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# LOK SABHA DEBATES

(Sixth Session)



(Vol. XXII contains Nos. 1—10)

LOK SABHA SECRETARIAT  
NEW DELHI

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\*The sign + marked above a name indicates that the question was actually asked on the floor of the House by that Member.

**LOK SABHA**  
**ALPHABETICAL LIST OF MEMBERS**

**A**

Abdul Latif, Shri (Bijnor).  
 Abdur Rahman, Molvi (Jammu and Kashmir).  
 Abdur Rashid, Bakhshi (Jammu and Kashmir).  
 Abdul Salam, Shri (Tiruchirapalli).  
 Achal Singh, Seth (Agra).  
 Achar, Shri K. R. (Mangalore).  
 Achint Ram, Shri (Patiala).  
 Agadi, Shri Sangappa Andanappa (Koppal).  
 Agarwal, Shri Manakbhai (Mandsaur).  
 Ajit Singh, Shri (Bhatinda—Reserved—Sch. Castes).  
 Alva, Shri Joachim (Kanara).  
 Ambalam, Shri P. Subbiah (Ramanathapuram).  
 Amjad Ali, Shri (Dhubri).  
 Anirudh Sinha, Shri (Madhubani).  
 Anjanappa, Shri B. (Nellore—Reserved—Sch. Castes).  
 Anthony, Shri Frank (Nominated—Anglo-Indians).  
 Arumugham, Shri R. S. (Srivilliputhur—Reserved—Sch. Castes).  
 Arumugham, Shri S. R. (Namakkal—Reserved—Sch. Castes).  
 Ashanna, Shri K. (Adilabad).  
 Assar, Shri Premji R. (Ratnagiri).  
 Atchamamba, Dr. Komaraju (Vijayavada).  
 Awasthi, Shri Jagdish (Bilhaur).

**A—contd.**

Ayyakannu, Shri M. (Nagapattinam—Reserved—Sch. Castes).  
 Ayyangar, Shri M. Ananthasayanam (Chittoor).  
 Babunath Singh, Shri (Sarguja—Reserved—Sch. Castes).  
 Badan Singh, Ch. (Bisauli).  
 Bahadur Singh, Shri (Ludhiana—Reserved—Sch. Castes).  
 Bajaj, Shri Kamalnayan Jamanalal (Wardha).  
 Bakliwal, Shri Mohanlal (Durg).  
 Balakrishnan, Shri S. C. (Dindigul—Reserved—Sch. Castes).  
 Baldev Singh, Sardar (Hoshiarpur).  
 Balmiki, Shri Kanhaiya Lal (Bulandshahar—Reserved—Sch. Castes).  
 Banerjee, Shri Pramathanath (Contai).  
 Banerjee, Shri S. M. (Kanpur).  
 Banerji, Dr. Ram Goti (Bankura).  
 Banerjee, Shri Pulin Behari (Lucknow).  
 Bangshi Thakur, Shri (Tripura—Reserved—Sch. Castes).  
 Barman, Shri Upendranath (Cooch Behar—Reserved—Sch. Castes).  
 Barrow, Shri A. E. T. (Nominated—Anglo-Indians).  
 Barua, Shri Hem (Gauhati).  
 Barupal, Shri Panna Lal (Bikaner—Reserved—Sch. Castes).

**B—contd.**

Basappa, Shri C. R. (Tiptur).  
 Basumatari, Shri Dharanidhar (Goalpara—Reserved—Sch. Tribes).  
 Beck, Shri Ignace (Lohardaga—Reserved—Sch. Tribes).  
 Bhaduria, Shri Arjun Singh (Etawah).  
 Bhagat, Shri Baliram (Shahabad).  
 Bhagavati, Shri Bijoy Chandra (Darrang).  
 Bhakt Darshan, Shri (Garhwal).  
 Bhanja Deo, Shri Laxmi Narayan (Keonjhar).  
 Bhargava, Pt. Mukat Behari Lal (Ajmer).  
 Bhargava, Pt. Thakur Das (Hissar).  
 Bharucha, Shri Naushir Cursetji (East Khandesh).  
 Bhatkar, Shri Laxmanyaaji Shrawanji (Akola—Reserved—Sch. Castes).  
 Bhattacharyya, Shri Chapala Kanta (West Dinajpur).  
 Bhogji Bhai, Shri P. B. (Banswara—Reserved—Sch. Tribes).  
 Bidari, Shri Ramappa Balappa (Bijapur South).  
 Birbal Singh, Shri (Jaunpur).  
 Birendra Bahadur Singhji, Shri (Raipur).  
 Bist, Shri Jang Bahadur Singh (Almora).  
 Borooah, Shri Prafulla Chandra (Sibsagar).  
 Bose, Shri P. C. (Dhanbad).  
 Brahm Prakash, Chaudhury (Delhi Sadar).  
 Braj Raj Singh, Shri (Firozabad).  
 Brajeshwar Prasad, Shri (Gaya).  
 Brij Narayan "Brjesh", Pandit (Shivpuri).

**C**

Chakravarty, Shrimati Renu (Basirhat).  
 Chanda, Shri Anil Kumar (Birbhum).  
 Chandak, Shri Bhikulal Lakhmichand (Chhindwara).  
 Chandra Shanker, Shri (Broach).  
 Chandramani Kalo, Shri (Sundargarh—Reserved—Sch. Tribes).  
 Chaturvedi, Shri Rohanlal (Etah).  
 Chaudhuri, Shri Tridib Kumar (Berhampore).  
 Chavan, Shri D. R. (Karad).  
 Chavda, Shri Akbar (Banaskanta).  
 Chettiar, Shri R. Ramanathan (Pudukkottai).  
 Choudhry, Shri C. L. (Hajipur—Reserved—Sch. Castes).  
 Choudhury, Shri Suresh Chandra (Dumka).  
 Chuni Lal, Shri (Ambala—Reserved—Sch. Castes).

**D**

Daljit Singh, Shri (Kangra—Reserved—Sch. Castes).  
 Damam, Shri Surajratan Fatehchand (Jalore).  
 Damar, Shri Amar Singh (Jhabua—Reserved—Sch. Tribes).  
 Dange, Shri Shripad Amrit (Bombay City Central).  
 Das, Shri Kamal Krishna (Birbhum—Reserved—Sch. Castes).  
 Das, Dr Mono Mohan (Asansol—Reserved—Sch. Castes).  
 Das, Shri Nayantara (Monghyr—Reserved—Sch. Castes).  
 Das, Shri Ramdhani (Nawada—Reserved—Sch. Castes).

**D—contd.**

Das, Shri Shree Narayan (Darbhanga).  
 Das Gupta, Shri Bibhuti Bhusan (Purlia).  
 Dasappa, Shri H. C. (Bangalore).  
 Dasaratha Deb, Shri (Tripura).  
 Datar, Shri Balwant Nagesh (Belgaum).  
 Daulta, Shri Pratap Singh (Jhajjar).  
 Deb, Shri Narasingha Mala Ugalsanda (Midnapur).  
 Deb, Shri P. G. (Angul).  
 Deo, Shri Pratap Keshari (Kalahandi).  
 Deo, Shri Shankar (Gulbarga—Reserved—Sch. Castes).  
 Desai, Shri Morarji R. (Surat).  
 Deshmukh, Dr. Panjabrao S. (Amravati).  
 Deshmukh, Shri K. G. (Ramtek).  
 Dhanagar, Shri Banshi Das (Mainpuri).  
 Dharmalingam, Shri R (Tiruvannamalai).  
 Dige, Shri Shankarrao Khanderao (Kolhapur—Reserved—Sch. Castes).  
 Dindod, Shri Jaljibhai Koyabhai (Dohad—Reserved—Sch. Tribes).  
 Dinesh Singh, Shri (Banda).  
 Dora, Shri Dippala Suri (Parvathipuram).  
 Drohar, Shri Shivadin (Hardoi—Reserved—Sch. Castes).  
 Dube, Shri Mulchand (Farrukhabad).  
 Dublish, Shri Vishnu Sharan (Sardhana).  
 Dwivedi, Shri M. L. (Hamirpur).  
 Dwivedy, Shri Surendranath (Kendrapara).

Eacharan, Shri V. Iyyani (Palghat).  
 Elayaperumal, Shri L. (Chidambaram—Reserved—Sch. Castes).  
 Elias, Shri Muhammed (Howrah).  
  
**G**  
 Gackwad, Shri Fatesinghrao Pratapsinhrao (Baroda).  
 Gaikwad, Shri Bhauroo Krishnarao (Nasik).  
 Ganapathy, Shri T. (Tiruchendur).  
 Gandhi, Shri Feroze (Rai Bareli).  
 Gandhi, Shri Maneklal Maganlal (Panchmahals).  
 Ganga Devi, Shrimati (Unnao—Reserved—Sch. Castes).  
 Ganpati Ram, Shri (Jaunpur—Reserved—Sch. Castes).  
 Gautam, Shri Chintaman Dhivruji (Balaghat).  
 Ghodasar, Thakor Shri Fatchsinhji Ratansinhji (Kaira).  
 Ghosal, Shri Aurobindo (Uluberia).  
 Ghose, Shri A. V. (Jalna).  
 Ghose, Shri Bimal Coomar (Barrackpore).  
 Ghose, Shri Subiman (Burdwan).  
 Ghosh, Shri Atulya (Asansol).  
 Ghosh, Shri Mohindra Kumar (Jamsedpur).  
 Ghosh, Shri N. R. (Cooch—Bihar).  
 Godsora, Shri Sambhu Charan (Singhbhum—Reserved—Sch. Tribes).  
 Gohain, Shri Chowkhamoon (Nominated—Assam Tribal Areas).  
 Gohokar, Dr. Deorao Yeshwantrao (Yeotmal).  
 Gopalan, Shri Ayillath Kuttieri (Kasergod).

## G— contd.

Goray, Shri Narayan Ganesh (Poona).  
 Gounder, Shri N. P. Shanmuga (Tindivanam).  
 Gounder, Shri A. Doraiswami (Tiruppattur).  
 Gounder, Shri K. Periaswami (Karur).  
 Govind Das, Seth (Jabalpur).  
 Guha, Shri Arun Chandra (Barasat).  
 Gupta, Shri Chheda Lal (Hardoi).  
 Gupta, Shri Sadhan Chandra (Calcutta-East).

## H

Hajarnavis, Shri Ramchandra Martand (Bhandara).  
 Halder, Shri Kansari (Diamond Harbour—Reserved—Sch. Castes).  
 Harvani, Shri Ansar (Fatehpur).  
 Hansda, Shri Subodh (Midnapur—Reserved—Sch. Tribes).  
 Hathi, Shri Jaisukhlal Shanker Lal (Halar).  
 Hazarika, Shri Jogendra Nath (Dibrugarh).  
 Heda, Shri H. C. (Nizamabad).  
 Hem Raj, Shri (Kangra).  
 Hukam Singh, Sardar (Bhatinda).  
 Hynniewta, Shri Hoover (Autonomous Districts—Reserved—Sch. Tribes).

## I

Imam, Shri Mohammed (Chitaldrug).  
 Iqbal Singh, Sardar (Ferozepur).  
 Iyer, Shri S. Easwara (Trivandrum).

## J

Jadhav, Shri Yadav Narayan (Malegaon).

## J— contd.

Jagjivan Ram, Shri (Sasaram—Reserved—Sch. Castes).  
 Jain, Shri Ajit Prasad (Saharanpur).  
 Jain, Shri Mool Chand (Kaithal).  
 Jaipal Singh, Shri (Ranchi West—Reserved—Sch. Tribes).  
 Jangde, Shri Resham Lal (Bilaspur).  
 Jedhe, Shri Keshavrao Marutirao (Barfmati).  
 Jena, Shri Kanhu Charan (Balasore—Reserved—Sch. Castes).  
 Jhulan Sinha, Shri (Siwan).  
 Jhunjhunwala, Shri Banarsi Prasad (Bhakalpur).  
 Jinachandran, Shri M. K. (Telli-chery).  
 Jogendra Sen, Shri Mandi).  
 Jogendra Singh, Sardar (Bhauraich).  
 Joshi, Shri Anand Chandra (Shahdol).  
 Joshi, Shri Liladhar (Shajapur).  
 Joshi, Shrimati Subhadra (Ambala).  
 Joytishi, Pandit Jwala Prasad (Sagar).

## K

Kalika Singh, Shri (Azamgarh).  
 Kamal Singh, Shri (Buxar).  
 Kamble, Dr. Devrao Namdevrao Pathrikar (Nanded—Reserved—Sch. Castes).  
 Kamble, Shri Bapu Chandrasen (Kopargaon).  
 Kanakasabai, Shri R. Pillai (Chidambaram).  
 Kanungo, Shri Nityanand (Cuttack).  
 Kar, Shri Prabhat (Hooghly).  
 Karmarkar, Shri D. P. (Dharwar North).

## K—contd.

Karni Singhji, Shri (Bikaner).  
 Kasliwal, Shri Nemi Chandra (Kotah).  
 Katti, Shri D. A. (Chikodi).  
 Kayal, Shri Paresh Nath (Basirhat—Reserved—Sch. Castes).  
 Kedaria, Shri Chhaganlal Madaribhat (Mandvi—Reserved—Sch. Tribes).  
 Keshar Kumari, Shrimati (Rajpur—Reserved—Sch. Tribes).  
 Keshava, Shri N. (Bengalore City).  
 Keskar, Dr. B. V. (Musafirkhana).  
 Khadilkar, Shri Raghunath Keshev (Ahmednagar).  
 Khadiwala, Shri Kanhaiyalal (Indore).  
 Khan, Shri Osman Ali (Kurnool).  
 Khan, Shri Sadath Ali (Warangal).  
 Khan, Shri Shah Nawaz (Meerut).  
 Khedkar, Dr. Gopalrao Bajirao (Akola).  
 Khimji, Shri Bhawanji A. (Kutch).  
 Khuda Buksh, Shri Muhammed (Murshidabad).  
 Khwaja, Shri Jamal (Aligarh).  
 Kistaiya, Shri Surti (Bastar—Reserved—Sch. Tribes).  
 Kodiyan, Shri P. K. (Quilon—Reserved—Sch. Castes).  
 Koratkar, Shri Vinayak Rao K. (Hyderabad).  
 Kotoki, Shri Liladhar (Nowgong).  
 Kottukapally, Shri George Thomas (Moovattupuzha).  
 Kripalani, Acharya, J. B. (Sitamarhi).  
 Kripalani, Shrimati Sucheta (New Delhi).  
 Krishna, Shri M. R. (Karimnagar—Reserved—Sch. Castes).  
 Krishna Chandra, Shri (Jaleshwar).

## K—contd.

Krishna Rao, Shri Mandali Venkata (Masulipatnam).  
 Krishnaiah, Shri D. Balarama (Gudivada).  
 Krishnamachari, Shri T. T. (Madras South).  
 Krishnappa, Shri M. V. (Tumkur).  
 Krishnaswamy, Dr. A. (Chingleput).  
 Kumaran, Shri M. K. (Chirayinkil).  
 Kumbhar, Shri Banamali (Sambalpur—Reserved—Sch. Castes).  
 Kunhan, Shri P. (Palghat—Reserved—Sch. Castes).  
 Kureel, Shri Baij Nath (Rae Bareli—Reserved—Sch. Castes).  
 L  
 Lachhi Ram, Shri (Hamirpur—Reserved—Sch. Castes).  
 Lachman Singh, Shri (Nominated—Andaman and Nicobar Islands).  
 Lahiri, Shri Jitendra Nath (Serampore).  
 Laskar, Shri Nibaran Chandra (Cachar—Reserved—Sch. Castes).  
 Laxmi Bai, Shrimati Sangam (Vicarabad).  
 M  
 Mafida Ahmed, Shrimati (Jorhat).  
 Mahagaonkar, Shri Bausaheb Rao Saheb (Kolhapur).  
 Mahanty, Shri Surendra (Dhenkanal).  
 Mahendra Pratap, Raja (Mathura).  
 Maiti, Shri Nikunja Bihari (Ghatal).  
 Majhi, Shri Ram Chandra (Mayurbhanj—Reserved—Sch. Tribes).  
 Majithia, Sardar Surjit Singh (Tarn-Taran).  
 Malhotra, Shri Thakur Das (Jammu and Kashmir). \*

## M—contd.

Malaviya, Pandit Govind (Sultanpur).  
 Malaviya, Shri Keshava Deva (Basti).  
 Malliah, Shri U. Srinivasa (Udipi).  
 Malvia, Shri Kanhaiyalal Bherulal (Shajapur—Reserved—Sch. Castes).  
 Malviya, Shri Motilal (Khajuraho). Reserved—Sch. Castes).  
 Manaen, Shri T. (Darjeeling).  
 Manay, Shri Gopal Kaluji (Bombay City Central—Reserved—Scheduled Castes).  
 Mandal, Dr. Pashupati (Bankura—Reserved—Sch. Castes).  
 Mandal, Shri Jailal (Khagaria).  
 Maniyangadan, Shri Mathew (Kottayam).  
 Manjula Debi, Shrimati (Goalpara).  
 Masani, Shri M. R. (Ranchi—East).  
 Masuriya Din, Shri (Phulpur—Reserved—Sch. Castes).  
 Matera, Shri Laxman Mahadu (Thana Reserved—Sch. Tribes).  
 Mathur, Shri Harish Chandra (Pali).  
 Mathur, Shri Mathura Das (Nagaur).  
 Matin, Qazi S. A. (Giridih).  
 Mehdi, Shri Syed Ahmed (Rampur).  
 Mehta, Shri Ashok (Muzaffarpur).  
 Mehta, Shri Balwantray Gopalji (Gohilwad).  
 Mehta, Shri Jaswant Rai (Jodhpur).  
 Mehta, Shrimati Krishna (Jammu and Kashmir).  
 Melkote, Dr. G. S. (Raichur).  
 Menon, Dr. K. B. (Badagara).  
 Menon, Shri V. K. Krishna (Bombay City North).  
 Menon, Shri T. C. Narayananarkutty (Mukundapuram).

## M—contd.

Minimata, Shrimati Agamadas Guru (Baloda Bazar—Reserved—Sch. Castes).  
 Mishra, Shri Bibhuti (Bagaha).  
 Mishra, Shri Lalit Narayan (Saharsa).  
 Mishra, Shri Mathura Prasad (Begusarai).  
 Mishra, Shri Shyam Nandan (Jainagar).  
 Misra, Shri Bhagwan Din (Kaisarganj).  
 Misra, Shri Raghubar Dayal (Bulandshahr).  
 Misra, Shri Raja Ram (Faizabad).  
 Mohammad Akbar, Sheikh (Jammu and Kashmir).  
 Mohan Swaroop, Shri (Pilibhit).  
 Mohideen, Shri M. Gulam (Dindigul).  
 Mohiuddin, Shri Ahmed (Secunderabad).  
 Morarka, Shri Radheshyam Ramkumar (Jhunjhunu).  
 More, Shri Jayawant Ghanshyam (Sholapur).  
 Mukerjee, Shri Hirendra Nath (Calcutta—Central).  
 Mullick, Shri Baishnav Charan (Kendrapara—Reserved—Sch. Castes).  
 Munisamy, Shri N. R. (Vellore).  
 Murmu, Shri Paika (Rajmahal—Reserved—Sch. Tribes).  
 Murthy, Shri B. S. (Kakinada—Reserved—Sch. Castes).  
 Murty, Shri M. S. (Golugonda).  
 Musafir, Giani Gurmukh Singh (Amritsar).  
 Muthukrishnan, Shri M. (Vellore—Reserved—Sch. Castes).

**N**

Nadar, Shri P. Thanulingam (Nagercoil).  
 Naidu, Shri R. Govindarajalu (Tiruvallur).  
 Naidu, Shri T. D. Muthukumara-sami (Cuddalore).  
 Nair, Shri C. Krishnan (Outer Delhi).  
 Nair, Shri K. P. Kuttikrishnan (Kozhikode).  
 Nair, Shri P. K. Vasudevan (Thiruvella).  
 Naldurgkar, Shri Venketrao Shriniwasrao (Osmanabad).  
 Nallakoya, Shri Koyilat (Nominated—Laccadive, Minicoy and Amindive Islands).  
 Nanda, Shri Gulzarilal (Sabarkantha).  
 Nanjappa, Shri C. (Nilgiris).  
 Naraindin, Shri (Shahjahanpur—Reserved—Sch. Castes).  
 Narasimhan, Shri C. R. (Krishnagiri).  
 Narayanasamy, Shri R. (Periyakulam).  
 Naskar, Shri Purnendu Sekhar (Diamond Harbour).  
 Nath Pai, Shri (Rajapur).  
 Nathwani, Shri Narendrabhai P. (Sorath).  
 Nayak, Shri Mohan (Ganjam—Reserved—Sch. Castes).  
 Nayar, Dr. Sushila (Jhansi).  
 Nayar, Shri V. P. (Quilon).  
 Negi, Shri Nek Ram Mahasu—Reserved—Sch. Castes).  
 Nehru, Shri Jawaharlal (Phulpur).  
 Nehru, Shrimati Uma (Sitapur).  
 Neswi, Shri T. R. (Dharwar South).

**O**

Omkar Lal, Shri (Kotah—Reserved—Sch. Castes).  
 Oza, Shri Ghanshyam Lal (Zalawad).

**P**

Padalu, Shri Kankipati Veeranna (Golugonda—Reserved—Sch. Tribes).  
 Padam Dev, Shri (Chamba).  
 Pahadia, Shri Jagan Nath Prasad (Sawai Madhopur—Reserved—Sch. Castes).  
 Palaniyandi, Shri M. (Peramalur).  
 Palchoudhuri, Shrimati Ila (Nabdwip).  
 Pande, Shri C. D. (Naini Tal).  
 Pandey, Shri Kashi Nath (Hata).  
 Pandey, Shri Sarju (Rasra).  
 Pangarkar, Shri Nagorao Karojee (Parbhani).  
 Panigrahi, Shri Chintamani (Puri).  
 Panna Lal, Shri (Faizabad—Reserved—Sch. Castes).  
 Parmar, Shri Deenabandhu (Udaipur—Reserved—Sch. Tribes).  
 Parmar, Shri Karsandas Ukabhai (Ahmedabad—Reserved—Sch. Castes).  
 Parulekar, Shri Shamrao Vishnu (Thana).  
 Parvathi Krishnan, Shrimati M. (Coimbatore).  
 Patel, Shri Nanubhai Nichhabhai (Bulsar—Reserved—Sch. Tribes).  
 Patel, Shri Purushottamdas R. (Mehsana).  
 Patel, Shri Rajeshwar (Hajipur).  
 Patel, Sushri Maniben Vallabhbai (Anand).  
 Patil, Shri Balasaheb (Miraj).  
 Patil, Shri Nana (Satara).  
 Patil, Shri R. D. (Bhir).  
 Patil, Shri S. K. (Bombay City South).

## P—contd.

Patil, Shri Uttamrao Laxman (Dhulia).

Patnaik, Shri Uma Charan (Ganjam).

Pattabhi Raman, Shri C. R. (Kumbakonam).

Pillai, Shri S. C. C. Anthony (Madras North).

Pillai, Shri P. T. Thanu (Tirunelveli).

Pocker Sahib, Shri B. (Banjeri).

Prabhakar, Shri Naval (Outer Delhi—Reserved—Sch. Castes).

Pragi Lal, Shri (Sitapur—Reserved—Sch. Castes).

Prasad, Shri Mahadeo (Gorakhpur—Reserved—Sch. Castes).

Prodhan, Shri Bijaya Chandrasingh (Kalahandi—Reserved—Sch. Tribes)

Punnoose, Shri P. T. (Ambalapuzha).

## R

Radha Mohan Singh, Shri (Ballia).

Radha Raman, Shri (Chandni Chowk).

Raghbir Sahai, Shri (Budaun).

Raghunath Singh, Shri (Varanasi).

Raghunath Singhji, Shri (Barmer).

Raghuramaiah, Shri Kotha (Guntur).

Rahman, Shri M. Hifzur (Amroha).

Rai, Shri Khushwaqt (Kheri).

Raj Bahadur, Shri (Bharatpur).

Rejendra Singh, Shri (Chapra).

Rajiah, Shri Devanapalli (Nalgonda—Reserved—Sch. Castes).

Raju, Shri D. S. (Rajahmundry).

Raju, Shri Vijayarama Gajapathi (Visakhapatnam).

Rajyalaxmi, Shrimati Lalita (Hazaribagh).

Ram Garib, Shri (Basti—Reserved—Sch. Castes).

## R—contd.

Ram Krishan, Shri (Mahendergarh).

Ram Saran, Shri (Moradabad).

Ram Shankar Lal, Shri (Domariaganj).

Ram Subhag Singh, Dr. (Sasaram).

Ramakrishnan, Shri Peelamedu Rangaswamy Naidu (Pollachi).

Raman, Shri Uddaraju (Narasapur).

Ramanand Shastri, Swami (Barabanki—Reserved—Sch. Castes).

Ramananda Tirtha, Swami (Aurangabad).

Ramaswami, Shri S. V. (Salem).

Ramaswamy, Shri K. S. (Gobichettipalayam).

Ramaswamy, Shri Puli (Mahbubnagar—Reserved—Sch. Castes).

Rameshwar Rao, Shri J. (Mahbubnagar).

Rampure, Shri Mahadevappa Y. (Gulbarga).

Ranbir Singh, Ch. (Rohtak).

Rane, Shri Shivram Rango (Buldana).

Ranga, Shri N. G. (Tenali).

Rangarao, Shri M. Sri (Karimnagar).

Rao, Shri B. Rajagopala (Srikakulam).

Rao, Shri Devulapalli Venkateswar (Nalgonda).

Rao, Shri Etikala Madhusudan (Mahbubabad).

Rao, Shri P. Hanmanth (Medak).

Rao, Shri R. Jajannath (Koraput).

Rao, Shri T. B. Vittal (Khammam).

Raut, Shri Bhola (Champaran—Reserved—Sch. Castes).

Raut, Shri Rajaram Balkrishna (Kolaba).

Ray, Shrimati Renuka (Malda).

R—contd.

Reddy, Shri Chegireddy Bali (Maikapur)  
 Reddy, Shri K C (Kolar)  
 Reddy, Shri R Lakshmi Narasa (Nellore)  
 Reddy, Shri R Narapa (Ongole)  
 Reddy, Shri T Nagi (Anantapur).  
 Reddy, Shri K V Ramakrishna (Hindupur)  
 Reddy, Shri T N Vishwanatha (Rajampet)  
 Reddy, Shri Vutukuru Rami (Cuddapah)  
 Roy, Shri Biren (Calcutta—South West)  
 Roy, Shri Bishwanath (Salempur).  
 Rungsung Suisa, Shri (Outer Manipur—Reserved—Sch Castes)  
 Rup Naram, Shri (Mirzapur—Reserved—Sch Castes)

## S

Sadhu Ram, Shri (Jullundur—Reserved—Sch Castes).  
 Sahodrabai, Shrimati (Sagar—Reserved—Sch Castes).  
 Sahu, Shri Bhagabat (Balasore)  
 Sahu, Shri Rameshwar (Darbhanga—Reserved—Sch Castes)  
 Saigal, Sardar Amar Singh (Janjgir)  
 Saksena, Shri Shubban Lal (Maharajganj)  
 Salunke, Shri Balasaheb (Khed)  
 Samanta, Shri Satis Chandra (Tamluk)  
 Samantsinh, Dr N C (Bhubaneswar)  
 Sambandam, Shri K R (Nagapattinam)  
 Sampath, Shri E V K (Namakkal)

S—contd

Sanganna, Shri Toyaka (Koraput—Reserved—Sch Tribes)  
 Sankarapandian, Shri M (Tenkasi).  
 Sardar, Shri Bholi (Saharsa—Reserved—Sch Castes)  
 Sarhadi, Shri Ajit Singh (Ludhiana).  
 Satish Chandra, Shri (Bareilly)  
 Satvabhama Devi, Shrimati (Nawada)  
 Satyanarayana, Shri Biddika (Parvathipuram—Reserved—Sch Tribes).  
 Scindia, Shrimati Vijaya Raje (Guna).  
 Selku, Shri Mardi (West Dinajpur—Reserved—Sch Tribes).  
 Sen, Shri Asoka Kumar (Calcutta—North-West)  
 Sen, Shri Phani Gopal (Purnea).  
 Servai, Shri A Vairavan (Tanjore).  
 Seth, Shri Bishanchandar (Shahjahanpur)  
 Shah, Shri Manabendra (Tehri Garhwal)  
 Shah, Shri Manubhai (Madhya Sausrashtra)  
 Shah, Shrimati Jayaben Vajubhai (Girnar).  
 Shakuntala Devi, Shrimati (Banka)  
 Shankaraiya, Shri M (Mysore)  
 Sharma Pandit Krishna Chandra (Hapur)  
 Sharma, Shri Diwan Chand (Gurdaspur)  
 Sharma, Shri Harish Chandar (Jaipur)  
 Sharma Shri Radha Charan (Gwalior)  
 Shastri Pandit Hiralal (Sawai Madhopur)  
 Shastri, Shri Lal Bahadur (Allahabad)

## S—contd.

Shastri, Shri Prakash Vir (Gurgaon).  
 Shivananjappa, Shri M. K. (Mandy).  
 Shobha Ram, Shri (Alwar).  
 Shukla, Shri Vidya Charan (Baloda Bazar).  
 Siddananjappa, Shri H. (Hassan).  
 Siddiah, Shri S. M. (Mysore—Reserved—Sch. Castes).  
 Singh, Shri Awadesh Kumar (Katihar).  
 Singh, Shri Chandikeshwar Saran (Sarguja).  
 Singh, Shri Digvijiya Narayan (Pupri).  
 Singh, Shri Dinesh Pratap (Gonda).  
 Singh, Shri Har Prasad (Ghazipur).  
 Singh, Shri Kamal Narain (Shahadol—Reserved—Sch. Tribes).  
 Singh, Shri Laisram Achaw (Imphal Manipur).  
 Singh, Shri Mahendra Nath (Maharajganj).  
 Singh, Shri Sinhasan (Gorakhpur).  
 Sinha, Shri Banarsi Prasad (Monghyr).  
 Sinha, Shri Gajendra Prasad (Palamau).  
 Sinha, Shri Kailash Pati (Nalanda).  
 Sinha, Shri Sarangdhar (Patna).  
 Sinha, Shri Satya Narayan (Samastipur).  
 Sinha, Shri Satyendra Narayan (Aurangabad).  
 Sinha, Shrimati Tarkeshwari (Barh).  
 Siva, Dr. M. V. Gangadhara (Chittoor—Reserved—Sch. Castes).  
 Sivaraj, Shri N. (Chingleput—Reserved—Sch. Castes).  
 Snatak, Shri Nardeo (Aligarh—Reserved—Sch. Castes).  
 Somani, Shri G. D<sup>4</sup> (Dausa).

## S—contd.

Sonawane, Shri Tayappa (Sholapur—Reserved—Sch. Castes).  
 Sonule, Shri Harihar Rao (Nanded).  
 Soren, Shri Debi (Dumka—Reserved—Sch. Tribes).  
 Subbarayan, Dr. P. (Tiruchengode).  
 Subramanyam, Shri Tekur (Bellary).  
 Sugandhi, Shri Murigeppa Siddappa (Bijapur North).  
 Sultan, Shrimati Maimoona (Bhopal).  
 Supakar, Shri Shraddhakar (Sambalpur).  
 Sumat Prasad, Shri (Muzaffarnagar).  
 Sunder Lal, Shri (Saharanpur—Reserved—Sch. Castes).  
 Surya Prasad, Shri (Gwalior—Reserved—Sch. Castes).  
 Swami, Shri V. N. (Chanda).  
 Swaran Singh, Sardar (Jullundur).  
 Syed Mahmud, Dr (Gopalganj)

## T

Tahir, Shri Mohammed (Kishanganj).  
 Tangamani, Shri K. T. K. (Madurai).  
 Tantia, Shri Rameshwar (Sikar).  
 Tariq, Shri Ali Mohammad (Jammu and Kashmir).  
 Tewari, Shri Dwarikanath (Cachar).  
 Thakore, Shri Motisinh Bahadur Singh (Patna).  
 Thevar, Shri U. Muthuramalinga (Srivilliputhur).  
 Thimmaiah, Shri Dodda (Kolar—Reserved—Sch. Castes).  
 Thirumal Rao, Shri M. (Kakinada).  
 Thomas, Shri A. M. (Ernakulam).

**T—contd.**

Tiwari, Pandit Babu Lal (Nimar Khandwa)  
 Tiwari, Shri Ram Sahai (Khajuraho)  
 Tiwary, Pandit Dwarka Nath (Kesaria)  
 Tripathi, Shri Vishwambar Dayal (Unnao)  
 Tula Ram, Shri (Etawah—Reserved—Sch Castes)  
 Tyagi, Shri Mahavir (Dehra Dun)

**U**

Uike, Shri M G (Mandla—Reserved—Sch Tribes)  
 Umrao Singh, Shri (Ghosi)  
 Upadhyaya Pandit Munishwar Dutt (Pratapgarh)  
 Upadhyaya, Shri Shiva Datt (Rewa)

**V**

Vajpayee Shri Atal Bihari (Balrampur)  
 Valvi Shri Laxman Vedu (West Khandesh—Reserved—Sch Tribes)  
 Varma, Shri B B (Champaran)  
 Varma Shri Manikya Lal (Udaipur)  
 Varma Shri Ramsingh Bhai (Nimar)

**V—contd.**

Vedakumari, Kumari M (Eluru)  
 Venkat Rao, Shri A R (Jalna)  
 Venkatasubbaiah, Shri Pendekant (Adoni)  
 Verma, Shri Ramji (Deoria)  
 Vijaya Raje, Shrimati (Chatra)  
 Vishwanath Prasad, Shri (Azamgarh—Reserved—Sch Castes)  
 Vyas Shri Ramesh Chandra (Bhilwara)  
 Vyas, Shri Radhelal (Ujjain)

**W**

Wadiwa, Shri Narayan Maniramji (Chhindwara—Reserved—Sch Tribes)  
 Warior, Shri K K (Trichur)  
 Wasnik, Shri Balkrishna (Bhandara—Reserved—Sch Castes)  
 Wilson, Shri John N (Mirzapur)  
 Wodeyar, Shri K G (Shimoga)

**X**

Yadav Shri Ram Sewak (Bara Banki)  
 Yajnik, Shri Indulal Kanaiyalal (Ahmedabad)

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Shri Narendrabhai Nathwani.	Shri B. K. Gaikwad.
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Shri Narendrabhai Nathwani.	Shri Sunder Lal.
Shrimati Ila Palchoudhuri.	Shri S. Easwara Iyer.
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Shri Mulchand Dube.	Shri P K Deo
	Shri B K Gaikwad
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Shri Kanhaiyalal Khadiwala.	Shri U Muthuramalinga Thevar.

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Shri Amjad Ali.

Shri Tekur Subramanyam.

Shri M. R. Masani.

Shri Radhelal Vyas.

Shri Bhaurao Krishnarao Gaikwad.

— — —

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 Deputy Minister of Agriculture.—Shri M. V. Krishnappa.  
 Deputy Minister of Irrigation and Power.—Shri Jaisukhlal Lalshanker Hathia.  
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 Deputy Minister of Planning.—Shri Shyam Nandan Mishra.  
 Deputy Minister of Finance.—Shri B. R. Bhagat.  
 Deputy Minister of Scientific Research and Cultural Affairs.—Dr. Mono Mohan Das.  
 Deputy Minister of Railways.—Shri Shahnawaz Khan.  
 Deputy Minister of Railways.—Shri S. V. Ramaswamy.  
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 Deputy Minister of Defence.—Shri Kotha Raghuramaiah.  
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 Deputy Minister of Food and Agriculture.—Shri A. M. Thomas.  
 Deputy Minister of Rehabilitation.—Shri P. S. Naskar.  
 Deputy Minister of Law.—Shri R. M. Hajarnavis.  
 Deputy Minister of Finance.—Shrimati Tarkeshwari Sinha.

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 Parliamentary Secretary to the Minister of Information and Broadcasting.—Shri G. Rajagopalan.  
 Parliamentary Secretary to the Minister of Labour and Employment and Planning.—Shri Lalit Narayan Mishra.  
 Parliamentary Secretary to the Minister of Defence.—Shri Fatesinhrao Pratapsinhrao Gaekwad.  
 Parliamentary Secretary to the Minister of Information and Broadcasting.—Shri A. C. Joshi.  
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 Parliamentary Secretary to the Minister of Steel, Mines and Fuel.—Shri Gajendra Prasad Sinha.

# LOK SABHA DEBATES

Vol. XXII ]

First Day of the Sixth Session of  
Second Lok Sabha

[ No. 1

1

2

## LOK SABHA

Monday, 17th November, 1958.

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER in the Chair]

## ORAL ANSWERS TO QUESTIONS Delegation to East European Countries

+  
\*1. { Shri V. C. Shukla:  
      Shri D. C. Sharma:  
      Shri Bahadur Singh:  
      Shri Damani:  
      Shri Vajpayee:

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

(a) the result of the survey conducted by the delegation comprising representatives of the Tea, Jute and Coir Industries and the State Trading Corporation which recently visited the East European countries to survey the export markets there;

(b) whether the delegation has submitted its report to Government;

(c) if so, what are its salient features; and

(d) the action Government propose to take to implement the recommendations of the delegation?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) to (d). The delegation submitted its report soon after return to India in August, 1958. A statement detail-

ing the salient features of the Report and the action taken or proposed to be taken is laid on the Table of the House. [See Appendix I, annexure No. 1].

Shri V. C. Shukla: From the statement it appears that an agreement has already been reached with East Germany regarding this trade. May I know if any arrangements have been made for the swing balance and cash credit in rupee accounts for this particular trade agreement and what are the salient features of this arrangement?

Shri Satish Chandra: The Director-General of Foreign Trade who had gone to negotiate these agreements is still abroad. He has now gone to other countries, and whatever information we have received in that connection has been released through a press note.

Shri V. C. Shukla: It is seen from the statement that before any such trade agreement can be entered into, the rupee accounts will have to be made flexible, and for making them flexible they will have to make cash credit arrangement and this swing balances arrangement. I want to know whether these arrangements have been made before reaching the agreement or they will be made afterwards?

Shri Satish Chandra: They will form part of the agreement. The Director-General of Foreign Trade has gone from India with suggestions about swing balances, and according to information which is available up till now there have been talks about it and I think some arrangement has been made in that regard. We shall be able to furnish the details shortly.

**Shri D. C. Sharma:** It is seen from the statement that the activities of the State Trading Corporation will be extended. May I know if any tentative decision has been taken as to how much of this trade will be carried by the State Trading Corporation and how much by private trade?

**Shri Satish Chandra:** The recommendation is that the State Trading Corporation should be made more useful to the customer and this matter should be studied in greater detail. It does not say exactly what the hon. Member is saying referring to.

**Shri Bahadur Singh:** From the statement I find that we do not have Commercial Representatives in Poland, Yugoslavia, Bulgaria and Hungary. May I know the reason for not sending any Commercial Representatives so far to these countries?

**Shri Satish Chandra:** The hon Member will find from the statement that a Trade Representative has already been appointed to Poland; he has taken over his duties at Warsaw. Another is being posted to Belgrade shortly.

**Shri Vajpayee:** The statement says that some countries have shown their interest in the non-traditional items provided rupee funds are available. May I know if there is any likelihood of rupee funds being available in those countries?

**Shri Satish Chandra:** All these negotiations are being conducted with a view to making rupee funds available in India. But that is possible only by our importing commodities from these countries, the negotiations which are now taking place are based on the principle of balanced payments and almost equal imports and exports.

**Shri Panigrahi:** The statement reveals that there is a great demand for iron and manganese ores in East European countries. In view of the closure of large number of iron and manganese ore mines in this country

may I know whether we are exploring the possibilities of exporting these iron and manganese ores?

**Shri Satish Chandra:** We are already exporting iron and manganese ores to some of these countries. If it is possible to export more and there is greater demand there, we shall certainly look into it provided the exports are not a mere diversion of trade and we are able to do so in addition to what we are already exporting to other countries.

**Shri B. K. Gaikwad:** May I know the personnel of the delegation and how much Government has spent on their tour?

**Shri Satish Chandra:** The delegation consisted of four representatives of tea industry, two representatives of the jute industry, one representative of the coir industry and a representative of the State Trading Corporation; and I went along with this delegation. The figures of the actual expenditure are not available just now, but total figure is less than a lakh.

**Shri V. C. Shukla:** The statement says that Government is examining the role and the possibilities of increasing the usefulness of the State Trading Corporation to the customers—the role and the usefulness. May I know in which direction Government is examining it?

**Shri Satish Chandra:** Many things were suggested to us, for instance, that the State Trading Corporation as an exporter should take responsibility for the quality of the goods and for their inspection and so on. That is normally being done by the agents of the S.T.C. at present. We shall look into these matters in detail in due course of time.

#### Indian Toys

**Shri A. M. Tariq:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether there is any demand for Indian toys in foreign countries;

(b) if so, what types are in demand and in what countries; and

(c) whether Government is taking any steps to encourage the toy industry in the country and to centralise the marketing of toys?

**The Minister of Industry (Shri Manubhai Shah):** (a) to (c). A statement is laid on the Table of the House.

#### STATEMENT

(a) Yes Sir.

(b) Inquiries for educational, metal, wooden and other toys have been received from U.S.A., Canada, Saudi Arabia, Aden, Bahrein Islands and Switzerland.

(c) Government and the All India Handicrafts Board have taken various steps to develop the production marketing etc. of toys by granting financial assistance to State Governments, imparting of training to artisans, and establishment of research and design centres. Exhibitions and other media of publicity for marketing are organised by the Central Government. State Governments have been advised to sell such goods produced all over India through their main emporia.

