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LOK SABHA DEBATES

(Sixth Session)



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LOK SABHA SECRETARIAT
NEW DELHI

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* *Starred*: This sign placed above a name indicates that the question was actually asked on the floor of the House by that Member.

LOK SABHA DEBATES

1121

1122

LOK SABHA

Monday, 24th November, 1958

The Lok Sabha met at Eleven of the Clock

[MR. DEPUTY-SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Ordnance Factory

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166. { Shri V. C. Shukla:
Shri D. C. Sharma:

Will the Minister of Defence be pleased to refer to the reply given to Unstarred Question No. 1151 on the 30th August, 1958 and state:

(a) whether any decision has since been taken about selection of a site for the new ordnance factory;

(b) if so, the details thereof: and

(c) if the reply to part (a) be in the negative, the reasons for the delay in arriving at a decision?

The Deputy Minister of Defence (Shri Raghuramaiah): (a) Yes.

(b) The site chosen is at Bhandara. But because of difficulties of finding the foreign exchange the project has not been sanctioned.

(c) Does not arise.

Shri V. C. Shukla: Is there any likelihood of this project being put through during the Second Five Year Plan?

Shri Raghuramaiah: We are anxious to get on with it, but the foreign

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exchange situation has developed in such a way that we are now reconsidering the proposal, to see whether with a lessened foreign exchange expenditure we can get on with it. The whole thing is under examination. It will be difficult for me to say when we shall be able to finalise it.

Shri V. C. Shukla: May I know what types of equipment were proposed to be made in this factory?

Shri Raghuramaiah: I do not think it would be in public interest to disclose what particular equipment we are going to manufacture. It is an ordnance factory.

Shri V. C. Shukla: May I know what type of raw materials will be required for the manufacture of the proposed articles?

Shri Raghuramaiah: It would be equally dangerous to answer that question.

Shri D. C. Sharma: May I know whether this ordnance factory is going to be of the usual type that is found in India, or whether it is going to be in any way different from the factories that we have now?

Shri Raghuramaiah: The object of the factory is to produce something which we are not now producing.

Shri Ranga: In view of the fact that in quite a large number of the ordnance factories which are already functioning, there is not enough work either for the workers who are employed or for the machines that have been provided there, may I know whether it is absolutely necessary that Government should have another ordnance factory? Or, may we take it that since the hon. Minister has said that the whole question is under

consideration, this point also would be considered?

Shri Baghuramaih: What we are going to manufacture is something which cannot be manufactured by the existing machinery in any of the existing factories.

Shri P. C. Bose: May I know the total estimated cost of setting up the factory, and the foreign exchange involved in it?

Shri Baghuramaih: The matter being under examination, and, also since we have not come to any final conclusion, it would be premature to give any figures.

Shri Goray: Is it true that we find ourselves in the present difficult situation because we have delayed the construction of this factory for too long, and if so, what steps will be taken to expedite the whole thing?

Shri Baghuramaih: I do not know whether my hon. friend knows what we are intending to manufacture here. The question postulates that he knows something about it.

Shri Goray: It is not in public interest to disclose it.

Shri Tangamani: May I know whether Government will consider the question of manufacturing articles which will be of civilian use, such as tractors, jeeps, and other automobile goods?

Mr. Deputy-Speaker: It is a suggestion for action.

Red Fort, Delhi

*167. **Shri D. C. Sharma:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) the efforts made during 1957 and 1958 so far to renovate Red Fort at Delhi; and

(b) the result thereof?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) and (b). The monument

is in a sound condition and annual and special repairs are carried out as and when necessary. Apart from underpinning, pointing and grouting at various places, some of the other important works executed during the last three years include the renewal of the worn out and porous lime concrete on the roofs of Diwan-i-Khas and Rang Mahal; renewal of decayed red sandstones of the floor of Rang Mahal; and fixing and renewal of broken *chhajjas* at the Mumtaz Mahal. There has also been necessary distempering and colour washing. As a result, the various important buildings have acquired better stability and soundness and also present a neater appearance.

Shri D. C. Sharma: Is it not a fact that the back portion of Red Fort—not the portion which faces Jumma Masjid, but the back portion—shows signs of decay, and if so, what is being done to arrest that decay?

Shri Humayun Kabir: I have said that there are annual repairs, and special repairs, wherever necessary. But I would like to know whether the hon. Member is referring to that part of the fort which is a protected area or the other part.

Shri D. C. Sharma: I am referring to that part of the Fort which is a protected area. The front part of the Red Fort makes very good showing. May I know whether the back part of the Fort will also make equally good showing?

Shri Humayun Kabir: Yes, it will.

Shri D. C. Sharma: How much money is spent annually on keeping this fort in good condition?

Shri Humayun Kabir: It depends upon the repairs which are required in any particular year. But if the hon. Member wishes, I can give him the figures for the last three years:

1955-56	Rs. 11,578
1956-57	Rs. 28,360
1957-58	Rs. 14,900

Examination System

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•163. { Shri Ram Krishan:
 Shri D. C. Sharma:
 Shri Bahadur Singh:
 Shri Shree Narayan Das:
 Shri Damani:

Will the Minister of Education be pleased to refer to the reply given to Unstarred Question No. 261 on the 13th August, 1958 and state:

- (a) the progress of work done so far in conducting a probe into the existing examination system at the university level and the secondary education stage;
- (b) whether any phased programme for reform of examination system has been drawn up as a result of it; and
- (c) if so, its nature?

The Minister of Education (Dr. K. L. Shrimali): (a) A statement is laid on the Table of the Lok Sabha. [See Appendix I, annexure No. 73.]

(b) No, Sir.

(c) Does not arise.

Shri Ram Krishan: From the statement, I find that the recommendations of the conference were sent to the State Governments for necessary action. May I know whether any of the States have implemented this decision?

Dr. K. L. Shrimali: Yes, some of the States are taking steps for the reorganisation of examinations. But if the hon. Member wants detailed information with regard to each State, he will have to give me separate notice.

Shri Ram Krishan: May I know the personnel of the committee appointed for this purpose, and the nature of the work done by this committee?

Dr. K. L. Shrimali: To which committee is the hon. Member referring?

Shri Ram Krishan: In the statement, I find:

"The Commission has sent its officers to various foreign countries to study this problem; and have set up a committee to examine the question of reform of the system of examination in the Indian universities".

Dr. K. L. Shrimali: This refers to the University Grants Commission committee. The report is awaited.

Shri Bahadur Singh: From the statement I find that the Commission has sent its officers to various foreign countries to study this problem. May I know the names of the countries to which they have been sent and the number of officers that have been sent?

Dr. K. L. Shrimali: The names of the countries are mentioned in the statement.

Shri Tangamani: They are not mentioned there.

Dr. K. L. Shrimali: The officers of the commission visited Japan, the USA and other foreign countries. I have no information with me at present as to what the other countries are.

Shri Hem Barua: We find from the statement that the universities were requested by Government in 1955 to reduce the burden of final examination as also to distribute the work uniformly throughout the course. May I know which are the universities that have complied so far with this request of Government, and if any university has not done it so far, whether it has advanced any grounds for non-implementation of the suggestion contained in the request?

Dr. K. L. Shrimali: This is a special recommendation which has been recently made to the University Grants Commission, and it will take some time before the actual implementation takes place. The question of reorganisation of examination

is a very difficult one and a lot of preliminary work, such as preparation of objective tests and other measures will have to be taken, before the system of examination is re-organised. It will have to be a gradual process. The preliminary work is being done, and I hope that in course of time the universities will re-organise examinations.

Shri Tangamani: The hon. Minister stated that the University Grants Commission had sent its officers to Japan, to the USA and to other countries. May I know whether these officers have completed their trip, and whether they have submitted a report to Government?

Dr. K. L. Shrimall: I do not have that information with me. I shall obtain that information from the University Grants Commission, and let the hon. Member know about it if he wants it.

Shri D. C. Sharma: By what time will the net results of all these probes and investigations become visible either at the secondary school level or at the university level?

Dr. K. L. Shrimall: It is very difficult in such educational reforms to set any time-limit. It is a process of continuous reconstruction, and I do not know whether at any stage we can say that the final stage has been reached.

Shri V. C. Shukla: Recently two extension workshops were conducted under the supervision of Dr. Bloom in the Southern region and Northern region. May I know why the Central region was not covered, and whether it will be covered in the near future?

Dr. K. L. Shrimall: Dr. Bloom was here for only a short time and he arranged as many workshops as was possible. If in future any workshops are held, certainly the places which were left out will be covered.

Shri Achar: May I know whether the State Ministries are consulted in this matter?

Dr. K. L. Shrimall: Yes, a conference was held of all the Boards of Education and certain decisions were taken at that conference.

Second Deshmukh Committee Report

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*169. { **Shri S. C. Samanta:**
Shri Subodh Hansda:
Shri R. C. Majhi:

Will the Minister of Education be pleased to refer to the reply given to Unstarred Question No. 663 on the 21st August, 1958 and state:

(a) whether the Second Deshmukh Committee has submitted its report;

(b) what are the difficulties that were put before the Committee by certain universities;

(c) how those difficulties are proposed to be solved; and

(d) the universities which have already started three year degree course?

The Minister of Education (Dr. K. L. Shrimall): (a) No, Sir.

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

(d) Apart from the universities of Delhi and Jadavpur which had the three-year degree course before the framing of the present scheme, the universities of Saugar, Madras, Baroda, Karnatak, Kerala, Osmania, Visva Bharati, Mysore, Sardar Vallabhbhai Vidyapeeth, Nagpur, Andhra, Aligarh, Annamalai, Sri Venkateswara, Vikram, Poona, Marathwada and Rajasthan have introduced the three-year degree course.

Shri S. C. Samanta: How long the two-year degree course will remain in those Universities which have accepted this three-year programme? May I know whether there is any uniform phased programme drawn up by Government in the matter?

Dr. K. L. Shrimali: As I have already indicated, certain Universities have accepted the three-year degree course. Some have already implemented it. There are two or three Universities which have not accepted it. For instance, Bombay University has rejected the scheme. Gorakhpur and Patna Universities are still considering the scheme. Most of the other Universities have accepted it and I expect in course of time they will all implement it.

Shri S. C. Samanta: May I know how many Universities have indicated their inability because of lack of funds to meet the matching contribution?

Dr. K. L. Shrimali: U.P., West Bengal and Bombay presented certain special difficulties. As far as Bombay University is concerned, it has already rejected the scheme. This Committee was appointed to go into the special difficulties which confronted the U.P. Government and West Bengal Government in implementing this recommendation. As soon as these special difficulties have been considered and the report is available, the University Grants Commission will take further action in the matter.

Shri Subodh Hansda: What is the total amount spent up to date for the introduction of the three-year degree course, and how this is shared by the Centre and the States?

Dr. K. L. Shrimali: The estimate of the total amount that will be required for implementation of this scheme is indicated in the First Deshmukh Committee Report. Subject to correction, I think it is Rs 25 crores. As regards sharing, I think it is on a 50-50 basis.

Shri R. C. Majhi: Have the Education Ministers of States agreed to this proposal?

Dr. K. L. Shrimali: The three-year degree course scheme has been discussed by various bodies including the Education Ministers' Conference,

and the Central Advisory Board where all the States are represented. There was general unanimity regarding the implementation of this course.

Shri C. D. Pande: May I know if it has come to the notice of Government that the real difficulty in implementing the three-year degree course in the Universities is the absence of uniformity in the entrance examination? In certain parts of the country, there are institutions having intermediate education. If those areas have to switch on to the three-year course, the boys have to put in 5 years in higher education, whereas in some other cases they have to put in 4 years. So the real difficulty is, at what stage they should be eligible to entrance.

Dr. K. L. Shrimali: I have already said that two or three States had special difficulties in this matter. The Panel on Education of the Planning Commission has appointed the Second Deshmukh Committee to go into this special problem indicated by the hon. Member. That Committee is examining the special problems of U.P., West Bengal and Bombay.

Shri Panigrahi: Have those Universities which have accepted this scheme in principle intimated to Government the year in which they are going to introduce the three-year degree course?

Dr. K. L. Shrimali: Some Universities have already introduced it. Some will be taking it up in course of time.

Shri Tangamani: Certain Universities like that of Madras have already enforced the three-year degree course. Madras University is in the third year of its introduction. May I know whether any report is available from such Universities like Madras University as to how this course is working?

Dr. K. L. Shrimall: The hon. Member is asking a question about a particular University. I shall be glad to have separate notes.

Shri Harish Chandra Mathur: I the hon. Minister aware of the difficulties because of the lack of co-ordination between higher secondary education and University education? If so, what steps have been taken to bring about co-ordination?

Dr. K. L. Shrimall: Both the All India Council of Secondary Education and the University Grants Commission are fully aware of the problem and are taking steps to remove the difficulties as they come in the way.

National Institute for Audio-Visual Education

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*176. { **Shri S. C. Samanta:**
Shri Subodh Mansda:

Will the Minister of Education be pleased to state:

(a) whether the scheme for the establishment of the National Institute for Audio-Visual Education has been finalised;

(b) if so, the steps taken towards its implementation;

(c) whether steps are also being taken to man the Institute; and

(d) if so, the nature of steps taken?

The Minister of Education (Dr. K. L. Shrimall): (a) to (d). A statement is laid on the Table of the Lok Sabha. [See Appendix I, annexure No. 74.]

Shri Subodh Mansda: From the statement, I find that three audio-visual education experts are expected to come in January. How long will these experts serve the Institute, will any amount be paid to them, and if so, what is the amount?

Dr. K. L. Shrimall: I do not have information as to the duration of the stay of the experts. Subject to correction, I expect they will be here for two years.

Shri Subodh Mansda: May I know whether the equipment required for the Institute has been received by Government from TCM?

Dr. K. L. Shrimall: Yes, some has come and some will be coming in course of time.

Shri S. C. Samanta: From the statement, I find that three U.S. experts will be coming. Are they the same persons who were to be recommended by TCM?

Dr. K. L. Shrimall: Yes, the whole programme is being operated by TCM.

Shri Tyagi: With a view to enabling farm and factory workers in the remotest parts of the country to have the benefit of education, have Government examined the feasibility of organising or setting up a University which would impart education by means of the radio?

Dr. K. L. Shrimall: This question actually does not arise out of the original question. But I would like to inform the hon. Member that much of the work which will be done in the Audio-Visual Education Institute will be helpful for giving information to people in factories and farms, as also other people to whom literature is not sometimes accessible.

Shri Tangamani: May I know whether this National Institute will start functioning from January, 1959 as indicated or whether there is likely to be any delay?

Dr. K. L. Shrimall: No; efforts are being made to start it as early as possible.

Shri S. C. Samanta: Is it a fact that in the list of equipment, films and film strips have been included—I mean the list submitted to the T.C.M. and have they arrived?

Dr. K. L. Shrimall: As I said, some material has already arrived. But I do not have the details.

Shri Sanketh Massa: May I know whether Government have estimated the total cost that will be required to man and equip this Institute?

Dr. K. L. Shrimall: In the original Second Five Year Plan, originally, there was a provision of Rs. 75 lakhs; now, it has been reduced to Rs. 25 lakhs.

Shri Tyagi: May I know what are the details of this audio-visual education? Is it only a propaganda of the Five Year Plans or other things whereby general education will be given or will it be academic education as well?

Dr. K. L. Shrimall: The hon. Member is aware that the audio-visual aids play a very important role in imparting education to children. And the main function of this Institute will be to prepare necessary personnel as well as to prepare material which might be available for the various educational institutions.

Educational Grants

*171. **Shri Sanganna:** Will the Minister of Education be pleased to state:

(a) whether it is a fact that the Educational Grants to the State Governments have been reduced consequent to the reappraisal of the Second Five Year Plan; and

(b) if so, to what extent?

The Minister of Education (Dr. K. L. Shrimall): (a) and (b). Yes, Sir. The original allocation of Rs. 212 crores for the States' Educational Development Programmes under the Second Five Year Plan has been reduced to Rs. 207 crores.

Shri Sanganna: May I know whether the University Grants Commission and other educational institutions have been consulted in the matter before the allocation was reduced?

Dr. K. L. Shrimall: There is a regular consultation with all the bodies. But since the Plan provision had to

be cut down, it had its effect on the educational plan also.

Shri Sanganna: May I know what is the contribution made to our educational programme by the different States of the country?

Dr. K. L. Shrimall: I do not have the detailed plans of the States. I will refer the hon. Member to the Plan itself.

Shri Dasappa: May I know whether the grants towards primary education have in any way been cut down further because in the Second Plan the provision made was much less than in the First Plan?

Dr. K. L. Shrimall: The hon. Member will see that the total reduction is only Rs. 5 crores—from Rs. 212 crores to Rs. 207 crores, as far as the State Plans are concerned. Exactly how this will affect the various sectors, it is very difficult to say at the present moment. I can give this information only after the proposals have been received from the State Governments.

Shri Hem Barua: May I know whether the attention of Government is drawn to a statement made by Shri Deshmukh, Chairman of the University Grants Commission, to the effect that he has made an offer to the Finance Minister to challenge the spending capacity of the University Grants Commission before fixing a ceiling on funds? If so, may I also know whether this reduction in allocation was because of the lack of confidence of the Government in the spending capacity of the University Grants Commission or because of other reasons?

Mr. Deputy-Speaker: A long introduction and a longer question.

Dr. K. L. Shrimall: I had difficulty in following the exact implication of the question. Will the hon. Member kindly repeat it?

Shri Hem Barua: May I know whether the attention of the Government is drawn to the statement made by Shri Deshmukh wherein he has said that he has made an offer to the Finance Minister to challenge the spending capacity of the University Grants Commission before fixing a ceiling on the allocation of funds. If so, may I know whether this reduction in the funds is due to this reason or some other reason?

Mr. Deputy-Speaker: The answer ought to be longer than the question. Then, perhaps, we may not be able to cover even 5 questions during the Question Hour. Has the hon. Minister now got the implication of the question?

Dr. K. L. Shrimall: I have not fully understood it, anyhow, I will answer.

Mr. Deputy-Speaker: Then, he need not answer.

Shri Mahanty: May we know if this reduction in the educational grant will have any impact on the free primary education in the States?

Dr. K. L. Shrimall: I can only say this. There has been some reduction, as I have already indicated; but, I cannot say how this will affect the various phases of education, secondary, higher etc. That I can say only after I receive the details from the State Governments.

National Service

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Shri Harish Chandra
Shri D. C. Sharma:
Mathur.

Shrimati Ila Palchoudhuri:
Shri Ram Krishan:
Shri Hem Raj:
Shri Supakar:
Shri Bibhuti Mishra.
Shri Wodeyar:
Shri Vajpayee:
Shri Achar:

Will the Minister of Education be pleased to state:

(a) whether it is a fact that Government have come to a decision that

no degree shall be awarded by the universities unless a year's national service is put in by the students;

(b) if so, the broad details of the scheme and its financial implications;

(c) whether the scheme has been accepted by all the universities; and

(d) when it is being enforced?

The Minister of Education (Dr. K. L. Shrimall): (a) No, Sir.

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

Shri Harish Chandra Mathur: May I know how this proposal originated and through what stages it has passed?

Dr. K. L. Shrimall: The proposal originated from the Prime Minister. He wrote a letter dated the 9th June, 1958 to all the Chief Ministers of the States in which he made a proposal for compulsory labour and social service for all young men and women between the ages of 19 and 22. The Ministry is, at present, engaged in working out the details of this scheme.

Shri D. C. Sharma: Is it not a fact that this has been circulated to the Universities; and, if so, may I know from how many Universities replies have been received?

Dr. K. L. Shrimall: The stage has not yet arrived. As I said, the Ministry is still working out the details of the scheme; and, as soon as the details have been worked out, further steps will be taken in this direction.

Shri Wodeyar: May I know whether the University Grants Commission has agreed with this; and by what standard the Government will come to a decision that a particular student has completed one year of national service in its true sense?

Dr. K. L. Shrimall: Last time when the Prime Minister was invited to attend the University Grants Commission meeting, there was an informal discussion about the scheme. And,

as far as I am aware, there was general agreement—I mean there was no formal resolution to that effect but several members expressed their appreciation of this scheme

श्री विभूति निधि क्या मंत्री महोदय यह बतलाने की कृपा करेग कि डिग्री लेने के लिए एक साल नेशनल सर्विस जो करनी है तो इसमें लिए पहले ही पढ़ाई के बजत मे लोगों को क्यों न शिक्षा दी जाय ताकि उनमे नेशनल सर्विस करने की भावना पैदा हो जाये ?

डॉ का० सा० शीमाली मैंने निवेदन किया कि अभी तक कोई स्कीम फाइनल नहीं बनी है और जब वह बन जायगी तो मैं उसे आपदे सामन ज़रूर रखवगा ।

Shri Achar: May I know how the several States have reacted to this proposal?

Dr. K. L. Shrimali: At present, the scheme is not yet finalised. We are working out the details. The State Governments and the Universities will be consulted when the scheme is finalised.

Shri Tyagi: What steps have been taken by Government to implement the recommendations of the Estimates Committee, namely that University students should be given wider opportunities to do manual, constructive work on a voluntary basis even on payment? The idea was that 'earn while you learn' may be spread as in the case in foreign countries.

Dr. K. L. Shrimali: As far as manual labour is concerned, the House is aware that the Ministry is working out a scheme for having labour service and social service camps, on a voluntary basis. Upto the 30th of September, 1958, about 4,500 camps have been held and, approximately, 5 lakh students participated in these camps.

I would like to know the latter part of the question

Shri Tyagi: Are the Government prepared to adjust the timings of the colleges in such a manner as to allow the students to earn while they learn as is the case with 80 per cent of the students in America?

Dr. K. L. Shrimali: The conditions in America and in this country are very different. It is an excellent idea, it has to be worked out. But, whether the students can earn to the same extent as they do in the United States is a matter which has to be examined by the Universities.

Shri Goray: Will the hon. Minister take note of a news item which has appeared in today's papers that 80 miles of super highway had been constructed by 15,000 Yugoslav students? Will he take note of that and expedite the whole scheme?

Mr Deputy-Speaker: That is all right. **Shri Patnaik**

Shri U. C. Patnaik: National service in western countries means training, drill and discipline. Are we having that or are we having conscription for labour? If so are we utilising the NCC and the ACC and also the other organisations for national service training?

Dr. K. L. Shrimali: The idea is to combine social service as well as physical training and military discipline without teaching them the use of arms.

Training Centre for the Adult Deaf

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*173	{ Shri Bahadur Singh: Shri D. C. Sharma: Shri R. C. Majhi: Shri Subodh Hansda: Shri Hem Raj: Shri Mohan Swarup:
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Will the Minister of Education be pleased to state.

(a) whether Government are considering setting up of a technical training centre for the adult deaf;

(b) if so, the steps so far taken to implement the proposal;

(c) the site chosen to start the training centre; and

(d) the amount expected to be spent on the scheme.

The Minister of Education (Dr. K. L. Shrimall): (a) Yes, Sir.

(b) and (c). It is proposed to establish the Centre permanently at Faridabad. A suitable piece of land has been tentatively selected for the purpose of constructing a building for the Centre. Plans and estimates for the construction of the building have also been prepared.

In the meantime, efforts are being made to locate the Centre temporarily at some other suitable place.

(d) There is a provision of Rs. 8 lakhs in the Second Five Year Plan for the purpose, at present.

Shri Bahadur Singh: May I know the nature of technical training that is contemplated to be imparted to these deaf and dumb?

Dr. K. L. Shrimall: Various kinds of training which could be imparted, for instance, tailoring, carpentry and cabinet-making, machine work, commercial painting, electro-plating, printing, book-binding, photography, and various skills in which the deaf could be trained.

Shri Bahadur Singh: May I know the number of trainees that will be trained in the centre?

Dr. K. L. Shrimall: I am afraid that I do not have that information but I will be glad to give that information to the hon. Member.

Shri R. C. Majhi: What will be the duration of the training period?

Dr. K. L. Shrimall: All those details have still to be worked out.

Shri Subodh Hansda: May I know whether it is a fact that the I.I.O. expert had worked a scheme for the training of the handicapped at Bombay, whether that scheme had been worked

out and also whether it has got any response from the public or the industrialists?

Dr. K. L. Shrimall: The hon. Member is referring to the I.I.O. expert. One expert has been invited to help us in planning the education of the handicapped. I could not follow the latter part of his question. But if that is his question, the answer is, as already given by me, in the affirmative.

Shri Ajit Singh Sarhadi: May I know if there has been any survey as to the State in which there are the maximum number of deaf?

Dr. K. L. Shrimall: I do not have that information. But I may inform the hon. Member that there are 47 schools for the deaf in the country.

Shrimati Renu Chakravarty: After these trainees pass out from this institution, has the Government any system of giving them financial help to settle them in industries in which they have been trained?

Dr. K. L. Shrimall: All these matters will be decided and I would get that proposal also examined. Normally, they have some kind of sheltered workshops for this kind of people but our policy in the past has been to persuade the existing industries to employ these people and that has worked in the past. I think on those lines they would continue to work and we are only proposing to set up a special employment office for these people.

Shri Achar: May I know the total number of deaf and dumb in the country?

Mr. Deputy-Speaker: He has already answered that question.

Import of Steel from Russia

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 214. { **Shri Ram Krishan:**
Shrimati Ila Patichoudhari:
Shri Bishwanath Roy:
Shri Jadhav:

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

(a) whether it is a fact that the Government of India propose to import steel from Russia;

(b) if so, whether any arrangements have been made or are being made in regard thereto with the Government of that country;

(c) the details of the arrangements made; and

(d) total value of steel to be imported?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) Yes, Sir.

(b) Arrangements are being made with the Government of U.S.S.R. for this import.

(c) and (d). Under a Trade Agreement already existing with the Government of U.S.S.R., the Government of India propose to purchase about 2,16,000 tons of steel in 1959. Although details have not yet been finalised, negotiations are in progress for this import. The value will depend on the result of negotiations.

I may add that the value is likely to be of the order of Rs. 10 crores or so.

Shri Ram Krishan: May I know the purpose for which this steel will be utilised? Will it be utilised for public services or distributed for private purposes?

Sardar Swaran Singh: It will be distributed but a part of it will be used for public purposes also.

Shri Ram Krishan: May I know the ratio between the public and private purposes?

Sardar Swaran Singh: No, Sir; no such ratio has been fixed.

Shri Bishwanath Roy: How far will the annual demand of steel be fulfilled by this import of steel from Russia?

Sardar Swaran Singh: It is very difficult to give the proportion of that type.

Shri Bishwanath Roy: May I know when the actual import of steel will begin?

Sardar Swaran Singh: As soon as the terms are finalised, the order will be placed. Our experience is that when the orders are placed, supplies start coming in within a couple of months or so.

Shri Tridib Kumar Chaudhuri: May I know if there has been any indication of the price at which steel will be obtained and whether there is any chance of getting it at lower than world prices?

Sardar Swaran Singh: Generally the prices that prevail in the international market are quoted. But there are always marginal adjustments this way and that way. The Brussels market generally throws up the prices and its quotations are generally of the same pattern as those in the international market. Brussels appears to be the general index for it.

Shri T. B. Vital Rao: Apart from the trade agreement that was referred to now, there was originally some import of steel. May I know whether this import of two and odd lakhs tons will be in addition to that?

Sardar Swaran Singh: I do not know what is in the mind of the hon. Member. In the original agreement, it was mentioned that India would be prepared to import about a million tons of steel if conditions are suitable and the terms are appropriate. If the amount that has been indicated is imported, that will bring the total import from the Soviet Union to the tune of about a million tons.

Shri Paigrahi: May I know whether there is any proposal for import of steel in 1959 from any other country, besides Soviet Union and if so what is the quantity?

Sardar Swaran Singh: Yes. There is a proposal for import of steel from Japan and the U.S.A. also but no quantities have been settled.

Shri Tyagi: What would be the medium of payment in the bargain with Russia?

Sardar Swaran Singh: The arrangement, as the House is aware, is to make payments in rupees here which the Russians would normally utilise for purchasing Indian goods for the purpose of exports to the Soviet Union. But there is also a condition that to the extent the amount cannot be utilised for the purchase of Indian goods, the amount can be asked for in foreign currency.

Sardar Iqbal Singh: May I know the type of steel to be imported—whether it will be structural steel or other type steel?

Sardar Swaran Singh: There are a large number of categories: structural, non-structural, plates, etc.

Shri Tyagi: Sir, my question was not fully answered. I wanted to know the medium of payment. My hon. friend said that to the extent to which Russia can buy from India it will be in rupee, otherwise they can go in for sterling or any other foreign exchange. What is the proportion? To what extent have they undertaken to buy in India?

Sardar Swaran Singh: There is no such fixed proportion—subject, of course, to the final details being given by the Finance Ministry. But the general terms are that the payment is initially made in rupees. Those rupees can be utilised, or are normally utilised for purchase of Indian goods and being exported to the Soviet Union; but the condition, as I have already indicated, is that to the tune Indian goods cannot be purchased in foreign exchange—that is the undertaking—will be made available. But the point which the hon. Member is suggesting in his question is really agreed to.

Shri Joachim Alva: May I know what main considerations weighed with the Government in importing this steel; is it the vast Government building activities or is it the requirement of established licensed importers?

Sardar Swaran Singh: It is a fact, Sir, that our production of steel inside the country is less than our require-

ments. Our requirements are for public purposes as well as for building purposes, for industries and for a number of other things. Therefore, to make that shortfall we have been importing steel for a number of years.

Some Hon. Members rose—

Mr. Deputy-Speaker: There are still a number of hon. Members who want to ask supplementaries. We will go to the next question.

Accident at Cochin Naval Dockyard

*175. **Shri S. M. Banerjee:** Will the Minister of Defence be pleased to state:

(a) whether it is a fact that two civilian workers employed in the Naval Dockyard at Cochin died as a result of an accident on the 9th September, 1958;

(b) if so, whether any enquiry was held to ascertain the causes of the accident;

(c) if so, findings thereon; and

(d) the amount paid as compensation to their dependents?

The Deputy Minister of Defence (Shri Raghuramaiah): (a) and (b). Yes, Sir.

(c) A summary of the findings of the Board of Enquiry is placed on the Table of the Lok Sabha. [See Appendix I, annexure No. 75.]

(d) An amount of Rs. 3,000/- has been sanctioned to the heirs of each of the two deceased labourers.

Shri S. M. Banerjee: May I know whether any arrangements have been made to avoid future accidents, because my information is that.....

Mr. Deputy-Speaker: He has put his question. Why should he state what his information is? Let him hear the answer.

Shri S. M. Banerjee: My question is, what steps have been taken to avoid future accidents?

Shri RaghuRamaiah: The Board of Enquiry has not been able to establish the reasons for this. However, they have suggested certain methods which are being considered.

Shri NarayananKutty Menon: From the statement that is laid on the Table it is seen that normally the labourers working there are not allowed to go into the racks when unloading is done and, secondly, there was adequate supervision. Are we to understand that the three labourers who went into the rack when the steel plates were being loaded went inside when there was adequate supervision?

Shri RaghuRamaiah: One man was a Mukadam, a supervisor of the labour force. Unfortunately, he is dead, and it is now very difficult to know the details. The Board of Enquiry also could not therefore come to any definite conclusion as to how this happened.

Shri Tangamani: In the statement it is said that no person or persons can be held responsible for the accident, and that all proper precaution was taken. If that is so, may I know why this particular accident has taken place?

Shri RaghuRamaiah: The Board themselves could not answer that question.

Shri Hem Barua: From the statement we find that there are reasons to believe that the operation was done under good supervision and caution was exercised at every stage. May I know what are the data that constitute the basis of those "reasons to believe"?

Shri RaghuRamaiah: The method of stacking steel plates was found to be quite regular, so far as the Board could see. The object was to remove one of the plates, cut it into proper size and put it back. So far as the Board could see, there was no lack of efficient supervision—that is their finding.

Shri Joachim Alva: These workers died at their posts of duty. Has Government got a liberal scheme for paying their dependants, especially

liberal provision for education of their children?

Shri RaghuRamaiah: They are paid what they can get under the Workmen's Compensation Act, and I have already mentioned the figure in answer to the main question.

Shri NarayananKutty Menon: It has been given in the statement that the rope that is used to tie up and lift the steel plates is of adequate strength. May I know whether the condition of the rope was examined by any responsible person before the lifting operations started there?

Shri RaghuRamaiah: Off-hand I could not say exactly whether it was done or not; but the finding of the Board is that every precaution was taken, and I presume that it includes this also.

Shri S. M. Banerjee: May I know whether it is a fact that less men were employed on this job whereas more men are required for loading and unloading, and that is one of the reasons for this accident?

Shri RaghuRamaiah: That is not my information.

Visit of Russian Team

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*176. *✓ Pandit D. N. Tiwary:
Shri Ajit Singh Sarhadi:*

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

(a) whether the Russian experts headed by Mr. E. S. Emlin who had visited Ranchi and other places in the country to investigate and advise about location of Central Workshop, Underground mines, Coal Washing Plants, etc., have finished their job and returned to Moscow;

(b) whether they have submitted their report; and

(c) if so, their main recommendations?

The Parliamentary Secretary to the Minister of Steel, Mines and Fuel (Shri Gajendra Prasad Sinha): (a) "The Soviet experts have since returned

to the U.S.S.R. after collecting the initial data required by them and the Memoranda of Instructions for the preparation of detailed project reports.

(b) Not yet; they are likely to take about 8 months from the date of receipt of the initial data.

(c) Does not arise.

Pandit D. N. Tiwary: Besides Ranchi, may I know what other places were visited by this team?

Shri Gajendra Prasad Sinha: They also visited some of the other places about which they were entrusted with the work of preparing a project report.

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): Particularly, Korba.

Pandit D. N. Tiwary: May I know whether Government has indicated to the team its preference in favour of any place?

Shri Gajendra Prasad Sinha: No, Sir. There are four schemes. All are for the development of Korba mines.

Mr. Deputy-Speaker: Have they indicated any preference to any particular place?

Shri Gajendra Prasad Sinha: It is about the Korba mines.

Shri T. B. Vittal Rao: The hon. Parliamentary Secretary stated that this team which has already returned will take eight months to submit its project report. If that is so, may I know when these mines will go into actual production?

Sardar Swaran Singh: Obviously, they cannot go into production unless detailed project reports are there. The Soviet experts say that they will require eight months to prepare detailed project reports.

Mr. Deputy-Speaker: Next question.

Shri T. B. Vittal Rao: May I put one more question?

Mr. Deputy-Speaker: I am sorry, it is too late now.

Manufacture of Special Steel

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*177. / **Shri V. C. Shukla:**
Shri V. P. Nayak

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

(a) the latest position in India relating to the manufacture of special varieties of steel such as tool steel, dye-steel, everbright steel etc.; and

(b) the steps, if any, taken by the Government of India to increase production of special steels?

The Parliamentary Secretary to the Minister of Steel, Mines and Fuel (Shri Gajendra Prasad Sinha): (a) The indigenous production of commercial varieties of special steels, mainly high carbon steels, during the year 1957 was about 2,000 tons and in the year 1958 upto September about 3,000 tons.

(b) A special and alloy steel plant of about 45,000 tons ingot capacity is to be put up in the public sector. On the basis of preliminary reports submitted by a number of firms, quotations have been invited from those who appeared capable and willing to assist, for a detailed project report and for engineering services.

It is understood that the Ordnance factories who have some capacity for the manufacture of special steels also propose to increase their capacity. A part of this capacity would, ordinarily, be available to meet civilian demands.

Shri V. C. Shukla: May I know if a committee has been appointed to investigate the best available site for this proposed plant?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): No, Sir; the present position is that enquiries have been made for quotations to prepare the project report.

Shri Joachim Alva: The Bhadravati Iron and Steel Works in Mysore have made a special application for manufacture of a special type of steel which

other steel companies are not manufacturing, but the proposal was not favourably viewed by the predecessor of the present hon. Minister. May I know whether the present hon. Minister will look into that proposal afresh and consider it.

Mr. Deputy-Speaker: That is a good proposal, a suggestion for action.

Shri Wodeyar: May I know how far the Bhadravati Iron & Steel Works have progressed in manufacturing special steel, and whether the steel produced in Bhadravati is as per the standard and target?

Sardar Swaran Singh: So far as the main question is concerned, it relates to special steel. I think stainless steel, and the present target of Bhadravati is certainly not very relevant to the main question. However, I may add that the expansion programme of Bhadravati also is going ahead more or less according to expectation.

Shri Mohammed Imam: Is it not a fact that there was a proposal and a scheme submitted to the Centre from Bhadravati for the manufacture of stainless steel, ferro alloys and other types of steel; if so, may I know what action has been taken by Government?

Sardar Swaran Singh: It is true that the Bhadravati Iron and Steel Works also had proposed that a special steel and alloy plant could be located at Bhadravati. There are other places also which are equally if not more suitable and a final decision will be taken after having all the relevant factors into consideration.

Shri Tangamani: May I know whether there is a proposal to utilize the Indian engineers and consultants or whether they would invite foreign engineers and consultants for this?

Sardar Swaran Singh: If there are suitable Indian engineers then every effort will be made to utilize them. As to whether for this particular type of specialised work, there is adequate knowhow in the country is a matter which requires very careful consideration.

Shri G. M. Bhagat: It was said that the capacity of some of the ordnance factories will be utilized for the manufacture of special steel. May I know whether any discussion has been held with the Defence Minister and, if so, with what result?

Sardar Swaran Singh: I do not know what is the discussion for. I have said that there is some capacity in the ordnance factories for the manufacture of special steels, and that if what they make is more than their requirements, that can be utilized for civilian purposes.

Shri Goray: In the "India 1966" exhibition, sheets of Thackeron, a variety of stainless steel, are on display. Are the Government having any scheme to manufacture that type of steel?

Sardar Swaran Singh: Does the hon. Member mean the stainless steel which has been developed by the National Metallurgical Laboratory?

Shri Goray: Yes.

Sardar Swaran Singh: That process also is being considered and investigations will be made as to whether by utilizing that process we can manufacture stainless steel.

Shri Goray: Stainless steel is already manufactured.

Mr. Deputy-Speaker: The hon. Minister meant that special kind of steel.

Shri P. C. Bose: May I know whether the Government is aware that the stainless steel manufactured in this country does not suit the purpose of the chemical factories like those at Sindri etc. and that they are still importing large quantities of steel?

