

Second Series, No. 2

Tuesday, February 10, 1959
Magha 21, 1880 (Saka)

LOK SABHA DEBATES

Seventh Session
(Second Lok Sabha)



LOK SABHA SECRETARIAT
New Delhi

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N B - The sign + marked above the name of a member on Questions, which were orally answered, indicates that the Question was actually asked on the floor of the House by that Member

• LOK SABHA DEBATES

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LOK SABHA

Tuesday, February 10, 1959 | Magha 21,
1880 (Saka)

The Lok Sabha met at Eleven of the
Clock

[Mr. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Training of Indians in Watch Manufacture

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*1 { Shri R. C. Majhi
Shri Subodh Hansda
Shri S. C. Samanta
Shri Ram Krishan
Shri Rameshwar Tantia

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No 869 on the 11th December 1958 and state

(a) whether any formal offer regarding scholarships to Indian nationals for training in Switzerland and for technical and financial assistance in setting up a Watch Training Institute in India with Swiss collaboration, has since been received from the Delegation of Swiss Watch Industry which visited India in 1958

(b) if so the details of the offer and

(c) the decision taken by Government in the matter?

The Minister of Industry (Shri Manubhai Shah). (a) Not yet Sir

(b) and (c) Do not arise

319 LSD—1

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Shri R. C. Majhi: May I know whether the offer has already been rejected or it is still under consideration?

Shri Manubhai Shah: The offer has not been rejected. It was an informal offer. We are awaiting a formal offer.

Shri R. C. Majhi: May I know some details about the offer?

Shri Manubhai Shah: Broadly speaking, the Swiss Delegation offered that there will be 20 scholarships offered to Indian boys to be trained in Switzerland in the manufacture of watches. They also offered to assist us in setting up a horological institute in India where about 250 boys can be trained in watch manufacture every year.

Shri Subodh Hansda: May I know what percentage of financial assistance they propose to give to set up that institute in India?

Shri Manubhai Shah: When the formal offer is received we will know the financial implications thereof.

Shri S. C. Samanta: May I know whether some private persons in the country applied for being trained in the manufacture of watches?

Shri Manubhai Shah: As a matter of fact after the publication of the news that the Swiss Delegation was here so many letters have been coming to the Ministry and individual Ministers, but all of them would be considered only after the formal offer is received and accepted by the Governments on both sides.

Shri Ram Krishan: May I know whether any site has been suggested by this Delegation?

Shri Manubhai Shah: No; not yet.

Shri Joachim Alva: Is the Government aware that the Swiss operate on a monopolistic basis in the manufacture of watches? May I also know whether Government has received any other offer from the Germans or Russians who also make their own watches?

Shri Manubhai Shah: This particular offer was for training purposes, but as the hon House is interested in the manufacture of watches being established in India I may say that about 12 proposals have been received by the Government and they are under consideration. The parties have been called in the third week of this month. Two or three proposals thereof seem to be very attractive. They are not necessarily from Swiss manufacturers, there are German manufacturers, Japanese manufacturers and British manufacturers who are ready to collaborate with Indian enterprise.

Shri Tyagi: May I know if the import of watches continues to be banned in India?

Shri Manubhai Shah: Yes, Sir.

Shri Tyagi: How long do Government intend to stop the import of watches?

Shri Manubhai Shah: The foreign exchange position being what it is, the ban continues.

Shri Muhammed Elias: A number of watch-making factories are going to be closed resulting in many workers being thrown out of employment due to difficulty in obtaining the small parts required for watches. May I know whether the requirements of the country in respect of these small parts of watches were taken into consideration before the import policy was restricted?

Shri Manubhai Shah: As far as repair of watches is concerned, this country has an ancient tradition and there are many small factories throughout the country which are repairing watches. No question, therefore, arises as to what will happen to the existing watches in the absence of parts coming from outside; they are all being manufactured in the country.

Central Designs Organisation and Construction Agencies

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*2. { **Shri Subodh Hansda:**
Shri S. C. Samanta:
Shri E. C. Majhi:
Shri Rameshwar Tanti:

Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether there is any proposal for the establishment of Central Designs Organisation and Construction Agencies by the Planning Commission;

(b) if so, the object of setting up such organisations, and

(c) whether these agencies will be of permanent character?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) and (b) Reduction of building costs has assumed great urgency in the context of our development projects and Government are giving a high priority to the examination of the various aspects of this problem. The methods to be employed in order to bring down building costs would have to take into consideration the setting up of suitable agencies for proper and economical designing and construction and these will have to be studied along with other factors, such as the proper use of building materials, laying down norms and standards, preparing specifications and model plans for buildings.

(c) Does not arise at present.

Shri Subodh Hansda: May I know whether Government have assessed the percentage of construction cost

that would be saved by setting up these agencies?

Shri Anil K. Chanda: I am afraid, have not understood the question

Shri Subodh Hanadara:—

Mr. Speaker: Shri Samanta

Shri S. C. Samanta: May I know whether new designs will be adopted in all governmental activities as the designs and standards that are being followed now have become almost obsolete?

Shri Anil K. Chanda: The whole question is under examination. There are different types of buildings and the needs are also of a varied type. The whole question is being studied by a team.

Shri R. C. Majhi: May I know whether these agencies have already been established, if so, how many?

Shri Anil K. Chanda: There is no designing agency at present except in the Central PWD where they have their own organisation for making designs.

Shrimati Renu Chakravarty: May I know whether the Central Designs Organisation is only meant for designing houses or does the Planning Commission also envisage the setting up of a designs organisation for plants and machinery of any particular industry?

The Minister of Works, Housing and Supply (Shri K. C. Reddy): We are not now dealing with any organisation for considering designs for setting up plant and machinery. That, if I may say so, is outside the purview of the activities of my Ministry. That it is necessary, of course, is not open to question. I would like to say that the question of preparing new designs, going in for new specifications and the examination and utilisation of proper materials in order to economise in construction has been continuously under the examination of this Ministry as also other concerned Ministries including the perspective Division of the Planning Commission. Naturally,

we have intensified our activities, and so far as my Ministry is concerned we have circulated a paper to all the other Ministries which deal with construction of one kind or another, including the Ministry of Commerce and Industry. We have circulated our views to the various Ministries. We have received replies from all of them and we are in the final stage of being in a position to submit a paper about this subject for the consideration of all the agencies concerned. It is hoped that it will be possible for us to do something more active in this direction. Meanwhile, as I said already, this is a matter which has been continuously under the examination of the Government.

Shri V. P. Nayar: The hon. Deputy Minister referred to economy in construction materials—in an answer to an earlier question I want to know whether Government have any specific schemes for economising cost of timber by the substitution of non-conventional timber for conventional timber in their construction work?

Shri K. C. Reddy: Yes, Sir.

Shri V. P. Nayar: What is it?

Mr. Speaker: It cannot be explained now.

Electrolytic Copper

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*3. { **Shri S. C. Samanta.**
Shri Subodh Hanadara

Will the Minister of Commerce and Industry be pleased to state

(a) what progress has so far been made to manufacture Electrolytic Copper in the country, and

(b) how much Electrolytic Copper is imported every year?

The Minister of Industry (Shri Manubhai Shah): (a) Electrolytic Copper is not manufactured in the country at present. M/s Indian Copper Corporation Ltd., Ghatsila, are the only manufacturers of copper in the

country. Their product, however, is of the fire-refined variety and their annual capacity is 7,200 tons. This firm was granted a licence under the Industries (Development and Regulation) Act, 1951 to manufacture electrolytic copper, from out of its production of fire-refined copper, with an installed capacity of 8,400 tons per annum. The firm has not so far finalised the details of the programme for the manufacture of electrolytic copper.

(b) Figures of import of electrolytic copper for 1957 and 1958 (January to October) are as follows:—

Year	Quantity	Value
1957	32,750 tons	Rs. 11,48,79,576
1958 (upto October)	25,511 tons	Rs. 6,61,00,093

Shri S. C. Samanta: From the statement I find that the import price is very high. May I know whether Government is thinking of manufacturing electrolytic copper in the public sector?

Shri Manubhai Shah: The question is really about blister copper and copper ore. As the House is aware, except in the Ghatsila mines and some prospecting in Khetri mines, we have not been able to locate copper deposits.

Shri S. C. Samanta: May I know whether Messrs. Indian Copper Co. have asked for any financial help to begin the work?

Shri Manubhai Shah: No, Sir; they have asked for the foreign exchange required for this plant; and, as already mentioned in the statement, the matter is under active consideration.

Shri Subodh Hansda: Is it a fact that the Indian Copper Corporation has been granted a licence for manufacturing electrolytic copper? May I know when this licence was granted and whether they have taken any further steps?

Shri Manubhai Shah: All that is included in the statement. Actually,

the Ghatsila people are manufacturing blister copper from copper ores. It is only the electrolytic copper that they have proposed to take up recently. And we hope that within the next few months, their preliminaries would be finalised and they would start also the import of necessary plants for manufacturing electrolytic copper.

Shri V. P. Nayar: In view of the acute shortage of copper and the necessity to import copper, may I know whether the Government has considered the desirability of setting up an electrolytic copper refining plant in Kerala where cheap electricity is available?

Mr. Speaker: This is a suggestion for action.

Shri B. K. Gaikwad: May I know what is the requirement of the country?

Shri Manubhai Shah: It comes to about 35,000 tons of electrolytic copper and 25,000 tons of blister copper.

Shri Tangamani: From the statement we find that we import as much as Rs 10 crores worth of electrolytic copper. May we know whether steps will be taken for the production of the same as indicated in the statement during the current year?

Shri Manubhai Shah: The basic question is the availability of copper ores before any indigenous production of copper could be considered. The present effort is to proceed geologically in as many areas as possible around Khetri and areas in Sikkim. If deposits are located, Government will consider the installation of indigenous capacity for the manufacture of copper.

Shri Goray: Yesterday the Address of the President referred to certain copper mines. Does it refer to existing ones or does it refer to new ones?

Shri Manubhai Shah: One is the Ghatsila mines which is existing and the others are Khetri and Sikkim which are being proceeded with. No. major deposits are estimated.

Captain Kinnier

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- “4. { **Shri A. M. Tariq:**
Shri N. E. Muniamy:
Shrimati Mafta Ahmed
Shri Vajpayee:
Shri Sadhan Gupta:
Shri Raghunath Singh:
Shri Ram Krishan:
Dr. Ram Sathag Singh
Shri Wodeyar:
Shri Mahanty:
Shri Muhammed Elias
Shri Hem Raj:

Will the Prime Minister be pleased to state

(a) whether it is a fact that Captain K R M Kinnier, skipper of the Indian owned ship “Jalamani” was fined by the Military Court in Karachi for refusing to fly the Pakistan flag.

(b) what action the Government of India have taken in the matter, and

(c) whether it is an international rule that the flag of the country in which the ship enters should fly on the deck of the ship?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon)

(a) to (c) Capt K R M Kinnier Master of the Indian Ship ss “Jalamani”, was sentenced on 28th December to a fine of Rs 1,000 by a Sub Divisional Magistrate of Karachi under Martial Law Regulation 20(a) which relates to acts prejudicial to law and order or public safety. It is usual in accordance with International Maritime Custom that the National Flag of the country in whose jurisdiction a ship may be, should be hoisted at the foremast of the ship. On the morning of December 25, 1958, the Master of the ship delayed the hoisting of the flag in order to attract the attention of the Karachi Harbour police to their failure to investigate a case of serious theft on board which had been reported to them earlier. The non-hoisting of the Pakistan Flag on the ship on December 25, 1958, was incorrect. This was admitted by the Master of the vessel to the police party that boarded the ship, and he offered to hoist the flag

with apologies. He was, however, not permitted to do so by the police authorities who placed him under arrest and removed him from the ship.

The Government of India have lodged a strong protest with the Pakistan Government against the high-handed action of the Pakistan authorities. It has been pointed out to that Government that there is nothing in the practice of civilized nations that would permit removal of the Master of a ship from his vessel in such circumstances, and treatment of him as a common criminal, and that any suggestion that non-hoisting of the flag might cause a riot is far removed from reality when it is considered that the wharf where the ship was berthed was a prohibited area. The Government of Pakistan have been asked to take suitable action against the authorities concerned so as to prevent similar treatment of Indian ships calling at Pakistan Ports in the course of normal commerce.

बी एम वु. तारिक में जानना चाहता हूँ कि क्या यह हकीकत है कि इस शिप के कैप्टन की धीर उसके साथियों की बेइज्जती की गई, उनके मूँह पर तमाचे मारे गये? अगर यह हकीकत है तो इस सिलसिले में हकूमत हिन्दुस्तान ने कोई प्रोटेस्ट किया है?

प्रधान मंत्री तथा बंबेई-कार्य मंत्री (श्री जवाहरलाल नेहरू) : इस सवाल का जवाब तो दिया गया है। यह तो हमें मालूम नहीं कि किसी को तमाचे मारे गये। लेकिन यह बयान ठुप्पा है कि कुछ बीगामुस्ती उनके साथ हुई और वह जा कर मामूली कैदी की तरह एक रोज रक्ते गये। मैं एक यह बात भी बतला देना चाहता हूँ कि जो कैप्टन इस जहाज का है वह एक व. के. का नौसैनिक है।

Shri Muhammed Elias : May I know whether the Government of Pakistan has informed the Government of

India about this action and whether they have answered the protest which has been lodged against the action of the Pakistan authorities?

Shri Jawaharlal Nehru: What has the Government of Pakistan to inform the Government of India? This was a matter between the harbour authorities and the Scindia Steamship Co. The Captain was a Britisher—a U.K. national. The Government of Pakistan was informed by us of this incident; they would have been informed otherwise too. It was a bad incident; but it was a local incident between the harbour authorities and the steamship.

Shri N. R. Munisamy: May I know whether any attempts have been made to engage a Defence Counsel for Capt. Kinnier; and may I also know whether in the prosecution any criminal intent on his part was proved?

Shrimati Lakshmi Menon: An attempt was made and a Defence Counsel was engaged.

Shri N. R. Munisamy: May I know whether the prosecution proved any criminal intent on the part of the captain?

Shrimati Lakshmi Menon: The Defence Counsel was engaged by the U.K. High Commission.

Shri Jawaharlal Nehru: The Scindia Steamship Co., for reasons best known to themselves, thought that because the captain was a U.K. national, they should go to the U.K. High Commission for relief. They did not inform our High Commission to begin with. It was the U.K. High Commission that engaged some Counsel to defend him.

Some Hon. Members—rose

Shri Vajpayee: My name is there, Sir.

Shri Nath Pai: The Scindias have been apologetic when our Government protested.

Mr. Speaker: I must be able to decide whether the question has

been sufficiently answered or not. If hon. Members want sufficient discussion later on, let us see. I am sorry I cannot allow further questions.

Bhilai Steel Plant

T

Shrimati Benu Chakravarty:
Shri Radha Raman:
Shri Aurobindo Ghosal:
Shri Nagi Reddy:
Shri Vasudevan Nair:
Shri Vidya Charan Shukla:
Shri Rajendra Singh:

Will the Prime Minister be pleased to state

(a) whether any communication has been received by him from the Soviet Prime Minister regarding the Bhilai steel plant; and

(b) if so, nature of the communication?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) and (b) A letter was received by the Prime Minister from Mr. Khrushchev in December last. This referred to various aspects of the work being done in the Bhilai Steel Plant and made some suggestions to expedite that work. Even before Mr. Khrushchev's letter was received, some of the matters he had referred to had been attended to and, in his reply, the Prime Minister informed Mr. Khrushchev of the steps that had already been taken and that would be taken to speed up the execution of this important work so that it may be completed as near as possible according to schedule.

Shrimati Benu Chakravarty: May I know whether it is a fact that the Soviet Prime Minister expressed concern that delays that could be avoided were taking place and that this was holding up the progress of work at Bhilai which should have been achieved earlier?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): As a matter of fact, the work

is going on more or less according to schedule. I do not know about a few days delay here or there. As stated in the answer, there had been delays but we caught up with the delays.

Shri Goray: Is it proper for the Prime Minister of another country to advise us as to what steps should be taken by us to expedite the work?

Shri Jawaharlal Nehru: It is completely proper—It is not a question of advice—considering that this scheme, in its inception and working, is a joint Indo-Soviet scheme in which the Prime Minister of the Soviet Union has taken a great deal of interest. He wrote a personal letter to me. It was a personal letter; he wrote after seeing the Chief Engineer and others. I think it was not only a proper thing, I appreciate it.

Shri Radha Raman: May I know whether the letter, which the Prime Minister received, mentioned certain aspects of delay or whether it was a general letter? What was the nature of that letter?

Shri Jawaharlal Nehru: I cannot go into that personal and confidential letter in this way in answer to a question.

Shri Aurobindo Ghosal: May I know if the delay was on our part or on the part of the engineers from Russia?

Shri Jawaharlal Nehru: If the House wants to know, it was neither on our part nor on their part, it was on the contractor's part.

Border Violation by Portuguese Army

*6. **Shri Assar:** Will the Prime Minister be pleased to state

(a) whether it is a fact that the Portuguese Army fired on the 28th, 29th and 30th December, 1958 on the Indian Border near Banda, Sawant-wadi, District Ratnagiri, and

(b) if so, the details of the incident and the action taken by Government?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon):

(a) and (b). Government have received no reports to show that these incidents occurred on days and places mentioned.

Shri Joachim Alva: May I know on which side these attacks take place generally? Is it Belgaum side, Karwar side or Ratnagiri side? May I also know why the military police are not called in when the civilian police fail to repel these attacks?

Shrimati Lakshmi Menon: The answer was that there were no such reports.

Mr. Speaker: There have been no reports and no incidents. How can there be defence?

Shri Vajpayee: May I know whether the attention of the Government has been drawn to the Press reports that a large amount of smuggling is going on on this border and, if so, what steps have been taken to stop that smuggling?

Mr. Speaker: It does not relate to that. This relates to certain border incidents and not to smuggling.

Shri Vajpayee: Incidents arise out of smuggling.

Shri Nath Pai: Are the Government aware that of late there have been efforts on the part of the armed Portuguese naval units to interfere with Indian fishermen legitimately fishing in Indian waters near Daman?

Shrimati Lakshmi Menon: I want notice of a separate question.

Ambar Charkhas

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

(a) the number of Ambar Charkhas distributed in Mysore State during 1958-59 so far

(b) the number of Charkhas which are in operation,

(c) the total quantity of yarn produced there from, and

(d) whether weavers refuse to use this yarn with the result that the same remains un-wound?

The Minister of Industry (Shri Manubhai Shah): (a) Complete information about the number of Ambar charkhas distributed to spinners in Mysore State during 1958-59 has not yet become available. According to reports so far received, 2,557 Ambar charkhas were distributed in Mysore State during 1958-59 upto the 31st of December, 1958.

(b) Since the starting of the programme in 1956-57, a total of 11,393 Ambar charkhas have been distributed to spinners in Mysore State according to reports received upto 31st December, 1958. It is estimated that on an average 10% of the charkhas distributed usually remain idle. Therefore, the estimated number of Ambar charkhas being plied by independent spinners in Mysore State as on 31st December, 1958, would be 10,254. In addition, a total of 2,000 charkhas have been distributed as teaching aids in parishramalayas and vidyalayas located in Mysore.

(c) According to incomplete reports received so far, a total of 2.44 lakh lbs. of yarn was produced in Mysore State upto 31st December, 1958, from the number of charkhas referred to in part (b).

(d) No, Sir.

Shri Keshava: May we know the total cost involved in this distribution and if there is any attempt to realise some money from the parties to whom these have been distributed?

Shri Manubhai Shah: These are the standard schemes of Ambar Charkha for different States. The distribution costs are worked out according to that scheme. If the hon. Member is interested in any particular centre, I can certainly get the cost worked out for him.

Shri Tangamani: May I know whether the Central Government is going to supply Mysore more Ambar Charkhas in addition to the 7,000 and odd? May I also know the daily earning of a worker on this Charkha?

Shri Manubhai Shah: This is a national programme of Ambar Charkha and from round about a lakh of Charkhas every year it will go up to about 1,15,000 Charkhas per year. This is being fully implemented. During the current year, the target is likely to reach as far as the new Ambar Charkhas are concerned. The wages vary from twelve annas to Rs 1-4-0 per day.

Shri B. K. Gaikwad: May I know whether Ambar charkhas are distributed free of cost? If not, what is the cost recovered from the individuals?

Shri Manubhai Shah: The Ambar Charkhas are given to different training institutions on grants basis. In most cases it is 50 per cent grant and 50 per cent loan in individual cases and sometimes it is wholly on loan, a part of it being written off as grant.

Shri Thimmalah: How many training centres have been opened for giving training in these Charkhas?

Shri Manubhai Shah: About 1700 small and big centres.

Shri Sonavane: The hon. Minister has said that a person can earn about twelve annas to Rs 1-4-0 per day. How many hours are required to earn this amount by working on this Charkha?

Shri Manubhai Shah: Really speaking, it is not a completely whole-time job where a worker works eight hours. The worker really works in his part-time; it is a part-time job. But in the parishramalayas they are scheduled to work for eight hours of which five or six hours are devoted on the Ambar Charkha itself.

Shri Rameshwar Tanti: May I know whether any complaints have been received regarding the difficulties in working and operation of the Ambar Charkha? If so, what is the improvement in the new Ambar Charkha?

Shri Manabhai Shah: Constant efforts are made by the Commission and the Government to improve the machine and therefore, a Committee has been appointed—Tyagi Committee, as the House is aware—and it is going to look into all the new Ambar and improved Charkhas, and the new Charkhas that are being invented in the country are considered by the Khadi Commission. Great improvements are taking place in the set-up of the Ambar Charkhas to make it produce more with less effort.

Bhopal Capital Project

***Shri V. C. Shukla:** Will the Minister of Planning be pleased to refer to the reply given to Unstarred Question No 1807 on the 16th December, 1958 and state

(a) whether the Working Group appointed to examine the proposals of the Government of Madhya Pradesh with regard to Bhopal Capital Project has since completed its examination of the matter,

(b) if so, the results thereof, and

(c) the decision, if any, taken in the matter?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) No, Sir

(b) and (c) Do not arise

Shri V. C. Shukla: What are the reasons for the undue delay? This project is being considered for the last two years and a great deal of hardship is being experienced on account of this delay. By what time do the Government propose to finalise this scheme?

Shri S. N. Mishra: As the hon Member is aware, the committee was appointed only about the middle of December last. There has been some delay in the meeting of the committee for very minor reasons but we are going to see to it that it meets soon.

Shri V. C. Shukla: Recently some Posts and Telegraph Department quarters were undertaken to be built

in Chandigarh. Will the Government consider the possibility of doing such things to help the capital project of Bhopal also?

Shri S. N. Mishra: All these matters can be considered by the committee which has been appointed.

सेठ गोविन्द दास जो कमेटी इस सम्बन्ध में नियुक्त की गई है क्या उस से यह भी कहा गया है कि चंडीगढ़ और भुवनेश्वर को बनाने के समय जा महायता केन्द्रीय सरकार ने उड़ीसा और पंजाब को दी थी, उसका भी ब्याल रखा जाय भोपाल को राजधानी बनाने के सम्बन्ध में ?

श्री दया० नं० बिषय कमेटी के जो टर्म्स ऑफ रिकरेन्स हैं उनमें तो यह बात नहीं दी गई है, बल्कि कमेटी उन सारी बातों पर गौर करेगी जिन पर उसे गौर करना चाहिये ।

सेठ गोविन्द दास क्या सरकार को यह बात मालूम है कि भोपाल के बहुत से काम रुक गये हैं क्योंकि इस कमेटी के फंमलो में देर हो रही है और उनके कामों के रुकने की वजह से नुकसान हो रहा है और ऐसी हालत में क्या यह धाधा की जा सकती है कि कमेटी अपनी रिपोर्ट जल्दी देगी जिसमें कि वही काम धामे बढ़ाया जा सके ?

श्री दया० नं० बिषय माननीय सदस्य की यह मान्यता ठीक नहीं मालूम होती है । क्योंकि हम प्रति वर्ष जो ऐनुअल प्लैन बनाते हैं उसमें इसके लिये प्राविजन करते आये हैं । इस साल भी ऐनुअल प्लैन में इसका प्राविजन किया गया है ।

Forged Passports

***Shri Ram Krishan:**
Shri Damani:
Shri Nagi Reddy:
Shri Vasudevam Nair:

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

Question No 839 on 11th December, 1958 and state

(a) whether the investigations regarding the forged passports have since been completed, and

(b) if so, the details thereof?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan). (a) and (b) Investigations in respect of the persons who were arrested in June, 1957 have been completed but it is reported that some more persons are involved in the case. Investigations about them are proceeding and it is expected that they will be completed by the end of March 1959.

Shri Ram Krishan. May I know whether it is a fact that this gang is carrying on its operations with the aid of some foreign companies?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru). There was no such information.

Shri Tangamani. Even when the question was answered during the last occasion, it was suggested that this gang is operating through certain foreign air companies and the names were also mentioned. We would like to know whether the Government have gone into this matter and if so the information they have received.

Shri Jawaharlal Nehru. I said that although it may have been so suggested, we have received no report of the enquiry yet. The enquiry is proceeding and they say it is making good progress. We cannot ask them at any rate to supply us odd information about odd parts of it.

Shri P. S. Dasgupta. May I know whether it is a fact that in Punjab some responsible officers were suspended 3½ years ago and they are under suspension even now? Neither they are restored to their position nor punished. There are at least more than half a dozen of them.

Shri Jawaharlal Nehru. In some other connection, not in this case.

Shri P. S. Dasgupta. In this very forged passport industry.

Shri Jawaharlal Nehru. The hon. Member is right in talking about this as an industry. It has become an industry. It has been an industry in the Punjab, for various reasons. I cannot say whether there are any air companies who have encouraged this or not. But air companies are interested in getting traffic and so people come to them, they do not care whether the thing is forged or not. And very often, whole aircraft are chartered by these people, that is, by groups or associations or companies who charter an aircraft, sell places to individuals who go there to seek work or for work in the United Kingdom or elsewhere and who often get these forged passports. It is a widespread thing, and I think we have arrested people, people have been sentenced, people have not been allowed to land in England or Persia and have been brought back. The whole thing has been going on from time to time. But this question relates to a particular incident which also has its ramifications, and therefore, it has taken some time to make enquiries both here and in foreign countries.

Shri Jadhav. May I know how foreign exchange is made available for this?

Shri Jawaharlal Nehru. Foreign exchange? In fact, they consider themselves earners of foreign exchange.

Shri D. C. Sharma. May I know if the Government have taken any preventive steps to decrease the incidence of forged passports?

Shri Jawaharlal Nehru. The hon. Member wants to know if government have taken any steps to decrease the incidence of forged passports. Government is trying its very best to do that.

Dyes for Handloom Industry

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- *12. { Shrimati Parvathi Krishnan:
Shri Nagi Reddy:

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

(a) whether at a meeting of manufacturers, established importers, and consumers held under the Chairmanship of the Textile Commissioner of the Government of India a Sub-Committee was appointed to frame a code of fair trade practices in dyes,

(b) if so, whether the Sub-Committee have made any recommendations, and

(c) the steps which are being taken to check the rising prices of dyes in the interest of handloom industry?

The Minister of Commerce (Shri Kanungo): (a) and (b) Yes, Sir

(c) The import quota of established importers from Soft Currency areas has been increased from 12½% to 20%. Under the export incentive scheme handloom cooperatives exporting handloom goods are eligible for special import licences for dyes chemicals and superfine yarn upto 10% of the f.o.b. value of their exports

Shri V. P. Nayar: May I know the total quantity of such dyes imported by handloom co-operative societies, taking advantage of this 10 per cent?

Shri Kanungo: This figure would be available at the end of this period of licensing

Shri V. P. Nayar: May I know whether it is a fact that dyes and chemicals required for the handloom industry are sold at fleecing prices by monopoly importers?

Shri Kanungo: No The prices have gone up a little bit in November, but they have registered a substantial decrease.

Shri V. P. Nayar: May I know whether it would be possible for the

hon. Minister to give the index price of textile chemicals especially dyes, with 1950 and 1951 as a base.

Shri Kanungo: I can give the prices of certain chemicals and not all chemicals. As I have said, they have registered a substantial decrease between November and January. For example, wat-proof, yellow, had registered 95 points in November. It came down to 50. Solubles, green, went up to 55. There is no decrease there. Naphtha group was 696-697. Base yellow 950, and so on and so forth.

Shri V. P. Nayar: For what quantity has he given those figures—696 and 697? What can we gather from that?

Mr. Speaker: Probably, the hon. Member did not put a comprehensive question.

Shri V. P. Nayar: I did put a comprehensive question, Sir.

Mr. Speaker: Then it has been answered.

Shri Ranga: May I know whether these dyes are to be supplied to the primary weavers' co-operative societies in different States?

Shri Kanungo: The apex co-operative societies can obtain it, but export incentive is available only to such apex societies as undertake exports.

Second Five Year Plan

- *13 { Shri S. M. Banerjee.
Shri Tangamani:
Shri A. K. Gopalan.

Will the Minister of Planning be pleased to refer to the reply given to the Starred Question No 15 on the 17th November, 1958 and state the further steps taken by the States and Centre to raise the resources for the Second Five Year Plan?

The Deputy Minister of Planning (Shri S. N. Mishra): The document referred to in my reply on the 17th November to Starred Question No 15 is getting ready and will be submitted to Parliament shortly. There have

been further discussions with State Governments in regard to their resources position in 1959-60. The results of these discussions will also be incorporated in the document.

Shri S. M. Banerjee: May I know whether some of the State Governments have started a Development Loan Scheme and, if so, which are those States and whether the scheme has met with success?

Shri S. N. Mishra: I do not know to which scheme the hon. Member has referred.

Shri S. M. Banerjee: Some of the States have started a Development Loan Scheme in connection with the various plans. I wanted to know which are those States and whether the scheme has met with success.

Shri S. N. Mishra: Developmental schemes?

Mr. Speaker: He wants to know which are the States which, according to him, have raised or floated loans for development purposes.

Shri S. N. Mishra: To answer that question, I require separate notice.

Shri Tangamani: May I know whether the Government will consider the question of increasing the resources by bringing all the factories under the Factories Act and under the provident fund scheme and also enhancing the provident fund percentage from 6 1/4 to 8 1/3?

Shri S. N. Mishra: That is evidently a suggestion.

Mr. Speaker: It is a suggestion.

Shri Tangamani: May I explain?

Mr. Speaker: There is no question of explaining. We all understand that it is a suggestion. What further explanation is required? The hon. Member might think out another question. I shall call him.

Shri Hem Barua: What are the States, if any, that have so far informed the Government that the taxable capacity has reached saturation point and that therefore they are not in a position to find out any additional resources for the second Five Year Plan in the remaining period?

Shri S. N. Mishra: We have not got any intimation of that kind from any State. In fact, whatever information is in our possession indicates that they are trying to do their best and there is expected to be an improvement in the resources position.

Shri Tangamani: May I know whether the National Development Council which met in November last considered this question and made suggestions about the resources, and if so, what?

Shri S. N. Mishra: We have placed the decisions of the National Development Council on the Table of the House. Many things were considered and some important decisions were reached.

Shri S. M. Banerjee: May I know whether the Government have made any appeal to the capitalists to give a portion of their annual profit as loan to the Government for the success of the Plan and, if so, with what result?

Mr. Speaker: That is also a suggestion for action.

Shri S. M. Banerjee: I want to know whether an appeal has been made or not, because, I remember the hon. Prime Minister made a request to them to give the Government something of their profit.

Mr. Speaker: I think it is mostly a suggestion for action. The hon. Deputy Minister must be able to know what are the appeals he has issued. This is not one such.

Shri Panigrahi: I want to know whether for 1959-60, the State Governments have informed their capacity for raising additional resources.

Shri S. N. Mishra: We have discussed with the State Governments their annual plans and the State Governments are going to improve their resources position. But we cannot give complete indications before the budgets are presented

Shri Nagi Reddy: In view of the fact that whereas the Andhra Government was asked to raise Rs 11 crores by way of additional taxation, it has raised Rs. 17 crores, may I know whether the Planning Commission are going to increase the plan outlay for the coming two years of the Second Plan period?

Mr. Speaker: It is a suggestion for action

Investment in Private Industries

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14 { **Shri Harish Chandra Mathur.**
Pandit D N. Tiwary:
Shri Halder

Will the Minister of Planning be pleased to state

(a) whether Central Government have given any directive or advice to the State Governments regarding investments in private industries by the State Governments during the Second Five Year Plan and

(b) what is the nature of the advice and whether it has come to the notice of Government that this advice has been ignored by some of the State Governments?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) Yes, Sir

(b) The State Governments were advised that "as a rule loan assistance to private sector projects should be arranged through the Industrial Finance Corporation or other similar institutions" and even "if in any exceptional case direct assistance by a State Government is felt to be essential no commitment of any kind should be made without prior reference to the Planning Commission"

In a few instances, this advice has not been followed and the matter is being pursued with the State Governments concerned.

Shri Harish Chandra Mathur. Has there been any exchange of views on this subject between the Central Government and the Government of Kerala on the one hand and the Government of Rajasthan on the other and if so, what are the view-points put forth by them and the reaction of the Central Government?

Shri S. N. Mishra. In fact, in every case where such proposals have been made, there has been an exchange of views between the State Government concerned and the Planning Commission. So far as the views of these State Governments, particularly Kerala are concerned they thought that a lump sum provision should be made for this purpose. The view of the Planning Commission is that if in any particular case any exceptional circumstance requires State investment that should be referred to the Planning Commission. On this basis we have agreed to certain proposals of the Kerala Government and also to certain proposals of the Rajasthan Government.

Shri Harish Chandra Mathur. What are the industries concerned and what is the amount that has already been invested without the consent of the Planning Commission?

Shri S. N. Mishra: A separate question may be put for that.

Pandit D N Tiwary While investing money in private companies, may I know whether the State Governments have taken the permission of the Planning Commission and if not, what steps Planning Commission propose to take against allotting money to those States. Which are those States which have done so?

Shri S N Mishra. It is a very wide question. The hon Member wants to know how many State Governments made such a reference. But the

reasons for the Planning Commission not approving them in some cases were indicated in my reply itself. I do not know what exactly the hon. Member wants.

Pandit D. N. Tiwary. I want to know whether in those cases in which the Planning Commission did not approve of investment of money by the State Governments and still the State Governments did take shares or invested money, the Planning Commission is going to sanction money for those purposes or not.

Shri S. N. Mishra. In some cases, where the State Governments invested without the prior approval of the Planning Commission, the matter is being pursued. In some cases earlier, when this matter was not sufficiently impressed upon the State Governments, some investments were made they had made deep commitments in some earlier instances—about 4 years back or so—and the Planning Commission had to give their approval for those cases.

Shri Dasappa. Is it not a fact that many of the entrepreneurs are now seeking the assistance of State Governments to participate in the capital for more reasons than one, viz., to create confidence in the investing public and also to get certain facilities and concessions from the State Governments?

Shri S. N. Mishra. In fact the point of view of the Kerala Government is—I am just saying this by way of illustration—that the Planning Commission's advice did not relate to the participation in the equity capital. But the Planning Commission's view is that anything that is sought to be done by way of participation, whether by way of equity capital or otherwise, should not be done without the prior approval of the Planning Commission.

Shri Bimal Ghose. I presume from the hon. Deputy Minister's answer that there is no bar to participation in the equity capital provided the Planning Commission's approval is sought for. Is that so?

Shri S. N. Mishra: Theoretically that might be the construction put upon it.

Shri V. P. Nayar: May I know from which statute or rule the Planning Commission derives power to issue such directives as to prevent the investments of the State's own finances in certain schemes in which they want to invest?

Shri S. N. Mishra: There is no law whatsoever, but in the interests of planned economy, that seemed to be the right attitude.

Shri V. P. Nayar: It is obvious that.

Mr. Speaker. The hon. Member wanted to know if there is any law, the answer is, there is no law. I am not going to allow arguments.

Shri Punnoose: Is it not a fact that in certain States like Kerala industrial development has been made possible by State participation in the past? May I know why the Planning Commission takes objection to such historical development in such States?

Shri S. N. Mishra. So far as history is concerned, one does not require to go into it at this stage. But the view of the Planning Commission is based on certain sound reasons. One reason is that the States do not seem to possess the apparatus which may go into the technical examination of the projects and it is just possible that they might incur loss. The second reason is that there are financial institutions established for this purpose, through which this assistance may be routed. The third reason is that resources may be diverted from the plan resources that we have at the moment.

Shri Ranga: Is it not the general policy between the State Governments as well as the Government of India that to the extent that the State Finance Corporation's resources are adequate, every effort should be made by the State Government to

encourage the local entrepreneur to seek assistance from these Corporations and not directly from the State's resources?

Shri S. N. Mishra: That is what I have mentioned. It should be routed through the financial institutions.

Shri Kadiyan: In answer to an earlier supplementary, the hon. Deputy Minister stated that the Planning Commission has agreed to certain proposals of the Kerala Government in this connection. May I know those proposals?

Shri S. N. Mishra: Since the main question did not specifically relate to Kerala, I do not have all those schemes just now.

Shri Harish Chandra Mathur: Is it a fact that those State Governments which have tended to ignore the advice of the Planning Commission in this matter are those where the industrial development has been most insignificant during the last six or seven years? May I know what other incentives the Planning Commission is prepared to give for the industries in those States?

Shri S. N. Mishra: In the case of Assam, which is considered to be an extremely backward State industrially, we have made an exception. But the hon. Member would realise that if this is permitted without any proper examination, there would be a lot of competition and wooing by different States and probably the advanced States might get away with it.

Shri Harish Chandra Mathur: Why don't you trust the State Government to that extent?

Shri H. N. Mukerjee: May I know if the attention of the Government has been directed towards a report in West Bengal that certain money provided for the public sector for the purpose of setting up a fertilizer factory in West Bengal has been diverted to a private capitalist, Birlas, and if so whether this has been in conformity

with the Government's instructions and desires?

The Minister of Industry (Shri Manubhai Shah): That is not a fact. There was no provision for a fertilizer factory in public sector in West Bengal which could be diverted.

Synthetic Rubber Plant at Bareilly

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*15 { **Shri Bhakt Darshan:**
Shri Osman Ali Khan:
Shri Mohan Swarup:

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No 1058 on the 16th December 1958 and state the progress since made in setting up a synthetic rubber plant at Bareilly (U.P.)?

The Minister of Industry (Shri Manubhai Shah): There has been no new development in the last two months but we are expecting some definite proposals by March or April 1959.

श्री भक्त दर्शन श्रीमान् मैं जानना चाहता हूँ कि यह जो बातचीत चल रही है वह किस कम्पनी के साथ या किस संस्था के साथ चल रही है या वे जो प्रोजेक्ट्स हैं वे कितने पास में घाये हैं ?

श्री मनुभाई शाह बैसे तो तीन चार कम्पनियों से बातचीत चल रही है और उनकी टीम भी घा गई है और हम भाषा करते हैं कि पहले महीने में या दो एक महीने में उसकी दरखास्ते घा जायेंगी ।

श्री भक्त दर्शन श्रीमान् क्या मंत्री महोदय यह बताने की कृपा करेंगे कि जिन संस्थाओं के साथ बातचीत चल रही है वे इस देश की हैं या बाहर की, अगर बाहर की हैं तो क्या उसका विवरण दिया जायेगा ?

श्री मनुभाई शाह जहाँ तक टैकी कल कोलेबोरेशन और फाइनन्सल कोलेबोरेशन का ताल्लुक है वे फारेन कम्पनीय

हैं और वहां तक एंटरप्राइज को लगाने का सम्बन्ध है वह हिन्दुस्तानी कम्पनी है।

Shri Mohan Swarup: Is it a fact that about 100 acres of land has been acquired for the establishment of this factory? Is it also a fact that standing crops of cultivators have been destroyed at the time of acquisition?

Shri Manubhai Shah: No, Sir. That stage has not arrived yet. Perhaps the hon. Member is meaning some other factory. This factory is still under consideration.

श्री सिंहासन सिंह यह जो कारखाना स्थापित होगा यह पब्लिक सेक्टर में होगा या प्राइवेट सेक्टर में और अगर यह प्राइवेट सेक्टर में होगा तो यह किसे मिल रहा है ?

श्री मनुभाई शाह प्राइवेट सेक्टर की भी बात हो रही है और किस को यह दिया जायेगा, अभी तय नहीं किया गया तथा कौन कोलेबोरेट करेगा वह भी तय नहीं किया गया है। जब प्रोपोजल्स आयेंगी तब यह सारी चीज तय की जायेगी।

Shri Ramanathan Chettiar: After this factory has gone into production, may I know whether all the requirements of the country will be met?

Shri Manubhai Shah: It is expected that the country will be more than self-sufficient after this plant comes into operation. Its capacity will be 20,000 to 30,000 tons of synthetic rubber per year.

श्री सिंहासन सिंह अभी माननीय मंत्री जी ने कहा कि तीन चार कम्पनियों के साथ बातचीत चल रही है। मैं जानना चाहता हूँ कि उनके नाम क्या हैं।

श्री मनुभाई शाह. मैसर्स गुडपीर, बुनिशन कारबाइड, फायरस्टोन और अन्य।

श्री जगत कर्मा : श्रीमन् क्योंकि इस संयंत्र के बारे में लगभग तीन वर्षों से बातचीत चल रही है, इसलिये यह धारणा बनती जा रही है कि कहीं यह कारखानों की फाइलों में ही न रह जाये। भयः मैं जानना चाहता हूँ कि क्या कोई विशेष कदम उठाये जायेंगे जिससे यह संयंत्र जल्दी से जल्दी लगाया जा सके।

श्री मनुभाई शाह : मैं यह विश्वास दिलाना चाहता हूँ कि जो प्रोपोजल्स जा रहे हैं वे काफी प्रैक्टिकल हैं और हम समझते हैं कि इस साल में उसका पूरा नकसा तब हो जायेगा और उसका प्रिंस्लिमिनीरी काम काज भी शुरू कर दिया जायेगा।

Dandakaranya Scheme

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*16. { Shri H. N. Mukerjee:
Shri Muhammed Elias:

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

(a) what is the estimated number of doctors, teachers and other professional men whose services will be needed for purposes of the Dandakaranya project,

(b) whether recruitment of such personnel will begin soon; and

(c) the principles laid down for making such recruitment?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) No final assessment of the requirements of doctors, teachers and other professional men is possible at this stage as this will greatly depend on the number of displaced persons who settle in the area and the needs of the local population. The number of doctors required immediately are One Chief Medical Officer and 7 Medical Officers.

(b) and (c). Recruitment is made in accordance with the normal rules followed by Government Departments. However subject to suitability, it is

intended to absorb as many officers of the West Bengal Government, particularly those of the Rehabilitation Department, as are willing to serve in Dandakaranya. The other sources of recruitment are the State Services of Madhya Pradesh and Orissa. Recruitment from all sources has been in progress for some time.

Shri H. N. Mukerjee: May I know if special care will be taken to make sure that in general the appointments of these professional men are made from among people who speak the language of the refugees who will go there?

Shri P. S. Naskar: So far as appointments of doctors and teachers are concerned, preference is given to the Bengali-speaking people.

Shri Panigrahi: May I know whether the Governments of Orissa and Madhya Pradesh have requested the Government of India to reserve certain percentage of seats in these posts for the local people of the States of Orissa and Madhya Pradesh?

Shri P. S. Naskar: As I said in my original answer, recruitment is also done from the State Services of Madhya Pradesh and Orissa.

Shri Jaipal Singh: Can the Minister tell us whether Government have evolved any policy to ensure demographic harmony in Dandakaranya in view of the fact that there are certain elements which, if they are sent there, instead of producing harmony, will do just the opposite?

Shri P. S. Naskar: All possible steps will be taken.

