advances to foodgrains are concerned.

Another interesting point which, perhaps, the House might be interested to know is this that a contraction was asked to be made and it was made, in some cases haltingly, but nevertheless all the banks fell into line. They found that in the cases of 11 offices of one bank where the constituents had to pay back about Rs. 20 lakhs which were advanced on foodgrains in order to conform to the new percentages fixed by the Reserve Bank, the credit was obtained from indigenous bankers, moneylenders and individuals. So the point that the hon. Member has made, that is the regulation of the banking system,

[Shri T. T. Krishnamachari]

alone will not completely cover the position is a thing which I would like the House to know. If after all this drop in the advances by the banks, still there is hoarding of foodgrains, which, perhaps, does exist in one or two places—and exists to my knowledge—it is due to the fact that there are several agencies and the agriculturist himself has got more of holding power which finances these transactions. As I said, this experimental test has revealed that other non-banking sources have been utilised for this purpose.

So, it is a question of seeing how far we can control this mechanism, whether a Banking Industries Act can itself control the mechanism when only the banking institutions are under the control of the Centre and money lending happens to be a State subject, and it should be considered at some great length. It may be that the mere fact that we want for a particular purpose control over the monetary mechanism as a whole may not be quite the proper thing for taking over control or for amending the Constitution for that purpose.

I would, therefore like to say that the overall effect of our restrictive regulations is bearing fruit. As I said, the overall structure of advances has come down rapidly. It has also helped to some extent to steady the gilt edged market.

Hon. Members might have seen a notice in the papers on Saturday that the Government have gone in for a loan of Rs. 30 crores, and they propose to issue a loan at 3½ per cent repayable in 5 years, that is in 1962. That was done merely because we felt that with a short-dated security bearing a low interest of 3½ per cent a certain amount can be had possibly from investors and from institutional investors. And the Government did authorise the Reserve Bank to keep on tap a loan of Rs. 30 crores. I had

been told that on Monday about 2/3 of that loan was taken and it appears it was a little more than it was expected.

These are factors which definitely indicate that the monetary position is getting under control; but, there is the other side of the picture. If my hon. friend, Shri Somani were to speak here he would say that the industry is not able to get any money because industry has used its resources, its liquid resources, its working capital for purposes of expansion either in that industry or in some other industry or probably by purchasing some other concern and they find that they are short of money. So, there is the conundrum; on the one side the industry does not find enough money and has to go and pay a high rate of interest;—to certain institutions the equity market is not very difficult so far as they are concerned, while certain industries are not able to get the money if they go to the equity market, on the other the general monetary position is very easy. But, so far as I am concerned, as a person who is in charge of the finances of this country, with the food price rising, a situation such as the present, namely, a greater degree of liquidity in the money market, is a thing which I would welcome, because they are definitely anti-social. That also indicates that the situation is under control.

So, I would like to assure my hon. friend who takes a lot of interest in these matters that I do not resent either his condemnation of me or his condemnation of my failure to give him a very satisfactory answer. I am glad he raised this subject but I would also like him to understand that an answer which is satisfactory will not necessarily mean an answer which would be possible of implementation. There are difficulties in the situation, but by and large, what we are doing is showing results. The House may be satisfied that the position which perhaps

but a month back looked somewhat grimmer than what it is today, is easy, and I do hope that that situation will get further easy as time goes on. And then it will be the time for us to see how we can help the industry. At the present moment, I would like those tendencies that are now showing, to develop, and get firmer before we can loosen our controls.

I may tell my hon. friend that even without nationalising the other banks,

we can, to the extent that is possible, try our best, but we will not be able—at any rate I will not be able—to precisely tell him, "That is the position, and everything is all right". I can only tell him what the trends are, and I am afraid we will not be able to go beyond that position for quite sometime to come.

17.32 hrs.