Sardar Swaran Singh: That is true, but much stainless steel is not being manufactured in this country. So, obviously, they have to import those categories of steel which are not being manufactured.

Shri P. C. Bose: The quality of the manufactured article is so bad that it would not suit the purpose.

Sardar Swaran Singh: I think there has been some misunderstanding. Actually, stainless steel is not being manufactured in any considerable quantity in this country at all, apart from quality.

Mr. Deputy-Speaker: The hon. Member says that whatever the manufacturers produce, however small a quantity it may be, it is not suitable for use in those factories.

Sardar Swaran Singh: It has never been tried in that factory.

Shri V. C. Shukla: May I know if any other steel project submitted any proposal or asked for the plant to manufacture the special alloy to be located and, if so, what are the details of that proposal?

Sardar Swaran Singh: No, Sir. No question has arisen about any particular steel project asking for its location. The Government will consider all the relevant factors and will take an appropriate decision.

Rourkela Fertilizer Plant

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*178. { **Shri T. B. Vittal Rao:**
Shri Nath Pai:
Shri Sanganna:
Shri Aurobindo Ghosal:

Will the Minister of Steel, Mines and Fuel be pleased to refer to the reply given to Starred Question No. 207 on the 18th August, 1958 and state:

(a) whether any decision has since been taken for placing an order for the supply of plant and machinery for the Fertilizer plant at Rourkela;

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

(c) the value of the contract.

The Parliamentary Secretary to the Minister of Steel, Mines and Fuel (Shri Gajendra Prasad Sinha): (a) No, Sir. The negotiations are at the final stages.

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

Shri T. B. Vittal Rao: The whole negotiations have been going on for a

pretty long time, and three months ago we were told that it would be finalised. May I know what are the difficulties in finalizing this?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): For the information of the House, I may add that the intention is to split this plant and give practically half of this work to the Sindri Fertilizer, and a letter of indent with regard to nitric acid and nitrolimes has been issued to Sindri. The detailed terms of the contract are being discussed. This will account for about Rs. 8 crores or so. For the ammonia plant and an auxiliary plant, negotiations are still going on, but we are in an advanced stage, and it is hoped that a final decision will be taken in about a fortnight's time.

Shri T. B. Vittal Rao: May I know why the whole contract has not been given to Sindri when they are able to erect this?

Sardar Swaran Singh: The Sindris have not evinced any interest in the setting up of ammonia plant. Had they said that "we are able to do it," certainly we would be very glad to give that work to Sindri also, but with regard to the ammonia plant, Sindri Fertilizers have expressed their inability, at their present stage, to undertake that work.

Shri Nath Pai: May I know who the consultants are for this fertilizer plant, the kind of consideration that is expected to be given to them and the nature of services offered in return for that consideration?

Sardar Swaran Singh: That is a separate question. If a separate question is tabled, I would give a detailed reply. The firm is of the name of Buchako or something.

Shri Sanganna: May I know the target amount for the completion of the project? Will the scheme be completed in the second Five Year Plan period?

Sardar Swaran Singh: This, as the hon. Member would no doubt be aware, is part of the Plan with regard

to the steel plants. With regard to the fertilizer portion, the expenditure may be of the order of about Rs 16 crores.

Shri Muhammed Elias: May I know whether the fertilizer plant at Durgapur will be in the public sector?

Sardar Swaran Singh Very much so, I thought that that is a fact which should have been known.

Shri T. B. Vittal Rao May I know whether according to the original target for the plant, it was expected to cost about Rs 16 crores, out of which Rs 8 crores would be for Sindri and the remaining amount would be Rs 10 crores. Is it more than that amount now?

Sardar Swaran Singh I think it is going too much into the details. When they are being negotiated perhaps it will not be a realistic approach for me to give a firm figure.

Shri Morarka When will the work be started at Sindri?

In the last session of the Lok Sabha, the hon. Minister stated that the total cost of the fertilizer plant would be about Rs 8 crores. Today it is said that the total cost will be about Rs 16 crores. May I know, between the last session and this session, why this 100 per cent rise has taken place?

Sardar Swaran Singh There is no 100 per cent rise. I would like to check up the earlier reference that has been made by the hon. Member.

Shri T. B. Vittal Rao. My question was not answered. May I know when the Fertilizer Company is going to start its work at Rourkela plant?

Sardar Swaran Singh. As I have already mentioned a letter of indent has already been issued to Sindri and a final contract will be negotiated in another two or three weeks time and as soon as that is finalized, they will start the work. As to when they will physically start it, it is too early for me to make a statement.

Rural Institutes

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***179.** { **Shri R. C. Majhi:**
Shri Subodh Hansda:

Will the Minister of Education be pleased to state

(a) whether it is a fact that all the Rural Institutes are assisted by the Technical Co-operation Mission of the U.S.A.,

(b) if so the nature of help rendered by this Mission, and

(c) whether all the Institutes are functioning under the management of the Rural Higher Education Scheme?

The Minister of Education (Dr. K. L. Shrimali): (a) Yes, Sir

(b) Supply of books, equipment and training of the staff of Rural Institutes in U.S.A. in research and extension activities pertaining to Rural Higher Education

(c) Yes, Sir

Shri R. C. Majhi: May I know whether the diplomas awarded by these institutes are recognized by the universities?

Dr. K. L. Shrimali: There is a National Council of Higher Education for rural areas which gives diploma and this diploma has now been considered as equivalent to the B.A. degree by the Government.

Shri R. C. Majhi: May I know whether any stipend has been given to the students of these institutes?

Dr. K. L. Shrimali: Yes, Sir. Some stipends are also being given.

Shri Subodh Hansda: May I know whether there is any proposal to introduce new subjects in these institutes?

Dr. K. L. Shrimali: As new situations arise, new subjects will be taken up.

Shri S. C. Samanta: May I know whether another Rural Institute will

be established in the Second Plan and if so, whether any help will be forthcoming from the T.C.M. for that also?

Dr. K. L. Shrimali: There is a proposal to have two more rural institutes, one in Punjab and another in Madhya Pradesh.

Shri Hem Barua: May I know how the Government propose to adjust this rural institute education with university education, if necessary?

Dr. K. L. Shrimali: The Inter-University Board is already examining the question of equivalence of the diplomas with the degrees of universities.

SHORT NOTICE QUESTION

Shortage of Kerosene Oil in Assam

S.N.Q. 1. Shrimati Mafida Ahmed: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether Government are aware of the acute shortage of Kerosene oil in Assam; and

(b) if so, the measures taken for adequate supply of this essential commodity?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) and (b). Large quantities of Kerosene have to be imported to meet the gap between consumption and indigenous production. To reduce this outgo of foreign exchange, after consulting the oil companies they were requested recently in September to try to restrict total sales of this product to a small extent. Subsequently, the Government of Assam reported that, as a result, scarcity of Kerosene Oil had arisen in that State. In view of the peculiarly hard circumstances pointed out by the State Government, it was decided early this month that no restrictions need be made with regard to sales in Assam.

Shrimati Mafida Ahmed: An A.O.C. circular revealed that they were advised by the Government of India to curtail 20 per cent. of its supply to the State's quota for the months July,

1958 to October, 1958 and if so, may I know whether the Government of Assam were consulted or informed before forwarding the suggestion to the A.O.C. and if not, the reason why it was not considered necessary?

Shri K. D. Malaviya: I am not aware of any circular having been issued by the A.O.C. for such a drastic reduction in the sales of kerosene oil. I suppose it is not quite correct, nor did they seek our advice to cut the supply drastically to this extent, if such a circular was issued. We consulted the oil companies and advised them to have a nominal reduction, but as soon as the Assam Government told us about their difficulties, we advised the A.O.C. to restore the cut. There is no difficulty about it and they are getting normal supplies.

Shrimati Mafida Ahmed: May I know the present position of distribution of kerosene so far as the State of Assam is concerned?

Shri K. D. Malaviya: The Assam Government have themselves reported that the cuts have been restored and that perhaps there is no difficulty. As my senior colleague has pointed out the Assam Government have issued a communiqué referring to all these things.

Shri Hem Barua: The advice actually given to the A.O.C. was for a smaller reduction or smaller cut in the supply of kerosene oil, but they misinterpreted it and put the people of Assam in a difficult position. May I know why they were allowed to cut supplies up to 20 per cent., while giving them an advice that was not clearly defined?

Shri K. D. Malaviya: I have just stated that I am not aware of such a drastic cut and I do not think the cut has been made to that extent. Perhaps, from the very nature of things, the consumption is growing on many other counts and if there are some difficulties, we have got to face them. That is the true position. But so far as the Government are concerned, we advised the A.O.C. to have

* nominal cut in order to make suitable adjustments.

Shri Hem Barua: Why is it that the Government did not take the pains or care to fix the exact quota to be cut, instead of giving such a long rope to the company?

Shri K. D. Malaviya: It is no use mentioning small figures; they will do good neither to the hon. Member nor to the consumers, because the prices may go up by speculation. I only mentioned that a very nominal reduction was made with regard to supplies and as soon as the Assam Government asked for restoration, we did it. There was no difficulty on that account. The consumption as I said is expanding normally and so there will be some difficulty.

Shri Narayanankutty Menon: May I know whether the Government is aware that in spite of the advice given by the Government to the oil companies for a nominal cut, there is no actual shortage of kerosene oil in India today and there is an artificial shortage of kerosene oil created by some of the distribution agencies because of the advice given by the Government?

Shri K. D. Malaviya: There may be some marginal scarcity, which I cannot deny. But the Government of India are quite vigilant and so far as it lies in our power, we see to it that difficulties are not created by artificial means.

Shri Panigrahi: What was the consumption of kerosene in the country last year and how far has it increased this year?

Shri K. D. Malaviya: I am sorry I cannot give any off-hand answer.

Shri Hem Barua: May I know whether the stockists and wholesale dealers took advantage of this, stopped the regular supply of kerosene oil and sold it in black market at exorbitant prices?

Shri K. D. Malaviya: I am not aware of it.

WRITTEN ANSWERS TO QUESTIONS

Kalyan Kendras for Families of Government Employees

*180. **Shri Damani:** Will the Minister of Home Affairs be pleased to state:

(a) whether any progress has been made in the implementation of the Scheme of Kalyan Kendras in various residential colonies of Government employees with a view to supplement the family incomes of Government employees earning Rs. 500 per month or less; and

(b) if so, the details thereof?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b). The scheme is still under the consideration of the staff welfare organisation. Meanwhile, however, as an experimental measure four centres, one each in Pachkuan Road, Baird Road, Moti Bagh and Kotla Mubarakpur, have been started for teaching and job work in tailoring, embroidery and knitting

Export of Metallurgical Coal

*181. **Shri Bimal Ghose:**
Shri Rajendra Singh:

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

(a) whether Government have permitted an increase in the export of metallurgical coal;

(b) if so, the total quantity permitted to be exported during 1958;

(c) whether, and if so, to what extent, production of metallurgical coal has been permitted to be increased; and

(d) the expected foreign exchange earnings therefrom?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) Yes. Government have decided to increase the export of metallurgical coal by

0.2 million tons during 1958 and by 0.5 million tons during each of the next three years.

(b) Depending on suitable terms, 56 million tons would be available for export.

(c) It has not been found necessary yet to revise the ceilings fixed for production of metallurgical coal for this purpose.

(d) Approximately Rs. 280 lakhs.

Fund for Natural Calamities

*182. { Shri Panigrahi:
Shri Pangarkar:

Will the Minister of Finance be pleased to refer to the reply given to Starred Question No. 892 on the 3rd September, 1958 and state:

(a) whether the Governments of Orissa and Bombay have actually established the fund for natural calamities; and

(b) whether the remaining State Governments have communicated their final decision in this respect to the Central Government?

The Minister of Revenue and Civil Expenditure (Dr. B. Gopala Reddi):
(a) The Government of Bombay propose to increase the limit of their existing famine relief fund and the Government of Orissa have expanded their existing famine relief fund to conform to the recommendations of the Finance Commission.

(b) All the other State Governments except the Governments of Jammu and Kashmir, Uttar Pradesh, West Bengal and Bihar, have set up the necessary funds. The States which have not yet done so are reported to have the matter still under consideration.

Foreign Exchange for Steel Plants

*183. Shri Morarka: Will the Minister of Steel, Mines and Fuel be

pleased to lay a statement on the Table showing:

(a) the total foreign exchange commitment on account of three steel plants entered into so far;

(b) how much of it has already been paid;

(c) when is the remaining amount payable;

(d) whether any service charge is payable on the balance due; and

(e) whether any further commitment is likely to be made on this account to complete the three plants?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) to (e). A statement is laid on the Table of the Lok Sabha. [See Appendix I, annexure No. 76.]

Central Committee on Prohibition

*184. { Shri Bibhuti Mishra:
Shri Mohammed Imam:

Will the Minister of Home Affairs be pleased to state:

(a) the decision taken with regard to setting up of a Central Committee on Prohibition; and

(b) the nature of work to be entrusted to it?

The Minister of Home Affairs (Pandit G. B. Pant): (a) and (b). The matter is still under consideration.

I.A.S. (Special Recruitment)

*185. { Shri Mohammed Imam:
Shri A. K. Gopalan:
Shri Kunhan:
Shri Mahanty:
Shri Bimal Ghose:

Will the Minister of Home Affairs be pleased to refer to the reply given to Starred Question No. 358 on the 21st August, 1958 and state the number of candidates who have been appointed so far as a result of the

I.A.S. (Special) Recruitment Examination held in 1956?

The Minister of Home Affairs (Pandit G. B. Pant): 68 candidates have been appointed to the I.A.S.; offers of appointment have been made to 7 more candidates in place of 6 candidates who have not joined and one candidate found unsuitable. The State Governments have been asked to absorb the remaining candidates and inform the Central Government of their decision.

Income-Tax

*188. { Shri Wodeyar:
Shrimati Parvathi Krishnan:
Shri Jinachandran:
Shri Subbiah Ambalam:
Shri Assar:

Will the Minister of Finance be pleased to state:

(a) whether it is a fact that the Ceylonese Actor Shri Eddie Jayamanne fled from India after evading payment of income-tax dues;

(b) what steps have Government taken for their recovery; and

(c) whether enquiry has been made into the circumstances which facilitated his escape?

The Minister of Revenue and Civil Expenditure (Dr. B. Gopala Reddi): (a) to (c). The Government of India are aware that Shri Eddie Jayamanne left India for Ceylon on the 20th September, 1958. As regards information relating to income-tax, the provisions of section 54 of the Indian Income-tax Act are a bar against disclosure thereof.

National Library, Calcutta

*187. Shri Subiman Ghose: Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether it is a fact that number of readers and subscribers to the National Library in Calcutta is increasing enormously; and

(b) if so, what steps the Ministry proposes to take to remove the want of accommodation and also to meet the growing demand for books?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) The membership both of the Reading Rooms and the Lending Section is on the increase steadily. There are no subscribers.

(b) Plans are under consideration for constructing an Annex to the present building and to provide more funds for books.

Punjab P.C.S. Cadre

*188. Shri Ajit Singh Sarhadi: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that the Government of Punjab has notified opening of admission to P.C.S. Cadre to all the citizens of India;

(b) if so, whether it was under the advice of the Government of India; and

(c) whether any other State Government is adopting this policy?

The Minister of Home Affairs (Pandit G. B. Pant): (a) It is a fact that the Government of Punjab have notified opening the P.C.S. (Executive Branch) competitive examination to be held in 1959 to all the citizens of India.

(b) Yes.

(c) Government have no information but this policy will soon be enforced throughout India as soon as the Public Employment (Requirement as to Residence) Act, 1957, comes into force. Pending finalisation and approval by Parliament of Rules to be framed under this Act, the State Governments have been requested suitably to amend their Service Rules in this regard.

Zonal Police Forces

*189. *Shri Vajpayee:*
Shri Bhagwan Singh:

Will the Minister of Home Affairs be pleased to refer to the reply given to Starred Question No. 1304 on the 16th September, 1958 and state:

(a) whether plans for Zonal Police Forces have been finalised by the respective Zones;

(b) if so, the progress made in their implementation; and

(c) the names of the State Governments that have joined the plan?

The Minister of Home Affairs (Pandit G. B. Pant): (a) to (c). Only one Zonal Council, namely, that for the Southern Zone, has met after September 16, 1958, when the question under reference was answered in the Lok Sabha. The Council decided at this meeting to constitute a pool of Common Police Reserve Force for Andhra Pradesh, Madras and Mysore, the details of which were left to be worked out by the Inspectors-General of Police of the concerned States. It would be open to the Kerala State to join the scheme whenever it wished to do so in future.

The position in regard to the other Zones is the same as indicated in the answer given in the Lok Sabha on September 16, 1958.

Idle Machine Tools

*190. Dr. Ram Snbag Singh: Will the Minister of Defence be pleased to state:

(a) the percentage of machine tools which are lying idle in the Rifle Factory, Ishapore, and the Gun and Shell Factory at Cossipore, Calcutta, at present;

(b) the reasons for their non-utilisation; and

(c) whether Government have any scheme under contemplation for the effective utilisation of the idle capacity of those machine tools?

The Deputy Minister of Defence (Shri Bhagwan Singh): (a) It is not in public interest to give this information in respect of these specialist factories.

(b) So far as Rifle Factory, Ishapore is concerned, the machines lying over there are primarily equipped for mass production of certain weapons.

With regard to Gun and Shell Factory, Cossipore, the machines lying idle are mostly special purpose machines, which are not always engaged fully.

(c) Yes, but it is not in public interest to furnish this information.

Kulti Works

*191. *Shrimati Parvathi Krishnan:*
Shri Haider:
Shri Nagi Reddy:

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

(a) whether the Indian Iron and Steel Co Ltd. has decided to close down its Kulti Works;

(b) if so, the reasons therefor; and

(c) the loss of production likely to take place due to the closure of the Kulti Works?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) The company shut down one blast furnace on the 6th October, 1958.

(b) Because it was old and decrepit; and

(c) 10,000 tons of pig iron per month, but this will be more than made up by the production of the additional blast furnaces of the Indian Iron and Steel Company.

Repayment of Foreign Loans

*192. *Kumari Vedakumari:*
Shri D. C. Sharma:

Will the Minister of Finance be pleased to state:

(a) on the basis of present commitments, how much India will have to

pay to U.S., U.K. and West Germany in the years 1959-60, 1960-61 and 1961-62; and

(b) whether Government have drawn up any definite plan with regard to the repayment of the loans?

The Minister of Revenue and Civil Expenditure (Dr. B. Gopala Reddi): (a) A statement is laid on the Table of the House. [See Appendix I, annexure No. 77.]

(b) The loans will necessarily have to be repaid out of our future foreign exchange resources which we hope will naturally be augmented as a result of the Plan Development of the country.

Oil Prospecting

*193. { Shri P. K. Deo:
Shri B. C. Prodhan:

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

(a) the progress made in investigating for oil in Jaisalmer, West Bengal and Orissa; and

(b) when the drilling operation will start in these areas?

Th. Minister of Mines and Oil (Shri K. D. Malaviya): (a) Out of 2,000 sq. miles of prospective rocks in Rajasthan nearly half the area has been examined. The geophysical investigations are also in progress. No specific area suitable for drilling has so far been located. In West Bengal the Indo-Stanvac Project has so far drilled 4 wells. No oil has yet been struck. The investigations are being continued by that organisation. The investigation of Tertiary rocks in Orissa has been included in the current Field Season Programme of the Commission.

(b) Drilling operations are in progress in West Bengal. Regarding the other two areas, it is too early to say anything at present.

Oil Prices

*194. { Shri A. K. Gopalan:
Shri Kunhan:
Shri Narayanan Kutty Menon:

Will the Minister of Steel, Mines and Fuel be pleased to refer to the reply given to Starred Question No. 843 on the 3rd September, 1958 and state:

(a) whether any progress has been made in the investigation of oil prices by the Government's Cost Accountants in pursuance of an agreement regarding oil prices reached in June, 1958 with the Oil Companies;

(b) if so, how far has the investigation progressed; and

(c) when do Government expect the report to be ready?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) to (c). A statement is laid on the Table of the Lok Sabha. [See Appendix I, annexure No. 78.]

B.Ed. Course in Jamia Millia Islamia

*195. { Shri Keshava:
Shri Vajpayee:
Shri E. Madhusudan Rao:
Shrimati Mafida Ahmed:

Will the Minister of Education be pleased to state:

(a) whether indefinite closure of the B.Ed. Classes of the Teachers' Training College, Jamia Millia Islamia, Delhi, was announced on the 28th October, 1958;

(b) if so, the circumstances leading to the announcement and the developments since;

(c) whether Government have considered the question of recognising the Jamia Millia Islamia as a University for purposes of the University Grants Commission Act, 1956; and

(d) if so, the decision thereon?

The Minister of Education (Dr. K. L. Shrimall): (a) Yes, Sir.

(b) to (d). A statement is laid on the Table of the Lok Sabha. [See Appendix I, annexure No. 78.]

Industrial Management Pool

*196. Shri E. Madhusudan Rao: Will the Minister of Home Affairs be pleased to state:

(a) whether the interviews for recruitment to the newly-created Industrial Management Pool have been completed; and

(b) if so, when the results are expected to be announced?

The Minister of Home Affairs (Pandit G. B. Pant): (a) Yes.

(b) Before the end of this year.

Committee to re-assess the Demand for Hard Coke

*197. Shri Naushir Bharucha: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether the Committee appointed to re-assess the demand for hard coke in the country has submitted its report;

(b) if so, whether a copy of it will be placed on the Table; and

(c) if not, at what stage is the Committee's work?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) and (c) Not yet. The Committee hopes to submit its report by the end of this month.

(b) The suggestion will be considered.

Life Insurance Corporation

*198. Sardar Iqbal Singh: Will the Minister of Finance be pleased to state:

(a) the time by which the report of the Life Insurance Corporation under Section 27 of the Life Insurance Corporation Act, 1956 for the period ending the 31st December, 1957 would be placed on the Table;

(b) the reason for the delay; and
(c) the step taken to expedite it?

The Minister for Revenue and Civil Expenditure (Dr. B. Gopala Reddi): (a) Under the existing provisions of law the Life Insurance Corporation is required to submit the report by 31st December, 1958. The report will be laid on the Table of the House as soon thereafter as possible.

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

Coal Deposits in Kamptee

*199. { Shri Tridib Kumar
Chaudhuri;
Shri Raghunath Singh:

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

(a) whether it is a fact that large reserves of coal have been found round about Kamptee, Umrer and the Wardha Valley in Bombay State capable of yielding more than 200 million tons of good quality coal;

(b) whether all these coal reserves are within the same seambelts and whether they have been properly proven and graded; and

(c) whether there is any proposal to allow private industrialists to open up some of these reserves as may not immediately be taken up under the State Sector?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) Coal is known to occur in the Kamptee and Wardha Valley coalfields of Bombay State. The total reserves estimated so far in the 2 coalfields amount to about 428 million tons. Coal bearing formations are very likely to occur in the Umrer area which is covered up by alluvium and Deccan Trap.

(b) All these coal reserves lie in the Barakar stage of the Gondwana system. These coal reserves have not been proved in detail or graded so far.

(c) There is no proposal for allotting coalfields in Bombay State for exploitation by the private sector during the current plan period.

Mineral Wealth of Umrer Tehsil

*200. Shri V. C. Shakla: Will the Minister of Steel, Mines and Fuel be pleased to refer to the reply given to Unstarred Question No. 472 on the 21st November, 1957 and state:

(a) whether the detailed investigation for exploitation of mineral wealth of Umrer Tehsil undertaken by the Geological Survey of India has since been completed;

(b) if so, the broad details thereof; and

(c) whether any decision has been taken in consultation with the State Government of Bombay in the matter of starting mining in the above area?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) The detailed geological investigation of the Umrer Tehsil has not yet been completed

(b) The results of the investigation will be known after the investigation is completed.

(c) The question of starting mining operations in this area, in consultation with the State Government, would be examined on the basis of results of the investigation when completed.

International Geophysical Year

*201. Shri D. C. Sharma: Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether the Indian delegation of scientists which attended the fifth Conference of the International Geophysical Year held in Moscow have submitted their report;

(b) if so, the nature of recommendations made; and

(c) the action taken thereon?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun

Kabir): (a) Dr. K. R. Ramanathan, Director, Physical Research Laboratory, Ahmedabad and Member, Indian National Committee for the IGY who was the sole member of the delegation has submitted a report.

(b) A copy of the Report is laid on the Table of the Lok Sabha. [See Appendix I, annexure No. 80.]

(c) It is reported that the matter is under the consideration of the Indian National Committee for the International Geophysical Year.

Utilisation of Waste Mica

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

Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether the new process for the utilisation of waste mica as developed by the Central Glass and Ceramic Research Institute, Calcutta, has been leased out to any firm for commercial production of wet ground mica; and

(b) if so, the name of the firm and the amount received for leasing out the process?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) Not yet, Sir.

(b) Does not arise.

Production of Smokeless Fuel

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

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

(a) what steps have so far been taken to produce smokeless domestic coke in the country;

(b) whether any research has been carried on the subject;

(c) if so, when, where and with what results; and

(d) whether any low temperature carbonisation plants have been established for commercial purposes?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) Besides research work, certain project studies were entrusted to Messrs. Lurgi and Messrs. Koppers (both of West Germany) and Messrs. Kellogg of the U.S.A. in the context of production of synthetic oil and other liquid fuels. A committee of experts set up under the Chairmanship of Dr. J. C. Ghosh recommended in March, 1957:

(i) a long term plan for the production of 50 million tons of domestic soft coke by low temperature carbonisation, with by-products such as motor spirit, diesel oils, phenols and road tar, at a total capital cost of Rs. 600 crores; and

(ii) a short term plan for the production of about 8 lakh tons of domestic soft coke by the same method at a total cost of about Rs. 20 crores.

It has not been possible, however, for Government to sanction any schemes and make financial provision therefor because of the difficult resources position.

(b) and (c). Yes. Research on a small scale was conducted in 1954 at the pilot plant of the Central Research Laboratory, Hyderabad, and, more recently, at the Fuel Research Institute, Dhanbad.

(d) No.

Sports Coaching Camps

*204. Shri R. C. Majhi:
 Shri Subodh Hansda:

Will the Minister of Education be pleased to state:

(a) whether the programme of holding coaching camps for sports will be continued; and

(b) if so, how long this will continue?

The Minister of Education (Dr. K. L. Shrimall): (a) and (b). The matter is being considered in all its aspects by the Ad hoc Enquiry Committee in Games and Sports. The future line of action will be decided on receipt of the Committee's report.

Supply of Iron Ore to Japan

*205. Shri Panigrahi:
 Kumari Vedakumari:
 Shri Goray:
 Shri V. C. Shukla:

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

(a) whether it is a fact that global tenders have been invited for the appointment of technical consultants to advise on mining in connection with the contract for the supply of two million tons of iron ore to Japan annually from the Kiriburu area of Orissa;

(b) the reasons for inviting global tenders; and

(c) the stage at which the matter rests at present?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) Tenders were invited from reputed firms known to offer good consultant services. In addition firms interested were allowed to tender. No Global tenders were invited.

(b) Does not arise.

(c) The scrutiny of all the tenders has been completed and that of the Japan Consulting Institute has been found to be most suitable.

Building for Delhi Municipal Corporation

*206. Shri Vajpayee: Will the Minister of Home Affairs be pleased to refer to the reply given to Unstarred Question No. 1423 on the 3rd September, 1958 and state:

(a) whether the allotment of a site for the construction of the Municipal Corporation headquarters has been made; and

(b) if so, its situation?

The Minister of Home Affairs (Pandit G. B. Pant): (a) No.

(b) Does not arise.

Madras-Andhra Boundary Disputes

*207. **Sardar Iqbal Singh:** Will the Minister of Home Affairs be pleased to refer to the reply given to Starred Question No. 1415 on the 19th September, 1958 and state:

(a) whether Government have since received all the proposals from the State Governments for incorporation in the proposed Bill for the demarcation of boundary between Madras and Andhra;

(b) if so, whether these have been examined;

(c) whether the proposed Bill has been sent to the States for consideration by the State Legislatures; and

(d) if not, when it is likely to be sent?

The Minister of Home Affairs (Pandit G. B. Pant): (a) to (d). Proposals received from the Governments of Madras and Andhra Pradesh were examined. A preliminary draft of the Bill to give effect to the border adjustments between the two States has recently been sent to the State Governments for their comments. After these comments have been received, the Bill will be finalised and formally referred to the Legislatures of the two States for expressing their views.

Financial Assistance to Scientists going Abroad

*218 { **Shri R. C. Majhi:**
 { **Shri Subodh Hansda:**

Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether the scheme for partial financial assistance to Indian Scientists going abroad is still pursued by Government.

(b) if so, whether any amount was set apart for the year 1958-59;

(c) what percentage of their expenditure is borne by Government; and

(d) whether they have to submit any account of their expenditure after returning from abroad?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) Yes, Sir.

(b) Rs. 15,000.

(c) There is no question of percentage as grants are made on an ad hoc basis and the grant does not normally exceed Rs. 2,500 in any case.

(d) No, Sir.

Re-organisation of Delhi Administration

*211. { **Shri Vajpayee:**
 { **Sardar Iqbal Singh:**

Will the Minister of Home Affairs be pleased to refer to the reply given to Starred Question No. 1169 on the 11th September, 1958 and state:

(a) the number of members of the Delhi Chief Commissioner's staff who are likely to become surplus following reorganisation of the Delhi Administration; and

(b) the plans for their absorption?

The Minister of Home Affairs (Pandit G. B. Pant): (a) The scheme for the reorganisation of the Delhi Administration which will shortly come into effect, involves considerable reduction in the size of the Secretariat, besides providing, to the extent practicable, for the Heads of Departments to function directly under the Chief Commissioner without the interposition of a Secretary. 4 posts of officers and 42 ministerial posts in the strength of the Secretariat have, in consequence, become surplus.

(b) The problem is confined to the ministerial staff. This surplus staff would be deployed for work in other offices under the Administration where they may be needed. None of them is being retrenched.

Production of Iron Ore in Second Plan

*212. Shri Panigrahi: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether any target for the production of iron ore during the Second Five Year Plan period was fixed;

(b) if so, how much of this target has been achieved upto 1957-58; and

(c) whether any programme for mechanising iron ore mines has been drawn up?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) The target for the production of iron ore by the end of Second Five Year Plan period is fixed at 12.5 million tons;

(b) In 1956, 4,898 thousand tons was produced. In 1957, 5,074 thousand tons was produced.

(c) Messrs. Tata Iron and Steel Company, Indian Iron and Steel Company and Hindustan Steel (P) Ltd., have plans for mechanisation of their iron ore mines.

Experts for Steel Plants

282. Shri V. C. Shukla:
Shri Nath Pal:

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

(a) whether the requirements of foreign experts for the Rourkela and Durgapur Steel Plants have since been assessed and finalised;

(b) if so, particulars thereof; and

(c) the arrangements made to secure them?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) Yes, Sir.

(b) The estimated requirement of non-Indian personnel, for higher supervisory posts, as assessed by the Hindustan Steel (P) Ltd., at present is:

Rourkela — 63, Durgapur — 58.

(c) Efforts are being made in West Germany, the United Kingdom and the U.S.A. to secure the services of suitable men for Durgapur and Rourkela.

Housing Accommodation for Troops

283. Shri D. C. Sharma:
Sardar Iqbal Singh:

Will the Minister of Defence be pleased to refer to the reply given to Starred Question No. 1043 on the 8th September, 1958 and state the further progress since made with regard to the building of housing accommodation for the troops in which the armed personnel will themselves provide the labour?

The Deputy Minister of Defence (Sardar Surjit Singh Majithia): Construction of all the 1450 quarters is in hand and has made very satisfactory progress.

हिमाचल प्रदेश में दृश्य अव्य शिक्षा

२८४. श्री दश देव क्या शिक्षा मंत्री एक ऐसा विवरण सभा-पटल पर रखने की कृपा करेंगे जिसमें निम्नलिखित जानकारी दी हुई हो :

(क) हिमाचल प्रदेश के लिये दृश्य-अव्य शिक्षा का क्या कार्यक्रम बनाया गया है ; और

(ख) इस सम्बन्ध में अब तक किये गये कार्य का विवरण क्या है ?

शिक्षा मंत्री (डा० का० स० शीर्षकी) (क) और (ख) विवरण सभा-पटल पर रख दिया गया है । [हेलिके परिसिल १, अनुवान संक्षा ८१]

शिक्षावाद विवरण में स्कूलों के बाबन

287. विदेशी वाचन सेवा : क्या शिक्षा मंत्री एक ऐसा विवरण समाप्ति पर रखने की कृपा करेंगे विवरण में विस्तृत जानकारी दी दूई हो ?

(क) चालू वर्ष में अब तक हिमाचल प्रदेश की प्रत्येक तहसील में सरकार द्वारा तथा गैर-सरकारी लोगों द्वारा प्रयोग-पृष्ठ किताने स्कूलों के भवन बनाये गये ; और

(ख) किनीं शिक्षा संस्थाये बिना भवनों के काम कर रही हैं ?

(ग) शिक्षा मंत्री (डा० का० ला० श्रीमाली) (द) और (ख) सूचना एकत्र की जा रही है ग्रीष्म यथा समय लोक सभा पट्टि पर रख दी जायगी ।

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Harijan Welfare

288. विदेशी वाचन सेवा :
Shri Nagi Reddy:
Shri E. Madhusudan Rao:

Will the Minister of Home Affairs be pleased to state:

(a) whether the meeting of the Central Advisory Board for Harijan Welfare held on the 27th September, 1958 had discussed—giving of fallow lands, harnessing the services of the Harijans in planting trees in forest area, Labour Co-operative Societies for Scheduled Castes, Scholarships to students on the basis of income, House sites and Housing facilities; and

(b) if so, what were the decisions under each head?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) Yes, Sir.

(b) Extracts from the minutes of the meeting of Central Advisory Board for Harijan Welfare held on 27th September, 1958, showing the recommendations made with regard to these items are placed on the Table of the House. [See Appendix I, annexure No. 62].

Secondary Education in Orissa

287. विदेशी वाचन सेवा :
Shri Panigrahi:
Shri P. K. Desai:

Will the Minister of Education be pleased to state:

(a) the number of schemes that have been submitted by the Orissa Government regarding re-organisation of Secondary Education during 1958-59, so far;

(b) whether any of these schemes have been sanctioned; and

(c) if so, what amount has been given or proposed to be given to Orissa for this purpose?

The Minister of Education (Dr. K. L. Shrimall): (a) Fourteen.

(b) Yes Sir, Out of the fourteen schemes the twelve that are eligible for Central Assistance have been sanctioned.

(c) A sum of Rs. 9.813 lakhs is proposed to be given for these twelve schemes.

Wealth Tax

288. विदेशी वाचन सेवा :
Shri Ram Krishan:
Shri Jadhav:

Will the Minister of Finance be pleased to state:

(a) total amount of wealth tax levied so far since its imposition, State-wise;

(b) total amount of wealth tax actually collected during 1958-59, so far, State-wise; and

(c) total amount of wealth tax arrears, State-wise?

The Minister of Finance (Shri Morarji Desai): The information according to the charges of the Commissioners of various States in respect of (a), (b) and (c) is given below. As some of the Commissioners hold jurisdictions over more than one State, separate figures in respect of

some of the States are not readily available:—

		(a)		(b)		(c)	
		Wealth tax levied from its imposi- tion to 30-9-58	collected during 1958-59 (upto) 30-9-58	Wealth tax during 1957-58 and in arrear 30-9-58	Wealth tax assessed during 1958-59 on 30-9-58		
Commissioners' charge							
(Figures in thousands of rupees.)							
1. Andhra Pradesh	.	30,25	9,82			1,17	
2. Assam	.	3,25	35			7	
3. Bihar and Orissa	.	21,68	2,28			1,15	
4. Bombay	.	3,19,98	61,06			10,26	
5. Delhi & Rajasthan		14,96	5,93			2,18	
6. Kerala	.	23,12	4,95			29	
7. Madras	.	39,76	5,27			1,07	
8. Mysore		9,22	1,43				
9. Madhya Pradesh	.	4,85	2,90			15	
10. Punjab & Jammu & Kashmir	.	2,22	47			8	
11. Uttar Pradesh		16,97	2,65			1,31	
12. West Bengal		2,79,43	34,72			17,79	
TOTAL	.	7,65,69	1,30,93			35,56	

Estate Duty

289. Shri Ram Krishan: Will the Minister of Finance be pleased to state:

- (a) total amount of estate duty levied during 1957-58 and 1958-59, so far, State-wise;
- (b) the total amount of estate duty actually collected during 1958-59, so far, out of the duty levied during this period, State-wise; and
- (c) the total amount of arrears of estate duty for 1957-58, State-wise?

The Minister of Finance (Shri Morarji Desai): (a) to (c). A statement giving the requisite information is laid on the Table of the Lok Sabha. [See Appendix I, annexure No. 83.]

Indian Olympic Association

290 Shri Ram Krishan: Will the Minister of Education be pleased to state the nature and extent of assistance given to the Indian Olympic Association and its branches during 1957-58?

The Minister of Education (Dr. K. L. Shrimali): No assistance was given to the Indian Olympic Association and its branches during 1957-58

Basic Education Grants

291. **Shri Ram Krishan:** Will the Minister of Education be pleased to state the total sum given to Union Territories and States for Basic Education during 1958-59, so far, State and Territory-wise?

The Minister of Education (Dr. K. L. Shrimali): A statement is laid on the Table of the Lok Sabha. [See Appendix I, annexure No. 84].

Steel Plants

292. Shri Morarka: Will the Minister of Steel, Mines and Fuel be pleased to lay on the Table a statement showing:

- (a) the details of all the Consultants or Technical Advisors employed by each steel plant together with the functions of each Consultant or Adviser as the case may be;
- (b) the fees payable to each;
- (c) the amount of fees already paid to each;
- (d) other expenses payable to their staff in India or elsewhere with the total maximum, if any; and
- (e) the total amount disbursed under Part (d) above?

The Minister of Steel Mines and Fuel (Sardar Swaran Singh): (a) to

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

International Centre of Culture at Delhi

293. { Shri Vajpayee:
Shri Raghunath Singh:
Shri Ram Krishan:
Shri N. R. Munisamy:

Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether Government has decided to set up an international centre of culture at Delhi; and

(b) if so, the details of the plan?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) Government have taken no such decision nor have they any information beyond what has appeared in the Press.