Shri Aurobindo Ghosal: May I know whether the State Governments will be approached in this connection instead of requisitioning them from the Rehabilitation Department?

Shri P. S. Naskar: There is no requisitioning from the Rehabilitation Department. We are approaching the State Government to give us 3 or 4 mobile medical units. They have

agreed to give us doctors as required for three medical units.

Shri Hem Barua: The apprehension is, as reported in a Calcutta paper, that the Punjab Government is pressing its claim vigorously on the Dandakaranya project which is leading to a sort of anti-Bengali feeling being generated in Dandakaranya. If this is correct, as reported in the newspaper, what steps have the Government so far taken to normalise the situation?

Shri P. S. Naskar: That does not arise out of this question.

Shri Muhammed Elias: May I know how many doctors and teachers have gone there up till now?

Shri P. S. Naskar: As I said, 7 mobile units are required. The Chief Medical Officer has been appointed.

Aromatic Chemicals

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*17 { **Shri V. P. Nayar:**
 Shri Easwara Iyer:

Will the Minister of Commerce and Industry be pleased to state the present position of the manufacture of Aromatic Chemicals?

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

Shri V. P. Nayar: May I know the percentage of country's requirement of aromatic chemicals which is now made in India and what are the imports?

Shri Manubhai Shah: As regards percentage, barring menthol, thymol and camphor, about 30 per cent. is manufactured indigenously. We are also trying to take steps to see that factories are established for the manufacture of synthetic camphor, thymol and menthol.

Shri V. P. Nayar: I wanted to know the annual requirements of aromatic chemicals in the country as against the indigenous production of aromatic chemicals, not for menthol, thymol and camphor alone.

Shri Manubhai Shah: The average import in the year 1957 was about Rs. 1.60 crores. Now because of the foreign exchange difficulties it has been reduced to Rs. 1 crore during the current year. When synthetic thymol, menthol and camphor come into production the imports will register a fall and may hardly be Rs. 20 to Rs. 30 lakhs or so.

Shri V. P. Nayar: From the statement it is seen that the production of ionone has registered a steep decline. I want to know the reasons. I also want to know the position of aromatic chemicals which are made in India from lemon grass oil.

Shri Manubhai Shah: The whole list is given. It all depends upon the off-take of the local manufacturers. It is not as if the capacity of any plant has gone down. Regarding the rest of the aromatic industries, it is not possible to cover every small production here. But our aim is to take the type of production which is of a large size like the ones I have mentioned.

Shri V. P. Nayar: When the very small industries require aromatic chemicals they have to pay 800 to 1,000 per cent. above the normal price. I want to know the steps taken by Government to see that aromatic chemicals required by small industries are made available at reasonable prices.

Shri Manubhai Shah: As I said, the steps are two-fold. One is to allow the import of miscellaneous aromatic chemicals of which a regular systematic operation in small scale is neither profitable nor desirable. The other step is to make the country self-sufficient in those aromatic chemicals which can be produced in bulk.

Shri Tangamani: May I know whether there is any likelihood of increased production of aromatic chemicals this year as compared to 1958 and whether in their distribution the small-scale industries particularly the manufacturers from the South, will be given preference?

Shri Manubhai Shah: Yes, Sir. We are giving full support to the small-scale industries' development and several people who want to extract all these aromatic chemicals either by distillation or otherwise are being encouraged to extract them from natural herbs. In their distribution also, help is being given to small industries.

Minimum Wages of Beedi Workers

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- *18. { **Shri Warier:**
Shri A. K. Gopalan:

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

(a) the names of the States which have fixed minimum wages of beedi workers; and

(b) the steps taken by Government to persuade the rest of the States to follow suit?

The Deputy Minister of Labour (Shri Abid Ali): (a) In the States of Andhra Pradesh, Bombay, Bihar, Kerala, Madhya Pradesh, Madras, Mysore, Orissa, Rajasthan, Tripura, Uttar Pradesh and West Bengal, minimum rates of wages have been fixed for bidi workers.

(b) According to information available, the bidi industry does not exist in other States except Assam where the employment strength in the industry being below thousand no minimum wages have been fixed by the State Government.

Shri Warier: May I know whether after the legislation of the Minimum Wages Act this has been implemented in all the States?

Shri Abid Ali: Of course.

Shri Muhammed Elias: How many complaints have been received by the Government about the violation of the Minimum Wages Act and what steps have been taken against those employers who have violated the Minimum Wages Act?

Shri Abinash: This particular matter is within the States' sphere. Complaints are ordinarily received by the State Government concerned and they have to take action.

SHORT NOTICE QUESTION

Prices of Kerosene Oil

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1. { **Shri Panigrahi:**
Shri Anirudha Sinha:

Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether Government have kept itself fully apprised of the prevailing soaring prices of Kerosene Oil in the country;

(b) whether Government propose to take any step for arresting the soaring prices of Kerosene Oil;

(c) if so, the details thereof;

(d) whether arrangements are being made to obtain adequate supplies of Kerosene Oil quickly; and

(e) whether the three oil companies have been asked to co-operate with the Government for meeting the crisis?

The Minister of Mines and Oil (Shri K. D. Malviya): (a) to (c). Government were keeping a close watch on the position regarding supply and consumption of Kerosene Oil in the country and were noting the rise in selling prices of Kerosene in the last few weeks with some anxiety. I indicated the policy of the Government on previous occasions in connection with a little cut in the allocation of foreign exchange for import of crude oil. As the House knows this cut was inevitably due to our foreign exchange difficulties. Nevertheless Government do not see any justification in the rise in selling prices of Kerosene Oil. The State Governments were consulted in this connection and when the situation started deteriorating at several places and more so to a cer-

tain extent in Bombay, the Government took the following steps to relieve the situation:

(1) They have instructed oil companies to remove the restrictions on the sale which had been imposed in order to conserve foreign exchange;

(2) a special additional allotment of foreign exchange has also been allotted and this has been made available to them;

(3) the oil companies have been asked to arrange immediately for additional import of kerosene against this allocation. Meanwhile arrangement has been assured to meet the increase in the off-take from the stocks that are already in the country. Therefore the relief should be in sight immediately;

(4) with a view to preventing a recurrence of such situations in future, the Government are also trying to find out why the market prices were increased;

(5) the State Governments have also been informed of the steps that have been taken and have also been requested to give widest publicity to the same.

It is hoped that traders from the highest to the lowest level will co-operate with the Government in this task and that with the steps already taken the selling price would return to normal levels within a few days. Government are prepared to take other steps in case the situation does not improve.

Shri Panigrahi: May I know whether besides the Government of Bombay, the shortage of kerosene oil was also acutely felt in Orissa, West Bengal, Madras and throughout the country and, if so, what steps have those Governments taken to arrest this rise in prices of kerosene oil in those places?

Shri K. D. Malviya: The shortage was felt generally throughout the country and, as I said, it was due to various reasons, one of them would be less allocation of foreign exchange for the import of kerosene oil. That being removed, it is now expected that almost immediately the position will be improved.

Shri Panigrahi: May I know whether kerosene will now be included in the Essential Commodities Act so that State Governments will be in a position to arrest the hoarders of kerosene oil?

Shri K. D. Malviya: Yes, Sir. We have advised the State Governments to take all necessary steps including the consideration of disparing kerosene distribution under this Act.

Shri Hem Barua: May I know whether Government are aware of the fact that these oil companies have taken full advantage of the Government's suggestion for a small cut and are creating an artificial scarcity in the market by affecting a cut most whimsically and capriciously?

Shri K. D. Malviya: It is a matter of opinion for the hon. Member to hold. I will be very sorry to note that anybody could take advantage of the shortage of kerosene oil and raise the price for profits.

Shri Hem Barua: Oil companies are not sorry. It is only the hon. Minister who is sorry. Because of the suggestion of the Government they are reaping a full harvest.

Shri K. D. Malviya: Whatever might have happened, we are quite alive to the situation. We are taking such steps which are immediately to result in relieving the situation.

Shri H. N. Makerjee: In view of our presumably friendly relations with the oil companies, may I know if Government was not entirely unaware of what was going to happen in regard to the supply of kerosene and, if that be so, what justification has Government given in support of this report?

Shri K. D. Malviya: I am not giving any justification in support of any view held anywhere. I am merely stating a fact that when many parties come between the wholesale supply and the retail distribution, it is very difficult to locate where the mistake lies. One of the reasons was that there was a shortage of kerosene oil due to a little cut in foreign exchange. As soon as our attention was drawn to the shortage of kerosene oil from various parts of the country, we took immediate steps and within a few days it was relieved. Now I do not think the prices are as high as they were a few days back.

Shri Tangamani: May I know whether the Government is aware of the fact that in Madras the controlled retail price was three annas per bottle which was increased to four annas per bottle and even now consumers are not getting it? May I also know the present retail price of kerosene?

Shri K. D. Malviya: Prices had gone up to a certain extent and I hope they have come down even in Madras.

सेठ गोविन्द दास : जितना धायत मिट्टी के तेल का कम हुआ था, क्या गवर्नमेंट ने इस बात का पता लगाया है कि उस अनुपात से फुटकर व्यापारियों ने कीमतें ज्यादा बढ़ाई, और अगर इसका पता लगाया गया है तो इस प्रकार के मुनाफालो व्यापारियों के सम्बन्ध में सरकार क्या मोच रही है कि क्या किया जाय ?

श्री को. दे. जालजीव : मैं माननीय सदस्य से सहमत हूँ कि निर्यात में जितनी कमी हुई सम्भवतः उसके अनुपात से ज्यादा दाम फुटकर व्यापारियों ने बढ़ाये, और वह बात मुनासिब नहीं है। इसके सम्बन्ध में व्यापारियों को इस प्रकार नहीं करना चाहिये। इन सब बातों को देखकर सरकार ने ऐसे कदम उठाये हैं जिनसे ऐसा आइन्दा न हो देश भर में काली तेल प्राप्त है।

Shri Goray: Is it not true that for the last two months this scarcity is

being felt all over the country and the Government has not been taking any steps?

Shri K. D. Malviya: The first part is correct. The latter part of the question is not correct.

Shri Thirumala Rao: Are Government aware that certain oil companies, which also control the supply of gas cylinders and cooking ranges, are trying to create an artificial scarcity of oil so as to enhance the sale of their cylinders and cooking ranges?

Shri K. D. Malviya: I am not aware of such an attempt on the part of the various companies, because gas cylinders are getting popular in very few areas.

श्री रघुनाथ सिंह : क्या सरकार को मालूम है कि यू० पी० के अन्दर तेल का भाव ४ आना से लेकर १२ आना बोलत लड़ हो गया है जब कि उसका भाव ३ आना से अधिक नहीं होना चाहिये ।

श्री के० डे० मालवीय : जी हा, दाव जरूर बहुत हो गये, और उत्तर प्रदेश में इतने ज्यादा हो गये यह बहुत अफसोस की बात है । इससे कम हो जाय तो अच्छा है ।

WRITTEN ANSWERS TO QUESTIONS

Article on India by Russian Ambassador to China

*10. { Shri Rajendra Singh;
Shri Surendra Mahanty;

Will the Prime Minister be pleased to state:

(a) whether Government is aware of the fact that the Russian Ambassador to China has written a critical article in an International magazine regarding the profession and practices of Indian Prime Minister; and

(b) if so, does it indicate any significant change in the foreign policy of Russia towards India?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): (a) and (b). We have seen the article to which the Hon'ble Member has referred. We have no reason to think that this article marks any change in Soviet Government's attitude to India. In fact, the relation between our two countries continues to be cordial and both the Governments are resolved to improve it further.

Central Hospital, Asansol

*11. Shri T. B. Vittal Rao: Will the Minister of Labour and Employment be pleased to state:

(a) whether any scheme for expansion of the Central Hospital, Asansol under the Coal Mines Labour Welfare Organisation from 165 beds to 250 has been sanctioned;

(b) if so, what is the estimated cost of the same; and

(c) when the construction of the building will commence?

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

(b) Rs. 5,17,156.

(c) The construction of staff quarters has already commenced. Plans and estimates for the wards are being finalised.

New Cement Factories in Bombay

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

(a) whether the Government of Bombay or any private concern from Bombay have applied to Government for licences to start new cement factories in Bombay State;

(b) if so, whether any licences have been granted; and

(c) the location of these factories?

The Minister of Industry (Shri Manubhai Shah): (a) Yes, Sir. Two concerns have applied.

(b) and (c) The proposed locations are Rajur and Veraval. Licenses have not yet been issued to these two firms. No new licenses for cement factories are being considered for the present in view of the comparative easy supply position. The matter will however be kept under review.

Educated Unemployed

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

(a) whether pilot schemes for assisting the educated unemployed have been fully implemented; and

(b) if so, the details thereof?

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

(b) Does not arise

Landing of Pakistani Planes

*21. Shri Subman Ghose: Will the Prime Minister be pleased to state

(a) whether it is a fact that four unscheduled Pakistan aeroplanes landed at Dum Dum Airport on two consecutive days (two on each day) on the same plea, and

(b) if so, the details thereof?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) and (b) No such landings took place in the 3rd week of December, 1958. Further enquiries, if necessary, will be made if some indication is given of the period that the Hon'ble Member has in mind.

Export of Tea

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

(a) the present position of export of tea to UK and the U.S.A. separately; and

(b) the efforts that are being made to step up the exports?

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

(a) During the period January-November 1958, exports of Indian tea to UK and U.S.A. as compared with the same period of the previous year, were—

January November	To U.K.		To U.S.A.	
	Quantity (in mn lbs)	Value (Rs crore)	Quantity (in mn lbs)	Value (Rs crore)
1958	292.9	79.81	22.7	5.93
1957	275.8	75.74	20.99	5.82

(b) India participates in the Tea Councils set up in U.S.A., Canada, Eire, Netherlands and West Germany in collaboration with other tea producing countries and the local trade. The objective of the Councils is to increase consumption of tea in general. We participate in exhibitions held in several countries. Gift parcels are also distributed. Delegations are

sent abroad by the Tea Board for establishing personal contacts between the Indian exporters and the foreign importers. In addition to the general publicity measures, Government have announced relief in excise and export duties with a view to enabling our teas to compete effectively in world markets.

Waqf Properties in Punjab

*23. Shri Anwar Harvani: Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) whether it is a fact that almost all of the *waqf* properties in Punjab are still being managed by the Custodian of Evacuee Property; and

(b) if so, whether there is a proposal to release their properties?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) and (b). Properties of Muslim *waqfs* in Punjab have been released in a large number of cases; but it has not been possible to release the properties of all *waqfs* as there is hardly any Muslim population left in a majority of districts in the Punjab. It has therefore been decided that properties of *waqfs* of a non-religious character, such as schools, colleges, hospitals etc. should be allotted to displaced educational and cultural institutions on nominal rent on a long term basis. As regards properties of *waqfs* of a religious character the question of their future management is still under consideration.

Sixteenth Indian Labour Conference

*24. Shri Tangamani: Will the Minister of Labour and Employment be pleased to state:

(a) whether it is a fact that the 16th Indian Labour Conference decided that Central and State Governments on their part should arrange to set right any shortcomings in the machinery they constitute for the administration of labour laws; and

(b) if so, the names of the States which have implemented this recommendation?

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

The Conference, however, discussed the question of setting up of Imple-

mentation and Evaluation Machinery both at the Centre and in the States.

(b) All State Governments and Administrations, except Jammu and Kashmir and Manipur have set up sections in their Labour Departments to look into cases of non-implementation. Nine State Governments/Administrations (Bihar, Kerala, Mysore, Punjab, Rajasthan, U.P., West Bengal, Delhi and Tripura) have also set up tripartite Implementation Committees.

Former French Possessions

*25. Shrimati Masda Ahmed: Will the Prime Minister be pleased to state the latest position regarding *de jure* transfer of former French Possessions in India?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): We have been informed that the question of ratification of the Treaty of Cession of the French Establishments of Pondicherry, Karikal, Mahe and Yanam will be given high priority on the agenda for the next Session of the French Parliament, due to commence on the 28th of April this year.

Aluminium Plant in Salem

*26. { Shri Subbiah Ambalam:
Shri Osman Ali Khan:
Shri E. V. K. Sampath:

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

(a) the cost of the Aluminium Plant proposed to be started in Salem;

(b) its production capacity;

(c) whether the project report on the plant by the technicians has been submitted;

(d) if so, the main features thereof, and

(e) when it is likely to be started?

The Minister of Industry (Shri Manubhai Shah): (a) to (e) This

house was informed on 19th December, 1958 (in reply to Unstarred Question No 2209) that one party has made tentative suggestions for setting up an aluminium plant in collaboration with an Italian firm and that the matter is under examination. It was also stated that some representations of the Italian firm have visited the site. A report from this team of experts is awaited.

Hindustan Cables (Private) Limited

*27. Shri Ajit Singh Sarbadi: Will the Minister of Commerce and Industry be pleased to state

(a) whether any diversified production has been obtained in the manufacture of cables in the Hindustan Cables (Private) Limited, Rupnarainpur;

(b) whether the possibility of export has been explored to South East Asian countries; and

(c) if so, with what result?

The Minister of Industry (Shri Mannbhai Shah): (a) Yes, Sir

(b) and (c) The agreement with the consultants provided only for exports to Nepal, Burma, Ceylon but it has since been agreed that Indonesia should also be included in the export zone. The present expansion of the factory was designed to meet the requirements of the Posts and Telegraphs Department, which was estimated sometime ago at 800 miles and also export of about 200 miles of cables. The requirements of the Posts and Telegraphs Department alone have since risen to 1,300 miles and steps are under consideration to expand production still further both to cover the increased domestic demand and export to the extent possible.

State Awards for Films

*28. Shri Aurobindo Ghosal: Will the Minister of Information and Broadcasting be pleased to state

(a) whether any Committee has been appointed to scrutinise the documentary films for State Awards, and

(b) if so, when and how many members are there in the Committee?

The Minister of Information and Broadcasting (Dr. Keskar): (a) and (b) Yes, Sir. A Committee for the initial examination of documentary films entered for the State Awards 1958 has recently been appointed. It consists of five members including the chairman. It might however be made clear that the duty of the Committee is only to put up a panel of documentaries before the Central Committee who alone have the authority to take a final decision.

Purchase of Newsprint from U.S.S.R.

*29. Shri Mahanty: Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No 1016 dated the 16th December, 1958 and state:

(a) whether the Registrar of the Newspapers advised the State Trading Corporation to purchase 2,000 metric tons of newsprint from the U.S.S.R. even though the price quoted was higher,

(b) whether the State Trading Corporation was offered, by another source in India, newsprint at the rate of £48 per metric ton whereas the Russian supply was at the rate of £55-10-0 per metric ton,

(c) if so, why the State Trading Corporation refused to buy at a lesser cost while a firm offer was made to that effect, and

(d) what is the total amount of foreign exchange lost on this account?

The Minister of Commerce (Shri Kanungo): (a) The Press Registrar only advised the State Trading Corporation regarding the quality of Newsprint after ascertaining the views of newspaper interests through the IENS.

(b) Yes, Sir. The price offered by the Russians was £55 per metric ton.

(c) The offer was not of a direct deal but through a third party. Further payment was to be made in Sterling.

(d) Nil, because the transactions were with countries with whom the State Trading Corporation has rupee payment agreements.

Indian Handicrafts

*20. Shri J. B. S. Bist: Will the Minister of Commerce and Industry be pleased to state.

(a) the steps taken to popularize Indian handicrafts in the U.K. and the Continent; and

(b) whether Government propose to open permanent stalls in these countries to bring the Indian Cottage Industry products within the reach of ordinary persons?

The Minister of Commerce (Shri Kanungo): (a) and (b) Steps for the promotion of exports of handicrafts are being taken by the Central Government in respect of all countries including U.K. and Continent. Apart from the Indian Handicrafts Development Corporation which was set up in April, 1958 to look after activities connected with exports, publicity is being given through exhibitions, trade centres, etc. abroad. Trade Delegation of business executives from foreign countries was also invited to India to establish direct contacts with dealers and experts.

A proposal to set up Trade centres exclusively for handicrafts at Frankfurt (West Germany), Los Angeles and New York is under consideration.

Closure of Textile Mills in Bombay State

*31. Shri Sonavane: Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No 1242 on the 19th December, 1958 and state

(a) the reasons for the total and partial closure of (i) Rayen Textile and (ii) Jayashankar and (iii) Lokamanya Textile Mills respectively of Barai in Bombay State, and

(b) the manner and method of solving the problem from the points of

view of fall in production and unemployment of nearly two thousand workers?

The Minister of Commerce (Shri Kanungo): (a) Jayashankar and Lokamanya Textile Mills which were to be closed partially have extended their notices of closure of third shift. Rayen Textile are reported to have been closed from 1st January, 1959. The difficulties of these manufacturing units stem from outmoded machinery and accumulation of stocks.

(b) 1,321 workers are affected by the closure of Rayen Textiles there is no retrenchment in the other two Mills. The closed mill is to be surveyed this month by the Textile Commissioner's Office and the management will consider re-opening it in the light of the recommendations of the Survey Team.

Rebate on Handloom Products

*32. Shri Sampath: Will the Minister of Commerce and Industry be pleased to state

(a) the latest position in regard to the amount of rebate dues to be paid to the handloom weavers co-operative societies in Madras State, and

(b) the steps taken to expedite the payment?

The Minister of Commerce (Shri Kanungo): (a) The State Government have reported that an amount of Rs 55,34,565 is necessary to meet the expenditure in connection with the claims of rebate due to co-operative societies as on 31st March, 1958.

(b) An amount of Rs 40 lakhs has been sanctioned.

Soap Manufacture

*23 Shri Oza: Will the Minister of Commerce and Industry be pleased to state

(a) whether Government are aware of the difficulties experienced by indigenous non-motive power soap manufacturers in getting copra and caustic soda, and

(b) if so, what steps Government contemplate to relieve the difficulties?

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

(b) Actual Users licences for import of copra are granted to the associations of non-motive power soap manufacturers. The imports of caustic soda are also being stepped up to meet the increased demand. The State Trading Corporation, through whom the imports are canalised and who are responsible for distribution of the imported caustic soda, are making efforts to meet the demand of soap manufacturers as much as possible. Further industrial licences have also been granted for the establishment of new units and expansion scheme to increase the indigenous production capacity of caustic soda in the country.

European Common Market Scheme

*34 { Shri Rajendra Singh:
Shri Assar:
Shri S M Banerjee:
Shri Sadhan Gupta:
Shri Raghunath Singh:
Dr Ram Subhag Singh

Will the Minister of Commerce and Industry be pleased to state

(a) whether Government have assessed the situation arising out of the formation of European Common Market,

(b) whether it will have any adverse or favourable effect on our export earnings,

(c) the names of the commodities and the extent to which their export will be affected, and

(d) the steps taken in the matter?

The Minister of Commerce (Shri Kanungo): (a) to (c) It is too early to make a precise assessment. But Government are watching developments and the situation is being kept under examination.

(d) Consultations are being held in the GATT with member States of the Common Market with a view to making this assessment and negotiating possible remedial measures.

Import of Kashmir Shawls by U.S.S.R.

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

(a) whether it is a fact that the Government of U.S.S.R. have shown a keen interest in the import of Kashmir Shawls, Embroidery, Papier Maché and other artistic material produced in Kashmir; and

(b) if so, what action Government of India have taken or propose to take in the matter?

The Minister of Industry (Shri Manubhai Shah): (a) Yes, Sir. Orders for the supply of Kashmir Shawls, and other artistic products have been received from USSR during the last few years.

(b) A provision has been made in the Trade Agreement recently concluded with the Government of USSR for export of Indian Handicrafts which should include Kashmir Shawls etc. Financial assistance is being given to the State Government for developing production etc. of these handicrafts.

Enquiry into Kerala Plantation Strike

*36. Shri Ram Krishan: Will the Minister of Labour and Employment be pleased to refer to the reply given to Starred Question No. 850 on the 11th December, 1958 and state,

(a) whether an enquiry into the Kerala Plantation strike from the point of view of the Code of Discipline has been made, and

(b) if so, the result thereof?

The Deputy Minister of Labour (Shri Abid Ali): (a) Not yet.

(b) Does not arise.

Singareni Collieries

*37. Shri T. B. Vittal Rao: Will the Minister of Labour and Employment be pleased to state:

(a) whether it is a fact that disabled miners of Singareni Collieries have not been sent to Military Artificial Limb Centre, Poona so far;

(b) if so, the reasons therefor;

(c) whether arrangements have since been made to send them; and

(d) the number of disabled miners that will be sent to the Centre by the end of February, 1959?

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

(b) Does not arise.

(c) Out of the 13 amputees, six were sent to the Artificial Limb Centre, Poona, on 12th January, 1959.

(d) The authorities of the Artificial Limb Centre, Poona, have suggested that seven amputees may be sent in a batch. The amputees are required to stay in the Centre for a period of not less than 6 weeks for the fixing up of limbs. The next batch will be sent soon after the return of the present batch.

Formation of a new News Agency

*38. { Shri S. M. Banerjee:
Shri Tangamani:
Shri A. K. Gopalan:

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

(a) whether a request has been made by the staff of the United Press of India for the formation of a new news agency; and

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

The Minister of Information and Broadcasting (Dr. Keskar): (a) and (b). Alternative schemes had been put forward by the U.P.I. Employees Union

and some others interested in the United Press of India. These were brought to the notice of Government for opinion.

While it is not for Government to either approve any scheme or reject it, because the Agency is an independent body, we gave our opinion regarding the proposals. It was felt that the proposals were not adequate enough to put the Agency on its feet again or to start a new one.

पूर्वी उत्तर प्रदेश का विकास

*३९. श्री जयलाल शर्मा :

श्री राजा झंकर लाल : क्या योजना मंत्री २९ नवम्बर, १९५८ के प्रस्तावित प्रश्न संख्या ५५३ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि पूर्वी उत्तर प्रदेश के विकास की योजना के बारे में क्या इस बीच कोई निर्णय किया गया है ?

योजना उपमंत्री (श्री श्याम नं० मिश्र) : १९५६-६० की वार्षिक योजना के अन्तर्गत योजना आयोग ने उत्तर प्रदेश के पूर्वी जिलों और पहाड़ी इलाकों के विकास के लिये २ करोड़ रुपये की रकम मंजूर की है। राज्य सरकार इस रकम से जिन स्कीमों को चलायेगी उनके विवरण की प्रतीक्षा है।

Small Scale Industries

*40. { Shri A. K. Gopalan:
Shri Warior:

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

(a) whether it is a fact that industries which have a capital less than 5 lakhs of rupees and employing more than 50 workers do not come under the definition of "Small Scale Industries";

(b) whether Government had received any representation in this regard from the Hosiery concerns in Kerala; and

(c) if so, the action taken thereon?

The Minister of Industry (Shri Manubhai Shah): (a) A small industrial unit is now defined as per revised definition as one with capital investment not exceeding Rs. 5 lakhs and employing not more than 50 persons per shift if using power and not more than 100 per shift if not using power

(b) Yes, Sir.

(c) As the average employment per unit in small scale cotton hosiery units is 11 and in small scale woollen hosiery units is 15, most of the units of the hosiery industry will be covered under the definition of small scale industry.

State Trading Corporation of India (Private) Ltd.

*41. **Shri Pangarkar:** Will the Minister of Commerce and Industry be pleased to state the estimated earnings of the State Trading Corporation of India (Private) Limited on manganese ore contracted for exports during 1958-59 so far?

The Minister of Commerce (Shri Kanungo): It would not be advisable to disclose these details in business interest. A copy of the Annual Report giving a picture of the profits made by the State Trading Corporation in its trading transactions will soon be placed on the Table of the House

State Trading Corporation of India (Private) Ltd.

*42. **Shri Damani:** Will the Minister of Commerce and Industry be pleased to refer to the reply given to the Starred Question No 718 on the 8th December, 1958 and state the progress made in the export of Cement out of the contemplated quantity of two lac tons by the State Trading Corporation of India (Private) Ltd?

The Minister of Industry (Shri Manubhai Shah): Up-till now contracts for a total quantity of about 1,36,400 tons have been concluded and about 54,000 tons actually exported. Negotiations are in progress for further exports.

Rubber and Leather Beltings

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

(a) the present requirements of Rubber Belting and Leather Belting in India, and

(b) the proportion of indigenous manufacture and imports for each of them?

The Minister of Industry (Shri Manubhai Shah): (a) and (b) A statement is laid on the Table of the House. [See Appendix I, annexure No. 2.]

Assemblage of Radio by the A.I.R. Research Department

*44. **Shri Ajit Singh Sarhadi:** Will the Minister of Information and Broadcasting be pleased to refer to the reply given to Starred Question No 127 on the 20th November, 1958 and state:

(a) whether any private firm has offered to exploit the production of radio sets which work without electricity, and which are assembled by the research department of the All India Radio, and

(b) if so, which firm has been given such permission and on what terms?

The Minister of Information and Broadcasting (Dr. Keskar): (a) No, Sir

(b) Does not arise

Nagar Haveli and Dadra Issue

*45. { **Shri Vidya Charan Shukla.**
Shri D. C. Sharma:

Will the Prime Minister be pleased to refer to the reply given to Starred Question No 1229 on the 19th December, 1958 and state:

(a) whether the rejoinder to the Portuguese complaint to the International Court regarding Nagar Haveli and Dadra has since been filed; and

(b) if so, whether further stages of the case have been determined by the Court?

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

(b) Not yet

Export of Indian Tea to Russia

*46. Shri Rajendra Singh: Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that Indian Tea has become popular in Russian market, and

(b) if so, the quantity proposed to be exported this year as against last year?

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

(a) Yes, Sir

(b) About 25 million lbs of tea was exported to USSR during 1958. Though no precise forecast can be made at this stage, it is hoped that exports during 1959 may not be less than the previous year

Defective Construction of Jungpura Bridge

*47. Shri Ram Krishan: Will the Minister of Works, Housing and Supply be pleased to refer to the reply given to Starred Question No 1029 on the 16th December, 1958 and state whether the question of disciplinary action to be taken by Government against the persons found responsible in the defective construction of the Jungpura bridge has since been examined?

The Minister of Works, Housing and Supply (Shri K. C. Reddy): Yes, Sir. A detailed examination of this case has shown that the damages were mainly due to the unprecedented heavy rains on the 20th and 21st July, 1958. Of the other causes contributing to the damages, the one for which the officers engaged on the construction could be held responsible, relates to inadequate consolidation of the earth-work, indicating a lack of proper supervision. Suitable disciplinary action has been

taken against the officers concerned. It may be mentioned that the damages to the approach road were not of any major nature and did not exceed a value of Rs 5,000. These damages were rectified by necessary repairs at the cost of the contractor.

Water Supply for Singareni Collieries

*48. Shri T. B. Vittal Rao: Will the Minister of Labour and Employment be pleased to state:

(a) the total amount paid to the Singareni Collieries for the Water Supply Scheme at Kothagudem during the period from 1st April, 1958 to 31st January, 1959 by the Coal Mines Labour Welfare Organisation, and

(b) whether Government are aware of the fact that the workers are experiencing considerable hardship due to inadequate supply of water?

The Deputy Minister of Labour (Shri Abid Ali): (a) No amount has yet been paid. The payment of a grant to the Collieries is under consideration.

(b) The Water Supply in the Coal field is reported to be unsatisfactory.

लक्ष्मीबाई नगर में बाजार

*४९. श्री भक्त वर्सन : क्या निर्माण, आवास और संभरण मंत्री २० नवम्बर, १९५८ के तारकित प्रश्न सख्या ११४ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि

(क) नई दिल्ली में लक्ष्मीबाई नगर और नीरोजी नगर आदि में जिन चार बाजारों के निर्माण की स्वीकृति दी गई थी उनमें से प्रत्येक के निर्माण पर कितना धन व्यय होने का अनुमान है,

(ख) अब तक उनमें से प्रत्येक के निर्माण में क्या प्रगति हुई है, और

(ग) इनमें से प्रत्येक बाजार के कब तक बन जाने की आशा है ?

निर्माण, आवास और संवरण उप-
मंत्री (श्री अनिल कुमार चंडा) : (क)
से (ग) एक विवरण तालिका पटल पर रख
दिया गया है [देखिये परिशिष्ट १, अनुसूचक
संख्या १]

Government Advertisements

*50. **Shri V. P. Nayar**: Will the Minister of Information and Broadcasting be pleased to state whether the volume of advertisements handled by the Ministry for the Government of India and undertakings of the Government of India have decreased or increased in 1958 as compared to 1957?

The Minister of Information and Broadcasting (Dr. Keekar): The volume of advertisements handled by the Directorate of Advertising and Visual Publicity has increased in 1958 as compared to 1957 by about 17 per cent.

State Trading Corporation of India (Private) Ltd.

*51. **Shri Vidya Charan Shukla**: Will the Minister of Commerce and Industry be pleased to state:

(a) whether the Second Annual Report of the State Trading Corporation of India (Private) Ltd., has been published;

(b) if so, when; and

(c) if the reply to part (a) above be in the negative, the reason for the delay in publishing the report?

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

(b) Does not arise.

(c) There is no delay.

Industrial Units in Punjab

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

(a) the names of the new industrial units established in the Hindi-speaking

zone of Punjab during the last three years and the extent of progress made so far; and

(b) the total amount sanctioned by Government therefor and the amount actually spent?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) and (b). The Industrial Policy Resolution lays down the guiding principles governing the industrial development of the country as a whole. The regional development of industries is dependent on various factors like the availability of raw materials, power, transport facilities etc. etc. If the hon. Member would like information relating to the establishment of new industrial undertakings in any particular cities, villages or districts of the Punjab, Government will be pleased to collect the required information.

Technical Training Committee

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

(a) the number of meetings the Technical Training Committee held during 1958; and

(b) the nature of important decisions taken?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) As the Committee submitted the report early in 1958, no further meeting of the Committee was necessary.

(b) A statement is laid on the Table of the House. [See Appendix I, annexure No. 4].

Trade with Pakistan

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

(a) whether the recent changes in Pakistan have affected in any way trade between India and Pakistan; and

(b) if so, to what extent?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):
 (a) No noticeable change has occurred so far.

(b) Does not arise.

Tea Gardens

4. Shri Ram Krishan: Will the Minister of Commerce and Industry be pleased to state the number of tea gardens in India, which are owned by foreign firms at present?

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

Number of gardens owned by Sterling Companies. 418

Number of gardens owned by Rupee Companies having mixed foreign and Indian capital but under foreign management. 199

Total 617

Second Five Year Plan

5. Shri Ram Krishan: Will the Minister of Planning be pleased to state total amount of money to be spent during fourth year of the Second Five Year Plan, State-wise?

The Deputy Minister of Planning (Shri S. N. Mishra): A statement indicating State-wise the ceilings for Plan outlay suggested for 1959-60 is given below:—

STATEMENT

(Rs. crores)

1. Andhra Pradesh	37.66
2. Assam	12.25
3. Bihar	41.22
4. Bombay	87.70
5. Kerala	18.55
6. Madhya Pradesh	34.22
7. Madras	33.62
8. Mysore	32.50
9. Orissa	19.32

10. Punjab	35.20
11. Rajasthan	24.06
12. Uttar Pradesh	49.98
13. West Bengal	37.54
14. Jammu & Kashmir	6.83
TOTAL	470.65

Slum Clearance

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

(a) the number of schemes for slum clearance sanctioned during the Second Five Year Plan period so far; and

(b) the work done in Uttar Pradesh under these schemes?

The Minister of Works, Housing and Supply (Shri K. C. Reddy): (a) 106 Slum Clearance projects of the estimated cost of Rs. 9.07 crores, formulated by State Governments/Union Administrations, have so far been sanctioned/approved by the Government of India, during the Second Plan period. From September 1958, under the revised procedure, the states can themselves approve and sanction their particular slum-clearance projects. The number of 106 does not, therefore, include projects, other than the above, as may have been sanctioned under the new procedure; information regarding this has been called for from State Governments.

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

Films on Communicable Diseases

**7. { Shri H. N. Mukerjee:
Shri Mohammed Elias:**

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

(a) the number of films based on health education material on communicable diseases which have been produced so far;

(b) how many of them are 16 m.m. and how many 35 m.m.; and

(c) how many have been shown in (i) urban areas and (ii) in villages during 1957 and 1958?

The Minister of Information and Broadcasting (Dr. Keshkar): (a) 7.

(b) All seven are in 35 m.m. and 16 m.m.

(c) Two of these films completed in 1957 and 1958 have been released and shown in urban and rural areas. The remaining films, released in previous years, are being shown in rural areas by the mobile vans; definite information about shows in urban areas is not available readily.

Ceiling on land Holdings

9. Shri N. R. Munisamy: Will the Minister of Planning be pleased to state:

(a) the surplus land made available for distribution to landless labour after the imposition of ceilings in the States which have legislated for fixing ceilings on current land holdings;

(b) the extent of such surplus lands that has so far been distributed;

(c) the extent of the distributed land which has been brought under cultivation (State-wise); and

(d) the extent of surplus lands that are expected to become available to the State when the land reforms are implemented?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) to (d). In Jammu and Kashmir the surplus area is about 4.7 lakh acres. Out of this about 2.4 lakh acres were held by tenants and have been settled with them. Another 50,000 acres on which there were no tenants have been given on temporary leases. It is estimated that out of the remaining surplus land another 50,000 acres can be brought under cultivation and the rest is not easily cultivable.

In West Bengal, record-of-rights is under preparation and precise estimate of the surplus can be furnished, when the record is completed. According to a rough estimate the surplus may be about 4 lakh acres. About 67,000 acres have so far become available which are being settled temporarily on year to year basis pending final allotment.

In other States where legislation for ceiling on land holding has been enacted, the estimates of surplus lands are in the process of formulation. In the Punjab, the surplus area that is likely to become available in the former Punjab area is estimated roughly at about 3,78,470 std. acres. Information for Pepsu area is not yet available.

In States where legislation for ceiling has not been enacted, surplus area can be estimated only after proposals for a ceiling have been finalised. In Mysore where a Bill providing for a ceiling has been introduced, it is expected that surplus land to the extent of about 2 lakh acres will become available if the Bill is passed in the present form.

Information regarding the extent of distributed land, which has been brought under cultivation is not available.

Commonwealth Broadcasting Conference

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

(a) whether India was represented at the Commonwealth Broadcasting Conference held in 1958;

(b) if so, the composition of the Delegation;

(c) whether the Delegation has since submitted its report to Government;

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

(e) the nature of recommendations accepted by Government?

The Minister of Information and Broadcasting (Dr. Keskar): (a) to (e) There was no Commonwealth Broadcasting Conference held in 1958

Cottage Industries in Delhi

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

(a) the amount of money allocated to Delhi for the improvement of cottage industries during the Second Five Year Plan, and

(b) the amount spent so far (year wise)?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) and (b) A statement is laid on the Table of the Sabha [See Appendix I, annexure No 6]

Zircon

13. Shri D. C. Sharma: Will the Prime Minister be pleased to state

(a) the steps taken to exploit Zircon for export purposes, and

(b) the result thereof?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b) There is no demand for Indian Zircon from foreign countries at present. The demand within the country is very little. The present production of Zircon in India is nominal. The cost of production of Zircon in India is higher than the current prices abroad. Efforts are being made to explore the possibility of finding foreign markets for Zircon. If there is sufficient demand and if the production is economical, more Zircon can be produced. Additional equipment will have to be installed to increase the production of Zircon.

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Development of Sericulture in Punjab

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

(a) whether the Punjab Government has submitted any scheme for the development of sericulture during 1959-60;

(b) if so, nature thereof,

(c) the amount asked for, and

(d) the amount proposed to be granted during 1959-60?

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

(a) Yes, Sir

(b) and (c) A statement is laid on the Table of the Sabha [See Appendix I, annexure No 7].

(d) Rs 338 lakhs including the State's own share

Small-Scale and Cottage Industries in Punjab

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

(a) whether any schemes for the development of Small Scale and Cottage Industries in Punjab during the year 1959-60 have been sanctioned

(b) if so, the amount proposed to be spent thereon, and

(c) the nature of schemes?

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

(a) No, Sir. According to the present procedure, continuing schemes of cottage and small scale industries are sanctioned by the State Governments under their normal procedure, no sanction is necessary from the Central Government. Only in case of new schemes, technical approval of the Government of India is necessary. So far no new schemes have been sanctioned to the Punjab Government for the coming year.

The amount tentatively proposed to be spent is as follows:—

(Rs. in lakhs)

Name of the Industry	Central Assistance			State's Share	Grand Total
	Loan	Grant	Total		
1. Handloom	1.86	4.77	6.63	0.20	6.83
2. Small Scale Industries	38.00	10.00	48.00	32.00*	80.00
3. Industrial Estates	20.00		20.00	..	20.00
4. Handicrafts	0.50	4.00	4.50	2.50	7.00
5. Sericulture		2.67	2.67	0.71	3.38
†6. Khadi & Village Industries		0.30	0.30
					117.51

*Including Rs. 0.50 lakh for the 'establishment charges' pertaining to the State's Khadi & Village Industries Board.

†The amounts proposed to be spent on Khadi & Village Industries in the Punjab have not been finalised yet. Meetings with the State Governments are being held by the Khadi & Village Industries Commission between the 2nd and 19th February for the purpose.

(c) Nature of continuing and new schemes for 1959-60 and Central Assistance required in respect of handicrafts, handloom, sericulture and small scale industries are shown in the statement laid on the Table of the Sabha. [See Appendix I, annexure No. 8]. The details of Khadi and Village Industries schemes have not been finalised yet

Jute Goods

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

(a) the value of production of Jute goods in the country since 1948 State-wise and year-wise, and

(b) the per capita consumption of jute goods in the country (State-wise) as in 1948 and at present?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) A statement is laid on the Table of the Sabha. [See Appendix I, annexure No. 9].

(b) Information is not available

Low Income Group Housing Scheme

17. Shri D C. Sharma: Will the Minister of Works, Housing and Supply be pleased to state the progress made upto the 31st December, 1958 in regard to the Low Income Group Housing Scheme, State-wise?

The Minister of Works, Housing and Supply (Shri K. C. Reddy): A statement is laid on the Table of the Sabha. [See Appendix I, annexure No. 10].

Ground-nut Oil

18 Shri E Madhusudan Rao: Will the Minister of Commerce and Industry be pleased to state:

(a) what is the total quantity of ground-nut oil for which export quotas have been issued by Government during the second half of 1958;

(b) the extent to which these quotas have been utilised so far; and

(c) the details about the ports from which the ground-nut oil has been shipped?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) 30,000 tons.

(b) 1,575 tons of groundnut oil were passed for shipment upto the 16th January, 1959

(c) Bombay	952 tons
Madras	136 tons
Rajkot	487 tons

Carbonisation Plant in Andhra Pradesh

19 Shri E. Madhusudan Rao: Will the Minister of Commerce and Industry be pleased to state whether Government have examined the request made by the Andhra Pradesh Government to reconsider its earlier decision declining to locate a low temperature carbonisation plant in the State?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): The Government of India have not at any stage declined to locate a low temperature carbonisation plant in the State of Andhra Pradesh and hence the question of reconsideration does not arise. However, when the resources permit, the establishment of such a plant in Andhra will be given due consideration.

Manufacture of Cars and Trucks

20. Shri E. Madhusudan Rao: Will the Minister of Commerce and Industry be pleased to state whether Government is considering any proposal to appoint a technical committee of experts to examine the various aspects of the problem of car and truck manufacture in the country?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): In the case of all protected industries, the Tariff Commission reviews the progress periodically generally every three or four years, in terms of Section 15 of the Tariff Commission Act, 1951. In 1953 and in 1956, the Tariff Commission reviewed the progress of the automobile industry and made certain recommendations. After the second enquiry, this industry was also declared protected. In due course,

therefore the periodical inquiry for the automobile industry is due this year. The Government are considering whether the further review should be made by the Tariff Commission itself or by a technical committee of experts in association with one or more representatives of the Tariff Commission.