**सेठ अब्दुल सिंह :** क्या मंत्री जी यह बताने की तृप्ति करेंगे कि १९५८ नमांडा में हिन्दुस्तान के विनांना की नमांडा लगाई गई है या नहीं ?

**श्री मनुभाई शाह :** जाना प्रोग्राम्स दस्ट्रीज की एग्रिजर्सन नगार्यी गयी है वहां थोड़े से बिलोने जरूर रखे गये हैं लेकिन उन का अलग से कोई स्टाल नहीं बनाया गया है।

**Pandit D. N. Tiwary:** What is the amount of exports of these things to the foreign countries?

**Shri Manubhai Shah:** Our exports are of the tune of fifteen to twenty lakhs a year as far as the separate figures for toys is concerned.

**Shri Subbiah Ambalam:** May I know if there are any Japanese experts in toy making who are giving training to our people in the country and, if so, what is the nature of the training and the names of the places at which it is given?

**Shri Manubhai Shah:** We have invited four experts. Most of their term is over and they have gone; we have taken considerable advantage of their expertise in improving our toys. Actually, at the present moment, to Gauhati in Assam four experts have again gone for cane and bamboo and they will also give training to make toys also there.

**श्री अ० म० तारिकः** मैं यह जानना चाहता हूँ कि क्या द्रुकूमत ने पेशेनजर कोई ऐसी स्कीम है कि जिम के तहत हिन्दुस्तान की मुस्तलिफ रियामतों में बिलोने बनाने के जो कारबाने हैं उन का एक मरकज में जमा करके वर्षीय 'माने पर बिलोने बना' का काम किया जाये ?

**श्री मनुभाई शाह :** ऐसी स्कीम तो जरूर है और ११ प्राइवेट कम ट्रेनिंग सेटर हिन्दुस्तान व अलग अलग राजौं में मीट्रूड है और डीक्राप्ट बोर्ड उन को और बढ़ाने की कोशिश कर रहा है। जहा तक इस को एक मरकज व नीचे लाने का मताल है, बोर्ड खुद ही मरकज का काम करता है और जैसा मैं न स्टेटमेंट में बताया है हर राज्य को परामर्श दिया गया है कि वह अपने एम्पारिया तरा न चीजों को खुद तरकी ।

**Shri Tangamani:** May I know how much financial assistance has been given to the State Governments for this current period by the Handicrafts Board?

**Shri Manubhai Shah:** Rs. 2,76,558 last year.

## Indo-Pakistan Copyright Agreement

\*3. **Shri D. C. Sharma:** Will the Prime Minister be pleased to refer to the reply given to Starred Question No. 623 on the 27th August, 1958 and state the progress made in regard to the signing of agreement between the Governments of India and Pakistan to protect the copyrights of authors, poets, composers and film-producers?

**The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan):** Pakistan Government's reply is still awaited.

**Shri D. C. Sharma:** May I know if the Government had received any representations from authors, poets and film producers that the copyright had been infringed in Pakistan and if so, has the Government done anything to protect their copyrights.

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** Complaints were, if I may say so, made on both sides, in India and Pakistan about the infringement of copyright. Originally, it was the Pakistan Government that addressed us on the subject that we might have an agreement. Thereafter we said we would agree but we waited for the passage of the Indian Copyright Act by Parliament. As soon as that was passed, we wrote to the Pakistan Government on the subject and we have had no proper reply yet to that communication.

**Shri Ansar Harvani:** May I know if the Government is aware that the works of Maulana Abul Kalam Azad which are going to be published by the Sahitya Akademi had already been published freely in Pakistan.

**Shri Jawaharlal Nehru:** I believe it has been published.

**Shri Sree Narayan Das:** May I know whether Pakistan is a party to the international convention regarding this subject?

**Shri Jawaharlal Nehru:** I am not aware of it.

## Dandakaranya Scheme for Displaced Persons from East Pakistan.

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**Shri Barman:**  
**Shri D. C. Sharma:**  
**Shri Subodh Hansda:**  
**Shri S. C. Samanta:**  
**Shri S. M. Banerjee:**  
**Shri Tridib Kumar Chaudhuri:**  
**Shri Bimal Ghose:**  
**Shri Panigrahi:**  
**Shri Halder:**  
**Shri P. K. Deo:**  
**Shri B. C. Prodhan:**  
**Shri V. C. Shukla:**

Will the Minister of Rehabilitation and Minority Affairs be pleased to refer to the replies given to Starred Question No. 219 on the 19th August, 1958 and to Unstarred Question No. 1482 on the 4th September, 1958 and state:

(a) the progress made in the setting up of the Dandakaranya Development Authority for the administration of the Dandakaranya Scheme;

(b) the progress made in the reclamation work under the Scheme;

(c) the number of displaced persons now living in transit camps who have expressed their willingness to be rehabilitated in Dandakaranya area;

(d) the arrangements made for their rehabilitation in the Dandakaranya area; and

(e) the number so far rehabilitated under the Scheme?

**The Deputy Minister of Rehabilitation (Shri P. S. Naskar):** (a) The Dandakaranya Development Authority has since been set up.

(b) The first village of Pharsagon has been constructed and about 200/300 acres have been reclaimed. Movement of other reclamation units from various places to Dandakaranya is due to start soon.

(c) The number is not yet known but a number of applications have already been received.

(d) Plans have been drawn up for the employment and resettlement of 20,000/30,000 families of displaced persons. Necessary arrangements are being made.

(e) Nil.

**Shri Barman:** May I know what steps, if any, have been taken to convince the camp refugees about the advantages of the Dandakaranya scheme so that any amount of anti-propaganda against that scheme may not have any effect on them?

**Shri P. S. Naskar:** We have recently circulated a detailed brochure on the scheme in Bengali and English and we also convened a meeting of the camp superintendents in West Bengal and explained to them what the scheme is and what facilities, etc. the refugees will receive there. We have requested the camp superintendents to go to their respective camps and tell these things to the displaced persons. We are also in the process of setting up a publicity centre in Calcutta.

**Shri Barman:** Sometime back it was proposed that actually the camp refugees along with their neighbours might be moved to the reclamation site so that they might do the reclamation operations so that they might get acquainted with the terrain etc. of the area and if they agreed, they would be given facilities. Have they now moved to these places?

**Shri P. S. Naskar:** Recently in Calcutta, the Minister of Rehabilitation met the leaders of all political parties and told them that they would be taken to Dandakaranya sometime in December and shown these areas. At that time we expected the movements of the displaced persons would be made by the end of this year or early in January.

**Shri S. C. Samanta:** Is it a fact that a few thousand displaced persons were

sent to Dandakaranya but they were refused and so they had to come back?

**Shri P. S. Naskar:** No movement has yet been made.

**Shri Jaipal Singh:** In view of the fact that there has been a general resistance, emotional and otherwise, on the part of the refugees from East Pakistan for rehabilitation in the Dandakaranya area, may I know whether the Government fixes any time limit beyond which they will not consider this problem in favour of the refugees but would endeavour to rehabilitate the tribal people who have been displaced not only in that area but in other areas also?

**Shri P. S. Naskar:** Last July, a decision has been taken to wind up the camps in West Bengal and take about 20-30 thousand families to Dandakaranya and provide them employment with the ultimate objective of rehabilitation and about 10,000 families will be rehabilitated in West Bengal according to the West Bengal Government.

**Shri Jaipal Singh:** He has not answered the question.

**Mr. Speaker:** That is a suggestion for action which the hon. Minister cannot be expected to answer straightaway. He will consider this suggestion for action to fix a date and to shift the tribal people to these areas after that date.

**Shri P. S. Naskar:** The decision is to wind up all the camps in West Bengal by the 31st of July, 1959.

**Shri Tridib Kumar Chaudhuri:** The hon. Minister has said that a number of applications had been received. May I know the exact number of applications received by them and the number of camps from which they have got a willing response?

**Shri P. S. Naskar:** I am not in a position to say the exact number of applications received but they are not restricted to camps; there are applications from people outside the camps.

**Shri S. M. Banerjee:** Is it a fact that the West Bengal Government had decided to rehabilitate about 20,000 displaced persons in West Bengal itself?

**Shri P. S. Naskar:** In the meeting in July, the State Government has said that there is a possibility of settling about 10,000 displaced persons' families in West Bengal from the camps.

**Shri Bimal Ghose:** May I know if the West Bengal Government had again reviewed that decision and is in a position now to say that more displaced persons' families could be settled and whether before these displaced persons are at all taken to Dandakaranya, their representatives will be taken first and shown as to how things have been developed there?

**Shri P. S. Naskar:** The State Government first said that it could not rehabilitate more than 10,000 families from the camps in West Bengal according to the statement of Dr. Roy, the Chief Minister of West Bengal. About taking the representatives of the displaced persons to the Dandakaranya, as I said earlier, the leaders from the assembly parties will be taken to Dandakaranya and shown the places where the displaced persons will be taken.

**Shri Bimal Ghose:** That was not my question.

**Sardar Hukam Singh:** In case the displaced persons from East Pakistan do not come forward in sufficiently large numbers to settle in Dandakaranya is any proposal being considered by the Government to allow the displaced persons from West Pakistan to settle there—persons whose lands are uneconomical or whose lands have become water-logged?

**Shri P. S. Naskar:** It is a matter of priorities. Last time this question was put in a refined way and the hon. Prime Minister answered that these things should be considered at the appropriate time.

**Shri P. K. Deo:** Many members of the Scheduled tribes are being displaced by the stoppage of *jhumiing* cultivation or shifting cultivation on the hill slopes. Will the Government rehabilitate these displaced people in these areas?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** *Jhumi* cultivation is giving rise to terrace cultivation. Therefore, should they be rehabilitated somewhere? I do not understand this question. It is for their improvement and for better cultivation that this change is being made and they will be much better rehabilitated where they are.

**Shri P. K. Deo:** Is there any scheme for terrace cultivation in these areas?

**Mr. Speaker:** We are going away from one to the other—from rehabilitation to terrace cultivation. Shrimati Renu Chakravarty.

**Shrimati Renu Chakravarty:** May I know whether the large numbers of old women and old men who are at the moment in the permanent liability camps are also going to be sent to Dandakaranya and whether their rehabilitation will also be considered finished on the 31st July?

**Shri Jawaharlal Nehru:** Old women of both sexes, will be especially provided for.

**Shri Muhammed Elias:** May I know whether Government is considering the proposals put forward by the Opposition parties to rehabilitate the rest of the displaced persons in West Bengal itself instead of sending them to Dandakaranya?

**Shri P. S. Naskar:** Recently proposals were put forward by the Opposition parties to the State Government and Dr. Roy, Chief Minister, has issued a fresh statement giving the details and the possibilities of resettling the displaced persons in West Bengal. I hope the hon. Member has read that statement.

**Dr. R. Banerji:** As a result of settling displaced persons in West Bengal many West Bengal persons are getting displaced. Will the Government of India give priority for the rehabilitation of those West Bengal people who are getting displaced as a result of large number of displaced persons being settled there?

**Wage Committee for Working Journalists**

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**Shri Ram Krishan:**  
**Shri D. C. Sharma:**  
**Shri S. M. Banerjee:**  
**\*5. Shri Bhakt Darshan:**  
**Shri Naval Prabhakar:**  
**Shri Aurobindo Ghosal:**

Will the Minister of Labour and Employment be pleased to refer to the reply given to Starred Question No. 125 on the 14th August, 1958 and state:

(a) whether the Special Committee set up for making recommendations to the Central Government in regard to the rates of wages to be fixed for working journalists has since submitted its report; and

(b) if so, the details thereof?

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

(b) Does not arise.

**Shri Ram Krishan:** May I know whether any meeting of this Committee has been held so far?

**Shri Abid Ali:** The Committee has met in Bombay and Madras; it will now be sitting in Calcutta.

**Shri Ram Krishan:** In view of the fact that this Committee will take a long time to submit its report, may I know whether Government propose to suggest payment of any interim relief to the working journalists?

**Shri Abid Ali:** We expect to receive the report of this Committee by the end of this year.

**श्री भावत बर्हान :** शुक्र में यह मालूम पड़ा कि समाचारपत्रों के मालिक इस नई कमेटी की नियुक्ति से असंतुष्ट हैं। मैं जानना चाहता 'कि क्या अब 'स का' में पूरा सहयोग दे रहे ' या कोई अड़चने ठाल रहे हैं ?

**श्री अबिद अली :** पूरा सहयोग दे रहे

**Shri S. M. Banerjee:** May I know whether this Committee will also consider the capacity of the newspaper rulers to pay before finalising its report?

**Shri Abid Ali:** Yes, Sir.

**Shri D. C. Sharma:** May I know how many States are still to be visited by this Committee and whether, wherever the Committee goes, it takes note of the fact that notices are being served on a number of employees and that newspaper proprietors are giving notices of the closure of their papers?

**Shri Abid Ali:** As I have already stated, the Committee has visited Bombay and Madras and it will now be sitting in Calcutta. With regard to the latter part of the question, some complaints have been received and these were forwarded to the State Governments concerned—of course, as far as the notices of closure of Madras papers are concerned, they have been already withdrawn.

**Shri S. M. Banerjee:** The hon. Minister just now stated that this Committee will also consider the capacity to pay. This was one of the reasons why the Supreme Court gave a judgment and the entire award was scrapped. May I know why this matter is being again considered by this Committee when the capacity is already known to Government?

**Shri Abid Ali:** It was very necessary for the Committee to go into all the details. Also, as it was previously stated, about 20 income-tax officers were appointed to examine the

accounts and their opinion will be taken into consideration by the Committee.

**Shri Tangamani:** The Supreme Court has also stated that the employers were not willing to come forward and help the Government with the materials available with them. May I know whether they are helping this Committee or they are adopting the same old obstructive tactics?

**Shri Abid Ali:** Newspaper establishments including representatives from two associations of newspapers and news agencies have all submitted written statements—81 from establishments and 3 from news agencies. Therefore, it is clear that they are co-operating with the Committee.

**Shri Assar:** Are Government aware of the fact that the undue delay caused in the submission of the report by the Committee is creating unrest among the working journalists?

**Shri Abid Ali:** We will be receiving the Committee's report within a couple of months. The working journalists are satisfied with the speed with which the Committee is working.

**श्री भक्त दर्शन याननीय मंत्री जी** ने प्रारम्भ में बताया था कि कमेटी को प्रधिक से भर्त की दीन महीने का समय दिया जायेगा। म जानना चाहता हूँ कि ' कोन सी तात्त्व अद्वयने पढ़ी है जिन की वजह से तभी देर जग रही है ?

**श्री आविद अली :** मैंने घर्ज किया है कि करीब ८०० स्टेटमें्स एम्प्लायर्स की तरफ से आये हैं और एम्प्लाइज की तरफ से भी आये हैं। सब मिला कर कोल १५० रिटन स्टेटमें्स मिले हैं। उन के हिमाल की जांच पढ़तान की भी बहुत ज़रूरत थी। इस के बाद शाहदते की गई और कमेटी उन अकामान पर जा रही है जिन का मैंने जिक किया है : ' नाम न कहा है बकिंग अनिलिस्ट्स को पूरे तरां से एन्मीमान है कि यह कमेटी काफी फुर्म से काम कर रही है ।

**Shri Achar:** The hon. Minister stated that the Committee has visited Madras and Bombay and it will be meeting now in Calcutta. Is the Committee visiting at least one important centre in each State?

**Shri Abid Ali:** They have gone to Bombay and covered the western region. They have covered the southern region by going to Madras. They are now in Calcutta and they will also be sitting in Delhi, thereby covering all the regions.

**Hindustan Cables (Private) Ltd.**

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\*6. { **Shri S. C. Samanta:**  
**Shri Barman:**  
**Shri Subodh Hansda:**

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

(a) whether the target of 1000 miles of cables to be manufactured by the Hindustan Cables (Private) Ltd. at Rupnarainpur annually has been achieved;

(b) how the indigenous materials compare with imported ones; and

(c) the annual requirement of steel tape and copper wire?

**The Minister of Industry (Shri Manubhai Shah):** (a) Originally the target fixed was 469 miles of different sizes of cables. However, we have now reached a capacity of 1000 miles which can be manufactured, according to the requirements of the Posts & Telegraphs Department.

(b) The quality of indigenous cables compares quite favourably with that of imported ones.

(c) For each mile of cables, one ton each of steel tape and copper wire is required.

**Shri S. C. Samanta:** May I know how much of the manufactured cable is consumed by the Postal Department and how much by other departments of the Government? May I

also know whether they are available to private parties also?

**Shri Manubhai Shah:** This is exclusively for the requirements of the Posts and Telegraphs Department, but we are now thinking of diversified production so as to cater for the export market.

**Shri S. C. Samanta:** Is it not a fact that steel tape is being tried by one factory to be manufactured in India; if so, may I know what help is being given by Government to it?

**Shri Manubhai Shah:** This is a raw material of this factory. We are giving all help to it. Practically, the steel tape manufactured by this factory has been found very satisfactory, and we are trying to expand the indigenous production.

**Shri Barman:** May I know what types of cables are not being manufactured in Hindustan Cables at present and the foreign exchange involved? May I know if there will be any project to produce these cables in India?

**Shri Manubhai Shah:** There is a very wide requirement of cables, what is called the PVC and VIR cables which are required by the ordinary electrical industry. There is a capacity of 260 million yards, which is wholly indigenously manufactured by private industry in this country. This particular factory was established in order to meet the heavy cables and co-axial cables requirements of the Posts and Telegraphs Department. We are trying to cover the entire requirements of the country. In about six months we hope to have the co-axial cables required by the Posts and Telegraphs Department also produced in this country.

**Shri Ajit Singh Sarhadi:** May I know if there is any possibility of export of this item from this country; if so, when?

**Shri Manubhai Shah:** I have already said that we are exploring the possibilities of export. We hope that the

quality and price will be somewhat competitive and we might succeed in that direction.

**Shri Bose:** May I know whether we are able to meet the annual requirements of the Posts and Telegraphs Department, or there is still some imports to be made?

**Shri Manubhai Shah:** Cables worth about Rs. 1,10,00,000 is the current year's production. The cables that the Rupnarain Factory is able to manufacture are not allowed to be imported. There are certain heavy co-axial types which are allowed to be imported and their cost varies from Rs. 45 lakhs to Rs. 50 lakhs. We want to cover that requirement also.

**Shri Bimal Ghose:** I presume that the Posts and Telegraphs Department are not consuming up to the entire capacity of the factory. Have the Government, therefore, found out what are the possibilities of export in actual quantities to other markets?

**Shri Manubhai Shah:** I have already answered that question. The factory was originally designed for the requirements of the Posts and Telegraphs Department. We are now trying to diversify production, cover the entire ranges and also explore the possibilities of export market.

#### Building for Rubber Institute and Boards Office

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7. { **Shri Subodh Hansda:**  
**Shri S. C. Samanta:**

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

(a) whether the scheme for construction of the combined building of Rubber Research Institute and Board Office has been taken up by the Central Public Works Department;

(b) if so, whether its construction has since started; and

(c) if so, the progress made up-to-date?

**The Minister of Commerce (Shri Kanungo):** (a) Yes, Sir.

(b) and (c). The construction is expected to commence shortly.

**Shri Subodh Hansda:** May I know whether the construction of the building will be done under the direct supervision of the C.P.W.D. or whether it will be given to the private contractors?

**Shri Kanungo:** It will be done by the C.P.W.D. and tenders will be invited for construction.

**Shri Subodh Hansda:** What is the total amount set apart for the construction of this building?

**Shri Kanungo:** It is a little more than Rs. 9 lakhs.

**Shri Subodh Hansda:** May I know where the building will be located?

**Shri Kanungo:** Kottayam.

**Shri S. C. Samanta:** May I know how the cost of the construction will be shared by the different departments of Government?

**Shri Kanungo:** There is no question of sharing. The building would be constructed under the supervision of the C.P.W.D. and the C.P.W.D. will receive their usual supervision cost and the total cost of the building will be met by the Rubber Board.

#### Partition Committee

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\*8. { **Shri Bahadur Singh:**  
**Shri D. C. Sharma:**  
**Shri Ram Krishan:**

Will the Prime Minister be pleased to state:

(a) whether any meeting of the Partition Committee of the West Pakistan and Punjab Governments was held at Simla during the month of October, 1958;

(b) the matters taken up for decision in that meeting;

(c) whether the whole agenda was exhausted or some matters were left for further discussion; and

(d) the matters regarding which some decisions have been reached?

**The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan):** (a) to (c). Yes Sir. The meeting of the Punjab Partition Committee considered certain financial and other matters arising out of partition of undivided Punjab and the whole agenda was discussed.

(d) The items on which agreement was reached relate to (i) assets of Police Department of the undivided Punjab; (ii) Division of Lahore Museum exhibits; (iii) financial adjustments about certain buildings; and (iv) grant of pension and or gratuity to Government servants who were injured or to the dependents of those who were killed in the 1947 communal disturbances.

**Shri Bahadur Singh:** May I know the total share, in Punjab, in the undivided property that was left at the time of partition and which Pakistan owes to India?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** What undivided property? Is the hon. Member referring to public properties or private properties?

**Shri Bahadur Singh:** The properties at the time of partition in Pakistan.

**Mr. Speaker:** What property? Government property?

**Shri Bahadur Singh:** Yes.

**Shri Jawaharlal Nehru:** Broadly speaking, the approach was that Government properties in a particular area went to that area. There is no question of dividing them.

**Shri Ajit Singh Sarhadi:** Were the Public Library in Lahore and the old Record Office taken into consideration?

**Shri Jawaharlal Nehru:** I do not know specifically about that, but, as I said, the broad approach was that whatever public building or property existed in the particular area appertained to the Government of that area; to that State it is quite impossible—the hon. Members may realise—to do that, sitting down and making an appraisal of all the properties of India and all the properties in Pakistan and then share them. It applies to both sides.

**Shri Ajit Singh Sarhadi:** It is not the question of all properties. Was the Public Library, which contained valuable books, taken into consideration?

**Mr. Speaker:** He said he does not remember. Will the hon. Minister be able to say what happened in regard to the Public Library?

**Shri Jawaharlal Nehru:** Public library in Lahore?

**Shri Ajit Singh Sarhadi:** Yes.

**Shri Jawaharlal Nehru:** We do stand on the same footing. I cannot precisely answer, but here, the answer read out just now by my colleague says, among the things in which agreement was reached, the division of Lahore Museum exhibits is one of the items.

**Shri Ajit Singh Sarhadi:** Were the Lahore Museum and the Public Library taken into consideration for the purpose of partition?

**The Minister of Steel, Mines and Fuel (Sardar Swaran Singh):** May I give that information, Sir, because I was connected with the partition matters at that time. The real position taken up with regard to the Public Library was that it was not Government asset, and therefore, as

such, it was not liable to partition according to the principles that had been agreed upon, because there was a non-Government organisation which had been set up to manage and look after the Library.

**Contribution to Employees' Provident Fund**

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11. *Shri T. B. Vittal Rao:*  
*Shri Ram Krishan:*

Will the Minister of Labour and Employment be pleased to refer to the reply given to Starred Question No 115 on the 14th August, 1958 and state:

(a) when the decision regarding the enhancement of the rate of contribution to Employees' Provident Fund from 6½ to 8½ per cent will be enforced;

(b) whether the enhancement for those coming under Coal Mines Provident Fund Scheme has been considered by the Sixth Session of Industrial Committee on Coal Mines; and

(c) if so, the nature of decision arrived at?

**The Parliamentary Secretary to the Minister of Labour and Employment and Planning (Shri L. N. Mishra):** (a) The proposal to increase the rate of contribution has not yet been finalised. Therefore, the question of its enforcement does not arise at present.

(b) The Sixth Session of the Committee has not yet been held

(c) Does not arise.

**Shri T. B. Vittal Rao:** Three months ago, the Minister stated that he would be convening a conference of the employers. May I know if that conference of the employers has been convened to discuss this issue and, if so, whether any decision has been arrived at?

**The Minister of Labour and Employment and Planning (Shri Nanda):** I said that the employers would have to be consulted, of course, but also I indicated that I had no intention at the moment of taking any step in that direction in view of the conditions then prevailing.

**Shri Ram Krishan:** May I know the additional expenditure to be met if this rate of provident fund is increased?

**Shri L. N. Mishra:** At present the total contribution comes to Rs. 29.64 crores, and as a result of this proposed increased, it will be Rs. 9.88 crores additional.

**Shri T. B. Vittal Rao:** The hon. Minister stated in reply to a supplementary question in August last as follows:

"We are soon going to have a conference with them to consider this matter."

Now, he says he has not convened and is not going to take any step in that direction.

**Shri Nanda:** I am going to take steps in that direction. A conference will be held. I only pointed out that at that time I had indicated that I did not intend to take any step immediately to induce the employers. I may state for the information of the hon. Member that I am thinking now of convening such a conference soon, say, in the course of the next two months or so.

**Shri Tangamani:** In view of the fact that both the Government and the employees agreed for this enhancement at the XVI Labour Conference, may I know whether it was considered at the Labour Committee meeting which was held in Bombay and, if not, why it was not discussed?

**Shri Nanda:** This was not one of the items on the agenda of that meeting. Of course, the Government

and the employees are important participants in these deliberations, but the employers also have to be considered. At that time I stated that the situation was not very favourable to any such consideration, but, as I have now stated, we will take steps very soon to have the employers together and consult them and consider this matter.

**Shri Muhammed Elias:** What is the reason for not convening the meeting of the 6th session of the Industrial Committee on Coal though the last meeting was held more than two years ago?

**Shri Nanda:** If the hon. Member has, in this connection, the question of provident fund in his mind, then the answer is that this general decision will also govern the deliberations regarding this specific field of industry.

**Shri T. B. Vittal Rao:** May I know why this is not imposed at least in those industries where the production, price and other things are regulated?

**Shri Nanda:** That, of course, should be done.

**Shri P. C. Bose:** The hon. Minister stated that due to the situation then prevailing, he did not take any action to enhance the rate of the provident fund. May I know if the situation has changed now and whether he will take steps?

**Shri Nanda:** I have given the answer in the affirmative.

**Shri S. M. Banerjee:** In reply to a supplementary question, the hon. Minister mentioned that the employers have raised some objection for this increase. May I know what positive steps are being taken to implement the scheme in the industrial units where the employers have agreed to enhance the rate?

**Shri Nanda:** It cannot be done easily in this way.

**Shri S. M. Banerjee:** I meant either in the textile industry or any other industry. Which are the industries in which this has been done?

**Shri Nanda:** The first thing is to decide on the increase in the rate. That decision will be taken soon.

### Export of Salt

**\*12. Shri Kodiyan:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether the export of salt has registered a decline in recent years;

(b) if so, the reasons therefor; and

(c) what steps Government propose to take to step up export?

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

(b) Japan has been our main export market for salt, and the decline in exports of salt to that country during the current year is due to the fact that Japan has reduced her imports from India partly because she is obtaining larger quantities from other sources and partly because of their reported foreign exchange difficulties. Another reason for the fall in exports is that Indonesia which imported salt from India during 1956 and 1957, due to fall in production of salt in that country, has not imported any salt during this year.

(c) The question of increasing our export is constantly under attention of the Salt Commissioner, the Export Promotion Directorate, the State Trading Corporation and our Embassies in Japan and in other countries.

**Shri Kodiyan:** What is the total quantity of salt that will be available for export and may I know whether any target has been fixed for the export?

**Shri Manubhai Shah:** We can easily spare over 5 lakh tons a year or more

because the indigenous industry is fast expanding.

**Shri Kodiyan:** May I know whether the production of salt has registered any progress in recent years?

**Shri Manubhai Shah:** Yes, Sir. From 2.1 million tons in 1948 the current production is about 4.5 million tons.

**Shri Panigrahi:** In view of the decline in exports to Indonesia and Japan, may I know whether the Government of India is proposing to explore any other market for exporting our exportable surplus?

**Shri Manubhai Shah:** Our efforts are directed to that end. At one stage, when India became independent, we were importing a huge quantity of salt from outside. Now not only the industry has made the country self-sufficient, but over half a million tons or even more than that is available for export purposes. Though our efforts are directed towards more exports, but we should not lose sight of the fact that other countries also are trying to develop their salt industry.

**Shri V. C. Shukla:** The hon. Minister said that our export to Japan has declined, because Japan has been getting salt from other countries. May I know if the Government have made any enquiry why the Japanese businessmen have diverted their purchases from Indian sources to other sources?

**Shri Manubhai Shah:** As the House is aware, China is emerging as a competitor in several spheres, including salt. As I had already indicated in my main answer, so far as Japan is concerned, they are diverting some of their buying from China. So far as Indonesia is concerned, they have been buying salt from us for two years, because their salt industry has sagged. That has been already put upon more accelerated production and so the export to that country has gone down. Yet, we are exploring all

possibilities and currently we are engaged in a discussion with Japanese industry, particularly chemical industry for a bilateral exchange of salt for certain chemicals which we are importing from that country.

**Shri Panigrahi:** My question was, in view of our losing markets in Indonesia and Japan, whether the Government of India are exploring any other market for the export of our salt.

**Shri Manubhai Shah:** Yes, Sir; precisely. All over the world we are trying wherever salt is being sold, particularly in the East European Countries.

#### Industrial Schemes for Displaced Persons from East Pakistan

**\*13. Shri Tridib Kumar Chaudhuri:** Will the Minister of Rehabilitation and Minority Affairs be pleased to lay a statement showing:

(a) the progress in regard to the implementation of industrial schemes for providing employment to displaced persons from East Pakistan and particularly of the schemes for which loans have already been sanctioned by the Union Ministry of Rehabilitation (with the number of displaced persons employed in each); and

(b) the loans sanctioned and drawn under each of these schemes?

**The Deputy Minister of Rehabilitation (Shri P. S. Naskar):** (a) and (b). A copy of a detailed note which was issued by this Ministry on the 7th November, 1958 is laid on the Table of the Sabha. [See Appendix I, annexure No. 2].

**Shri Tridib Kumar Chaudhuri:** In explaining why the employment of displaced persons in the industrial schemes for which loans have been sanctioned has not been up to expectation, the statement says that in the initial stages, employment cannot be up to the limit of the full potential.

May I draw the hon. Minister's attention to item 5 in annexure A of the statement where a mill which is running has drawn nearly the whole of the loan sanctioned to it, but out of 500 persons who should be employed in the mill, only 99 persons have been employed and the mill is running. Has any complaint been received by the Government that these industrialists and parties to whom loans have been sanctioned are deliberately avoiding employing displaced persons?

**Shri P. S. Naskar:** We have not received any such complaint. But if the hon. Member would give me the details of the case, I will look into it.

**Shri Tridib Kumar Chaudhuri:** May I invite the attention of the hon. Minister to page 5 of the statement, where it has been mentioned that the Government has decided to set up an undertaking styled as the Rehabilitation Industries Corporation with capital provided by Government, in which Shri G. D. Birla has agreed to act as Chairman and four other industrialists have also agreed to come in. The capital structure is not given. May I know the capital structure and the capacity in which the other industrialists are coming in and their names?

**Shri P. S. Naskar:** The names of the other industrialists who are coming in as Members has not been finalised yet.

**The Minister of Industry (Shri Manubhai Shah):** The authorised capital is Rs. 10 crores and the immediate issue will be confined to Rs 1 crore. The industrialists who are coming are mere nominees of our public sector corporation started by the Government of India; they are not coming with their own capital or anything like that. Like any other board, Mr. Birla has been invited to be the Chairman of the Rehabilitation Industries Corporation. There will be four other local industrialists from Bengal and other Government representatives. It will establish industries in different parts of West Bengal, for the rehabilitation of refugees.

**Shri Prabhat Kar:** May I know why in Gayaspur and Taherpur, where the schemes for the establishment of industries are already finalised, no steps have been taken by Government to start the industries?

**Shri P. S. Naskar:** At Gayaspur, we have sanctioned a scheme for a spinning mill and the West Bengal Government has taken up the matter with the parties to whom the loan has been sanctioned to expedite the setting up of the mill.

**Shrimati Renu Chakravarty:** For the last two years, the setting up of industries has been limited entirely to the private sector. Now when we are putting it up in the public sector, why is the entire committee going to be put into the hands of the private industrialists?

**Shri Manubhai Shah:** There is no question of the entire committee being in the hands of the private sector industrialists. We are drawing upon the experience—wherever it is available in the country—and like any other public sector project, it is a composite board of Governmental nominees as well as experts drawn from the private industry, just to expedite the very purpose which the hon lady Member has in mind.

#### Resources of the Second Five Year Plan

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 \*15. { Shri Morarka:  
 { Shri Harish Chandra  
 Mathur:  
 { Shrimati Maida Ahmed:

Will the Minister of Planning be pleased to lay a statement showing:

(a) the steps taken by the Centre and the States so far to raise the resources to the maximum possible extent through—

- (i) additional taxation;
- (ii) mobilising small savings; and
- (iii) economies in the Plan and non-plan expenditure;

(b) the results achieved under each heading so far; and

(c) the target, if any, set for each?

**The Parliamentary Secretary to the Minister of Labour and Employment and Planning (Shri L. N. Mishra):** (a) to (c). A statement is laid on the table of the House.

#### STATEMENT

The information asked for in the Question as available upto May 1958 was given in the Planning Commission Memorandum on Appraisal and Prospects of the Second Five Year Plan. This Memorandum was placed on the table of the House in the last Session. Since then the Planning Commission has made a fresh review of the resources position of the Centre and the States. It is proposed in the course of this Session to place before Parliament a document incorporating the results of this review. This will include the latest available information on the points raised in this Question.

**Shri Morarka:** May I know whether in the last meeting of the National Development Council, some specific proposal for effecting economies in planned and unplanned expenditure was discussed and if so, with what results?

**Shri L. N. Mishra:** The need for economy in both planned and unplanned expenditure has been emphasised both by the Planning Commission and at the last meeting of the N.D.C. also the question of economy, especially in the matter of construction programme, was discussed.

**Shri Morarka:** May I know whether it was accepted by the National Development Council on principle that more resources would be raised by additional taxation and if so, what is the target?

**Shri L. N. Mishra:** No, Sir; no such decision was taken.

**Shrimati Mafida Ahmad:** May I have an idea of the return from additional taxation, whether it has been up to the expectation or below expectation of the provisions of the Second Five Year Plan

**Shri L. N. Mishra:** On an average the return from additional taxation has not been below expectation, rather it has been on the high side

**Shri Harish Chandra Mathur:** Is it not a fact that some of the States have fulfilled their targets and yet they are being asked to have further taxation?

**Shri L. N. Mishra:** Yes, some States have been asked to raise resources by further taxation and they have accepted. I cannot give the particulars now

**Shri Hem Barua:** May I know if it is a fact that Part B of the Plan into which it was originally divided was allowed to fade away quietly in the last meeting of the National Development Council? If so, is it because the State Governments have failed to make any crucial effort enjoined upon them in the reappraisal of the Plan in September to raise resources for the Plan?

**Shri Nanda:** There is no question of part (b) of the Plan fading away quietly. Very strenuous efforts are going to be required to achieve and accomplish part (a) of the Plan, and the States have agreed to make an effort, like the Centre in order that this may be achieved

**Shri Harish Chandra Mathur:** Is it a fact that within a week of their placing a memorandum regarding the resources on the Table of the House it was discovered by the Government that their appraisal was very much erroneous?

**Shri Nanda:** No, Sir

**Shri Morarka:** According to the latest available estimates of the

resources available what is the final size of the Plan as determined by the National Development Council?

**Shri Nanda:** Rs 4,500 crores

**Shri Tyagi:** Has any account been taken by the Planning Commission of the possibilities of big revenues that might arise on account of the new oil finds in India?

**Shri Nanda:** Yes, that also was in view, although in the course of the next two years we may not have large accretions on that account

**Shri Hem Barua:** In view of the fact that the capacity to raise additional resources by taxation by the States is limited, may I know how the Government propose to raise the resources for the uncovered gap of Rs 250 crores in financial resources?

**Shri Nanda:** Precise calculations have not been made as to what the yield will be by the efforts in different directions. We are trying to compute the possibilities in different directions

**Shri Hem Barua:** Is it a fact that the National Development Council in its meeting has not given any ideas about this?

**Shri Nanda:** It has given very specific ideas

#### Machinery and Material for Southern Region

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\*16    { **Shri Warior:**  
          { **Shri Vasudevan Nair:**

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

(a) how far the machinery and materials purchased locally and imported for the Small Industries Service Institute, Southern Region, have been utilised, and

(b) which centres have started functioning so far?

**Shri Manubhai Shah:** (a) and (b). A statement is laid on the Table of the House. [See Appendix I, annexure No. 3].

**Shri Warior:** From the statement it is found that for the Madras Regional Institute out of machinery worth Rs. 3.14 lakhs only machinery worth Rs. 0.81 lakhs have been installed. What is the reason for machinery worth Rs. 2.33 lakhs remaining idle?

**Shri Manubhai Shah:** The machinery is already there. It will be installed very soon and the entire expenditure will be incurred by the end of this year.

**Shri Vasudevan Nair:** In the statement it is stated that the three Extension Centres at Muvattupuzha, Alleppey and Attingal will be shifted to their respective places as soon as buildings are completed. Is it not a fact that for these three areas even the finalisation of schemes has not been completed? If so, what is the reason?

**Shri Manubhai Shah:** That is not a fact. These extension centres are part of the Plan. But the Plan has a phased programme every year. This was included last year. As a matter of fact, they have completed all the Extension Centres. As the hon. Member will find, as soon as the buildings are ready, they will be shifted to the respective places.

**Shri Vasudevan Nair:** That is not a fact. Even the land acquisition has not been completed. I know the position in Muvattupuzha. Even the location has not been decided.

**Shri Manubhai Shah:** I would repeat that immediately after these schemes were proved the Kerala Government selected the sites and the progress has been quite satisfactory, if not very commendable. Practically, all the eight estates have gone up and the Extension Centres also, as given in the statement, are more or less complete.

**Shri Tangamani:** May I know why the machinery purchased for the Coimbatore Extension Centre at a cost of Rs. 1.19 lakhs have not been installed? I also find that though we have purchased machinery worth about Rs. 21 lakhs, we have installed only machinery worth Rs. 14 lakhs. May I know the reason?

**Shri Manubhai Shah:** The general policy of the Government has been as follows. We have approved about 63 Extension Centres and from the 1st December of this year every State is going to have a major Industrial Service Institute in the field of small-scale industry. Machinery has been purchased in bulk for all the 63 Extension Centres. The work is taken up in a phased manner. I can, however, assure the hon. Member that the Coimbatore Centre also will be coming up very soon, as soon as the arrangements are ready.

#### United Press of India

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\*17. { **Shri H. N. Mukerjee:**  
**Shri Hem Raj:**  
**Shri L. Achaw Singh:**

Will the Minister of Information and Broadcasting be pleased to state:

(a) whether the news agency known as the United Press of India had made an appeal to Government for financial assistance;

(b) whether the said agency has since ceased to function; and

(c) whether Government have any plans for helping to resuscitate it?

**The Minister of Information and Broadcasting (Dr. Keskar):** (a) to (c). Some time before it closed down its services, the United Press of India had approached the Government for postponement of payments and moratorium on the dues of the P. & T. Department for teleprinter charges. Government made a thorough enquiry into the working of the agency and were satisfied that its financial condi-

tion was so unstable and its indebtedness so heavy that there was little hope of its being straightened. The remedies suggested also did not appear to be capable of serving any useful purpose.

The Agency has since closed down. While the Government have no definite plan for reviving the U.P.I. or putting on feet any similar agency, they are prepared to consider sympathetically any scheme which is on a sound basis and which will enable any such new agency to function as a *bona fide* news agency.

**Shri H. N. Mukerjee:** In view of the Prime Minister's reported statement at a recent press conference that Government was not interested in setting matters straight for the U.P.I. under the present management, may I know if tangible help will be speedily forthcoming if the employees try to proceed as they intend to I am told, in a co-operative way and re-form the organisation in conformity with the recommendations of the Press Commission?

**Dr. Keskar:** I stated in the latter part of my answer that Government is prepared to consider sympathetically any proposal for setting up a similar news agency, in a *bona fide* way. It may be in a co-operative way or by a number of newspapers coming together. That is what the Prime Minister stated in his reply at that time.

**Shri L. Achaw Singh:** What was the amount of arrears to be paid by the agency to the Posts & Telegraphs Department for the teleprinter service?

**Dr. Keskar:** The U.P.I. owed the P. & T. Rs. 3.75 lakhs. Their total indebtedness is computed at about Rs. 12.40 lakhs.

**Shri Khadilkar:** In view of the fact that one of the major news services is closed and a monopoly of news agency remains in the hands of one

service only and in view also of the fact that there was a big tariff difference between P.T.I. and U.P.I. news services with the result that papers with modest means have suffered by the closure of U.P.I. will Government consider the question of reviving it, as the hon. Shri Mukerjee suggested, by setting up a co-operative of workers?

**Mr. Speaker:** He has already answered it.

**Dr. Keskar:** The difficulty is that it is not possible for Government to revive or set up independent news agencies. Either it is an independent or it is a department of Government. As I said, if a proper news agency is set up, all facilities will be given.

**Shri Khadilkar:** 600 employees are being affected.

**Mr. Speaker:** Government is not prepared to take it up by itself; that is what the hon. Minister has said.

**Shri Nath Pai:** Are Government aware of the danger implicit if the nation is to be served on all important matters by a single news agency, thereby making it impossible for the formation of enlightened public opinion, which is the only guarantee of representative government?