(b) Does not arise.

Foreign Capital Investments

294. { Shri Nagi Reddy:
Shri Ghosal:
Shri Ram Krishan:

Will the Minister of Finance be pleased to state the total amount of foreign private capital investment, country-wise, in India in Industries during the year 1955 to 1957 (industry-wise) either for the establishment of new projects or for further development of existing ones?

The Minister of Finance (Shri Morarji Desai): Two statements giving non-banking foreign business investments in India industry-wise and country-wise during 1954 and 1955 and 1956 are laid on the table of the Lok Sabha. [See Appendix I, annexure No. 86].

Figures for the year 1957 are not yet available.

Small Savings Scheme

295. Shri P. K. Deo: Will the Minister of Finance be pleased to state the amount collected under the Small

Savings Schemes, district-wise, in Orissa State during 1956-57, 1957-58 and 1958-59 so far?

The Minister of Finance (Shri Morarji Desai): Prior to 1958-59 the figures of collections of Small Savings were maintained according to Postal Circles and not by districts. The total net collections in Orissa during 1956-57 and 1957-58 amounted to Rs. 1.22 crores and Rs. 1 crore respectively. The district-wise figures of net collections during the period April to September, 1958 are:

Districts	Net collections
	(In thousands of Rs.)
1. Cuttack & Dhenkanal*	10,32
2. Puri	6,15
3. Ganjam & Phulbani*	5,93
4. Koraput	4,59
5. Kalahandi	10
6. Balasore & Keonjhar*	6,13
7. Mayurbhanj	5,27
8. Sambalpur	8,68
9. Bolangir	(—) 1,76 (net withd)
10. Sundergarh	5,27

*Separate figures not available.

Bharat Sewak Samaj Camps in Orissa

296. Shri Kumbhar: Will the Minister of Education be pleased to state:

(a) names of places and the number of camps organised in Orissa State during 1958-59, so far, by the Bharat Sewak Samaj;

(b) the expenditure incurred thereon by Government;

(c) the number of persons trained during this period;

(d) the number of persons among them belonging to Scheduled Castes and Tribes in each camp; and

(e) if there is no one from Scheduled Castes and Tribes, the reason thereof?

The Minister of Education (Dr. K. L. Shrimalli): (a) to (c). A statement giving the information in respect of camps held so far by the Bharat Sevak Samaj in Orissa State during the current financial year upto 10th November, 1958 is placed on the Table of the House. [See Appendix I, annexure No. 87]. These figures are liable to revision on receipt of the reports and audited accounts of the camps which only will give the actuals.

(d) and (e). No separate statistics of campers belonging to Scheduled Castes and Tribes are maintained. Youths from these communities do attend the camps and organisers of camps have instructions to make special efforts to recruit them.

Social Welfare Organisations in Orissa

297. Shri Panigrahi: Will the Minister of Education be pleased to state:

(a) the names of the voluntary social welfare organisations in Orissa which have been given grants by the Central Social Welfare Board upto 15th August, 1958; and

(b) the amount of grants to each such organisation?

The Minister of Education (Dr. K. L. Shrimalli): (a) and (b). Further to the information furnished in reply to unstarred question No. 2745 asked by Shri Panigrahi in the Lok Sabha on the 24th April, 1958, a statement, containing information in respect of grants sanctioned to voluntary organisations at the August, 1958 meeting of the Central Social Welfare Board, is attached. [See Appendix I, annexure No. 88].

Chilka Lake

298. Shri U. C. Patnaik: Will the Minister of Defence be pleased to refer to the reply given to Starred Question No. 1571 on the 24th September, 1958 regarding Chilka Lake and state:

(a) when and by whom "the lake was considered in detail" as regards

its suitability for construction of the Second Naval Dockyard; and

(b) whether copies of reports of the investigation party or parties will be laid on the Table?

The Deputy Minister of Defence (Shri Baghuramaiah): (a) A reconnaissance of the Chilka Lake was first carried out in 1958 by Commander S. G. Karmarkar, the then Naval Officer-in-Charge, Vizagapatam; Captain S. B. Rao, Garrison Engineer, Vizagapatam; and Surgeon-Lieutenant J. R. Samuel, Principal Medical Officer, I.N.S. CIRCARS, Vizagapatam.

A subsequent reconnaissance of the Lake was carried out in 1949 by Captain G. Gowlland, Royal Navy, the then Naval Officer-in-Charge, Vizagapatam; and Lieutenant-Commander N. Krishnan, DSC, R.I.N., the then Director of Naval Plans at Naval Headquarters.

The Lake was also personally inspected in April 1950 by Vice-Admiral W. E. Parry, KCB, the then Commander-in-Chief of the Indian Navy.

(b) Copies of the two reconnaissance reports and of the minute recorded by Vice-Admiral Parry are attached [See Appendix I, annexure No. 89.]

Foreigners

299. Shri U. C. Patnaik: Will the Minister of Home Affairs be pleased to lay on the Table a list showing:

(a) the number of foreigners and other non-Indian nationals who visited India between 1st April, 1954 and 1st April, 1958 (year-wise as well as country-wise) as (i) Tourists, (ii) experts and consultants, (iii) in other capacities; and

(b) how many of these residing at present are registered under the Foreigners Act and how many are not registered?

The Minister of Home Affairs (Pandit G. B. Pant): (a) and (b). Information is available only in regard to the number of registered foreigners

resident in India as on 31st December of each year. Two statements for the years 1954, 1955 and 1956—one showing the number and nationality and the other, the required categories—are laid on the Table of the House. [See Appendix I, annexure No. 90]. Complete information for the years 1957 and 1958 is not yet available.

Cocaine

300. *Shri Vajpayee:*
Shri U. L. Patil:

Will the Minister of Finance be pleased to state:

- (a) whether it is a fact that about Rs. 15,000 worth of contraband cocaine was seized on the 5th November, 1958 from a house in Delhi;
- (b) details of this incident; and
- (c) the steps taken to tighten up illicit traffic in dangerous drugs?

The Minister of Finance (Shri Morarji Desai): (a) 78 phials of Cocaine Hydrochloride worth about Rs. 8,000 in illicit market were seized on the 29th October, 1958 from a house in Delhi.

(b) On receipt of information on the 29th October, 1958, the Excise staff raided the house of one Mohd. Esa, son of Abdul Majid Sheikh, resident of House No. 1442, Gali Qasim Jan near Ballimaran, P. S. Hauz Qazi, Delhi. On search of the house, a card-board box containing 78 phials of Cocaine Hydrochloride (one dram each) was recovered. A case has been registered against the accused in P. S. Hauz Qazi.

(c) (i) Anti-smuggling operations have been intensified in co-ordination with the Narcotics Commissioner and the Excise Commissioners of adjoining States e.g., Punjab, Uttar Pradesh, Rajasthan.

(ii) The information with regard to the movement of notorious smugglers is frequently exchanged with the Narcotics Intelligence Bureau and Excise authorities of these States.

(iii) An Excise Intelligence Bureau has been set up in the office of the Excise Commissioner, Delhi, to keep a track of such smugglers.

(iv) Checking at the Railway Station and other important routes has been intensified.

(v) The Police authorities have set up a squad to detect illicit traffic of excise articles.

Seismic Survey of Dasuya

301. *Shri D. C. Sharma:*
Shri Ram Krishan:

Will the Minister of Steel, Mines and Fuel be pleased to refer to the reply given to Unstarred Question No. 1141 on the 30th August, 1958, and state:

- (a) whether the seismic survey of Dasuya area has indicated any possibility of finding oil there;
- (b) whether Government propose to undertake extensive exploration of this area; and
- (c) if so, the details thereof?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) The results of seismic survey of the Dasuya area are not considered encouraging for drilling.

(b) No, Sir.

(c) Does not arise.

Grants to Affiliated Colleges in Punjab

302. Shri D. C. Sharma: Will the Minister of Education be pleased to state:

(a) what is the actual amount allotted and so far disbursed by the University Grants Commission to affiliated Colleges in the Punjab;

(b) whether any steps are being taken to overcome the technical or other difficulties experienced by such colleges in being able to utilise moneys already allocated by the University Grants Commission; and

(c) whether money granted by the Commission but not lifted on account of such difficulties by the colleges concerned within the financial year will lapse back to the Commission?

The Minister of Education (Dr. K. L. Shrimall): (a) to (c). A statement giving the requisite information is enclosed. [See Appendix I, annexure No. 91.]

Punjab University Teachers

303. Shri D. C. Sharma: Will the Minister of Education be pleased to state:

(a) whether it is a fact that University Grants Commission have sent a letter to the Punjab University to improve the pay scales of teachers and its readiness to pay 50 per cent of the improved salaries of the teachers; and

(b) if so, when the scheme is going to be implemented and how much amount is to be paid by the Commission in this direction?

The Minister of Education (Dr. K. L. Shrimall): (a) and (b). A statement giving the requisite information is enclosed. [See Appendix I, annexure No. 92.]

All India Memorial

304. Shri D. C. Sharma: Will the Minister of Home Affairs be pleased to refer to the reply given to Starred Question No. 329 on the 21st August, 1958 and state the further progress made with regard to the setting up of an All India Memorial in commemoration of all those martyrs who laid down their lives during 1857 to 1947 in the struggle for freedom?

The Minister of Home Affairs (Pandit G. B. Pant): The site in front of Red Fort ramparts on the axis of Chandni Chowk has now been finally selected for the setting up of the Memorial. The terms and conditions for the execution of the work have also been discussed with the architect selected for the purpose. It is ex-

pected that the matter will be finalised shortly.

Gold Deposits in Punjab

305. Shri Ram Krishan: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether it is a fact that gold particles are found in Narnaul Tehsil, Punjab;

(b) if so, whether any investigation has been made to confirm the existence of gold particles in that area; and

(c) the result of the investigation?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) No. Sir.

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

All India Council for Elementary Education

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

Will the Minister of Education be pleased to state:

(a) whether the All India Council for Elementary Education have held any meeting since their establishment;

(b) if so, when and where;

(c) what were the points of discussion in the meeting; and

(d) whether any suggestions have been made by the Council to Government?

The Minister of Education (Dr. K. L. Shrimall): (a) Yes, Sir. Two meetings.

(b) First meeting on the 10th and 11th March, 1958 and the second meeting on the 10th and 11th October, 1958, at New Delhi.

(c) and (d). A statement is laid on the Table of the Lok Sabha. [See Appendix I, annexure No. 93.]

Staff Quarters for Central Excise Department in Orissa

297. Shri Sangaana: Will the Minister of Finance be pleased to refer to the reply given to Unstarred Question No. 695 on the 21st August, 1958 in respect of staff quarters for the Central Excise Department and state:

(a) whether the work for the staff quarters at Cuttack has been started; and

(d) if so, what is the progress made?

The Minister of Finance (Shri Morarji Desai): (a) No, Sir.

(b) Orders for the acquisition of site have been issued and it is in the process of acquisition. In the meantime, plans and estimates for the construction of quarters are being prepared.

Popular Encyclopaedia in Hindi

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

Will the Minister of Education be pleased to state:

(a) how many volumes of the Popular Encyclopaedia in Hindi have been published up-to-date;

(b) whether all the volumes have been put in the market for sale;

(c) whether there is any proposal to publish them in all the regional languages; and

(d) if not the reasons therefor?

The Minister of Education (Dr. K. L. Shrimall): (a) Two volumes.

(b) The volumes published so far have been put in the market for sale.

(c) A proposal to this effect is under consideration.

(d) Does not arise.

हिमाचल प्रदेश में राष्ट्रीय आन्ध्र सेना दल

३०६. श्री पद्म देव : क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) १९५८ में अब तक हिमाचल प्रदेश में राष्ट्रीय आन्ध्र सेना दल के कितने जूनियर डिवीजन खोले गये;

(ल) ये कहां-कहां खोले गये हैं;

(ग) इस समय राज्य में कुल कितने सीनियर डिवीजन और जूनियर डिवीजन हैं; और

(घ) क्या सरकार का हिमाचल प्रदेश की सभी शिक्षा संस्थाओं में राष्ट्रीय आन्ध्र सेना दल तथा सहायक आन्ध्र सेना दल स्थापित करने का विचार है?

राजा उपर्यामी (सरदार जलीयिया)

(क) से (घ). एक विवरण सलाहन है। [देखिये परिचय १, अनुबंध संख्या ६४]

हिमाचल प्रदेश में राइफल सूर्डिंग कल्वने

३१०. श्री पद्म देव : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) हिमाचल प्रदेश में किन-किन स्थानों पर बन्दूक चलाना सिलाने वाली कल्वने काम कर रही है; और

(ख) क्या सरकार प्रशिक्षित नागरिकों को शस्त्र चलाने और उनके लाइसेंस लेने के लिये प्रोत्साहन दे रही है?

गृहकार्य बोर्डलय में राष्ट्र-मंत्री (श्री दस्तार) : (क) रामपुर, सोलन, घोण, सूती और मंडी शहर।

(ख) राज्य सरकारों से कहा गया है कि वे राइफल कल्वनों को प्रोत्साहन तथा सुविधाएं दें और राइफल कल्वनों के बेस्टरों

को प्रतियोगिता में खोने लेने के लिये लिंगाने वाली के हथियार तथा आवश्यक कारबूस आदि का लाइसेंस बंदूर करने में उदारता से काम है।

Smuggling

311. Shri V. P. Nayar: Will the Minister of Finance be pleased to refer to the reply given to Unstarred Question No. 1679 on the 8th September, 1958 and state:

(a) whether the adjudication of the offence of keeping contraband gold in S. S. "DUMRA" has since been completed; and

(b) if so, the result thereof?

The Minister of Finance (Shri Morarji Desai): (a) and (b). The case has not yet been adjudicated.

Wealth Tax

312. { Shri Ram Krishan:
Shri Jadhav:

Will the Minister of Finance be pleased to state:

(a) whether it is a fact that wealth-tax is helping Government considerably in detecting cases of concealment of other taxes;

(b) if so, the number of cases detected during 1958 so far, State-wise; and

(c) the total amount collected through these cases during the same period, State-wise?

The Minister of Finance (Shri Morarji Desai): (a) The Wealth-tax Act, 1957 received the assent of the President on 12-9-57 and the actual assessment work started only in December, 1957. Thus during the financial year 1957-58 the period covered by actual assessments was only four months, while we are still in the midst of the financial year 1958-59. It is, therefore, too early yet to assess the effect of this Act in detecting cases of concealment of other

taxes. However, it may be stated that the importance of this tax primarily consists in its preventing the concealment of sources of income.

The information required in parts (b) and (c) of the question is given below according to the charges of the Commissioners of various States. As some of the Commissioners hold jurisdiction over more than one State, separate figures in respect of some of the States are not readily available.

Commissioner's charge	No. of cases detected during 1958 (upto 31-10-58)	Total amount collected through these cases during 1958 (upto 31-10-58)	(b)	(c)
1. Andhra Pradesh	1	4,093		
2. Assam	..	..
3. Bihar & Orissa	3	1,19,000		
4. Bombay	10	4,47,658		
5. Delhi & Rajasthan	..	..
6. Kerala	..	..
7. Madras	..	..
8. Mysore	1	..		
9. Madhya Pradesh	1	..		
10. Punjab and Jammu & Kashmir	..	..
11. Uttar Pradesh	..	..
12. West Bengal	2	91,755		
Total	44	6,62,516		

U.S. Rocket 'Pioneer'

313. { Shri D. C. Sharma:
Shri Naushir Bharucha:

Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether it is a fact that the U.S. Air Force launched a rocket

named "Pioneer" towards the moon, on the 11th of October, 1958;

(b) if so, whether the movements of the "Pioneer" were observed by the Indian scientists;

(c) if so, the data collected;

(d) whether the data collected by the Indian scientists has been exchanged with other countries;

(e) the names of countries with which the data was exchanged; and

(f) the assistance given by Government to the Indian scientists in this matter?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) Yes, Sir.

(b) As far as known at present no observations were made in India on the rocket.

(c) to (f). Do not arise.

Dissemination of Scientific and Technical Information

314. { Shri R. C. Majhi:
Shri Subodh Hansda:

Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) the expenditure incurred during the years 1957-58 and 1958-59 so far on dissemination of scientific and technical information; and

(b) how this amount was met by Government?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) and (b). The information is being collected and will be laid on the Table of the House.

Visit of Indonesian Naval Ships

315. Shri Raghunath Singh: Will the Minister of Defence be pleased to state whether it is a fact that Indonesian Naval frigates "Imam Bandjal" and

"Supagati" visited Cochin on the 9th October, 1958?

The Deputy Minister of Defence (Shri Raghunath Singh): Yes.

वृत्तियादी शिक्षा

316. { श्री म० का० हिंदेवी :
श्री रामेश्वर दांडिया :

क्या शिक्षा मंत्री यह बताने की हुआ करेंगे कि केन्द्रीय सरकार ने १९५७-५८ में वृत्तियादी शिक्षा की प्रयोक्य योजना पर कुल कितना आवार्तक तथा अनावार्तक व्यय किया और १९५८-५९ के लिये वार्षिक व्यय का घनुमान क्या है?

शिक्षा मंत्री (डा० का० हा० श्रीकाली): विवरण सभा पटल पर रख दिया गया है। [सेक्विये परिचय १, अनुबन्ध संख्या १]

आत्म स्वापना के लिये विवेदों वे भारतीय सेक्स

317. { श्री म० का० हिंदेवी :
श्री रामेश्वर दांडिया :

क्या प्रतिरक्षा मंत्री एक ऐसा विवरण सभा पटल पर रखने की हुमा करेंगे जिसमें निम्नलिखित जानकारी दी हुई हो:

(क) भारतीय प्रतिरक्षा सेनानीों की विभिन्न टुकड़ियों ने जो संसार के विभिन्न भागों में शान्ति स्थापना के हेतु समय-समय पर यार्दी, क्या कार्य किया;

(ख) भारत सरकार ने भव तक इस कार्य पर कितना व्यय किया है और इस व्यय में संयुक्त राष्ट्र सभा ने कितनी सहायता दी है;

(ग) क्या इन टुकड़ियों ने भव तक काम के बारे में सरकार को रिपोर्ट दी है; और

(घ) मिथ हैं, तो क्या इन रिपोर्टों द्वारा प्रतियां सज्जा प्रस्तुत पर रखी जाती हैं?

- अस्तिरका उपर्याप्ति (की रक्षावाला) :
- (क) से (घ). एक विवरण सभा पटल पर रखा जाता है। [विविध वर्तिका १, वान्यवाच संखा २६]

Mines in Orissa

318. Shri Damani: Will the Minister of Steel, Mines and Fuel be pleased to lay a statement on the Table giving the names of mines of Manganese and iron ores in Bihar and Orissa States whose loading stations are situated on Barazmeda Sector of South Eastern Railway and also state their production during 1953-54, 1954-55, 1955-56, 1956-57 and 1957-58.

The Minister of Mines and Oil (Shri K. D. Malaviya): A statement giving the information for the years 1955-56, 1956-57 and 1957-58, is attached. [See Appendix I, annexure No. 97] The Mineral Conservation and Development Rules came into operation in July, 1955 and as such minewise production figures prior to 1955 are not available.

Smuggling

319. *Shrimati Ila Palchoudhuri:*
Shri Sarju Pandey:

Will the Minister of Finance be pleased to state:

(a) the number of smugglers killed and arrested (separately) on the Amritsar-Pakistan border during 1958 so far;

(b) how many of them were Pakistani nationals;

(c) the value of articles seized from these smugglers; and

(d) the action taken against those arrested?

The Minister of Finance (Shri Morarji Desai): (a) 15 smugglers were killed and 135 arrested during the year 1958 (upto 31st October) on the Amritsar-Pakistan border.

(b) 11 and 14 were Pakistani nationals out of those killed and arrested respectively.

(c) Articles worth Rs. 10,94,533/- were seized from them.

(d) 27 persons were prosecuted in the Courts of Law. Out of these 16 persons have been convicted to rigorous imprisonment varying from 2 weeks to 2 years. Cases against the rest are still under investigation.

Orissa Mining Corporation

320. Shri Panigrahi: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether the Government of India have advanced any money to the Orissa Mining Corporation either by way of loan or by way of purchasing share; and

(b) if so, the amount advanced so far?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) and (b). Yes, Sir. A sum of Rs. 5 lakhs has been advanced for purchase of shares.

Rural Institutes

321. Shri Ram Krishan: Will the Minister of Education be pleased to state:

(a) whether the Scheme for expansion of rural institutes during the Third Plan period has been finalised; and

(b) if so, the main features thereof?

The Minister of Education (Dr. K. L. Shrimall): (a) No, Sir.

(b) Does not arise.

Memorial to Poet Kalidas

322. Shri Ram Krishan: Will the Minister of Scientific Research and Cultural Affairs be pleased to refer to the reply given to Unstarred Question

No. 3436 on 19th September, 1958 and state:

(a) whether the details of the scheme to erect a suitable memorial to poet Kalidas at Ujjain has been worked out; and

(b) if so, the main features thereof?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) and (b). The Kalidasa Samaroha Samiti, Bhopal, had a proposal for the construction of a Kalidasa Bhavan. The Government of India has received upto now no detailed information from the Kalidasa Samaroha Samiti about the proposed Bhavan.

Educated Unemployment in Orissa

323. Shri Panigrahi: Will the Minister of Education be pleased to state:

(a) whether any grant has been given to the Government of Orissa during 1957-58 and 1958-59 for relieving educated unemployment in Orissa;

(b) if so, what was the amount; and

(c) the total number of persons employed during 1957-58 in Orissa under the above scheme?

The Minister of Education (Dr. K. L. Shrimall): (a) and (b). A statement is laid on the Table of the Lok Sabha. [See Appendix I, annexure No. 98.]

(c) Nil.

Survey of Ancient Monuments in Orissa

324. Shri Panigrahi: Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether any survey of antiquities, ancient temples and monuments and places of archaeological and historical importance in Orissa has recently been made by the Union Department of Archaeology;

(b) if so, the number of villages surveyed in Orissa by the end of July, 1958;

(c) the total amount spent on it in Orissa upto that date; and

(d) whether the list of monuments of national importance in Orissa has been finalised?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) Yes, Sir.

(b) 2548.

(c) The expenditure incurred State-wise is not available. However, the expenditure for the entire Eastern Circle consisting of Orissa, West Bengal and Assam during the period is about Rs. 31,000 upto the end of September, 1958.

(d) Not yet.

Primary Education

325. Shri Supakar: Will the Minister of Education be pleased to state:

(a) the cut made in the original allotment to States for carrying out schemes for broad basing Primary education in the Second Five Year Plan; and

(b) how far will this cut affect the target of literacy in different States?

The Minister of Education (Dr. K. L. Shrimall): (a) The distribution of funds allocated to each Sector of Education after reappraisal of the Second Five Year Plan has not yet been finalised.

(b) The question does not arise.

Travels Abroad

326. { Shri Rajendra Singh:
Shri Narayanankutty Menon:
Shri A. K. Gopalan:
Shri Funnoose:
Shri Mohammed Imaam:
Shri Pangarkar:
Shri L. Achaw Singh:

Will the Minister of Finance be pleased to state:

(a) how many persons (official and non-official) went abroad on Government and private account (separately) during the year 1958-59 so far; and

(b) the foreign exchange involved on their tours?

The Minister of Finance (Shri Morarji Desai): (a) It is regretted that no information is available in respect of persons who went abroad on private account as no such statistics are maintained. As regards the officials and non-officials, who went abroad on Government account during the period 1st April to 31st October, 1958, the numbers are approximately 1676 and 175 respectively.

(b) The estimated foreign exchange involved on the persons referred to in the answer to Part (a) is Rs. 33 lakhs. Similar information in respect of those who went on private account is not available.

Polytechnics

327. Shri Ram Krishan: Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether the scheme to provide polytechnic in every district has been finalised; and

(b) if so, the details thereof?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) and (b). No scheme has been drawn up by the Central Government for the establishment of polytechnics in every district in the country. However, in the further expansion of technical education, the aim of the Government is that every district should have at least one polytechnic. This aim will be kept in view while formulating the future Five-year Plans.

Investment in Hindustan Steel (Private) Ltd.

328. Shri Morarji: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) the total amount invested in the Hindustan Steel (Private) Ltd. by Government;

(b) how much of it is by way of loan and how much by way of equity capital; and

(c) the terms and conditions on which this loan is given?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) Rs. 266.31 crores.

(b) Loan.—Rs. 20.50 crores, Share.—Rs. 245.81 crores.

(c) Loan granted by Government will bear interest on current balances of the loans at a rate not exceeding 1 per cent over the bank rate. It is open to Government to consider at any appropriate stage what portion of the loan amount can be converted into shares and to take any decision as regards the accrued interest.

Payment of Salaries in Foreign Currency

329. Shri Nath Pal: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) the number of officers in Steel Plants who are paid their salary or emoluments in any currency other than Indian currency;

(b) the amount paid;

(c) the reason for making payment in foreign currency; and

(d) whether any tax is deducted from such payments and, if so, on what basis?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) Two. Although other foreign experts employed in the steel plants are paid their salary in Indian rupees the usual remittance facilities available to foreign nationals employed in India, are also available to them.

(b) \$400 and \$185 per month respectively are paid in Japanese currency.

(c) The services of these two technicians have been obtained from Japan and in terms of the contract with

them half their salary is to be paid in India in rupees and the other half in Japan in the currency of that country.

(d) Their salaries are subject to the provisions of the Indian Income-tax Act but they could, under the provisions of that Act, claim exemption of income-tax for the first three years of their stay in India.

भारतीय सांस्कृतिक संबंध परिषद्

३३०. जी अनिष्टु रित्तु : क्या बैतानिक गवेषणा और सांस्कृतिक-कार्य मंत्री यह बताने की कृपा करेंगे कि

(क) क्या यह सब है कि भारतीय सांस्कृतिक सम्बन्ध परिषद् प्रवासी भारतीयों के लिये एक पत्रिका निकालने का विचार कर रही है,

(ख) यदि हाँ, तो यह पत्रिका किस भाषा में निकली जायेगी; और

(ग) इसका प्रकाशन कब से प्रारम्भ होगा?

बैतानिक गवेषणा और सांस्कृतिक-कार्य मंत्री (जी दुमायून कविर) : (क) जी, नहीं।

(ख) और (ग). प्रस्तु नहीं उठते।

Iron Scraps

३३१. Shri P. R. Patel: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) the control price of the turning and boring iron scraps in the country;

(b) what is the price valued or realised of the local turning and boring scraps in foreign markets such as Japan, U.S.A. and U.K.; and

(c) what steps Government propose to take to export maximum of the scrap-articles?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) The current statutory price for fresh boring and turning scrap is Rs. 25 per ton ex-site.

(b) Although no official information is available, the price realised from foreign buyers, as far as could be gathered from exporters, ranges from £9 to £10 per ton c.i.f.

(c) Licences for export of certain categories of sheet cuttings are issued freely. In addition, borings and turnings not accepted by furnace owners are also licensed for export.

Central Civil Services (Conduct) Rules

३३२. Shri Tangamani: Will the Minister of Home Affairs be pleased to state:

(a) the number of Central Government employees charge-sheeted under Section 4(A) of the Central Civil Services (Conduct) Rules, 1955 according to each Department; and

(b) the number of them actually punished and the nature of punishment awarded?

The Minister of Home Affairs (Pandit G. B. Pant): (a) and (b). The information is being collected and will be placed on the Table of the House as soon as it is available.

Compensation for Lok Sahayak Sena Trainees

३३३. Shri Kediyu: Will the Minister of Defence be pleased to state:

(a) whether Government have considered the petitions received from the guardians of five of the Lok Sahayak Sena camp trainees who died of food poisoning for payment of Rs. 5,000 compensation or adequate monthly family pension; and

(b) if so, what decisions have been taken?

The Deputy Minister of Defence (Sardar Mian Singh): (a) and (b). The

Government have reviewed the question of *ex gratia* payment *viz.* Rs. 300 earlier sanctioned to the family of each trainee who died of food poisoning at the camp and have raised it to Rs. 500 per family.

Professor Harry J. Robinson's Discussion Draft on Foreign Investments in India

334. Shri Parulekar: Will the Minister of Finance be pleased to state:

(a) whether it is a fact that Prof. Harry J. Robinson has submitted a discussion draft on policy and laws relating to foreign investments in India;

(b) whether Government had invited a report from him on the subject;

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

(d) whether Government have considered them?

The Minister of Finance (Shri Morarji Desai): (a) to (d). Prof. Harry J. Robinson, Senior International Economist of the Stanford Research Institute in the United States came to India in 1956 as a Ford Foundation Scholar to study investment opportunities in India. As a result of his study, he prepared a draft report explaining the position on Policy and Laws governing investment in India. Mr. Robinson prepared the draft report as a part of his assignment and made it available to Government. Government had not asked for such a report. The draft gives a factual account of all policies and laws governing private foreign investments in India and makes no recommendations of any kind.

Practical Training in West Germany

335. Shri Ram Krishan: Will the Minister of Scientific Research and Cultural Affairs be pleased to refer to the reply given to Unstarred Question

No. 211 on the 13th August, 1966 and state:

(a) whether the candidates have been selected for giving un-utilised scholarships for practical training in West German industries in different branches of engineering and technology under the Indo-German Industrial Co-operation Scheme; and

(b) if so, whether a copy of the list will be laid on the Table?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) The position has not changed. A provisional selection has been made and the list will be finalised as soon as definite information is received on placements in industries in West Germany.

(b) Does not arise.

Writers' Conference at Tashkent

336. Shri Jadhav: Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether Government have given financial and any other type of help to the Asian and African Writers' Conference at Tashkent;

(b) how many representatives from India attended the Conference; and

(c) who were the conveners of the Conference?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) No, Sir.

(b) and (c). No information is available beyond what has appeared in the newspapers or been stated by some individuals who attended the said Conference.

Land Acquisition in Jawalamukhi

337. Shri Hem Raj: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) the area of land that has been acquired or proposed to be acquired for deep drilling and structural drilling in the Jawalamukhi area;

(b) the names of the places and the area of land acquired or proposed to be acquired at each such place; and

(c) the amount of compensation paid so far or to be paid for the proposed sites per acre of land?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) to (c). A Statement giving the required information is laid on the Table of the Lok Sabha. [See Appendix I, annexure No. 99.]

Visit of Gen. Thimmayya

338. { Shri R. C. Vyas:
 { Shri Rameshwar Tantia:

Will the Minister of Defence be pleased to state:

(a) whether it is a fact that Chief of the Army Staff visited some foreign countries recently; and

(b) if so, which countries did he visit and who accompanied him on this tour?

The Deputy Minister of Defence (Shri Raghuramaiah): (a) Yes, Sir.

(b) He visited Canada, the U.S.A., the U.K. and West Germany. He was accompanied by Lt. Gen. Daulet Singh, Quartermaster General and Brig. B. D. Kapoor, Chief Controller of Re-organisation and Development, except in respect of West Germany.

Delegation of Scholars to Afghanistan

339. { Shri P. K. Deo:
 { Shri D. C. Prodhan:

Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether a delegation of scholars is being sent to Afghanistan for the study of ancient coins, according to the decision of the Central Advisory Board of Archaeology taken at Hyderabad; and

(b) if so, on what basis the scholars will be selected?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) The recommendation has not yet been accepted by Government.

(b) Does not arise.

Aborigines in Andamans

340. { Shri P. K. Deo:
 { Shri B. C. Prodhan:

Will the Minister of Home Affairs be pleased to state:

(a) the number of Aborigines in Andamans;

(b) the steps taken for their uplift;

(c) the amount provided in the Second Five Year Plan in this regard; and

(d) the amount actually spent until now?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) The number of Aborigines of different categories in the Andaman & Nicobar Islands is as follows:—

Andamanese	23
Jarawas	300
	to
Onges	400
Shompens	600
Nicobarese	100
	11,792

(b) A statement is attached. [See Appendix I, annexure No. 100.]

(c) The amount provided in the Second Five Year Plan, Andaman and Nicobar Islands, for the uplift of Aborigines is as follows:—

	Rs. lakhs
(i) Tribal Welfare Scheme	1.0
(ii) One N.H.S. Block at Nicobar	0.75
(iii) Development of Coconut Plantations in Nicobars	1.00
(iv) V.D. Treatment centre, Nicobar	0.75
(v) Construction of roads in Nicobars	10.00

Sabha. [See Appendix I, annexure No. 101].

Emergency Relief Organisation in Punjab

345. Shri Daljit Singh: Will the Minister of Home Affairs be pleased to state whether any Emergency Relief Organisation has been set up in Punjab?

The Minister of Home Affairs (Pandit G. B. Pant): Yes.

Untouchability

346. Shri Daljit Singh: Will the Minister of Home Affairs be pleased to refer to the reply given to Starred Question No. 1577 on the 24th September, 1958 and state:

(a) when the accounts of each of the non-official organisations which receive direct grants from the Central Government for the removal of untouchability were last audited; and

(b) whether a copy of the accounts audited last of each of the organisations will be placed on the Table?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) The information is given below:

<i>Name of Organisation</i>	<i>Date of audit of accounts of the organisation</i>
(i) Bhartiya Depressed Classes League	4th April, 1958.
(ii) All India Harijan Sevak Sangh	24th April, 1958.
(iii) Ishwar Saran Ashram	30th April, 1958
(iv) Bharat Dalit Sevak Sangh (The Servants of the Indian Depressed Classes Society).	10th November, 1958

(b) A copy of the audited accounts of each of the organisations for 1957-58 is laid on the Table of the Lok Sabha. [See Appendix I, annexure No. 102].

Reservation for Scheduled Castes and Tribes

347. Shri Daljit Singh: Will the Minister of Steel, Mines and Fuel be pleased to refer to the reply given to Unstarred Question No. 2167 on the 16th September, 1958 and state:

(a) the number of posts of Assistants and Clerks in the Ministry of Steel, Mines and Fuel reserved for the Scheduled Castes and Scheduled Tribes at present;

(b) the reasons for not filling up the reserved vacancies; and

(c) the time by which the reserved quota will be filled up?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) The posts of Assistants and Clerks in the Ministry of Steel, Mines and Fuel are included in the cadres of the Central Secretariat Service and the Central Secretariat Clerical Service, respectively, direct recruitment to which on the basis of competitive examinations held by the Union Public Service Commission is made by the Ministry of Home Affairs on an all-Secretariat basis. The reservations for the Scheduled Castes and Scheduled Tribes for this recruitment, which is also made on an all-Secretariat basis, are as follows, namely:—

Scheduled Castes	.. 13½%
Scheduled Tribes	.. 5%

(b) and (c). The reserved quota of vacancies for the Scheduled Castes in the Grade of Assistants has been filled. As regards the short-fall in the case of Scheduled Tribes in this grade, and of Scheduled Castes as well as Scheduled Tribes in the other grades, this is mainly due to the non-availability of suitable candidates of these communities. It is, therefore, not possible to indicate a time limit by which the reserved quota for these communities will be filled.

Committees working under the Ministry of Steel, Mines and Fuel

348. **Shri Daljit Singh:** Will the Minister of Steel, Mines and Fuel be pleased to state the names of committees which worked under the Ministry of Steel, Mines and Fuel during 1957-58?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): The following committees worked during 1957-58:—

1. Coal Price Revision Committee.
2. Team of experts to make detailed surveys and investigations to study methods of winning transportation and distribution of sand from the D.V.C. river deltas for purposes of stowing in coal mines.
3. Ad-hoc Committee on resources for stabilisation of the coal mine workings under the Grand Trunk Road and Barakar town in the Asansol sub-division of West Bengal.
4. Committee on Assessment of Resources.
5. Committee on Requirements and Utilisation.
6. Committee on Production and Preparation.
7. Committee on Transportation.
(The last four Committees are of the Coal Council of India).
8. Fuel Efficiency Committee.
9. Coal Advisory Committee.
10. Coal Transport Advisory Committee.
11. Committee to advise on matters relating to oil exploration and production, refining of crude oil and utilisation of natural and refinery gases.
12. Standing Panel of Technical Experts for the Neyveli Lignite Corporation (Private) Ltd.
13. Committee to report on beneficiation of low grade ores.
14. Mineral Advisory Board.

15. Four Zonal Councils (Minerals).

16. Working Group to evolve a more satisfactory system of obtaining statistical information by co-ordinating the requirement of Indian Bureau of Mines and the State Governments.

17. Mica Sub-Committee of the Mineral Advisory Board.

18. Mica Advisory Committee.

Land for Scheduled Castes and Scheduled Tribes

349. **Shri Kumbhar:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that the cultivable lands and financial helps admissible to Scheduled Castes and Tribes have been allotted to the non-Scheduled Castes and Tribes in the Union Territories;

(b) if so, the number of such cases; and

(c) whether steps are being taken to recover these lands from the unlawful allottees?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) So far as the Union Territory of Delhi is concerned, no Sir.

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

The question in respect of the Union Territories of (1) Andaman and Nicobar Islands and (2) the Laccadive, Minicoy and Amindivi Island does not arise as in the former there are no Scheduled Castes or Scheduled Tribes and in the latter the entire population is of Scheduled Tribes.

The required information in regard to the remaining Union Territories of Manipur, Tripura and Himachal Pradesh, is being collected and will be laid on the Table of the House in due course.

Calcutta University

350. **Shri Sadhan Gupta:** Will the Minister of Education be pleased to state:

(a) whether any grant or loan is proposed to be made to the Calcutta

University in connection with its schemes for the Second Five Year Plan; and

(b) if so, the nature and amount of such grant and loan?

The Minister of Education (Dr. K. L. Shrimall): (a) Yes, Sir.

(b) A statement is attached. [See Appendix I, annexure No. 103.]

Bharat Electronics (Private) Limited

351. Shri U. C. Patnaik: Will the Minister of Defence be pleased to state the value of production in the Bharat Electronics (Private) Ltd., since January, 1956 upto the 31st March, 1958?

The Deputy Minister of Defence (Shri Raghuramaiah): The value of Electronics equipment produced at Bharat Electronics (Private) Ltd., during the period 1st January, 1956 upto 31st March, 1958 was Rs. 33.95 lakhs.

Foreigners in Bharat Electronics (Private) Ltd. and Hindustan Aircrafts (Private) Ltd.