Production of Trucks and Buses

21. Shri Anirudh Sinha: Will the Minister of Commerce and Industry be pleased to state,

(a) the number of trucks and buses produced in the country during the year 1958 unit-wise,

(b) the proportion of components produced indigenously and used by the different units,

(c) the sets of components for trucks and buses for which licences were issued for imports to different units during the year 1958, and

(d) the target if any fixed for different units for the manufacture of buses and trucks?

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

(a) The unit-wise production figures are given below—

Name of the Manufacturer		No.
1	M/s Premier Automobiles Ltd., Bombay	4207
2	M/s Hindustan Motors Ltd., Uttarpara	1431
3	M/s. Tara Locomotive & Engg Co Ltd., Bombay	7694
4	M/s Ashok-leyland Ltd., Madras	1177
5.	Other trucks and buses not under indigenous development	48
		14557

(b) The percentage of the indigenous content is worked out on the basis of the ratio that the value at the factory site of foreign collaborator, of such components as are

indigenously manufactured in India, bears in proportion to the total value of the whole foreign manufactured pack at the factory site of the foreign collaborator. On the above basis, the position of indigenous content based on c.k.d. value of packs for the half yearly licensing period, October 1958 to March, 1959, are given below for the main models:

Dodge (Medium Diesel)	52%
Tata-Mercedes-Benz	57%
Leyland 'Comet'	45%
Willy's Jeeps	62%
Bedford (Diesel)	37.7%

(recently started)

(c) The number of sets of components of different vehicles for which import licences were issued during the licensing periods October, 1957 to March, 1958 and April-September, 1958 is given below:—

	Licensing Periods	
	Oct. '57-March '58	April-Sept. '58
	Nos.	Nos.
Dodge (Medium Diesel)	2599	1987
Dodge (Power Wagon & Short wheel base)	317	300
Tata-Mercedes-Benz	2458	3459
Leyland 'Comet'	480	500
Leyland Royal 'Tiger, Titan'	100	60
Bedford/Chevrolet	1008	1512

(d) No such targets have been fixed but the production depends upon the import licences for the components permitted to each manufacturer

Export of Tapioca Products

22. Shri E. V. K. Sampath: Will the Minister of Commerce and Industry be pleased to state:

(a) the countries to which tapioca products are exported; and

(b) the quantity and value of such exports country-wise during 1958?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) Ceylon, West Germany, Netherlands, Belgium and Nyasaland

(b) A Statement is laid on the Table of the Sabha. [See Appendix I, annexure No. 11].

Auction of Evacuee Buildings in Delhi

23. Shri Daljit Singh: Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) the number of evacuee buildings auctioned in Delhi in the last three years;

(b) the number of such buildings auctioned the possession of which has been given to the purchasers;

(c) the number of such auctioned buildings the possession of which has not been given so far; and

(d) the reasons therefor?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) 2453.

(b) 1462.

(c) 991

(d) Final possession of auctioned properties is given only when the auction price has been realised in full, either in cash or by adjustment against compensation due to the auction purchasers and/or their associates. Most of the auction purchasers are claimants and they generally associate other claimants regarding payment of the auction price. Very often it is found that either the auction purchasers or the associates have filed their compensation applications in regions other than Delhi. It, therefore, takes time to finalise the compensation applications of all concerned. There are also cases in which auction purchasers have not been able to make up the price either in cash or by adjustment against claims.

Industries in Jammu and Kashmir

24. Shri A. M. Tariq: Will the Minister of Commerce and Industry be pleased to refer to the reply given to Unstarred Question No. 492 on the 25th November, 1958 and state:

(a) whether information regarding the Industries which have been set up in Jammu and Kashmir State under the Second Five Year Plan has since been collected; and

(b) if so, whether the same will now be laid on the Table?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) and (b) The information is still awaited from the State Government. It will be laid on the Table of the House as soon as received.

Notification of vacancies to Employment Exchanges

25 { Shri Vidya Charan Shukla
Shri Ram Krishan:
Shri Tangamani.

Will the Minister of Labour and Employment be pleased to refer to the reply given to Starred Question No 914 on the 4th September, 1958 and state whether any decision has since been taken in regard to the question of introducing a bill investing Government with powers to require employers both in the public and private sectors to notify vacancies to the Employment Exchanges?

The Deputy Minister of Labour (Shri Abid Ali) Yes, a bill will be introduced shortly.

Duck Farm in West Bengal

26. { Shri H. N. Mukerjee:
Shri Muhammed Elias.

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

(a) whether financial assistance is being given to West Bengal for setting up a large duck farm,

(b) if so, to what extent,

(c) what are the details of the project, and

(d) by what time it is expected to begin its operations?

The Deputy Minister of Rehabilitation (Shri F. S. Naskar): (a) Yes, at Gobardanga (Medinipur), 24-Parganas, West Bengal.

(b) Rs 7.50 lakhs as loan for the first phase of the scheme.

(c) The implementation of this scheme has been phased over three years. During the first two years, the Centre will be engaged in the multiplication of egg-laying birds for supply to the displaced persons from East Pakistan who would be taking to poultry husbandry for supplementing their income. From the second year onwards, about 8,000 pullets will be distributed among the displaced persons and by the third year, 3,000 egg-laying birds will be maintained at the Centre. About 50,000 adult laying birds will be distributed among the displaced persons from the third year onwards. Eggs as well as male birds will also be available for sale from the farm.

(d) The execution of the scheme has been taken in hand by the State Government.

Study on the Impact of Broadcasting

27 Shri Ram Krishan: Will the Minister of Information and Broadcasting be pleased to state

(a) whether it is a fact that Government is considering a proposal to conduct a nation-wide study on the impact of broadcasting on the cultural pattern of the country, and

(b) if so, at what stage the proposal is?

The Minister of Information and Broadcasting (Dr. Keskar): (a) and (b) The Government is considering a proposal to conduct a pilot study on the impact of broadcasting on the cultural pattern of the country. But this can only be undertaken when sufficient funds are available as a competent staff will be required for the purpose.

Plastic Goods

28 Shri Ram Krishan: Will the Minister of Commerce and Industry be pleased to state the nature of steps taken or proposed to be taken to make

India self-sufficient in the manufacture of plastic goods in India?

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

Indian Standards Institution

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

(a) whether it is a fact that the Indian Standards Institution has prepared a ten-year plan for change-over to the metric system; and

(b) if so, the details thereof?

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

(b) A Statement is laid on the Table of the Sabha [See Appendix I, annexure No. 13].

Projects for increase in Food Output

30. Shri D. C. Sharma: Will the Minister of Planning be pleased to state the progress made so far (year-wise) in implementing the projects which have been approved by the Planning Commission in the Punjab State to increase the food output during the Second Five Year Plan?

The Deputy Minister of Planning (Shri S. N. Mishra): A Statement is laid on the Table of the House [See Appendix I, annexure No. 14].

Committees on Planning

31. { Shri Shree Narayan Das:
Shri Ram Krishan:

Will the Minister of Planning be pleased to state:

(a) whether it is a fact that all party committees on Planning have been appointed by all the State Governments;

(b) if so, whether they are functioning;

(c) the precise nature of work that such a Committee has done in their respective areas;

(d) the constitution of such Committees;

(e) whether the all party committee on planning at the Centre has considered any aspects of the plan so far; and

(f) if so, the precise nature of questions so far considered?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) to (d). Constitution of all Committees which may be required for planning in the States is a responsibility of the State Governments concerned

(e) and (f) The Prime Minister has already constituted an informal committee of some Members of Parliament from different parties to consider various matters connected with planning. The Committee has not met so far.

औद्योगिक उत्पादन

३२. श्री श्रीनारयण दास : क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सरकार ने हाल ही में कोई ऐसी कार्रवाई की है जिनसे औद्योगिक उत्पादन के क्षेत्र में विशेष प्रगति होगी ,

(ख) यदि हां, तो उन कार्रवाइयों की मुख्य बातें क्या हैं , और

(ग) किन-किन उद्योगों में उत्पादन की प्रगति किस मात्रा में होगी ?

वाणिज्य तथा उद्योग मंत्री (श्री जाल बहादुर शास्त्री) : (क) से (ग). विभिन्न उद्योगों को डेवलपमेंट बिग, टैक्सटाइल

कविहर तथा अन्य संस्थाओं जैसे भारतीय मानक संस्था, राष्ट्रीय उत्पादकता परिषद आदि का जो सामान्य मार्ग-दर्शन प्राप्त है, उसके अलावा औद्योगिक विकास पर विशेष रूप से देख रेख रखी जा रही है और सूती वस्त्र, बाइसिकिल, खली घोल कर तेल निकालने, चीनी मिलों की मशीनों, फल संरक्षण आदि अनेक उद्योगों का विशेष अध्ययन सर्व्व समितियों से कराया गया है। छः स्थायी समितियाँ भी स्थापित की गई हैं, जो सभी उद्योगों के लिये देश में ही मशीनें बनाने की सम्भावनायें खोजेंगी। इन सब उपायों से औद्योगिक उत्पादन में वृद्धि होगी।

देश में औद्योगिक उत्पादन कितना बढ़ा है, यह औद्योगिक उत्पादन के सूचक अंक में हुई वृद्धि से प्रकट होता है।

Import Licences

33. { Shri H. N. Mukerjee:
Shri Muhammed Elias:

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

(a) the total value of import licences issued in 1958 in respect of (i) capital goods, and (ii) consumer goods; and

(b) the estimate of outstanding unutilised import licences in respect of both categories of goods?

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

(a) Statistics of licences issued are not maintained on a Calendar year basis, but on the basis of licensing periods. A statement of licences issued in each half year since October, 1957 in respect of capital goods and heavy electrical plant and consumer goods licensed is appended below:—

Value in lakhs of Rupees

	Octr 57-March 58	April-Sept, 58	Oct 58-March 59 (upto 17-1-59)
Capital goods	4,417	2,836	2,590
H.E.P.	657	833	346
Consumer goods	1,514	1,355	Not yet available

(b) It is estimated that the outstanding unutilised import licences in respect of capital goods as on 16.10.1958 amounted roughly to Rs. 332 crores. The value of outstanding licences for industrial goods and consumer goods taken together on the same date stood roughly at 290 crores. Separate figures of outstanding licences in respect of industrial goods and consumer goods are not available. In view of the tight import licensing which has been in operation during the past few half years, it is expected that the licences issued for consumer goods would have been fully used up.

NOTE:

The above figures do not include:

(i) unutilized balances of Import licences outstanding at the minor

ports like Vishakhapatnam, Rajkot, Pondicherry etc.,

(ii) balances of Import licences issued by Iron and Steel Controller;

(iii) commitments on non-licensable Government Imports; and

(iv) all valid unrepresented licences as well as those presented licences whose face values are less than Rs. 1 lakh and were issued before 1st October, 1957

Subsidised Industrial Housing Scheme

34. { Shri P. K. Kodiyam:
Shri Ram Krishan:

Will the Minister of Works, Housing and Supply be pleased to state:

(a) the progress so far made in the implementation of the Subsidised Industrial Housing Scheme since the beginning of the Second Plan period; and

(b) the total amount so far advanced by the Central Government under this Scheme?

The Minister of Works, Housing and Supply (Shri K. C. Reddy): (a) and (b) A Statement is laid on the Table of the House. [See Appendix I, Annexure No 15].

चर भूमि

35. { श्री नवल प्रभाकर:
श्री बोडवार :
श्री रघुनाथ सिंह :
पंडित डा० ना० तिवारी :
श्री सुगन्धी :
श्री झागडी :
श्री सिद्धनंदा :

क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि

(क) क्या कच-बिहार के तिस्ता-पेस्त की चर भूमि पर पाकिस्तानियों ने हाव ही अधिकार कर लिया है ; और

(ख) यदि हा, तो इस सम्बन्ध में सरकार ने क्या कार्यवाही की है ?

प्रधान मंत्री तथा वैदेशिक-कार्य मंत्री (श्री जवाहरलाल नेहरू) : (क) और (ख) १४ दिसम्बर, १९५८ को पञ्जीस पाकिस्तानी राष्ट्रको ने ग्राम झार सिसेवर, पाना हल्लीवारी, कच-बिहार के तीस्ता-पावेस्ती की चर भूमि पर अधिकार कर लिया । भारतीय पुलिस के पट्टे जाने पर वे क्षेत्र को छोड़ कर चले गये ।

पश्चिम बंगाल सरकार ने पूर्व पाकिस्तान सरकार के पास कड़ा विरोध पत्र भेजा है और ऐसे रक्षात्मक उपाय करते हैं कि इस तरह का अतिक्रमण फिर न हो ।

Handloom Research Institute, Bombay

36. Shri Warier: Will the Minister of Commerce and Industry be pleased to state:

(a) the details of the work done by the Handloom Research Institute, Bombay; and

(b) the amount spent in 1958 for the Institute?

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

(a) No such Institute has been set up by the Central Government.

(b) Does not arise.

Employment Exchanges

37. { Shri D. C. Sharma:
Shri D. A. Katti:
Shri Ram Krishan:
Shri Oza:
Shri Pangarkar:

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

(a) the total number of persons registered with the Employment Exchange, during the year, 1958, State-wise;

(b) the total number of vacancies notified to the Exchanges during the same period, State-wise.

(c) the total number of persons who actually got jobs during the above period, State-wise;

(d) whether any change in the occupational distribution of employment seekers has been noticed; and

(e) the total number of Scheduled Castes people who registered themselves with the Employment Exchanges during 1958 and the number

of those who secured employment during the same year?

The Deputy Minister of Labour (Shri Abid Ali): (a) to (c) A Statement is laid on the Table of the House [See Appendix I, annexure No 16.]

Allocation of Land to Displaced Persons

33 Shri Bangshi Thakur: Will the Minister of Rehabilitation and Minority Affairs be pleased to state.

(a) whether it is a fact that some displaced persons of Kamalpur have found out a big plot of Khas land in Kamalpur Sub-division which can be allotted to about 300 displaced families of Kamalpur,

(b) whether it is a fact that the matter has been under consideration of Government, and

(c) if so, the action proposed to be taken thereon?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) to (c) A tract of Khas land about over a mile in area in Kamalpur Sub-division has been suggested. The area is full of thick forest and consists mostly of tilla land. A survey of the area has been ordered to ascertain its suitability for the rehabilitation of displaced persons. 50 families are being shifted there to assist in the work of survey etc.

Newsprint and Sulphite Cellulose Mills at Mirthal (Punjab)

38. { Shri Ram Krishan:
Shri Hem Raj.

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No 1223 on the 19th December, 1958 and state at what stage is the scheme for setting up a Newsprint Mill and Sulphite Cellulose Mill at Mirthal in the Punjab?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri). The matter is still under consideration

Import of Raw Film

40. Shri E. Madhusudan Rao: Will the Minister of Commerce and Industry be pleased to state

(a) what is the total quantity of raw film imported during the second half of 1958,

(b) how much of it has been imported by the State Trading Corporation on rupee account, and

(c) what is the quantity expected to be imported during the current half year (1959)?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) The total quantity of Raw film imported during July-October 1958 was 7,79,62,000 feet. Information in regard to November and December is not yet available.

(b) 4,66,33,736 feet

(c) The quantity that would be imported during current half year cannot be anticipated.

Villiers Collieries, Talcher

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

(a) whether any recovery of arrears of wages of the labourers working in the Villiers Coalfields in Talcher has been made from the management,

(b) if so, the amount of arrears recovered,

(c) whether any inventory of the assets of the said company has been made by the State Government, and

(d) whether arrears of the workers can be paid from the value of the assets of the said company?

The Deputy Minister of Labour (Shri Abid Ali): (a) and (b) As a result of the proceedings started against the management for recovery of arrears of wages under the Payment of Wages Act, 1936, an amount of about Rs 3.16 lakhs was directed

to be paid by the Payment of Wages Authority concerned. Information regarding the amount actually recovered from the management has been called for and will be placed on the Table of the Sabha when received.

(c) and (d). Information has been called for and will be laid on the Table of the Sabha when received.

Handloom Industry in Punjab

42. Shri Ajit Singh Sarhadi: Will the Minister of Commerce and Industry be pleased to state:

(a) the places in the Punjab where training is imparted to artisans in the Handloom Industry; and

(b) the places where Handloom research and design centres have been established in the Punjab?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) and (b). A statement is laid on the Table of the Sabha. [See Appendix I, annexure No. 17]

Education of Coal Mine Workers

43. Shri Jhulan Sinha: Will the Minister of Labour and Employment be pleased to state:

(a) the progress made in educating the coal mine workers with the help of Coal Mine Labour Welfare Fund during the First Five Year Plan period; and

(b) the total amount spent thereon during the above period?

The Deputy Minister of Labour (Shri Abid Ali): (a) Forty-four Adult Education Centres have been started by the Organisation and a total number of 3,671 adults were made literate upto the end of 1955-56

(b) Rs. 5,39,831.

Ayurvedic and Modern Systems of Medicine

44. Shri Jhulan Sinha: Will the Minister of Labour and Employment be pleased to state:

(a) the amount spent out of Coal Mines Labour Fund during the First

Five Year Plan on the dispensaries of ayurvedic and modern systems of medicine (separately); and

(b) the number of persons served by them, separately?

The Deputy Minister of Labour (Shri Abid Ali): (a) and (b):

Expenditure No. of persons served

- | | | |
|--|-----------------|----------|
| (1) Ayurvedic dispensaries | Nil | Nil. |
| (2) Dispensaries and hospitals of modern systems of medicine | Rs. 1,14,49,790 | 1,56,848 |

विदेशों में भारतीय दूतावासों के लिये निवास-स्थान

४६. श्री रा० स० तिवारी : क्या प्रधान मंत्री यह बतान की कृपा करेंगे कि :

(क) किन-किन देशों में भारत के दूतावासों के अपने निवास-स्थान हैं ,

(ख) कितने देशों में दूतावासों के लिये निवास-स्थान किराये पर लिये गये हैं ;

(ग) किराये पर लिये गये निवास-स्थानों पर कितना वार्षिक व्यय होता है, और

(घ) दूतावासों के लिये निवास-स्थान बनाने के सम्बन्ध में भावी कार्यक्रम क्या है ?

प्रधान मंत्री तथा बदेशिक-कार्य मंत्री (श्री जवाहरलाल नेहरू) (क) निम्न-लिखित देशों में भारत की अपनी इमारतें हैं :—

- (१) निम्नलिखित देशों में निवास-स्थान के लिये : आस्ट्रेलिया, बेल्जियम, बर्मा, कनाडा, चीन, श्रीलंका

फ्रांस, होलैंड, हिंदेशिया, जापान, नेपाल, सिंगापुर, पाकिस्तान, स्विटजरलैंड, संयुक्त अरब गणराज्य, यूनाइटेड किंगडम और संयुक्त राज्य अमरीका ।

(२) कुछ अधिकारियों और / अथवा कर्मचारियों के निवास-स्थान के लिये : आस्ट्रेलिया, बर्मा, ब्रिटिश ईस्ट अफ्रीका, चीन, होलैंड, हिंदेशिया, जापान, नेपाल, सिंगापुर, पाकिस्तान और यूनाइटेड किंगडम ।

(३) कार्यालय के लिये : कनाडा, चीन, फ्रान्स, नेपाल, सिंगापुर, यूनाइटेड किंगडम, संयुक्त राज्य अमरीका ।

(ख) साठ देश ।

(ग) आशा की जाती है कि विदेश-स्थित भारतीय केन्द्रों के कच्चे में जो इमारतें (पट्टे पर/मिलिकित) हैं, उनके किराये और रख रखाव पर, १९५८-५९ के दौरान में, ६८,३६,१०० रुपये तक व्यय बैठेगा, इसमें लन्दन और डबलिन स्थित केन्द्रों की इमारतों का व्यय शामिल नहीं है, क्योंकि उसके लिये अलग आकड़े सुलभ नहीं हैं ।

(घ) कराची में चासरी की इमारत का, और काठमाडू में कर्मचारियों के क्वार्टरों का निर्माण कार्य चालू है । आशा है कि अकरा, ग्या से, गतोंक, ल्हासा और टोकियो में निर्माण-कार्य १९५९ में शुरू हो जायेगा । अकरा कैनबरा, अदिस अबाबा, चीन और ट्रिनिडाड में इमारतें बनाने के प्रस्ताव विचाराधीन हैं, और आशा है कि काम यथा-समय शुरू हो जायेगा ।

Release of Shrimati Sudha Joshi

47. Shri Vidya Charan Shukla: Will the Prime Minister be pleased to refer to the reply given to Starred Question

No 1193 on the 19th December, 1958, regarding release of Shrimati Sudha Joshi and state:

(a) the broad features of the report received from Mr Salah El-Abid, Counsellor, U.A.R. Embassy;

(b) the action taken thereon, and

(c) the results so far of these efforts?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) The report received from Mr Salah El-Abid is a fairly lengthy document. It deals primarily with the efforts made by Shri Abid in Goa to secure the release of Indian prisoner, there. He also discussed various matters affecting Indian interests, with the Portuguese authorities. *Inter alia*, the report covers such matters as the repatriation of Indian fishermen, the movement of Indians to and from Goa and the export of printed material to the Portuguese possessions. The report covers problems connected with the disbursement of pensions in the Portuguese possessions in India and also with the procedure of the drawal of salaries by the Government of India Pension staff at Margao.

The primary objective of Shri Abd's visit was to meet Indian political prisoners there and to do whatever possible to secure their release. Three of the four Indian prisoners in Goa are believed to be in good health. Shri Guntak had been sick but was reported to be improving. The prisoners were generally given sufficient time for exercise and they did not have any special complaints to make except that books of their choice were not being supplied. Except for Shri Mohan Laxman Ranade, the Portuguese authorities were reported to be sympathetic towards the release of the prisoners.

(b) and (c) The Government is pursuing this matter in all possible ways and continues to hope that the Portuguese Government will release without further delay all the Indian

prisoners, particularly Shrimati Sudha Joshi, who is reported to be suffering from ill health.

Hotel Janpath

48. Shri Ansar Harvani: Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether it is a fact that the catering in Jan Path Hotel is entrusted to a private caterer; and

(b) if so, the reasons therefor?

The Minister of Works, Housing and Supply (Shri K. C. Reddy): (a) Yes.

(b) It is the practice to entrust catering in establishments run departmentally by the Ministry to private caterers on agreed terms.

Rebate on Handloom Products

49. Shri Jadhav: Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the rebate for the handloom cloth sold by the Hand-loom Weavers' Co-operative Societies in District Nasik from April 1958 onwards, has not been paid in spite of the repeated demand of the Societies,

(b) whether it is a fact that the non-payment of rebate has told upon the production of the handloom cloth;

(c) when the amount is likely to be paid, and

(d) the total amount of rebate that is due?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) to (d). The information is being collected and will be laid on the Table of the House.

Kuth (Costus) Oil

50. Shri Hem Raj: Will the Minister of Commerce and Industry be pleased to state:

(a) the quantity of Kuth (costus) oil produced in India annually, (State-wise);

(b) the quantity of Kuth oil exported annually (Country-wise); and

(c) the price at which it is sold in the home-market and the price which it fetches in foreign country markets?

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

(a) to (c). Small quantities of Kuth oil are reported to have been produced in India and exported to France, United Kingdom and U.S.A. The price varies from Rs. 800 to 1,000 per lb. Exact amount of production, quantity exported or the price in foreign markets is not available.

Kuth Medicinal Herb

51. Shri Hem Raj: Will the Minister of Commerce and Industry be pleased to state:

(a) the quantity of Kuth (costus) medicinal herb which has been exported from India to foreign countries from 1952 to 1958 year-wise and State-wise;

(b) the names of the importing countries and the purposes for which it is used; and

(c) the price which it fetches in foreign markets?

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

(a) Year	Quantity in Cwts.
1953 (April to December)	1104
1954	4181
1955	4572
1956	3416
1957	2963
1958 (January to November)	2706

Information about exports prior to April 1953 is not available. Information about State-wise exports is also not available.

(b) Singapore, Hongkong, Burma, China, Ceylon and France. It is understood that Kuth is used mainly as incense in temples.

Unstarred

Question No. 1315

(c) The average f.o.b. export price is about Rs. 230 per cwt.

Meghriband Tea Estate

52. Shri Dasaratha Deb: Will the Minister of Labour and Employment be pleased to state:

(a) whether it is a fact that a tripartite meeting was held in December, 1958 to discuss dispute between workers and the owners of Meghriband Tea Estate; and

(b) if so, the outcome of such meeting?

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

(b) No final settlement was reached. Further attempts are being made for amicable settlement.

CORRECTION OF ANSWER TO UNSTARRED QUESTION NO. 1315

The Minister of Commerce (Shri Kanungo): Sir, I beg to lay on the Table a statement correcting the reply given on the 11th December, 1958 to Unstarred Question No. 1315 by Shri Morarka and Shri Khushwaqt Rai regarding Import Licences

Statement

(a) to (d). It came to the notice of Government that some licences had recently been issued to the tune of Rs 44.75 lakhs—to Messrs. Fedco Private Limited, Bombay for Rs 28.75 and to Messrs Wakefield Paints Private Limited, Bombay for Rs. 16 lakhs—which should not have been issued normally. The licences have been cancelled, and the circumstances under which they were issued are under investigation. Final action will depend upon the results of the investigation.

12.09 hrs.

MOTION FOR ADJOURNMENT

LOCK-OUT IN RAZA AND BULAND SUGAR MILLS, RAMPUR

Mr. Speaker: I have received a notice of an adjournment motion from Shri S. M. Banerjee regarding the lock-out in Raza and Buland Sugar Mills in Rampur rendering more than 3,000 workers idle and resulting in loss of sugar production to the tune of 6,000 maunds per day. The workers have not even been paid their wages for January, 1959. Has the hon. Minister to state anything?

Shri S. M. Banerjee (Kanpur): Sir, before you call the hon. Minister, may I submit that the General Secretary of that particular Union has been trying his best to refer certain cases for adjudication. The whole thing started like this. He went on hunger strike when certain agreements were broken by the management. These two mills are run by Dalmias. He went on a hunger strike. After 15 days, when he had lost 32 pounds, he started vomiting blood which has been checked and certified by the mill doctor. The workers stopped work. As a result of this, without entering into any compromise or negotiations, the management declared a lock out and they even refused to pay the earned wages of the workers for January, 1959.

Mr. Speaker: When was the lock-out declared?

Shri S. M. Banerjee: On the 5th of this month.

My submission is that this has only been done to boost up another union, the I.N.T.U.C. against the Chini Mill Mazdoor Federation of which my learned friend Shri Shibban Lal Saksena is the President. I submit that an impartial enquiry be held by the Centre. Even the State Government has become a party to the entire dispute to boost up the I.N.T.U.C. which has lost terribly in the sugar industry. My submission is, labour is

[Shri S. M. Banerjee]

a matter in which the Labour Ministry must come forward and institute an impartial enquiry to elicit the truth and save the workers from this starvation.

Mr. Speaker: The hon. Minister.

Shri Tangamani (Madurai): There are two other points which arise.

Mr. Speaker: Order, order. May arise; if I admit the motion, I will hear.

Shri Tangamani: The first point is...

Mr. Speaker: Order, order. At this stage I am not going to allow. I am only trying to find out what exactly it is. It is a State matter. All the same, inasmuch as it is said that 3,000 workers have been, on account of the lock out, rendered idle or without work, I wanted to know what the situation is from the hon. Minister of Labour.

Shri Tangamani: It affects the sugar industry also. We want to export sugar....

Mr. Speaker: Generally we are not discussing it.

Shri Tangamani: Because of the attitude of the employers...

Mr. Speaker: Order, order. I am not going to allow the hon. Member to rise in his seat and go on talking like this. The hon. Minister.

The Deputy Minister of Labour (Shri Abid Ali): Industrial relation matters concerning the sugar industry are within the State sphere. We have no information with regard to this particular strike or lock out. If you order, Sir, information will be obtained and placed here.

As regards the I.N.T.U.C. membership, the hon. Member....

Mr. Speaker: The hon. Minister would obtain information and place it before the House.

Shri Abid Ali: With regard to membership of the I.N.T.U.C., the hon. Member also knows that verification was conducted last year.....

Shri Tangamani: When he has no information, how can he make any statement.....

Shri Abid Ali: The hon. Member has made reference to this. (Interruptions.)

Mr. Speaker: Order, order. The hon. Members claim the exclusive privilege of going on speaking as they like in this House and would not allow the Government to answer. It is rather a peculiar affair. The hon. Member referred to two matters. One matter was that there was a lock out. I wanted to ascertain when it took place. It is only recently I was considering that matter. So, I requested the hon. Minister to explain the position. They further alleged that they were favouring some others. He wanted a committee of enquiry for going into this matter. He is not aware whether there has been a lock out or not. So far as the other matter is concerned, it appears the hon. Minister has got information. Shall I say, he ought not to reply and allow this kind of question, allegation, imputation to go unchallenged? No, no; order, order. The hon. Minister.

Shri Abid Ali: I was explaining that in the sugar industry, the I.N.T.U.C. union has got a substantial number of membership, particularly compared with the other union the hon. Member has mentioned. It is not correct that any favouritism is shown to either.

Mr. Speaker: I withhold my consent to this motion, but the hon. Minister will try to get information and place it before the House—all the information that is necessary—as early as possible.

Shri S. L. Saksena (Maharajan): When will it be done?

Mr. Speaker: As early as possible I have suggested; before the end of the week.

Shri Muhammed Elias (Howrah): May I make a submission, Sir? We tabled an adjournment motion with regard to the food situation in Bengal. Just now we have come to know it has been withheld. We have been experiencing for some time last that, whatever adjournment motion we move, it is withheld. This particular thing is absolutely different. After the 1943 famine in Bengal, this situation never happened. All the rice has vanished from the market.

Mr. Speaker: The hon. Member said that I have withheld the motion but he wants to make a speech.

Shri Muhammed Elias: This has to be discussed and the adjournment motion should be accepted. The Food Minister should make a statement over here.

Mr. Speaker: I have asked him to make a statement on the Calling Attention notice, today.

Shri Muhammed Elias: On the Calling Attention notice, we cannot say anything. Whatever statement is made by the Minister, we have to hear that. We cannot object.

Mr. Speaker: The hon. Member thinks that the adjournment motion is a normal procedure by which attention of this House can be invited and discussion raised. I want to inform him that an adjournment motion is not the normal procedure. Therefore I have disallowed the adjournment motion. I am going to disallow adjournment motions unless there are serious consequences involved in the matter raised, the Government is guilty of the error of omission or commission and the subject is a recent one, not a recurring one and so on. I apply myself to all these considerations and only then disallow them. I said yesterday with respect to similar adjournment motions that if any hon. Member wants to satisfy me, he may

come to me. All the hon. Members who tabled adjournment motions yesterday, twelve of them, came to me and they were all satisfied that my order was right.

Some Hon. Members: No.

Mr. Speaker: Let us see. If there is any discussion that is necessary, we are having discussions during the course of the session on food, food prices, scarcity. All these things will come up not by way of adjournment motions. There will be a regular discussion. I have disallowed it.

Shri Muhammed Elias: This is not a general crisis.

Mr. Speaker: I am not going to allow.

Shri Muhammed Elias: Big hoarders are there.

Mr. Speaker: I protest against this kind of interference and intervention. Hon. Members must take this and wait for an opportunity.

I have received notice of a motion of privilege.

Shri Dasaratha Deb (Tripura): I want to say something. I have.

Mr. Speaker: Not now. I have gone to another subject.

Shri Dasaratha Deb: I want to submit something.

Mr. Speaker: Not now, let him write to me.

Shri Vajpayee

12.18 hrs.

MOTION RE. BREACH OF PRIVILEGE

REMARKS OF SHRI M. O. MATHAI

Shri Vajpayee (Balrampur): Sir, I rise to seek your leave to raise a matter involving a breach of privilege.

[Shri Vajpayee]

of the House. Shri M. O. Mathai, former Special Assistant to the Prime Minister in the course of his letter to the Prime Minister has made certain remarks which constitute a serious breach of privilege of this august House. The remarks are as follows:

"But the ever-mounting tendency in our Parliament and our Press to attack public servants without caring to verify facts is having a devastatingly demoralising effect. Under such deplorable conditions very few self-respecting persons will care to enter Government service or public life"

May I submit in this connection that Shri Mathai has made a wild charge against this House. Let us consider the implications of what he has said. He has accused the House—(An Hon. Member. You also)—growing tendency to attack public servants without even caring for facts. I think this House is seized with a matter of another privilege motion when the Chief Minister of Kerala accused some Members of this House. But, now the whole House has been accused. And that letter has been circulated by the Press Information Bureau of the Government of India and with the permission of the Prime Minister who is the Leader of the House and is expected to safeguard the dignity and honour of this House. I appreciate the frankness with which the hon. Prime Minister during his Press Conference accepted that a mistake was committed and Shri Mathai caught him in a wrong mood, in an angry mood. I do not know on how many occasions the Prime Minister was caught by Shri Mathai in a wrong mood. He is also reported to have said that he has been committing foolish things. I think this is the most foolish thing that Shri Mathai has committed. Without going into the merits of the case.

Mr. Speaker: Order, order. The hon. Member will note that under rule 225 it is said:

"... before the list of business is entered upon, call the member concerned, who shall rise in his place and, while asking for leave to raise the question of privilege, make a short statement relevant thereto."

The general conduct of Shri Mathai is not in question here. If he had not made that statement, he would not be a subject before the House at all. It is only with respect to the statement, and he has said enough.

If he wants to say anything more with respect to the statement, how the statement in the press ought to be accepted as genuine or any further remarks that this amounts to a contempt of the House and so on, they are allowed. After that, I shall hear if there is any opposition to this and follow the rest of the procedure. Only one question can be raised at a time.

Shri Vajpayee: I think the statement is quite clear, self-evident, and it amounts to a breach of privilege of this House, and I request you and the House to take into consideration the breach that has been committed.

Shri H. N. Mukerjee (Calcutta—Central): May I bring to your notice that I also gave notice of a motion.

Shrimati Parvathi Krishnan (Coimbatore): I have also given notice.

Shri H. N. Mukerjee: Would you allow me to make a statement under rule 223 as you pointed out? I feel that.

Mr. Speaker: Under rule 224, not more than one question shall be raised at the same sitting. Shri Vajpayee has raised this question. If all the others relate to the same matter, I am not going to allow each one of them to speak on this particular matter.

Shri Braj Raj Singh (Ferozabad): The same question has been raised by many Members.

Shri Surendranath Dwivedy (Kendrapara): A motion of privilege has been tabled by me

Mr. Speaker: Because the other questions are of the same nature and only one can be allowed, I have allowed Shri Vajpayee. If it goes through, the other questions will be barred, and all hon Members will not have an opportunity to speak at this stage, whatever may happen later on. If leave is granted, a motion has to be made later under rule 226, and on that hon Members will have the right to speak, not at this stage. Therefore, is there any opposition to this?

Shrimati Renu Chakravartty (Basirhat): May I make a submission? On a prior occasion, the House will remember, it is not one person who spoke on the subject

Shri Tangamani (Madurai): So many Members were allowed

Shrimati Renu Chakravartty: Various people were allowed to submit their positions on the question, and I am not quite clear as to what your ruling particularly means on this occasion

Mr. Speaker: What I said was this. Even now I shall hear the objection under rule 225. Thereafter, if leave is granted, hon Members will have an opportunity, as many of them as I consider necessary and who want to speak on this question and throw light upon this matter. I will certainly do so

Shri V. P. Nayar (Quilon): The objection can be raised after hearing our case.

Mr. Speaker: Let us go strictly by the rules

Shri H. N. Mukerjee: May I ask one thing? Would you please let us have our say because we gave notice of the motion also, after the Prime Minister has spoken in this matter, because before the 25 Members are asked to rise in their seats the House has got to make up its mind to a certain extent

in regard to the relevancy of the matter at all? After the Prime Minister has spoken, would you please let us have our say if we wish to make our submissions?

Mr. Speaker: It is only one person that can be called upon to speak on this occasion

Shrimati Parvathi Krishnan: There are other aspects of the matter

Mr. Speaker: I am concerned now with Shri Vajpayee's privilege motion. There may be a number of privilege motions. I am not ruling them out now. Let us see what happens to this motion and if a similar matter is sought to be raised in the same session, this having been disposed of, the other matters cannot come up, but so far as hon Members who are interested in this subject are concerned, they might have tabled similar motions. I shall give them an opportunity if this matter is taken up. That is all that can be done at this stage. Let me ascertain if this is opposed

Shri H. N. Mukerjee: Even before the Prime Minister speaks, there might be certain points which he ought to bear in mind before he tells the House his reaction in the matter. He has already spoken to a press conference. I do not know how far that was proper when the Parliament was to meet, but now when he is going to address the House, is it not better that he listens to some of us because we have also taken the responsibility of sending notice of this motion?

Shri Jaipal Singh (Ranchi West-Reserved-Sch Tribes): I humbly submit that if you were to interpret the rule as you are trying to do now, you are making a preemptive bid as they call it in Bridge. Various hon Members have tabled this motion; the motions seem to be similar but their approach may be dissimilar in each case. So, the hon Prime Minister will not have an opportunity to reply to what the other people have in mind. The motions may be similar, but the

[Shri Jaipal Singh]

approach of each motion might be different. So, in fairness to the Prime Minister, it is only necessary that the various approaches be heard first.

Take my own case. I feel it is not a slander against Members of the House. I say it is a direct charge against you in the Chair, that you have not been conducting the business of the House in the manner you should have, that you have permitted Members of Parliament to say things without verification. That is why.

Mr. Speaker: I am really sorry while we are very anxious to guard our rights and protect them against any attacks or on slaughters, let us also be very strict and proceed according to the rules.

There may be a number of motions, but it does not mean that merely because I allow this motion or refuse to allow this motion, other motions will not be taken up one after the other, unless they are barred. Rule 224 says:

"The right to raise a question of privilege shall be governed by the following conditions, namely—

(1) not more than one question shall be raised at the same sitting;"

We are going to have a number of sittings during this session. If this is disposed of today, and if the other motions are barred, I will declare them barred; if they are not barred, if they are dissimilar and are matters which have to be decided by the House, I will call them tomorrow, the day after, one at a time. There may be ten, we will take them one after the other. Let us dispose of only one this day. It does not mean that I am coming to any conclusion regarding the others.

Shri V. P. Nayar: Sir, may I say that the prohibition in the rule is against only raising more than one question; there is no prohibition

against more than one Member raising the same question.

Mr. Speaker: There is only one question that is raised. Hon. Members will see rule 225:

"The Speaker, if he gives consent... and before the list of business is entered upon, call the member concerned, who shall rise in his place and, while asking...."

I have asked Shri Vajpayee to state it, he has done so.

Shri H. N. Mukerjee: I have also tabled a motion.

Mr. Speaker: If he has also done so, it is not at this stage that I will call upon him. If leave is granted under rule 225, I will give him an opportunity because he has tabled a similar motion.

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): Mr. Speaker, Sir, the hon. Member has raised, as he has put it, a question of privilege involving a contempt of the House. Now, I should like to distinguish, if I may, between an impropriety and a question of privilege.

Speaking for myself, I think that the wording referred to is regrettable and not proper. That is a different matter. And, as a matter of fact, I am given to understand that Shri Mathai some time ago addressed you on this question expressing his deep regret that in a moment of whatever it was he wrote something without ever intending anything against the dignity of this House.

What I am suggesting is that we must not get mixed up between two things—the impropriety of a thing or the undesirability of something written, and the question of privilege. Of course, they are two separate things. Personally I regret that this was written and Shri Mathai as I said, I understand, also expressed his deep

regret for it I do not myself see, apart from the question of impropriety, where the question of privilege comes in into this matter—on that point only—and because there was some

Shri V. P. Nayar. He also said he had no intention

Shri Jawaharlal Nehru: I am merely expressing, because, naturally, when this matter was referred to rather casually, I did not even know it was coming up now, otherwise, I would have perhaps brought up some papers in this connection, because, when I heard that this was going to come up, I was interested to find out some precedents previously as to how such a thing is dealt with, and so I had the matter enquired into from a parliamentary, constitutional and legal point of view to satisfy myself, and that satisfied me at any rate that anything like this could not be considered a breach of privilege or contempt of the House. I am merely stating this fact for the knowledge of the House. I do not venture to give any opinion myself except to say that apart from the impropriety of it I do not myself see where any breach of privilege comes in in the remarks made. It certainly does not apply to the House or as one hon Member has said to you Sir. It says—I have not got even the words before me at the present moment, I have no papers but I remember the words

Shri Goray (Poona) Shall I quote?

Shri Jawaharlal Nehru. But I remember the words namely that there is a growing tendency in Parliament for remarks or statements to be made without due inquiry. I do not think that

Shri Jaipal Singh: And the Chair permits the remark, by implication (Interruptions)

Mr. Speaker: He said.

"But the ever-mounting tendency in our Parliament and our Press to attack public servants without caring to verify facts is having a devastatingly demoralising effect"

Shri Jawaharlal Nehru: If I may say so, the answer to the hon Member is this. I do not wish to enter into any argument in this matter. I would only make my submission, the submission I had made to you, that while these remarks are unfortunate and regrettable, and for my part, I regret them, and Mr Mathai also is deeply sorry, as he has expressed it to you, Sir, yet, so far as the question of privilege is concerned, I do not think that is raised, and as far as I know, whenever something even much stronger than this has been said on these lines, it has been held elsewhere that no question of privilege is raised. I merely make this submission to you it is for you to decide.

Shri Surendranath Dwivedy: Does it mean that the Press Information Bureau is also absolved of its responsibility? They have also committed a breach of privilege (Interruptions)

Mr Speaker: Order, order. There is nothing more. Let us now proceed with this.

Shri H. N. Mukerjee: I would beg of you to let me have my say in regard to this matter.

Mr Speaker: No hon Member will be prevented from having his say legitimately. The hon Member will kindly resume his seat. Under the rules, I have to ask if leave is objected to. That is what the Prime Minister says. Is it not so?

Shri Jawaharlal Nehru. I do not know about objection. I am merely placing certain things before you. It is not for me to object, and I would not like to object or to agree. I am merely placing certain considerations before you for you to decide.

Mr. Speaker: It is for the House to object, under the rules. It is true that Mr. Mathai has sent me a letter stating that:

"I enclose a copy of a letter from our Law Minister "

Shri V. P. Nayar: Law Minister?

Mr. Speaker: If you consider it appropriate, please place these papers before

"If the Lok Sabha in its wisdom decides that I have been responsible for casting aspersions on Parliament, I should like to state that it was never my intention, and I willingly express my deep regret (Interruptions)

I am not disposing of anything hurriedly

"As a citizen I am interested, in upholding the supremacy of Parliament in India, particularly at a time when the "

Some Hon. Members: Oh! oh! (Interruptions)

Mr. Speaker: There is just one more sentence

"parliamentary system has broken down in some of our neighbouring countries"

That is all

Now, 25 hon. Members must rise in their seats to say that they are in favour of leave being granted. How many hon. Members are in favour?

(More than 25 Members rose in their seats)

Mr. Speaker: Now, any objection? (Interruptions)

Some Hon. Members: There is no objection to this

Mr. Speaker: I take it as an objection, the hon. Prime Minister says that this does not amount to a breach

of privilege. Therefore, I have asked hon. Members. Now, leave is granted.

The further step is under rule 226 which reads

"If leave under rule 225 is granted, the House may consider the question and come to a decision or refer it to a Committee of Privileges on a motion made either by the Member who has raised the question of privilege or by any other Member"

It is open now to the Member raised it or to any other Member to ask this House to dispose of it itself or send it to the Committee of Privileges. In either case, I would only ask the House to consider this letter that I have read (Interruptions). It is not as if everybody should go on talking.