**Mr. Speaker:** Does it require an answer?

**श्री बजराज सिंह :** कथा मंत्री महोदय बतलाने की कृपा करने कि हिन्दी में सवाद भेजने के लिए हिन्दूस्तान समाचार समिति ने उन सविधाओं को सुलझ करने के लिए सरकार को कोई प्रार्थनापत्र दिया है जो कि दूसरी समाचार समितियों को मिल रही है, यदि हाँ, तो उस प्रार्थना पत्र पर सरकार का कथा दृष्टिकोण रहा?

**Dr. Keskar:** This does not arise at all.

**Shri Joachim Alva:** Do Government realises the role of the United Press in the world of Indian journalism which it has played in the freedom fight against Reuter's monopoly and the British Government? Will our Government go out of its way to lend some assistance to this agency as 400 persons are out of employment?

**Dr. Keskar:** Government is aware of the role that the U.P.I. has played, but any agency or any organisation has to be judged on its present position and not on what it did in the past. We have thoroughly gone into the matter. The financial position is so messed up that we do not think it possible to straighten it up unless we subsidise it or help it in a heavy manner.

**Shri Nath Pai:** There is something more than money at stake.

**Shri A. C. Guha:** Is it true that a scheme was presented to the Government which had the support of the Government of West Bengal or at least of the Chief Minister of West Bengal? If so why that scheme has not been accepted?

**Dr. Keskar:** It is not for the Government to accept or reject any scheme. There has been such a proposal given to Government to see as to how they considered it. We told them that though the effort is, what I call, on the right lines, it is not adequate enough to put on an independent basis any news agency as the capital that was proposed to be raised was, in our opinion, a little too small.

**Mr. Speaker:** Question Hour is over.

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#### WRITTEN ANSWERS TO QUESTIONS

##### Export of Bengal Desi Cotton

**\*9. Shrimati Ila Palchoudhuri:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the Government of India have decided to allow the export of Bengal Desi Cotton;

(b) if so, the quality and quantity which will be allowed to be exported; and

(c) the countries to which this cotton will be exported?

**The Minister of Commerce (Shri Kanungo):** (a) to (c). During the current cotton season beginning September, 1958 Government have allowed export of 1,50,000 bales of Bengal Deshi cotton besides other cotton stapling 3/4" and below. Release of further export quotas depends on the availability of surplus after meeting the internal requirements. Exports are allowed to all destinations except for one or two. There is no restriction on the quality of Bengal Deshi cotton allowed to be exported.

#### Supreme Court and Delhi Courts Buildings

**\*10. Shri V. P. Nayar:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether the Supreme Court Buildings and the Delhi Courts buildings at Tis Hazari have been constructed solely by the C.P.W.D. or whether any portion of it was entrusted to private contractors; and

(b) what, if any, is the value of work handled by private contractors?

**The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda):** (a) The buildings have been constructed through private contractors.

(b) The value of works handled by private contractors so far is:

(i) Supreme Court .. About Rs. 67 lakhs.

(ii) Delhi District .. About Rs. Courts Tis Hazari 87 lakhs.

**National Advisory Committee on Public Co-operation**

\*14. **Shri Damani:** Will the Minister of Planning be pleased to lay a statement on the Table detailing the activities of the National Advisory Committee on Public Co-operation and state how far it has helped in eliciting public co-operation?

**The Deputy Minister of Planning (Shri S. N. Mishra):** A statement is laid on the Table of the Lok Sabha. [See Appendix I, annexure No. 4].

**Remodelling of Tehar Village**

\*18. **Shri Vajpayee:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether the work of remodelling Tehar village on Najafgarh Road has been commenced; and

(b) if so, the progress hitherto made?

**The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda):** (a) and (b). No Sir, as the work cannot commence before vacation of the village by its present residents and sanction of the final estimate which is still under examination.

**A. I. R. at Bangalore**

\*19. { **Shri Mohammed Imam:**  
**Shri Wodeyar:**  
**Shri Achar:**

Will the Minister of Information and Broadcasting be pleased to state:

(a) whether it is a fact that the All India Radio Station at Bangalore is operated only on medium wave and its reception at long distance stations is poor;

(b) if so, whether Government would consider installing a short wave transmitter at this Station; and

(c) the number of short wave and medium wave transmitters functioning in the country at present?

**The Minister of Information and Broadcasting (Dr. Keshkar):** (a) Though the Bangalore Station is a medium wave station, its transmitter is quite powerful being a 50 KW one. Its reception is satisfactory. It is possible that due to the configuration of Mysore State, a few outlying parts might not be getting good reception.

(b) There is no proposal to instal a short wave transmitter at Bangalore.

(c) There are 23 short wave and 31 medium wave transmitters functioning in the country at present.

**Deportation of Indians from Pakistan**

{ **Dr. Ram Subhag Singh:**  
**Shrimati Ila Palchoudhuri:**  
**Shri Vajpayee:**  
**Shri Ram Krishan:**  
**Shri Raghunath Singh:**  
**Pandit D. N. Tiwary:**  
**Shri Bimal Ghose:**  
**Shri Sarju Pandey:**  
**Shri B. Das Gupta:**  
**Shri R. C. Vyas:**  
**Shri Rameshwar Tantia:**  
**Shri Rami Reddy:**  
**Shri N. R. Munisamy:**  
**Shri Assar:**  
**Shrimati Mafida Ahmed:**  
**Shri U. C. Patnaik:**  
**Shri Ajit Singh Sarhadi:**  
**Shri S. M. Banerjee:**

\*20.

Will the Prime Minister be pleased to state:

(a) whether it is a fact that about two hundred Indian nationals have been deported from Khulna (East Pakistan) to India;

(b) if so, whether Government are aware of the causes of their deportation;

(c) whether the deported persons were employed in East Pakistan; and

(d) the steps taken or proposed to be taken by the Government of India in the matter?

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

(b) While Pakistan's version is that they had entered Pakistan illegally and were staying there without passports and visas, our inquiries reveal that they had deposited their passports for renewal of their visas and were ejected from Pakistan in pursuance of Pakistan's general policy of replacing Indians with Pakistanis in their industries.

(c) Yes.

(d) Our Acting Deputy High Commissioner at Dacca, immediately on receipt of information, took up the matter with East Pakistan Government. The Government of India have also lodged a protest with the Pakistan High Commission at New Delhi.

#### Plywood Requirements of India

\*21. **Shri Jhulan Sinha:** Will the Minister of Commerce and Industry be pleased to state:

(a) the position with regard to the self-sufficiency or otherwise of the plywood requirements of the country; and

(b) the extent to which the recommendations of the last Conference of Plywood interests in the country have been accepted and implemented by Government?

**The Minister of Industry (Shri Manubhai Shah):** (a) and (b). A statement is laid on the Table of the Sabha.

#### STATEMENT

(a) The total installed capacity of plywood factories is sufficient to meet our requirements.

(b) It is presumed that the question relates to the meeting held at New Delhi on 12th September 1957 to consider promotion of export of veneers

and plywood. The following recommendations have been implemented.

- (i) No expansion of teacheest capacity is being allowed except for export orders. There is, however, no restriction on expansion of commercial plywood capacity provided the factory is adequately equipped.
- (ii) The grant of rebate of duty on synthetic resins has been agreed to.
- (iii) Exemption from Voluntary Plywood Cess has been allowed on quantities of plywood exported from the Country.
- (iv) Market prices of various grades of plywood in U. K. and other countries are being collected and furnished to the plywood Associations for information of its members.
- (v) The Railway Board has issued necessary instructions to All Railways to afford facilities for movement of veneers and plywood by the factories producing for export to the maximum extent possible.
- (vi) A Delegation to Ceylon to explore the possibilities of export of teacheest plywood is being arranged by the South Indian Plywood Manufacturers Association.
- (vii) Other recommendations are at present under consideration

#### Rehabilitation of Displaced Persons in Mysore

\*22. **Shri Agadi:** Will the Minister of Rehabilitation and Minority Affairs be pleased to refer to the reply given to Starred Question No. 1192 on the 12th September, 1958 and state:

(a) the progress achieved so far in rehabilitation of displaced persons from East Bengal in Periapatna taluk, Mysore State; and

(b) the assistance the Mysore Government have given in this matter?

**The Deputy Minister of Rehabilitation (Shri P. S. Naskar):** (a) The scheme has been dropped.

(b) Does not arise.

#### Outer Space

\*23. { Shri V. C. Shukla:  
Shri D. C. Sharma:  
Shri Ram Krishan:

Will the Prime Minister be pleased to refer to the reply given to Starred Question No. 259 on the 19th August, 1958 and state:

(a) whether Government's study of the question of sovereignty in outer space has since been completed; and

(b) what action Government propose to take in the United Nations or elsewhere on the subject?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** (a) and (b). The subject is a new and very difficult one and very little is yet known about it. Knowledge about the physical world has increased greatly in recent years and this has upset all previous conceptions of it. There can be no question, therefore, of a study on this question being completed at any time. It is a continuing study. There is an item on this subject before the current session of the General Assembly of the United Nations. It cannot be said at this stage what particular action Government may take in regard to it. This will depend on the various suggestions that may be put up for examination.

#### Industrial Estate at Batala

\*24. **Shri D. C. Sharma:** Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 1516 on the 18th April, 1958 and state:

(a) whether the construction of the buildings for the Industrial Estate at

Batala in district Gurdaspur has been completed;

(b) if so, when the buildings were completed; and

(c) what industries have been started there?

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

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

\*

#### State Employment Market Information

\*25. { Shri S. C. Samanta:  
Shri Subodh Hansda:  
Shri Barman:

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

(a) whether the State Employment Market Information Units have been established in all the States;

(b) if so, whether each unit has been placed under the charge of a specially trained Employment Officer;

(c) how long the ILO Expert Mr J H Devey will remain in India to follow up the implementation of this scheme in various states; and

(d) how much financial assistance has been given to each State to implement this scheme, Statewise?

**The Deputy Minister of Labour (Shri Abid Ali):** (a) Yes, except in Jammu and Kashmir

(b) Yes.

(c) He left in February, 1958

(d) A statement is placed on the table of the Sabha. [See Appendix I, annexure No. 5.]

#### Second Five Year Plan Targets

\*27. **Shri V. P. Nayar:** Will the Minister of Planning be pleased to state:

(a) the percentage of plan targets set out in the Second Five Year Plan

fulfilled by each State so far, in respect of (i) Agriculture; (ii) Industries; (iii) Social Services; and

(b) the overall percentage of fulfilment for India as a whole according to the latest information?

**The Deputy Minister of Planning (Shri S. N. Mishra):** (a) and (b). Attention is invited to the Planning Commission's Review of Progress of State Development Plans prepared in May 1958 this year. This Review provides information for each State for the first two years of the Plan and mentioned the targets for the third year. The extent of fulfilment for the country as a whole under different heads was indicated in the Planning Commission's report on the Appraisal and Prospects of the Second Five Year Plan.

**All India Working Class Family Budget Survey.**

\*28. **Shri T. B. Vittal Rao:** Will the Minister of Labour and Employment be pleased to refer to the reply given to Starred Question No 144 on the 14th August, 1958 and state:

(a) the progress made up-to-date in the work of National Sample Survey in connection with the All India Working Class Family Budget Survey; and

(b) when the same is likely to be concluded?

**The Deputy Minister of Labour (Shri Abid Ali):** (a) The Survey commenced in August, 1958 and is in progress in all the 50 centres selected for the purpose. Out of about 23,000 families to be surveyed about 4,000 families have been surveyed so far.

(b) By about September, 1959.

**Indians in Ceylon**

\*29. **Shri Ram Krishan:**  
 { **Shri Damani:**

Will the Prime Minister be pleased to refer to the reply given to Starred

Question No. 127 on the 14th August, 1958 and state:

(a) whether the information in regard to the extent of loss and damage to the properties of Indian nationals in Ceylon has been collected;

(b) if so, the nature of the information collected;

(c) whether any decision has been taken about claiming compensation on account of damage caused to the properties of Indian nationals; and

(d) whether it is also a fact that the number of Indian migrants from Ceylon has increased after these riots there?

**The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan):** (a) Yes

(b) 470 Indian nationals have so far submitted reports to the High Commissioner of the losses suffered by them during the riots due to looting and arson. These losses aggregate Rs. 50 lakhs approximately. The High Commissioner has, however, neither the machinery nor the means of verifying these reports and figures

(c) No. The matter is still under the consideration of the Government of India.

(d) There has been a slight increase in the number of Indian nationals resident in Ceylon who have left the island for good. Prior to the riots the weekly average was 242 persons. After the riots, the weekly repatriation has grossed 247 persons.

**Conference of Regional Settlement Commissioners**

\*30. **Shri V. C. Shukla:** Will the Minister of Rehabilitation and Minority Affairs be pleased to refer to the reply given to Unstarred Question No. 777 on the 22nd August, 1958 and state:

(a) whether any decision has since been taken by Government on the views expressed at the Conference of

Regional Settlement Commissioners held at Srinagar; and

(b) if so, the broad details thereof?

**The Deputy Minister of Rehabilitation (Shri P. S. Naskar):** (a) and (b). Decisions have been taken on most of the recommendations. A few other recommendations are still under consideration. A tabular statement showing the items on which decisions have been taken is laid on the Table of the Sabha. [See Appendix I, annexure No. 6.]

#### Ambar Charkha

\*31. **Shri D. C. Sharma:** Will the Minister of Commerce and Industry be pleased to state:

(a) the total amount spent to encourage Ambar Charkha in the country during the year 1958, so far;

(b) what was the output of yarn expected from these Charkhas;

(c) how much yarn has been actually produced;

(d) how much of the Ambar yarn has been sold to the weavers; and

(e) how much yarn is lying unsold?

**The Minister of Industry (Shri Manubhai Shah):** (a) to (e) A statement is laid on the Table of the House.

#### STATEMENT

(a) The expenditure incurred during the year 1958-59 upto 31st October 1958 is Rs. 47.90 lakhs as grant and Rs. 178.15 lakhs as loan.

(b) 7.00 million lbs. of yarn is expected to be produced during 1958-59.

(c) According to reports, received so far, 1.43 million lbs. of yarn has been produced during the current year (upto 30th September, 1958). The reports from all branches have not yet been received and so the information is incomplete.

(d) Almost all the quantity of yarn produced has been given to the weavers for converting it into cloth.

(e) Does not arise.

#### Statutory rate of Insurance Scheme

\*32. **Shri Ram Krishan:** Will the Minister of Labour and Employment be pleased to refer to the reply given to Starred Question No. 1324 on the 17th September, 1958 and state:

(a) whether Government have taken final decision in regard to enhancement of statutory rate under Employees' State Insurance Scheme in its application to Employers; and

(b) if so, the nature thereof?

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

(b) Does not arise.

#### Bharat Sevak Samaj

1. **Shri V. C. Shukla:** Will the Minister of Planning be pleased to refer to the reply given to Unstarred Question No 1491 on the 4th September, 1958 and state:

(a) the broad features of the progress reports received from the Bharat Sevak Samaj on the working of the schemes for which grants-in-aid were sanctioned during 1957-58;

(b) the total grants given to the different units of the Bharat Sevak Samaj in the country during the years preceding 1958-59, separately for each year, unit-wise; and

(c) how much of the grants so given was actually spent and on what schemes?

**The Deputy Minister of Planning (Shri S. N. Mishra):** (a) to (c). A statement showing the grants-in-aid given by the Planning Commission is laid on the Table of the Lok Sabha. [See Appendix I, annexure No. 7.]

### Unsold Stock of Shoes

2. **Shri D. C. Sharma:** Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 1194 on the 12th September, 1958 and state:

(a) the steps taken to dispose of the stock of shoes lying unsold with the National Small Industries Corporation (Private) Limited; and

(b) the amount of loss sustained by Government in this deal?

**The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):**

(a) Negotiations are still in progress with the Russian authorities and some East European countries for the disposal of these shoes.

(b) It does not arise now. However, it may be stated that no financial loss is expected in the whole transaction.

### व्यावसायिक प्रशिक्षण

3. श्री पद्म वेदः क्या अम और रोजगार मंत्री एक ऐसा विवरण सभा पटल पर रखने की कृपा करेंगे कि जिस में यह बताया गया हो कि :

(क) हिमाचल प्रदेश में चालू वर्ष में अब तक कितने लुहार, बढ़ई, बुनकर, चमार और दर्जी शिक्षित किये गये हैं;

(ख) उन में से कितनों को सरकारी वैकरियां मिल चुकी हैं और अभी कितने बेरोजगार हैं, और

(ग) बेरोजगार व्यक्तियों को काम दिलाने के लिये सरकार ने क्या कार्यवाही की है ?

**अम उपसंचारी (श्री शाहिद अली) :**  
(क) हिमाचल देश में दस्तकारी प्रशिक्षण योजना के अधीन १० व्यक्तियों को बढ़ई का काम और २६ को कटाई व सिलाई का काम सिखाया गया। लुहारी के काम में किसी को भी शिक्षित नहीं किया गया।

उत्तरात्मा किये गये बाकी काम नहीं सिखाये जाते।

(ख) जिन लोगों की सरकारी नौकरियां मिल गई हैं उन के बारे में कोई जानकारी प्राप्त नहीं है। जुलाई १९५८ में हिमाचल प्रदेश के नियोजन कार्यालयों ने चालू रजिस्टर में दर्ज भूतपूर्व प्रशिक्षणार्थियों की सूच्या नीचे लिखे अनुसार थी:—

व्यवसाय	चालू रजिस्टर में दर्ज नामों की सूच्या
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लुहारी का काम	५
बढ़ई का काम	५
दर्जी का काम	६

(ग) हिमाचल प्रदेश सरकार 'अपने अधीन सभी सम्बन्धित व्यक्तिकारियों को भादेश दे दिया है कि 'दस्तकारी प्रशिक्षण पाने वालों के नाम, नौकरी सम्बन्धी सहायता के लिये, पास के नियोजन कार्यालय में दर्ज करा' का इन्तजाम करें।

### Horses

4. **Shri H. N. Mukerjee:**  
Shri Muhammed Elias:

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

(a) the number of horses, for racing and other purposes, imported during 1954-55, 1955-56, 1956-57 and 1957-58; and

(b) the amount of foreign exchange involved in the respective years?

**The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):**

(a) and (b). Separate statistics of horses imported for racing and other purposes are not recorded. The number and value of horses imported during 1954-55 to 1957-58 are as follows:—

Number	Value (in '000' of Rs.)
1954-55	199
1955-56	146
1956-57	188
1957-58	58
	1191
	1318
	319

**Indian High Commissioner's Office, London**

5. *Shri H. N. Mukerjee:*  
*Shri Muhammed Elias:*

Will the Prime Minister be pleased to state the expenditure incurred in the High Commissioner's Office, in London during 1957-58?

**The Prime Minister and Minister of External Affairs (Shri Jawahar Lal Nehru):**

Rs. 1,78,53,466/-

vide details below:—

1. Ministry of External Affairs : Central Department Legal Advisers Department Information Services Dublin Embassy	Rs. 64,61,333/-
2. Ministry of Works Housing and Supply.	69,21,533/-
3. Ministry of Railways	97,360/-
4. Ministry of Commerce and Industry	6,99,520/-
5. Ministry of Defence	28,48,427/-
6. Ministry of Education and Scientific Research	4,65,907/-
7. Ministry of Health	91,186/-
8. Ministry of Transport and Communications	2,68,200
<b>TOTAL.</b>	<b>Rs. 1,78,53,466/-</b>

The expenditure during the year 1957-58 was in excess of the previous year's expenditure by Rs 20,00,677. This was mainly due to (a) upward revision of scales of pay for the locally recruited staff according to rates fixed from time to time by the British Treasury; and (b) general rise in prices of articles, which considerably increased the contingent expenditure.

The excess, in fact, would have been greater if it had not been reduced by some economy measures resulting in a saving of Rs. 11,18,000.

**Unsold Stock of Handloom**

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

(a) the present stock of unsold handloom goods in the private sector

and in the co-operative sector in Orissa; and

(b) whether any steps are proposed to be taken to dispose of this unsold stock of handloom goods in the State?

**The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):**  
 (a) As at the end of June, 1958, 12,92 lakh yards of cloth valued at Rs. 9.05 lakhs were lying unsold in the co-operative sector. Information regarding unsold handloom cloth lying outside the cooperative sector is not available.

(b) A special additional rebate of 6 nP in the rupee was sanctioned from 1-10-58 to 15-11-58

**East Pakistan Displaced Persons in Orissa.**

7. *Shri Panigrahi:* Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) the number of East Pakistan displaced persons rehabilitated in Orissa till the 31st October, 1958,

(b) the names of the different colonies where they have been rehabilitated in Orissa and

(c) the number of displaced persons rehabilitated in each of the colonies in Orissa at present?

**The Deputy Minister of Rehabilitation (Shri P. S. Naskar):** (a) 1876 families have been rehabilitated in Orissa upto 31st October, 1958

(b) and (c) A statement is laid on the Table of the Sabha [See Appendix I, annexure No 8]

**Mica**

8. *Shri Ram Krishan:* Will the Minister of Commerce and Industry be pleased to state the names of countries to which exports of Mica have been made during 1958?

**The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):** A statement showing the names of the

principal countries to which exports of Mica have been made during 1958 is laid on the Table of the Lok Sabha.

#### STATEMENT

1. U.S.A.
2. U.K.
3. West Germany.
4. Norway.
5. France.
6. Japan.
7. Italy.
8. Australia.
9. Canada.
10. Sweden.
11. Belgium.
12. Switzerland.
13. Czechoslovakia.
14. Netherlands.
15. Poland.

#### Technical Training

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

(a) whether it is a fact that Government have decided to raise the target for the training of technicians under the Second Five Year Plan; and

(b) if so, to what extent?

**The Deputy Minister of Labour (Shri Abid Ali):** (a) and (b). There is no increase in the financial target, but it is proposed to increase the physical target by about 6 thousands seats.

#### Yarn for Handloom Industry

**10. Shri P. K. Deo:** Will the Minister of Commerce and Industry be pleased to state:

(a) the total quantity and value of yarn consumed by the handloom industry of Orissa in 1957-58; and

(b) the estimated value of products of the handloom industry in Orissa during the above period?

**The Minister of Commerce and Industry (Shri Lai Bahadur Shastri):** (a) 11,000 bales of yarn valued at Rs. 1,10,00,000 were consumed by handloom weavers in the co-operative fold in 1957-58.

(b) About Rs. 178-14 lakhs in the co-operative fold. Information relating to the sector outside the co-operative is not available.

#### Folk Dances of Orissa

**11. Shri P. K. Deo:** Will the Minister of Information and Broadcasting be pleased to state:

(a) whether any documentary film has been prepared on the folk dances of Orissa;

(b) if so, the nature thereof; and

(c) if the reply to part (a) be in the negative whether there is any proposal to produce any such documentary film?

**The Minister of Information and Broadcasting (Dr. Keskar):** (a) and (b). No documentary film has so far been produced exclusively on the folk dances of Orissa. One of the dances of Orissa, has, however, been included in the feature length colour-film on Folk Dances of India entitled "Dharti-Ki-Jhankar" which has been completed and will be released shortly

(c) No, Sir.

#### Industries in Industrial Estates of Orissa

**12. Shri P. K. Deo:** Will the Minister of Commerce and Industry be pleased to state:

(a) the industries that are proposed to be set up in the various industrial estates in Orissa;

(b) the industries that are to be set up by private parties;

(c) the employment potentialities of these industries; and

(d) whether Government propose to advance finances to private indus-

trialists to start industries in these industrial estates?

**The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):**

(a) and (b). Only one estate in Orissa, namely that at Cuttack, has started functioning. In other Estates the building work has not been undertaken. A list of industries which have been started in the industrial estate at Cuttack is laid on the Table of the Lok Sabha [See Appendix I, annexure No. 9.] All, except No. 1, 2, 11 and 16 in the statement have been started by private parties.

(c) It is too early to judge at present but it is estimated that when the whole industrial estate is ready, about 500 persons may be employed in this estate.

(d) Assistance will be given under the scheme for liberalised credit facilities and the scheme for supply of machinery on hire purchase basis as is being given for starting industries in any other place

#### Substitutes for Steel and Cement

**13. Shri D. C. Sharma:** Will the Minister of Works, Housing and Supply be pleased to refer to the reply given to Starred Question No. 789 on the 1st September, 1958 and state the further progress made with regard to the use of substitutes for steel and cement in the execution of building projects by the Central and State Governments?

**The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda):** No information is yet available, as in a matter of this kind, sufficient time must pass before results, if any, become appreciable. It is now proposed to ask the Central constructing agencies and the State Governments to attempt an assessment of the extent to which the recommendations of the National Buildings Organisation in the matter have been implemented and have produced results.

#### Displaced Persons From Goa

**14. Shri D. C. Sharma:** Will the Prime Minister be pleased to refer to the reply given to Starred Question No. 606 on the 27th August, 1958 and state:

(a) whether any more displaced persons from Goa have applied for any aid or help from the Government of India; and

(b) if so, the decision taken thereon?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** (a) and (b). Yes. Applications from four persons have been received—three for financial assistance and one for help in securing a suitable job. These requests are being examined.

#### Remittance Statements

**15. Shri D. C. Sharma:** Will the Prime Minister be pleased to refer to the reply given to Starred Question No. 1210 on the 12th September, 1958 and state whether final decision has since been taken to do away with statements regarding remittances to India which are required to be submitted by Indian personnel serving abroad?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** It has been decided to discontinue the submission of remittance statements by Indian personnel serving abroad.

#### Development Programmes of A.I.R.

**16. Shri D. C. Sharma:** Will the Minister of Information and Broadcasting be pleased to state:

(a) whether it is a fact that his Ministry has applied cut to the development programmes of All India Radio due to the foreign exchange difficulties;

(b) if so, to what extent; and

(c) the names of the important schemes affected by this cut?

**The Minister of Information and Broadcasting (Dr. Keskar):** (a) Yes, Sir.

(b) About Rupees one crore.

(c) The important schemes affected are:

1. Installation of 100 kw sw transmitter at Delhi for internal Services.
2. Installation of 10 kw sw transmitter, Simla.
3. Installation of 10 kw sw transmitter for Marathwada/Vidarbha.
4. Construction of auditorium at Madras.
5. Construction of auditorium at Calcutta.
6. Provision of full facilities in mobile recording vans.
7. Television Centre, Bombay.
8. Provision of full number of mobile broadcast (Studio) van and provision of full facilities in those being provided.
9. Permanent Receiving Centre, Rajkot.
10. Permanent Receiving Centre, Dharwar and
11. Provision of full facilities in permanent studios, Bombay.

भौद्धोगिक विस्तार केन्द्र

१६. श्री पद्म देव : क्या बाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या बारह भौद्धोगिक विस्तार केन्द्रों में, जो वर्ष १९५८-५९ में स्थापित हों वाले थे, काम प्रारम्भ हो गया है;

(ख) यदि हाँ, तो वे कहाँ कहाँ स्थापित कि गे हैं: और

(ग) यदि उपरोक्त भाग (क) का उत्तर नकारात्मक हो तो विलम्ब के क्या कारण हैं?

**बाणिज्य तथा उद्योग मंत्री (श्री लाल बहादुर शास्त्री) :** (क) से (ग). एक विवरण सभा पटल पर रख दिया गया है। [देखिये परिशिष्ट १, अनुबन्ध संख्या १०]

चीनी के बत्तनों का आयात

१८. श्री पद्म देव : क्या बाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) वर्ष १९५८ में भवतक भारत में चीनी के बत्तनों का कितना आयात हुआ है; और

(ख) चीनी के बत्तनों के आयात को पूर्णतः बन्द करने के निये सरकार ने क्या कदम उठाये हैं?

**बाणिज्य तथा उद्योग मंत्री (श्री लाल बहादुर शास्त्री) :** (क) जनवरी में अगस्त १९५८ तक भारत में चीनी के बत्तनों का कितना आयात हुआ तथा उनका क्या मूल्य है, इसका एक विवरण सभा-पटल पर रख दिया गया है। [देखिये परिशिष्ट १, अनुबन्ध संख्या ११]।

(ख) जुलाई, १९५७ से चीनी के बत्तनों का आयात करने के लिये कोटा नहीं दिया जाता है। प्रश्न के भाग (क) के उत्तर में प्रस्तुत विवरण में जो आयात दिखाया गया है, वह या तो पहले की लाइमेंस अधिकारियों में दिये गये कोटों का मान है या पर्यटकों को ठहरा वाले होटलों को दिये गये विशेष लाइसेंसों के अधीन मंगाया गया मान है।

#### Handloom Development Scheme

19. **Shri N. Keshava:** Will the Minister of Commerce and Industry be pleased to state:

(a) what is the total amount sanctioned by the Central Government for the handloom development schemes to the State of Mysore for the years 1956, 1957, 1958 separately for Cotton, silk and woollen; and

(b) what is the amount spent by the Mysore State and how much has lapsed in the above years for each of the above items?

**The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):** (a) and (b) A statement is laid on the Table of the Lok Sabha [See Appendix I, annexure No. 12]

**General Agreement on Tariff and Trade**

20. { Shri D. C. Sharma:  
Shri Raghunath Singh:

Will the Minister of Commerce and Industry be pleased to state

(a) whether it is a fact that the 13th Session of General Agreement on Tariff and Trade was held in Geneva in October, 1958,

(b) if so, whether India was represented at the Session, and

(c) the measures agreed to at the Session for further tariff reductions and elimination of quantitative restrictions in order to expand world trade?

**The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):** (a) Yes, Sir

(b) Yes, Sir.

(c) The 13th Session of the GATT is scheduled to last for about six weeks from the 16th October, 1958 and its final decisions and recommendations, if any, regarding further tariff restrictions or elimination of quantitative restrictions would not be available before the Session concludes towards the end of the current month or early in December, 1958

**Documentary on Coir Industry**

22. **Shri R. C. Majhi:** Will the Minister of Information and Broadcasting be pleased to state.

(a) whether a documentary film depicting the various processes of the

Coir Industry has been brought out; and

(b) if so, whether the Coir Board has borne the cost of the film?

**The Minister of Information and Broadcasting (Dr. Keskar):** (a) No separate documentary has been produced on the Coir Industry as such. The subject has, however, been included in three documentary films: "Tree of Wealth", "Song of the South" and "Kerala"

(b) Does not arise

**Indian Workers in Malaya**

23. { Shri Raghunath Singh:  
Dr. Ram Subhag Singh:

Will the Prime Minister be pleased to state

(a) the number of Indian workers who have been repatriated from Malaya Federation to India during this year so far,

(b) whether it is a fact that eleven hundred Indians have been repatriated in the month of October, 1958, and

(c) action taken by Government in the matter?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** (a) The Honourable Member presumably desires information in respect of Indian labourers who emigrated to Malaya under the Indian Emigration Act, 1922, to work on plantations and are repatriated to India at the expense of Malayan Government when they are old and indigent in accordance with the terms of their employment which were approved by the Government of India. The number of these Indian labourers repatriated to India from January, 1958 to October, 1958 was 2,003

(b) No

(c) No action is called for on the part of Government

### हिन्दुस्तान हाउसिंग फैक्टरी

२४. **ज्ञानी शर्मा** द्वारा दायित्वा :

क्या निर्माण, आवास और संभरण मंत्री यह बताने की कृपा करेंगे कि :

(क) हिन्दुस्तान हाउसिंग फैक्टरी में किस प्रकार का काम हो रहा है और उसमें अब तक क्या प्रगति हुई है ;

(ख) मेसर्स बमाला मिह बैलेनबर्ग लिमिटेड के साथ सरकार ने जो समझौता इस फैक्टरी को बताने के लिये किया था उसके असफल हो जाने से सरकार को किननी हानि हुई है ;

(ग) जो काम अब चालू किया गया है उसमें लगे सामान, औजार इत्यादि की क्या कीमत है ; और

(घ) इस काम की भविष्य की क्या संभावनायें हैं ?

निर्माण, आवास तथा संभरण उपभोक्त्री (श्री अनिल कुमार चन्द्रा) : (क) इम समय फैक्टरी निम्ननिवित बम्बुग बना रही है —  
(१) प्रीस्ट्रेस्ड कॉकीट (Prestressed Concrete). विभाग ।

ट्रान्समिशन पोल्स (Transmission poles) सड़कों पर लगाने के बिजली के लम्बे, इन्डस्ट्रियल ड्रीवी बीम्स (industrial heavy beams), प्रीस्ट्रेस्ड कॉकीट कड़ियों और प्रीकास्ट आर० मी० मी० स्लैब (slabs) समेत प्रीकास्ट छाने, फेसिंग पोल (fencing poles), वाइरेटिड सीमेट कॉकीट पाइप और पेवमेंट फ्लैग (pavement flags) ।  
(२) लकड़ी-कार्प विभाग ।

दरवाजे, खिड़कियां और अन्य सादा फर्नीचर ।

(३) कोम कॉकीट विभाग

बातानकूलित इमारतों तथा जीत-संग्रहण-संयन्त्रों (Cold storage plants) के लिये कोम कॉकीट और हल्की कॉकीट के

ताप निरोधक (Insulation) ब्लॉक तथा इमारतों में लगाने के लिये पार्टीशन ब्लॉक (partition blocks) ।

१-४-५३ से १५-८-५८ तक फैक्टरी गैर सरकारी नियंत्रण में रही और उसके उत्पादन का मूल्य केवल ३७ लाख रुपये था । सरकार द्वारा नियंत्रण में लिये जाने के बाद उत्पादन निम्न प्रकार रहा :—

लाख रुपये

१६-८-५५ से ३१-७-५६ तक	२६.८८
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१-८-५६ से ३१-७-५७ तक	३८.२३
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१-८-५७ से ३१-७-५८ तक	३६ लाख
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रुपये सत्रभग

३१-७-५७ को समाप्त होने वाले वर्ष में फैक्टरी को ३८.७६१.५७ रुपये का शुद्ध लाभ हुआ जबकि उसमें पिछले वर्ष का लाभ ५.८१३.८१ रुपये था । ३१-७-५८ को समाप्त होने वाले वर्ष के लेखे अभी तैयार नहीं हुए हैं ।

(ख) १-४-५३ से १५-८-५८ तक की अवधि में फैक्टरी को १४.७०.८७६ रुपये का कुल धाटा हुआ जिसमें से सरकार को ५ लाख रुपये का धाटा उठाना पड़ा । इस धाटे में ४.१२.८७६ रुपये की वह रकम भी शामिल है जो कि फैक्टरी सरकार से ली गई स्थिर सम्पत्ति के किराये के रूप में सरकार को देती । बाकी ६.७०.८७६ रुपये का धाटा मैसर्स बमाला सिंह बैलेनबर्ग लिमिटेड ने उठाया ।

(ग) १६-८-५५ को, जब सरकार फैक्टरी वापस ली, उस समय फैक्टरी के पास किराये पर ४५.५० लाख रुपये की सरकारी परिसंपत्त (assets) थी । फैक्टरी सरकार को इस परिसंपत्त पर पट्टा गणि (lease money) दे रही है ।

उत्पादन बढ़ाने व सुधारने के लिये कम्पनी अपने घन से धीरे धीरे फैक्टरी को बढ़ा रही है । इस सरह तीन प्रीस्ट्रेसिंग बेजें (prestressing tables) बनाई जा चुकी है और लकड़ी को त्रिज्वल तथा सीजन

(preserving and seasoning) करने की मशीनों व सामान को भी मंगाया जा रहा है। १७,३०० वर्ग फुट का प्रतिरिद्ध संग्रहण स्थान (storage space) भी बन दिया गया है।

(घ) १८-४६ से चाल होने वाले दर्वाजे में लगभग ५७ लाख रुपये मूल्य की वस्तुओं के उत्पादन होने की आशा है।

#### Transit Camps for Displaced Persons

**25. Shri Tridib Kumar Chaudhuri:** Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) the total number of transit camps for displaced persons from East Pakistan now in West Bengal with the number of inmates in each of these camps; and

(b) what arrangements have been made by Government to acquaint the inmates of these camps with the prospects of such rehabilitation schemes as the one in the Dandakaranya area?

**The Deputy Minister of Rehabilitation (Shri P. S. Naskar):** (a) There are no "transit" camps in West Bengal. The number of camps, however, on 1st October, 1958 was 128 and the total number of displaced persons was 1,89,232. A statement giving the approximate number in each camp is laid on the Table of the Sabha. [See Appendix I, annexure No. 13.]

(b) Apart from the wide circulation of a detailed brochure on Dandakaranya in Bengali and English, a meeting of the Camp Superintendents and other senior officers connected with the work of relief and rehabilitation in West Bengal was convened on the 1st November, 1958 at Calcutta at which the broad outlines of the scheme were explained. The Camp Superintendents were asked to explain the same to the inmates of the camp under their respective charge. A publicity organisation is also being set up for the purpose.

#### State Plan of Orissa

**26. Shri Panigrahi:** Will the Minister of Planning be pleased to refer to the reply given to Unstarred Question No. 781 on the 22nd August 1958 and state:

(a) whether the Planning Commission has since examined the estimates of financial resources for the remaining years of the second Plan period submitted by the Orissa Government; and

(b) whether the Planning Commission has made any suggestions to the State Government in this connection?

**The Deputy Minister of Planning (Shri S. N. Mishra):** (a) and (b). Yes; the estimates furnished by the Government of Orissa were discussed between the Planning Commission and the State Government in October. At these discussions various measures for raising additional resources, such as assessment and recovery of betterment fees, special assessment on agricultural land used for non-agricultural purposes, improvement in tax administration, intensification of the small savings drive, etc. were considered jointly by the Planning Commission and the State Government.

#### Cycle Manufacturing Industry

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

(a) the present position of cycle manufacturing industry in the country;

(b) whether this industry is facing some difficulty due to non-availability of raw materials; and

(c) if so, the steps taken by Government to help the industry in this regard?

**The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):** (a) The target of production of bicycles in the Second Five Year Plan has been fixed at 1.25 million bicycles for 1960-61. Against this, 24 units in

ie large scale sector with a capacity of 1,377,800 bicycles and 78 units in the small scale sector with a capacity of 353,000 bicycles have been approved by Government. At present 20 units are in production in the large scale sector and their total production during the first six months of 1958 has been 483,544 bicycles. The small scale sector has produced 81,352 bicycles during the same period.

(b) and (c). No particular difficulty is being faced by this industry. In fact, this industry has been given some priority in the allocation of foreign exchange for procurement of raw materials by imports. An additional quota of 4,500 tons of steel has also been allocated to the States for distribution to the small scale entrepreneurs with effect from the first quarter of 1958-59. These steps have kept up the progress of this industry and the production is expected to increase by 25 per cent. as compared with 1957 level of production.

#### Cotton

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

(a) the quantity of cotton which is being supplied to the cloth mills by Government and the price at which it is supplied;

(b) whether the supply was made to these mill owners at their request; and

(c) if so, on what conditions?

**The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):** (a) to (c). No cotton is being supplied to mills by Government. There is no distribution control over Indian cotton and the mills are free to purchase any quantity they desire. As regards foreign cotton, the mills can

effect purchases to the extent of quotas allotted to them by the Textile Commissioner, Bombay.

#### Central Schemes in Punjab

**29. { Shri Ram Krishan:  
Sardar Iqbal Singh:**

Will the Minister of Planning be pleased to refer to the reply given to Unstarred Question No. 1476 on the 4th September, 1958 and state:

(a) whether the information regarding the amount provided by the Central Government for Centrally sponsored schemes in the Punjab in the first two years of the Second Five Year Plan has since been collected; and

(b) if so, the details thereof?

**The Deputy Minister of Planning (Shri S. N. Mishra):** (a) and (b) A statement indicating information available so far, is placed on the Table of the House. [See Appendix I, annexure No 14.]

#### Closure of Manganese Ore Mines

**30. Shri Panigrahi:** Will the Minister of Labour and Employment be pleased to state:

(a) whether any of the manganese ore mines closed till the 30th June 1958 have since been opened;

(b) names of the different provinces where these manganese mines are still closed;

(c) the number of workers who have remained unemployed as a result of closure of these manganese ore mines; and

(d) the total number of manganese mines working in the country?

**The Deputy Minister of Labour (Shri Abid Ali):** (a) to (d). The information is being collected and will be laid on the Table of the House.

प्रधान मंत्री की भूटान यात्रा

३१. { श्री भक्त दश्मनः  
श्री नवल प्रभाकरः

(कान्टिनेंसीज) के लिये २,००० रुपये और सत्कार-अय्य (एन्टरटेनमेंट) के लिये १,००० रुपये की भी मंजूरी की गई थी।

क्या प्रधान मंत्री यह बनाने की कृपा करेंगे कि :

(क) प्रधान मंत्री ने हाल ही में भूटान की जो यात्रा की थी उसमें उन्हे कितने दिन लगे;

(ख) उन्हे कितने मील मोटर, थोड़े, खच्चर व याक पर और पैदल चलना पड़ा,

(ग) उन्होंने किन-किन स्थानों व संस्थाओं का निरीक्षण किया; और

(घ) उनकी इस यात्रा पर भारत सरकार का कुल कितना धन व्यय हुआ?

प्रधान मंत्री तथा वैदेशिक कार्य मंत्री (श्री अवाहसाल नेहरू) : जो सूचना मार्गी गई है, वह इस प्रकार है :

(क) १६ मिनम्बर में २ अवनुवार १६५८ तक।

(ख) दोनों तरफ करीब १२३ मील मोटर कार से और ७० मील थोड़े, खच्चर या याक पर।

(ग) जिन-जिन स्थानों और संस्थाओं में बै गये थे, उनके नाम ये हैं -

गंगतोक, छांग, शेरबथाम, याटुग, रिन-छेनगाम, चर्गिंग, हा जोंग और पारो।

कारगू मठ (मानेस्टी), पारो जांग, ल्हालांग।

(घ) राजकीय अतिथि होने के नामे, भूटान से इन पर जो खर्च हुआ, वह सब भूटान की सरकार ने किया। सामान्य नियमों के अन्तर्गत अशिकारियों के लिये जिस मफल भत्ते की अनुमति है, उसके अतिरिक्त, उप-हारों के लिये ६५,०८० रु ० आपातिक व्यय

### Rehabilitation Industries Corporation

32. { Shri Ram Krishan:  
Shri A. M. Tariq:  
Shri S. M. Banerjee:  
Shri Ajit Singh Sarhadi:

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

(a) whether it is a fact that Government have decided to set up a Rehabilitation Industries Corporation for the rehabilitation of displaced persons in West Bengal;

(b) if so, the details thereof; and

(c) at what stage is the scheme?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) to (c). Yes. The details are being worked out.