352. Shri U. C. Patnaik: Will the Minister of Defence be pleased to state the total number of "foreigners" and other non-Indian nationals working in the Bharat Electronics (Private) Ltd. and Hindustan Aircrafts (Private) Ltd. on the 31st March, 1958?

The Deputy Minister of Defence (Sardar Majithia): Thirty-Seven.

Income-tax Appeals

353. Shri Rajeshwar Patel: Will the Minister of Finance be pleased to state:

(a) the number of appeals pending with the Appellate Assistant Commissioners which were filed more than three years back; and

(b) what steps are being taken to expedite the disposal of these appeals?

The Minister of Finance (Shri Morarji Desai): (a) The number of

such pending appeals was 2598 as on 1-10-1958.

(b) Several measures have been taken to expedite the disposal of appeals generally and old appeals in particular. A planned programme of disposals, with appropriate emphasis on the clearance of old appeals, is already in existence for each Appellate Assistant Commissioner's range. The Central Board of Revenue conduct every month a scrutiny of the disposal of appeals in each of the appellate ranges and issue appropriate instructions, where necessary for expeditious disposal. The strength of Appellate Assistant Commissioners has also been increased substantially in recent years.

The number of appeals filed more than three years back and pending disposal was 3522 as on 1-4-1958; this figure has been brought down to 2598 on 1-10-1958 as a result of the measures taken.

Income-Tax Refunds

354. Shri Rajeshwar Patel: Will the Minister of Finance be pleased to state:

(a) the maximum time that the Income-tax Department takes generally in refunding the amount to the assessees after it is found due; and

(b) whether there is any machinery to ensure that such payments are made to the assessees in time?

The Minister of Finance (Shri Morarji Desai): (a) There is no time limit prescribed under the law within which income-tax refunds, after they are found due, are required to be issued by the Income-tax authorities. However, there are instructions that refunds should be issued as expeditiously as possible.

(b) A separate register is maintained in each Income-tax Circle showing the pendency/disposal of refund claims made by the assessees for refunds under Section 48 of the Income-tax Act. This register is regularly examined by the Income-tax Officer with

a view to seeing that no avoidable delay occurs in disposing of the refund applications. Similarly a register of cases in which appeals are filed by assessee is also maintained. This helps the Income-tax Officers in ensuring that effects to appellate orders are given in time.

Government D. M. College at Imphal

355. Shri L. Achaw Singh: Will the Minister of Education be pleased to state:

(a) whether it is a fact that tribal college students reading in the Government D.M. College at Imphal have no adequate hostel accommodation and they are not given full amount of Central Government Scholarships; and

(b) if so, what steps are being taken to give them adequate accommodation and full amount of scholarship?

The Minister of Education (Dr. K. L. Shrimali): (a) and (b). Out of 100 tribal students on roll in D.M. College, Imphal, 78 have been provided with hostel accommodation. The question of providing hostel facilities for 50 more students has already been taken up this year and provision is being made for further extension in the next year's budget.

The monthly rate of scholarships for hostellers and day scholars are different and vary from course to course. However, the amount of scholarship which each category of student is entitled to receive is always paid in full.

Pakistani Nationals

356. Sardar Iqbal Singh: Will the Minister of Home Affairs be pleased to state:

(a) the number of Pakistani nationals who crossed Indian border, both eastern and western separately, illegally during August to October, 1966 month-wise;

(b) the number of those who have been convicted;

(c) the number of cases still pending; and

(d) the number of persons who have refused to return to Pakistan?

The Minister of Home Affairs (Pandit G. B. Pant): (a) to (d). The information is being collected and will be laid on the Table of the House as soon as it is available.

Management of Public Funds in Indian Air Force

357. Sardar Iqbal Singh: Will the Minister of Defence be pleased to state:

(a) whether a Committee has been appointed to enquire into the management of public funds in the Air Force;

(b) the names of members of this Committee;

(c) the main purposes and functions of this Committee; and

(d) the work done by this Committee so far?

The Deputy Minister of Defence (Sardar Majithia): (a) A Committee had been appointed with the terms of reference given in the reply to part (c) of this Question.

(b) Chairman

Shri R. M. Hajarnavis, Deputy Minister for Law.

Members

(1) Shri B. G. Rau, Joint Secretary, Ministry of Defence.

(2) Air Vice Marshal, Arjan Singh, AOC-IN-C, Operational Command.

(3) Shri S. K. Mukherjee, Controller of Defence Accounts, Southern Command.

(4) Brig. K. T. Mathew, Judge Advocate General, Army Headquarters.

Secretary

Shri M. Subramanyam, Deputy Secretary, Ministry of Defence.

(c) (i) To enquire into the system and procedure for maintenance, supervision and control of the public Account of No. 2 Wing, Air Force, Poona, and to ascertain how it became possi-

ble for a large sum of money amounting to about Rs 3½ lakhs to be misappropriated at that Air Force Station;

(ii) To fix the responsibility on persons who might have been guilty of negligence in the performance of their duties which might have facilitated the misappropriation.

(iii) To determine whether the existing authorised system and procedure for maintenance, supervision and control of public funds in the Indian Air Force are adequate to safeguard against misappropriations, and to suggest remedial measures to the extent necessary

(d) The Committee's report has been received and is under consideration

Defence Research and Development Advisory Committee

358 Sardar Iqbal Singh: Will the Minister of Defence be pleased to state:

(a) whether Government have appointed a Defence Research and Development Advisory Committee,

(b) the main purposes and functions of this Committee,

(c) the names of the members of this Committee, and

(d) the work done by this Committee so far?

The Deputy Minister of Defence (Shri Bagharamaiah): (a) Yes

(b) To advise on defence research and development, to assist in the formulation of defence research policies and to make recommendations to the Government regarding the allocation of defence research programmes to the Universities and the National Laboratories and other Research Institutions

(c) Chairman

Scientific Adviser to the Minister of Defence.

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Members.

Six eminent scientists and engineers to be nominated by Government.

Chief of the General Staff

Deputy Chief of Naval Staff

Deputy Chief of Air Staff

Additional Financial Adviser, Ministry of Finance (Defence)

Controller General of Defence Production.

Chief Controller (Research & Development)

Chief Scientist

Director of Technical Development and Production (Air)

(d) Not met so far

Fall in Import of Iron and Steel

359 Sardar Iqbal Singh: Will the Minister of Steel, Mines and Fuel be pleased to state the quantity of anticipated fall in the import of Iron and Steel during 1958?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): The anticipated fall in the import of Iron and Steel during 1958 is about 0·5 million tons, as compared to 1957

Secondary Education

360 Sardar Iqbal Singh: Will the Minister of Education be pleased to refer to the reply given to Unstarred Question No 183 on the 13th August, 1958 and state the amount actually utilised by each State Government out of the grant given by the Government of India for the expansion of Secondary Education during 1957-58?

The Minister of Education (Dr. K. L. Shrimati): The requisite information is being collected and will be furnished in due course

Advisory Committee for Libraries

361 Sardar Iqbal Singh: Will the Minister of Education be pleased to refer to the reply given to Unstarred Question No 465 on the 18th August, 1958 and state

(a) whether the Advisory Committee for Libraries has submitted its report.

(b) if so, the main recommendations; and

(c) steps taken on them?

The Minister of Education (Dr. K. L. Shrimall): (a) Yes Sir, on 15-11-58.

(b) and (c). The report is under consideration.

Due_s from Sugar Mills

362. **Sardar Iqbal Singh:** Will the Minister of Finance be pleased to state what are the Central Government dues outstanding from the different Sugar Mills in the country?

The Minister of Finance (Shri Morarji Desai): The Central Government dues from sugar mills consist of Income-tax, Excess Profits Tax, Business Profits Tax, Wealth Tax and Central Excise duty. Two statements, giving the position separately in respect of (i) Income-tax, Excess Profits Tax, Business Profits Tax and Wealth Tax and (ii) Central Excise Duty are given in annexures 'A' and 'B' [See Appendix I, annexure No. 104.]

Opium Exports

363. **Sardar Iqbal Singh:** Will the Minister of Finance be pleased to state the quantity and value of opium exported to each country from India in the last five years (year-wise)?

The Minister of Finance (Shri Morarji Desai): A statement giving the required information is laid on the Table of the Lok Sabha. [See Appendix I, annexure No. 105.]

Foreigners Act

364. **Sardar Iqbal Singh:** Will the Minister of Home Affairs be pleased to state:

(a) the total number of notices served in Delhi under the Foreigners Act during the year 1957-58;

(b) the total number of people who left Delhi in accordance with those notices;

(c) the total number of Court proceedings drawn up against people who violated these notices; and

(d) the total number of people convicted by the Court for violation of these notices?

The Minister of Home Affairs (Pandit G. B. Pant): (a) to (d). The information is being collected and will be laid on the Table of the House.

Import of Steel

365. { **Sardar Iqbal Singh:**
Shri Pangarkar:

Will the Minister of Steel, Mines and Fuel be pleased to state the total quantity and value of steel imported into India during 1958-59 so far from each country separately?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): A statement is placed on the Table of the Lok Sabha. [See Appendix I, annexure No. 106.]

Educational Institutions of Punjab

366. **Sardar Iqbal Singh:** Will the Minister of Education be pleased to refer to the reply given to Unstarred Question No. 2152 on the 16th September, 1958 and state:

(a) total amount of financial assistance given to educational institutions in Punjab during 1957-58 and 1958-59 so far; and

(b) the purpose for which this amount was given?

The Minister of Education (Dr. K. L. Shrimall): (a)

1957-58	Rs. 2,58,086
1958-59 so far	Rs. 31,48,810.22

(b) The amount was given for various purposes specified below:—

(1) Loans for construction of hostels, for affiliated Colleges.

(2) Rehabilitation and other grants to the Punjab University.

- (3) Grants to certain institutions for carrying out certain research projects assigned to them by this Ministry.
- (4) Grants for social education work, students tours, social service camps and campus work.
- (5) Grants for construction of Nursery & Basic School buildings; provision of equipment and books for them.

Sports Associations of Punjab

367. Sardar Iqbal Singh: Will the Minister of Education be pleased to state:

(a) the total amount of grants sanctioned to Sports Associations in Punjab state during 1958-59 so far; and

(b) the names of Sports Associations which have been given such grants?

The Minister of Education (Dr. K. L. Shrimali): (a) and (b). No grants have been sanctioned to Sports Associations in the Punjab State during 1958-59 so far. The following grants have, however, been sanctioned to National Sports Federations whose headquarters happen to be located in the Punjab State:—

	Rs.
1. Basketball Federation of India, Patiala (on account of salary of paid Secretary) .	4,446.66
2. Indian Hockey Federation, Patiala (on account of salary of paid Secretary) .	2,450.00
3. Basketball Federation of India, Patiala (on account of deputation of Federation's Secretary to attend Physio-therapy course at Madras) .	370.00

Boarding House for Girl Students Delhi

368. Sardar Iqbal Singh: Will the Minister of Education be pleased to state:

(a) whether there is any boarding house for girl students in Delhi, State-managed or privately managed;

(b) if so, the number of girl students residing there; and

(c) the financial aid given to each boarding house during 1956-57 and 1957-58?

The Minister of Education (Dr. K. L. Shrimali): (a) to (c). The information is being collected and will be laid on the Table of the Lok Sabha in due course.

Opium Production in Punjab

369. Sardar Iqbal Singh: Will the Minister of Finance be pleased to state:

(a) the quantity of opium produced in each District of Punjab during the last five years, year-wise; and

(b) total area under poppy cultivation in each district in these years (year-wise)?

The Minister of Finance (Shri Morarji Desai): (a) and (b). There is no cultivation of poppy in Punjab for the production of opium. Cultivation of poppy for the production of poppy heads and seeds has been banned in that State with effect from the 31st March, 1958.

A statement giving the information regarding the area under poppy cultivation and the quantity of poppy heads produced in each district during the last five years, year-wise is laid on the Table of the Lok Sabha. [See Appendix 1, annexure No. 107.]

Foreigners

370. Sardar Iqbal Singh: Will the Minister of Home Affairs be pleased to state the number of foreigners who visited Delhi during 1957-58?

The Minister of Home Affairs (Pandit G. B. Pant): Information is available only in regard to the number of registered foreigners resident in Delhi as on the 31st December, 1957. The number was 2342.

Labour and Social Service Camps in Ferozepur District

371. Sardar Iqbal Singh: Will the Minister of Education be pleased to state:

(a) the total number and names of labour and social service camps for students and other youth held with the aid of Central Government in Ferozepur District and in Punjab during 1957-58;

(b) the total number of such camps to be held during 1958-59 within the above mentioned areas;

(c) the nature of work done; and

(d) the procedure adopted for selection of sites and method followed for obtaining public co-operation?

The Minister of Education (Dr. K. L. Shrimall): (a) to (d). The information is being collected and a statement will be placed on the Table of the House separately.

Multi-purpose Schools in Punjab

372. Sardar Iqbal Singh: Will the Minister of Education be pleased to state the total number of multipurpose schools to be opened in Punjab during 1958-59 (district-wise)?

The Minister of Education (Dr. K. L. Shrimall):

Patiala	7
Kapurthala	1
Bhatinda	5
Sangrur	3
Mahendragarh	2
Ambala	12
Hissar	4
Rohtak	3
Gurgaon	3
Karnal	5
Amritsar	9
Jullundur	10
Gurdaspur	5
Kangra	2
Ferozepur	5
Ludhiana	8
Hoshiarpur	11
<hr/>	
Total	95
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Scheduled Castes and Scheduled Tribes in Punjab

373. Sardar Iqbal Singh: Will the Minister of Home Affairs be pleased to state:

(a) whether the amounts allotted to the Punjab for construction of residential accommodation for Scheduled Castes and Scheduled Tribes during 1957-58 and 1958-59 so far have been spent on the proposed schemes; and

(b) if so, the number of houses constructed with the above amounts?

The Deputy Minister of Home Affairs (Shrimati Alva): A statement giving the required information is placed on the Table of the Lok Sabha. [See Appendix I, annexure No. 108.]

Acquisition of Lands in Nasik

374. Shri Jadhav: Will the Minister of Defence be pleased to state:

(a) the extent of land of different villages taken on lease for Military purposes in the District of Nasik in Bombay State;

(b) what is the duration of the lease; and

(c) what is the rent due to the different villages with a break up of each village?

The Deputy Minister of Defence (Sardar Majithia): (a) to (c). Information is being collected and will be laid on the Table of the Lok Sabha in due course.

Life Insurance Corporation

375. Shri Jadhav: Will the Minister of Finance be pleased to state:

(a) the total number of Class I Officers in the Life Insurance Corporation; and

(b) how many out of the above number have been recruited after 5th September, 1956.

The Minister of Finance (Shri Morarji Desai): (a) 1285.

(b) 91.

Pakistani Nationals

376 **Shri Pangarkar:** Will the Minister of Home Affairs be pleased to state:

(a) total number of Pakistani nationals who visited various places in Bombay State during 1958 (upto 31st October),

(b) the number of those who over-stayed even after the expiry of their visas during the same period, and

(c) the number of cases in which visas were extended?

The Minister of Home Affairs (Pandit G B Pant): (a) to (c) The information is being collected and will be laid on the Table of the House, as soon as it is available

Geological and Mining Survey in States

377. **Shri Tridib Kumar Chaudhuri:**
Sardar Iqbal Singh:

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

(a) which of the State Governments have organised Geological and Mining Survey Departments for investigating the mineral resources in their States,

(b) what kind of liaison is maintained between these Minerals and Geological Department of the State Governments with the Geological Survey of India and the Indian Bureau of Mines, and

(c) whether there is any permanent body in which such departments of the State Governments are also represented to exchange information and to act as a forum for consultation?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) The following State Governments are known to have Mining and Geology Departments for investigating the mineral resources within their States: West Bengal, Bihar, Uttar Pradesh, Rajasthan, Bombay, Madhya Pradesh, Andhra, Mysore and Orissa

(b) and (c) Liaison is maintained through four zonal councils set up by the Govt of India for the Eastern, Northern, Central and Southern regions in which the State Governments in each region, the Geological Survey of India, the Indian Bureau of Mines and the leading industries in each region are represented. These Councils, periodically review the programme of exploration of minerals in the region, advise on drawing up future programmes of mineral exploration, review the requirements, difficulties and potentialities of the mining industry in the respective region, and advise generally on the exploitation and utilisation of minerals and allied natural resources in the region

The representatives of the Indian Bureau of Mines, Geological Survey of India, State Governments, Industries and Central Government also meet at the Mineral Advisory Board meetings. The Geological Survey of India and the Indian Bureau of Mines are represented on the various committees set up by the State Governments.

12.06 hrs.

PAPERS LAID ON THE TABLE

Durgah Khawaja Saheb Bye-Laws

The Minister of Home Affairs (Pandit G B Pant): I beg to lay on the Table a copy of the Durgah Khawaja Saheb Bye-Laws, 1958 published in Notification No G S R 984 dated the 25th October, 1958 [Placed in Library See No LT-1031/58]

Appropriation Accounts and Audit Report of Government of Delhi

The Minister of Revenue and Civil Expenditure (Dr. B Gopala Reddi): I beg to lay on the Table, under Article 151(1) of the Constitution, a copy of the Appropriation Accounts of the Government of Delhi, 1956-57 and Audit Report, 1958 [Placed in Library See No LT-1032/58].

AMENDMENT TO IRON AND STEEL
(CONTROL) ORDER

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): I beg to lay on the Table, under sub-section (6) of section 3 of the Essential Commodities Act, 1955, a copy of the Notification No S.O 2369/ESS. COMM IRON & STEEL/AM(3) dated the 13th November, 1958 making certain amendment to the Iron and Steel (Control) Order, 1958 [Placed in Library See No. LT-1033/58].

EIGHTH REPORT OF UNION PUBLIC
SERVICE COMMISSION

The Minister of State in the Ministry of Home Affairs (Shri Datar): I beg to lay on the Table, under Article 323(1) of the Constitution, a copy of the Eighth Report of the Union Public Service Commission for the period 1st April, 1957, to 31st March, 1958 [Placed in Library. See No. LT-1034/58].

NOTIFICATIONS ISSUED UNDER ALL INDIA
SERVICES ACT

Shri Datar: I beg to lay on the Table, under sub-section (2) of Section 3 of the All India Services Act, 1951, a copy of each of the following Notifications:—

- (1) G.S.R No. 1055 dated the 8th November, 1958 making certain amendments to the Indian Administrative Services (Pay) Rules, 1954.
- (2) G.S.R. No. 1078 dated the 15th November, 1958 making certain amendments to the Schedule to the Indian Administrative Service (Pay) Rules, 1954. [Placed in Library. See No. LT-1035/58].

AMENDMENT TO INTERNATIONAL COPY-
RIGHT ORDER

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): I beg to lay on the Table,

under Section 43 of the Copyright Act, 1957, a copy of Notification No. S.O. 2269 dated the 21st October, 1958, making certain amendment to the International Copyright Order, 1958. [Placed in Library. See No. LT-1036/58].

NOTIFICATION ISSUED UNDER SEA CUS-
TOMS ACT

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

- (1) G.S.R No 957 dated the 18th October, 1958.
- (2) G.S.R No 958 dated the 18th October, 1958 containing the Customs Duties Drawback (Cigar Wrapper Tobacco) Rules, 1958
- (3) G.S.R No 999 dated the 25th October, 1958. [Placed in Library. See No LT-1037/58].

NOTIFICATIONS ISSUED UNDER SEA CUS-
TOMS ACT AND CENTRAL EXCISES AND
SALT ACT

Dr. B. Gopala Reddi: I beg to lay on the Table, under sub-section (4) of Section 43B of the Sea Customs Act, 1878 and Section 38 of the Central Excises and Salt Act, 1944, a copy of each of the following Notifications:—

- (1) G.S.R No 959 dated the 18th October, 1958 making certain further amendments to the Customs and Central Excise Duties Drawback (Art Silk) Rules, 1957.
- (2) G.S.R. No. 986 dated the 25th October, 1958 containing the Customs and Central Excise Duties Drawback (Steel Products) Rules, 1958. [Placed in Library. See No. LT-1038/58].

12.08 hrs.

ESTIMATES COMMITTEE

THIRTY-FIRST REPORT

Shri B. G. Mehta (Goh Iwad). I beg to present* the Thirty-first Report of the Estimates Committee on the action taken by Government on the recommendations contained in the Twelfth Report of the Estimates Committee (First Lok Sabha) on the Ministry of Information and Broadcasting—All India Radio

12.08½ hrs.

DEMANDS FOR EXCESS GRANTS
(RAILWAYS) FOR 1955-56

The Minister of Railways (Shri Jagjivan Ram): I beg to present* a statement showing Demands for Excess Grants in respect of the Budget (Railways) for 1955-56

12.08½ hrs.

DEMANDS FOR EXCESS GRANTS
(RAILWAYS) FOR 1956-57

Shri Jagjivan Ram. I beg to present a statement showing Demands for Excess Grants in respect of the Budget (Railways) for 1956-57

12.09 hrs.

CALLING ATTENTION TO MATTER
OF URGENT PUBLIC IMPORTANCEEXPLOSION OF BRITISH SUPER-TANKER,
Stanvac Japan

Shri Ram Krishan (Mahendergarh). Under Rule 197, I beg to call the attention of the Minister of Transport and Communications to the following matter of urgent public importance and I request that he may make a statement thereon:—

"The explosion of the British Tanker Stanvac Japan in the

Arabian Sea and the casualties among the Indian personnel of the ship"

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): The statement runs into three pages. Shall I lay it on the Table of the House?

Mr Deputy-Speaker: Yes, it may be laid on the Table

Shri Raj Bahadur: I beg to lay it on the Table

Statement

It is with the deep regret that I rise to make this statement on the explosion of the British tanker ss 'Stanvac Japan' on the 19th October, 1958 in which 10 Indian Seamen (including one Portuguese Indian) and 10 British officers lost their lives

2 According to the information available to Government, ss "Stanvac Japan", belonging to Messrs Standard Vacuum Transportation Company Ltd was built in Japan in 1953 and had a gross tonnage of about 17,400. The vessel was fitted with two high pressure oil-fired boilers with turbine machinery. She was equipped with the life-saving and fire appliances applicable to her class and trade

3 The vessel left Bombay on the 17th October, 1958 with British officers numbering 17 and Indian crew 54 in number of whom 44 were Indian nationals and 10 Portuguese Indians, all of them having been engaged on Indian Articles. At the time of its departure, she carried 9,000 tons ballast

4 The unfortunate accident took place on Sunday the 19th October at about 14.00 hours while on her way from Bombay to Rastanaura, (where she was to take another load) about 30 miles south east of Karachi and over 500 miles north west of Bombay.

*Presented with the recommendation of the President

1231 Calling attention to 24 NOVEMBER 1958 Matter of Urgent Public Importance

8. According to the routine, the cargo tanks are washed down at sea and clean ballast is also taken. It is reported that various tanks according to requirements were being washed down that day. Due to an explosion, the centre-castle where deck officers are housed was completely blown away with the result 10 British officers and 10 Indian crew members lost their lives. The centre-castle which carried two life boats were also carried away with the explosion with the result only two boats were left in the after accommodation where crew and the Engineer officers are carried. As this part of the vessel was not damaged, the crew and the Engineer officers were able to lower the two after life-boats and escaped, but remained near about the vessel which was burning fiercely.

6. No contact with the outside world could be made as the main wireless equipment which was in the centre-castle together with life boat portable radio was carried away with the explosion.

7. The first news of the accident was received by the Principal Officer, Mercantile Marine Department, Bombay on the 20th October, 1958 at about 15.00 hours from the Master of s.s. "Patricia", a Panamanian tanker which had picked up 51 survivors from the two life boats ex "Stanvac Japan". Immediately on receipt of the distress message, the Principal Officer contacted the naval authorities who were already organising all possible measures for rendering assistance. A naval destroyer was preparing to proceed to the scene of the accident with medical assistance. The Principal Officer also contacted the Air Rescue Duty Officer and a liberator of the Indian Air Force was kept ready to take off. Subsequently, however, a wireless message was received from s.s. "Patricia" that assistance was no longer required.

8. The "Stanvac Japan" was towed to Karachi on the 24th October, 1958

and an enquiry was held at Karachi by the U.K. High Commissioner there. On completion of this enquiry, the Indian crew of 44 members were brought to Bombay by a specially chartered plane on the 28th October, 1958. The "Stanvac Japan" has been towed back to Bombay and has been lying in Bombay Harbour since the 3rd November, 1958. The Indian seamen were received at Bombay by the Principal Officer, Mercantile Marine Department and the Shipping Master along with the Company's representatives. All the members of the crew were found to be hale and hearty and they were taken to Seamen's Hostel and made comfortable.

9. A special officer appointed by the U.K. Ministry of Transport and Civil Aviation arrived in Bombay and conducted an enquiry into the cause of the explosion, assisted by the Mercantile Marine Department. This enquiry has since been completed and the officer has returned to U.K. It is understood that a formal official enquiry will be held in U.K. A preliminary enquiry into the circumstances attending the explosion is also being conducted by the Mercantile Marine Department, Bombay. The proceedings of both the enquiries are awaited.

10. As regards steps taken to give relief to the dependents of the deceased Indian seamen, the owners of the vessel have agreed to make the following payments:

- (i) One month's salary already drawn in advance at the time of engagement;
- (ii) Fifteen days earned wages;
- (iii) One month's salary for each year of service either with the Standard Vacuum Transportation Company or with the Secony Mobil Company;
- (iv) Three months' wages as ex-gratia payment;

1233. **Himachal Pradesh 24 NOVEMBER 1958 Parliament (Prevention 1234.**
Legislative Assembly of Disqualification) Bill
(Constitution and Proceedings) Validation Bill

(v) Compensation as admissible under the Workmen's Compensation Act, 1923.

11. Steps have already been taken by the Shipping Master to ascertain through the district authorities concerned the names etc. of the legal heirs of the deceased seamen and the payments will be made as soon as formalities have been completed. As far as the amounts due under Workmen's Compensation Act are concerned, it is understood that the Company is arranging to deposit the amounts due with the Commissioner for Workmen's Compensation for disbursement.

12.10½ hrs.

REPRESENTATION OF THE PEOPLE (AMENDMENT) BILL

The Deputy Minister of Law (Shri Hajarnavis): I beg to move for leave to withdraw the Bill further to amend the Representation of the People Act, 1950.

Mr. Deputy-Speaker: The question is:

"That leave be granted to withdraw the Bill further to amend the Representation of the People Act, 1950."

The motion was adopted.

Shri Hajarnavis: I introduce the Bill.

12.11 hrs.

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

The Minister of Home Affairs (Pandit G. B. Pant): I beg to move for leave to introduce a Bill to validate the constitution and proceedings of the Legislative Assembly of the New State of Himachal Pradesh formed under the Himachal Pradesh and Bilaspur (New State) Act, 1954.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill to validate the constitution and proceedings of the Legislative Assembly of the New State of Himachal Pradesh formed under the Himachal Pradesh and Bilaspur (New State) Act, 1954."

The motion was adopted.

Pandit G. B. Pant: I introduce the Bill.

12.11½ hrs.

STATEMENT REGARDING HIMACHAL PRADESH LEGISLATIVE ASSEMBLY (CONSTITUTION AND PROCEEDINGS) VALIDATION ORDINANCE

Pandit G. B. Pant: I beg to lay on the Table a copy of the explanatory statement giving reasons for immediate legislation by the Himachal Pradesh Legislative Assembly (Constitution and Proceedings) Validation Ordinance, 1958, as required under Rule 71(1) of the Rules of Procedure and Conduct of Business in Lok Sabha. [Placed in Library. See No. LT-1041/58.]

12.12 hrs.

PARLIAMENT (PREVENTION OF DISQUALIFICATION) BILL—contd.

Mr. Deputy-Speaker: The House will now take up further discussion of the following motion:

"That the Bill to declare that certain offices of profit under the Government shall not disqualify the holders thereof for being chosen as, or for being, Members of Parliament, as reported by the Joint Committee, be taken into consideration."

*Published in the Gazette of India Extraordinary Part II—Section 2, dated the 24th November, 1958.

†Introduced with the recommendation of the President.

[Mr. Deputy-Speaker]

Out of ten hours allotted for general discussion, one hour and 25 minutes have already been taken and there is a balance of 8 hours and 35 minutes.

Shri Raghubir Sahai (Badaun): Mr Deputy-Speaker, I find it very difficult for myself to congratulate the Minister on having brought forward this Bill, as it has originated from the Joint Committee. I find that there is very little in this Bill to enthuse us

At the time when this Bill came up for discussion first a number of criticisms had been levelled against it, and very many suggestions offered on behalf of the Members for the consideration of the Joint Committee. But it appears that almost everything that was stated in this House was ignored. The only change that I find from the original Bill is that a schedule has been added to it. It would also appear that the schedule is neither exhaustive nor complete. It was suggested by the Joint Committee in its report that to make it exhaustive and complete and up to date a Parliamentary Standing Committee be set up. That was also not done.

Now, to all these proceedings I think the hon Minister himself was a party, and it is really a matter of surprise that this valuable recommendation of the Joint Committee was entirely ignored by him. The other day when the hon. Minister introduced the Bill, as it has emerged from the Joint Committee, he gave us three vital objections to the formation of this Standing Committee, and he went on distinguishing between the UK Act and the Constitution of India

12.15 hrs.

[MR. SPEAKER in the Chair]

With your permission, I would like to point out those points of vital difference according to the Minister, as explained by him the other day.

The first point that he enunciated was that legislatures cannot define

offices of profit and they will be interpreted as in the Constitution. But everybody knows that Constitution has also not defined what an office of profit is. It has given an indication that Parliament can declare by law an office the holder of which will not be disqualified. We have done it in three previous Acts of Parliament, namely, the Acts of 1950, 1951 and 1954.

The second vital difference that he raised was that article 102 requires us to make a list of those offices which are exempt. The English Act is just the reverse. We have to make use of article 102 so far as we can. But it does not prevent us from laying down those offices as well, which would disqualify

The third point that he raised, and he also called it a matter of vital difference is that we have not only to examine offices created by the Government of India but by the State Governments as well. He then goes on to say that in England the Act gives the power to amend the First Schedule by the addition or omission of any office or the removal of any office. But under article 102 the disqualification can be removed by an Act of Parliament alone. Therefore, he objected to the constitution of the Parliamentary Standing Committee.

If the Parliamentary Standing Committee, as recommended by the Joint Committee, had been instituted, the continuous scrutiny of all these committees and advisory boards would have gone on. And to meet the objection raised by the hon. Minister, the recommendations of that Parliamentary Standing Committee would have been forwarded to the Government and the Government would have introduced a legislation in whatever shape it liked. So, from what I have stated, the objections that were raised by him were by no means vital nor, if I may be permitted to say so, relevant. Now, I do not understand why should the Deputy Minister be so

allergic about the U.K. Act which should, as a matter of fact, serve as a model, because everybody knows that the very idea of office of profit was borrowed from Great Britain.

Shri Tyagi (Dehra Dun) On a point of order Unfortunately, I have been displaced by the hon Minister

The Minister of Law (Shri A. K. Sen): We did not want to sit between the Speaker and the Chair

Mr. Speaker: I am afraid, he has already been displaced once

Shri Raghubir Sahai: Before the point of order was raised by my friend, Shri Tyagi, I was saying that the U.K. Act should serve as a model to all of us because we know that the very idea of office of profit was borrowed from the House of Commons of Great Britain and we have all along been proceeding on the lines of the British model

With your permission, I may now quote a few lines from the Bhargava Report of the Committee on Offices of Profit, Part I, page 9, in which he says

"These sections 26(1)(a) and 69(1)(a) of the Government of India Act, 1935, with consequential changes are reproduced in the Constitution of India as articles 102(1)(a) and 191(1)(a) respectively"

So, all these ideas have been borrowed by us from the House of Commons. As a matter of fact we should have profited by that Act and made our legislation simple, cogent and exhaustive as far as we could. By exhaustive I mean that there should be comprehensive legislation as was repeatedly urged in this House. Whenever this matter of offices of profit was taken up by Parliament and that there should not be more than one legislation on this point

Mr. Speaker: Hon Members, who spoke at the time of reference of the Bill to the Joint Committee, must give place to other hon Members who have not spoken so far.

Shri Raghubir Sahai: I was not a member of the Joint Committee

Mr. Speaker: No, not a member I find that the hon Member has already spoken at the time of reference to the Joint Committee

Shri Raghubir Sahai: I was neither a member of the Joint Committee nor have I spoken

Mr. Speaker: He spoke at the time of reference of the Bill to the Joint Committee

Shri Raghubir Sahai: At the time of reference, yes

Mr. Speaker: So, if he will go on speaking now, what about other hon Members who have not spoken? Anyhow as he has been called, he can continue and conclude as early as possible

What I want to do is, because I want to do justice to all hon Members, that those hon Members who took part in the debate at the time of reference of the Bill to the Joint Committee, would not ordinarily get an opportunity unless they have appended dissenting notes which they desire to explain. After all other hon Members should also get an opportunity to speak. There is nothing absolutely rigid but as far as possible I should try to accommodate other hon Members

Shri Raghubir Sahai: may continue

Shri Raghubir Sahai: I was speaking about the other legislation, i.e., the Representation of the People Act, 1951, in which also I find that there are certain sub-clauses to the main clause 7 regarding disqualifications for membership of Parliament or of a State Legislature where this offices of profit business comes in. I mean sub-clauses (d) and (e). Sub-Clause (d) runs as follows:

"if, whether by himself or by any persons or body of persons in

[Shri Raghunath Sahai]

trust for him or for his benefit or on his account, he has any share or interest in a contract for the supply of goods to, or for the execution of any works or the performance of any services undertaken by the appropriate Government."

Sub-clause (e) reads:

"if he is a director or managing agent of, or holds any office of profit under, any company or corporation other than a co-operative society in the capital of which the appropriate Government has not less than twenty-five per cent share,"

So, what I mean to say is that on offices of profit there should be comprehensive legislation and this piecemeal mentioning of this subject in one Act and another is misleading to the public. Therefore I was submitting that there should be a comprehensive Act on the subject.

I also find that no provision has been made in this Bill giving us an idea as to what would be the effect by incurring such a disqualification knowingly or unknowingly and how, if that disqualification was incurred, it could be removed. I find that there is a definite provision in the House of Commons provisions with regard to this, viz., section 6—Effects of disqualification and the provision for relief. When I spoke last on this subject, I drew pointed attention to this matter in my observations, but I think they have been entirely ignored.

In this Bill I also find that the procedure for the declaration of disqualifications has not been defined. We find that a provision concerning this has been inserted in the Great Britain Act.

Then there are other objectionable features which I find in this Bill, viz., Vice-Chancellors have been exempted from this disqualification. This subject has already been discus-

sed several times and there are no two opinions that the office of a Vice-Chancellor is a wholetime job and he can scarcely do justice to his membership of Parliament. Previous experience has also shown this. We know that in the case of the late Acharya Narendra Deva and the late Shri Shyama Nandan Sahaya, although they were respected Members of this House as well as of the other House, they could not give such time as was required by the two Houses because the business of Parliament is a wholetime job.

Then, this sacred office of a Vice-Chancellor should be kept away from political influences as far as possible. Take the case of the Banaras Hindu University which was discussed on the floor of this House more than once and the way in which all sorts of criticism was levelled against the present Vice-Chancellor. In fact, he was made the butt end of all kinds of attack. What would have been his position if he had been a Member of this House?

We should also guard against ambitions of over ambitious Vice-Chancellors. We know that there are very learned Vice Chancellors in our country, but at the same time we know that there are over-ambitious Vice-Chancellors too, who wanted to be here, there and everywhere. Let us guard against those over-ambitious Vice-Chancellors.

In this connection our present hon. Law Minister, whom I saw just now, holds an entirely different view from that of his predecessor, Shri C. C. Biswas. On a previous occasion Shri Biswas stated—I am again quoting from the Report of the Committee on Offices of Profit (Bhargava Committee Report), page 23—

"They are executive officers. They carry patronage and all that."

Further, he went on to say:

"I may tell you that it is quite a reasonable objection that as

Vice-Chancellors do whole-time job in the Universities, they find little time to attend to duties of Parliament. As a matter of fact, they are so busy that we very seldom find them in this House or in the other House"

Now, every body will endorse these weighty remarks of the previous Law Minister on this subject

Then there is the case of the Sheriffs. It is still worse. They have also been exempted from this disqualification. We find that in England, a Sheriff attends to the judges at assizes and election petitions and is responsible for the executive execution of writs and of the sentence of death, acts as Returning Officer at Parliamentary elections and is liable for the safe custody of prisoners. In India under the Sheriff of Calcutta (Powers of Custody) Act, 1931, he was authorised to take any person in his lawful custody to or from the Presidency Jail of Calcutta. Under the Sheriffs Act, 1852, they are empowered to keep in their possession and to dispose of properties that are entrusted to them by the civil courts. Our present Law Minister also narrated the duties of the Sheriffs in his last speech. His functions, according to him, are, they are entrusted with the service of processes of courts for executing writs of execution for arresting persons convicted of contempt of court, taking them to jail and in those courts which still have sessions court, for producing prisoners to the Sessions court from jail and conducting them back. These are the important functions performed by him. From all this that I have mentioned, it would appear that the Sheriffs virtually perform the duties of a police officer, a jailor or custodian of property. Then, why need they be exempted from this disqualification? Whether they receive any remuneration or not is entirely immaterial. On this subject, I am again quoting from the pregnant remarks of the Bhargava Committee report on page 24 in which the question of Honorary Magistrates,

Justices of the Peace, Revenue officers and Munsiffs or Judges was discussed and they have been treated as holders of offices of profit, for, these posts confer great influence and prestige on the incumbent and the only fact that they are honorary servants should not weigh with the Committee in saving them from the disqualification." I submit that the arguments given by the Bhargava Committee report with regard to Munsiffs and Judges apply on all fours with regard to the Sheriffs and if they were not exempted from that disqualification, surely, the Sheriff should not have been exempted from this disqualification.

I am sorry, the case of pensioners was not taken up by this Committee. At present, we find that retired government servants, namely, Doctors, Judges, Magistrates, who have served the Government for a life time, who are in receipt of regular pensions, do sometimes seek election to Parliament or the State legislatures. They get their pension and also the pay and allowance, for which any Member of Parliament or Member of a State legislature is entitled. This appears to be very unfair. On principle, they should not be permitted to seek election and they should be under this disqualification. Even if this disqualification is removed, they should at least forego either their pension or the pay which they are entitled to get as a Member of Parliament.