Shri V. P. Nayar: How does it absolve him?

Mr. Speaker: I am not saying anything now. What is the next motion now?

Shri Naushir Bharucha (East Khandesh): I am moving that the matter be referred to the Privileges Committee for a report.

Shri Braj Raj Singh: I move that the House itself do decide and call Mr. Mathai to the Bar of the House.

Shri Nath Pai (Rajapur): We would be grateful if you would be kind enough to read the text of the letter again. We did not get it since there was an uproar going on, it seemed to be an apology letter.

Mr. Speaker: I have read the letter. He says

"If the Lok Sabha in its wisdom decides that I have been responsible for casting aspersions on Parliament, I should like to state that it was never my intention, and I willingly express my deep regret. As a citizen, I am interested in upholding the supremacy of Parliament in India, particular-

ly at a time when the parliamentary system has broken down in some of our neighbouring countries "

The next step is motion under rule 226 Shri H N Mukerjee may make his motion

Shri H. N. Mukerjee. Mr Speaker, Sir, it is with a considerable and a very serious sense of responsibility that I am moving my motion which I shall presently read, suggesting that the Committee of Privileges be asked to report on the question of privilege which has been raised over the press statement of Mr M O Mathai, who was lately employed in the Prime Minister's Secretariat

I do not believe in kicking a man when he is down Quite obviously, Mr Mathai is in a bad way He has lost his patrons But some matters of principle are involved in this proposition that we are making

You were pleased to inform us of a certain letter rather dubiously phrased which has been written to you by Mr Mathai, expressing in his own particular way regret for certain implications of his statement I consider that that kind of letter is completely inadequate, as far as purging the contempt which he has already perpetrated in regard to the privileges of this House is concerned There are many statements in the press communication which, with the permission of the Prime Minister, he got published in our national newspapers, but in at least one of those passages, there is a reflection indirect, but considerably effective, on the conduct of our Speaker in the Chair, and a very direct reflection on the conduct of Members of Parliament I refer to the passage where he says

"But the ever-mounting tendency in our Parliament and our press to attack public servants without caring to verify facts is having a devastatingly demoralizing effect "

And he goes on to add

"Under such deplorable conditions, very few self-respecting persons will care to enter Government service "

I say that this a very serious reflection, indirect but extremely positive and categorical, in regard to the conduct of proceedings in this House by yourself It is very clear that Mr Mathai implies that the proceedings of this House are not regulated as they ought to be, that public servants are criticised, without their having an opportunity to refute the allegations made here, that Members of Parliament who are under the discipline which the Speaker imposes, attack public servants with impunity, without caring to verify facts Thus, I submit, is a very clear reflection on the conduct of the Chair, and the Chair being the repository of the privileges of this House, it is a very serious matter of which cognizance should be taken

Some of my hon friends have begun to suggest—I know it very well because amendments, I am told, are going to be moved—calling on Mr Mathai to be brought to the Bar of this House and to answer for his dereliction Personally, I am not going to suggest that proceeding here and now On the contrary, I feel that since he has raised a matter of considerable public importance, this whole subject should be discussed in the Committee of Privileges, and the Committee should give us a report, on the basis of which the House will make up its mind as to what it ought to do in regard to the matter

Apart from this reflection on your conduct in regulating the proceedings of this House, there is a very serious imputation that Members of Parliament are habituated to attacking public servants without caring to verify facts

It is also added as a sort of moral blackmail, so to speak, on Govern-

[Shri H. N. Mukerjee]

ment that 'if such deplorable conditions created by the conduct of Members of Parliament continue, then self-respecting persons will not care to enter government service.' Perhaps he means by 'self-respecting persons', persons of his ilk, because in the letter which he published he gave a great deal of information in regard to how he got into touch with the Prime Minister and how he condescended to offer his services to the Government of our country.

But, Sir, he suggests very clearly that certain deplorable conditions are created by Members of Parliament which make it impossible for self-respecting persons to care to enter government service. This communication was made by a government servant while he was in government service.

Shri Tyagi (Dehra Dun): After resigning.

Shri H. N. Mukerjee: I could understand if after having resigned, after having his resignation accepted by the Prime Minister he had gone to the Press and had taken the consequences. What happened was that he continued to be in government service; he continued to have the natural protection which is the privilege and the possession of every government servant. He secured the permission of his superiors in getting this Communication to the Press published all over the country, and we have seen how comments have been made editorially in different newspapers in regard to the complete impropriety of the proceedings.

The Prime Minister has tried in his preliminary observations—I do hope he has not made up his mind; he is a little too soft in regard to those people who have served him, but I do hope he has not made up his mind—but in his preliminary observations, he has tried to differentiate between a kind of deviation from propriety and

perpetration of contempt, perpetration of something which goes against the privileges of Parliament. I say that what Shri Mathai has done is certainly improper, and at the same time, it does amount to contempt of Parliament, it does amount to his having come within the mischief of the law in regard to parliamentary privilege. He has made reflections and imputations which are definitely positive and categorical; he has reflected upon the conduct of Members of Parliament; he has made serious reflections on the conduct of the Chair in being unable to regulate the proceedings, as they ought to be regulated, in the interests of the country.

Therefore, I feel that on the face of it it is very clear that Shri Mathai's Press statement published all over the country brings him within the ambit of the law of parliamentary privilege and that proceedings ought to be taken against him, and I propose that the matter be referred to the Committee of Privileges.

I move:

"That the attention of the House having been drawn by some honourable Members on February 10, 1959, to a letter written to the Prime Minister by his Special Assistant Shri M. O. Mathai and made public on January 17, 1959 through press release by the Prime Minister's Secretariat and the Press Information Bureau of the Government of India in which the said Shri M. O. Mathai, *inter alia*, remarks:

'But the ever-mounting tendency in our Parliament and our Press to attack public servants without caring to verify facts is having a devastatingly demoralising effect. Under such deplorable conditions very few self-respecting persons will care to enter Government service or public life'.

The House resolves that the matter be referred to the Committee of Privileges for investigation and report whether the above mentioned remarks of Shri M O Mathai made public through the Prime Minister's Secretariat and the Press Information Bureau of the Government of India constitute an adverse reflection on the dignity of the Members of Parliament and the Speaker of the Lok Sabha and whether they constitute a contempt of Parliament and also to recommend what further steps the House may take in the matter."

As I said earlier, I do not believe in kicking a man who is down. That is why I do not make further observations which I could easily have pitched in a very much stronger key. I am only suggesting that my recommendation that the matter be referred to the Committee of Privileges be accepted by the House.

Mr Speaker Motion moved

That the attention of the House having been drawn by some honourable Members on February 10 1959 to a letter written to the Prime Minister by his Special Assistant Shri M O Mathai and made public on January 17 1959 through press release by the Prime Minister's Secretariat and the Press Information Bureau of the Government of India in which the said Shri M O Mathai, inter alia remarks

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Shri Jawaharlal Nehru: I only wish to say that I do not oppose this Motion, that is, the Motion to refer this matter to the Committee of Privileges.

I ventured to express my opinion that so far as I could understand it there was no breach of privilege. But since this Motion has been admitted by you, I think the right course would be to send it to the Committee of Privileges for them to consider it fully.

Mr Speaker I will put it to the vote of the House.

Shrimati Parvathi Krishnan: I have to say a few words.

Shri Braj Raj Singh I have a substitute motion to the effect that the matter be dealt with here and Shri Mathai be called to the Bar of the House.

I beg to move

"This House decides that Shri M O Mathai be called to the Bar of the House to answer the charge of breach of privilege brought against him and be punished."

Mr Speaker Amendment moved

"This House decides that Shri M O Mathai be called to the Bar of the House to answer the

[Mr. Speaker]

charge of breach of privilege brought against him and be punished."

Both the original Motion and the substitute Motion are before the House.

Shri Braj Raj Singh: I wish to speak on my substitute motion

Mr Speaker: There is nothing to speak on it

Shri Braj Raj Singh: I want to explain my motion

Mr. Speaker: If it goes to the Committee of Privileges, it will come back to us. If it is to be disposed of here, I will give opportunity to hon Members

Shrimati Parvathi Krishnan: In supporting the Motion that has been moved by my hon. friend, Shri H N Mukerjee, there are one or two other points to which I would like to draw the attention of the House and of the hon the Prime Minister

I remember the Prime Minister himself, when speaking in this House on the 27th November 1958, said the following.

"I think all of us will agree that where any kind of—may I use the word without any impropriety—slander is done to any Member of the House, in whatever way it may be, or, in fact, anything is done which attracts the privileges of this House, this House, every party and every group in this House, should defend the House and should take steps to prevent that kind of thing happening. We are all, I hope, jealous of the reputation that this House should have and should build up for itself. So there can be no doubt, no argument—even though we may in our heart of hearts differ—about that basic issue".

It is with this in mind that we have brought forward this Motion, because we want to safeguard the privileges of the Members of the House, we want to safeguard most jealously—zealously—the reputation and the standing of the Speaker of this House and the Chairman of the Rajya Sabha (Inter-ruption) An allegation of this type has been made, which has been made quite a long time ago and which has received the widest publicity in the Press of our country and in the Press abroad. It is very necessary that the House should take cognisance of it and that we should take steps to remedy the matter and take steps to prevent repetition of this type of slander against Parliament

It is not only the Members of Parliament who are being attacked by that statement, but, Sir, you yourself also come under attack because Rule 353 of the Rules of Procedure and Conduct of Business in the Lok Sabha says

"No allegation of a defamatory or incriminatory nature shall be made by a member against any person unless the member has given previous intimation to the Speaker and also to the Minister concerned so that the Minister may be able to make an investigation into the matter for the purpose of a reply"

We, all Members of Parliament, particularly Members of the Opposition, are fully aware of the fact how you do see to it that this rule is observed by every single one of us. Sometimes we may even be impatient because you are rather strict; at the same time, in the final analysis, we have always bowed to your ruling, and we have realised that if we go beyond that rule, it is not only one Member who goes beyond it but the dignity of the House as a whole can be lowered

Therefore, we, who have been so careful about observing the propriety of this House, who have always accepted your rulings in the matter, are today particularly anxious to see that this type of breach of privilege, this type of contempt expressed of Members of Parliament by Shri M O Mathai should not go unchallenged, should not just be thrown into the waste-paper basket by quibbling and hair-splitting as to whether it is a breach of privilege or whether it is a word that has been used in the heat of the moment when a person is in a particular state of emotion, whether it is a word of impropriety and so on

Further, Sir, I would like also to draw your attention to what we find in *May's Parliamentary Practice*, because there we find the various conventions and rules laid down. On page 125 he says.

"Both Houses will punish not only contempts arising out of facts of which the ordinary courts will take cognizance, but those of which they cannot, such as contemptuous insults, gross calumny or foul epithets by word of mouth not within the category of actionable slander or threat of bodily injury"

Mr Speaker, Sir, I would submit that the remarks that have been made by Shri Mathai in his letter of resignation, which was released to the Press on 17th January, 1959, amount exactly to contemptuous insults, gross calumny and foul epithets, because he says that due to the "ever-mounting tendency in our Parliament" to make charges against officers "without verifying facts" no honest person, no "self-respecting person" in this country will come forward to take service under Government

We, here, Members of Parliament, are entrusted with the task of supervising the work of the Government by the electorate of our country. Serious matters concerning the destiny of our country are discussed here. But we find Shri Mathai most blindly

penning these few words and saying that no self-respecting person will come forward to serve Government and to carry out those decisions that are taken in Parliament by which the Cabinet is entrusted to see to the day-to-day functioning of Government. This is what that letter amounts to

I hope, Sir, that all those who were champions of privilege on an earlier occasion, who rushed into the fray when the question of a telegraph from the Chief Minister of Kerala to a Union Minister was coming under discussion on just an ordinary rumour that came in the Press—it was not that the text was released to the Press by the Information Department of that Government—

Mr. Speaker: Order, order. That matter has been referred to the Privileges Committee. It is being discussed and considered by that Committee, and we have extended the time for submission of the report. Therefore, no statements shall be made here regarding the correctness or otherwise of that decision, which will prejudice the dispassionate discussion of that matter by the Privileges Committee.

Some Hon. Members rose—

Mr. Speaker: Order, order. I think enough has been said on this matter. I shall now put it to the vote of the House.

Shri Braj Raj Singh: Sir I have to move

Mr. Speaker: If the House wants to dispose of it now I will give opportunity to hon. Members who want to speak. If the House agrees to refer it to the Privileges Committee, once again the House will have an opportunity to discuss it when the Committee submits its report with its recommendations.

Raja Mahendra Pratap (Mathura): Sir, I rise to a point of order. I beg to oppose this. We are supposed to oppose the Congress here, but on this

[Raja Mahendra Pratap]

motion I also oppose my hon. friends on the Opposition. What I want to say is, we should not be puffed up with pride and always speak of privilege. We have no privilege. We have only privilege to serve the people quite meekly and modestly. We should not have any pride. Religion says: "serve the people". Religion also says: "forgive the people". So, if anything is done by anybody, I forgive. Here, I am sorry to say, unfortunately, our hon Prime Minister has been pulled into this matter. I do not like that I think our Prime Minister should be considered above all these quarrels.

Therefore, I appeal that we should drop this matter altogether. It is not necessary to send it up to the Privileges Committee or any other committee. We should drop this matter, and we should also drop the question regarding the Chief Minister of Kerala. There should be no privilege question.

Mr. Speaker: Order, order. There is a third motion placed before the House that the whole matter may be dropped. Therefore, the first motion is that of Shri Mukerjee that the matter be referred to the Privileges Committee. Shri Braj Raj Singh's amendment is that the matter may be disposed of here. The third motion is that the whole matter may be dropped.

Shri V P Nayar: Who has moved that motion?

Shri Jaipal Singh: Sir, I rise to a point of order. What I have to point out is this. Shri Braj Raj Singh has given his substitute motion. He has a right to have his say, and he cannot be precluded from that. You were pleased to observe earlier that when the matter comes back from the Committee you will give him an opportunity.

Mr. Speaker: No, no; I am calling him also. Shri Braj Raj Singh.

श्री बख्तराज सिंह : अध्यक्ष महोदय, मुझे इस समय कुछ अधिक नहीं कहना है। मुझे निर्र्ण इतना निवेदन करना है कि मेरा यह संशोधन है कि इस मामले को विशेषाधिकार समिति को सौंपने की कोई आवश्यकता नहीं है। सदन के नेता ने अभी बता दिया है कि उन्हें भी इसमें कोई आपत्ति नहीं है कि इस मामले की जांच की जाये। प्रश्न सिर्फ इतना है कि इसकी समिति जांच करे या सदन स्वयं इसकी जांच करे। जब इस सदन में किसी को भी इस पर ऐतराज नहीं है कि यह एक ऐसा मामला है जिस पर कि सदन को या समिति को जांच करनी चाहिये, इसकी छानबीन होनी चाहिये कि विशेषाधिकार का उल्लंघन हुआ है या नहीं तब मैं निवेदन करना चाहता हूँ कि इसको विशेषाधिकार समिति को सौंपने की कोई आवश्यकता नहीं है कारण विशेषाधिकार के उल्लंघन का यह स्पष्ट मामला है। अपने इस्तीफे के पत्र में उन माहब ने हमारे ऊपर, हम सदन के ऊपर और सदन के अध्यक्ष के ऊपर हम तरह का लाइन लगाने की कोशिश की है और जिन्हें इस बात की चिन्ता है कि देश की सीमा पर चूक जनतंत्र विफल हो रहा है और तानाशाही कायम हो रही है इसलिये इस मुल्क में तानाशाही को रोकने के लिये और जनतंत्र को मजबूत बनाने के लिये वह हम तरीके का आक्षेप लगाना चाहते हैं।

मैं निवेदन करना चाहता हूँ कि जब देश की सीमा के आसपास इस तरह की बात हो तब तो यह और आवश्यक हो जाता है कि ऐसे व्यक्ति को सदन के बार के सामने बुलाया जाय, यहां पर जांच पड़ताल की जाय और यहां पर उनसे सवाल पूछे जायें और सदन अगर मुनासिब समझे तो सजा दी जाय।

जहां तक इस मामले को एक विशेषाधिकार समिति को सौंपने की बात है उसके

विधे मेरा कहना यह है कि अगर सदन में कहीं पर भी इस बात की इच्छा होती कि विशेषाधिकार समिति पहले इस पर छान-बीन करे और तब बाद में सदन में इसके ऊपर चर्चा हो तब तो इस मामले को विशेषाधिकार समिति के सुपुर्च किया जा सकता था लेकिन जब ऐसी बात नहीं है तब मैं चाहता हूँ कि मेरे संसोधन को स्वीकार कर लिया जाय और यह मामला सदन खुद अपने हाथ में लेकर इसकी छानबीन करे विशेषाधिकार समिति के सुपुर्च करके इसको ज्यादा टालने की चकरत नहीं है।

13 hrs.

मथाई साहब का कहना है कि very few self-respecting persons will care to enter Government service or public life सवाल यही नहीं है कि गवर्नमेंट सर्विस में वे लोग नहीं रह सकेंगे। मथाई साहब ने प्रचान मंत्री महोदय की १२ साल तक जब से कि वे प्रचान मंत्री बने हैं, उनके स्पेशल असिस्टेंट की हैसियत से काम किया है और पब्लिक सर्विस की है। उसके पहले भी मथाई साहब का दावा ऐसा मालूम पड़ता है कि उन्होंने देश की सेवा की है और उन्होंने बेताबनी दी है कि अगर ऐसे ही बनता रहा तो न तो जनता की सेवा के लिये और न सरकारी नौकरियों के लिये ही ऐसे लोग मिल सकेंगे जो कि अपनी प्रतिष्ठा व सम्मान रखते होंगे। ऐसी सूरत में न सिर्फ जनतन को मजबूत बनाने का सवाल उठता है, बल्कि हमारे मुल्क में जो ५५ लाख पब्लिक सर्वेन्ट्स हैं, उनके ऊपर इसका जो प्रभाव पड़ेगा, उनमें जो भावना फायम होगी, उसका निराकरण करने के लिये और साथ ही पब्लिक साहब ने काम करने वाले नाक़ो दूसरे लोगों की भावनाओं को ध्यान में रखते हुये यह अत्यन्त आवश्यक है कि इन प्रश्न पर इसी सदन में इसी समय तुरन्त चर्चा हो और इस प्रश्न को विशेषाधिकार समिति

को न सौंपा जाय। मिस्टर मथाई को इन सदन की बार में बुलाया जाय और उनका स्पष्टीकरण सुनने के बाद अगर यह सदन उचित ममने, तो उनको सजा दी जाय। मैं आशा करता हूँ कि सदन इन मसले को यही पर तय करेगा और विशेषाधिकार समिति को सीप कर इसमें देर करने की कोशिश नहीं करेगा। अगर मुझे इन सम्बन्ध में जरा भी शका रही होती कि जिन व्यक्तियों के खिलाफ हम अभियोग चलाये जा रहे हैं, उनको यहाँ किसी कारणव्या नहीं मिलेगा, तो मैं इस प्रस्ताव का सब से पहला समर्थक होता कि यह मामला विशेषाधिकार समिति के सुपुर्च कर दिया जाना चाहिये। जैसा कि सब जानते हैं, कानून का यह एक मान्य सिद्धान्त है कि अभियुक्त को अपनी सफाई देने का पूरा अवसर दिया जाना चाहिये। मैं समझता हूँ कि यह सदन उनको अपनी सफाई का पूरा मौका देगा कि अगर विशेषाधिकार का उल्लंघन नहीं हुआ है, तो वह अपनी स्थिति स्पष्ट करे, लेकिन इस मामले को ज्यादा देर तक टालने में न हमारा कोई फायदा होगा और न ही देश का फायदा होगा। इसलिये मैं यह चाहता हूँ कि यह सदन स्वयं इस प्रश्न पर विचार कर के अपना निर्णय दे और इसलिये यह आवश्यक है कि मिस्टर मथाई को यहाँ बुलाया जाय और यदि उचित समझा जाय, तो उनको सजा दी जाये।

Shri Khadlikar (Ahmednagar) Sir, I want to move a sort of an amendment. While this House should be very vigilant regarding its privileges, it should also take into consideration who has really perpetrated the contempt. The person and the position he holds must also be taken into consideration. After all, Shri Mathai happened to be an ad hoc Special Assistant to the Prime Minister, and he has used words which, no doubt, mean contempt of the House by a stranger in terms of May's Parliamentary Practice. What I would like to submit is. Are we going to take into

[Shri Khadlikar]

very serious consideration a matter of this nature? A certain remark had been made by a person who was a Special Assistant or an Under Secretary while he was in government service. No doubt, they constitute essentially a contempt of the House. But the question is whether we, as Members of this House, should attach so great an importance to the remarks made by this person. That should also be taken into consideration.

I am inclined to support what 'he Raja Saheb said—that after a discussion the matter should be dropped. It need not be given that importance to be referred to the Committee. This is my submission and, if you permit me, I would like to give such an amendment.

Mr. Speaker: That only means that it must be disposed of here.

Shri Jagdish Awasthi (Bilhaur): I support Shri Brij Raj Singh's amendment and I want to speak.

Mr. Speaker: I am not allowing a general discussion on this. I will call upon the representatives of parties and those persons who have tabled amendments.

श्री खुशबक्स राय (खेरी): अध्यक्ष महोदय, प्रजा सोशलिस्ट पार्टी का कोई रिप्रेजेंटेटिव अभी तक नहीं बोला है।

Shri Surendranath Dwivedy: Shri Khushwaqt Rai has tabled a motion on our behalf, he has not spoken nor has anybody on our behalf.

श्री खुशबक्स राय: श्रीमन् सदन के सामने जो यह प्रस्ताव आया है कि इस मामले को विशेषाधिकार समिति के सुपुर्द कर दिया जाय, मैं उसका अनुमोदन करता हूँ। मुझे इस बात पर दुःख और आश्चर्य होता है कि हमारे प्रधान मंत्री के सविधान और कानून के विशेषज्ञों ने उन को यह राय कैसे दे दी कि यह प्रबल विशेषाधिकार की अवहेलना नहीं है। अगर उन लोगों ने मेरी पार्लियामेנטरी प्रैक्टिस के पृष्ठ ११८, १२४ और १२५ को पढ़ा

होता, तो उन्होंने कभी यह राय न दी होती कि यह विशेषाधिकार की अवहेलना नहीं है और केवल एक अनुचित वाक्य इस्तेमाल किया गया है। मुझे इस बात का दुःख है। फिर भी मैं प्रधान मंत्री महोदय की इच्छा करता हूँ। वह समझते हैं कि जो बात मर्यादा साहब ने कही, वह अनुचित है, लेकिन वह विशेषाधिकार की अवहेलना नहीं है। मैं समझता हूँ कि यही एक बड़ा भारी कारण है कि इस मामले को विशेषाधिकार समिति के सुपुर्द कर दिया जाय ताकि यह मालूम किया जा सके कि प्रधान मंत्री के विशेषज्ञों ने जो राय दी है वह कहा तक सही है।

साथ ही साथ मैं यह भी कहना चाहता हूँ कि विशेषाधिकार समिति को वह भी अधिकार दिया जाय कि इस विशेषाधिकार की अवहेलना में जिन लोगों ने मदद दी है, चूँकि उन्होंने भी विशेषाधिकार की अवहेलना की है, इसलिए उन के बारे में भी वह विचार करे। कल जब मैं ने इस प्रस्ताव के बारे में लिखा था, तो मेरे पाम ग्रैम इन्फर्मेशन ब्यूरो का कम्प्यूटिक नहीं था। लेकिन आज वह मेरे पाम है। मैं कहना चाहता हूँ कि ग्रैम इन्फर्मेशन ब्यूरो का जो भी डायरेक्टर है या इन-चार्ज है, उसने भी विशेषाधिकार की अवहेलना की है। इस पर भी विचार किया जाय।

एक माननीय सदस्य इसमें प्राइम मिनिस्टर भी आ सकते हैं।

श्री खुशबक्स राय: जब कन्टेम्प्ट करने वाला माफी माग लेता है, तो कन्टेम्प्ट खत्म हो जाती है। माननीय सदस्य ने शायद प्रधान मंत्री की ग्रैम कान्फरेस में दिये गये वक्तव्य को पढ़ा नहीं है। इसीलिये वह ऐसा कह रहे हैं। मैं निवेदन करना चाहता हूँ कि विशेषाधिकार समिति को यह भी अधिकार दिया जाय कि इस विशेषाधिकार की अवहेलना में जिन लोगों का कुछ भी हिस्सा है, उन के खिलाफ भी कार्यवाही की जाय।

इन कार्यों से, जो प्रस्ताव माननीय सदस्य श्री मुकुर्जी ने इस सदन के सम्मुख रखा है, जिस में कहा गया है कि यह मामला विशेषाधिकार समिति के सुपुर्द कर दिया जाय, मैं उस का समर्थन करता हूँ।

श्री जगदीश बबस्वी श्रीमान जी, अभी श्री बजराम सिंह ने जो सशोधन प्रस्तुत किया है, उसके समर्थन में मैं दो शब्द कहना चाहता हूँ। मैं समझता हूँ कि मथारि साहब ने जिस प्रकार के शब्दों का प्रयोग किया है, उस में प्राइम फेसी इस सदन का अपमान प्रकट होता है। इसलिए इस बात की कोई आवश्यकता नहीं है कि इस प्रश्न को विशेषाधिकार समिति के पास भेज कर अनावश्यक रूप से समय नष्ट किया जाय। यह मामला बड़ा स्पष्ट है और इस सदन को इस का फैसला करने का अधिकार प्राप्त है। जैसा कि श्री खुशबक्त राय ने कहा है जितने भी व्यक्तियों का इस में हाथ हो, उन के बारे में इसी सदन में विचार होना चाहिए और उस के बाद यह सदन जो कुछ भी दण्ड निर्धारित करे, वह दण्ड दिया जा सकता है। यह कोई इतना महल प्रश्न नहीं है। श्री मथारि ने हमारे प्रधान मंत्री महोदय के एक वैयक्तिक सचिव के रूप में कई वर्ष तक कार्य किया और वह एक जिम्मेदार पद पर रहे हैं। मैं समझता हूँ कि जिस हिम्मत के साथ उन्होंने इन शब्दों का प्रयोग किया है, उस का देखते हुए यह अनुभव किया जा सकता है कि उन में इतनी शक्ति होगी कि वह इस सदन के समक्ष आ कर अपनी मफ़ाई दें।

अगर सदन धीरे धीरे इस प्रकार की बातों को बर्दाश्त करता रहेगा, तो हम इस देश में एक गलत परम्परा कायम करेंगे। यह सदन इस देश में सर्वोपरि मर्यादा है। अगर हम किसी व्यक्ति को—चाहे वह इस सदन में हो या बाहर—इस तरह छूट देते जायेंगे, तो निश्चित रूप से इस सदन का अपमान होता रहेगा। इसलिए यह आवश्यक है कि

इस प्रश्न को यह सदन स्वयं हल करे और इस को विशेषाधिकार समिति के पास भेज कर हम समय नष्ट न करें, ताकि हम देश के सामने एक उदाहरण पेश कर सकें कि इस सदन में इतनी शक्ति है कि वह अपने विशेषाधिकार की अवहेलना नहीं होने देगा, फिर सम्बद्ध व्यक्ति चाहे प्रधान मंत्री का सचिव हो, चाहे किसी प्रदेश का मंत्री।

इन शब्दों के साथ मैं श्री बजराम सिंह के सशोधन का समर्थन करता हूँ।

श्री रघुनाथ सिंह (वागण्मी) राज्य मन्त्रा में यह स्वीकार हो चुका है, इसलिए यहाँ भी स्वीकार होना चाहिए।

Shri Jaipal Singh: We are not imitating them

Shri Jawaharlal Nehru: Mr. Speaker, it is not quite clear to me whether there are two motions before the House or three Raja Mahendra Pratap's suggestion (Interruptions)

An Hon. Member: There is no motion

Mr. Speaker: He raised a point of order

Shri Jawaharlal Nehru: You were pleased to say, Sir, that there were three motions (Interruptions) May I be spared gestures from the other side, Sir? I was enquiring of the Speaker I can understand his language, he need not enforce it by gestures

Mr. Speaker: Though Raja Mahendra Pratap raised it as a point of order, in substance he wanted the proceedings to be dropped I wanted to treat it as a substantive motion (Interruptions) Order, order He has not subsequently followed it up He could have easily said that he wanted these proceedings should be dropped He did not follow it up and therefore, I am not placing it before the House (Interruptions)

Some Hon. Members rose—

Mr. Speaker: I have called the hon. Prime Minister. (Interruptions.)

Shri Jawaharlal Nehru: I am not going to give in to anybody. Since Raja Mahendra Pratap's suggestion has not taken the form of a definite proposal, I need not say anything about it. But, I would like to say this that in a matter of this kind, as has been rightly pointed out, it should not be treated as a party matter or group matter. I have ventured to say it on an earlier occasion. Some words of mine have been quoted. I would say that when a considerable section of the House has a feeling that something should be done, it is hardly a matter for a majority to override those wishes. I look upon it from this point of view. Therefore, when a number of Members of this House felt this way, I immediately agreed to a reference of this question to the Privileges Committee of the House and at that stage any suggestion to drop this matter would, I think, not be a right one because it would almost appear that an attempt was made somehow to hush matters or hide matters. It is not a good thing for such an impression to be created. Therefore, I would have opposed Raja Mahendra Pratap's proposal to drop this at this stage. (Interruptions.)

Mr. Speaker: Order, order, Hon. Members must follow the English. He says "I would have opposed"

Shri Jawaharlal Nehru: As things are, I think the proper course is to send it to the Committee of Privilege.

There is another proposal that has been made. I do not even understand it in the sense how things are to be done in the House. I think it would be otherwise too, not only unnecessary but not very desirable. After all the dignity of the House may suffer in various ways and it may suffer even by attaching too great an importance to trivial matters. It is not merely a

question of another person or other persons saying. What other persons say may affect the dignity of the House but how we treat it also affects the dignity of the House.

I beg your leave to read a few lines from the report of what I said on a previous occasion because a reference has been made to that. On that occasion when the telegram from the Chief Minister of Kerala became the subject of argument here, I said this and I hold by it today:

"I am a little anxious that we should not enter into a path of conflict in such matters, because this kind of thing might be overdone. There are things said, often enough, which are not desirable and things said in the heat of the moment which a person thinking more coolly would not have said. If we pursue every person who makes a statement like that, I do not know how many of us will be completely innocent of never making any remarks which might not be held up against us. We are all human beings, and I know that I err sometimes, Sir, though I hope not too often. So, from that point of view, if my mind was quite clear that if it was a deliberate flouting of the dignity of Parliament or of any individual Member of Parliament, then, of course, there can be no doubt that that challenge has to be met. But where in other contexts in the heat of the moment or in a controversy something is said, I would personally prefer this House not to take too much notice of it. But, as I said, this is my personal reaction which I place before this House."

I hope I have been consistent in this matter, not with any idea of avoiding this reference because I support this reference to the Privileges Committee; but, quite apart from this, for the future, I may submit that it is a matter of maintaining the dignity of the House by not attaching too much importance to every odd word that some outsider says.

Raja Mahendra Pratap: I believe the hon. Prime Minister is too liberal. We do not accept his views here. I ask for a division and I hope you will all agree that this should be dropped.

Mr. Speaker: Order order. I will put the amendment of Shri Braj Raj Singh to the vote of the House to the effect that this House may dispose of this matter here and now and call Shri Mathai to the bar of the House. If this House decides upon disposing it now, the further procedure as to what we ought to do may be thought of later on. The main point for decision is whether it ought to be sent to the Privileges Committee.

Shri H N Mukerjee: Even at this late stage, my submission is that Shri Raghunath Singh's amendment is in the nature

Mr. Speaker: He has not moved any amendment.

An Hon. Member. Shri Braj Raj Singh

Shri H N Mukerjee that amendment that the matter be disposed of here and now is a motion which is tantamount to negation of the reference to the Privileges Committee.

Mr. Speaker: It is not a negation of the reference. (Interruptions) I am putting the other one—the amendment of Shri Braj Raj Singh—to the effect that this House do dispose of it here and now.

Shri Braj Raj Singh. Not now.

Mr. Speaker. That is, instead of referring it to the Committee.

The question is—

"This House decides that Shri M O Mathai be called to the Bar of the House to answer the charge of breach of privilege brought against him and be punished."

The motion was negatived.

Mr. Speaker: I shall put the other motion.

Raja Mahendra Pratap rose (Interruptions)

Mr. Speaker: Order, order. The hon Member is irrepressible. I am exceedingly sorry. The other motion is for reference to the Committee of Privileges. The question is—

"That the attention of the House having been drawn by some honourable Members on February 10th, 1959 to a letter written to the Prime Minister by his Special Assistant Shri M O Mathai and made public on January 17, 1959 through Press release by the Prime Minister's Secretariat and the Press Information Bureau of the Government of India in which the said Shri M O Mathai inter alia, remarks

"But the ever-mounting tendency in our Parliament and our Press to attack public servants without caring to verify facts is having a devastatingly demoralising effect. Under such deplorable conditions very few self-respecting persons will care to enter Government service or public life."

The House resolves that the matter be referred to the Committee of Privileges for investigation and report whether the above mentioned remarks of Shri M O Mathai made public through the Prime Minister's Secretariat and the Press Information Bureau of the Government of India constitute an adverse reflection on the dignity of the Members of Parliament and the Speaker of the Lok Sabha and whether they constitute a contempt of Parliament and also to recommend what further steps the House may take in the matter."

The motion was adopted.

13-20 hrs

PAPERS LAID ON THE TABLE

AMENDMENT TO THE INDUSTRIAL DIS-
PUTES (CENTRAL) RULES

The Deputy Minister of Labour (Shri Abid Ali): Sir, I beg to lay on the Table under sub-section (4) of Section 38 of the Industrial Disputes Act, 1947, a copy of the Notification No GSR 40 dated the 10th January, 1959, making certain further amendment to the Industrial Disputes (Central) Rules, 1957 (Placed in Library See No LT-1181/59)

AMENDMENTS TO THE DISPLACED PER-
SONS (COMPENSATION AND REHABILITATION) RULES

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): Sir, I beg to lay on the Table, under sub-section (3) of Section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954, a copy of each of the following Notifications making certain further amendments to the Displaced Persons (Compensation and Rehabilitation) Rules 1955 —

- 1 GSR No 1214/R-Amdt XXVIII dated the 20th December 1958
- 2 GSR No 108/R-Amdt XXIX dated the 24th January, 1959 (Placed in Library See No LT-1182/59)

AMENDMENT TO COTTON TEXTILES
(PRODUCTION BY HANDLOOM) CON-
TROL ORDER

The Minister of Commerce (Shri Kanungo): I beg to lay on the Table under sub-section (6) of section 3 of the Essential Commodities Act, 1955 a copy of Notification No SO 11 dated the 3rd January, 1959, making certain further amendments to the Cotton Textiles (Production by Handloom) Control Order, 1956 (Placed in Library, See No LT-1183/59)

AMENDMENT TO RUBBER RULES

Shri Kanungo: I beg to lay on the Table, under sub-section (3) of sec-

tion 25 of the Rubber Act, 1947, a copy of Notification No GSR 56 dated the 17th January, 1959, making certain further amendment to the Rubber Rules, 1955 (Placed in Library See No LT-1184/59)

AMENDMENTS 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 GSR 1221 dated the 27th December, 1958, making certain further amendments to Coffee Rules, 1955 (Placed in Library See No LT-1185/59)

13.21 hrs

CALLING ATTENTION TO MATTER
OF URGENT PUBLIC IMPORTANCE

FOOD PRICES

Shri Ram Krishan (Mahendergarh). Under Rule 197 I beg to call the attention of the Minister of Food and Agriculture to the following matter of urgent public importance and request that he may make a statement thereon

"Soaring food prices in the country resulting in distress to people in general"

The Minister of Food and Agriculture (Shri A. P. Jain). I would invite attention of the House to the President's address in which the main features of the food situation have been indicated. The prices of foodgrains particularly of wheat and gram, have arisen considerably during the last few months. This has been mainly due to a severe shortfall in production last year owing to failure of monsoon. The production of cereals alone had declined by 44 million tons as compared to the previous year and the total shortfall in the production of all foodgrains including pulses had been of the order of 67 million tons

The shortfall in the production of wheat and gram was particularly pronounced in some of the rabi producing States. The shortfall in certain areas was even more than 50 per cent

Till about the end of March, 1958, the prices of wheat had been steadily declining. The index number of wholesale prices of wheat declined gradually from 97 in February, 1957 to 84 in March, 1958. In April, however, when the failure of rabi crops became evident, the prices started rising. Since then there has been a continuous rise.

The Government have been trying to avoid distress to the people by judiciously utilizing the available resources and taking necessary regulatory measures. Over 36 lakh tons of foodgrains were distributed from Central stocks during 1958 through a network of fair price shops. Even today, over 48,000 fair price shops are functioning in the country. The flour mills in the country have been prohibited from making purchases from the internal markets and they are being supplied wheat from imported stocks thus removing the pressure of their demand from the market. The wheat requirements of important cities such as Bombay, Calcutta and Delhi are being entirely met by the Government. The Central Government has also been able to meet the necessary needs of the State Governments. Suitable restrictions have been imposed on the movement of foodgrains with a view to conserving supplies in particular areas.

Nature has been kind this year and there has been a very good crop of rice. The prices of rice have already recorded a substantial fall. The index number of wholesale prices which had risen to 118.2 in September, 1958 has now already fallen to 91.4.

Shrimati Renu Chakravartty (Basirhat): May I have the figures for the last harvesting time for rice, and the figures for this year also?

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Shri A. P. Jain: 100-101.

Shrimati Renu Chakravartty: For this year?

Shri A. P. Jain: 91.4. The harvesting of rabi jowar has already started in Bombay and other rabi-jowar producing areas. This will have a salutary effect on the jowar supply position.

The reports coming from the States indicate a good prospect of rabi crops, there should be a substantial improvement in the food situation after the coming harvest. With the stocks at their disposal the Government hope to be able to meet the requirements of the deficit areas during the intervening period.

Shri Bimal Ghose (Barrackpore): The hon. Minister has stated that prices have come down. In regard to rice, though minimum prices have been fixed in certain States, for example, in West Bengal, no rice is available in the market at the minimum price. What is the Government doing about that?

Mr. Speaker: He asks what steps are being taken to provide sufficient grain at the minimum price which, the hon. Minister has said, has been fixed. I do not normally allow any questions on such occasions but one or two questions could be put and answered for clarification and that may be all right. I see a number of hon. Members standing. They may put questions one after another, once for all, and the hon. Minister can then give the answer.

Shrimati Renu Chakravartty: The price of rice which has been quoted is probably the overall average for all India, for Orissa and all other States. As far as my own State of West Bengal is concerned, the price prevailing in the open market per maund

[*Shrimati Renu Chakravarty*]

of rice, when the rice is available, is between Rs 24 and Rs 25. In comparison with last year, there is no decrease. Again, it is no use comparing the figure for September with that for January, when the harvest is coming in December.

Shri Prabhat Kar (Hooghly) Since the day when the West Bengal Anti-Profiteering Act came into force, from 1st January, up till now, all the rice which was in the market on the 31st, has gone out of the market. In the Calcutta industrial area, for the last more than 1½ months, rice is not at all available, let alone the question of the price of rice. So, what steps are the Government going to take to provide rice in the market?

Shri P. S. Daulta (Jhajjar) Does the hon. Minister know that the acute shortage of wheat in Punjab is directly due to his refusal to obtain a uniform price for wheat in Uttar Pradesh and Punjab and to get the entire grain-producing area in one single zone, and that the smuggling is due to the difference of Rs 7 on this side of the Jumna which is directly responsible for the miseries of the Punjab?

Shri Panigrahi (Puri) On the one hand, while the Government have procured some rice, how is it, on the other hand, that rice and paddy stocks are not available in the market, and how does the Government explain it?

Shri S. M. Banerjee (Kanpur) Has it been brought to the notice of the hon. Minister that after the Food Minister of Uttar Pradesh made a statement, announcing that the Government would have state trading in food, the grain dealers in Uttar Pradesh have shown absolute non-cooperation with the Government and, if so, what steps have been taken in this regard by the Centre to help the State Government to procure grains?

राज्याध्यक्ष प्रत्यक्ष (मयपुरा) : मैं बहुत धूमता हूँ और लोग यह कहते हैं कि भाजकल बहुत महंगाई है और इस की खास वजह यह है कि बड़े तज्जारों ने बहुत ज्यादा गल्ला जमा कर रखा है और वह लोग उसे बाजार में नहीं आने देते। मेरा एक सुझाव है कि जिस में इस तरह की शिकायतें ज्यादा न आयें। हमें ऐसा करना चाहिये कि जो हमारे तज्जार हैं, दूकानदार हैं, इन की एक समिति बना दें और उस में मसलन कांग्रेस का एक रिप्रेजेंटेटिव ले ले, एक कम्युनिस्टों का रिप्रेजेंटेटिव ले लें क्योंकि यह बहुत झगड़ा करते हैं। मेरे कहने का मतलब यह है कि मुल्तलिफ़ लोगों को इकट्ठा करें, उन से यह कहें कि यह कहना कि अनाज जमा कर लिया गया इसलिए महंगाई है, यह तो हवा में बातें करना है। लोग हमें यह बतायें कि गंगाघर के पास, यमुना सिंह के पास या किस के पास गल्ला जमा है और अगर वह यह बता दें कि फला के पास गल्ला जमा है तो उन को भी लीजिये, दूकानदारों के नुमाइन्दों को भी लीजिये और बहा डाका डालिये और जा कर देखिये। अगर उस के पास गल्ला हो तो निकाल लीजिये। इस से गल्ले का बहुत धामानी से इन्तजाम हो सकता है।

पंडित राज नारायण ब्रजेश (शिवपुरी)
अध्यक्ष महोदय, मैं यह जानना चाहूंगा कि मध्य प्रदेश में जब उत्पादन कम नहीं रहा और अनाज अच्छी मात्रा में उत्पन्न हुआ तो वहां पर क्यों यह स्थिति इस समय निमित्त हो रही है कि लोगों को खाने के लिये गल्ला नहीं मिल रहा है? क्या हमारे खाद्य मंत्री के पास इस प्रकार की कुछ सूचना आई है कि यदि वहां इस प्रकार के स्थिति का निर्माण हुआ तो क्यों हुआ, और उसे दूर करने के लिये उन्होंने क्या उपाय सोचा?

श्री बजरंग सिंह (फिरोजाबाद)
अध्यक्ष महोदय, मैं यह जानना चाहूंगा कि क्या यह सही है कि उत्तर प्रदेश के पश्चिमी

जिलों में गेहूँ ३० ह०, ३१ ह० और ३२ ह०
मन बिक रहा है और मध्य प्रदेश के छत्तीसगढ़
डिवीजन में जहाँ पर धान की खरीद का भाव
६ ह० प्रति मन निश्चित किया गया है गवर्नमेंट
के द्वारा, वहाँ ७ ह० मन दूकानदार खरीद
रहे हैं और गवर्नमेंट की खरीद का कोई
इन्तजाम नहीं है जिसके कारण किसान
मारे-मारे फिर रहे हैं और उन का धान वहाँ
हम नहीं पा रहे हैं ?