### Papers Published in Malayalam

33. Shri Narayananarkutty Menon: Will the Minister of Commerce and Industry be pleased to state:

(a) the number of daily and weekly papers published in Malayalam in 1958;

(b) the number of paid subscribers for each paper; and

(c) the quantity of newsprint allotted to each paper in 1957-58?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):

(a) Dailies .. 28 (including 8 bilingual)

Weeklies .. 35 (including 11 bilingual and 1 multi-lingual)

(b) The information asked for may be obtained from the Press Registrar in accordance with the procedure

prescribed in the Press and Registration of Books Act.

(c) No allotment as such of newsprint was made during 1957-58. However, during the licensing period 1957-58, (October-March) the entitlement of each newspaper for imported newsprint was worked out for 12 months, both on the basis of previous consumption of imported newsprint and on page-area basis. After imposing a cut of 15 per cent and deducting the stocks and expected arrivals against licences on hand on 1st October 1957, the balance was licensed either on the basis of consumption or page-area, whichever was less. The newspapers were also free to draw supplies from Nepa Mills for their additional requirements.

#### विकास योजनाओं का प्रचार

३४. श्री विभूति मिश्र: क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) केन्द्रीय तथा राज्य उस मण्डलों को अपनी अनेक विकास योजनायें कार्यान्वित करने में जो मफलता प्राप्त हुई है उसका जनता में प्रचार करने के लिये मरकार ने अब तक अर्थात्, १५ नवम्बर, १९५८ तक किन कौन से तरीके अपनाये; और

(ख) सामान्य जनता ने इन योजनाओं को किस हद तक पमन्द किया है?

सूचना और प्रसारण मंत्री (डॉ. केसकर):  
(क) भिन्न भिन्न विकास योजनाओं का प्रचार कार्य मुख्यतया राज्य सरकारे करती है। केन्द्रीय सूचना तथा प्रसारण मंत्रालय अखिल भारतीय पंचवर्षीय योजना तथा उसकी प्रमुख योजनाओं के आम प्रचार कार्य का काम करता है। इसका भी ध्यान रखा जाता है कि केन्द्रीय प्रचार विभाग राज्य के प्रचार विभागों से पूरी तरह में मिल कर कार्य करे। इसके लिये इस मंत्रालय ने एक व्यापक भिला-जुला कार्यक्रम तैयार कर रखा

है जिसकी खास २ बातें विवरण में हैं। [इसके परिचय १, अनुबन्ध संख्या १५]

(ख) मांटे तोर पर इस प्रचार कार्य का अच्छा प्रभाव पड़ा है। योजना के संबंध में लोगों में जागृति बढ़ रही है। अगर वर्तमान योजनाओं को काफी हद तक बढ़ाया जाये तो लोगों में वह पैमाने पर जागृति पैदा की जा सकती है। इसके लिये और काफी वर्तमान जरूरत होगी जो कि प्राप्त नहीं है।

#### Class III and Class IV Employees of the C.P.W.D.

35. Shri Tangamani: Will the Minister of Works, Housing and Supply be pleased to state:

(a) the number of Class III and Class IV employees in the various Divisions and Sub-Divisions of the C.P.W.D. on regular establishment according to each category of post; and

(b) the number of permanent posts in each category at present?

The Minister of Works, Housing and Supply (Shri K. C. Reddy): (a) and (b). The information is being collected and will be placed on the Table of the House as soon as it is ready.

#### Second Five Year Plan

36. Shri Wodeyar: Will the Minister of Planning be pleased to state:

(a) whether pruning of Second Five Year Plan has affected Mysore; and

(b) if so, the particular projects which are likely to be affected?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) and (b). Information regarding changes in the total outlay under the Plan and the likely effects on outlays in the States will be furnished in a document to be presented to Parliament in the course of this session. The document will also provide some information regarding projects which may be affected.

## Export Negotiations

**37. Shri Aurebindo Ghosal:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether any export business has been negotiated through the Indian Embassies abroad in 1957 and 1958; and

(b) if so, the total export business negotiated by them?

**The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):**

(a) It is not the function of Indian Embassies abroad to negotiate business on behalf of Indian exporters. Our Commercial Representatives do render, whenever possible, assistance to Indian businessmen in making local contacts and in furnishing information about local market conditions

(b) Does not arise

## Indian Trade Centres

**38. Shri Aurebindo Ghosal:** Will the Minister of Commerce and Industry be pleased to state:

(a) the number of Indian Trade Centres and Show-Rooms abroad in 1957 and 1958;

(b) whether these are adequate to cover the world market, and

(c) if not the steps taken to increase their number?

**The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):**

(a) 26 at the end of 1957-58 and 28 on 31st October 1958

(b) and (c). These institutions cover quite a good bit of the world market. Apart from these show-Rooms, commercial publicity is also provided in unrepresented areas through the medium of Exhibitions. Steps are also being taken to establish a few more Show-Rooms.

Death of Shri  
Venkatachalam Chetti

## Drugs in India

**39. Shri Aurebindo Ghosal:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether the following drugs are produced in India at present;

(i) Sodium Salicylate

(ii) Aspirin

(iii) Phenacetin

(iv) Methyl Salicylate

(v) Para-Amino Salicylic Acid and its salts

(vi) Diamino-diphenyl Sulphone; and

(b) if so, the names of the producing companies and the quantities produced per month?

**The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):**

(a) Yes, Sir.

(b) A statement showing the number of factories and quantities produced is laid on the Table of the Lok Sabha [See Appendix I, annexure No 16]

12 hrs.

## DEATH OF SHRI SAMI VENKATA-CHALAM CHETTI

**Mr. Speaker:** I have to inform the House of the sad demise of Shri Sami Venkatachalam Chetti, who passed away at Madras

Shri Venkatachalam Chetti was a member of the former Central Assembly from the year 1934 to 1938. He was, before that, the Leader of the Opposition on behalf of the Congress in the Madras Legislative Assembly. He was a very prominent member of the previous Assembly here.

I am sure the House will join with me in conveying our condolence to the bereaved family of Shri Venkatachalam Chetti.

The House may stand in silence for a minute to express its sorrow.

The Members then stood in silence for a minute.

12.02 hrs.

### MOTIONS FOR ADJOURNMENT

#### SITUATION IN PONDICHERRY

**Mr. Speaker:** I have received notices of several adjournment motions. I am coming to them one after the other.

The first is regarding dissolution of the Pondicherry Elected Assembly, following the refusal of the Chief Commissioner to form the Council of Ministers and the subsequent uncertain conditions in Pondicherry by Shri Tangamani.

**Shri Tangamani (Madurai):** Even during the last Session I wanted to raise certain points. During the last Session when the question was referred to, the hon. Prime Minister was pleased to state that the Opposition along with the dissident Congressmen could not form into a group because people were moving from one party to another. Subsequently what has happened is that on the 27th October, 1958, Shri L. R. S. Singh, Chief Commissioner, dissolved the Assembly and the reason he has stated is that the validity or otherwise of the election of the President on the 25th August, 1958, is doubtful.

I would like to mention that on the 31st October the Budget Session had to commence and the Chief Commissioner had sent summons to all the members. In the meantime, negotiations were going on among members of the Congress Party and the President of the Dissidents was present there. When the A.I.C.C. meeting was there, the dissidents formed into another group. On the 28th of the same month, a telegram was received by the members of the Assembly from the Chief Commissioner saying that no meeting was going to take place on the 31st October and that the Assembly was going to be dissolved. So, I would like to know the circumstances that led to this and when the next general

election is going to take place in Pondicherry.

**The Prime Minister and Minister of External Affairs (Shri. Jawaharlal Nehru):** I do not see how the condition in Pondicherry can be the subject matter of an adjournment motion. It certainly cannot be, whatever other means there may be of dealing with it. Nor do I know how the hon. Member has brought in the meeting of the AICC into it. It has nothing to do with it at all.

Before the meeting of the AICC, these difficulties came to our notice. A meeting was being held. The President of the meeting adjourned it. The President and with him a number of members went away, but the others, who were remaining behind, said that they would continue to meet. They elected another Chairman and continued the meeting. That matter came before us and we had it examined by the Law officers. They said that after the Chairman had adjourned the meeting by the normal law of meetings, that meeting could not continue and the subsequent activities were, therefore, illegal. Therefore confusion arose about that matter. That is number one.

Secondly, this Assembly—it is called as the Council was advisory. The Chief Commissioner has the real authority. Of course, we have tried to develop a custom, i.e., to accept the advice. But because of the fact that there was no stability at that time about the continuation of this Council, it was decided that the best course would be to have fresh elections. That is why it has been dissolved and fresh elections are going to take place. It seems to me far better to proceed in this way than to allow groups to pull against each other, sometimes to come together and then to break out. That is not considered satisfactory.

So, I do not see how this question becomes a subject for an adjournment motion.

**Mr. Speaker:** In view of the statement of the hon. Prime Minister I do not consider that it is a matter to which I should give my consent to move it as an adjournment motion.

#### RELATIONS WITH PAKISTAN

**Mr. Speaker:** I have received several notices of adjournment motions relating to "the grave menace to India's peace and security as evidenced by the warlike utterances of the Pakistan President, the hectic movements of Pakistan troops on India's borders and the incessant incursions into Indian territory by Pakistan Armymen and other nationals"; "the situation arising out of the reported mal-treatment and physical violence meted out to Shri K. C. Iyer, Accountant in the Office of the Assistant Indian High Commission, Dacca"; "the continued and increased Arms supply by the USA to Pakistan which in the context of the recent declarations of General Ayub Khan concerning Kashmir and the canal water dispute adds to the threat to the security of India" (Shri Dange). Shri Goray has given notice about "the hostile activities of Pakistani officials and Pakistani Army on our Eastern front." Similarly, there is one by Raja Mahendra Pratap saying that "the President Dictator of Pakistan said that he could go to war against India on Kashmir question." Then there is one by Shri Khadilkar regarding "aggression by Pakistani forces by entering forcibly into Indian territory."

**Shri Hem Barua (Gauhati):** My motion is about a definite matter.

**Mr. Speaker:** An instance has been given in his motion whereas the others relate to general matters, I have read it out. I would like to know what exactly the situation is.

**Shri S. A. Dange (Bombay City-Central):** Sir, by raising the demand or requesting for this discussion, I do not wish to raise a hate campaign against Pakistan nor do I wish to raise

the question as to what form of Government they want to have for themselves. That is their affair. But, as the Prime Minister himself has already stated, the situation there is causing anxiety to us, first, because of the pronouncements of the Martial Law Administrator, though he has not stated that perhaps explicitly, and secondly, the greater supply of arms. It is very well known and already published in the press that the U.S. Secretary of Defence when we visited Karachi went to discuss the question of arms supply and a new pact of defence with Pakistan. Now, that arms supply may be directed against anybody else. But, surely, the immediate pronouncements have been against India. Therefore, such a build-up is bound to hit us first and anybody else. Therefore, my submission is that, if an adjournment motion is not so much to the taste of the Prime Minister, I should like to have a day set apart for discussion of this matter.

**Mr. Speaker:** And other relevant matters.

**Raja Mahendra Pratap (Mathura):** I may submit there will be danger...

**Shri Khadilkar (Ahmednagar):** I would like to know before the Prime Minister replies.....

**Mr. Speaker:** I have also read his motion to the House.

**Shri Khadilkar:**....on what grounds recognition was given to the new Pakistan Government after the two shifts in the Government, unless the Government has a firm assurance from the present Government that all the commitments and previous agreements will be honoured in the day to day administration.

**Shri Jawaharlal Nehru:** There is no question before us of recognition or non-recognition. We merely continue our dealings with those who are in charge of the destiny of Pakistan today. I have given much thought to it and I do not pretend to be able to

give a clear juristic interpretation of what has happened in Pakistan. We have adopted the simple practical way of dealing with those who are in authority and so far as I know, every other Government has done likewise.

I quite understand the anxiety and the concern of the Members of this House in connection with what has happened in Pakistan in recent weeks. I do not know, however, how that lends itself to an adjournment motion. It is my intention to make a statement before the House in the course of the next three or four days on a suitable day about these events, though I might also warn or submit to the House that what I have to say may not be anything novel. They know most of the facts. Nevertheless, I shall endeavour to make a statement before the House. If the House wishes to discuss the broad question—not these particular things—either as a general debate on foreign affairs or otherwise, we shall be willing. But, the question can hardly be considered this way as an adjournment motion.

So far as the case of Shri Iyer the accountant is concerned, it may be an individual case. But, individual cases, sometimes, are significant and important. We do consider this of significance and importance. I should not like to say much about it because we have been trying to make enquiries about it and we have addressed the Pakistan Government on the subject. *Prima facie*, it is a very objectionable thing that has happened.

**Shri Hem Barua:** There are other cases like that. The bags of two other employees of the Indian High Commission were ransacked on the Dacca Railway platform.

**Shri Jawaharlal Nehru:** If I may say so, there have been a number of cases, a variety of cases in the last two, three or four weeks, each one of them by itself not of very great importance, but nevertheless, taken together showing a certain trend which

is a matter of concern. So, I suggest, if you will be pleased to agree, that I might make a statement in regard to all the developments in Pakistan concerning us and after I have made the statement, it is for you and the House to decide how we should deal with it.

**Shri Hem Barua:** Just on a point of information, may I know whether in the meanwhile, we have tried to impress on the new regime in Pakistan about the sanctity of the Nehru-Noon Agreement and other Agreements that we have made with Pakistan in this connection?

**Shri Jawaharlal Nehru:** The present Government of Pakistan has clearly stated, not to us, but generally, that they stand by all the agreements previously made. They have accepted that. We do not consider it necessary to ask them specifically whether they stand by this or not. First of all, we presume that the Government stands by its agreements. Secondly, they have made this general statement.

**Shri Goray (Poona):** I want to submit that a statement from the Prime Minister will not be enough because, some of us have been on the spot and we want to bring to the notice of the House the fears that are entertained by the people in the area and the acts of aggression that have taken place. Therefore, I submit that an opportunity should be given to the Members to submit their points of view and that can be followed by a statement from the Prime Minister.

**Shri Braj Raj Singh (Firozabad):** May I submit, Sir, that a discussion is necessary?

**Mr. Speaker:** I have heard in general.

**Raja Mahendra Pratap:** Will you allow me two minutes, Sir? I have something very important to say.

**Mr. Speaker:** I have allowed a number of hon. Members. The only question at this stage is, if I should

[Mr. Speaker.]

allow the adjournment motions. Having regard to the importance of this subject and the natural concern at the events evinced by the Members of the House and outside also, in view of the statement of the Prime Minister, he will make a statement in two or three days. Thereafter it is open to any hon. Member to say, let the matter be discussed, if he is not satisfied with a mere statement. The hon. Prime Minister has also said that either this matter may be taken up in the debate on Foreign affairs, which certainly will be taken up this session or a separate occasion or opportunity may be raised here. It will be taken advantage of for this purpose. We will consider this matter as soon as that statement is made.

**Raja Mahendra Pratap:** I have to say an important thing.

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

**Shri Jawaharlal Nehru:** One word. From the wording of some of the motions of adjournment, it would appear that a somewhat exaggerated view is taken of what is supposed to be happening there. For instance, hectic movement of armies. I am not aware of hectic or even slow movement of armed forces there. We should take a balanced view. Again, there were headlines, I think, in today's papers or yesterday's papers, about some active aggression in Sylhet.....

**Shri Hem Barua:** Madanpur.

**Shri Jawaharlal Nehru:** The hon. Member is right. So far as I know, there was undoubtedly aggression of about 10 or 20 yards or whatever it was. Some people came and sat there. They were told they would be pushed out and the same evening they walked away; they went back. So, these are petty things if you take each one by itself; it may be the folly of local persons or one of great importance. But, a succession of the petty things taken together does become a

bigger thing and that is what concerns us. As I said to you, I am not against this matter or any matter being discussed. But, I thought that I might put in a statement of the facts only before the House and after that, you may consider how to deal with it.

**Raja Mahendra Pratap:** May I make a statement, Sir, and then the Prime Minister may make a statement after hearing me. I have something very important to say. I say that Pakistan is in such a condition that any day Delhi may be bombed. The danger is there. I say that dictators are of this nature. Leader Hitler attacked Czechoslovakia, attacked Poland, attacked France and there is a danger. I say with my own experience that we can come to terms with Afghanistan and Iran. Afghan are Sunni Muslims. Iran is Shia Muslim; and if we can come to terms with them, then, in case Pakistan does something wrong to India, Afghanistan and Iran will consider that they are attacked. I am prepared to go to Kabul and Teheran and arrange such a treaty with Afghanistan and Iran.

**Mr. Speaker:** In view of the hon. Prime Minister's statement, let him make a statement first; thereafter we will consider the desirability of.....

**Shri Vajpayee (Balrampur):** May I suggest that a day may be fixed for the discussion, one whole day, after the hon. Prime Minister makes the statement?

**Mr. Speaker:** Yes, certainly I will consider that matter. In view of the statement made by the hon. Prime Minister.....

**Shri Manay (Bombay City Central—  
Reserved—Sch. Castes):** I desire to seek a clarification of the reason given by you regarding my adjournment motion on the satyagraha in connection with the Bombay-Mysore border dispute.

**Mr. Speaker:** I am coming to that.

I do not give my consent to this adjournment motion in connection with matters relating to Pakistan in view of the statement that the hon. Prime Minister has made.

I have received a number of adjournment motions, one relating to the closure of the Banaras Hindu University, Lathi-charge etc.

**Shri Braj Raj Singh:** Yes.

**Mr. Speaker:** I have referred to it, though I have disallowed it. Dr. Ram Subhag Singh has already tabled a motion for a discussion of this matter—the closure and the consequent action that have been taken and I have admitted it as a No-Day-Yet-Named Motion, and I have requested the hon. Minister of Education to fix up a suitable date. I am sure all these matters will be discussed. All hon. Members will have an opportunity, and I will try to give an opportunity particularly to those who have tabled the adjournment motion, as far as possible.

**Shri Braj Raj Singh:** I want only to submit a word. Today, i.e., the 17th, was the date earlier fixed for reopening the University. Now we have got the information that the University is not opening. So, some 10,000 students. ....

**Mr. Speaker:** That is known.

**Shri Braj Raj Singh:** are not having their studies. So, it is a very important matter. It should be discussed early.

**Mr. Speaker:** We will try to fix up a date as early as possible. I have sent the notice to the hon. Minister of Education, and I am sure he will fix up a convenient day as quickly as possible. In view of that, it is not necessary for me . . .

**Shri Vajpayee:** May I point out that if the discussion is delayed, the situation may deteriorate in the meantime?

**Mr. Speaker:** Very good. The hon. Minister.

**The Minister of Education (Dr. K. L. Shrimali):** We may have a discussion at any time that you may decide

**Mr. Speaker:** I shall find out if it is possible to have a discussion this week

**Shri Braj Raj Singh:** Tomorrow.

**Mr. Speaker:** Why not this afternoon? Hon. Members will not give me any discretion in this matter.

**Shri S. M. Banerjee (Kanpur):** Today is the 17th. After this some agitation will start.

**Mr. Speaker:** Very well. Nobody will start an agitation after a discussion in this House, and if still they start, they will thank themselves.

An Hon Member has tabled an adjournment motion relating to some satyagraha on account of the border disputes between Bombay and Mysore. Anybody starts any satyagraha anywhere relating to what he considers to be right or not right. I do not think this is the forum where I must take it up. Then anybody can start. It is open to anybody to feel aggrieved with respect to any solution arrived at. A solution was arrived at here by an Act of Parliament. Some persons may not agree to it. Very well, there are ways of demonstration, but every time a demonstration is made, it is not possible to discuss this matter here. There are a number of hon. Members here coming both from Mysore and the other place. If they want, let them table an amendment to the Act whereby the boundaries may be readjusted. There are constitutional remedies I do not know how, merely because some people choose to take it into their heads to get up and offer satyagraha, I should allow an adjournment motion here. Therefore, in view of this, I am not going to allow the adjournment motion.

**Shri Nath Pai (Rajapur):** In view of what you have said, will you please allow me to make a very small statement?

I come from that city where the satyagraha is taking place.

You gave a constitutional ruling in the beginning by saying that what is happening there is a result of an Act of this Parliament. That, in the first place, brings us into the picture.

Secondly, the Zonal Council, we were assured, would be taking up the issue at the appropriate time. This was the assurance that was given to the people who are now agitating at the time the Bill was passed by this House. The people continued to pin their faith on this assurance, but it is the failure to act up to this promise that makes this Government burdened with the responsibility for the acts there.

It is a very salient feature which I should like to point out that the views which we are holding on this issue are identical with the views held by the Government of Bombay. The Chief Minister of Bombay has expressed himself in the same terms, in the same, identical language—the same, I respect it—as those who are agitating. The issue is very simple. Let us not go into the merits. I entirely submit to you.

**Mr. Speaker:** I am only on the point whether an adjournment motion will serve any purpose. Or, are we competent to take it up as an adjournment motion?

**Shri Nath Pai:** If you had given me a minute, I would have concluded.

All the demands pertain to a request to this Government to accept a principle which the Congress Party had upheld before the nation for more than 30 years, since 1922, that this issue should be amicably settled on the basis of the principle of a single contiguous unit of a village. It is this appeal that is being made repeatedly

to this Government, and on this issue the people have been most patient, most peaceful. The Government has turned a deaf ear to this, and the Government always waits till there is a paroxysm of popular rage, and then we are told that the people are misbehaving. I say the people there are contributing to democracy by their action. If we do not want an Ayub Khan in India to develop, I plead and submit that the only way of doing it is by seeing that the people's wishes are respected and their initiative is not killed and not by turning a deaf ear to their demand.

**Mr. Speaker:** At this stage, I am not concerned with the general discussion. If I allow the adjournment motion, discussion may go on, but so far I have not been convinced that this is a matter for an adjournment motion here. If they want, let the hon. Members table a resolution and take their chance. There are a number of ways in which this can be discussed. If it was said that this matter would be considered by the Zonal Council and it has not been followed, it is to be raised not by an adjournment motion here. They can impress upon the Government that they should follow it if any assurance has been given. Even if an assurance has not been given, if it is the opinion of the House that a particular course has to be adopted, it should be done.

In view of this, I am not called upon to give my consent.

**Shri Manay:** I was seeking clarification from you on the reason given by you.

**Mr. Speaker:** The reason is that this is not a subject matter of an adjournment motion, trying to upset the boundaries which have been already accepted by Parliament. If each Bill that is passed by Parliament is to be upset by some persons taking the law into their own hands or offering satyagraha or other demonstration, there will not be any end to this kind of adjournment motion. No Act of Parliament will be safe. Under the circumstances, as a matter of principle,

I am not going to allow adjournment motions relating to matters intended or calculated to get rid of Acts of Parliament.

**Shri Manay:** Would you allow me one minute?

**Mr. Speaker:** I am not going to allow.

**Shri Manay:** You say that it relates to a continuing matter. I wanted clarification on that point only.

**Mr. Speaker:** I have now said that this is not a matter on which an adjournment motion can be allowed in this House to upset an Act of Parliament.

This disposes of all the adjournment motions.

**12.28 hrs.**

**PAPERS LAID ON THE TABLE**  
**AMENDMENT TO WORKING JOURNALISTS (FIXATIONS OF RATES OF WAGES) RULES**

**The Minister of Labour and Employment and Planning (Shri Nanda):** I beg to lay on the Table a copy of Notification No. G.S.R. 946, dated the 10th October, 1958 making certain amendment to the Working Journalists (Fixation of Rates of Wages) Rules, 1958. [Placed in Library, See No. LT-980/58.]

**NOTIFICATION TO BE ISSUED UNDER THE COMPANIES ACT**

**The Minister of Commerce and Industry (Shri Lai Bahadur Shastri):** I beg to lay on the Table, under sub-section (2) of section 620 of the Companies Act, 1956, a copy of draft Notification proposed to be issued under sub-section (1) of Section 620 of the said Act. [Placed in Library. See No. LT-981/58.]

**REPORT OF AGRICULTURAL ADMINISTRATION COMMITTEE**

**The Minister of Co-operation (Dr. P. S. Deshmukh):** On behalf of Shri A. P. Jain, I beg to lay on the Table

a copy of the Report of the Agricultural Administration Committee. [Placed in Library. See No. LT-982/58.]

**HIMACHAL PRADESH LEGISLATIVE ASSEMBLY (CONSTITUTION AND PROCEEDINGS) VALIDATION ORDINANCE**

**The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha):** I beg to lay on the Table, under provisions of article 123(2)(a) of the Constitution, a copy of the Himachal Pradesh Legislative Assembly (Constitution and Proceedings) Validation Ordinance, 1958 (No. 7 of 1958). [Placed in Library. See No. LT-983/58.]

**AMENDMENT TO TEA RULES**

**The Minister of Commerce (Shri Kanungo):** I beg to lay on the Table, under sub-section (3) of section 49 of the Tea Act, 1953, a copy of Notification No. G.S.R. 799, dated the 13th September, 1958, making certain further amendment to the Tea Rules, 1954. [Placed in Library. See No. LT-984/58.]

**AMENDMENT TO COFFEE RULES**

**Shri Kanungo:** I beg to lay on the Table, under sub-section (3) of section 48 of the Coffee Act, 1942, a copy of Notification No. G.S.R. 1024, dated the 1st November, 1958, making certain further amendments to the Coffee Rules, 1955. [Placed in Library. See No. LT-985/58.]

**AMENDMENT TO KHADI AND VILLAGE INDUSTRIES COMMISSION RULES**

**The Minister of Industry (Shri Manubhai Shah):** I beg to lay on the Table, under sub-section (3) of section 26 of the Khadi and Village Industries Commission Act, 1956, a copy of Notification No. G.S.R. 1002, dated the 25th October, 1958, making certain further amendment to the Khadi and Village Industries Commission Rules, 1957. [Placed in Library. See No. LT-986/58.]

## LIST OF CONCERN TO WHICH EXEMPTION UNDER SECTION 56-A OF THE INDIAN INCOME-TAX ACT HAS BEEN GRANTED

**The Minister of Revenue and Civil Expenditure (Dr. B. Gopala Reddi):** I beg to lay on the Table, in pursuance of an assurance given on the 18th April 1953 during discussion on the Finance Bill, a list of concerns to which exemption under section 56-A of the Indian Income-tax Act, 1922 has been granted during 1957-58 [Placed in Library See No LT-987/58]

## AMENDMENT TO THE EMPLOYEES' PROVIDENT FUNDS SCHEME

**The Deputy Minister of Labour (Shri Abid Ali):** I beg to lay on the Table, under sub-section (2) of section 7 of the Employees' Provident Funds Act 1952, a copy of each of the following Notifications making certain further amendment to the Employees' Provident Funds Scheme, 1952 —

- (1) GSR No 970, dated the 18th October, 1958, and
- (2) GSR No 1044, dated the 1st November, 1958 [Placed in Library See No LT-988/58]

## REPORTS OF LAW COMMISSION

**The Deputy Minister of Law (Shri Hajarnavis):** I beg to lay on the Table a copy of each of the following Reports —

- (i) Eighth Report of the Law Commission on the Sale of Goods Act, 1930, [Placed in Library See No LT-989/58]
- (ii) Ninth Report of the Law Commission on the Specific Relief Act, 1877, [Placed in Library See No LT-990/58]
- (iii) Thirteenth Report of the Law Commission on the Contract Act, 1872 [Placed in Library See No LT-991/58]

## AMENDMENT TO DELHI ELECTORAL COLLEGE (ELECTION OF MEMBERS) RULES

**Shri Hajarnavis:** I beg to lay on the Table, under sub-section (3) of section 28 of the Representation of the People Act, 1950, a copy of Notification No. GSR 869, dated the 24th September, 1958, making certain amendment to the Delhi Electoral College (Election of Members) Rules, 1958 [Placed in Library See No LT-992/58]

## ANDAMAN AND NICOBAR ISLANDS HINDU MARRIAGE REGISTRATION RULES

**Shri Hajarnavis:** I beg to lay on the Table, under sub-section (3) of section 8 of the Hindu Marriage Act, 1955, a copy of the Andaman and Nicobar Islands Hindu Marriage Registration Rules 1958 [Placed in Library See No LT-993/58]

## AMENDMENTS TO MEDICINAL AND TOILET PREPARATIONS (EXCISE DUTIES) RULES

**Dr. B. Gopala Reddi:** I beg to lay on the Table, under sub-section (4) of section 19 of the Medicinal and Toilet Preparations (Excise Duties) Act, 1955 a copy of Notification No GSR 828 dated the 20th September, 1958, making certain further amendments to the Medicinal and Toilet Preparations (Excise Duties) Rules 1956 [Placed in Library See No LT-994/58]

## NOTIFICATIONS UNDER CENTRAL EXCISES AND SALT ACT

**Dr. B. Gopala Reddi:** I beg to lay on the Table, under section 38 of the Central Excises and Salt Act, 1944, a copy of each of the following Notifications —

- (1) GSR No 844 dated the 27th September, 1958, making certain further amendments to the Central Excise Rules, 1944,
- (2) GSR No 857 dated the 28th September, 1958
- (3) GSR No 858 dated the 28th September, 1958 making

certain further amendments to the Central Excise Rules, 1944;

- (4) GSR No. 861 dated the 28th September, 1958 making certain further amendments to the Central Excise Rules, 1944;
- (5) GSR No. 907 dated the 11th October, 1958, making certain further amendments to the Central Excise Rules, 1944;
- (6) GSR No. 908 dated the 11th October, 1958 making certain further amendments to the Central Excise Rules, 1944; and
- (7) GSR No. 909 dated the 11th October, 1958, making certain further amendments to the Central Excise Rules, 1944.

[Placed in Library. See No. LT-995/58.]

#### **NOTIFICATIONS UNDER SEA CUSTOMS ACT**

**Dr. B. Gopala Reddi:** I beg to lay on the Table, under sub-section (4) of section 43B of the Sea Customs Act, 1878, a copy each of the following Notifications:—

- (1) GSR No. 873 dated the 4th October, 1958;
- (2) GSR No. 874 dated the 4th October, 1958; and
- (3) GSR No. 875 dated the 4th October, 1958, containing the Customs Duties Drawback (Alabaster Articles) Rules, 1958.

[Placed in Library. See No. LT-996/58.]

#### **CUSTOMS AND CENTRAL EXCISE DUTIES DRAWBACK (PIPERAZINE SYRUP) RULES**

**Dr. B. Gopala Reddi:** I beg to lay on the Table, under sub-section (4) of section 43B of the Sea Customs Act, 1878 and section 38 of the Central

Excises and Salt Act, 1944, a copy of the Customs and Central Excise Duties Drawback (Piperazine Syrup) Rules, 1958, published in the Notification No. GSR 876 dated the 4th October, 1958. [Placed in Library. See No. LT-997/58]

#### **NOTIFICATIONS UNDER SEA CUSTOMS ACT**

**The Deputy Minister of Finance (Shrimati Tarkeshwari Sinha):** I beg to lay on the Table, under sub-section (4) of section 43B of the Sea Customs Act, 1878, a copy of each of the following Notifications:—

- (1) GSR No. 841 dated the 27th September, 1958, making certain further amendment to the Customs Duties Drawback (Potassium Citrate) Rules, 1957; and
- (2) GSR No. 1014, dated the 1st November, 1958.

[Placed in Library. See No. LT-998/58]

#### **NOTIFICATIONS UNDER SEA CUSTOMS ACT AND CENTRAL EXCISES AND SALT ACT**

**Shrimati Tarkeshwari Sinha:** I beg to lay on the Table under sub-section (4) of section 43B of the Sea Customs Act, 1878 and section 38 of the Central Excises and Salt Act, 1944, a copy of each of the following Notifications:—

- (1) GSR No. 842 dated the 27th September, 1958, making certain amendment to the Customs and Central Excise Duties Drawback (Fatty Acids) Rules, 1958;
- (2) GSR No. 843 dated the 27th September, 1958, making certain amendment to the Customs and Central Excise Duties Drawback (Motor Vehicles) Rules, 1958; and
- (3) GSR No. 1015, dated the 1st November, 1958, containing the Customs and Central

[Shrimati Tarkeshwari Sinha.]

Excise Duties Drawback  
(Biscuits) Rules, 1958[Placed in Library, See No. LT-899/  
58]REPORT OF REHABILITATION FINANCE  
ADMINISTRATION

**Shrimati Tarkeshwari Sinha:** I beg to lay on the Table, under sub-section (2) of section 18 of the Rehabilitation Finance Administration Act, 1948, a copy of the Report of the Rehabilitation Finance Administration for the half year ended the 30th June, 1958

[Placed in Library, See No LT-1000/  
58]

DIRECTION BY SPEAKER UNDER  
RULES OF PROCEDURE

**Sardar Hukam Singh (Bhatinda)** I beg to lay on the Table a copy of Direction No 115B issued by the Speaker under the Rules of Procedure and Conduct of Business in Lok Sabha

12.33 hrs.

## PRESIDENT'S ASSENT TO BILLS

**Secretary:** Sir, I lay on the Table the Appropriation No 4 Bill, 1958 passed by the Houses of Parliament during the last Session and assented to by the President since a report was last made to the House on the 22nd September, 1958

Sir, I lay on the Table copies, duly authenticated by the Secretary of Rajya Sabha, of the following fifteen Bills passed by the Houses of Parliament during the last Session and assented to by the President since a report was last made to the House on the 22nd September, 1958 —

- (1) The All-India Services (Amendment) Bill, 1958;
- (2) The Code of Criminal Procedure (Amendment) Bill, 1958;

- (3) The Armed Forces (Assam and Manipur) Special Powers Bill, 1958;
- (4) The Working Journalists (Fixation of Rates of Wages) Bill, 1958;
- (5) The Sugar Export Promotion Bill, 1958;
- (6) The Banaras Hindu University (Amendment) Bill, 1958;
- (7) The Manipur and Tripura (Repeal of Laws) Bill, 1958;
- (8) The Indian Medical Council (Amendment) Bill, 1958;
- (9) The Rajghat Samadhi (Amendment) Bill, 1958;
- (10) The Industrial Disputes (Banking Companies) Decision Amendment Bill, 1958;
- (11) The Sea Customs (Amendment) Bill, 1958;
- (12) The Supreme Court Judges (Conditions of Service) Bill, 1958;
- (13) The International Finance Corporation (Status, Immunities and Privileges) Bill, 1958;
- (14) The Trade and Merchandise Marks Bill, 1958; and
- (15) The Merchant Shipping Bill, 1958

12.34 hrs.

FIRE ACCIDENT AT AIR FORCE  
SIGNALS CENTRE AT GURGAON

**The Deputy Minister of Defence (Sardar Majithia):** With great regret, Government have to inform the House that a fire broke out at Gurgaon in the transmitting station of the Air Force Signals Centre at 23.40 hours on the night of 29th October, 1958. The fire services were called and the fire was extinguished at about 04.00 hours on the morning of the 30th October, 1958. The transmitters in the station were destroyed in the fire; the building housing them was extensively damaged

There were fortunately no casualties.

A court of inquiry has been ordered to investigate the accident. Until the findings of the court are received, it will not be possible to state the exact cause of the fire, the extent of the loss or any further particulars, as any inferences based on imperfect information may turn out to be inaccurate.

The communications, however, were restored the very next day.

12.35 hrs.

#### ELECTION TO COMMITTEE

#### CENTRAL ADVISORY BOARD OF ANTHROPOLOGY

**The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir):** I beg to move:

"That in pursuance of clause (5) of para 2 of the Ministry of Education and Scientific Research Resolution No. F. 8-26/57-C-1, dated the 9th October, 1957, as amended by that Ministry Resolution No. F. 8-26/57-C-1, dated the 15th March, 1958 and the Ministry of Scientific Research and Cultural Affairs Resolution No. F. 23-3-/58-Sur. III, dated the 24th October, 1958, the Members of Lok Sabha do proceed to elect, in such manner as the Speaker may direct one more Member from amongst themselves (in addition to a Member of Lok Sabha already elected in December, 1957) to serve as a member of the Central Advisory Board of Anthropology for a term of three years subject to the other provisions of the said Resolution."

**Mr. Speaker:** The question is:

"That in pursuance of clause (5) of para 2 of the Ministry of Education and Scientific Research Resolution No. F. 8-26/57-C-1, dated the 9th October, 1957, as amended by that Ministry Resolution No. F. 8-26/57-C-1, dated the 15th March, 1958 and the Ministry

of Scientific Research and Cultural Affairs Resolution No. F. 23-3/58-Sur. III, dated the 24th October, 1958, the Members of Lok Sabha do proceed to elect in such manner as the Speaker may direct, one more member from amongst themselves (in addition to a member of Lok Sabha already elected in December, 1957) to serve as a member of the Central Advisory Board of Anthropology for a term of three years subject to the other provisions of the said Resolution."

*The motion was adopted.*

12.36 hrs.

#### DELHI RENT CONTROL BILL

**MOTION re: EXTENSION OF TIME FOR PRESENTATION OF REPORT OF JOINT COMMITTEE**

**The Minister of Home Affairs (Pandit G. B. Pant):** With your permission, I wish to make a slight alteration in the motion, namely that for '24th November', the words '27th November' be substituted.

I beg to move:

"That the time appointed for the presentation of the Report of the Joint Committee on the Delhi Rent Control Bill, 1958, be extended up to the 27th November, 1958."

It is possible that I may present the report earlier, but I am putting in a later date, so that there may be no occasion for asking for further extension.

**Mr. Speaker:** The question is:

"That the time appointed for the presentation of the Report of the Joint Committee on the Delhi Rent Control Bill, 1958, be extended up to the 27th November, 1958."

*The motion was adopted.*

12.37 hrs.

**HIGH COURT JUDGES (CONDITIONS OF SERVICE) AMENDMENT BILL**—contd.

**Mr. Speaker:** The House will now resume further consideration of the following motion moved by Shri Datar on the 25th September, 1958, namely:—

"That the Bill further to amend the High Court Judges (Conditions of Service) Act, 1954, be taken into consideration".

Out of 2 hours allotted for all stages of the Bill, 1 hour and 14 minutes were availed of during the last Session, and 46 minutes now remain.

Shri Harish Chandra Mathur may now continue his speech.

Before the hon. Member starts, I would like to know how long the clause-by-clause consideration stage would take.

Shri Narayananckutty Menon (Mukundapuram): About 15 minutes.

**Mr. Speaker:** I do not find that there are any amendments.

Shri Frank Anthony (Nominated—Anglo-Indians): You may be pleased to allot at least 1 hour for the general discussion and about 15 to 20 minutes for the clause-by-clause consideration.

**Mr. Speaker:** We have had general discussion for 1 hour and 14 minutes already. I believe the hon. Member himself started it.

Shri Frank Anthony: No. I spoke on the Supreme Court Judges (Conditions of Service) Bill; I had not spoken on this.

The Minister of State in the Ministry of Home Affairs (Shri Datar): That Bill has been passed already.

**Mr. Speaker:** I was mistaken. Does the hon. Member want to participate in the discussion on this Bill?

Shri Frank Anthony: Yes.

**Mr. Speaker:** Very well, I shall allow him.

Only 46 more minutes now remain for all the stages of the Bill. If necessary, I shall extend it by half an hour.

Shri Harish Chandra Mathur (Pali): I shall finish in ten minutes.

Shri Narayananckutty Menon: Are you extending the time by half an hour?

**Mr. Speaker:** I shall extend it by half an hour more. Let us see. I shall extend it by one hour, if there is need.

Shri Harish Chandra Mathur: Mr. Speaker, you will recall that the hon. Member who just preceded me during the last Session put forward a very extraordinary viewpoint. What he suggested was that in the matter of the computation or calculation of the period for pension, the judges who used to work in the Part B States should not be treated on a par with those in the Part A States. He had suggested that only 50 per cent. of the period service put in by the judges in the Part B States should be taken into account; and this discriminatory treatment, he thought, would make up for the inferior status of the people who had been taken over to the Benches from the Part B States.

I think the hon. Member who made this suggestion did not himself realise the dubious implications of it. I will just ask the House to take into consideration one aspect. In Rajasthan for instance, we had Mr. Wanchoo working as Chief Justice. He had worked as Chief Justice in that Part B State for quite a number of years till reorganisation came about. Now if the suggestion of my hon. friend's

was to be accepted, the entire period of service of seven or eight years put in by Mr. Justice Wanchoo in Rajasthan—while serving in a Part B State—would not be taken into consideration, as it ought to have been, but only half of it would be taken into account. He also forgets that once you admit a Judge on the High Court Bench, there can be no discrimination between Judge and Judge.

I strongly urge this point and wish to state with all the emphasis at my command that no credence should be given to any idea which divides Judge against Judge, which injects a sense of superiority in one Judge and of inferiority in another. I think that would be a most dangerous thing and the earlier we forget about this idea of the inferior status of Judges in Part B States the better it would be for a dignified judiciary and for harmony of work and for better unity of purpose.