From all these remarks that I have made it would appear that this Bill requires drastic changes, and as was evident on the previous day also from the speeches that were made, the Bill suffers from a number of lacunae which ought to be removed. It was very good on the part of the Deputy Law Minister to have said that he has an open mind on the subject and he would like to listen to every argument and give due consideration to them and to the suggestions offered in this House. I hope the suggestions that we are now making will be received sympathetically and with consideration by the hon. Law Minister.

Mr. Speaker: Shri Vasudevan Nair I find all hon Members from the Communist Party are only from Kerala. The other hon Members who took part on the last occasion were also from Kerala. Let it not be said that the other States have not been represented.

Shri Punnoose (Ambalapuzha) The fault will be ours

12.34 hrs

Shri Vasudevan Nair (Thiruvella) Sir, as the hon Deputy Minister on the last day remarked, this Bill is a very important Bill not only to the Members of this House as he said, but according to me, to the entire country, because, according to the present provisions in this Bill, Members of Parliament, the representatives of the people are not allowed to be members of a number of our Corporations and Chairman, Secretary or Members of the Standing Committee or Executive committee of a number of other institutions. There is a long list attached to the Bill as Parts I and II of the Schedule.

I agree that the Joint Committee has spent a lot of time on this Bill. They nearly worked for a year in preparing their amendments and proposing their changes. They might have given careful consideration to the many provisions of the Bill. But I am sorry, I cannot agree with their major recommendations and important proposals of the Joint Committee. I take definite objection to this provision, sub-clause (1) of clause 8 when it comes to this part,

"but excluding (1) the office of chairman, director or member of any statutory or non-statutory body specified in Part I of the Schedule and (u) the office of chairman, secretary or member of the standing or executive committee of any statutory or non-statutory body specified in Part II of the Scheduled."

My proposal is that this should be deleted from this Bill, and Members of Parliament should have the freedom, right to be members of such bodies. According to me, the very approach of the Joint Committee and almost all the Members who have submitted their dissenting minutes too is a puritan one. Their approach is so abstract that they do not take into consideration the great developments that are taking place in our country. According to me, if the Bill is going to be passed like this, I am afraid, the Parliament, the sovereign body of this country, will not be able to discharge its responsibilities to the people of this country. We are in a period when very great developments in our economic, and industrial field are taking place. Already a number of autonomous corporations have come into existence and we are quite sure, a number of others are going to take shape in the near future. Why should we shut our eyes to realities? As soon as the Second Five Year Plan was framed, as soon as the policy of the Government was proclaimed with regard to the development of the public sector, there was a lot of hue and cry against that. Even today, there is a regular campaign going on against this particular policy of this Parliament of this Government and there are interests, I should say there are powerful interests in our country who are out to sabotage this policy of the Government and this Parliament. They are so particular to see that these autonomous corporations are not contaminated by representatives of this House. They are so particular to see that as far as possible, these bodies are left to the very same representatives of big business who used to run many of these institutions as their private institutions. Now, they want to come into this organisation or this body through the back door. I will come to that part later. I will relate the story of many of our corporations, many of these bodies. Who are running these bodies actually today? In this background, we should look at this problem. I am afraid the Joint Committee did not approach this

question in this light, taking these factors into consideration. That is why I said that they have looked at the problem from the abstract point of view or the puritan point of view

Now, as I said, there are interested parties to see that the Government or the public sector does not come in, in any of the sectors of our economy. Let me illustrate my statement by a very recent development. The National Development Council has taken a decision that the State should enter the wholesale trade in foodgrains. The Chambers of Commerce and Industry and representatives of big business have already come out denouncing the action of the Government. They have already given their verdict. They have said that this is going to be a failure. This is doomed to be a failure. We have some experience and we learn something from the experience of England where when the Labour Party was in power, a number of very important industries were nationalised. The corporations or organisations which were established to run these nationalised industries were filled with the very representatives of big business who were successful in seeing that the nationalised concerns were a failure.

In our country also such an attempt is being made, and in this context it is very necessary that we should have at least some representatives of the people on such bodies in the committees of these corporations and boards. I think it is the duty of this House, of the Members of Parliament to nourish these institutions, to protect these institutions and also to safeguard these institutions as the apple of our eye. If we are not able to do that, then we will not be able to do justice to the people of the country who have sent us to this House.

Let us examine what is the alternative if this is not done. Of course, Members of Parliament would sit satisfied if on such bodies we can nominate real experts in the field. Is

that happening today? Are real engineers, technicians and experts in the field being nominated to such committees? We would not have any complaint if such people could come and manage such institutions. It would be much better, but that is not happening. On the other hand, I can give you some instances. Take Air India International. Shri Tata is there. Take Sindri fertilisers. Shri J. J. Gandhi is there. Take the Rehabilitation Industries Corporation. Even in that corporation there is Shri G. D. Birla. Take the Industrial Finance Corporation. Lala Sri Ram was there. Now he is not there. I agree I can give more instances like this. As regards this Rehabilitation Finance Corporation, we all know that all individual schemes, all industrial schemes of rehabilitating refugees were allowed to be utilised only by private capitalists till now, and they failed miserably. They are again coming in into the newly created Rehabilitation Industries Corporation, and are trying to utilise Government money and the public sector is being put in the hands of these very same people. So, that is the alternative before us.

If some representatives of the people, if some Members of this House are there in these committees, they can influence others who are in the committees, others who are in these corporations. At least Members of Parliament will react to public opinion, but what about these representatives of the vested interests—the capitalists and the bureaucrats?

Mr Speaker: If a Member of Parliament misbehaves, would the other Members have the courage to attack him here? And would not some people side with him and some others side with the others? This House will be divided.

Shri Vasudevan Nair: But we go by majority. The House may be divided.

Mr. Speaker: There will be different majorities for different individuals.

Shri Vasudevan Nair: But we should have some faith in this House and the Members; otherwise how can we carry on? My complaint is that we look at this problem with a suspicious mind.

Mr. Speaker: Then, will he be allowed to vote if there is a charge against him? We will assume a Member of Parliament is a chairman of a particular committee. Very often we call the affairs of that committee into question.

Shrimati Sucheta Kripalani was a chairman of a committee to investigate into the affairs of a corporation. If she should herself be the chairman of that corporation, what will happen in this House?

Shrimati Renu Chakravarty Basirhat: Even a vote of no-confidence can be moved against her.

Mr. Speaker: Therefore, she will have some to support her and some to oppose her. This House will not give a dispassionate decision about it.

Shri Punnoose: You asked whether the Member would be allowed to vote. We can legislate that he or she should not get a vote on that occasion. Even that is possible.

Mr. Speaker: I do not know. It is for the hon. Members to decide whether it will be at all advantageous that persons who do not have any vested interests in any particular institution should be in charge, open freely to discuss, debate and accuse....

Acharya Kripalani (Sitamarhi): Canvass.

Mr. Speaker: Or even allowed to canvass on the floor of the House.

Shri Punnoose: Is it not a fact that representatives of private capital are in this House. They can be here. They are representing their interests.

Mr. Speaker: They are alone. Yes, he may go on. I only expressed my views.

Shri Vasudevan Nair: Yes, Sir. This is a very important question. As far as I can see, mainly three arguments...

Mr. Speaker: Instead of capitalists ruling outside, there will be a number of capitalists here, without their own capital, in charge of various administrations. At least the capitalists have got their capital, but these persons, Members of Parliament, will be interested in particular institutions, transacting public money, and when some person is accused, there will be a number of persons for them, and a number of persons against them. This will become a body corporate.

Shri Vasudevan Nair: If a particular Member abuses public property, Members of Parliament are expected to denounce that particular Member. We proceed on such expectations. Otherwise, we cannot exist in this world.

Mr. Speaker: It will become more difficult.

Shrimati Sucheta Kripalani (New Delhi): That Member has greater advantage to canvass than any other Member.

Shri Vasudevan Nair: If Members of Parliament are liable to be canvassed like that by a particular Member...

Shri Narayanananthy Menon: (Mukandapuram): No Member is amenable to canvassing.

Shri Vasudevan Nair: it is just an impossible situation, and we cannot have public life.

As far as I can see, mainly three arguments were raised when it was stated that Members of Parliament should be excluded from such corporations and committees. One major argument was that the independence of the Members will not be there.

Mr. Speaker: One word. I referred to Shrimati Sucheta Kripalani, but there is nothing in it. I am sure I will not be misunderstood.

Shrimati Sucheta Kripalani: There is no misunderstanding.

Mr. Speaker: I never impeached her integrity. It was only an instance, by way of illustration. Even if she should be a Chairman and still a Member, so far as she is concerned, I have absolute faith in her.

Pandit Thakur Das Bhargava (Hissar): She is a Member of character, but others like us who are under her influence will also support her, so that Government will get her as well as other persons who are interested in her to support them, and it will be a very bad state of affairs in cases other than hers from the public point of view.

Mr. Speaker: And the Speaker may also support!

Shri Vasudevan Nair: The major argument is that the independence that is expected of Members of Parliament will not be there if they are going to be members of such corporations and committees. I fail to understand this argument. It does not necessarily mean that a member of such corporations and committees will lose his independence. After all, there are Members, there are representatives in this House as well as in other Houses who have all kinds of interests outside. I need not go into details. There are among us industrialists themselves, there are among us representatives of big business who always argue for big business. I need not mention names, that is not proper. So, there are all kinds of people who have got all kinds of interests, and are we going to say that every one is taking an objective, disinterested, dispassionate view when every question is being discussed?

Mr. Speaker: He is expected to.

Shri Vasudevan Nair: He is expected to, but we know there are cases when even without such membership, people take sides, people take up positions which are not objective, which

are not dispassionate and not disinterested. There are such instances. My argument is that membership of such corporations does not necessarily make him defendant, take away the independence of a Member.

Pandit Thakur Das Bhargava: Probably it would; not necessarily.

Shri Vasudevan Nair: In certain cases it may happen, I do not dispute, I am coming to that, but this membership does not necessarily take away the independence. It depends upon the individual.

The second argument is that Members may become corrupt. This argument also I am not able to digest very much. Of course, there is some element of truth in this argument. But, from among the Members of Parliament we are having Ministers and Ministers of State. How many Ministers do we have? A number of Ministers. If a membership in the State Trading Corporation can corrupt a Member, if a membership on the standing committee or the executive committee of a Coir Board or a Rubber Board can corrupt a Member, of course Ministership will much more corrupt a Member. There may be such cases. But, at the same time we know that there are Ministers and Ministers who are not contaminated by such positions. So, that also depends upon individuals, according to me. It all depends upon the movements that make up the individuals. It all depends to some extent upon the nature of parties.

Pandit Thakur Das Bhargava: How will the Minister be corrupted? He is in charge of the Ministry, and he is interested in the Ministry, and he does his very best in the interests of the Ministry. So, how will he be corrupted? He cannot be corrupted at all. It is to see that his influence does not corrupt the Members of Parliament that we are having this Bill. Ministership is excepted by the Constitution itself.

Shrimati Sucheta Kripalani: And he is a top executive authority. So, this is no argument at all.

Shrimati Renu Chakravarty: A Minister is not disqualified; that has been provided in the Constitution itself.

Mr. Speaker: If the Minister is disqualified, then we would not have a parliamentary democracy but only a Presidential democracy as in America.

Shri Vasudevan Nair: The third argument is that we have got to devote almost our whole time to our work as Members of Parliament, and so, we may not get the time for doing such extra work. Of course, that is an argument that should be conceded. Suppose a Member is put in charge of the chairmanship of a corporation; if that chairmanship is going to prove a full-time job, then I agree that that Member cannot continue to be there. But as far as I understand, many of these boards of directors or managing boards are only policy-making boards. They are not sitting for twenty-four hours a day on all the three hundred and sixty-five days in a year in charge of the administration. There are others who are in charge of the administration. These boards only lay down the policy. And according to me, work as a Member of Parliament includes such work also. The work of such corporations or such committees is also part of the work of Members of Parliament. I agree that Government or the proper bodies who are choosing such Members to these committees should select such people as can put in some amount of work, some amount of constructive work in such institutions. So, it all depends upon the choice also. The work of such committees should be considered as part of the work of a Member of Parliament.

Then, I would like to make clear that because I argue that Members of Parliament should be allowed to be

on these committees, I do not cherish such an amount of illusion as far as the working of these corporations is concerned, in the present circumstances. For, what is the use of having a law that Members are allowed to work on such corporations, if the proper authorities who are to choose the Members do not give consideration in the proper spirit and choose the proper persons? There are such factors now existing. This Bill, if it is passed, accepting the amendments that we have put forward, can be made use of by Government and by the Ministers to have their own people in certain corporations and in certain bodies; of course, that is possible. And such posts can be made use of to solve certain problems inside the Government or inside the party that runs the Government. All those difficulties are there. So, I do not say this will solve all the problems, and that all these institutions will run all right because some Members of Parliament are there.

But there are two alternatives before me. One is leaving these institutions entirely in the hands of officials and representatives of big business. The other is that along with them we have some representatives of this House or the other House, and in the States, the representatives of the State Legislative Assemblies. And all those Members in such bodies can be made use of in the interests of the country, in the interests of those institutions and in the interests of the people. Between these two alternatives, I choose the second alternative. There is no meaning in shutting out the Members of Parliament from such bodies and leaving them entirely in the hands of big business.

So, I think there should be a lot of re-thinking, as far as this Bill is concerned. I would have heartily supported the amendment put forward by my hon. friend Shri A. C. Guha, and which was ruled out of order unfortunately by the Deputy-Speaker earlier, namely that this Bill should

go before a Select Committee again; but on technical grounds, the House could not consider that amendment. So, the only way out is for Government to withdraw this Bill as it is. That is my suggestion. And I support Shri A. C. Guha, who proposed that the Bill as it is should not be enforced upon this House and it should be withdrawn. We should give some more careful consideration to the various provisions of the Bill and to the various principles underlying the Bill. And then, let Government come forward before this House during the Budget Session with a fresh Bill, different from this Bill, and then, we can pass that Bill.

Shri Hem Barua (Gauhati): As I can and scrutinise the provisions of this Bill, somehow or other, the impression that I gather is this, that it is going to defeat the very purpose of the democratic institutions that we are endeavouring to build in this country.

As regards article 102 of the Constitution, whatever might be the motive force behind it, and whatever might be the ideal that must have inspired and actuated the architects of the Constitution, I find that it would have been better that there had not been any provision like that in the Constitution. I find this provision in the Constitution a little bit superfluous, if not redundant. Whatever might be the spring-board of inspiration, so far as article 102 of the Constitution is concerned, the provisions of this Bill seek to put a lot of loose interpretation on this particular aspect of the Constitution.

At the same time, I would say that while making these provisions in this Bill, there was no guiding principle before the Members of the Joint Committee. I hope they will excuse me for saying so, because I do not find any guiding principle, any fundamental principle in drawing up the pattern of disqualifications to be incorporated in this piece of legislation.

By common consent we are dedicated to the building up of a parliamentary form of Government in this country, so that democracy may live. I do not want to be verbose about it, but then on the success or unsuccess of the democratic system that we want to build up in this country depends the future of democracy not only in this country, but also—let me limit the dimensions—in the whole of South-East Asia, and it is more so, against the background of the collapse of democracy in our neighbouring countries.

This being so, I find a heavy responsibility lies on the shoulders of Parliament. While deliberating upon the provisions of this Bill, we have to take one particular aspect of things into consideration, and that is, how to maintain the dignity and the purity of Parliament intact, because once the dignity of the Parliament is damaged or the purity of Parliament is stultified, the people would come to lose confidence in this system, and the very purpose of the Constitution, namely to build up a democratic system in this country, would be defeated, and then the entire country, and the future generations, will blame us for this failure on our part.

The other aspect is this, and that is, there is a compulsion of some unavoidable facts. What are those unavoidable facts? We find today that the responsibility of Parliament, this Sovereign forum of the nation, has increased thousand fold, and the increased responsibility of Parliament makes for an increased volume of work. And when I speak of volume of work, it does not mean volume of work only on the floor of the House, but it includes volume of work that a Member of this House has to take into account, so far as his work in the Library is concerned, so far as his work in the field or in the factory in the cause of the people is concerned. Now, it is becoming more and more voluminous. It claims more and more time and attention. This House claims more and more time and attention of the Members of

[Shri Hem Barua]

Parliament. On the other hand, we find another aspect of things emerging out of the present situation. We find that the constituencies which we all have the honour of representing here are advancing so far as political consciousness is concerned, so far as enlightenment is concerned. It is a very healthy sign for democracy no doubt; but at the same time the constituencies are becoming very vigilant. They want the representatives to visit them when the House is not in session; they want them to identify themselves with the peoples' interests. This factor we must not forget. It is because of these compelling forces, as I have pointed out, that I do not want the association of Members of Parliament with any extra-parliamentary work whatsoever, because that claims a fair deal of their time and attention. I want them to be devoted servants of yours

13 hrs.

Mr. Speaker: Of ours.

Shri Hem Barua: Of yours, Sir, worshipping in the shrine of this House in the cause of the people, in the cause of the country. If their attention is diversified by multifarious activities, the attention that they are called upon to devote to this House would suffer.

Now, Sir, it is against this background that I would like to go a step further. Because of the increase in the volume of work, of increase in the volume of responsibility, let alone allowing a Member of Parliament to associate himself or herself with any extra-parliamentary work, I would go a step further and say that a Member of Parliament should have no subsidiary occupation even. That is what I feel. It must be a dedicated job. Absorption of a Member in any subsidiary occupation should not be allowed. How does this affect his Membership, I shall point out. I am connected with an educational institution and I have been offering resign-

ation after resignation of it, mainly because of the fact that I feel that a job for which the people have elected me must be done with care and attention. A Member must not diversify his attention between two bodies for the sake of earning more money. I would, therefore, go a step further and say that a Member must not absorb himself even in subsidiary occupations, from the time he has been elected to this House. If you allow a Member to occupy himself in extra-parliamentary work, the dignity of the Parliament suffers. On no account whatsoever would I like this Parliament to be converted into a springboard for offices of profit or for personal aggrandisement. It is a fact that Members of Parliament are privileged persons. They claim certain privileges and the country also allows them certain privilege. Now on the strength of those privileges, on the strength of the fact that he is a Member of Parliament, if he gets associated with extra-parliamentary work, that damages the interests of Parliament. I would beseech you to see that this is stopped and the purity and the dignity of the House is maintained by your enjoining upon the Members to devote undivided attention to this House.

Let me now come to the provisions of this Bill. I shall refer to them one by one, but before I do so, I would like to say one thing. There is no fundamental principle whatsoever laid down, in order to formulate pattern of disqualification. On this aspect even article 102 of the Constitution is silent. Article 102 of the Constitution leaves the responsibility of determining qualifications or disqualifications on the shoulders of Parliament. Instead of laying down the basic principle by the formulation of a pattern, they have left the entire responsibility in the hands of the House. In this connection I would draw the attention of the House to the Spens Committee recommendations. The Spens Committee

constituted during this century. The Spens Committee has laid down the basic foundations in order to draw up the pattern of qualifications or disqualifications. What the Spens Committee has laid down as the basis were kept as fundamentals by the framers of the British Act. What about us? We do not have any basic principles like that.

Mr. Speaker: Are they included in the statute itself?

Shri Hem Barua: They had a Committee; it is known as the Spens Committee, and it laid down certain principles. Two of them are very important. One is incompatibility of simultaneous membership; another is physical impossibility of simultaneous attendance. They had these two principles before them in drawing up the pattern of qualifications or disqualifications. My humble submission is that we do not have any such basic principles to draw up this pattern.

Mr. Speaker: Did the Committee here evolve any principles before they applied it to individual cases?

Shri Tangamani (Madurai): No principles appear to have been applied

Shri Jaganatha Rao (Koraput): Even the House of Commons Disqualification Act, 1957, does not lay down any principles.

Mr. Speaker: Mr. Barua says the Committee had before them two well-known principles and they tried to apply those principles to individual cases, but the sub-committee here evolved no such principles for their guidance for application to various cases like Membership of Corporations, and so on. Have they been set out in the Sub-Committee's Report or Joint Committee's Report?

Shri Jaganatha Rao: They were considered.

Mr. Speaker: Have they set them in their report? They must have something to go by.

Shri Morarka (Jhunjhunu): As a matter of fact the sub-committee says—(page 19, paragraph 14):

"In categorising the Committees into disqualifying and non-objectionable ones no single uniform principle has been strictly applied as the Sub-Committee was influenced by the fact that in the peculiar circumstances of our country and the undeveloped state in many respects participation of members of Parliament, many of whom have special knowledge of various subjects could not rigorously be excluded".

Mr. Speaker: This is the principle on which they went.

Shri Hem Barua: So the Sub-Committee or the Joint Committee did not lay down any principle. A very serious charge was brought in this Committee, by Pandit Thakur Das Bhargava. He said that some of the Central Government Departments as also some of the State Governments did not co-operate with the Joint Committee by furnishing the necessary material. Hence the Committee had to work with inadequate materials, or on inadequate information. No doubt the Members of the Committee, which included Pandit Thakur Das Bhargava and the Law Minister, put in their best efforts.

Shri Tyagi (Dehra Dun): You are always in the right!

Shri Hem Barua: Thank you for the compliment.

Now, before allowing Members of Parliament to associate themselves with certain corporations or committees, or other statutory bodies, we

[Shri Hem Barua]

should see whether this association is compatible with the Membership of Parliament or not. That must be a thing.

Then there are provisions made for association with certain corporations and committees, and there is a Schedule for it. It is also said that these organisations are non-profit-making organisations, and since they are not profit making organisations, the Joint Committee or the Bill has provided for a compensatory allowance, and the compensatory allowance—the daily allowance particularly—is not going to exceed the daily allowance that the Member of Parliament enjoys when Parliament is in session.

It is true that association with these corporations might not be association with profit making organisations. But should we forget that there are invisible profits behind this association also, and often invisible profits are more alluring than visible profits, just as a dream women often is more alluring or charming than a woman in flesh and blood? It is something like that. Should we forget this invisible profit accruing out of this association?

I will limit my argument to certain basic points. Take, for instance, association with the Central Board of Film Censors or with the Special Recruitment Board. It is allowable under the provisions of the Bill; a Member of Parliament can associate himself with the Central Board of Film Censors and the Special Recruitment Board. Regarding the Central Board of Film Censors, I do not want to bring it as a libel against any Member of Parliament; I know that Members of Parliament, because they are the people's representatives, are men of character, of sound mind, of sound morals and all sorts of things. At the same time, human nature is something that is fallible. There are foibles also. If we take

into account these foibles and if we base our argument on a principle, we find in respect of the association with the Central Board of Film Censors or the Recruitment Board, though they might look innocuous at the surface, there are deep portents within. Hence the argument that since it is incompatible with the membership of Parliament, a Member of Parliament should not be allowed to associate himself with any extra-parliamentary committee.

Now, my hon. friend has argued about the private sector, the horizon of industry and that sort of thing. That was his argument. It is a very sound argument. But at the same time, there are two possibilities: either a Member of Parliament who gets into an association like that or a corporation like that gets himself defeated and overwhelmed in it or he becomes redundant. He has to withdraw from it or become part of the system or the pattern that is built up by the private sector, if the pattern might be a pattern of exploitation, the pattern might be a nasty one,—and there is every likelihood, taking human nature into consideration, of other Members also becoming a part of the pattern. I do not want to preserve Members of Parliament in splendid casements of isolation; at the same time, we have to open our eyes to these objective factors before us.

There is another thing. Often there might be abnormal situations arising out of this association with corporations; committees and the like. Since the activities of these committees, corporations and so on—take, for instance, the L.I.C.—are under the supervision or vigilance of Parliament, they may be questioned on the floor of the House. When a comrade or colleague of ours is associated with a corporation like that and when the activities of the corporation are questioned by Parliament on the floor of the House, he becomes a part of Parliament, he becomes a part of our

selves. Then we come to the purity of Parliament—the purity of Parliament is not an impersonal thing; it is a collective purity: at the same time, it is a purity on the individual plane also—we cannot say that only one Member of Parliament has associated himself or was allowed to associate himself with this corporation and the corporation is in the docks of Parliament today, and it does not affect us. By saying like that, we cannot put him in the docks and at the same time claim purity on our part. That is one thing. That is what has happened so far as the Mundhra muddle vis-a-vis the LIC and things like that are concerned. Those abnormal situations might emerge on the floor of the House and then we have to preserve the prestige of Parliament, and as I have already said, the prestige of Parliament does not only mean collective prestige, but also individual prestige, because we have to carry the dignity of this House not only within the Parliament building but also outside.

That is what I have been feeling when Members of Parliament go abroad. I feel it acutely that we should carry with us the dignity of the country, the dignity of the nation and the dignity of the Parliament. In order to preserve that dignity, we have to preserve it not only on the collective plane but also on the individual plane.

Then I come to advisory bodies. There are two categories already—statutory and non-statutory bodies. Then we find a third category called advisory body. Against the background of statutory and non-statutory bodies, the advisory body does not have any *locus standi*. Now, let us scan and examine the work of the advisory bodies. Suppose the recommendations of the advisory body—it does not matter whether that body is going to be a single-member body or a multi-member body—to the Government are going to be only advisory and recommendatory, then there is no meaning in duplicating the administrative machinery as also expenditure on

administration by having this superfluous thing. On the other hand, if it means that the recommendations of the advisory body are binding on the Government, think—it might be invisible in a sense—of the enormous prestige, the enormous influence and the enormous power that such a body is likely to command. Whatever might be the good intentions we might have about these bodies—the path to hell is paved with good intentions only—the flood-gates of corruption are opened, because when a man knows that a certain Member of an advisory committee advises such and such Minister, the country being as it is, that Member is drawn into the catacomb—I do not say of corruption—of unhappy things.

Then let me come to individual items,—these items, there are so many. Some Members have already spoken and some are going to speak. There are dozens of them mentioned. What about these individual items? I would only pick up a few. Take, for instance, the Home Guards and the office of Sheriff. Shri Raghbir Sahai has spoken about the office of Sheriff and so I do not think I should deal with it. Then there is the office of Vice-Chancellor of a University, membership of the University Executive Council etc. Now, we are waiving disqualifications in relation to these offices only because of the fact, as I have said before, that we do not have a fundamental or guiding principle before us while formulating the provisions of this Bill. Or else we would not have waived disqualifications so far as these people are concerned.

I should now refer back to the Spens Committee. It had two fundamental principles primarily or particularly before it. One was incompatibility; another was the physical impossibility of simultaneous attendance. So far as these offices are concerned, particularly the office of Vice-Chancellor, the consideration of physical impossibility of simultaneous attendance operates and operates very largely. The Vice-Chancellor's job is a whole time job,

[Shri Hem Barua]

and if it is not a whole-time job anywhere it must be made a whole-time job in view of the educational responsibilities that are multiplying today in our country.

Mr. Speaker: Why was it thought necessary to exempt Vice-Chancellors?

The Deputy Minister of Law (Shri Hajarnavis): They are already exempt under the 1954 Act.

Mr. Speaker: We are considering it now.

Shri Hajarnavis: We are merely continuing that provision.

Shri Tyagi: What is the logic of it?

Mr. Speaker: Then, they did not exercise any independent judgment now.

Shri Hajarnavis: It is only bringing forward the law as it exists and adding something to it.

Shri Tyagi: This should be amended as well.

Shri Hajarnavis: Then a case must now be made to repeal that.

Shri Tyagi: Instead of coming forward with another amendment later, it would be better to come forward with an amendment in this Bill itself.

Shri Tangamani: There is an exhaustive list prepared—both Part I and Part II.

Mr. Speaker: The hon. Minister only answers that so far as the Vice-Chancellor is concerned, he was not disqualified. We had Shri Syamanandan Sahaya here from Bihar. He was a Vice-Chancellor simultaneously. Asked why he was allowed, the Minister says it was continued from previous practice.

Shri Hem Barua: Whether it is a previous practice or not, we are discussing the provisions of this Bill, the Bill that is on the anvil of Parliament today. About this office of Vice-Chancellor, what happens? I have said,—it is a fulltime job. If it is not a whole-time job anywhere in this country, in any University, it must be made a whole-time job in view of the fact that the responsibility of the Vice-Chancellor's office is increasing today. It is the absentee Vice-Chancellors that have created problems of administration as also problems of discipline among the students with which this Parliament is faced. It was only recently that we discussed certain problems facing the Banaras Hindu University. When we discussed the Banaras Hindu University, it was not only the Banaras Hindu University that was in the dock but the entire country and the student population that was there on that occasion.

Shri Vajpayee (Balrampur): They have a whole-time Vice-Chancellor.

Shri Hem Barua: There are occasions when the Vice-Chancellors are absentee Vice-Chancellors as has been pointed out by Shri Sahai. I do not want to name them. But if we make a provision in law that a Vice-Chancellor can be a Member of Parliament and, at the same time, stick on to the office of Vice-Chancellor, in that case, we give a lease to the administrative problems in the Universities. That we do not want to do.

If somebody desires that the Vice-Chancellors are very big people and they are wanted as ornaments in this House, I would say that the days of decorative emblems are over and the days of serious work and hard application have set in. We must not forget that. We do not want ornaments here. Because of these circumstances and conditions, the objective conditions, ornaments as ornaments can shine in brilliance neither here nor there because of these disadvantages;

because of the claim on their time and attention, because their energy will be divided between two responsibilities and one responsibility is as much serious as the other responsibility.

There is another provision in the Bill—there are so many provisions that have to be deleted—about the membership of the Executive Council of the University. With the experience that I have of a University, I want to tell you that this membership of the Executive Council of the University and simultaneous membership of Parliament must go. The Executive Council is a large administrative body in the sense that it meets very often and it has to meet very often in order to decide so many things—administrative and other problems in the Universities.

Supposing a member of the Executive Council is also a Member of this House—and this House has its meetings at least during 7 months out of 12—in that case, there is that element of physical impossibility for a Member of this House simultaneously to attend the meetings or sittings of the Executive Council of the University with those of the Parliament. Because all these practical difficulties stand in the way, a Member of Parliament must not be allowed to be a Member of the University Executive Council also. Therefore this item in the Bill must go. We must ring the ding-dong bell to it.

What about the Home Guards? The association of a Member of Parliament with the Home Guards is a derogatory thing. They discharge police functions; at the same time, these Home Guards are supervised by the police officers. Supposing in a particular place or a particular rural area where there is a police outpost, a Member of Parliament is to be connected with the Home Guards there, he is to be supervised by a Sub-Inspector of Police or an Assistant Sub-Inspector of Police which damages

his prestige as an individual and also damages the prestige of the Parliament over which you preside. That is, about the Home Guards.

Then, about the National Cadet Corps and the Territorial Army. I do not have any objection to association with these bodies because these are meant for national emergencies and national emergencies are national emergencies for all in the country whether he is a Member of Parliament or whether he is in the streets. National emergencies are national emergencies.

About Revenue Officers. This is an old institution and a tradition-bound institution too set up by the British rulers. They are the henchmen of the Government and they are in the villages as outposts of the administration. They discharge police functions—might be invisibly—and they are made to do it. They are a sort of secret police and just to associate Members of Parliament with this institution is as derogatory as associating Members of Parliament with the Home Guards institution.

Whatever that might be, as I have pointed out, the dignity of the House has to be preserved; democracy is to be saved and the parliamentary system is to be given a very wide base and all that. In view of these considerations, I find certain provisions in the Bill incompatible with the membership of Parliament. At the same time, there are physical difficulties for Members of Parliament to do honour and justice to both occupations. I want these Members of Parliament to be free from all extra-Parliamentary work.

Shri B. Das Gupta (Purulia): Sir, I rise to oppose the Bill. As amended by the Joint Committee, it militates against our Constitution. In the Statement of Objects and Reasons, in the original Bill, it has been stated that most of the recommendations of the Committee on Offices of Profit have

[Shri B. Das Gupta]

been given effect to. But, I am sorry to say that I find that some of the most important recommendations have not only been ignored; but, on the contrary, important Offices which were recommended for disqualification by the Committee have been exempted in this Bill. The Joint Committee did not at all improve the Bill, rather, it has made the matter more complicated.

In the original Bill, Government could not find it practicable to have schedules enumerating in detail the different offices which did not incur disqualification, offices for which exemption has to be made and offices which would disqualify the Members.

But the Joint Committee has, after all, found it practicable, to draw up a list of such bodies, boards corporations or committees,—offices of which will entail disqualifications,—to draw two such incomplete lists in two parts and attach them to this Bill as a Schedule.

13.31 hrs.

[MR. DEPUTY-SPEAKER in the Chair.]

I think it has created more confusion. It is incumbent on such a Bill to make a comprehensive legislation based on the underlying principle and the real intention of article 102 of our Constitution. Undoubtedly the principle is the proper development of democratic institutions and the democratic way of Government in the country. The intention is to keep the legislatures independent of the executive. In a democracy, a legislator must be free to carry out his duty to the electorate un-influenced by the personal loss or gain. A legislator must not have even the slightest scope of offer from the executive Government of any appointment, position or offices, however they may be described, which carry emoluments of some kind or the other with them. He must not be tempted

to put himself under the obligation of the Executive in the slightest way, not only technically but morally too. I submit that this Bill has left the door open for the executive to seduce the legislator.

Firstly, the attempt to base the Bill on the model of the British House of Commons Disqualification Act, 1957 is, I think, not an approach in the right direction. We have not realised—we must now realise—that the tendency to look to Great Britain or America for everything has not proved to be healthy in our national life. Apart from that, the development, especially, of the Parliamentary life in England has its own peculiar history and tradition going back for many centuries. Ours is different. The provisions which have been made by our Constitution and the laws, may not mean the same thing as they do in England. If we try to frame laws and try to have the same meaning, we may sometimes invite confusion and trouble in the practical field.

The Schedule attached to the Bill could not be made complete even within the last four years. Many more bodies have been left unlisted which stand for disqualification this way or that way. In Part I of the Schedule, 42 bodies under the Central Government and 55 bodies under different State Governments could be listed. In Part II, 28 bodies under the Central Government and 12 bodies under five State Governments only have been enumerated. Can it be a fact that the remaining eight States including U.P. and West Bengal do not have a single body which should be enumerated in Part II for disqualification?

In fact, the Joint Committee in spite of its long and best efforts could not secure the co-operation of some Central Ministries and States to make the list complete. If we enact this incomplete schedule we must be doing in effect an act to frustrate the bests of our Constitution.

Secondly, the question of practicability of preparing a complete list of such bodies comes in. If exhaustive lists cannot be prepared, the law in its practice is bound to be discriminatory in so far as the question of disqualification is concerned. The logic that the House of Commons Disqualification Act has a schedule and so we too should have one is untenable. For all practical purposes the objective condition of ours is quite different from that of England. England has a unitary form of Government, we have a Federal Government. England is a fully developed country. Ours is mostly undeveloped. A democratic Government is becoming increasingly a Government by Committees more so in our undeveloped country with the growing function of development Committees. Commissions, statutory and non-statutory bodies and similar other organisations are coming into existence in a growing number and would come by hundreds with the extension of the public sector and with the advance of the economy on socialist lines under the Central and the fourteen State Governments. With the decentralisation of the administrative and economic structure which today or tomorrow is bound to materialise, there will be no end to such bodies, big and small, there will be hundreds and hundreds of such bodies. To maintain an exhaustive list of such bodies from time to time, even by a Standing Committee as has been proposed, is an unworkable proposition. The effect will be undesirable. Some will be disqualified no doubt but their compatriots would get an easy access to this august House to bask in the sunshine of the executive, frustrating the very spirit of the Constitution and also the provisions of the articles of our Constitution.

There are some other important facts to which I may draw the attention of the House. I fail to understand why some vital recommendations of the Committee on Offices of Profit have not been given effect to in this

Bill. In its report, the office of the Vice-Chancellor of the Universities had been recommended for disqualification. But they have been exempted under this Bill. Why? Lombardars in general have been admitted. What is the function of these lombardars? It is peculiar that in Rajasthan a lombardar has got at least fifteen items of duties and then he is not exempted for the purpose of election to the State Legislature. But these lombardars and the revenue officers may be without any police function—have been exempted in this Bill, and this has only paved the way for corrupt practices in rural areas right and left. The Home Guards have been exempted even though they have got police duties. These are ominous. These provisions along with the provision in clause 3(h) where a committee for advising the Government has been exempted are in contravention of the very spirit of the Constitution.

In conclusion I submit that the present Bill should be withdrawn as it cannot be recommitted after the ruling from the Chair. A fresh Bill may be brought with as far as possible, a wide definition of the term "office of profit" keeping in view the past and present experience and the development in future. Undoubtedly, Sir, law can be made so that both members and candidates are enabled to ascertain in a clear and definite manner whether the acceptance of a particular office of public employment in a particular capacity would involve them in disqualification or not. I am sorry that the Bill has failed in that

Lastly, I may urge upon this House that the enactment which we are going to make today is of far-reaching importance. By our present action we are building up the future. It will be better for this House and for our nation if the Government withdraws this Bill as it is framed and brings a fresh Bill on the lines I have suggested.

Shri Ajit Singh Sarhadi (Ludhiana): Mr. Deputy-Speaker, Sir, we are grateful to the Joint Committee for their labours in drawing out a very comprehensive list of the offices where it would incur disqualification and where it would not. Of course, we have not got the guiding principles laid down in the Sub-Committee's Report which form the basis of this recommendation, but we can presume the guiding principles which they kept in view. We appreciate that they could not draw out a very exhaustive list because they had not the complete data before them. But the main principles, Sir, from which we have got to see this Bill are, how far it would conduce to the keeping of the independence and integrity of the individual Members of Parliament. I believe, that was in the mind of the members of the Sub-Committee when they drew out the list.

I think there is no difference of opinion on the main point; everybody wants that the Members of Parliament should be independent, should have integrity, should be kept beyond temptation, and they should truly and correctly reflect the views of their electorate and be in a position to courageously and boldly criticise the actions of Government which go against the public. But there is also another aspect from which we have got to see the provisions of the Bill. We have selected for our objective a welfare State based on the socialistic pattern of society. The functions and duties of the State are bound to increase in time to come, especially in the sphere of industrial activities, commercial activities and scientific activities where the State has to take most of the functions to itself in a socialistic pattern of society.