श्री बा. जयेश्वरी (बलरामपुर) लोक-सभा
की पिछली बैठक में इस बात की मांग की
जाती रही है कि गेहूँ की दृष्टि से जो खाद्य क्षेत्र
निर्धारित हुए हैं उन का पुनर्गठन किया जाय।
जो व्यापार की नेचुरल और ट्रेडिंग, ल लाइम
है उनके अनुसार फुड जोस को संगठित किया
जाय लेकिन खाद्य मंत्री महोदय ने इस मांग
क, निरन्तर विरोध किया लेकिन यह देख कर
आश्चर्य हुआ कि लोक-सभा की जब बैठक
होने जा रही थी तो वेस्टर्न जोन को फिर से
रिमार्गेनाइज किया गया है और उस की
तोड़ दिया गया है। मैं जानना चाहूँगा कि
क्या और भी जोम के संगठन में इस तरह का
परिवर्तन किया जाने वाला है जिससे कि
अनाज के दाम नीचे लाये जा सकें और गेहूँ
और चावल का ठीक तरह में वितरण हो सके।

Shri Tangamani (Madurai) What
is the position in Madras so far as
rice production is concerned this
year? May I also know whether the
fair price shops will be retained and
how much of rice would be supplied
to Madras from Andhra during the
current year?

Shri D. C. Sharma (Gurdaspur)
May I know whether the Punjab Food
Minister met the Union Food Minister
and asked for an additional quota of
wheat for the State, how much wheat
he asked for and how much has been
allowed? Then, I find from observa-
tions made in Punjab that the number
of food depots has got to be increas-
ed. Not only that, but the quantity
of wheat supplied to Punjab must

also be increased. I know of one
district where the number of food
depots and the quantity of wheat
should be increased at least by 50
per cent. May I know if all these
points were put forward by the Punjab
Food Minister before the Union Food
Minister and also if, in view of the
increased needs of Punjab not only in
terms of the inhabitants, but also in
terms of the food depots in the cities
and villages—he has been pleased to
increase the quota of wheat to that
State?

Shri Sonavane (Sholapur—Reserv-
ed—Sch Castes) The price of wheat
in December, 1958 in Delhi was Rs 18
per maund. Now the same wheat is
selling at Rs 25 per maund. What
are the steps which are being taken
to reduce the price and to supply
wheat at the previous rate to the
Members of Parliament?

श्री नवल प्रताप (राय दिल्ली—
रक्षित—अनुसूचित जातियाँ) अध्यक्ष महोदय,
दिल्ली में जहाँ तक गेहूँ का सम्बन्ध है उसके
भाव अब कुछ गिर गये हैं और इस समय
गेहूँ और आटा यहाँ पर पर्याप्त मात्रा में मिल
रहा है लेकिन चने की जो स्थिति है वह
विषमतर होनी जा रही है। अभी पिछले दिनों
चना यहाँ पर १३ रुपये मन था जोकि आज
२३ रुपये प्रति मन है। मैं जानना चाहता हूँ
कि सरकार चने का दाम गिराने के लिए
क्या कर रही है ?

Dr. Samantsinhar (Bhubaneswar)
The price at which the Centre pro-
cures rice from Orissa is not the same.
I would like to know from the hon-
Minister how much paddy and rice
will be exported from Orissa to other
municipal and industrial areas and
also who will bear the transport
charges. According to the Orissa
Government statement, if it is near
the rail-head, the producer would not
bear the transport charge, but if it is
more than thirty five miles from the
rail-head, the transport charge will
be deducted from the producer's price.

[Dr Samantsinhar]

There are only 800 miles of railway in Orissa and the places are far away from the rail-head. The price now fixed is not a fair one and even from that, the transport charges will be deducted.

Shri A. P. Jain: Sir, I hope you will sympathise with me. I have been placed in a very embarrassing position, because such a large number of questions have been asked.

Mr. Speaker: The hon Minister did not even note down what all questions were put. If he finds it difficult, I shall supply a copy of today's proceedings to him; he will look into them and file a statement tomorrow.

Shri A. P. Jain: I shall try to answer the questions.

Mr. Speaker: If the hon Minister is willing to answer to the best of his ability now, the House may hear it.

Shri A. P. Jain: It is possible that I may not be able to carry all the questions in my head, nonetheless, I will try.

Shri S. M. Banerjee: Mr Speaker, your suggestion is better.

Shri Prabhat Kar: In view of the fact that the hon Minister has not taken down the questions, he may make a statement.

Shri Vajpayee: Why not have a two-hour discussion?

Mr. Speaker: We will have it later.

Shri A. P. Jain: If you want me to answer now, I shall do so. But if you want me to answer them later on, I shall do so.

Mr. Speaker: I shall pass on a copy of the proceedings to the hon Minister. He may give an answer leisurely and I will circulate it to the hon Members, instead of his making a statement here. He may anticipate

further questions arising out of that and he may make as complete a statement as possible.

Shri Prabhat Kar: Including today's statement.

Mr. Speaker: That also will be circulated.

12.37 hrs.

DELHI LAND REFORMS (AMENDMENT) BILL

Mr. Speaker: The Business Advisory Committee did not go through this Bill and fix up any time. It is proposed by the Government that three hours may be allotted. I think three hours are enough.

Shri Naushir Bharucha (East Khadesh) Till 5 o'clock, we can discuss it.

Mr. Speaker: We will conclude it today.

Shri Radha Raman (Chandni Chowk) The time should be extended at least to four hours.

Mr. Speaker: We shall dispose of it today.

Shri Radha Raman: I would like to make one more suggestion, if you approve of it. The two Bills—the Delhi Land Reforms (Amendment) Bill and the Delhi Panchayat Raj (Amendment) Bill—are inter-connected.

Some Hon. Members: No, no.

Mr. Speaker: So, it is not approved of.

The Minister of Home Affairs (Shri G. B. Pant): I beg to move:

"That the Bill further to amend the Delhi Land Reforms Act, 1954, be taken into consideration."

12.38 hrs.

* [MR. DEPUTY-SPEAKER in the Chair]

This is a very simple measure, and I do not think it admits of any fierce controversy. Before referring to the salient features of the Bill, I should like to give in brief the necessary background. As hon. Members are aware, the central territory of Delhi, which before the re-organisation of States, was known as the Delhi State, was carved principally out of areas that formed part of the Province or State of Punjab. It also included a number of villages which were formerly a part of Uttar Pradesh. So, there was a bewildering variety of land tenures in the Delhi rural area. There was also a certain amount of disparity between the rights of the cultivators in one part as compared with those possessed by the tenants and others in the other parts. So, it became necessary to rationalise the whole thing, to give a superior and adequate status to the cultivators and to confer on them such other privileges as were necessary in order to raise their status and also to enable them to have the full benefit of their labour. Accordingly in 1953 a Bill was introduced in the Delhi Legislative Assembly. Ultimately, it took the form of what is now the principal Bill on the subject viz. the Delhi Land Reforms Bill, 1954.

Delhi consists mostly of the city of Delhi and New Delhi. But, still there are nearly 300 villages, the exact number being I think, 291 comprised in the Central territory of Delhi. I said 291, but besides these 291 there are 15 others. So, the total number of villages comes to 306.

Under the Bill passed in 1954, the entire area was to be governed by the provisions of the Act of 1954. But later on, it was found that there were certain areas which were vested in or controlled by the Improvement Trust. So, an Act was passed by the Delhi State Legislature in 1956 excluding these areas from the purview of the Bill of 1954. These 15 villages were

no longer entitled to the rights which had been conferred on the tenants, sub-tenants and others under the Act of 1954. They were relegated to the position which they occupied before 1954. That placed them at a considerable disadvantage. The Act of 1954 was a progressive measure. I think it is one of the most progressive Acts passed in the matter of land reforms in our country. It was based and moulded on the pattern of the Zamindari Abolition and Land Reforms Act of Uttar Pradesh, which had been passed a few years earlier. That Act of Uttar Pradesh even today, I believe is the most progressive measure on the subject of land reforms. No State has surpassed it in this matter.

So when the matter came to our notice after the Delhi territories had come directly under the Centre—that these 15 villages had been excluded—and representations were made to us by the people living in these villages we looked into this question. So far as the cultivators in these 15 villages are concerned, this was of vital importance to them. These 15 villages we found had not actually been taken into possession by the Improvement Trust. Notifications had no doubt been issued. We also found that according to the Interim Plan prepared for Delhi these villages or the lands situated in them would not be required within a measurable distance of time for extension of the Delhi city. So it seemed not only desirable but necessary to give the villagers of these 15 villages the same rights and privileges to which the people living in other villages were entitled. Accordingly we have brought forward this Bill.

It seeks to cancel and to repeal the step that had been taken previously in taking the villages out of the scope of the Act of 1954. So all those in the villages would enjoy an equal status with the other 291 villages of Delhi. It is a matter of genuine gratification to me that the disability to which they had been subjected in 1956

[Shri G B Pant]

is being removed by means of this amending Bill

Under the Act of 1954 most of the cultivators acquired bhoomidari or proprietary rights. Those people living in these villages, who are connected with land, will now have a similar position, they will be able to stand the weight. The Act of 1954 abolished intermediary interests. In fact, the majority of the people living in the Delhi rural areas consist of peasant proprietors having small holdings. But there were still tenants, sub-tenants and other categories which had an inferior status. They were also to be given the status, rights and privileges of bhoomidars or proprietors on the payment of some compensation which is to be collected in a number of years in annual instalments. Well, that measure, the Act of 1954 was not implemented as is usually the case, whenever such laws are passed, an attempt was made to question its validity and an order for stay of the enforcement of the Act was also obtained. That order remained in force till about April 1956. I think—I am not quite sure of the month. But after that it came into force.

Now that is the main purpose of this Bill, i.e., that these 15 villages should now be restored to the position which they would have occupied if they had not been taken out of the 1954 Act by the amending Act of 1956. The Act of 1956 was to have retrospective effect, i.e., these villages were to be treated as being under the Improvement Trust and forming a separate category from 1954. So, this amending Bill also is to give retrospective relief to the cultivators so that its provisions will be deemed to have been incorporated in the original Act of 1954 and to have formed part of the Act that was then passed. That is the main provision.

There have been certain decrees, transfers and so on in-between since 1954 and it is proposed that these decrees etc., which are connected with

the exclusion of this area, should also be declared as null and void, so that the cultivators may have the full benefit of the 1954 Act, subject to such equities as may be necessary and also that while the rights of the cultivators which are being revived and restored should be respected, *bona fide* transfers also should be similarly protected so that justice may be done to all interests concerned.

That is one of the main provisions and originally that was supposed to be the principal and perhaps the one and the only purpose for which this Bill was to be framed. But on a scrutiny of the Act of 1954, it was found that there were certain lacunae which needed attention. So, a few provisions have been introduced in order to cure those ills and to remove those defects. Under the Act of 1954, all waste land was to vest in *gaon sabhas*. There was again another provision to the effect that all land, whether cultivated or uncultivated, which was included in the holdings, should continue to belong to the persons who own those holdings. It was found that really every bit of the uncultivated waste land was included in the holdings. So, there was an incompatibility between these two clauses. According to one the entire waste land was to vest in the *gaon sabha* and according to the definition of the holding nothing was there to be handed over to the *gaon sabha*. That error was discovered and in 1956, when this amending Act was introduced and passed, it was provided that all land other than the land which formed *sir* or *khudkasht* would be treated as waste land. I am saying that in a very general way. But then it was found that this *khudkasht* by itself had not been defined and one could interpret this word any way one liked. So, again that ambiguity remained.

Now, in order to clarify the position and to get rid of all these inconsistencies and anomalies, it is being provided in this Bill that *khudkasht* will

consist only of such land as has been cultivated within five years or having been cultivated has not been let out to anyone else so that most of the waste land now will vest in the *gaon sabha* and, but for a few hundred acres, the vast area consisting of waste land will now become the property of the *gaon sabha*, i.e., of the entire village community. So, that is a very wholesome provision which will give not only to the villagers of these 15 villages but to the cultivators in all the 306 villages the right to possess the waste land subject to the reservations which I have mentioned. So, that is another clause which forms part of this Bill.

According to the 1954 Act, the maximum area that any cultivator could hold was fixed for the future. What might be briefly stated is that a ceiling was fixed for the future. It was to consist of a standard 30 acres, i.e., no one, who had more than 30 acres, could own or acquire any more land. Similarly, a minimum area was also fixed, what might be called a floor area, the other being the ceiling area, and it was laid down that no one would be competent to transfer any part of his holdings if what was left with him was less than eight acres. These eight acres were to be treated as the minimum holding which should not be subject to any further fragmentation. Of course, there were people who held less than eight acres. They would not be deprived of what they had. That is another feature that was introduced in this Bill on the lines of similar provisions that had been incorporated previously in the Uttar Pradesh Zamindari Abolition and Land Reforms Act. But, in spite of this provision, small packages of land had been transferred to Harijans since. So far as others are concerned, if the law has been infringed, we do not propose to take any special measures. But, so far as these Harijans, who could not purchase the full minimum standard area and who have somehow been able to get small plots, are concerned it would be hard on them if

they were deprived of the land. So, while not disturbing the clause itself, a provision is being made in the Bill that the Chief Commissioner will have some discretion in the case of people having less than one acre, and they may be allowed to retain them.

14 hrs.

I have just said that for the future, a ceiling of 30 acres has been fixed. But, at the time this Act was passed, no ceiling was fixed for holdings as they then existed. I have asked our Ministry to look into this matter and I hope to introduce a Bill in this session, if possible, otherwise in the next session, fixing ceiling and dealing with other matters connected with ceiling on the existing holdings. That will follow. We did not like to delay this Bill as these 15 villages are at present being put to great hardship and it was necessary to have this measure enacted without any loss of time. But, a ceiling on existing holdings is necessary and we will be bringing forward a measure, I hope during the course of the next session if not in this, but, certainly before the end of this year. That question raises many other problems and they have all to be fully examined. So, we are giving thought to that matter and that Bill will follow in due course.

Under the Act of 1954, the *asamis* were to pay rent not exceeding one-fifth of the produce. We have made an amendment to the effect that it should not exceed one-fifth of the produce or four times the land revenue whichever be less. Under this provision, the *asamis* will get, I think, substantial relief in many cases.

There was yet another reason for introducing this Bill. Under this Bill, as I said, the waste land vests in the *Gaon Sabha*. There are also certain other powers which can be exercised only by the *Gaon Sabha*. There was some discrepancy in the definition of *Gaon Sabha* between the Delhi Panchayat Act and the Delhi Land Reform Act. The Panchayat Act and the Land Reform Act are now both being

[Shri G. B. Pant]

brought on a uniform basis. All persons who are voters for Parliament in a village will be the members of the Gaon Sabha of that village. So, an amendment had also to be made in this Bill to the 1954 Act in order to remove the difference between the two. Otherwise, it would be unworkable and that is one of the reasons why so far that has not been fully acted upon. This is a wholesome provision. Under the existing Act, membership was somewhat vague. But, under this amendment now, it will not be open to any sort of attack on imaginary or nebulous grounds. That is another change that has to be made by means of this Bill.

I do not think it is necessary for me to deal with other matters which are of a relatively subsidiary and minor character. All those points which are worthy of appreciation and consideration have been mentioned by me. I hope the Bill will be passed unanimously. I do not quite see why it should take four hours. But, if that be the wish of the House, it may. Only my colleague Shri Datar will, with the permission of the House and of the hon. Deputy Speaker, look after the stages of the Bill that will follow as, I think, I have done my part in placing before hon. Members, I think, a clear summary of the provisions of the Bill and its succinct features and all the reasons and objects which have induced us to bring this measure before this House.

Sir, I move.

Shri Ajit Singh Sarhadi (Ludhiana): On a point of clarification, Sir, ...

Mr. Deputy-Speaker: Before I place it?

Shri Ajit Singh Sarhadi: The hon. Minister said that certain *bona fide* transfers after 1954 have been protected and the Bill does not apply. May I ask what about the consolidation of small patches which were transferred to colonists in that area who purchased small areas?

Shri G. B. Pant: I am not able to follow.

Shri Ajit Singh Sarhadi: The hon. Minister said that some *bona fide* transfers after 1954 have been protected from the provisions of the Bill. It means that *bona fide* transfers of certain areas to the colonists are protected by it. These colonists purchased areas in small patches. These patches are scattered. What provision has been made for the development of those areas which have been purchased by the colonists?

Shri G. B. Pant: I do not think there are any colonists. Small patches may have been purchased and they do not constitute, I think, any vast area. They are *bona fide* purchasers just as the other proprietors have their lands; and they deal with them as they like, so will these people. They are small areas.

Mr. Deputy-Speaker: The hon. Member will have an opportunity of making his point clear.

Shri Ajit Singh Sarhadi: This is just a clarification I want.

It is conceded that some transfers have been made after 1954, and those transfers, if they are *bona fide*, are exempted from the provisions of this Bill. Those transfers have been made to certain refugees and others who have bought those patches for purposes of residence and building houses. They are in scattered areas, not in a consolidated form. They want to build houses. What provision has been made to consolidate them? Has the Chief Commissioner been given the power, or what is the provision about them? They cannot build them individually.

Shri G. B. Pant: Are you referring to the small patches that I mentioned?

Shri Ajit Singh Sarhadi: Not the Harijans; I mean others.

Shri G. B. Pant: So far as others are concerned, the provision about

eight acres stands generally, but we have made a provision that *bona fide* transfers will be protected, and given authority to the Chief Commissioner to look into these matters. If there are any cases which call for sympathetic consideration, in order that justice may be done to all concerned, he will have the opportunity of doing so.

Shri Radha Raman: I want to know

Mr Speaker: He will make his points clear, and then perhaps the hon Minister will have an opportunity of replying to them.

Motion moved

"That the Bill further to amend the Delhi Land Reforms Act, 1954 be taken into consideration."

श्री प्र० सि० बीलता (अज्जर) जनाब डिप्टी स्पीकर, मैं इस बिल के मकसिद एम्स एंड आबजेक्ट्स से पूरा इतिफाक रखता हूँ और उनकी हिमायत के लिए खड़ा हुआ हूँ। भलबत्ता तफसील में जाकर कुछ एक्स्टलाफ है और मैं उस मिलमिले में कुछ अपने सुझाव रखूँगा।

पहला प्वाएंट मेरा उन १५ गावों के बारे में है जिनका कि मंत्री महादय ने जिक्र किया। सन् १९५६ में इन गावों को प्रिमिपल ऐक्ट की आबिट से निकाल दिया गया था उनको अब इस ऐक्ट की जद में लाया जा रहा है और मुझे इस कदम की हिमायत करने में खुशी है। लेकिन डिप्टी स्पीकर साहब, मैं यह समझने से कासिर हूँ कि बोनाफाइड परचेजर्स को प्रोटेक्शन देने की बात और उन मुजारों को जो कि बहा से बेदखल हुए थे, उनके मुतालिक एम्स एंड आबजेक्ट्स में जो यह लिखा हुआ है कि उनको उनकी पोजीशन पर लाना है, कोशिश यह होगी उनका स्टेट्स उनको रेस्टोर किया जाय, वह कैसे हो सकेगा? यह दोनों बातें आप एक साथ कैसे कर सकते हैं? मैं देख रहा हूँ कि दोनों मंत्री महोदय

भापस में मशविरा करने में लगे हुए हैं और इसलिए शायद वह मेरे प्वाएंट को न सुन सके होंगे।

उपाध्यक्ष महोदय : भापकी निस्वत ही मशविरा हो रहा है। आप आगे चलिये।

श्री प्र० सि० बीलता : मैं डिप्टी स्पीकर साहब की मार्फत मंत्री महोदय का ध्यान अपनी तरफ कराना चाहता हूँ।

Mr. Deputy-Speaker: The hon Member has complained that he is not being listened to.

Shri G. B. Pant: I am sorry The complaint is, I think, justified.

श्री प्र० सि० बीलता : मेरी भ्रज यह है कि जहां तक आपके बिल के एम्स एंड आबजेक्ट्स का ताल्लुक है बिल की नीएय्यत का ताल्लुक है, मुझे उसमें पूरा इतिफाक है और मैं उसके लिए गवर्नमेंट को मुबारकबाद देता हूँ। तफसील में मुझे ज़रूर एक्स्टलाफ है और मैं उसके लिए कुछ सुझाव देना चाहता हूँ।

पहली चीज ता जा मैं भ्रज करने लगा हूँ वह यह है कि १५ गावों का कि १९५६ में प्रिमिपल ऐक्ट की जद से बाहर निकले थे वह किन के गाव हैं। उनमें से ४ गाव तो उन नैडलाइंड्स के हैं जिन्हें १९५७ में बनौर इनाम के मिले थे। उन गावों के जो जागीरदार हैं वे तकरीबन मारे बास्मूख लाग थे और उन्होंने अपने स्मूय में बटनी हुई कीमती से फायदा उठाने के लिए वानून की जद से निकलवा लिया। मुझे डर है कि यह बोनाफाइड परचेजर को प्रोटेक्ट करने और मुजारों को अपनी पुरानी पोजीशन पर बहाल करना इन दोनों चीजों में टकराव है। जहां तक मुमकिन हो सकेगा आप उनको ओरिजनल पोजीशन पर रेस्टोर करने की कोशिश करेंगे। लेकिन यह कैसे हो सकेगा?

श्री श्री० ब० पन्त : वह तो केवल एक एकड़ तक ही है और वह कुल ऐरिया जो बोनाफाइड ट्रान्सफर है वह बहुत थोड़ा है।

श्री प्र० सि० बीलता : वह चाहे एक एकड़ हो या एक इंच हो मेरी धारणा यह है कि अगर वहां पर एग्रीकल्चरल कास्ट हो रही है फसल खड़ी है, "दैंट शुड बी रेस्टोर्ड टु दी टेनेन्ट"। जेरे कास्ट जमीन के ऊपर मुजारे को बहाल कर दिया जाय लेकिन वह जमीन जो बिल्डिंग के नीचे या चुकी हो और वह दो या तीन एकड़ हो उसे इस थर्मिडमेंट से बाहर निकाल दिया जाय।

श्री गौ० ब० पंत : हरिजनों के बारे में क्या राय है ?

श्री प्र० सि० बीलता : हरिजनों के बारे में मैं मंत्री महोदय से बिलकुल एग्री करता हूं कि उनसे नहीं खी जानी चाहिए चाहे वह एक एकड़ हो, दो एकड़ हो या तीन एकड़ हो। वह उनके पास बनी रहने दी जाय और मुझे उसमें कोई ऐतराज नहीं है।

रिपोर्ट को मैंने देखा है और मैं इस में उनसे पूरी तरह मुत्तफिक हूं कि क्लाज २० जिसमें कि १ जनवरी १९५७ को डेट रखी गई है, यह डेट बिल की कंसेंट होने तक ऐक्सटेंड कर दी जाय। मैं जानता हूं कि बहुत से भाई इस चीज से सैटिसफाई नहीं हैं और वह इस डेट को पीछे ले जाने के लिए थर्मिडमेंट लाये हैं। यह वही एलिमेंट है जिसने कि सन् १९५६ में कानून की जद से बाहर निकाला था वही अब वह थर्मिडमेंट ला रहे हैं कि यह तारीख पीछे धकेल दी जाय। वे उनके घरों में न आयें।

दूसरा प्वाएंट जैसा कि मंत्री महोदय ने कहा और जिसका कि डिफ्र प्रिंसिपल ऐक्ट की क्लाज ७ में आया है और जिसको कि इस थर्मिडमेंट बिल के क्लाज ५ में टैकिल किया है, मालूम ऐसा पड़ता है कि मंत्री महोदय इस इंप्रेशन में हैं कि वह सारी जमीन वेस्ट लैंड है। पीजेंट प्रोपराइटी की यह बैल्ट जो कि पंजाब से मेरठ डिवीजन तक चली गई है और जिसके कि दिल्ली बीच में पड़ती है, तो दिल्ली के गांवों की बिलेज एकोनामी

नहीं है जो पंजाब के गांवों की है। पंजाब में जहां सिर्फ वे ग्राम सभा में वेस्ट करती हैं वहां वहां पर मिल्कियत तबदील होती है। अब कांस्टीट्यूशन के मुताबिक कम्पेंसेशन का सवाल पैदा होता है। अब वेस्ट लैंड के अलावा गौरादेह, खलिहान, बेटोड़ा, गतोड़ा यह भी इसी जमीन में शामिल हैं जो कि ग्राम सभा को मिलने लगी है। यह वह जमीन है जो इन छोटे छोटे मालिकों ने अपनी होल्डिंग्स में से पूल की थीं और जब छोटी छोटी जमीनों के मालिकों की यह मिल्कियत ग्राम सभा को ट्रान्सफर होने लगी है तो हम को यह नहीं भूलना चाहिए कि उनके कम्पेंसेशन का जो मियार है वह बहुत थोड़ा है। प्रिंसिपल ऐक्ट के सेक्शन ७ में जो कम्पेंसेशन का मियार रखा गया है वह लैंड रेवेन्यू से तीन चार गुना है। जो कि बहुत थोड़ा है। दिल्ली में जमीन की चारों तरफ कीमतें बहुत अधिक बढ़ रही हैं और इसलिए यह जो लैंड रेवेन्यू का फ़ोर टाइम्स रखा गया है वह बहुत थोड़ा है। हाईकोर्ट में जब वह मामला गया तो उसने प्रिंसिपल ऐक्ट का इंप्रेशन बंद कर दिया था और यह करार दे दिया था कि जब तक जमीन का उचित कम्पेंसेशन न मिले तब तक इस ऐक्ट पर अमल न हो और मेरी धारणा यह है कि आप उसके उलटा कर रहे हैं। जमींदारों को मिलने वाला मुआविजा थोड़ा है।

श्री च० कु० नायर (बाह्य दिल्ली) : थोड़ा मिलने पर भी वह जमीन ग्रामिण गांव सभा को ही तो जायेगी जिसका कि वह भी मेम्बर है।

श्री प्र० सि० बीलता : मेरे साथी दोस्त इस कानूनी बात को नहीं समझ सकेंगे। यह कोई पब्लिक सेक्टर नहीं है।

उपाध्यक्ष महोदय : ऐसी बात किसी मेम्बर साहब के खिलाफ कहना ठीक नहीं है।

श्री प्र० सि० बीलता : माननीय सदस्य मेरी बात तो पहले सब से सुन लें फिर टोकें।

उपाध्यक्ष महोदय : ऐसा कहना ठीक नहीं है ।

श्री प्र० सि० डौलता मेरी धरं है कि कम्पेन्सेशन का स्टैंडर्ड बहुत बड़ा है । अभी तक दो इन्स्टालमेंट्स में या अब वह चार इन्स्टालमेंट्स में कर दिया गया है । अब हाईकोर्ट का जो इस बारे में सुझाव है उससे उलटा चल कर बजाय दो के चार इन्स्टालमेंट्स में कर दिया और इन्स्टालमेंट्स पर जो सूद मिलेगा वह बहुत कम रखा गया है, डाई परसेंट सूद रखा गया है जब कि वह कम से कम साढ़े चार परसेंट होना चाहिए । आखिर गवर्नमेंट में डाई परसेंट सूद कहा है ? मेरी समझ में रेट आफ इंटरेस्ट बहुत बड़ा है । एक आनरेबल मेम्बर ने कहा था कि वे भी ग्राम सभा में शामिल होंगे । वे भी शामिल हैं, नान-पेजेंट प्रोप्राइटर भी शामिल हैं, सारे गांव के लोग शामिल हैं । इसी प्रिंसिपल की बिना पर तो मैं कहता हूँ कि गांव सभा में वेस्ट होना चाहिए । इस में कोई डिस्पूट नहीं है । आप ने यहाँ जो कास्टीच्यूशन बना रखा है, उस में जो गड्स दे रखे हैं, उन के मातहत पेजेंट प्रोप्राइटर को जो कुछ मिलता है, वह क्यों न मिले ? इस सोशलिज्म की आप बड़े बड़े सेठों और लैंडलाइज में क्यों न शुरू करें ? आप इस को पेजेंट प्रोप्राइटर में क्यों शुरू करते हैं ।

मेरा दूसरा प्वायंट प्रिंसिपल ऐक्ट के सेक्शन ७ के बारे में है, जो कि इस बिल की क्लॉज ५ में डील किया गया है । मैं यह प्रज करना चाहता हूँ कि प्रेजेंट प्रोप्राइटर से जो कामन लैंड ली जाती है, उस के कम्पेन्सेशन का रीयार बुलन्द हो । अगर इन्स्टालमेंट्स में ही देना है—आप चार इन्स्टालमेंट्स में दे रहे हैं—तो डाई परसेंट इन्टरेस्ट बहुत बड़ा है । वह ज्यादा होना चाहिए ।

कुलकिसनता से हमारे मंत्री महोदय बड़े जल्दबाजी में हैं । वह बड़ी वाकफियत रखने हैं हिस्ट्री की और सोशियलोजी की

भी । मैं प्रिंसिपल ऐक्ट के सेक्शन ३३, जो कि इस बिल की क्लॉज १२ में डील किया गया है, के बारे में कुछ कहना चाहता हूँ । मंत्री महोदय चाहते हैं कि छोटे छोटे किसानों की जमीन के स्टैंडर्ड पर कुछ रेस्ट्रिक्शन होनी चाहिए, ताकि उन के पास धन-इकानोमिक होल्डिंग न रह जायें । मुझे इस बात से पूरा इतिफाक है, लेकिन मैं मंत्री महोदय के नोटिस में लाजा चाहता हूँ कि दिल्ली के चारों तरफ कभी किसान बसा करने थे । जो आज रह गये हैं, उन में आज बड़ी सेन्स आफ इनसिक्योरिटी है और वह महज सेल या ट्रास्कर से नहीं हो रही है । गवर्नमेंट भी उन की जमीन को एक्वायर करती है । आज बिजिनेस कम्पनिटी वाले सोसायटीज बना कर किसानों से उन की जमीनें ले रहे हैं और उन को वहाँ से बेदखल कर रहे हैं और उन की इकानोमिक होल्डिंग छीन रहे हैं । जो रेस्ट्रिक्शन आप चाहते हैं वह बड़ी माडी है । जिस जगह आज यह पालियामेंट हाउस बना है, जहाँ आज रायसेना है, वहाँ किसी समय किसानों के खेत हुआ करता था । मैं यह प्रज करना चाहता हूँ कि यहाँ मात गांव मेरी गोत—मेरी बिरादरी के थे । आज मैं उन में से एक फैमिली को भी ट्रेस नहीं कर सकता । पता नहीं वे लखनऊ चले गये, ५० पी० में आबाद हो गये, या कहा चले गये, बर्बाद हो गए । एक तमाशा बना हुआ है । कुछ लोग १९४७ से दिल्ली में आकर बसे हैं, जो पैसे वाले हैं और इडस्ट्री प्रो करना चाहते हैं, जो लोकल लोग हैं, जो कि पैसे वाले हैं । वे किसानों की जमीन हथियाना चाहते हैं । वे सरकारी मुलाजिमों से मिल कर अपना काम करते हैं । वे किसी गांव में जाते हैं—जैसे मुनोरका गांव में जाते हैं और किसानों से कहते हैं कि इस भाव पर जमीन दो । किसान कहते हैं कि हम नहीं बेचते, हमारा गुडारा इसी पर है । तो वे कहते हैं कि फर्ला महकमा इस की एक्वायरी करेगा फिर सबकुछ उस महकमे के लोग वहाँ चले जाते हैं । इस तरह मिल कर जमीन हासिल

[श्री प्र० सि० बीलगा]

करने की कोशिश की जाती है। मैंने कल स्टेट्समैन में पढ़ा कि ६०० एकड़ जमीन प्राइवेट इन्स्ट्रुमेंट्स के लिए एक्वायर की जाएगी यहाँ दिल्ली के किसानों से— उन किसानों से जिनके ज़िस्म पर कपड़ा नहीं है, हालाँकि वे कपास पैदा करते हैं, जिनको गुड़ पैदा करने के बावजूद चीनी का दाना नहीं मिलता है। उनकी जमीन मार्केट वैल्यू से कम भाव पर एक्वायर करके उन लोगों को दी जाएगी, जो कि हवाई जहाजों पर चढ़ने वाले हैं, जिनके पास कारें और कोठिया हैं, जिनके पास कारखाने हैं। इंग्लिश हिस्ट्री इस किस्म की मिसालों से भरी पड़ी है कि जहाँ घरबनाइजेशन होती है, वहाँ भास-पास रहने वाले किसानों पर क्या क्या मिजरीयें आती हैं। हिन्दुस्तान में एक किन्म “दो बीघा जमीन” तैयार हुई थी, जिसमें दिखाया गया था कि किस तरह एक किसान खेती करता है और किस तरह एक कारखाने वाला उसकी जमीन छीन कर वहाँ पर कारखाना बनाता है। दिल्ली में चारों तरफ किसानों की जमीन थी। मैं समझ नहीं सकता कि उनकी हिफाजत के लिए सैंक्शन ३३ क्या करेगा। सात सात, आठ आठ गांव दिल्ली सैण्ड फ़ाइनस वाले एक्वायर करा रहे हैं। इसी तरह दूसरी कम्पनिया भी एक्वायर करा रही हैं। इन्स्ट्रु की घोष के नाम पर किसानों की जमीन पर छापा मारा जा रहा है। आज चारों तरफ किसान सहमे हुए हैं कि हमने कैपिटल के चारों तरफ बस कर क्या गुनाह किया था। मैं मन्त्री महोदय से दरखास्त करना चाहता हूँ कि उनके लिए कोई न कोई प्राविजन ज़रूर किया जाय। यहाँ पर इतने बड़े बड़े जो बगले बने हुए हैं, उनको ढाकर आप फ्लैट बनाइये। कहा जाता है कि वहाँ सैकण्ड स्टोरी नहीं बनाई जा सकती, क्योंकि इससे इनकानवीनिएन्स हो जायगी। मैं धर्ज करना चाहता हूँ कि किसानों का भी तो कुछ हक है। आज क्या होता है? दफ्तर में एक इंजीनियर पैसिल से

एक लकीर सीधे देता है और बाउन्ड्री आफ फैमिलीय की फ़ैट का फैसला हो जाता है। मैं रिक्वेस्ट करूँगा कि गवर्नमेंट किसानों की जमीन बड़ी एहति्यात से हासिल करे। वह उसको प्राइवेट इन्स्ट्रु के मालामालों को मुफ्त में न दे दे, जो कि कारखाने कायम करके करोड़ों रुपए कमायेंगे। जब तक आप तीन, चार, पाँच मंजिलें बना सकते हैं, तब तक देहात में फैलने और किसानों को उजाड़ने की कोई ज़रूरत नहीं है। मैं यह कहना चाहता हूँ कि सैंक्शन ३३ दिल्ली के चारों तरफ बसे हुए किसानों को नहीं बचा सकेगा, जब तक कि एक्ट में बड़ी तबदीली न की जाय और गवर्नमेंट की पालिसी को न बदला जाए। अगर गवर्नमेंट को जमीन की ज़रूरत है, तो मार्केट वैल्यू से कम पर लेना कोई मुनासिब बात नहीं है। रोमन ला में किसी के घर को भाग लगाना सबसे बड़ा आफेन्स माना गया है। यहाँ पर जेनेरेशन के ट्रेडिशन-रिडन लोग हैं, जो कि सात सात गोत में शादी नहीं करने। मा को छोड़ देने हैं, भाई को छोड़ देते हैं, जो कि बिरादरी से कनेक्ट है। आप उनको उजाड़ते हैं। आप कम से कम मार्केट वैल्यू से दस गुना ज्यादा पैसा तो उनको दीजिए, ताकि वे अपने आपको रीहैबिलिटेड कर सकें। आज दिल्ली के चारों तरफ किसानों की आबादी उजड़ती जा रही है।

एक माननीय सदस्य वह तो सुन नहीं रहे हैं।

श्री प्र० सि० बीलगा

They are not concerned, they are concerned with the *lala*, who is sitting with them

जिस मेम्बर की अमेंडमेंट आई है, वह मन्त्री महोदय की तबज़ह अपनी बातों की तरफ दिलाना चाहता है, तो वह स्पीच दे सकता है, लेकिन वह दोनों मंथियों को लेकर बैठ जाय, क्या यह मुनासिब है?

Mr. Deputy-Speaker: Again the same complaint is being made

श्री प्र० सि० बोलता . मैं स्पीच दे रहा हूँ और दोनो मिनिस्टर एक आनरेबल मेम्बर से बात कर रहे हैं ।

उपाध्यक्ष महोदय इस की शिकायत तो तब होगी, जबकि आपके प्वायण्ट का जबाब नहीं दिया जायगा ।

श्री प्र० सि० बोलता मैं जानता हूँ कि मिनिस्टर साहब भी मेरी तरह सुर्माई की हैं । उनके पास हरदयाल का दिमाग नहीं है कि वह सात आदमियों की बात एक साथ सुन सकें । मुझे मालूम है कि वह दिल्ली के लाला राधा रमण की बात सुनेंगे, तो फिर इस बात की नहीं सुनेंगे । उन की आवाज में स्वीटनैस है, जबकि मेरी आवाज कड़वी है । मैं तो चाहता हूँ कि वह मेरी स्पीच को सुने ।

श्री वाकपंथी (बलरामपुर) श्रीमन् यह लाला और बात की बात ठीक नहीं है ।

उपाध्यक्ष महोदय मुझे भी इस पर ऐतराज है । मेम्बर साहब को ऐसे लफ्फों का इस्तेमाल नहीं करना चाहिए । शायद ऐसा लफ्फ इस्तेमाल करके मेम्बर साहब अपनी स्पीच दूसरों का सुनाना नहीं चाहते हैं । इस तरह के लफ्फ कानों को अच्छे नहीं लगते हैं । आप मिनिस्टर साहब की तबज्जह अपनी तरफ दिना सकते हैं कि वह आपकी स्पीच को सुने और वह सुनेंगे लेकिन तेजी मैं आकर इस तरह के लफ्फ इस्तेमाल करना ठीक नहीं है ।

श्री प्र० सि० बोलता मैं ज्यादा बक्त न लेता हुआ यह कहना चाहता हूँ कि मिनिस्टर साहब आनरेबल मेम्बर श्री राधा रमण से मोहतात रहे । यह डेट पीछे न चली जाए । यह वही इन्फ्लुएन्स है, जो कि पन्द्रह गांवों को बाहर ले गया था । इसी लिए मुझे डर लगता है ।

एक माननीय सदस्य आप भी वहीं बैठ सकते हैं ।

श्री प्र० सि० बोलता मैं बड़ा कहा बैठगा ?