Having disposed of this particular point urged by my hon. friend, I would like to pass on to a larger issue. When we discuss and accept certain terms and conditions of service for Judges of the High Court or of the Supreme Court, we do it in a certain context and with a definite, particular purpose in view. I think the only purpose in view is that we want to ensure and have an independent and fearless judiciary. It is only this consideration which prompts us to liberalise the terms and conditions and give them the salaries and pensions which we propose to recommend. It is in this context that I most respectfully venture to submit that today a rotten deterioration has definitely started and it is time that we took a serious note of the situation. Of course, our judiciary, by and large, particularly the higher judiciary, has conducted itself very well, but we cannot shut our eyes to the definite fact that a rotten deterioration has started, and we should take certain definite and effective steps to see that our judiciary, the higher judiciary in

particular, enjoys greater respect and confidence in the minds of the people. It must inspire greater confidence in the minds of the people. Such a view has been expressed by those people who are very directly connected with the working of the judiciary; such an expression of view has been given by Judges of the Supreme Court and by members of the Law Commission. The last and latest utterance which we had on this subject is from no less a respectable person than Mr. Justice Chagla at the time of his relinquishing the office of Chief Justice of the Bombay High Court. I would just read three lines from the speech he made on this particular point. He said:

"It cannot be said that the Government either in States or at the Centre has scrupulously desisted from making inroads upon the status and jurisdiction of the law courts"

I think a serious note must be taken of such observations. Even when I say all this, I do not support the viewpoint which has been put forward by many speakers while speaking on the other Bill regulating the conditions of service of Judges of the Supreme Court, that we should have a statutory ban on the appointment of Judges to some administrative or ambassadorial jobs. Of course, I do not want such a statutory ban, but there should certainly be a convention, which should be respected, that the Judges look forward to nothing else but their promotion as Judges only. It should be only in certain very exceptional circumstances that in the national interest it may be necessary to appoint some Judge to a certain other post. That is why I do not insist upon any statutory ban.

The hon. Home Minister, while speaking on the subject, said that there was no reason why we should not have faith and confidence in our Judges. If we cannot have faith and

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confidence in people of that status, then God alone help us I entirely respect the observation made by the hon. Home Minister. It is not that we have no trust and confidence in our Judges. We do have trust and confidence in them. We also want that we make the best possible use of the talent available in the country. I concede both these points. But then we cannot ignore also the other two factors. It is only because we want to make the best use of the talent of these Judges that we have fixed the superannuation age at a higher level. Judges of the High Court do not retire at the age of 55, they retire at the age of 60. Judges of the Supreme Court do not retire even at 60; they do so at the age of 65. It is only because we want that Judges should remain Judges and it is only because we want to make the best use of the talent. I think the Judges and the Administration should be satisfied with the best use which we are making of this talent. Not that we do not trust our Judges, but certainly Judges are human beings like ourselves and we should never put temptations and pitfalls in their way. It is only for this reason that we suggest that there should be a strong convention that no Judge, so far as possible, should be appointed to any executive or ambassadorial job. I say this because it does affect independent working. I am personally aware of such cases, how at the time of retirement our seniormost officers feel and how they behave and try to secure certain better jobs. So we must try to avoid all these temptations and pitfalls. We must remember that we are already making the best use of the talent available in the country. I make an exception because I do not want, as I said at the beginning, any statutory ban; I say that if in an exceptional circumstance it becomes necessary to depart from this convention, we should do so.

I will only refer to one other point which was mentioned in regard to

this matter, namely, about the salaries of the Judges. One hon. Member made the point that the salaries and pensions given to Judges were not adequate and they should be raised. Even when we were discussing the other Bill, it was suggested that we must remember that the Federal Court Judges were getting Rs 7,000 per month each. I think we should remember the context and the circumstances. At that time, the Governor-General, not even the Head of the State, was getting Rs. 21,000 or Rs 23,000 per month. It should be remembered that now the Head of the State is getting Rs. 5,000 or Rs 6,000. He has cut it down. Let us also consider the context in which salaries of Judges and of everyone else have to be decided. I am not one of those who wants to import political stunts when we are considering the pay structure of our services, and particularly the pay structure of the Judges. While discussing the question of salaries of Judges, one hon Member sitting opposite told the House that the Chief Minister of Kerala was getting only Rs 350 per month. I do not know what oblique suggestion he was wanting to make. Does he want that Judges should get Rs 500 or Rs 600 or Rs 700 per month? I do not think we need import these political stunts while we are considering such an important subject as the scales of salaries and pensions of Judges. At the same time, we cannot divorce ourselves from the context of the pay structure which is obtaining in the country and the resources which are available to us. I think the salary of the Judges which has been fixed as also the pension is more than adequate and they should be satisfied with it. It is enough to make the Judges live in comfort and absolute security. We are not providing for luxuries. In this country we cannot afford to. I do not know how the Judges themselves will be feeling in asking for higher salaries when they know that there are other equally deserving people who do not get higher salaries.

and that a large section of our pay structure provides only for bare maintenance. Let us not forget that.

When this particular question was raised, my hon. friend sitting over there stated that the posts of Judges were going abegging. It is a very important matter of which we have to take note. It was mentioned that in a particular State the offer of appointment as a High Court Judge was made one after another to 8 or 9 advocates and was refused. I would, certainly, like the hon. Home Minister to throw some light on the subject. I would like to know particularly whether it was in a Part B State or in a Part A State; and, if it was in a Part B State, was it when the salary of the Judges in some of the States used to be Rs. 1,000 or Rs. 1,500 or was it after the salary was raised to Rs. 3,500.

Apart from saying that the salaries and pensions of these High Court Judges are adequate, I wish to stress and emphasise one particular point. The Home Ministry should see that no offers are made to persons who are likely to refuse them. I think there is something very unhealthy in offers being made to such persons. I cannot conceive of it. It also indicates and reflects the bad health of the Bar Associations and the Bar itself. It would be better if the Bar Associations of the various States convene a conference and evolve a sort of convention that whenever an offer is made that offer would be respected. The Home Ministry should also evolve a procedure to see that offers are, by and large, made only to persons who will accept them.

It is not that we always want a person from the Bar who is making the most money. It is not always necessary to have such a person who is getting such a lucrative practice that he would never think of accepting the offer. I do not understand how even a very lucrative practitioner

would refuse an offer if the Income-tax Department is working properly, because income-tax should mop away whatever extra income he gets over Rs. 4,000 or Rs. 5,000. Even if he is getting more than Rs. 10,000 he would not be able to retain more than Rs. 4,000 or Rs. 5,000 if the Income-tax Department is working properly.

It is not only money that should be the consideration. I think the Bar Associations must meet and evolve a healthy convention if they are to have the respect which is absolutely their due. It is only the Bar of this country which has provided personnel for political work in the country, for public work in the country and also for the Bench. If they are not satisfied with Rs. 4,000 or Rs. 5,000 which this poor country can hardly afford to pay, I think, there is something wrong with the health of the Bar of this country; and it is better that they take stock of this and do something for the country.

Having said all this, I support in full particularly those clauses in which the attitude of the Government is reflected. Government's attitude appears to be that they want to make no distinction between a Judge who is taken from a Part B State and a Judge who is taken from a Part A State. I would only want the hon. Minister to make absolutely clear his attitude in the matter and to say that he gives no credence to the ideas which had been put forth by the hon. friend who preceded me and who wanted discriminative treatment. He wanted to inject a sense of inferiority in the people who had come from the B States and a sense of superiority in those Judges who happened to be in Part A States, though we have had very brilliant Judges from our Part B States. We had some people who were really brilliant and who were found to be as good as any other from Part A States.

Now that we have got only one kind of State, I do hope that this discriminative treatment and this psychology would be forgotten once

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for all and all the States would be treated on an equal level in this country

**Shri Frank Anthony:** Sir, speaking on the Supreme Court Judges (Conditions of Service) Bill, I covered considerable ground which I felt is vitally relevant even to the present Bill. And, frankly, I was a little reluctant to speak on this Bill because of the lack of response that my suggestions had evoked from Government. I felt with a great deal of distress that Government is determined to pursue measures which, in my humble opinion, are corrupting steadily the independence of the judiciary and are also undermining public confidence in the judiciary. I say this with a great deal of respect, and I say with a great deal of sorrow that I feel that progressively Government has undertaken measures which are calculated to make our judiciary, even in the higher regions, little more than an appendage of the Executive.

Sir, when I was speaking on the Supreme Court Judges (Conditions of Service) Bill, I had referred to this feeling that this prospect of executive preferment to judges after they retire or even while they are in service has demoralised our judiciary. In saying that, I am expressing the unanimous feeling of the members of the legal profession, and I may say this that I am expressing the feeling of a large section of the Judges themselves.

I do not know whether I would be right in saying that Government is aware of the extent to which the independence of the judiciary has been steadily undermined. Some people suggest—and I perhaps am one among them—that Government knows to what extent the independence of the judiciary has been corroded. I do not know whether it is part of Government's policy to evolve measures which will keep our judiciary

subservient to the executive. But, I say that it is the characteristic of all governments, particularly of governments which are in a dominant position, governments which inevitably become tainted with the taint of power-drunkness, that they do not deliberately encourage and foster an independent judiciary.

What has happened to what we regarded as the sacrosanct principle before independence that there must be a separation of the judiciary from the executive? We have even enshrined it in our Directive Principles, but this Directive Principle has become one of our forgotten Directive Principles. I say this with a great deal of sorrow, but I say without qualification that so far from this principle being implemented by Government, so far from the judiciary being separated from the executive more and more, by measures, *indirect sub rosa* there is an increasing fusion of the judiciary with the executive.

Sir, I know that Government is inclined to indulge in cliches and say, 'No, we must not point a finger at our judiciary, that our judiciary is incorrigible, that our judiciary is as independent as it was before.' I do not want to point a finger at our judiciary. No one is more zealous than I am of the need for preserving intact the independence of our judiciary and the need for preserving intact the maximum of public confidence in the judiciary. But, I cannot help feeling that there is an almost calculated pattern of encroaching on the independence of the judiciary.

13 hrs

Sir, this Bill purports to be innocuous. I am glad that the Home Minister is here. The Home Minister did not have the benefit of listening to my views when I spoke on the Supreme Court Judges (Conditions of Service) Bill. But I say that in one provision,

at any rate, this Bill is not so innocuous. I do not know what the intention of Government is—I am referring to clause 23A which reads:—

"Every High Court shall have a vacation or vacations for such period or periods as may, from time to time, be fixed by the President... ."

I say with a great deal of respect that this is an eloquent exemplification of this creeping encroachment of the executive on the judiciary. I am aware that there were disparity of conditions as between State and State, particularly between Part A and Part B States, with regard to length of vacations. But I do not know what Government's motive is. I am not going to assign any motive, but what is going to be the effect of a provision like this? I say this provision is most reprehensible.

Sir, this question of tampering with the vacations of our judges is completely misconceived. Whether they have ten weeks or eight weeks, what difference is it going to make? The arrears in some of the High Courts are so huge that even if we abolish their vacations completely, it will make no appreciable impression on the clearing of these arrears. The Chief Justice of one of the leading High Courts calculated it that at the most a Judge can on an average dispose of four units of work per day. There are two hundred or two hundred and ten working days in a year. On a generous estimate the most he can dispose of in the course of a working year is about eight hundred to eight hundred and eighty units. How, if you take away three or four weeks, are you going to solve the problem? Assuming that they dispose of another eighty or hundred cases per judge (fifteen judges disposing of fifteen hundred cases) how are they going to make an impression on the arrears running into fifteen thousand? It is misconceived, because I feel we

play to the political galleries when we say: Oh our judges are getting ten weeks, cut it down to six weeks. It is misconceived in this way.

Judges are supposed to do mental work which is of a uniquely sustained character. They are on the Bench from ten to four. They do not have any breaks, except short breaks for lunch. No one is more dangerous to the integrity of our judiciary than a tired judge, an overworked judge—integrity in the sense that a tired judge an over-worked judge will not dispense injustice. He will be inclined to dispense injustice. He will be inclined not to apply his mind to writs and other matters involving life. He will be inclined to deal with them in a superficial or summary manner. What I feel very strongly in connection with this particular provision is that it underlines a sort of executive encroachment on the independence of the judiciary.

What does it mean in effect? What are we telling our judges? We are telling our judges this: in future you will have to behave like good boys; that in future the Home Minister of a State, or even perhaps the Home Secretary, will determine whether you get ten weeks or six weeks by way of vacation. I just cannot understand how in principle we can accept a provision like this. If, however, you wish to make a provision like this, leave it to the Chief Justice of India or leave it to the Chief Justice of the High Court concerned. But to leave it to the Home Secretary or Home Minister is not good. I realise that the word is the 'President'; but in the final analysis it will be the Home Minister of a State who will determine whether the judges should get ten weeks or six weeks, or four weeks. I feel that the principle is not only wrong, but that it is pernicious. I would even go to this extent. If you want to tamper with the independence of the judiciary, we cannot prevent it. But at least let the tampering be qualified. I would not like to place this at all in the hands of the executive, whether

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they get ten weeks or six weeks. I am not prepared to place the independence of the judiciary at the whims and caprices of some executive officers. I would even be prepared to go to this extent. If you think you have got a case for cutting down their vacation, I do not object; cut it down, for ten weeks make it six weeks. We are making the conditions of service and salary uniform in the High Courts. Make the period of vacation six weeks. Put a specific provision here that the High Courts shall not have more than six weeks of vacation. But the period of their vacation cannot be decided from period to period as may be fixed from time to time. The Judges will not know what their vacation would be. Suddenly they would be told: you have not done your work.

I heard from a senior Judge only a few days ago what happened in one of the Part B States before the merger. I do not want to attribute motives. One of the Part B State Judges wanted to show the disposal of work. He got hold of his list, looked at it and arbitrarily cut down 70 per cent of his petitions—dismissed just like that. That is precisely what will happen if the executive thinks that it can cut down the vacation of the Judges in this way, make their leave conditional on quick disposal. As I said earlier you won't get justice in this manner. I would appeal to the Home Minister do not give the judges a feeling that now more than ever they are being brought completely under the domination of the executive, that even the vacation of the High Court Judges will be at the mercy of some Home Secretary. I say that it is extremely bad; it is another measure on the road to make the judiciary the appendage of the executive. It will create resentment among the judiciary and it will only give the public another reason for pointing a finger at the fact that the judiciary is steadily losing its independence.

चंडिल ठाकुर: वास भार्तीय (गुडगाव) : जनाब स्पीकर साहब, ए इ ग्री साहब की तरह जजेज के बारे में मुझे जो कुछ प्रश्न करना था वह मैं ने उस बक्त अपने कर दिया वा जब कि सुप्रीम कोर्ट के जजेज का बिल आया था और अब मैं उसको दुरहाना नहीं चाहता। लेकिन मैं सेक्षण २३ ए के बारे में, जिसका हवासना दिया गया है, मैं अदब से चन्द बातें अर्जन करना चाहता हूँ।

मैं नो यह यहीन नहीं रखता कि हमारी गवर्नेंट किसी तरह से भी जूडीशियरी के इडेन्डेम के कम करना चाहती है। प्रोग्रेस न र्स यह यहीन रखता है कि कोई भी गवर्नेंट जो कि कास्ट इन्डूशन की परवाह रखती है वह अपने बिल में इस किस्म का स्पाल भी ला सकती है। लेकिन इसमें शक नहीं है कि जब कभी जेजिस नेशन लाया जाता है तो हम गवर्नेंट को बनाना र्स है कि कास्ट इन्डूशन के प्राचीक एवं प्रॉटेक्टिव प्रौद्योगिकीशियरी के मेपेटेन के दिसपल को अमल में लाना चाहिए। लेकिन मैं पाता हूँ कि गवर्नेंट उस उसूल पर अमल नहीं करती बर्योंकि उस पर अमल करना किसी कदर मुश्किल है। जो गवर्नेंट यह चाहते हैं कि देश में गवर्नेंट के काम स्पूर्ती चले वह उस्मों की कम परवाह करत है। वह काम को स्पूर्ती चलाने की ज्यादा परवाह करती है। इसी तरह से जब गवर्नेंट के पास ये निकायर्स आती हैं कि हाईकोर्ट से जल्दी जस्टिस नहीं मिलते तो बिला इस मामले में प्रोव किये दूर कि बयो जस्टिस जल्दी नहीं मिलती, गवर्नेंट की तबज्जह इस बात की तरफ जाती है कि हाईकोर्ट और सुप्रीम कोर्ट में छट्ट्यां ज्यादा होती है। पिछली मर्त्तव्य जब आनंदेबिल द्वारा मिनिस्टर साहब तकरीर फरमा रहे थे तो उन्होंने सुप्रीम कोर्ट की छट्ट्यां के मुतालिक

फरमाया था कि सुप्रीम कोर्ट ने खुद यह मान लिया है कि हम अपनी छुट्टी किसी कदर कम करेंगे और इस से हाउस के अन्दर जनरल सेटिमेंट चल था। हिन्दुस्तान के अन्दर बहुत से ऐसे लोग हैं जो यह समझते हैं कि अपने जो के जमाने परें जो कड़े गन्ने थों बहुत कंडोशन्स अब जब कि जज हिन्दुस्तानी है कायम नहीं रहने चाहिए। इस बास्ते जब सुप्रीम कोर्ट को निस्बत यह कहा गया कि वह छुट्टियां कम करना चाहते हैं तो हाउस में जनरल सेटिमेंट न हुआ था। मैं अब भी यह अपने करना चाहता हूं कि अगर हाईकोर्ट के जज इस बात को मान लें कि वह बोकेशन्स को कम करना चाहते हैं तो मैं बहुत खुश हूंगा। मैं खुद चाहता हूं कि सब अकारों को चाहे वे बड़े हों या छोटे, उन कारों के मुताबिक जिसे कि वे गवर्नर हैं वे बोकेशन्स मिलनी चाहिए, ज्यादा नहीं। लेकिन साथ ही मैं इसको भी मानते को इगर हूं कि हाईकोर्ट और सुप्रीम कोर्ट के जजों को बोकेशन्स के बारे में ज़िमिपल है वह दूसरे डिपार्टमेंट से बिल्कुल मस्तिष्क है। एक हाईकोर्ट का जज कितना काम करता है इसका अन्दराजा एक ले मां के लिए सगाना बहुत पुणिकल है। हाईकोर्ट के जज दम बजे से चार बजे तक अपनी कुर्सी पर बैठे हैं और एक मिनट भी इबर उधर देखे यांग बराबर अपना काम करते रहते हैं पौर बलाक की तरह। इस बजे से चार बजे तक अपना काम करते रहते हैं। और इसके अलावा भी मैं समझता हूं कि कंडे हाईकोर्ट जज वर्दं वी साल्ट नहीं हैं गा कि जो घर पर भी अपना काम न करता हो। मेरी अन्दर जजों से बाकफियत है और मैं जानता हूं कि वे अपना बहुत सा काम अपने घरों पर करते हैं।

इसके अलावा कहा जाता है कि साहब ये जज लोग आम तौर पर सनीचर की छुट्टी भी कर देते हैं। लेकिन ऐसा कहने

बाले यह नहीं जानते कि जो जज लोग बहम मुनते हैं उस पर जजमेंट किस बकत लिखते हैं। आम तौर पर सेटरडे बो को और छुट्टियों को जजमेंट लिखते हैं। सलिए मैं अब जनरल चाहता हूं कि हाईकोर्ट और सुप्रीम कोर्ट के जजें जैसे के काम का तरीका और उनकी जिम्मेवारियां इनी जबरदस्त हैं कि उनका मुकाबला दूसरे डिपार्टमेंट की छुट्टियों से करना मुश्यमत नहीं होगा।

इसके अलावा मेरी नाकिस राय में अगर हम इस दफा २३ ए को यहा पास करेंगे तो हम आने वार्ट ट्रूशन की भी खिलाफ वर्जी करेंगे। वार्ट ट्रूशन में जहां हाईकोर्ट के जरिस्टिवशन का जिक्र है वहा पर आठिकिल २२५ में यह लिखा है।

“225. Subject to the provisions of this Constitution and to the provisions of any law of the appropriate Legislature made by virtue of powers conferred on that Legislature by this Constitution, the jurisdiction of, and the law administered in, any existing High Court, and the respective powers of the judges thereof in relation to the administration of justice in the Court, including any power to make rules of Court and to regulate the sittings of the Court and of members thereof sitting alone or in Division Courts, shall be the same as immediately before the commencement of this Constitution.”

इसके सही मानी यह है कि जो कुछ ताकत हुकूम, जिम्मेवारियां हाईकोर्ट की कास्टी-पूशन के अमल में आने के पेशतर थी वे इन्टेक्ट रहेंगी और आयन्दा भी वे वही जरिस्टिवशन एकसरसाइज़ करेंगी। पेशतर इसके हम दफा २३ ए को नाकिस करे हमको यह देखना चाहिए कि क्या कास्टीट्रूशन के मुताबिक हाईकोर्ट का यह हक है कि वह कब अपनी छुट्टी करें और कितनी छुट्टी करें।

## [पढित ठाकुर दास भार्गव]

मैं अदब से अर्ज करना चाहता हूँ कि आर्टिकल २२५ के मुताबिक तो यह हाईकोर्ट के अमेरिस्टिक्षण की चीज है कि वह सुद अपनी छुट्टियों का फैसला करे।

मैं अदब से अर्ज करना चाहता हूँ कि नृहीशियरी और एजीक्यूटिव गवर्नरमेंट के दो टुकड़े हैं और हमारे कास्टीट्यूशन में यह उक्सल रखा गया है कि उनमें से एक दूसरे के हृकूक पर एनकाउन्ट करे। ऐसी हालत में एजीक्यूटिव को वह अस्तियार देना ठीक नहीं होगा कि वह जूँहीशियरी की वेकेश में बारे में फैसला बरे। अगर आप समझते हैं कि जेर फाफ २२५ हाईकोर्ट को अपनी छुट्टियों के बारे में फैसला करने का अस्तियार है तब तो यह मुनासिब नहीं होगा कि एजी-क्यूटिव को यह अस्तियार दिया जाये। मैं मानता हूँ कि प्रेसीडेंट साहब को यह अस्तियार दिया गया है। उनसे बड़ी पावर आज हमारे देश में कोई नहीं है। लेकिन मैं पूछता हूँ कि इस लम्जे के क्या मानी है। इसके मानी, जैसा कि ८वीं साहब ने करमाया सेकेटरी टु दी गवर्नरमेंट आफ हृडिया भी हो सकते हैं। प्रेसीडेंट के नाम से सारी पावसं एक्सरसाइज की जाती है। अगर इस में यह होता कि होम मिनिस्टर साहब इस पावर का एक्सरसाइज करें तब भी हम समझते कि वह इस तरफ काफी तबज्जह देंगे। लेकिन इन के मानी यह है कि सेकेटरी गवर्नरमेंट जा तजवीज लिखकर भेज देगा वही प्रेसीडेंट के नाम से जारी होगा। मैं नहीं चाहता कि हाईकोर्ट के जज यह स्थान करे या पक्षिक यह स्थान करे कि वे पावसं जा हाईकोर्ट के जजों को और नहीं वो और जो कि इनने उम्दा तरीके से डिस्वार्ड की जा रही थीं वे एजीक्यूटिव को दी जायें। सें अर्ज करना चाहता हूँ कि यह मुनासिब नहीं होगा कि हाईकोर्ट इन पावसं को इसमें माल न करे। और हाईकोर्ट और जूँहीशियरी के

हृडिपैडस के लिहाज से भी मैं समझता हूँ कि यह पावर उनको ही होनी चाहिए। हम जानते हैं कि किम उद्धगी से और किस काबलियत से उन्होंने अपनी यटीज को अभी तक डिस्वार्ड किया है और ऐसी हालत में कोई बजह नहीं है कि हम उनसे यह हक्क ले लें। हमारी पालियामेंट भी ऐसावरिन है लेकिन आप देखें कि हम कितनी छुट्टियां मंते हैं। जब भी काम होना है तो हम ज्यादा से ज्यादा काम करने को तैयार रहते हैं। फिर हम क्यों यह समझ ले कि हाईकोर्ट के जज ही इस मामले में कोताही करें और ज्यादा छुट्टिया लना चाहेंगे।

बन्क असलियत से यह है कि हाईकोर्ट में जो यह यूनिट आफ वर्क का तरीका रखा गया है यह भी ठीक नहीं है। मैंने देखा है कि जिन अदालतों में यूनिट का हिसाब रखा जाता है वहा बास बाटी जाती है। मैं समझता हूँ कि अगर स तरह का कायदा हाईकोर्ट और सुप्रीम कोर्ट में भी हुआ तो वहा पर न जस्टिस रहेगी और न इटेंडिंग रहेगी और न इम्पाराशियेलिटी रहेगी। इस बास्ते मैं अदब से अर्ज करता हूँ कि हाईकोर्ट के पास से स अस्तियार को लेकर हम किमी दूसरे को न हूँ। लेकिन अगर फिर भी आप समझते हैं कि आर्टिकल २२५ में हाईकोर्ट को यह बेकेशन का फैसला करें का हक नहीं है और आप म अस्तियार को किमी दूसरी आपारिटी को देना चाहें है तो मैं अदब से अर्ज करूँगा कि आप सुप्रीम कोर्ट के चीफ जस्टिस को यह अस्तियार दें। मैं यह तो समझ सकता हूँ कि सुप्रीम कोर्ट देश की सारी हाईकोर्ट्स के बास्ते बेकेशन मुकर्रर कर दे। लेकिन मैं यह समझने से कासिर हूँ कि यह पावर एजीक्यूटिव को भी जायें। अगर ऐसा किया गया तो जूँहीशियरी पर वह इम्प्रेशन पड़गा कि उससे एक हापर अबारिटी है जिसके सबमिशन में उच्चको रहना होगा।

मुझे लगती है कि मेरे दोस्त श्री केशव प्रस्थंगार ने दफा २३६ को हटाने के लिए एक घर्मेंटर रखा है। मुझे उम्मीद है कि भानरेबल मिनिस्टर साहब उस को कृदूल करमायेंगे।

इस में कोई शक नहीं कि आर्टिकल २२५ में "केशव का डिक नहीं है, लेकिन मैं अब उनका बहुत चाहता हूँ कि वे तिथन्ज्ञ" के अनुतालिक अस्तियारात भी उन्हीं पावर का हिस्सा है। हम यह नहीं कह सकते कि तूकि हाई कोर्ट ने उन पावर को इन्स्टेमान नहीं किया, स निए वे उस आर्टिकल की दृष्टि में नहों पानी। इस बिल में और भी बहुत भी बातें हैं लेकिन मैं इस बिल उन में नहीं जाना चाहता हूँ और नहीं मैं उन बातों को दोहराना चाहता हूँ, जो कि दूसरे मेस्टर माहबान ने यहां पर कही है। लेकिन मैं यह अब उनका बहुत चाहता है कि स हाउस को राइटली ऐक्शन होना चाहिए कि कोई ऐसा काम न किया जाय, जिस से जुड़िशरी को यह महसूस हो कि हम एम्बेक्यूटिव को ऐसे अस्तियारात दे रहे हैं, जिन को अब तक वे बरतते रहे हैं या "प्राईन्ड बरतें"। मैं यह अब करना चाहता हूँ कि यह केम आर्टिकल २२५ में आए या न आए, मेरी गुवाहारिश है कि दफा २३६ को एनेक्ट न किया जाए। "केशव का भासना हाईकोर्ट पर छोड़ दिया जाना चाहिए, और अगर आप ऐसा नहीं करना चाहते, तो कम से कम इस को सुरीम को" पर डे दिया जाना चाहिए, क्योंकि इस देश में सब से ऊंची जुड़िशल अधारिटी सुरीम कोटि की है। कोट्स के लिए वह जो भी इन्टराम करती है, जो भी न्टरप्रेटेशन करदी है, वह अखिरी अधारिटी है। गवर्नरेंट को यह पावर नहीं दे जानी चाहिए।

passing this Bill, this House is passing a measure by which we give admittedly better conditions of service for the Judges of the High Courts. There is no difference of opinion on any side of this House on the point that to keep up the fundamental maxim that the independence of the judiciary has to be kept up the conditions of service applicable to the Judges should be, in comparison to others, far better

**Shri Narayanankutty Menon:** Sir, in connection with the discussion on this Bill I wish to submit a few points for the consideration of this House. By

A suggestion was made during the debate on the last day of the previous Session by a colleague of mine that the emoluments that we give to the High Court Judges and also the conditions of service applicable to them should have some relationship to the financial state of affairs in the country. That was a mild suggestion made during the course of the debate. But today I find that my hon. friend from Rajasthan made a big mountain of that mouse of a suggestion that was made, by making a reference to the salary drawn by the Chief Minister of Kerala. It was not suggested on that day that because a Chief Minister in a State was drawing only Rs 350 the salary paid to a particular High Court Judge should also be Rs. 350. The only suggestion made then was that there should be some sort of comparison between the emoluments drawn by a High Court Judge or a Judge of the Supreme Court and the financial state of affairs in the country. My hon. friend from Rajasthan was not kind enough to look at it from that point of view and take it as a thing which he could also accept. He said that it is a political stunt. I am not surprised that my hon. friend termed it as a political stunt, because many things said by Mahatma Gandhi himself during those days when the organisation of the Congress was led by him are considered by Congressmen today as political stunts. Mahatma Gandhi said that Congress Ministers should draw only Rs 500. Nobody says today that those Ministers should draw Rs. 500 only. Some changes can

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be made because of change in circumstances. But, for a Congressman from the other side to dub it as a political stunt is itself, I should say, a political stunt to counter a reasonable and sensible argument which my hon. friend could not answer.

My submission is that the conditions of service of High Court Judges should be superb, should be excellent, in order that they would be able to keep up the independence of the judiciary. At the same time, Sir, this is a country where judicial tribunals have laid down that the minimum wage of a worker should be Rs. 28. Let us multiply it by 100 and make it Rs. 2,800. Hundred times difference between the wages of a labourer and the highest man of the judiciary is a reasonable thing compared to the standards of any other civilised country in the world. That is the only suggestion made. In the light of that suggestion certain things may be taken into consideration by the Government. The per capita income of an Indian citizen today should be taken into account. In relation to that let Government fix as many reasonable and excellent conditions of service as possible for the High Court Judges

My second point is about the disposal of cases. These are rare opportunities, when we discuss the conditions of service applicable to the Judges, available to this House where we will be able to point out, I believe, for the Government to follow and take suitable measures and for the judiciary to understand, the sentiment prevailing in the country today. After 1947 the administration of justice in the country, both in the number of cases and also in the nature of cases, has become a complex affair. Before 1947 only criminal and civil law was being administered. The nature of cases in those days was different. After 1947, especially after the Constitution came into force, the very nature of cases and the number of people involved in each case have

all undergone a substantive change. The very nature of administration of justice has undergone a change. When certain types of cases come before the High Courts and inordinate and extraordinary delays occur in the disposal of these cases, the implication and the total result of such delays is far more far-reaching than it used to be before 1950. The other day when some other matter was being discussed here, I drew the attention of the hon. Home Minister to the fact that a large number of writ applications taken from the orders of tribunals are pending for many many years. I have come across instances where workers were dismissed, industrial dispute was raised, the tribunal gave an award, somebody else took a writ application before the High Court and it is pending before the High Court for 2½ to 3 years. I am not finding fault with any member of the judiciary. It may be that due to pressure of work in the High Court in the ordinary course of business it was not possible to dispose of these cases with as much speed as there ought to be. My suggestion, therefore, to the Government at this juncture is that irrespective of the quantum of work, irrespective of the cause of delay, Government should find time to direct each High Court to have separate Judges to bear these cases

I wish to make an earnest appeal in this connection, because the very conception of independence of judiciary, the very conception of the confidence of our people in the judiciary will be undermined if cases directly affecting their own lives are delayed for such a long number of years. When such long delays occur in such cases the citizen himself loses the confidence of getting justice at the hands of the judiciary. The laudable maxim "justice delayed is justice denied" is applicable to these cases, and delay in disposing of these cases means denying justice to millions and millions of workers. Many such cases

are pending before the High Courts today. If any more delay occurs people will begin to feel that justice would be denied to them and to that extent they will lose confidence in the judiciary. Therefore, both in the name of industrial peace and in the name of fostering confidence in the minds of the people as far as judiciary is concerned, Government should come forward with a scheme whereby the cases that are pending before the High Courts could be disposed of with as much speed as possible. I do not suggest that other cases should be delayed. All other cases will have to be disposed of as soon as possible, but top priority, both from political and social view point, should be given to cases where not one litigant is involved as far as private rights are concerned, but the interests of lakhs and lakhs of workers are involved. With that understanding, Sir, a separate judge should sit in the Bench of each High Court to dispose of cases which are taken from tribunals. I hope Government will very seriously think over this question, especially when Government have rejected the other day the proposal for excluding jurisdiction of these courts over the industrial tribunals. I hope at least they will consider this suggestion of having one judge in each High Court to dispose of these cases involving workmen

3.27 hrs.

[MR DEPUTY-SPEAKER in the Chair.]

The last point I wish to mention is about the raising up of the principles emphasised by all hon. Members during the course of this debate for the building up of confidence in the judiciary by the people of this country. Without making any allegation or casting aspersion on anybody, I would say, if you take the consensus of opinion of both the Bar and the general public interested in this affair and, without any political bias or prejudice if the lawyers and the people of this

country are asked whether the confidence of the people in our judiciary has enhanced or decreased during these 11 years after 1947, the unanimous reply will certainly be that to a considerable extent there has been some deterioration in the confidence of the people in the judiciary of this country, whatever might be the reasons, I do not wish to go into them because those reasons are beyond the scope of this particular Bill. I only want to point out that this state of affairs, this deterioration in the confidence of the public and also of the Bar in our judiciary certainly means a great danger to the democratic institutions. Certain stringent measures will have to be taken by Government to see that public confidence in the judiciary is resorted

In this connection I want to make a particular reference. The present procedure for appointment of Judges is certainly a laudable procedure. But the proof of the pudding, Sir, is in the eating. When a particular gentleman from a Bar is selected as a Judge, we scrutinize the whole question and see, by the public opinion and also the opinion of the Bar, whether that particular appointment is certainly the appointment which should be in the interests of the independence of the judiciary. In many cases, the answer that comes is not at all laudable. Therefore, in selecting judges from the Bar, the one and only consideration that should weigh is not only the experience at the Bar so that the selection could be made well but the unanimous opinion of both the Bar and the public that the one real selection that has been made was the only selection possible in that case, taking only the capacity of that particular individual to adorn the highest place in the judiciary of the land.

In procedural matters also, the present procedure is that the Chief Justice of the High Court concerned makes an original recommendation presumably taking for granted that

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the recommendation passes through all the various channels and the President makes the appointment. I have got a suggestion to make, not because I have got any aspersion to make on the capacity of the Chief Justice or anybody. It should be far better that the responsibility of making this recommendation originally from the High Court is not given particularly to the Chief Justice. that responsibility will have to be shared by all the Judges of the High Court. I have got a reason to make this suggestion, because a Chief Justice certainly enjoys a better position than the other judges, but the Chief Justice alone might not have much opportunity of seeing a particular individual from the Bar who may be working in different capacities. Secondly, it might be possible, whatever might be the integrity of the Chief Justice and whatever might be the experience of the Chief Justice—that he might err. The fundamental principle of human nature is that it is possible for one human being to err, and it is possible that more human beings err as much as possible. Even taking that maxim into consideration, it would be far more laudatory and far more salutary that this function of making the original recommendation for the appointment of judges from the Bar is given not to the Chief Justice alone but to the judges in general.

I hope that by remembering that aspect very well, and at the same time, bearing in mind that any departure made from the primary principle that every criterion for selection from the Bar as a judge is the criterion of the capacity of the individual alone, the selection will be made. If that principle is adhered to in general, certainly the confidence that is required for a High Court judge to administer justice can be instilled in the minds of our people, because that principle, namely, justice should not only be done but it should ap-

pear to be done, is also applicable not only in administration of justice but also to the selection of the judiciary. In the beginning, the method of appointment plays very much in the minds of the litigants and of the people till that judge retires.

Therefore, in the case of appointments, I make a last appeal to the Government extreme care will have to be taken in making appointments and I hope that whatever might have happened in the past, whatever might have been the deterioration which has happened in the opinion of any one individual but the people in general and the Bar in general, will not happen in future. I am fully confident that we will then be opening a new road where every appointment, as far as possible, will be beyond reproach and that the judiciary in our country will certainly function as a solid foundation rock of our democratic system.

**The Minister of Home Affairs (Pandit G. B Pant).** I do not propose to make a long speech. The comment that have been made on this Bill have gone far beyond the scope of the Bill. They cover a very wide ground. If I were to attempt a reply to every one of the points that have been raised here it would perhaps prolong the debate and that too without any fruitful result.

So far as the general position and the attitude of the Government towards the judiciary is concerned, I entirely endorse the remarks made by the hon. Members about the prestige, the independence and the dignity of the judiciary and especially of the High Courts being maintained fully, and on that, there can be no difference of opinion. I venture to say that so far as I am personally concerned, I have made every attempt to improve the conditions of service and to contribute, so far as the Government can, towards the raising of the stature and status of the judges of the High Courts. The principle that the judiciary should occupy a position in

which it should not be deterred by any extraneous considerations from dealing in a judicious and judicial way with all problems that may come before it is unexceptionable. Even in this Bill we have been stating what we have been striving at; it seeks to improve the terms of service. The judges in Part B States were getting emoluments lower than the Judges in Part A States. The terms about leave, pensions, etc., were also more to their disadvantage than those which were prescribed for the Part A State Judges. This Bill seeks to give the full benefit of the provisions relating to Part A State Judges to all those Judges who were serving in the Part B States not only for the period that they were serving in Part A States but also for the period that they have served in Part B States. If this Bill were not introduced and if these provisions had not been brought before this House, then, they would not have the benefit of the laws that govern the emoluments of the Judges, and there too, we ourselves introduced amending Bills for giving greater facilities and amenities to the Judges. So, every attempt we have been making has been in the direction of making it easier for the Judges to concentrate on their work and to lead a life befitting the position that they occupy.

In the circumstances, I am sorry that any remark should have been made about any sort of influence being brought upon the Judges by the Government in order to undermine their independence, but some of the hon. friends here have spoken highly about the independence of our Judges, about their ability and about the way they dispose of their business. I hold a high opinion of our judiciary; it is not necessary to go into individual cases. No one can ever say that all are of an equal stature or that all possess talents of the same order. But taking the judiciary as a whole, we have every reason to be proud of our judiciary. They have functioned well and they deserve well of every one of us.

So, we have been making attempts to meet their needs.

As to the remarks that have been made about the judges being denied opportunities of service after their retirement, I should say that they do no justice to the judges. To say that they are not able to discharge their duties in an impartial way because there is some possibility of their services being utilised for public purposes later, is, I submit, a very unfair thing, which indicates and reveals an approach which is not consistent with the regard which everyone of us must possess for the character and the integrity of our judges. To say that they are likely to refrain from doing what is right because sometime after they have retired, they may be requested to perform some public functions is not creditable either to us or to them. Then, I do not know how many of the proposals that have been made from time to time are to be carried out. We are asked to hold judicial enquiries about administrative matters not once or twice, but on scores of occasions. So, if the enquiries are to be held under the auspices of and by the eminent members of the judiciary, then we cannot find them among the executive officers. You want that judges should be employed for those purposes. If they have to be employed to meet the public demand, then they can be found only among those who have judicial experience. In the circumstances, the suggestion or the criticism seems to be utterly unjustified and to some extent, it savours of injustice to our judges.

Something has been said about our proposal in this Bill regarding vacations. As all Members know, the High Court consists not only of the Chief Justice, but also of a number of judges. The proposals emanating from High Courts are not effective ordinarily, unless the judges are in agreement. Where suggestions are made which may be acceptable to the Chief Justice, there are judges who may not quite welcome those

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proposals or agree with him. There are dissensions between the judges also. So, we cannot assume that everything that is proper or that may appear to others to be advisable and expedient would also be acceptable to the High Courts as such. Still there may be judges in the High Courts who hold a certain view and who may not agree with some other colleagues of theirs. Public interest has to be served in such a way that no injustice is done to anyone.

Now, unfortunately, I should say, we are faced with a difficult situation. Some reference has been made in the House to the arrears that are pending in the High Courts. In some of the High Courts, the pile of pending cases is simply appalling and tremendous. We have taken some steps and we want that by the end of this year, the number of cases that is in arrears should be reduced substantially and if possible, no cases older than two years should remain on the file of a High Court on the first of January of the next year. I must express my appreciation of the efforts that have been made by some High Courts to act accordingly. In such High Courts, the numbers have come down and I hope it is possible that the target that we have fixed for ourselves may also be realised. But there are other High Courts where the position is entirely different and where, even though a number of additional judges have been appointed, the pile is still growing. The addition of judges has not made any substantial difference. We have to find some way out.

I quite realise that the High Court judges deserve a vacation, that they must have some days when they can throw off the burden of continuous work in the court completely and they can find relief, when they can refresh themselves for their work after the vacations. I appreciate all that. But now we see that the pile of arrears varies according to the

length of vacations in the various courts. I do not say that there is any fixed proportion or ratio, but generally that would be the conclusion that one would draw. We would not like to do anything that would place the judges of the High Courts in a really uncomfortable or embarrassing position. But the rules, as they are prevalent at present, do not seem to be uniform. The vacations differ from court to court. We need not be particularly anxious so far as courts which have no arrears are concerned, but where we have arrears, we have to see that the arrears are cleared off.

We have been reminded by a number of speakers that justice delayed is justice denied. So, some effort has to be made in that direction. This provision in the Bill that vacations may be fixed by the President is not to be used in such a way as to hit unjustly any High Court or the judges of any High Court. There is one sub-rule attached to it which has been ignored by the hon. Members who have dealt with this matter. Every order passed under this Act has to be placed on the Table of Parliament. I cannot say there can be any better safeguard than a provision like this, that if an order is passed, it will have to be placed on the Table of this House. So, the President will be good enough to pass on to this House whatever order is passed and this House will have full right to question that order and to say that it is not fair.