Now, naturally the question arises, are the Members of Parliament to be kept out of touch from all these Corporations that would be constituted if the State takes up the functions,

commercial, industrial and others. That was one view point that was placed from the Communist benches. I concede that we have to keep this also in view, but basically we have got to maintain the independence of the House. Therefore, we have got to see how far we should have a legislation the nature of which should maintain the independence and integrity of the Members of Parliament, and keep them beyond temptation. At the same time, in the corporations that may be constituted or the organisations or committees that may be formed in a socialistic set-up of society or a welfare State, the Members of Parliament should also be there in an advisory capacity to give them a status, to give them a position. In order to inspire confidence in the minds of the people about a corporation which the State is to run, it is not only the association of individuals and experts alone that is required, but to give it a status the Members of Parliament or members of public importance or public standing must be associated in some capacity or the other.

Sir, my respectful submission is this. This Bill is a very important Bill. It is to lay down for the future the qualification or disqualification of an individual who comes into Parliament. It is for all time to come, because every time we are not to come back to this House for a certain legislation. Therefore, we have got to keep both aspects in view while drawing up a legislation of the kind.

It was from this point of view that article 102 of the Constitution was drawn up by the framers of the Constitution. Whereas they said that holding of offices of profit would certainly be a disqualification, they have, at the same time, authorised Parliament to have a Legislation giving exceptions to the basic provision.

My submission is that we have got to judge the present Bill from a certain yardstick, and that yardstick should be that there must be a certain

balancing between the two views, a sort of a mean between the two. Let us see whether the present Bill meets that situation or not.

Now, unfortunately, the list that we have got from the Joint Committee pertains to both the Houses. We have got two Houses, the Lower House or the present Lok Sabha and the Upper House or the Rajya Sabha. In most of the States also we have got two Houses. As you know Sir, for the Upper Houses in States we have got certain electoral colleges which send in teachers, graduates etc. and we have also got certain constituents of the Municipal Councils and all that. In a way, the Upper Houses in the States reflect all the different kinds of people. That system could easily have been adopted by the Joint Committee in this matter.

I would suggest for the consideration of the hon. Law Minister whether it would be not in the fitness of things that Members of Lok Sabha should be entitled to serve on those bodies only which are advisory in character or which are created by Parliament or the Lok Sabha itself. They should not be associated at all with anything that carries a profit. An office of profit, as the Law Minister knows very well, does not confine itself to the benefit which that office gives as such, but an office of profit also means a certain sort of patronage. It has that definition also I find that most of the offices which are mentioned in the schedule, as recommended by the Joint Committee and which, it is said, would not incur disqualification, or at least some of them, are offices which are certainly offices of profit which carry a lot of patronage. I would submit that Members of the Lok Sabha should be kept in such a position where they could absolutely be beyond temptation. Their integrity and independence must be maintained. But, as I said, there are certain corporations or bodies which must have among

them public men of standing who must have a chance of studying their work and justifying their work or otherwise in Parliament, and in such cases disqualification can be removed in respect of their nomination or election to the Rajya Sabha. We could have two sorts of lists, which might strike a balance between these the two factors, whereby the integrity and independence of this House could be maintained and also, at the same time, such public men could occupy the position of Members of Parliament and justify the actions of the Corporations before the public through the Rajya Sabha. This principle was adopted in the matter of election to the upper Houses in the States.

So, my respectful submission is that my suggestion may be carried out. I quite see that the Joint Committee has undertaken a lot of labour and has done it at so many sittings, and this Bill is the result of such a long period of deliberation and consideration and it is a very important measure and is of a significant nature with very great implications. I think that the Law Minister would be well advised that in this form, which I suggested, the Bill is approved, then it would be better. Of course, the motion is not there for the purpose, namely, for recommital, and it has been ruled out of order. But I think that still we have got time and we should consider the aspect of splitting up the list into two parts: one part will mention that the Members of the Lok Sabha should not be able to occupy any office of profit even if it carries no monetary benefit but only patronage, and that they should be working only in an advisory capacity at such offices. That is my first submission before the House for its kind consideration.

My second point to which I will now draw your attention is this. It is contained, so to say in the provisions of the Bill itself, and I would not take long on that. In this respect, I agree with some of

[Shri Ajit Singh Sarhadi]

my hon. friends who have preceded me in their criticism. I find that there are three provisions which particularly need emphasis. They are sub-clauses (d), (e) and (f) of clause 3, which mention those offices which are excepted or which do not disqualify a Member from holding those offices. Sub-clause (d) mentions the office of a member of a House Guard, "constituted under any law for the time being in force in any State". Sub-clause (e) mentions the "office of sheriff in the city of Bombay, Calcutta or Madras." Sub-clause (f) speaks of the office of Vice-Chancellors of universities, etc. I would confine myself to these three provisions.

My respectful submission is that, as I stated at the outset, there should be a guiding principle, and that principle is, the Members should be beyond temptation. We have got to see whether these three sub-clauses do comply with that basic principle. I submit that they do not. They are absolutely contrary to it. Home Guard, as I understand, constitutes a sort of executive machinery for the keeping of law and order. It may be resorted to at a time of emergency, but, all the same, we have found that it has been used, and it is being used, by the police officers. I wonder how the membership of the Home Guard should not disqualify, especially when revenue officials of small stature have been rightly disqualified. This is a sort of anomalous position for which there cannot be any justification. It may be asked as to why an individual should be deprived when through a patriotic motive, he joins the Home Guard. It can be said that they are on the same level as the the Territorial Force members or the members of constabulary force or even the N.C.C. That is one of the arguments which have been advanced. Auxiliary Forces have also been mentioned. We have got to see that they are different things. But so far as the Home Guard is concerned, and its contact with the

public is concerned, I submit that the Home Guard should be excluded from the provisions of clause 3. There are amendments to that effect, and I hope the Law Minister would be able to accept them.

Next comes the office of Sheriff. Sheriff, as the Law Minister was pleased to state when he sponsored the Bill last, acts as an arm of the Judge for the purpose of execution of his orders. Certainly he forms part of the machinery of the executive in that case. Of course, my hon. friend who preceded me, Shri Raghbir Sahai, brought out the legal point on the matter and he has proved that the sheriff is an official of the Government and that *as such his position is attracted by an office of profit which should qualify*. Therefore, he said the post of sheriff should be excluded from this clause.

About the post of Vice-Chancellor; the point has been argued by Shri Hem Barua and I need not dilate on it further. I wonder if the justification emphasized by the hon. Deputy Minister in regard to this could hold good. He said that it was the practice previously to include this post. But when we are having a certain sort of legislation now, we should see whether a thing which previously existed is correct or not. If it does not fit in with the things existing or with the policy that we are now embarking upon, it should be eliminated. Therefore, I submit that these three sub-clauses be deleted. I hope the Minister would accept the amendments that have been tabled in this connection.

My main point, as I have already submitted, is that the Bill is certainly objectionable inasmuch as the Members of the Lok Sabha have not been put in such a position as I pointed out. That is, the Members of the Lok Sabha at least should be kept beyond temptation, and the dignity and the independence of the Members should be maintained, and such, they should never be allowed to serve on committees which carry patronage.

Mr. Deputy-Speaker: I will now call on Shri T. Subramanyam. Those who have had chances of speaking when the Bill was being referred to the Joint Committee will be called a little later.

Shri T. Subramanyam (Bellary): It is gratifying that this Bill is before us after lapse of a fairly long period. I submit that in enacting this measure there should be no further delay, because a lot of confusion and difficulty was created in the past. The main object of the Bill is to make the membership of Parliament a source of service to the nation and not a source of profit to the Member by virtue of any office being held either under the Central Government or under the State Governments, and to enable the Members to maintain high standards of integrity, honesty and responsibility in the discharge of their public functions as representatives of the nation. This is the chief objective. In implementing this objective we should not be very rigid nor allow the position to get very loose. We should adopt a position of golden mean by which Members should not be prevented from holding offices, if they do not get anything more than the compensatory allowance, which has been very appropriately defined in this Bill and at the same time, discharge their responsibilities to the nation. Interpretations should not be rigid.

14 hrs.

Some years back, the membership of the Legislative Assembly of a State was nullified just because the members were nominated to some advisory body and they had taken some allowance. It was an unfortunate thing and afterwards, there was a lot of apprehension in the minds of members as to what posts they should not hold. Some of them got so apprehensive that they had to resign or refuse some of the posts which were absolutely legitimate. Now four or five

years have elapsed since this matter has been under the consideration of this House and therefore, I submit there should be no further delay.

In a developing economy, not merely consultative and advisory bodies, but other bodies as those referred to in clause (i) should not be a source of disqualification. It is good that under clause (h), consultative and advisory bodies are free from disqualification. But in a developing economy, other bodies should also be brought in. For instance, take co-operative societies. In future, co-operative societies will play a greater role in production and distribution in our country. In a Welfare State, it is bound to be like that. Suppose the Government constitutes a co-operative society for the first time and nominates the Chairman, Vice-Chairman and the directors of a co-operative concern, like a sugar factory. They might get some allowance which is not more than the compensatory allowance drawn by Members of Parliament. If that should be a source of disqualification, it would give rise to much hardship, because while others will be holding that position, if Members of Parliament are disqualified from exercising these functions, which I feel they should exercise as representatives of the people, it would be a very great hardship. Therefore, I submit that after clause (f) a separate clause might be introduced referring to Chairman, Vice-Chairman, Secretaries, Treasurers and Directors of co-operative societies. They should also be free from this disqualification.

Something was mentioned about Home Guards. I feel they should be given full benefit. It is a voluntary participation and they are drawn from various professions—merchants, advocates and others. In this context, I might mention that at the time of the Hyderabad police action, in my own district of Bellary, 1,500 Home-

[Shri T. Subramanyam]

Guards were drawn from various walks of life, men and women—merchants, advocates, etc.—and they all learnt the use of fire-arms. In future also, internal troubles may arise—God forbid—but there is nothing like being prepared for an emergency to protect the legitimate interests of the people. So, I feel it has been very properly laid down that Home Guards would be free from disqualification.

I feel that the list which pertains to some offices of profit is not quite satisfactory. For instance, the posts of directors connected with steel corporations involve exercise of patronage and they should be included. We should be very careful in these matters. The word 'profit' means that they should not get anything more than the compensatory allowance or the allowance drawn as Members of Parliament, just to enable them to meet the bare expenses. In future, when it is a question of nominating Government officers and Members of Parliament to such posts, if the non-officials draw nothing more than the compensatory allowance they now receive under the Salaries and Allowances Act, they should not be disqualified. They should certainly play their role.

In future, so many corporations and organisations, especially co-operative societies, will be brought into existence and so, we should not be very rigid about this matter. Members of Parliament, as representatives of the people, should be enabled to play their role in advisory and consultative bodies and other organisations like co-operative societies, provided they do not draw a pie more than what they get under the allowances for Members of Parliament.

I do not want to say anything more except that the measure should be enacted as early as possible, without any further delay. Some Members have been saying that this measure should be withdrawn and some other measure should be placed before

Parliament or that it should again go back to the Joint Committee or some such thing. If this sort of advice is accepted, I do not think there will be any finality to it, because by the time any other committee submits its report there will be other committees coming from the Central and State Governments. I suggest that from time to time, at the end of every year or two years, the Government should prepare a list of committees, societies and other bodies constituted by the Central and State Governments. The various departments of the Central and State Governments should oblige and see that that they conform to the request made to them and promptly send all the information that is required. The Government should get this information from time to time and amend or add to the list. If that can be done, I am sure all the disabilities and hardships will be removed. There should be no further delay in enacting this and Members of Parliament should be allowed to play their role in the public life of this country, as representatives of the people, while at the same time, they should maintain their high standards of integrity, decency and dignity.

Shri Mulchand Dube (Farrukhabad): In U.K. the disqualification attaching to the holder of an office of profit has been there since the time when there was a constant conflict between the King on the one side and the House of Commons on the other. The Members of the House of Commons were jealous of their independence and they did not want to be influenced by the Crown. So, there were constant struggles between the Crown and the House of Commons. The result was that in the beginning the House of Commons started with this view that any office that prevented the holder of that office from performing his duties as Member of Parliament should be a disqualification.

Later on, what happened was that the King began to interfere and distribute his patronage and favours to

Members of the House of Commons. In this way, the Members of the House of Commons were being influenced and corrupted by the favours conferred upon them by the King. So, there was some change and the House of Commons began to hold that any holders of an office of profit from the Crown was disqualified from being a Member of the House or from being chosen as a Member. The Kings were irremovable. They could not be removed by the House of Commons or by anybody except by a revolution. The question is whether the same situation is prevailing in this country and whether we should still adhere to the disqualifications that were imposed by the House of Commons in certain circumstances. Here it must be remembered that in the United Kingdom the office was under the Crown. Even in the 1935 Act the word "Crown" was used. But in the Constitution we have used the word "Government". The Government in this country is removable by a vote of this House. Therefore, the disqualification should not, I submit, operate with as much force as it did operate in the United Kingdom. The President, who is the head of the executive, is also removable by a vote of both Houses of Parliament. Therefore, the disqualification from holding an office of profit under the Government should not be applicable with as great force as it used to apply in the United Kingdom.

The other difficulty that I feel is that the office of profit has not been defined anywhere. The question is whether the same difficulty which was felt by the House of Commons in the United Kingdom is felt by us too. There the favours that could be distributed by the King could take innumerable forms and shapes. Here that is not possible. The Government cannot do the same thing which the Crown could. The Crown had a special position and special privileges. The Government of our country do not hold the same position. Therefore, there should not be any difficulty

in defining the words "office of profit" so far as this country is concerned.

Hon. Members who have spoken before me have tried to evolve some kind of an order from the Schedules attached to this Bill. My submission is that so long as you do not define what an office of profit is, it would not be possible to bring any consistency in the lists that are appended to the Bill. It may be said that articles 102 and 191, which refer to the office of profit do not have any definition, but may I refer to article 367 of the Constitution which says that all words and phrases that are defined in the General Clauses Act, 1897, can be used for the interpretation of the Constitution? Therefore, if the General Clauses Act is amended to define the office of profit it will hold good for the purpose of the Constitution also. I do not see what difficulty is there in defining the office of profit once and for all. The difficulties that the House of Commons felt about it do not exist so far as this country is concerned.

We can simply say that only public servants will suffer from this disqualification. That would be quite enough. When there are some advisory bodies, some corporations and some companies, if we say that some are not exempt, some are exempt, in some cases the Chairman and the Secretary are not exempt, in others the members are exempt, I do not think we can evolve any order out of this chaos.

From 1950 onwards we have passed three Acts, removing the disqualification, and those Acts have been repealed. Now we have got the fourth Act, which also seeks to remove certain disqualifications. If this Act is also incomplete then what happens? Now, information has not been received from some States; information has not been received even from the Ministries of the Central Government. Then, even if we remove these disqualifications, there will be many others who will still be incurring disqualifications. Here we must bear in mind the result of this disqualification. If

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after incurring this disqualification any Member chooses to sit in the House he would be liable to a fine of Rs. 500 a day. Until this list is complete there may be many persons who are suffering from this disqualification and are incurring a penalty of Rs. 500 per day.

Therefore, the best thing would be to define an office of profit and confine it to the public servants and leave the matters as they are. Otherwise, there are bound to be many difficulties. And I do not see why there should be any difficulty in defining an office of profit. Whatever might have been the difficulties in the United Kingdom, they do not exist here. As I have submitted earlier, the hon. Members who have spoken before me have tried to evolve some order out of this chaos and they have raised certain objections to certain exemptions from disqualifications that have been mentioned in the Bill saying this disqualification should not be there or that disqualification should be there. All this seems to me to be an attempt at evolving some kind of an order out of the chaos.

My submission, therefore, is that the best thing would be for the Government to withdraw the Bill and bring another Bill in which the office of profit may once for all be defined so that after definition any person who enters upon an office and is likely to incur disqualification may be forewarned about it and he may not accept an office which may involve disqualification. Suppose some of the offices are not included in the list. What will happen to them? Will they continue to incur disqualification and the Sword of Damocles will be hanging over their heads? Then, when you say that you are removing a disqualification you must at least ensure that these persons did incur a disqualification. That is another difficulty which has to be met. Therefore, I submit that without withdrawing the Bill and bringing in a new Bill the difficulties are not going to be solved.

Shri Lalluher Kotval (Nowren): Mr. Deputy-Speaker, Sir, in this Bill

one difficulty is that we have not laid down any principle to guide us as to which offices of profit should be exempted so as to remove the disqualifications of the Members of Parliament. That is why we find that some of the offices have been included in the list of exemptions without justification. For instance, the office of Vice-Chancellorship of a university is a whole-time job which requires undivided attention. That has been exempted in item (f) of clause (3). As was pointed out by several speakers, this has led to lack of discipline and various irregularities in our universities. In this connection, the words "office of profit" should be interpreted in the wider context so that not only the Government employees, whether at the Centre or the States, but also such employees who are whole-time workers like teachers and professors of Government-aided colleges or private colleges and schools, should also be debarred from standing as candidates for or being Members of Parliament.

Then in clause 3(d) the members of Home Guards have been exempted. I feel that a Member of legislature should not be allowed to be an officer or a member of the Home Guards organisation. I know several cases where members of legislatures are the heads of Home Guards. That requires the whole-time attention of the officer and members. He, therefore, can devote his time neither to the legislative work nor to his office as the member or head of the Home Guard.

So also in our State of Assam there are certain offices which are called honorary offices like the honorary Prohibition Commissioners etc. They get certain honorarium but as that is not taken as emoluments or salary they are not disqualified. I feel such offices should not be exempted.

There is another office which is not mentioned in item (j) of clause 3, but which is covered under it. That office is the office of mawzadara. In our State the revenue collectors are called

mausadars and they get a commission for collecting revenue for the Government. They also should be debarred or disqualified from being Members of legislatures.

I feel the guiding principle should be whether the holding of an office, whatever be the emoluments—whether honorarium or salary or whatever it is—will affect the dignity of a Member of Parliament and we should apply that test in allowing or disallowing a Member to hold certain offices.

I do not want to go into the details of the list. As has already been pointed out, the list is not exhaustive. We have not got full reports from the various States and from the various Ministries and therefore this list cannot be complete. Although the Joint Committee has suggested the constitution of a Standing Committee which could go into the lists and examine them from time to time so that they can be amended it and when necessary, but as already pointed out this would lead to certain difficulties till the list is finalised. Therefore I suggest that we should lay down in the body of the Bill itself the principle and define the various offices of profit although that is not strictly within the purview of this Bill. But as that may lead to confusion and may leave out some very important offices which some of the Members might be still enjoying at the cost of the dignity of the House and their duties as Members of Parliament, that should be incorporated in the body of the Bill.

Lastly, I find that even the suggestion of the Joint Committee that there should be a Standing Committee to scrutinise the list does not find a place in the body of the Bill. I suggest that that should be done.

With these words Sir, I conclude.

Shri L. Achaw Singh (Inner Manipur): Mr. Deputy-Speaker, Sir, the Bill, as it has emerged out of the Joint Committee, is still full of controversies and misgivings. The Bill seeks, in its present form, to exempt certain

holders of offices of profit from attracting disqualification under article 102 of the Constitution. Primarily it was designed to preserve the independence of the Members of Parliament. Now the objective of the Bill has been very much vitiated in its present form.

If you go through the minutes of dissent, you find that there are a large number of divergent views and some of the views expressed by those who have signed the minutes of dissent are very forceful ones. Indeed, most of the provisions seeking to remove the disqualifications of MPs are nothing but attempts to circumvent the principle and spirit of the Constitution. Even the last UK Act is more progressive. It is more clear and precise. It has divided offices into two—those whose membership is a disqualification and those offices whose membership is not a disqualification. Here, in this Bill, we find that a lot of complications and uncertainties have been introduced by the provisions of exemptions and exceptions.

It is an ideal of democratic governments that representatives of the legislatures should be free of the undesirable influences or undesirable forces which might bias the judgments of the legislators from expressing their views on public matters. In particular they should be free of the financial influences. They should be free of the executive so far as pecuniary benefit is concerned. The present Bill is a halting and indecisive one in so far as it has not gone far enough and has not been able to accomplish the above purposes. This will put Members voluntarily or otherwise in the hands of the executive and in a position of dependence upon the executive.

The Herbert Committee of the House of Commons has enunciated certain principles. They have formulated three criteria on which the offices have to be judged. One of them is the incompatibility of the duties of these holders of offices of profit with their duties in the Parliament. The second is the control by the executive of the Members of Parliament by means of

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 financial influences arising out of distribution of offices. The third is that the control of the executive by Parliament also calls for the presence of certain Ministers in Parliament.

I would like to refer to another criterion which has been mentioned by some of the committees on this subject, i.e., if the holders of such offices should or should not be, whether taking money or any honorarium, in a position to influence unduly people who are working under them or within their jurisdiction. Judging from all these principles, we find that the Bill has not fulfilled its purpose. It has got a lot of ambiguities and also anomalies. It was expected that it would make a clean sweep of all the ambiguities, perplexities and anomalies which were contained in all these previous legislations. In its present form, we find that the destruction of Members' independence by the hope of obtaining some favour from the Executive can hardly be prevented. One of the major defects that we find in this Bill is that the number of Committees mentioned in the Schedule is neither exhaustive nor comprehensive. A scrutiny of a number of Committees which may be formed later on, which are not covered by this Schedule by the Government or a Standing Committee, I am sure will leave a certain number of doubts and uncertainties in the minds of the people as well as Members of Parliament. The present Bill is a fragmentary Bill and it has failed to ensure the sanctity and purity of Parliament. The manner in which Advisory Committees have been exempted from disqualification in a general way without looking into their functions will certainly take away the entire merit of the Bill. There are a number of Advisory Committees whose functions are of an executive nature and which involve powers of patronage. I submit that clause 8(i) requires to be amended. This clause gives a blanket cover to a number of statutory and non-statutory bodies which are not covered by this Schedule. It removes disquali-

fication of a director, chairman or a member of any of these committees. It is a very unfortunate clause. It has to be opposed. It also leaves room for doubt as to whether it will also cover statutory committees or bodies which may be constituted later on.

Next, I submit that presumably this Bill has been drafted on the basis of the recommendations of the Bhargava Committee. I find, in many respects, it has got provisions contrary to its recommendations. I would like to refer to para 81 of the report where it is clearly stated that Members of Parliament nominated or elected by sectional or other interests such as employers, employees, consumers, should not incur the disqualification. I would also like to refer to page 19 of the Report of the Joint Committee where it says:

"The Sub-Committee note that Members of Parliament happen to be sometimes elected or nominated by sectional interests such as employers, employees etc., to represent them on some of the Committees. The Sub-Committee are of the view that such members ought not to incur disqualification."

But, in spite of this recommendation, I find that the Schedule has included some Committees where the interests of labour are represented. For example, in Part I of the Schedule, there are a number of local Committees which are constituted under the Employees' State Insurance Act, and also a number of Port Trust Boards where representatives of trade unions are included in the membership. This will take away the right of labour to have their representation by Members of Parliament. I would request the Minister to look into this.

As regards clause 8(i) which refers to village revenue officers, I find that the inclusion of the clause is unjustified. A village revenue officer may be remunerated by a commission or a share of land revenue or even a monthly salary. He may have police functions or not. But, for all intents and purposes, he is a public servant

and he is an instrument of the executive. I do not see any reason why he should be allowed to come to Parliament. I would like to refer to a provision in the Representation of the People Act where we find that any one who takes the assistance of the village revenue official would be disqualified. That clause is there. This is a very obnoxious provision in so far as he is a very powerful prop of the executive.

Then, I come to Vice-Chancellors of Universities. In para 44 of the Bhargava Committee report, it is clearly stated that holders of the office of Vice-Chancellors of Universities should not be exempted from disqualification. They are appointed by the Government and they draw their pay from funds given by the Government and controlled by the Government. Their time is fully occupied by their office. We must also realise that they exercise enormous influence over a number of professors, lecturers and hosts of hundreds of thousands of students who might be used as electioneering agents at the time of election. The decision of the majority of the Joint Committee is contrary to accepted principles of democracy. I would also request the Minister to revise this decision.

I come to clauses 3(d), and (e), which refer to Home Guards and sheriffs. As regards Home Guards, I do not find any difference between Home Guards and Police officers. At the time of emergency they are used by the Government and by the police officers. They are sometimes more zealous instruments of erroneous Government policies and they have not hesitated to shoot the people at the instance of the police officers. There is a hierarchy of officials, Commandants of Home Guards. They are appointed by the Government. They enjoy a certain privilege and patronage. These offices of patronage and privilege are liberally distributed by the ruling party. They also depend upon the Government for their continuance in office. It will be a very unhealthy practice to allow members

of the Home Guards to be candidates for election to Parliament and to be Members of Parliament.

Coming to the Sheriffs, they are also public officers to all intents and purposes. They are jailors and they are also custodians of properties. They may or may not get any remuneration. I would like, in this connection, to refer to page 24 of the Bhargava Committee report where they say that honorary magistrates, Justices of the peace, revenue officers, Munsifs and Judges need not be exempted from disqualification, because these posts confer great influence and prestige on the incumbent. The argument with regard to honorary magistrates, revenue officials, Munsifs and Judges must apply to the case of the Sheriffs.

Lastly, I find that the Bill has left out a number of Committees. Perhaps, the State Governments and local administrations have not given them full co-operation. I know, in some of the Union Territories, Tripura and Manipur, there are a number of Advisory Committees set up by the local administrations. I do not think they have sent in any list from those respective Union Territories. If you scrutinise some of them, it will be very easy to find that there are Advisory Committees which are of an executive nature, and which also have powers of patronage. I would only like to cite two instances—the case of the State Transport Authority and the Textbook Committee—with regard to the Union territories.

Lastly, I would like to appeal to the Government to give serious consideration to all the suggestions made by the hon. Members of this House. This Bill is a very controversial one, and I would like to appeal to the Government to jealously guard the independence of this House and of Parliament, and also uphold the democratic ideals because we are faced with a very serious situation specially when our neighbours have taken to undemocratic methods. We have been hearing of coups and military dictatorships and it is the duty of Parliament to keep up the standard because India

is the only big country having democratic form of Government in this part of the world.

Sri Mahasay (Dhenkanal): This is a Bill of unusual importance. It does not relate to any temporary administrative or political problems which can permit a partisan attitude. Here is a Bill which relates to the institutional purity of our parliamentary life, and to that extent it relates to the very purity of political life in our country. I have tried to approach this subject with impartiality, without any partisan spirit, and we except the Government will also mete out the same treatment to the views and observations which we may put forward before them for their consideration.

The fact remains that in the Constitution nowhere has an office of profit been defined. Well, so many other things are not defined. It is just like the "Brahman" of the Upanishads which can never be defined. However, the attempt has been to apply certain rational standard, certain criterion, which will fulfil the objectives.

The fact has to be borne in mind, that the concept of the office of profit and disqualifying persons who are holders of offices of profit is a British concept. We have inherited that concept in framing our Constitution. Therefore, article 102 of the Constitution is a reflection of the British tradition which has been evolving through centuries.

Originally, when this Bill was framed and introduced in this House, it was a lean, cut and dry affair. In the Joint Committee, after much deliberation, it was thought proper that, following the pattern of the U.K. law, for the sake of precision, a schedule might be appended, and the Joint Committee also tried its level best to compile a schedule, but we find that it is most unsatisfactory, possibly more unsatisfactory than it was ever before.

It was said in the Joint Committee that a schedule could not be

compiled which would satisfy all the objections, but I do not think that the intelligence of the Joint Committee or the able Minister of Law and the Deputy Law Minister was so limited as not to be able to overcome those difficulties. Had certain criteria, certain principles been observed, as were observed by the Spens Committee when the U.K. law was being framed, possibly these difficulties would have been obviated, but I am constrained to say that no principle was laid down, only subjective tests were applied, only subjective criteria were laid down, and whenever committees, bodies or corporations suited the particular fancy of a majority was accepted, and which ever did not, was rejected. That will be obvious if anybody goes through the whole pattern of this Bill as it has been framed.

Of course, we have in this country the law in our Constitution that aliens, fanatics, lunatics, minors and bankrupts will not be allowed to sit as Members of Parliament, not even stand as candidates. Also, we have the Representation of the People Act where certain disqualifications have been laid down, and certain persons having subsisting contracts with Government for the supply of goods or execution of works, are disqualified. Over and above that, here is a matter which tries to confine itself to offices of profit.

The concept of the office of profit, as I said a little earlier, has evolved through centuries of British history. During the 17th century, during the reign of James I, for the first time I believe the House of Commons started seriously considering how to exclude persons holding offices under the Crown from membership of Parliament, because it was found in many instances that wherever a conflict arose and the House was in conflict with the Crown, persons holding offices under the Crown found themselves bound to support the Crown under the circumstances. Therefore, since then this question is being debated.

This is nothing new. But even in the 17th century certain principles had been clearly laid down, *viz.*, the incompatibility of the two offices and the durability of absence.

For instance, ambassadors, in 17th century England, were not disqualified from holding seats in Parliament because those were the days of matrimonial diplomacy and diplomacy was not a whole-time job. If the Queen of England married the King of Spain, both the countries were expected to maintain very good relationship and the ambassador had very little work to do. Therefore, ambassadors were continuing in their own countries, and whenever occasions arose, of course, they paid visits to the countries to which they were accredited. Therefore, in the 17th century, an ambassador was not disqualified from holding a seat in the British House of Commons, because holding the office of ambassador did not enforce a long period of absence and thereby deprive the House of the services or the contributions of the particular Member. But subsequently when matrimonial diplomacy gave way to Machiavellian diplomacy, and diplomacy was a whole-time job, ambassadors were precluded. Since then the House of Commons had laid down consistently the criterion of the period of absence.

Now, what do we find? We find in the context of things that a Member of Parliament is expected to be a whole-time servant of his constituency and constituents. As soon as he is elected to the Lok Sabha, his duty is first towards his constituents, and then only to any others. We find in this Bill that the flood gates have been thrown open to, all sorts of people, right from the Home Guards to Vice-Chancellors and chairmen, members and chairmen of statutory and non-statutory bodies. In all fairness, may I point out that the whole time of a person who is a member of a corporation in the public sector is bound to be directed towards fulfilling the responsibilities which he has assumed, and there comes the

conflict if he continues also to be a Member of Parliament? Neither will he be able to safeguard the interests of his constituents to whom he owes his first moral and political responsibility, nor will be able to do his job in the corporation well, discharging the particular functions with which he has to be invested. It has been said in the Joint Committee that now the public sector is expanding, and if Members of Parliament are increasingly associated in various capacities with these corporations or public bodies, then it will contribute towards the efficient running of those corporations. I, for my part, do not wish to invest myself as Member of Parliament with the attributes of omniscience. I do not believe in the proposition that as soon as a Member is elected to Parliament he becomes both omniscient and omnipotent. Politics is thousands and thousands of miles away from commerce. If the country feels that a particular person can better serve the nation by serving as the chairman of a corporation, for God's sake, let him be the chairman or member of the corporation; let him not come here.

Now, what will happen if a Member is allowed to serve on the corporation also? Sir, this House has a membership of about five hundred odd. There is a wilderness of Opposition; leave them alone; about a hundred Members. There will then be about four hundred Members. Towards the close of the Second Five Year Plan, we shall have about four hundred corporations and public bodies in this country; and it is just possible—I am considering, hypothetically—that everyone of these four hundred Members may be in some way or other connected with some corporation or the other. And whenever, for instance, the Hindustan Steels come up for discussion, the Member who will be the chairman or a member of the standing committee or whatever body it might be of that public body can canvass sympathy and support among the Members of Parliament and can get the very objective

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of parliamentary scrutiny frustrated. Therefore, I take very strong exception to this fact. It is really unfortunate that under very facile, very fatuous and very obvious considerations, sub-clauses (h) and (i) should have been inserted in the Bill.

Then, we come to another aspect of this Bill. The Minister of Industry gave a very able exposition before the Joint Committee about the proposition, and about his conviction that Members of Parliament should be associated with those bodies more and more. I do not wish to attribute any motive to anybody, but the fact remains that, in this particular case, we have to fall back upon certain precedents. We cannot say that we do not follow any precedents. If we say not follow any precedents. If we say it will be a sort of intellectual dishonesty.

We are following all kinds of precedents, and they are UK precedents. Now, let us look at the UK precedents. I would like to hear from the hon. Minister to what extent Members from the British Parliament are associated with the public corporations. It is only to a very limited extent that Members of the British Parliament are associated with these corporations. If I remember aright, when they drafted their legislations in regard to the National Electricity Board of England and some other boards, they provided for Members of Parliament to serve on those bodies or not, and they also laid down whether such membership qualified them or disqualify them. The whole matter is left to the Parliament there, and moreover the instances of such membership, are few and far between.

In the Joint Committee, we had tried our level best to get all information regarding the number of such corporations public bodies, over which particular Members have been serving; but in spite of our best efforts, the information that could be supplied to us by Government was unsatisfactory and incomplete.

I was saying a little while ago that if we looked to the UK precedents we shall find that this concept is not being as much exaggerated there, as it is being sought to be done in this Bill today.

There is another important thing, that whichever Member is elected to these bodies and corporation must be elected by the House. I take strong exception to the fact, that Ministers will nominate Members of Lok Sabha or of Rajya Sabha to such bodies. That is derogatory both to the sovereignty of the Speaker or the Chairman as the case may be, and also to the dignity of Parliament. Let no Member of Parliament kowtow any Minister for a berth in whatever capacity it may be, in whatever corporation it may be.

Of course, I do realise, and I do concede the point that while we are framing a law for disqualifying holders of offices of profit, a provision of this nature cannot be inserted in the law. But in all humility, I plead, that let Government and let this House bear this aspect in mind and see that something is done, so that no Member is ever appointed or public bodies and corporations, by any Minister.

The other day, the Rajghat Samadhi (Amendment) Bill was being discussed in this House. If you will kindly look at the pattern of the Rajghat Samadhi (Amendment) Bill you will find that about six or seven Members of Lok Sabha, and about three Members of Rajya Sabha—I say this subject to correction—are to be represented on the Rajghat Samadhi Committee. You will find there the provision that the Members will have to be elected. Here is a small body which is concerned with the task of maintaining the Gandhi Samadhi at Rajghat. To serve on that Committee Members from both Houses have to be elected. But we find, that is not so in the case of the various public, statutory and non-statutory bodies and corporations. I would like to know from the hon. Minister that

if Members could be elected to the Rajghat Samadhi Committee, why Members should not be elected to the statutory and non-statutory bodies and corporations which wield infinite power and which have got enormous power to confer patronage.

Then, we find that as is quite natural, the schedules cannot be complete or comprehensive, because the creation of such public bodies is a continuing process. So, I concede that difficulty. A parliamentary committee is being proposed which will try to screen these from time to time and advise accordingly. That is all right. But that will not serve the purpose which we have in mind.

Now, article 102 of the Constitution says that the holders of certain offices will attract disqualifications for contesting for a seat and for being chosen as a Member of Parliament and for continuing also as a Member of Parliament. Now, it is just possible that a person who is serving on one of these statutory or non-statutory bodies, is elected, and sits in the House for one year or six months or for even two years. Under the given set-up of things, there will be, and there is bound to be, a time-lag between his election, between his continuance as a Member of the House and the time when this parliamentary committee declares that particular office as a disqualification. So, even that parliamentary committee is not going to fulfil the objects which we all have in view, both the Government and we the Members of Parliament.

That difficulty could have been obviated, if certain basic principles could have been laid down, and if, according to those principles we could have formulated our proposals. To that extent, my fundamental disagreement with this Bill will linger, and I shall never be tired of repeating that this is an unprincipled Bill, and it will throw open all kinds of flood-gates and will create all kinds of problems, and to that extent, I am quite in agreement with the view that this Bill should be recommitted again to

the Joint Committee or to any other committee, to be considered afresh in the light of these objections which to know from the hon. Minister that are being raised from both sides of the House.

There are two or three other things to which I would like to invite the attention of the House. The first is, clause 3 (j) which reads thus :

"the office of village revenue officer, whether called a *lambar-dar, malguzar, patel, deshmukh,* ...who does not discharge any police functions."

Holders of these offices, will not attract disqualification. It lays down only one proviso, and that is :

"but who does not discharge any police functions".

I have tried my best to find out what 'police functions' means. Even in the *Police Manual*, police functions have not been defined. I do not know if they are defined in the *General Clauses Act*. What are police functions? Those who are acquainted with these matters, those who are acquainted with our countryside, must have been aware of the blurred twilight of definition between revenue officers and persons performing police duties. What happens? In the countryside, these gentlemen are practically the symbols of State power. When the police sub-inspector comes, usually these gentlemen have to arrange for his boarding and lodging etc. etc.

15 hrs.

Shri Morarka: What is 'etc. etc.'?

Shri Mahanty: That I leave to my hon. friend's imagination. Whenever the police official comes or the Magistrate comes, they visit these gentlemen. These gentlemen collect village revenue, possibly maintain records and also help—they do not themselves directly discharge any police function—the police officers. I know many very disparaging remarks have been made about these village

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officers in a number of judicial pronouncements. I do not wish to bring them to the notice of the House today, but I beg to submit that to allow this blurred twilight to continue, will confuse, confound and frustrate the very objectives we have in view. I am quite emphatic in my assertion that if this provision is inserted here, the whole principle of free and fair elections will be defeated. I do not wish to labour more on that.

Once again, I appeal to Government. Let them eschew this kind of unrealistic notion. There can be no revenue officer who does not discharge any police function. If the Government are very keen to retain this provision, let them define what police functions are.

Then I am very much troubled about the provision relating to Home Guards and the Territorial Army. We know the functions of the Home Guards. The Government know it better. In fact, some literature was circulated about the Home Guards. They function during emergencies. In Bombay State, these Home Guards function as anti-prohibition police.

Shri Naushir Bharucha (East Khan-desh): And as guards for hon. Ministers.

Shri Mahanty: Shri Naushir Bharucha is more informed about Bombay. I would ask the whole House in all seriousness whether, if these gentlemen come to Parliament, that institutional purity and that dignity will be maintained. I yield to none in my admiration for the Home Guards. It is true that during emergencies, they discharge police functions. If they are so patriotic as to get themselves enrolled as Home Guards and agree to serve under the discipline of the Superintendent of Police, we wish them well; let them serve us when we are in danger. Let them serve that cause better. Let

them not interrupt their activities by coming to this House. I think if Government are planning in this way, there may be a Rump Parliament; there will be another Cromwell who will be Leader of the House. Then only I can appreciate their anxiety to stuff this House with Home Guards. If that is not the intention, let these Home Guards be kept at a very safe distance.