आखिर मैं मैं यह प्रश्न करना चाहता हूँ कि जहाँ तक क्लोज १ का ताल्लुक है, मुझे उमसे पूरा इतिफाक है । मुझे सिर्फ यह रिक्वेस्ट करनी है कि चीफ कमिश्नर के अस्तित्वागत दूसरी चीजों से कम न हो । जो मुजारे बेदखल हुए हैं जिनकी फसलें खड़ी हैं, उनको मुआवजा मिले ।

क्लोज ३ के बारे में मैं यह प्रश्न करना चाहता हूँ कि जिन पेजेंट प्रोप्राइटर की जमीन ग्राम मभा में वेस्ट हानी है उनका स्टैंडर्ड में कम्पे मेशन मिलना चाहिए । अगर उनका इन्स्ट्रुमेंट देना है, तो उनको वह इन्स्ट्रुमेंट ना दिया जाय, जो कि गवर्नमेंट भकान बनाने के लिए दिए जाने वाले लोन पर चार्ज करनी है—उनको कम से कम साढ़े पांच परसेंट इन्स्ट्रुमेंट तो दिया जाना चाहिए । आखिर मैं मैं यह प्रश्न करना चाहता हूँ कि आज दिल्ली के चारों तरफ़ किसानों की जमीनों पर डाके पत्र हैं और उनकी जेबें कतरी जा रही हैं । आज कानून के जर्जिय बागों में बैठ कर जमीन को जिस तरह से लिया जा रहा है उगम किसानों के अन्दर बड़ी बेचैनी है । मैं पूरना चाहता हूँ कि इन बेचार किसानों ने क्या कमर किया है य आपकी प्राटे,शन के हकदार है और आपको चाहिये कि आप इनका प्राटे,शन दे । आज उनके अन्दर बड़ी इन्-सिक्योरिटी है बनी बेचैनी है । आप भेम बदल करके उनके बीच में जाये तब आपको उनकी अपनी हानत का और उनकी शिकायतों का पता चल सवेगा । आज उनको डर है कि उनकी जमीन पर किसी भी महकमे की किसी भी बक्त पैमिल चल सकती है । इस वामन

[श्री प्र० सि० दीनाराम]

मैं चाहता हूँ कि जब आप उनकी जमीन में तो उसकी कीमत से पाँच गुना ज्यादा आप उनको दें। यह राशि अगर आप चाहे तो एकदम वे सकते हैं या किसी और तरह से दे सकते हैं लेकिन यह देखना आप का फर्ज है कि वे भ्रष्टालो में जाने पर मजबूर न हों।

इन अनफार्म के मध्य जो बिल यहाँ रखा गया है, इसकी मैं हिमायत करता हूँ क्योंकि मैं समझता हूँ कि इसका जो मकसद है, वह ठीक डायरेक्शन में है।

श्री च० छ० नायर उपाध्यक्ष महोदय, यह जो एमेंडिंग बिल हॉम मिनिस्टर साहब ने इस सदन में पेश किया है, इसका मैं हृदय से स्वागत करता हूँ और मैं समझता हूँ यह उनकी मलमंसी और उनकी विशाल सहृदयता का एक नमूना है।

इस बिल का मकसद उन १५ गावों को जो कि पहले वाले बिल से महसूस रह गये थे भूमिधारी के हक देना है। इसके लिए पिछले दो सालों में ज्यादा धर्म से गावों वालों में परेशानी चली आ रही थी और वे इस चीज की माग करते आ रहे थे। वे लोग हमारे पास भी आए और हमने इस मामले का एडवाइजरी कमेटी में भी उठाया जो कि दिल्ली की है और इस मामले में पर जोर दिया। आखिर सरकार ने यह फैसला किया कि इसको जरूर लाया जाए। इसका कारण यह बताया जाता है कि क्योंकि वे १५ गाव अभी फिलहाल डिबेलपमेंट में नहीं आने वाले हैं, इस वजह से यहाँ भी इस कानून को लागू किया जाए। मैं समझता हूँ कि अगर ये गाव डिबेलपमेंट में आ भी जायें तो भी यह कानून बहाल लागू होना चाहिये। इसका कारण यह है कि दिल्ली के कई गांवों डिबेलपमेंट में अब नए आते जा रहे हैं और इसका यह मतलब नहीं है कि वहाँ किसान नहीं रह सकेंगे या जो मुद्दाबजा है वह जमींदारों को ही मिल सकता है, किसानों को नहीं मिल सकता है। जो मुद्दाबजा जमी-

दारों को मिलेगा वहीं वहाँ के किसानों को बिल जाएगा, इसमें हर्ज की क्या बात है। किसानों को भूमिधर के नाम से वहीं मुद्दाबजा मिल सकता है। इसलिये हर हालत में इन १५ गावों को उन प्रतिबन्धों से छुटाना लाजिमी था। इसका कुछ भी कारण रहा हो, हमें खुशी है कि आज यह किया जा रहा है और मैं गाव वालों की तरफ से और खास तौर पर वहाँ के किसानों की तरफ से अपने होम मिनिस्टर साहब को बहुत बधाई देता हूँ कि उन्होंने यह कानून यहाँ लाने का फैसला किया और जल्दी लाने का फैसला किया और मैं आशा करता हूँ कि यह बिना किसी विरोध के यहाँ पास हो जाएगा।

जैसा होम मिनिस्टर साहब ने अपनी तकरीर में कहा, पिछले कानून में कुछ खराबियाँ थी जिनको दूर करना जरूरी हो गया था और खुद-कास्त के बारे में उन्होंने कहा कि दो प्रकार की डेफिनिशंस होती हैं। एक तो वह जमीन होती है जो गवर्नमेंट नैड होती है य बजर जमीन जिम को कहते हैं और वह भी किसी न किसी बात पर जमींदारों के कब्जे में आ चुकी थी। इसलिए यह कहा गया है कि यह जमीन मचमुच खुद-कास्त में आ सकती है लेकिन कई लोग ऐसा भी कहते थे क्यों। उममें वह नहीं आ सकते थे। जब तक वे खुद-कास्त न करें और कभी किसी वक्त वह उनके नाम चढ़ गई इमनिंग वे उसके हकदार हैं। यह सही नहीं था। इसलिए दानों में मतभेद हुआ और आखिर गवर्नमेंट ने यह फैसला किया कि मचमुच खुद-कास्त वह है जिसकी जमीन घराने में कास्त में आ चुकी हो और बाकी जितनी जमीन हो वह बजर मानी जाएगी और वह ग्राम सभा को चली जायगी। मैं समझता हूँ कि यह एक बहुत बड़ी मेहरबानी हमारे होम मिनिस्टर साहब ने हम कास्तकारों पर की है। इसमें भी कोई शक नहीं है कि उत्तर प्रवेश का जो एक्ट है नैड रिफार्म्स एक्ट वह बहुत बड़ चढ़ करके है,

काफी एडवांस पीस आफ सैजिस्लेशन है और दिल्ली में भी उही लाईस पर चलने की कोशिश की गई है।

लेकिन एक दो बातें हैं जिनकी तरफ मैं आपका ध्यान दिलाना चाहता हूँ। एक बात तो हरिजनो की है जिनके पास कोई जमीन ऐसी नहीं है जिसको कि वे अपनी कह सकें। इसमें सीलिंग का कुछ पक्के तौर पर फ़ैसला नहीं किया गया है। एक सीलिंग तो है और वह यह कि तीस एकड़ से ज्यादा जिसके पास जमीन है वे बेच सकते हैं, जिनके पास इससे कम जमीन है वे बेच नहीं सकते हैं। लेकिन बहुत से ऐसे लोग हैं, जायदाद वाले भी हैं कि जब उनसे जमीन गवर्नेमेंट की तरफ से नहीं की जाती है। इसलिए सीलिंग होने पर शायद बची हुई जमीन को लेना पड़ेगा और मिनिमम आठ एकड़ रखी गई है। इसका मतलब यह है कि कोई भी ऐसा व्यक्ति जमीन न बेचे जिसके पास आठ एकड़ से कम बेचने के बाद रह जाती हो क्योंकि उस दशा में वह एक इकोनॉमिक यूनिट नहीं रह जाता है। इस दृष्टि से यह प्रतिबन्ध लगाया गया मालूम होता है। आठ एकड़ से अधिक जमीन जिनके पास है उसके लिए आठ एकड़ अपने पास रखना लाजिमी है और उसमें ऊपर जमीन वह बेच सकता है। हम शुरुआत हैं कि हमारे होम मिनिस्टर साहब ने यह वादा किया है कि एक नया कानून इन दोनों खराबियों को दूर करने के लिए जल्दी ही, एक साल के अन्दर अन्दर, लाने की वह कोशिश करेंगे और उसमें इस बात का ध्यान रखेंगे कि हरिजनो को कुछ न कुछ हक़ मिल जाये। मैं शीलता साहब का भी शुक्रिया अदा करता हूँ कि उन्होंने इसका विरोध नहीं किया है। हरिजनो को जमीन मिलनी चाहिये, इसमें उन्हें कोई ऐतराज नहीं है। मैं समझता हूँ कि यह बात उन्होंने शाबाशी की कही है।

श्री राधा रमण जी ने एक प्रपोज़िशन दिया है जिसमें कहा गया है कि जो जमीन

१९५४ और १९५९ के बीच में बेची गई थी उसको बोनाफाइड परचेजर्स वे खरीदा, इसलिए इस चीज़ को कानूनी करार दे दिया जाए इन १५ गावों में भी। मैं इसको सही नहीं समझता हूँ क्योंकि बोनाफाइड परचेज़र का क्या मतलब है? परचेज़र तो हमेशा बोनाफाइड ही होता है, वह अपना हक़ लेता है। लेकिन सोचना यह है कि जो सैलर है वह बोनाफाइड है या नहीं है। जो बड़े बड़े जमींदार हैं और ख़ास करके वे जो शहरों में बैठे हुए हैं और गावों के गावों के मालिक हैं और जिनका इन १५ गावों में काफी जोर है वे इस वास्ते जमीन को बेचते हैं कि उनकी जमीन के मुजायरे भूमिधर न बन जायें। इसलिए हमारा कानून कहता है कि यह मार्ग चोज उनकी सच्चाई और ईमानदारी पर है। परचेजर्स को कोई दोष नहीं देना है, वे हमेशा बोनाफाइड हैं। हर को-चाहेंगा कि जहाँ भी जमीन सस्ती मिले क्यों न वहाँ से खरीद ली जाए। दिल्ली में तो आजकल जमीन की फी गज कीमत २० रुपये, ५० रुपये, १५० रुपये और २०० रुपये तक पहुँच चुकी है इसलिए परचेज़र हमेशा बोनाफाइड हैं। हमें देखना यह है कि जो बेचने वाला है वह बोनाफाइड है या नहीं है और अगर नहीं है तो इसका मतलब यह है कि उसने अपने मुनाफ़े के लिए, अपने नीचे वाम करने वाले मुजायरो को धोखा देने के लिए, उनके हक़ से उनको महकूम करने के लिए इस जमीन को बेचा है या बेच रहा है। इस तरह से यह मुनाफ़ा शब्द बोले में यहाँ रख दिया गया है और मैं समझता हूँ कि श्री. राधा रमण जी अपने सशोधन को वापिस ले लेंगे क्योंकि उससे गरीब किसानों को कोई लाभ नहीं होता है। जो जमीन बेच दी गई है उसके बारे में कुछ अगर तरमीम हो भी सकती है तो इनकी ही हो सकती है कि उस जमीन का जो मुआवज़ा मिलेगा उसका वह भूमिधर भी हक़दार बने। जो उस जमीन का मालिक बनने वाला है, उसका हिस्सेदार जो भूमिधर बनने वाला है, जो मुजायरा है, उसको भी उसमें हिस्सा मिलना

[श्री च० ह० नायर]

चाहिये। यहां तक तो कम्प्रोमाइज हो सकता है, लेकिन इसकी भी मैं कोई जरूरत महसूस नहीं करता हूँ। इसका कारण यह है कि ये १५ गांव जो कि डिबेलपमेंट के मातहत आने की बजाह से पिछले कानून से महसूस रखे गये थे उनको भी मुक्ति देने आया जा रहे हैं और उनमें रहने वाले किसान भी भूमिधर बन सकते हैं तो फिर उसके दमियान इस बीज को रखने की कोई आवश्यकता नहीं है। इस वास्ते मैं समझता हूँ कि जहां तक हो सके उस एमेंडमेंट का हमें विरोध करना चाहिये और मैं आशा करता हूँ कि राधा रमण जी भी उस एमेंडमेंट को वापिस ले लेंगे।

एक भारतीय सदस्य अगर नहीं लेगे तो गिर जाएगी।

इस के बाद पचायत राज बिल यहाँ इंट्रोड्यूस होने वाला है उस के लिये भी मैं गवर्नमेंट को बधाई देना हूँ क्योंकि पचायत राज ऐक्ट के मातहत हमारे गांवों का संगठन बहुत जोरों से होने वाला है जैसा हमारा प्रधान मंत्री साहब कहते हैं कि हमारे आइडल में मारे देश के लिये जा बहुत बड़ा आदर्श है, पार्लियामेन्टरी डिमांन्सेमी और मोशालिस्ट रिपब्लिक कायम करने का उस का अमली तर्जुमा गांवों में ही होने वाला है। इसलिये जब तक गांवों की पचायतों को मजबूत नहीं किया जाता, इस आदर्श की पूर्ति हानी मुश्किल है। इस के लिये गवर्नमेंट ने जल्दी में जल्दी पचायत राज बिल लाने का वादा किया है और वह आने वाला है। मैं इस के लिये फिर गवर्नमेंट को बधाई दे रहा हूँ और उम्मीद करता हूँ कि उस में जहां तक हो सकेगा ज्यादा में ज्यादा प्राविजन रखे जायेंगे ताकि उस में लोग ज्यादा फायदा उठा सके। हालांकि यह बिल दिल्ली स्टेट में पेश किया गया था लेकिन चूंकि दिल्ली की हुकूमत को कोई अधिकार नहीं था इसलिये उस पचायत राज ऐक्ट के अन्दर किमानों के लिये या ग्राम वालों

के लिये जुटिसल पावर देना उन के लिये नामुमकिन था। इसलिये मैं इस बिल का स्वागत करता हूँ। अब चूंकि सेंट्रल गवर्नमेंट ने सीधा यह बिल आया है इसलिये

उपाध्यक्ष महोदय इस का धन्यवाद तो उसी वक़्त चाहिये जबकि वह इंट्रोड्यूस हो जाय। पता नहीं उस में क्या होगा।

श्री च० ह० नायर इन बजुहात से मैं इस बिल का तहेदिल से स्वागत करता हूँ और उम्मीद करता हूँ कि यह बिना किसी विरोध के पास हो जायेगा।

श्री नवल प्रभाकर (बाग़ दिल्ली-रक्षित अनुसूचित जातियाँ) एक कवि ने कहा है आशा है तो चमकेगी फिरने प्यारी उज्ज्वल, तब तक लहरो में तरणी लिग्ने दो अबिरल।

मैं अपनी बान सन् १८५७ में शुरू करता हूँ। यह गांव

उपाध्यक्ष महोदय आप बहुत पीछे चल गये आज तक आने में बहुत वक़्त लगेगा।

श्री नवल प्रभाकर इस विधेयक में उस का पूरा सम्बन्ध है इसलिये निवेदन करता हूँ।

सन् १८५७ में जब हम ने स्वतंत्रता संग्राम की लड़ाई लड़ी थी उस समय इन गांवों ने, जिन में कि बजीरपुर, चौकड़ी मुबारकाबाद, आजादपुर आदि गांव थे उन्होने काफी हिम्मा लिया और अंग्रेजों के खिलाफ लोहा लिया था, छोटे छोटे बच्चों का छोड़ कर बाकी सब जवानों का एक लाइन में खड़ा कर गाली में मार दिया गया था, औरतें विधवा कर दी गई थी और जिन लोगों ने अंग्रेजों की हिमायत की थी उन को यह यह जमीनें बख्शीश में दी गई थीं। यह कहानी वहाँ में शुरू होती है। हिन्दुस्तान आजाद

हुआ, उस के बाद उन किसानों के दिम में एक प्रेरणा हुई, उन को एक खुशी हुई कि शायद उन को वह हक मिलेगा। सन् १९५२ में एक भूमिसुधार कमेटी बनी दिल्ली विधान सभा में। उस के बाद सन् १९५४ का अधिनियम बना और अधिनियम बनते ही उन को बहुत खुशी हुई। लेकिन जैसे ही वे खुश हुए, उस खुशी पर तुषारपात हो गया। उन को निराशा का मुह देलना पड़ा। दिल्ली विधान सभा में एक नया विधेयक आ गया और उस में यह कहा गया कि यह जो पन्द्रह गांव हैं, साउथ दिल्ली म्युनिसिपल कमेटी के और वेस्ट दिल्ली म्युनिसिपल कमेटी के, वे उस अधिनियम से बांधित रहेंगे और उन को भूमि-धारी अधिकार नहीं मिलेंगे। आप कल्पना कीजिये उन लोगों को जिन के मन के अन्दर भावना थी कि जो उन का १०० वर्ष पुराना इतिहास है उस को फिर दोहरायेगे और वे फिर भूमि के मालिक बनेंगे। एक आस आदमी तोड़े और उस के मुह के पास वह चला जाय उस के बाद वह उस में छीन लिया जाय, वही अवस्था उन लोगों की हुई।

आज प्रसन्नता की बात है कि उन पंद्रह गांवों की जो चिर प्रतिनाथा थी वह आज पूर्ण होने जा रही है। उन का बच्चा बच्चा आज माननीय गृह मंत्री को दुधायें दे रहा है। उन के घर घर के अन्दर आज खुशी है कि जिस दिन यह विधेयक अधिनियम बनेगा और उन की भूमिधारी के प्रमाण पत्र मिलेंगे, उस दिन उन की आकांक्षा पूरी होगी। सरकार की भी इच्छा है कि उन को वह खुशी नसीब हो। मैं चाहता हू कि अब कानून का कोई ऐसा अड़गल न हो जिस से जैसा सन् १९५६ में हुआ वैसा ही फिर हो जाय। उस समय एक क्लार्क का बिल आया दिल्ली विधान सभा में, उस पर बहस भी नहीं हुई और केवल आधे घंटे में वह पास हो गया और उन लोगों की आशाओं के ऊपर एक तरह से पानी फेर दिया गया।

अब मैं विधेयक के ऊपर आता हू। सन् १९५४ के अधिनियम की जो ८वीं

धारा है उस के सम्बन्ध में मैं यह कहना चाहता हू कि उस में गांवों की आबादी का जिक्र है। माननीय गृह मंत्री जी ने इस संदर्भ में हरिजनों के बारे में कहा, किन्तु मैं चाहता हू कि उस में पूर्णतया इस बात का स्पष्टीकरण हो कि जो अनुसूचित लो। हैं, या नान-एग्रिकल्चरल आदमी हैं, और जो गांवों की आबादी में बैठे हुए हैं, उन का क्या होगा। इस अधिनियम के देखने में ऐसा ज्ञात होता है वह जमीन उन के लिये है, किन्तु अब का रूप में देखते हैं तो वह जमीन उन की नहीं होती है। वह जमीन जिस के ऊपर उन के मकान बने हुए हैं, जिस के ऊपर उन के दादा और परदादा से ले कर आज लोग बैठे हुए थे और बैठे हुए हैं, वह आज उन की नहीं है। आज यदि उन को अदालत में जाना पड़ता है तो एक हरिजन की, जिस का वहां पर दोमजिला मकान बना हुआ है, जमानत नहीं ली जाती है और उस से कहा जाता है कि तुम्हारे पास पट्टा क्या है? तुम्हारे पास लिखत क्या है? मैं चाहता हू कि यदि सम्भव हो सके तो इस विधेयक में ऐसा प्रबन्ध किया जाय कि उन की भी इस तरह का कोई प्रमाणपत्र दिया जाय जिस तरीके पर कि काश्तकारों को भूमिधारी के प्रमाणपत्र दिये जाते हैं। जिस भूमि पर उन लोगों के मकान बने हुए हैं यदि उन पर दूसरों की भूमिधारी का प्रमाणपत्र दे दिया जाता है तो इस से उन लोगों की काफी नुकसान होगा। मैं जब अपने चुनाव क्षेत्र में जाता हू तो जो गरीब हरिजन हैं या नान-एग्रिकल्चरलिस्ट्स हैं वह सब यही कहते हैं कि आप और कुछ कराइये या न कराइये लेकिन यह बीज तो करा ही दीजिये। मैं आप को कुछ उदाहरण देना चाहता हू और उन के द्वारा बताना चाहता हू कि वहां पर किस तरह से होता है। एक गांव है सुल्तानपुर दबास, जिस में ७० या ८० बरस से एक व्यक्ति का कच्चा है और उस का वहां पर मकान बना हुआ है, लेकिन जो जमींदार है वह उस कच्चे को खत्म कराना

[श्री नवल प्रसाकर]

चाहता है। इसी प्रकार के भूगणपुर गांव में जंगी रहते हैं। वहां पर उन का कब्जा है, मकान बना हुआ था, वह बरसात में गिर गया। उस के बाद जमींदार ने कह कि मैं तुम को वहां मकान नहीं बनाने देता। नरेला में एक गांव में मैं गया। वहां भी वही हाल है। मैं यह चाहता हू कि इस तरह से जो हरिजनो के मकान बने हुए हैं उन के ऊपर उन का पूरा अधिकार हो जाय। आज भी हम भूमिसुधार की बड़ी-बड़ी बातें करते हैं, लेकिन जब हरिजनो का सवाल आता है तो उन के लिये भी ता सर खिराने की जगह हाथी चाहिये। आप कुतूहल गढ़ गांव की लीजिये। वहां पर चकबन्दी की गई। चकबन्दी के अन्दर कुम्हारो को कुछ एकड़ जमीन दी गई, लेकिन जमींदारो की नाराजी है, वह कहते हैं कि हम उन को नहीं रहने देंगे और आज भी उन को मिट्टी नहीं खोदने देते, हालांकि सरकार की तरफ से वह उन को एलाट हो गई है। आज वहां पर यह अवस्था है मैं कहता हू कि इस बिल में इस तरह का कोई प्रबन्ध हो जाय जिस से हरिजनो को मनोप मिल सके, रहन मिल सके। बजीरपुर गांव को भी आप लीजिये। एक जमींदार ने यहां तक किया कि कस्टोडियन का जमीन बेच कर पैसा हथिया लिया। यह हालत है, यहां के जमींदारो की और अब कस्टोडियन की तरफ से जिन लोगो ने मकान बनाने के लिये जमीन खरीदी थी उन के नाम नोटिस आ रहे हैं।

भलसवा गांव में जिम बा वि दूसरा नाम जहागीरपुर भी है एक काश्तकार का भूमिधर बना दिया। यह माल अफसरों की मैं आप को बताता हू कि उन को भूमिधर बना दिया। वह बेचाग काश्त करता है और जब उस की पूरी फसल आ जाती है तो जमींदार काट कर के ले जाता है। वह रोता रह जाता है। सिर पीट कर वहां बैठ जाता है, पुलिस में जाता है, तो उस से कह दिया जाता है कि जमीन का मामला है हम नहीं सुनते।

इस को रेवेन्यू कलेक्टर सुनेंगे, माल अफसर सुनेंगे। माल अफसर के पास वह जाता है तो वह कहते हैं कि दीवानी में दावा दायर करो और दीवानी वाले कहते हैं कि टिकट लगा कर दो कि तुम्हारा कितना नुकसान हुआ है। मैं चाहता हू कि यहां इस पार्लियामेंट से माननीय मंत्री कोई स्पष्ट निर्देश दें कि ऐसे मामलात के अन्दर क्या करे, नहीं तो यह बिल जोकि कल अधिनियम बनेगा उस में काश्तकारो की यही हालत होगी।

मैं देखता हू कि माल अफसरान के खिलाफ जो आये दिन शिकायतें आती हैं और जिन का कि कोई हिसाब नहीं और उन के कायम रहते आप भले ही यहां पर कितने ही अच्छे शब्दों में इस विधेयक को पास करिये उस से कुछ बनेगा नहीं क्योंकि जब यह कार्य रूप में परिणत होने के लिये जायगा तो किसान की जो ब्यवस्था होगी वह आप स्वयं समझ सकते हैं। वह हमेशा माल अफसर के वहां खड़ा रहेगा और उस अवस्था में वह क्या वाज्त कर पायेगा? मैं चाहता हू कि इस तरीके का एक बिलकुल स्पष्ट निर्देश हो ताकि उन को पुलिस में पनाह मिल सके। अगर कोई जमींदार किसी काश्तकार के खिलाफ ज्यादानी करता है तो उन को माल अफसर के वहां पर पनाह मिल सके लेकिन माल अफसर की तो यह बात है कि अगर वहां कोई नकल लेने के लिये जावे तो उसे महीना लग जाता है। और लोगो का यह कहना है कि जब तक उन की कुछ पूजा न की जाय तब तक को नवल बगैरह नहीं मिलनी है। अब चूकि दिल्ली का प्रशासन मीधे केन्द्र के मानहूत है इसलिए मैं चाहता हू कि मंत्री महोदय इस धोर ध्यान दे और जब तक वे इस ध्यान नहीं देगे तब तक हम चाहे कितने ही बिल बना कर क्यों न रख दें, गांव के लोगो को उस में मनोप नहीं होगा। हम भले ही यहां पर बैठ कर के मनोप कर ले, गृह मंत्री महोदय को बन्धबाद दे दें और कह दें कि यह बिल बहुत अच्छा

है और मैं भी मानता हूँ कि आप की सच्चावली
 अच्छी है, मानना और जो उस की भाषा है
 वह सब अच्छी है लेकिन वास्तव में यह अच्छा
 तो सब ही सिद्ध होगा जब यह कार्य रूप में
 परिणत हो और गांव के किसान भी यह कहें
 कि वाकई इस बिल के बनने से उनकी परे-
 शानी कम हो गई है और उनकी दूर-दूर
 भूमि और भारे भारे फिरना नहीं पड़ा और
 घर बैठकर उनका भूमिबंदी का अधिकार
 प्राप्त हुआ गया, तभी मैं समझूंगा कि यह बिल
 बिल्कुल ठीक है और सही है।

श्री दौलता जोकि इस समय सदन से
 कहीं बाहर चले गये हैं उन्होंने अपने भाषण
 में एक बात कही जोकि मुझे बड़ी विचित्र
 लगी। मुझे मालूम है कि वह अपने आप को
 साम्यवादी कहते हैं लेकिन उन्होंने यह कहा
 कि जो जमीन है उस का मुनामिब मुद्राविज्ञा
 मिलना चाहिये, वह मुझे अजीब लगी।
 मैं ने जब इस का संविधान पढ़ा तो मैं ने
 देखा कि उन के बहा पर तो किसी भूमि
 का मुद्राविज्ञा दिया जाता है, ऐसा कहीं
 लिखा हुआ नहीं देखा लेकिन आज मेरे वह
 कम्युनिस्ट भाई यह कहने की दृष्टि बना
 रहे हैं कि उस जमींदार की जमीन जोकि
 बजर पड़ी हुई थी और जो किमी काम में
 नहीं आती थी और जो गांव सभा में चली
 जा रही उस का अधिक से अधिक मुद्राविज्ञा
 मिलना चाहिये। चीज यह है कि जब आदमी
 के पास ऊपर घर पड़ता है और भूतबाल
 में उन का उस क्लाम से सम्बन्ध रहा है, तो
 वे उस समय अपने मित्रान्तों को और अपनी
 नीति को भूल जाता है। प्रमल में आदमी जिस
 परिवार में पैदा होता है उस की बात ही उस
 के सामने रहती है। लेकिन चूक वह साम्य-
 वादी होने का दावा करने हैं इसलिए मैं
 उन से यह कभी आशा नहीं करता था कि
 वे यह कहेंगे कि उन्हें मुद्राविज्ञा मिलना
 चाहिये।

एक जमींदार हैं जिस के कि पास बहुत
 काली जमीन है। बहुत दिनों तक उस ने उस

पर कास्त नहीं की और उस को काम में नहीं
 लाया। अब यदि उस जमीन को गांव सभा में
 डाला जाता है और गांव सभा में डाल कर के
 अगर उस की कास्त करा ली जाती है, तो
 उस के लिये यह कहना कि अधिक मुद्राविज्ञा
 मिलना चाहिये, बड़ा विचित्र लगता है।
 मैं आप को बताऊ कि दिल्ली के प्रदेस
 १,२४,४८८ एकड़ भूमि बजर पड़ी हुई है
 और यदि उस बजर पड़ी जमीन को हरिजनो
 को दे दिया जाय तो बहुत सारे हरिजन परि-
 वार पल सकते हैं। खेतिहर मजदूर जोकि
 खेत पर काम करने हैं उन का अगर वह
 जमीन दे दी जाय तो बहुत सारे परिवार
 पल सकते हैं। उन को आप व्यक्ति न रूप
 में मत दीजिये। अभी न गणपुर कांग्रेस सेशन
 में भूमि मुद्रा और कृषि मण्डल सम्बन्धी
 जो प्रस्ताव पास हुआ है मैं उस के कुछ अंशों
 को यहां पढ़ कर सुनाना चाहता हूँ। उस में
 कहा गया है

भूमि मुद्रा के बारे में प्रतिस्पर्धना
 दूर करने और किसानों की शर्तों में पाव-
 दागी कायम करने की दृष्टि से, आज की
 और बाद की भी जानों की अधिकतम सीमा
 निर्धारित कर दी जाना चाहिये और इस के
 लिये और साथ ही मध्यवर्तियों का उन्मूलन
 करने के लिये सभी राज्यों द्वारा १९४६ के
 अन्त तक कानून बनाने का काम पूरा कर दिया
 जाना चाहिये इस का मतलब यह नहीं है
 कि आमदनी की कोई सीमा बाध दी जायेगी
 क्योंकि उम्मीद यह की जाती है कि गणन
 खेती और प्रतिस्पर्धना धर्मों की वजह से गांवों
 की आमदनी में पूर्ण होगी। इस की
 प्रतिस्पर्धना भी पर पचायतों का अधिकार
 होना चाहिये और उन का प्रबन्ध सम्मेलन
 खेतिहरों की मददकारिता समितियां के द्वारा
 में रहना चाहिये।

इसी तरह में आगे इस प्रस्ताव में यह
 कहा गया है

[श्री नवल प्रसाद]

“खेती के लायक जो जमीन खाली पड़ी हुई है उस पर धीरे-धीरे जमीन पर खेती के लिये हर तरह की कोशिश की जानी चाहिये। इस तरह की जमीन का उपयोग करने की दृष्टि से उचित कदम उठाने के लिये केन्द्रीय सरकार को एक समिति नियुक्त करनी चाहिये।”

यह एक वास्तविकता है जो कि मैं ने आप के सामने रखी। श्री राधा रमण ने एक सशोधन रक्सा है जिस के कि द्वारा वे यह चाहते हैं कि सन् १९५४ और १९५६ के बीच में जिन्होंने भूमि बेच दी है और उन को कुछ राहत दी गई है, छूट दे दी गई है वह बनी रहने दी जाय। मैं इस के हक में नहीं हूँ और इसलिए हक में नहीं हूँ कि १९५४ में जब दिल्ली विधान सभा ने विधेयक पास किया उस अवस्था में जिन गांवों को भूमिधारी बनना चाहिये या उन को वास्तव में भूमिधारी बनना चाहिये किन्तु कुछ जमींदार लोग जो कि शहर में बैठे हुए हैं और जैसे कि श्री नायर ने कहा जिन को कि गांव सन् १८५७ में अंग्रेज सरकार द्वारा बलशिश में मिले थे उन्होंने जब यह देखा कि सन् १९५४ के इस विधेयक में यह अधिकार दे दिया गया है तो उन्होंने अपनी जमीनों को बेचना शुरू कर दिया लेकिन होना यह चाहिये था कि वे १५ गार ही जारि सन् १९५४ के ऐक्ट के मातहत आते थे उनका ही भूमिधारी होना चाहिये था। सन् १९५४ के ऐक्ट के मातहत जितनी भूमि उन को प्राप्त होनी चाहिये थी उस का भी पूरा पूरा हक उन को मिलना चाहिये। अगर १९५४ और ५६ के बीच में किसी जमींदार ने जमीन बेच कर मुनाफाखोरी की है या मुनाफा कमाया है तो उस का मतलब यह हुआ कि उस भूमिधर या उस काश्तकार को या किसान को जिस को कि स्पष्ट रूप से लाभ होने वाला था, उसे लाभ से वंचित कर दिया गया। मैं चाहता हूँ कि सन् १९५४-५६ के बीच में कितने भी ऐसे जमींदारों ने प्लाट्स

की श्रृंखला में या दूसरी श्रृंखला में अपनी जमीनों को बेच दिया है और इस तरह जो मुनाफाखोरी की है उस मुनाफाखोरी को रोकने का कोई इन्तजाम होना चाहिये और उस पैसे को मुद्राबिजे की श्रृंखला में काश्तकार को या उस किसान को जिस का कि उस पर कब्जा था, पूरी तौर पर उसे मिलना चाहिये। यदि वह जमीन बजर थी, तो उस का सारा पैसा उस गांव को मिलना चाहिये, क्योंकि वह सारी जमीन उस गांव की होने वाली थी। किन्तु जब १९५४ का अधिनियम बना, तो वे उस को कोर्ट में ले गये। उस में दो साल लग गये। १९५६ में एक नया सशोधन पास करा लिया। ऐसी हालत में उन को तो लाभ हुआ, और आज हम भी उन को लाभ दे रहे हैं कि अगर उन्होंने जमीन बेची है, उस जमीन के टुकड़े कर दिये हैं, तो वह लाभ उन की जेब में जाये। यह कोई न्याय नहीं है। मैं चाहता हूँ कि जिस का हक था, जिस का अधिकार था, वह उस को मिलना चाहिये। आप जरा कल्पना कीजिये कि जो काश्तकार पहले वहां भूमिधर बनता और उस को लाभ प्राप्त होता, वह अब क्या करेगा। गांव में शहर में आ कर मजदूरी करने के अतिरिक्त उस के पास कोई उपाय नहीं है। श्री दीलता ने कहा कि आज जहां पालियामेंट हाउस बना हुआ है, वहां कभी किसान लोग थे। उस व्यक्ति का क्या कीजिये, जिस की भूमि थी। उस को प्लाट बना कर बेच दिया जमींदार को तो मुनाफा मिल गया, लेकिन किसान को क्या मिला? किसान को भी कुछ मिलना चाहिये। मैं माननीय मंत्री से प्रार्थना करना चाहता हूँ कि वह इस विधेयक में इस तरह का कोई प्रबन्ध अवश्य करे।

15 hrs

अन्त में मैं एक बात और कह कर बैठ जाना चाहता हूँ। वह यह है कि जब हम एक समाजवादी समाज की रचना करने जा

रहे हैं, तो गांवों को उन हरिजनों को भी हमें नहीं भूलना है, जिन के पास आज जमीन नहीं है। आज दिल्ली के देहात में किसी हरिजन के पास भूमि नहीं है। मैं चाहता हूँ कि बूल अधिनियम में जिन आठ प्रकार के लोगों को भ्रमहाय करार दिया गया है—जिन में नाबालिग, अन्धे वगैरह हैं—उन को लाभ पहुंचाने को कोई व्यवस्था की जानी चाहिये। लेकिन उन की भूमि उन की मरजी पर न छोड़ी जाये। मेरी प्रार्थना है कि उन खेतिहर मजदूरों की सहकारी समिति बनाई जाये और वह भूमि उस को दे दी जाये। आज जो बड़ी अधिक भूमि ऊसर पड़ी हुई है, उस को भी सहकारी समितियों को दे देना चाहिये। उस से हमारे दिल्ली के देहात में रहने वाले नान-एंप्लीकल्डरिस्ट मजदूरों को लाभ मिलेगा।

मैं आशा करता हूँ कि माननीय मंत्री जी मेरे इन सुझावों पर ध्यान देंगे और इन को कार्यान्वित करेंगे।

श्री यादव (बाराबकी) उपाध्यक्ष महोदय, अभी हमारे एक मित्र ने एक कविता के साथ अपना भाषण शुरू किया था मुझे भी एक शेर याद आ गया है। वह यह है

बहुत शोर सुनने से पहलू में दिल का,

जो चीरा तो एक कतरा खून का निकला।

इस वाद विवाद में अभयकरनगर की भी चर्चा हुई, जहाँ कि अभी कांग्रेस का इजनाम हुआ था। उस की चर्चा इस रूप में की गई कि सत्तारूढ़ दल कांग्रेस पार्टी अब भूमि-मुधारों के सम्बन्ध में कोई इतना बड़ा क्रान्तिकारी कदम उठाने जा रही है, जिस से सही मायने में देश के छोटे किसानों का हित-साधन होगा लेकिन इस विधेयक में मैं पाता हूँ कि हरिजनों और किसानों को छोटी मंटी सुविधा देने के अतिरिक्त कोई ऐसा आमूल परिवर्तन नहीं किया जा रहा है, जिस से खेती के सिलसिले में देश कोई एक क्रान्तिकारी दिशा मिलती हो। मैं निवेदन करना चाहता हूँ कि अब तक जिन

लोगों को—विशेष कर उस घोर बैठने वाले सबस्यों को, जिन में बहुत से हरिजन और किसानों के हित की बात करते हैं, इस विषय में कोई भ्रम रहा होगा, वह भ्रम अब उन के विभागों से दूर हो जाना चाहिये और उन को ज्ञात हो जाना चाहिये कि जो प्रस्ताव पास किया गया है—जिस की रूप रेखा आज हम इस सदन में देख रहे हैं—वह चुनाव में गरीब लोगों के मत लेने की कोशिश है वह एक अभिनव मात्र है। धारा १२(ए) में खुदकास्त की डेफिनीशन दी गई है, जो कि इस प्रकार है—

12(A) "Khudkash" means land (other than Sir) cultivated by a proprietor either by himself or by servants or by hired labour

अर्थात् जो लोग स्वयं खेती करते हो, चाहे अपने नौकरों या किराये के मजदूरों से खेती करवाते हो, वे खुद कास्त करने वाले लोग समझ जायेंगे और इसी के अनुसार उन को भूमिधर भी बना दिया जायेगा। अगर हम इस डेफिनीशन पर नजर डालें, तो मालूम होगा कि मंत्री महोदय ने खुदकास्त शब्दों को एक नये मायने पहनाये हैं। खुदकास्त का मतलब है कि जो स्वयं खेती करे—इस का मतलब यह नहीं है कि चाहे किसी दूसरे से खेती करवाई जाये। होना तो यह चाहिये कि भूमि का मालिक वही हो, जो वास्तव में स्वयं खेती करे और अपने हाथों से धरती को चीरे काटे, लेकिन अगर भूमि का मालिक वह व्यक्ति भी हो सकेगा जो स्वयं खेती न करता हो, दूसरों से करवाता हो, या शायद दूसरे ही करते हो और उस को लगान देते हो, और खसरा खतौनी में उस का नाम दर्ज हो और इस प्रकार वह भूस्वामी बना रहे, तो फिर किसानों को क्या लाभ होने वाला है? दिल्ली की तो विचित्र दशा है। यह तो इस देश में एक प्रकार से एक विदेशी टापू है यह कानून अंग्रेजी भाषा में बने वाला है। हरिजन लोग सब से पिछड़े हुए होते हैं। उन को तो हिन्दी या उर्दू भी नहीं आती,

[श्री यादव]

परन्तु उन के लिये यह कानून अंग्रेजी में बनाया जा रहा है और इस से भी उन के लिये जो व्यवस्था की जा रही है, उस से उन को फायदे के बजाय नुकसान ही होगा। हम ने सोचा था कि अमयंकरनगर कांग्रेस के बाद इस सिद्धान्त पर अमल किया जायेगा कि भूमि का मालिक वही होगा, जो स्वयं खेती करेगा और जो नहीं करेगा, उस को भूमि नहीं मिलेगी और इस तरह इस देश के गरीब किसानों को लाभ पहुँचेगा, लेकिन आज उन आशाओं पर तुषारापात हुआ है। इस धारा के अनुसार दिल्ली में बुद्धकायत करने वाले वे लोग हैं, जिन के पास सैकड़ों एकड़ भूमि है और उस के अतिरिक्त आजीविका के अन्य साधन भी उन के पास मौजूद हैं। सरकार उन से कुछ लेने के बजाय इस कानून के द्वारा उन की स्थिति और मजबूत करने जा रही है।

हम एक भूमिमुधार तजुर्बा कर रहे हैं, और तुम पाच दस साल और इंतजार करो और उस के बाद बहुत मुनाफा मिलेगा, बहुत मौज कर सकोगे। राधा रमण जी के संशोधन का भी यहां जिक्र किया गया है। मैं नहीं चाहता था कि उस का मैं जिक्र करूँ। लेकिन अभी हमारे एक मित्र ने सन् ५७ का जिक्र कर दिया और हमारे दोलताना साहब ने भी जो कुछ कहा उस से कुछ थोड़ी सी जानकारी खुलें हो गई। मैं नहीं जानता था कि दोलताना साहब . . .

उपाध्यक्ष महोदय दोलताना साहब तो पश्चिमी पंजाब में रह गये। यह तो दोलता साहब हैं।

श्री यादव इस के लिये मैं आप का धन्यवाद करता हूँ। राधा रमण साहब ने जो अमेंडमेंट दी है, उस से मुझे उस के साथ शिकायत थोड़ी है। मैं तो देखता हूँ कि हमारे नेहरू जी के मंत्रिमंडल में आज भी ५७ के

गृहार मौजूद हैं और आज भी अपना सिर ऊँचा किये हुए हैं। आज भी सुरैया शूगर फैक्टरी जो कि सरदार नगर, डिस्ट्रिक्ट गोरखपुर में है, किसानों पर गन्ना न देने की वजह से गोली बरसाई गई है और दो आदमियों को जान से मार डाला गया है। आज भी सन् ५७ के गृहार लोग हैं। मैं चाहता हूँ कि अगर आप कांग्रेस के अन्दर . . .

श्री राधा रमण . मैं माननीय सदस्य को बतलाना चाहता हूँ कि जिन्होंने जमीन खरीदी थी वे लोग सन् ५७ में जिन्दा भी नहीं थे और उन के परिवार भी नहीं थे।

उपाध्यक्ष महोदय माननीय सदस्य अपने ऊपर थोड़ी सी रोक लगावे और कोई ऐसी बात न कहे जो नहीं कहनी चाहिये।

श्री यादव उपाध्यक्ष महोदय जो मैं कह रहा हूँ यह एक अमलियत है।

उपाध्यक्ष महोदय कोई कोई असली बात भी ऐसी होनी है जो कि नहीं कही जानी चाहिये।

श्री यादव उपाध्यक्ष महोदय मैं आप की बात मानता हूँ।

हमारे बुजुर्ग पंडित वत ने कहा है कि ३० एकड़ की एक सीमा निर्धारित की गई है इस सीमा की बात की कलई भी अचनक मैं खोलूँ तो आप की आंखें खुल जायेंगी। तीस एकड़ की सीमा का मतलब यह है कि कोई भी भूस्वामी तीस एकड़ से अधिक जो भी उस के पास जमीन है उस को बेच सकता है और यह नागपुर प्रस्ताव का यकीनी तौर पर असली मतलब निकलता है। मैं समझता हूँ कि अगर गवर्नमेंट सचमच सीरियस होती तो दिल्ली भूमि सुधार जैसे छोटे से विधेयक में यह कह सकती थी कि अधिक से अधिक जोत की सीमा क्या होगी और कम से

कम जोत की सीमा क्या होगी। यह न कर के कानून में यह व्यवस्था कर दी गई है कि तीस एकड़ से अधिक जमीन को वह बच सकता है, ट्रांसफर कर सकता है। इस का साफ अर्थ यह है कि अगर किसी के पास १५०० एकड़ भूमि है तो जो प्रतिरिक्त भूमि है वह उस से नहीं छीन ली जायेगी लेकिन इस का अर्थ यह है कि जो फालतू जमीन है उस को वह मनमाने ढंग से जब कभी भी चाहे और जिस किसी के हाथ में भी बेचना चाहे और जितनी कीमत पर भी बेचना चाहे वह बेच सकता है। अगर सरकार थोड़ा भी चाहती होती कि किसानों को फायदा हो तो वह वैसा भी कर सकती थी। उस ने इस भूमिमुधार कानून में निम्नतम और अधिकतम जोत की सीमा निर्धारित न कर और उस सीमा से अधिक जमीन अपने हाथ में ले कर और उस को कम से कम हरिजनों और खेतिहर मजदूरों में बांटने की बात कर, इस कानून को अधिनियम मान बना दिया है और इस कानून को निर्बलक सा बना दिया है। इस ने कुछ खास फायदा होने वाला नहीं है।

जिन के पास तीस एकड़ से अधिक भूमि होगी वे भूस्वामी अपनी जमीन को किस के पास बेचेगा। क्या वे उस को हरिजनों के हाथ बेचेंगे या दूसरे खेतिहर मजदूरों के हाथ बेचेंगे? दिल्ली में जहाँ भूमि की कीमत इतनी बढ़ी हुई है कौन हरिजन है जो उन को खरीद सकेगा? कौन किसान है जो खरीद सकने की ताकत रखता है? जमीन किस के पास रहनी चाहिये, इस का फैसला किया जाना चाहिये था। मैं प्रा. को एक उदाहरण देना चाहता हूँ। यहाँ पर यू० पी० के कानून की बड़ी चर्चा की गई है और कहा गया है कि यह कानून यू० पी० के माडल पर तैयार किया गया है। मैं समझता हूँ कि चूँकि यह बिल यू० पी० के माडल पर बनाया गया है, इसलिये यह और भी साराब है क्योंकि मेरे विचार में यू० पी० का कानून भी कोई बखिया कानून नहीं है। आज हमारे देश में क्या हो रहा है? हमारे देश में आज यह हो रहा है कि इन्हीं

कानूनों का सहारा ले कर कुछ लोगों की रोटी और रोजी उन से छीनी जा रही है और दूसरी ओर उत्पादन के साधन कल कारखानों की शक्ति में पुँजीपतियों के हाथ में एकत्र होने जा रहे हैं। इसी तरह से भूमि के सम्बन्ध में बनाये गये कानूनों का फायदा उठा कर यहाँ के लक्षपति और करोड़पति जा जा कर जमीनों पर भी कब्जा करने जा रहे हैं। बिजनौर की ही मैं बात करता हूँ। वहाँ पर बिडला साहब ने कम से कम १०,००० एकड़ का फार्म बना लिया है। इस तरह में प्राज भूमि भी बड़े बड़े लोगों के हाथों में चली जा रही है जिस का नतीजा यह होगा कि जो हरिजन और काश्तकार हैं वे मजदूरी ही करेंगे और उन को रोजी और रोटी नहीं मिल पायेगी।

डमालिय अगर आप समझना की बात करने है, भूमिमुधारों के कानूनों की बात करने है, हरिजनों की बात करने है तो कानून में आप को यह व्यवस्था करनी चाहिये कि छोटी से छोटी जोत की सीमा क्या होगी, इस को साफ कर सकने थे। यह बिल्कुल आसान बात है। बिना किसी कठिनाई के आप यह कर सकते थे। आप यह कर सकते थे कि एक खानदान में जिस में स्त्री पुरुष और तीन बच्चे हों और वे अपने ही परिवार में बिना मशीन का सहारा लिये जितनी खेती कर सकने हैं उस में तीन गुना से अधिक उन के पास भूमि नहीं होनी चाहिये। अगर उस में अधिक भूमि हो तो वह पहले हरिजनों में और उस के बाद दूसरे खेत मजदूरों में और जो अलाभकर जोन वाले हैं उन के हाथ में जानी चाहिये। अगर ऐसा किया गया होता तभी जा कर खेती के कानून का कोई अर्थ होता। लेकिन मौजूदा विधेयक में कोई खास लाभ होने नहीं जा रहा है। इस का फल यही होगा कि लोक सभा के बने हुए कानूनों में एक और कानून का इजाफा हो जायेगा कुछ हरिजन लोगों की जेबों में कुछ गरीब लोगों की जेबों में पेंसा वकील लोगों के पास चला जायेगा और वे बेचार अदालतों के नक्कल में पड़ जायेंगे। इस लाभ

[श्री बाबू]

के प्रतिरिक्त और कोई लाभ इस से नहीं होने वाला है।

कम्पेन्सेशन के बारे में यहाँ एक बात कही गई है। इस का मैं विरोधी हूँ और मैं यह कहना चाहता हूँ कि जब किसी किसान की भूमि किसी भी कारण से इस्तेमाल होती है तो उस को कम्पेन्सेशन उसी तौर पर मिले जब उस के पास कोई दूसरा गुजारे का जरिया हो और अगर गुजारे का कोई दूसरा जरिया न हो तो सरकार को चाहिये कि उस की रोटी रोजी की व्यवस्था करे, उस को किसी काम पर लगावे जिस से उस की रोटी रोजी चल सके।

अब मैं बजर भूमि के बारे में कुछ शब्द कहना चाहता हूँ। बजर भूमि के बारे में जो भूमिस्वामियों को मुद्दावजे की बात कही गई है मैं इस का विरोधी हूँ, उन को मुद्दावजा नहीं मिलना चाहिये। वह भूमि ग्राम सभाओं में या पंचायतों में नौ भवश्यक जाये लेकिन सरकार इसी के साथ साथ यह भी व्यवस्था करे कि उस भूमि पर सहकारी खेती होगी और उम सहकारी खेती का फायदा केवल हरिजन और जो खेत मजदूर लोग होंग उन्हीं को मिलेगा। और ऐसा किया गया तो कुछ लोगों की बेकारी दूर होगी और कुछ हद तक बेरोजगारी भी दूर होगी।

एक माननीय सदस्य ने कहा कि गरीब हरिजनों को नकलें नहीं मिलती हैं, कागजात नहीं मिलते हैं। इस सम्बन्ध में मैं एक सुझाव देना चाहता हूँ। मैं चाहता हूँ माननीय मंत्री महोदय इस बिल में यह व्यवस्था भवश्यक करे कि लेखपाल या पटवारी जो कि वहाँ पर जमीन के कागजात में सम्बन्धित अधिकारी हों उस के लिये यह जरूरी हो जाय कि जितने भी किसान हैं और जो खेती करते हैं उन सब को खसरा और खतौनी की नकल अनिवार्य रूप से हर साल के बाद दे दी जाय करे।

अगर यह व्यवस्था हो जाय तो बहुत संशय में गरीब किसानों को लाभ हो सकता है।

इन शब्दों के साथ मैं अन्त में केवल इतना कहना चाहता हूँ कि जो मौजूदा विधेयक है इस में न तो कोई विशेष बात है और न ही कोई अन्तिकारी सुझाव है और न ही इस से कोई बहुत बड़ा फायदा होने जा रहा है। हाँ थोड़ा सा लाभ एक छोटे से वर्ग को भवश्यक होने वाला है और जहाँ पर लाभ की बात छाती है इस का मैं सदैव स्वागत करता हूँ और अब भी करता हूँ, इस में विरोध होना भी नहीं चाहिये। लेकिन इस के साथ ही साथ मैं इतना निवेदन भवश्यक करना चाहता हूँ कि अगर भवश्यक-नगर के प्रस्ताव की ओर ध्यान आप दें तो भूमि सुधार सम्बन्धी इस विधेयक के बारे में मैं ने जो सुझाव दिये हैं, उन की ओर आप का ध्यान भवश्यक जाना चाहिये और उन को सदैव आप का दृष्टि में रखना चाहिये।

Shri Ajit Singh Sarhadi. Mr Deputy Speaker, Sir, the issue is very simple in this Bill. The chief objective of the Bill is to give equal portion to the tillers of the soil in 15 villages which were excluded from the purview of the Delhi Land Reforms Act, 1954. I do not think there is any objection to the basic principle that underlies the Bill. Certainly, the discrimination that was brought in at one time was improper and that discrimination should now be removed. But the provisions of the Bill should be seen in the light of the exigencies of the situation and the circumstances of the time.