Now what is proposed here does not in any way affect the independence of the judiciary. To say that the judges will not discharge their duties fairly and impartially because their vacations may have to be fixed by the President with the approval of this House is....

Pandit Thakur Das Bhargava: Nobody suggested that.

**Pandit G. B. Pant:** . . . . hardly, to say the least, fair to this House or to the judges themselves. After all, we are concerned with all things. The executive has to frame the rules for leave, daily allowance, travelling allowance, medical aid, for everything that concerns the judges. So, those rules, I think, can be much more likely to cause inconvenience to the judges than any rule of this type which is to be placed on the Table of the House. In the circumstances, to say that we are doing anything or seeking to do anything which is altogether unthinkable, beyond the ordinary laws that have been followed so far, is hardly correct. Those other matters with which we are concerned which affect the judges' every day life are, I think, much more important for them than this particular provision; and in forming those rules, the executive has complete freedom.

So, the fears that have been expressed here will, I hope, be allayed: if the suggestion that the members of the House have no confidence in themselves were to prevail outside, that would not be helpful to anyone. When it is laid on the Table of the House, we can at least expect this much that it will be carefully considered, it will be just and fair and it will not hit anybody. Otherwise, this House would not endorse anything like that. And if we can be sure about that, then I say that there need not be any misgivings in any quarter whatsoever about this provision.

I can say definitely that the judges will have their vacation. They will have reasonable periods of vacations. But it will, perhaps, be advisable at times to let them have a suggestion as to when they should enjoy their vacation and for what period. So, I think the provision in the Bill which says that the order will be placed on the Table of the House has been overlooked completely. I do not see why there should be any feeling like this that the executive will be interested in harassing the judges, in

doing things which will cause them unnecessary discomfort or which will amount to harrassment of the judges. After all, we are as much interested in maintaining the dignity of the judges as anyone else, and we have given proof of that. We have made full use of the judges, and the House knows that we have entrusted enquiries to the judges about administrative matters. On the one hand, to complain that the executive is making too frequent a use of the judges and to make it a ground of complaint and, on the other, to suggest or to insinuate that provisions like this are intended to undermine their independence, I submit, are statements which are hardly consistent with each other.

So, I do not think it is necessary for me to pursue the matter further. The position is plain enough and I can say that there is no desire at all to curtail the vacations unduly. We have, as the hon. Members might be aware, a provision even in the Supreme Court Judges (Conditions of Service) Bill about vacations. I would rather read out that provision. It says:

“vacation” means such period or periods during a year as may be fixed as vacation by or under the rules of the Supreme Court made with the prior approval of the President”

If you look into the Constitution, to which a reference has been made, you will find that the President has to be consulted about a number of things. If you refer to article 145, it says:

“(1) Subject to the provisions of any law made by Parliament, the Supreme Court may from time to time, with the approval of the President, make rules for regulating generally the practice and procedure of the Court including—

(a) rules as to the persons practising before the court;

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- (b) rules as to the procedure for hearing appeals and other matters pertaining to appeals including the time within which appeals to the Court are to be entered;
- (c) rules as to the proceedings in the Court for the enforcement of any of the rights conferred by Part III;
- (d) rules as to the entertainment of appeals under sub-clause (c) of clause (1) of article 134;
- (e) rules as to the conditions subject to which any judgment pronounced or order made by the Court may be reviewed and the procedure for such review including the time within which applications to the Court for such review are to be entered;
- (f) rules as to the costs of and incidental to any proceedings in the Court and as to the fees to be charged in respect of proceedings therein;
- (g) rules as to the granting of bail;
- (h) rules as to stay of proceedings;
- (i) rules providing for the summary determination of any appeal which appears to the Court to be frivolous or vexatious or brought for the purpose of delay;
- (j) rules as to the procedure for inquiries referred to in clause (1) of article 317...."

These are in a way essentially judicial matters and even about these the rules can be made only with the approval of the President. So, in a matter of this type which is now being provided for in this Bill, there should be much less objection to the proposal that is embodied therein.

Some reference was also made to the appointment of judges of High Courts. Well, the procedure is prescribed in the Constitution. I may only say that so far as this is concerned, at least since I have come here, there has not been a single case in which an appointment has been made except with the approval of the Chief Justice of India and, in most cases, with the unanimous approval, besides the Chief Justice of India, of the Chief Justice of the State concerned and of the Chief Minister of the State concerned. I do not see how, in the circumstances, we can be blamed for the appointments that have been made. I fully realize that the test for appointments should be that of merit along with character. But I do not think that these tests are not kept in view by those who make these proposals and on whose advice these appointments are made.

I do not think there is any other point which calls for any reply from me.

**Mr. Deputy-Speaker:** The question is:

"That the Bill further to amend the High Court Judges (Conditions of Service) Act, 1954, be taken into consideration."

*The motion was adopted.*

**Mr. Deputy-Speaker:** We will now take up clause by clause consideration. There are two amendments to clause (7), one by Shri Kesava and another by Shri Subbiah Ambalam. Both of them are not present. There are no other amendments. I will now put them to the vote.

**Pandit Thakur Das Bhargava:** We want to speak on clauses. Even though there are no amendments, the clauses ought to be put to the House separately so that members may get a chance to speak on those provisions.

**Mr. Deputy-Speaker:** If the hon. Member wants to speak on any particular clause, I will put it separately.

**Pandit Thakur Das Bhargava:** I want to speak on clause 7.

**Mr. Deputy-Speaker:** The question is:

"That clauses 2 to 6 stand part of the Bill".

The motion was adopted. •

Clauses 2 to 6 were added to the Bill 14 hrs.

**Clause 7 (Insertion of new sections 23A and 23B)**

**पंडित ठाकुर दास भार्गव :** जनाब डिप्टी स्पीकर साहब, मैंने उम तकरीर को मुना है जो कि आनरेवल हॉम मिनिस्टर साहब न इस बिल के बारे में दी है और उन उन दलाइल को भी मुना है जो कि उन्होंने दफा 7 की डिफेंस में दी है। पेशर सके कि मैं उन दलाइल पर आऊं में यह अर्ज करना चाहता हूँ कि कोई भी यह नहीं चाहता है और न ही गवर्नरेंट यह चाहती है कि जजिज की डिपेंटें में, इंटेंटों में, प्रेस्टीज में या डिमिटी में किसी भी तरह की कमी वाका हो। मैं ने यह भी कहा था कि कोई भी यह नहीं चाहता है कि कास्टीट्रूशन के बिलाफ कोई काम किया जाए। लेकिन मैंने श्रूमा ज़ाहिर किया था कि हम उम्हीं जो भावना है उसके बिनाफ तो नहीं जा रहे हैं।

आनंदल मिनिस्टर साहब ने बोलने को कम करने के बारे में कुछ कहा है प्रोर साय ही उन्होंने कास्टीट्रूशन की कुछ दफा प्रों की ओर हमारा ध्यान दिलाया है। उन दफा प्रों में से एक दफा जिस की ओर उन्होंने हमारा ध्यान दिलाया है वह १४५ है ये अर्ज करना चाहता हूँ कि दफा १४५ मिर्क सुप्रीम कोर्ट में चन्द रूल एंटीकोरल होने के बारे में है। जहां तक प्रार्टिकल १४५ का सास्लुक है पेशर इसके कि मैं उसके बारे में

कुछ कहूँ में आपका ध्यान प्रार्टिकल १३५ की तरफ दिलाना चाता हूँ जो इस प्रकार है:—

"Until Parliament by law otherwise provides, the Supreme Court shall also have jurisdiction and powers with respect to any matter to which the provisions of article 133 or article 134 do not apply if jurisdiction and powers in relation to that matter were exercisable by the Federal Court immediately before the commencement of this Constitution under any existing law."

जब कास्टीट्रूशन बनाया गया था उस बक्त जहा तक सुप्रीम कोर्ट का ताल्लुक है उसके लिए साम क्वायद बनाये गये थे, जास प्रार्टिकल बनाये गये थे क्योंकि सुप्रीम कोर्ट उस बक्त एंटीक्लेंस में नहीं थी। यहां तक कि कम्पलीट पावर्स भी डिफ इन की गई और रूल बनाने की पावर के पर भी कुछ बोडी भी रेस्ट्रूक्शंस डाली गई और कुछ पावर्स भी उसको दी गई। जहा तक पालियामेंट का ताल्लुक है उसका एंग्रेजिटिव और जूडिजिरी लोंगों के ऊपर अधिकार है। तो जो पावर्स नाफिल की थी वे एक नई कोर्ट के बनाने में थी थी। इसमें यानी १३५ दफा वे लिखा गया है कि फ़ैल कोर्ट की जो पावर्स हैं चन्द मामलात में वे कायाम रहेंगी। लेकिन जब हाई कोर्ट का मामला आया तो हाईकोर्ट के बास्ते प्रार्टिकल २२५ बनाया गया जो इस कार है:—

"....the jurisdiction of, and the law administered in, any existing High Court, and the respective powers of the Judges thereof in relation to the administration of justice in the Court, including any power to make rules of Court and to regulate the sittings alone or in Division Courts, shall be the same as immediately before the commencement of this Constitution."

अब यह बताया जाता है कि चुकि सुप्रीम कोर्ट की चन्द पावर्स के बारे में दफा

## [विधित ठाकुर बाबू भारती]

१४५ हमारे पास भी बदल है और उसके अन्तर्गत 'जीडेंट की एन्ड्रूल से ही कुछ कलह बन सकते हैं इसलिए एनालोगी के उत्तर्ये एक कर्त्ता इम्प्रेशन बेस बनाया गया है और कहा गया है कि क्या हमें है अगर स हस को भी पास कर दिया जाए। मैं अब करना चाहता हूँ कि हमें ही जब किसी एस्टेटलिंग आईर या किसी डेफिनिट रूल के लियाफ कोई बात की जाती है तो इस किस्म की आर्गुमेंट दी जाती है। लेकिन मुझे यह आर्गुमेंट उठा भी अपील नहीं करती है। अगर कांस्टीट्यूशन यह कहती है कि जो भी पावर्स हाई कोर्ट्स एन्जवाय करती है बिफोर दी कर्मसमेट आफ दी कांस्टीट्यूशन या उनको यह पावर है कि वे अपनी कर्मस की मुकर्रर कर सकते हैं मैं समझता हूँ कि शायद ही होम मिनिस्टर साहब ने इस तरह की दफा रखी हो तो। होम मिनिस्टर साहब की तकरीर से यह जाहिर था कि इस तरह की पावर्स हाई कोर्ट के पास रही हैं। इसके अलावा इसके बारे में कुछ हन २३ में भी दर्ज है:—

"... and every such order shall have effect notwithstanding anything contained in any other law, rule or order regulating the vacation of the High Court."

इसलिए मैं प्रियम करता हूँ कि हाई कोर्ट में रूल वे हुए हैं इन रिगार्ड टू वे लिंस और जब कल्पन बने हुए हैं उनके होते हुए अगर हमने इस संक्षिप्त को पास कर दिया तो वे सब के मध्य एन्ड्रूमेट हो जायेंगे क्योंकि हम लिख रहे हैं कि उनको एन्ड्रूमेट किया जाए। इसका साफ मतलब यह है कि 'पावर्स कांस्टीट्यूशन में हाई कोर्ट्स को दी गई है उनको हम इस दफा की रूप से इन्ड्रूमेट कर रहे हैं। मैं समझता हूँ कि जब तक कांस्टीट्यूशन भी बूद है और कांस्टीट्यूशन में प्रार्टिकल २२५ मौजूद है कोई भी ताकत चाहे वह यह पार्लियामेट ही क्यों न हो किसी तरह से भी बिना कांस्टीट्यूशन

को एन्ड्रूमेट किये उन एहकामात के लियाफ नहीं जा सकती और उनकी पावर्स के साथ लियाफ नहीं कर सकती।

हमारे भानरेबल मिनिस्टर साहब ने कहा है कि यहां पर कहा गया है कि अगर ये पावर्स ले तो जायेंगी तो हाई कोर्ट में अपनी इंडिपेंडेंस वे देगी या तो अजिस है वे ईमानदारी के साथ इम्पार्शंली फैसले नहीं करेंगे। भानरेबल मिनिस्टर साहब की यह आर्गुमेंट शायद किसी और मैम्बर की तकरीर के जवाब में हो तो हो, मैं तो तकरीर के जवाब में वे नहीं तो सकती। मुझे पूरा भरोसा है कि अगर वे लिंस को काट भी दिया गया तब भी जिस ईमानदारी के साथ, अच्छी तरह से और इसाफ के साथ फैसला करेंगे। मेरा प्राउंड तो यह था कि जो भी व्यक्त हम कांस्टीट्यूशन में कर चुके हैं उसके साथ हम को अल्पयार नहीं हैं और न मुनासिब है कि हम लियाफ करे। हमको यह अस्तियार नहीं है और न मुनासिब है कि उस बिल के उत्तर्ये इस तरह की पावर्स अब हम अपने हाथ में ले। आप कांस्टीट्यूशन को एन्ड्रूमेट कर दें और तब न पावर्स को ले तब किसी को कोई एन्ड्रूमेट नहीं हो सकता है और तब मैं समझूँगा कि आप इन्ड्रूमेट कर रहे हैं। कांस्टीट्यूशन की मौजूदगी में यह सब बमूद है। ये पावर्स अब तक हाई कोर्ट्स इस्तेमाल करती रही है, एन्जवाय कर तो रही है। कांस्टीट्यूशन के लियाफ, और उसकी मंदा के लियाफ (२३ ए) के त्रै हम उनके माय लेना शुरू कर रहे हैं। जाहे अब वे बजूहात ही क्यों न हों मैं इसमें लियाफ हूँ कि उनसे न अस्तियारत की खींचा जाये जो आज तक वे एन्जवाय करते था रहे हैं जब तक जबरदस्त बजूहात न हों।

सरकार अजिस पर भी सोचा करती है, लोग भी भरोसा करते हैं और वे इस बैकेन के इन उद्दर होने से हर्गिज अपने कराइज

में कोताही नहीं करेंगे। गवर्नरमेंट के पास क्या बजाहात हैं कि जिन पावर्स को वे १६६१ से इस्तेमाल करती चाई हूँ उनको घब उनसे छीना जाये। यहां पर यह कहा गया है कि एरियमेंट हूर करने में इससे बदल मिलेगी। ये जो एरियमें हैं वे आज की पैदावार नहीं हैं। इसके लिए आपको दूसरे उपाय भी चाहते हैं। आप अब जर्जों की तादाद बढ़ा सकते हैं, नोगों में प्रचार कर सकते हैं कि लोग ज्यादा मुकदमेबाजी न करें, और नोगों से यह भी कह मिलते हैं कि मुकदमों का फैसला वे किमी दूसरे तरीके से कर लें। इसका क्या मतलब है कि जो एरियमें को इस तरह में आप साफ कराना चाहते हैं कि जिसमें उनकी पावर्स कम हो जायें। यह किमी भी तरह में मुनासिब नहीं है। मैंने अब जिया या कि अगर आटिकल २२५ न भी एलाई करता तब भी इंसाफ का यह तकाज़ा था, उमूल पर यह बात ठीक उत्तरी है कि हाई कोर्टमें को ही यह पावर दी जाए कि वे प्रपनी वैकेशन का खुद फैसला करें। मैं चाहता हूँ कि जिस तरह से दूसरे डिपार्टमेंट्स अपनी-अपनी पावर्स इस्तेमाल करते हैं और प्रपने-प्रपने डिपार्टमेंट्स में एक तरह से मैल्क मफियेंट हैं, उमी तरह से ज्यूटिशरी को भी अपने फैसले सुन करने का हक होना चाहिए। आज आनंदेबल होम मिनिस्टर साहब को सारे देश के लिए कानून बनाने के पूरे अखलत्यार हैं लेकिन क्या वह कभी प्रपने अखलत्यारान को एक्यूज़ करते हैं? क्या वह कभी किमी अफलम को नाजायज़ तौर पर ज्यादा तनस्वाह देते हैं या लोक देते हैं? हम रोज़ देखते हैं कि हमारी गवर्नरमेंट किसी की रियायत नहीं करती। पालियामेंट को अखलत्यार है कि वह यह फैसला करे कि उसके मैम्बरों को क्या तनस्वाह मिले और वह यह फैसला भी कर सकती है कि हर एक को पाच हजार रुपया भाहवार मिले। लेकिन क्या हमने कभी इस तरह का फैसला किया है या क्या कभी हम इस तरह का फैसला करने की तैयार हैं, कभी नहीं? अगर हाई कोर्टस के वैकेशन होगा तो क्या क्या वैकेशन एन्ज्याम

करने के अपने अखलत्यार का नाजायज़ कायदा उठा सकता है?

यहां पर यह भी भार्गुमेंट दी रुप्त है कि अखलत्यार हाई कोर्ट से मुख्तलिक रूप है। इस बारे में पहले तो मैं यह अब चंगे करना चाहता हूँ कि इसका फैसला करना गवर्नरमेंट के हाथ में नहीं होना चाहिये। गवर्नरमेंट मजेज़न दे कि वह नहीं चाहती कि इतनी वैकेशन ही उसके बाद वे खुद ही इसका फैसला कर मिलते हैं। उसका जबर असर होगा। पिछली मतंबा दातार माहब ने कहा था कि मुश्रीम कोर्ट ने कबूल कर लिया है और वहां पर वैकेशन कम हो रहे हैं। अगर यह कहा जायेगा कि गवर्नरमेंट की यह गय है, होम मिनिस्टर साहब की यह गय है या हाउस की यह राय है कि वैकेशन कम हो, तो वे जबर मही और ठीक फैसला करेंगे और अगर उन पर उम मामले को छोड़ा जायेगा तो भी वे वही फैसला करेंगे जो आप चाहने हैं। लेकिन इसमें बड़ा फर्क है कि आप के बेकेटरी साहब यह हुकम जारी करे कि कफा दिन की छुट्टी नहीं होगी और केवल इनने दिनों की छुट्टियां होगी, इसमें और हाई कोर्ट्स के मजेज़न और रैकमेंडेशन के उत्तराधीन की अपरिहारी काम करने में रान-दिन का फर्क है। हमारे आनंदेबल होम मिनिस्टर साहब ने यह कहा है कि हम नहीं चाहते कि हाई कोर्ट से रूलम ऐसे बने जोकि उनके शायानशा न हो। मुझे वे भीके अच्छी तरह याद हैं जब हमारे आनंदेबल होम मिनिस्टर हाई कोर्ट्स के जंजेंट की इंटर्व्यू और डिग्निटी के बारे में इस तरह का एटीच्यूड लेने रहे हैं। अब अगर यह एटीच्यूड वहा दुरुस्त है जहा कि हाई कोर्ट स की डिग्निटी का सवाल हो और उन पावर्स के साथ जोकि इतनी मुहूर के साथ वे एक्सरसाइज़ करते आये हैं और उनके साथ हमें सेना नहीं चाहिये तो फिर इस वैकेशन के बारे में भी वही एटीच्यूड क्यों नहीं दिखलाया जाता है? मुख्तलिक हाई कोर्ट से मुख्तलिक छुट्टियां होती हैं और मैंने अब जिया वा कि अगर

## [पंदित ठाकुर दास भागवत]

आप उनको चेंज करना चाहते हैं और उनमें एक यूनिफ्रिंग भिटी लाना चाहते हैं तो आपको पहले अपने कांस्टीट्रूशन में तबदीली करनी होगी। मैं तो ऐसा करने के बिलाफ़ हूँ लेकिन अगर आपकी ऐसा करने की राय हो और आपकी राय के आगे मैं अपनी राय को कोई कुछ प्रत नहीं देता, तो बराय मेहरबानी महां पर चूक जस्टिस भाफ़ दी सुरोम कोट्ट कर दीजिए क्योंकि सुरोम कोट्ट के चांफ़ जस्टिस सब हाई कोर्ट में जब्त के ऊर हैं और कुट्टों की बाबत जो आप एक यूनिफ्रिंग भिटी लाना चाहते हैं तो इस बारे में फैला करने का अविकार आप सुरोम कोट्ट के चूक जस्टिस पर छोड़ दें और जो कुछ भी वह कंतला इस बारे में करेंगे वह सब हाई कोर्ट में कार बांडिंग होगा। आननेवन चूक जस्टिस सुन्ने पूरी उम्मीद है कि वह इस बारे में अपना कंतला दें बत्त जो पञ्चिक ओरीनियन है, हाउस की ओरीनियन है और मिनिस्टर साहब की ओरीनियन है उसका लिहाज रखेंगे।

मेरी समझ में नहीं आता कि क्लाउड में 'केशन के मुआलिक इन तरह का प्रविद्वन रख कर हाई कोट्ट के जबेड़ को यह क्यों सोबने और अदेश करने का मौका दिया जा रहा है कि उनके अहिन्द्रारात को सहब किया जा रहा है। ऐसा करना मुआलिक नहीं होगा। इस बास्ते मैं अदब से अद्यं करना चाहता हूँ कि जहां तक उमूल का सवाल है, जहां तक कांस्टीट्रूशन का सवाल है और जहां तक पञ्चिक ओरीनियन का सवाल है बलिक ओरीनियन इन बात के इन कद करेंगे कि गवर्नरेंट ने इन मामले में जिसके कि ऊर वह अधिकार रखते थे उस के बारे में कांस्टीट्रूशन के इतारों के बरबिनाफ़ कार्यवाही नहीं की। मैं जानता हूँ कि गवर्नरेंट हाई कोट्ट को डिग्निटी को बनारे रखना चाहते हैं और हाई कोट्ट को

कोट्ट स बाले कुट्टों की बाबत अगर अपनी सिफारिशात और सुझाव में देंगे कि हम इतनी कुट्टों चाहते हैं तो गवर्नरेंट और हमारे होम मिनिस्टर साहब यह नहीं करेंगे कि नहीं हम यह नहीं मानते और उसमें कटीटी कर देंगे और ऐसा कह देंगे कि नहीं कुट्टों के मामले में सेकेटरी साहब के हुक्म का हो माना जाय। मैं नहीं समझता कि हमारे होम मिनिस्टर साहब के दिल में कोई ऐसे हुक्माहिश है कि सेकेटरी को बात रख फर वहां जानेह में एक फटर पैश करें। मैं जानता हूँ कि उनके दिल में हाई कोट्ट के जबेड़ के लिए कित और इज़ज़त है और वह उनके डिग्निटी को बनारे रखना चाहते हैं। आप इन बातों में भेजे हो और किसी डांग से करें लेकिन ऐसा बाबिल नहीं रखिये जोकि कांस्टीट्रूशन के मांग के बरबिनाफ़ हो, उसी तरीके बरबिनाफ़ हो और यह हाई कोट्ट की डिग्निटी के शायानशां नहीं है।

**Shri Narayananarkutty Menon:** There is one point which directly arises.

**Mr. Deputy-Speaker:** Hon. Members may be very brief now because, we have already trespassed the time limit.

**Shri Narayananarkutty Menon:** In the various amendments which are included in clause 7, there is one ambiguity which exists. When both in respect of leave and also pension, the term 'continuing Judge' is defined in the Bill, the hon. Home Minister owes an explanation to the House as far as the seniority of these Judges is concerned, it has been left out as far as this clause is concerned. As regards the Part B State High Court Judges, we all know before 1st November 1956, the Chief Justice of India visited all the Part B State High Courts, sat along with the Judges and scrutinised their capacity and selec-

tions almost were made for continuing employment in the subsequent Part A States. We find that as far as pension is concerned and leave is concerned, these Judges will have to their credit the service that they rendered in the Part B State High Courts. But, as far as seniority is concerned, We find that that seniority is not taken into consideration. The services of those Judges as Part B State Judges are not taken so far as Part A High Court Judges are concerned. The direct difficulty that arises today is that because of the contemplated decision of the Government, when a Judge from one particular court is transferred to another court, a Judge who has served for 15 years in a Part B State High Court, who, unfortunately, on 1st November 1956 has been confirmed in a subsequent Part A State, will be considered to have a service of two years when he goes to a Part A State which was a Part A State before integration also. He would be considered a junior to another Judge in that High Court. It is an injustice to those who served in Part B States, whose capacity has been verified and appointment has been made as a Part A State High Court Judge after 1st November 1956. I hope the Government will take this aspect into consideration and the seniority of the Judges when they were functioning as Judges of the Part B State High Courts will be given to them. So that, as a computation has been given as for leave and pension rights, in the future, when transfers are to be made, Judges who were functioning in the Part B State High Courts for a number of years, may not be considered as junior Judges when they go to Part A State High Courts. I hope the hon. Home Minister will consider this aspect and the obvious injustice done to the Part B State High Court Judges will be removed by the Government in future.

**Shri Frank Anthony:** I shall be very brief. May I say to the hon.

Home Minister that no one intended a remotest reflection on our judiciary at any level? What I was seeking to underline with all the emphasis in my power is that this new clause 23A does definitely subvert this principle which we have accepted, of separation of the executive from the judiciary. Apparently, the Home Minister was pleased to base his answer primarily on the fact that in some High Courts, there is a tremendous accumulation of arrears. Probably, it is to resolve this serious accumulation of arrears that this provision has been inserted. That is what I understood the hon. Home Minister to say.

I shall deal with that aspect first, whether this power to curtail or modify the vacations will even partially meet this undoubtedly serious position in regard to accumulating and increasingly accumulating arrears. Take the case of the Allahabad High Court. I think the Prime Minister once in a very savage attack, or the Home Minister himself—the Home Minister is not savage; he is always a pattern of statesmanship and sweet reasonableness—but the Prime Minister I think was rather savage once in his attack on the accumulation of arrears in a particular High Court. I think from the figures he gave, everybody who knew anything about courts knew that the reference was to the Allahabad High Court. There are 20,000 to 30,000 cases which are in arrears. As a simple arithmetical problem, if the Allahabad High Court with its Judges is not given leave for 10 years, no vacation at all, working out at this generous estimate of average disposal of four cases a day—over a period of ten weeks over a period of ten years, it will work out to 100 weeks—will they be able to resolve these arrears of 20,000 or 30,000 cases? They won't. Some other device will have to be evolved. Either we cut down the approach to the courts or we have peoples' courts with summary disposals. But, this cutting down of leave with the intention to resolve arrears is completely, I submit with respect, misconceived.

[Shri Frank Anthony]

approach. It will not, in the case of the Allahabad High Court, cut it down in a period of ten years. The arrears will remain static. What is happening in the Supreme Court? In the Supreme Court, the arrears are already ready in the neighbourhood of 300, I am told, in writ matters only. I feel that this provision is not remotely justified on the ground that it will help us to attack this problem of arrears

A greater danger, I feel, is this. Those High Courts that have accumulation of files will be told, your holidays are going to be cut because you have these arrears I know what is going to happen. I say with all due respect to the integrity and sense of duty of the Judges, that the Judges will say: "Well, we are not going to forego our hard-earned holidays. We will do two things. We will not admit cases, however good they may be." It is all in the admission of cases. The disposal of cases in limine is not difficult; it is a purely discretionary matter. As the Attorney-General remarked with regard to the special leave days, i.e., the days for admission of writ and other matters in the Supreme Court, it is a gamble par excellence. You never know whether you are going to get your writ admitted. You will drive your Judges deliberately—of course, they will not, but because you compel them—to deny justice. They will say: "Out of ten cases today, we will strike an average; we will only admit three out of ten." That will mean that you will drive them, because of this provision, to deny justice.

As I remarked on another occasion, in the courts of final resort, the absolute hallmark, or the only real hallmark of justice is a full and patient hearing. Already complaints are being made that because of this accumulation of arrears, the Judges are inclined to be impatient, they are inclined to dispose of cases summarily, they are inclined to dispose of cases

superficially. That trend is going to be accentuated. I see in this provisions all manner of dangers which will ultimately further undermine public confidence in the judiciary.

I think the hon. Home Minister misunderstood us when he said that we did not want retired Judges to act in judicial or quasi-judicial capacity. That has never been my position. I say that you use your retired Judges as much as you like in judicial and quasi-judicial capacities, but I did say, and I repeat it because I hold that position strongly, that by dangling before our Judges this prospect of executive preferment as Governors, as Ambassadors, you have demoralised the judiciary in the first place. There is no question about it. The judiciary has been demoralised, and a much greater evil is that the public point to Judges who perhaps were men of unimpeachable integrity; because subsequently a Judge has become a Governor, the public look back with hind sight and say: "You see that judgment, that judgment was on the border line, it had an executive bias. Why had that Judge passed that pro-executive judgment?—because he had this governorship in view." He never did, but you give the public a handle to criticise your Judges; you give them a handle to bring your Judges into disrepute by having this kind of measure.

I make an earnest appeal to the hon. Home Minister. I feel that with his high regard for the judiciary, and I share his high regard, the simplest thing is to leave this matter to them. The hon. Home Minister himself has emphasized their sense of responsibility, he has emphasized their sense of duty. Cannot he then from that a fortiori leave this ordinary matter of leave to them? Will that not be the only step consistent with their dignity, consistent with the respect that you want the Bar and the public to accord them? What will happen when this goes out? The Bar will smirk, the public will laugh,

and they will say: "Your Judges today, are being treated by the executive like overgrown school boys. Their holidays now are to be varied at the discretion of the executive." It is nothing we are doing, it is something that the provision is doing. It is bringing the judiciary into disrepute. The Heavens are not going to fall, arrears are not going to be cleared. You will only create resentment among the judiciary, and it will definitely be a subversion of the principle to which we are committed, of keeping the judiciary and the executive completely apart.

### श्री कालिका सिंह (प्राज्ञमगढ़)

उपाध्यक्ष महोदय, यहा मदन मे कुछ भाषण हुए हैं कि यह कलाज ७ इस मे भी निकाल दिया जाये। यह मुझे समझ मे नहीं आता कि आनन्देश्वर मेम्बर्म ने इसके मुनालिक भी डीक से समझा है कि नहीं और इसे पढ़ भी निया कि नहीं। कलाज ३ मे मिर्फ़ यही है कि प्रिमिपल रेट के मैक्सिन २३ मे २३-ए。(१) प्रोर (२) और इसके कर दिये जायें और जोकि इस प्रकार है।

(1) Every High Court shall have a vacation or vacations for such period or periods as may, from time to time, be fixed by the President, by order notified in this behalf in the Official Gazette, and every such order shall have effect notwithstanding anything contained in any other law, rule or order regulating the vacation of the High Court

(2) Every order made under sub-section (1) shall be laid before each House of Parliament"

पहली बीज उसम यह है कि यहार कोई इल सेक्शन २३-ए के मुनालिक बनाया जायेगा तो वह पालियार्मेट के सामने पेश होगा और उसमे किर बहस की भी गुजाइश होगी कि उस बीज को माना जाये कि नहीं माना जाये। इसमें कहीं भी यह नहीं कहा

गया है कि वैकेशन हम बटा रहे हैं या बढ़ा रहे हैं। खुट्टी बटाने की बात जो बल गई है वह तो सिर्फ़ इस बजह से चल गई कि आनन्देश्वर मेम्बर्म के दिमाग मे यह बात है कि शायद प्रेसीडेंट यह उचित समझेगे कि हाई कोर्ट बजेज के वैकेशन मे कमी कर दें। होम मिनिस्टर साहब ने खुद कहा है और मैं भी होम मिनिस्टर साहब की गय से इतिकाक करता हूँ और मेरा नो कहना है कि पालियार्मेट के द्वीगर मेम्बर्म की भी यह राय होनी चाहिये कि आज के बदले तुए हालात मे इस वैकेशन से कुछ कमी की जाय।

अपने मित्र श्री फेक एन्डवरी को मैंने स्वयं एक मर्जिवा स्ट्रीच के दोगत मे यह कहते हुए सुना था कि एक मजिस्ट्रेट और एक यूंसिफ मे जो कि जुडिशियल पावर एक्सर-माइड करते हैं और सुप्रीम कोर्ट के जजेज मे कोई डिस्क्रिप्शन नहीं होना चाहिए क्योंकि दोनों ही जुडिशियल पावर एक्सरमाइज करते हैं और दोनों ही जस्टिस एडमिनिस्टर करने के लिए रिसर्वेशनिल हैं। आज जब हम अपने डिस्ट्रिक्ट जजेज, मजिस्ट्रेट्स और यूंसिफो को जो कि जुडिशियल पावर एक्सरसाइज करते हैं, देखते हैं तो पाने हैं कि उन्हे कोई खुट्टी ही नहीं है। उनके पास कोई अधिकार इस तरह का नहीं है कि वह अपनी खुट्टिया एनलाजं कर लें या कम कर लें। मैंने हाई कोर्ट से मेरुदियो के मुनालिक एक मवाल पूछा था तो बतलाया गया था कि ६३ दिनो से लेकर १०० दिन की खुट्टिया भलावा एनवार के होती हैं जब कि हमारे डिस्ट्रिक्ट कोर्ट्स मे ५० से ५३ दिन तक ही यह खुट्टिया महदूद रहती है।

पहले जबकि प्रदेश जजेज होते थे तो दो, ई महीने का वैकेशन होना समझ मे आ सकता था क्योंकि उनके इश्वरी ह जाना होता था और वह वैकेशन होम लीव की तरह मे मानी जाती थी। वह जब साल भर काम करने के बाद समर वैकेशन मे इस्लैड जाते थे तो उनको रास्ते मे ही एक बड़े महीना लग

## [श्री कालिका सिंह ]

जाया करना था और वह मुश्किल से अपने वार पर एक महीना रह पाते थे और मैं समझता हूँ कि पहले के हालात में एक महीने का जनेव्र के निये बैलोचान रवे जाने से इंडियन जनेव्र प्रीर इंडियन जनेव्र के बीच कोई डिस्ट्रिक्ट रेशन नहीं किया जाता था क्योंकि विदेशी जनों को वार पहुँचने में आने-जाने में ही एक महीने का समय लग जाया करता था। वह दो डाई महीने की उनको बैलोचान देता समझ में आने वाली बात यो लेकिन आज जब कि कोई भी प्रोवेन्यु जनेव्र शायद यहां नहीं है तब हाई कोर्ट के जनेव्र में और डिस्ट्रिक्ट कोर्ट्स के जनेव्र, मजिस्ट्रेट्स और पुलिस के ब्रिगें के सम्बन्ध में इस तरह का वेसाव रवां उचित नहीं जवाब वर्गोंके बे सब लोग यहां भारतवर्ष के रहने वाले हैं प्रीर किसी नो भारत से बाहर नहीं जाना है प्रीर दो वर्षों के भारत से बाहर नहीं जाना है किसी नो भारत के जनेव्र नो ब्रिगें दो महीने नो ही भी चाहे हों प्रीर उनको एक महीने नो, कुछ तुम्हारी नहीं बनता। १५, २० महीने हाई कोर्ट जनेव्र नो १२, १५ तुम्हारी तक नो ब्रिगें ही से जनना को बड़ा तुरन्त प्रीर परेशानी का सामना करना होगा है। देशना जनेव्र तुम्हारा कर बड़ी केसेव्र को डिस्ट्रिक्ट करने को जड़ता पड़ती है। अब हाई कोर्ट जनेव्र २० या २४ जिले हों तो इस ब्रिगे पर जा भी सको है लेकिन उनका साथ वां एक बड़ा भरो स्वाक नगा होगा है कर्नाटक एम्पलाईज़ और चपरारी वर्ग रह वे भी बेग़ार हो जाते हैं प्रीर उनका सब कुई काम भी हों रहता है प्रीर इस तरह से पर्याप्त एक्सेसर का काफी नक्कास होगा है और वैग वर्ष जाता है। इसलिए जहां तक इस राय का सवाल है कि हमारे हाई कर्ट्स में ब्रिगें कम हनी चाहियें मेरी अपनी ती राय यह है और ऐडीडी की भी यही हानी चाहिए कि मौजदा ब्रिटिशों में कुछ कमी की जानी चाहिये और

म समझता हूँ कि स्वयं हाई कर्ट्स के लोग भी पब्लिक ओपीनियन का आदर करेंगे और जनेव्र की भी राय यही होगी कि हमनो इतनी अधिक ब्रिगें नहीं मानी चाहियें। कानून एक ऐसी बीज़ है कि जब तक रोज़ राज हम उसको स्टडी न करते रहें प्रीर काम न करते रहें तब तक हम उसके साथ पूरी तरह से इंसाफ नहीं कर सकते क्योंकि हो सकता है कि कानून हुआ प्रागे बड़ा जाये प्रीर हाई कोर्ट के जनेव्र पीछे रह जायें। इसलिये उनको एक महीने से अधिक की ब्रिटी नहीं होनी चाहिए।

जहां तक हमें मालम है ऐडीडी जो भी ब्रिटी के प्रातिक्रिया आईर देंगे उसके पड़े वे सुनीम कोर्ट से प्रीर हाई कोर्ट के बीच जस्टिस से रूपलटेशन कर लें। अधिर पब्लिक प्रोपोनियन को हमें इस त्रिय में नज़र प्रेत तक नहीं करना होगा प्रीर ऐडीडी जिनके कि हायों में हम यह अविभार देने जा रहे हैं वे गवर्नरेंट आर इंडिया के एक सिम्बल हैं और आपको उनके ऊपर प्रार विश्वास रखना चाहिए कि वह जो हुआ देगहित में होगा उसको दृष्टि में रख कर आईर करें। मैं कहता हूँ कि अधिर आपको ऐडीडी से यह अविभार देने में क्या आनंदित है? जब आपको ऐडीडी के ऊपर विश्वास नहीं नाम होता तो फिर हाई कोर्ट के जनेव्र के ऊपर विश्वास होना तो दूर नो बात है।

इसलिए मैं समझता हूँ कि कलावृ ७ के जरिये जो य० २३-१ (१) प्रीर (२) गोड़े जा रहे हैं उसमें कोई ऐसी बात नहीं जो कि कानून ऐतराज हो।

अब जहां तक पंचिधान को नज़र प्राप्त करने की बात कही गई है प्रीर जिसको प्रीर पंचिधान कानून दास भार्गव ने इतारा दिया है मैंने तो पंचिधान की २२५ प्रीर १४५ भाराग्रों को पढ़ने से यह नहीं मानता कि

उनका उत्तरांत किया जा रहा है। आर्टिकल २२५ में तो सिर्फ इतना हो लिखा गया है:

"jurisdiction of, and the law administered in, any existing High Court, and the respective powers of the judges thereof, in relation to the administration of justice ◆ the Court, including any power to make rules of Court and to regulate the sittings of the Court and of members thereof sitting alone or in Division Courts, shall be the same as immediately before the commencement of this Constitution."

इसमें कहीं भी वैकेशन का नाम भी नहीं आता है। जो लूस है कार रेग्युलेशन आफ सिटिंग उनमें भी यह चेंज नहीं आती है कि वैकेशन के लिये हम कोई तरीका प्रेस्क्रिप्शन नहीं कर सकते हैं। इसलिये यह पावर औपन है और होगी भी चाहिए। पालियामेंट को वैकेशन को रेग्युलेट करने का अल्पियार होना चाहिए। पालियामेंट को यह काम जहर करना चाहिए। आजकल एटिर्स बहुत जमा हो गये हैं। यहां पर एक सवाल पूछा गया था कि ४०० अपीलें दम बरस से ज्यादा पुरानी इनाहाशद में हैं कहीं ६० हैं कहीं १०० हैं। यह जो एटिर्स जमा हो रहे हैं इनमें लिटिगेंस को कितनी तकलीफ हो री है इसका भी ख्याल रखना चाहिए। फ़िर तो मैं इतनी देर हो री है कि लोग मर जाते हैं और उनके वारेस पा हो जाते हैं। भवाल सन्यापी की तरह जो हार गया वह जीत जाता है इस देरी की वजह से। तो इनके लिए प्रेपीडेंट साहब को ख्याल करना चाहिए वयोंकि जस्टिस डिलेड इज जस्टिस डिनाडड, आजकल बहुत एटिर्स इकट्ठे हो गये हैं इनको साफ करना चाहिए। आजकल हाई कोर्ट न का बहुत ज्यादा वक्त तो रिट्स की वजह से लंबे हो जाता है। हमारी तो यह राय है कि यह काम डिस्ट्रिक्ट की अदालतों का देया जाय तो अच्छा होगा।

कांस्टीट्यूशन में दिया हु गा है

"Parliament may by law confer the jurisdiction of writs etc. conferred on the Supreme Court on any Courts other than High Courts".

हमारी राय में जित कोज में विर्फ ज़रमाने का सवाल है और सजा नहीं है, या ज़नवायनों के मार्जनी मामले हैं उनका रिट जिलों की अदालतों में कैला किया जाना चाहिए। चार चार हजार रिट हाई कोर्ट में जो हैं और उनको टाप प्रायरी देनी होती है। मैं समझता हूं कि यह जा काम हाई कोर्ट में जमा हो गया है इसमें जों का कोई हाथ नहीं है यह तो जिस्टम और कानून की बदाबी है जिसकी वजह से यह काम जमा हो गया है। आज इस स्थिति पर विचार करने का समय आया है। इसमें यह जा काम जमा हो गया है यह बहुत इन में क्लाज है। मैं तो चाहता था कि कुछ प्रचलित प्रलक्षण रखे ये होंते जिनका मार्जना यह हो। नि इस प्राज दी वैगन के बारे में कुछ फ़ैला कर रहे हैं। ग्रनी तो दोम निनिस्टर साहब ने 'पर नं ११' दिया है कि उनका इरादा है जिवकारी विर्फ में तरीकों से रवी जाए। अगर वह चेंज हमारे समने आती तो उसका हम स्वागत करते।

मैं इस काज ७ के स्पर्ट नहरा हूं और चाहता हूं कि सदन भी उपरां में करे।

**Pandit G. B. Pant:** In fact, many of the arguments that have been advanced are hardly different from what we were told when the matter was referred to in the course of the motion for consideration. I regret that the submissions made by me have not effectively removed the misapprehensions of some of the hon. Members who have spoken over this clause now.