Then I come to Territorial Army. We are proud of our Army. We are proud of our Territorial Army. If our Army personnel are safeguarding the country out of other motives, here our Territorial Army personnel are safeguarding our country out of sheer patriotic motives. So I have my deepest regard and respect for them. But I am the last person to allow any kind of politics to vitiate the Army, be it the Army or the Territorial Army. When a person who has been performing his work in the Territorial Army seeks election to Parliament, he will stand on certain political platform. He shall have to agitate and propagate for certain political principles. Again the line of difference between the Territorial Army and the Army is very thin. Therefore, it is high time Government considered whether in the given context of things, it is wise to allow our Army personnel to be divided by this kind of political controversies.

It is just likely that one person, say, a Lt. Commander of the Territorial Army, will try to seek election through one party ticket. Another cannot be prevented from contesting his seat through another party ticket. In that case, you will find the entire army, our brilliant Indian Army, will be disrupted; and politics will vitiate, and we do not know what miseries will be in store for us.

Therefore, I would beg to this House to consider this proposal very seriously. I have not tabled any amendment, particularly in the hope and

belief that Government will consider it and will themselves suggest that this is dropped.

Now, I come to the office of Vice-Chancellor.

An Hon. Member: The hon. Minister is asleep.

Shri Narayananakutty: Menon: The hon. Minister is not only asleep but fast asleep.

Shri Mahanty: He is trying to wake up.

From the very beginning since this Bill was introduced in this House, both sides were insistent in their common denunciation of this provision, because the Vice-Chancellor's job is incompatible with membership of Parliament, because the Vice-Chancellorship will impose on the Member prolonged periods of absence from the House. I know there are one or two Vice-Chancellors in this Parliament and the House can judge how long they sit in this House.

So I would like to say that they can be fair neither to the institutions that they control nor to the Parliamentary duties, those they are asked to perform. In the case of Banaras Hindu University, the Government have been coming and shedding tears, 'Look, an educational institution of the description of Banaras Hindu University is being disrupted on account of politics'. Now, I believe the Government cannot take back what they have already said in the case of Banaras Hindu University. Is it being suggested that all Universities should be converted into the arena for matadors and bull-fighters of politicians? Certainly not. But if you are allowing Vice-Chancellors to be Members of Parliament, what is there to stop them from deploying the entire student community to canvass for them? This office not only carries a lot of patronage, of power and of influence—this is not my only objection—but if you allow these Vice-

Chancellors to contest for seats here—this is my fundamental objection—then all the Universities will be converted into dark arenas for partisan minds. If we want that for educational purity, our educational institutions should function better on academic lines, then let us not have Vice-Chancellors here in Parliament. They have got a much better job to perform than come to this House.

These are some of my objections. I do not wish to take more time. Possibly at the clause by clause consideration stage, if you kindly give me an opportunity, I shall have to say something more. But before I conclude, I would once again make an appeal to the House. Here is a matter which relates vitally to the institutional purity of the Indian Parliament. From that point of view alone, this entire legislation has to be judged by this House. So far as we are concerned, we do not maintain any partisanship about it. We maintain an open mind. We hope and believe that the Government will not stand on any pedestal of false prestige and try to throw away all the suggestions that we have made.

श्री कोटेश्वर (हैदराबाद) : उपाध्यक्ष महोदय, मैं संक्षेप प्रबर समिति को बहुत मुश्वारकबाद देता हूँ कि उन्होंने इस विल को मौजूदा शक्ति देने में करीब करीब एक बर्व का समय लगाया और एक बर्व तक इस पर धीर करके यह बतमान विवेयक हमारे सामने पेश किया है जो कि चाहूरी था। लेकिन इस के साथ ही साथ मैं इस बात को भी धनुषभव कर रहा हूँ कि एक बर्व का समय इस विल के बनाने में लगाने की ज्वार्ट कमेटी को कोई सास चारकरत नहीं थी। मालूम ऐसा होता है कि स्टेट वरन्नरेट की तरफ से धीर साथ ही साथ सेंट्रल मिनिस्ट्रीज की तरफ से यो कारपोरेशन, सोसाइटियां और कमेटियां काम कर रही हैं उनकी लिस्टें बहुत पर मूर्ह्यम नहीं की गई और उन सिस्टमों के इंतजार में ही ज्वार्ट कमेटी का सारा कासारा बहुत निकल

[श्री कौटकर]

यथा और इसी में उनको बहुत देर लग गई। यह देर न सतीय यदि लिस्टें ही न बनाई जातीं।

संसद् सदस्यता प्रयोग्यता निवारक विवेदक पर जो यहां अब तक स्पीचेज हुई है उन सब में ऐरी समझ में एक चीज नजर आ रही है कि बहुत सी डिसक्वालिफिकेशन को निवारित की गई है उन को न निकालने की ही तरफ ज्यादा रक्षान है और उसकी बजह यह है कि डिसक्वालिफिकेशन निवारित करने के लिए दफ्तरा १०२ में जो लिखा गया है उसका यह अपवाद तैयार किया जा रहा है। बाक्या तो यह है कि आफिस आफ्र प्राफिट अगर कही हो तो उसको डिसक्वालिफाई करना चाहिए। यह एक उसूल है और अपवाद सिफ़र उसी बस्त हो सकता है जब कि कोई बहुत ज़रूरी चीज हो लेकिन उसके लिए न तो कोई उसूल तय किये गये और न ही किसी उसूल पर चला गया है। कुछ आफिसेज ऐसे क्रारार दिये गये हैं जिनके कि होल्डसं एलेक्शन में हिस्सा ले सकते हैं और वहा रहते हुए भी पार्लियामेंट के मेम्बर्स बन सकते हैं।

उपाध्यक्ष महोदय, मैं यह एक उसूल रखना चाहता हूँ और मैं समझता हूँ कि सदन का भी जनरल रक्षान कुछ ऐसा है कि इसके लिए एक ही अपवाद तैयार किया जा सकता है जब कि किसी आफिस में रहने के बाबजूद भी उस व्यक्ति का पार्लियामेंट में रहना भी उतना ही ज़रूरी हो। मध्यसंघ मरी और उपमरी हैं और वे आफिस आफ्र प्राफिट होल्ड करते हैं लेकिन आफिस आफ्र प्राफिट में रहने उतना ही ज़रूरी है जितना कि उनका अपने आफ्स नें रहना ज़रूरी है। वे चाहता हूँ कि हम सिफ़र इसी एक उसूल के अंतर अपनी लिस्ट को तैयार करें और अगर हम इस उसूल के अंतर अपनी लिस्ट तैयार करें तो दूसरे जितने भी डिसक्वालिफिकेशन को निवारित किये गये हैं वह सब के सब बेकार हो जाते हैं। कुनाजे अनी तक जितनी भी स्पीचेज हुई है उनमें यह नजर आया है कि

किसी ने शीरिक का विरोध किया, किसी ने बाहस चांसलर का विरोध किया, किसी ने पटेल और पटवारी का विरोध किया तो किसी न होमगार्ड्स का विरोध किया और इन सब से एक ही नतीजा निकलता है कि केवल १० और बी० इन दोनों को छोड़ कर जितने भी सब संक्षिप्त हैं, उनका विरोध किया जा रहा है। और नतीजा यह है कि एक ही उसूल पर कि पार्लियामेंट में उन आफिसमं का रहना भी उतना ही ज़रूरी है जितना वे अपने आफिसेज में उनका रहना ज़रूरी है, अगर ऐसी सूरत हो तो उस हालन में यह डिसक्वालिफिकेशन निकलेगी अन्यथा यह डिसक्वालिफिकेशन किसी तरीके से भी नहीं निकली जा सकती है। इस तरह का अपवाद रखा जा सकता है। इसलिए इस उम्र पर चलते हुए में सरकार, मामने यह एक विचार रखना चाहता हूँ कि सी० में लेबर जे० तक जितने भी आफिस आफ्र प्राफिट करार दिये गये हैं, और यह कहा गया है कि उन १ होल्डसं पार्लियामेंट के लिए चाहे हो सकते हैं, वे मब न मब निकाल देने चाहिये।

इसमें साथ साथ एक चीज और रखना चाहता हूँ और वह यह है कि बहुत से मानीय सदस्यों ने इस चीज को सामने रखा है कि जिस सांसालिस्टिक पैटन की समाज का हम नियमण करने जा रह है और जिस सांसालिस्टिक पैटन में क्षेत्रीज और दूसरे बहुत से इस्टीट्यूशन्स का होना ज़रूरी है और उन इस्टीट्यूशन्स में लाकमत का रहना भी उतना ही ज़रूरी है—ऐसी स्थिति में इन क्षेत्रियों १ सभामंडों इत्यादि को डिसक्वालिफाई नहीं किया जाना चाहिए। उन सूरनों के लिए मैं अन्यथा यह विचार रखना चाहता हूँ कि ऐसे इस्टीट्यूशन्स में लोक सभा अगर यह समझे कि वहां पर लोकमत का रहना बहुत ज़रूरी है तो जितनी ऐसी प्रबलिक कारपरेशन है उन के विचार में एक भूलाड रहना चाहिए और वह यह कि उन की भेदभावशिष्ट में एक लेबर पार्लियामेंट का भी

हो, एक या दो या तीन जैसे भी हो और इस कानून से इस तरीके का एक क्लाऊड आ सकता है कि जहां जहां उन कारपोरेशन के कास्टेट्ट्यूगन के लिहाज में कही पालियामेंट के मेम्बर का रहना ज़हरा है तो वह डिसक्वालिफिशन नहीं होगा क्योंकि वह भी उसी उसूल के अन्दर आ जायगी कि उस मेम्बर वा वहा रहना भी इतना ही ज़हरी है जितना कि पालियामेंट में रहना ज़हरी है। इस बाज को अगर करदिया जाये तो उम्मा ननीजा यह होगा कि जितना भी यह सब क्लाऊड का विरोध किया जा रहा है वह बाकी नहीं रहता है और जो दो बड़ी भारी लिस्टेटैयार की गई हैं कि वहां कहा डिसक्वालिफाई हो सकता है और जिन नियमों के बारे में बार बार ऐतराज किया जा रहा है कि वह लिटे कम्पनीट नहीं हैं बाकी नहीं रहेंगे। वे लिस्टे पूर्ण हो भी नहीं सकती क्य कि वह हर मिनिट और हर बक्त बदलनी रहेंगे, हर बक्त नई कमेटिया बनायी, नये कारपोरेशन बनेंगे, हर बक्त नये मेम्बर आयेंगे और इस की ओर बहुत से माननीय मद या ने अपने अपने विचार प्रस्तुत किये हैं लेकिन मेरा नौ कहना है कि जब यह आपका आई० क्लाऊड ही निकल जाता है तब उन नियमों के बारे का कोई सवाल ही बाकी नहीं रहता है। जहां कही विभी मेम्बर के रहने की ज़हरत है वहा उनके कास्टेट्यूगन से जब यह बात आ जाती है कि जिस विभी जगह पर कास्टेट्यूगन में अपनी अपनी बाईज के कास्टेट्यूगन में यह बात आ जाती है कि पालियामेंट का मेम्बर रहना नहीं तो लोक सभा और राज्य सभा जहा का भी मेम्बर हो वह अपनी नरफ से चुन कर उसको बैज सकते हैं और वह डिसक्वालिफाई करार नहीं दिया जायगा। यह ही दो बीजे रख कर मैं अपना भाषण स्वतंत्र करता हूँ।

Shri Naushir Bharucha: Mr Deputy Speaker, Sir, the main objective of

this Bill is to prevent corruption of Members of Parliament or the State Legislatures by inducement to hold any office of profit. I have been listening very carefully to the debate so far and it appears that most of the hon. Members who have spoken on this Bill are attempting to enact a perfect measure. I am afraid, having regard to the complexities of administration as well as to the complexities of human nature, it is impossible for any parliamentary draftsman to draft a Bill which will satisfy all the requirements.

Sir I am of opinion that only one particular objective should be kept before the House in framing this measure and that is that we should broadly aim at the preservation of the independence of Member of Parliament or of State Legislatures. Barring this, it is very difficult to attain any other objective. And, I am inclined to think that even this objective is very difficult to attain because whatever may be the language of the law, there will always be an Executive, either a State Government or the Union Government which can corrupt, if it wants to, any Member by offering him the inducement of Deputy Ministership or something else.

Shri Tyagi: Does my hon. friend suggest that every hon. Deputy Minister is corrupt?

Shri Naushir Bharucha: I think it is possible to corrupt and, therefore, no amount of language of law can prevent that. Much of our difficulty arises from the language of article 102 of the Constitution where it has been stated that a person is disqualified if he holds an office of profit under any Government, Union or State, other than an office declared by law by Parliament not to entail such disqualification. This raises various questions. What "office" means? It also raises the question of what "profit" means; and also it raises the question, what exactly is the meaning of "under the Government"? I am afraid in our very

[Shri Naushir Bharucha]

anxiety to preserve the independence of the Members of Parliament, we have swung a bit too far the other way and the view that I am presenting before this House perhaps represents the other side, namely, I am in favour of associating Members of Parliament with the numerous statutory bodies which are looking after the diverse aspects of the country's administration. My biggest reason for this is, that if you examine the magnitude of the functions of the statutory bodies, you will find that put together they are far greater, in financial magnitude and other functions, than the Government itself. Take for instance the Life Insurance Corporation. It has got a turnover of Rs. 350 crores a year. Take the Hindustan Steel Construction Company. It has got a bloc capital of Rs. 440 crores which will very soon go up to Rs. 600 crores. These two statutory bodies alone between them would have a financial turnover which is far higher than the complete turnover of the Union Budget. I ask this Government: when the administration of the country in some of its most important aspects is being carried on by statutory bodies, is it wise to dissociate Members of Parliament from giving a lead and presenting the point of view, which is really the point of view of the statesman and different from the point of view of the experts or the view that those who are accustomed to run these concerns take. I am definitely of the view that if you have to elect between two evils, the evil of the possibility of corruption, which could be safeguarded by certain suggestions which I am going to make presently, and the evil of dissociating Members of Parliament and thus depriving the development of the country of the experience and guidance which they could certainly give, I am prepared to take the risk. If there is a slight chance of corruption, it is desirable to take the chance but it would be totally unwise to cut off Members from the vast sections of administration which constitute among them-

selves the bulk of the country's administration.

Taking the scheme of the Bill, we find it defines 'compensatory allowance' with the object of restricting the monetary benefit. What is compensatory allowance? It is equal to the daily allowance a Member gets, namely, Rs. 21 per day. My own opinion is that this should be at least twice this amount. If I am sent on a mission by Parliament to Calcutta, I could not disband my home in Delhi and Bombay for which I get Rs. 21 and still I have got to spend money for the hotel in Calcutta, while I do not get my allowance as M.P. for the days I am absent. Where am I going to get the money from? I am asking this House not to be niggardly in fixing the compensatory allowance. It should be twice the amount which a Member gets for the simple reason that he has to incur twice the expenditure—one at Delhi and the other at another place where he is sent. It is no use fearing that because you give Rs. 42, to a Member for eight or ten days, his independence is going to be lost. I plead for a better definition of compensatory allowance.

We have also got another aspect. There are certain types of offices about which we do not worry about the monetary part but what my hon. friends had described: power, patronage and honour. It is true that there is this aspect which has to be borne in mind. But an hon. Member is to be protected from being taken by surprise when suddenly one morning he finds that with the intent of rendering service he offers help to a particular body but he is disqualified because power or patronage or honour is supposed to attach to that office.

Take for instance an hon. Member of this House who belongs to the medical profession. He offers his service as a physician in a Government

hospital. I am not sure that this will not entail disqualification of membership of the House. May I point what happened in Bombay? We have got a state insurance scheme under which a panel of doctors are appointed. The State Government appealed to the doctors to give service on very low fees and form the panel of doctors. One morning all found that they were disqualified from being members of the State Legislature! When I resigned from the Bombay State Legislature and sought re-election on the Samyukta Maharashtra issue I had a doctor friend who was my election agent. I was doubtful about his position and so asked him not to be my election agent; otherwise my election would be rendered void. I kept him out. Subsequently, the High Court also thought that the panel of doctors held offices of profit! What is the profit—six rupees per year for a patient! They are giving far more service for this small monetary benefit but still according to the interpretation of the Act, they were supposed to hold offices of profit! We want all such cases to be safeguarded.

Therefore, I am suggesting that we can fairly well attain our objective of retaining the independence of the Members of this House if we provide certain things among many others. I have given notice of amendments accordingly. We should make provisions over and above what is contained in the law for safeguarding Members from disqualification by saying that where the total monetary benefit received in cash apart from the compensatory allowance does not exceed Rs. 2,000 in any one year, there shall be no disqualification. Does anybody really suggest that a Member of Parliament can be corrupted because Rs. 2,000 a year is received by him for rendering some service? The reason why I want such a clause is this. There may be a casual case where a man renders service and accepts some payment of Rs. 50 or Rs. 100 and suddenly finds out that it disqualifies him from membership of the House. Certainly

we cannot go to the other extreme in our anxiety. One cannot be so absurd as to say that the receipt of Rs. 50 by a Member has rendered him unfit to hold his office as a member of Parliament.

I am also inclined to exempt all cases where the holder of an office does not draw cash remuneration attached to the office, as also any compensatory allowance attaching thereto. Take for instance the case of the Chairman of the University Grants Commission. I am told that Rs. 3,000 a month is the salary attached to this office and the present incumbent—I was told and I am subject to correction—draws only Re. 1. But still you will be declaring a person of that kind unfit for membership of Parliament. Surely, there must be some sense of proportion maintained in this respect.

Now, take the case of any body which has been constituted by an Act of Parliament or State legislature where the holders thereof do not draw either the compensatory allowance or the daily allowance. I think such cases should also be exempted.

Besides, we ought to exempt cases where a Member of Parliament has been elected to an office by the vote of Parliament or is appointed thereto by a Presiding Authority on the ground that he would be serving Parliament. He is not under the control of the Government. That thing should also be made clear.

15.28 hrs.

I would go a step further and say that there may be cases where it may be stated that though a man does not draw cash allowance or compensatory allowance, he is influenced by the honour and prestige attached to a particular office. If a court of a tribu-

[PANDIT THAKUR DAS BHARDAVA in the Chair]

nal is of the opinion, having regard to all the circumstances of the case, that any power, patronage or honour

[**Shri Naushir Bharucha]**

attaching to such office is not of a character as would materially influence the judgment of an ordinary prudent man in the discharge of his duty as a member of legislature, then such offices should also be excluded.

I would also say that where the power of appointment rests with sectional interests, whose representation is provided for by any statute or order of the Union or State Government, they should also be exempt. The law provides sectional interests to be represented. For instance, law requires labour, or for a matter of that, the employers to be represented. In those cases also, disqualification should not be entailed.

Finally, I would also plead that if the issue of disqualification is raised in any court, tribunal or legislature or other authority after six months of the date of the last receipt of cash benefit, such incumbent should be protected. Supposing a Member has received Rs. 50 or something like that, he should not be kept under suspense for the rest of the life of Parliament, and if any action has to be taken against him it should come within six months of his last receipt of any benefit under that office. The idea is to provide for a period of limitation. In case any Member has received through inadvertence any benefit the disqualification should not be kept hanging fire on his head.

Sir, there are definitely other points with regard to which I am absolutely in agreement with the hon. Members who have spoken. For instance, my hon. friend, Shri Mahanty spoke about the N.C.C. and the Territorial Army. Surely, Sir, we ought to have some sort of a sense of proportion. We want to disqualify hon. Members from offices on statutory bodies. Why? It is because some sort of patronage—a very vague and indefinite term—attaches to that office. But, all the same, we do not mind officers of the

Territorial Army coming and sitting here. I ask the Government, what is the intention? Do you want to have a regiment of voters in this House? Why do you want the Territorial Army in this House? Sir, the Territorial Army is so much accustomed to military discipline that, I would say, military discipline, in other words the Territorial Army, and independence of judgment are incompatible. By its very training a member of the Territorial Army has got to obey without questioning, while the type of people that we require here are people who can question even a Defence Member.

Shri Goray (Poona): If he happens to be in India.

Shri Naushir Bharucha: I should like to know what would happen if an officer of a Territorial Army stands up during the defence debate and challenges a statement made by the Defence Minister. What is going to happen? As my hon. friend Shri Mahanty rightly asked, do you want to introduce politics in the Territorial Force and crack open your Territorial Force? One day, I was told, when in some political function a General came, the hon. Prime Minister asked him: "Well, how is it that you are here?" What has Army to do with politics?" I am asking, when you introduce an entire regiment in this House, what is going to happen to independent judgment? Similarly, the N.C.C. and such organisations should be studiously kept out.

As regards the *lambardars, mamlatdars* and *patels*. I am inclined to ask, is this Government so devoid of statesmanship that without the wisdom of *lambardars, mamlatdars* and *patels* it cannot carry on the administration and it must have them in this House? What is this idea of bringing an army of paid servants into this House and then say that we are preserving the independence of Parliament? Sir, Government is swallowing an elephant and straining at a gnat. It wants to

cut off Members of Parliament from statutory bodies where they can do very useful work. I speak with my experience of the Bombay Municipal Corporation. There is the statutory body for supply of electricity and transport. They look after the city's electricity supply and transport. They have made it a convention that the Chairman must be a member of the Municipal Corporation, because he can give first-hand information to the House. The Committee consists of members of the Corporation as well as outsiders. The members of the Corporation are included so that they must be in the know of the thing and they will run the administration with an eye on the public. If you leave it to the experts they will say, scrap the tramways and raise the bus fares. If a member of the Corporation or a legislator is there, he will say: "No, the public must be provided with a cheap form of transport". That is why members of the Municipal Corporation are kept there.

I, therefore, plead that this Bill as it stands is far from satisfactory. It might be desirable that the Government might withdraw it and bring up another Bill bearing in mind all those considerations that we have pointed out, but I definitely say that I strongly object to the exclusion of Members of Parliament from the various sectors of our administration. Where statutory bodies carry on administration in a manner which leaves many things to be desired, if the element of Members of Parliament is infused in the statutory bodies, not only our statutory corporations will run better but I am sure this House will get fuller information.

Shri D. C. Sharma (Gurdaspur): Mr. Chairman, Sir, I do not feel happy....

Shri Naresh Bharscha: Nobody is happy.

Shri D. C. Sharma:....after reading through this Bill which has emerged from the labours of the Joint
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Committee extended over an year. I think those labours have been mainly wasted, those labours have mostly gone for nothing. The Bill that has come before us is a hotch-potch; it is neither here nor there. As it has been already said, it is an incomplete Bill, and we are asked to pass a Bill which is not complete or which is not fully drawn up.

I am most concerned about the majesty of this House, Lok Sabha, which is the fountain-head of our national life and which is the motive power behind all kinds of activities—legislative, judicial, executive and others. When I consider what kind of Parliament or Lok Sabha we will have when this Bill is passed, I feel strongly distressed.

The membership of Parliament should be, as it has been said here, a wholetime job, and by passing this Bill we are seeing to it that this Parliament becomes the playground, the happy playground of those persons who are going to be half-timers, whose main activities will lie outside the Lok Sabha and who will occasionally come to grace the benches in Lok Sabha as people sometimes go to grace a tea party or a wedding celebration. We are throwing open the doors, the portals of this Lok Sabha to persons whose main interest will lie outside Lok Sabha and not in the Lok Sabha. I ask you, Sir, is that a happy position for anybody to contemplate? Certainly not.

I would have liked that the membership of Lok Sabha be made a great privilege which a free country can confer upon the noblest, the most learned and the most scholarly and devoted servants of the country. On the other hand, we find that on account of this legislation membership of Lok Sabha is going to be made not any kind of privilege but something which will be doled out to this man, to that man and to the other man.

[Shri D. C. Sharma]

Sir, when I look at this Lok Sabha, the set-up of the present Lok Sabha to which I have the honour to belong, and also the set-up of the Lok Sabha to which I had the honour to belong last time, I find that our Lok Sabha is fully furnished with all those kinds of talents, whether on the Government Benches or in the Opposition, which can deal with all those problems which arise from day to day, whether those problems are executive, judicial or of any other nature. This Lok Sabha and the last Lok Sabha were full of talents of all kinds. There were representatives of all kinds of talents of the finest kind which can be brought to bear upon the solutions of public problems. We are now trying to bring in new talents which are not needed. You say that Government servants cannot stand for election to Lok Sabha. That may or may not be a happy rule, but I feel that when this Act is again amended after some years perhaps Government servants also may find a place in Lok Sabha. I feel that we are on the inclined plane; we are going down hill; gradually we are forgetting the great privilege which Members of Parliament should enjoy. That is what is going to happen. You say that Government servants cannot become Members of Lok Sabha but I know of a Vice-Chancellor who is a Government servant and whose services have been lent to a university and I think he is going to be there for 3, 9 or even 12 years. You cannot have a Government servant as a Member of the Lok Sabha but you will have a Vice-Chancellor as a Member of the Lok Sabha because by accident of fate or by the accident of fortune, he is able to transport himself from a Government job to a job of a Vice-Chancellor. Wherein lies justice in that kind of thing? Therefore, I say that this kind of juggling with these privileges will not be conducive to the greatness of this House of whose honour I think the hon. Minister is as jealous as I am or anybody else.

When I go outside this House, peo-

ple say to me, "Oh, you are all Members of the Lok Sabha. The quorum bell rings so many times and there is not enough of quorum in the Lok Sabha". This is one thing on which people twit us and accuse us of. For instance, we are now discussing a very important Bill, but there are not, I think, many Members present in the House at this time. So, the lack of quorum is a standing reproach so far as the Lok Sabha is concerned.

When you have men of this kind, these half-timers and these part-timers, I believe the problem of quorum will become an insoluble problem. These persons will be attending the meetings of the universities, the Home Guards, the NCC committees and they will be attending all these committees. They are useful bodies. I do not say they are not useful. They are useful things. The Members will also attend the statutory bodies and the non-statutory bodies, and so, who will be here to keep the quorum in the Lok Sabha at that time? At that time, the quorum will have to be reduced from 50 to 25 or even to 15. Therefore, I think that in the interests of the good functioning of the Lok Sabha, in the interest of the dignity of the Lok Sabha, so many types of persons as given in these clauses should not be excluded so far as the office of profit is concerned.

What I want to say is this. It is good sometimes to bring in an omnibus Bill. But what are we doing here? We are trying to copy more or less the provisions which are to be found in the United Kingdom Parliament. We have taken our idea from there. I do not say there is any harm in copying from other Constitutions and other countries. We can take good things from other countries. There is no harm there, but while we are copying it, what we are doing is—I am saying this respectfully—we are giving a bad copy. We forget that the United Kingdom has different

kinds of administration, a different kind of executive and different kinds of set-up. Here we have a federal kind of Government. There are State legislatures, and in these legislatures we have two Houses. We have also the Central legislature and in it there are two Houses. Now, we are trying to bring forward a Bill which will cover all the points in the case. I think this is something which is not easy to achieve.

I will tell the House why it has happened like this. It has been said that the village *Lambardars* should be eligible to contest the elections. The village *Lambardars* are very fine persons. I have nothing to say against them, but I would say that this exemption which is implied in this Bill so far as the village *Lambardars* and men of that category are concerned, is meant more for the State legislatures and not for the Rajya Sabha or the Lok Sabha.

An Hon. Member: Ban them.

Shri D. C. Sharma: They cannot be banned. But I can tell you that the problem of *Lambardars* has not been a burning problem or question with us. I know it has been a burning question with some of the State legislatures. So, I would say that one greatest mistake that has been done is this: instead of having four Bills to deal with the four different types of legislatures that we have—the Assemblies and the Councils at the State level and the Lok Sabha and the Rajya Sabha at the Centre—we are trying to have one Bill to cover all of them, with the result that what is good for a State legislature is forced upon the Lok Sabha and what is good for the Lok Sabha is being forced upon the State legislatures. I would, therefore, say that this Bill is a kind of miscellany into which we have tried to fit too many things which, I should say, are not compatible with each other. I would hence submit to the hon. Minister that he should bring forward separate Bills which

can cover all these four pieces separately and not one omnibus Bill which covers all these things in one.

I would submit that an office of profit is like this: there are certain things which you can define and there are certain things which by their very nature one cannot define. Of course, you can have some objective tests. But the objective tests do not always apply to what you might call an office of profit. So many Members have pointed out on the floor of the House today as to what logic is there in saying that membership of one corporation does not entitle a person to become, or does not disqualify him from becoming, a Member of the Lok Sabha but that membership of a similar corporation or body would disqualify the person from becoming a Member of the Lok Sabha. There is no logic in it. I do not want to go into all these cases to which my hon. friends have referred.

The thing is this. You think of the Hindustan Steel Private Ltd., and put it down in the list. Somebody thinks of Oil India Private Ltd., and that is also put down. Some of them qualify and some of them are disqualified. You do not think of other things. After all, the Members of the Joint Committee did not profess an encyclopaedic knowledge about all the statutory and non-statutory bodies that are in India both at the State level and at the Central level. Nobody knows that. Therefore, the whole thing has been guess work, and guess work of a very poor type. The whole thing has been, I should say, a kind of hit and miss affair. If you have remembered a thing, you have included it, and if you have not, it has not been included. Thus, I would say that you are defining office of profit to help the Members of the Lok Sabha to escape election petitions. That, I think, is the basic idea. You want that persons who have been elected to the House should not have to stand the fire of the election petitions. This is what was said: that

[Shri D C Sharma]

The Representation of the People Act was also simplified, and this is also simplified. We are simplifying everything. We are seeing to it that election petitions become a thing of the past by simplifying the procedure. But you will find that the result is, more election petitions this time than there were formerly, because we have simplified the whole procedure. By our simplification, we have had a large number of election petitions. While defining the office of profit, we are opening the doors to more election petitions. I am not a prophet, but I warn this House that by passing this Bill, there will be more election petitions on the ground of office of profit than before, because after all, the definition of the office of profit is not within the competence of any Ministry or the Lok Sabha. You cannot give an exhaustive list of all the bodies. Ultimately it is not we, but the judiciary, who are going to sit in judgment on these things.

We are giving the judiciary a loophole, because they might say, "You have included this thing, but not that thing". So, by our very inclusion of certain things, we are putting a premium upon those things which have been excluded and the exclusions are going to be larger than the inclusions. The judiciary will take shelter behind the exclusions, rather than the inclusions. Are you going to help the Members of the Lok Sabha who get elected after the rough and tumble of elections, after spending so much money, after undertaking so much travail and trouble, by saying, "Come here, we are now passing this Parliament (Prevention of Disqualification) Bill and we shall see to it that you feel as uncomfortable on these benches as possible"? I think if at all there is a Bill which makes our seats here uncomfortable after election, it is this Bill, because this will give a loophole to the persons who have been defeated to create more trouble for us.

So, I say that the office of profit should have been left as vague and undefined as before. I think this is going to create a great deal of trouble for us. I do not want to go into details about certain provisions of the Bill, because so many Members have spoken already on them. Mr. Chairman, you are a lawyer of experience and I am not one, but, very respectfully I would submit that I have not seen any Bill where the whole is penalised, but the part is sanctified. I will tell you how it is. For instance, you cannot stand for election if you are a member of the police, but you can stand for election if you are a member of the Home Guard.

An Hon Member Both are so different

Shri D C Sharma Of course, we are all so different, but still there is some basic unity between you and me. Similarly, there is basic unity between the police and the Home Guard.

Shri Naushir Bharucha They are birds of the same feather

Shri D C Sharma You know them much more than I do, I look at them from a distance. The members of the National Cadet Corps can come to the Lok Sabha. Of course, I do not share the fears of my hon friend there. That thing will never happen in this free democratic India. We will never have that kind of experience which some unfortunate countries are having. What I am submitting is that while the members of the NCC and the Territorial Army can sit in this House, the members of the defence forces are not allowed. The whole is stultified, but the part is exalted. If you can have the members of the NCC here, why not throw open the doors to the members of the defence forces also? They will be much more useful for us than anybody else.

The offices of the Sheriff in the city of Bombay, Calcutta and Madras have been exempted. I have heard so many things about Sheriffs and I have met some of them who are admirable and honourable persons. But if the Sheriffs are allowed to do the duties normally assigned to them, I do not think that the position of the Lok Sabha will be exalted by them. I stand here to ask the hon. Minister in the name of the dignity of this House, whether the dignity of this House would be enhanced if you throw open the portals of this House to the Sheriffs who perform such kind of duties?

The office of profit means not only the monetary value of the profit, but the amount of patronage that it enjoys. No one will look at that thing. I do not see any reason why these Chairmen Directors, etc. are exempted. If I am the Chairman or Director of a corporation, it is inherent in the very nature of my duties that I am going to exercise some kind of patronage. Patronage embarrasses him who exercises it and demoralises those in whose favour it is exercised. If we are going to have this kind of patronage for Members of Parliament, I do not know what will happen.

I know of some States where it is said that some people there keep themselves in office only by judicious distribution of patronage. It is not only in our country; it was said about Lloyd George that he became Prime Minister by the distribution of patronage. It may be right or wrong; I do not know. But when you ask Members of Parliament to hold such big offices, where they can dole out things to others, I do not know what will happen. This kind of thing is not going to work.

I do not want to say anything about the lambardars, malgutars, deshmukhs, patels, etc. For one thing, I feel happy that they have thought of small men. I am myself a small man and if anybody speaks of small men,

I feel happy. But I want to ask one question. Do these small men want that they should have these privileges? After all, they are in many ways part of the machinery of the Government. So, anyone who is a part, however small it may be, of the administrative machinery of the Government should not be allowed to contest the elections. You may ask me what kind of Parliament and Members I have in view. I want the membership of Parliament, State Vidhan Sabhas and Vidhan Parishads to be whole-time jobs. I want only such people to come as Members of Parliament. I do not want people who have other interests to come here. I do not also want to say, as Barnard Shaw said, that there should be three parliaments—economic parliament, parliament for social service and this kind of parliament. I do not want to say that. But, all the same, I submit we should try to give this privilege of membership to those persons whose main interest is this body or some other Legislature.

16 hrs.

Now what are we going to do? We will bring the Vice-Chancellors here. I have the honour to belong to one University and I know how many committees work there, how many faculties work there and so on. Now, if you have a Vice-Chancellor here, you will have to tell him "Look here, you come here and don't attend to your duties there" or "you be there and don't attend to this duty". Therefore, the Vice-Chancellors will be on the horns of a dilemma. They do not know which way they should go and which way they should not go. Therefore, I would submit one thing and that is this: the membership of this Parliament is a cherished privilege and we should not try to make this privilege such as people do not highly think of it.

I can say one thing about compensatory allowance. There are some Members of Parliament who have told me that the compensatory allowance

[Shri D. C. Sharma]

that they are given is such that it is very much below what is given to persons who are not Members of Parliament. So, we suffer from a disability. They ask us: what can we do? After all, we have to stand by the law of the land. The compensatory allowance that is given to the Members of Parliament is not very adequate. Of course, I do not say that we should be given more adequate allowance. I am not saying that. But I say that you should see to it that the compensatory allowance which is given to others is also brought on the same leave as is given to the Members of Parliament. Now there are some corporations where the members are getting more allowances and other things. They should also be brought down to the level of what the Members of Parliament get.

Then, this Bill is not a final Bill. This is a Bill which will be in the continuous process of revision, in the continuous process of being amended, because, as some hon. Members have stated, many more corporations will be coming into being in future and there will be no end to that. Therefore, why do you have this recurring trouble? Why do you have this constant headache? You cannot solve it by a standing committee, because you cannot have a standing committee which knows everything. Moreover, you have seen how the State Governments have co-operated with you when you wanted information from them. They do not co-operate. How do you know that they will co-operate in the future?

Therefore, I would say that this office of profit should be defined in such terms that it does not hit anybody and that it does not give much scope to the judicial powers to play with this phrase. It should be defined in such a way. I do not want that we should try to define it in this way so that there is room for misunderstanding, for conflicting interpretations and for other things.

With these words, I would inform the hon. Minister that I do not want him to withdraw the Bill, I do not want him to send the Bill to the Joint Committee, but I would ask him to revise the Bill in the light of what has been stated by the Members on the floor of the House, and then revise the Bill in such a way that the judiciary is not able to play with this idea of office of profit and that it does not get much latitude in order to help those who file election petitions. I would, therefore, say that this is what should be done, and that it is in the interest of the Legislatures and also in the interest of the country as well.