There are two aspects of the Bill which should be taken into consideration. The first aspect is this how it would affect the development of Delhi as a cosmopolitan city. I do say, and I agree with my hon friends Shri Daulta and others who have preceded me, that not only due compensation but much more compensation should be given to the persons who are ousted from their holdings.

15.30 hrs.

[SHRI BARMAN in the Chair]

Those people alone should be given compensation who are entitled to it; there is no difference of opinion about that.

The House will appreciate that with the developing economy in the country, there is bound to be more of urbanisation and Delhi is bound to expand tremendously. It is not only an economic problem, but it is a huge problem. I believed that the provisions of the Delhi Land Reforms Act, 1954, were yet not made applicable to certain villages simply because of the possibility of the expansion of Delhi. If the Government wants to withdraw that, I have the least objection. I can understand if the Government had placed certain scheme before us as to how the development of Delhi would take place, how the slums are going to be removed, how this congestion of Delhi is going to be eliminated, etc.

Shri C. K. Nair: That can be done irrespective of land reforms and it is being done.

Shri Ajit Singh Sarhadi: If you see the history of the capitals of the different countries of the world, you will find there has been a tremendous increase in population and there is every possibility of Delhi expanding. That is one of the aspects which we have got to see while discussing the provisions of this Bill. I agree with my hon. friend who has just said that the Government is doing something. I am not joining issue on that, but there is another aspect to which I would draw the attention of the hon. Minister.

You are well aware that before the enactment of the Delhi Land Reforms Act, 1954, there was a tremendous influx of refugee population to Delhi. There was also a large section of poor people who were not able to purchase plots in Delhi because of the high prices. They spread themselves outside and made purchases of small

plots. I am not aware whether it was a company or an individual, but certainly there was somebody who purchased 260 bighas of land near about Gandhinagar and other places and the plots were sold to different refugees who were very keen to purchase such small plots outside Delhi for the purpose of building small residential houses. Those purchases were made at a time when the Delhi Land Reforms Act, 1954 did not exist.

I am glad that the Bill gives protection to bona fide purchasers, but I would agree with my friend Shri Radha Raman, that this protection should be given to all those bona fide purchasers and there should not be a specific period. Shri Radha Raman's amendment says "upto the 27th October, 1956". I would go even further and say, upto 1958, when the purchases have been made bona fide. I would submit for the consideration of the House that they are entitled to protection, but in many cases, such protection has not been given.

I am told that about 675 bighas of land out of this have already been vested in *Gaon Sabhas* on the plea that there was no transfer of possession. I am told that this transfer of possession did not take place because of certain manoeuvring at the lower level in the revenue department. This is a matter to which I draw the attention of the hon. Minister and submit that this discrimination should be removed. He should look into this matter carefully, find out why possession was not given in respect of these plots of land and remove this discrimination.

I submit for the consideration of the hon. Minister that there are still a large number of refugees—nearly 5000 families—who have made purchases of certain plots. Even after taking into consideration the protection given under the present Bill there will remain scattered patches of land in respect of which possession has not been taken over. Those purchases were not for agricultural pur-

[Shri Ajit Singh Sarhadi]

poses. They were mainly for building houses. It is very difficult for the people in those colonies to build houses, because there are no amenities and there is no provision for development, the area not being consolidated. I am not sure how far the provisions we have got in the Bill would meet the situation. I hope the hon. Minister will think about it. Some provision should be made to give protection to those refugees who have got small patches of land purchased bona fide. Some of them have already built houses and some intend to do so. So, somehow they should be made into a consolidated whole through co-operative societies or some other organisation, so that they may be able to provide amenities like roads, etc. This is a live problem and this will also help to some extent, if not to a large extent, in the elimination of over-crowding in Delhi.

I do not in any way oppose the provisions of the Bill; rather I support the principles of the Bill. But I submit that those people who have purchased lands before 1957 or 1958 bona fide for the purpose of residence should be given due protection. There should also be provision for making these small plots into a consolidated whole, so that they may be able to have development schemes.

श्री राधा रमण : सभापति महोदय जो संशोधन विधेयक इस मदन के मामले में इस समय है, उस के बारे में यहाँ पर काफी मुक्तता चीनी हुई है। वैसे तो सभी वक्ताओं ने इस का स्वागत किया है और इसे समझा है कि यह हमारे उन बहुत से शमीनों के लिये फायदेमन्द होगा जिन के लिये यह बना है। हमारी बहस में बहुत सी बातें ऐसी कही गयीं जो कि इस बिल से बहुत ताल्लुक नहीं रखती। मैं बड़ी पालिसी की बातें हैं और उन को हम एक बार नहीं हवार बार दोहरा चुके हैं। इसलिये मैं उन बातों की बहस में नहीं जाना चाहता जो कि यहाँ रखी गई हैं।

और इस विधेयक से जिन का सम्बन्ध नहीं है। मैं सिर्फ उन दो बार बातों का जबाब देना चाहता हूँ जो कि मेरे संशोधन से ताल्लुक रखती हैं। मैं यह मानता हूँ कि आज देहात के लोगों को बहुत काफी तकलीफ है। मगर यह भी कहूँगा कि आज देहात वालों को ही तकलीफ है, शहर वालों को नहीं है, या गरीबी देहात में ही बसती है, शहर में गरीबी नहीं है, इस तरह से किसी चीज को देखने से हम इन्साफ की नजर से उस चीज को नहीं देख सकते। साथ में यह भी है कि यहाँ पर कोई बात कही जाये बिना सोचे समझे यह भी ठीक नहीं है। बिना तराजू पर तोले हुए किसी को लाला कह दिया जाय, किसी को चौधरी कह दिया जाय, किसी को पूजीपति कह दिया जाय या किसी को कह दिया जाय कि कगाल है, तो यह सब बातें बेकार की हैं। हम इस मदन में बैठने हैं कुछ अपने दिमाग को खोलने के लिये, कुछ जानने के लिये और जो सही बात हो उस को कहने के लिये वह किसी के जरिये कही जाय, अगर वह इन्साफ की तराजू पर, हक की तराजू पर सही लगती हो तो उसे मान लिया जाना चाहिये। किसी पर धमकाने करने से हम सब लोग इन्साफ से दूर जाते हैं पाम नहीं आने।

सब से पहले मैं यह कहना हूँ कि मैं इस विधेयक का स्वागत करता हूँ। मैं एक समूह के लिये भी यह मानने के लिये तैयार नहीं हूँ कि आज जो गांव वाले अपनी किसी जमीन पर खेती करते हैं और अपनी मेहनत और मशककत से उस जमीन को पालते और पोसते हैं, कोई भी कानून उन को उस जमीन का भौतिक बनने में रोके।

हमने इसे धसलान तय किया है और इसके मुताबिक हम धमल करते चले जाते हैं। हमारा दिल्ली लैंड रिफार्म्स बिल जो कि प्रिंसिपल बिल है वह इसी आधार के मासहत विधान सभा में पास हुआ और उसका हम

जमी ने स्थापित किया। सन् १९५६ में जो एक संशोधन इसके मुताबिक लाया गया उसके बारे में भी हमारे मंत्री महोदय ने बड़ी सफाई के साथ बताया है कि जब वह प्रिंसिपल विधे-
यक पास हुआ था तो उस वक्त इम्प्रूवमेंट ट्रस्ट की कुछ जमीनें थीं, उन जमीनों का हालांकि अभी बारा-न्यारा नहीं हुआ था लेकिन नोटिफिकेशन था और जब तमाम शहर के आसपास की जमीनें को जो किसी भी लोकल बोर्डि के मातहत आती थी, उस विधेयक में छूट दी गई थी तो कोई बजह नहीं थी कि इन जमीनों को जो कि नोटिफाइड थी या जो इम्प्रूवमेंट ट्रस्ट की थी उनको न बचाया जाता। वह एक Distinction नजर आता था और वह संशोधन के रूप में आया और विधान सभा ने उसे पास किया। लेकिन उसके बाद देखा गया कि उन जमीनों पर जो कि दिल्ली इम्प्रूवमेंट ट्रस्ट की जमीनें थी, देहाती भाइयों को तकलीफ थी और नुकसान होता था। ऐसे देहाती भाई जो उन पर काबू करते थे और मेहनत और मशकत करके अपनी आजीविका को चलाते थे उनको दिक्कत महसूस होती थी। कुछ मित्रों के उधर ध्यान दिमाने पर हमारे गृह मंत्री न उस पर गम्भीर विचार किया और वह यह मुनासिब समझा कि अगर इन १५ गावों को वार्पम उमी शकल में ले जाया जाय जो सन् १९५६ के विधेयक के मुताबिक हो तो बहुत से देहाती भाइयों को कुछ भाराम और राहत मिलेगी। बात बहुत मुनासिब थी और इसको हमने स्वीकार किया और उस निर्णय का ही यह नतीजा है कि आज यह विधेयक गृह-मंत्री महोदय की तरफ से सदन के सामने विचारार्थ उप-स्थित है।

सवाल सिर्फ इतना आकर पड़ता है कि जब सन् १९५४ में एक बिल आपने पास किया उसके बाद आपने उसका संशोधन किया तो यह कह देना तो बहुत आसान बात होगी कि बहुत से लोग जो बड़े मालदार हैं, शहर के अन्दर रहते हैं, बड़ी बड़ी जमीनें खरीदते हैं और इसमें कोई शक भी नहीं है क्योंकि हकी-

कत भी यही है कि सैकड़ों कोलानाइजर्स ने आसपास की हज़ारों बीघे जमीन खरीदी है। हम बराबर इस चीज का विरोध करते चले आये हैं और हमने सरकार से कहा है कि ऐसे खरीददारों से जो कि गरीब कायतकारों और ग्रामीणों की जमीनें खरीद कर मुनाफा उठाते हैं उनको ऐसा करने से रोकना चाहिए। उसके खिलाफ कोई भी आदमी नहीं है और जाहिर है कि कोई इमाफ पसन्द आदमी हा भी नहीं सकता लेकिन जब आप उनका नाम लेकर बहुत से उन छोटे छोटे शहर में रहने वाले खरीददारों को जिनकी बाबत अभी सरदार अजीत सिंह सरहदी ने जिक्र किया उनको आप उनके हक़ में डिप्राइव करना चाहते हैं तब मेरी समझ में यह एक इमाफ की बात आप नहीं करने है। हमको मोचना पड़ जाता है कि आया वह ठीक है या नहीं।

दिल्ली के अन्दर दिल्ली म्युनिसिपैलिटी का जो एक रकबा था या जो उसकी हद थी, वह सन् १९५२ में पढ़ने जबकि हमारी विधान सभा नहीं बनी थी, बहुत थोड़ा रकबा था और मैं समझता हूँ कि आज जितना है उसका शायद आधा होगा। गावों में बहुत ज्यादा रकबा शामिल था लेकिन उस जमाने के अन्दर गदौनवा के अन्दर बहुत सारी म्युनिसिपल कमेटियाँ बनी, करीब करीब ८, १० लोकन बोर्डिज़ बनी और उन नमाम लोकल बोर्डिज़ के अन्दर, मैं कह सकता हूँ कि सैकड़ों ऐसे गरीब किसान मौजूद थे जो कि खेती करते थे और जो कि उस जमीन की उपज से अपनी गुज़र करते थे और अपने बाल बच्चों को पालते थे। लेकिन जब वह लोकल बोर्डिज़ बनी और जब सन् १९५४ का यह दिल्ली लैण्ड रिफार्म्स ऐक्ट पास किया गया तो उस वक्त यह ब्याल नहीं किया गया कि उन ग्रामीणों को जमीनें दे दी जाये अथवा गाव सभा को उस वक्त यह फैसला किया कि शहर के हिस्से के अन्दर जो रकबे आ गये हो या जो लोकल बोर्डिज़ के मातहत आ गये हों उनके अन्दर चाहे कोई

[श्री राधा रमण]

कास्तकार भरता हो या जीता हो, धमीर हो बाहेबरीब हो, उन सब को ऐम्ब्रम्प्ट कर दिया जाय, यह अगर आपने उस वक्त सोचा तो मेरी समझ में नहीं आता कि कौन सी चीज ऐसी आ गई जिस पर कि ऐतराज किया जाय । अगर किसी भ्रादमी ने जो उन १५ गावों के भन्दर अपनी जमीन रखता है और वह कास्त को जमीन नहीं है, वह बजर जमीन है, कास्त की जमीन के बारे में इस सशोधन के भन्दर कोई सवाल नहीं है क्योंकि हर एक यह मानता है कि जो व्यक्ति किसी जमीन पर कास्त करता है वह तो उसकी हो गई उस पर किसी का कब्जा नहीं हो सकता और वह उसी को मिलेगी जो कि उस पर काफ़ी करता है । सवाल सिर्फ़ ऐसी जमीनो का है जो कि वेस्ट लैंड करार दे दी गई है या जो बजर जमीन है और ऐसी जमीनो के धाम तौर के बहुत छोटे छोटे हिस्से चाहे किसी बड़े भ्रादमी ने करा कर लोगों को बेच दिये हैं या सीधे किसी ने खरीद लिये हैं और इस तरह की जमीनो को खरीदने वाले शहर में भी रहते हैं और गाव में भी रहते हैं, उन जमीनो के मालिको को बेदखल करके उनको ऐसी बोट लगाई जाय और भाज के हालात में जबकि दिल्ली के चारो तरफ़ आबादी बढ़ती जा रही है शहरी और देहाती लोग आपस से मिल जुल करके अब एक बनते चले जा रहे हैं क्या इस भेद को कायम करना मुनासिब होगा ? इस तरह की तफरीक को कायम करना मुनासिब होगा या यह कह देना मुनासिब होगा कि जिस किसी भी गरीब भ्रादमी ने और मजदूर ने अपना घर आबाद करने के लिए अपनी गाडी कमाई में से १०० गज का एक प्लाट किसी भ्रादमी से खरीद लिया भाज उस जमीन को किसी को दे देना है या उसको उनके पास कायम रहने देना है उस धौके पर तमाम बड़ी बड़ी बातें यह कह कर कि देहातियो का यह नुकसान हो रहा है या देहाती भाई बड़ी तकलीफ़ में हैं और उनके ऊपर शहरी लोग बड़ा जुल्म डाल रहे हैं, इन

बातों से उसका क्या ताल्लुक है ? मैं आपसे अर्थ करना चाहता हूँ कि इस कानून के भन्दर यह बात कही गई है कि जो बोनाफाइड खरीददार है जिसने कि उस जमीन के हिस्से में से कुछ हिस्सा हासिल कर लिया और वह उस जमीन के ऊपर अपना मकान बनाना चाहता है उसको उससे महकूम न किया जाय । आप यह जानते हैं कि दिल्ली के जैसे हालात हैं उनको देखते हुए किसी भ्रादमी ने जिसने भाज से पन्द्रह बर्ष पहले १००, १५० गज का मामूली सा प्लाट खरीदा था उसको उस पर मकान बनाना भाज तक नसीब नहीं हुआ और उसकी एक बजह यह भी थी कि यहा दिल्ली में पहले तो इम्प्रूवमेंट ट्रस्ट के रस्ट्रिक्शंस थे और उसके बाद दिल्ली डेवलपमेंट प्रोवीजनल एथारिटी बनी और उसका बनना जरूरी था और मकान बनाने की इजाजत देने के लिए से आउट (lay out) प्लान और दीगर चीजों का मुकम्मिल होना था उन तमाम सवालियों को जो हुकूमत ने पैदा किये जो हुकूमत के कानूनों ने पैदा किये और उस भ्रादमी ने जिसने बढकिस्मती से या खुशकिस्मती से कहिये भाज से ५ बर्ष पहले या १० बर्ष पहले एक जमीन का छोटा सा टुकड़ा शहर के धामपास से लिया और जो उस वक्त किमी म्युनिसिपैलिटी की जमीन में नहीं था तो भाज उसको इस कानून के जरिये राहत न दी जाय और अगर राहत दी जाय तो डिस्कमनेटरी दी जाय यानी उन लोगों को जिन्होंने कि सन् १९५५ से १९५५ में जब वह अमेंडमेंट आया मे लेकर जो बकफा बीच में गुजरा, उस वक्त तक की उसको राहत दे दी जाय । लेकिन जब कानून नहीं था और लोगो के दिमागो में ऐसा कानून लाने की बात भी नहीं थी उस वक्त जो लोगो ने खरीद फरोस्त कर ती उनको उनके इसी प्रकार के हुकू से महकूम कर दिया जाय, यह मेरी समझ में नहीं आता । मेरा सशोधन विशेष करके इसी चीज से ताल्लुक रखता है । जब वह १५ गावों का सवाल आया और

इस सवाल के ऊपर विधान सभा ने एक संशोधन पास किया जिसको कि आज हम उसको वापिस ले रहे हैं और उन गांव वालों को उनकी जमीनो पर मालिक बना रहे हैं तो उन लोगों को जिन्होंने कि ५ साल या उसके पहले उन जमीनो को खरीद फरोस्त किया उनको उससे भी ज्यादा सस्ता पैनालिटी देने को कहा जाय या उनको उन खरीदारों से महसूस किया जाय जो कि उन्होंने उस वक्त की थी, यह बात मेरी समझ में बिल्कुल नहीं आती है और यह इसाफन मुनासिब नजर नहीं आती है। जो कानून इस वक्त मौजूब था उसका अगर सीगल इटरप्रेटेशन पूछा गया तो यह मालूम हुआ कि उन खरीदारों को छूट मिलेगी या नहीं यह साफ नहीं होता। कुछ का ब्याज है कि वह डिप्राइव नहीं होंगे और कुछ का यह खयाल था कि वह डिप्राइव हो जायेंगे और बेदखल हो जायेंगे तो यह चीज कुछ मुनासिब नहीं जचती है। जो कानून आप बनायें वह इतना साफ हा कि उसका बिल्कुल साफ मतलब निकाला जाय और इस कानून में बिल्कुल साफ तौर पर यह कह दिया जाय कि जिन जमीनो की बोनाफाइड खरीद फरोस्त २७ अक्टूबर १९५६ से पहले हुई है, उनको अगर वह गैर काश्त की जमीन है तो वह डिप्राइव नहीं किये जायेंगे।

इस संशोधन के अलावा मैं चन्द बातें आप से और कहना चाहता हूँ। कम्पेन्सेशन के बारे में यहाँ बहुत कुछ चर्चा हुई। देहात को कम्पेन्सेशन कम मिलता है। बल्कि मैं यह कहूँगा कि सरकार शहर की जमीन के लिए जो कम्पेन्सेशन देती है, उसमें भी कम उनको मिलता है। कुछ लोग ऐसे भी हो सकते हैं, जो कि मालदार हो और कुछ गरीब भी हो सकते हैं, लेकिन सरकार अपने कायदे कानून के मुताबिक सब को कम्पेन्सेशन देती है। मैं यह बताना चाहता हूँ कि देहातियों को जो कम्पेन्सेशन मिलना है, अगर उसको चार या आठ गुना कर दिया जाय, तो मुझे कोई ऐतराज नहीं है। हमारे बहुत से माननीय सदस्यो

को शायद यह मालूम न हो कि दिल्ली की बदकिस्मती यह रही है कि उसका जमीन का बन्दोबस्त न तो पंजाब के पैटर्न पर रहा है और न यू० पी० के पैटर्न पर। यहाँ इस वक्त जो बन्दोबस्त जारी है, वह सैकड़ों बरस पुराना है। दिल्ली में जमीन की कीमत लगान के मुताबिक लगाई जाती है। अगर एक हज़ार रुपए की किसी जमीन का लगान दस रुपया है, तो उस जमीन की कीमत दस रुपये मानी जाती है। इसलिए यहाँ पर किसी काश्तकार को जो कम्पेन्सेशन दिया जाता है, वह न के बराबर होता है, नामिनल होता है। पहले यह इलाका यू० पी० में था। फिर इसको पंजाब में रखा गया और फिर इसकी एक अलग शकल बनाई गई। आज जो कम्पेन्सेशन देहातियों को मिलने जा रहा है, वह बहुत ही कम है। जब कभी हमने इस बारे में अफसरान से बातचीत की है, वह इस बात को मानते हैं। अगर हुकूमत इसका कुछ इन्तजाम कर सके, तो अच्छा है। मैं अपने साथियों से दरखास्त करूँगा कि वह हुकूमत पर जोर डाल कर उन लोगों को सही कम्पेन्सेशन दिलवा सकने है तो दिलायें अगर इन्स्टालमेंट्स चार के बजाय दो रखी जायें, तो अच्छा है। जो नामिनल का कम्पेन्सेशन देहातियों को मिलने वाला है अगर उस को भी टुकड़ों में दिया, तो उनको कोई फायदा नहीं होगा। उनको सारी रकम एक वक्त पर ही और निबर्गन तरीक़ में दी जानी चाहिए।

मुझे इस बात की बड़ी ख़शी है कि गृह मन्त्री ने चर्चा कर दी है कि इन बिल में हमने हर जमींदार को यह छूट दे दी है कि चाहे उस के पास कितनी भी जमीन हो, वह उसको इस्तेमाल कर सकता है। यह जरूर व्यवस्था कर दी गई है कि वह आठ एकड़ से कम जमीन नहीं बेच सकता है, लेकिन अगर भी दो सौ एकड़ जमीन है और वह खुद काश्त करता है, तो वह उसको बेच सकता है। इसमें सीलिंग का जिक्र नहीं किया गया है। मैं गृह मन्त्री जी को धन्यवाद देता हूँ कि उन्होंने

[श्री राधा रंजन]

इस बात को सफाई से कह दिया है कि इस बिन्दु में इस नैतिकता को महसूस किया जाता है और वह सीलिंग के बारे में जल्द से जल्द एक बिल लाने वाले हैं। अगर वह बिल इस सेशन में ही आ जाय, तो अच्छा है। इससे बड़ी बदला-बदली होगी। जिनके पास काश्त की जमीन है, वे देखते हैं कि दिल्ली बढ़ती जा रही है और काश्त करने से उनको जो फायदा होता है, उससे कहीं ज्यादा उनको अपनी जमीन की कीमत मिलती है। मैं भ्रज करना चाहता हूँ कि जिस भ्रादमी के पास मौ एकड़ जमीन है, वह किसी गरीब भ्रादमी से इन्डीविजुअल तौर पर खरीदो-फरोहत नहीं करता है, बल्कि उसका सामान लेन देन उन लोगों के हाथ में है, जो कि कालोनाइजर कहलाते हैं। वे लोग घाट भ्राने, एक रुपया दो रुपए के हिसाब में जमीन लेकर उधर उधर करके शहर या देहात के उन लोगों को बेच देते हैं, जो कि मकान बनाना चाहते हैं। फायदा मिडलमैन को होता है लेकिन आप उस भ्रादमी का डिप्राइव करना चाहते हैं, जिसने अपनी गाड़ी बमार्ड का पैसा खर्च करके मौ गज का टुकड़ा मकान बनाने के लिए लिया है। यह इन्साफ नहीं है और इन्साफ यह ताबिले-वबल नहीं होनी चाहिए। यह सवाल उठाना ठीक नहीं है कि देहात वालों को शहर में फायदा होता है या शहर वालों को देहात में फायदा होता है। सही बात तो यह है कि दुनिया में लेन देन होता ही है, लोग काम करते हैं और फायदा उठाते हैं। कानून उन लोगों के लिए बनना है, जो कि गलत तौर पर फायदा उठाते हैं। भ्राज दिल्ली के चारों तरफ जो जमीन वास्त या गैर-काश्त की है, उस का प्रत्येक कालोनाइजर बेते जा रहे हैं और लेकर छोटे छोटे भ्रादमियों को तकलीफ करते हैं और उस की बड़ी बड़ी कोमलें बनाने शुरू कर रहे हैं। वे न्याय जरूरी कमिटीज भी नहीं देते हैं। बहुत से लोग रुपया लेकर भाग जाते हैं। आप कालोनाइजर का नाम लेकर उस जमीन को गांव सभा में बेस्ट कर दे और ग्राम लोगों को उससे डिप्राइव

कर दें, तो यह इन्साफ की बात नहीं है। वह गैर वाजिब बात है।

जहां तक हरिजनो का ताल्लुक है, मैं कहना चाहता हूँ कि श्री कमिशनर को इजाजत होनी चाहिये कि किसी हरिजन के मामले में वह एक से ज्यादा एकड़ जमीन को भी इग्नोस्ट कर सके। जिस जमीन पर कोई हरिजन बैठा है, वह कानून बन जाना चाहिए कि वह उसका मानिक हो जाय। जिस तरह आप भूमिधर को जमीन देते हैं, उसी तरह हरिजन को भी जमीन दी जाये। अगर एक हरिजन पुस्तो में किसी जमीन पर बैठा है और उसने उस गांव का मैना डोया है और गन्दा काम किया है और गांव को साफ रखा है, तो वह जमीन लाजिमी तौर पर उस की हो जानी चाहिए, किसी और की नहीं होनी चाहिए। बड़ा परजिमका सापडा है उसकी जमीन होनी चाहिए। अगर इस तरह का संशोधन पेश किया जाय, तो मैं उसकी तहमायन करूंगा।

मैं यह भी भ्रज करना चाहता हूँ कि कानून बनाने वक्त हमें निष्पक्षता और इन्साफ के साथ उन बातों का दखला चाहिए, जिन में उस कानून का वास्ता हो। और चीजों को लाना ठीक नहीं है। इस बिन्दु का एक स्पेसिफिक परपज है और वह यह कि १९४७ के कानून के जरिये जो एक हज़ार एक कानूनकार को दिया गया था वह बाकी के पन्द्रह गांवों को भी दे दिया जाये। इस में किसी की दो रायें नहीं हो सकती। सिर्फ सवाल यह है कि जब इस कानून ने इसे मुनासिब समझा है कि उस दमियान में जिस दमियान में वह संशोधन आया और उसके बाद में भ्रज रिपीट हो रहा है उस दमियान में जितने भी मौदे हुए हैं वे सब इस सेशन में हुए हैं कि कानून उसकी इजाजत देता है, कानून उन मौदों को मंजूर करता है, तो उस सम्बन्ध में अगर कोई नैतिकता है और

वह इस कानून के अन्दर मौजूद है तो उसको भी दूर कर देना चाहिये। जब आप एक खरीद को मंजूर करते हैं तो उससे पहले की खरीद को मंजूर क्यों नहीं करते हैं। मैं समझता हूँ सिर्फ दो मकसद इस कानून के थे। अगर आप यह कहते हैं कि दो साल का हम प्रोटैक्शन दे देते हैं मगर जिसने सन् १९५० में जमीन खरीदी या उससे पहले जमीन खरीदी उसको वह हक हासिल नहीं है जो उसके बाद खरीदने वालों को है, तो मैं समझता हूँ कि एक छोटा सा इसाफ आप करने वाले हैं और एक बहुत बड़ी गैर-इसाफी करने जा रहे हैं जोकि बिल्कुल गैर-मुनामिब भी बात है।

अन्त में मैं इतना ही कहना चाहता हूँ कि मेरे मसौदन को जितना वजन दिया जाना चाहिये उतना वजन गृह मंत्री महोदय देंगे और जो इसाफ की बात है वह करेंगे। इस बिल का मैं हृदय से स्वागत करता हूँ। हमारा यह माना हुआ उमूल है और यह उमूल बराबर कायम है बल्कि मैं तो यहां तक कहना चाहता हूँ कि हम को और तेजी के साथ इस उमूल को लागू करने के लिये धागे बढ़ना चाहिये। जहां तक सरकारी जमचागियों के प्रन्दर गफलत का ताल्लुक है या गरीब लोगों की तकलीफात का ताल्लुक है, वह मवाल दूमरा है और उसका भी इलाज होना चाहिये और इस सम्बन्ध में भी मैं समझता हूँ कोई दो राये नहीं हो सकती हैं या कोई दो खयाल नहीं हो सकते हैं और उसका भी सुधार होना आवश्यक है।

Mr Chairman: Shri M C Jam. Just a word. We propose to finish this Bill in the course of the day by 5 o'clock. I have got here in my list two more names. I will request the hon Members to be as brief as possible and not repeat the arguments which have been put forward by previous speakers.

Dr. Sushila Nayar (Jhansi): I would also like to have five minutes, if I can.

Mr. Chairman: Let the Members be brief.

श्री मू० चं० जीव (कंवल) जनाब चैयरमैन साहब, यह बिल जो इस वकन हाउस के सामने है और जिस के बारे में गवर्नमेंट को मुबारिकबाद दी गई है, इसको मैंने बड़े गौर के साथ और अच्छी तरह से पढ़ा है और इसका मुकाबिला जो दिल्ली के नजदीक पड़ोसी मूब है और उनमें जो कानून बने हुए हैं, उनसे किया जाये, तो मैं समझता हूँ कि इस बिल को लाने के लिए गवर्नमेंट मुबारिकबाद की मुस्तहिक नहीं है।

श्री बजराल सिंह (फिरोजाबाद) .
कभी भी नहीं होंगे है।

श्री मू० चं० जैन : अगर यह कहा जाय कि सन् १९५६ में दिल्ली अधिसूचना ने १५ गांवों को पुराने बिल के दायरे में बाहर निकाल कर ज्यादाती की और उनको दिल्ली लीड रिफार्मिंग एक्ट १९५४ के अन्तर्गत लाया जाना चाहिये या तो यह ठीक ही होगा। अगर यह हा जाय कि उन १५ गांवों को गवर्नमेंट फिर से कानून का फायदा पहुंचाने जा रही है तो उस हद तक अगर गवर्नमेंट को मुबारिकबाद दी जाय तो उम्मेद मैं भी शामिल हो सकता हूँ।

लेकिन जैसा कि एक माधो ने अभी कहा हमें उम्मीद थी नागपुर कायम के टजनाम के बाद यह बिल हमारे सामने आ रहा है और हिन्द सरकार मुबार्द मन्तारों में यह उम्मीद करती है कि वे अपने अपने यहां भूमि के मुताबिलिक जो कानून बनाये गये हैं उनमें सुधार कर ना हम यह उम्मीद करेंगे कि जहां तक हिन्द सरकार का ताल्लुक है और जिन जिन टैगिरीज के बारे में यह कानून बना सकती है उनके लिए वह एक ऐसा कानून बनायेगी जोकि दूसरे जगहों के लिए नमूने का काम करेगा। लेकिन मुझे अप्सोस के साथ कहना पड़ता है कि पड़ोस के राज्य राजा में जो इस बारे में कानून बना हुआ है,

[श्री म० वं० जैज]

उस प्वायंट पर ऐसा मालूम होता है कि यह बिना उससे भी पीछे है।

मेरे मित्र दीलता साहब ने कहा कि उन जमीनों की जिन की मालिक पंचायतें बनती हैं या गांव सभायें बनती हैं उनका मुद्दावजा चार गुना या उससे भी ज्यादा होना चाहिये। दीलता साहब भी पंजाब से आये हैं और मैं भी पंजाब से आया हूँ। मैं उनकी तबज्जह पंजाब के विलेज कामन लैंड्स एक्ट की तरफ दिलाना चाहता हूँ। इस एक्ट के सेक्शन ७ में यह कंटेम्प्लेट (Contemplate) किया गया है कि जो भी सामलात जमीनें हैं और इस एक्ट की रू से जिन की पंचायतें मालिक बनी हैं उनके लिए किसी भी बिस्वेदार को एक कौड़ी भी मुद्दावजा नहीं दिया गया है और मुद्दावजा भ्रदा न करने की बान हाई कोर्ट और सुप्रीम कोर्ट तक में उठाई गई है लेकिन वहां पर भी इस चीज को जायज करार दे दिया गया है और किसी मालिक को कोई मुद्दावजा नहीं दिलवाया गया है। मैं नहीं समझ पाया हूँ कि यह मुद्दावजे की बात यहां पर इस बारे में क्यों रखी गई है और इससे भी ज्यादा हैरानी की बात यह है कि कुछ मैसेंजर साहिबान की तरफ से यह कहा गया है कि मुद्दावजे की रकम ज्यादा होनी चाहिये।

दूसरी बड़ी ताज्जुब की बात इस बिल में यह रखी गई है और जिसकी तरफ मैं समझता हूँ कोई ध्यान नहीं दिया गया है और हमारे साथी नवल प्रभाकर जी ने उम चीज को उठाया है, कि दिल्ली के देहातो में जो हरिजन मकानात में रहते हैं उनकी तह जमीन के बारे में उनको यह बिश्वास नहीं है कि उसके मालिक वे हैं या नहीं। जब कभी मकान गिर जाता है तो लोग उबर्दस्ती आ जाते हैं और उनको डराने धमकाने लग जाते हैं। इस प्वाइंट पर भी पंजाब का जो कानून The Punjab Village Common Lands Act है वह बहुत आगे है। वहां उसी कानून में यह

बात चार बरस से रखी गई है कि जो मकान के नीचे जमीन है उसका मालिक हरिजन है। मैं समझता हूँ हमारे होम मिनिस्टर साहब को कम से कम इस कानून में भी सेक्शन ७ में जरा सी एमेडमेंट करके सुधार कर देना चाहिये था फिर इस प्वाइंट पर पंजाब के कानून के मुताबिक चीज हो सकती थी।

जहां तक मुद्दावजे का ताल्लुक है एक और चीज भी मैं कहना चाहता हूँ। मुझे पंजाब के बहुत से देहातों के धारत बाजब-स धरज का पता है। साठ बरस पहले सैटलमेंट के महकमे में ब्रिटिश आफिसर्स ने जो शरायत रखी और जो फलफाज सैटलमेंट मैन्युअल वगैरह में लिखे हैं उसमें लिखा है कि बजर जमीनों पर, गायराव गोचर जमीनों पर, सामलात जमीनों पर न सिर्फ बिस्वेदारों का हक है बल्कि बहुत सी जगहों पर गावों के हर बसने वाले का हक है और यह हक आज तक चला आ रहा है। आज भी उन पर उन सब का हक है। जब हर किसी का हक है तो फिर कैसे कोई मुद्दावजे का मुस्तहिक हो सकता है। उनकी आज गांव पंचायतें मालिक हैं जो सब के भले का काम करती हैं। पंजाब के कानून में यह रखा गया है कि जिस जमीन में चाहे वह १,००० बीघे हैं, चाहे ५,००० बीघे हैं जो सामलात पड़ी थी, अगर उनमें अगर चराने में या दूसरी चीजों में गावों के सब बाशिन्दगान का हक है तो कम बजह है कि मुद्दावजा दिया जाये। पंजाब के देहातो में वही टैंग्योर है, जो दिल्ली के देहातो में और मैं समझता हूँ कि यहां भी कोई मुद्दावजा नहीं दिया जाना चाहिये।

अब मैं सीलिंग की बात पर आता हूँ। यह कोई नई बात नहीं है, सन् १९५५ के कानून में यह बात थी कि तीस स्टैंडर्ड एकड़ से फालतू आगे किसी के पास जमीन नहीं होगी। लेकिन जिन के पास पहले से तीस स्टैंडर्ड एकर से फालतू जमीन है और जो उनसे अधिक है उनका क्या बनेगा? इस बारे में

जी स्पीच माननीय होम मिनिस्टर साहब ने की है उससे तो यही पता चलता है कि वह कानून ला रहे हैं और वह सुन कर मुझे खुशी भी हुई है। अगर इसी सेशन में इस कानून को वह लायें और वह एक नमूने का बिल हो और वह दिल्ली स्टेट पर तथा दूसरी जो यूनियन टैरिटरीज हैं उन पर लागू हो तो अच्छा रहे फिर हम पंजाब को उत्तर प्रदेश को तथा दूसरी स्टेट्स को कह सकते हैं कि देखिये यह नमूने का कानून है जो पार्लियामेंट ने बनाया है लैंड्स के मुताबिक।

इसके अलावा एक और बात कही गई है जिस पर मुझे खासा तज्जुब हुआ है। यह बात मेरे साथी राधा रमण जी ने कही है। उन्होंने कहा कि २७ अक्टूबर १९५६ से पहले जितनी भी खरीद और फोस्त हुई है उस सब को जायज करार दे दिया जाये और इसके हक में वह कई आर्गुमेंट्स दे रहे थे। जहां तक मैंने यह बिल स्टडी किया है मैं समझता हूँ कि इस एमेंडिंग बिल की क्लाज १ की सब-क्लाज २ से उनका मशा पूरा होता नजर आता है। वह कहते हैं कि संकशन ७ की जो एमेंडमेंट इस बिल की क्लाज ५ के डाग हो रही है उसके मुताबिक जो खरीद और फोस्त २० जुलाई १९५४ और २७ अक्टूबर १९५६ के बीच में हुई है उसकी तसलीम किया गया है। अगर क्लाज ५, क्लाज १ की सब-क्लाज २ सब को मिला कर पढ़ा जाये तो पता चलेगा कि २० जुलाई, १९५४ से पहले तो यह कानून लागू ही नहीं होगा। यह कानून लागू होता है २० जुलाई १९५४ में। इससे पहले चूकि यह कानून या एमेंडिंग कानून लागू ही नहीं इस बादा यह असर पड़ा नही होता है। इस बादा जो उनकी भाग है वह मुझे सुपरफ्लुअस (Superfluous) ही नजर नहीं आती है।

१५ भागों के बारे में भी यहाँ कुछ कहा गया है और बताया गया है कि वहाँ पर भी कुछ खरीद व फोस्त हुई है। लेकिन संकशन 19 L.S.D.—7

२० की सब-क्लाज ४ जो है उससे यह मशा पूरा हो जाती है। उसमें लिखा है —

"Nothing in this section shall affect the interests of a bona fide purchaser for value in any land referred to in sub-section (1) in respect of any sale made on or after the 8th day of January, 1957, and before the 1st day of January, 1958"

यहाँ तक कि ८ जनवरी, १९५७ के बाद और १ जनवरी, १९५८ से पहले जो भी खरीद फोस्त हुई है बोना फाईड हुई है, उस पर इस कानून का कोई असर नहीं होगा। इसलिये जितना भी प्रोटेक्शन और जिस तरीके पर भी दिया जा सकता था वह इस एमेंडिंग बिल में दिया गया है। बल्कि मैं तो समझता हूँ कि इतना प्रोटेक्शन देना ही नहीं चाहिये था। एक तरीके से यहाँ सन् १९५४ के कानून के भी पीछे हम जा रहे हैं क्योंकि इतने प्रोटेक्शन की जरूरत नहीं थी। मुझ तो नाज्जुब है कि मेरे दोस्त और भी ज्यादा प्रोटेक्शन मागत हैं जिम में कानून का मशा ही खत्म हो जाय। बल्कि जितन भी सूबों में भूमिमुधार के मुनाल्लिक, जमीनो की बाबत जो भी कानून बन है उन सब में यह कमी रह गई कि जमीनो के लैंडलेस लोग नहीं पा सकें। लोगो ने कानून की कमी का फायदा उठाया बहुत ज्यादा फायदा उठाया और अब हमारे दोस्त यह प्लीड कर रहे हैं कि इस से भी ज्यादा प्रोटेक्शन मिलना चाहिये। यह बात ठीक नहीं है। इस से ज्यादा प्रोटेक्शन नहीं मिलना चाहिये।

16 hrs.