Pandit Thakur Das Bhargava has again referred to the Constitution. He also read out part of article 225, but perhaps he did not read out the whole

[Pandit G. B. Pant]

of it. I would just invite his attention to the initial introductory part of it. It says:

"Subject to the provisions of this Constitution and to the provisions of any law of the appropriate Legislature made by virtue of powers conferred on that Legislature by this Constitution, the jurisdiction of, and the law administered in, any existing High Court and the respective powers of the Judges thereof in relation to the administration of justice in the Court, including any power to make rules of Court and to regulate the sittings of the Court and. . . .".

That is, all this is subject to the provisions of any law that may be made by the appropriate legislature. Parliament is certainly competent to pass such a law. So, I am really somewhat surprised that a lawyer of his standing should have found some difficulty in appreciating the validity of this clause.

He referred to certain other matters too, but they do not call for any special rejoinder, as what he said was exactly what he had stated before.

I was somewhat perplexed, and maybe, even amazed to hear certain remarks of my hon. friend Shri Frank Anthony. He said that if we curtailed the period of vacations, or if the judges feel that the period of vacations may be curtailed, then they will reject such petitions which they would otherwise entertain; they will hurriedly deal with the cases and try to see that the file does not go up, and not be worried about the merits or the cases and the applications. I hope our judges are not made of such a stuff. That would be exceedingly deplorable. That indicates the view that they care more for their own comfort, and for their leisure than for justice. I cannot possibly share such an opinion about our judges. All this talk about their prestige and dignity and so on

loses its force and becomes almost farcical if such be our estimate of their integrity and devotion to duty.

He also said that mere reduction of a few days in the vacations would not prove a complete solution of this problem of arrears. I never claimed that simply by this we will be able to reduce the arrears, but if all the High Courts worked for one day more, they do as much work as one High Court Judge would do in the course of a year, more or less. So every day's addition to the working days would mean so much of saving to the taxpayer and would also result in the diminution of cases to be disposed of by the courts. I think the disposals would increase and to the extent the disposals increase, the arrears will, of course, inevitably go down. The arrears by themselves cannot be cleared off that way. But I think Shri Frank Anthony will also concede that every day's addition to the working days would result in so much more work being done. If that is so, to that extent, the arrears will be reduced.

As I stated before, we have not been relying on this alone. Whatever be the changes we may suggest, we will bear in mind fully the needs of the service and the nature of the work that the Judges have to do and will to the utmost try not to give them any cause which would result in any sort of dissatisfaction. We have tried our best to maintain relations of utmost harmony and cordiality with the Judiciary, while in every way respecting their independence. That will continue to be our effort even hereafter.

There was one more point, to which reference was made by Shri Narayanankutty Menon—about seniority of Judges of the former Part B States. This question was settled at the time of the reorganisation of States and it was the view of the Chief Justice of India—and we also agreed with

him—that where a person was appointed to a Part A State High Court after the merger of any State, if he was a Chief Justice, he would be given seniority over all Puisne Judges of that High Court, and if he was a Puisne Judge of a Part B State High Court, he would be placed after the Puisne Judges of the Part A State High Court. In the Part B States, the Judges, as a rule, received lower emoluments. Their terms of service did not compare favourably with those of the Judges serving in Part A States. Otherwise, there would be no occasion for bringing this Bill before this House today.

So those who had been serving as Chief Justices were given priority from the date of their appointment as Chief Justice in each case in the 'B' State, when they were appointed or allotted to an 'A' State High Court, and those who had been serving in the 'B' State High Courts as Puisne Judges were on their appointment placed as Puisne Judges after the Puisne Judges who had been serving in the 'A' State High Courts. The reasons are obvious. Those who have been serving in the 'A' State High Courts had been receiving a higher salary; they were entitled to larger pensions, and they had different rules also.

As to the general remark that this would interfere with the normal practice—the provision that we have made about vacations—I would again remind hon. Members that we have to deal with many matters which are of a trivial nature, but which vitally affect the comforts of the Judges. The rules about medical aid, rules about travelling allowance, rules about halting allowance, about leave and also the granting of leave—all these are dealt with by the executive, if you so choose to call those who have to deal with these matters. But nobody has ever said that the independence of the Judges has been affected on that account or that there has been any interference with the work of the Judge because of these powers that the executive possess. What is done here

is to subject every case to the control and scrutiny of Parliament. I do not see what greater or more effective safeguard could possibly be devised for any person or group of persons in this country—well, it would be a reflection on Parliament. My hon. friend, Pandit Thakur Das Bhargava, is so alert that nothing can escape his notice and every order will come under his scrutiny. If he feels that there is anything wrong about it, I hope he will set us on the right path and correct us. Depending on him, Shri Frank Anthony and other friends here, while fully confessing that we have our own weaknesses, I hope nobody will suffer because of the introduction of this clause.

**Mr. Deputy-Speaker:** The question is:

"That clause 7 stand part of the Bill".

*The motion was adopted.*

Clause 7 was added to the Bill.

**Mr. Deputy-Speaker:** The question is:

"That clauses 8 to 10 and 1, the Enacting Formula and Long Title stand part of the Bill"

Clauses 8 to 10 and 1, the Enacting Formula and Long Title were added to the Bill.

**Pandit G. B. Pant:** I move.

"That the Bill be passed"

**Mr. Deputy-Speaker:** The question is:

"That the Bill be passed".

*The motion was adopted*

14.49 hrs.

TEA (ALTERATION IN DUTIES OF CUSTOMS AND EXCISE) BILL

**The Minister of Revenue and Civil Expenditure (Dr. B. Gopala Reddi):** I beg to move:

"That the Bill further to amend the Indian Tariff Act, 1934, and

[Dr. B Gopala Reddi]

the Central Excises and Salt Act, 1944, for the purpose of altering the duties of customs and excise on tea be taken into consideration."

I need not make an elaborate speech on this matter because at the time of the introduction of the Bill, my hon. colleague, Shri B R Bhagat, made a long statement justifying this amendment. It has already come into force on the 28th September and we had to ratify it within two months. It has to go through this House and the other House and receive the President's assent before the 28th of this month.

At this stage, I may say again that Government are anxious to give relief to the common tea. For a long time we have been hearing representations from the industry and it was engaging the attention of the Government for a good deal of time.

Now, this amending Bill seeks to give a sort of relief to common tea enabling it to compete favourably in the international markets. We are aware that there are other countries also exporting tea to United Kingdom and other countries and we are anxious that our common tea should favourably compete with other imports into the United Kingdom, and this Bill seeks to give that relief.

As it is, there is no distinction between the different varieties of tea in the matter of excise duty or customs duty and they all pay a uniform rate. But, by passing this Bill, we now make a distinction between common tea, medium tea and fine tea and common tea will, hereafter, enjoy a relief of about 10 nP per lb. All teas are now paying 38nP at the point of export. But, hereafter all tea will be paying 28 nP at the point of export and tea grown in zone I 2 nP excise duty at the tea plantations, in all, such tea will pay 28 nP, as against 38 nP which it is now paying; and there would be a clear relief of 10 nP for common tea.

As hon. Members are aware, the production is roundabout 700 million lbs, of which 250 million lbs. is common tea. We export 480 million lbs. outside. Therefore, common tea must also compete with other common teas. We are now giving a relief of 10 nP and we are quite sure that the industry would also benefit by this concession. Government is losing, roughly, about Rs. 1.58 crores by this relief. It is by no means a taxation measure; but, on the other hand, it is giving relief to the industry. Without giving any of the details, the industry was also consulted in this matter; and they particularly agreed with the principle underlying this amendment. I hope the House will accord its approval to this Bill which has already come into force from the 28th September, and thus enable the tea industry to export our common teas abroad in larger quantities.

Sir, I move that the Bill be taken into consideration.

**Mr. Deputy-Speaker.** Motion moved.

"That the Bill further to amend the Indian Tariff Act, 1934, and the Central Excise and Salt Act, 1944, for the purpose of altering the duties of customs and excise on tea, be taken into consideration."

There is a notice of an amendment from Shri Tridib Kumar Chaudhuri. The notice was given only today. Ordinarily, it would have been too late, but, because it is the opening day, I would suffer it to be moved.

**Shri Bimal Ghose (Barrackpore)**  
What is the amendment about?

It was not circulated to us.

**Mr. Deputy-Speaker:** It is that the Bill be circulated for eliciting public opinion.

There is another thing which has just now struck me, because an hon. Member smiled. The hon. Minister said that we must pass this Bill within

2 months and this motion is for eliciting public opinion. As such it may be considered dilatory.

**Shri Punnoose (Ambalapuzha):** He may require only 15 days.

**Dr. B. Gopal Reddi:** The Bill was introduced on the 27th September.

**Mr. Deputy-Speaker:** In the motion the hon. Member says, 'by the 31st December'. It just now struck me because Shri Punnoose smiled. I thought that there was something wrong in that because then this motion would be dilatory. The motion is dilatory and will not be allowed to be moved. But, in the first instance, he may speak on it.

**Shri Tridib Kumar Chaudhuri (Berhampore):** I am not very happy in having to move this motion because a much-needed relief is being offered to an industry and to the export of common tea which it needs. But the way Government is moving about in this matter and the meagreness of the relief granted combined with the reluctance of Government to take into account the complex questions confronting the tea plantations industry in this country—the production of common tea forms a large proportion of this industry—all these factors, have prompted me to table this motion.

Without going into the detailed question of the structure of the entire tea industry and the various questions that are relevant, it will be better to concentrate on the problem of common tea. Roughly, sixty per cent of our tea exports is of the common variety. If I may say so, the problem of common tea is also, to a large extent, a regional issue because only certain States and certain districts produce this variety of tea. For example, in Assam, Cachar and lower Assam below the Brahmaputra valley are the main producers of common tea. In Bengal, it is the Duar and the Terai. (Interruptions) In Kerala, the lower regions of the State are the regions where common tea is produced.

15 hrs.

The problem that is confronting the export of common tea is that more and more countries are producing tea, particularly this common variety of tea, and there is a glut of common tea. In the context of higher duties on production and export, the demand for Indian common tea in the world market is facing increasing competition. Buyers only take such amounts of this type of tea from India they need to make good their balance of requirements after they have taken whatever is available from other countries or markets of production. If I may cite certain figures which are here with me, since the excise duty was imposed on Indian tea, all these countries have increased their production of tea on an unprecedented scale. There are the countries of the British East Africa: Kenya, Uganda and Tanganyika. The Portuguese colony of Mozambique in East Africa is coming up as a sizable producer of tea of the common variety. Then there is the Belgian Congo in South Africa. It seems, from the figures that I have before me, that by 1960 all the South American countries—there are several tea-producing countries in South America—would be producing considerable quantities of tea and Argentina alone would be able to supply the entire demand of tea in South America. So that market is going to be closed to us. Nearer home, Iran has also become a sizable producer and Turkey, in spite of the fact that conditions there are not very congenial for the production of tea, has also begun to produce tea. The Soviet Union has increased its acreage from 126,000 in 1956 to 183,000. Burma and Malaya are also planning to grow tea. Then, China, Japan and Formosa are there. So, we have to take into account this hard fact. Countries which were not and which could not compete with Indian tea have increased their production and are now successfully competing with us. That really presents a tremendous problem for us to solve.

Our tea is mostly exported to Britain. What do we find there?

[Shri Tridib Kumar Chaudhuri.]

Between 1948 and 1950, India supplied about 65.9 per cent of the British tea. Only four per cent of the total imports of tea into Britain was from some of these countries to which I referred just now: East Africa, Malaya, Formosa, Indonesia, etc. If an average for the three years, 1955 to 1957 is taken, our share in the London market for tea has come down from 65.9 per cent to 58.1 per cent and the share of all these countries had increased from 4 to 15 per cent. Thus, we are gradually being pushed out of the British market and also out of the other markets where our tea has some demand. Naturally, there was a loud demand from the side of the industrialists that some kind of relief should be given. As the hon. Minister has stated just now—he was must too brief and did not give the details—from the 28th of September, the combined effect of the reduction in export duty and excise duty has been this—the whole of the tea-producing area in India had been divided into three zones. In zone No. 1, the extent of relief on export duty is 10 nP per lb.; in zone No. 2, it is 8 nP; and in zone No. 3, 2 nP. This is the combined effect of the relief given in the export and excise duties. Thus, the overall relief in zones 1 and 2 comes to 10 nP and 8 nP per lb. as against the demand for a relief of at least 25 nP per lb.

The hon. Minister says that the industry was consulted and they agreed in principle to the reduction of the duties. I do not understand what he meant by this. As a matter of fact, there was no question of their agreement. They were crying hoarse for this kind of relief and reduction in export duty.

I have a letter from the Indian Tea Planters Association of Jalpaiguri who represent the Indian sector of the industry in Duar and Terai area mostly. They have really asked for at least a suspension of the duty or the abolition of the duty altogether, if possible.

It is quite understandable that the Government could not accede to that demand in its entirety because that would mean a sacrifice of nearly Rs. IV or Rs. 18 crores. The extent of relief that they have granted now is only a little over Rs. 1.5 crores. That would hardly help the industry to regain its markets or assert its competitive position in the face of inter-national competition that it is confronted with. I would, therefore, plead that the whole position be examined anew and if they want to give this much relief for the present, I would plead that not only the tea-planters but the workers' interests should also be consulted. Because, it is not only that the industry is losing its market but the entire working class employed in the tea industry is confronted with a peculiar problem at the present moment.

A few years back there was no unemployment in the tea industry. A good deal of unemployment has emerged now amongst tea workers and the volume of unemployment there is increasing. The cost structure of tea industry was examined in some of its aspects by the Indian Plantations Enquiry Commission some two or three years back. I think, in view of the fact that we are going to lose our markets very rapidly, Government should immediately take counsel from the tea industrialists and from the workers. They can also name their own experts. They should all sit together round a table and find out how this industry can really survive. Otherwise, Sir, the prospects are very bad.

It is generally alleged from the employers side that the cost structure in Indian tea industry is very rigid and the proportion of wages paid here or the labour costs here is higher compared to countries from which we face competition. But that is an argument which I do not support. I only support the demand that the whole question should be examined *de novo*. The three parties concerned, that is, the

Government on the one hand, which is concerned about its revenues, and the tea industrialists or the planters on the other and the workers should again sit together and find out how best the industry can be given some relief.

So far as the excise duty and export duty are concerned, I think there is room for greater relief being offered to the industry provided we take care, at the same time, to mop up any extra profits that will go to the planters. There are ways of ensuring that. We can mop up the extra profits under the existing law or, if necessary, we can pass a new law to that effect. We can also try to see what proportion of the extra profits and extra gains is going to the management. Even now a majority of the management and control belongs to foreigners. Roughly, 70 to 75 per cent of the tea industry is owned and controlled by foreigners. I have known of cases where youngsters in their early twenties are brought over from Great Britain and are paid emoluments on various counts as high as Rs. 10,000 to Rs. 15,000 per month. Therefore, there should be some probe into that aspect of the matter. At the same time, all the three parties concerned—the Government, the employer and the labourers—should sit together and find out what sacrifices they can impose on themselves. All the three parties will be required to make sacrifices so that the industry can regain its position in the world market.

**Shri Punnoose:** Mr. Deputy-Speaker, Sir, while speaking on this amending Bill brought with the laudable object of giving some relief to the tea industry, I want to make two or three points. My objection or my quarrel with the Minister is not with regard to the quantum of relief. Of course, the quantum of relief has to be examined carefully, but I consider this as a very piecemeal measure.

The condition of the tea industry requires that the whole industry has to be studied very carefully and certain very important steps have to be

taken; I might say, certain fundamental measures have to be taken. There were certain very important recommendations made by the Plantation Enquiry Commission. I would like to know what has happened to those recommendations. Giving this relief at this moment cannot make any effective change in the whole situation.

I am afraid, Sir, that we are taking these planters a little too seriously. I have no doubt that Indian tea is dependable, but do not depend on everything that the planters say.

**An Hon. Member:** Planters are not dependable.

**Shri Punnoose:** I do not go so far. When they say that the tea industry is in a crisis, that the Indian plantation is on its last legs and we are going to be overwhelmed by international competition, I am prepared to take it not with a grain but a ton of salt. My hon. friend has been a little carried away by that propaganda.

The major question here is this. The Indian tea industry has been mainly dominated by foreign capital. The same gentlemen and companies who have got plantations in Assam and Kerala have their new plantations coming up in East Africa and other places. It is they who say that there is competition. Competition between whom? It is between their own companies and their plantations in those places and their plantations and companies here. They are asking us to give them relief. Of course, relief should be given. But what has happened to the major recommendations of the Plantation Enquiry Commission? They have to be studied and implemented immediately.

They say that relief should be given. No doubt, some relief has to be given; but that relief should not be exclusively given to the planters. What about the common man? There is a complaint—I am sure the hon. Minister is aware of it—that the Indian consumer gets his tea at a prohibitively

[Shri Punnoose]

high price. What are you going to do about it? Please see that he gets his tea, very ordinary tea, tea dust, at a cheap rate. Secondly, when they demand relief they demand it for them alone. What happens to the workers? You may remember, Sir, the storm raised in this House with regard to the relief to be given to the Assam tea planters. Relief was given at that time and the Treasury lost a lot of money. But what did the worker get? He lost his cheap grain and so many other concessions. Next year we were told that the planters had a boom. The result was that the workers lost everything that they had and they did not get anything when the planters reaped very high profits.

Tea industry has got a very crucial place in our economy and I agree that Government has to give some relief to this industry. But, as a welfare State we should also see that the condition of workers does not get worse with the relief that we give to the planters. Therefore before Government gives relief to the tea industry or, for that matter, to any industry Government should make it a point to see that the condition of workers does not become worse. When there was a crisis sometime back, the worker lost his cheap grain, and he was denied bonus and everything. But today some measure of relief is being received, and there may be more relief coming forth, but what happens to the worker? The worker is denied his benefit and he has to be satisfied with the minimum wage. They are even encroaching upon that. He is denied the bonus. One sees a set of very powerful planters coming forward and saying that they cannot give the pittance of bonus which they used to give. They are not prepared to evolve a principle on which bonus might be given. They have even denied what they had given last year.

I had occasion to come across the accounts of certain companies. These

companies say that they are going to be bankrupt. During the last ten years some of these companies have made 300 to 400 per cent profit. Nevertheless they say that they cannot give even the pittance of bonus which they used to give formerly. The Government of India should advise these planters to give the workers the relief, and say "All right; you give relief, but behave properly". The Government of India should ask them to behave themselves properly or else they should be shown their place. When the workers unitedly asked the quantum of bonus which they got last year, and when the State Government advised them to give it, they put on faces and they ran up to the Government of India for relief, and the Government of India, sometimes out of kindness, and sometimes out of other tender feelings—I do not know—immediately felt very much for the planters. But I am sorry to say that they forgot the worker. That should not be the case. That is not in the interests of the country. That is not in the interests of the industry either. Therefore, this relief should be given and the Government have to take certain very fundamental measures for the reorganization of this industry. For example, there is auction in Cochin and Calcutta. While it has been suggested that the State Trading Corporation may take it up, why should the brokers of companies who have got their own interest in other countries also be given a monopoly for it? Why not our State Trading Corporation take up this business and find out new markets for tea?

This morning there was a statement made in answer to a question, saying that there is likely to be a large market for our tea in certain countries. Why not we explore all those possibilities and put our tea industry on a sound footing? Therefore, let us not be satisfied with the piecemeal measure. We have to take this question seriously and bring about a reorganization of the tea industry.

The cost structure has been referred to. What is the matter? The number of workers they employ per acre has now decreased. But the wages have not increased. The cost structure has increased. I know a particular company in Kerala which has paid 13 months' salary as bonus to its high-salaried people; people getting Rs. 3,000, Rs. 4,000 or Rs. 5,000 have been given 13 months' salary as bonus per year. Those companies now come and say, "We are at a loss, and we cannot give bonus, and we want relief." Do not be misled like that. We are in difficulties but our tea industry can stand on its own in the world market provided the Government of India takes a stand which is in the best interests of the country. The Government of India must be prepared to tell the planters, "Look here; you have had good times. But our people must have a square deal, and therefore you have got to accommodate yourselves to a condition which we propose." If the Government of India take such a position, a national attitude, towards the whole thing, I believe the industry can survive, the crisis which is facing it, and also can be a source of prosperity to our country and our people.

**Shri Heda (Nizamabad)** Mr Deputy-Speaker, I welcome the Bill. The tea industry is one of the most important industries of our country. Taking into consideration the size of the industry or the fact that tea is a commodity of daily use, it is necessary that the speech made by the Minister who moved for the consideration of the Bill should have been a little more elaborate and he could have given more factual data, particularly about the cost structure of the tea industry here as well as in other countries which are competing with us and because of which the necessity for this Bill arose.

Our country is one of the oldest countries where the tea industry has flourished and it is a fact that the industry flourished because of the foreign investment in it. Even now, there is a good deal of domination

by those foreign firms. The investment of foreign capital in this industry was quite welcome. It developed the industry no doubt, but for a long time even export trade of tea was dominated by the foreign interests and that was not desirable. Even now, the domination has not been entirely removed. It is still there to a certain extent. One could appreciate the difficulties of the Government and of the Indian counterpart in this industry to remove this domination, and I know that things are improving, but even then, I think that Government should take a long-range view and make some arrangement by which the export of tea will be regulated, particularly to the United Kingdom, as desired. The loose tea that we send from here and the tea that is packed in the United Kingdom are sold particularly to the European countries. I think the time has come when we can organize the package of the tea from this country itself, and indeed we can very well look after the markets in the European countries. Knowing that our tea goes first to the United Kingdom and then to France, Italy, Spain, etc., they were able to achieve much. I think there will be greater domination of the Indian counterparts in the industry in the export trade and we may be able to earn more foreign exchange.

The hon. Minister has referred to the term 'common tea'. It is nowhere defined, and I think it is very difficult to define it also. The term has not been referred to, and I think rightly so, in the Bill. Common tea sometimes means tea which does not cost more than a particular price. In this case I think it is about 2·75. Sometimes, it meant to be tea produced from particular areas, sometimes the same tea from the same tea gardens in particular seasons becomes common tea while in other seasons it becomes medium tea. Giving relief to common tea was quite necessary, but the point is, whether the relief given is adequate, extra, or less. It is very difficult for us, our immediate neighbours, to feel that. But the point

[Shri Heda.]

is that we do not know the cost structure of the tea. The information furnished to us by the tea industry is bound to be one-sided, and it is very difficult to rely entirely upon that information. For authentic information we could depend only on the governmental sources, and from those sources we do not know the cost structure, and more than the cost structure, the point involved here is the cost structure, particularly, in the other countries. What is the cost structure in those countries, particularly in African countries which are coming into the field and which are competing with us? We have been told that the export of tea is not dwindling. If we take into consideration the amount, of course, it is not dwindling; rather the exports are on the better side, but when we take into consideration the poundage and the volume, they are decreasing. There is no doubt about it. And, therefore, it is a matter of great concern.

There is another point. There are certain areas which used to be developed for the production of tea just before and during the war when the prices were quite attractive and sizable amounts have been invested. Now these areas are not able to compete in the markets that are coming up from our neighbours.

All these things are complicated and therefore a thorough study is to be made. I hope Government must have done it, but I fear that they are withholding that information from us. When they took the decision of 10nP relief to be given for the export of common tea, there must have been some considerations for coming to that decision. I only say that the hon. Minister should take this House and the country into confidence and tell us the considerations which have made Government come to this decision, so that we will be in a better position to appreciate it.

There is one apprehension I would like to express before I close. The duties are fixed on the basis of the

prices *ad valorem*. There is an apprehension that many times the buyers and sellers might be in league and they might under-sell. In many places, the buying and selling firms are dominated and directed by the same source. So, there is an apprehension that with a view to obtain more profits, they might under-bill. When this happens, we are losers on many counts. We lose not only foreign exchange, but we also lose income-tax and other taxes, because the profits made by the firms concerned go to the black market and they are not shown in the books. Therefore, so many complications arise and we are losers on many counts. So, there is need to keep greater vigilance. There is already some vigilance now, and Government supervisors are there. But there is necessity for greater vigilance not only at the time of auctions taking place, but at other times also so that there might be no under-selling.

Lastly, some of the foreign firms interested in the tea industry here have started their own tea gardens in other countries. At the moment, they may not be able to compete with us, because it is just a new industry, but in the course of another 10 or 15 years, when the new plants start yielding they will become our competitors. These people are selling away their tea estates here and taking their entire capital particularly to East African countries. I am glad that Government have banned the export of seeds. I hope that this ban is thorough, so that we may not be charged that we had been ourselves responsible for the development of the rival industry in other countries, thereby hitting at our own exports. So, greater vigilance over the interests that have got estates here as well as in other countries which are competing with us is necessary.

With these words, I welcome the Bill.

**Shri Barman** (Cooch-Bihar—Reserved—Scheduled Castes): Mr. Deputy Speaker, Sir, Government have come

before this House with this Bill to make certain alterations in duties of customs and excise on tea. The main purpose of this Bill is to substitute two schedules—the second schedule in the Indian Tariff Act and the first schedule in the Central Excise and Salt Act. Comparing the old schedules with the proposed schedules, you will find that the bases of these taxes have altered in a manner which, unless Government explains the reasons, it is very difficult for us to understand.

I support the previous speaker, Mr. Head, in his view that when Government brings amending Bills regarding taxation measures, Government taxation measures, Government should circulate to Members the reasons for making the alterations and the basis for coming to that decision. Unless that is done, it is not possible for us to know whether the Government is doing the right thing. Especially in taxation measures, it is very difficult for common people to know how the Government is functioning.

It has been criticised by previous speakers that Government have given some concession, but the people to whom the concession is given are themselves dissatisfied. It is difficult for us to support either the Government or the other party. But from the papers that have come to us, we find that even before the revision of the duty structure, export duty on tea accounted for Rs. 18 crores and by this amendment, Government is foregoing Rs. 1½ crores only. But it seems that the concession that has been given by Government is not such as can save the industry from its difficulties. So, unless details are given in this matter, it is very difficult for us to come to any conclusion and support this Bill on the floor of this House. My submission, therefore, is that in such complicated matters, in which Government is in sole possession of facts, they should circulate broad details, so that the House can understand the matter and proceed accordingly.

Then, it is true that by giving these concessions in taxes and excise duties, Government is losing some revenue, whatever be the quantum. I want to submit only one factor as regards these taxation measures. At present, India is very much in difficulty about foreign exchange. If the grievances of the industry are genuine and if our export of common tea is falling, it automatically means that we are losing foreign exchange to that extent.

So, when comparing the loss of foreign exchange and the loss of internal revenue we have to consider which is the better course. If by reducing the export duty we can export more tea outside India, then certainly we are for more foreign exchange.

The other day we had been to a factory here, the Penicillin Factory. We asked them about the cost structure. We were told that though the cost of construction has been brought down sufficiently, yet it is very difficult to compete with imported product. The main reason is that those countries who are making penicillin and exporting it to India have a selling price in their own country which is much higher. But they sent their surplus to us at a subsidised price, so that they can get foreign exchange. So, I submit to Government that they should give some thought to the question how those countries are earning foreign exchange by subsidising their exports and whether in the case of our tea industry, which was and even is the largest industry of India, we shall not be losing our market, if we do not adopt the same procedure.

As I said in the beginning, Government have conceded, rather confessed, that the industry is losing market. That is why they have come up with a Bill. Now they have to consider whether we should lose a bit of revenue inside and gain more foreign exchange by selling more tea outside or whether we should make this industry face this difficult competition and go down gradually.

[Shri Barman]

I know some history of the tea industry. But I do not think it is appropriate to mention it now. The production of common tea increased enormously during the Second World War. When Indonesia was shut out by Japanese, there was a very good demand for tea. India and Ceylon produced and sold anything that went by the name of "tea". Since that time the workers in the tea gardens have been accustomed to coarse plucking. The ideal thing is "two leaves and a bud"; that is the usual rule of plucking. During the Second War any amount of leaves could be just ground and packed and sent as tea. Later on, when production gradually went up and Indonesia came into the market, it almost shattered our industry; competition came in and it was not possible for the tea planters to induce the workers to pluck only fine leaves, because that would bring them only much less remuneration. Even today we have asked and we have been told that it is not possible to induce the workers to change their old habits, so that we could have finer qualities of tea.

Then there is another point. It is a known fact that Ceylon grows tea throughout the year. South India also has a longer season. In the eastern region the position is different; they grow tea only for six months. But they have to pay their workers throughout the year under the labour laws that have been introduced. In addition to that, while Ceylon and Indonesia have got no export duty, the Government of India charges export duty on tea. So, it is high time for Government to consider whether we shall save this industry, an indigenous industry, from competition and make it possible for it to compete with Ceylon and Indonesia. I specially ask Government to consider whether we could not lose internal revenue and earn more foreign exchange by encouraging or facilitating the export of common tea outside India. That is all what I want to say.

**Shri Bimal Ghose:** I know that this Bill has a very limited objective. But I might take this opportunity to say a few words about the industry as a whole, to which the hon. Minister also had referred.

The present difficulty of the Indian tea industry appears to be due to two factors. One is the relatively larger supply taking the world as a whole over the world demand. Now, this is a situation which had faced the industry in the past also and, Sir, you may remember that in 1933 an International Tea Agreement was arrived at with a view to restrict supply so as to bring supply in relation to demand. That agreement lapsed in 1955. We hear that there is a move and a delegation of planters had gone to Ceylon to revive that agreement. I should like to know if the Government has taken any view in regard to the revival of the International Tea Agreement and have taken any move in that direction.

The other method is to increase consumption, and that might be done in the markets abroad as also internally. Of course, we are doing propaganda abroad and also internally. But I might say a few words about the internal demand, which probably comes to about 250 million pounds or so. Now the trouble about the internal market has been one of high prices of tea and the fact that the purchasing power of the people has been going down. So far as the purchasing power of the people is concerned, that is bound up with our food prices, as many other problems, and unless something can be done that way, many of the industries internally, I am afraid, will suffer. So far as the prices are concerned, which are high, two things might be done. One is a demand which the planters have made about the local taxes in Assam and Bengal-Assam Road Tax and West Bengal Entry Tax. Have Government thought about this problem and done anything about it? If these

two taxes or imposts could be removed, prices could be made somewhat cheaper. The second factor which faces the tea industry is what one might say the cost structure. My hon. friend, Shri Punnoose said that our planters have gone to East Africa and put up plantations there and they are selling cheap. That is a fact. But it is not that if our prices were lower we could not compete with them in the world markets. It so happens that East African prices are cheaper by about one shilling per pound. In that situation what can be done about this cost structure? Is it the hon. Minister's contention that the Bill he has now brought forward will give any relief to the industry as such? Because the possibility is that it might, to a certain extent, give relief to shippers and help the export trade and not give any relief whatsoever

15.50 hrs.

(SHRI BARMAN in the Chair.)

to the industry as such, because the shipper is not likely to pass on this relief in the form of higher price to the producer. The possibilities are that he would like to quote a lower price so as to be able to compete in the world market. We should like to know, since these duties were reduced in September last, as to what has been the effect of this reduction. Has our export gone up? If so, by how much? Have our producers got any relief and if so, to what extent? The literature that we are getting from the producers is to the effect that this reduction is not helping them at all and even the small reduction that has been made is not going to give much relief to our export trade. The relief is about 10 or 8 naye Paise per pound, whereas it is said that the difference in prices between East African teas and our teas is about one shilling and between Indonesian tea and our tea is about 6 d. If that is a fact, this relief by itself is not likely to help the tea industry in the export trade very much. If that is so, I do not understand the reasons behind giving this measure of relief

which may not give much assistance to the tea industry and at the same time the Government will be losing revenue.

A much better course would be to find out what is wrong with the tea industry. If the cost structure is high, is it due to the management or due to other things? If it is due to wages and other facilities, then of course we shall have to sit down and find out how production can be increased and not that we should try to lower the wages and the facilities that the workers have already got. Probably they need more. Therefore, we shall have to address ourselves to increasing the production. This Bill, as it is, seems to me to be a very unsatisfactory one because although some relief is being given we are not sure that it has given encouragement to our export trade nor are we sure that it will help the industry as such. I shall be happy if the hon. Minister could assure me on either of these counts and tell me that it has helped our export trade to this extent or helped our industry to this extent.

Shri Naushir Bharucha (East Khandesh): Mr. Chairman, I was rather surprised when I looked at the statement of objects and reasons of this Bill. It is exactly two lines. That is the shortest statement of objects and reasons I have ever seen having been appended to any Bill. I think the hon. Minister deserves to be congratulated on setting up a record in itself.

I fully agree with you, Sir, when you said a few minutes ago that it is the duty of the Government to explain to this House as to how exactly it arrived at a particular measure of relief to the tea industry. The Government has maintained a sphinxlike silence all along. I was expecting some clarification on this subject from the hon. Minister when he moved the consideration of the Bill, but I was rather disappointed.

Let us get the facts as they stand. 10 naye Paise relief is hardly going to

[Shri Naushir Bharucha]

be adequate and certainly it would not give any material help in retaining our foreign market. Regarding the object of the Bill, those two lines say that the intention is to grant relief to common tea through differential excise duty so as to improve their competitive position in the world market. Is that object attained? Obviously, that object is not attained and the difficulty is that today the tea industry is definitely in a crisis. What better index can you get about the plight of the tea industry today than the Stock Exchange where you find that tea scrips have tumbled very badly? Does the hon. Minister deny for a moment taking the Madras Stock Exchange for instance that the tea industry have tumbled very badly in the last few months? If the prospect of the tea industry was good even after the grant of the relief proposed to be given by the Bill, how is it, I ask, that tea shares have declined? Surely, the investing public is a shrewd judge and it feels that the tea industry will continue to decline.

Of course, there is a contributory factor, viz., labour unrest and I for one will not say that the plight of the industry is merely due to the inability of the industry to compete in foreign market. The cost of production is going high. About 18 months or two years ago, an award was given which has imposed a very heavy strain on the tea industry because that award in favour of the labour gave certain reliefs with retrospective effect. As a result of this....

**Shri Punnoose:** That was not implemented at all.

**Shri Naushir Bharucha:** It has not been implemented at all, but the tea industry has to make a provision for its implementation if the Supreme Court appeal fails. But whatever the position, the point remains that today the tea industry is in a bad plight. I can understand the argument of my hon. friend that the plantations are controlled by foreigners. That is a very big question. I can also understand the plea that the State Trading

Corporation may take over auctions. This is again a different point. The point that I am making is that if the object of the Bill is to retain our foreign markets, then that object is definitely not attained by the very meagre relief that has been given under this Bill.

May I invite the attention of this House to the fact that in the last Session, we passed a Bill for promotion of export of sugar. What was the relief that we gave to the sugar industry there? It was to the extent of Rs 13 per maund. That was the subsidy which worked out under the Sugar Export Promotion Bill. That means nearly 40 per cent of the cost price. Compared to that, I ask, what relief is given to the tea industry?

When I spoke on that Bill I said that it should be the duty of the Government to catch hold of such commodities where we have scope for promoting exports and not compete in a commodity like sugar where competition is very acute and where it will not be possible for this Government to keep on subsidising the exports of sugar. Instead, we should have selected a commodity like tea. Today, this Bill is brought before us and we are told that 10 naye Paise per pound is the relief that is being given. May I ask the hon. Minister to explain in the first place as to how he has arrived at this particular measure of relief. Secondly, I would like him to state categorically whether the industry has been consulted—I understand, the industry has been consulted, but is it satisfied with this relief? Thirdly, on what basis shall we be able to retain our position in the world market by this meagre relief? These are the three points on which the Government owes an explanation.

May I sound a note of caution to this House? Tea is one industry where we can retain our hold in foreign markets provided the Government gives it rational relief. Once the foreign markets in tea are lost, we should not hope that by giving further

relief we will be able to regain them. Old connections that are once broken in international markets cannot be easily re-established. Therefore, it is very necessary that we should not lose our dominant position in the foreign market.

By giving a relief of 10 naye Paise, the Government hopes to lose about Rs. 1½ crores. May I point out that if the relief was to the extent of 25 naye Paise, the Government would not lose more than Rs. 3 crores, firstly because it would be made up by larger exports and would thus get a larger revenue in that form and secondly, whatever we lose extra will be made up by the foreign exchange that we earn. In the case of sugar export promotion what did we do? We said that we wanted to earn foreign exchange and what a terrible price we paid for earning foreign exchange! We pay Rs. 13 per maund as subsidy for every maund that we export. I fully agree with you, Mr. Chairman, when you said that that is the point which Government should bear in mind. Taking everything into consideration, at the moment, I am not on the subject of who controls the plantations, and whether the industry is organised or not; I am not on this wider question. The immediately limited question is, our dominant position in the foreign markets must be maintained and this Bill cannot achieve the purpose which it seeks to attain. I appeal to the hon. Minister to take all the points of view into consideration and if necessary, come with another measure of further relief to this tea industry.

16 hrs.

**Shri A. C. Guha (Barasat):** Mr. Chairman, during the Budget discussion this year, several Members asked for some relief to be given to common tea and an assurance was given from the Government side that some relief would be given and they have considered the matter. It took the Government several months to come to a decision and the decision is that common tea should get a relief of 10 naye

paise. This relief has been operating for the last 1½ months. During this period, we have not only the literature that is being supplied by the producers, but also the market reports. My friend the previous speaker mentioned about the falling market value of the tea shares and the reports of export of tea also do not seem to indicate that this relief has been quite adequate. I am sorry the hon. Minister has not given us any indication as to the result achieved during these 1½ months on account of this relief operating during that period. Some Members have mentioned about the meagre information supplied on this Bill. We find in the statement made by Shri B. R. Bhagat on the 27th of September—Dr B. Gopala Reddi also referred to it—the tea areas being divided into three zones. We have not received any literature as to what are these zones, what is the price standard for dividing the tea areas into three different zones. I admit it is very difficult to define common tea. But, still, some tentative definition should have been given either in this Bill or in the opening speech of the hon. Minister himself. Nowhere do we find what is the price level at which common tea would stop and medium or fine tea will come in. These things should have been supplied to the Members of this House to enable them to take an intelligent part in this debate.

About five years ago or six years ago, I think there was some clamour that the tea industry was in a very bad condition. An enquiry was held and some relief was given to the tea industry about four or five years ago. The industry recovered, and it went on quite well. Again we have been hearing of difficulties in the tea industry. This periodical difficulty in the tea industry is a matter for proper enquiry by the Government.

**Shri Bimal Ghose:** So many enquiries have been made.

**Shri A. C. Guha:** I know that Hundred rupee shares of certain tea companies whose market value may be Rs. 200 or Rs. 250 were purchased at

[Shri A. C. Guha.]

even the fabulous price of Rs. 800 so that some particular firm may corner the shares of some garden and take charge of the managing agency or managing directorship. This is not a very uncommon feature in the tea industry. When the share scrips of the tea industry are going on at this high rate, it is very difficult for us to think that the tea industry is really in a very difficult position. My hon. friend, Shri Heda, has also asked that there should be some proper enquiry into the cost of production of tea. At the time of the Sugar Bill also, a demand was made that a proper enquiry should be made and that the matter may be referred to the Tariff Commission for finding out the real cost of production of sugar. And the Minister agreed to that. I think there is a proper case for similar enquiry into the tea industry also. There should be a proper enquiry as to the cost structure of the common tea, medium tea and fine tea and all varieties of tea.

Almost every Member who has taken part in this debate has mentioned his doubts about the adequacy of the relief given. I expect the hon. Minister in his concluding speech at least will give some indication as to how the tea industry, particularly common tea, has fared under this relief.

On the 27th of September, it was mentioned that the total loss would be Rs. 1 crore. Today we have been told that it will be about Rs. 1.58 crores. This is not only for common tea. By this Bill, the Government is reducing the export duty for all tea from 75 naye paise to 26 naye paise. This is a flat rate. Some differential excise duty is being imposed, a higher excise duty for the finer tea; only 2 naye paise is the excise duty for common tea. There is relief or reduction in duty for all tea of every variety. This sum of Rs. 1.58 crores—loss of revenue—is not only from this relief given to common tea, but from the total reduction of duty on tea as such. So, I do

not know whether this small fraction of Rs. 1.58 crores, that is, the relief given to common tea can help any industry if it is in real difficulty. That is also a point to be considered. If necessary, by this Bill, the Government has got the authority to reduce it further by notification. I think they should not be niggardly in this respect because tea earns about 20 per cent. of our total export earnings. I think in 1957, the total export earnings from tea was near about Rs. 125 crores. That is a big amount. For a small export duty, the Government should not be niggardly in this respect. If any further relief is necessary, they can give it by notification, without coming to this House for any further amendment of the Act.

Shri Bimal Ghose has mentioned about the International Tea Agreement. A delegation of Indian tea planters recently went to Ceylon and the Ceylon and Indian tea planters only recently agreed that there should be an International Tea Agreement to control and regulate tea production. But, Ceylon and India are not the only producers of tea. Previously, the signatories to the International Tea Agreement were Ceylon, India, Indonesia and Pakistan. Now, other countries have also started producing tea. So, it will be very difficult to have an agreement like that, but I think that is the ultimate remedy. Unless we can control the production of tea, I do not know how India can face the competition from other countries which can afford to sell tea at a much lower price than India either due to the labour conditions prevailing in those countries or due to some other factors. The Government should try to come to some agreement with all the tea-producing countries, and internally also they should try to control the production at least of common tea.

The prospect this year is that the production of common tea would be almost as much as in the previous year, and there is no chance of lessening the pressure of common tea on the market. I think the Government should try to

reduce the production of common tea in India and try to come to some agreement with all the producing countries. Though it is very difficult, still they should try, so that a common programme of production of tea may be framed and the total supply of tea in the market may be controlled and regulated.