*The Lok Sabha then adjourned at Eleven of the Clock on Monday, the 9th December, 1957.*

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[Friday, 6th December, 1957]

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1292.	Diphtheria cases in Delhi	3977—78

## PAPERS LAID ON THE TABLE 3978—79

The following papers were laid on the Table :—

(1) A copy of each of the following papers :—

(i) Statistical Information regarding the working of the Preventive Detention Act, 1950, during the period 31st March, 1956 to 31st October, 1956.

(ii) Statistical Information regarding the working of the Preventive Detention Act, 1950, during the period 31st October, 1956 to 30th September, 1957.

(2) A copy of the Himachal Pradesh Seed Potato (Control) Order, 1957.

(3) A copy of each of the following Notifications :

(i) S.R.O. No. 537, dated the 3rd March, 1956, making certain amendments to the Motor Vehicles International Circulation Rules, 1933.

(ii) S.R.O. No. 538, dated the 3rd March, 1956, making certain amendments to the Motor Vehicles (Third Party Insurance) Rules, 1946.

(iii) S.R.O. No. 2510, dated the 30th October, 1956 making certain amendments to the Motor Vehicles (Third Party Insurance) Rules, 1946.

# STATEMENTS BY MINISTERS

(1) 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.

Deputy Minister of Defence (Shri Raghuramaiah) made a statement regarding the order of Government Legislative and other Business for the week commencing the 9th December, 1957.

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh) made a statement regarding the formation of a Rupee Company to exploit oil reserves in Assam.

## ELECTION TO COMMITTEE 3982

The Minister of Health (Shri Karmarkar) moved for the election of two Members from among the Members of Lok Sabha to be the members of the Central Committee of the Tuberculosis Association of India. The motion was adopted.

## BILLS INTRODUCED 3983—84

(1) The Criminal Law (Amendment) Bill, 1957.

(2) The Union Duties of Excise (Distribution) Bill, 1957.

(3) The Estate Duty and Tax on Railway Passenger Fares (Distribution) Bill, 1957.

(4) The Countess of Dufferin's Fund Bill, 1957.

## REPORT OF THE BUSINESS ADVISORY COMMITTEE ADOPTED 3985—88

Fourteenth Report was adopted.

## BILL PASSED. 3988—4040

The motion for consideration of the Indian Railways (Amendment) Bill was adopted. After clause-by-clause consideration, the Bill was passed as amended.

## BILL UNDER CONSIDERATION 4041—42

The Deputy Minister of Labour (Shri Abid Ali) moved that the Payment of Wages (Amendment) Bill, 1957 be taken into consideration. His speech was not concluded.

<i>Subject</i>	<i>COLUMNS</i>
PRIVATE MEMBER'S BILL Introduced.	4042

The Equal Remuneration Bill, 1957, by Shrimati Renu Chakravartty.

PRIVATE MEMBER'S BILLS. 4042—94  
Negatived.

(i) Further discussion on the motion to consider the Beedi and Cigar Labour Bill, 1957 by Shri A. K. Gopalan was concluded. The motion was negatived by 95 votes to 31.

(ii) Further discussion on the motion to consider the Child Marriage Restraint (Amendment) Bill, 1957 by Shri D. C. Sharma was concluded. The motion was negatived by 70 votes to 35.

<i>Subject</i>	<i>COLUMNS</i>
PRIVATE MEMBER'S BILL UNDER CONSIDERATION	4093--4103

Shri Kodiyan moved for consideration of the National and Festival Paid Holidays Bill. The discussion was not concluded.

HALF-AN-HOUR DISCUSSION 4103—16

Shri Sadhan Gupta raised a half-an-hour discussion on point arising out of replies given on the 13th November, 1957 to Starred Question No. 80 regarding advances against food-grains.

The Minister of Finance (Shri T. T. Krishnamachari) replied to the debate.

AGENDA FOR MONDAY,  
9TH DECEMBER, 1957.

Further consideration of the Preventive Detention (Continuance) Bill.