मैं इस बिल में एक चीज की कमी देखता हूँ जिस की तरफ कुछ तवज्जुह भी दिलाई गई है थोड़े से शब्दों में। यह है एमेंडिंग बिल के क्लाज १२ में जो कि प्रोग्रिजिनल ऐक्ट का मेक्शन ३३ है। उस में क्लाज (बी) में जोड़ दिया गया है

[श्री यू० एं० जैन]

In clause 12—

“(b) the transferor shall be left with an uneconomic holding of less than eight standard acres in the Union territory of Delhi:”

ऐसी किसी खरीद फरोस्त को जायज न माना जाय जब कि बेचने वाला ८ स्टैंडर्ड एकड़ से कम का मालिक रह जाय। मैं नहीं समझता कि यह कैसे कवर (cover) होता है। अगर किसी के पास ६ या ४ स्टैंडर्ड एकड़ ही हो और वह बेचना चाहे तो आप क्या करेंगे। मेरी राय में यह केस (case) इस से कवर नहीं होता और होम मिनिस्टर साहब मैं समझता हूँ कि इस पर तबज्जह देंगे क्योंकि कोई भी आदमी २ या ४ स्टैंडर्ड एकड़ का मालिक है जो कि बिल्कुल अर्थ-इकानमिक होल्डिंग है और दूसरा आदमी जिस के पास कुछ कम जमीन है वह उसे खरीद कर अपनी इकानमिक होल्डिंग बनाना चाहता है तो उनमें क्या हर्ज है? अगर इस प्राविजन में यह क्वालिफिकेशन (qualification) न हो तो शायद ऐसे लोगों पर हकाबट होगी और वे अपनी जमीन को बेच नहीं सकेंगे। जो छोटे मालिक हैं, चीफ कमिश्नर साहब को भी भ्रष्टाचार नहीं है उस के खरीद फरोस्त की इजाजत देने का। अगर कोई आदमी अपनी जमीन को बेच कर किसी दूसरे रोजगार पर जाना चाहे तो उस की जमीन को कोई नहीं ले सकता है। तो इस बिल में मुझे यह कमी नजर आती है। मेरा इशारा, जो अर्थोडॉक्स बिल है उस के क्लॉज १० के सब क्लॉज (बी) की तरफ है। मेरा यह सुझाव है कि हम जिस तरह के कानून की उम्मीद सूबे की सरकारों से करते हैं उसी तरह के बिल हम हाउस में भी पास करे और कम से कम पड़ोस की यू० पी० और पंजाब सरकार ने जो कानून बनाया है, उस के लेवल पर औरन ही लायें।

इन शब्दों के साथ मैं इस बिल का समर्थन करता हूँ।

डा० सुशीला नायर : चेयरमैन साहब, मैं,

भी दो शब्द इस कानून के मुतालिक कहना चाहती हूँ, श्री राधा रमण के अर्थोडॉक्स के समर्थन में। श्री यू० एं० जैन ने अभी जो बातें कहीं, उन से मेरे दिमाग पर कुछ ऐसा असर हुआ कि शायद उन्हें लैंड रिफार्म्स कानून का जो अर्थोडॉक्स यहां रखा गया है, उस का इतिहास ठीक से मालूम नहीं है। यह सही बात है कि सन् १९५४ में दिल्ली सूबे में एक लैंड रिफार्म्स विधेयक बनाया गया था। उस के पीछे इरादा यह था कि दिल्ली में जो किसान खेती करते हैं उन को जमीन मिले और मालिक जमीन को बेच कर उन को उन के हक से महकूम न कर सकें। अगर उस के साथ ही साथ कुछ नई म्यूनिसिपैलिटियां बनाई गईं थी और उन म्यूनिसिपैलिटियों में जो गांव आ गये या शामिल कर लिये गये उन को उस कानून से एग्जेंशन दे दिया गया। उस समय पंद्रह गांव और ऐसे थे जिन में लैंड ऐक्विजिशन का नोटिफिकेशन इम्प्रूवमेंट ट्रस्ट ने दे रखा था। अब जो लोग इन १५ गांवों की जमीनों में इंटरेस्टेड थे उन्होंने शोर मचाया कि जो जमीनें और जो गांव आप की नई म्यूनिसिपैलिटियों में आ गये हैं, उन्हें तो आपने एग्जेंशन दिया है तो फिर आज इन पंद्रह गांवों को एग्जेंशन क्यों नहीं देते? उन का नोटिफिकेशन हो चुका था जो कि जमीन एक्वायर नहीं की गयी थी। इस चीज को देखते हुए उस वक्त की दिल्ली विधान सभा और दिल्ली सरकार ने यह मुनासिब समझा कि उन पंद्रह गांवों को भी उसी प्रकार एग्जेंशन दे दिया जाय। अब हकीकत यह थी कि उन पंद्रह गांवों में न तो कोई अर्थोडॉक्स हुआ था और न ही वहां की जमीन कुछ अर्थोडॉक्स के हल्के के अन्दर आ रही थी। यह महज एग्रिकल्चरल जमीन थी और उन को एग्जेंशन दे दिये जाने से नतीजा यह हुआ कि उन पंद्रह गांवों के जो किसान असल खेती वाले जमीन के मालिक बन सकते थे उन को उस से नुकसान हुआ और गांवों को

इजाजत हो गई कि उन जमीनों को वे बेच सकें। इस प्रकार अभी जब यह सवाल भारत सरकार के सामने आया तो हमारे गृह मंत्री ने इस सारी बात को समझ कर यह तय किया कि इन पंद्रह गांवों को एग्जेंक्शन देने की आवश्यकता नहीं है क्योंकि इन गांवों में इस वक़्त किसी प्रकार से कोई अरबनाइजेशन नहीं हो रहा है। लिहाजा यह अमेन्डमेंट आप के सामने पेश हुआ।

अब सन् १९५४ और १९५६ इन दो सालों के अर्से में कुछ खरीद फरोक्त हो गई थी, सन् १९५६ से अब तक कुछ और खरीद फरोक्त हो गई होगी। उन का क्या किया जाय? इसलिये इस अमेन्डमेंट में रखा गया कि जो बोनाफाइड ट्रान्ज़ेक्शन एक लास पीरियड में हुए उन को भी इस में शामिल कर के सुरक्षित कर दिया जाय और उन के बारे में कोई उज्र न उठाया जा सके। अगर उस लास जमाने के आस पास या सन् १९५४ से भी पहले १९५३ या १९५२ में भी कुछ ऐसी जमीनें थी जिन की खरीद फरोक्त हुई, लास कर कुछ बंजर जमीनें बिकी जिन पर खेती का सवाल नहीं उठता। अब सवाल यह है कि जो इस डेढ़ या दो साल के जमाने की टाइम लिमिट है उस का क्या हो। मैं यह मंजूर करती हूँ कि इस अर्से में जो खरीद फरोक्त हुई उस खरीद फरोक्त का हम तत्समीम कर में इस में हम किसी प्रकार की बाधा नहीं डालें। इस के लिये जो शब्द इस विधेयक में रखे गये हैं वे हैं :—

"during the periods specified in sub-clause (b) of clause 5(11)

क्लाज ५(11) की सब क्लाज (बी) में जो पीरियड है, वह है :—

...."during the period commencing on the 20th day of July, 1954 and ending with the 27th day of October, 1956.

अब जो यह २० जुलाई १९५४ से २७ अक्टूबर १९५६ तक की छूट देने की बात करते हैं,

उस का नतीजा यह आता है कि डेढ़ या दो साल की खरीद फरोक्त को आप ने प्रोटेक्शन दिया और उस से पहले की खरीद फरोक्त को जो प्रोटेक्शन आप ने दिया हुआ वह रह ही गया। यह ठीक नहीं। अब उस बंजर जमीन को खरीदने वाले भी अपने ही लोग हैं गरीब लोग हैं, अगर पैसा होता तो वह शहर में ही जमीन लेते, लेकिन उन्होंने ने दूर दूर जा कर जमीनें लीं। वहां की जमीन बिकने ही वाली है। अगर आज सरकार उन जमीनों को इस कानून की सुरक्षा से निकल लेती है और उन की खरीद फरोक्त को रद्द कर देती है तो इस का नतीजा यह होगा कि जो मालिक हैं उन जमीनों के वह उन्हें ज़्यादा दम पर बेचेंगे। जिन गरीब लोगों ने पहले से अपना रुपया खर्च किया हुआ है और उसे पांच या छः बरस से इन जमीनों में रोका हुआ है, उन को नुकसान होगा। अगर हम यह सोचते हैं कि पुरानी की हुई सब की सब खरीद फरोक्त को हमें रद्द करना है तो भी वह समझ में आ सकती है, आप पुराने किये हुए सारे ट्रान्ज़ेक्शन्स को कैंसिल कर देना चाहते हैं तो कर दीजिये, लेकिन अगर हम सिर्फ दो साल को एग्जेंट करते हैं और बकी पीरियड को यहां से छोड़ देते हैं तो कोई ठीक चीज बनती नहीं है, कोई भी मुनासिब चीज इस तरह नहीं बनती है। इसलिए यह ज़रूरी है कि श्री राधा रमण ने अपने ३ नम्बर के अमेन्डमेंट में २७ अक्टूबर १९५६ तक जो ट्रान्ज़ेक्शन्स हो चुके हैं और वे अगर बोनाफाइड हैं तो उन को प्रोटेक्शन देने के लिए कहा है उसे स्वीकार किया जाये। अलबत्ता जो उन में मैलाफाइड हों उन को बेसिक प्रोटेक्शन न दिया जाय। मुझे श्री राधा रमण का यह अमेन्डमेंट मुनासिब लगता है।

दूसरे जो अमेन्डमेंट्स हैं वे कांसीडरेशन अमेन्डमेंट्स हैं और मुझे उन के मुताबिक कुछ नहीं कहना है। जहां तक श्री राधा रमण के संशोधन का सम्बन्ध है, मेरी समझ में

[डा० सुशीला नायर]

यह न्यायोचित है और यह सभी महोदय भी मुझे आशा है कि ऐसा समझते हुए उस को स्वीकार करेंगे ।

Mr. Chairman: Now, Shri Vajpayee [hope he will take some five minutes

Shri Vajpayee: Not five minutes, but a little more

Shri Panigrahi (Puri). This will continue up to 5 p m

Mr. Chairman: I do not know how much time it will take How much time will the hon Minister take?

The Minister of State in the Ministry of Home Affairs (Shri Datar). The whole Bill has to be finished today, by 5 P M I shall take only ten minutes now, not more And clause-by-clause consideration also has to go on

श्री बाजपेयी . सभापति महोदय, मुझे यह कहते हुए खेद होता है कि सरकार को भूमि सुधार और उस से सम्बन्धित सभी समस्याओं का विचार कर के जिस तरह का विधेयक इस सदन में उपस्थित करना चाहिये था, वैसा नहीं किया गया है और इस दृष्टि से यह विधेयक अधूरा है और अधूरा है और इस के मूल में भूमि सुधार की कोई समन्वित योजना नहीं दिखाई देती ।

जहाँ तक १५ गांवों को विधेयक के अन्तर्गत लाने का प्रश्न है उस से किसी को मतभेद नहीं है लेकिन अभी यह आशा प्रकट की गई कि भूमि सुधार से सम्बन्धित अन्य पहलुओं पर सरकार इसी सत्र में एक विधेयक लाये तो मैं समझता हूँ कि इस विधेयक को थोड़े दिनों के लिये रोका जा सकता था और सरकार एक ऐसा विधेयक ला सकती थी जिस में कि केवल १५ गांवों का ही विचार नहीं होता और बिना किसी के प्राचीन क्षेत्र में भूमि सुधारों का समन्वित रूप क्या होगा इस का भी स्पष्टीकरण किया जाता । इस दृष्टि से यह विधेयक

सरकार के लिये कोई एक बड़े साधुवाद का विषय है, ऐसा मान कर मैं नहीं चसता ।

एक बात की ओर इस सदन में विचार उठ खड़ा हुआ है कि १९५४ और १९५६ के बीच में इन १५ गांवों के अन्तर्गत जो भूमि है उस को ले कर अगर कोई उचित खरीद फरोस्त हुई है तो उन को तो एग्जम्पशन दे दिया गया है लेकिन इस से पहले जिन्होंने कि भूमि की खरीद फरोस्त रहने के मकानों के लिये की, उन के लिये यह विधेयक दंड के रूप में लिया जा रहा है । अब अगर सरकार ने देर से कानून बनाया और ऐसा कानून बनाया जिस से कि जमींदार किसानों को भदालत में ले जा कर दो साल तक उलझाने में सफल हो गये तो इस गलती का दंड उन लोगों को नहीं मिलना चाहिये जिन्होंने कि पिछले अधिनियम के आने से पूर्व रहने के मकानों के लिये किसी प्रकार की भूमि । अथवा या विक्रय किया हो और मैं समझता हूँ कि इस सम्बन्ध में श्री राधा रमण ने जो सशोधन रखा है उसे स्वीकार किया जाना चाहिये ।

इस के साथ ही इन दो सालों के बीच में जो बजर भूमि है उस में कुछ ऐसा क्षेत्र भी है जिस पर खेती की गई है और इस विधेयक के अन्तर्गत अगर भूमि का उपयोग नान एग्री-कल्चरिस्ट परपज के लिये किया गया है तब तो एग्जम्पशन की बात मानी गई है लेकिन अगर उस पर खेती की गई है तो उसे एग्जम्पशन मिलेगा, ऐसा इस विधेयक की शब्दावली से कम से कम स्पष्ट नहीं होता । मैं समझता हूँ कि अगर इन दो वर्षों में किसी ने अपने परिश्रम में बजर भूमि को उपजाऊ बनाया है और आज उस पर खेती हो रही है तो उस को भी एग्जम्पशन में शामिल किया जाना चाहिये ।

जहाँ तक हरिजनो को भूमि देने का प्रश्न है उस में किसी को मतभेद नहीं लेकिन हरिजन भाइयों को भूमि देने मात्र से ही समस्या इस

नहीं होगी। भूमि पर खेती बढ़ी करने के लिये साधन चाहियें। उस के लिये हल, बैल और बीज सबैरह की आवश्यकता होगी और बिना साधन सम्पन्नता के उस भूमि का उपयोग भी क्या होगा ?

अब कहा जाता है कि नागपुर कांग्रेस के प्रस्ताव के अन्तर्गत जिस की कुछ सदस्यों ने चर्चा की, यद्यपि वह प्रस्ताव अभी तक कांग्रेस में ही सीमित है और इस विधेयक में उस के बहुत दर्शन नहीं होते, उस में कहा गया है कि सहकारी समितियां बनाई जायेंगी। मेरा निवेदन है कि अगर हरिजनो को भूमि देने का उद्देश्य उन की सामाजिक प्रतिष्ठा को बढ़ाना है जो कि आवश्यक है तो फिर हरिजन भाई उस नागपुर प्रस्ताव के अन्तर्गत स्वयं स्वामी नहीं बनेंगे बल्कि जो कोभापरेटिव फार्म्स होंगे उन में यह नौकर हो जायेंगे। कांग्रेस में भले ही उन को भूमि के स्वामित्व की प्रतिष्ठा प्राप्त हो जाये लेकिन गांव का हरिजन भाई कोभापरेटिव फार्म्स क्लेकटिव फार्म्स में बदल जाने से सरकारी मशीन का एक पुर्जा मात्र बन कर रह जायेगा, मजदूर हो जायेगा। अगर इस सुधार का उद्देश्य हरिजनो का प्रतिष्ठा प्रदान करता है तो मेरा निवेदन है कि इस से वह आप का उद्देश्य पूरा नहीं होगा और उत्पादन बढ़ाना है तो मेरा निवेदन है कि इस उद्देश्य के तो पूरा होने की सम्भावना ही नहीं है। अगर इस विधेयक में अधिकतम जोत की सीमा निर्धारित नहीं की गई है तो मैं समझता हूँ कि यह सरकार के लिये अच्छी बात नहीं है। सीमा तो निर्धारित होनी ही चाहिये। देश में खाद्यान्न का उत्पादन हम घनी खेती के द्वारा ही बढ़ा सकते हैं लेकिन भूमि जिन्हें दी जानी चाहिये, वह उस का उचित उपयोग कर सकें ताकि उत्पादन बढ़ सके, इस बात को भी समझने की आवश्यकता है।

मुद्राविज्ञा देने के सम्बन्ध में भी कुछ चर्चा की गई है। हमारे संविधान में मुद्राविज्ञा

की व्यवस्था है और मैं समझता हूँ कि इस विधेयक के अन्तर्गत जो मुद्राविज्ञा की दर रखी गई है वह जमीन की बढ़ी हुई कीमतों को देखते हुए ठीक नहीं है। व्याज की दर भी बहुत कम है। मुद्राविज्ञा की दर बढ़ानी चाहिये। यह मुद्राविज्ञा का अधिकार एक दुधारू तलवार है जो कि दोनों तरफ चल सकती है। जब किसान से जमीन ली जाय तो सरकार एक्सायर करे तब भी मुद्राविज्ञा की दर कम रहती है तो अगर विधेयक में हम स्थायी तौर पर यह व्यवस्था कर दें जिस के कि अन्तर्गत मुद्राविज्ञा कम दिया जाय तो उस का उपयोग किसानों के विरुद्ध भी किया जा सकता है।

जहां तक श्री राधा रमण के सशोधन का सम्बन्ध है मैं समझता हूँ कि सभी लोगो को जिन्होंने कि क्रय विक्रय किया है, उन्हें उस से छूट मिलनी चाहिये और केवल सन् १९५६ तक ही नहीं बल्कि इस विधेयक के ऐक्ट बनने तक भी अगर हम यह छूट दे दें तो इस में किसी को कोई आपत्ति नहीं होनी चाहिये। स इस से अधिक मुझे और कुछ नहीं कहना है।

Shri Datar: While I was following the arguments and the points raised by hon Members, I was surprised to find that some hon Members had suggested that the Bill had not been satisfying the legitimate interests of the cultivators or the agriculturists; on the other hand, another hon Member suggested that the interests of the urban area in Delhi ought also to be taken into account so that ultimately the prosperity, as he suggested, of the whole nation had to be duly considered. Now, in between these two circumstances, we have to find out what is the best and what ought ordinarily to be the priorities for consideration.

So far as these villages, the rural areas of the Delhi Administration, are concerned, naturally we have to give the topmost priority to the interests of the agriculturists or the cultivators.

[Shri Datar]

Let that fact be made very clear, that though, so far as Delhi is concerned, to a certain extent some special considerations have to be taken into account, the most important priority has to be given to the rural population. That is the purpose that was before the Delhi Legislature in passing the Delhi Land Reforms Act, 1954. Therefore, as the Home Minister pointed out this morning, this particular legislation is, as a matter of fact, one of the most progressive, if not the most progressive, piece of land reform legislation in the whole of India. I would request those hon. Members who have not gone closely through the provisions of the original Act of 1954 to see what revolutionary changes have been made for the purpose of investing cultivators with proprietary or *bhoomidari* rights. You will find that the Delhi Legislature went to the farthest extent in giving very important rights to different classes of cultivators, and, therefore, to that extent, all that has been done has to be considered as a piece of highly progressive legislation.

May I also point out that 15 villages had to be kept aside or excluded from the operation of the Act of 1954, because in 1956 it was considered that they ought to be excluded in the interests of the development of urban areas, because the Improvement Trust had either issued notifications or desired to have all that area for the purpose of developing Delhi itself? May I also point out that the area in these 15 villages was fairly large? In fact, in this area there were 2068 acres of waste land, 1951 proprietors and 1535 tenants or occupants. The acreage held by the tenants was 2956 and by proprietors 6429. Therefore, this was as very large extent of area to which the Act of 1954 had not been applied for the consideration I have already pointed out, namely for developing Delhi through the Improvement

Trust. But when it was found that there was no immediate prospect of using this particular large area, naturally Government had to consider the question of allowing the cultivators to have the fullest benefit under the Act of 1954. That is the reason why on highly equitable grounds and in the interests of the agriculturist population this exemption has been removed, and I am happy that at least so far as this portion of the Bill is concerned, it has been welcomed on almost all sides except by one hon. Member who contended that the development of Delhi should be taken into account and this exemption ought not to have been taken away because ultimately, according to him, the prosperity of Delhi might mean the prosperity of India. To a small extent, this is true, but this prosperity of Delhi cannot be set up against the prosperity which we desire the agricultural population to have. That is the reason why it has been found necessary to remove this exemption and to have the Act of 1954 apply to all these areas.

Now, during the intervening period, certain events have happened. They have to be taken into account. So far as these 15 villages are concerned, they ought to get all their rights on the footing that the 1956 Act had not been passed, that is, their rights have to relate back to the date when the Delhi Land Reforms Act was passed. And for that purpose, it was rightly pointed out that if there were decrees, then those decrees also would have to be annulled by the legislature with a view to give effective benefit to the people of these 15 villages. But if there are any transferees for value, without any particular notice, because they did not believe that this particular exemption would be taken away, then according to one of the most important principles of law, if those particular transferees are *bona fide*, naturally their interests have to be protected.

16.37 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

✓ I fail to understand what Shri C. K. Nair means when he says that the vendors or sellers should not be protected, if, for example, there has been a particular sale which is unconscionable, it is open to the vendor to take action against it and to have it set aside under the ordinary civil law. What happens is that whatever might be the particular facts of the case, ordinarily a vendor receives some consideration and then only parts with possession or title. Therefore, it is that the question of the honesty of transaction comes in so far as the protection to be given to a bona fide purchaser or transferee is concerned.

Shri C. K. Nair: What about the motive of the seller?

Shri Datar: So far as the law is concerned, the motive is entirely immaterial. I may repeat that if a particular transaction is unconscionable, we have got provisions under the Contract Act under which such a sale or agreement, whatever it is, will be set aside. That is for the purpose of safeguarding the legitimate interests of a person who cannot protect his own interests or who falls into the clutches of another person, namely, a purchaser. But here we are concerned with the question of bona fide purchaser and the word *bona fide* is there to show that there cannot be any unconscionable transaction as such. That is why that expression has been used. Therefore, their interests have to be protected consistently with the other overriding interests of the persons in whose interests the legislation is to be passed.

Shri C. K. Nair: Is not this word coined to camouflage the intention of the legislation?

Shri Datar: I am afraid there is no camouflage. Let not the hon. Member go on with the feeling that all this has been a camouflage. It is en-

turely wrong; perhaps it is an unhealthy view that he is holding.

Then I would make a reference to Shri P. S. Daulta. He contended that so far as the waste land in the possession of these private persons was concerned, when it had to vest in the gaon sabha, a larger amount of compensation should be paid. I believe, he stated ten times the market value or some such thing. I am afraid, here two circumstances should be taken into account. This is not an acquisition by Government for public purposes. If the land is not a waste land, if the land is duly cultivated, then it cannot vest in the gaon sabha at all. Secondly, here you will also kindly understand that when the land is a waste land of a private owner it does not go to anybody else for any particular purpose, but it vests with the whole body of the villagers called gaon sabha. That is one of the peculiarities, one of the special features of the Bill, that the waste lands, if there are any in a village, ought not to remain as waste lands but they should be used for proper and legitimate purposes. That is the reason why one of the most important points in the Act of 1954 was the creation of gaon sabha. Therefore, all these waste lands go only to the whole village as a unit, and the unit includes the farmer, the owner or the cultivator of the land if at all he cultivates it. Under these circumstances, may I point out, there is no substance in that particular contention.

May I also invite his attention to the analogy of Punjab itself where such lands vest in the gaon sabha without any compensation at all? Let not the hon. Member forget this particular circumstance.

The third point he made was that interest should be paid at a higher rate. Now, when the amount of compensation is not paid until it is paid interest is at the rate of 2½ per cent. This is the rate of interest that we have accepted from the UP law on the subject of abolition of zamindari.

[Shri Datar]

system and land reforms. Therefore, we are in good company so far as the question of interest is concerned

Then, Shri Radha Raman is just going to move a particular amendment. I am going to accept the principle of the amendment and I am going to suggest certain amendments so as to bring it in line with the spirit of this Bill. One hon Member, I think it was Shri Daulta himself, was very nervous that I was going to accept his amendment. May I tell him that here we have to take into account all the interests which were advocated by another hon Member. Therefore, that amendment will have the effect of protecting such transfers for non-agricultural purposes that have taken place up to October, 1956. This was the date on which the earlier Act was passed. Then certain difficulties were created. There were some litigation etc. and on account of that nothing could be done. Therefore, this is a material date. We go back until that date—not only to the time when the Land Reforms Act of 1954 came into operation, but even before. The object is that if due to ignorance of what is going to happen in the future certain transactions have been made certain lands have been sold in plots all those will be saved, especially so far as uncultivated lands are concerned if they are for non-agricultural uses. Naturally, as I have pointed out, *bona fide* transferees have always to be protected. That is the reason why I am going to accept the amendment of Shri Radha Raman with certain verbal changes.

Then there is one more amendment namely, amendment No 6, which I am going to accept. It says that all rules made under this Act shall be laid for not less than thirty days before both Houses of Parliament, and it will be open to consideration or revision if found necessary by both the Houses of Parliament.

So far as other portions are concerned, I may point out that we have

tried to go to the farthest extent to protect the interests of these cultivators. That was the reason why this particular Bill was passed in 1954. We are making changes only for the purpose of improving its utility.

A point has been made with regard to the 15 villages. But, another point should also be noted so far as the formation of the *gaon sabha* is concerned. There was some discrepancy in the wording of the two Acts passed by the then Delhi Legislature regarding the exact composition of a *gaon sabha*, whether it should consist of all adult residents of the place or whether it was to consist of all the voters. On account of this ambiguity which remained there nothing could be done. That is the reason why this particular Bill has been brought forward with the object of removing this particular discrepancy, and for having a uniform provision of law so far as this is concerned. Therefore, I would point out that the sooner we have an enactment on this subject the better.

Shri Vajpayee contended that we might wait till the question of ceiling itself is settled. That will be duly considered. And, as the Home Minister pointed out, it is our desire to have an amending Bill as early as possible—if it is possible within this session or at least during the next session. That is our object. But, it would not be advisable in the interests of these people—especially the villagers of these 15 villages—to hold up the whole work, the formation of the *gaon sabhas* and also the benefits made available to the people concerned.

Shri V. P. Nayar (Quilon) Have all the points been covered?

Mr Deputy-Speaker: If any be made that can be covered later when we discuss the Bill clause by clause.

The question is:

"That the Bill further to amend the Delhi Land Reforms Act, 1954 be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: Is Shri Sarhadi moving his amendment?

Shri Ajit Singh Sarhadi: No, Sir.

Mr. Deputy-Speaker: The question is:

"That clauses 2 to 4 stand part of the Bill."

The motion was adopted.

Clauses 2 to 4 were added to the Bill

Clause 5— (Amendment of section 7)

Shri Datar: Sir, I move:

Page 3, line 22,—

for "1956" substitute "1959"

Shri Radha Raman: Sir, I move my amendment No. 3.

I beg to move.

Page 3, line 10,—

for "during the period specified in sub-clause (b)" substitute "up to the 27th October, 1956".

Shri Datar: Sir, amendment No. 3 requires some change

Shri Radha Raman: If the hon Minister reads the amended form I may accept it

Shri Datar: I would accept it in this form

(i) In page 3, lines 6—8,

for "during the period commencing on the 20th day of July 1954, and ending with the 27th day of October 1956," substitute "at any time before the 28th day of October, 1956," and

(ii) In page 3, for lines 9—10, substitute "(c) acquired by a bona fide purchaser for value at any time before the 28th day of October, 1956, for purposes other than those mentioned in clause (13) of section 3."

Shri Radha Raman: I find that the purpose of my amendment is served by the amended form which the hon Minister has read out. I accept it

Shri Ajit Singh Sarhadi: Sir, I move:

Page 3, line 8,—

for "27th day of October, 1956," substitute "31st day of December, 1958,"

I have sought for the extension of the date to 31st December, 1958.

Shri K. S. Ramaswamy (Gobichet Palayam) I have an amendment No 6

Mr. Deputy-Speaker: But that does not relate to clause 5

Shri C. K. Nair: I move my amendment No 9 I beg to move:

Page 3,—

omit lines 9 and 10

Mr. Deputy-Speaker: So, amendments Nos 8, 9, 3 as amended and 4 are before the House now Should I put them to the vote of the House? The hon Members have already spoken

श्री नवल प्रसाद : उपाध्यक्ष महोदय, राधा रमण जी का जो संशोधन है, मैं उस का विरोध करता हूँ और उस के लिये एक विशेष कारण है कि जो किसान हैं उन की भूमि को, और जैसा कि बजर जमीनों के बारे में कहा जाता है, बहुत जमीनें ऐसी हैं किसानों की जिन्हें जमींदारों ने छड़वा ली और उसी को प्रोटेक्शन देने के लिये यह संशोधन लाया गया है। मैं थोड़े में कह सकता हूँ कि इस तरह के बहुत से केसेज हैं दिल्ली के अन्दर। जब चकबन्दी हुई तो चकबन्दी के अन्दर किसान के कच्चे में जो जमीन थी—मैं चाहूँगा कि माननीय मंत्री जी इस बात को धन्यो तरह समझ लें—उन के सम्बन्ध में जमींदारों ने मिल कर उन किसानों को इस बात पर राबरी कर लिया कि वह बजर जमीन ले ले और जो काश्त की जमीन थी वह उन्होंने अपने हाथ में ले ली यह कह कर कि उस को ज्यादा जमीन मिलेगी। इस तरह के बहुत से किस्से हैं और मुझे डर है कि वह सब लोग जो इन बजर जमीनों में हैं उन से बेदखल

[श्री नरेश प्रभाकर]

हो जायेंगे क्योंकि जमींदारों ने उन बंजर जमीनों को बेच दिया है और एक बहुत बड़ा हंगामा खड़ा हो जायेगा। मैं चाहता हूँ कि माननीय मंत्री इन सब बातों को देख लें, विचार लें और सच लें। उस के बाद ही इस सचोचन को स्वीकार करें।

श्री प्र० सि० बोलता : जनाब डिप्टी स्पीकर साहब, मुझे मिनिस्टर साहब से जो खतरा था वह मैं सुन रहा हूँ कि दुस्त खतरा था। इस तरकीब के बारे में जो मेरे लायक दोस्त धानरेबल मैम्बर साहब रल चुके हैं मिनिस्टर साहब कबूल करने के लिये कह चुके हैं। उस के बाद मैं इस बिल का बिल्कुल हिमायती नहीं हूँ और जो कुछ मैं न पहले कहा था वह सारे का सारा विषड़ा करता हूँ क्योंकि बिल का जो मकसद था, वह बिल्कुल फेल हो चुका। जो जमीनें मालिकों ने जागी दारों ने हासिल की थी, वह सब बेदखल हो जायेगी और बिक जायेगी। मैं धानरेबल मैम्बर के साथ मुत्तफिह हूँ जो बोनाफाइड पर्चेजर हैं उन में एक भी शरूस् ऐसा नहीं जिस के बोनाफाइड पर्चेज को चेलेंज किया जा सके। इस प्रमेडमेंट को कबूल करने के बाद इस ऐक्ट का सारा परपज आया हो रहा है और यह प्रमेडमेंट कतई कबूल करने लायक नहीं है।

श्री च० कृ. नायर . मेरा कहना यह है कि इस प्रमेडमेंट को स्वीकार करने से कोई फायदा नहीं। आरिजिनल ऐक्ट में भी है और इस में भी बोनाफाइड पर्चेजर को स्वीकार किया गया है। मैं पूछता हूँ कि आखिर यह क्या बात है? मैं यहाँ पर बोनाफाइड पर्चेजर का सवाल नहीं उठा रहा हूँ। पर्चेज करने वाले सब बोनाफाइड होते हैं। वह मकान बनाने के लिये छोटे छोटे टुकड़े लेते हैं। आस कर जैसा सरदार साहब ने फरमाया उस में बहुत से रिस्पूजी भी हैं और लोघर मिडल क्लास के भी बहुत से लोग हैं। हमें

इस में कोई एतराज नहीं, हमारा एतराज यह है कि जो जमींदार इस कानून के परपज को खत्म करने के लिये, डिक्लीट करने के लिये, कोशिश करते हैं, उन के खिलाफ आप क्या करते हैं? जो अपने मकसद के लिये मुजाहिदों को डिप्राइव करने की कोशिश करते हैं उन के लिये आप ने क्या किया? जहाँ तक जमीन का तात्सुक है, उस में बोनाफाइड का सवाल तो बचने वाले पर आता है। हमें बचने वालों के द्वारा पर शक है। वह उस को बेच चुका है और उस का पैसा भी हड़प कर लिया है। उस पैसे का हकदार आखिर कौन है? उस पैसे का हकदार अगर कोई है तो दो आदमी हैं। अगर बंजर जमीन है तो उस का असली मालिक और अगर मुजाहिदे के पास वाली जमीन बेची गई है तो मुजाहिदे को हक है और उस को भूमिधारी का हक पहुंचना चाहिये। असल में सन १९५४ में जब यह कानून बन चुका था तभी से जमीनें खिपने लगी थी और उस में प्रमेडमेंट सन् १९५६ में लाया गया इस लिये १९५६ तक की खरीद पर शक किया जा सकता है। उमे प्रदालत में क्वेश्चन किया जा सकता है। ऐसी बहुत सी जमीनें उस वक्त से छोटे छोटे आदमियों ने खरीद रखी हैं। अब सवाल यह है कि आखिर प्रदालत में जो भूमिधर है वह इस को क्वेश्चन कर सकता है या नहीं कि जो मो-काल्ड जमींदार है उस को जमीन बेचने का हक था या नहीं। अब अगर हम इस चीज का प्रदालत पर भी छोड़ दें तो मुझे एतराज नहीं। लेकिन हम कहते हैं पालियामेंट उन का पक्ष क्यों ले? उन को हम क्यों बोनाफाइड करार देंगे? हमें जमींदार के ऊपर शक है जिस ने गरीब मुजाहिदे का डिप्राइव करने के लिये अपनी जमीन बेची और रुपया ले लिया। अगर हम इसे मान भी लें तो यह पैसा यानी जो जमीन की कीमत है वह भूमिधर को जानी चाहिये और जैसा कि हमारे पूर्ववक्ता ने कहा था कि सचमुच में जो इस बिल का मकसद था

उस को हम इस अमेन्डमेंट से रिफ्यूट करते हैं।
इसलिए जो अमेन्डमेंट राधा रमण जी ने
पेश किया है मैं उस का विरोध करता हूँ।

Shri Datar: May I point out that all the hon. Members who have spoken are under a misapprehension so far as the acceptance of this amendment is concerned. The amendment is for the purpose of removing all the difficulties, legitimate and proper, and not otherwise.

I should also like to add that for the purpose of making Shri Radha Raman's amendment clear, I am adding the following to clause 5. I have read only one part of the amendment. What I propose in this amendment is a slight change in sub-clause (c). The second part of the amendment is.

Page 3, lines 9 and 10, for sub-clause (c), substitute

"(c) acquired by a bona fide purchaser for value at any time before the 28th day of October, 1956, for purposes other than those mentioned in clause (13) of section 3"

In order to clarify the position, these two amendments must be taken together.

Mr. Deputy-Speaker: The question is

Page 3, line 8,—

for "27th day of October, 1956",
substitute "31st day of December,
1958"

The motion was negatived.

Mr. Deputy-Speaker: The question is

Page 3,—
omit lines 9 and 10

The motion was negatived.

Shri Datar: That means sub-clause (c) of clause 5(a) (i) remains as it is.

Mr. Deputy-Speaker: Now, I shall put amendment No. 3 of Shri Radha

Raman, as amended by the hon. Minister. The question is:

(1) Page 3, in lines 6—8,—

for "during the period commencing on the 20th day of July, 1954, and ending with the 27th day of October, 1956,"

substitute "at any time before the 28th day of October, 1956,"

(ii) In page 3, for lines 9 and 10,—

substitute "(c) acquired by a bona fide purchaser for value at any time before the 28th day of October, 1956, for purposes other than those mentioned in clause (13) of section 3"

The motion was adopted.

Mr. Deputy-Speaker: The question is.

Page 3, line 22,—

for "1958" substitute "1959"

The motion was adopted.

Mr. Deputy-Speaker: The question is

"That clause 5, as amended,
stand part of the Bill."

The motion was adopted.

Clause 5, as amended, was added to the Bill.

Clause 6—(Amendment of section 11)
Amendment made.

Page 3, for lines 33 and 34, substitute—

"6 In section 11 of the principal Act, in sub-section (2), for the portion other than the proviso, the following shall be substituted, namely —"

[Shri Datar]

Mr. Deputy-Speaker: The question is:

"That clause 6, as amended,
stand part of the Bill"

The motion was adopted.

Clause 6, as amended, was added to the Bill.

Clauses 7 to 11 were added to the Bill.

Clause 12—(Substitution of new section for section 23)

Mr. Deputy-Speaker: Any amendments to clause 12?

Shri C. K. Nair: I want the deletion of this clause

Mr. Deputy-Speaker: When did he give the amendment?

Shri C. K. Nair: Just now

Mr. Deputy-Speaker: That cannot be admitted unless it is acceptable to the Minister. My difficulty is that the rules do not permit me

Shri C. K. Nair: I can speak on the clause. This clause puts a restriction on the sale of land by a *bhumidar* who possesses less than 8 acres. In a city like Delhi, especially in the periphery, there is a great race for the purchase of land. The poor *kisan* cannot make himself self-supporting with 8 acres, unless it is an economic unit. If he sells even one acre, he may earn perhaps Rs. 10,000, which he can invest in some business and carry on his livelihood. So, I wonder why this restriction should be put on the poor *kisan* who owns less than 8 acres of land.

As a matter of fact, there are many people who possess less than 8 acres. But this restriction is put on those who possess more than 8 acres, but still are prohibited to sell land which may reduce their possession to less than 8 acres. So, I appeal to the hon. Minister to reconsider this matter. After all, we are not going to gain much by this nor are we going to encourage cultivation. Of course, we are very much interested in agricultural production, but will this small restriction on the poor land-owner increase our production much? The hon. Minister may kindly reconsider this.

Shri Datar: May I point out that what the hon. Member has suggested

will do the greatest disservice to the agriculturists? The desire is that they should have a minimum acreage of land with them for agriculture. That is the reason why there has been a prohibition in respect of transfers below 8 acres. As you will find, these 8 acres are "standard acres" in the sense that their quality, yielding capacity, etc. have been taken into consideration. The original Act makes it clear that the desire is that it should be an economic holding for a proper livelihood of an ordinary family of about 5 persons. So, the hon. Member's suggestion cannot be accepted.

Shri Radha Raman: I want a word of clarification.

Mr. Deputy-Speaker: After the Minister's speech?

Shri Radha Raman: Yes. In the case of less than 8 acres of land, is acquisition by the Government also prohibited?

That is an entirely different question. It will be governed by the Land Acquisition Act. That is entirely immaterial here.

Mr. Deputy-Speaker: The question is

"That clause 12 stand part of the Bill."

The motion was adopted.

Clause 12 was added to the Bill
Clauses 13 to 18 were added to the Bill

New Clause 18A

Shri K. S. Ramaswamy: I have got my amendment No. 6.

Shri Datar: I am going to accept it.

Shri K. S. Ramaswamy: I beg to move.

Page 7,—
after line 11, insert—

"18A. In section 191 of the principal Act, after sub-section (2)

the following sub-section shall be added, namely:—

'(3) All rules made under this Act shall be laid for not less than thirty days before both Houses of Parliament as soon as possible after they are made and shall be subject to such modifications as Parliament may make during the session in which they are so laid or the session immediately following''

15 Mr. Deputy-Speaker: The question

Page 7,—

after line 11, insert—

"18A In section 191 of the principal Act, after sub-section (2) the following sub-section shall be added, namely —

'(3) All rules made under this Act shall be laid for not less than thirty days before both Houses of Parliament as soon as possible after they are made and shall be subject to such modifications as Parliament may make during the session in which they are so laid or the session immediately following''

The motion was adopted

18 Mr. Deputy-Speaker The question

"That clause 18A stand part of the Bill"

The motion was adopted

Clause 18A was added to the Bill

Clause 19 was added to the Bill

Clause 20.—(Certain decrees and orders to be null and void)

Amendment made

Page 8, lines 16 and 17 —

for "on the date of the commencement of this Act" substitute "immediately before the date on which this section comes into force"

[Shri Datar]

18 Mr. Deputy-Speaker: The question

"That clause 20, as amended, stand part of the Bill"

The motion was adopted

Clause 20, as amended, was added to the Bill

Clause 1.—(Short title and commencement)

Amendment made

Page 1, line 4,—

for "1958" substitute "1959"

[Shri Datar]

18 Mr Deputy-Speaker The question

"That clause 1, as amended, stand part of the Bill"

The motion was adopted

Clause 1, as amended, was added to the Bill

Enacting Formula

Amendment made

Page 1 line 1 —

for 'ninth Year" substitute 'Tenth year'.

[Shri Datar]

18 Mr Deputy-Speaker The question

"That the Enacting Formula as amended stand part of the Bill"

The motion was adopted

The Enacting Formula as amended was added to the Bill

The Title was added to the Bill

Shri Datar. I move

"That the Bill as amended be passed"

Mr. Deputy-Speaker: The question is:

"That the Bill, as amended, be passed".

The motion was adopted.

BUSINESS ADVISORY COMMITTEE

THIRTY-FOURTH REPORT

Shri Rane (Buldana): I beg to present the Thirty-fourth Report of the Business Advisory Committee.

17 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, the 11th February, 1959/Magha 22, 1880 (Saka)

[Tuesday, February 10, 1959/Masika 21, 1880 (Saka)]

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MOTION FOR ADJOURNMENT

The Speaker withheld his consent to the moving of an adjournment motion given notice of by Sarvaahri S. M. Banerjee and K. T. K. Tangamani regarding the situation arising out of the alleged lock-out in Raza and Buland Sugar Mills in Rampur.

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MOTION OF PRIVILEGE

The Speaker held to be in order the matter of privilege sought to be raised by Shri Atal Bihari Vajpayee relating to certain remarks made by Shri M. O. Mathai in his letter to the Prime Minister as reported in the press on the 17th January, 1959, and gave his consent to the member asking for leave of the House to raise the question.

As objection was taken to leave being granted, the Speaker requested those who were in favour of leave being granted to rise in their places. Not less than 25 members having risen accordingly, the Speaker declared that the House had granted leave.

Shri Hirendra Nath Mukherjee then moved the following motion :-

"That the attention of the House having been drawn by some honourable Members on February 10, 1959, to a letter written to the Prime Minister by his Special Assistant Shri M. O. Mathai and made public on January 17, 1959, through or as release by the Prime Minister's Secretariat and the Press Information Bureau of the Government of India in which the said M. O. Mathai, *inter alia*, remark:

'But the ever mounting tendency in our Parliament and our Press to attack public servants without caring to verify facts, is having a devastatingly demoralising effect. Under such deplorable conditions very few self-respecting persons will care to enter Government service or public life'.

The House resolves that the matter be referred to the Committee of Privileges for investigation and report whether the above mentioned remarks of Shri M. O. Mathai made public through the Prime Minister's Secretariat and the Press Information Bureau of the Government of India constitute an adverse reflection on

COLUMNS

MOTION OF PRIVILEGE—
contd.

the dignity of the Members of Parliament and the Speaker of the Lok Sabha and whether they constitute a contempt of Parliament and also to recommend what further steps the House may take in the matter."

An amendment to the motion was moved by Shri Braj Raj Singh, which was negatived.

The motion was adopted.

PAPERS LAID ON THE TABLE

173-74

The following papers were laid on the Table :-

- (1) A copy of the Notification No. GSR. 40 dated the 10th January, 1959, under sub-section (4) of Section 3b of the Industrial Disputes Act, 1947 making certain further amendment to the Industrial Disputes (Central) Rules, 1957.
- (2) A copy of each of the following Notifications under sub-section (3) of Section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954, making certain further amendments to the Displaced Persons (Compensation and Rehabilitation) Rules, 1955:
 - (1) G.S.R. No. 1214 R-Amdt. XXVIII dated the 20th December, 1958
 - (2) G.S.R. No. 103 R-Amdt. XXIX dated the 24th January, 1959
- (3) A copy of Notification No. S.O. 11 dated the 3rd Jan., '59 under sub-section (6) of Section 3 of the Essential Commodities Act, 1955 making certain further amendments to the Cotton Textiles (Production by Handloom) Control Order, 1956
- (4) A copy of Notification No. G.S.R. 56 dated the 17th January, 1959, under sub-section (3) of Section 25 of the Rubber Act, 1947, making certain further amendments to the Rubber Rules, 1955.

**PAPERS LAID ON THE
TABLE—*contd.***

- (5) A copy of Notification No. G.S.R. 1221 dated the 27th December, 1958, under sub-section 3 of Section 48 of the Coffee Act, 1942, making certain further amendments to Coffee Rules, 1955.

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

Shri Ram Krishan called the attention of the Minister of Food and Agriculture to the soaring food prices in the country resulting in distress to people in general. The Minister of Food and Agriculture (Shri A. P. Jain) made a statement in regard thereto.

COLUMNS

174-82

BILL PASSED

The Minister of Home Affairs (Shri G. B. Pant) moved that the Delhi Land Reforms (Amendment) Bill, 1958 be taken into consideration. The motion was adopted. After clause-by-clause consideration, the Bill, as amended, was passed.

**REPORT OF BUSINESS AD-
VISORY COMMITTEE
PRESENTED . . .**

Thirty-fourth Report was presented.

**AGENDA FOR WEDNESDAY,
FEBRUARY 11, 1959/MAGHA
22, 1880 (SAKA)—**

Consideration and passing of the Delhi Panchayat Raj (Amendment) Bill, 1958 and the Indian Railways (Amendment) Bill, 1958.

COLUMNS
285-285

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