चौ० रामबीर सिंह (रोहतक) : सभापति महोदय में समझता हूँ कि इस बिल के पीछे दो स्थाल हैं। कुछ दोस्त समझते हैं कि खतरा है कि कोई सरकार भेज्बस को खारीद कर के देश के हित में न चलते हुए भी कायम रह सकती है। कुछ दोस्तों का स्थाल है कि दर-अम्ल दूसरा खतरा हो सकता है कि देश के हालात बदल गये और हमारे देश का जो राज्य चलाने का तरीका है वह विलायत के मुताबिक नहीं। विलायत से हम ने बहुत सारी चीजें लीं, स्थालात लिये लेकिन उन के साथ १०० की सदी इतकाक नहीं किया। आज भेज्बस के लिये जो डिस्काउंटिंग के लिये आहिये उस को आगर हम विलायत या दूसरे देशों के मुताबिक करेंगे तो हो सकता है कि हम देश के हित के खिलाफ जायें।

एक जमाना था जब हिन्दुस्तान के अन्दर जो हुक्मत थी वह एक ला एण्ड थार्डर की हुक्मत थी, हुक्मत अमन कायम रखने के लिये थी। आज पांच सात सालों के अन्दर जो तरकी हुई है और जितनी तरकी हमें करती है उस के नुस्ते निगाह से मैं समझता हूँ कि हमारी सरकार को ऐसे आदमियों की ज़रूरत है जो सरकार से सहयोग कर सकें। आज सरकार को खारीदने की आवश्यकता नहीं है सरकार को सहयोग की आवश्यकता

है। आज किस दंड से जिस तर्जी से हम यह रहे हैं जितनी हमारी सोचने और काम करने की अप्रित है मैं समझता हूँ कि उतनी तेजी से हम उड़ान नहीं कर रहे हैं और ही सकता है कि हमारी जो अपाराध कम हो गई है उससे हमारे लिये खतरा हो जाय। करोड़ों रुपये लगा कर आज हम कारखाने कायम कर रहे हैं और उन कारखानों में जो हमारे देश के नुसाइन्दे हैं हम उनका एसेसियेशन इस लिये न रहने वें कि हमें यह दर है कि भेव्हर लरीद लिये जा सकेंगे। मुझे तो इस से उल्टा दर है कि आज जो देश में करोड़ों रुपये लगा कर कारखाने कायम किये गये हैं कहीं उनका गलत इसेमाल न हो जाय। इसलिये मैं समझता हूँ कि हमें कोई बीच का रास्ता निकालना होगा।

मेरा अन्वाजा है कि हमारे देश में पार्लियामेंट का ही नहीं जितना भी हमारे देश का राजनीतिक ढांचा बना हुआ है वह ला एप्ड आर्डर को कायम रखने के लिये बना था। प्राप आडिट डिपार्टमेंट को से लैजिये काइनेंस या किसी भी भक्तमे को ले लैजिये। आप सड़कों बनती हैं मकान बनते हैं कारखाने बनते हैं सरकार के लकड़ पर बनते हैं लेकिन जिसे टेकिनकल नालेज कहते हैं वह कहीं नहीं है। बहुत सी चीजें ऐसी हैं जिनमें सही तौर पर कभी हो सकती हैं। इस देश के अन्दर सबसे बड़ा काम आनते हैं कि हमारी स्टेट के अन्दर हो रहा है जिसका नाम भारत रा डैम है। वह १४० करोड़ से लगु हुआ और अब १७० करोड़ पर पहुँच गया है। और भी काम हो रहे हैं उन के जो एस्टिमेट्स हैं वह कई दफा दूने दूने हो गये हैं। सोहेके कारखाने लग रहे हैं लगाल जा कि लायद २५० करोड़ ह० से यह कारखाने बन जायेंगे लेकिन ५०० करोड़ ह० से ऊपर अन्वाजा जा चुका है। जिस आवाजी की भवद से सारे हाउस का फैसला करना है वह अगर दूर से ही किसी बीच को लैजाता है तो ही सकता है कि

कई दफा गलत अन्वाजा सभ जाय और गलत फैसला हो जाय। इसी लिये मैं समझता हूँ कि हो सकता है कि कुछ भाइयों को इस में खतरा भावूम पड़ता हो लेकिन मुझे इस में कोई खतरा नजर नहीं आता। जिस तरह से पार्लियामेंटरी कमेटीज बनती हैं एवेक्शन कमेटीज बनती हैं उस में कोई आदमी एवेक्शन से आ जाय तो मुझे कोई ऐतराज नहीं है। जिसके पास शक्ति होगी वह चुना जायेगा। लेकिन जो आज बड़े बड़े काम हो रहे हैं उन से सदस्यों को दूर रखना देश के हित की बात नहीं है। कई दोस्त हैं जिन का अन्वाजा है कि अगर एक कमेटी में कोई भेव्हर रख दिया जाय तो वह खरीदा जा सकता है। अगर ऐसी ही बात है, सदस्यों की कीमत कुछ हमया ही है तो इस का इलाज मुस्किल ही होता है। उस का इलाज तो लोगों के ही पास है। यहां पर लोग आयेंगे और जब उन को बक्त भिलेगा वह इस का इलाज सोचेंगे। लेकिन मैं ऐसा नहीं भानता। मैं समझता हूँ कि दूसरे देशों के अन्दर जहां तक सदस्यों का बास्ता था, उन के जिम्मे वह काम नहीं आया। अमरीका के अन्दर पार्लियामेंटरी डिमाक्रेटी है। इंग्लैण्ड में भी डिमाक्रेटी है, लेकिन सरकारी कारखानों को बलाने का काम उन्होंने उतनी तेजी से नहीं किया जितनी तेजी से हम कर रहे हैं। हम उन से बहुत साल पीछे रहे हैं। जितना काम उन्होंने इतने दिनों में किया है, हम उस को बहुत बड़े सालों में आगे बढ़ा कर करना चाहते हैं तो उस के लिये जैसा मैं कहता हूँ उस की बहुत ज़रूरत है।

मुझे हंसी आती है कि कई लोगों के लायल से छोटा सा नम्बरदार जो है वह बहुत खतराक साबित हो सकता है। मैं जानता हूँ कि सन १९५२ से पहले कुछ नम्बरदार ये और वह इस सभा के काफी पुराने भेव्हर हैं। मैं नहीं जानता कि कभी भी उन के भैंसें में इसलिये कई आया हो कि वह नम्बरदार है। हमारी स्टेट के अन्दर

[चौं० रजबीर चिंह]

कई ऐसे नम्बरदार रहे हैं जोकि नम्बरदार रहते हुए भी काँचेत संगठन के साथ मिलते थे, उस के साथ हमवर्दी रहते थे, उस के टिकट पर एलेक्शन लड़े और नम्बरदार कायम रहे। मैं जानता हूँ कि मेरा बाप नम्बरदार था और सन् १९२४ के एलेक्शन में काँचेत टिकट पर चुनाव लड़ा और उसके बाद कई दिन जेल गया। और भी नम्बरदारों को मैं जानता हूँ, किसी ने भी हमारा रास्ता नहीं रोका, रास्ते को ब्लाक नहीं किया। मेरी समझ में नहीं आता कि इस हिन्दुस्तान में कैसे यह सम्भव हो सकता है। आज हमारे देश में बड़े बड़े अफसर हैं, जिन को दो तो हजार रुपये तन्हाह मिलती है, चार चार हजार रुपये तन्हाह मिलती है, उन के बारे में भी यह सोचना कि वह सरकार की पालिसी के साथ है, शायद बिल्कुल गलत होगा। अगर कभी देखा जाय तो पता चलेगा कि वह लोग जितना किटिस्चम सरकार का करते हैं, यह सही, यह गलत, उतना कोई नहीं करता। जब सरकारी नौकरों के बारे में ऐसा नहीं सोचा जाता तो यह भान लेना कि जिन का बोका बहुत भी बास्ता ऐसे स्थानों से है वह गलती करेंगे, यह ठीक नहीं है। कम से कम पंजाब के लिये तो ऐसा हुआ, पंजाब का ही एक ऐसा इतिहास है, कि वहां पर एक नम्बरदार चीफ मिनिस्टर बना, मिनिस्टर भी बना, अगर उस ने इतिहास में कभी किसी अफसर के दबाव से अपने फैसले को नहीं बदला तो युझे कोई शक नहीं मालूम होता कि आज की आजादी के दिनों में कोई हिन्दुस्तानी इस तरह से अपना फैसला बदलेगा।

इसी तरह पटेल के बास्ते हैं, दूसरे के बास्ते हैं। सही बात यह है कि देहात की लीडरशिप जो है, सही तौर पर या गलत तौर पर जो इस जमात के आदमी हैं उन के हाथ में ही रही, या कम से कम ऐसे आदमियों के शाख में रही जिन का ऐसे लोगों

के बास्ता था। लैकिन मैं नहीं मालूम कि देहात की लीडरशिप गलत आदमियों के हाथ में रही है। हिन्दुस्तान के देहातों का इस देश की आजादी में बहुत बड़ा हिन्दुस्तान का, तो हिन्दुस्तान के देहात कभी भी पीछे नहीं रहे, और आगे भी मुझे पूरा विश्वास है कि वह पीछे नहीं रहेंगे। जहरत किस ठंग की आती है, यह कोई नहीं जानता, लैकिन जब जहरत आयेगी तो यह जो ओटे ओटे खालात है वह गलत साबित होंगे और देहात के जो आम आदमी है, जो स्टेट्स से चुन कर आते हैं, वे उस के रास्ते में रोड़े नहीं बन सकेंगे।

मैं समझता हूँ कि बहुत अच्छा हुआ कि जो पाबन्दी हटा का फैसला किया गया है यह बहुत सही फैसला है। जो नम्बरदार बगैरह है उन को एग्जेम्प्शन मिलना ही चाहिये था। पहले यह बहुत गलत बात थी कि उन का एग्जेम्प्शन नहीं था। कई दफा अजीब बात हुई कि पंजाब के अन्दर नम्बरदार ऐसा खतरनाक आदमी बन गया था कि वह मेम्बर बन सकता था। फर्ज कीजिये कि स्टेट के एक पार्टी का उम्मीदवार नम्बरदार है और लोक-सभा की उम्मीदवारी के लिये भी उसी पार्टी का दूसरा आदमी उड़ा है तो उसे वह भरवा सकता था क्योंकि उसे लड़े होने की इजाजत भी लेकिन मदद करने की इजाजत नहीं थी।

वह जो खराबिया थी मैं समझता हूँ कि वह अच्छा हुआ कि वे दूर हट गईं।

इस के अलावा जैसा मैं ने पहले कहा मैं यह जानता हूँ कि यह जितना है उस में पंजाब का छिक आता है कि जिस का मेम्बर होना भी कानून के खिलाफ आप बना रहे हैं कि वह पार्लियामेंट का मेम्बर नहीं रह सकेगा अगर वह बोर्ड का मेम्बर ही। यह पाबन्दी मेरी समझ में कुछ मुलाकूत नहीं जंचती है। अब पंजाब के अन्दर जिन्होंने

कि आजादी की जहोरहृद में हिस्सा लिया हो और देशभक्ति में जेस यहे हों उन शार्दूलियों का हंसांख्य करने के लिये और उन को फिर से बदाने के लिये जो बोई बनाया जाय उस बोई का भेद्वार पालियामेंट में न जा सके कुछ मुनासिब नहीं जंचता है। ऐसे व्यक्ति के ऊपर जिस का कि उस से बास्तां रहा हो इस तरह की पावनी आयद करनां भेरी समझ में तो नहीं आती है। पता नहीं क्यों हमारे हिन्दी सीकर साहब जोकि पंजाब की हालत को जानते थे मुझे मालूम नहीं क्या बजह थी क्या लास बात थी कि उस बोई के भेद्वार के लिये पालियामेंट की भेद्वारी के लिये दिस्कवलिफ़ाई कर दिया गया। मैं तो समझता हूँ कि उस का पालियामेंट में भेद्वार रहना बहुत ज़रूरी होता है क्योंकि यही तो लोग होते हैं जिन्होंने कि उन के लिये सब कुछ काम किया है और वे ही भगर वहां न रह सकें तो यह कुछ मुनासिब नहीं जंचता है। भेरे दोस्त और संसद सदस्य जानी गुरुमुख सिंह मुसाफिर उस बोई के भेद्वार काफ़ी समय से होते चले आये हैं और मैं समझता हूँ कि उस बोई की भेद्वारी से उन्होंने आज तक कोई नाजायज़ कायदा नहीं उठाया और वह कैसे उस से कोई नाजायज़ कायदा उठा लेंगे यह बात मेरी समझ में नहीं आती। शायद उन्होंने वहां से आपना इस्तीका दे दिया या शायद देना होगा लेकिन मुझे यह बात समझ में नहीं आई कि हम इस किस्म की पावनी क्यों लगाते हैं जबकि वह दरअस्ल में देश के हित की बात है प्रहित की बात नहीं है।

जहां तक सदस्यों की ईंटेप्रेटी का सबाल है और जो आप यह कहते हैं कि यह तमाम पार्टीज का सबाल है यह एक पार्टी का सबाल नहीं है मैं समझता हूँ कि यह बात सही है कि हिन्दुस्तान का सबाल है लेकिन जिस ढंग से वह सारा चलता है वह सोचने का ढंग और तरीका पुराना है और

यह उस देश का तरीका होता था जहां की सरकार कारखाने कीरह नहीं बलाती थी लेकिन हमारे देश में तो सीमांच से बैसी स्थिति नहीं है और आज करोड़ों लोग हम प्रबलिक सेक्टर में लगा रहे हैं और भगर इस सदन के सदस्यों का उन कारखानों में और प्रोजेक्ट्स में सहयोग नहीं होगा तो सही तीर परउन को उन के काम और प्रगति के बारे में पता और जानकारी नहीं हो सकेगी और पता भगर लगेगा भी तो तब लगेगा जबकि देश को काफ़ी नुकसान हो चुका होगा। इस के अलावा यह भी हो सकता है कि कोई दफा चूँकि हम सारे हालात से नावाकिर रहेंगे हम शायद कभी-कभी कोई शुलत फैसले भी कर दें।

मैं भानता हूँ और जैसा मैं ने पहले कहा कि मैं तो बीच का रास्ता आहता हूँ। भिस्टन्स्ट्रीज वाला नाभिनेशन आप बेशक हटा दीजिये वह सदन की तरफ से हो चाहे कमेटी के रूप में हो लेकिन इस बात का ल्याल अवश्य रखा जाय कि जो भी बड़े अध्यवा छोटे कारखाने प्रबलिक सेक्टर में लाये जायें उन के कामकाज और प्रगति के ऊपर सरकार का और इस हाउस का पूरी तौर पर ध्यान रहे और उन के चलाने और उन के काम की हर बात देख-भाल करते रहने के लिये और जांच पढ़ाना करते रहने के लिये एक स्टैंडिंग कमेटी होनी चाहिये और गवर्नरमेंट की उस के लिये कोई कमेटी हो तो मुझे उस में भी कोई एटररज़ नहीं है। मुझे इस में भी कोई आपत्ति नहीं होती अगर उस स्टैंडिंग कमेटी में किसी अपोजीशन पार्टी के भेद्वार की लगा दिया जाय और मुझे ऐसी कोई आसंका नहीं है कि वह लॉटरी लिया जायेगा। हमें अगले सदन के सदस्यों पर पूर्ण विश्वास है और मैं ऐसा नहीं समझता कि वे देशहित के विरुद्ध कोई भी कदम उठायेंगे। मैं कोई ज्ञानकारा हूँ कि अगर इस हाउस का कोई

[वौं रजदीर सिंह]

मेन्डर भेंहों पर लगा होगा तो वह हमें बतला सकेगा कि इस अंडरटेकिंग समत रास्ते पर जा रही है या सही रास्ते पर जा रही है। मैं समझता हूँ कि यह जो पार्वदियां लगाई है अगर उन को ढीला कर दिया जाय तो इस से देश का नुस्खान नहीं होगा।। इस लेन्ड के मेन्डरों की ईमानदारी पर कोई बतारा नहीं होगा बल्कि सही मानों में देश हित के लिये यह बहुरी है कि यह पार्वदी आप ढोली करें और कर्ज़ कीजिये अगर उस में कुछ आपसि हो तो उस के लिये कोई बीच का रास्ता निकाल लें।

Pandit K. C. Sharma (Hapur): Mr Chairman, I support this Bill because I do not like too many restrictions with regard to eligibility to Membership of Parliament.

The fundamental question of integrity, incorruptibility and independence of the Member of Parliament has been raised. There is a biological principle that from the tree you will expect a sort of fruit that the tree is meant to yield. The corner stone of a good parliamentary democracy is the free and untainted vote. This is the principle laid down by the first President of the American democracy and it stands to this day. Once the free and untainted vote is ensured and it becomes the practice of the elections, the incorruptibility and independence of the Member is ensured. It is the effect of a cause in scientific terminology. It is not the nature of the function that takes away the independence or honesty of a Member; it is the environmental atmosphere that affects his way of doing.

There is a lot of confusion about the thinking of some hon. Members. They should know that in a modern democracy, it is the party candidature that ensures success. The electorate are more and more conscious of their functions. The more educated the

people grow, the more critical and analytical they grow about the activities of the Government, the more it would become difficult for any independent candidate to succeed to a seat in Parliament. Therefore, it is the party discipline that is the guarantee about the incorruptibility, about the independence or about the way of thinking or the way of functioning of any Member of Parliament. It is not given to individual whim or wish; it is the party whip that carries the man to his functions or to his doings in the Parliament, whatever job he takes up. Therefore, the Member's taking this job or that job does not affect his conduct at all.

Another factor is a free, independent and critical press. Our press is enlightened and critical, of course. The more the press takes interest in the governance of the country, the more well equipped it is about the ways and functions of the Government and the more scientific its criticism is, the greater it is a guarantee for the good conduct and independence of a Member of the House or a Minister.

What I am laying stress upon is the simple fact that the social environment helps the man in his growth just as the man has the capacity to create a new environmental atmosphere. This is a two-way thing. Man is the product of social institutions as he is the creator of those institutions themselves. Parliament or the Government is no exception to this general axiom. Therefore, my humble submission is that the argument about taking a job does not very much affect either the integrity or the independence of an hon. Member. What does affect is the way the party to which he belongs functions. It is the party machine. It is a queer phenomenon. Not only with regard to the independence of the Member alone, but even with regard to any functionary in the social institutions set up, they start

for liberty. But if you analyse, very little liberty is left to the individual. He is so much circumscribed by the forces around him and it is the party machine that the poor fellow has been set in that, in the last, determines his conduct as to what view he has to take or what job he has to take up or what thing he has to do or what thing he has not to do.

There are certain amendments. I do not see any reason why the Vice-Chancellor of a University should be prohibited from taking an honoured seat in the Houses of Parliament. It would be a honour to even a political institution like the Parliament to have the highest functionary in an academic institution. For instance, I may point out that the Rector of the Moscow University is not a communist and yet he has a place on the Presidium of the U.S.S.R., because, he has to give a detached view of things. If a Government which we decry that it is not a democracy, that it does not take the peoples' wishes into account and dictates from above, permits or thinks it necessary that the highest functionary of the academic institution should find his place on the highest body of the Government of that country; I see no reason why the Vice-Chancellor of a University should not be allowed to have a seat in the Houses of Parliament.

Some Hon. Members Dr. K. L. Shrimali.

Pandit K. C. Sharma: It is a poor comparison to put Dr. K. L. Shrimali by the side of the Rector of the Moscow University, with all respect to Dr. K. L. Shrimali.

Chairman of other Committees—these are little functions and they do not affect the character of a man if the man is worth something. Being a Member of this Committee or that or this Commission or that—these are small things and they do not affect if the man is stabilised in his view and has grown enough. It is the function of the party machinery to pick up the people who have got a certain back-

ground, who have got a certain training, a certain view point. By being a member of this Commission or that a man does not change easily. Man is too solid a commodity to be thrown away by the wind. That is an impossible thing.

About Committees of the House, my hon. friend Ch. Ranbir Singh has said enough and I may not repeat his arguments. These village officers and others do not exercise powers or functions that in any way bind them to the Government's views. I do not think many revenue officers will find a place in Parliament, because in future the political parties will require more intelligent people, better equipped people, and certainly a man who is well-educated, well-equipped, has his worth in the economic or social field of the community, is not going to take up jobs like that of a revenue officer. These are not the jobs which a man who counts in the social structure would take to. So, it is not likely that this class of people would adorn these Benches. There need be no fear about it.

I submit that there should be more exemptions, for instance of the professional services, like lawyers, university professors, journalists and a thousand others. I want to make a distinction between profit and professional services. A contractor may be making profit and profit alone and nothing else. He has no professional ethics or professional code of conduct, but wherever a code of conduct comes in, wherever professional ethics come in, there is no danger in the gentleman in the profession concerned coming to Parliament, subject to the condition of his physical capacity to do the job, availability of time etc. I do not think that a man who is trained in a profession, who knows something of his professional ethics, who has a code of conduct would be corruptible simply because he is placed in this office or that office. He is too much a stabilised being to be swayed this way or that.

[Pandit K C Sharma]

Every country has got its own traditions. I came to Parliament, to this House, in 1946. When the election for the Speaker took place, a Member of the Executive Council, Sir Ardesir Dalal, did not vote for one who was called the Government candidate. He remained neutral. Another Member, Maharaja Hummat Singh refused to vote for the so-called Government candidate, because they had their own view of things, and it not being a Government motion as such, they refused to be swayed simply by the colour of the skin or by the whip of certain parties. They had independent views.

Later, I have noted that you, Sir both in the Constituent Assembly as well as in Parliament, though a member of the same party, have differed on important measures. Even in certain cases where whips were issued, the Members simply notified that they differed and that they made it a question of conscience.

So, the tradition of this House is that it is much more independent than even the U K Parliament. Members have not moved this way or that way not even on account of party affiliations.

It is almost common knowledge that a Congress Party ticket means almost a sure success. A member of the Congress Party depends much more on the support of the party for his success in the elections than a member of any other party anywhere else in the world. No other party in the world at present is so powerful a factor in the ensuring of success of a member in the elections. Despite this the Members have had more independence than any Member in the legislature elsewhere.

Therefore, with this background and with the experience of the working of this House and the fundamental fact that only on the free and untainted

vote of the electorate does the incorruptibility and independence of a Member rests, I think these changes do not in any way affect either the integrity or the independence of the House, and therefore, I welcome this measure.

Shri N R Munisamy (Vellore) The Bill as it has emerged from the Joint Committee is a real improvement on the original Bill that was introduced in the House. All the same it does not satisfy all the canons of what legislation ought to be. It is incomplete, something is wanting, the clauses are all ill-drafted and the wordings are vague, and there is much scope for improvement. So, I am not quite happy with this legislation since it admits of several interpretations.

Several previous speakers have referred to article 102 of the Constitution and I may also be allowed to read it out with particular reference to the points which I propose to raise. Clause 1(a) of the article reads

"If he holds any office of profit under the Government of India or the Government of any State, other than an office declared by Parliament by law not to disqualify its holder,"

In this Bill we are dealing with disqualifications and how they are attracted. It has got four clauses, but the really important clause is that which enumerates the several offices of profit. Ordinarily speaking, in order to know whether a person holds an office of profit or not, a definition has to be incorporated in the Bill. I do not find any such definition in the definition clause. It only defines compensatory allowance, statutory and non-statutory bodies. In the schedule they have enumerated the offices that are to be declared by Parliament not to disqualify Members. But that is only by passing the Constitution which only refers to a holder of an office of profit, and we have not

defined what an office of profit is. We are not doing our proper duty as Members of Parliament by mentioning whether particular offices disqualify a Member or not, without defining what an office of profit is. There are certain hard cases where the offices have to be eliminated from the operation of disqualification, but by giving a catalogue of offices which are now declared not to attract disqualification, we are not going to satisfy the requirements of the Constitution. Therefore, I request the hon. Law Minister to take note of this and to put in an amendment defining an office of profit.

16.30 hrs.

[SHRIMATI RENU CHAKRAVARTTY in the Chair]

At least if the list enumerated in the Bill had been exhaustive I could have understood, but even that is not so. We have enumerated only some and left out the others. It appears from the report that the State Governments and the Central Government have been very reluctant to give a list of all the bodies that are working. I can only say this much. I happen to be a member of the advisory council of the District Board. It is a statutory body of which Members of Parliament as also members of the local legislature are members. It is not enumerated in either part I or part II of the Schedule under Madras. It looks as though I would be disqualified after the passing of this Bill.

Shri Ranga (Tenali): You can resign from that.

Shri N. R. Munisamy: It is a statutory body and it is not as if I can resign, because even if I do not attend a particular meeting, still I am supposed to be a member, and therefore I will be disqualified. Therefore, I would say that we should not keep this question open, for, in that case many of the Members here may become disqualified—if this provision in the Constitution is interpreted

strictly—whenever they happen to be members of such boards. So, I would suggest that it is better that we define what an office of profit is.

Various suggestions have been made by the Members here saying that there is incompatibility or that there is conflict between these jobs and the functions of Members as Members of Parliament. And everyone has offered his own suggestions. Still, the armoury of Government is not wanting, and is not so feeble as not to be able to arrive at a definition as to what an office of profit is. They can still find a way out by defining what an office of profit is.

According to the various interpretations and decisions given by the courts, I came to understand that whoever draws any salary from Government is said to hold an office of profit. Suppose a particular person happens to hold a particular office in a local board or any other body, and he happens to draw some allowance, or he draws not even a single pie but the Act says that he is entitled to draw certain allowances, then it means that he stands to gain or stands to profit thereby, and, therefore, the fact of his being a member of that board or that advisory committee or council becomes a disqualification for him. The very fact that he is an *ex officio* member is sufficient, even though he does not receive any money at all from that body. Therefore, I would suggest that it is very important that we should not brush it aside and simply say that these are the only offices which are exempted from disqualification. Unless we know exactly what the disqualification is there is no use. Merely enumerating these offices is not enough. We must know definitely what an office of profit is, and what disqualification is.

I hope that in the future, when Government bring forward an amendment, they will specify in the Bill these various other bodies also holding offices in which case it will

[Shri N. R. Munisamy]

not be a disqualification. I hope Government will look into this aspect and define in the definition clause what an office of profit is. Otherwise, we shall be in a maze of difficulties later on. I have just cited one instance; there may be various other instances of a similar nature. Therefore, I would request Government to give some thought to this matter.

I have been very patiently hearing the many speakers who have spoken on this Bill, and I find that not one of them has been very happy about this. Unanimously, I would say, they wanted that it should be deferred or that it should be withdrawn or that proper amendments should be introduced in the present Bill, to ensure that it is very fool-proof and does not leave any lacunae, which will result in a number of cases cropping up in the courts, as a result of which, just as our hon. friend Shri D. C. Sharma has said, many of the Members might certainly incur disqualification.

Under these circumstances, I would say that Government should address themselves to this problem and give proper thought to the matter and come forward with a proper definition of what an office of profit is, in the absence of which, I am sure, we shall not be doing our work properly. I would say that this Bill is defective in this sense that it does not give any definition of what an office of profit is, which is a very important aspect on which the whole Bill is based. This is a lacuna which cannot be pardoned by anybody; the future legislators will certainly say that the Law Ministry had not bestowed proper thought on this matter, and had done this work in a hurried way and in a incomplete way.

I would respectfully say that the Members of the Joint Committee have put forth about a year of work in this task, and they have produced this Bill, and their work deserves to be appreciated to that extent; but I would

respectfully state that that work is not to be appreciated for want of a proper definition of what an office of profit is.

As regards clause 3, in the Act I find that the office of Minister is exempted. But here in this Bill, I find under sub-clause (a):

"Any office held by a Minister, Minister of State or Deputy Minister for the Union or for any State, whether *ex officio* or by name".

Exemption given to them. But I find in clause (2) of article 102 of the Constitution:

"For the purposes of this article, a person shall not be deemed to hold an office of profit under the Government of India or the Government of any State by reason only that he is a Minister either for the Union or for such State".

So there was no need to have brought in this provision in sub-clause (a) of clause 3 in the Bill.

Many Members have given cogent reasons against exempting certain offices. I may also add to them. Take the office of Vice-Chancellor. Much has been said about it. I will only say this, that the Vice-Chancellor of a University is a person holding office and drawing a fat salary. He is supposed to be a government servant. If a government servant who is in receipt of pay from Government is to be allowed to sit in Parliament, it will not, as others have maintained, maintain that sort of impartiality and purity which we want in the legislature. Therefore, such persons who draw salaries from Government should be scrupulously avoided, and whatever be the knowledge they possess and the status they have in private life and so on, they should be excluded from membership of Parliament.

Then I come to the provision about village officers, *lambardars*, *deshmukhs* and so on. These persons receive salary from Government. They are public servants and so there need not be any exemption given to them. Here I find three conditions put in about the village revenue officer. The first is that he is to collect land revenue, the second that he is remunerated by a share of, or commission on, the amount of land revenue collected by him, and third he does not discharge any police functions. These are the three conditions for them. I would only say that every village officer in every village takes not only commission, but—subject to correction—also pay. They receive from Government a pay of Rs. 30 or Rs. 20—I do not know what the figure is. So far as my State is concerned, they are paid Rs. 30 a month. As regards the share in the revenue they collect, the commission varies from year to year, sometimes from *fasli* to *fasli*. Therefore, I would say that village officers need not be put in here.

As regards compensatory allowance, I find in sub-clause (h):

"the office of chairman or member of a committee (whether consisting of one or more members), set up temporarily for the purpose of advising Government or any other authority".

If the holder of that office is not entitled to any remuneration other than compensatory allowance, he is exempt. This compensatory allowance comes into operation only in (h). They receive salary just as others. The compensatory allowance is not the same for everybody. Members of Parliament get Rs. 21 whereas others get Rs. 20 plus Rs. 10. I am not saying that they should be brought to our level. But since we have incorporated a provision here 'if the holder of such office is not entitled to any remuneration...', a similar provision must be

added in respect of the Vice-Chancellor of a University or any other person, because they need not get more than what they are entitled to get as any other Member of Parliament. Therefore, I would say that this provision must also be added to sub-clause (f).

Again, there is no definition of 'temporary'. It may mean one year, or two years or it may go from year to year for two or three years. 'Temporary' is a very vague term and I would respectfully say that some definiteness should be there about it—say three or five years. This Government has got the right to extend the life for another term. Therefore, I respectfully submit that 'temporarily' should be defined, whereby people may know where they stand.

There are various other bodies whose names have been brought to limelight. It is stated here in the Report that there is a Standing Parliamentary Committee. It must get recognition. I do not find any mention of this Standing Parliamentary Committee in the scheme of the Bill. There are references to various other things. Since it is stated that this Standing Parliamentary Committee will scrutinise from year to year what those bodies are the membership of which or the holding of offices in which will disqualify a person, this should get statutory recognition; otherwise, it will not be effective nor can we enforce it. Therefore, I would say it must be recognised.

Again as regards the various other councils and bodies which have not been brought to the notice of the Joint Committee, I would only say that instead of having these two parts in the Schedule, we must altogether eliminate them and keep only clause 3 with a definition added to it. The definition would clearly say, and the court would decide which are posts of profit and which are not. If this list

[Shri N. R. Munisamy]

is exhaustive I can understand it; but, it is only illustrative. But this schedule has to be added to year after year as and when they come across cases of Members and occasions when they have to be disqualified.

We are aware that in olden days when the Britishers were ruling the country, they were having some sort of Legislature and therein there were some members who were nominated. Those nominated members always sided with the Government on the floor of the House. Evidently, Government have got the same background, to have some persons who support the party here in the House. Here whenever some thing is brought before the House, automatically, even without being asked, they will automatically speak on the side of Government. That is, probably, the reason why these posts have been enumerated. Though they receive salaries and every other patronage, powers and privileges, yet they are to be eliminated so that they will support Government as and when the need arises. This will work havoc in the long run. It is better to have a particular formula or a test which you can say that this institution is to be exempted and that institution shall not be exempted. Otherwise, it would be opening the floodgates of nepotism and corruption. I do say nepotism and corruption guardedly because some hon. Members may be going in for certain chairmanship or membership of some statutory bodies wherein there is a great deal of power and prestige also.

Therefore, I would request that these persons should be scrupulously avoided for being members. We are creating a separate class in Parliament who can participate in the discussions and support Government. Only the future has to say whether these things enumerated in the Schedule re, beyond all doubt, of an impartial type.

Madam, as you are watching the time, I will say the last word and be done with it. In the Parliament (Prevention of Disqualification) Act which was passed in 1950, we were having in a general way what the offices of profit are. We have been extending the life of the Act from 1953 onwards till 1958, for a period of five years. In these five years, many Members of Parliament had been taken on several Committees and commissions and their position there was supposed to be an office of profit. Therefore, they thought it better to come with an Act whereby we can enumerate what offices can be said to be incurring this disqualification. At the initial stages, they never thought that we should have a schedule running on like this with about 137 items in two parts. Some more bodies will have to be included later on year after year and so, I say that, to avoid the length tail-like schedule which goes on expanding year after year, it is better to have a brief Act whereby a definition would guide us. The courts should try to interpret it and put us in the proper way.

पंडित ठाकुर दास भारती : मिं. चेयर-मैन इस बिल के मुतालिक बहुत सारी बहस आज सुबह से अब तक होती रही है और शुक्रवार को भी होती रही। एक भेद्यर भी यह कहता हुआ सुनाई नहीं दिया कि वह इस बिल को मंजूर करता है और इस बिल में उस को कोई एतराज नहीं है। यहाँ तक कि हमारे डिप्टी स्पीकर साहब को भी डिप्टी मिनिस्टर साहब की तकरीर से तसल्ली नहीं हुई। गरजकि एक भी शास्त्र इस हाउस में नहीं है जिस ने इस बिल को माना हो।

Shri Dasappa (Bangalore): His reports are in English. It would enable us to follow his arguments better if he speaks in English. So, I submit that he may speak in English.

Mr. Chairman: Pandit Thakur Das Bhargava has a right to write his reports in English and speak in Hindi.

But I have also to request him on this point. He is a very respected Member of this House and his views shall have to be taken into consideration on this Bill. Many hon. Members feel and I also feel like that; we want to follow his arguments because he has been associated with the report of the Committee on Offices of Profit from the beginning and also later on in the Select Committee. So, I would request him, if it be not very inconvenient to him, to speak in English so that all sides of the House may be able to follow him.

Pandit Thakur Das Bhargava: Madam Chairman, in obedience to your orders as also the desire of my hon. friends....(Interruptions). It has never happened that when a request has been made to me, I have not acceded to that request.

So far as this Bill is concerned, I was submitting that there was no single Member in this House who had not taken exception to this Bill. It is a very unfortunate Bill in that sense. So much so, even when our hon. Deputy Minister was making his motion, our hon. Deputy-Speaker who was in the Chair then said that he was not fully satisfied with what he had said. I feel that a Bill of this nature which has been criticised from so many points of view and from so many angles is a Bill which requires perhaps much more elucidation than what he got from the hon. Mover of this Bill. In fact, I do not envy him

because he had a hard task to perform. He knew and we also knew from the start of this thing. The Government did not at first agree to make a Schedule as they realised that making of a Schedule was a very complicated task and it might or might not succeed.

Mr. Chairman: The hon. Member may continue tomorrow. I would not like him to start his arguments and then break the continuity now. Now, the hon. Minister of Parliamentary Affairs may make his announcement to the House.

17 hrs.

BUSINESS OF THE HOUSE

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): With your permission, Madam, may I announce a slight change in the order of Government business for the current week?

In the statement made by me on Friday, I said that discussion on the statement of the Minister of Finance on the Investment Policy of the Life Insurance Corporation would be held on 27th November. The motion will now be moved on Friday, 28th November instead. This means that discussion will continue on Saturday the 29th November also.

17.01 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, the 25th November, 1958.

[Monday, the 24th November, 1958]

ORAL ANSWERS TO QUESTIONS.

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377.	Geological and Mining Survey in States . . .	1225-26
PAPERS LAID ON THE TABLE . . .		1226-28

The following papers were laid on the Table :—

1. A copy of the Durgah Khwaja Saheb Bye-Laws, 1958 published in Notification No. G.S.R. 984 dated the 25th October, 1958.
2. A copy of the Appropriation Accounts of the Government of Delhi 1956-57 and Audit Report, 1958, under Article 151 (1) of the Constitution.
3. A copy of the Notification No. S. O. 2369/ESS/COMM/IRON & STEEL/AM (3) dated the 13th November, 1958 under sub-section (6)

PAPERS LAID ON THE TABLE—contd.

- of section 3 of Essential Commodities Act, 1955 making certain amendment to the Iron and Steel (Control) Order, 1958.
4. A copy of the Eighth Report of the Union Public Service Commission for the period 1st April, 1957 to 31st March, 1958, under Article 323(1) of the Constitution.
5. A copy of each of the following Notifications under sub-section (2) of section 3 of the All India Services Act, 1951 :—
 - (i) G.S.R. No. 1055 dated the 8th November, 1958 making certain amendments to the Indian Administrative Services (Pay) Rules, 1954.
 - (ii) G.S.R. No. 1078 dated the 15th November, 1958 making certain amendment to the Schedule to the Indian Administrative Services (Pay) Rules, 1954.
6. A copy of Notification No. S.O. 2269 dated the 21st October, 1958 under Section 43 of the Copyright Act, 1957 making certain amendment to the International Copyright Order, 1958.
7. A copy of each of the following notifications under sub-section (4) of section 43B of the Sea Customs Act, 1878 :—
 - (i) G.S.R. No. 957 dated the 18th October, 1958
 - (ii) G.S.R. 958 dated the 18th October, 1958 containing the Customs Duties Drawback (Cigar Wrapper Tobacco) Rules, 1958.
 - (iii) G.S.R. No. 999 dated the 25th October, 1958.
8. A copy of each of the following notifications under sub-section (4) of section 43B of the Sea Customs Act 1878 and section 38 of the Central Excise and Salt Act, 1944 :—
 - (i) G.S.R. 959 dated the 18th October, 1958 making certain further amendments to the Customs and Central Excise Duties Drawback (Art Silk) Rules, 1957.
 - (ii) G.S.R. No. 986 dated the 25th October, 1958 containing the Customs and Central Excise Duties Drawback (Steel Products) Rules, 1958.

COLUMNS		COLUMNS	
REPORT OF ESTIMATES COMMITTEE PRESENTED	1229	BILL INTRODUCED	1233-34
Thirty-first Report was presented.		The Himachal Pradesh Legislative Assembly (Constitution and Proceedings) Validation, Bill, 1958.	
STATEMENT RE : DEMANDS FOR EXCESS GRANTS (RAILWAYS) FOR 1955-56 AND 1956-57	1229	STATEMENT RE : ORDINANCE LAID ON THE TABLE	1234
The Minister of Railways (Shri Jagjiwan Ram) presented statements showing Demands for Excess Grants in respect of the Budget (Railways) for 1955-56 and 1956-57.		The Minister of Home Affairs (Pandit G. B. Pant) laid a statement on the Table of the House explaining the circumstances which necessitated immediate legislation by the Himachal Pradesh Assembly (Constitution and Proceedings Validation Ordinance, 1958.	
CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE	1229—33	BILL UNDER CONSIDERATION	1234-134
Shri Ram Krishna called the attention of the Minister of Transport and Communications to the explosion of the British Tanker 'Stanvac Japan' in the Arabian Sea and the casualties among the Indian personnel of the Ship.		Further discussion on the motion to consider the Parliament (Prevention of Disqualification) Bill, 1957 continued. The discussion was not concluded.	
The Minister of State in the Ministry of Transport and Communications (Shri Rai Bahadur) laid on the Table a statement in regard thereto.		AGENDA FOR TUESDAY, 25TH NOVEMBER, 1958—	
BILL WITHDRAWN	1233	Further discussion on the motion to consider the Parliament (Prevention of Disqualification) Bill 1957 as reported by Joint Committee and passing of the Bill.	
The Representation of the People (Amendment) Bill, 1958.			