In connection with this Bill, I may also mention some other matters. Some friends have mentioned that the tea industry is being controlled by foreigners. To some extent this is true. It is a very difficult and delicate matter. Over 66 per cent. of our tea production goes for export, and I think more than 50 per cent. is exported to the U.K. The producers here belong to the U.K. They have interests there, they have their own firms there, and they have firms here also. So, it is a very delicate matter, and simply this question of foreign capital or foreign management should not be the guiding principle in this respect. The guiding principle should be the retention of our foreign markets, because once we lose the U.K. market, it will be very difficult to get an equivalent market anywhere else in the world.

A policy decision was taken some years ago that Calcutta should be made the emporium of world tea trade and that the auctions would be held in Calcutta. Now, of course, some portion of the auction is conducted in Calcutta, but the main auction is conducted in London. The main difficulty in this respect is the lack of proper warehousing in Calcutta. I think that should be put up so that the auction of tea in Calcutta may be stepped up.

The retail distribution of tea is practically controlled by two firms—about 80 per cent of it. There also the Government should see that other firms come in. If the retail distribution is controlled by two firms, it is almost a monopoly arrangement, and they can control and regulate the price according to their convenience and interest, and the consumer will have to pay a higher price, and internal

consumption will naturally go down, or will not increase proportionately.

Some years ago, the Government appointed the Plantation Enquiry Commission. It was not an enquiry committee, but it was an enquiry commission. That Commission submitted a thousand page report on tea alone, but Government thought it wise practically to reject all its recommendations.

**Mr. Chairman:** May I just point out that this is an amending Bill? So, wider questions need not be brought in here, unless they have some direct relation to the alteration of the taxation.

**Shri A. C. Guha:** The relief given under this Bill falls short even of what has been recommended by the Plantation Enquiry Commission. That Commission's recommendations should again be considered by the Government, and if the tea industry is in real difficulty, now is the appropriate time for Government to see if the recommendations of that Commission, if implemented, can help the industry.

I do not want to say anything more. Only I think the hon. Minister would enlighten this House as to how far this relief has been able to give any impetus to the export of common tea during the last 1½ months. That is the only criterion for the success or adequacy of this Bill. If the result has not been quite adequate, I think the Government should immediately take steps to reduce the export duty on common tea as also, if necessary, on other tea, so that at least our export earnings may be maintained, if not increased.

**Shri N. R. Ghosh (Cooch-Behar):** Before entering on this subject I would like to say that there is some confusion of thought about this tea industry. Some hon. Members think that the fears raised by the producers that the tea industry is in danger are really a bogey, that they are not as a matter of fact true. The danger is real and

[Shri N. R. Ghosh]

grave. Unless we realistically approach the subject, we shall not be able to consider it in proper perspective at all.

The tea industry started in India from 1866. For a long number of years this industry was not only controlled and dominated, but practically monopolised by the British people. The best tea-producing area is Upper Assam which is ordinarily known as the Brahmaputra valley. There you will not find any common tea. The expression "common tea" is also not intelligible to many people. I shall dilate on that point later.

I would say that the Brahmaputra valley and the hill areas of Darjeeling do not produce common tea. Their teas are of a very good quality, and under any circumstances they can compete with other people. The new countries which have started production of tea are not producing high class teas as of the Brahmaputra valley or of Darjeeling. Practically our high quality teas hold a sort of monopoly. Some portions of the Doars also produce good tea, but these were the reserves of the British people. Indians could not get any land there, they could not start their tea gardens there. We came later into the field, and we had to accept whatever good, bad or indifferent lands that were given to us. Terai, a large portion of Doars, Cachar, Tripura and Kerala are the different areas which generally produce common tea. There is no mystery in that word. These teas do not fetch much value, at least at present.

The tea industry has faced many crises. From 1866 right up to 1933 there were five big slumps, and then the tea producers sat down and thought whether anything could be found out to stabilise this industry. The idea first came from the Indian Tea Planters' Association, Jalpaiguri. They mooted the idea that if there could be some control over the export of tea and some control over the

starting of new gardens or expansions thereof there could be an equation between demand and supply. As it was a new and expanding industry, people began to produce without caring at all whether the market could consume the quantity or not, supply outstripped the demand and that resulted in these slumps. For the first time in the year 1933 the important tea-producing countries joined in a sort of agreement the result of which was the international agreement of 1933 for controlling export, and the stability of the industry was practically unruffled for about twenty-two years. Never before did the industry have such a peaceful time. The profit might have been more, or the profit might have been less, but the industry was not faced with that sort of crisis as it did face before. This 1933 International Tea Agreement expired on 31st March, 1955. Even prior to 1955, British East Africa dropped out of it. They had joined it later but they dropped out earlier. After that, our Government introduced this export duty. And what actually was the result? In answer to the doubts of some of my hon. friends who said that this question of competition outside India was really not true, I shall give some facts.

A few figures would convince hon. Members. In British East Africa, namely Kenya, Uganda, Tanganyika, Nyasaland and South Rhodesia, in 1939, their acreage was 41,282 acres; in 1948, it was 49,000 acres; in 1957, it was 85,000 acres. After 1957 also, they have been expanding their plantations. In Mozambique, in 1937, it was 2,000 acres, while in 1956, it was 30,250 acres. So far as Belgian Congo is concerned, they started their plantations after the tea duty was imposed, but, now, their acreage is 11,000 acres. South America also started its plantations much later, taking advantage of the duty which was imposed on export. Their acreage now is about 20,000 acres. In Brazil, the acreage in 1946 was 8,188 acres, while in 1956 it was 13,213 acres.

Iran was one of our best buyers. Practically, all the tea consumed in Iran was imported from India. After the duty has been imposed, they have begun to expand their plantations; they had some very negligible plantations before, but after this duty, they have expanded their plantations, and now, they have an acreage of 57,000. There is no doubt about it that we have once and for all lost this Iran market, and we must thank this duty for that.

In the USSR, at present, the acreage is 1,83,000. So far as China is concerned, we have no figures, but we have got this information that she is exporting in large quantities.

Now, we have in India this high export duty and excise duty. We approached Government on many occasions in regard to this duty, but we were told that Ceylon also had its duty. But Ceylon also burnt her fingers many times. And, of course, some tea gardens have also gone to the share of Pakistan. There also, there is the duty.

Now, the question is what will be the reflection on the market as a result of this keen competition. Some hon. Members have not liked the idea—I do not say that I like the idea either—that a very large slice or rather the bigger portion of this industry is in the hands of foreigners. But these British people are the biggest tea-drinkers also. If they produce a large quantity of tea in India, they also very largely consume it. If the British people can be weaned away from tea-drinking, perhaps, this industry as it is, will not survive in India.

Whether these tea gardens are owned by the British people or by the Indians, we have got a very large share of it in many ways, especially, the common teas are largely ours. Then, we should also consider that it is the biggest earner of foreign exchange. Besides, who is the biggest sharer of this profit? About 50 per cent of the profit goes to the Centre

and to the States. So, we would ask Government not to shed tears for us, but to realise that if this industry goes, then it will make a very great inroad on their resources also. We had a very high position in the international market, but we are losing that market now. Anybody can look at the figures. The figures can be checked. They are nobody's special property. Some hon. Members have said that these producers should not be believed, and that Government should check the figures, and Government should investigate into the matter. As a matter of fact, the hon. Minister himself knows that Government have checked it. Their own Plantation Inquiry Commission investigated it, went into the matter, and came to certain conclusions. And from many quarters warning is being given that the future of these common teas seemed almost to be doomed.

Then, again there is the Export Promotion Council, and they have also said that something should be done to promote export of these common teas. Now, look into this fact realistically. The other tea producing countries, excepting Ceylon and Pakistan, have not got these duties at all. I do not know their tax structure, but we have got figures to show that in British East Africa, the production cost is much less than in India. In India it is mounting up and rigid, and on the top of that, we have this duty in our country. Does this duty in the long run help Government? They have to choose between two courses. Are they going to kill the international market for common teas? Our common teas are being priced out and squeezed out gradually but surely. Are they going to do that? If they think they can afford to do so, then let them do it, but as a taxpayer, as a citizen, and as a Member of Parliament, it is my duty to sound this warning that that will be the greatest folly on the part of Government.

**Shri Bimal Ghose:** Oppose the Bill.

**Shri Tangamani (Madurai):** Is the hon. Member opposing the Bill?

**Shri N. R. Ghosh:** I am not opposing the Bill. Let the hon. Member kindly bear with me for a few minutes.

**Mr. Chairman:** I have also to remind the hon. Member that he should remember the limitation of time. He has taken ten minutes already, without touching the main point.

**Shri N. R. Ghosh:** I have got an amendment, and I am just going to argue in the line of my amendment. My amendment is this, that this left-handed charity will not do. The Government are to remove the duty altogether. That is my amendment. I am not introducing the other disputed questions as to whether our wage structure is high or low and so on. That is a different matter altogether, and maybe, it is irrelevant for the purpose of this Bill. If we are to be satisfied with Brahmaputra tea or Darjeeling tea alone, then that is all right, but if this industry has to survive at all, then common tea export should be promoted, if necessary properly subsidised. It is true that Ceylon has got an export duty, but Ceylon tea is much better, and it may compete with other markets in spite of that duty. They have some advantages. If Government actually want to help the industry here, then they must take courage in both hands.

They must have a bold approach to the whole thing. My amendment is to the effect that for at least six months do away with the duty altogether and see the repercussions, how much you lose; how much you gain in other ways.

**Shri Bimal Ghose:** How much will Government gain? Can the hon. Member assure the House that exports will increase?

**Shri N. R. Ghosh:** Let him put up with me for a few minutes. Let Government do what I have suggested in my amendment. Let them see what actually happens. I would say that in 1958 we have produced much more of

common teas than we did last year. We can export 50 million lbs. more. If 50 million lbs. more can be exported, it means that we will largely compensate our loss. In London, we have already lost about 9 per cent of the common teas which have been replaced by teas from British East Africa and other producing countries. We can regain our market in London. There is no reason why we should not do it, because after all the buyer cares for his own pocket. We cannot sell our teas competitively now. If the duty is gone, then we can sell them at an attractive price and the export market will expand. I say that this will not only earn a good deal of foreign exchange, but there will be additional profit. Government will get income-tax, super tax and other taxes; 70 per cent of it will come back.

As far as I could know, the entire earning in 1957 was Rs. 18 crores. Suppose they lose Rs. 9 crores to save this industry. It is for them to consider whether it is worth doing or not. The indigo industry was killed; jute industry has been very much weakened, and the tea industry is also facing a very grave peril. We are heading towards a precipice and beyond it is the abyss.

I would ask Government to consider approaching this question from this point of view, not from the point of view of giving some relief to the producers. They are saving this industry for India, to the benefit of the exchequer of India, not merely to the benefit of the producers. Do not care about the producers. It will not be a wise policy to see that these common teas are squeezed out of the world market. That will not be good for anybody. I would submit that that is a question which should be seriously considered by Government.

Again, I would ask the hon. Minister to consider whether the remedy which Government have suggested will give any relief by way of promotion of exports of common teas in the foreign market. It will not. Some hon.

Members have very pertinently said that there must be some result and that result should have been visible. As a matter of fact, the tea producers and the people who care about these market figures know that there has been no effect on the market. That shows that the relief granted is being wasted. It is illusory. It is no relief at all whatsoever.

The sugar industry has been saved. The tea industry can also be saved if actually Government take a courageous and bold stand. If there is anything wrong about the behaviour of the tea producers, as some members, on the opposite side are hinting this is not the occasion to discuss it. Let Government investigate their behaviour and do whatever they like. The question whether wages should be increased is also a different consideration. That is not the dispute here. The present question is whether as a matter of fact, the common tea industry is in peril or not. That has been practically admitted by Government; otherwise, they would not have come out with this measure for granting this relief. As I submitted, the Export Promotion Council has recognised it and the Plantation Inquiry Committee has also testified to it.

Therefore, the danger is there and the peril is there. The peril which is facing this industry is endangering the very existence of its industry. We have to take stock of this fact and consider it realistically. I would submit that actually the relief proposed is no relief at all.

Another aspect of the question is about the zones. There are zones 1, 2 and 3. Let me illustrate my case a bit. Suppose a grade of common tea is priced at Rs. 1.70. Suppose on the basis of the world price, the buyers' association or traders' association pay Rs. 1.70 for this tea. The brokers then show the price by splitting it up like this zone 1 Re. 1.68 plus 2 nP. excise duty, zone 2: Rs. 1.66 plus 4 nP. excise duty, and zone 3: Rs. 1.60 plus 10 nP. excise duty. In this way

though there will be a theoretical difference in value, the buyer would always prefer zone 3 to zones 1 and 2. So the common teas would have no push for the export market by the lower excise. It will be frustrated by the above manipulations, if any body tries to do so. We have got information that some such move is afoot.

But the main point is that we should take a bold stand. We should remove the duty at least for six months—that is my amendment—and see the repercussions, how much Government lose and how much they gain. Do take a long view. If you lose the market once for all, what will happen? Is it not much better to lose a few crores of rupees now in order to have your footing steady and made permanent in the world market by removing this duty? We should never forget that we have got no monopoly of this tea. As a matter of fact, we have very keen competitors. They are raising their heads. They were encouraged to plant and expand their plantation, on account of this handicap of duty in the case of Indian tea. That is what actually has led them to plant their lands with teas. Their lands are not very good for planting teas. Even British East Africa lands are not very good. We can compete with them on equal terms, but not under a handicap.

**Mr Chairman:** Order, order. The hon. Member has already taken 20 minutes. He can speak on his amendment at the time of the clause by clause consideration stage.

**Shri N. R. Ghosh:** I would, therefore, ask the Minister to consider that it is necessary for Government to take a firm and bold stand and not try to tinker with the problem.

**श्री हेम राज (काशी)** . सभापति महोदय, जो विशेषक अभी वित्त मन्त्रालय की ओर से सदन के सामने पेश है उसका हर एक सदस्य ने स्वागत किया है और मैं भी उस में शामिल होता हूँ । लेकिन जैसा कि बहुत सारे माननीय

## [श्री हेमराज]

सदस्यों ने हाउस में कहा है, मैं भी समझता हूँ कि यह बहुत अच्छा होता और माननीय मन्त्री महोदय यह बतला देने कि इसको जो डेढ़ महीना लगे हुए हैं उससे कितनी आमदनी हुई है। उससे यह पता चल जाता कि आप हमें टी इडस्ट्री के लिए जो रियायत दे रहे हैं उससे किस कदर कायदा होता है या होने वाला है। मृश से पहले बहुत से माननीय सदस्यों ने कहा है कि टी का हमारा सबसे बड़ा मार्केट इग्लिस्तान था। जो फिर शाया हुए हैं उनमें तो यही पता चलता है कि हमारी जा इग्लिस्तान में चाय की मार्केट थी उसको आहिस्ता नीतान ले रहा है। उसकी कुछ वजूहात हा सकता है लेकिन मैं इस बबत उन वजहात में नहीं जाना चाहता। मृश से पहले माननीय सदस्य ने एक बजहूँ दी। इसी तरफ ये और माननीय सदस्य कहने हैं कि जिन बबत इडस्ट्री का बहुत आमदनी होती है तो उस मार्केट में मजदूरों को कुछ नहीं मिलता। कुछ भी हो। मैं बात को हमें नमलीक करना पड़ेगा कि यह जो चाय का उद्योग है यह हिन्दुस्तान के लिए एक निहायत ही मुक्कीद उद्योग है इस लिहाज में कि इस के नियांत में जो आमदनी होती है वह सबसे ज्यादा है।

जा टी की परिभाषा की गयी है उभय मुतान्निक त्रुट्रैनराज हुआ था। मैं नहीं कह सकता कि उसका ज्या परिभाषा हानी चाहिए। लेकिन मैं क्या तोड़ पर उस हिस्से को बारे में कहना चाहता हूँ जिसको कि ११ जाब या हिमानय का पड़ाड़ी इनावा रहते हैं। वहा जा चय होती है उसके मतान्निक में कुछ कहना चाहता हूँ। कामन टी में ये चाय मैं उसे कहा जाना चाहिए जिसे आम आदमी इस्तैमाल में लाने हैं। शायद इसमें मतलब काली चाय में है। पर हमारे हिस्से में जो शीन टी होती है वह उन हिस्सों का जारी है जहा के नोग बहुत गरीब होते हैं। उसका

मार्केट अफगानिस्तान में है या लेह और लद्दाख में है या जीनी तुरकिस्तान में था।

पहले पहले यह जो हमारी चाय थी यह एक काटेज इडस्ट्री थी। इसमें मशीनरी का इस्तैमाल नहीं होता था और उस पर एक्साइट ड्यूटी भी बराये नाम यानी एक आना थी।

प्लान्टेशन एन्क्वायरी कमीशन ने ग्रीकेडेशन की थी कि कागड़ और हिमाचल प्रदेश का इनाका पिंडडा हुआ है और वहा पर चाय बनाने वा जो तरीका इस्तैमाल में नाया जाता है, वह बहुत पुराना है, जिस की वजह से वहा की शीन चाय बड़े मार्केट में एप्पीट नहीं कर सकती, इमर्निए चम पर में डटी मार्क रख दी जाए। मैं मन्त्री महादय के नदिन में कर्माशन की ग्रीकेडेशन पर ये शब्द लाना चाहता हूँ —

"We feel that by the enhancement of the levy of excise duty from the existing rate of 1 anna per pound to 3 annas, the financial difficulties of the small producers should not be aggravated. Though numerically they are large, their over-all production is very small. The bulk of them, particularly in Kangra, produce by hand process and the quality in consequence is very inferior and cannot bear the additional impost."

उपर्योग का मैं स्वागत करता हूँ और मन्त्री महादय जा न्यान में इस नराज दिलाना चाहता हूँ कि इस नाय की मार्केट अफगानिस्तान में थीं, जो कि अब बन्द हो चकी है। इस समय भी रागड़ और हिमाचल प्रदेश की बैस पच्चीम नाव पीड़ चाय अमृतसर की मार्केट में बन्द पड़ी है और विकली नहीं है।

मैं जानता हूँ कि जिन स्थान और ग्राम का पूराता इस चाय पर था, वे तबाह-हाल हो गए हैं। मैं लिए मैं अर्ज करूँगा कि इस इला के लोगों का स्वाम और पर बिगाल

रख कर ग्रीन टी पर छूट दे दें और उसकी पहचान ग्रीनशन को कायम रखें। उस पर तीन चार आने की जो एक्साइज इयूटी लगी हुई है, उस को उड़ा दिया जाय।

इसके बाद मैं एक और बात आप की खिंदिमत में अर्ज करना चाहता हूं। इंडस्ट्री से जो आय होती है, उससे उस इंडस्ट्री की प्रगति और विकास भी किया जाना चाहिए। हमारे यहां टी इंडस्ट्री पर इस उद्देश्य से खच्च नहीं होता है और अगर होता है, तो, बहुत थोड़ा होता है। मैं सेंट्रल गवर्नर्मेंट से यह अनुरोध करना चाहता हूं कि हमारा इलावा बहुत पिछड़ा हुआ है, अनडेवेलप्ड है। यहां के प्लान शन हमारे लोगों ने नहीं बल्कि अंग्रेजों ने लगाए थे। उन के पास पैसा था और हर एक चीज थी। इस लिए वे बेहतरीन चाय तैयार कर लेते थे। अगर सेंट्रल गवर्नर्मेंट समें सहायता करे, तो यह चाय भी उतनी ही अच्छी बन सकती है। आज यह कहा जाता है कि अब ग्रीन चाय का ज़माना नहीं है। मैं अर्ज करना चाहता हूं कि अगर इसको प्रोत्साहन दिया जाय, तो यह चाय भी अच्छी बन सकती है और बाहर एक्सपोर्ट के लिए जा सकती है।

आखिर मैं मैं यह कहना चाहता हूं कि टी इंडस्ट्री में एक साइकिल सा आता है। कभी उसमें घाटा प ता है और कभी उसकी प्रगति होती है और वृद्धि होती है। स लिए मेरा सुझाव है कि एक्सपोर्ट प्रोमोशन कौंसिल और टैरिफ कमीशन की मारकत गाहे ब गाहे इस की जांच होती रहनी चाहिए, ताकि जिस समय हमारी यह इंडस्ट्री नीचे की तरफ जाने लगे, तो गवर्नर्मेंट आगे बढ़ कर उसको सहारा दे दे और इस तरह इस बड़े फ़ारेन एक्सचेंज अन्नर की तरकी की जाय।

**Shri Khadilkar** (Ahmednagar)  
Mr. Chairman, Sir, tea occupies a very important position in our foreign export economy. If we are losing our tea market, for whatever reasons, we must try to study the situation in a

thorough manner so as to rehabilitate our position in the international market.

So far as the present measure before the House is concerned, I am afraid it tries to give marginal relief for the time being in order to hold its own in the world market. How far it will meet the situation is the question. And, before touching this question, I would like to raise two points. First, we have to study thoroughly the problem whether in the present world trends the method followed by our Finance Ministry of adjustment of export duties in order to keep up the level of earnings or keep out position in the world market is going to meet the situation.

The second is this. The other day it happened to be in Assam; and by accident, a high executive, in the plantations, an Indian executive, a quite patriotic fellow sitting by my side in the plane gave me some of his experiences. He was saying: We are facing, we say, competition from African tea; but that competition is very well-planned. With the experience of 20 years in tea gardens where about 5,000 people were employed, he said that after freedom there has been a tendency, slowly but surely, to withdraw capital from here and create another competitor to India. I regard the future of the tea industry sometimes as even more important than the textile industry from the point of view of our economy. So, I would like to repeat a strong word which he used. He said that if Government failed to take note of the present plan that is being silently followed by the planters—and the majority of them are foreigners—tea industry will suffer serious difficulties. They are following, he said, a slow scorched earth policy in a sense. The maintenance of the tea garden is handled in a haphazard way so that, ultimately, if the time comes for them to quit, they will not lose much but they will see that the sort of monopoly position which the industry has got in the world market is knocked off. Further than this he

[Shri Khadilkar]

said that the African tea which is the real competitor is, in quality, much inferior to ours; but by raising this competition in an artificial way in the main market where auction takes place—that is London—we have been forced more or less to sell at a much lower price. If this information, for whatever it is worth, is taken into consideration, I feel that the marginal relief that is offered by the present Bill is not going to meet the situation and keep us in the world market. I shall give some figures in this connection. If we take the average of 1948-50, we, Pakistan and Ceylon—all put together—account for 96 per cent of the total imports in Britain. The present figure is 84 per cent. In the same period, the East Africa has raised its figures from 2.8 per cent to 6.9 per cent. These figures speak for themselves. So, I suggest that instead of presenting a Bill of this nature in order to give a little relief for the time the Finance Minister ought to have placed before this House all the relevant data concerning tea industry, and, as you have rightly pointed out, taken the House into confidence. He should have placed before the House the position of the industry and told us what practices were followed in the other countries. Then we could have properly assessed the situation and also seen whether the relief offered is adequate to meet the situation at the present moment.

A relief of 10 nP per lb. is given. But it works out differently in three different zones. The relief is 10 nP in the first zone; 8 nP in the second zone and 2 nP. in the third. How far is this going to meet the situation? I feel that the Finance Minister in his reply will clarify the position and say why this differentiation has been made from zone to zone though the total relief as it is given appears to be 10 nP.

One more point and I have finished—that is auction of tea. I learn

that Government ought to have taken steps to bring round the world importers of tea to the Calcutta market. Some hon. Members have just now said that there are warehousing difficulties. But they ought to have been met.

In the world market, we find there are several agreements in commodities. Take, for instance, wheat. The wheat market is controlled by a few who ultimately control it in such a way that they can dictate the prices. Now, we are receding in the world market; our position is gradually falling. Still, we are in a position where, if we do not lose confidence and take a little courage and show a little boldness in dealing with the world people who are fond of tea, we may be able to improve. I do not share the pessimism of the hon. friend who happens to be in close touch with the planter friends than the others that some day the Britishers will give up tea or the people will try to boycott it by following a puritan attitude as that of our Finance Minister on drinks. I do not think it is coming in the near future.

In order to break the London ring of the auction and the dictation of the prices to us, the Finance Minister should devise steps so that the ultimate auctions, so far as the world market is concerned, will take place in Calcutta, whatever the expenses or investment necessary for building warehouses and other things. If these measures are not taken, I do not think this measure alone would prove adequate to help the industry. We earn about Rs. 123 crores from tea exports according to the figures for 1957. I am not sure that this year we are going to earn so much. About 20 per cent of the value of our total export trade is accounted for by tea.

He has studied the situation better with all the material available to him. But I feel that he will have to introduce another Bill later on with

alterations in duties with some tinkering or marginal relief. This method is totally wrong. The method of international trade must be devised in such a way that ultimately at least in respect of tea trade we shall be having the whip-hand of the situation.

**Shri Achar** (Mangalore): Mr. Chairman, Sir, I would like to emphasise only one or two aspects of the question. Most of the hon Members who have participated in the debate have expressed fears as to the adequacy of the relief given. I too feel whether under the present critical position the relief given would really meet the situation. I would request the hon. Minister to consider the facts presented by some of the hon Members.

From the situation as it stands, it looks as if India is losing the market. It is very difficult to build up a market. If the market is lost once, I fear it would be impossible to regain it. The question has to be considered from that aspect, and, if the relief now granted under this Bill is not sufficient, I would request the hon. Minister to consider that aspect of the question and see that more relief is granted. Of course, we welcome the measure to the extent it gives relief to the industry.

There is one other aspect which I would like to place before this House. From several reports we hear—some of the hon. Members have also referred to that aspect of the question—that capital from this industry is going out of this country. As a matter of fact, many of the foreign planters are taking away the capital out from this country. It may be that after we attained independence some of the planters are not anxious to continue here. That may be so, or that may not be so. So long as there is profit, a businessman does not very much mind where he lives. He looks to the profit aspect more than anything else. Therefore, I feel that it is not due to the fact that we have attained independence that these

foreign planters, especially from England, are anxious to take away the capital. It is more the condition and, probably, the prevailing circumstances that are inducing them to take the capital away from this country. We have been trying our best to see that our Plans succeed. We attract foreign capital in this country.

I have personal experience of the fact that planters, especially in Ootacamund and Nilgris, are disposing of their tea estates. I do not know how far it is correct with regard to Kerala. I have read in the papers that in Kerala also some of the planters are selling their estates and they are going out of this country. Of course, the consequence is that we are losing capital. A certain amount of fear also is felt that efficiency also is suffering.

Government has to consider why foreign capital is going out of this country. Is it due to labour unrest? I am told that planters who are selling their estates here are moving to South Africa. Is it due to the fact that labour conditions are easier there?

17 hrs.

**Shri Narayananakutty Menon** (Mukandapuram): In South Africa there is no labour.

**Shri Achar:** If there is no labour, there won't be any tea estates. I am really surprised at the remark made by my hon. friend. There must be some human labour. It is not that everything is done by machinery.

**Shri Narayananakutty Menon:** There you have got slaves.

**Shri Achar:** That is also labour. Whatever it be, the position is this. As I pointed out, the very planters who are having their estates here are shifting their capital and are having their estates in South Africa also. As one of the hon. Members remarked, the competition is not only from foreign countries, but our owners are having their estates both here and

[Shri Achar]

there We have to consider this aspect of the question, because, unless we tackle this problem, this competition from South Africa, it will not be good In fact, from the competition of the very planters who are here we are losing our international market Whatever be the reason, whether it is due to the fact that conditions of labour are such or whether it is due to the cost of production, we have to see that our important industry, an industry which is bringing large amounts of foreign exchange and also dollar, cannot be neglected We cannot afford to neglect it

So, as some hon Members pointed out, it is not merely a simple problem, but a problem effecting the whole national investment and a problem of our losing foreign markets This problem at this stage will have to be considered in a broad perspective, and as my hon friend Shri K R Ghosh submitted, if it is necessary we will have to give up all income No doubt, for carrying on our Plan we want every rupee possible but, at the same time, we have to look at this aspect of the question We cannot

afford to let the industry suffer and we cannot lose this important item in the foreign market I would submit to the hon Minister to consider this aspect of the question and see that this industry is saved at this critical stage

Shri Narayananakutty Menon: Give some subsidy also!

17 03 hrs.

BUSINESS ADVISORY COMMITTEE  
THIRTY-FIRST REPORT

Shri Rane (Buldana) Sir, I beg to present the Thirty first Report of the Business Advisory Committee

Mr Chairman. The House stands adjourned till 11 00 a m tomorrow

17 03 hrs

The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, the 18th November 1958

[Monday, the 17th November, 1958]

## ORAL ANSWERS TO QUESTIONS . . .

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7.	Building for Rubber Institute and Board Office . . .	18—19
8.	Partition Committee . . .	19—22
11.	Contribution to Employees' Provident Fund . . .	22—25
12.	Export of Salt . . .	25—27
13.	Industrial Schemes for Displaced Persons from East Pakistan . . .	27—29
15.	Resources of the Second Five Year Plan . . .	29—32
16.	Machinery and Material for Southern Region . . .	32—34
17.	United Press of India . . .	34—37

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9.	Export of Bengal Desi Cotton . . .	37—38
10.	Supreme Court and Delhi Courts Buildings . . .	38
14.	National Advisory Committee on Public Co-operation . . .	39
18.	Remodelling of Tehar Village . . .	39
19.	A. I. R. at Bangalore . . .	39—40
20.	Deportation of Indians from Pakistan . . .	40—41
21.	Plywood Requirements of India . . .	41—42
22.	Rehabilitation of Displaced Persons in Mysore . . .	42—43
23.	Outer Space . . .	43
24.	Industrial Estate at Batala . . .	43—44
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28.	All India Working Class Family Budget Survey . . .	49
29.	Indians in Ceylon . . .	49—50
30.	Conference of Regional Settlement Commissioners . . .	50
31.	Ambar Charkha . . .	51
32.	Statutory rate of Insurance Scheme . . .	51—52

  

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1.	Bharat Sevak Samaj . . .	48
2.	Unsold Stock of Shoes . . .	49
3.	Vocational Training . . .	49—50
4.	Horses . . .	50
5.	Indian High Commissioner's Office, London . . .	51
6.	Unsold Stock of Handloom . . .	51—52
7.	East Pakistan Displaced Persons in Orissa . . .	52
8.	Mica . . .	52—53
9.	Technical Training . . .	53
10.	Yarn for Handloom Industry . . .	53—54
11.	Folk Dances of Orissa . . .	54
12.	Industries in Industrial Estates of Orissa . . .	54—55
13.	Substitutes for Steel and Cement . . .	55
14.	Displaced Persons from Goa . . .	56
15.	Remittance Statements . . .	56
16.	Development Programmes of A.I.R. . .	56—57
17.	Industrial Extension Centres . . .	57—58
18.	Import of Crockery . . .	58
19.	Handloom Development Scheme . . .	58—59
20.	General Agreement on Tariff and Trade . . .	59
22.	Documentary on Coir Industry . . .	59—60
23.	Indian Workers in Malaya . . .	60
24.	Hindustan Housing Factory . . .	61—63
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28.	Cotton	65-66
29.	Central Schemes in Punjab	66
30.	Closure of Manganese Ore Mines	66
31.	Prime Minister's visit to Bhutan	67-68
32.	Rehabilitation Industries Corporation	68
33.	Papers Published in Malayalam	68-69
34.	Publicity of Development Schemes	69-70
35.	Class III and Class IV Employees of the C.P.W.D.	70
36.	Second Five Year Plan	70
37.	Export Negotiations	71
38.	Indian Trade Centres	71
39.	Drugs in India	72

OBITUARY REFERENCE

The Speaker made a reference to the passing away of Shri Sami Venkatachalam Chetti who was a member of the former Central Legislative Assembly.

Thereafter Members stood in silence for a minute as a mark of respect.

MOTIONS FOR ADJOURNMENT

The Speaker withheld his consent to the moving of the following adjournment motions given notice of by members shown against them:—

(1) Situation re- sulting from the dissolution of Pondicherry Elected As- sembly	Notice by Shri K. T. K. Tangamani.
(2) Situation aris- ing out of—	Notices by—
(a) reported state- ments of President of Pakistan.	Shri Uttam- rao I. Patil and Raja Mahendra Pratap.

MOTIONS FOR ADJOURN-  
MENT—contd.

COLUMNS
(b) continuing supplies of arms to Pakistan by the U.S.A.; and
(c) raids by Pakistani forces into Indian territory on the Assam border.
(iii) Reported mal-treatment meted out to an employee of the Office of the Assistant Indian High Commission, Dacca, and his wife by men of the East Pakistan Rifles.
Notice by Shri Hem Barua.

PAPERS LAID ON THE  
TABLE—

The following papers were laid on the Table:—

- (1) A copy of Notification No. G.S.R. 946, dated the 10th October, 1958 making certain amendment to the Working Journalists (Fixation of Rates of Wages) Rules, 1958.
- (2) A copy of draft Notification proposed to be issued under sub-section (1) of Section 620 of the Companies Act, 1956, under sub-section (2) of Section 620 of the said Act.
- (3) A copy of the Report of the Agricultural Administration Committee.
- (4) A copy of the Himachal Pradesh Legislative Assembly (Constitution and Proceedings) Validation Ordinance, 1958 (No. 7 of 1958) under provisions of Article 123(2)(a) of the Constitution.
- (5) A copy of Notification No. G.S.R. 799, dated the 13th September, 1958 under sub-section (3) of Section 49 of the Tea Act, 1953, making certain further amendment to the Tea Rules, 1954.

**PAPERS LAID ON THE  
TABLE—contd.**

**COLUMNS**

- (6) A copy of Notification No. G.S.R. 1024, dated the 1st November, 1958 under sub-section (3) of Section 48 of the Coffee Act, 1942, making certain further amendments to the Coffee Rules, 1955.
- (7) A copy of Notification No. G.S.R. 1002, dated the 25th October, 1958 under sub-section (3) of Section 26 of the Khadi and Village Industries Commission Act, 1956 making certain further amendment to the Khadi and Village Industries Commission Rules, 1957.
- (8) A list of concerns to which exemption under Section 56-A of the Indian Income-Tax Act, 1922 has been granted during 1957-58 in pursuance of an assurance given on the 18th April, 1953 during discussion on the Finance Bill.
- (9) A copy of each of the following Notifications under sub-section (2) of Section 7 of the Employees' Provident Funds Act, 1952, making certain further amendment to the Employees' Provident Funds Scheme, 1952 :—
  - (i) G.S.R. No. 970, dated the 18th October, 1958.
  - (ii) G.S.R. No. 1044, dated the 1st November, 1958.
- (10) A copy of each of the following Reports :—
  - (i) Eighth Report of the Law Commission on the Sale of Goods Act, 1930.
  - (ii) Ninth Report of the Law Commission on the Specific Relief Act, 1877.
  - (iii) Thirteenth Report of the Law Commission on the Contract Act, 1872.
- (11) A copy of Notification No. G.S.R. 869 dated the 24th September, 1958 under sub-section (3) of Section 28 of the Representation of the People Act, 1950, making certain amendment to the Delhi Electoral College (Election of Members) Rules, 1958.

**PAPERS LAID ON THE  
TABLE—contd.**

**COLUMNS**

- (12) A copy of the Andaman and Nicobar Islands Hindu Marriage Registration Rules, 1958 under sub-section (3) of Section 8 of the Hindu Marriage Act, 1955.
- (13) A copy of Notification No. G.S.R. 828 dated the 20th September, 1958 under sub-section (4) of Section 19 of the Medicinal and Toilet Preparations (Excise Duties) Act, 1955 making certain further amendments to the Medicinal and Toilet Preparations (Excise Duties) Rules, 1956.
- (14) A copy of each of the following Notifications under Section 38 of the Central Excises and Salt Act, 1944 :—
  - (i) G.S.R. No. 844 dated the 27th September, 1958 making certain further amendments to the Central Excise Rules, 1944.
  - (ii) G.S.R. No. 857 dated the 28th September, 1958.
  - (iii) G.S.R. No. 858 dated the 28th September, 1958 making certain further amendment to the Central Excise Rules, 1944.
  - (iv) G.S.R. No. 861 dated the 28th September, 1958 making certain further amendments to the Central Excise Rules, 1944.
  - (v) G.S.R. No. 907 dated the 11th October, 1958 making certain further amendments to the Central Excise Rules, 1944.
  - (vi) G.S.R. No. 908 dated the 11th October, 1958 making certain further amendments to the Central Excise Rules, 1944.
  - (vii) G.S.R. No. 909 dated the 11th October, 1958 making certain further amendments to the Central Excise Rules, 1944.
- (15) A copy each of the following Notifications under sub-section (4) of Section 43B

PAPERS LAID ON THE  
TABLE—contd.

COLUMNS

of the Sea Customs Act, 1878:—

(i) G.S.R. No. 873 dated the 4th October, 1958.

(ii) G.S.R. No. 874 dated the 4th October, 1958.

(iii) G.S.R. No. 875 dated the 4th October, 1958, containing the Customs Duties Drawback (Albaster Articles) Rules, 1958

(16) A copy of the Customs and Central Excise Duties Drawback (Piperazine Syrup) Rules, 1958, published in the notification No. G.S.R. 876, dated the 4th October, 1958 under sub-section (4) of Section 43B of the Sea Customs Act, 1878 and Section 38 of the Central Excises and Salt Act, 1944

(17) A copy of each of the following Notifications under sub-section (4) of Section 43B of the Sea Customs Act, 1878:

(i) G.S.R. No. 841 dated the 27th September, 1958 making certain further amendment to the Customs Duties Drawback (Potassium Citrate) Rules, 1957

(ii) G.S.R. No. 1014 dated the 1st November, 1958.

(18) A copy of each of the following Notifications under sub-section (4) of Section 43B of the Sea Customs Act, 1878 and Section 38 of the Central Excises and Salt Act, 1944:

(i) G.S.R. No. 842 dated the 27th September, 1958 making certain amendment to the Customs and Central Excise Duties Drawback (Fatty Acids) Rules, 1958

(ii) G.S.R. No. 843 dated the 27th September, 1958 making certain amendment to the Customs and Central Excise Duties Drawback (Motor Vehicles) Rules, 1958

PRESIDENT'S ASSENT TO BILLS

COLUMNS

(iii) G.S.R. No. 1015 dated the 1st November, 1958 containing the Customs and Central Excise Duties Drawback (Biscuits) Rules, 1958

(19) A copy of the Report of the Rehabilitation Finance Administration for the half year ended the 30th June, 1958 under sub-section (2) of Section 18 of the Rehabilitation Finance Administration Act, 1948

DIRECTION ISSUED BY THE  
SPEAKER UNDER RULES  
OF PROCEDURE LAID ON  
THE TABLE

Direction No. 115B was laid on the Table.

PRESIDENT'S ASSENT TO  
BILLS

91—92

(i) Secretary laid on the Table the Appropriation (No. 4) Bill, 1958 passed by the Houses of Parliament during the last session and assented to by the President since the last report made to the House on the 22nd September, 1958

(ii) Secretary also laid on the Table copies, duly authenticated by the Secretary of Rajya Sabha, of the following Bills passed by the Houses of Parliament during the last session and assented to by the President since the last report made to the House on the 22nd September, 1958:—

1. The All India Services (Amendment) Bill, 1958.
2. The Code of Criminal Procedure (Amendment) Bill, 1958
3. The Armed Forces (Assam and Manipur) Special Powers Bill, 1958
4. The Working Journalists (Fixation of Rates of Wages) Bill, 1958.
5. The Sugar Export Promotion Bill, 1958
6. The Banaras Hindu University (Amendment) Bill, 1958
7. The Manipur and Tripura (Repeal of Law) Bill, 1958

PRESIDENT'S ASSENT TO  
Bills—contd.

## COLUMNS

8. The Indian Medical Council (Amendment) Bill, 1958
9. The Rajghat Samadhi (Amendment) Bill, 1958
10. The Industrial Disputes (Banking Companies) Decision Amendment Bill, 1958
11. The Sea Customs (Amendment) Bill, 1958
12. The Supreme Court Judges (Conditions of Services) Bill, 1958
13. The International Finance Corporation (Status, Immunities and Privileges) Bill, 1958
14. The Trade and Merchandise Marks Bill, 1958
15. The Merchant Shipping Bill, 1958

## STATEMENT BY MINISTER

The Deputy Minister of Defence (Sardar Majithia) made a statement regarding the fire accident at Gurgaon in the transmitting station of the Air Force Signals Centre

## ELECTION TO COMMITTEE

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir) moved for the election of one member from among the Members of Lok Sabha to be a member of the Central Advisory Board of Anthropology. The motion was adopted

92-93

93-94

## COLUMNS

EXENSION OF TIME FOR  
PRESENTATION OF RE-  
PORT OF JOINT COM-  
MITTEE

94

Time for presentation of the Report of the Joint Committee on the Delhi Rent Control Bill was extended upto 27th November, 1958.

## BILL PASSED

95-150

Further discussion on the motion to consider the High Court Judges (Conditions of Service) Amendment Bill concluded. After the clause-by-clause consideration the Bill was passed.

BILL UNDER CONSIDERA-  
TION

150-156

The Minister of Revenue and Civil Expenditure (Dr. B. Gopala Reddi) moved that the Tea (Alteration in Duties of Customs and Excise) Bill be taken into consideration. The discussion was not concluded.

REPORT OF BUSINESS AD-  
VISORY COMMITTEE PRE-  
SENTED

196

Thirty-first Report was presented

AGENDA FOR TUESDAY,  
18TH NOVEMBER, 1958—

Further discussion on the motion to consider and passing of the Tea (Alteration in Duties of Custom and Excise) Bill and also further discussion on the motions re modification of the Union Public Service Commission (Consultation) Regulations